



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
November 7, 2019**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regular City Council meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Ave, Park City, Utah 84060 for the purposes and at the times as described below on Thursday, November 7, 2019.

CLOSED SESSION - 2:30 p.m.

To Discuss Property, Personnel, and Litigation

WORK SESSION

3:15 p.m. - Old Town Access and Circulation Strategic Plan Overview
[Old Town Access Staff Report](#)

3:30 p.m. - Ground Transportation Business Licensing
[Business Licensing Ground Transportation Staff Report](#)

3:45 p.m. - Downtown Curb Management - Creation of Drop, Load and Staging Areas
[Curb Management Staff Report](#)
[Exhibit A: Overview of DLS Zones and Costs](#)
[Exhibit B: TNC Act Summary](#)
[Exhibit C: Parking Enforcement Memo](#)
[Exhibit D: Police Enforcement Costs](#)
[Exhibit E: Occupancy, Sales, Tax Info](#)
[Exhibit F: L2 Data](#)
[Exhibit G: Old Town Circulation Discussion Background and Public Engagement Opportunities](#)
[Exhibit H: Old Town Circulation Discussion Background from 8.15.19](#)

4:00 p.m. - Break

STUDY SESSION

4:15 p.m. - Flagstaff Historic Preservation Plan Update
[Flagstaff Mountain Resort HPP Update Staff Report](#)
[Exhibit A: SWCA 2019 Historic Preservation Plan Update](#)
[Exhibit B: Memorandum of Agreement \(2019 between EPMOA and PCMC\)](#)
[Exhibit C: Public Comment](#)

Exhibit D: Technical Report #5: Open Space Management Plan
Exhibit E: Technical Report #6: Historic Preservation Plan
Exhibit F: Park City Museum Priority List and Approximate Costs
Exhibit G: Judge Mining and Smelting Office Building Engineer's Submittal
Exhibit H: Cost Estimates Submitted by EPMOA

5:45 p.m. - Break

REGULAR MEETING - 6:00 p.m.

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. Drinking Water Quality Program Update - EPA Mandated Lead and Copper Rule
[Drinking Water Quality Program Staff Report](#)
2. City Council Meeting Closed Captioning Service
[Closed Captioning Staff Report](#)
3. Transportation Planning during Peak Winter Events
[Special Event Peak Winter 2020 Transportation Plan Staff Report](#)
[Exhibit A: Transportation Plans Evaluation](#)
[Exhibit Ai: Sundance Circulation Peer Review Technical Memo](#)
[Exhibit Aii: Letter to Park City on Behalf of Sundance Institute](#)

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

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from October 10 and 22, 2019
[October 10, 2019 Minutes](#)
[October 22, 2019 Minutes](#)

V. CONSENT AGENDA

1. Request to Authorize the Mayor to Sign an Updated Agreement to Allow an Enclosed Balcony over a Public Pedestrian Right-of-Way with Riverhorse on Main, Located at 540 Main Street, in a Form Approved by the City Attorney
[Riverhorse Balcony Agreement Staff Report](#)
[Riverhorse Balcony Agreement](#)

2. Request to Authorize the City Manager to Execute the Third Addendum to the Design Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M, Inc., for the 3Kings Water Treatment Plant (3KWTP) Phase III Design Services in an Amount Not to Exceed \$565,000
[3KWTP Design Services Third Addendum Staff Report](#)
[Attachment A: 3KWTP Contracts Summary Table](#)
3. Request to Authorize the City Manager to Exercise a Seven Month Contract Extension in a Form Approved by the City Attorney for an Amount Not to Exceed \$17,000 for City Facilities and \$68,000 for the Historic Park City Alliance (HPCA) Main Street Area
[Trash Contract Extension Staff Report](#)
[Exhibit A: Allied Republic Contract Addendum 2](#)

VI. OLD BUSINESS

1. 2019 Park City Kimball Art Festival Debrief
(A) Public Input
[Kimball Arts Festival Debrief Staff Report](#)
[Exhibit A: Background Park City Kimball Arts Festival](#)
[Exhibit B: 2019 Kimball Arts Festival Debrief Staff Analysis](#)
[Exhibit C: 2019 Park City Kimball Arts Festival Recap](#)
2. Consideration to Approve a Purchase Agreement to Acquire Five (5) Acres of the Armstrong Snow Ranch Pastures for \$3,550,000 from Armstrong Holdings LLC. AND Subsequently Grant a Conservation Easement on the Five (5) Acres to Utah Open Lands, in a Form Approved by the City Attorney
(A) Public Hearing (B) Action
[Armstrong Snow Ranch Pastures Staff Report](#)
[Exhibit A: Purchase and Sale Agreement ASRP](#)
[Exhibit B: ASRP Conservation Easement](#)
3. Consideration to Approve Special Service Contract Round Two Recommendations
(A) Public Input (B) Action
[Special Service Contracts Staff Report](#)
[Exhibit A: Funding Recommendations and Distribution Graph](#)

VII. NEW BUSINESS

1. Consideration to Approve Ordinance No. 2019-54, an Ordinance Approving the Aerie Phase I, Amending Lots 9, 10 and 11, Plat Amendment, Located at 1312, 1324 and 1336 Aerie Drive, Park City, Utah
(A) Public Hearing (B) Action
[Aerie Plat Amendment Staff Report](#)
[Exhibit A: Applicant's Project Intent](#)
[Exhibit B: Neighborhood House and Lot Size Data](#)
[Exhibit C: Planning Commission Staff Report](#)
[Exhibit D: Planning Commission Redlined Site Plan](#)

Exhibit E: City Council Audio October 22, 2019

Exhibit F: Applicant's Proposed Floor Plan

2. Consideration to Approve Resolution 22-2019, a Resolution Adopting the 2020 Housing Assessment and Plan, the Five-Year Moderate Income Housing Plan, as an Addendum to the 2014 General Plan, and the 2019 Moderate Income Housing Report for Park City, Utah
(A) Public Hearing (B) Action
[Moderate Income Housing Plan Staff Report](#)
[Attachment I: Moderate Income Housing Resolution](#)
[Exhibit A: 2020 Housing Assessment and Plan](#)
[Exhibit B: Moderate Income Housing Report](#)
3. Consideration of the Appeal of the Planning Department's Approval of the Historic District Design Review for the Construction of a New Single Family Dwelling Located at 139 Main Street
(A) Public Hearing (B) Action
[139 Main Street Staff Report](#)
[Exhibit A: Letter of Appeal](#)
[Exhibit B: Existing Conditions Survey](#)
[Exhibit C: Recorded Plat](#)
[Exhibit D: Site Plan](#)
[Exhibit E: Floor Plans](#)
[Exhibit F: Elevations](#)
[Exhibit G: Streetscape](#)
[Exhibit H: Cross Canyon View](#)
[Exhibit I: Aerial Photograph](#)
[Exhibit J: Site Photographs](#)
[Exhibit K: HDDR Action Letter](#)
[Exhibit L: Standard Project Conditions](#)
[Exhibit M: Public Comment](#)
[Exhibit N: Preservation Consultant Letter](#)
[Exhibit O: Submitted by Applicant on October 31 2019](#)
[Exhibit P: Second Item Submitted by Applicant on October 31 2019](#)
4. Consideration to Continue an Ordinance Approving The King's Crown Condominium Plat Located at 1271 Lowell Avenue, Park City, Utah
(A) Public Input (B) Continue to November 21, 2019
[King's Crown Condominium Plat Staff Report](#)

VIII. ADJOURNMENT

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

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

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Alexis Verson

Submitting Department: Transportation Planning

Item Type: Work Session

Agenda Section:

Subject:

3:15 p.m. - Old Town Access and Circulation Strategic Plan Overview

Suggested Action:

Requesting direction on the Old Town Access and Circulation planning effort.

Attachments:

[Old Town Access Staff Report](#)

City Council Staff Report

Subject: Old Town Access and Circulation Strategic Plan Overview
Authors: Alexis Verson, Senior Transportation Planner
Department: Transportation Planning
Date: November 7, 2019
Type of Item: Work Session – Requesting Direction



Recommendation

- Review the summary of Old Town Access and Circulation Plan discussions to date;
- Identify Council and community goals for Old Town circulation; and
- Recommend Council's preferred policy initiative(s) moving forward.

Overview

On November 7th, several items regarding Old Town access and circulation will be reviewed. This particular report addresses the need to consider a broader and more holistic analysis of Old Town circulation and priority setting. In order to accomplish Council priorities, staff seeks direction on preferred next steps - data collection analysis, planning and study processes, implementation and infrastructure, etc., etc.).

Transportation Planning staff is aware that Council seeks near term solutions to alleviate traffic and congestion, and alleviate growing public safety concerns in Old Town. Typically, we would advocate for a period of professional and technical analysis, prior to infrastructure and operation improvements. However, we acknowledge that several "low hanging fruit" improvements can likely be implemented without the rigor of our typical planning processes and yet still make positive, incremental improvement to Old Town conditions.

Therefore, Transportation Planning recommends moving forward with two processes concurrently:

- 1) Comprehensive Old Town Circulation assessment (RFP was already issued, and will cost \$2380,000-280,000 depending on inclusion of construction design work),
- 2) New drop and load zones, additional parking enforcement and signage upgrades, and new ground transportation licensing changes being recommended by staff.

We do not recommend additional capital intensive infrastructure improvements until we can model impacts, cost v. benefit, unintended consequences, etc. We believe launching a robust strategic plan is important to define a collective vision for Old Town, backed by data and public input. The following report highlights the need for a comprehensive data collection, public engagement, and modeling process to get to the next level of implementing larger capital projects that will likely have more of an impact to the core center of our community.

Background

Discussions on safety, access, and congestion in Old Town are commonplace among the City's public safety, transit, and traffic and parking officials. As a result, Council indicated consensus to implement additional mitigation strategies. For example, staff initiated a comprehensive Old Town Access and Circulation Plan RFP to provide a comprehensive evaluation of Old Town, event mitigation, neighborhood traffic calming, dropping and loading, double parking, circling and idling. Below is a list of recent public discussions and meetings whereby priority projects/strategies were considered:

1. Hillside Avenue Discussions:

Staff presented several updates ([March 21, 2019](#) Hillside Tiered Improvements, [March 29, 2018](#) Hillside Traffic Discussion, and [May 17, 2018](#) Circulation Improvements) about traffic circulation and Hillside Avenue. Discussions moved from emotional, first-hand observations to more holistic and technical assessments regarding Old Town improvements as a broader project area.

2. Old Town Projects:

Staff regularly updated Council on a series of Hillside Ave improvement projects and Old Town more broadly: [August 15, 2019](#), [September 12, 2019](#). Projects include wayfinding and regulatory signage, striping, vegetation trimming, traffic counters, speed bump, bulb out, lodging industry, drop and load, and police enforcement. Generally, programs and projects were non-invasive, and

identified as interim until more bold, comprehensive, and costly solutions can be analyzed. These projects were easy to implement, however, it is worth noting that they were met with mixed reviews by the community.

3. **Need for Comprehensive Plan:**

Council approved funding on [June 20, 2019](#), to launch a more comprehensive plan for Old Town. The Plan includes conducting outreach and quantifying impacts (collecting data) to residents to model and inform the project list.

On [August 15, 2019](#), Council discussed Old Town interim projects and next steps, and found “the majority of Council wanted a comprehensive traffic study, to implement short term solutions...and establish commercial drop and load zones on Main Street.” (Pages 7-8 of Minutes).

In the [October 10, 2019](#), Council asked to bring the Old Town access and circulation discussion back for clarification of objectives and priorities. Specifically, to gain a better understanding of goals, ensure funding is responsibly allocated, and identify projects that meet community needs.

Data & Outreach Overview

Various pieces of data have been collected over the years, however a specific set regarding traffic and congestion in Old Town is sporadic at best, and, often several years old. Because traffic and congestion issues are filled with emotion, it is important to quantify. Traffic data was collected recently at two locations (Hillside Ave and intersection of Hillside and Main) to better quantify a particular neighborhood concern. Speed, vehicle counts, and turning movements were collected, and [This memo](#) summarizes internal data collection efforts, coupled with traffic counts that informed a [microsimulation model](#).

Recommendation

1. Move forward with Old Town Circulation Strategic Plan (planning exercise, not project based):

The cost is a preferred step in the capital project implementation process.

Pros:

- A Strategic Plan goes beyond identifying problems; it provides clear direction on most impactful mitigation strategies and a project list.
- A defensible and transparent process that includes goal setting, data collection, community buy-in, and a preferred project list – the industry standard.
- A Plan is ideal for understanding the impacts of big and bold projects/policies on locals and navigating tradeoffs, as the two may conflict at various levels.
- This Plan would also include an “Olympic level” special event circulation approach; expensive and labor intensive, without this Plan an Olympic Level approach will be difficult to justify to critics.

Cons:

- Schedule (approximately 9 months) to create a project list and begin implementing changes.
- Funding (approximately \$230,000-280,000) goes to the planning process, rather than constructing capital projects, and additional funding would be required to build.

Alternatives

2. Fund Main Street and Lower Swede Alley Circulation Projects: Bob Wells drop and load and turnaround area, additional drop and load zones, and parking and staging areas. It is unclear if available funding would cover construction costs until design work is completed - curb cuts, new/different driveways, and drainage improvements on Swede Alley. These projects are above and beyond what is being recommended on November 7th by Staff.

Pros:

- These are near-term changes that will almost certainly improve circulation.
- Funding can be reallocated towards this effort, instead of a planning process.

Cons:

- Significant loss of parking revenue.
- Unclear of impacts to Transit movements and the Transit Center, as well as how many vehicles and vehicle types require the use of that space (demand).
- Lack of data collection prior to short term project improvements makes it difficult to measure success (congestion relief, better access, increased public safety, etc.)

3. Do nothing: Forego a planning process, as well as eliminate any noninvasive circulation project efforts.

Pros:

- Funding is not expended; resources and labor devoted to other community issues

Cons:

- No meaningful improvements to circulation and residential made.
- Public safety, traffic and congestion will continue unabated.

Objectives for Old Town

Considerations for Council before determining a recommendation:

- How do we measure success? *Public perception, reduction in traffic volumes, transit ridership, other?*
- What are the goals/outcomes? *Some suggestions:*
 - o Address public safety concerns – emergency response access, gridlock, double and illegal parking, drop and loading, and circling
 - o Promote transit, walkability, and biking
 - o Balance business and accessibility goals with neighborhood quality of life
- Goal prioritization

Funding

A comprehensive Strategic Plan for Old Town will cost approximately \$280,000; \$50,000 is allocated to project construction design and can be cut from the original scope. This brings the effort closer to \$230,000. Through a combination of funding sources (Transit Fund, Lower Main Street RDA, Park Ave RDA, and Economic Development budget) \$230,000 is currently available.

Recommendation

- Review the summary of Old Town Access and Circulation Plan discussions to date;
- Identify Council and community goals for Old Town circulation; and
- Recommend Council's preferred policy initiative(s) moving forward.

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Jonathan Weidenhamer

Submitting Department: Sustainability

Item Type: Work Session

Agenda Section:

Subject:

3:30 p.m. - Ground Transportation Business Licensing

Suggested Action:

Attachments:

[Business Licensing Ground Transportation Staff Report](#)



City Council Staff Report

Subject: Amend For-Hire Licensing regulations
Authors: Beth Bynan, Business License Specialist
Jonathan Weidenhamer, Economic Development Manager
Department: Finance, Economic Development
Date: November 7, 2019
Type of Item: Old Business – Discussion Only, no action requested

Recommendation

Modify the current For-Hire business license to:

- 1) Change the type of license to a “Ground Transportation license”; and
- 2) Adopt a reciprocal license approach, similar to recent food truck regulations, where providers only require one license through any jurisdiction in the state of Utah. The reciprocal license would continue the evolution of PCMC’s attempts to create a level marketplace for drivers (local, for-hire, shuttles, TNC’s, etc.) and still ensure basic driver background and insurance requirements consistent with Utah State Code.

Summary

- Local Park City transit and parking systems have largely been adequate for visitor and event volumes for decades.
- The advent and rise of ride share companies, including technology and legislative advances, have dramatically changed how people move between destinations, particularly during vacation and business travel.
- As a result, Old Town increasingly succumbs to extreme traffic and congestion during peak periods, creating serious public safety, sustainability and quality of life concerns in residential areas.
- Concurrently, under a separate report, staff is also recommending a series of proactive measures to better balance the elevated levels of public services and investment (transit, parking, bike share, walkability, etc.) and expansive array of ground transportation options (taxis, shuttles, TNCs, etc.). They are:
 - o Paid parking permits for Main Street drop, load, and staging (DLS Zones) – to be eligible to purchase a permit, proof of business license would be required;
 - o Prohibit other commercial drop and load on Main Street; and
 - o Create free areas for drop, load, and staging off of Main Street.

Taken together (progressive regulation of For-Hire and greater operational control and organization of Main Street), staff believes we can help mitigate some of the public safety concerns, better balance residential concerns, and increase guest experience and access to businesses on Main Street.

Background

- In 2019, despite extreme periods of traffic and congestion due to increased visitors and ground transportation vehicles, PCMC only licensed approximately 101 For-Hire vehicles through approximately 80 individual companies. Of those 101, only 19 businesses were

physically located in Park City limits. PCMC's existing licensing program is broken, with little hope of success, if not significantly overhauled.

- Staff recommends better alignment with new trends in the private transportation industry vis a vis our Community Critical Priority.

Breakdown by Primary Address



- The following would qualify for reciprocal licensing:
 - o A rideshare/ TNC driver who is registered through the state;
 - o A hotel shuttle driver who is licensed via their parent employer's business license;
 - o A for-hire (or taxi) driver who is licensed by another Utah jurisdiction and meets the same minimum standards as the TNC driver.
- If not licensed elsewhere, a Park City Ground Transportation (business) license would be available.
- With Council support, staff is prepared to return on November 21 with an ordinance to reflect these modifications.
 - o The new ordinance would be effective December 15, 2019, thereby allowing a training/education period to address unforeseen consequences prior to winter.

Analysis

Ground Transportation Vehicles (GT) are private vehicles used to transport passengers, whether or not a fare is charged. GT's have become a major component of PCMC's overall transportation system and, when executed efficiently and strategically, help many of the community's environmental, traffic and congestion, parking, and public safety goals. GT regulations, restrictions, and/or policies are mentioned in several adopted plans for Park City Municipal, including the General Plan (p.11-12), 2017 Parking Management Plan (p.57-59); and Transportation Demand Management Plan.

In 2015, Park City Municipal created Transportation as a Community Critical Priority. At more or less the same time, the hired transportation industry underwent dramatic changes that have, at times, contributed to additional public safety concerns and additional traffic and congestion. In particular, TNCs, such as Uber/Lyft, seemed to explode in their popularity after Utah State Legislative exemption from municipal licensing: [SB 294; 13-15-109, 354](#) - "...this chapter supersedes any regulation of a municipality, county, or local government regarding a transportation network company, a transportation network driver, or transportation network services."

For example, a direct implication was the almost overnight change in local licensing, leaving our regulation of local For-Hire companies nearly obsolete. For-Hire licenses (traditional taxi/hired transportation) issued by Park City dropped 87% since the State preemption; in 2014 we had 125 For-Hire licenses and 803 vehicles in the program; in 2019, we only have 80 For-Hire licenses and 101 vehicles in the program.

Alternatives

1) Modify for-Hire business license process

GT License incorporated as larger operational overhaul of Old Town to better balance public safety, resident, business, and tourism interests.

- Reclassify “For-Hire” to “Ground Transportation” (GT);
- Clarify and restate baseline requirements for drivers insurance standards and alignment with State Code;
- Continue to require drivers who conduct business in PCMC to have a business license including the following which suffice:
 - o PCMC GT license available at City Hall or online;
 - o Parent hotel or lodging company with a business license;
 - o Reciprocal business licenses from other jurisdictions; including:
 - TNC umbrella license;
 - Ground transportation license (taxi, or other private vehicle used to transport passengers, whether or not fare charged);

Pros:

- Police feel strongly a business license with consistent driver standards allows enforceability and basic safety standard.
- Allows level playing field for all ground transportation drivers.
- Requires any driver who wants access to premium drop and load on Main Street to document current business license.

Cons:

- While there is a consensus and frustration with TNC’s from our local for-hire community, it is difficult to gain 100% consensus from local stakeholders regarding licensing and next steps (most want to eliminate regulation b/c of industry trends, while other suggest more rigorous standards and enforcement is necessary).

Alternative 2) - Complete deregulation – Given the decline in the number of licenses issued by PCMC, and little to no significant criminal complaints, complete deregulation is a viable option with relatively little risk. With no confidence in drivers having background clearances and appropriate insurance, the Park City Police Department is strongly opposed to this alternative.

Alternative 3) - Status quo – Little to no impact, yet does not attempt to proactively manage documented congestion issues on Main Street, coupled with the existing program requires considerable administrative and applicant effort, for little benefit to the public.

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Jonathan Weidenhamer

Submitting Department: Sustainability

Item Type: Work Session

Agenda Section:

Subject:

3:45 p.m. - Downtown Curb Management - Creation of Drop, Load and Staging Areas

Suggested Action:

Attachments:

[Curb Management Staff Report](#)

[Exhibit A: Overview of DLS Zones and Costs](#)

[Exhibit B: TNC Act Summary](#)

[Exhibit C: Parking Enforcement Memo](#)

[Exhibit D: Police Enforcement Costs](#)

[Exhibit E: Occupancy, Sales, Tax Info](#)

[Exhibit F: L2 Data](#)

[Exhibit G: Old Town Circulation Discussion Background and Public Engagement Opportunities](#)

[Exhibit H: Old Town Circulation Discussion Background from 8.15.19](#)

Subject: Old Town Circulation and Access – Curbside Management Program
Authors: Jonathan Weidenhamer, Economic Development Manager
Department: Economic Development
Date: November 7, 2019
Type of Item: Work Session

Recommendation

- Proactively address major structural changes in the private transportation industry (TNCs and shuttles) that continue to create significant public safety issues, traffic and congestion in and around Old Town.
- Implement several, strategic paid/permitted Drop and Load Parking and Staging (DLS) Zones on Main Street during the peak winter season (4 months).
- Prohibit Ground Transportation vehicles and other commercial traffic from pick up and drop off on Main Street, except for the permitted DLS Zones.
- Create unpaid DLS Zones off Main during the peak winter season (4 months).
- The elevated management approach will require a new ordinance to amend Licensing, Parking Codes, and Fee Schedules.

Background

Major structural changes have occurred in the private transportation industry creating considerable public safety and quality of life impacts in Old Town. With new technology (TNCs), coupled with intentional legislative deregulation, PCMC's local licensing program is broken and stands little chance to help forward community priorities of transportation and sustainability if left unchanged. In addition, Council continues to articulate a focus on the following goals: improve public safety, reduce congestion and impacts of commercial districts on residential neighborhoods, and promote transit. Staff believes an elevated Old Town Circulation including a curbside management program will forward those goals. In addition, staff believes the management program will provide equal or better access to visitors of Main Street businesses.

As Park City's economy has grown, so too has the volume of visitors, spending, vehicle trips, and traffic and congestion (Exhibit E summary, more information can be found: [link to sales tax info](#)). The 2019 numbers are in, but not compiled at this time. Since 2011, occupancy has grown over 14 percent. Total sales more than doubled since 2007, with the winter outperforming the busiest summer months by 3x, and the rest of the year by over 4x. One of the unintended consequences has been the increase in the number of vehicles accessing Main Street – pick and drop off, double parking, circling neighborhoods, idling, and parking. In 2011 and 2017, for example, between the hours of 8PM and 10PM, for-hire vehicles (taxis, rideshares, etc.) and hotel shuttles (collectively ground transportation vehicles, or GT's) accounted for approximately 40-50% of all traffic on Main Street (Exhibit F).

Although the [Parking Code](#) allows the City Manager to establish parking zones and fee schedules, the gravity of the recommended changes necessitates additional public input and Council support. Parking violations would be assessed for those using the DLS Zones without a permit, and moving violations for the most serious offenses regularly occurring on Main Street - double parking in the public right of way. Additional resources are necessary to provide effective levels of enforcement.

Analysis

Curbside management is a part of our overall transportation strategy and, when executed efficiently and strategically, help many of the community's environmental, traffic and congestion,

parking, and public safety goals. Curbside regulations, restrictions, and/or policies are mentioned in several adopted plans for Park City Municipal, including the 2017 Parking Management Plan and Transportation Demand Management Plan.

The curbside program would implement Paid DLS Zones; continue to allow free, 15 minute parking at them during the day until 5:00 pm. After 5:00 pm, zones are restricted to drop/load with permit only, and continue with 15 minute staging at the Post Office and 350 Main Zones. Below is a list of the proposed paid and unpaid DLS Zones (Exhibit A).

Recommended Base Paid/Permitted DLS Zones			
Location	# parking spots	\$/spot/ day	forgone rev. 4 mo
Brew Pub,	3	\$20	\$7,200
Chimayo	3	\$20	\$7,200
Post Office*	0	\$0	\$0
Tupelo/ Museum	3	\$20	\$7,200
Zoom/7th Street	3	\$20	\$7,200
(sub) total	12		\$28,800
Expanded Paid Zones Option			
Spur, 350 Main*	3	\$20	\$7,200
Flanagan's	3	\$20	\$7,200
Bear Bench	3	\$20	\$7,200
(sub) total	9		\$21,600
total	21		\$50,400
* ok for staging after 9 pm		** ok for oversize vehicles	
DLS, No Permit or Payment			
Swede parallel spots** at KPCW	9	\$0	\$0
Bob Wells Plaza	17	\$9	\$18,360
	26		\$18,360
combined	47		\$68,760

It is important to note that staff has conducted multiple meetings with businesses, stakeholders, TNC's, including public meetings and staff reports, (Exhibit G). In other words, the proposed management program is the culmination of several years' worth of work. However, the expansion from 5 to 8, paid DLS Zones has not been formally discussed with the HPCA.

Funding & Enforcement

Creation of the paid DLS program costs approximately \$25,000, achieved with a combination of Parking, Streets and Economic Development budget. This is the basic cost for signs and paint, not amenities like benches. Costs for the non-paid areas including converting Bob Wells are harder to project, but should roughly be another \$15,000.

The Parking Dept. will be primarily responsible for enforcement (Exhibit C), with support from Police (Exhibit D). Staff is unsure of the long term costs, or if permit fees can/should offset costs. In terms of Police services, Staff recommends Tier 3, and built the cost of the permits from this estimate (One additional police officer to work Main Street during peak days and weekends). Staff is concerned 3 day/week enforcement may not meet community expectations.

Recommendation

1) Peak Season Old Town Circulation Management Program (4 monthss – winter ski season) (Ex. A):

- Create several strategically located **paid/permitted** DLS Zones on Main Street.
- Prohibit ground transportation vehicles and other commercial traffic from pick up and drop off on Main Street without permit for DLS Zone.
- Create several strategically located **free/non permitted** DLS spaces off of Main Street, including spaces for oversize vehicles (larger than sprinter/15 passenger vans), which are increasingly common and disruptive to Old Town circulation.

- Subsequently, adopt necessary ordinances to amend Licensing, Parking Codes and Fee Schedules at a future meeting.

Pros:

- Improves traffic flow, pedestrian safety, and emergency response; reduces double parking
- Provides premium, “preferred” Main Street pick up/drop offs; flexible, 15 minute daytime parking.
- Lodging and many For-Hire industry support, provided there is consistent enforcement;
- Provides centralized drop/load staging locations for non DLS parking permit holders and oversized vehicles; and
- Approximately even distribution of paid and unpaid spaces.

Cons:

- Displaces 9 additional paid parking spots, which exceeds the 12 originally supported by HPCA. The HPCA has not had the opportunity to discuss the expansion.
- Enforcement will be expensive and difficult.

2) Alternative - Create Additional non-paid/permitted DLS Zones (Exhibit A)

Council may consider expanding non-paid DLS locations to some or all of the following:

Expanded DLS Zones, no Permit			
Brew Pub lot (portion)**	8	\$9	\$8,640
9th Street Turnaround**	0	\$0	\$0
Galleria	10	\$2	\$2,172
Historic wall Lot	20	\$9	\$21,600
sub total	38		\$23,772
** ok for oversize vehicles			
All options combined	85		\$92,532

Pros:

- Enhances levels of service for non DLS permit holders and oversize vehicles.

Cons:

- Displaces significant, additional amount of paid parking (38) and revenue, and provides significantly more free DLS spots than paid spots.
- Staff is unsure if Swede Alley has the vehicle capacity to operate such a program without impacting transit circulation.

Permit Price

Cost recovery goals versus willingness to subsidize the program are important considerations and worthy of Council discussion. The majority of the shuttle and for-hire community appear willing to pay as much as \$200 for a DLS permit if there is consistent enforcement. See Exhibit A for analysis of possible costs. Staff recommends consideration of a range of \$150-\$200/permit.

Attachments

Exhibit A	Drop, Load and Staging Zones. Costs
Exhibit B	TNC Act Summary
Exhibit C	Parking Enforcement Memo
Exhibit D	Police Enforcement Costs
Exhibit E	Occupancy and Sales Tax over Time, Summary
Exhibit F	L2 Information
Exhibit G	Recent Stakeholder Engagement
Exhibit H	Background of OTAC Discussion

Exhibit A – Drop and Load and Staging Zones

Recommended Base Paid/Permitted DLS Zones			
Location	# parking spots	\$/spot/ day	forgone rev. 4 mo
Brew Pub,	3	\$20	\$7,200
Chimayo	3	\$20	\$7,200
Post Office*	0	\$0	\$0
Tupelo/ Museum	3	\$20	\$7,200
Zoom/7th Street	3	\$20	\$7,200
(sub) total	12		\$28,800
Expanded Paid Zones Option			
Spur, 350 Main*	3	\$20	\$7,200
Flanagan's	3	\$20	\$7,200
Bear Bench	3	\$20	\$7,200
(sub) total	9		\$21,600
total	21		\$50,400
* ok for staging after 9 pm		** ok for oversize vehicles	
DLS, No Permit or Payment			
Swede parallel spots** at KPCW	9	\$0	\$0
Bob Wells Plaza	17	\$9	\$18,360
	26		\$18,360
combined	47		\$68,760
Expanded DLS Zones, no Permit			
Brew Pub lot (portion)**	8	\$9	\$8,640
9th Street Turnaround**	0	\$0	\$0
Galleria	10	\$2	\$2,172
Historic wall Lot	20	\$9	\$21,600
sub total	38		\$23,772
** ok for oversize vehicles			
All options combined	85		\$92,532

Paid Parking Inventory	
China Bridge	600
Main Street	175
Rest of downtown	225
Total Stalls	1000
total revenue	\$1,400,000
Enforcement Cost/ Forgone Rev.	4 mo
Police Enforcement Tier 3	\$37,620
Foregone Parking Revenue of Recc.1	\$68,760
Cost to administer Bob Wells	??
total cost to administer	\$106,380
# possible DLS Permits/Ops Cost (\$106,380)	4 mo
500	\$213
250	\$426
100	\$1,064
If one estimates 500 permit holders, to cover costs for 4 months the permit should be \$213 if City Council desires full cost recovery.	

Exhibit A



Permitted/ Paid DL



Base Free DL Zone & Oversize Vehicle DLS



Expanded Free DLS Zone

[Transportation Network Company Registration Act](#) Info Sheet

This info sheet addresses how Transportation Network Companies (TNCs), and those who drive for TNCs, are regulated under Utah law. TNCs are companies that connect drivers and passengers through a software application (an app)—Uber and Lyft are TNCs. TNCs are regulated by the State of Utah's Division of Consumer Protection within the Department of Commerce.

Under Utah law, local governments (like Park City Municipal Corporation) cannot regulate any areas regarding TNCs that are regulated by state law. The only exception to this is local government regulations regarding TNCs at an airport.

Driver Regulations:

Drivers may only provide rides through the app. They may only accept payment through the app.

Drivers are independent contractors of a TNC and not TNC employees.

Drivers must follow the TNC's policy prohibiting unlawful discrimination. They must accommodate service animals or individuals with a disability, without any additional charge.

To drive for a TNC, a driver must:

- Consent to a criminal background check by the TNC or the TNC's designee and a report on the individual's driving history.
- TNCs may not allow an individual to drive who:
 - Has more than three moving violations in the three years before their application;
 - Has been convicted, in the seven years before the application, of:
 - driving under the influence of alcohol or drugs; fraud; a sexual offense; a felony involving a motor vehicle; a crime involving property damage; a crime involving theft; a crime of violence; or an act of terror.
 - Is required to register as a sex offender;
 - Does not have a valid Utah driver license; or
 - Is not at least 19 years old.

Drivers may not provide TNC services unless their vehicles comply with equipment and emissions standards in [Utah Code §§ 41-6a-1601 and 41-6a-1642](#).

Insurance Requirements:

A driver must carry proof that they are covered by insurance that covers, on a primary basis, the driver's use of the vehicle during a ride that includes:

- An acknowledgment that the vehicle is being used for TNC services or for commercial purposes;
- Liability coverage for a minimum amount of \$1,000,000 per occurrence during a ride;
- Liability coverage for a minimum amount of \$50,000/individual; \$100,000 to all individuals; and \$30,000 for property damage during a period while the driver is logged into the app and waiting for a ride; and
- Personal injury protection, uninsured motorist coverage, and underinsured motorist coverage under [Utah Code §§ 31A-22-306, 309, 305, 305.3](#).

The insurance requirements may be satisfied by the driver purchasing the policy, the TNC purchasing the policy on the driver's behalf, or some combination.

TNC must disclose to the driver:

- A description of the insurance coverage the TNC provides the driver, including the liability limit;
- That the driver's personal insurance may not provide coverage when the driver is providing TNC services;
- That if the driver is using a vehicle with a lien, the driver must notify the lienholder that the vehicle is being used for TNC services;
- That using a vehicle with a lien may violate the driver's contract with the lienholder.

If an incident occurs while a driver is providing TNC services, the TNC and TNC's insurer must cooperate with the insurer that insures the vehicle, including providing information from the app about the incident, within 10 business days.

Company Regulations:

TNCs must register with the Division. The registration is valid for one year and renewable if the TNC continues to meet the statutory requirements. TNCs must maintain an agent for service of process in Utah and they must notify the Division of the agent's name and address.

TNCs must:

- Post the method for calculating the fare and provide the passenger the rate used to calculate the fare;
- Allow the passenger to obtain an estimated fare before entering the vehicle;
- Display a picture of the driver before the passenger enters the vehicle; and
- Transmit a receipt shortly after the ride is complete, including the ride's start and end points; total time and distance; and an itemization of the total fare.

TNCs must have a policy prohibiting drivers from being under the influence of a drug or alcohol while providing TNC services. When a TNC receives a complaint that a driver is suspected of violating the policy, the TNC must suspend the driver and investigate the complaint.

TNCs must maintain records of all trips and all driver information for a minimum of five years.

Exhibit C – Parking Services Enforcement Procedure

Main Street 15 Minute Zone/Commercial Vehicle Zone Permit Enforcement – Parking Services

Pre 5:00PM

If a vehicle is encountered in a 15 minute loading zone the enforcement officer will:

1. Check for a driver in the vehicle.
 - a. If there is a driver observed the vehicle must not be idling.
 - i. If the driver is idling in the stall, the officer will advise the driver to vacate the stall or inform the driver of the idling ordinance and issue an informational pamphlet to educate the driver regarding City idling ordinances.
 - b. If the driver refuses to move, the officer will “chalk time” the vehicle using virtual timing tools for the 15 minutes.
 - i. If the vehicle remains in the stall beyond the time limit, the officer will issue an overtime violation (recorded warning first)
2. If no driver is inside of the vehicle
 - a. The officer will “chalk time” the vehicle using virtual timing tools for the 15 minutes.
 - i. If the vehicle remains in the stall beyond the time limit, the officer will issue an overtime violation (recorded warning first)

Post 5:00PM

If a vehicle is encountered in a CV zone the enforcement officer will:

3. Check for a valid CV permit and a driver in the vehicle.
 - a. If there is a permit/driver observed the driver must be actively loading/unloading
 - i. If the driver is sitting/standing in the stall, the officer will inform the driver they must vacate the space once loading/unloading has concluded.
 - ii. If the driver refuses to move or claims they are just waiting for their guests the officer will use their discretion and record the license plate of the vehicle and possibly issue a civil parking citation. (recorded warning first with an informational pamphlet in order to educate the driver on City policy regarding Commercial Vehicle zones.)
4. If no CV permit is visible with a driver inside of the vehicle
 - a. The officer will instruct the driver to vacate the stall
 - b. If the driver refuses, the officer will record the license plate number and issue a civil parking citation (warning first with an information pamphlet in order to educate the driver on City policy regarding Commercial Vehicle zones.)
5. If no CV permit is visible and no driver in the vehicle
 - a. The Officer will immediately issue a civil parking citation (warning first with an information pamphlet in order to educate the driver on City policy regarding Commercial Vehicle zones.)

Collections and follow up:

Commercial Vehicle Violations:

1. A list of vehicle license plates, CV permit numbers, and citation numbers will be provided weekly to Jonathan Weidenhamer to submit to the respective businesses associated with the vehicles to determine the operator of the vehicle at the time of citation issuance.

Private Vehicle Violations:

1. Regular collections process will apply- Registered owner information will be obtained through the Department of Motor Vehicles and billing addresses will be obtained for collection of payments.

Right to Appeal:

All civil violations issued under Title 9 will include a standard right to appeal as stated on the reverse side of all issued civil parking citations. All evidences submitted by both the issuing officer and the appellant will be gathered and considered throughout the appeal process

Exhibit D – Police Department Enforcement Alternatives

Personnel and equipment cost estimates with a tiered approach. With tier 1 being the most robust and tier 5 being the least. It is also possible to combine a tier 1-3 approach with tiers 4 and/or 5. Standard human resource staffing calculators indicate it requires 5.4 FTEs to cover a 24/7 period. This allows for vacations, sick time, days off, etc. Human Resources in PCMC estimate the hourly rate of \$55.00 per hour for a police officer including benefits.

TIER 1: FTE APPROACH

The Tier 1 approach would be to create a Main Street patrol zone which would be staffed 24 hours per day 7 days per week. The Main Street patrol zone officer would be responsible for calls for service within a smaller area that would likely include Hillside Avenue, Main Street (from 1st to 9th Streets), and all of Swede Alley. With the smaller area of responsibility, the officer could concentrate more on proactive enforcement of traffic laws, parking regulations, idling violations, etc. This approach increases overall officer presence in primary commercial and tourist area.

5.4 FTEs X 2080 hours per year X \$55.00 per hour (estimate includes hourly rate and benefits) = **\$617,760.00**

This would essentially place 1 patrol officer in the Main Street zone on all three shifts, day shift, swing shift, and graveyard daily. This estimate does not include the cost of vehicles, uniforms, and equipment (I will outline this after the tiers)

Tier 2: FTE APPROACH

Tier 2 would also include the creation of the Main Street patrol zone it would only be covered for 10 hours per day and 7 days per week during the peak of commercial traffic and Main Street visitation.

2.5 FTEs X 2080 hours per year X \$55.00 per hour (estimate includes hourly rate and benefits) = **\$286,000.00**

Tier 3: FTE APPROACH

Tier3: Hiring 1 additional position and assigning him/her to Main Street during peak days and times. (Example Thursday-Sunday from 1200-2200).

1 FTE X 2080 hours per year X \$55.00 per hour (estimate includes hourly rate and benefits) = **\$114,400.00**

Tier 4: OVERTIME/RESERVE/CONTRACT APPROACH

Tiers 4 and 5 move away from hiring FTE's and take the approach of offering overtime shifts to existing full time staff and part-time officers. Tier 4 would mean that we would cover two weekend nights per week from 1600-0000 hours (8 hour shifts). In addition we would add this staffing for roughly 40 special event days per year. This is roughly 145 shifts per year.

145 shifts X 8 hours per shift X \$75.00 per hour (based on fee schedule) = **\$87,000.00**

Tier 5: OVERTIME/RESERVE/CONTRACT APPROACH

Tier 5: Targeted enforcement operations (similar to CVI inspections or DUI blitzes). Quarterly targeted enforcement operations would be planned and focused on the CV zone and associated violations. These would likely be 8 hour shifts 4 times per year with 4-5 officers participating.

4 Shifts X 5 Officers X 8 hours X \$75.00 per hour (based on fee schedule) = **\$12,000.00**

Each of the tiers are scalable, but this provides some options with a pretty large range of costs. For the FTE approach (tiers 1-3) I have included the cost of vehicles and equipment below. The overtime approach also continues to tax our

resources and would mean that we would need to increase the number of part-time and reserve officers that we currently employ. This means additional costs for testing and hiring as well as equipment.

Vehicle/Uniforms/Equipment Estimate

Fully Equipped law enforcement SUV or Pick-up truck - **\$50,000.00 each**

(Cage, Emergency lights, Siren, PA, In-car camera system, gun racks/vaults, printer, consoles, logos, storage, radar/lidar, computer mounts)

Set-up for personal equipment per officer :

1. Uniforms/Jackets/Foot ware/Class A Uniform/Badges/Leather/Handcuffs/Baton: \$6000.00
2. Body Armor: \$1200.00
3. Body Camera: \$1200.00
4. Taser: \$1200.00
5. Firearms (Handgun, Rifle, Shotgun): \$3000.00
6. Handheld Radio: \$3000.00
7. Lap top computer (Toughbook): \$5000.00
8. Personal Protective Equipment, First Aid Kit, Misc. Equipment): \$500.00
9. Additional software licensing (Watchguard, Lexipol, Spillman): \$200.00

Total per Officer: **\$21,300.00 per Officer**

Captain Andrew Leatham

Exhibit E – Occupancy, Sales & Tax Numbers

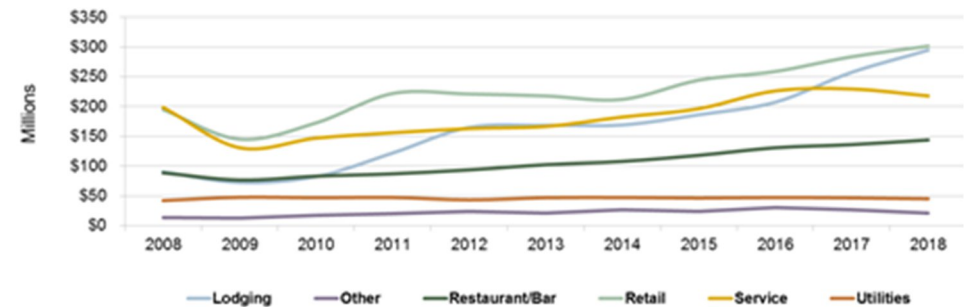
Estimated Park City Area Lodging Occupancy % - DestiMetrics RAO Data															
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL	Total Annual Pillows
2011		50.9%	56.7%	53.0%	14.2%	9.5%	18.9%	41.0%	37.3%	25.9%	16.4%	13.4%	37.6%	31.2%	10,172,185
2012		51.0%	53.5%	46.7%	16.8%	13.1%	28.7%	45.6%	39.5%	31.3%	21.7%	15.5%	37.3%	33.4%	10,360,728
2013		53.2%	59.9%	58.1%	14.8%	14.3%	33.4%	50.9%	42.9%	37.3%	23.8%	18.7%	36.8%	36.9%	10,337,165
2014		58.3%	62.0%	59.2%	17.6%	16.5%	36.5%	50.5%	49.4%	31.5%	23.5%	18.7%	37.8%	38.4%	10,337,165
2015		57.8%	63.4%	56.8%	20.8%	21.2%	43.5%	57.1%	50.0%	39.4%	35.5%	24.2%	44.7%	42.8%	10,245,185
2016		63.7%	68.8%	63.4%	21.2%	20.2%	37.8%	54.0%	49.7%	41.5%	29.1%	19.5%	45.6%	42.9%	10,283,136
2017		66.1%	70.1%	63.2%	23.2%	20.3%	38.8%	56.4%	47.6%	47.6%	33.7%	21.1%	43.8%	44.2%	10,255,040
2018		62.9%	66.1%	63.5%	24.2%	23.3%	45.2%	55.6%	52.7%	45.2%	33.6%	25.2%	43.3%	45.0%	10,274,750
2019		63.0%	69.2%	69.7%											10,274,750

City Sales Tax



- This represents a 5.6% growth

Estimated Sales by Industry



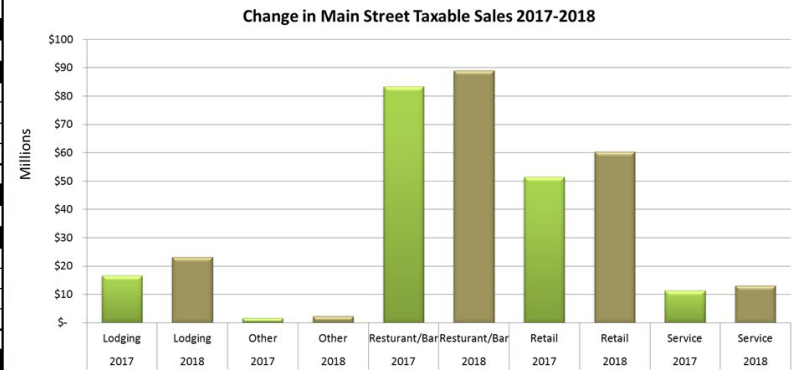
Industry Sector Trends 2008-2018					
Industry	2008	2018	Absolute Growth	AAGR	Growth Since 2012
Lodging	\$ 90,257,666	\$ 294,676,288	\$ 204,418,622	10%	79%
Other	\$ 13,674,413	\$ 21,208,038	\$ 7,533,625	1%	-12%
Restaurant/Bar	\$ 88,638,285	\$ 143,868,389	\$ 55,230,104	3%	54%
Retail	\$ 194,839,277	\$ 301,462,093	\$ 106,622,816	4%	36%
Service	\$ 198,765,356	\$ 217,906,763	\$ 19,141,407	3%	34%

Estimated Total Sales (Millions)

Geo Main Street

FY	2017				2018				2019			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Lodging	\$3,348	\$3,806	\$8,161	\$1,392	\$4,129	\$6,659	\$10,470	\$1,892	\$3,005	\$4,523	\$6,595	\$0
Other	\$265	\$326	\$902	\$182	\$283	\$384	\$1,483	\$133	\$219	\$1,055	\$1,141	\$0
Resturant/Bar	\$16,341	\$15,448	\$40,451	\$11,210	\$18,918	\$19,271	\$37,893	\$13,003	\$21,003	\$17,949	\$40,318	\$0
Retail	\$11,263	\$12,773	\$18,907	\$8,467	\$12,581	\$17,611	\$18,556	\$11,558	\$13,950	\$17,790	\$21,074	\$0
Service	\$1,580	\$2,543	\$5,776	\$1,551	\$1,964	\$2,836	\$6,581	\$1,736	\$2,643	\$3,610	\$7,434	\$0
Total	\$32,796	\$34,896	\$74,197	\$22,803	\$37,874	\$46,761	\$74,982	\$28,322	\$40,820	\$44,928	\$76,562	\$0
FY	2014				2015				2016			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Lodging	\$2,736	\$3,511	\$7,770	\$1,059	\$2,869	\$3,947	\$9,677	\$1,498	\$2,284	\$3,899	\$9,489	\$2,079
Other	\$0	\$189	\$6,968	\$1,334	\$1,866	\$745	\$4,949	\$1,369	\$1,606	\$2,675	\$4,934	\$1,102
Resturant/Bar	\$14,075	\$12,185	\$29,723	\$9,992	\$15,729	\$14,033	\$32,722	\$9,956	\$16,811	\$14,792	\$34,735	\$10,714
Retail	\$8,984	\$8,287	\$12,831	\$6,326	\$9,129	\$10,428	\$14,095	\$7,629	\$10,599	\$13,053	\$16,159	\$6,072
Service	\$999	\$2,072	\$3,513	\$2,087	\$1,477	\$2,030	\$4,740	\$1,024	\$1,313	\$1,891	\$5,147	\$1,370
Total	\$26,794	\$26,244	\$60,805	\$20,798	\$31,070	\$31,183	\$66,183	\$21,475	\$32,613	\$36,309	\$70,466	\$21,336
FY	2011				2012				2013			
	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Lodging	\$2,649	\$3,417	\$8,262	\$2,593	\$2,488	\$2,912	\$5,809	\$1,165	\$1,255	\$2,139	\$3,948	\$2,912
Other	\$1,422	\$885	\$2,530	\$1,251	\$680	\$1,572	\$3,036	\$1,744	\$2,422	\$897	\$3,673	\$1,108
Resturant/Bar	\$9,097	\$10,835	\$23,442	\$8,161	\$11,123	\$11,262	\$25,907	\$6,230	\$10,771	\$12,448	\$26,631	\$10,408
Retail	\$5,243	\$7,188	\$11,319	\$4,624	\$6,039	\$8,471	\$10,864	\$4,758	\$7,018	\$8,030	\$13,189	\$5,972
Service	\$560	\$1,225	\$2,111	\$1,039	\$1,310	\$1,999	\$2,444	\$1,014	\$1,057	\$1,577	\$2,737	\$586
Total	\$18,970	\$23,550	\$47,664	\$17,667	\$21,640	\$26,216	\$48,060	\$14,911	\$22,523	\$25,090	\$60,178	\$20,986

Main Street by Industry Type



Seasonality - Total Sales by Month & Quarter

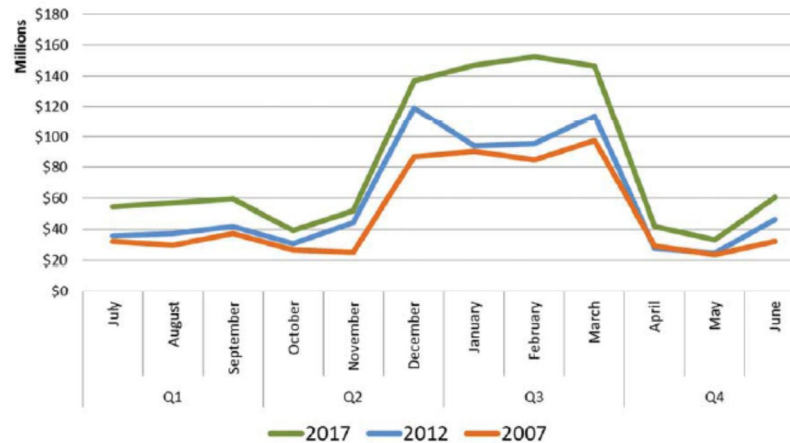


Exhibit F – L2 Information

Memorandum

To: Alfred Knotts, Transportation Planning Manager, Park City Municipal
From: Matthew Hartnett, Associate Transportation Planner, Park City Municipal
Date: March 7, 2017
Subject: Main Street Circulation – L2 Data Collection

Summary:

This memo provides a summary of key findings from L2's data collection efforts in February 2017. In order to achieve a better understanding of vehicular activity on Main Street, the City contracted with L2 to collect data on traffic volumes and vehicle classifications at three locations:

- Main Street, at the intersection of Main and 9th
- Main Street, mid-block, between 4th and 5th
- Main Street, at the intersection of Main and Swede

To best represent typical winter conditions, data were collected during a non-holiday week, from 11 AM to 11PM on each a Thursday and a Saturday.

Findings:

On the next two pages, charts are provided, showing counts by vehicle classification for each of the three data collection locations and for each of the Thursday and Saturday observation periods. L2 specifies the following vehicle classifications:

- Taxi
- Hotel shuttle
- Uber/Lyft
- Trolley
- Bus
- And for all other traffic, "general traffic"

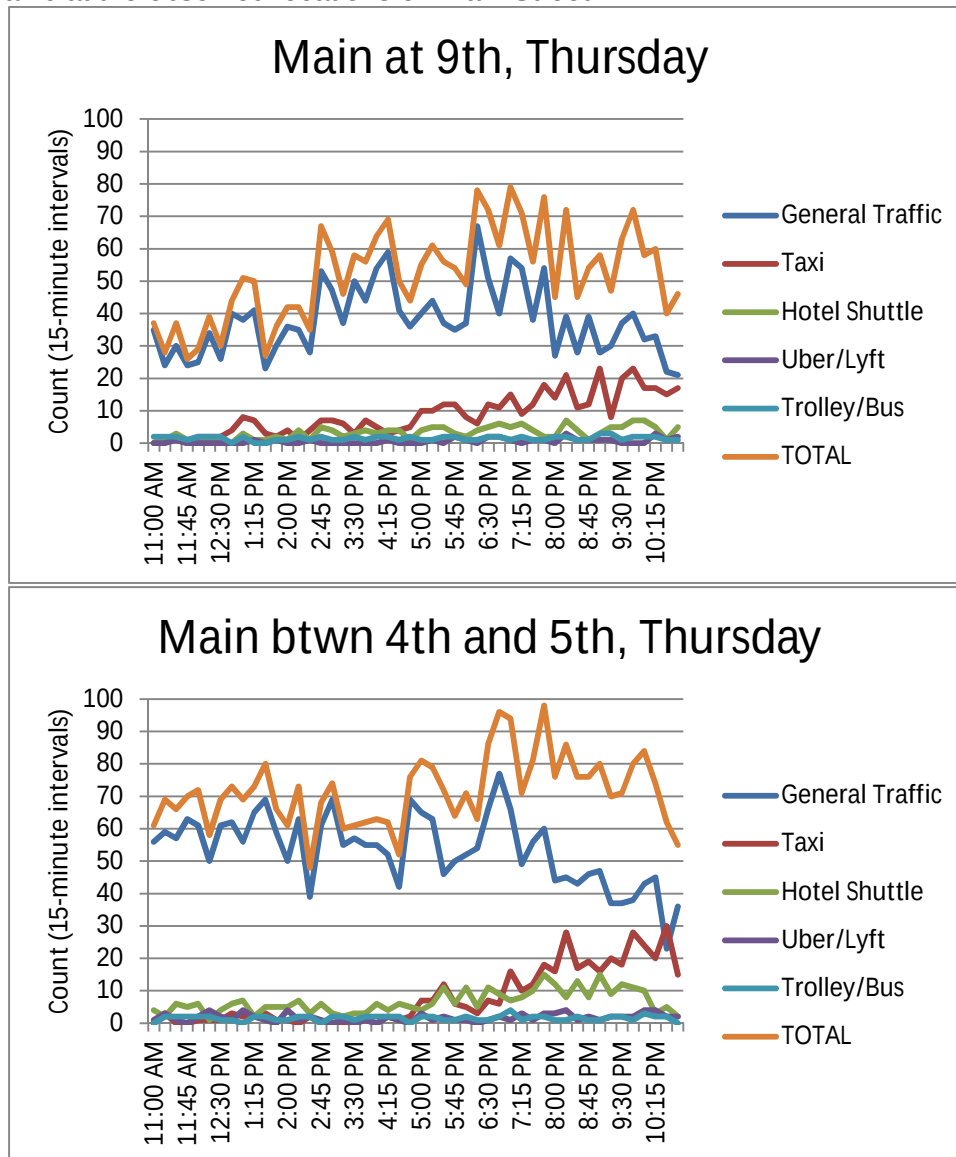
It should be noted that counting Uber and Lyft vehicle was particularly challenging because snow cover, lighting conditions and the direction of the vehicles approach frequently obscured the sticker identifying the vehicle as a rideshare vehicle. Therefore, it is assumed that counts for these vehicles are underestimates, particularly during nighttime hours.

On the charts shown on the following pages, the following general trends are observed:

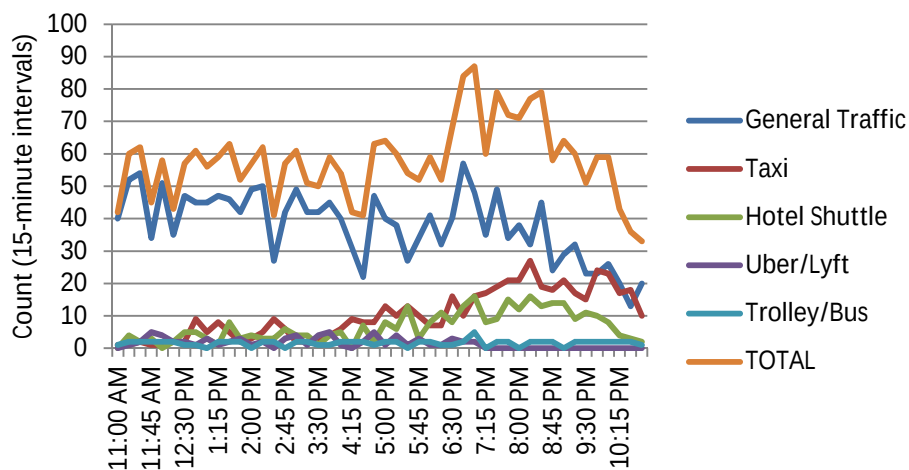
- Total traffic volumes are highest between the hours of 6 and 9 PM
- General traffic volumes peak at approximately 6:30 PM – in some cases slightly earlier – and decrease steadily throughout the remainder of the observed periods
- Taxi and hotel shuttle volumes are highest in the evening – particularly between the hours of 8 and 10 PM. The data on Uber and Lyft vehicles do not demonstrate the same peaking behavior in the evening, but it is assumed that this is due to the challenging nature of counting these

vehicles during the nighttime hours and, in reality, these services behave similarly to the taxis and hotel shuttles

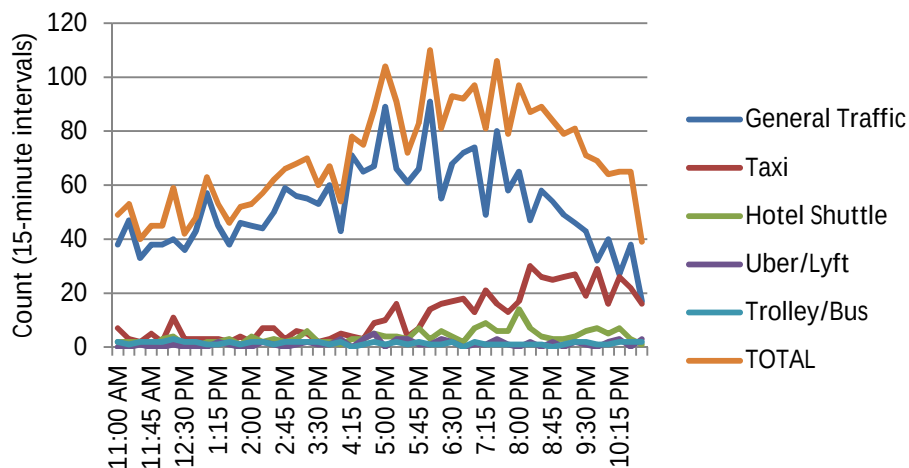
- Between the hours of 8 and 10 PM, Taxis and hotel shuttles account for approximately 40-50% of all traffic at the observed locations on Main Street



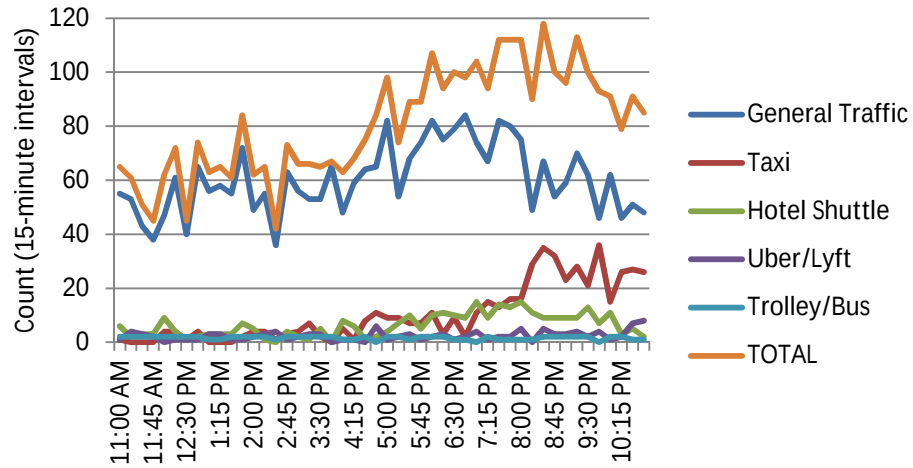
Main at Swede, Thursday



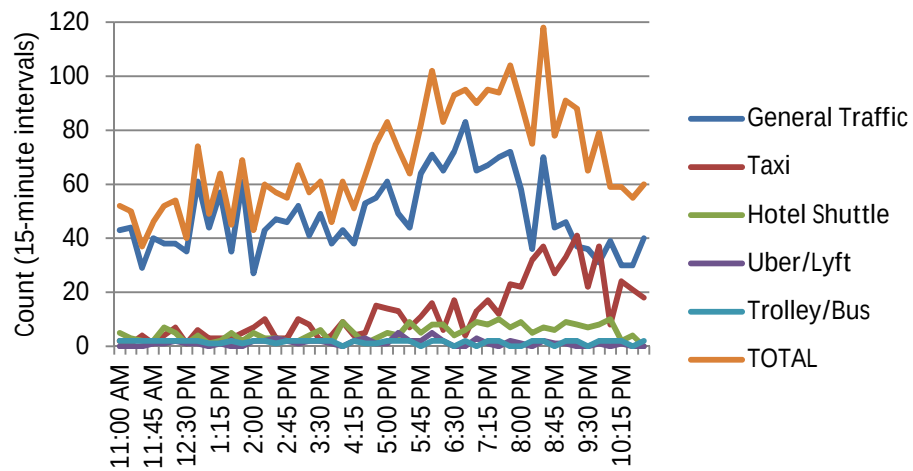
Main at 9th, Saturday



Main btwn 4th and 5th, Saturday



Main at Swede, Saturday



The below table provides specific information for the identified peak hour at each location along Main Street.

Thursday, February 9, 2017			
Location	Peak Hour	Peak Hour Volume (Passing Vehicles, Both Directions)	Peak Hour % Taxi, Hotel Shuttle and Rideshare Traffic
Main at 9 th	6:15 – 7:15 PM	290	24%
Main btwn. 4 th and 5 th	6:30 – 7:30 PM	347	23%
Main at Swede	6:45 – 7:45 PM	310	36%
Saturday, February 11, 2017			
Location	Peak Hour	Peak Hour Volume (Passing Vehicles, Both Directions)	Peak Hour % Taxi, Hotel Shuttle and Rideshare Traffic
Main at 9 th	6:00 – 7:00 PM	376	23%
Main btwn. 4 th and 5 th	7:45 – 8:45 PM	432	36%
Main at Swede	7:45 – 8:45 PM	387	38%

With the exception of Main Street, at the intersection of Main and 9th, the peak hour skews later in the evening for the weekend evening observations. In addition, the above table suggests that peak hour volumes on Main Street are approximately 25-30% on a Saturday night when compared to a Thursday night. During these periods of peak vehicular demand along Main Street, approximately a quarter to over a third of all traffic is found to be taxi, hotel shuttle and rideshare traffic.



May 5, 2014

TO: Kent Cashel, Transportation/Transit Manager

FROM: Brooks T. Robinson, Senior Transportation Planner

SUBJECT: Main Street Taxis

I reviewed the Licensing information from Shelley Hatch in Finance and the 2011/2012 Main streets counts that we contracted with L2 to provide for us with regards to Taxis. Shelley provided information on the number of companies, the number of vehicles, and whether the company was for Sundance (2014) only. The L2 data was taken on December 30, 2011 (a Friday), and February 8, 2012 (a Wednesday), between 11am and 11pm in 15 minute increments. The data came from two locations: Main and Swede and Main and 9th in both directions.

The Licensing information showed that 117 Taxi companies are licensed with 661 vehicles. Of those 117 companies, 32 were new for Sundance and had 65 vehicles (generally one or two vehicles). As Hotel shuttles do not charge fares, they are not licensed so the City has no count of their number.

The daily (11am-11pm) numbers from the L2 data shows the following counts and percentages of total vehicles:

	Main & Swede	Main & Swede	Main & 9th	Main & 9th
	Taxi	Hotel Shuttle	Taxi	Hotel Shuttle
12.30.11	13%	7.6%	12.4%	5%
Ave. each direction	255	147	245	103
2.8.12	19%	4.8%	9.5%	4%
Ave. each direction	217	54	125	52

The peak hour (6pm to 7pm) counts are as follows:

	Main & Swede	Main & Swede	Main & 9th	Main & 9th
	Taxi	Hotel Shuttle	Taxi	Hotel Shuttle
12.30.2011	9.5%	8.6%	12%	3.2%
Ave. each direction	20	18	26.5	7
2.8.2012	16.2%	8.8%	9.9%	3.3%
Ave. each direction	18.5	10	13.5	4.5

It is not known how many of the taxis (or any other vehicle) were counted as both northbound and southbound, or if counted multiple times if making circuits looking for customers or parking. If one assumes that the counts for peak hour include two trips per taxi and hotel shuttle (one northbound and one southbound) then the assumed need is for 30-40 spaces if organizing taxis and shuttles into queuing areas. The Flagpole lot, by comparison, has 59 spaces, the Wall/Marsac Stairs lot up to KPCW has 59 as well, and the North Marsac lot has 56 spaces.

The Main Street parallel parking spaces are not delineated. However, most parking tables use 20 feet or so for the length of a parallel space. Using this 20-foot figure, providing parking queues along Main Street would take up 600-800 feet of length of the street. For comparison, one side of Main St from Java Cow to the Post Office is approximately 415 feet. So the equivalent of a block of Main St. (both sides) would need to be dedicated to taxi queues.

Alternatives and Challenges

- Dedicating spaces along Main St. Parking is a valuable and, at times, scarce resource in Old Town. Putting the equivalent of a block of parking dedicated to taxis takes out paying patrons. What the L2 study also found is that private vehicle traffic peaks around 7pm then declines through the evening as taxi counts begin to increase, peaking around 10pm (going from less than 20% of the total number of vehicles to about 55%). Dedicating spaces, either in a lot, China Bridge, or along Main St. creates certain challenges. If not enough spaces are dedicated, then there still may be taxis “trolling” for customers. If too many are dedicated, then private cars may be shut out of available spaces, particularly in off-peak times. The City would have to dedicate enforcement staff or rely on the industry to self-regulate.
- Swede Alley lot. If a taxi queue is located in Swede Alley, either a call system needs to be in place or Main Street patrons seeking a taxi would have to go there. Both scenarios would require some resources to keep order. A call system needs buy-in and a communication system from all the businesses whose customers need taxis. A single area may have challenges for customers at some distance from the taxi stand, especially in inclement weather. The same issue with dedicating spaces on Main Street applies in Swede Alley as well

Exhibit G Background of Old Town Circulation and Access Discussion

Council Reports & Background

Managing impacts stemming from the growth of the tourism economy on quality of life of residents has been a balance since Park City evolved out of the mining era. Numerous administrations have suggested, tried and implemented multiple improvements that still exist today. Each of these studies focus on infrastructure, streetscape, pedestrian circulation and access aimed at ensuring Main Street could continue to be the “crown jewel” to be enjoyed by residents and visitors alike.

August 15, 2019 [Exhibit A Extensive Background & History of Old Town Circulation](#)

August 15, 2019 [Old Town Circulation Report](#) (pg 11 to 159) / [Minutes](#) (pg 3 to 5) / [Audio](#) (1:03:10 to 2:42:32)

September 12, 2019 [Staff Communications Report](#) (177 to 201) & [Public Comments](#) (page 6 & 7)

Stakeholder Meetings:

Lodging Board Meeting – August 7, 2019

Also had several meetings with the Lodging Stakeholders in attendance.

August 20, 2019 [HPCA Board Meeting Notes](#) & [Presentation](#) & [Recap of 8/15 Council meeting](#)

September 17, 2019 [HPCA Board Meeting Notes](#) (page 1 to 2)

[For Hire Meeting Notes on October 17, 2019](#)

[For Hire Meeting Notes on October 28, 2019](#)

[DRAFT Summary of TNC ACT Regulations](#)

Council Reports & Background

Managing impacts stemming from the growth of the tourism economy on quality of life of residents has been a balance since Park City evolved out of the mining era. Numerous administrations have suggested, tried and implemented multiple improvements that still exist today. Each of these studies focus on infrastructure, streetscape, pedestrian circulation and access aimed at ensuring Main Street could continue to be the “crown jewel” to be enjoyed by residents and visitors alike. Such plans include:

- June 1993 [Lower Park Avenue Design Study](#) - When redevelopment agencies were established in the 80's, a subsequent plan establishing values for the “Lower Park Avenue” neighborhood noted, “In many discussions there appears to be a conflict between economic pressures and the apparent desired future direction for this neighborhood.”
- October 1998 [Down Town Action Plan](#) - A subsequent effort that intended to assure the long term viability of the downtown as the commercial core of Park City attracting both residents and visitors. It encompassed similar themes including parking, transit and pedestrian enhancements and has been a blue print for investing the downtown since its adoption.
- 2002 [OTIS \(Old Town Improvement Study\) Summary Report](#)
- November 20, 2003 [Review of Recommendations of the Task Force on Downtown Enhancements](#) / [Summary](#) (pg 2 to 5)
- September 25, 2008 Hillside Open House - Summary of meeting included numerous requests were made from residents to include a sidewalk with the project.
- October 2, 2008 [Hillside Avenue Design Contract Approval Ward Engineering](#) (pg 136 to 149) / [Minutes](#) (pg 6 to 7)
- December 17, 2008 Hillside Open House Preliminary Design Concepts - Summary of the meeting included: Request from residents were to include an upgrade of road signage so that traffic is not routed to Hillside Ave.
- January 8, 2009 [Preliminary Design Discussion for Hillside Avenue Reconstruction](#) (p 8 to 9) / [Minutes](#) (p 3 to 6) / [Audio](#) Hillside discussion is between 0:43:14 and 1:27:32
- February 26, 2009 [Design Discussion for Hillside Avenue Reconstruction](#) (pg 23 to 30) / [Minutes](#) (pg 4 to 6) / [Audio](#) for Hillside discussion 1:22:08 to 1:52:30.
- 2011 [Carrying Capacity Study](#)
- July 12, 2012 [Historic Park City / Main Street Projects Update - Streetscape & Plaza Plan](#) (pg 58 to 68 / [Minutes](#) (pg 4 to 6)
- December 29, 2014 [Neighborhood Traffic Management Program Committee \(NTMP\) Report – Hillside Avenue Traffic Volume and Signage](#) – this report summarizes concerns about increased vehicle traffic and lack of signage on and near Hillside Avenue.

Exhibit H Background of Old Town Circulation and Access Discussion

- 2016 [Nelson & Nygaard Parking Implementation Suggestions](#)
- December 4, 2017 [Parametrix DRAFT Main Street, Swede Alley and Hillside Traffic Circulation Analysis](#)
- March 29, 2018 [Work Session Hillside Avenue Traffic Discussion](#) (pg 55 to 58) / [Minutes](#) (pg 8). Summary of the this report from the minutes includes:
- May 17, 2018 [Staff Communication Update on Hillside Avenue and Old Town Access and Traffic Circulation Improvements](#) (pg 16 – 17) / [Minutes](#) (pg 4) Do not reflect discussion regarding this staff communication. Summary of this report includes:
- June 7, 2018 [Hillside Avenue Traffic Improvement Project](#) –Overview of Tiered approach to immediate solutions (p.196 - 199/ [Minutes](#) (p.13 to 15). A few excerpts from the report:
- November 29, 2018 [Minutes from Public Comment](#) p. 8. / [Audio](#) 2:31
- March 21, 2019 [Downtown Circulation, Traffic and Hillside Avenue](#) p.18 to 26./ [Minutes](#) (pg 4 & 5)
At this time, City Council, observed/asked ([audio](#): 1:35):
- For a follow up work session;
 - Identify operational and financial impacts on Lodging;
 - Follow up on how we communicate with residents and business partners;
 - Deep dive on options to reduce trips on Hillside including no left and no commercial traffic;
 - Follow up on if Hillside is functioning as it was intended;
 - Broad look at circulation not limited to Hillside; and
 - Pedestrian safety options.
- Specific issues City Council was asked to address from a resident:
- 90% of traffic going to commercial district;
 - Underlying zoning specs of road impact or influence on road classification;
 - Completion of tiered improvements for Hillside (Exhibit B).
- August 7, 2019 Community Open House Regarding Old Town Access and Circulation / [Current Project: Old Town Access and Circulation Project Information and Draft Recommendations](#) This meeting had about 35 people in attendance. A summary of the meeting can be found in Exhibit J

Research & Articles

How other communities are finding solutions with challenges caused by Google Maps and Waze Technologies:

- Los Altos [got Waze to comply with their request](#) to remove three of their residential streets from the software by erecting “No Thru Traffic” signs.
- In a borough of NJ – Their police force [closed all SIXTY ROADS during AM and PM](#) peak to everyone except residents and people employed IN the borough.
- There are dozens and dozens of articles addressing how Google Maps/Waze is ruining residential neighborhoods. Some cities are doing just as we are considering, with [restricting turning movements](#).

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

4:00 p.m. - Break

Suggested Action:

Attachments:

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Hannah Tyler

Submitting Department: Planning

Item Type: Work Session

Agenda Section:

Subject:

4:15 p.m. - Flagstaff Historic Preservation Plan Update

Suggested Action:

Attachments:

[Flagstaff Mountain Resort HPP Update Staff Report](#)

[Exhibit A: SWCA 2019 Historic Preservation Plan Update](#)

[Exhibit B: Memorandum of Agreement \(2019 between EPMOA and PCMC\)](#)

[Exhibit C: Public Comment](#)

[Exhibit D: Technical Report #5: Open Space Management Plan](#)

[Exhibit E: Technical Report #6: Historic Preservation Plan](#)

[Exhibit F: Park City Museum Priority List and Approximate Costs](#)

[Exhibit G: Judge Mining and Smelting Office Building Engineer's Submittal](#)

[Exhibit H: Cost Estimates Submitted by EPMOA](#)

City Council Staff Report



Subject: Flagstaff Mountain Resort
Historic Preservation Plan Update
Author: Hannah M. Tyler, AICP – Senior Planner
Date: November 7, 2019
Type of Item: Work Session

PLANNING DEPARTMENT

Summary Recommendation

Staff requests that City Council review the 2019 Flagstaff Mountain Resort Historic Preservation Plan Update, included as Exhibit A, and consider the recommended action items proposed by staff before implementing the recommended Memorandum of Agreement with the Empire Pass Master Owners Association and additional owners of properties with Historic Structures. This includes:

1. Prioritizing expenditures on compliance items within the 2001 Flagstaff Mountain Resort Historic Preservation Plan (19 of 21 resources - see below) and confirm site-specific prioritization and prescribed treatment options.
2. Proactively work with responsible parties for the necessary treatments and actions to achieve compliance with the 2001 Flagstaff Mountain Resort Historic Preservation Plan.
3. Determine if City Council wishes to create additional funding mechanisms to assist in historic preservation efforts, such as:
 - o General Fund
 - o Repurpose Real Estate Transfer Fee
 - o Grant Funding

Acronyms in This Report:

CUP	Conditional Use Permit	MPD	Master Planned Development
EPMOA	Empire Pass Master Owners Association	OSMP	Open Space Management Plan
HDC	Historic District Commission	PCMC	Park City Municipal Corporation
HPB	Historic Preservation Board	POS	Protected Open Space
HPP	Historic Preservation Plan	ROS	Recreation Open Space
MOA	Memorandum of Agreement	UPK/UPCM	United Park City Mines

Executive Summary

In August of 2019, the Empire Pass Master Owners Association (EPMOA) retained SWCA Environmental Consultants to conduct a Historic Preservation Plan (HPP) Update for Flagstaff Mountain Resort. The objective of the 2019 HPP Update was to assess the condition and compliance for 19 of the 21 resources originally identified in the 2001 HPP, which was adopted as a part of the Development Agreement Technical Reports (or exhibits) by Planning Commission in December 2001. This was one of the requirements of the Memorandum of Agreement (MOA) between EPMOA, Storied Development and REDUS Properties, developed in January and February 2019.

The Flagstaff parties to the MOA have signed the document, however PCMC is deferring until the status of compliance responsibility is considered by Council. The MOA has a timing mechanism that is established by the date all parties sign the MOA; six (6) months to determine a work plan and amend Exhibit 6 of the Development Agreement documents. For clarity, the MOA refers the agreement between the listed parties; a MOU is the agreement between PCMC

and the entities at Park City Mountain in accordance with that separate Development Agreement.

The Final SWCA 2019 Historic Preservation Plan Update submitted by EPMOA references land owned by EPMOA. Staff needs to verify the ownership of all lands within the Flagstaff Development Agreement boundary. References to land ownership in this report reflect the SWCA 2019 Historic Preservation Plan Update only and require further verification. Of the resources surveyed in 2019, 17 are located completely on EPMOA land and 2 are partially located EPMOA land. SWCA did not survey 2 of the 21 resources that were originally identified in 2001 because they are not located on EPMOA land, including the following:

TABLE 1: Resources Not Surveyed for 2019 Historic Preservation Plan Update

Excerpted from page ii of the 2019 HPP Update (Exhibit A)

Important Sites Identified in 2001 HPP	Surveyed for 2019 HPP Update	2001 HPP Summary Work Recommendations Fully Met?
Flagstaff Mine Shaft	No (not on land owned by the EPMOA; not subject to Flagstaff Development Agreement)	N/A
Explosives Bunker	No (not on land owned by the EPMOA; not subject to Flagstaff Development Agreement)	N/A

SWCA accomplished the following tasks for each of the 19 resources:

- Comprehensive survey of each resource, including the identification of current deficiencies and suggested mitigation or maintenance work (if not already implemented after the 2000 HPP or if new conditions warrant further action)
- An assessment of progress in preserving the resources, in accordance with the recommendations in the Flagstaff Development Agreement and the 2001 HPP Summary
- Photographic documentation of each resource
- Collection of spatial data on the location of each resource

Background

On October 31, 2019, Planning Department and Executive Department staff met with the Park City Museum to discuss the 2019 HPP Update. PCMC and the Park City Museum share many of the same fundamental beliefs regarding the importance of Historic Preservation, specifically of our Historic mining resources. Many of the Museums concerns are shared and addressed in this report, including collaboration on a list of additional priority sites in need of preservation treatments beyond the 19 resources surveyed.

In December of 2001, the Planning Commission adopted the Exhibits to the Flagstaff Mountain Resort Development Agreement (these exhibits are also referred to as Technical Reports). Exhibit 6 of the Flagstaff Mountain Resort Development Agreement is the Historic Preservation Plan (HPP). Staff intends to provide clarity regarding the revised August 2000 127-page HPP and the subsequent Planning Commission approval of the May 2001 10-page Exhibit 6: HPP (approved in December 2001). Staff has provided the following timeline detailing the background and evolution of the SWCA's HPP's between 2000 and the adoption of the Technical Reports in December 2001. All other developmental history for projects located within the Flagstaff Mountain Resort Boundary can be found in the [January 23, 2019 Planning Commission Work Session Staff Report](#).

Flagstaff Mountain Resort Technical Report #6: Historic Preservation Plan Timeline

1. Annexation and Development Parameters	2. Technical Report Review (establishment of Historic Preservation Plan)	3. Memorandum of Agreement (MOA), Long-Term, and Short-Term Historic Preservation Planning	4. Historic Preservation Plan Update
OVERVIEW: Throughout the 1990s, United Park City Mines (UPCM) sought to annex the land we now know as Flagstaff or Empire Pass into Park City Limits from Unincorporated Summit County. The Planning Commission and a special Flagstaff Task Force held meetings between 1995 and 1997 with the public and stakeholders to gather feedback. Subsequently, City Council adopted development parameters that were initially rejected by the applicant. The applicant began to pursue development through Unincorporated Summit County, but then approached the City again and City Council revised the development parameters which were ultimately adopted as outlined below. This was the beginning of the Flagstaff Mountain Resort project. September 1998 City Council adopted <u>Resolution 12-98</u> Amending the Development Parameters for Flagstaff Mountain as a prerequisite to approving an annexation for development within City Limits. June 1999 City Council adopted <u>Ordinance 99-30 (page 135)</u> and <u>Resolution 20-99</u> approving the annexation and the Flagstaff Mountain Development Agreement.	OVERVIEW: With the Development Agreement approved for the Flagstaff Mountain Resort, the individual technical reports (also referred to as Exhibits) were completed and reviewed by the governing Land Use bodies. For Historic Preservation, this included both the Historic District Commission (HDC) and the Planning Commission. Exhibit 6 of the Development Agreement was the Historic Preservation Plan which is now known as Technical Report 6 Historic Preservation Plan. August 2000 SWCA Environmental Consultants completes a 196-page Historic Preservation Plan for Flagstaff Mountain Resort (Exhibit F) October 2001 Planning Commission approves a 127-page Exhibit 6 (Technical Report) Historic Preservation Plan. December 2001 The Planning Commission revised and approves a 10-page <u>Exhibit 6 (Technical Report 6) Historic Preservation Plan</u> to include the following (the 127-page HPP is included as an attachment to the new Exhibit 6): - Matrix identifying 21 mine sites (the majority of which are waste dumps and work recommendations) - Exhibit A: Flagstaff Mountain Resort Historic Preservation Plan map identifying location of 21 mine sites - Physical Mine Hazards Mitigation Plan by HDR Engineering, Inc.	OVERVIEW: Since 2001, there have been supplemental land use applications for developments within the Flagstaff Mountain Resort boundary that have been subject to the 1999 and 2007 Development Agreements and obligations set forth in Exhibit 6. A complete history of development applications can be found <u>here</u>. The amended 2007 Development Agreement did not discuss or amend Technical Report 6. Since 2001, there have been Historic Preservation efforts consistent with those outlined in Exhibit 6. However, there have been concerns raised by City staff, the public, and local organizations (Park City Museum and Historic Society/Friends of Ski Mountain Mining History [FSMMH]). The following is an outline of recent efforts to determine next steps and resolve compliance concerns. January 2019 Staff proposed a two-step action plan (Short-Term and Long-Term) to Planning Commission to address compliance concerns in Technical Report 6: Short-Term Plan: - The EPMOA to provide one-time reimbursement to Park City Museum for the cost of Little Bell Ore Bin Stabilization - Storied Development will make one-time payment for Judge Mining and Smelting Office Historic Preservation work. Long-Term Plan: The EPMOA will enter into a MOA with the City that would require: - Updated Survey and HPP - Funding Mechanism for Short-Term Plan obligations - Bi-Annual Work Plan - Funding Sources - Conservation Easements and Licenses	OVERVIEW: In an effort to fulfill the requirements of the MOA (Long-Term Plan), Empire Pass Master Owners Association (EPMOA) retained SWCA Environmental Consultants to conduct a Historic Preservation Plan (HPP) Update for Flagstaff Mountain Resort. The 2001 HPP surveyed 21 resources. The objective of the 2019 HPP Update was to assess the condition and compliance for 17 resources which are located on land owned by the EPMOA and an additional 2 resources which were partially located on land owned by the EPMOA. SWCA did not survey the remaining 2 resources because they are not located on land owned by the EPMOA. SWCA compared the 2019 condition of each resource surveyed and determined if the 2001 recommended treatments had occurred. Of the 19 sites surveyed, only 5 have met all treatment recommendations from 2001. Based on the 2019 HPP, staff has provided a general overview of compliance issues and concerns: Interpretive Signs 11 of the 19 sites have not installed an interpretive sign. Revegetation of Waste Dumps Of the 11 waste dump sites required to revegetate, only 3 have reached substantially complete revegetation. The remainder are partially or mostly revegetated. Building/Structural Preservation Of the 19 sites, 7 are considered buildings or structures. Of those 7 sites, only 2 had recommended structural treatments which have not been fully completed, including: Judge Mining and Smelting Company Office: Complete restoration and reuse has not been achieved. Little Bell Ore Bin: All-weather roofing has not been installed.

The 2019 HPP Update is based on the 19 resources (located entirely or partially on land owned by EPMOA) outlined in the December 2001 approved 10-page Exhibit 6 resource matrix. Staff finds that while the 127-page HPP is included as an attachment to the approved Exhibit 6, the resource matrix identifies the specific preservation treatments obligated by the revised and approved Flagstaff Mountain Resort Development Agreement. This does not mean that resources outlined in the 127-page HPP cannot receive additional Historic Preservation treatments outside of the underlying 2001 obligations for the 21 resources identified in the approved 10-page Exhibit 6 HPP. In fact, the priority list that staff and the Park City Museum collaborated on includes sites that are referenced in the 127-page HPP, but not the approved December 2001 Exhibit 6 resource matrix.

Analysis

Staff has provided analysis for each policy question outlined in the Summary Recommendation section of this report.

The following analysis addresses recommended action item #1:

- 1. Prioritizing expenditures on compliance items within the 2001 Flagstaff Mountain Resort Historic Preservation Plan (19 of 21 resources - see below) and confirm site-specific prioritization and prescribed treatment options.**

As previously stated, the 2019 HPP Update conducted by SWCA assessed 19 of the 21 resources included in the 2001 HPP (Technical Report #6). These resources are often referred to as “mine sites” which is a term that is used generally and refers to different types of resources that could include any of the following or a combination thereof:

- Waste Dumps
- Shafts
- Buildings
- Structures

Not all resources identified contain buildings or structures that required structural treatments under the 2001 HPP. In fact, a majority of the resources are Waste Dumps that called for revegetation and interpretive signs. Staff has reviewed the 2019 HPP Update and made the following conclusions with respect to compliance with the 2001 Technical Report #6: HPP for all 19 resources. Of the 19 resources, only five (5) have complied with all treatment recommendations from Technical Report #6 according to the 2019 HPP Update. Complying resources are shaded in green:

TABLE 2: Compliance Summary of Treatments Recommendations for all 17 Resources

 = NOT COMPLETE N/A = NOT APPLICABLE ✓ = COMPLETE 2001 TREATMENT RECOMMENDATIONS				
NAME (listed in order of 2001 HPP Chart)	RESOURCE TYPE	SIGN	REVEGETATION (% COMPLETE)	BUILDING/ STRUCTURAL
Ontario Mine Shaft No.3	Shaft		 (70%)	N/A
Anchor (Daly-Judge) Drain Tunnel	Structure		N/A	
Judge Mining and Smelting Company Office	Building	✓	N/A	

American Flag Mine Waste Dump	<i>Waste Dump</i>	✓	✗ (50%)	N/A
Daly Mine No.1 Waste Dump	<i>Waste Dump</i>	✗	✓	N/A
Daly Mine No.2 Shaft	<i>Shaft</i>	✗	N/A	N/A
Daly-West Mine Headframe, Shaft, and Hoist	<i>Structures (2) and Shaft</i>	✗	N/A	N/A
Daly-West Mine Fire Hydrant Shacks	<i>Structures (3)</i>	✗	N/A	N/A
Daly-West Mine Waste Dump	<i>Waste Dump</i>	✗	✗ (50%)	N/A
Quincy Mine Hoist Plant	<i>Structure</i>	✓	N/A	N/A
Quincy Mine Shaft and Waste Dump	<i>Shaft and Waste Dump</i>	✓	✓	N/A
Little Bell Mine Ore Bin	<i>Structure</i>	✓	N/A	✗
Little Bell Mine Waste Dump	<i>Waste Dump</i>	✓	✓	N/A
Diamond-Nemrod Mine Waste Dumps	<i>Waste Dump (2)</i>	✗	✗ (30-50%)	N/A
Anchor Mine Waste Dump	<i>Waste Dump</i>	✓	✓	N/A
White Pine Mine Log Structure	<i>Structure</i>	✓	N/A	N/A
White Pine Mine Waste Dumps	<i>Waste Dump (2)</i>	✗	✗ (0-40%)	N/A
Flagstaff Mine Waste Dump	<i>Waste Dump</i>	✗	✗ (% not determined)	N/A
Naildriver Mine Waste Dump	<i>Waste Dump</i>	✗	✗ (% not determined)	N/A

Staff has created three (3) different categories to better understand the outstanding compliance issues with the 2001 Technical Report #6: HPP. Staff has included a supplemental Category #4 which includes recommended next steps for resources that have experienced maintenance issues outside of those resources that obligated treatment in 2001 – Category #4 is not derived from the 2001 HPP obligations set forth in the adopted Technical Report #6.

Category #1: Buildings and Structures: **Out of Compliance**

There are only two (2) resources that *required* structural treatments as a part of the 2001 HPP obligation (Technical Report #6). Staff finds that these two (2) resources should be the top priority for compliance measures.

Staff has created Table 3 below which excerpts the 2019 HPP Recommendations and highlights the outstanding building/structural treatments – Table 3 information derived from Table 3 of the 2019 HPP Update.

TABLE 3: Outstanding Building/Structural Treatments

Resource	2001 Recommended Building/Structural Treatment	Outstanding Building/Structural Treatments to comply with 2001 Recommended Treatments
Judge Mining and Smelting Company Office	• The building site will be cleaned of debris in summer 2001. • With the first phase of Flagstaff development the restoration of the building will be initiated, interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. • After restoration, the building is anticipated to serve as office and recreation uses for the Flagstaff development. (SWCA 2001)	• The 2001 HPP Summary recommendation relating to the restoration and reuse of the building did not take place. Instead, measures have been taken to stabilize the building in its current condition. Additional work required to achieve stabilization is outlined below.
Little Bell Ore Bin	• With the first phase of Flagstaff development the Little Bell Ore bin will be provided permanent shelter in the form of all weather roofing. • Interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. • Additional building stabilization will occur in summer 2001. (SWCA 2001)	• An all-weather roof has not yet installed or constructed over the ore bin. To reduce or eliminate snow accumulation and further moisture damage on the bin interior, the addition of a flat covering remains a recommendation; this covering could consist of weathered boards with gaps between them, or it could consist of a more impermeable roof concealed under boards or set slightly below the wall tops on the bin interior to minimize visual changes. Adequate ventilation must be maintained on the bin interior. • The majority of serious structural issues relating to the wood posts have been corrected to meet the 2001 recommendations. • (<i>interpretive sign still outstanding – see Category #2 below</i>)

Staff's greatest concern is the condition of the roof structure of the Judge Mining and Smelting Company Office. This is echoed by public comment included as Exhibit C. Staff finds that it is critical that roof stabilization and repair occur as soon as possible. The Memorandum of Agreement (MOA) between the EPMOA and PCMC establishes the Judge Mining and Smelting Company Office as a work priority (see Exhibit B). Staff has included photographs excerpted from the 2019 HPP Update to provide greater detail of the roof issues.



Figure 3. Overview of Judge Mining and Smelting Company Office, facing southwest.



Figure 9. Southeast side of Judge Mining and Smelting Company Office, facing west. Note collapsed roof and spalling concrete of wall.

The 2001 recommendation was for this structure to serve as an office or recreation building. Staff's recommended priority is to work with the EPMOA to take necessary steps with the owner to stabilize the structure and roof, providing seasonal protection from the elements as soon as possible. After protecting the site, staff will confirm future use and next steps. While the public comment questions whether it makes sense to expend limited funds available for a temporary fix, staff recommends proceeding as soon as possible to prevent further structural compromise.

Category #2: Interpretive Signs: *Partially Out of Compliance*

All 19 resources were required to install interpretive signs. According to the 2019 HPP Update and input from the Park City Museum, only eight (8) resources have installed interpretive signs. There are 11 resources that have outstanding interpretive sign installations. The 2019 HPP Update reports that the Judge Mining and Smelting Company Office has not installed an interpretive sign; however, the Park City Museum has pointed out that this site does have an interpretive sign installed. All Tables in this staff report reflect this new information. Staff finds that the installation of interpretive signs is a low hanging fruit that could be addressed concurrently or as soon as the buildings and structures outlined in Category #1 come into compliance.

Table 4 identifies sites that have outstanding interpretive sign installations:

TABLE 4: Outstanding Interpretive Signs	
Resource Name	Resource Type
Ontario Mine Shaft No.3	<i>Shaft</i>
Anchor (Daly-Judge) Drain Tunnel	<i>Structure</i>
Daly Mine No.1 Waste Dump	<i>Waste Dump</i>
Daly Mine No.2 Shaft	<i>Shaft</i>
Daly-West Mine Headframe, Shaft, and Hoist	<i>Structures (2) and Shaft</i>
Daly-West Mine Fire Hydrant Shacks	<i>Structures (3)</i>
Daly-West Mine Waste Dump	<i>Waste Dump</i>
Diamond-Nemrod Mine Waste Dumps	<i>Waste Dump (2)</i>
White Pine Mine Waste Dumps	<i>Waste Dump (2)</i>
Flagstaff Mine Waste Dump	<i>Waste Dump</i>
Naildriver Mine Waste Dump	<i>Waste Dump</i>

Category #3: Revegetation: *Partially Out of Compliance*

The 2001 HPP required revegetation of 11 resources – all 11 resources have attempted revegetation with differing success rates. Four (4) of the 11 resources have completed the required revegetation (achieving at least 90% revegetation). The remaining seven (7) resources have attempted revegetation, but for unknown reasons, the revegetation efforts have not achieved at least 90% revegetation. Staff finds that revegetation is important in restoring the landscape and requests that the EPMOA provide a timeline for future revegetation over the course of the next growing seasons to come into compliance with the 2001 HPP.

Table 5 identifies the current revegetation percentages of sites that need further revegetation efforts.

TABLE 5: Outstanding Revegetation		
Resource Name	Resource Type	Revegetation Percentage (%)
Ontario Mine Shaft No.3	Shaft	70%
American Flag Mine Waste Dump	Waste Dump	50%
Daly-West Mine Waste Dump	Waste Dump	50%
Diamond-Nemrod Mine Waste Dumps	Waste Dump (2)	30-50%
White Pine Mine Waste Dumps	Waste Dump (2)	0-40%
Flagstaff Mine Waste Dump	Waste Dump	% not determined
Naildriver Mine Waste Dump	Waste Dump	% not determined

Category #4: Historic Preservation Priority List Beyond 2001 Technical Report #6 Obligations

The 2019 HPP Update provides an in-depth analysis and assessment of all 19 resources. The current conditions (2019) were identified and historic preservation treatments are recommended beyond what the 2001 obligation required. Some of the resources were not obligated to complete further historic preservation treatments in 2001 because they were in operation at the time of the adoption of Technical Report #6 (ex: Daly-West Mine and its associated buildings).

Once compliance with the underlying 2001 obligations is achieved, staff recommends City Council adopt a priority list of future resources that could receive additional historic preservation treatments to ensure continued care and maintenance. Table 6 outlines a potential priority list of structures, buildings, or sites that could benefit from additional historic preservation treatments beyond the underlying 2001 obligations. Updated assessments are needed at sites not included in the 2019 HPP Update. The Park City Museum submitted a priority list of mine sites with approximate costs (see Exhibit F).

TABLE 6: Priority List of Resources Not Obligated by Technical Report #6

*** denotes sites not located on EPMOA property*

Resource Name	Resource Type	2019 or 2000 Recommended Treatment <i>(whichever is the most recent assessment)</i>
Daly-West Mine Headframe, Shaft, and Hoist	<i>Shaft and Structures</i>	<u>2019 Recommended Treatment:</u> • If possible, the headframe should be returned to its original upright configuration; however, if returning it to its upright configuration is unfeasible, it should be left as-is. • Areas of corrosion on the hoist mechanism should be scraped to a sound surface, and the painted sections should be repainted to match current color scheme. • Plant growth should periodically be removed from around the shaft opening. • Concrete should be monitored for further deterioration; if deterioration becomes severe or pervasive, it should be repaired using NPS (2007) preservation standards. • The current wood fence, which blocks the view of visitors to the site, should be removed and replaced with a fence allowing greater visibility while also providing security, such as a chain-link or metal post fence.
Daly-West Mine Fire Hydrant Shacks	<i>Structures</i>	<u>2019 Recommended Treatment:</u> • Detached or missing roofing materials should be reattached or replaced in kind. • Foundations should be stabilized for Shacks No. 1 and No. 3. • Detached, missing, or deteriorated building elements, such as wood wall boards, should be reattached or replaced in kind.

		• Vegetation should be cleared from around buildings. • Doors similar in design and materials to that of Shack No. 1 should be installed for Shacks No. 2 and No. 3.
White Pine Mine Log Structure	<i>Waste Dump (with Structure)</i>	<u>2019 Recommended Treatment:</u> • Methods to divert moisture and runoff from the structure, to dry soil, and to prevent further deterioration of log sills should be considered. Possible methods for doing so include regrading the hill around the cabin to direct waterflow away from the structure and removing low vegetation (such as bushes) surrounding the structure.
* Explosives Bunker	<i>Structure</i>	• The Explosives Bunker did not receive recommended structural treatments in 2000; however, this structure has experienced structural issues since the 2000 assessment. An assessment of the current condition should be completed to determine recommended preservation treatments. In general, staff finds that the structure's roof should be replaced, walls reinforced, and other structural members monitored. <u>2000 Recommended Treatment:</u> • Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.
* Alliance Drain Tunnel Site – Wooden House	<i>Building</i>	<u>2000 Recommended Treatment:</u> • Roof: The roofing panels should be replaced in kind. • Walls: The first task should be clearing the rocks away from the wall and securing the slope against further slides. This may entail building a small retaining wall. After removing the rocks, the damage could be assessed. It is possible that the wall may rebound to some degree, depending on how recently the damage occurred. If there is no significant loss of structural integrity as the result of this damage, then no other structural work should be required on the north wall at this time. If structural components in the wall are seriously weakened, it may require repair, reinforcement, or replacement of those elements, as appropriate. • Window and Door Openings: In terms of stabilization, filling the window and door openings is a high-priority task. Window openings could be filled with transparent, breakage-resistant polycarbonate sheets or with plywood, painted black to simulate space behind the window. Lexan (or a similar polycarbonate) would provide sufficient light in the structure to allow other repairs to take place, and allow visitors to satisfy their curiosity as to what is within the structure simply by looking through the window instead of trying to force open a door or window. The door openings could be filled with heavy plywood doors on hinges, with padlocks. Optionally, wooden panel-style doors similar to the originals could be installed, although this would be considered a restoration, rather than stabilization, activity. The remaining window sashes could be nailed or screwed in place to help prevent easy removal. The Lexan or plywood temporary windows could be installed either behind or in front of the sashes. Installing them behind the sashes would protect the sashes more effectively, but installing them in front of the sashes would help maintain the historic appearance of the house. • Exterior Trim and Siding: Any pieces of trim that have fallen off and are still lying near the structure should be reattached, assuming that their original location can be ascertained. Loose pieces of trim and siding should be secured, and unrepairable or missing pieces of siding or trim that would allow moisture penetration or access by animals should be replaced in kind. The trim and the siding could also be treated with some combination of consolidants, water-repellant solutions, stains, or paint, as appropriate, to protect these features from weathering. • Porch: All debris on the porch should be removed and any obviously rotted planks should be removed. Then the underlying structure should be inspected, which may require removing additional floor planks. If the underlying framework needs extensive repairs, then all of the floor planks should be removed and the damaged or deteriorated components in the framework should be reinforced or replaced, as appropriate. The current floor planks are standard 2x6(1 1/2" x 5 1/2") dimensional lumber and are not original. The original size of the floor planks is unknown, although it may be possible to make this determination by removing some planks and inspecting a protected area of the underlying joists (such as against the house) to detect any residual patterns from the original planks. Since the existing floor planks are not original, and probably modern, it may be advisable to replace all of the floor planks with rough-sawn lumber

that matches the original dimensions.

- Steps and Landing: Since the existing elements are beyond repair, these components should be documented in adequate detail to allow possible future restoration, and then removed to eliminate a significant safety hazard. Replacing the stairs and landing would be considered restoration, rather than stabilization work.
- Foundation: The first task is to remove some selected pieces of skirting and examine the foundation structure in more detail, which might also involve digging a few test pits next to the posts. If any of the posts or other components are badly rotted, they should be reinforced or replaced in kind, as appropriate. The priority of this task would depend on the condition of the foundation elements and how seriously their condition affects structural integrity. Reinforcement (or adding extra components) would not seriously compromise the feature's historic appearance, since the components would be covered with skirting. The settling at the northwest and northeast corners is minor, perhaps two inches, and this does not necessarily compromise the structural integrity of the house. However, raising these two corners to square the house might be an advisable prerequisite to replacing the roofing material, since it would allow the roofing to be cut and installed squarely without warping, bulging, or an "oil can" effect.
- Interior Flooring: The first task should be to remove the debris from the house and conduct a more thorough inspection of the floor. Removing the debris is also advisable to prevent moisture from being trapped in the debris and held against the floor. Any seriously weakened floor components, including flooring, subflooring, joists, or beams, should be reinforced or replaced in kind, as appropriate.
- Brick Chimney: The bricks should be documented in adequate detail to allow for the possibility of future restoration, then dismantled. If desired, the bricks could be stored on-site for later re-use.
- Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

*** Alliance
Drain Tunnel
Site – Pump
House**

Building

2000 Recommended Treatment:

- Roof: All of the roofing panels should be replaced with new corrugated galvanized steel roofing panels. Matching (or similar) panels should be readily available.
- Walls: An intact exterior stucco finish is necessary to prevent moisture from penetrating and damaging the concrete walls. This is especially important when dealing with very coarse and porous concrete walls such as these. Some soil, perhaps one foot, should be removed where it contacts the east wall (or any other place where the soil has been built up above the bottom edge of the stucco finish). The small hole at the bottom of the east wall should be filled with a suitable concrete patch. Loose stucco should be peeled off of the exterior walls and the exposed surface of the concrete should be cleaned and prepared to receive a stucco application. Depending on the condition of the concrete walls, some additional patching or consolidation of the concrete might be necessary in places. New stucco should be applied to the exterior, using appropriate techniques for rough and porous concrete walls. The possibility of adding reinforcing fibers to the parge or stucco layer(s) should be investigated. After the stucco cures, it should be primed and painted, using suitable materials and techniques, with colors matching the original colors. The interior walls should not require any stucco work, since they will be protected by roof repairs and by closing the window and door openings, and stuccoed.
- Doors and Windows: The windows and doorway should be secured against weather and unauthorized access. Plywood panels, painted black, could be placed behind the window sashes. However, this would block the view of the interesting electrical equipment inside the building, which may or may not be desirable. Small Lexan (or a similar polycarbonate) panels could be installed in the sashes in place of window glass, maintaining a historic appearance and allowing a glimpse inside the structure. Alternatively, larger Lexan panels could be installed over the window frames to protect all of the window woodwork from damage or deterioration. The doors should be tightened up and the missing board(s) replaced.
- Equipment: The mounting hardware that secures the equipment on the walls or floor of the structure should be inspected for damaged, deteriorated, or missing components. The integrity of the walls or floor in the vicinity of the mounting hardware should also be evaluated. Insecure equipment could present a safety hazard. If deficiencies are found, they should be dealt with as

		required to mitigate the problem, preferably without removing or altering the historic equipment. This may involve replacing fasteners or sleeves, repairing brackets, consolidating/repairing concrete, etc. The equipment should be inspected for the presence of any hazardous materials and those materials should be removed or secured in a safe and appropriate manner. If the equipment is protected by repairing the roof and the window and door openings, they should not deteriorate rapidly. An optional treatment might involve applying lubricants or sealants to the equipment, as appropriate. • Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.
* Alliance Drain Tunnel Site – Steel Building	<i>Building</i>	<u>2000 Recommended Treatment:</u> • Exterior Cladding, Including Siding and Roofing: The missing panel at the northeast corner should be replaced in kind and secured with nails that are designed for corrugated paneling. The original nails are common nails with lead sheathing on the nail heads. The hole from the two missing panels on the south wall should be filled with flat sheet metal, preferably attached in a removable fashion in case matching stamped-steel panels become available in the future. Other openings should be filled with sheet metal as appropriate. In terms of the rusted steel panels, the galvanized panels are not deteriorating rapidly, since they still have a good deal of their zinc coating, but the non-galvanized panels on the south wall should be treated. There are several possible approaches. The metal could be sprayed with a suitable rusty-metal primer-sealer and topcoated. Zinc-rich paints are available that would work well, although these must be researched to assure proper adhesion to either rusty metal or to a special primer designed to adhere to zinc-rich topcoats. The metal could also be sprayed with a clear urethane or epoxy sealer. • Doors and Windows: Any loose window frames should be nailed or otherwise secured. The broken glass should be removed from the sashes to remove a safety hazard. Window openings should be secured by filling them with plywood or Lexan panels, or other materials as appropriate. Lexan is breakage resistant and allows light to penetrate, which could be an advantage, depending on circumstances. There are at least two remaining panels of a folding door that appears to have been installed in the large opening in the east wall. The remaining panels seem to be in good condition and it may be easier to fabricate a replacement for the missing panel than to create a full-size door. A door should be installed in the doorway in the south wall. All doors and windows must be secured somehow, preferably with padlocks or via other removable means. Welding window frames shut is not recommended because it is difficult or impossible to undo the damage if restoration work is carried out. • Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.
* Ontario Mine Water Tank	<i>Structure</i>	<u>2000 Recommended Treatment:</u> • Tank D: The debris inside Tank D should be removed to prevent it from holding moisture against the bottom of the tank. The bottom of the tank should then be inspected. If there is no means for water to drain out, a small drain hole or two could be drilled. A water-repellant solution could be applied to the wooden components, and the steel rods and clamps could be coated with a sealant. • Tank E: Some internal braces should be installed to prevent further listing. Debris should be cleared from the wooden roof to retard rotting and corrosion from contact with moisture. Any badly rotted, missing, or rusted components in the roof should be replaced, repaired, or reinforced as necessary to ensure adequate structural integrity to the roof. The interior of the tank should be cleared of any debris that could trap moisture, and a means of escape for water should be provided, which could involve drilling drain holes in the bottom of the tank or loosening a pipe fitting. Consolidants or water-repellant solutions could be applied to the wood. Steel and iron components could be coated with a sealer, such as a clear urethane or epoxy. Straightening the tank is not recommended at this time. The tank staves may loosen up if the tank is straightened, and it is unlikely that the badly rusted nuts could be retightened on their

		steel rods without damage. If it is decided to do additional work and straighten the tank, a possible approach would be to straighten the tank and check for looseness in the staves. If the staves are loose, and with the tank properly supported with temporary braces, one stave could be removed and the sides of the adjoining staves tapered slightly. Then a replacement stave could be driven into place to tighten the staves. The replacement stave would have to be slightly wider than the original and tapered to match the adjoining staves. • Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal
* Judge Aerial Tram Towers	Structure(s)	<u>2000 Recommended Treatment:</u> • The Park City Museum has indicated that there are two (2), possibly three (3) outstanding Judge Aerial Tram Towers that require preservation. The outstanding Tram Towers need to be painted and bolts/structural elements assessed. All Tram Towers should be routinely monitored. • Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.
* Judge Loading Station	Structure	<u>2000 Recommended Treatment:</u> • Clean-up debris from site. • Monitor retaining wall and structures for stabilization needs. • Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

The following analysis addresses recommended action item #2:

2. Proactively work with responsible parties for the necessary treatments and actions to achieve compliance with the 2001 Flagstaff Mountain Resort Historic Preservation Plan.

As is stated in Section D. of the MOA (Exhibit B), the homeowner's association, EP MOA, is responsible for any site that was not part of an ongoing operation in 2001. For this reason, the EP MOA is seeking to enter into the MOA with PCMC to establish a timeline to achieve compliance with the 2001 HPP. The execution of the 2019 HPP Update was mandated in Section (E)(7) of the MOA as a means of establishing a baseline for the existing conditions and outstanding preservation treatments required to achieve compliance with the underlying 2001 HPP obligations. The MOA established a 6-month timeline to complete the 2019 HPP Update to the 2001 HPP. The sites outlined in Table 2 of this report identify all of the sites and compliance issues which is concluded from the information presented in the 2019 HPP Update (Exhibit A). Staff continues to recommend that implementing the MOA assures greater degree and action towards compliance than traditional enforcement under the Development Agreement.

At the time of the Flagstaff Annexation, the negotiations included the need for Conservation Easements in order to preserve and maintain the combination of land use patterns, i.e. Open Space. These easements were later amended due to boundary adjustments.

The Park City Museum has expressed concerns that Technical Report #5 Open Space Management Plan (OSMP) reinforces the need to “foster a sense of stewardship in order to minimize future vandalism.” In the past, the Museum has pointed out that they, along with the Mountain Trails Foundation, spent a day cleaning up years of graffiti accumulation on the site; however, the site they cleaned up was the Alliance Change House. The Alliance Mine site, where the Change House is located, is outside of the Flagstaff Development Agreement and not included in the 19 resources identified in the 2019 HPP Update, but remains owned by UPK. It currently falls within the Silver King Conservation Easement, described in further detail in Table 8. Staff believes the conservation easement requires Talisker and UPK to protect, maintain, and repair the Historic Mining Improvements within the conservation easement, including the Alliance.

TABLE 8: Conservation Easements

Easement	Date Recorded	Parties to the Easement	Terms
Grant of Conservation Easement (Ski Area) Entry No. 00643790	1.7.2003	GRANTOR: UPK and Deer Valley Resort Company GRANTEE: Park City Municipal Corporation (PCMC) and Conserving Our Open Lands	Conservation Values of the property be preserved and maintained by the continuation of land use patterns, including, without limitation, those existing at the time of recording the easement Clean-up of the Anchor Mine overburden pile
Grant of Conservation Easement (Iron Mountain Area) Entry No. 00643789	1.7.2003	GRANTOR: UPK GRANTEE: PCMC and Conserving Our Open Lands (COOL)	Conservation values of the property be preserved and maintained by the continuation of land use patterns
Grant of Conservation Easement (Lady Morgan Springs Area) Entry No. 00643788	1.7.2003	GRANTOR: UPK and Deer Valley GRANTEE: PCMC and COOL	Conservation values of the property be preserved and maintained by the continuation of land use patterns
Grant of Conservation Easement (Prospect Ridge Area) Entry No. 00643791	1.7.2003	GRANTOR: UPK GRANTEE: PCMC and COOL	Conservation values of the property be preserved and maintained by the continuation of land use patterns.
Conservation Easement (Silver King) Entry No. 00806102	3.2.2007	GRANTOR: UPK and Talisker GRANTEE: Summit Land Conservancy	Prevent residential development on the property and assure undeveloped condition Protection, maintenance, repair, renovation, restoration, and use of Historic Mining Improvements by Grantor subject to approval of PCMC in cooperation with Utah Historic Preservation Society
Minor Boundary Adjustment to Grant of Conservation Easement (Ski Area) Entry No. 00814180	5.23.2007	GRANTOR: UPK and Deer Valley GRANTEE: PCMC and Summit Land Conservancy	Minor boundary adjustment to delete 2.3 acres within Lot C and dedicate three small parcels adjoining Lot C within the B-2 Empire Village Subdivision (“B-2 Plat”) subject to Conservation Easement
Amendment to Grant of Conservation Easement (Ski Area) Entry No. 00994227	4.29.2014	GRANTOR: Deer Valley GRANTEE: PCMC and Summit Land Conservancy	Dutchman Lode Mining Claim Lot NO. 2008 removed from the easement

There is significant overlap related to Historic Preservation in the requirements of the Technical Report #5 OSMF and Technical Report #6 HPP. For additional information, Technical Report #5 OSMF includes the following language:

- *Executive Summary* – Another type of Protected Open Space (POS) within the Plan Area is associated with the specific cultural resource sites. These include a number of mining sites considered sensitive due to their historic value, vulnerability to vandalism, and/or hazard they pose to an uninformed public. Brief descriptions of these sites and why they qualify for POS are provided in this plan. More detailed management considerations for these sites are provided in the Flagstaff Mountain Resort HPP.
- *Section 1.1- Flagstaff Mountain Resort* – As Large Scale Master Planned Developments (LSMPDs) are programmatic in nature and subject to refinement at subsequent MPD application and CUP stages, corresponding the contents of this report should be viewed as conceptual in nature and subject to change as specific plans are developed. Details developed at MPDs and CUPs stage will not require modification of this plan provided that they comply with the Goals and Objectives of this Plan.
- *Section 1.2 – Open Space Planning Goals and Objectives* - The overall goal of this plan is to ensure the preservation and maintenance of the Flagstaff Mountain's open space for public enjoyment and the protection of ecological values. There are two general types of open space in the Plan Area: Recreation Open Space (ROS) and POS....The primary purpose of the POS is to promote useable, public, non-improved, non-commercial, connected, and contiguous open space for community benefit.... promote the preservation of historic sites...
- The management objective of cultural resource POS is to preserve and maintain the cultural integrity of a given site.... Interpretive signage may be used in these areas to dissuade further disturbance, warn the public of the dangers... and inform people about the context and importance of the site's cultural resource values.
- *Section 3.3 Historic Sites*- which states that the "historic preservation plan...provides an inventory of these sites and detailed management plan outlining the interpretive opportunities as well as any legal or safety constraints associated with them."
- *Section 4.2 Designated Protected Open Space*- this section identifies Lady Morgan Pond Area, Flagstaff Mine, Little Belle Mine Site, Quincy Mine Site, Daly West Mine Site and the Judge Mine Complex (these sites are further described).
- *Section 4.4 Management Authority* – Deer Valley has management authority and responsibility for all ROS and POS lands within the Plan Area. During development, Flagstaff Mountain Partners will be responsible for managing the development pods and any open space within these areas. Following development, the respective Homeowners Association will assume management authority for open space within the development pods.

At the [January 23, 2019 Planning Commission Work Session](#), staff prepared the following table summarizing the requirements from Section 4.2 Designated POS and OSMF (Technical Report #5), as well as status of compliance, ownership and management responsibility. You will note that there are similarities in obligations for interpretive signs specifically. Staff finds that due to the overlapping nature of the Historic Preservation requirements, OSMF concerns can be

remedied for the Little Bell Mine Site, Quincy Mine Site, Daly West Mine Site, Flagstaff Mine Waste Dump, and Judge Mine Complex (specifically for interpretive signs and structural improvements as applicable).

TABLE 9: Compliance Summary for Technical Report #5 Open Space Management Plan

Site	Requirements	Compliance with OSMP
Lady Morgan Pond Area	This is a designated POS parcel with use and activities to be restricted by conservation easement. Interpretive facilities at edge of POA will help inform the public of the importance Of the Lady Morgan subwatershed to the overall biodiversity of the Plan Area.	Interpretive facilities have not been verified. Conservation Easement recorded (Lady Morgan Springs Area) Entry No. 00643788 (see chart above)
Flagstaff Mine	Installation of interpretative signage to inform the public of the mine's role in the history of PC and mining in Utah.	Sign made by UPK has not been installed. Site not within a conservation easement.
Little Bell Mine Site	Stabilization of the ore bin and installation of interpretive signage explaining the role of the ore bin in the mine process.	Interpretive sign not made or installed. Need to verify public safety sign installed. Site is within Conservation Easement (Ski Area) Entry No. 00643790 (see chart above)
Quincy Mine Site	Installation of interpretive signage explaining the role of the hoist and boiler in mining process and cautionary signage warning the public of dangers associated with the mine shaft, which though filled, appears to be subsiding.	Interpretive sign not made or installed. Need to verify public safety sign installed. Site is within Conservation Easement (Ski Area) Entry No. 00643790 (see chart above)
Daly West Mine Site I	Installation of interpretive signage discussing historical and current use of the headframe. "...this headframe is still in operation and provides maintenance access to the Anchor Tunnel."	Sign was installed describing the historyneed to verify it is still there. Note-head frame is no longer in operation as it collapsed in 2015. Site is not within a conservation easement.
Judge Mine Complex	"Detailed stabilization, restoration, and management actions are also provided in the HPP... at a minimum, management will include installation of interpretive and cautionary signage... to educate the public on the historic importance of these facilities... and foster a sense of stewardship in order to minimize future vandalism."	Sign not made or installed. Site is not within a conservation easement.

The following analysis addresses recommended action item #3:

3. Determine if City Council wishes to create additional funding mechanisms to assist in compliance historic preservation efforts.

The MOA establishes the following funding sources:

TABLE 10: Memorandum of Agreement Funding Sources and Recurrence

Source	Beneficiary	Amount	Reason	Recurrence
EPMOA	Park City Museum	\$65,000	Reimbursement for preservation treatments on the Little Bell Ore Bin.	One-Time Payment
Storied Development	PCMC (in escrow)	\$40,000	To be held in escrow for costs incurred by the EPMOA in stabilizing the roof structure of the Judge Mining and Smelting Office	One-Time Payment
REDUS	PCMC (in escrow)	\$40,000	To be held in escrow for costs incurred by the EPMOA in stabilizing the roof	One-Time Payment

			structure of the Judge Mining and Smelting Office	
PCMC (Open Space/Transit Management Fee)	"Maintenance Fund"	\$20,000	To complete maintenance work consistent with the 2001 HPP (Technical Report #6) obligations.	Annually for 10 years from execution of the MOA
EPMOA	"Maintenance Fund"	\$20,000	To complete maintenance work consistent with the 2001 HPP (Technical Report #6) obligations.	Annually for 10 years from execution of the MOA

PCMC (through the Open Space/Transit Management Fee) and the EPMOA have agreed to contribute a total of \$400,000 over the next 10 years as a part of a "Maintenance Fund" as dictated by the MOA. Projects will be selected on an annual basis for and the Maintenance Fund will remit payment for work completed towards the annual project. This does not include the \$80,000 slated to stabilize the roof structure of the Judge Mining and Smelting Office. The MOA does not preclude either party from contributing additional funds towards Historic Preservation.

As previously communicated to Friends of Ski Mountain Mining History via email, the following information was provided in response to an inquiry regarding Open Space/Transit Management Fee allocation. Technical Report #5 OSMP establishes the funding mechanism that is contributing to the annual "Maintenance Fund" by PCMC (referenced in Table 10). Technical Report #5 established the Open Space/Transit Management Fee which is collected from all real estate transactions within the Flagstaff Mountain Resort development boundary. 1% of every real estate transaction is collected. .05% (1/2) of the 1% real estate transaction is allocated to the EPMOA for continued maintenance of roads and infrastructure and the other .05% (1/2) of the 1% real estate transaction is allocated to PCMC for the Open Space/Transit Management Fee Fund. The funds have been allocated by City Council through the budget process on the 50/50 basis. The Development Agreement reads the funds shall be paid to PCMC to assist in funding the cost and expenses for enhanced transporting to the project, recreational improvements and/or open space acquisition, maintenance or preservation."

TABLE 11: Open Space/Transit Management Fee Fund Overview

Flagstaff Open Space Expenditures by Year and General Open Space Management/Maintenance Expenditure Type																	
Category	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	Sum Total	
Admin Expense	\$ -	\$ -	\$ -	\$ -	\$ 3,714	\$ 16,922	\$ 297	\$ 819	\$ 188	\$ 18,251	\$ 16,281	\$ 12,601	\$ 10,194	\$ (11,597)	\$ (39,065)	\$ 28,606	
Easement - Open Space	\$ -	\$ -	\$ -	\$ -	\$ 1,177,133	\$ 102,213	\$ -	\$ 16,454	\$ 350	\$ 3,450	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,299,599	
Improvements - Landscaping	\$ -	\$ 207	\$ -	\$ 79,154	\$ 7,549	\$ 27,472	\$ 73,539	\$ 79,631	\$ 120,928	\$ 63,408	\$ 125,096	\$ 155,306	\$ 164,259	\$ 83,772	\$ 30,747	\$ 1,011,069	
Improvements - Wayfinding & Trails	\$ -	\$ -	\$ -	\$ 384	\$ 5,379	\$ 9,162	\$ 13,710	\$ 10,509	\$ 72,924	\$ 48,442	\$ 7,608	\$ 153,376	\$ 58,781	\$ 8,189	\$ -	\$ 388,464	
Stewardship	\$ 12,937	\$ 6,250	\$ 7,500	\$ 7,500	\$ 43,057	\$ 55,208	\$ 39,091	\$ 51,466	\$ 35,801	\$ 98,690	\$ 2,060	\$ 53,973	\$ 110,282	\$ 27,291	\$ -	\$ 551,105	
Weed Mitigation	\$ -	\$ 20,447	\$ 17,234	\$ 50,685	\$ 27,894	\$ 62,542	\$ 90,888	\$ 70,433	\$ 43,110	\$ 66,763	\$ 195,832	\$ 82,368	\$ 115,719	\$ 103,719	\$ 36,075	\$ 983,710	
Appraisals, Title, Professional Services	\$ -	\$ 5,180	\$ 2,750	\$ -	\$ 14,785	\$ 500	\$ 21,027	\$ 39,197	\$ 51,347	\$ 52,069	\$ 28,495	\$ 73,053	\$ 115,424	\$ 50,412	\$ 3,335	\$ 457,573	
Sum Total	\$ 12,937	\$ 32,084	\$ 27,484	\$ 137,723	\$ 1,279,511	\$ 274,019	\$ 238,553	\$ 268,509	\$ 324,647	\$ 351,073	\$ 375,373	\$ 530,676	\$ 574,659	\$ 261,787	\$ 31,092	\$ 4,720,127	

Flagstaff Open Space Revenue Collection by Year																	
	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Sum Total
	\$ 62,750	\$ 55,275	\$ 164,733	\$ 465,406	\$ 293,405	\$ 610,118	\$ 122,532	\$ 408,069	\$ 228,225	\$ 172,581	\$ 266,456	\$ 391,814	\$ 335,559	\$ 254,409	\$ 185,963	\$ 590,116	\$ 2,76,084 \$ 4,883,495

Flagstaff Transit/Transportation Expenditures by Year and General Open Space Management/Maintenance Expenditure Type																	
Category	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Sum Total
Transportation Planning	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,275	\$ -	\$ -	\$ 22,816	\$ -	\$ -	\$ -	\$ 13,360	\$ 233,427	\$ 100,000	\$ 17,306	\$ 407,184
Transportation Construction	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,281,404	\$ 14,593	\$ 879,655	\$ 2,956,663
Sum Total	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,275	\$ -	\$ -	\$ 22,816	\$ -	\$ -	\$ -	\$ 13,360	\$ 1,514,831	\$ 114,593	\$ 896,961	\$ 3,363,847

Flagstaff Transit/Transportation Revenue Collection by Year																	
Revenue	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019 Sum Total
	\$ -	\$ 110,775	\$ 172,564	\$ 465,404	\$ 293,405	\$ 610,118	\$ 122,532	\$ 408,069	\$ 228,225	\$ 172,581	\$ 266,456	\$ 391,814	\$ 335,559	\$ 254,409	\$ 185,963	\$ 590,116	\$ 2,76,084 \$ 4,884,074

To date, the Transportation Funds have been used for improvements or transit services to the project area. The Open Space funds have been used for maintenance or preservation of PCMC's open space. Changing the 50/50 percent allocation between Transportation and Open Space would require the approval of City Council. Allocation of the funds for something other than Open Space/Transportation would require an amendment by City Council to the Development Agreement. Expenditures from the Open Space/Transit Management Fee Fund have been spent on open space maintenance and management since 2005 including: open space preservation easement work and open space management (such as surveys and appraisals, maintenance items such as invasive weed abatement and tree issues, trails and sign maintenance and improvements), contracts with Summit Land Conservancy and Utah Open Lands on open space land trust easements, stewardship management and maintenance.

The Planning Department is also returning to City Council with new Grant Program management. Staff will encourage City Council to explore creating a fund specific to mine site restoration and maintenance beyond the current funding sources of the Main Street RDA, Lower Park RDA, and General Fund.

Summary Recommendation

Staff requests that City Council review the 2019 Flagstaff Mountain Resort Historic Preservation Plan Update, included as Exhibit A, and consider the recommended action items proposed by staff before implementing the recommended Memorandum of Agreement with the Empire Pass Master Owners Association and additional owners of properties with Historic Structures. This includes:

1. Prioritizing expenditures on compliance items within the 2001 Flagstaff Mountain Resort Historic Preservation Plan (19 of 21 resources - see below) and confirm site-specific prioritization and prescribed treatment options.
2. Proactively work with responsible parties for the necessary treatments and actions to achieve compliance with the 2001 Flagstaff Mountain Resort Historic Preservation Plan.
3. Determine if City Council wishes to create additional funding mechanisms to assist in historic preservation efforts, such as:
 - General Fund
 - Repurpose Real Estate Transfer Fee
 - Grant Funding

Exhibits:

Exhibit A:	SWCA 2019 Historic Preservation Plan Update
Exhibit B:	Memorandum of Agreement (2019 between EPMOA and PCMC)
Exhibit C:	Public Comment
Exhibit D:	Technical Report #5: Open Space Management Plan
Exhibit E:	Technical Report #6: Historic Preservation Plan
Exhibit F:	Park City Museum Priority List and Approximate Costs
Exhibit G:	Judge Mining and Smelting Office Building Engineer's Submittal
Exhibit H:	Cost Estimates Submitted by EPMOA

The logo for the Summit Watershed Council of America (SWCA) is positioned vertically on the left side of the page. It consists of the letters 'S', 'W', 'C', and 'A' in a large, stylized, light blue font, stacked one above the other.

Historic Preservation Plan Update for Flagstaff Mountain Resort in Park City, Summit County, Utah

OCTOBER 2019

PREPARED FOR

Empire Pass Master Owners Association

PREPARED BY

SWCA Environmental Consultants

HISTORIC PRESERVATION PLAN UPDATE FOR FLAGSTAFF MOUNTAIN RESORT IN PARK CITY, SUMMIT COUNTY, UTAH

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SWCA Project No. 57171

SWCA Cultural Resources Report No. 19-632

October 2019

EXECUTIVE SUMMARY

Flagstaff Mountain Resort consists of approximately 1,750 acres of private land in Park City, Summit County, Utah. The original Flagstaff Mountain Resort developers included United Park City Mines Company and certain other private property owners. A Development Agreement was negotiated between the developers and Park City Municipal Corporation (PCMC) as a prerequisite to Park City's annexation of the Flagstaff Mountain Resort property, which took place on June 24, 1999; as part of this a Historic Preservation Plan (HPP) was commissioned by United Park City Mines Company and completed in 2000.

The 2000 HPP identified historic mining-related resources within the Flagstaff Mountain Annexation Boundary and provided information that was intended to help the resort developers and PCMC make informed decisions regarding possible treatment plans for these properties. The 2000 HPP provided the following key information:

- A historic context for the area
- An inventory of historic resources largely within the Flagstaff Mountain Annexation Boundary, including descriptions, historic functions, condition assessments and suggested mitigation work, and interpretation recommendations
- General information about developing treatment plans
- A treatment plan for Flagstaff Mountain properties

The HPP identified and described 32 historic mining resources; from these, 21 resources were selected as "important sites" or resources (Table ES1) (Bowes et al. 2000). A summary of the HPP was prepared in May 2001 and revised and approved in December 2001 by PCMC (SWCA Environmental Consultants [SWCA] 2001). Exhibit 6 of the HPP Summary included a chart that synthesized information from the 2000 HPP and provided more detailed work recommendations. Fulfillment of these work recommendations formed part of the Development Agreement between Flagstaff Mountain Partners (the original developers) and PCMC. The chart has served as a treatment plan in the ensuing years and has guided preservation efforts by Flagstaff Mountain Partners and its successors.

The maintenance and ongoing protection of many of the historic mining resources have become the responsibility of the Empire Pass Master Owners Association (EPMOA), which has replaced Flagstaff Mountain Partners in management of much of the land encompassed by the 2000 HPP. The EPMOA sought to update the 2000 HPP and assess progress in preserving the important resources identified in the HPP that are also subject to the Flagstaff Development Agreement between the EPMOA and PCMC. The EPMOA retained SWCA to document and assess the condition of the resources, including to assess whether treatment recommendations listed in the 2001 HPP Summary had been met (see Table ES1). Of the 21 original important resources, 17 were surveyed by SWCA and two (which were partially located on land owned by the EPMOA) were reported on by the EPMOA. The remaining two resources are not on land owned by the EPMOA, are not subject to the Flagstaff Development Agreement, and were not included.

The condition of the 19 resources assessed in 2019 varied widely. Some were in good condition, while others, such as the Judge Mining and Smelting Company Office and the Little Bell Mine Ore Bin, exhibited significant deterioration conditions. For 14 of the 19 resources, the 2001 HPP Summary recommendations have not been fully satisfied (see Table ES1).

Table ES1. Summary of Important Historic Mining-Related Resources Identified in the 2000 HPP, 2019 Survey Status, and 2001 HPP Summary Treatment Recommendation Status

Important Sites Identified in 2000 HPP	Surveyed for 2019 HPP Update	2001 HPP Summary Work Recommendations Fully Met?
Judge Mining and Smelting Company Office	Yes	No
Anchor (Daly-Judge) Drain Tunnel	Yes	No
American Flag Mine Waste Dump	Yes	No
Ontario Mine Shaft No. 3	Yes	No
Daly Mine No. 1 Waste Dump	Yes	No
Daly Mine No. 2 Shaft	Yes	No
Daly-West Mine Headframe, Shaft, and Hoist	Yes	No
Daly-West Mine Fire Hydrant Shacks	Yes	No
Daly-West Mine Waste Dump	Yes	No
Diamond-Nemrod Mine Waste Dumps	Yes	No
Anchor Mine Waste Dump	Yes	Yes
Quincy Mine Hoist Plant	Yes	Yes
Quincy Mine Shaft and Waste Dump	Yes	Yes
Little Bell Mine Ore Bin	Yes	No
Little Bell Mine Waste Dump	Yes	Yes
White Pine Mine Log Structure	Yes	Yes
White Pine Mine Waste Dumps	Yes	No
Flagstaff Mine Waste Dumps	No (only a small part of dump is on land owned by the EPMOA and subject to Flagstaff Development Agreement)	No
Naildriver Mine Waste Dump	No (mine and most of dump not on land owned by the EPMOA; only a small area subject to Flagstaff Development Agreement)	No
Flagstaff Mine Shaft	No (not on land owned by the EPMOA; not subject to Flagstaff Development Agreement)	N/A
Explosives Bunker	No (not on land owned by the EPMOA; not subject to Flagstaff Development Agreement)	N/A

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INTRODUCTION

Background

Flagstaff Mountain Resort consists of approximately 1,750 acres of private land in Park City, Summit County, Utah. The original Flagstaff Mountain Resort developers included United Park City Mines Company and certain other private property owners. A Development Agreement was negotiated between the developers and Park City Municipal Corporation (PCMC) as a prerequisite to Park City's annexation of the Flagstaff Mountain Resort property, which took place on June 24, 1999.

A Historic Preservation Plan (HPP) was commissioned by United Park City Mines Company to satisfy PCMC's requirements for the documentation and protection of historic mining-related resources on the property, as described in the Development Agreement. There were no federal or state requirements for the HPP, which was completed in 2000 (Bowes et al. 2000).

The 2000 HPP identified historic mining-related resources within the Flagstaff Mountain Annexation Boundary and provided information that was intended to help the resort developers and PCMC make informed decisions regarding possible treatment plans for these properties. The 2000 HPP provided the following key information:

- A historic context for the area
- An inventory of historic resources largely within the Flagstaff Mountain Annexation Boundary, including descriptions, historic functions, condition assessments and suggested mitigation work, and interpretation recommendations
- General information about developing treatment plans
- A treatment plan for Flagstaff Mountain properties

The HPP identified and described 32 historic mining resources; from these, 21 resources were selected as "important sites" or resources (Table 1) (Bowes et al. 2000). A summary of the HPP was prepared in May 2001 and revised and approved in December 2001 by PCMC (SWCA Environmental Consultants [SWCA] 2001) (Appendix A). Exhibit 6 of the HPP Summary included a chart that synthesized information from the 2000 HPP and provided more detailed work recommendations. Fulfillment of these work recommendations formed part of the Development Agreement between Flagstaff Mountain Partners (the original developers) and PCMC. The chart has served as a treatment plan in the ensuing years and has guided preservation efforts by Flagstaff Mountain Partners and its successors (see Table 1).

Table 1. Summary of Important Historic Mining-Related Resources Identified in the 2000 HPP and 2019 Survey Status

Important Sites Identified in 2000 HPP	Surveyed for 2019 HPP Update
Judge Mining and Smelting Company Office	Yes
Anchor (Daly-Judge) Drain Tunnel	Yes
American Flag Mine Waste Dump	Yes
Ontario Mine Shaft No. 3	Yes
Daly Mine No. 1 Waste Dump	Yes
Daly Mine No. 2 Shaft	Yes
Daly-West Mine Headframe, Shaft, and Hoist	Yes
Daly-West Mine Fire Hydrant Shacks	Yes
Daly-West Mine Waste Dump	Yes
Diamond-Nemrod Mine Waste Dumps	Yes

Important Sites Identified in 2000 HPP	Surveyed for 2019 HPP Update
Anchor Mine Waste Dump	Yes
Quincy Mine Hoist Plant	Yes
Quincy Mine Shaft and Waste Dump	Yes
Little Bell Mine Ore Bin	Yes
Little Bell Mine Waste Dump	Yes
White Pine Mine Log Structure	Yes
White Pine Mine Waste Dumps	Yes
Flagstaff Mine Waste Dumps	No (most of dump on Extell land [formerly Mayflower] not owned by EPMOA; small remaining area subject to Flagstaff Development Agreement reported on by EPMOA)
Naildriver Mine Waste Dump	No (mine and most of dump on Naildriver Mining Company land not owned by EPMOA; small remaining area subject to Flagstaff Development Agreement reported on by EPMOA)
Flagstaff Mine Shaft	No (resource on Extell land [formerly Mayflower]; not subject to Flagstaff Development Agreement)
Explosives Bunker	No (resource on LEC Properties land; not subject to Flagstaff Development Agreement)

Objectives

The maintenance and ongoing protection of many of the historic mining resources identified in the 2000 HPP have become the responsibility of the Empire Pass Master Owners Association (EPMOA), which has replaced Flagstaff Mountain Partners in management of most of the land encompassed by the 2000 HPP. The EPMOA sought to update the 2000 HPP and assess progress in preserving the important resources identified in the HPP that are also subject to the Flagstaff Development Agreement between the EPMOA and PCMC.

Of the 21 resources originally identified in the HPP, 17 are fully on land currently owned by the EPMOA and are included in this HPP Update (Figure 1; see Table 1). Two resources (Flagstaff Mine Waste Dumps and Naildriver Mine Waste Dump) are partly on land owned by the EPMOA and are subject to the Development Agreement. Per initial direction from EPMOA, these sites were not included in the field survey. Subsequent ownership review determined that the Flagstaff Mine Waste Dumps are partially located on land owned by the EPMOA and partially on land owned by Extell. The Naildriver Mine Waste Dump is partially on land owned by EPMOA and partially on land owned by the Naildriver Mining Company. Both sites were included in the condition assessment using data provided by EPMOA.

Additionally, two resources (Flagstaff Mine Shaft and Explosives Bunker) are not located on land owned by the EPMOA and are not subject to the Development Agreement; these resources were not included in the survey. The Flagstaff Mine Shaft is on land owned by Extell. During the project, the question was raised about whether the Empire Canyon Explosives Bunker should be included on the list. Alliance Engineering surveyed the location of the bunker and confirmed that it is on the Marsac Mining Claim owned by LEC Properties. It was therefore determined that the EPMOA should not be accountable for this historic resource because the underlying property is not subject to the Flagstaff Development Agreement; the Empire Canyon Explosives Bunker was therefore also not included in the survey.

The objectives of this HPP Update were to document and assess the condition of the 17 resources fully on land currently owned by the EPMOA through the following tasks:

- Comprehensive survey of each resource, including the identification of current deficiencies and suggested mitigation or maintenance work (if not already implemented after the 2000 HPP or if new conditions warrant further action)

- An assessment of progress in preserving the resources, in accordance with the recommendations in the Flagstaff Development Agreement and the 2001 HPP Summary
- Photographic documentation of each resource
- Collection of spatial data on the location of each resource

In summary, a total of 19 resources were included in the condition assessment. These included the 17 resources surveyed by SWCA, as well as the Flagstaff Mine Waste Dumps and the Naildriver Mine.



Figure 1. Resource location map.

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METHODOLOGY

The survey of historic mining resources was divided into two parts: documentation and condition assessment. SWCA's principal investigator Anne Oliver served as the historic architecture team lead and architectural conservation specialist. SWCA historic preservation specialist Kate Hovanes served as the project manager and conducted fieldwork and completed report preparation; she was assisted by SWCA historic preservation specialist Megan Daniels. Oliver, Hovanes, and Daniels meet the professional qualifications for architectural history, defined in 36 Code of Federal Regulations 61.

Documentation

Fieldwork was conducted on August 27 and 28, 2019. The SWCA project team identified historic mine resources requiring assessment; photographed each resource using a digital single-lens reflex (SLR) camera at 18-megapixel resolution; recorded locational data using a handheld global positioning system (GPS) unit; and conducted full condition assessments of the exterior and, when applicable, the interior of each resource.¹ SWCA coordinated these site visits with Douglas Ogilvy (EPMOA), who provided important logistical information and knowledge about the mining resources. After fieldwork, the data were processed, organized, and evaluated in accordance with the project objectives. Two of the 19 sites were not visited by SWCA but aerial imagery was provided by EPMOA.

Condition Assessment

For each resource, condition assessment involved visual inspection and recordation of current conditions with photographs and notes. Visual inspection included examining roofs, walls, foundations, doors and windows, and any additional architectural features, when present, for signs of deterioration or condition problems. When appropriate and necessary, more in-depth assessments of building components were conducted, which in some cases involved probing exposed wood members to test for rot, observing the structural systems of resources (when relevant), and identifying probable causes of detected deterioration. The condition of two of the 19 sites was not assessed by SWCA but EPMOA conducted a visual inspection.

Treatment Recommendations

Each resource was inspected to assess progress in implementing the treatment recommendations of the 2001 HPP Summary, which was incorporated in the Flagstaff Development Agreement. Treatment recommendations were then developed for the 19 mining resources fully or partially on EPMOA land. The treatment recommendations first note any work still required to fulfill recommendations in the 2001 HPP Summary and are then prioritized by importance for the ongoing preservation of the resource. All treatment recommendations are consistent with *The Secretary of the Interior's Standards for Rehabilitation and Illustrated Guidelines for Rehabilitating Historic Buildings* (Morton et al. 1992).

¹ The GPS unit was a geographic information system (GIS)-grade Trimble, accurate to within 1 meter.

CONDITION ASSESSMENT AND TREATMENT RECOMMENDATIONS

The following section describes each historic mining resource using excerpts from the 2000 HPP and summarizes existing conditions and work recommendations from Exhibit 6 of the 2001 HPP Summary (SWCA 2001). This section also provides an updated condition assessment, an assessment of work required to meet 2001 HPP Summary recommendations, and additional recommended work for each resource. Photographs of each resource documenting its current condition are also included.

This report does not include a historic context or detailed descriptions of resources, except when the appearance of a resource has changed significantly from that described in the 2000 HPP (Bowes et al. 2000). For a historic context of mining in Park City and for histories and descriptions of specific resources, see Bowes et al.'s (2000) report.

Judge Mining and Smelting Company Office

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Judge Mining and Smelting Company Office, which is excerpted here, and includes a floor plan:

The Judge Mining & Smelting Company office building is located adjacent to the extension of the Anchor (Daly-Judge) Drain Tunnel portal. It is a simple, front-gabled, one-story, concrete-walled structure that is divided into two functional areas.

[Figure 2] shows the building layout. The front section was used as an office and is subdivided into six rooms, consisting of a Reception (Room 1) and Main Office (Room 2) at the north end of the building, a Small Office (Room 3) adjoining the south wall of Room 2, a Restroom (Room 4), Closet 1 and Closet 2 (Room 5 and Room 6), and a large walk-in Vault (Room 7) with a steel door.

The rear section consists of a large Changing Room (Room 8) for miners, with toilet, lavatory, shower, dressing benches, and clothing storage facilities. Room 8 connects with the Anchor (Daly-Judge) Drain Tunnel via a doorway in its east wall.

A small shed-roofed extension on the west side of the building serves as the entry to the rear section. There is no physical connection between the front and rear sections, except for an opening between the attic area in the front section and the loft area in the rear.

There is an attic area in the front section, but it is not known if it was ever used, since an employee of United Park City Mines Company indicated that the attic stairway was built for the purpose of filming a movie, and may not have replaced an earlier stairway. The rear section of the building does not have an attic, although it has a loft area above some of the rooms of the front section.

The roof of the building extends over the wood-frame extension of the Anchor (Daly-Judge) Drain Tunnel portal. The roof of the drain tunnel behind the portal is constructed of concrete and abuts the east wall of the changing room.

All of the building's outer walls, plus at least one internal wall, are constructed of poured concrete. The walls of the vault may also be concrete. The exterior walls are finished with stucco, which shows no obvious evidence of paint and retains its natural appearance. The stucco appears to be original and has the logo "J. M. & S. Co. – 1920" incised into the front gable above the entrance.

The structure is built partially into the hillside. The rear (south) wall of the building is embedded into the slope to a level just below the eaves of the roof. Judging by the large rocky outcroppings in the hillside and the size of the trees growing immediately behind the building, the slope has not subsided since the building was constructed, and the current grade is close to the original. (Bowes et al. 2000:51–52)

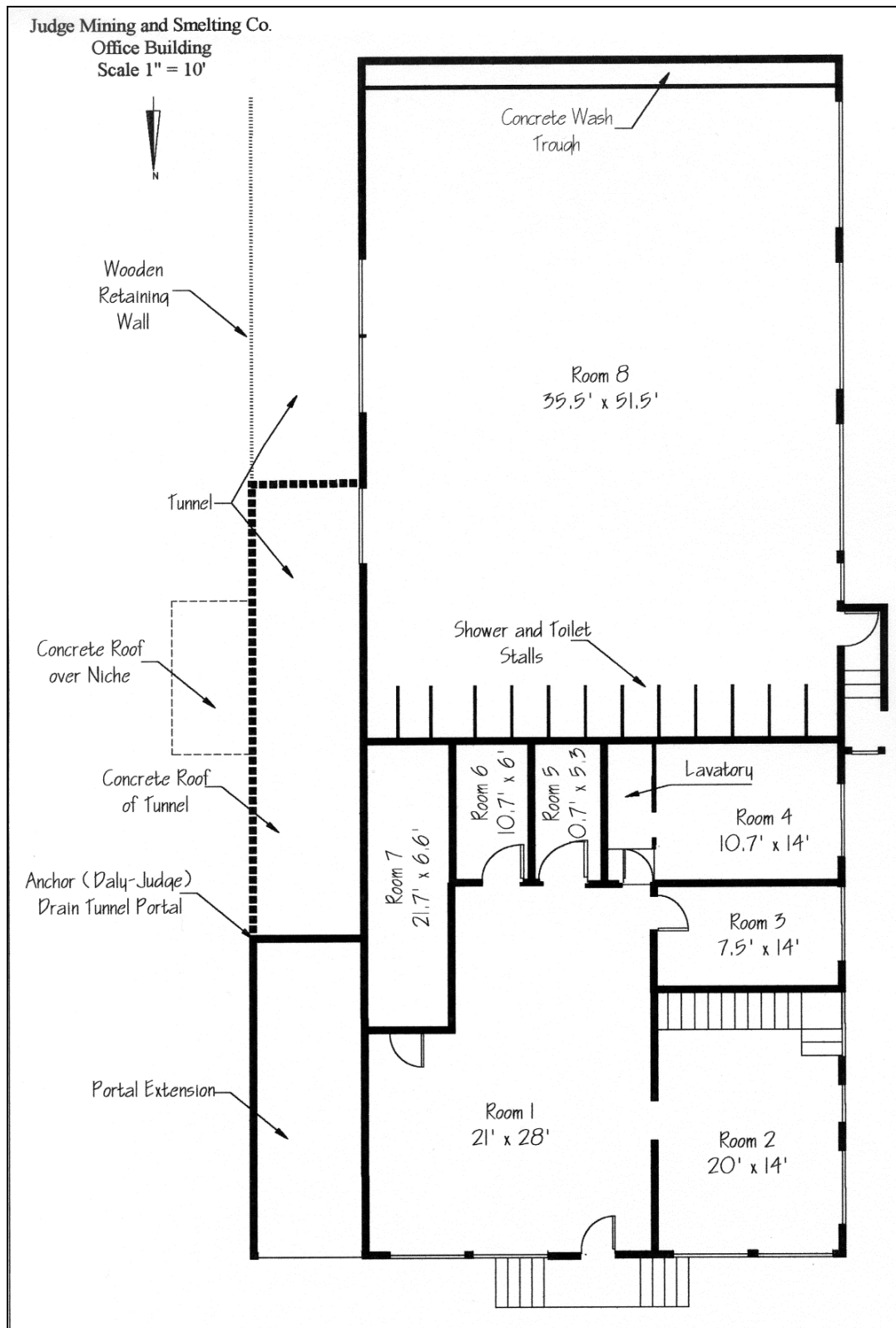


Figure 2. Floor plan (first floor), Judge Mining and Smelting Company Office building (from Bowes et al. 2000).

Existing conditions were described in the 2001 HPP Summary as follows:

All of the building's walls, plus at least one internal wall, are constructed of poured concrete. The exterior walls are finished with stucco, which shows no obvious evidence of paint and retains its natural appearance. The stucco appears to be original and has the logo "J.M. & S. Co. -1920" incised into the front gable above the original entrance. All of the windows, with the exception of three windows on the east wall of the Changing Room, are wood-framed, double-hung windows, without counterweights or springs. The building appears to be in fair condition but is in need of some repairs. (SWCA 2001)

Work recommendations in 2001 were as follows:

- The building site will be cleaned of debris in summer 2001.
- With the first phase of Flagstaff development the restoration of the building will be initiated, interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
- After restoration, the building is anticipated to serve as office and recreation uses for the Flagstaff development. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The building's interior was cleared of debris in 2005 (personal communication, Douglas Ogilvy, August 27, 2019).
- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.
- The 2001 recommendation relating to the restoration and reuse of the building did not take place. The revised goal of the EPMOA is to stabilize the building in its current condition. Measures to achieve that goal have included the following:
 - The roof on the northeast end of the building was shored up with heavy timber to brace the purlins in 2005 (personal communication, Douglas Ogilvy, August 27, 2019).
 - Windows and door openings were boarded up in 2005 (personal communication, Douglas Ogilvy, August 27, 2019).

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 3–14):

- Intrusive vegetation and debris have built up against the foundation and wall bases on the southeast and southwest sides of the building. The weight of this build-up has caused structural cracking and displacement of the walls, although it is unclear whether wall movement is ongoing; the weight of water saturating soils during the spring thaw and rain events, as well as freeze-thaw cycling, may exacerbate this problem.
- Portions of concrete on the southeast and northwest walls are spalling due to water infiltration and the freeze-thaw cycle. The concrete walls of the entrance vestibule to the changing room on the northwest side of the building are friable and extensively eroded and exhibit significant material loss. However, the concrete walls are structurally stable, including the entrance vestibule (McMullin 2019).

- The roof is partially collapsed on the southeast side of the building. Wood purlins have collapsed, resulting in the overall collapse of the roof; the metal trusses remain intact. Deterioration over time and rolling over combined with overstressing likely resulted in the purlins' collapse. Overstressing is the result of a heavy snow load. Before its abandonment, the building would have been heated through the winter, reducing the weight of snow; now that it is vacant, large amounts of snow build up on the roof and remain late into the season because of the shaded location.
- Corrugated metal roofing panels are damaged, detached, and missing. Some panels have holes where flues and stovepipes were originally located; these holes were patched, but in some cases the patching has been detached or damaged.
- Portions of the corrugated metal cornice are detached.
- Most of the plywood boards remain over window and door openings, but large holes have been made in boards on the northwest and northeast sides, allowing access to the interior of the building.
- Significant amounts of animal refuse are present in the interior of the building.

As a part of the 2019 condition assessment, the EPMOA also contracted with Ingenium Design (Ingenium) to conduct structural observations and calculations for the Judge Mining and Smelting Company Office. Ingenium conducted a site visit on October 13, 2019, after which it produced general structural notes, a roof framing plan, and framing details (McMullin 2019). Key observations from the report are excerpted here; the full report is included as Appendix B:

- The failure of the purlins resulted in the collapse of large sections of roofing.
- The original purlins are 70% overstressed (by code). This alone did not account for their failure; deterioration over time and rolling over combined with overstressing likely resulted in their collapse.
- Remaining purlins can be retrofitted by adding a 1 ¾"x5 ½" LVL on one side and nailing/bolting it to the existing purlin.
- Where the purlins are broken, it is possible to use (2) 1 ¾"x5 ½" LVL or a solid member of similar dimensions to replace the original member. These are about twice as strong as the existing members.
- Blocking should be added along the steel trusses to keep the [purlins] from rolling over.
- A spot check of the bottom chord of the metal truss revealed that stress was within reasonable levels. Based on a visual condition assessment, there is no need to retrofit the bottom chords of the metal trusses.
- The walls on the southwest end of the structure are tipping to the northwest and soil build up on the southeast side is pushing the southeast wall, which is then pushing the northwest wall by way of the trusses. However, the southeast wall may be stabilizing the slope above it; removing the soil is therefore not advised without oversight by a geotechnical engineer.
- It is unclear if the walls are continuing to move. Yearly monitoring of wall movement is therefore recommended. If movement over 2 to 3 inches at the tops of the walls is detected, it is recommended to develop a repair plan.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign explaining the history and function of this building and describing its relationship with other historic mining-related resources in the immediate vicinity should be created and installed to meet recommendations in the 2001 HPP Summary.
- The 2001 HPP Summary recommendation relating to the restoration and reuse of the building did not take place. Instead, measures have been taken to stabilize the building in its current condition. Additional work required to achieve stabilization is outlined below.

Additional Recommended Work

- Before implementing any interior treatments, clean the interior of animal refuse to ensure worker health and safety.
- Monitor walls for movement on a yearly basis. If movement greater than 2 to 3 inches at the top of the walls is detected, develop a treatment plan (McMullin 2019).
- Monitor vestibule to changing room on northwest side of building for increasing or ongoing deterioration. If necessary, install an unobtrusive bracing system or reconstruct the vestibule to match the original in design and materials.
- Treat spalling concrete of main walls by improving site drainage through the removal of soil and debris and by repairing the roof; however, removing soil has the potential to destabilize the slope and is not a recommended treatment unless ongoing structural damage to walls is noted (McMullin 2019).
- Replace broken boards at window and door openings. For a more substantial and vandal/animal-proof option, replace or cover the boards with nonreflective sheet metal or back them with metal gratings.
- Stabilize the roof framing system. Fully document the roof system with drawings and photographs before and after treatment. According to the engineer's report, the metal truss system can be retained (with the addition of bracing as indicated) and remaining intact purlins can be braced. Collapsed purlins can be replaced as indicated in the engineer's report (McMullin 2019).
- For the roof covering, replace damaged or missing corrugated panels with galvanized, corrugated steel panels of identical or (if an exact match is not possible) a similar appearance (i.e., matching panel size and corrugation frequency/height). Leave existing panels in place or reuse whenever possible and refasten as needed. All holes in roofing materials (where pipes or chimneys were originally located) should be covered to prevent moisture infiltration.
- Reattach detached corrugated metal cornice or replace in kind as necessary.
- Clear spruce trees from the slopes southeast and southwest of the building that would comprise the structural integrity of the building through extensive root systems or cause roof collapse in the event of tree falls.
- If determined necessary from wall movement monitoring, clear potentially intrusive vegetation and heavy debris from southeast and southwest slopes. All work should be done under the oversight of a geotechnical engineer to assess and monitor slope stability (McMullin 2019).
- If determined necessary from wall movement monitoring, install an additional drainage system at the base of the southeast and southwest slopes to prevent water infiltration from snowmelt and structural damage caused by the weight of overburdened soil. Direct additional drainage to the existing drain in front of the principal (northeast) wall.



Figure 3. Overview of Judge Mining and Smelting Company Office, facing southwest.



Figure 4. Northeast and northwest sides of Judge Mining and Smelting Company Office, facing south.



Figure 5. Northwest side of Judge Mining and Smelting Company Office, facing east.



Figure 6. Southwest side of Judge Mining and Smelting Company Office, facing east.



Figure 7. Entrance on northwest side of building, facing south. Note damaged roofing and deteriorated concrete, as well as earth piled against the building.



Figure 8. Southeast side of Judge Mining and Smelting Company Office, facing north. Note collapsed roof.



Figure 9. Southeast side of Judge Mining and Smelting Company Office, facing west. Note collapsed roof and spalling concrete of wall.



Figure 10. Detail of collapsed roof with twisted wood purlins visible in foreground at right, facing west-northwest.



Figure 11. Interior of Judge Mining and Smelting Company Office, first floor, facing south-southwest. Note the use of pressed tin for wall finishes.



Figure 12. Interior of Judge Mining and Smelting Company Office, first floor, facing northwest. Note the wood partition wall, which may have originally contained windows.



Figure 13. Interior of Judge Mining and Smelting Company Office changing room, facing southwest. Note accumulation of debris on floor and collapsed roof, but with intact metal truss system.



Figure 14. Interior of Judge Mining and Smelting Company Office changing room. Detail of collapsed roof with intact metal truss system, facing south.

Anchor (Daly-Judge) Drain Tunnel

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Anchor (Daly-Judge) Drain Tunnel, which is excerpted here:

The portal of the Anchor Drain Tunnel (known later as the Daly-Judge Drain Tunnel) is located approximately one mile up Empire Canyon. The portal's covered extension is directly adjacent to the east wall of the Judge Mining & Smelting Company office building. Access to the tunnel is secured with a hinged steel grating that allows ventilation. A doorway in the changing room in the rear section of the office building connects directly to the tunnel. This doorway allowed miners to conveniently enter the tunnel from the changing room. This opening is covered with a steel grating. The portal itself is of concrete construction, and its covered extension is a wood-frame structure with galvanized corrugated steel panels. (Bowes et al. 2000:49)

Existing conditions were described in the 2001 HPP Summary as follows:

The portal appears to be in generally good condition. The tunnel is being maintained as part of Park City's culinary water system, and it is assumed that this feature is still structurally sound. However, there are some wooded patches on the east wall of the portal extension that may need to be secured. The condition of the sills and the bottoms of the wooden posts in the east wall is unknown. There are some loose corrugated roofing panels at the northeast corner of the roof of the Judge Mining & Smelting Company Office building, this problem would be addressed by deficiency mitigation work on that structure. (SWCA 2001)

Work recommendations in 2001 were as follows:

- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 15–18):

- Some evidence of water infiltration (such as staining and minor cracks in concrete) is present, but no evidence of significant or ongoing damage is visible.
- The shed-roofed portal protecting the entrance to the tunnel was installed in 2008 (as evidenced by the date inscribed on the metal posts supporting the roof). The roof framing partially obscures the historic inscription panel over the tunnel entrance.
- The tunnel continues to be maintained by the municipality as part of Park City's culinary water system and is generally in good condition.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign explaining the history and function of the tunnel in relation to the Judge, Anchor, and Daly Mines and its ongoing function as the water source for Park City should be created and installed to meet recommendations in the 2001 HPP Summary.

Additional Recommended Work

No additional work is recommended at this time.



Figure 15. Covered entrance to Anchor (Daly-Judge) Drain Tunnel, facing southwest.



Figure 16. Entrance to Anchor (Daly-Judge) Drain Tunnel, facing southwest. Note modern metal posts supporting roof and modern gate over entrance.



Figure 17. Embossed concrete panel over Anchor (Daly-Judge) Drain Tunnel, facing southwest. Note roof framing partially covering embossed panel, as well as minor cracks and evidence of water infiltration.

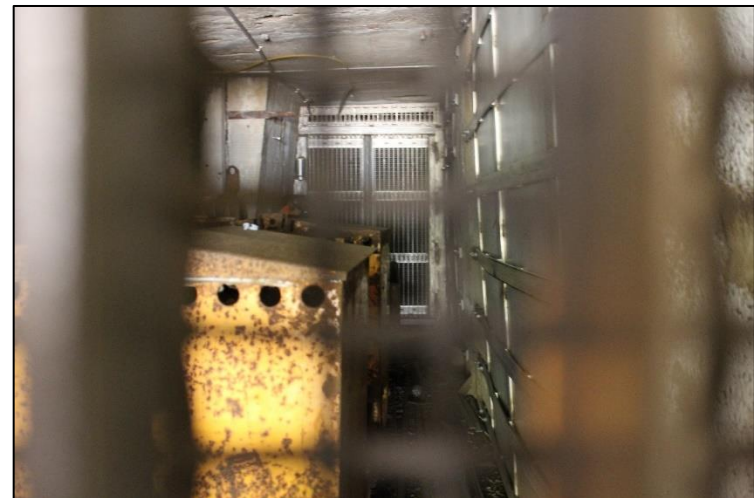


Figure 18. View of Anchor (Daly-Judge) Drain Tunnel entrance, through gate. Note additional modern gate and spalling concrete on ceiling.

American Flag Mine Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the American Flag Mine Waste Dump, which is excerpted here:

The American Flag Mine and its associated dump are located about one mile up Empire Canyon, on the east side of the canyon and opposite the site of the Daly-Judge Mill. Very little remains of the American Flag Mine itself, although it may have some potential to yield archaeological remains. A portion of its waste dump is still visible, but landslides and subsequent road construction have altered much of it. (Bowes et al. 2000:63)

Existing conditions were described in the 2001 HPP Summary as follows:

The basic form of the waste dump has been significantly altered by landslides and other activities in the area. Vegetation has been growing up on portions of the dump. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump.
- This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- The steepness of the slope of this feature will restrict and lengthen the revegetation process. Stabilization of some of the mine waste will likely be necessary.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed. An interpretive sign for the American Flag Mine is located across the road from the dump.
- Attempts have been made to revegetate the slope, but as noted above, the steepness of the slope and likely the soil composition are not conducive to rapid revegetation.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 19–22):

- The waste dump slope is approximately 50 percent revegetated; the rest of the slope remains bare.
- No serious condition issues (such as erosion) were noted; it is likely that the vegetation and the rock retaining wall at the base of the slope prevent or limit erosion.

Work Required to Meet 2001 HPP Summary Recommendations

- Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.

Additional Recommended Work

No additional work is recommended at this time.



Figure 19. Overview of American Flag Mine Waste Dump, facing northeast.



Figure 20. Overview of American Flag Mine Waste Dump, facing east.



Figure 21. Overview of American Flag Mine Waste Dump slope, facing north. Note areas of vegetation cover mixed with areas of unvegetated tailings.



Figure 22. Overview of nearby American Flag Mine site, with interpretive sign, facing east.

Ontario Mine Shaft No. 3

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Ontario Mine Shaft No. 3, which is excerpted here:

Ontario Mine Shaft No. 3 is located in middle Ontario Canyon, west of and adjacent to State Road 224, also known as the Guardsman Pass road. The associated complex is situated atop a large historic mine waste dump, which is easily seen by visitors passing by on State Road 224. All of the surface works were replaced in the 1970s and consist of a complex of metal buildings that house offices, a workshop or garage, concentrator equipment, conveyors, the shaft works, and the [former] Silver Mine Adventure museum in the shaft works buildings. There are also various tanks, pieces of mounted equipment, and smaller structures throughout in the complex. Some of the modern buildings are still in use as office and maintenance facilities for United Park City Mines Company.

Although the surface structures are modern, the Ontario No. 3 Shaft is historic and was used almost continually from the late 1870s into modern times. It also represents the last working mine in the Park City area, having ceased mining operations in 1982. Despite the end of mining activities in the area, the shaft is still operational. Until the Silver Mine Adventure was closed in 1999, the shaft was used to transport visitors down into the mine works, and it still serves the needs of underground work crews who continually maintain several miles of drain tunnels that supply water to the Park City culinary water system and to the Jordanelle Water Conservancy District. (Bowes et al. 2000:39)

Existing conditions were described in the 2001 HPP Summary as follows:

The No. 3 shaft and the modern surface works appear to be in good overall condition. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:²

- Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump.
- This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- The steepness of the slope of this feature will restrict and lengthen the revegetation process. Stabilization of some of the mine waste will likely be necessary.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity. (SWCA 2001)

² The 2001 HPP Summary conflates the Ontario Mine Shaft No. 3 with the nearby Ontario Mine Shaft No. 3 Waste Dump. The 2001 summary offers few work recommendations relating specifically to the preservation or interpretation of the shaft and related buildings and surface works.

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.
- Attempts have been made to revegetate the slope, but as noted above, the steepness of the slope and likely the soil composition are not conducive to rapid revegetation.

Conditions and changes observed during the 2019 condition assessment³ are as follows (Figures 23–30):

- The hoist house, headframe, and shop buildings remain in good condition and are still in use. The hoist remains operable.
- Some site elements to facilitate interpretation for visitors were present, including a square-set timber framework on the front of the primary building and a tram tower moved to the site from its original location.
- The slope of waste dump is approximately 70 percent revegetated; the rest of the slope remains bare. The exposed sections are likely unvegetated due to the steepness of the slope.
- No serious condition issues (such as erosion) were noted; it is likely that the vegetation prevents or limits erosion.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Ontario Mine Shaft No. 3 and Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
- Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.

Additional Recommended Work

- Additional signage describing nonoriginal site elements, such as the timber framework and tram tower, would also facilitate interpretation of the Ontario Mine Shaft No. 3.

³ The Ontario Mine Shaft No. 3 was not visible due to surrounding buildings; the site as a whole was surveyed, but a detailed condition assessment of the shaft was not conducted.



Figure 23. Overview of Ontario Mine Shaft No. 3, facing northwest.



Figure 24. Overview of Ontario Mine Shaft No. 3 hoist and associated buildings, facing west-northwest.



Figure 25. Overview of Ontario Mine Shaft No. 3 building north of hoist, facing north. Note square-set timbering and tram tower, later additions to building.



Figure 26. Overview of Ontario Mine Shaft No. 3 buildings south of hoist, facing west.



Figure 27. Overview of Ontario Mine Shaft No. 3 Waste Dump, from top, facing northwest.



Figure 28. Overview of Ontario Mine Shaft No. 3 Waste Dump, from top, facing southeast.



Figure 29. Overview of Ontario Mine Shaft No. 3 Waste Dump, from base, facing northwest.



Figure 30. Overview of Ontario Mine Shaft No. 3 Waste Dump, from bottom, facing northwest.

Daly Mine No. 1 Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The 2001 HPP Summary provides a brief description of the Daly Mine No. 1 Waste Dump, which is excerpted here:

This dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits. The dump is located in upper Empire Canyon, about a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. This site is located on 0.51 acres. (SWCA 2001)

Existing conditions were described in the 2001 HPP Summary as follows:

This basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining landscape. Vegetation has grown up on portions of the dump, although there is still a small amount of bare materials exposed to view. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- Revegetation efforts have already begun on this mine site.
- A mulch has been spread over the dump and a seed mix used that contained species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.
- The slope of the waste dump is approximately 90 to 100 percent revegetated and is considered complete. Stands of aspen and spruce, along with bushes and forbs, cover the entire slope. Due to recontouring, recent residential development to the northeast, and revegetation, the slope is no longer easily identifiable as a waste dump.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 31–34):

- No serious condition issues (such as erosion) were noted; it is likely that the vegetation prevents or limits erosion.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Daly Mine No. 1 Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
 - As discussed in the following section for the Daly Mine No. 2 Shaft, SWCA recommends installing an interpretive sign only for the Daly Mine No. 1 Waste Dump, which can also be used to discuss the associated shaft.

Additional Recommended Work

No additional work is recommended at this time.



Figure 31. Overview of Daly Mine No. 1 Waste Dump, facing north.



Figure 32. Overview of Daly Mine No. 1 Waste Dump, facing southwest. Note extensive revegetation.



Figure 33. Overview of Daly Mine No. 1 Waste Dump and possible stone wall, facing southeast.



Figure 34. Overview of Daly Mine No. 1 Waste Dump showing revegetation, including tree growth, facing north-northwest.

Daly Mine No. 2 Shaft

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Daly Mine No. 2 Shaft, which is excerpted here:

The Daly Mine Shaft No. 1 and Shaft No. 2 are located in upper Empire Canyon, about a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. Little remains today from these operations, except some scattered rock foundations or retaining walls, composed of coursed and uncoursed rough stone. (Bowes et al. 2000:67)

Existing conditions were described in the 2001 HPP Summary as follows:

The rock walls are in poor condition and the area has been heavily disturbed. (SWCA 2001)

The 2000 HPP provides additional details:

These rock walls represent the extraction and maintenance processes in a mining system. More specifically, they could be associated with boarding houses or bunkhouses . . . but their exact function has not been ascertained. (Bowes et al. 2000:67)

For work recommendations, the 2001 HPP Summary conflates the Daly Mine No. 2 Shaft with the Daly Mine No. 1 Waste Dump. Therefore, the work recommendations and observations relate primarily to the No. 1 Waste Dump. Work recommendations and observations in 2001 were as follows:

- Much of this mine feature has been covered.
- A thick soil cover will be placed on this mine dump.
- This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

The Daly Mine No. 2 Shaft could not be found during survey, and no condition assessment was possible. Field crews consulted maps and information provided by the EPMOA, but the shaft has likely been obscured as part of the fulfillment of the 2001 work recommendations (personal communication, Douglas Ogilvy, August 27, 2019).

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.
- Because the shaft could not be found, it is presumed that revegetation has been successful.

Work Required to Meet 2001 HPP Summary Recommendations

- Given the distance between the estimated locations of the Daly Mine waste dump and shaft, the unclear present location of the shaft, and the lack of extant resources, SWCA recommends that no

separate interpretive sign for the Daly Mine No. 2 Shaft be installed. The installation of a sign for the Daly Mine No. 1 Waste Dump, discussed above, that incorporates a discussion of the shaft will adequately meet the 2001 HPP Summary recommendations.

Additional Recommended Work

- No additional work is recommended at this time.

Daly-West Mine Headframe, Shaft, and Hoist

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Daly-West Mine Headframe, Shaft, and Hoist, which is excerpted here:

The Daly-West headframe and Daly-West shaft are located in upper Empire Canyon, about a quarter of a mile above the Daly No. 2 Shaft. The headframe is directly over the Daly-West shaft, and both of these features are still in operable condition. The shaft provides an emergency exit and a ventilation shaft for the Ontario Drain Tunnel No. 2 and other workings.

The headframe is a distinctive mining-related feature that probably dates from 1913, when the mill and hoisting works were destroyed in a fire. It is constructed of riveted steel “laced girders” that are typical of that period. The entire framework is exposed and it presents an impressive sight. A chain-link fence surrounds the headframe for security reasons.

Just upslope of the Daly-West headframe and shaft are traces of the waste dump and/or surface operations of the Meeers Company Shaft No. 1, although very little remains of this operation. The Meeers Company Shaft No. 2 operation was located immediately to the northeast of the Daly-West headframe and shaft, but no remains of this operation were noted. (Bowes et al. 2000:70)

Existing conditions were described in the 2001 HPP Summary as follows:

These features are still in operable condition and are maintained as an emergency exit and ventilation source for the drain tunnels. (SWCA 2001)

Work recommendations in 2001 were as follows:

- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 35–38):

- The headframe, shaft, and hoist are all still present at the site. However, the headframe collapsed in 2018 and now lies on its side near the other resources. Therefore,
 - the metal structural members of the headframe are deformed;
 - a wood fence has been erected around the headframe, shaft, and hoist to prevent access to the area; this fence replaces a chain-link security fence present in 2000 (Bowes et al. 2000:70);

- the fence blocks the view of the resources from the ground, although they are visible from a nearby hillside; and
- the wood fence significantly changes the overall design of the site from its 2001 configuration.
- The shaft is no longer operable and is now covered with a metal grate.
- The hoist is corroded, and the concrete pad has minor amounts of spalling.
- Plant growth surrounds the shaft.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Daly-West Mine Headframe, Shaft, and Hoist should be created and installed to meet recommendations in the 2001 HPP Summary.

Additional Recommended Work

The collapse of the Daly-West Mine headframe represents a significant condition issue, and the following additional work is recommended:

- If possible, the headframe should be returned to its original upright configuration.
- If re-erecting the headframe is not feasible due to cost, insufficient integrity of metal structural members, or other factors, the headframe should be left as-is and interpretive signage explaining its original use and the circumstances of its collapse should be provided.
- The current wood fence, which blocks the view of visitors to the site, should be removed and replaced with a fence allowing greater visibility while also providing security, such as a chain-link or metal post fence.

The hoist mechanisms and shaft also show evidence of deterioration:

- Areas of corrosion on the hoist mechanism should be scraped to a sound surface, and previously painted areas should be repainted to match the current color.
- Plant growth should periodically be removed from around the shaft opening.
- Concrete should be monitored for further deterioration; if deterioration becomes severe or pervasive, it should be repaired using National Park Service (NPS 2007) preservation standards.



Figure 35. Overview of Daly-West Mine Headframe, Shaft, and Hoist, facing north. Note collapsed headframe.



Figure 36. Overview of Daly-West Mine Hoist, facing northeast, with collapsed headframe in background.



Figure 37. Detail of Daly-West Mine Shaft, facing southeast.



Figure 38. Overview of collapsed Daly-West Mine Headframe, facing southeast.

Daly-West Mine Fire Hydrant Shacks

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Daly-West Mine Fire Hydrant Shacks, which is excerpted here:

These three fire hydrant or water-connection shacks are located at the Daly-West Mine, just upslope from the headframe. One shack has a fire hydrant inside and the others have smaller water pipes and valves. All are painted red with white trim, perhaps as a requirement to indicate their function as water sources for fire fighting.

The cedar shake shingles have been covered with corrugated galvanized steel panels, one of which is missing, exposing the shingles underneath.

All three of these shacks are single-unit, side-gabled structures with one doorway and no windows. The doors are simple batten-type doors and are still intact and operational. The wood frame construction incorporates a variety of lumber sizes, mostly rough-sawn, and the shacks vary somewhat in construction technique, as though they were made up without plans or by different people. The shacks all have board-and-batten siding. The type of wood used for the siding was not determined. The shack closest to the headframe seems to be somewhat newer than the others, judging by the planking used in its construction and some other details, but all appear to be historic. (Bowes et al. 2000:73)

Existing conditions were described in the 2001 HPP Summary as follows:

Other than some missing galvanized roofing panels and typical weather, these sheds are in reasonably good condition and do not appear to have been significantly altered over time. (SWCA 2001)

Work recommendations in 2001 were as follows:

- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.

Three fire hydrant shacks were present. For each, conditions and changes observed during the 2019 condition assessment are as follows (Figures 39–42):

- Fire Hydrant Shack No. 1
 - Fire Hydrant Shack No. 1 is on the south side of the ski area near which all three shacks are located; Fire Hydrant Shack No. 1 is separate from the other two shacks.
 - Settlement has occurred, resulting in vertical displacement of wood sills and walls.
 - Rodent holes are present at the foundation.
 - Weathered wood is present on the walls.

- Wood shingles are missing and detached from the roof.
- Signs of insect activity (bore-holes) are present in the wood of walls and roof.
- Fire Hydrant Shack No. 2
 - Shacks No. 2 and No. 3 are on the north side of the ski run, just west of the Daly-West Mine Headframe, Shaft, and Hoist. Shack No. 2 is slightly downhill from Shack No. 3 and is the farthest east of the two shacks.
 - Plant growth is occurring against walls and inside building.
 - Corrugated metal roofing is partially detached on west side and entirely missing on east.
 - Walls have weathered wood, and boards are missing in places.
 - For roof, wood shingles on east side are detached and missing.
 - Door is missing from building.
- Fire Hydrant Shack No. 3
 - Shack No. 3 is west (uphill) of Shack No. 2.
 - Settlement resulting in vertical displacement of foundation and walls.
 - Significant plant growth is occurring against walls and inside building.
 - Walls have weathered wood.
 - Door is missing from building.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Daly-West Mine Fire Hydrant Shacks should be created and installed to meet recommendations in the 2001 HPP Summary.

Additional Recommended Work

- Foundations should be stabilized for Shacks No. 1 and No. 3 by replacing wood sills in kind as needed.
- For all buildings, detached, missing, or deteriorated building elements, such as wood wall boards or roofing materials, should be reattached or replaced in kind.
- Vegetation growing around and inside Shacks No. 2 and No. 3 has the potential to increase moisture in foundation and walls. Vegetation should be cleared from around buildings.
- Doors similar in design and materials to that of Shack No. 1 should be installed on Shacks No. 2 and No. 3 to reduce animal activity and the amount of moisture entering the buildings.



Figure 39. Overview of Daly-West Mine Fire Hydrant Shack No. 1, facing north.



Figure 40. Overview of Daly-West Mine Fire Hydrant Shacks No. 2 (foreground) and No. 3 (background), facing west.



Figure 41. Interior of Daly-West Mine Fire Hydrant Shack No. 2, facing west. Note damaged wood on wall.



Figure 42. Detached roofing on Daly-West Mine Fire Hydrant Shack No. 2, facing east.

Daly-West Mine Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Daly-West Mine Waste Dump, which is excerpted here, and includes a floor plan:

This feature is a large waste dump in the middle part of Empire Canyon that is associated with the Daly-West mine. It is a substantial feature that is visible from a great distance. (Bowes et al. 2000:77)

Existing conditions were described in the 2001 HPP Summary as follows:

The basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining landscape. Vegetation has grown up on portions of the dump, although there is still a large amount of bare material exposed to view. (SWCA 2001)

Work recommendations in 2001 were as follows:

- Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump.
- This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed.
- The slope of the waste dump is approximately 50 percent revegetated; the rest of the slope remains bare.
 - The exposed sections are likely unvegetated due to the steepness of the slope or their use as roads and ski runs.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 43–46):

- The dump has been regraded to create dirt roads and a ski slope.
- An artificial stream and pond have been constructed on the west side of the dump.
- No serious condition issues (such as erosion) were noted; it is likely that the vegetation and grading prevent or limit erosion.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Daly-West Mine Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
- Partial revegetation has been successful, and unvegetated parts of the waste dump are used for ski runs and roads; no additional revegetation efforts are recommended.

Additional Recommended Work

No additional work is recommended at this time.



Figure 43. Overview of Daly-West Mine Waste Dump, facing west, from Highway 224.



Figure 44. Overview of top of Daly-West Mine Waste Dump, facing northwest.



Figure 45. Overview of Daly-West Mine Waste Dump, facing southwest.



Figure 46. Overview of Daly-West Mine Waste Dump, facing northeast.

Diamond-Nemrod Mine Waste Dumps

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Diamond-Nemrod Mine Waste Dumps, which is excerpted here:

The Diamond-Nemrod waste dumps are located high on the steep hillside above the Daly-West Mine, and are clearly visible from a distance. The associated Farish Shaft is filled and no longer visible. (Bowes et al. 2000:97)

Existing conditions were described in the 2001 HPP Summary as follows:

The basic form of the dump[s] remains relatively intact. Vegetation has been growing up on portions of the dump, although there is still some bare material exposed to view. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- These mine dumps will be mulched with a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- However, access to these sites is limited and the merits of establishing access for the purpose of revegetating the mine dumps will have to be made prior to any work.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed for either waste dump.
- The slope of the Diamond Waste Dump is partially revegetated (approximately 30 percent); large portions of the slope remain bare, likely due to the steepness of the slope and soil composition.
- The slope of the Nemrod Waste Dump is partially revegetated (approximately 50 percent); large portions of the slope remain bare, likely due to the steepness of the slope and soil composition.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 47–54):

- A mountain bike trail parallels the northwest side of the slope of the Diamond Waste Dump.
- A large hole (approximately 12 feet in diameter) is present in the ground at the northwest corner of the Nemrod Waste Dump; the cause of the hole is unclear but may be mining related.
- No serious condition issues (such as erosion) were noted.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Diamond Mine Waste Dump and for the Nemrod Mine Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
- Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.

Additional Recommended Work

No additional work is recommended at this time.



Figure 47. Overview of Diamond Waste Dump, facing west.



Figure 48. Overview of Diamond Waste Dump, facing northeast.



Figure 49. Overview of Diamond Waste Dump, facing south.



Figure 50. Overview of Diamond Waste Dump, facing southeast.



Figure 51. Overview of Nemrod Waste Dump, facing west.



Figure 52. Overview of Nemrod Waste Dump, facing east.



Figure 53. Overview of Nemrod Waste Dump, facing north.



Figure 54. Hole in ground northwest of Nemrod Waste Dump, facing northeast.

Anchor Mine Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Anchor Mine Waste Dump, which is excerpted here:

The Anchor Mine waste dump is a massive feature located in upper Empire Canyon. It is clearly visible from a great distance and is one of the largest and best preserved of the dumps in Empire Canyon. (Bowes et al. 2000:101)

Existing conditions were described in the 2001 HPP Summary as follows:

The basic form of the dump remains relatively intact. It is a large waste dump and a highly visible part of a mining landscape, although there has been major recontouring of the east side of the dump for a ski run. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- Some revegetation has already taken place on this mine feature.
- This is one of the largest mine features in the Flagstaff Project.
- The steep long slopes of the mine dump will make any revegetation efforts difficult.
- The surface of the dump will be covered with soil as it is available.
- The top of the steep slopes will be mulched and seeded with a mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed. An interpretive sign for the Anchor Mine is at the top of the slope.
- The slope of the waste dump is almost entirely revegetated (approximately 90 percent) with low grass. The exposed sections are likely unvegetated due to the steepness of the slope.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 55–56):

- Terracing was observed on the slope; the cause is unclear but may be intentional and represent regrading.
- No serious condition issues (such as erosion) were noted.

Work Required to Meet 2001 HPP Summary Recommendations

- None. Work recommendations from the 2001 HPP Summary have been fulfilled.

Additional Recommended Work

No additional work is recommended at this time.



Figure 55. Overview of Anchor Mine Waste Dump, facing north.



Figure 56. Overview of Anchor Mine Waste Dump, facing northwest. Note terracing of slope.

Quincy Mine Hoist Plant

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Quincy Mine Hoist Plant, which is excerpted here:

This feature consists of the remains of the hoist plant for the Quincy Mine shaft. It is located in middle Empire Canyon, just upslope of the Daly-West Mine. A rectangular area and traces of rock foundations define the area that was occupied by the hoist building.

A two-cylinder steam-driven hoist is still mounted on its concrete pad. The hoist is powered by a double-acting, crosshead-type engine, which, like many hoist engines and marine windlasses, is integrated into the same iron frame as the hoist. Historic photos depict what appears to be the same kind of hoist being used as a winch at the Anchor Mine for raising ore cars in an incline. This hoist could even be the same hoist as the one at the Quincy, since it was common to buy, sell, trade, and move equipment from one mine to another.

Located between the hoist engine and the mine shaft, and apparently within the area once covered by the hoist building, are the remains of a boiler, consisting of the lower portion of its brick enclosure and the boiler's lower water drum.

The larger, upper drum has been removed, and the bricks from the upper part of the brick enclosure are scattered around the base of the boiler. There are also some remaining vertical iron or steel straps that may have acted as supports or anchors for the brick boiler enclosure. It is difficult to make a determination of the boiler type without removing the debris that covers the remains of the boiler and firebox.

In addition to the boiler and engine, the remains of a mortared-brick pad are located immediately north of the hoist engine. Large bolts protrude from the pad in several places. The north edge of the pad is located approximately 12 feet north of the north edge of the hoist engine pad. This feature may have been associated with the headframe structure. Most of the pad is covered with soil and could not be examined.

The foundation of the hoist plant is little more than a trace, with some irregular rocks visible at the ground surface level. More of the foundation may be intact below the ground surface. (Bowes et al. 2000:79–80)

Existing conditions were described in the 2001 HPP Summary as follows:

The hoist building is no longer standing, but some pieces of lumber and roofing material can be seen on the ground within the area defined by the hoist building foundations. These items are badly deteriorated and mixed with forest detritus. (SWCA 2001)

Work recommendations in 2001 were as follows:

- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed. An interpretive sign for the Quincy Mine is located across a ski run approximately 400 feet to the northeast.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 57–60):

- As noted in the 2000 HPP, only the foundation, hoist, and building elements (including scrap metal, bricks, and concrete) remain (Bowes et al. 2000:79–82). These elements are all in poor condition.
 - The portions of mortared brick are severely deteriorated, including mortar loss and the displacement of bricks.
 - Concrete is also deteriorated, including cracking and scaling.
 - Metal elements of the hoist are corroded.
 - Other building elements are dispersed throughout the undergrowth and were visible only to a limited extent.
 - Extensive plant growth has occurred throughout the site, with plants often growing directly on or through building elements; in some cases, this plant growth has resulted in heaving or displacement.

Work Required to Meet 2001 HPP Summary Recommendations

- None. Work recommendations from the 2001 HPP Summary have been fulfilled.

Additional Recommended Work

- Although the condition of the hoist plant is poor, the level of difficulty in stabilizing an already extremely decayed resource likely makes most treatment options unfeasible. Possible treatment options to assist in the long-term preservation of resources include the following:
 - Pruning plants to prevent additional damage to building elements and to make existing resources more visible to visitors. However, this option may result in theft or vandalism of the remaining materials.
 - Conducting additional archaeological survey to fully record the site. This option would be time- and cost-intensive and was not required by the 2001 HPP Summary.
 - Implementing treatments to stabilize extant resources, such as repairing concrete or replacing and repointing brick. This option would be time- and cost-intensive and was not required by the 2001 HPP Summary.



Figure 57. Overview of Quincy Mine Hoist Plant, facing west.



Figure 58. Overview of Quincy Mine Hoist Plant brick foundations, facing west.



Figure 59. Overview of Quincy Mine Hoist Plant, facing south.



Figure 60. Overview of Quincy Mine Hoist Plant, facing northwest.

Quincy Mine Shaft and Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Quincy Mine Shaft and Waste Dump, which is excerpted here:

The Quincy Mine shaft is located in the middle Empire Canyon area, directly above the Daly-West Mine site. Little remains of the shaft, since it has been filled in. However, the fill has settled, and a depression clearly shows where the shaft is located. The shaft is directly adjacent to the remains of the hoist plant.

The waste dump at the Quincy Mine is located in the middle Empire Canyon area, directly above the Daly-West Mine site. From a distance, it is the most visible feature of the Quincy Mine. (Bowes et al. 2000:83–84)

Existing conditions were described in the 2001 HPP Summary as follows:

The shaft has been filled in and concavity exists over the filled shaft to suggest its location adjacent to the hoist plant. The basic form of the waste dump remains intact. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- Revegetation efforts at the top of this mine dump have already started.
- The upper slopes have also been mulched.
- There is a good population of pine trees on the slope of the dump and efforts to cover the steep slope of the dump have been restricted by the trees.
- A seed mix that consists of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance was used.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed. An interpretive sign for the Quincy Mine is located across a ski run approximately 400 feet to the northeast.
- The slope of the waste dump is entirely revegetated with grass, forbs, and pine trees.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 61–64):

- The ground above the shaft has subsided, leaving a depression marking the original location of the shaft.
- No serious condition issues (such as erosion) were noted.

Work Required to Meet 2001 HPP Summary Recommendations

- None. Work recommendations from the 2001 HPP Summary have been fulfilled.

Additional Recommended Work

No additional work is recommended at this time.



Figure 61. Overview of Quincy Mine Shaft site, facing south.

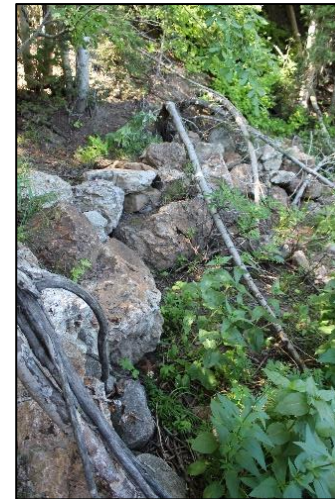


Figure 62. Overview of Quincy Mine Shaft, facing west.



Figure 63. Overview of Quincy Mine Shaft, facing south.



Figure 64. Overview of Quincy Mine Waste Dump, facing southeast.

Little Bell Mine Ore Bin

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Little Bell Mine Ore Bin, which is excerpted here:

The Little Bell ore bin or "bunker" is a historic structure in middle Empire Canyon, located on the east-facing slope of the Little Bell Mine waste dump and approximately 175 feet east of the Little Bell Mine shaft.

A modern ski slope is located approximately 15 feet east of the ore bin, and two water pipes used for snow-making operations are located about ten feet northeast of the structure. The ski slope occupies the area where the mine's boarding house once stood, and also covers a road that once passed in front of the ore bin. Preliminary research on the Little Bell Mine suggests a construction date of ca. 1900.

The ore bin was used for short-term storage and redistribution of ore from the Little Bell mine, sometimes called "staging." Ore car tracks, now gone, went from the shaft works to the top of the ore bin. Ore cars were tipped to dump their loads into the ore bin, which would hold the ore until the next horse-drawn ore wagon arrived, at which time the gates at the bottom of the ore bin were opened to allow the ore to pour into the wagon. From there, the wagons transported the ore to beneficiation facilities, such as a mill or smelter. . . .

The ore bin is constructed of wood, excepting the steel-and-iron loading gate doors, nails, steel bracing rods, and other fasteners. The wood is probably a fir species that was imported from the Pacific Northwest. It was quite common at that time to import wood from out of state, since the area's mining operations had used up most of the mature trees in the area for mine timbers and building surface works.

The footprint of the structure measures 12' x 24'. For descriptive purposes, the structure can be divided into two basic components: the ore bin itself and the support structure. The ore bin itself is approximately 17'4" high, plus the height of the support structure. The front wall of the ore bin, including the support structure, is approximately 24 feet high from the top of the front footing. The back wall of the ore bin is approximately 17'4" high from the top of the rear footing.

The support structure consists of a framework of rough-sawn timbers. The front portion of the support structure consists of seven vertical posts, six cross-braces, and a beam across the top, which is in two pieces, joined by a shiplap joint at the center. The timbers in the front portion of the support structure consist of 8" x 8" posts, beams, and cross braces, with slight dimensional variations in their cross sections. The cross braces lean toward the center of the front of the structure (i.e., the three cross braces on the left side lean to the right, and vice-versa). This assembly rests upon a 16" x 16" timber footing.

It is not known if anything lies below this footing. The rear section of the support structure consists of a timber footing placed in the side of the mine waste dump. Owing to the condition of the rear footing, it is difficult to ascertain the original dimensions of the timbers or if anything lies behind or below them. The front and rear sections of the support structure are joined by seven 8" x 8" beams laid front-to-rear, which rest on the top beam of the front support assembly and on the rear footing. Each of these seven

beams are supported by a 6" x 8" cross brace between the mid point of the beam and the intersection of the corresponding front vertical support post and the front footing.

The ore bin itself is a single-cell structure that has a steeply slanted floor (approximately 45 degrees) that allows the ore to slide down toward the two loading gates that are located at the bottom of the front wall. Its basic construction consists of a timber framework that is lined with wooden planks to form the ore storage cavity. The ore bin uses a greater variety of rough-sawn dimensional lumber than the support structure. Its construction is relatively simple, and all elements are visible, with the exception of certain internal joint structures, such as mortise-and-tenon joints. The preliminary inspection revealed no evidence of paint, varnish, shellac, or other finish coating on the structure. . . .

Seven steel or iron rods are used to secure the front and rear walls against the outward force of ore in the bin. These rods are located about two-thirds of the way up the front wall of the ore bin, and join the front and rear wall posts together. The ends of the rods are threaded and secured with a nut and a cast-iron washer. One of the rods is broken (missing a section inside the bin), but its ends are intact.

The two gate doors were operated by a rack-and-pinion mechanism that raised and lowered them inside a cast-iron track mounted inside the jambs. Two cast-iron rack gears are still riveted to each of the steel gate doors, but the pinion assemblies are missing. (Bowes et al. 2000:88–90)

Existing conditions were described in the 2001 HPP Summary as follows:

The overall effect of the damage to the ore bin is that the entire structure is supported only by the central support posts and cross braces at the front and rear of the structure, making its support base effectively much smaller and creating a precarious and dangerous situation. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- With the first phase of Flagstaff development the Little Bell Ore bin will be provided permanent shelter in the form of all weather roofing.
- Interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
- Additional building stabilization will occur in summer 2001. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed.
- The 2001 recommendation relating to the installation of a roof over the ore bin has not been addressed.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 65–72):

- Stabilization measures have been taken, such as the replacement of rotted wood posts and the installation of concrete footings for the posts. The posts have also been excavated; soil no longer touches the wood structural members. All sagging and displacement have been corrected.

- Lack of a roof (installation/construction of which was included in the 2001 HPP Summary work recommendations) likely contributes to deterioration. Rain infiltrates the base and walls of the structure, and it fills with snow during the winter. Due to the high walls, snow likely remains for an extended time, resulting in extensive moisture infiltration and damage to lower structural elements, such as the floor joists.
- Other wood boards are weathered and cracked. Some boards have been lost.
- If left untreated, these conditions may result in further deterioration and eventual collapse of the bin.

Work Required to Meet 2001 HPP Summary Recommendations

- Work recommendations in the 2001 HPP Summary relating specifically to the interpretive sign have been fulfilled.
- An all-weather roof has not yet installed or constructed over the ore bin. To reduce or eliminate snow accumulation and further moisture damage on the bin interior, the addition of a flat covering remains a recommendation; this covering could consist of weathered boards with gaps between them, or it could consist of a more impermeable roof concealed under boards or set slightly below the wall tops on the bin interior to minimize visual changes. Adequate ventilation must be maintained on the bin interior.
- The majority of serious structural issues relating to the wood posts have been corrected to meet the 2001 recommendations.

Additional Recommended Work

- Rotted joists or other structural members should be monitored and replaced in kind when their condition threatens the structural stability of the ore bin.
 - Rotted or damaged wood members should be consolidated and retained to the greatest extent possible, using epoxy or another appropriate compound. If retention of the original materials does not prove feasible, rotten sections of wood should be replaced in kind with treated lumber, whereas sound sections should be retained to the maximum extent possible.
- Missing boards or wall elements should be replaced in kind when required to preserve the physical or structural integrity of the ore bin.



Figure 65. Overview of Little Bell Mine Ore Bin, facing northwest.



Figure 66. Overview of Little Bell Mine Ore Bin, facing southwest.



Figure 67. Overview of Little Bell Mine Ore Bin, facing southeast.



Figure 68. Overview of Little Bell Mine Ore Bin, facing east.



Figure 69. Overview of Little Bell Mine Ore Bin, facing west. Note deteriorated boards at top of walls.



Figure 70. Concrete footings and repaired wood posts supporting Little Bell Mine Ore Bin, facing south.



Figure 71. Deteriorated structural member, north end of Little Bell Mine Ore Bin, facing northwest. Note the 1-foot-long probe illustrating depth of rot.



Figure 72. Close up of north gate for Little Bell Mine Ore Bin, with damaged and missing boards visible, facing west.

Little Bell Mine Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Little Bell Mine Waste Dump, which is excerpted here:

The Little Bell Waste dump is located in middle Empire Canyon, adjacent to the Little Bell ore bin and shaft and south of the Quincy Mine. The mine shaft has been filled in and very little remains of that feature, but the dump is still visible. (Bowes et al. 2000:94)

Existing conditions were described in the 2001 HPP Summary as follows:

The dump is essentially unaltered part of a mining landscape. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- This feature has been partially revegetated.
- Efforts will continue by adding mulch and available soil to the surface.
- A seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed.
- The slope of the waste dump is mostly revegetated (approximately 90 percent) with grass and low forbs.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 73–75):

- No serious condition issues (such as erosion) were noted.

Work Required to Meet 2001 HPP Summary Recommendations

- None. Work recommendations from the 2001 HPP Summary have been fulfilled.

Additional Recommended Work

No additional work is recommended at this time.



Figure 73. Overview of Little Bell Mine Waste Dump, facing southwest.



Figure 74. Overview of Little Bell Mine Waste Dump, facing west.



Figure 75. Overview of Little Bell Mine Waste Dump, facing northwest.

White Pine Mine Log Structure

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the White Pine Mine Log Structure, which is excerpted here:

The remains of a log structure are located below the White Pine Mine and above the Anchor Mine. It has been suggested that this structure may have been a miner's cabin associated with the White Pine Mine. Further research would be necessary to determine its history.

The structure consists of a one-room, one-story log [structure], with a footprint of approximately 16' x 22'. The highest point of the remaining structure is the northwest corner, which is about nine feet above the current ground level.

The structure once had an attic or loft, as evidenced by notches cut into logs at ceiling height and the remains of some of the loft's floor joists that are visible in and above the debris. The door opening is at the north side of the structure, facing downslope, possibly in consideration of an escape route in the event of an avalanche. Each of the other three walls have one window opening.

The wall logs were built with V-notch construction, also known as "sharp notch," and vary somewhat in size, typically ranging from about 8 to 11 inches in diameter. The sides of a number of the wall logs, both inside and outside of the structure, have been hewn to form a slightly flattened surface. An initial inspection of a few of the flattened areas showed no evidence of the use of an adz to create the flat sides, which were probably hewn with an axe. Chinking strips, split from logs, were nailed into the interstices between the log courses. Other supplementary chinking materials, such as cement or clay, would have been used to seal the joints, but the actual material(s) used are unknown at this time. The cabin uses cut nails in its construction, which were still in common use until the late 1880s or early 1890s, when wire nails began to take over in popularity as the result of cheaper mass-production methods.

The foundation structure, if any, is unknown. It was typical for simple log structures such as this to have been built upon leveled sill logs, although stone foundations were not unusual. (Bowes et al. 2000:105)

Existing conditions were described in the 2001 HPP Summary as follows:

The roof is missing and may have fallen in. The attic or loft has fallen down, and a few of its remaining structural elements are still visible, mixed in among the debris inside the structure. These components are in poor condition, due to normal processes of weathering and decay. (SWCA 2001)

Work recommendations in 2001 were as follows:

- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has been addressed.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 76–79):

- The structure is largely collapsed. The roof is no longer extant, and the logs making up the walls have partially shifted and fallen out of their original configuration. According to the 2000 HPP, this condition was present during of original recordation (Bowes et al. 2000:105).
- The lower logs were damp at the time of survey. Given that the structure's location is set into a steep slope, moisture may infiltrate down the slope and collect at the sill logs at the rear of the structure.
- The structure is surrounded by thick vegetation, which increases moisture retention in the logs and accelerates decay.

Work Required to Meet 2001 HPP Summary Recommendations

- None. Work recommendations from the 2001 HPP Summary have been fulfilled.

Additional Recommended Work

- Methods to divert moisture and runoff from the structure, to dry soil, and to prevent further deterioration of log sills should be considered. Possible methods for doing so include the following:
 - Regrading the hill around the cabin to direct waterflow away from the structure
 - Removing low vegetation (such as bushes) surrounding the structure



Figure 76. Overview of White Pine Mine Log Structure, facing northeast.



Figure 77. Overview of White Pine Mine Log Structure, facing east.



Figure 78. Overview of White Pine Mine Log Structure, facing southwest.



Figure 79. Detail of logs and notching, White Pine Mine Log Structure, facing east.

White Pine Mine Waste Dumps

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the White Pine Mine Waste Dumps, which is excerpted here:

Ridge-Line Waste Dump – This waste dump is located on a saddle at the ridge line at the top of Empire Canyon. This feature has sometimes been attributed to the Utah Mine. However, it appears to be located on the White Pine claim, whereas the Utah claim is located to the south, on the other side of the ridge line. A map by Grolinski (1893) depicts a shaft on the Utah claim, but does not show a shaft at the ridge line on the White Pine claim, although if the White Pine shaft was inactive at that time, it may not have been included for that reason. However, a 1901 USGS survey (published 1903) does show a shaft on the ridge line that appears to be in the White Pine claim. Hence, it appears that the ridge-line shaft and associated waste dump are probably associated with the White Pine Mine. In any case, the shaft has been filled and is no longer visible, and its associated waste dump has been heavily disturbed and/or recontoured.

Downslope Waste Dump – This feature is located a short distance downslope and to the north of the ridge-line waste dump. It has been attributed to the White Pine operation, although it is apparently adjacent to an adit portal, rather than a shaft. A 1901 USGS survey (published 1903) shows an adit portal at what appears to be the correct location. This adit might lead to the White Pine Mine shaft, but this has not been ascertained. This waste dump is located on the War Eagle claim, which became part of the Anchor Mining Company group of claims, probably in 1885. The relationship of the War Eagle claim to the White Pine claim prior to 1885 has not been determined. This waste dump appears to be intact and basically unaltered from its historic form, other than some minor erosion. (Bowes et al. 2000:103)

Existing conditions were described in the 2001 HPP Summary as follows:

The ridge-line waste dump has been altered significantly by recontouring operations and other work in the area. The downslope waste dump appears to be intact and in stable condition. (SWCA 2001)

Work recommendations in 2001 were as follows:

- This small mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Progress toward fulfilling the 2001 HPP Summary work recommendations is as follows:

- The 2001 recommendation relating to the installation of an interpretive sign has not been addressed for either waste dump.
- The slope of the Ridgeline Waste Dump is not revegetated; the waste dump remains open and bare of any vegetation.
- The slope of the Downslope Waste Dump is partially revegetated (approximately 30-40 percent). Grasses cover portions of the waste dump, and a number of spruces are also growing on the slope; the majority of the waste dump remains barren.

Conditions and changes observed during the 2019 condition assessment are as follows (Figures 80–86):

- For the Ridgeline Waste Dump, no serious condition issues (such as erosion) were noted; the flat grade of the dump likely precludes significant erosion.
- The majority of the Downslope Waste Dump appears to be stable, but a significant erosional gully was observed on the east side of the slope.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Ridgeline Waste Dump and for the Downslope Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
- Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.

Additional Recommended Work

- Regrade the east side of the Downslope Waste Dump to prevent additional or ongoing erosion.



Figure 80. Overview of White Pine Mine Ridgeline Waste Dump, facing southeast.



Figure 81. Overview of White Pine Mine Ridgeline Waste Dump, facing north.



Figure 82. Overview of White Pine Mine Ridgeline Waste Dump, facing south.



Figure 83. Overview of White Pine Mine Downslope Waste Dump, facing east.



Figure 84. Overview of White Pine Mine Downslope Waste Dump, facing northeast.



Figure 85. Overview of White Pine Mine Downslope Waste Dump, facing northwest.



Figure 86. Erosion on east side of White Pine Mine Downslope Waste Dump, facing northeast.

Flagstaff Mine Waste Dumps

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Flagstaff Mine Waste Dumps, which were discussed as a single resource. The description is excerpted here:

The Flagstaff Mine waste dump is located near the top of Flagstaff Mountain, between Ontario Canyon and Empire Canyon. It is not a tall feature, but is spread over a fairly wide area around the shaft location. It is probably in its original form. (Bowes et al. 2000:113)

Existing conditions were described in the 2001 HPP Summary as follows:

The basic form of this waste dump appears to be intact and more or less in its original form. Some vegetation is grown on parts of the waste dump, but there is still a considerable amount of bare material exposed to view. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- A seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Per initial direction from EPMOA, this site was not included in field survey. Subsequent ownership review determined that portions of the mine dumps for this mine are on lands subject to Flagstaff Development Agreement. EPMOA advises that revegetation efforts have not been completed on this site and interpretive signage has not been installed.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Flagstaff Mine Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
- Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.

Additional Recommended Work

No additional work is recommended at this time.

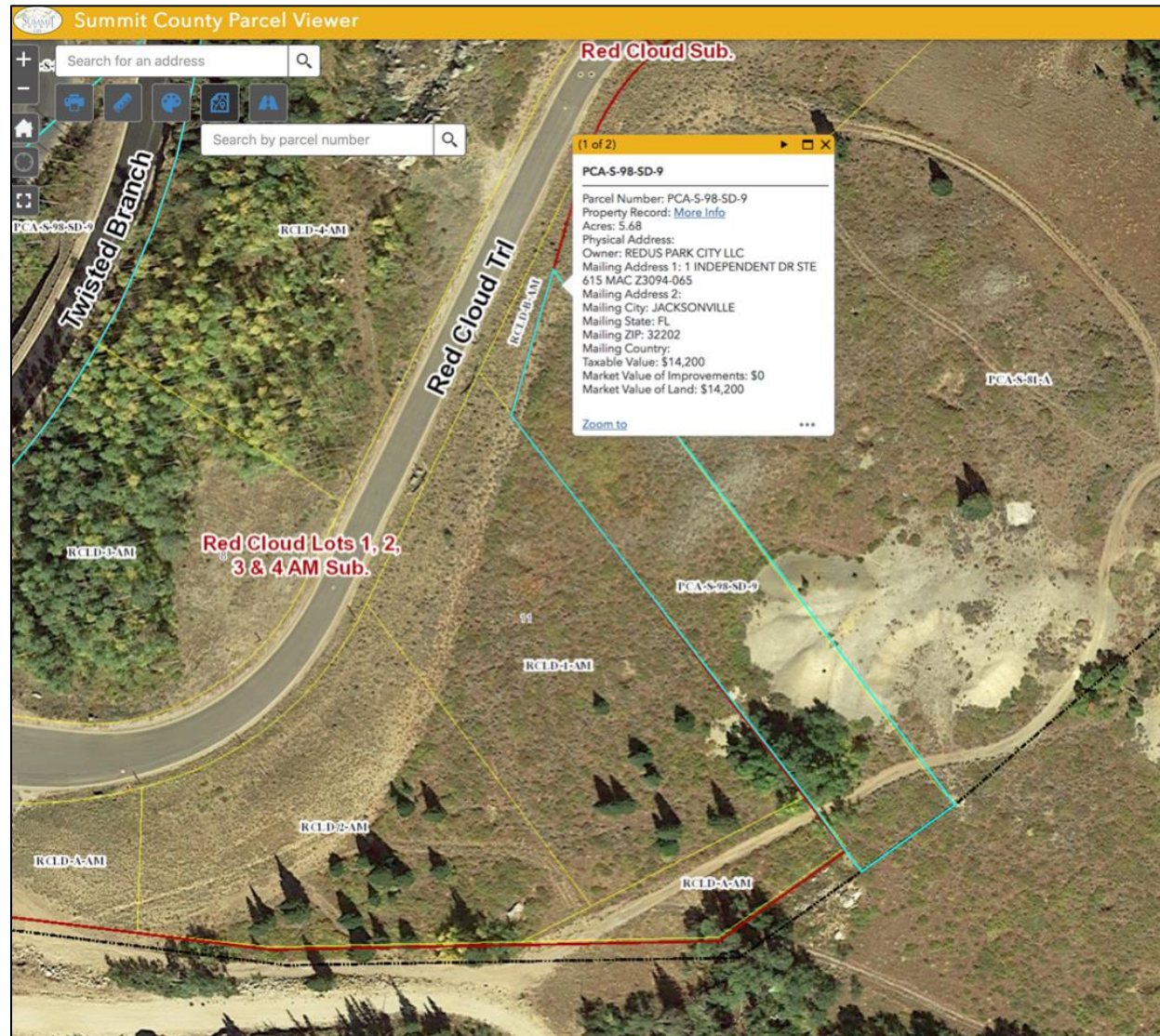


Figure 87. Aerial imagery showing portion of mine dump on property owned by the EPMOA. Image provided by EPMOA.

Naildriver Mine Waste Dump

Summary of 2000–2001 Existing Conditions and Work Recommendations

The original HPP provides a detailed description of the Naildriver Mine Waste Dump, which is excerpted here:

The Naildriver Mine waste dump is located in the eastern portion of the Flagstaff Mountain Resort project area. It is the only significant remaining historic feature of the Naildriver Mine. The Naildriver shaft was plugged with concrete in 1980 and no historic features of the shaft remain visible. One item of note is that the Naildriver shaft was 2,980 feet deep—more than the height of two Empire State Buildings. (Bowes et al. 2000:115)

Existing conditions were described in the 2001 HPP Summary as follows:

The dump has not been significantly altered. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view. (SWCA 2001)

Work recommendations and observations in 2001 were as follows:

- This mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used.
- However access is restricted and an evaluation will need to be completed to assess the merits of establishing access to the mine dump to revegetate it.
- With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. (SWCA 2001)

2019 Condition Assessment

Per initial direction from EPMOA, this site was not included in field survey. Subsequent ownership review determined that portions of the mine dumps for this mine are on lands subject to the Flagstaff Development Agreement. EPMOA notes that revegetation efforts have not been completed on this site and interpretive signage has not been installed.

Work Required to Meet 2001 HPP Summary Recommendations

- An interpretive sign specifically for the Naildriver Mine Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary.
- Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.

Additional Recommended Work

No additional work is recommended at this time.

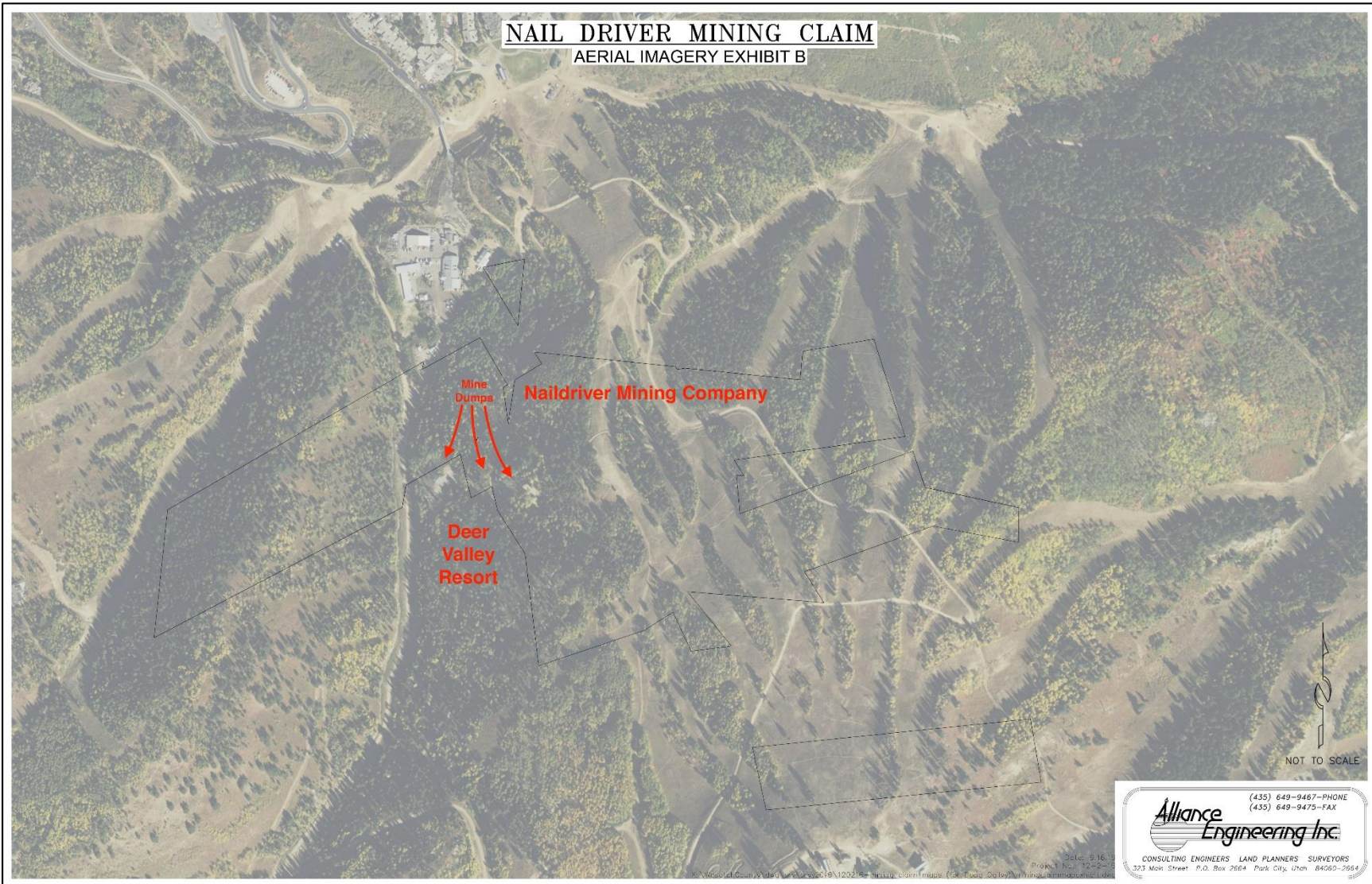


Figure 88. Aerial imagery showing location of Nail Driver Waste Dump and land ownership. The area in the black border is owned by the Naildriver Mining Company. Image by Alliance Engineering, Inc.

SUMMARY AND CONCLUSIONS

In summary, the mining resources addressed in this HPP Update are dispersed across 19 sites and include 10 buildings or structures, four shafts, and 13 waste dumps (Table 2). All buildings and structures are abandoned and are generally in fair to poor condition. However, except for the Judge Mining and Smelting Company Office, the treatments recommended in the 2001 HPP Summary typically involved the creation and installation of interpretive signage and did not include stabilization or restoration. Interpretive signage has not yet been installed at most of these sites (see Table 2). Additional treatment recommendations in this update are not required by the terms of the Development Agreement between the EPMOA and PCMC but are suggested as measures that will stabilize and preserve the resources in their current condition.

The shafts generally could not be observed but are presumed to be in good condition. The waste dumps are generally in good condition as well. Treatments recommended in the 2001 HPP Summary involved both the installation of interpretive signage and the mulching and seeding of waste dumps. Signage has not been installed at most sites, but efforts at revegetation have been made with some success (see Table 2).

The results of the HPP Update are more fully summarized in Table 3, which presents the resources in order of treatment priority. For each resource, the treatment recommendations are also prioritized according to which are most important for ongoing preservation. The 2019 Treatment Completion Summary column identifies whether the treatment recommendations stipulated in the 2001 HPP Summary have been addressed.

Table 2. Sites Included in the 2019 HPP Update and 2001 HPP Summary Work Recommendation Fulfillment Status

Sites Included in the 2019 HPP Update	Resource Type	2001 HPP Summary Work Recommendations Fully Met?
Judge Mining and Smelting Company Office	Building	No
Anchor (Daly-Judge) Drain Tunnel	Structure	No
American Flag Mine Waste Dump	Waste dump	No
Ontario Mine Shaft No. 3	Shaft	No
Daly Mine No. 1 Waste Dump	Waste dump	No
Daly Mine No. 2 Shaft	Shaft	No
Daly-West Mine Headframe, Shaft, and Hoist	Structures (2) and shaft	No
Daly-West Mine Fire Hydrant Shacks	Structures (3)	No
Daly-West Mine Waste Dump	Waste dump	No
Diamond-Nemrod Mine Waste Dumps	Waste dump (2)	No
Anchor Mine Waste Dump	Waste dump	Yes
Quincy Mine Hoist Plant	Structure	Yes
Quincy Mine Shaft and Waste Dump	Shaft and waste dump	Yes
Little Bell Mine Ore Bin	Structure	No
Little Bell Mine Waste Dump	Waste dump	Yes
White Pine Mine Log Structure	Structure	Yes
White Pine Mine Waste Dumps	Waste dump (2)	No
Flagstaff Mine Waste Dumps	Waste dump (2)	No

Sites Included in the 2019 HPP Update	Resource Type	2001 HPP Summary Work Recommendations Fully Met?
Naildriver Mine Waste Dump	Waste dump	No

Table 3. Summary of Treatment Recommendations

Resource	2001 Work Recommendation (SWCA 2001)	2019 Condition	2019 Treatment Recommendations	2019 Treatment Completion Summary
Judge Mining and Smelting Company Office	The building site will be cleaned of debris in summer 2001. With the first phase of Flagstaff development the restoration of the building will be initiated, interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. After restoration, the building is anticipated to serve as office and recreation uses for the Flagstaff development.	The building has a number of moderate to severe condition issues (see the 2019 Condition Assessment section for this resource for a detailed description). The most serious issues are the build-up of debris and soil at the foundation and against the walls, wall movement, and the collapse of the roof. Less serious issues include a detached metal cornice, spalling concrete on the walls, damage to the boards blocking windows and doors, and the build-up of animal refuse in the interior.	The building should be stabilized in its current condition. Walls should be monitored for movement yearly, and a treatment plan should be created if severe movement is noted (McMullin 2019). The roof should be repaired; bracing should also be installed, as indicated in the engineer's report (McMullin 2019). The roof system should be fully documented with drawings and photographs before and after treatment. Portions of the detached metal cornice should be reattached or be replaced in kind as necessary. Damaged boards blocking windows and doors should be replaced. Spalling concrete of main walls should be treated by improving site drainage through the removal of soil and debris and by repairing the roof; however, removing soil has the potential to destabilize the slope and is not a recommended treatment unless ongoing structural damage to walls is noted (McMullin 2019). Animal refuse should be removed from the interior of the building. Interpretive sign explaining the history and function of the building should be created and installed to meet recommendations in the 2001 HPP Summary.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. The 2001 HPP Summary recommendation relating to the restoration and reuse of the building did not take place. Instead, measures have been taken to stabilize the building in its current condition. Additional work required to achieve stabilization is detailed in this HPP Update.
Little Bell Mine Ore Bin	With the first phase of Flagstaff development the Little Bell Ore bin will be provided permanent shelter in the form of all weather roofing. Interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Additional building stabilization will occur in summer 2001.	Stabilization measures have been taken, such as the replacement of rotted wood posts and the installation of concrete footings for the posts. The posts have also been excavated; soil no longer touches the wood structural members. All sagging and displacement have been corrected. Lack of a roof (installation/construction of which was included in the 2001 HPP Summary work recommendations) likely contributes to deterioration. Rain infiltrates the base and walls of the structure and it fills with snow during the winter. Due to the high walls snow likely remains for an extended time, resulting in extensive moisture infiltration and damage to lower structural elements, such as the joists. Other wood boards are undergoing weathering and cracking. Some boards have been lost.	A noninvasive all-weather roof should be installed or constructed over the ore bin to meet recommendations in 2001 HPP Summary. This covering could consist of weathered boards with gaps between them, or it could consist of a more impermeable roof concealed under boards or set slightly below the wall tops on the bin interior to minimize visual changes. Adequate ventilation must be maintained on the bin interior. Rotted joists or other structural members should be replaced in kind. Rotted or damaged wood members should be consolidated and retained to the greatest extent possible. If retention of the original materials does not prove feasible, rotten sections of wood should be replaced in kind with treated lumber, and sound sections should be retained to the maximum extent possible. Missing boards or wall elements should be replaced in kind.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed. The 2001 HPP Summary recommendation relating to the installation of a roof over the ore bin has not been addressed.
Daly-West Mine Headframe, Shaft, and Hoist	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity.	The headframe, shaft, and hoist are all still present at the site. The headframe collapsed in 2018 and now lies on its side near the other resources. The metal structural members of the headframe are deformed as a result of the collapse. A wood fence has been erected around the headframe, shaft, and hoist to prevent access to the area; this fence replaces a chain-link security fence present in 2000 (Bowes et al. 2000:70). The wood fence blocks view of resources and changes site layout from 2001 configuration. The shaft is no longer operable and is now covered with a metal grate. There is plant growth surrounding the shaft. The hoist, which is in the open, is corroded and the concrete pad has minor amounts of spalling.	If possible, the headframe should be returned to its original upright configuration; however, if returning it to its upright configuration is unfeasible, it should be left as-is. Areas of corrosion on the hoist mechanism should be scraped to a sound surface, and the painted sections should be repainted to match current color scheme. Plant growth should periodically be removed from around the shaft opening. Concrete should be monitored for further deterioration; if deterioration becomes severe or pervasive, it should be repaired using NPS (2007) preservation standards. The current wood fence, which blocks the view of visitors to the site, should be removed and replaced with a fence allowing greater visibility while also providing security, such as a chain-link or metal post fence. Interpretive sign specifically for the Daly-West Mine Headframe, Shaft, and Hoist should be created and installed to meet recommendations in the 2001 HPP Summary. The interpretive sign should explain its original use and the circumstances of its collapse.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed.

Resource	2001 Work Recommendation (SWCA 2001)	2019 Condition	2019 Treatment Recommendations	2019 Treatment Completion Summary
Daly-West Mine Fire Hydrant Shacks	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	The Fire Hydrant Shacks were subject to a range of conditions, including the following: • Wood shingles and corrugated metal roofing missing and detached from roof • Vertically displaced wood sills and walls • Weathered wood and missing boards on walls • Plant growth against walls and inside building • Missing doors • Rodent holes at foundation • Signs of insect activity (bore-holes) in wood of walls and roof	Detached or missing roofing materials should be reattached or replaced in kind. Foundations should be stabilized for Shacks No. 1 and No. 3. Detached, missing, or deteriorated building elements, such as wood wall boards, should be reattached or replaced in kind. Vegetation should be cleared from around buildings. Doors similar in design and materials to that of Shack No. 1 should be installed for Shacks No. 2 and No. 3. Interpretive sign specifically for the Daly-West Mine Fire Hydrant Shacks should be created and installed to meet recommendations in the 2001 HPP Summary.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed.
White Pine Mine Log Structure	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	The structure is largely collapsed. The roof is no longer extant, and the logs making up the walls have partially shifted and fallen out of their original configuration. According to the 2000 HPP, this condition was present during the original recordation (Bowes et al. 2000:105). The lower logs were damp at the time of survey. Given that the structure's location is set into a steep slope, moisture may infiltrate down the slope and collect at the sill logs at the rear of the structure. The structure is surrounded by thick vegetation, which may also cause moisture retention.	Methods to divert moisture and runoff from the structure, to dry soil, and to prevent further deterioration of log sills should be considered. Possible methods for doing so include regrading the hill around the cabin to direct waterflow away from the structure and removing low vegetation (such as bushes) surrounding the structure.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed.
Quincy Mine Hoist Plant	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	As noted in the 2000 HPP, the foundation, hoist, and building elements (including scrap metal, bricks, and concrete) remain (Bowes et al. 2000:79–82). All remaining building elements are in poor condition.	Although the condition of the hoist plant is poor, the level of difficulty in stabilizing an already extremely decayed resource likely makes most treatment options unfeasible. Possible treatment options to assist in the long-term preservation of resources include the following: • Trimming back plants to prevent additional damage to building elements and to make existing resources more visible to visitors • Conducting additional archaeological survey of the site to record resources • Implementing treatments to stabilize extant resources, such as repairing concrete or replacing and repointing of brick	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed.
Ontario Mine Shaft No. 3	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. The steepness of the slope of this feature will restrict and lengthen the revegetation process. Stabilization of some of the mine waste will likely be necessary. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity.	The hoist house, headframe, and shop buildings remain in good condition and are still in use. The hoist remains operable. Slope of waste dump is partially revegetated (approximately 70 percent); portions of the slope remain bare. No serious condition issues (such as erosion) were noted; it is likely that the vegetation prevents or limits erosion.	Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation. Interpretive sign specifically for the Ontario Mine Shaft No. 3 and Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary. Additional signage describing nonoriginal site elements, such as the square-set timbering and tram tower, would also facilitate interpretation of the Ontario Mine Shaft No. 3.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.
White Pine Mine Waste Dumps	This small mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	For the Ridgeline Waste Dump, no serious condition issues (such as erosion) were noted; the flat grade of the dump likely precludes significant erosion. The majority of the Downslope Waste Dump appears to be stable, but a significant erosional gully was observed on the east side of the slope.	Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation. The east side of the Downslope Waste Dump should be regraded to prevent additional or ongoing erosion. Interpretive signs specifically for both waste dumps should be created and installed to meet recommendations in the 2001 HPP Summary.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. Slope of Ridgeline Waste Dump is not revegetated; the waste dump remains open and bare of any vegetation. Slope of Downslope Waste Dump is partially revegetated (approximately 30–40 percent). Grasses cover portions of the waste dump, and a number of spruces are also growing on the slope; the majority of the waste dump remains barren.

Resource	2001 Work Recommendation (SWCA 2001)	2019 Condition	2019 Treatment Recommendations	2019 Treatment Completion Summary
Quincy Mine Shaft and Waste Dump	Revegetation efforts at the top of this mine dump have already started. The upper slopes have also been mulched. There is a good population of pine trees on the slope of the dump and efforts to cover the steep slope of the dump have been restricted by the trees. A seed mix that consists of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance was used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	The ground above the shaft has subsided, leaving a depression marking the original location of the shaft. No serious condition issues (such as erosion) were noted.	No additional work is recommended at this time.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed. Work recommendations from the 2001 HPP Summary have been fulfilled regarding revegetation. Slope of waste dump is entirely revegetated with grass, forbs, and pine trees.
Diamond-Nemrod Mine Waste Dumps	These mine dumps will be mulched with a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. However, access to these sites is limited and the merits of establishing access for the purpose of revegetating the mine dumps will have to be made prior to any work. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related features in the immediate vicinity.	Slope of Diamond Waste Dump is partially revegetated (approximately 30 percent); large portions of the slope remain bare. The exposed sections are likely unvegetated due to the steepness of the slope. Slope of Nemrod Waste Dump is partially revegetated (approximately 50 percent); large portions of the slope remain bare. The exposed sections are likely unvegetated due to the steepness of the slope. A mountain bike trail parallels the northwest side of the slope of Diamond Waste Dump. A large hole (approximately 12 feet in diameter) is present in the ground at the northwest corner of Nemrod Waste Dump; the cause of the hole is unclear but may be mining related. No serious condition issues (such as erosion) were noted.	Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation. Interpretive signs specifically for both waste dumps should be created and installed to meet recommendations in the 2001 HPP Summary.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed for either waste dump. Work recommendations from the 2001 HPP Summary have been partially fulfilled regarding revegetation.
American Flag Mine Waste Dump	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. The steepness of the slope of this feature will restrict and lengthen the revegetation process. Stabilization of some of the mine waste will likely be necessary. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with the other historic mining-related feature s in the immediate vicinity.	Slope of waste dump is partially revegetated (approximately 50 percent); the rest of the slope remains bare. No serious condition issues (such as erosion) were noted; it is likely that the vegetation and the rock retaining wall at the base of the slope prevent or limit erosion.	Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed. Work recommendations from the 2001 HPP Summary have been partially fulfilled regarding revegetation.
Little Bell Mine Waste Dump	This feature has been partially revegetated. Efforts will continue by adding mulch and available soil to the surface. A seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature describe its relationship with other historic mining-related features in the immediate vicinity.	Slope of waste dump is mostly revegetated (approximately 90 percent) with grass and low forbs. No serious condition issues (such as erosion) were noted.	No additional work is recommended at this time.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed. Work recommendations from the 2001 HPP Summary have been mostly fulfilled regarding revegetation.

Resource	2001 Work Recommendation (SWCA 2001)	2019 Condition	2019 Treatment Recommendations	2019 Treatment Completion Summary
Daly-West Mine Waste Dump	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	The dump has been regraded. Portions of the waste dump are in use as dirt roads. The dump has also been regraded for use as a ski slope. An artificial stream and pond have been constructed on the west side of the dump. No serious condition issues (such as erosion) were noted; it is likely that the vegetation prevents or limits erosion.	Interpretive sign specifically for the Daly-West Mine Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary. Due to the partial revegetation and the use of portions of the waste dump for ski runs and roads, no additional revegetation efforts are recommended.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. Slope of waste dump is partially revegetated (approximately 50 percent); the rest of the slope remains bare.
Flagstaff Mine Waste Dumps	A seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature describe its relationship with other historic mining-related features in the immediate vicinity.	Per initial direction from EPMOA, this site was not included in field survey. Subsequent ownership review determined that portions of the mine dumps for this mine are on lands subject to the Flagstaff Development Agreement. EPMOA advises that revegetation efforts have not been completed on this site and interpretive signage has not been installed.	Interpretive sign specifically for the Flagstaff Mine Waste Dumps should be created and installed to meet recommendations in the 2001 HPP Summary. Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. Work recommendations from the 2001 HPP Summary have not been fulfilled regarding revegetation.
Naildriver Mine Waste Dump	This mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. However access is restricted and an evaluation will need to be completed to assess the merits of establishing access to the mine dump to revegetate it. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	Per initial direction from EPMOA, this site was not included in field survey. Subsequent ownership review determined that portions of the mine dumps for this mine are on lands subject to Flagstaff Development Agreement. EPMOA advises that revegetation efforts have not been completed on this site and interpretive signage has not been installed.	Interpretive sign specifically for the Naildriver Mine Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary. Revegetation efforts, including the broadcasting of mulch, should continue in order to support ongoing revegetation.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. Work recommendations from the 2001 HPP Summary have not been fulfilled regarding revegetation.
Daly Mine No. 1 Waste Dump	Revegetation efforts have already begun on this mine site. A mulch has been spread over the dump and a seed mix used that contained species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	Stands of aspen and spruce, along with bushes and forbs, cover the entire slope. Due to recontouring, recent residential development to the northeast, and revegetation, the slope is no longer easily identifiable as a waste dump. No serious condition issues (such as erosion) were noted; it is likely that the vegetation prevents or limits erosion.	Interpretive sign relating specifically to the waste dump should be created and installed to meet recommendations in 2001 HPP Summary.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed. Slope of waste dump is almost entirely revegetated (approximately 90–100 percent).
Anchor (Daly-Judge) Drain Tunnel	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	Some evidence of water infiltration (such as staining and minor cracks in concrete) is present, but no evidence of significant or ongoing damage is visible. The shed-roofed portal protecting the entrance to the tunnel was installed in 2008 (as evidenced by the date inscribed on the metal posts supporting the roof); roofline partially obscures historic inscription panel over tunnel entrance. Tunnel continues to be maintained by the municipality as part of Park City’s culinary water system.	Interpretive sign explaining the history and function of the tunnel in relation to the Judge, Anchor, and Daly Mines and its ongoing function as the water source for Park City should be created and installed to meet recommendations in the 2001 HPP Summary.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed.
Daly Mine No. 2 Shaft	Much of this mine feature has been covered. A thick soil cover will be placed on this mine dump. This will be followed by the addition of a seed mix that will consist of species a close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	The Daly Mine No. 2 Shaft could not be found during survey.	For work recommendations, the 2001 HPP Summary conflates the Daly Mine No. 2 Shaft with the Daly Mine No. 1 Waste Dump. Interpretive sign specifically for the Daly Mine No. 1 Waste Dump should be created and installed to meet recommendations in the 2001 HPP Summary. Given the distance between the estimated locations of the Daly Mine waste dump and shaft, the unclear present location of the shaft, and the lack of extant resources, no separate interpretive sign for the Daly Mine No. 2 Shaft needs to be installed. The installation of a sign for the Daly Mine No. 1 Waste Dump that incorporates a discussion of the shaft will adequately meet the 2001 HPP Summary recommendations.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has not been addressed.

Resource	2001 Work Recommendation (SWCA 2001)	2019 Condition	2019 Treatment Recommendations	2019 Treatment Completion Summary
Anchor Mine Waste Dump	Some revegetation has already taken place on this mine feature. This is one of the largest mine features in the Flagstaff Project. The steep long slopes of the mine dump will make any revegetation efforts difficult. The surface of the dump will be covered with soil as it is available. The top of the steep slopes will be mulched and seeded with a mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.	Terracing was observed on the slope; the cause is unclear but may be intentional and represent regrading. No serious condition issues (such as erosion) were noted.	No additional work is recommended at this time.	The 2001 HPP Summary recommendation relating to the installation of an interpretive sign has been addressed. Slope of waste dump is almost entirely revegetated (approximately 90 percent) with low grass. The exposed sections are likely unvegetated due to the steepness of the slope.

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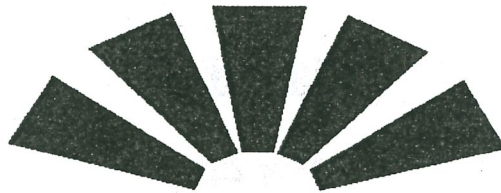
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APPENDIX A

2001 Historic Preservation Plan Summary: Exhibit 6



FLAGSTAFF MOUNTAIN RESORT
A PLANNED RESORT COMMUNITY
DEER VALLEY, UTAH

HISTORIC PRESERVATION PLAN
EXHIBIT 6

MAY 2001
REVISED AND APPROVED DECEMBER 2001

PREPARED FOR:
FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450
PARK CITY, UTAH

HISTORIC PRESERVATION PLAN

Prepared for

FLAGSTAFF MOUNTAIN RESORT

Plan Summary

Exhibit 6

May 2001

Revised and Approved December 2001

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EXECUTIVE SUMMARY

The Historic Preservation Plan dated August 2000 is a 127-page detailed document produced for Flagstaff Mountain by SWCA, Inc., Environmental Consultants. The document describes in great depth the history of the area and the historic sites found within the Flagstaff Mountain Annexation Boundary.

Accompanying this plan summary is a chart that reviews the same information in an abbreviated format. It includes a brief description of every important site within the Boundary, together with a short history, an overview of the existing conditions, and recommendations for preservation work associated with each. Additionally, the chart includes information regarding a proposed phasing timeline for restoration or remediation of the sites together with a proposed signage format.

Figure A is a map depicting the Historic Sites and is intended as an aid to the reader in locating each site within the Flagstaff Mountain Annexation Boundary.

Concurrent with the first CUP authorizing construction of residential units, FMP will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features. The maintenance and ongoing protection efforts for those buildings, which are not part of an ongoing operation, will become the responsibility of the master homeowners association.

FLAGSTAFF MOUNTAIN

Historic Sites and Preservation Plan

CHART – 5 PAGES

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Ontario Mine Shaft No.3	The shaft was used to haul ore and waste rock from the workings and to transport miners and equipment in and out of the mine. It also served as an extra exit point and ventilation shaft.	The No.3 shaft is located in the middle Ontario Canyon, west of and adjacent to State Road 224. The associated complex is situated atop a large historic mine waste dump. All of the surface works were replaced in 1970s and consist of a complex of metal buildings that houses offices, a workshop or garage, concentrator equipment, conveyors, the shaft works, and the Silver Mine Adventure museum in the shaft works building. This site is located on 6.19 acres.	The No.3 shaft and the modern surface works appear to be in good overall condition. Despite the end of the mining activities in the area, the shaft is still operational, and still serves the needs of underground work crews who continually maintain several miles of drain tunnels that supply water to the Park City Culinary water system and to the Jordanelle Water Conservancy district.	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. The steepness of the slope of this feature will restrict and lengthen the revegetation process. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Anchor (Daly-Judge) Drain Tunnel	The tunnel and its portal are associated with ventilation, water drainage, ore haulage, and access for equipment, utilities, and employees.	The drain tunnel is located approximately one mile up Empire Canyon. The portals covered extension is directly adjacent to the east wall of the Judge Mining & Smelting Company office building. Access to the tunnel is secured with a hinged steel grating that allows ventilation. A doorway in the changing room in the rear section of the office building connects directly to the tunnel. This opening is covered with steel grating. The portal itself is of concrete construction, and its covered extension is a wood frame structure with galvanized corrugated steel panels.	The portal appears to be in generally good condition. The tunnel is being maintained as part of Park City' culinary water system, and it is assumed that this feature is still structurally sound. However, there are some wooded patches on the east wall of the portal extension that may need to be secured. The condition of the sills and the bottoms of the wooden posts in the east wall is unknown. There are some loose corrugated roofing panels at the northeast corner of the roof of the Judge Mining & Smelting Company Office building, this problem would be addressed by deficiency mitigation work on that structure.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Judge Mining & Smelting Company Office	The building housed administrative offices for the Judge Mining & Smelting Company operations, which include mining, milling, and smelting operations, and their continued maintenance. It also provided shower and lavatory facilities for mine workers.	The office is located adjacent to the extension of the Anchor (Daly-Judge) Drain tunnel portal. It is a simple, front-gabled, one-story, concrete-walled structure that is divided into two functional areas. The front section was used as an office and is subdivided into six rooms. The rear section consists of a large Changing Room for miners that connects with the Anchor (Daly-Judge) Drain tunnel via a doorway in its east wall. A small shedroofed extension on the west side of the building serves as an entry to the rear section.	All of the building's walls, plus at least one internal wall, are constructed of poured concrete. The exterior walls are finished with stucco, which shows no obvious evidence of paint and retains its natural appearance. The stucco appears to be original and has the logo "J.M. & S. Co. -1920" incised into the front gable above to the original entrance. All of the windows, with the exception of three windows on the east wall of the Changing Room, are wood-framed, double-hung windows, without counterweights or springs. The building appears to be in fair condition, but is in need of some repairs.	The building site will be cleaned of debris in summer 2001. With the first phase of Flagstaff development the restoration of the building will be initiated, interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. After restoration, the building is anticipated to serve as office and recreation uses for the Flagstaff development.

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Explosives Bunker	The bunker was used to store explosives, which is clear from the large incised sign on the façade.	This feature is located against a hillside, a few hundred feet north of the Judge Mining & Smelting Company office building. It consists of a concrete explosives bunker that appears to have been used by the Judge Mining & Smelting Company.	This bunker appears to be in excellent condition and unaltered, with the possible exception of some hasps or locking hardware that might be original, but could have been welded to the steel door at a later date. However, the interior of the structure was not available for inspection, so its condition is unknown.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
American Flag Mine Waste Dump	This dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	This feature is located one mile up Empire Canyon, on the east side of the canyon and opposite the site of the Daly-Judge Mill. Very little remains of the American Flag Mine itself, although it may have some potential to yield archaeological remains. This site is located on .60 acres.	The basic form of the waste dump has been significantly altered by landslides and other activities in the area. Vegetation has been growing up on portions of the dump.	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. The steepness of the slope of this feature will restrict and lengthen the revegetation process. Stabilization of some of the mine waste will likely be necessary. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly Mine No.1 Waste Dump	This dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located in upper Empire Canyon, About a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. This site is located on .51 acres.	This basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining land landscape. Vegetation has grown up on portions of the dump, although there is still a small amount of bare material exposed to view.	Revegetation efforts have already begun on this mine site. A mulch has been spread over the dump and a seed mix used that contained species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly Mine No.2 Shaft	The shaft was used to haul ore and waste rock from the workings and to transport miners and equipment in and out of the mine. It also served as an extra exit point and ventilation shaft.	The shaft is located in upper Empire Canyon, About a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. Little remains today from these operations, except some scattered rock foundations or retaining walls, composed of coursed and uncoursed rough stone.	The rock walls are in poor condition and the area has been heavily disturbed.	Much of this mine feature has been covered. A thick soil cover will be placed on this mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly - West Mine Headframe, Shaft and Hoist	The headframe, shaft, and hoist was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft.	The headframe, shaft, and hoist are located in upper Empire Canyon, about a quarter of a mile above the Daly No.2 Shaft.	These features are still in operable condition and are maintained as an emergency exit and ventilation source for the drain tunnels.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Daly - West Mine Fire Hydrant Shacks	These features provided sources of pressurized water for fire fighting or other purposes.	These three fire hydrant or water connection shacks are located at the Daly-West Mine, just upslope from the headframe. One shack has a fire hydrant inside and the others have smaller water pipes and valves. All are painted red with white trim, perhaps as a requirement to indicate their function as water sources for fire fighting.	Other than some missing galvanizing roofing panels and typical weathering, these sheds are in reasonably good condition and do not appear to have been significantly altered over time.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly - West Mine Waste Dump	The dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	This feature is a large waste dump in the middle part of the Empire Canyon that is associated with the Daly-West mine. This site is located on 14.55 acres.	This basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining land landscape. Vegetation has grown up on portions of the dump, although there is still a large amount of bare material exposed to view.	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Quincy Mine Hoist Plant	The boiler and hoisting engine were used to operate the Quincy Mine shaft equipment, which was used to carry miners, equipment, and supplies in and out of the mine workings, and to haul ore out of the mine.	This feature consists of the remains of the hoist plant for the Quincy Mine Shaft. It is located in middle Empire Canyon, just upslope of the Daly-West Mine. A rectangular area and traces of rock foundations define the area that was occupied by the hoist building.	The hoist building is no longer standing, but some pieces of lumber and roofing material can be seen on the ground within the area defined by the hoist building foundations. These items are badly deteriorated and mixed with forest detritus.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Quincy Mine Shaft and Waste Dump	The shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft. The dump was used to discard waste rock that was removed from a mine in order to access high-grade ore deposits.	These two features are located in the middle Empire Canyon area, directly above the Daly-West Mine site. Little remains of the shaft, since it has been filled in. However, the fill has settled, and a depression clearly shows where the shaft is located. This site is located on 1.92 acres.	The shaft has been filled in and concavity exists over the filled shaft to suggest its location adjacent to the hoist plant. The basic form of the waste dump remains intact.	Revegetation efforts of the top of this mine dump has already started. The upper slopes have also been mulched. There is a good population of pine trees on the slope of the dump and efforts to cover the steep slope of the dump have been restricted by the trees. A seed mix that consists of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance was used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Little Bell Mine Ore Bin	The ore bin was used for short-term storage and redistribution of ore from the Little Bell mine, sometimes called "staging."	The bunker is located in middle Empire Canyon, on the east-facing slope of the Little Bell Mine waste dump and approximately 175 feet east of the Little Bell Mine shaft. The ore bin is constructed of wood, excepting the steel-and-iron loading gate doors, nails, steel bracing rods, and other fasteners. The footprint of the structure measures 12' x 24'.	The overall effect of the damage to the ore bin is that the entire structure is supported only by the central support posts and cross braces at the front and rear of the structure, making its support base effectively much smaller and creating a precarious and dangerous situation.	With the first phase of Flagstaff development the Little Bell Ore bin will be provided permanent shelter in the form of all weather roofing, and interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Additional building stabilization will occur in summer 2001.

FLAGSTAFF MOUNTAIN
Historic Sites and Preservation Plan - CHART

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Little Bell Mine Waste Dump	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The waste dump is located in middle Empire Canyon adjacent to Little Bell ore bin and shaft and south of the Quincy Mine. The mine shaft has been filled in and very little remains of that feature, but the dump is still visible. This site is located on 2.82 acres.	The dump is essentially unaltered part of a mining landscape. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.	This feature has been partially revegetated. Efforts will continue by adding mulch and available soil to the surface. A seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Diamond-Nemrod Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located high on the steel hillside above the Daly-West Mine, and are clearly visible from a distance.	The basic form of the dump remains relatively intact. Vegetation has been growing up on portions of the dump, although there is still some bare material exposed to view.	These mine dumps will be mulched with a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. However, access to these sites is limited and the merits of establishing access for the purpose of revegetating the mine dumps will have to be made prior to any work. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Anchor Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is a massive feature located in upper Empire Canyon. It is clearly visible from a great distance and is one of the largest and best preserved of the dumps in Empire Canyon.	The basic form of the dump remains relatively intact. It is a large waste dump and a highly visible part of a Mining land landscape, although there has been major recontouring of the east side of the dump for a ski run. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.	Some revegetation has already taken place on this mine feature. This is one of the largest mine features in the Flagstaff Project. The steep long slopes of the mine dump will make any revegetation efforts difficult. The surface of the dump will be covered with soil as it is available. The top of the steep slopes will be mulched seeded with a mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
White Pine Mine Log Structure	The original purpose of this structure has not been determined. It may have been a residence, or it could have functioned as an administrative building.	The remains of the log structure are located below the White Pine Mine and above the Anchor Mine. The structure consists of a one-room, one-story log building, with a footprint of approximately 16' x 22'. The highest point of the remaining structure is the northwest corner, which is about nine feet above the current ground level.	The roof is missing and may have fallen in. The attic or loft has fallen down, and a few of its remaining structural elements are still visible, mixed in among the debris inside the structure. These components are in poor condition, due to normal processes of weathering and decay.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
White Pine Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The Ridge-Line Waste Dump is located on a saddle at the ridge line at the top of Empire Canyon. The Downslope Waste Dump is located a short distance downslope and to the north of the ridge-line waste dump. This site is located on .43 acres.	The ridge-line waste Dump has been altered significantly by recontouring operations and other work in the area. The downslope waste dump appears to be intact and in stable condition.	This small mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Flagstaff Mine Shaft	The shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft.	The shaft is located near the top of the Flagstaff Mountain, which lies between Empire Canyon and Ontario Canyon. The shaft has been capped with a concrete slab and very little remains of the mining operation other than its waste dump and some scattered materials.	The structural integrity of the slab is unknown. Some dilapidated fencing surrounds the concrete slab, but is no longer protecting it.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Flagstaff Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located near the top of the Flagstaff Mountain, between Ontario Canyon and Empire Canyon. It is a tall feature, but is spread over fairly wide area around the shaft location. This site is located on 1.07 acres.	The basic form of this waste dump appears to be intact and more or less in its original form. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view.	This mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Naildriver Mine Waste Dump	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located in the eastern portion of the Flagstaff Mountain Resort project area. It is the only remaining historic feature of the Nail Driver Mine. This site is located on .43 acres.	The dump has not been significantly altered. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view.	This mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. However access is restricted and an evaluation will need to be completed to assess the merits of establishing access to the mine dump to revegetate it. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.

APPENDIX A

FIGURES

Figure 1. Location of Project Area

Figure 2. Open Space

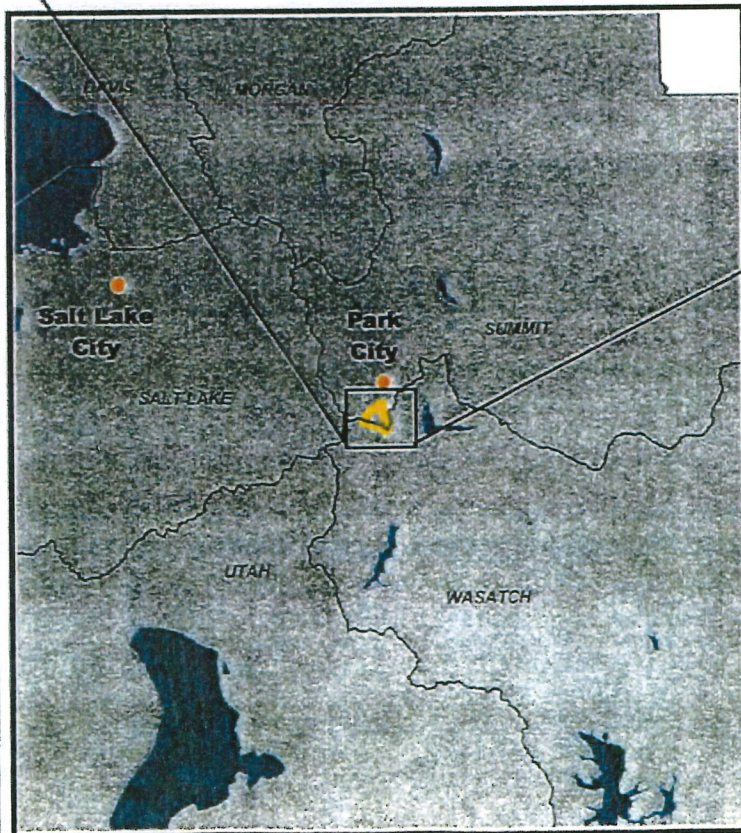
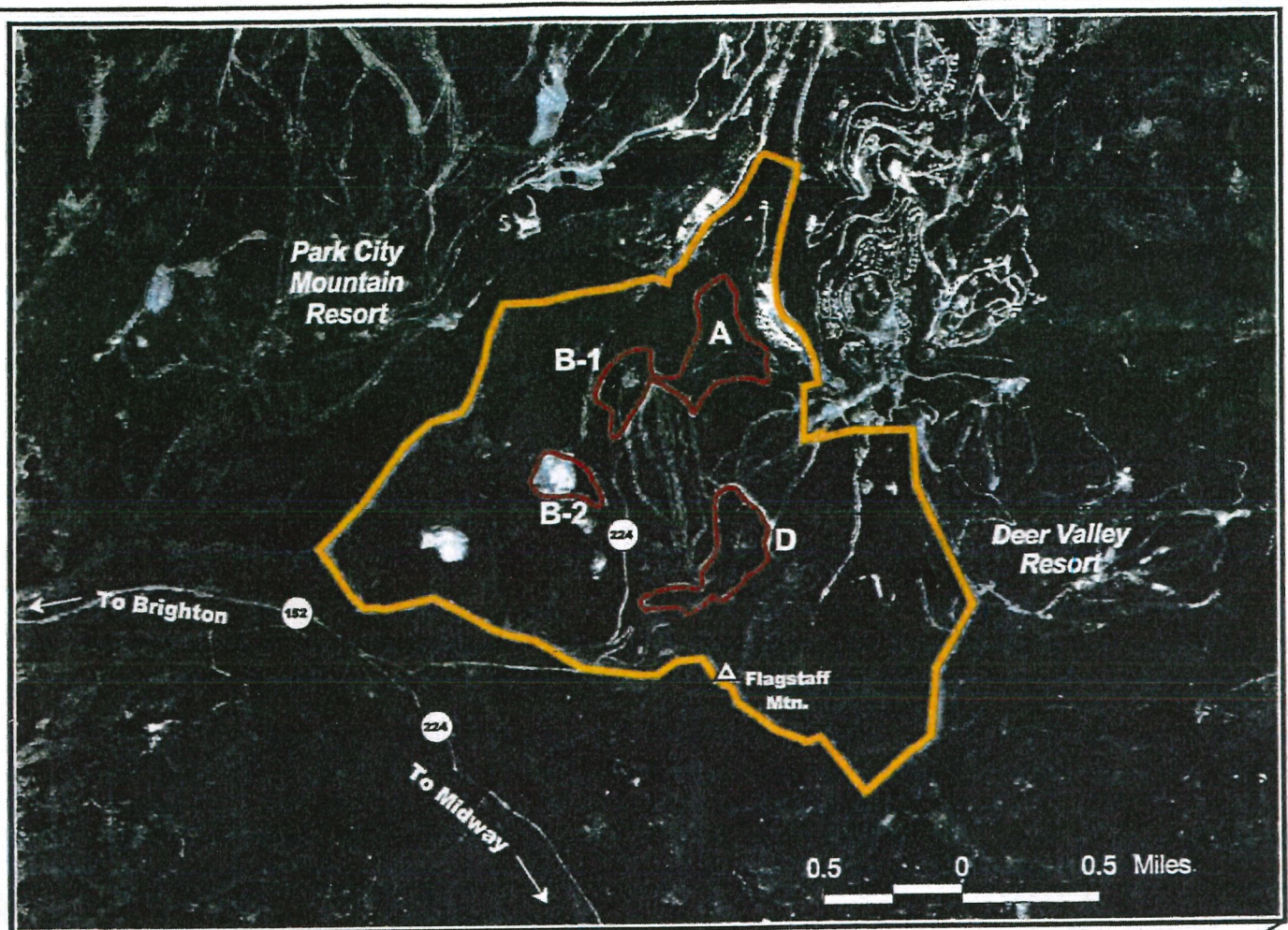


Figure 1. Location of Flagstaff Mountain Resort Plan Area, Summit County, Utah.

SWCA INC.



Figure 2. Open Space

Lift Lines

- ▲ Ski Lift (Existing)
- ◆ Ski Lift (Proposed)
- Project Boundary

Open Space

- Developed Recreational Open Space (DROS)
- Developed Recreational Open Space (DROS)- Centennial Draw Wildlife Management Area
- Lady Morgan Protected Open Space (POS)
- Undeveloped Recreational Open Space (UROS)
- Prospect Ridge Viewshed

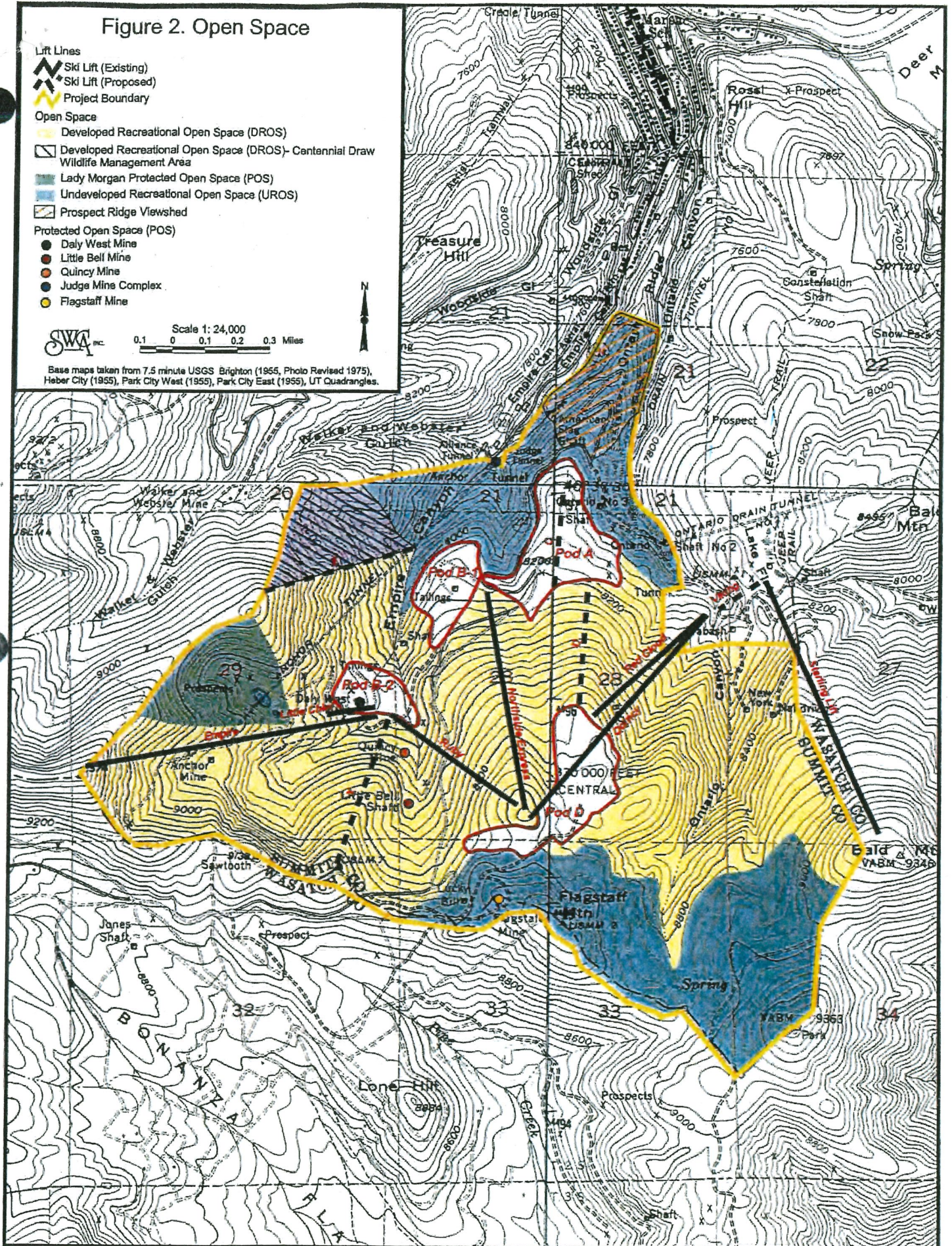
Protected Open Space (POS)

- Daly West Mine
- Little Bell Mine
- Quincy Mine
- Judge Mine Complex
- Flagstaff Mine



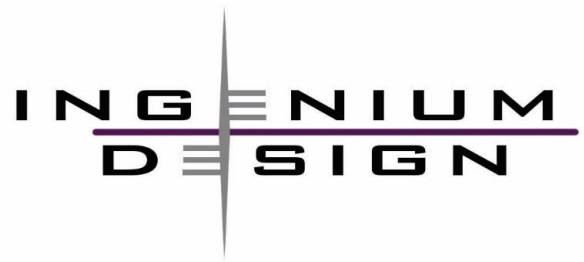
Scale 1: 24,000
0 0.1 0.2 0.3 Miles

Base maps taken from 7.5 minute USGS Brighton (1955, Photo Revised 1975), Heber City (1955), Park City West (1955), Park City East (1955), UT Quadrangles.



APPENDIX B

2019 Engineering Report for Judge Mining and Smelting Company Office



October 9, 2019

JUDGE BUILDING STABILIZATION
19.077

DOUGLAS OGILVY
Empire Pass EPMOA
Park City, UT

RE—STRUCTURAL FINDINGS & RECOMMENDATIONS

DEAR DOUGLAS—

This letter summarizes the findings of our structural observations and calculations for the Judge Mine Office Building. We visited the structure on October 13, 2019 and visually observed the condition of the building and took dimensional field measurements.

Based on our observations and calculations, we have prepared roof repair drawings. These address missing, broken, and overstressed wood purlins and decking. The structural steel trusses have adequate capacity.

The walls on the south end of the structure are tipping towards the west. It appears the soil build up on the east side is pushing the east wall, which is then pushing the west wall by way of the trusses. Because the east wall may be stabilizing the slope, we do not recommend removing the soil in this area, unless a geotechnical engineer assess the slope stability. Additionally, it is unclear if the walls are continuing to move. We therefore recommend monitoring the movement of the walls each year. This can be done by a surveyor, or someone with the necessary knowledge and skill. If the walls show movement over 2-3 inches at the top, we can develop a repair plan.

There is a small, overhang on the west side of the building. The concrete has been eroded here. We do not recommend repair currently, as the concrete is hard in the wall that remains, and the roof framing cantilevers sufficiently to carry the roof loading.

Respectfully,

Paul W. McMullin, SE, PhD
Structural Engineer



GENERAL STRUCTURAL NOTES

A— GENERAL

- 1) Bring conflicts or omissions in the plans and specifications to the immediate attention of the Engineer.
- 2) By submission of bid, the contractor shall acknowledge acceptance of the contract documents as adequate definition of the scope of work. Contractor shall familiarize themselves with all contract documents and conduct a complete field survey. Change orders based on inadequate scope definition will not be accepted.
- 3) Written approval is required for any change to the work. Change approval does not constitute approval of a change order.
- 4) Shop drawing review does not relieve the Contractor, Fabricator, Erector, or other supplier from completing the work in accordance with the plans and specifications.
- 5) Do not scale drawings.
- 6) The Contractor is responsible for means, methods, procedures, techniques and sequences.
- 7) Perform all work in accordance with owner, local, state, and federal safety requirements.
- 8) Time material delivery to ensure uninterrupted work.
- 9) Keep all materials off the ground and protect them from deterioration.
- 10) Do not cut any structural member without written approval from the Structural Engineer.
- 11) Plan installation of new work and any modification of existing work to ensure minimal interference with facility operation. All system shutdowns shall be coordinated with the owner.

B— QUALITY CONTROL

- 1) Report any non-conforming work immediately to the Contractor and Structural Engineer.
- 2) Construct work in a thorough, workmanlike manner, according to the plans and specifications.
- 3) The owner, or owner's agent, shall reject any sub-standard work or material at their sole discretion.
- 4) Check all dimensions and verify all field conditions and existing equipment locations prior to ordering materials or starting work.
- 5) Contractor shall ensure quality of work through in-house means or by hiring a third party.
- 6) Owner shall engage a third party to inspect and test work indicated in the sections below.
- 7) Special inspectors shall be qualified and demonstrate competence to the satisfaction of the building official or owner.
- 8) Distribute inspection and testing reports to the Owner, Contractor, Engineer, and jurisdiction when required, within 5 working days.
- 9) Correct any non-conforming work before continuing with dependent work.
- 10) Observation of construction work by Ingenium Design is not for approval or special inspection.

C— BASIS OF DESIGN

CODES	ASCE 7-16
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The intent of this project is solely to stabilize the roof structure. It does not bring the structure to a condition that makes it inhabitable.

RISK CATEGORY	I
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SNOW LOADS	
Importance Factor <i>I_s</i>	0.80
Ground Snow Load <i>p_g</i>	180 lb/ft ²
Exposure Factor <i>C_e</i>	1.0
Thermal Factor <i>C_t</i>	1.2
Flat Roof Snow Load <i>p_r</i>	121 lb/ft ²
Sloped Roof Snow Load <i>p_s</i>	73 lb/ft ²

D— TIMBER

Conform to the latest edition of the following—
National Design Specification for Wood Construction (NDS)
Manual for Engineered Wood Construction
ASTM D5456 Standard Specification for Evaluation of Structural Composite Lumber Products
AITC A190 American National Standard for Structural Glued Laminated Timber
ASTM AD3737 Standard Practice for Establishing Allowable Properties for Structural Glued Laminated Timber
AWPA U1 and M4

D.1 MATERIALS			
FRAMING MEMBERS			
	Type	Species/MOE	Grade
SAWN LUMBER			
	Dressed Lumber	DF	No. 2
	5x and greater	DF	No. 1
	Studs	DF	Stud
	Blocking/Misc	DF	No. 2
	LVL	2.0 E	F _b =2,750 lb/in ²
	Pressure treat, or wrap in tar paper, timber in contact with concrete, masonry, or soil		

OTHER MATERIALS			
Structural Panels		Typical	Exposure 1
		Outside	Exterior
		High Humidity	Exterior
	Wood Bolts		ASTM A307
	Connection Plate		ASTM A36
	Proprietary Metal Plate Connectors		Simpson™ or approved equal
	Nails	All nails sizes are common	
	Galvanize	Exterior steel	
		Steel in contact with pressure treated lumber	

D.2 CONSTRUCTION			
FRAMING			
	Coordinate openings with other trades		
	Fasteners	Nail as indicated in the plans	
		Follow the IBC minimum nailing requirements where not indicated	

STRUCTURAL PANELS			
	Orientation	Orient long panel dimension perpendicular to framing members	
	Blocking	Block roof and floor panels where indicated	
		Block all wall panels	
	Nailing	Min spacing, 6" at edges, 12" in field	
	Gap	1/8" between panels	
		½" at wall/roof edges	

D.3 QUALITY		
INSPECTION		
	Construction	Construction follows the plans and specifications
	Grade Stamps	Material has grade stamps indicating conformance with the specified material grades above
	nd anchor placement	

E— POST INSTALLED ANCHORS

E.1 STANDARDS
Conform to the latest edition of the following—
ACI Manual of Concrete Practice
ACI 301 Specifications for Structural Concrete
ACI 318 Building Code Requirements for Structural Concrete and Commentary
ACI 355.2 Qualification of Post-Installed Mechanical Anchors in Concrete and Commentary
ACI 355.4 Qualification of Post-Installed Adhesive Anchors in Concrete and Commentary

E.2 MATERIALS			
CONCRETE ADHESIVE ANCHORS			
	Threaded Rod	ASTM F1554	Gr 36, GALV
	Adhesives		
	Hilti	ICC-ES-ESR-3814	HIT-RE 500 V3
	Simpson	ICC-ES-ESR-2508	SET-XP
		IAPMO UES ESR-263	AT-XP

- E.3 CONSTRUCTION
- 1) Use post-installed anchors only where specified in details, or approved in writing.
 - 2) Do not substitute post-installed anchors for cast-in-place anchors unless approved in writing for the specific condition.
 - 3) Alternate manufacturers must be approved in writing by the Structural Engineer prior to use. Alternate submittals must provide minimum capacities equal to or greater than those listed above.
 - 4) Install anchors in strict accordance with ICC Evaluation Reports and manufacturers recommendations.
 - 5) Concrete must be 21 days old before installation of adhesive anchors.
 - 6) Holes in unreinforced masonry shall be drilled with the hammer function off.

- E.4 QUALITY
- 1) Provide special Inspection according to the ICC Evaluation Report and IBC.
 - 2) Test 50% of non-redundant anchors (column, brace, boundary elements, hold-downs) and 10% of redundant elements.
 - 3) Test anchors to the following loads.

CONCRETE ADHESIVE ANCHORS TENSION TEST VALUES			
Bar Size	Anchor Diameter (in)	Embedment (in)	Test Force (pounds)
#3	3/8	6	3,500
#4	1/2	6	7,500
#5	5/8	8	11,000
#6	3/4	9	15,000
#7	7/8	11	20,000
#8	1	12	26,000
#9	1 1/8	14	31,000
#10	1 1/4	16	35,000

For embedments shorter than those listed, reduce the test force by the ratio of the actual embedment to embedment listed above

F— ABBREVIATIONS

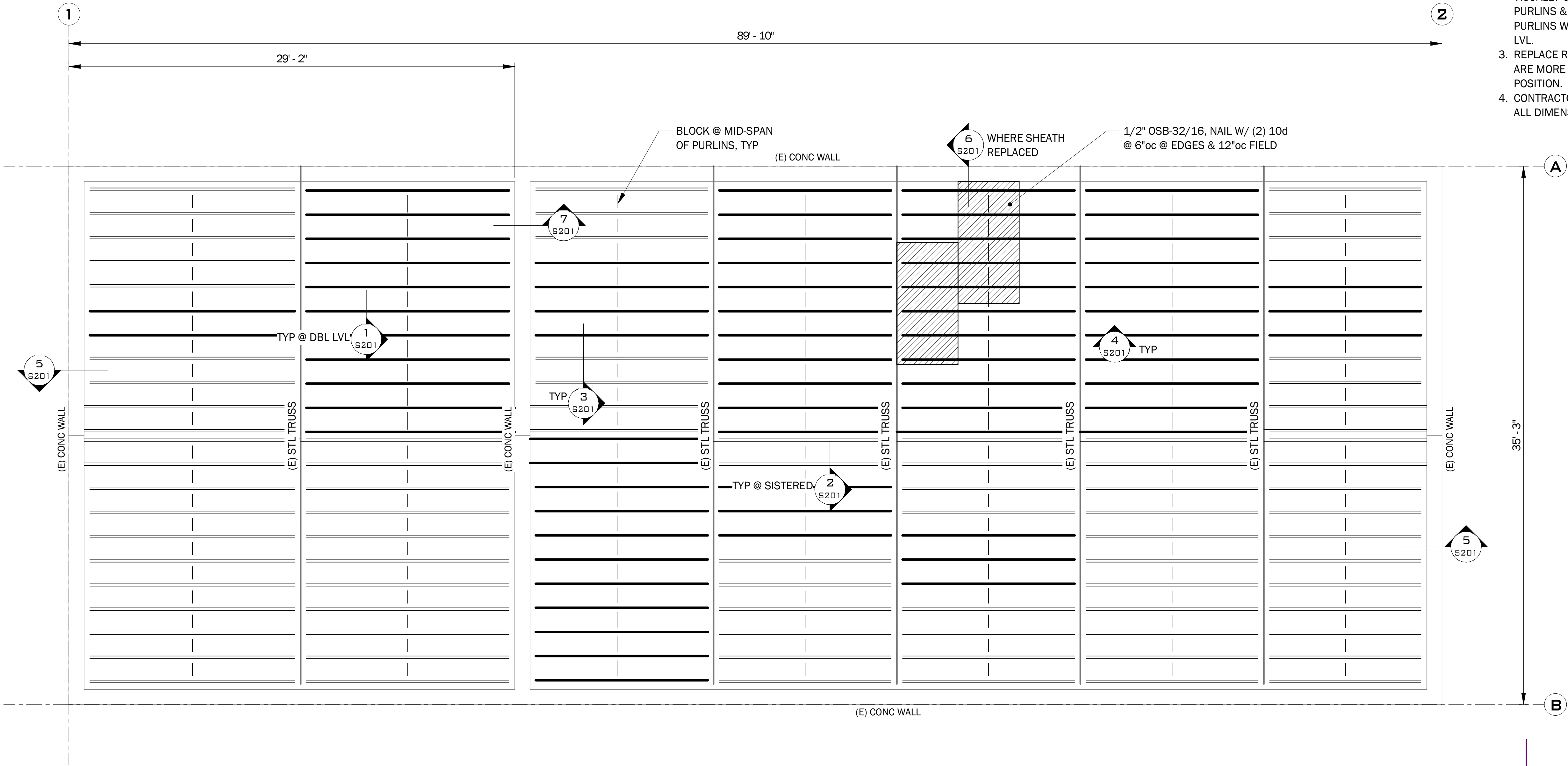
(E)	Existing	HD	Hold Down
AA	Adhesive Anchor	HORIZ	Horizontal
AB	Anchor Bolt	HAS	Headed Stud Anchor
ABV	Above	HVY	Heavy
ADDIT	Additional		
ALT	Alternate	ID	Inside Diameter
		INT	Interior
B/	Bottom of		
B/B	Back to Back	JST	Joist
BLK	Blocking	JT	Joint
BM	Beam		
BN	Boundary Nail	K	kip
BOTT	Bottom	LB	pound
BP	Base Plate	LVL	Laminated Veneer
BRCG	Bracing		Lumber
BRG	Bearing	LW	Lengthwise
BTWN	Between		
		MAX	Maximum
c/c	Center to center	MIN	Minimum
CANT	Cantilever	MISC	Miscellaneous
CJ	Control Joint		
CJP	Complete Joint	NS	Near Side
	Penetration	NTS	Not to Scale
CL	Centerline		
COL	Column	oc	On Center
CONC	Concrete	OD	Outside Diameter
CONN	Connection	OH	Opposite Hand
CONT	Continuous	OPP	Opposite
CONTR	Contractor	OSB	Oriented Strand Board
CTR	Center		
CW	Crosswise	PC	Piece
		PEN	Penetration
DBA	Deformed Bar Anchor	PERP	Perpendicular
DBL	Double	PL	Plate
DCW	Demand Critical Weld	PLF	Pounds per Foot
DET	Detail	PNL	Panel
DIA	Diameter	QTY	Quantity
DIAG	Diagonal		
DIM	Dimensions	R	Radius
DWG	Drawing	REF	Reference
		REINF	Reinforcing
		REQ	Required
EA	Each		
EF	Each Face		
EW	Each Way	SCHD	Schedule
EXT	Exterior	SECT	Section
φ	Diameter	SHTG	Sheathing
		SIM	Similar
FLG	Flange	SP	Spaced
FLR	Floor	SS	Stainless Steel
FND	Foundation	STD	Standard
FS	Far Side	STIFF	Stiffener
FTG	Footing	STL	Steel
FV	Field Verify	SW	Shear Wall
		SYM	Symmetrical
ga	Gage		
GALV	Galvanize	T & B	Top and Bottom
GLB	Glue-Lam Beam	T/	Top of
GMN	General Mech Notes	Thru	Through
GRT	Grout	TYP	Typical
GSN	General Struct Notes		
		UN	Unless Noted
		VERT	Vertical
		W/	With



GENERAL STRUCTURAL NOTES
JUDGE ROOF STABILIZATION
JUDGE MINING & SMELTING BUILDING,
EMPIRE PASS (DEER VALLEY, UTAH)

REV	DESCRIPTION	DATE	BY
0	FOR CONSTRUCTION	2019-10-8	M. GUSTAFSON

PROJECT #: 19_077
PRELIMINARY
DATE: 2019-10-8
DRAWN: M. GUSTAFSON
ENG: P. McMULLIN
PHONE #: 801.413.7672



PLAN NOTES & LEGEND	
	(2) 1 3/4"x5 1/2" LVL NAILED TOGETHER
	(E) 2 1/2"x5 1/2" TIMBER NAILED TO (1) 1 3/4"x5 1/2" LVL

- | NOTES |
|--|
| 1. CONTRACTORS BID TO CLEARLY INDICATE QUANTITY OF JOISTS TO BE REPLACED & JOISTS STRENGTHENED. PROVIDE UNIT COST FOR EACH. |
| 2. JOIST REPAIR QUANTITY IS BASED ON FIELD OBSERVATIONS FROM THE GROUND. CONTRACTOR TO VISUALLY OBSERVE ALL (E) PURLINS & REPLACE ANY BROKEN PURLINS WITH (2) 1 3/4"x5 1/2" LVL. |
| 3. REPLACE ROLLED PURLINS THAT ARE MORE THAN 15° OUT OF POSITION. |
| 4. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS. |

INGENIUM DESIGN

INGENIUM DESIGN, US

PROFESSIONAL STRUCTURAL ENGINEER

PAUL W. McMULLIN

353895

10/09/2019

STATE OF UTAH

ROOF FRAMING PLAN
JUDGE ROOF STABILIZATION
JUDGE MINING & SMELTING BUILDING,
EMPIRE PASS (DEER VALLEY, UTAH)

REV	DESCRIPTION	DATE	BY
0	FOR CONSTRUCTION	2019-10-8	M. GUSTAFSON

PROJECT #: 19_077
PRELIMINARY
DATE: 2019-10-8
DRAWN: M. GUSTAFSON
ENG: P. McMULLIN
PHONE #: 801.413.7672

1 GANG @ DOUBLE LVL
S201 NO SCALE

2 SISTER GANG DETAIL
S201 NO SCALE

3 TYPICAL BRIDGING
S201 NO SCALE

4 PURLIN CONNECTION @ TRUSS
S201 NO SCALE

5 PURLIN PERPENDICULAR TO CONCRETE WALL
S201 NO SCALE

6 JOIST PARALLEL TO CONCRETE WALL
S201 NO SCALE

7 PURLIN PERPENDICULAR TO CONCRETE WALL
S201 NO SCALE

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("Agreement") is made and entered into effective as of the ____ day of _____, 2019, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation and body politic ("City"), and EMPIRE PASS MASTER OWNERS ASSOCIATION, INC., a Utah nonprofit corporation ("Association"), each a "Party" and collectively the "Parties" herein.

Recitals

A. The area known as Empire Pass ("Empire Pass") is a residential mountain development located in Park City, Summit County, Utah, a portion of which is located within the boundaries and jurisdiction of the City.

B. Empire Pass is governed by the covenants, conditions, and easements set forth in that certain *Certificate of Amendment and Amended and Restated Master Declaration of Covenants, Conditions and Restrictions of Empire Pass* recorded on December 14, 2004 as Entry No. 719855 in Book 1666 at Page 1054 in the records of the Summit County Recorder, as amended and supplemented from time to time (collectively, "Declaration"). The Association is a Utah nonprofit corporation organized to administer and enforce the terms of the Declaration and to exercise the rights, powers, and duties set forth in the Declaration.

C. Development within Empire Pass is governed by that certain *Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and Iron Mountain* entered into by and between United Park City Mines Company, Deer Valley Resort Company, and Park City Municipal Corporation, a third class city of the State of Utah, and recorded on March 2, 2007, as Entry No. 806100 in Book 1850 at Page 1897 in the records of the Summit County Recorder, as amended or supplemented from time to time ("Development Agreement").

D. The Development Agreement required the Developer, as such term is defined in the Development Agreement, to develop a Historic Preservation Plan, which said 127 page Historic Preservation Plan was prepared by SWCA, Inc., on August 2000 and is entitled, *Historic Preservation Plan for Flagstaff Mountain Association, Park City, Summit County, Utah*, as amended or supplemented from time to time including by that certain *Historic Preservation Plan, Exhibit 6* dated May 2001 (and subsequently Revised and Approved December 2001)(collectively, the "Historic Preservation Plan"). The *Historic Preservation Plan, Exhibit 6* dated May 2001 (and subsequently Revised and Approved December 2001)("Exhibit 6") identified historic preservation work needed at 21 historic mining sites within the Flagstaff Mountain Annexation Boundary and specified that the master homeowner association was responsible for maintaining any site that was not part of an ongoing operation.

E. The Parties desire to enter into this Agreement to set forth a plan for the Association to address the Maintenance, as defined herein, needs of certain historic mining sites thereby satisfying the requirements of the Historic Preservation Plan for the time periods set forth herein.

NOW THEREFORE, in consideration of the foregoing Recitals and the mutual covenants set forth herein, the Parties agree as follows:

1. Recitals. The Recitals A through E are incorporated herein and made a part hereof.

2. Definition. As used herein, the term "Maintenance" or "Maintain" shall mean the maintenance work required to stabilize a structure to arrest decay but not to stop a structure's decay completely. The term "Maintenance" or "Maintain" does not require that any work be performed to make a structure habitable or compliant with any code, regulation, statute, or law. The term "Maintenance" or "Maintain" refers to recommended repairs, stabilization and public protection options in Exhibit 6, and does not require that a structure be restored to habitability.

3. Payments. Association agrees to cause the following payments to be made, within 30 days of execution of this Agreement as follows:

(a) To Park City Museum & Historical Society, the amount of Sixty-Five Thousand Dollars (\$65,000), to reimburse the society for amounts expended in preserving the Little Belle Mine Ore Bin facilities in summer 2018.

(b) To City, from Storied Deer Valley LLC, a Delaware limited liability company ("Storied"), and Redus Park City, LLC, a Delaware limited liability company ("Redus"), the amount of Forty Thousand Dollars (\$40,000.00) each, for a total of Eighty Thousand Dollars (\$80,000.00), to be held by City in escrow for costs incurred by the Association in completing the roof stabilization and related structure protection work at the Judge M + S building during the summer of 2019, and other priorities identified by the Director and agreed to by the Association.

(c) The escrow described in Subsection 3(c) shall be distributed to Association, by City, within 14 days of Association supplying City with evidence of paid invoices for work performed on the Judge M + S building, and other priorities identified by the Director and agreed to by the Association.

4. Process for Determining Maintenance Work to Be Done on Sites. From 2019 through 2029, the Association agrees to meet with the City's staff ("Staff"), at a minimum, once a year, on or before each March 1st (the "Annual Meeting") to discuss prior construction season's Maintenance work and project prioritization and scope of any Maintenance work ("Scope of Work") to be done during the upcoming construction season on any historic mining sites identified on Exhibit 6, with a priority being those projects identified on Exhibit "A" hereto ("Sites"). The Parties acknowledge that the Sites upon which it was mutually agreed that Maintenance work would take place are not located on land owned by or under long term lease to the Association. Notwithstanding any other provision of this Agreement to the contrary, the Parties agree that this Agreement shall be applicable to those Sites to the extent that legal access is provided to the Association, and as may be required to permit the Association to satisfy its obligations hereunder.

- (a) At each Annual Meeting, the Parties shall discuss, at a minimum, the following:
- (i) Review of the process, timeline and costs associated with the most recent construction season's project(s);
 - (ii) Determination of Scope of Work, process, responsibility and timeline for documenting and recording the project's work;
 - (iii) Determination if additional work is needed for the following year for the recently maintained, stabilized or completed Site(s);
 - (iv) Review of potential need to secure any Sites to which no Maintenance work has been done in order to deter vandalism, damage or destruction, or to stabilize such Sites;

- (v) Assessment of remaining funds and identification of funding strategies for the next year's budget;
- (vi) Review and update of projects and Sites;
- (vii) Preparation by the Staff, after consultation with the Association, of an annual report to the Community Development Director;
- (viii) The results of City inspection of the Sites to evaluate their condition and potential work to be performed;
- (ix) Selection of projects for upcoming construction season;
- (x) Communication and coordination, as necessary, with the Friends of Ski Mountain Mining History ("FSMMH"); and
- (xi) Determination of the necessary permitting process, including timelines and responsible parties.

(b) After the completion of the meeting, the Parties shall agree on the Scope of Work to be done during the upcoming construction season.

5. Performance of Work on Sites.

(a) Upon the agreement by the Parties of the Scope of Work to be undertaken during each construction season, Association shall be responsible for project management, oversight and payment of contractors. Association shall provide City with project accounting at end of each construction season.

(b) Unless otherwise agreed in writing, the Association shall be the contracting party on the mutually agreed Maintenance work on the Sites. The Association may apply its customary policies, procedures and requirements, including without limitation, insurance and workmen's compensation requirements, to all contractors, subcontractors and materialmen working at a Site or accessing a Site through Empire Pass.

(c) In connection with, or prior to, any work being performed, the Association shall submit work plans and cost estimates to a City-employed individual designated by the Staff. Association shall be responsible for processing and payment of invoices for approved Scope of Work. In the event that any work is performed directly by Association, Staff shall review and approve any payments to Association from Maintenance Funds. At its option, the Association may also require lien/payment bond waivers from contractors paid from previous draw requests or disbursements (e.g., lien waivers provided "in arrears"), in accordance with ordinary and customary construction practices.

6. Inspection, Maintenance, and Securing of Sites. The obligation to inspect the Sites for the purposes of this Agreement shall be upon the City, and the Association shall have no obligation to inspect or to monitor the Sites. Each construction season, Association shall diligently pursue the completion of Scope of Work agreed to in the Annual Meeting with Staff. To the extent funds on hand are not sufficient to pay for contemplated annual Scope of Work, the Association and City will agree on a revised "Scope of Work" and estimated cost budget for such Maintenance work for the upcoming year based on funds available, subject to the following terms and conditions:

(a) On an annual basis for ten (10) years, on or before May 1st each year, the Association shall contribute half of the annual amount required to establish a maintenance fund in the amount of Forty Thousand Dollars (\$40,000.00) ("Maintenance Fund"). In consideration of the Association entering into this Agreement, the City agrees to forego, annually, Twenty Thousand Dollars (\$20,000.00) of "Open Space/Transit Management Fee" ("OSTM Fee") income owed to the City each year from transactions according to Section 7.15 of the Declaration. OSTM Fee income foregone by City shall be added to the Maintenance Fund and City shall allow the Association to utilize such OSTM Fee money for purposes of discharging the obligations described in this Agreement. The Association shall have the option, in its sole discretion, to pay all or a portion of its annual maintenance contribution in advance, and to credit the amount of prepaid maintenance contributions against the next year's or years' maintenance contributions that would otherwise be payable by the Association.

(b) The Association's initial obligation to contribute towards the Maintenance Fund shall be ten (10) years from the first maintenance contribution by the Association. On or before the ninth (9th) anniversary of the first maintenance contribution by the Association, the Parties agree to meet to discuss future ongoing funding levels appropriate to continue to satisfy Association's obligations under Exhibit 6 to the Development Agreement, and a possible extension of this Agreement in furtherance thereof. Unless otherwise agreed, the Association and City contribution shall automatically renew for an additional ten (10) years, provided that the total annual Maintenance Fund amount shall be reduced to \$20,000.00 (\$10,000 each) unless otherwise agreed by the Parties.

(c) The Association shall have the right, but not the duty, to spend monies out of the Maintenance Fund on other historical mining projects other than the Sites so long as such historical mining projects are located within the boundaries and jurisdiction of the City and such expenditure is approved in advance by both the Association and the City. After the first ten (10) years, the Association shall have the right, but not the duty, to spend monies out of the Maintenance Fund for open space responsibilities, including funding for the Conservation Easement grantees [City and Summit Land Conservancy] consistent with express purposes of the OSTM pursuant to the Development Agreement, and Open Space Technical Report.

(d) Maintenance contributions made by the Association for these purposes during this ten (10) year period which are not spent for such purposes within the calendar year in which they are contributed will be carried over and combined with the maintenance contribution for the following year, to be applied toward the mutually agreed Scope of Work for the following year, so that yearly maintenance contributions can accumulate to fund larger Maintenance projects, if necessary. Maintenance contributions will be held by the Association in the Maintenance Fund, and disbursed to pay for work upon mutual agreement of the Association and Staff.

(e) Unless otherwise agreed in writing between the Parties, the Association shall be the contracting party for all required Maintenance work to be performed for the agreed ten (10) year period on Sites, and the Association may require such licenses, bonding, insurance and other conditions and requirements for third parties performing such work on behalf of the Parties as the Association customarily imposes on third party contractors working at Empire Pass. The City shall waive any permit, inspection and other fees applicable to work contracted for by the Association or the City pursuant to this Agreement. Nothing in the Association's status as the "contracting party" shall impose any payment obligations or other financial liability on the Association, except as otherwise expressly set forth herein with respect to the maintenance contribution described above. The Association will use reasonable efforts to solicit three (3) quotes for any third party work and will inform the City Implementation Department of the status of any solicitation for work.

(f) Nothing herein shall be deemed to impose any obligation or legal liability on the Association for Maintenance of Sites, except as expressly provided in the Development Agreement/ Historic Preservation Plan and as mutually agreed between the Association and the City, and no ongoing obligations beyond those exist.

7. Obligations of the Parties. The Parties agree that no later than six (6) months after execution of this Agreement by the Parties, the Parties shall have worked in good faith to prepare and shall have executed an updated historic preservation plan identifying outstanding work requirements on the Sites (the "New Exhibit"). The update will take the form of an amendment to Exhibit 6, and require Planning Commission public hearing and approval, and a written acknowledgment of acceptance from both Parties.

8. Long Term Maintenance License(s) and Access Rights. Association and City shall make best efforts to secure long term maintenance and access rights required for Association to perform maintenance work on third party Sites as prescribed in Section 4 of this Agreement. Association will be the initial point of contact with applicable property owners.

9. Open Space Obligations. To clarify management responsibilities assigned under Section 4.4 of *Flagstaff Mountain Resort Open Space Management Plan, Exhibit 5* dated May 2001 (and subsequently Revised and Approved December 2001)("Exhibit 5"), the Parties hereby agree and acknowledge that the Association is only responsible for managing any open space areas owned by the Association.

10. No Assumption of Environmental Liability. Nothing in this Agreement or in the Association's acting as contracting party for any of the work contemplated by this Agreement, shall be deemed an assumption of, or impose any liability on the Association, financial or otherwise, for any environmental remediation or clean-up related to the Sites, or the pre-existing conditions thereon.

11. Due Authorization and Execution. Each Party hereto represents and warrants to the other Party that execution and delivery of this Agreement has been duly authorized by all necessary action.

12. Successors and Assigns. The terms, covenants and conditions of this Agreement shall be binding on and inure to the benefit of the successors and assigns of the Parties.

13. Notices. All notices under this Agreement must be in writing and delivered to the notice address below (i) by registered, express, or certified mail, (ii) by courier or messenger service, or (iii) by electronic mail with acknowledgement of receipt. Notice is deemed given on the date delivered or attempted but delivery is refused.

If to the Association:

Empire Pass Master Owners Association, Inc.
Attn: President
4188 SR 248
P.O. Box 99 Kamas, Utah 84036

With a copy to:

Douglas C. Shumway, Esq.
Miller Harrison Lawyers
50 W. Broadway, Ste 450

Salt Lake City, UT 84101

If to the City:

Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060
Attention: Planning Department

With a copy to:

Park City Attorney's Office
PO Box 1480
Park City, Utah 84060

Either Party may change its addresses for notices pursuant to a written notice which is given in accordance with the terms hereof. The foregoing notice requirements are subject to the provisions below. As used herein, the term "business day" shall mean any day other than a Saturday, a Sunday, or a legal holiday for which U.S. mail service is not provided. Whenever any date or the expiration of any period specified under this Agreement falls on a day other than a business day, then such date or period shall be deemed extended to the next succeeding business day thereafter.

14. No Third Party Beneficiaries. Nothing in this Agreement is intended to create an enforceable right, claim or cause of action upon any third party that is not a Party to this Agreement, with the exception of the intended third party beneficiaries Redus Park City LLC and Storied.

15. Miscellaneous.

(a) Counterparts; Facsimile Transmission. This Agreement may be executed by facsimile and/or in any number of counterparts, any or all of which may contain the signatures of less than all the parties, and all of which shall be construed together as but a single instrument and shall be binding on the parties as though originally executed on one originally executed document. All facsimile counterparts shall be promptly followed with delivery of original executed counterparts.

(b) Due Authorization and Execution. Each Party represents and warrants to the other Party that execution and delivery of this Agreement have been duly authorized by such Party, and that this Agreement is valid and binding upon such Party. This Agreement is subject to approval by the City Council within forty-five (45) days of execution.

(c) No Partnership. The parties do not by this Agreement, in any way or for any purpose, become partners or joint venturers of each other in conduct of their respective businesses or otherwise.

(d) Severability. If any clause or provision of this Agreement shall be held to be invalid in whole or in part, then the remaining clauses and provisions, or portions thereof, shall nevertheless be and remain in full force and effect.

(e) Waivers and Amendments. No provision of this Agreement may be waived to any extent unless and except to the extent the waiver is specifically set forth in a written instrument executed by the Party to be bound thereby. This Agreement may be amended or modified only by an instrument to that effect executed by the parties hereto, and only to the extent expressly set forth therein.

(f) Captions. The captions of each section are added as a matter of convenience only and shall be considered of no effect in the construction of any provision of this Agreement.

(g) Attorneys' Fees. If any Party hereto shall bring any suit or action against another for relief, declaratory or otherwise, arising out of this Agreement, the prevailing Party shall have and recover against the other Party, in addition to all court costs and disbursements, such sum as the applicable court may adjudge to be reasonable attorneys' fees.

(h) Governing Law. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Utah.

(i) Time of the Essence. Time shall be of the essence with respect to the performance and observance of the covenants, agreements, terms, conditions and provisions set forth herein.

(j) No Default. Upon their execution of this Agreement, the Parties each acknowledge and agree that neither the Association, nor Redus, nor Storied are in Default under the Historic Preservation Plan. So long as the Parties perform the obligations set forth in this Agreement, including diligently pursuing any additional maintenance or preservation work identified in the New Exhibit with available funding from the Maintenance Fund, there shall be no default under the Historic Preservation Plan.

(k) Interpretation of this Agreement. The Parties agree that the purpose of this Agreement, with its New Exhibit, shall be to modify, clarify and implement the Historical Preservation Plan and to confirm the responsibilities for implementation of the preservation purposes described in the Development Agreement.

[Remainder of page intentionally left blank]

[Signatures on following pages]

EXECUTED AS OF THE DATE FIRST WRITTEN ABOVE.

"CITY"

Park City Municipal Corporation, a Utah
municipal corporation and body politic

By: _____
Mayor

Attest:

By _____
City Recorder

Approved as to Form:

By _____
City Attorney's Office

"ASSOCIATION"

EMPIRE PASS MASTER OWNERS ASSOCIATION,
INC., a Utah non-profit corporation

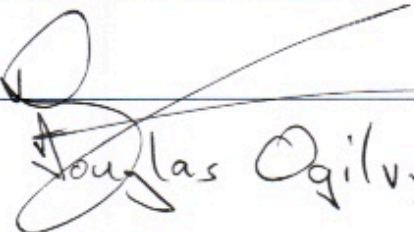
By:  _____
Douglas Ogilvy, Pres.

EXHIBIT "A"

SITES-

a) *Judge Mining & Smelting Company Office*. Because this structure is owned by a third party, any Maintenance required on this structure is contingent on the Association having secured easements from the third party owner to perform such Maintenance work. The Parties will work together to determine the scope of the required roof repair and other required Maintenance efforts.. The Parties agree that the Association's Maintenance efforts will be limited to the building structure, and that the Association shall not be required to restore the interior in any way or to pursue any adaptive reuse of this structure.

b) *Daly West Mine Fire Hydrant Shacks*. The Parties hereby agree that this structure is still in good condition. There is no apparent need for immediate work other than ongoing Maintenance. Because this structure is owned by a third party, any Maintenance required on this structure is contingent on the Association having secured easements from the third party owner of the structure to perform such repair work.

c) *Little Bell Mine Ore Bin*. The Parties hereby agree that this structure is still in good condition. There is no apparent need for immediate work other than ongoing Maintenance. Because this structure is owned by a third-party, any maintenance required on this structure is contingent on the Association having secured easements from the third-party owner of the structure to perform such repair work.

d) *Interpretive Signs*. The Parties hereby agree that the Association shall install, maintain, and replace those interpretive signs agreed to by the Parties in fulfillment of interpretive signage obligation in the Historic Preservation Plan.

From: Sally Cousins Elliott [mailto:sallycousinselliott@gmail.com]
Sent: Wednesday, December 12, 2018 12:22 PM
To: Sally Elliott
Subject: Tonight-Planning Commission

Tonight (Wednesday) at 5:30 Torch, Sandra and I are going to Planning Commission at Marsac to ask that we have a conversation about the Flagstaff Agreement from 1999. Sandra prepared the attached remarks and we hope to present our case early, though we might have to wait until later in the meeting. I plan to take my knitting just in case. I know it's holiday season and the roads are bad, but if you can join us there, it would send a strong message.

I'm hoping you can join us.

--

Sally Elliott
2690 Sidewinder Dr.
Park City, UT 84060
phone: 435-640-3759
sallycousinselliott@gmail.com

Planning Commission December 12, 2018

Thank you for allowing the public input tonight

I want to discuss the actual requirements in the Flagstaff Annexation and Development Agreement adopted in June 1999.

I recently had a long conversation with Nann Worel regarding the historic preservation requirements of the Flagstaff Annexation and Development Agreement and the absence of any stabilization or preservation efforts since its adoption almost 20 years ago. My frustration with all the conversations and meeting with various staff with no actual results – no lumber going up, nothing stabilized. She advised that at the next agenda item for Flagstaff, I come to Planning Commission and express this concern.

We all agree that this application is subject to all the restrictions and conditions of the **Flagstaff Annexation and Development Agreement and Technical Reports.**

As stated on:

- Conditional Use Criteria #16
“16. The application is subject to the restrictions and conditions of the **Flagstaff Annexation and Development Agreement.**”
- Findings of Fact #9:
“9. The property is subject to the **Flagstaff Mountain Annexation and Development Agreement** approved by City Council on June 24, 1999, as well as associated **Technical Reports.**”
- Conditions of Approval #17:
“17. **Conditions of approval of the Flagstaff Annexation**

**and Development Agreement and Technical Reports
continue to apply, . . .**

Since submitting my public input letter – Exhibit P – staff have concluded in this staff report:

“There are no known historic sites or structures located on subject CUP property.” This statement demonstrates the lack of understanding of what the Annexation and Development Agreement was designed to achieve. I’ll come back to this statement in a minute.

What does the annexation Agreement require?:

Page 7-8

Section 2.1 DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain.

This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities, and is subject to all normally-applicable City processes including DEVELOPER's responsibility, ...to submit and ultimately to obtain City approval of satisfactory plans detailed below:

2.1.1 Mine/Soil Hazard Mitigation Plan;

...

2.1.5 Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

...”

All three of these plans (now known as the Technical Reports) address retaining and saving the historic mine sites.

Section 2.9 Flagstaff Mountain Mitigation/Amenities: *the DEVELOPER-offered amenities* are identified.

On Page 18 – I quote: "the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement.”

Thereafter follows a listing of the community benefits offered by the Developer that included constructing public trails, parking lot at Richardson Flat, limiting wood burning fireplaces to one per home, putting a conservation easement on the land designated open space, etc. These amenities continue in section 2.9.3 (see pages 19-20):

“ 2.9.3 **Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.”

Technical report #6 is that **Historic Preservation Plan** which was approved in December 2001.

Under Executive Summary on page 1 the report states:

“The Historic Preservation Plan dated August 2000 is a 127-page detailed document produced for Flagstaff Mountain by SWCA, Inc., Environmental Consultants.

Accompanying this plan summary is a chart that reviews the same information in an abbreviated format. It includes a brief description of every important site within the Boundary, together with a short history, an overview of the existing conditions, and recommendations for preservation work associated with each.

Additionally, the chart includes information regarding a proposed phasing timeline for restoration or remediation of the sites together with a proposed signage format.”

The chart differs at various times from the full page report – a serious discrepancy that needs correcting.

But more importantly the Executive Summary goes on to state:

“Concurrent with the first CUP authorizing construction of residential units, FMP (Flagstaff Mountain Partners) will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features.”

I’ve asked staff if this “plan detailing the stabilization” was ever submitted but I haven’t received a response. This is an important document! --that I suspect was never submitted. Remember this requirement as I’ll come back to it.

I think we can all agree that **no** stabilization or preservation efforts have happened at the now Empire Pass Development, although the required Inventory identified **twenty-two (22)** historic mine sites.

The Details are actually in the Three technical reports

- The first technical report is #6: the Historic Preservation Plan – Here’s two examples:

1. Little Bell Ore Bin

one of the 22 sites identified in the plan. The summary “chart” on page 3 of technical report #6 provides the plan for the Little Bell Ore Bin:

“Existing Conditions: The overall effect of the damage to the ore bin is that the entire structure is supported only by the central supportscreating a precarious and dangerous situation.”

“Work recommendation: With the first phase of the Flagstaff development, the Little Bell Ore Bin will be provided a permanent shelter in the form of all-weather roofing.... Additional building stabilization will occur in the summer of 2001.”

“General notes: Since the condition of this structure poses a safety hazard, actions should be taken as soon as possible to temporarily stabilize the structure until permanent repairs can be made.”

Four pages of the Full report are dedicated to describing the mitigation/stabilization work and give the work “High” priority. Interestingly the full report does not mention a permanent shelter in the form of all-weather roofing.

The Developer never performed any of the planned preservation work, and there is no permanent shelter with the all-weather roofing.

Instead 17 years later, this summer, the Park City Museum and our volunteer committee Friends of Ski Mountain Mining History – realizing it was now or never to save this fabulous mining structure. We’ve spent \$60,000 -- hiring Calder Richards Engineering to develop construction plans and Contractor Clark Martinez to stabilize the structure. The now-stabilized Little Belle Ore Bin currently stands proudly on Bandana ski run for everyone to enjoy for decades to come!

2. Judge Mining & Smelting Office:

“Work recommendation: The building site will be cleaned of debris in summer 2001. With the first phase of the Flagstaff development, the restoration of the building will be initiated. . . .After restoration, the building is anticipated to serve as an office and recreation uses for the Flagstaff development.”

8 pages (pp. 85-93 in the full report) describe the stabilization/preservation work at the Judge office building in detail. However, and again, **none of the recommended work was done by the Developer.**

The historic mine structures are also identified in the other technical reports attached to the Flagstaff approval.

- There are also Specific Requirements in the Flagstaff Development Agreement for PHYSICAL MINE HAZARD MITIGATION PLAN

Technical report –#1

Here's an example: page

Site #11 Daly West

“Recommended further action:

Fencing, removal, stabilization or other security measures for dilapidated structures.”

A fence has been installed, but no stabilization of the Daly West mine occurred. So shaft has collapsed and the headframe has toppled.

Site #21 Little Bell ore bin is identified as a Potential Physical Hazard that includes a dilapidated wooden structure and the report recommends the action of **stabilizing the structure**.

- There are also specific requirements in the Flagstaff Development Agreement for OPEN SPACE MANAGEMENT that haven't been met

Technical Report – Exhibit 5: OPEN SPACE MANAGEMENT PLAN

recognizes the importance of the historic mine sites and designates them as PROTECTED OPEN SPACE

According to the report in Section 4.2

“Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics.”

“Another type of POS within the Plan Area is associated with specific cultural resource sites. **These include a number of mining sites considered sensitive due to their historic value,** vulnerability to vandalism, and/or the hazard they pose to an uninformed public (Figure 2). Brief descriptions of these sites and why they qualify for POS are provided in this plan. More detailed

management considerations for these sites are provided in the Flagstaff Mountain Resort Historic Preservation Plan (Exhibit 6 to this LSMPD).”

“The primary purpose of POS is to promote useable, public, non-improved, noncommercial, connected, and contiguous open space for community benefit; promote the preservation of undisturbed open lands; prohibit construction on ridge lines and steep slopes, or in wetlands, watersheds, and view sheds; **promote the preservation of historic sites**; and preserve the vegetation and habitat of natural areas. More detailed descriptions of the Recreational and Protected Open Space classes are provided below.”

Further Technical report #5 details say:

“The management objective of cultural resource POS is to **preserve and maintain the cultural integrity** of a given site.”

So back to the staff report and the statement that ““There are no known historic sites or structures located on subject CUP property.” None of the historic mine sites will ever be located on a property applying for approval since the Development Agreement has designated them all Protected Open Space – to preserve and maintain the cultural integrity of the historic site.

The Open Space Technical report #5 identifies ALL the same historic sites as the Historic Preservation Technical report #6 and reinforces the saving and retaining them. Two samples from the report – and I quote:

“4.2.3 Little Bell Mine Site

The Little Bell Mine Site contains an old ore bin with both historic and aesthetic importance. Consequently, this site is considered POS (Protected Open Space).Management of this site is expected to involve **stabilization of the ore bin”**

“4.2.6 Judge Mine Complex

As defined for the purposes of this Open Space Plan, the Judge Mine Complex consists of the Judge Drain Tunnel, the Judge Mining & Smelting Company office building, the Judge Mining & Smelting Company explosives bunker, a wooden house, the remains of the Daly-Judge Mill, and the Judge aerial tramway towers. **The historical and aesthetic importance of the office building, remaining rail tracks, and the explosives bunker and the huge industrial operation for which these and the other facilities are the only vestige warrant designation of this area as POS (Protected Open Space)..... Detailed stabilization, restoration, and management actions** are also provided in the HPP. These facilities, particularly the office building and wooden house, have been severely - vandalized. Thus, **at a minimum**, management will cautionary signage designed to educate the public on the historical importance of these facilities and foster a sense of stewardship in order to minimize future vandalism.”

The Developer hasn’t even achieved the “at a minimum” agreed-to requirements. Instead, this summer the Museum’s Friends of Mining volunteers partnered with Mountain Trails Foundation and spent a day to cleaning up the years of graffiti accumulation on this site.

- **Conclusion**

I’ll stop here. Obviously I could keep quoting all the requirements from the Historic Preservation Plan, the Opens Space Management Plan and the Physical Mine Hazards Mitigation Plan – technical reports #1, #5 and #6 of the Flagstaff Development Agreement.

The intent of the Flagstaff Annexation and Development Agreement was to stabilize and preserve the historic mine sites and historic mine structures.

We’re asking your help to finally make this happen. Development at

Empire Pass continues unabated with no discussion about the original commitment by the Developer to preserve our town's remarkable history. Instead these unique mine structures have fallen into such tremendous disrepair that we are in jeopardy losing them forever. The Daly West Headframe has been lying on the ground for two year now – amply demonstrating the peril.

Our mining history needs to be saved. It's too important as part of our town's history and culture to ignore any longer. Our mining history is what makes Park City unique and much is still physically here. But we are losing these Treasures to neglect. The Park City Historical Society & Museum and our volunteer committee Friends of Ski Mountain Mining History is working to save whatever we can. But we can't do it alone. We need everyone's help – especially the all the Developers who through the Flagstaff Development Agreement have committed to the stabilization, preservation and maintenance for future generations.

We ask for:

- A moratorium on approving any further development under the Flagstaff Development Agreement - no CUP or Plat amendments, no building permits, no grading, no remodels – Not until an agreement is put in place to actually meet these requirements.
- Staff will tell you there is another application on the horizon from a different property owner REDUS – who is the more responsible party. REDUS however, says they are not. The development Agreement makes **everyone** who owns property at Empire Pass responsible. The Agreement requirements remains with each and every piece of property as it is split and sold and with each and every developer that makes an application – not just the original developer.
- All the property owners belong to the Master Homeowners' Association. Bring them to the table. Give staff and the Association a date specific to come back with the agreement and that plan promised with the “first CUP” approval (remember that plan?) A plan not just addressing the details in Technical report #6 but all the technical reports including #1 and #5. Require this submittal to include a

business plan with cost estimates and specifics on where the funds will come from. For example, you could require the Master Homeowner's Association to apply a special assessment on each and every property owner to pay the costs for the next 20 years.

- Require a \$5 million bond or irrevocable letter of credit to be submitted prior to lifting the moratorium and issuance of any permits- so that the community of Park City is guaranteed the completion of Stabilization of the Historic Mine Sites per the technical reports - Historic Preservation Plan, the OpenSpace. Guaranteed that it will happen before these sites are all lost.
- Require the developer to reimburse the Park City Museum for the \$60,000 spent meeting his requirements to stabilize and maintain this historic structure.
- Continue this application and give staff direction tonight. If you approve this CUP and Plat amendment tonight, then you've set the precedent that NO developer is responsible.

The Park City Museum and our Friends of Mining volunteers will carry on. But our "bake sale efforts" will never generate the millions needed to save the Daly West, Judge, Alliance and many more.

From: Sandra Morrison [mailto:smorrison@parkcityhistory.org]
Sent: Monday, January 28, 2019 12:02 PM
To: Bruce Erickson
Cc: Mark Harrington; Anne Laurent; Hannah Tyler; Sally Cousins Elliott; 'paige anderson'
Subject: RE: Flagstaff Development Agreement Technical Reports.

Thanks for asking Bruce

Our Historic Mine Site sign program began in the summer of 1998 and was completed in the spring of 2000. It was not predicated or otherwise related to the Flagstaff Annexation and Development Agreement so I was stunned when, last month, I found the references to these signs (that already existed) in the Development's Historic Preservation Plan.

The genesis of the program was actually from the summer of 1998 when UPCMC demolished the Keith-Kearns Mill at PCMR. At that time, the mill was located in Summit County so not governed by any Historic Preservation ordinances. Sally Elliott called a meeting of the city and county representatives and Rory Murphy attended from UPCMC. The result was an education program to promote the importance of our historic mine structures with the hope that no more would be demolished. The Park City Museum and Summit County Historical Society applied jointly for Restaurant Tax funds (we received \$70,000 in 1999) and made interpretive signs for both Deer Valley and PCMR. Marianne Cone and Hal Compton (from the Museum) and Sally and myself (from Summit County) wrote the text, gathered the images, hired the designer and fabricator. We then gave the signs to Deer Valley Resort and PCMR to install. We did give a few signs to UPCMC to install since these sites were on their property -- some of which were never installed (and now seem to have gone missing?) We then partnered with Mountain trails to indicate on their trail map the location of these Historic Mine Sites. Sally even had the idea to publish a book about the Historic Mine sites -- I think she's still writing it.

This all happened in 1998-2000

At the time, UPCMC never represented any support (and we didn't expect any) which is why we applied for Restaurant Tax funds.

Our program was a joint venture of the Park City and Summit County Historical Societies and encompassed the entire of Park City (there are even signs at Silver Star).

Thank you for all your efforts. Please don't hesitate to contact me if you have additional questions.
Sandra

From: Bruce Erickson [mailto:bruce.erickson@parkcity.org]
Sent: Monday, January 28, 2019 10:17 AM
To: Sandra Morrison
Cc: Mark Harrington; Anne Laurent; Hannah Tyler
Subject: Flagstaff Development Agreement Technical Reports.

I will be meeting with the representatives of Storied and Redus tomorrow. Can you help me with the background on this question as I sort out the chain of responsibility? If UPK was supposed to be responsible at the outset for the sign program, why was the Museum asked to fund raise for the signs?

Bruce M. Erickson, AICP
Planning Director
Park City Municipal Corp.

From: Sally Cousins Elliott [mailto:sallycousinselliott@gmail.com]
Sent: Wednesday, February 13, 2019 1:18 PM
To: Sandra Morrison
Cc: Sarah Hall; Laura Suesser; John Phillips; Mark Sletten; Douglas Thimm; John Kenworthy; Christin VanDine; Bruce Erickson; Kirsten Whetstone; Donald Roll; paige anderson
Subject: Re: Public input for Wednesday February 13 Planning Commission meeting - 8680 Empire Club Drive

I add my thanks and gratitude to all for this amazing bit of cooperative agreement. We've all worked very hard to make it happen. I suspect our grandchildren will be quite grateful to us for making the effort.....and that's why I can't be with you tonight. They are arriving from Philadelphia this evening and need to be met at the airport. Cheers to all!!

On Wed, Feb 13, 2019 at 12:43 PM Sandra Morrison <smorrison@parkcityhistory.org> wrote:

Planning Commissioners:

My apologies for not being in town to attend the meeting tonight. I appreciate all your dedication to saving our town's mining history. Our mining history is what makes Park City unique and much is still physically here. The Park City Historical Society & Museum and our volunteer committee Friends of Ski Mountain Mining History is working to save whatever we can. But we can't do it alone. We are very pleased that the Developer is stepping up to keep their promises made in the Flagstaff Annexation and Development Agreement. Stabilization of structures at Deer Valley has been greatly aided by a proposed agreement with Park City Municipal and Empire Canyon Master Owners Association. Please find attached my letter giving additional public input.

Please don't hesitate to contact me with any questions.

Sandra Morrison
Park City Historical Society & Museum/Friends of Ski Mountain Mining History.

--

Sally Elliott
2690 Sidewinder Dr.
Park City, UT 84060

phone: 435-640-3759
sallycousinselliott@gmail.com

was not in the Park City's annexation boundary. Director Erickson replied that it was currently not in the boundary but it involves certain lands owned by Park City. Director Erickson clarified that he was not able to provide further information this evening because it was not on the agenda.

Director Erickson reported that the Planning Department was now fully staffed.

Chair Phillips asked if the Planning Commission is required to review the annexation boundary once a year or just whenever they feel it is necessary. City Attorney Harrington replied that they review it whenever they want. The Planning Commission has additional review requirements when they review the General Plan, but it is not an annual requirement.

Commissioner Sletten disclosed that he owns property at Tuhaye, which is one of the developments controlled by the applicant for 501 Heber Avenue. He had relinquished his club membership and no longer has an interest in the Club. Commissioner Sletten found no reason to recuse himself from discussion 501 Heber Avenue on the agenda this evening.

Commissioner Hall stated that she would be out-of-town for the July 10th meeting.

Commissioner Kenworthy disclosed that last weekend he had dinner at Courchevel. It was a soft opening and the event was free to everyone in attendance. It would not affect his decision this evening.

CONTINUATIONS (public hearing and continue to date specified).

1. Twisted Branch Subdivision – a final subdivision plat for 3 lots of record; Lot 1 for a City water tank, Lot 2 for an on-mountain private restaurant, and Lot 3 for a City pump station, subject to the 2007 Flagstaff Annexation and Development agreement and Technical Reports (Application PL-17-03664)

Director Erickson requested that the Planning Commission continue this item to August 28, 2019 to give the Staff the opportunity to clear up final legal and survey matters on the property.

Chair Phillips opened the public hearing.

Sandra Morrison with the Park City Museum addressed the Museum's concerns regarding the application. As stated in the Staff report, the application is subject to the

2007 Flagstaff Annexation and Development Agreement; and Technical Reports. Ms. Morrison stated that as discussed at previous meetings, the requirements of the Technical reports for Historic Preservation and Open Space have not been met for almost 20 years since the adoption of this Agreement in 2007. She noted that in February 2019, the Staff proposed a Memorandum of Agreement, and she asked if that MOA had been signed.

Director Erickson replied that the applicant had signed the Memorandum of Agreement. The City had not signed the MOA because they were still working through some of the details.

Ms. Morrison thought the Memorandum of Agreement was a great solution and she thanked the Staff for proposing it. However, her biggest concern was that the proposed MOA that the applicant signed waters down the restrictions and conditions that were originally established in the Flagstaff Annexation and Development Agreement, and in the Technical Reports. Ms. Morrison had specific concerns with the Article that requires the developers to install a new roof. She was concerned that in 20 years they would once again be lamenting the sorry deteriorated condition of this historic building. She noted that the original Flagstaff Annexation Agreement required the developer to do a full restoration of the building. The cost estimates she obtained were approximately \$230,000. Ms. Morrison wanted to know why the City was not standing by its original requirement instead of watering it down.

Ms. Morrison stated that the other provision in the Memorandum of Understanding was that the Staff had identified the open space and transit funds as an appropriate source of funding for the long-term maintenance and much overdue stabilization if required. She remarked that the MOA provides \$40,000/year for ten years. Ms. Morrison questioned whether \$400,000 over ten years was enough to cover the costs of everything that needed to be done right now. Ten years from now the costs would be higher. Ms. Morrison stated that the cost for doing Little Bell was \$65,000. She did not believe \$40,000 the first year would not be enough and they would have to wait for the second year when they have \$80,000 to even start. Ms. Morrison stated that \$40,000/year delays any stabilization efforts another ten years, which results in 30 years of deferred maintained.

Ms. Morrison stated that last year volunteers spent an entire day cleaning the graffiti off the outside of the building, and they received an award from the Historic Preservation Board for their efforts. She was at the Alliance Mine Building today and the graffiti is back. Ms. Morrison remarked that in discussions with the police, they were told that if the City owned the building the police could monitor it with security cameras. They

would fall under that provision if the City had the easements, which is also a requirement in the Flagstaff Annexation Agreement. However, the City has never received those easements.

Ms. Morrison urged the Planning Commission to keep moving forward to get the preservation work done. She thought it was important to make the most of this opportunity. Ms. Morrison had estimated a cost of \$550,000 for the structures covered in the Flagstaff Annexation Agreement. A number of other structures are not covered by any agreement and there is no source of funding for those structures at all. If the City is willing to recognize that the open space and transit fund is an appropriate use of these funds, she suggested that the City provide a larger share of those funds to take care of all the historic mining structures. Those structures deserve the respect, care, and attention they all talk about. Ms. Morrison stated that the Museum and the Friends of Ski Mountain Mining History cannot do the required preservation work with the bake sale approach they have managed to this point. They can do the smaller things but they will never have enough money to do the Judge Office Building, the Alliance Mine, or the Daly West Headframe that has been lying on the ground.

Ms. Morrison urged the Planning Commission to take a good look at the Memorandum of Understanding to ensure that it will do exactly what they want it to do; and to get it done sooner rather than later.

Chair Phillips closed the public hearing.

MOTION: Commissioner Kenworthy moved to CONTINUE the Twisted Branch Subdivision to August 28, 2019. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

VI.A 201 Heber Avenue – Conditional Use Permit (CUP) - The Applicant is requesting to use a portion of the new restaurant area as a Private Residence Club, Off-Site. This is a Conditional Use within the Historic Recreation Commercial Zoning District.

Planner Laura Kuhrmeyer reviewed the request for a private residence club off-site in the lower level of the Coal and Lumber Building.

To: Planning Commission, Planning Department
From: Sandra Morrison, Park City Museum
Date: August 26, 2019

Subject: Twisted Branch Subdivision, Plat Application
Hearing Date: August 28, 2019

Dear Planning Commissioners,

The current Twisted Branch Subdivision plat application cannot be approved because it is NOT in compliance with the covenants, conditions and restrictions of the controlling 2007 Flagstaff Annexation and Development Agreement and associated Technical Reports.

In particular, the "Memorandum of Agreement," Exhibit Q, conflicts with and diminishes the requirements for historic preservation that are specified by the controlling Flagstaff Development Agreement, and which continue to apply. There is no justification nor public benefit for eliminating these requirements which were important considerations for the original approval of the Flagstaff Development.

Therefore, we ask that you postpone approval of this subdivision plat application until the "Memorandum of Agreement" can be thoroughly reviewed and made consistent with the requirements of the controlling Development Agreement.

I. The Controlling Flagstaff Development Agreement Contains Specific Requirements for Historic Preservation

All parties agree that the controlling documents are the Flagstaff Development Agreement, as amended (Exh. C), and the accompanying "Technical Reports" (Exh. D).

1. As stated in the staff report, these Technical Reports include: #6 - Historic preservation [Exh. D, Volume 1.5 of 2, page 1] , and #5 Open Space [Exh. D, Volume 1 of 2, page 320]
2. Technical Report#5 - Open Space defines the historic mine sites and buildings as Protected Open Space. I quote:
Page 1 - Executive Summary: "Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics...
Section 1.2 The primary purpose of POS is ... **promote the preservation of historic sites...**"
3. As also stated in the staff report (Finding of Fact No. 42.) , "The Historic Preservation Plan, Exhibit 6 ... identified historic preservation work needed at **21 historic mining sites** within the Flagstaff Mountain Annexation Boundary

and specified that the master homeowner association was responsible for maintaining any site that was not part of an ongoing operation.”

Plainly, the intent and the express provisions of the Flagstaff Development Agreement were to **preserve the historic mine sites and buildings in perpetuity**.

Nevertheless, these requirements in the two Technical Reports **have not been met** over the almost 20 years since the adoption of this Agreement.

II. The Proposed MOA Dilutes and Removes the Requirements of the Controlling Development Agreement for Historic Preservation

The proposed Memorandum of Agreement (MOA), Exhibit Q in your packet, was created so that this application and all future applications submitted under the Flagstaff Development Agreement (from any developer not just REDUS) would achieve substantial compliance for the requirements outlined in the Technical Reports #5 and #6.

However, the proposed MOA significantly dilutes the conditions of the Development Agreement and Technical Reports #5 and #6. Is this Planning Commission’s intention?

A. The Judge Mining & Smelting Building

1. Current Obligation

What specifically is this applicant/developer REDUS’ existing obligation as stated in Technical Report #6 for the Judge M + S Building?

Preservation Plan Chart, page 1 of 5: Historic Sites and Preservation Plan – Chart: Judge M + S Building:

“ With the first phase of the Flagstaff development, the restoration of the building will be initiated.... After restoration, the building is anticipated to serve as an office....”.

This is an existing agreed-to obligation under the controlling Development Agreement, which Park City accepted in approving the Development, and is enforceable under the express terms of Development Agreement. Why not have the Developer abide by the terms and conditions it has assumed under the Development Agreement and keep their promise and restore this historic building?

The Judge M + S Building certainly deserves this attention! Our mining history is what makes Park City unique and the Judge M + S Building is a very significant and beautiful historic building. It’s an important part of our town’s history and heritage that’s constantly explored by hikers, bikers, snowshoers, cross country skiers. But we’re tragically losing this treasure to neglect. Currently the area is vandalized and blighted with a rusty old

trailer on site, garbage, graffiti and broken windows. Could the users of the trailer move into the restored Judge M + S Building? Then the ugly trailer could be removed permanently. The building is directly adjacent to a City's water source, the Judge Tunnel – maybe the water department could use the building as an office? With a restored building occupied by a tenant, the site would be maintained and graffiti and garbage eliminated. Surely that's what we want to achieve? Surely that how we want to celebrate our mining history?

2. Diminished Obligation in the Proposed MOA

Instead, we're settling for a possible new roof for the Judge Building. Section 3(b) of the MOA only requires the developer REDUS and the developer Storied each deposit \$40,000 into an escrow account. Why? Is this sufficient for a new roof?

The MOA also states the "roof stabilization and related structure protection work at the Judge Mining building during the summer of 2019." But it is now August. Has the work begun? A building permit applied for?

Further, has it been determined that this extremely deteriorated historic building can hold the weight of a new roof? And with snow? This developer has already failed to meet the requirements of this proposed MOA (i.e., roof stabilization during summer of 2019), and the application isn't even yet approved.

Also, Section 3(b) obligates the Empire Pass Master Owners Association to complete the roof stabilization work, not REDUS and Storied. Why? REDUS and Storied are developers. They are amply qualified to restore the Judge M + S Building. Escrow is fine, but surely the developers need to do this work, not a homeowners association.

Please put the restoration of the Judge M + S Building into the Conditions of Approval of this application, and with an actual completion date of December 31, 2020.

3. Full Restoration of the Judge Office Building Should be Required

The structural engineer consulted by the Museum estimated a full restoration of the Judge M + S Building at \$350,000. Two developers are recognized in the MOA – REDUS and Storied Development. Storied Development is currently constructing 11 condominiums in Empire Pass at a cost of \$50million. The cost for restoring the Judge M + S Building isn't even 1% of the budget for their project. REDUS and Storied development can amply share the cost in their construction contingency budgets, but if needs be, they could seek contributions from other Empire Pass developers.

There is simply no justification for not enforcing the controlling Flagstaff Development Agreement's conditions for preservation of this historic mining gem.

The restoration of the Judge M + S Building should be a required Condition of Approval for this application, and with a completion date of December 31, 2020.

B. Historic Preservation and Maintenance Generally

1. Current Obligations Under the Development Agreement

The preservation and restoration of the Judge M + S Building was only one of the obligations the Flagstaff Developers agreed to undertake in the Flagstaff Development Agreement (2007) [Exh C.], in Section 2.9 Flagstaff Mountain Mitigation/Amenities.

This section specifies on pages 19-20:

2.9.3 Historic Preservation. The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.”

Who decided we didn’t want the historic preservation amenities anymore? We required the other amenities - the public trails, parking lot at Richardson Flat, the conservation easement. But we don’t want the agreed to amenities of section 2.9.3 Historic Preservation?

2. Diminished Obligation in the Proposed MOA

The MOA [Exh. Q] is attached to this application. The MOA would go into effect with approval of this application. None of these issues would not come up again for any future applications under the Flagstaff Development Agreement. This is the only opportunity to get it right.

Now is the time to make revisions to the proposed MOA.

1. The “MOA” makes no mention of dedicating preservation easements. Why not? We actually need these easements. For example: The Museum received an award for our maintenance efforts at the Alliance Mine and removing all the graffiti last summer. The graffiti is back. The Police cannot monitor the site since it’s not owned by the city. If we had the preservation easement for the Alliance Mine the police could protect it. Please can we add the dedication of preservation easements to the MOA with a deadline for execution of December 31, 2019?
2. Section 4: Process for Determining Maintenance Work to Be Done on Sites.
 - a. The maintenance work is limited to 2019 through 2029. Why is historic preservation maintenance obligations reduced to only 10 years? Why a time frame? We all have to maintain our homes every year. None of us thinks that after 10 years it doesn’t need maintaining. What do we think will still be standing in 2029 if we don’t commit to sufficient ongoing maintenance now? Likewise, the newly-stabilized Little Belle Ore Bin will surely need

maintenance in the future. We experienced one historic mine structure destroyed by snow load last winter.

Please take the dates out and replace with “As many projects as possible given staff resources...”

- b. The first meeting was specified for March 1, 2019. Did it happen? What was “Scope of Work” decided?
- c. It is unclear in the wording of Section 4 whether the maintenance is limited to the “Sites” listed on Exhibit A of the MOA or to all the sites identified in Technical Report #6. This section of the MOA should reflect the requirements of Technical Report #6 and Exhibit A should be deleted.

3. Section 6: Inspection, Maintenance and Securing of Sites.

- a. Why is the historic preservation maintenance reduced to only an obligation of \$40,000 per year? The Development Agreement didn’t have any financial limitations. Why establish a limit now? This amount will limit any immediate stabilization and unnecessarily delay larger efforts. Meanwhile the structures will continue to deteriorate as building costs escalate. The short list of structures most in peril - all identified in Technical Reports #5 and #6 - includes 2 x log cabins, 3 x fire hydrant shacks, 2 x water tanks, explosives bunker, pump house, wood house, steel building and the Daly West headframe.

The Friends of Ski Mountain Mining History has been stabilizing historic mine structures for 3 years now. The Little Bell cost \$65,000 to stabilize and preserve for the future. \$40,000 per year isn’t enough for any real historic preservation maintenance, particularly given the deferred maintenance that has occurred since the adoption of the Flagstaff Development Agreement.

- b. Section 6(a) “..the City agrees to forego, annually, Twenty Thousand Dollars (\$20,000.00) of “Open Space/Transit Management Fee” (“OSTM Fee”)”. We are pleased that Staff identified the “Open Space/Transit fee as an appropriate source of funds for the overdue and long-term maintenance. The OSTM Fee is 1% from every real estate transaction in Empire Pass distributed half to the Master Owners Association and half to the City. According the Assistant City Manager Matt Dias the City has collected \$9.3million OSTM fees and spent \$6.8million, leaving \$2.5million OSTM Fees unspent. We ask Planning commission to include in their recommendation to City Council that a large portion of this \$2.5million be spent on the “Protected Open Space” as identified in Technical Report #5 immediately to save our historic mine sites.

- c. Section 6 (b) (c) (e): please remove the 10 year term limit. These amazing historic mine structures require maintenance in perpetuity. The OSTM Fee exists in perpetuity so ample funding is available for the future

4. Section 7 Obligations of the Parties

- a. The Association is currently obligated to maintain 21 sites as identified in Technical Report #6. The proposed MOA at section 7 states “the parties shall execute [] an updated historic preservation plan identifying outstanding work requirements on the Sites...” These “Sites” are listed in Exhibit A of the MOA and only include 4 listings (3 sites) not, the entire 21 sites. Why would we allow an updated historic preservation plan that only addresses 3 historic sites?
- b. An updated Preservation Plan addressing all the historic sites identified in Technical Report #5 and #6 is a great idea! Can you require a timeline stating when the stabilization efforts will be completed? (For reference - Vail spent considerable funds on a Historic Preservation Plan for PCMR but there are no timelines for completion; so in three years only one structure has been completed.)

5. Section 9: Open Space Obligations

- a. “...the Association is only responsible for managing any open space areas owned by the Association.” Technical Report #5 Section 1.2 identifies the historic mine sites as Protected Open Space. The Association is responsible for maintaining the historic sites so this section should be removed.
6. There is no mention of the Daly West headframe, which is in dire need of being preserved. Section 4.2.5 of Technical Report #5 Open Space Management Plan identifies the Daly West Mine Site and states; “... this site is considered POS.”

The headframe fell over from lack of maintenance, and Daly West is Protected Open Space. So let's use Open Space/Transit funds to stand it back up! The intent of the Flagstaff Development Agreement was this amazing structure would be preserved, and it was specifically mentioned in Flagstaff Development Agreement (2007) [Exh C.], in Section 2.9.3 Historic Preservation - “The head frame at the Daly West site is historically significant.” Everyone agreed we wanted to keep it! Park City only has 4 headframes remaining, and now only 3 still stand. This isn't a huge cost -- \$250,000 to fix and re-stand.

The Daly West Headframe should be identified and specified as a priority in the MOA.

C. Other Problems with the MOA

Page 2 – Covenant 3(a) It's been a year and we still haven't been reimbursed the \$65,000. We couldn't use these funds this summer because we hadn't been reimbursed. Why can't we be reimbursed now and just take this clause out?

Page 3 – Section 4(a)x: Friends of Ski Mountain Mining History is not an official entity but a committee of the Park City Museum.

D. Incorrect Findings of Fact and Conclusions of Law

Finding of Fact #43: the proposed MOA will not achieve substantial compliance with any Historic Preservation or the preservation and maintenance requirements of Technical Reports #5 and #6 in the Flagstaff Development Agreement.

Conclusion of Law #3: This proposed subdivision plat is not consistent with the Flagstaff Development Agreement and associated documents and agreements.

Conclusions of Law #4 and #5. The Public and the Citizens of Park City will be material injured and adversely affected by approval of the proposed MOA accompanying this subdivision plat.

III. Conclusion

To recap:

1. This developer is required under the Flagstaff Development Agreement to restore the Judge M + S Building, and that condition - in its entirety (not just a roof) with date of completion - should be met before this application is approved.
2. The MOA should be revised, as discussed above, before this application is approved. There is \$2.5million in the City's half of the OSTM Fee and this Fee is collected in perpetuity. The Master Owners Association has received \$9.3million from this fee, collected in perpetuity. The MOA should not limit the funds or time period for the Master Owners Association to meet their obligation to maintain all the historic mine sites identified in both Technical Reports #5 and #6.

Our request is for the Planning Commission to make the most of this opportunity. Many people spent an incredible amount of time crafting the Flagstaff Development Agreement so that ALL the historic sites would be stabilized and preserved. Now is our opportunity to see that vision becomes reality. We ask that you postpone approval of this subdivision plat application until the "Memorandum of Agreement" can be thoroughly reviewed and improved. Please don't approve this first draft MOA by default tonight.

Sincerely,
Sandra Morrison
Park City Museum

To: City Council, Planning Department
From: Sandra Morrison, Park City Museum
Date: September 24, 2019
Subject: **Nakoma Condominiums – Third Amendment to First Amended and Restated Condominium Plat**
Hearing Date: September 26, 2019

Honorable Mayor and City Council members,

The current Nakoma Condominiums Third Amendment and Restated Condominium Plat application cannot be approved because it is NOT in compliance with the covenants, conditions and restrictions of the controlling 2007 Flagstaff Annexation and Development Agreement and associated Technical Reports.

I. History

30 years ago, United Park City Mines Company owned 1,750 acres above Park City. Located in Summit County, the property was zoned rural, probably 1 house per 40 acres, allowing a total of about 45 houses to be built on the acreage. The land was adjacent to Deer Valley's Red Cloud, Northside and Empire Lifts, so valuable ski-in ski-out property. United Park petitioned the City to annex the property into the city limits and substantially increase their development rights. In 2007, after careful negotiations and much public concern regarding development on this pristine land, City Council approved the Flagstaff Annexation and Development Agreement. This Agreement entitled the property for 550 multi-family units and 46 single family units.

Timeline:

1. In 2003, Talisker Corporation purchased United Park City Mines Company.
2. Talisker installed utilities and started selling the development parcels to their "vertical" partners such as East West, Montage and Friends of Flagstaff.
3. In 2008, Friends of Flagstaff began development of the PUD (planned unit development) consisting of 18 single family homes. They called in Nakoma.
4. In 2015, Wells Fargo foreclosed on Talisker and took possession of all the remaining development parcels.
5. Wells Fargo's real estate division REDUS continued to sell the remaining development parcels to Developers such as Storied Development, East West Partners and Lynn Padan (Solaire).
6. 2019 REDUS negotiates sale of the last remaining development parcel.

II. Who is the Developer in the Flagstaff Development Agreement?

Specifically, in the Flagstaff Development Agreement states
(see <https://www.parkcity.org/Home/ShowDocument?id=48676>):

SECTION 1. DEFINITIONS

Section 1.4

“DEVELOPER” means United Park City Mines Company, and each of its assigns, joint venture, partners, and successors in interest, whether in whole or in part.

The DEVELOPER is United Park City Mines Company (who still exists), Talisker and Jack Bistricher (still in Park City), Wells Fargo and their Development division REDUS, and all the assigns -- those who acquired development parcels from Talisker and Wells Fargo including Storied Development, LEC properties, RH Mayflower, East West Partners, Lynn Padan and Friends of Flagstaff . These are all the DEVELOPER.

III. Development Projects Continue Under the Flagstaff Development Agreement.

1. On February 28, 2019 a condominium plat for the Residences at the Tower Condominium at 8680 Empire Club Drive was approved by City Council (voting 3-2).
2. On August 28, 2019 the Planning Commission continued a request for the Twisted Branch Subdivision Plat.
3. On September 11, 2019 an application before the Planning Commission was continued for a zoning map change for Lot 61 of the Marsac Mining Claim. (It is unclear whether or not this Development falls under the Flagstaff Development Agreement, and whether or not the historic Explosives Bunker is on this property).
4. On September 11, 2019 the current application for amendment to the plat for the Nakoma Condominiums came before the Planning Commission and was denied, due to lack of showing that the application complied with the historic preservation requirements of the Flagstaff Development Agreement.

IV. Is this Nakoma Property required to meet the Conditions of the Flagstaff Development Agreement?

Section VIII. GENERAL PROVISIONS

8.1 Covenants Running with the Land. *The provisions of this Agreement shall constitute real covenants, contract and property rights....., which shall run with all the land subject to this Agreement.*

As Commissioner Thimm noted at the Planning Commission meeting on Sept. 11, 2019: “Either all the development parcels are encumbered or none of the development parcels are encumbered.” In fact, under the express terms of the Flagstaff Development Agreement, all the development parcels are encumbered.

City Attorney Harrington has reinforced this fact at numerous hearings, confirming that the requirements of the Agreement “ride with the ownership of the land.” The proposed Ordinance for this plat amendment also reiterates this obligation:

Condition of approval #3: All conditions of approval of the Flagstaff Annexation and Development Agreement, as amended, and the Flagstaff Mountain Resort Phase II (Pod B1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.

V. Developer responsibilities required by the Flagstaff Agreement

Section 2.1

“DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain.

This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities, and is subject to all normally-applicable City processes including DEVELOPER's responsibility ...to submit and ultimately to obtain City approval of satisfactory plans detailed below:

...

2.1.5 Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

...”

These two plans (now known as the Technical Reports) address retaining and saving the historic mine sites located throughout the large Annexation area.

The Mitigation/Amenities: *the **DEVELOPER-offered amenities*** are identified on Page 18:

Section 2.9

“the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:”

Thereafter follows a listing of the community benefits offered by the Developer that included constructing public trails, parking lot at Richardson Flat, limiting wood burning fireplaces to one per home, etc.

These amenities continue in section 2.9.3 (see pages 19-20):

***“2.9.3 Historic Preservation.** The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.*

None of these obligations have been met. No preservation easements have been dedicated.

VI. Current Obligations for HISTORIC PRESERVATION under the Flagstaff Agreement

Technical report #6 **Historic Preservation Plan** was approved in December 2001. (See <https://www.parkcity.org/Home/ShowDocument?id=60722>):

Under Executive Summary on page 1 the report states:

"The Historic Preservation Plan dated August 2000 is a 127-page detailed document produced for Flagstaff Mountain by SWCA, Inc., Environmental Consultants.

Accompanying this plan summary is a 5-page chart that reviews the same information in an abbreviated format. It includes a brief description of every important site within the Boundary, together with a short history, an overview of the existing conditions, and recommendations for preservation work associated with each.

Additionally, the chart includes information regarding a proposed phasing timeline for restoration or remediation of the sites together with a proposed signage format."

But more importantly the Executive Summary goes on to state:

"Concurrent with the first CUP authorizing construction of residential units, FMP [Flagstaff Mountain Partners] will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features."

This plan was never submitted. Again, this Developer is not in compliance with the requirements of the Flagstaff Development Agreement.

Also it matters not at all that none of the historic mine structures are on any one Developer's property. Under the Flagstaff Development Agreement, all development was specified to be confined on development sites (or "pods"), separated and disconnected from the historic mine locations. The historic mining structures and sites were defined in the Agreement to be in and part of the "open space".

The "Chart" of Technical Report #6 is very clear on the specific historic preservation work that will be performed including:

a) Judge Mining & Smelting Company Office

Attached as Exhibit A is a photo of the Judge Mining & Smelting Office building, both as it existed historically and as it appears today. It is a lovely old building that is frequented by hikers and bikers, locals and visitors.

On page 1 of 5 the "Chart" states:

(column 1) *Judge Mining & Smelting Company Office*

(column 5) *"With the first phase of the Flagstaff development the restoration of the building will be initiated....After **restoration** the building is anticipated to serve as [an] office..."*

This is an express promise from the DEVELOPER, one that we should keep. But the community **is still waiting for this promised restoration.**

Staff have proposed a Memorandum of Agreement (MOA), included as Exhibit F of the Staff Report, by which just two other current Flagstaff (now Empire Pass) Developers supposedly will provide \$40,000 each for a new roof to the Judge M + S Office building, rather than the "restoration of the building" specified in the Flagstaff Development Agreement. However, these two Developers are not even signatories to the MOA and therefore unlikely to be bound by the MOA. Further, no estimate has been obtained to determine whether this is even sufficient for a new roof, and no determination has been made as to whether an almost 100 year old building in serious dilapidation can even support this "new roof".

If you ignored your house and performed no maintenance for 20 years, what would you expect its condition to be today? What if your house was a 100 year old house in Old Town?

Even back in 2001, SWCA was concerned about the Judge M + S Office building. They identified cracked purlins in the roof structure, a leaking roof causing interior moisture damage especially to the floor joists, and lateral displacement in the east and south concrete walls, stating in Technical Report #6: *"...the building should be examined by a structural engineer, who can recommend a treatment plan to address any structural problems."* And gave the work High Priority

Full restoration of the Judge building is currently estimated at \$350,000. Why are we diminishing this express obligation of the Flagstaff Development Agreement? All the current Developers at Empire Pass - including this one - Friends of Flagstaff - should contribute to the restoration. We should require this contractual obligation to be met before approving any applications within the Annexation boundary. This Developer expects the City to meet their obligations of the Flagstaff Development Agreement. Shouldn't the City have the same expectation of the Developers?

b) Little Belle Ore Bin

Attached as Exhibit B is a photo of the Little Belle Ore Bin. A massive wood structure that demonstrates our town's mining past, admired by hikers, bikers and skiers.

On page 3 of 5 the "Chart" of Technical Report #6 states:

(column 1) *Little Bell Ore Bin*

(column 5) *"With the first phase of the Flagstaff development the Little Bell Ore bin will be provided a permanent shelter in the form of all-weather roofing....Additional building stabilization will occur in **Summer 2001.**"*

The roofing and the stabilization never happened. Finally in 2018, the Park City Museum spent \$65,000 stabilizing and saving the historic structure that would easily have collapsed this past winter with the snow loads. This was the Developer's responsibility and we have not been reimbursed.

This Ore Bin is now in good shape and will stand for many years, but it will in the future require attention and maintenance.

c) Explosives Bunker

Attached as Exhibit C is a photo of the Explosives Bunker. This unique building is one of the most photographed in Park City by visitors and locals. But it is quickly imploding. The chimney has fallen and the roof collapsed. As the dirt from the retaining walls slide into the tunnel, the front facade will fall backward, losing its integrity, cracking and breaking.

The Flagstaff Development Agreement includes the obligation to preserve this historic building. However, recently a representative from REDUS and the Empire Pass Master Owners Association has asserted that this property is not under the Flagstaff Development Agreement and that they have no obligation to stabilize and maintain it. There might be another Developer who has responsibility, but currently no one is clear as to who has responsibility for this building. This needs to be sorted out before this historic building collapses entirely.

d) Daly West Headframe

Attached as Exhibit D is a photo of the Daly West Headframe, which is adjacent to the Montage Hotel. It is a significant and beautiful reminder of our mining heritage and is seen daily by skiers, hikers and bikers, locals and visitors, and guests of the Montage.

As you know, this structure toppled over several years ago due to lack of maintenance. This structure needs to be re-erected and maintained. As referenced above, the Daly West headframe was specifically called out in the 2.9.3 Historic Preservation section of the Flagstaff Development Agreement as "historically significant". Park City only has 4 headframes remaining, and now only 3 still stand. This isn't a huge cost -- \$250,000 to fix and re-stand.

e) Additional Historic Structures

Technical Report #6 includes both the 7 page "Plan Summary" and the 127-page "Historic Preservation Plan" prepared by SWCA Environmental Consultants states:

Page 1: Introduction

"SWCA is not a safety engineering firm and recommends that a qualified individual or organization perform on-site inspections. ..."

This same statement is repeated on page 35. SWCA did not envision Technical Report#6 would be the end of the recommendations or the final plan. That point was reiterated in the Executive Summary of Technical Reports #6:

“Concurrent with the first CUP authorizing construction of residential units, FMP (Flagstaff Mountain Partners) will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features.”

The Developer needs to submit this report and this updated plan needs to be approved by the City before any application – including this plat application – is deemed in compliance with the Flagstaff Development Agreement.

Treatment Plan of the 127-Page Historic Preservation Plan (pages: 124-125)
Per the Key, the historic sites that received a “YES” scoring in the Treatment Plan are recommended for Stabilization. They include:

Ontario Mine Water Tanks (page 43):

“The Ontario Mine water tanks consist of five circular, wooden-stave tanks of varying sizes located on the slope above the Ontario #3 Shaft operations... Only two of the tanks appear to be historic. If historical associations can be established for tanks A, B and C, then they may also warrant stabilization treatment.”

Tank D and E, although historic and recommended by SWCA for stabilization, do not appear the 5-page CHART. But they are included in Technical Report #6 as recommended for stabilization by the Developer. 20 years later Tank E barely survives, and **Tank D is gone. Stabilization of the remaining Tank E is urgently needed.**

Daly West Fire Hydrant Shacks (page 73):

Although the 5-page Chart makes no mention of stabilizing the fire hydrant shacks, the SWCA 127-page Plan states (page 74)

“New galvanized roofing panels should be installed to replace any missing panels. The walls and trim could be cleaned... soil should be cleared away from the sills to prevent accelerated decay of the sills. If any badly deteriorated components are discovered, they should be reinforced or replaced, as appropriate.”

White Pine mine log structure (page 105):

Again, the 5-page Chart makes no mention of stabilizing the historic log cabin, but the SWCA 127-page Plan states (page 106-107)

“A few of the logs that have rotted or shifted off center could be reinforced or replaced and shifted back into position ... and secured against further movement. This would tend to stabilize the structure to some degree. It may also be advisable to install few wood braces at key location where shifting is possible. The logs next to the window and door openings could also be aligned

more vertically an unobtrusively secured... the small stream should be diverted farther away from the structure to allow the ground to dry out as much as possible..."

VII. Current Obligations for PROTECTED OPEN SPACE under the Flagstaff Agreement

The Flagstaff Development Agreement actually defines the historic structures as Protected Open Space in Technical Report #5. Contrary to the usual definition of Open Space, consider them as vertical open space (some of the structures are more “open” with larger holes than others).

(see <https://www.parkcity.org/Home/ShowDocument?id=37061>)

Page 1 - Executive Summary: *“Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics... (page 323)*

Section 1.2 *The primary purpose of POS is ... **promote the preservation of historic sites...** (page 325). “Several of the Plan Area's **historic mine buildings and associated structures are designated as POS.**” (page 326).*

The Flagstaff Development Agreement provides funding for the maintenance of the Protected Open Space (the vertical open space made up of historic mine buildings and associated structures). 1% of each real estate transaction is collected into the Open Space/Transit Management Fund (OSTM Fund). That fee is then split 50/50 between the Master Owners Association and Park City Municipal.

The proposed Memorandum of Agreement correctly identifies the OSTM Fund as the resource to correct 20 years of deferred maintenance. Sadly, the MOA does not recognize the amount of maintenance that needs to happen now. Think back on your historic Old Town house that you haven’t maintained for 20 years. There is a lot of work to perform so it doesn’t fall down –leaking roof, peeling paint and exposed wood siding, broken windows, rotten wood floor joists, crumbling concrete foundation, cracked roof rafters. The MOA allows for the same funding each year for 10 years, so immediate problems cannot be addressed immediately. Also the MOA only recognizes the need to maintain these historic structures for 10 years. The Park City Museum and Friends of Ski Mountain Mining History spent \$65,000 stabilizing the Little Bell Ore bin. In 10 years the ore bin will need more maintenance. But per the MOA, the obligation and the work will end.

Council needs to revise the provisions in the proposed MOA before considering this and any other applications submitted under the Flagstaff Development Agreement.

VIII. Compliance with the Flagstaff Development Agreement

At the September 11, 2019 hearing, Planning Commissioner Suesser questioned why “the staff report did not contain an analysis on whether or not the application complies with the Flagstaff Development Agreement. That it was referenced in the Conditions of approval but there was no staff analysis on compliance.”

The staff report on page 95 states:

“The Council will separately consider the compliance matters regarding technical reports 4 & 5 (actually, Technical Reports #5 and #6) as part of the proposed Memorandum of Understanding (actually, Memorandum of Agreement) with REDUS, Storied Development, and the Master Owners Association. “

Back in February 2019, City Council approved (on a vote of 3-2) Residences at the Tower Condominiums Plat (Exhibit F) with the Condition of Approval #5 requiring the finalizing of the proposed MOA prior to the recordation of the Twisted Branch Road Subdivision Plat. If two Developers – Storied and REDUS - are included in the MOA, shouldn't Council require the inclusion of all the other Developers – East West Partners, LEC Properties, Lynn Padan, Friends of Flagstaff? If they all contribute, then the Judge S + M Office building can be restored as was required in the Flagstaff Development Agreement. We request Council add Friends of Flagstaff to the MOA in section 3(b) requiring they contribute to the restoration of the Judge S + M building (page 136 of the packet).

VII. Memorandum of Agreement

Staff proposal of a Memorandum of Agreement is a good idea. But it needs City Council review.

The Flagstaff Development Agreement requires the Master Owners Association to maintain the historic structures in perpetuity (see Technical Report #6). The Open Space Transit Management fund collects the 1% real estate transfer tax on each sale of real estate in the Development area in perpetuity, and can be tapped to fund this maintenance of historic structures (Protected Open Space). According the Assistant City Manager Matt Dias, over the many years since the Flagstaff Development Agreement was executed the City has collected \$9.3million OSTM fees, and therefore Master Owners Association has collected this same amount. Yet **none** has gone to maintain the historic mine buildings that are “Protected Open Space”, despite the obligations stated in the Development Agreement. Even the structures that were in good shape back in 2001 are now suffering from 20 years of deferred maintenance.

For no good reason the MOA now proposes in section 6 (b) and (c) to eliminate any obligation of maintenance of historic structures after ten years. **Why?** The historic structures will need some maintenance over the years just like any other structure, just like your home. And the real estate transfer tax will continue --in perpetuity-- to generate

funds, likely increasing over time. Surely now is the time for some to be used for maintenance?

Also, the MOA proposes in its Exhibit “A” list of “SITES” to limit the obligations for historic mining structures to only three structures, rather than the larger list provided in Technical Report #6. Among the missing is the Daly West Headframe. **Why?**

The MOA in section 3(b) proposes to limit the obligations of historic structure renovation to only a new roof for the Judge Building, rather than the required restoration and adaptive reuse. **Again, why?** And the proposed MOA limits the “obligation” for a new roof to only \$80,000 — and that from two non-signatories to the MOA. Further, it is not known how much a new roof will actually cost or whether the existing building in its current condition can even support a new roof.

The MOA was proposed in January 2019. Council approved the Storied Development application on February 2019 based on the historic preservation provisions of the MOA, work that was agreed would start in the summer of 2019. **No work has begun.**

Council has not approved the MOA. Planning Commission has not approved the MOA. City Attorney Harrington recently stated: “It has lingered due to unrelated issues.” The historic buildings are lingering too.

REDUS is currently in negotiation to sell the last PUD they inherited from United Park City Mines. The Twisted Branch subdivision is for one single restaurant building, yet the MOA hinges upon REDUS moving forward with this one plat amendment. **Will the MOA ever be signed?**

X. Conclusion

To recap:

1. This Developer is required under the Flagstaff Development Agreement to **restore the Judge Mining & Smelting Company Office**
2. This Developer is required under the Technical Report #6 to **submit a plan detailing the repairs and stabilization of the historic structures** and public protection plan for these structures and mining features.”
3. This Developer should be **included in the Memorandum of Agreement** (and all other Developers should be required to sign on also.)

These are complicated issues that cannot be addressed adequately tonight. But clearly, **nothing should go forward until the above issues are resolved.**

Our request is for the City Council to **hold a Work Session** to fully understand the history and opportunities available to achieve the stabilization of Park City’s historic mine

structures, as the express terms of the Flagstaff Development Agreement require. Many people spent an incredible amount of time crafting the Flagstaff Development Agreement and preparing Technical Reports #5 and #6 so that ALL the historic sites would be stabilized and preserved. That was plainly the **intent and express provisions** of the Flagstaff Development Agreement.

We ask you also to **hold the Work Session** so you can explore all the obligations and requirements of the Flagstaff Development Agreement, not only the historic preservation but the ongoing (perpetual) maintenance obligations and Protect Open Space preservation. We urge you to fully understand the Memorandum of Agreement that staff is proposing and how it can be improved to achieve the intent of the Flagstaff Development Agreement.

Further, there is no dispute that money is available to achieve these obligations, both as part of current development project budgets and from the substantial 1% real estate transfer fee that is collected perpetually on all real estate transfers in the Flagstaff (Empire) development area.

Time is running out. The Developers are nearly done. Wells Fargo has nearly sold all the United Park development property. Yet the mine structures are toppling over one by one.

If you cannot continue this application tonight, then please, like the Planning Commission, deny the request.

Sincerely,
Sandra Morrison
Park City Museum

EXHIBIT A -- JUDGE M + S OFFICE BUILDING



EXHIBIT B - LITTLE BELL ORE BIN



EXHIBIT C - EXPLOSIVES BUNKER



EXHIBIT D - DALY WEST HEADFRAME



From: Sandra Morrison [mailto:smorrison@parkcityhistory.org]
Sent: Wednesday, September 25, 2019 11:58 AM
To: Bruce Erickson
Subject: FW: Historic Mine Structures

From: noah.levine@ubs.com [mailto:noah.levine@ubs.com]
Sent: Wednesday, September 25, 2019 11:00 AM
To: Becca.gerber@parkcity.org; Tim.henney@parkcity.org; Steve.joyce@parkcity.org; Lynn.ware-peek@parkcity.org; Nann.worel@parkcity.org; Andy@parkcity.org
Subject: Historic Mine Structures

Honorable Mayor and City Council,

I am in support of preserving, promoting and protecting Park City's history. The unique mining structures and buildings which are spotted throughout our landscape are a tangible and physical tie to our town's important past. I advocate for the preservation of these structures.

My understanding is that there are developer obligations associated with the Flagstaff Development Agreement which would require developer preservation and on-going maintenance costs associated with these important historical buildings and sites including: Daly West Headframe, Little Bell Ore Bin, Explosives Bunker and the Judge M & S Office Building.

I ask that Council take this opportunity to fully understand those developer obligations with an objective of having the developer perform on those obligations so that 100 years from now, future generations are not just looking at pictures of these historical marvels that we all have been able to enjoy during our lifetimes.

Thank you for your consideration. Noah

Noah Levine
Senior Vice President
UBS Financial Services
Mogul Financial Group
PO Box 2879 // 255 Heber Avenue
Park City, Utah 84060

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www.ubs.com/team/mogul

----- Forwarded message -----

From: Sally Cousins Elliott <sallycousinselliott@gmail.com>

Date: Wed, Sep 25, 2019 at 4:21 PM

Subject: The beat goes on....

To: Sally Elliott <sallycousinselliott@gmail.com>

We continue to encourage Park City Municipal to enforce the Flagstaff Annexation Agreement, which created Empire Canyon because it promises to restore and preserve old mining sites there. I have theater tickets and cannot attend, but it will be considered by City Council tomorrow evening at Marsac Avenue. It's the last thing on the agenda. If you can go in support, please do. Attached are my comments and Sandra's comments. Here is a link to the City Council Agenda and packet:

<https://d3n9y02raazwpg.cloudfront.net/parkcity/f518135f-e356-4660-8ea3-ef83b703adf5-01133467-6d34-44a8-a801-0746aa501208-1569281267.pdf>

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Sally Elliott
2690 Sidewinder Dr.
Park City, UT 84060
phone: 435-640-3759
sallycousinselliott@gmail.com

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Bruce M. Erickson, AICP

435 655 1775 GMT/UTC -7 +1 435 655 1775

Four MTN Advisors

Foment Future
Science and Art for Ski Mountain Resorts

Bruce@4MTNadvisors.com

www.4MTNadvisors.com

Public Comment
Empire Canyon/Flagstaff Annexation Agreement

Sorry I couldn't be here, but thanks for taking my comment, anyway.

20 years ago we relied on the Flagstaff Annexation Agreement to preserve and protect the historic structures in Empire Canyon. Nothing was done.

NO APPLICATION IN EMPIRE CANYON WAS EVER IN COMPLIANCE WITH THE CONDITIONS OF THE AGREEMENT.

It's time to get it right **TODAY**.

No more excuses. No more kicking the can down the road. Even though this is a very simple change of lot line, even though it seems very minor, it's just one more error in the comedy that has been the "enforcement" of the Flagstaff Annexation Agreement.

Please table this requests until we get some firm agreements, funding and a timeline. I was 55 when the agreement was signed. I'm 75 now. 20 years is too long.

----- Forwarded message -----

From: matthew lindon <mattlindon@hotmail.com>

Date: Tue, Oct 8, 2019 at 12:55 PM

Subject: Fwd: Public Input for Planning Commission October 9

To: bruce erickson <beric@xmission.com>, Bruce@4MTNadvisors.com
<Bruce@4mtnadvisors.com>

FYI.

Hang in there. Fight the good fight. Sally makes some good point.

I am thinking of doing a GPS inventory of all the old-growth trees in PC and naming them. Methuselah. The Three Sisters. Schwong.

Cheers.

Matt

Matthew C. Lindon, P.E.
Hydrologist

Mattlindon@hotmail.com
435-659-1326

4964 East Meadows Drive
Park City Utah 84098

<=>

Begin forwarded message:

From: "Sally Cousins Elliott" <sallycousinselliott@gmail.com>

To: "Sally Elliott" <sallycousinselliott@gmail.com>, "Sandra Morrison" <smorrison@parkcityhistory.org>, "Hope Melville" <hopemelville@outlook.com>, "Pat Pond" <PRPOND@gmail.com>

Subject: Public Input for Planning Commission October 9

While we had what we thought was a productive meeting at the Marsac last week with City Manager and City Attorney, we've seen no progress to date from the Park City Municipal. This Planning Commission meeting on Wednesday at 5:30 p.m. at Marsac will consider the Planning Commission Public Hearing and possible approval of yet another large scale development in Empire Canyon. Planning Director Bruce Erickson has promised that we could have input on a proposed Memorandum of Agreement outlining how the requirements to preserve and stabilize the mining relics remaining there would be met. We have had no

communication from the Planning Director.

This proposal (see agenda:
<https://www.parkcity.org/Home/Components/Calendar/Event/33352/17>) must not be approved because the conditions of approval have NOT been met. It has been 20 years since the Flagstaff Annexation Agreement was approved and NOTHING has been done toward fulfilling the requirements.

If you can brave the stormy weather, it would be very helpful to have you show up at Planning Commission at Marsac on Wednesday to give support to Sandra and the several others who will attend. Unfortunately, I'm in Seattle and Donald Roll cannot attend. Will you go to cover for us?

Attached below is Sandra Morrison's public input and here is her invitation to you: Please find attached the public input for this Wednesdays Planning Commission. East West Partners is proposing to build a 6 story – 28 unit Lodge building at Empire Pass (by the Silver Strike lift) under the provisions of the Flagstaff Annexation and Development Agreement.

Thank you

Sandra

--

Sally Elliott
2690 Sidewinder Dr.
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phone: 435-640-3759
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--

Bruce M. Erickson, AICP

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Science and Art for Ski Mountain Resorts

Bruce@4MTNadvisors.com

www.4MTNadvisors.com

To: Park City Planning Commission

From: Sandra Morrison, Park City Museum

Date: October 6, 2019

Subject: **7677 Village Way, Lot 2 Village at Empire Pass North Subdivision, The Argent at Empire Pass – Conditional Use Permit and Condominium Plat Application**

Hearing Date: October 9, 2019

Dear Planning Commission members,

The 7677 Village Way, Lot 2 Village at Empire Pass North Subdivision, The Argent at Empire Pass – Conditional Use Permit and Condominium Plat applications cannot be approved because **NEITHER application is in compliance** with the covenants, conditions and restrictions of the controlling 2007 Flagstaff Annexation and Development Agreement and associated Technical Reports.

I. History

30 years ago, United Park City Mines Company owned 1,750 acres above Park City. Located in Summit County, the property was zoned rural, probably 1 house per 40 acres, allowing a total of about 45 houses to be built on the acreage. The land was adjacent to Deer Valley's Red Cloud, Northside and Empire Lifts; valuable ski-in ski-out property. United Park petitioned the City to annex the property into the city limits and substantially increase their development rights. In 2007, after careful negotiations and much public concern regarding development on this pristine land, City Council approved the Flagstaff Annexation and Development Agreement. This Agreement entitled the property for 550 multi-family units and 46 single family units.

Significantly, the "pods" of development were defined within 87 specific acres that excluded areas where the historic mines and structures are located.

Timeline:

1. In 2003, Talisker Corporation purchased United Park City Mines Company.
2. In 2003 East West Partners acquires the Empire Mountain Village property (pod A) from United Park City Mines Company.
3. Talisker installed utilities and started selling the development parcels to their "vertical" partners such as Montage, Friends of Flagstaff and East West Partners – the current applicant.
4. In 2015, Wells Fargo foreclosed on Talisker and took possession of all the remaining development parcels.
5. Wells Fargo's real estate division REDUS continued to sell the remaining development parcels to Developers such as Storied Development, East West Partners and Lynn Padan (Solaire).
6. In 2017 REDUS created 4 lots in North Empire and sold Lot 2 (VEPNS-2 – a 2 acre lot entitled for 28 condominium units) to developer Storied Development.

7. 2019 REDUS is currently negotiating sale of the last remaining development parcel.
8. East West Partners created a limited liability company - Lot 2 Empire Pass North LLC - which they control and acquired the property from Storied Development in May of 2019. As the staff report states *"This is the last "lodge" style building that remains to be developed."*

Time is running out. Soon the Developer(s) will have all their entitlements, and the City (and residents) will no longer have the ability to enforce the Flagstaff Development Agreement and the **Developer-Offered** amenities promised in return for the allowed developments.

II. Who is the Developer in the Flagstaff Development Agreement?

Specifically, the Flagstaff Development Agreement defines the "Developer" as follows: (see <https://www.parkcity.org/Home/ShowDocument?id=48676>):

SECTION 1. DEFINITIONS

Section 1.4

"DEVELOPER" means United Park City Mines Company and each of its assigns, joint venture, partners, and successors in interest, whether in whole or in part.

The DEVELOPER is United Park City Mines Company (who still exists), Talisker and Jack Bistricher (still in Park City), Wells Fargo and their Development division REDUS, and all the assigns -- those who acquired development parcels from Talisker and Wells Fargo including Storied Development, LEC properties, RH Mayflower, Lynn Padan, Friends of Flagstaff and East West Partners (dba Empire Pass North, LLC.) All of them are the DEVELOPER.

At the September 11 Planning Commission hearing regarding a separate Flagstaff Development application, staff "commented on Attorney Harrington's differentiation between the developer of the Flagstaff Agreement as being the big "D" developer, as opposed to the "little "d" sub-developers." Thereby Harrington implied that at a minimum, there is no question that Big D Developers are obligated to meet the conditions of the Flagstaff Development Agreement.

To date, per their website, East West Partners have built and sold over 143 units at Empire Pass including:

Empire One - 27 condominiums

Larkspur Town homes – four phases, 27 townhomes

Flagstaff Condominiums at Empire Mountain Village – 37 condominiums

Arrowleaf Condominium at Silver Strike – 28 units

There is no doubt that East West Partners is a big "D" Developer.

III. No Historic Mine Sites or Structures are Located on this Lot 2

In the staff report (page 33) Under *Analysis of Conditional Use Criteria* staff states:

*(9) Usable Open Space; Both passive and active Open Space are provided in excess of 88% within the Flagstaff Annexation boundary.... **No unmitigated impacts.***

The Flagstaff Development Agreement required all development to occur in designated “pods”. This Lot 2 is located in “pod A”. The “pods” were located away from historic mine sites and mine structures, and away from areas of scenic beauty such as Lady Morgan Lake.

As intended and specified in the Flagstaff Development Agreement, no historic structures will be ever found located on a development parcel in the Flagstaff Annexation area. Development was strictly limited to 87 acres of the entire 1750 annexed acres to preserve areas of cultural and scenic importance to the town of Park City. Please can staff stop using this justification? It is plainly incorrect and contradicted by the Flagstaff Development Agreement.

IV. Development Projects Continue Under the Flagstaff Development Agreement.

1. On February 28, 2019 a condominium plat for the Residences at the Tower Condominium at 8680 Empire Club Drive was approved by City Council (voting 3-2).
2. On August 28, 2019 the Planning Commission continued a request for the Twisted Branch Subdivision Plat.
3. On September 11, 2019 an application before the Planning Commission was continued for a zoning map change for Lot 61 of the Marsac Mining Claim. (It is unclear whether or not this Development falls under the Flagstaff Development Agreement, and whether or not the historic Explosives Bunker is on this property).
4. On September 11, 2019 the Planning Commission denied Friends of Flagstaff’s application for amendment to the plat for the Nakoma Condominiums due to lack of showing that the application complied with the historic preservation requirements of the Flagstaff Development Agreement.

V. Is this Lot 2 Empire Pass North Property required to meet the Conditions of the Flagstaff Development Agreement?

Section VIII. GENERAL PROVISIONS

8.1 Covenants Running with the Land. *The provisions of this Agreement shall constitute*

real covenants, contract and property rights...., which shall run with all the land subject to this Agreement.

As Commissioner Thimm noted at the Planning Commission meeting on Sept. 11, 2019: "Either all the development parcels are encumbered or none of the development parcels are encumbered." In fact, under the express terms of the Flagstaff Development Agreement, all the development parcels are encumbered.

City Attorney Harrington has reinforced this fact at numerous hearings, confirming that the requirements of the Agreement "ride with the ownership of the land." The proposed Ordinance for this plat amendment also reiterates this obligation:

Condition of Approval #3: All conditions of approval of the Flagstaff Annexation and Development Agreement, as amended, and the Flagstaff Mountain Resort Phase II (Pod B1) Master Planned Development, as amended, and the Northside Village Subdivision II plat shall continue to apply.

VI. Developer responsibilities required by the Flagstaff Agreement

Section 2.1

"DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain.

This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities, and is subject to all normally-applicable City processes including DEVELOPER's responsibility ...to submit and ultimately to obtain City approval of satisfactory plans detailed below:

...

2.1.5 Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

..."

These two plans (now known as the Technical Reports) address retaining and saving the historic mine sites located throughout the large Annexation area.

The Mitigation/Amenities: *the DEVELOPER-offered amenities* are identified on Page 18:

Section 2.9

"the DEVELOPER shall deliver the following mitigation and amenities as an inducement to execute this Development Agreement:"

Thereafter follows a listing of the community benefits offered by the Developer that included constructing public trails, parking lot at Richardson Flat, limiting wood burning fireplaces to one per home, etc.

These amenities continue in section 2.9.3 (see pages 19-20):

"2.9.3 Historic Preservation. *The Historic Preservation Plan, at a minimum, shall*

contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at the Daly West site is historically significant.

These obligations have NOT been met. No **preservation easements** have been dedicated.

VII. Current Obligations for HISTORIC PRESERVATION under the Flagstaff Agreement

Technical report #6 **Historic Preservation Plan** was approved in December 2001. (See <https://www.parkcity.org/Home/ShowDocument?id=60722>):

Under Executive Summary on page 1 the report states:

“The Historic Preservation Plan dated August 2000 is a 127-page detailed document produced for Flagstaff Mountain by SWCA, Inc., Environmental Consultants.

Accompanying this plan summary is a 5-page chart that reviews the same information in an abbreviated format. It includes a brief description of every important site within the Boundary, together with a short history, an overview of the existing conditions, and recommendations for preservation work associated with each.

Additionally, the chart includes information regarding a proposed phasing timeline for restoration or remediation of the sites together with a proposed signage format.”

But more importantly the Executive Summary goes on to state:

“Concurrent with the first CUP authorizing construction of residential units, FMP [Flagstaff Mountain Partners] will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features.”

This plan was never submitted. Again, this Developer is not in compliance with the requirements of the Flagstaff Development Agreement.

Also it matters not at all that none of the historic mine structures are on any one Developer’s property. As explained above, under the Flagstaff Development Agreement, all development was specified to be confined on development sites (or “pods”), separated and disconnected from the historic mine locations. This property is located in “pod A”. The historic mining structures and sites were defined in the Agreement to be located in and part of the “open space”.

The “Chart” of Technical Report #6 is very clear on the specific historic preservation work that will be performed including:

a) Judge Mining & Smelting Company Office

Attached as Exhibit A is a photo of the Judge Mining & Smelting Office building, both as it existed historically and as it appears today. It is a lovely old building that is frequented by hikers and bikers, locals and visitors.

On page 1 of 5 the "Chart" states:

(column 1)	<i>Judge Mining & Smelting Company Office</i>
(column 5)	<i>"With the first phase of the Flagstaff development the restoration of the building will be initiated....After restoration the building is anticipated to serve as [an] office..."</i>

This is an express promise from the DEVELOPER, one that we should keep. But the community **is still waiting for this promised restoration.**

Staff have proposed a Memorandum of Agreement (MOA), included as Exhibit F of the Staff Report, by which just two other current Flagstaff (now Empire Pass) Developers supposedly will provide \$40,000 each for a new roof to the Judge M + S Office building, rather than the "restoration of the building" specified in the Flagstaff Development Agreement. However, these two Developers are not even signatories to the MOA and therefore unlikely to be bound by the MOA. Further, no estimate has been obtained to determine whether this is even sufficient for a new roof, and no determination has been made as to whether an almost 100 year old building in serious dilapidation can even support this "new roof".

If you ignored your house and performed no maintenance for 20 years, what would you expect its condition to be today? What if your house was a 100 year old house in Old Town?

Even back in 2001, SWCA was concerned about the Judge M + S Office building. They identified cracked purlins in the roof structure, a leaking roof causing interior moisture damage especially to the floor joists, and lateral displacement in the east and south concrete walls, stating in Technical Report #6: *"...the building should be examined by a structural engineer, who can recommend a treatment plan to address any structural problems."* And gave the work High Priority

Full restoration of the Judge building is currently estimated at \$350,000. Why are we diminishing this express obligation of the Flagstaff Development Agreement? All the current Developers at Empire Pass - including this one - East West Partners (dba Lot 2 Empire Pass North, LLC) - should contribute to the restoration. If all the developers contribute, the restoration will soon be completed. We should require this contractual obligation to be met before approving any applications within the Annexation boundary. This Developer expects the City to meet their obligations of the Flagstaff Development Agreement. Shouldn't the City have the same expectation of the Developers?

b) Little Belle Ore Bin

Attached as Exhibit B is a photo of the Little Belle Ore Bin. This is a massive wood structure that demonstrates our town's mining past, admired by hikers, bikers and skiers.

On page 3 of 5 the "Chart" of Technical Report #6 states:

(column 1) *Little Bell Ore Bin*

(column 5) *"With the first phase of the Flagstaff development the Little Bell Ore bin will be provided a permanent shelter in the form of all-weather roofing....Additional building stabilization will occur in **Summer 2001.**"*

The roofing and the stabilization never happened. Finally in 2018, the Park City Museum spent \$65,000 stabilizing and saving the historic structure that would easily have collapsed this past winter with the snow loads. This was the Developer's responsibility and we have **not been reimbursed**.

This Ore Bin is now in good shape and will stand for many years, but it will in the future require attention and maintenance.

c) Explosives Bunker

Attached as Exhibit C is a photo of the Explosives Bunker. This unique building is one of the most photographed in Park City by visitors and locals. But it is quickly imploding. The chimney has fallen and the roof collapsed. As the dirt from the retaining walls slide into the tunnel, the front facade will fall backward, losing its integrity, cracking and breaking.

The Flagstaff Development Agreement includes the obligation to preserve this historic building. However, recently a representative from REDUS and the Empire Pass Master Owners Association has asserted that this property is not under the Flagstaff Development Agreement and that they have no obligation to stabilize and maintain it. There might be another Developer who has responsibility, but currently no one is clear as to who has responsibility for this building. This needs to be sorted out before this historic building collapses entirely.

d) Daly West Headframe

Attached as Exhibit D is a photo of the Daly West Headframe, which is adjacent to the Montage Hotel. It is a significant and beautiful reminder of our mining heritage and is seen daily by skiers, hikers and bikers, locals and visitors, and guests of the Montage.

As you know, this structure toppled over 4½ years ago due to lack of maintenance. This structure needs to be re-erected and maintained. As referenced above, the Daly West headframe was specifically called out in the 2.9.3 Historic Preservation section of the Flagstaff Development Agreement as "historically significant". Park City only has 4 headframes remaining, and now only 3 still stand. This isn't a huge cost -- \$250,000 to fix and re-stand.

e) **Additional Historic Structures**

Technical Report #6 includes both the 7 page “Plan Summary” and the 127-page “Historic Preservation Plan” prepared by SWCA Environmental Consultants states:

Page 1: Introduction

“SWCA is not a safety engineering firm and recommends that a qualified individual or organization perform on-site inspections. ...”

This same statement is repeated on page 35. SWCA did not envision Technical Report#6 would be the end of the recommendations or the final plan. That point was reiterated in the Executive Summary of Technical Reports #6:

“Concurrent with the first CUP authorizing construction of residential units, FMP (Flagstaff Mountain Partners) will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features.”

The Developer needs to submit this report and this updated plan needs to be approved by the City before any application – including these CUP and Plat applications –is deemed in compliance with the Flagstaff Development Agreement.

Treatment Plan of the 127-Page Historic Preservation Plan (pages: 124-125)
Per the Key, the historic sites that received a “YES” scoring in the Treatment Plan are recommended for Stabilization. They include:

Ontario Mine Water Tanks (page 43):

“The Ontario Mine water tanks consist of five circular, wooden-stave tanks of varying sizes located on the slope above the Ontario #3 Shaft operations... Only two of the tanks appear to be historic. If historical associations can be established for tanks A, B and C, then they may also warrant stabilization treatment.”

Tank D and E, although historic and recommended by SWCA for stabilization, do not appear the 5-page CHART. But they are included in Technical Report #6 as recommended for stabilization by the Developer. 20 years later Tank E barely survives, and **Tank D is gone. Stabilization of the remaining Tank E is urgently needed.**

Daly West Fire Hydrant Shacks (page 73):

Although the 5-page Chart makes no mention of stabilizing the fire hydrant shacks, the SWCA 127-page Plan states (page 74)

“New galvanized roofing panels should be installed to replace any missing panels. The walls and trim could be cleaned... soil should be cleared away from the sills to prevent accelerated decay of the sills. If any badly deteriorated components are discovered, they should be reinforced or replaced, as appropriate.”

White Pine mine log structure (page 105):

Again, the 5-page Chart makes no mention of stabilizing the historic log cabin, but the SWCA 127-page Plan states (page 106-107)

"A few of the logs that have rotted or shifted off center could be reinforced or replaced and shifted back into position ... and secured against further movement. This would tend to stabilize the structure to some degree. It may also be advisable to install few wood braces at key location where shifting is possible. The logs next to the window and door openings could also be aligned more vertically and unobtrusively secured... the small stream should be diverted farther away from the structure to allow the ground to dry out as much as possible..."

VIII. Current Obligations for PROTECTED OPEN SPACE under the Flagstaff Agreement

The Flagstaff Development Agreement actually defines the historic structures as Protected Open Space in Technical Report #5. Contrary to the usual definition of Open Space, consider them as vertical open space (some of the structures are more "open" with larger holes than others).

(see <https://www.parkcity.org/Home/ShowDocument?id=37061>)

Page 1 - Executive Summary: *"Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics..."* (page 323)

Section 1.2 *The primary purpose of POS is ... promote the preservation of historic sites..."* (page 325). **"Several of the Plan Area's historic mine buildings and associated structures are designated as POS."** (page 326).

The Flagstaff Development Agreement provides funding for the maintenance of the Protected Open Space (the vertical open space made up of historic mine buildings and associated structures). 1% of each real estate transaction is collected into the Open Space/Transit Management Fund (OSTM Fund). That fee is then split 50/50 between the Master Owners Association and Park City Municipal.

The proposed Memorandum of Agreement correctly identifies the OSTM Fund as the resource to correct 20 years of deferred maintenance. Sadly, the MOA does not recognize the amount of maintenance that needs to happen now. Think back on your historic Old Town house that you haven't maintained for 20 years. There is a lot of work to perform so it doesn't fall down –leaking roof, peeling paint and exposed wood siding, broken windows, rotten wood floor joists, crumbling concrete foundation, cracked roof rafters. The MOA allows for the same funding each year for 10 years, so immediate problems cannot be addressed immediately. Also the MOA only recognizes the need to maintain these historic

structures for 10 years. The Park City Museum and Friends of Ski Mountain Mining History spent \$65,000 stabilizing the Little Bell Ore bin. In 10 years the ore bin will need more maintenance. But per the MOA, the obligation and the work will end.

City Council needs to revise the provisions in the proposed MOA before considering this and any other applications submitted under the Flagstaff Development Agreement. Per the staff report, City Council has scheduled a Work Session for November 7. Continuing this application for a month surely makes sense?

IX. Erroneous Findings of Fact and Conclusions of Law regarding Compliance with the Flagstaff Development Agreement

(a) Finding of Fact #3 is misleading.

Page 401 of the Staff Report:

Findings of Fact: #3. Controlling Documents

*A. **The property was originally** part of the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.*

WAS? Is staff now saying this property is no longer part of the Flagstaff Development Agreement? Finding of Fact #3 should be corrected to make plain that this property is controlled by the Flagstaff Development Agreement.

(b) Finding of Fact #7 is irrelevant and misleading.

At the September 11, 2019 hearing of a previous Flagstaff Development Agreement application, Planning Commissioner Suesser questioned why “the staff report did not contain an analysis on whether or not the application complies with the Flagstaff Development Agreement.”

Again for this application, there is no real analysis of Compliance. Page 405 of the staff report provides only this:

Findings of Fact #7. Compliance with the Amended and Restated Development Agreement for Flagstaff Mountain

4. The Council will separately consider the compliance matters regarding Technical Reports 5 & 6 as part of the proposed Memorandum of Agreement with REDUS, Storied Development, and the Master Owners Association on November 7, 2019.

5. A Residences at the Tower Condominiums Plat Condition of Approval requires finalizing that MOA prior to the recordation of the Twisted Branch Road Subdivision Plat.

This assumes the proposed MOA will somehow bring this current application into compliance with the Flagstaff Development Agreement. Yet, this applicant - East West Partners - is not currently a signatory of the proposed MOA or even mentioned in the MOA, and there is no assurance that an MOA will ever be executed.

There is no current showing or demonstration on which this Planning Commission could conclude that this application is in compliance with the controlling Flagstaff Development Agreement. Therefore **Finding of Fact #7 is irrelevant to this application, and is therefore misleading.**

If two Developers – Storied and REDUS - are included in the MOA, certainly all the other Developers –LEC Properties, Lynn Padan, and this developer East West Partners - should be included as signatories to the MOA ? If they all contribute, then the Judge S + M Office building can be restored as was required in the Flagstaff Development Agreement. And if they all contribute all the structures identified in Technical Reports #5 and #6 can be stabilized and preserved.

(c) Conclusions of Law #1 is misleading

Conclusions of Law #1: the application, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development, the Park City Land Management Code, and the General Plan.

This implies the application is consistent with the Flagstaff Development Agreement, which it is not. There can be no Conclusion of Law that this application is currently in compliance with the Agreement.

(d) Conditions of Approval #17 is in error

Condition of Approval #17 states "All conditions of approval of the Flagstaff Annexation and Development Agreement shall continue to apply,...."

The conditions for Historic Preservation in the Flagstaff Development Agreement have not been met nor applied for this application.

X. Memorandum of Agreement

Staffs' proposal of a Memorandum of Agreement is a good idea. But the Planning Commission should review this Memorandum of Agreement before considering this application. No MOA can be signed until the promised report on the condition and work needed for all the historic mine structures is received. This report should be reviewed as part of the MOA review.

The currently proposed MOA (see staff report exhibit G page 467) in its Exhibit “A” (page 476) list of “SITES” limits the obligations to only three structures, rather than the larger list provided in Technical Report #6. Among the missing is the Daly West Headframe.

Why?

The MOA in section 3(b) proposes to limit the obligations of historic structure renovation to only a new roof for the Judge Building, rather than the required restoration and adaptive reuse. **Again, why?** And the proposed MOA limits the “obligation” for a new roof to only \$80,000 — and that from two non-signatories to the MOA. Further, it is not known how much a new roof will actually cost or whether the existing building in its current condition can even support a new roof.

Why aren’t all the Developers, including this one - East West Partners (and their Lot 2 Empire Pass North, LLC) – included in this MOA? Why pick two developers and NOT ALL of them?

The MOA was proposed in January 2019. Council approved the Storied Development application on February 2019 based on the historic preservation provisions of the MOA, work that was agreed would start in the summer of 2019. **No work has begun.**

REDUS is currently in negotiation to sell the last PUD they inherited from United Park City Mines. The Twisted Branch subdivision is for one single restaurant building, yet the MOA hinges upon REDUS moving forward with this one plat amendment. **Will the MOA ever be signed?**

Council has not approved the MOA. Planning Commission has not approved the MOA. City Attorney Harrington recently stated: “It has lingered due to unrelated issues.” The historic buildings are lingering too.

Please continue this application until the very numerous issues in the MOA can be addressed and made consistent with the Developers’ obligations and actual work needed to preserve the historic mine structures.

XI. Conclusion

To recap:

1. As explained in Section IX above, several Findings of Fact and Conclusions of Law for this application are misleading and erroneous and cannot be approved.
2. This Developer - East West Partners - is required under the Flagstaff Development Agreement to **restore the Judge Mining & Smelting Company Office** .
3. In addition, this Developer East West Partners is required under the Technical Report #6 to **submit a plan “detailing the repairs and stabilization of all the**

other historic structures and public protection plan for these structures and mining features.” A timeline for this work should be included in this report.

4. This Developer - East West Partners - should be **included as signatory in the Memorandum of Agreement** (and all other Developers should be required to sign on also.)
5. The Planning Commission should participate in the review of the provisions of the proposed Memorandum of Agreement to assure that this Developer and this application are actually in compliance with the Flagstaff Development Agreement.

These are complicated issues that cannot be addressed adequately tonight. But clearly, **nothing should go forward until the above issues are resolved.**

Plainly the **intent and express provisions** of the Flagstaff Development Agreement was for the historic mine structures be preserved for future generations.

Time is running out. The Developer(s) are nearly done. Wells Fargo has nearly sold all the United Park development property. Yet the mine structures are toppling over one by one.

If you cannot continue this application tonight, then please, like the Developer’s application for Nakoma last month, deny this application.

Sincerely,
Sandra Morrison
Park City Museum

EXHIBIT A -- JUDGE M + S OFFICE BUILDING



EXHIBIT B - LITTLE BELL ORE BIN



EXHIBIT C - EXPLOSIVES BUNKER



EXHIBIT D - DALY WEST HEADFRAME





FLAGSTAFF MOUNTAIN RESORT
A PLANNED RESORT COMMUNITY
DEER VALLEY, UTAH

OPEN SPACE MANAGEMENT PLAN
EXHIBIT 5

MAY 2001
REVISED AND APPROVED DECEMBER 2001

PREPARED FOR:
FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450
PARK CITY, UTAH

**FLAGSTAFF MOUNTAIN RESORT
OPEN SPACE MANAGEMENT PLAN**

Exhibit 5

**May 2001
Revised and Approved December 2001**

Prepared for

**Flagstaff Mountain Partners
P. O. Box 1450
Park City, Utah 84060**

Prepared by

**SWCA, INC.
Environmental Consultants**

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EXECUTIVE SUMMARY

This Open Space Management Plan outlines the goals and objectives of open space planning for the proposed Flagstaff Mountain Resort located in Park City, Summit County, Utah (Figure 1). It presents an inventory of existing conditions and describes other open space planning efforts in the surrounding region. The plan also describes the opportunities and constraints related to open space at Flagstaff Mountain Resort. These factors include the physiography, viewshed considerations, historic sites, wetlands, wildlife habitat, recreation, as well as the existing and proposed uses associated with various portions of the Plan Area.

This plan describes two types of open space present at Flagstaff Mountain Resort: Recreational Open Space (ROS) and Protected Open Space (POS). Recreational Open Space is further divided into Developed and Undeveloped Recreational Open Space (DROS and UROS, respectively). DROS consists of lands currently managed and likely to be owned and managed in the future by Deer Valley Resort for the purpose of lift-served downhill skiing. UROS comprises the portion of the Plan Area that has not been modified for this purpose but does contain a preponderance of hiking and/or mountain biking trails. Figure 2 shows the distribution of DROS and UROS within the Plan Area.

A special case of DROS occurs in an area proposed for future ski lift and run development. The Centennial Draw Wildlife Management Area (Figure 2) includes a known elk calving site in Deer Valley's Pod Z, proposed for development in 2008. This plan outlines certain development/management constraints designed to minimize potential impacts to elk in this area. A special case of UROS occurs on Prospect Ridge (Figure 2). This area has been identified as a sensitive viewshed for Old Town Park City. This plan outlines specific management practices designed to maintain the visual character (as specified in the Development Agreement) of this area.

Protected Open Space (POS) refers to portions of the Plan Area that will be preserved for their outstanding natural and/or cultural resource characteristics. To ensure the protection of its outstanding natural resource values, the Lady Morgan sub-watershed (Figure 2) has been designated POS. The wide variety of natural, undisturbed habitats in this sub-watershed confers a high degree of biological diversity to this area. Management prescriptions designed to maintain the unique characteristics and natural dynamics of Lady Morgan Pond are specified. Another type of POS within the Plan Area is associated with specific cultural resource sites. These include a number of mining sites considered sensitive due to their historic value, vulnerability to vandalism, and/or the hazard they pose to an uninformed public (Figure 2). Brief descriptions of these sites and why they qualify for POS are provided in this plan. More detailed management considerations for these sites are provided in the Flagstaff Mountain Resort Historic Preservation Plan (Exhibit 6 to this LSMPD).

1.0 INTRODUCTION

1.1 Flagstaff Mountain Resort

This study is one of several reports that have been prepared to support the Flagstaff Mountain Resort's Large Scale Master Plan Development (LSMPD) application. As LSMPDs are programmatic in nature and subject to refinement at subsequent Master Plan Development (MPD) application and Condition Use Permit (CUP) stages, correspondingly, the contents of this report should be viewed as conceptual in nature and subject to change as specific plans are developed. Details developed at MPDs and CUPs stage will not require a modification of this plan provided that they comply with the Goals and Objectives of this Plan.

The Flagstaff Mountain Resort (Flagstaff Mountain) Plan Area is a 1,600-acre parcel of land located in the southwest corner of Summit County, Utah. Ranging from elevations of 7,800 to 9,000 feet above sea level, it forms the western portion of Deer Valley Resort, a four-season resort facility that specializes in alpine skiing in the winter; hiking, mountain biking, and horseback riding in the summer. Four distinct sites will be developed by Flagstaff Mountain Partners (FMP) as additional year-round residential communities within the boundary of the existing ski area. These sites, or development pods, are depicted along with the overall Plan Area in Figure 1. The proposed development pods include the Mountain Village area (Pods A and B-1), the Daly West area (Pod B-2), and the Northside Neighborhood (Pod D). These pods conform to those sites identified in the Annexation Resolution: Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-acre Quinn's Junction Parcel, and Iron Mountain (Park City Municipal Corporation Ordinance no. 99-30) hereafter referred to as the Development Agreement.

Within the Plan Area, native vegetation comprises a mosaic of quaking aspen and coniferous (primarily Engelmann spruce, subalpine fir, and Douglas fir) forests, Gambel oak, and mountain shrub communities. A few natural meadows occur in the area and are characterized by a variety of native grasses and wildflowers. Wet areas are dominated by willows, sedges, and rushes. Rock outcrops occur on the eastern boundary of Pod D and along the ridgeline at the head of Empire Canyon.

Some of the most notable features of the Plan Area are, however, of human origin. Large piles of mine waste rock, or overburden, are located in the Flagstaff Mountain Plan Area. These features consist predominantly of un-vegetated grayish-white crushed rock associated with the former Flagstaff, Little Bell, Quincy, Anchor, and Daly West Mines. Ski lifts and runs are another notable human-made feature of the Plan Area. Within the Flagstaff Mountain portion of Deer Valley Resort, there are six existing ski lifts and approximately 36 ski runs, many of which have been cut through forest stands, graded, and seeded with non-native grasses and forbs. Four additional lifts are currently planned for Flagstaff Mountain. One of these will serve the ski-in/ski-out

needs of Pod A, one will access existing terrain between the Red Cloud and Northside Lifts (Ski Pod D), and the other two (Ski Pods X and Z) will access new intermediate and advanced ski terrain in Empire Canyon.

1.2 Open Space Planning Goals and Objectives

The overall goal of this plan is to ensure the preservation and maintenance of Flagstaff Mountain's open space for public enjoyment and the protection of ecological values. There are two general types of open space in the Plan Area: Recreational Open Space (ROS) and Protected Open Space (POS). The purpose of ROS is to establish and preserve districts for land uses requiring large areas of undeveloped open land; permit, preserve, and encourage recreational use of these lands; and preserve and enhance environmentally sensitive lands such as wetlands, steep slopes, ridge lines, meadows, stream corridors, and forests.

The primary purpose of POS is to promote useable, public, non-improved, non-commercial, connected, and contiguous open space for community benefit; promote the preservation of undisturbed open lands; prohibit construction on ridge lines and steep slopes, or in wetlands, watersheds, and viewsheds; promote the preservation of historic sites; and preserve the vegetation and habitat of natural areas. More detailed descriptions of the Recreational and Protected Open Space classes are provided below.

Given that the Flagstaff Mountain Plan Area is largely contained within the boundaries of Deer Valley Resort, it should be apparent that ROS comprises the bulk of the Plan Area (approximately 1450 acres or 91 percent of the Plan Area). With this in mind, it should be noted that the entire Plan Area outside of the development pods is currently zoned as Recreational Open Space (ROS-MPD) under Park City's zoning ordinance. The areas proposed as Protected Open Space (POS) within this plan will be rezoned at the completion of the Mountain Village MPD. In addition the Centennial Draw (Ski Pod Z) area will also be zoned POS. The remaining ROS-MPD zone will be managed in accordance with the recommendations of this document.

To that end, there are two types of Recreational Open Space at Flagstaff Mountain: developed and undeveloped. Developed Recreational Open Space (DROS) consists of areas served by ski lifts and contains a preponderance of graded and/or cut ski runs and summer trails. Typical vegetation consists of islands of native forest cover interlaced with ski trails that have been seeded with a limited variety of exotic grasses and forbs. These areas are designed for and receive the bulk of recreational use in the Plan Area. Some currently undeveloped areas have been proposed for ski lift/run development to occur over the next eight years. These areas have been identified as DROS for the purpose of this plan. One of these areas, Centennial Draw, is a known elk calving ground and, as such, is subject to special management considerations described in Section 4.2.2, below. DROS comprises approximately 987 acres or 62 percent of the Plan Area (Figure 2). The general management objectives for DROS include

maintaining high quality, safe, attractive, publicly accessible recreational facilities on a year-round basis.

Undeveloped Recreational Open Space (UROS) may be skied in the winter and typically contains some summer trails, but it has not been heavily modified for these purposes. Consequently, it is dominated by naturally occurring, unfragmented stands of native vegetation. Summer trails in UROS tend to either be remnants of the mining era or have developed from small, volunteer efforts, or from the repeated human use of existing game trails. Where the main purpose of DROS is to provide year-round public recreation opportunities, UROS serves a wider variety of functions. In terms of recreation, UROS is typically used for backcountry skiing or snowshoeing in the winter and hiking or horseback riding in the summer. Some UROS contains trails suitable for mountain biking but only on a limited basis relative to DROS. In some areas, UROS is also important in maintaining scenic viewsheds and wildlife habitats. There are two areas designated as UROS within Flagstaff Mountain Resort (Figure 2). Together, these areas comprise approximately 464 acres or 29 percent of the Plan Area. The general management objectives for UROS are to continue to allow human access and use while maintaining the scenic qualities and habitat values of these areas.

One type of Protected Open Space is so designated because it has outstanding and/or unique natural resource values. Accordingly, the management objective of these lands is to preserve and maintain the biological integrity of these resource values. Thus, while non-motorized winter recreational activities are permissible in and adjacent to designated POS, development of recreational facilities such as cut ski runs or developed summer trails are prohibited. Interpretive signage may be used in or adjacent to POS to help limit access, minimize disturbance, and inform the public of the importance of the area's natural resource values. Designated POS makes up approximately 66 acres or four percent of the Plan Area.

Another type of POS applies to certain cultural resource sites. Several of the Plan Area's historic mine buildings and associated structures are designated as POS. It should be noted, however, that this designation only applies to the historic structure and its immediate surroundings, not a substantial land area as in the case of natural resource POS. Accordingly, the acreages of these sites are not included in the figures presented above.

The management objective of cultural resource POS is to preserve and maintain the cultural integrity of a given site. These areas are typically adjacent to existing trails and many have been damaged as a result of this easy public access. Again, interpretive signage may be used in these areas to dissuade further disturbance, warn the public of the dangers associated with deteriorating buildings, and inform people about the context and importance of the site's cultural resource values.

2.0 INVENTORY OF EXISTING CONDITIONS & INFORMATION

2.1 Existing Conditions

At present, the majority of the Flagstaff Mountain Plan Area is considered open space—but it has not always been so. During the peak of the mining era, the Plan Area could more appropriately have been called an industrial zone. At that time, the area was almost completely deforested and characterized by high levels of human activity and the presence of large buildings and elaborate ore conveyances. Streams were diverted for use in the mining or milling process, there was frequent use of high explosives, and the large overburden piles that now characterize the area were created.

Following the mining era, the area reverted back to defacto open space and the forests began to regrow. During this time, many of the mine buildings and appurtenant facilities were destroyed or removed and the shafts and adits were sealed. The streams, while disturbed, were again allowed to make their way down Empire and Ontario Canyons.

With the creation of Deer Valley Resort in 1981, the focus shifted from natural rehabilitation to ski area development. Access roads were built (or restored from those created during the mining era), ski lifts were installed, runs were cut and graded, and the area once again became filled, at least on a seasonal basis, with people. Recreation continues to be the dominant use of the area today. Thus, while the Plan Area remains open space, much of this open space is characterized by the visual impacts of forest fragmentation associated with roads, lift alignments, and ski runs. Other areas, as yet undeveloped by the ski industry, are characterized by second-growth forest and other native habitats and remain essentially wild with vestiges of the bygone industrial era interspersed throughout. Many of these areas comprise important wildlife habitat, contain significant cultural resources, and/or are important components of the local viewshed. Because they contain few developed trails or other facilities, these areas provide an opportunity for solitude and wildlife study in close proximity to the developed areas of Park City and Deer Valley.

2.2 Regional Open Space Planning Efforts

2.2.1 Park City

The 11-member Citizens Open Space Advisory Committee (COSAC) was formed by the Park City Council in 1998 when Park City voters passed a \$10 million bond issue to preserve open space in the area. In order to be considered for acquisition by COSAC, property must meet some of the following criteria:

- The land offers or protects a critical viewshed;
- The land directs or checks the location, timing, and pace of surrounding development;

- The land is contiguous with other open space parcels (i.e., it contributes to a "green belt" around the city);
- The land provides open space along Park City's entry corridors (SR 224 or SR 248).

In addition to fee simple acquisition of key properties, COSAC works with the owners of identified open spaces to enact legal easements and deed restrictions that will ensure the protection of the land in perpetuity. Any parcels obtained by COSAC will continue to remain undeveloped and will be dedicated to the public for scenic beauty, passive recreation, and continued access by non-motorized means.

2.2.2 Summit County

Summit County requires that, for any type of residential development project within the Snyderville Basin, a minimum of sixty percent of a parcel, inclusive of the developable and non-developable lands, must be reserved for open space whenever density is increased beyond the "base" zoned density described in the County's Development Potential Matrix.

Summit County mandates that, where required, open space within developments be located in areas that will protect the most important attributes of a site and the key focal points that are important qualities of the character of the area. These attributes may include scenic viewsheds, slopes that are less than 30 percent, significant wildlife habitat, agricultural lands and antiquities, open space corridors/connections through the development, and other such features. Modified open spaces such as ski trails and golf courses may be included in a development's open space calculation if they meet the County's objectives of preserving these attributes. Required parks may be included in the open space requirement. Open spaces should be contiguous within a development site and when feasible and appropriate, connect with open spaces on adjacent parcels.

Open spaces that are required to be set aside to meet the requirements of Summit County's open space policies shall be preserved in perpetuity. Preserving these areas may be accomplished either by conveying the parcel to the County, granting a conservation easement to the Utah Land Trust or another appropriate entity, conveying the parcel to a homeowner's association, recording a deed restriction to the benefit of the public to limit the use of the property, or an appropriate combination of the above.

2.2.3 Wasatch County

Wasatch County requires a minimum of 20 to 30 percent open space (depending on location) for each new subdivision that it approves for development. While this is the minimum required per County Code, larger percentages are typically pursued on a case by case basis. During the master planning process, Wasatch County typically solicits developers to donate significant tracts of land and/or create conservation easements to

ensure the preservation of open space as part of their development. The County also prohibits building on slopes greater than 30 percent and requires the creation of parks and other recreational areas (trails, etc.) as part of their master planning process.

2.2.4 Non-Profit Organizations

A variety of non-profit organizations including Utah Open Lands and its local affiliate, Conserving Our Open Lands (COOL), the Citizens Open Space Advisory Committee, and the Swaner Nature Preserve are actively involved in open space protection and planning in Summit County north of the Flagstaff Mountain Plan Area.

Utah Open Lands provides land owners with a variety of estate and tax-planning tools that have allowed this group to preserve more than 19,000 acres of open space in northern Utah. Under its "Historic Farms and Ranches Campaign," Utah Open Lands is currently negotiating the preservation of more than 12,000 acres of wildlife habitat, heritage, and ranch lands in western Summit County. In 1998, COOL formed to assist Utah Open Lands in raising money for the group's Summit County efforts. The money that COOL raises in Summit County is used within the county and will augment Utah Open Lands' Summit County land protection projects and educational programs.

The Swaner Nature Preserve was founded in 1993 as a 20-acre memorial park dedicated to Leland Swaner, a Summit County developer and rancher. The park now consists of nearly 940 acres of montane wetland, meadow, and sagebrush habitats in the heart of Snyderville Basin. The Preserve is currently pursuing acquisition of an additional 120 acres of land on its northeast corner following which it will commence planning the development of an education center and interpretive trail system.

3.0 OPPORTUNITIES & CONSTRAINTS

There are a variety of important physical, biological, and human factors that determine the primary purpose for a given piece of land within the Plan Area. These factors are often interrelated and overlapping in the opportunities and constraints they confer to that land. Physiography, viewsheds, historic sites, wetlands, wildlife habitat, recreation, existing and proposed uses comprise a few of these factors and are described in greater detail below.

3.1 Physiography

Much of the Plan Area consists of moderately steep, north-facing slopes that provide ideal opportunities for downhill skiing. Most of these areas have or will be developed by Deer Valley Resort for this purpose. As mentioned above, these areas are considered DROS.

Areas containing steep, rocky, and/or heavily vegetated south- or west-facing slopes as well as areas lying beyond practical lift-served terrain are less well-suited for alpine skiing and more appropriate for other forms of recreation such as hiking, biking, or horseback riding. These areas are designated UROS. Other amenities associated with designated UROS include the preservation of wildlife habitat and the protection of scenic viewsheds.

Areas characterized by relatively flat terrain are better suited for commercial and residential development. Accordingly, Development Pods A, B-1, B-2, and D are situated on flat or mildly sloping ground surrounded by recreational open space.

3.2 Viewsheds

An important consideration in whether and how to develop a given parcel is the effect the proposed development would have on views in the surrounding areas. Such visual impacts have been an issue with respect to development of Prospect Ridge, the northern portion of the Plan Area visible from downtown Park City. Preliminary visual impact analyses have been completed for the Mountain Village.

3.3 Historic Sites

There are several historic mine sites within the Flagstaff Mountain Plan Area. An historic preservation plan has been prepared for the Plan Area which provides an inventory of these sites and a detailed management plan outlining the interpretive opportunities as well as any legal or safety constraints associated with them.

3.4 Wetlands

Any development activities which result in the placement of dredge or fill material in over 0.10 acre of wetlands or other waters of the U.S. require notification of the Army Corps of Engineers and a permit under Section 404 of the Clean Water Act. A wetland delineation report has been prepared for the Plan Area by Natural Resources Consulting, Inc. and was submitted to the Army Corps' Utah Regulatory Office in February, 2000. While this report did identify a limited number of wetlands within the Plan Area, none of these were contained in areas planned for residential development. Given that the development pods contain no jurisdictional waters of the U.S., construction of Flagstaff Mountain Resort will have no significant effect on these resources. Wetlands were, however, identified in Centennial Draw, an area proposed for development as a ski pod (Pod Z) in 2008. Depending on the final design of this ski pod, the clearing and/or grading of ski runs in this area may require acquisition of a 404 permit.

3.5 Wildlife Habitat

Much of the Plan Area, particularly those areas that have not been developed for downhill skiing, provide high quality wildlife habitat. A variety of native vegetation types including aspen, conifer, and mixed forests, mountain shrublands, meadows, and wetlands provide habitat for a diversity of seasonal and year-round wildlife species. Opportunities for wildlife watching are one of the attractive amenities of the Flagstaff Mountain Plan Area for casual recreationists as well as future homeowners. Depending upon site-specific conditions, a desire to preserve and maintain wildlife habitat values within the Plan Area could constrain certain aspects of development. Please refer to the Wildlife Management Plan for more information on this important resource.

3.6 Recreation Access

During the winter, recreation consists primarily of alpine skiing and access is controlled by Deer Valley Resort (refer to Section 5.3, below). During the summer, recreation use consists of dispersed hiking, mountain biking, and horseback riding. Access to the property is open in the summer and recreationists are free to roam throughout the Plan Area, subject to rules and regulations established from time to time by Deer Valley Resort. A detailed assessment of recreation access, existing and future trails, and trail management may be found in the Trails Master Plan for Flagstaff Mountain Resort.

3.7 Existing Uses

With the exception of the recreational uses mentioned in Section 3.6, commercial uses are limited to snowmobile rentals during the winter and hiking and biking uses in the

summer. With the exception of snowmobile rentals (which are being discontinued as of the winter of 2001-2002), existing uses of the Plan Area will be preserved during and after development.

3.8 Proposed Uses

Beyond the proposed development pods, the Development Agreement gives Flagstaff the opportunity to develop a restaurant/club facility (AKA "Beno's Cabin") in the DROS. The facility is to be located within the ski terrain near to the Mountain Village. Proposed ski area expansion in the DROS area includes two ski pods (Pods X and Z) that will be developed over the next three to eight years, respectively. These proposed uses will provide additional skiing opportunities; however, they will also limit the distribution and abundance of forested wildlife habitats.

4.0 MASTER PLAN

4.1 Designated Recreational Open Space

4.1.1 Developed Recreational Open Space

Deer Valley Resort has developed ski lifts and ski runs throughout the majority of the Plan Area. Two currently undeveloped areas are proposed for ski lift and run development over the next eight years. Collectively, these areas fall under the category of DROS. Refer to Figure 2 (Appendix B) for a depiction of DROS within the Plan Area. Deer Valley will continue to have management responsibility for all DROS within the Plan Area.

4.1.1.1 Centennial Draw Wildlife Management Area

Centennial Draw, while part of DROS in proposed Ski Pod Z, has been identified as containing an elk calving area. Early planning efforts for the project identified this wildlife use and consequently provided for restrictions on ski run construction activities in Pod Z as set forth in the Development Agreement. In order to maintain the suitability of this site as a calving ground, the clearing and grading associated with the proposed ski run development will be minimized in the area delineated in Figure 2. The Development Agreement states that only two graded runs will be allowed in Pod Z. Forest thinning and other, limited vegetation removal may occur in the balance of Pod Z for skier safety and glade skiing. No more than two ski runs will be created in the delineated wildlife management area portion of this ski pod. In addition, Run 121 nearest the center of the drainage (north end of the ski pod) will be a gladed rather than conventionally cleared run. In order to preserve hiding cover for calves, no ground disturbance or removal of the shrub layer will be permitted in this area. Large tree islands containing suitably dense forest and shrub cover to hide calves will be maintained following lift development. Native herbaceous ground cover will be maintained in the cleared run. The process of approving the ski related development in this Pod and the balance of the project is an Administrative Conditional Use. Review of the ski related improvements shall require compliance with the goals and objectives of this plan.

While habitat conversion due to ski run development could reduce the extent of suitable calving habitat in Centennial Draw, as long as hiding cover is preserved elk should still use the site. A more important consideration during the calving period is human (and domestic dog) intrusion and disturbance. Elk calving can begin as early as April and extend into July. This area will, therefore, be closed to recreationists and their pets from the last day of skiing at the resort through June to minimize disturbance to calving elk.

4.1.2 Undeveloped Recreational Open Space

UROS forms the second largest type of open space within the Plan Area. While these areas may contain a variety of hiking, biking, and equestrian trails, these facilities do not dominate the character of the land. Native vegetation cover remains largely intact and forest stands do not exhibit the high level of fragmentation characteristic of DROS. Consequently, these areas tend to have greater visual appeal and higher quality wildlife habitats relative to DROS. While these areas will continue to experience summer trail construction and maintenance, the overall character of UROS within the Plan Area is unlikely to experience substantive change over time.

4.1.2.1 Prospect Ridge Viewshed

Prospect Ridge is considered a special area within the designated UROS (Figure 2). This area comprises a critical viewshed for Old Town Park City. Within 30 days of issuance of a MPD application or CUP Permit, FMP will grant to the City a conservation easement, with free public trail access (without encumbrances) over acreage located in this area contiguous with City-owned open space. This conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

4.2 Designated Protected Open Space

4.2.1 Lady Morgan Pond Area

With the exception of a few highly localized historic sites, the only designated POS parcel in the Plan Area is the Lady Morgan sub-watershed (Figure 2). This area contains the most extensive emergent marsh and depressional wet meadow habitats and the only natural pond within the Plan Area. It contains aspen, conifer, and mixed forest communities as well as mountain shrub habitats. This diversity of habitats provides for high species diversity within this area. Also, the dense forest cover in close proximity to open water indicates that this area has potential to be another important elk calving ground. Accordingly, evidence of deer and elk bedding down in mountain shrub habitat north of the pond was observed in July, 2000. Vegetation management in this area shall occur solely for the purposes of maintaining health and diversity. The high biological diversity associated with this area warrants its designation and rezoning as POS.

According to the Development Agreement, use of the Lady Morgan area will be restricted, by conservation easements acceptable to Park City and by signs and monitoring (if necessary), to skiing (without cutting runs, glading, or thinning trees) and daytime recreational hiking. While an old road grade cuts through the upper portion of the Lady Morgan POS, no additional summer trails will be developed in this area. No construction activity or motorized vehicle use of any kind shall be allowed in the Lady Morgan POS except as allowed, with City staff approval, for forestry and wetlands

management. Mountain biking trails currently skirt the area and will continue to do so in the future. Installation of interpretive facilities at the edge of the POS will help to inform the public of the importance of the Lady Morgan sub-watershed to the overall biodiversity of the Plan Area.

4.2.2 Flagstaff Mine

While the Flagstaff Mine Site does not contain any remaining structures, the importance of this site to the history of mining in Utah warrants its designation as POS. For a detailed history of this site and its historical significance refer to the Flagstaff Mountain Resort Historic Preservation Plan (HPP). Management of this site will simply consist of installing interpretive signage to inform the public of the mine's role in the history of Park City and mining in Utah.

4.2.3 Little Bell Mine Site

The Little Bell Mine Site contains an old ore bin with both historic and aesthetic importance. Consequently, this site is considered POS. For a detailed history of this site and a discussion of historic preservation concerns regarding the ore bin in particular, refer to the Flagstaff Mountain Resort HPP. Management of this site is expected to involve stabilization of the ore bin and installation of interpretive signage explaining the role of the ore bin in the mining process.

4.2.4 Quincy Mine Site

The Quincy Mine Site contains an old hoist and a boiler that were used when the area was being actively mined. Just as with the ore bin at the Little Bell mine, these features have both historic and aesthetic significance and warrant designation of this site as POS. For a detailed history of this site and a discussion of the hoist and the boiler, refer to the Flagstaff Mountain Resort HPP. Management of this site will involve installation of interpretive signage explaining the role of the hoist and boiler in the mining process and cautionary signage warning the public of dangers associated with the mine shaft which, though filled, appears to be subsiding.

4.2.5 Daly West Mine Site

The Daly West Mine is characterized by a large, rusted steel headframe. In addition to its historical and aesthetic importance, this headframe is still in operation and provides maintenance access to the Anchor Tunnel. Consequently, this site is considered POS. Detailed information on the Daly West Mine may be found in the Flagstaff Mountain Resort HPP. Management of this site will involve installation of interpretive signage discussing historical and current use of the headframe.

4.2.6 Judge Mine Complex

As defined for the purposes of this Open Space Plan, the Judge Mine Complex consists of the Judge Drain Tunnel, the Judge Mining & Smelting Company office building, the Judge Mining & Smelting Company explosives bunker, a wooden house, the remains of the Daly-Judge Mill, and the Judge aerial tramway towers. The historical and aesthetic importance of the office building, remaining rail tracks, and the explosives bunker and the huge industrial operation for which these and the other facilities are the only vestige warrant designation of this area as POS. Detailed information on the historical context of this site may be found in the Flagstaff Mountain Resort HPP. Detailed stabilization, restoration, and management actions are also provided in the HPP. These facilities, particularly the office building and wooden house, have been severely vandalized. Thus, at a minimum, management will include installation of interpretive and cautionary signage designed to educate the public on the historical importance of these facilities and foster a sense of stewardship in order to minimize future vandalism.

4.3 Phasing of Plan Implementation

According to the Development Agreement, all land outside of the development pods will be zoned as Recreation Open Space. Upon issuance of the first MPD or CUP for any portion of the Project, FMP and Deer Valley Resort will execute a conservation easement, for the benefit of the City and a third party conservation trust (or similar entity), to limit their use of the Flagstaff Mountain ski terrain to construction, development, and operation of ski and mountain bike lifts, ski and mountain bike runs and trails, one skier day lodge, and other similar winter and summer recreational uses and services. Such conservation easements will prohibit any hotel, lodging, residential, or commercial construction or use on ROS-zoned land in Flagstaff Mountain. Such conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

With respect to the Prospect Ridge Viewshed area (Figure 2), within 30 days of issuance of a subsequent MPD or CUP, FMP will grant to the City a conservation easement, with free public trail access and no encumbrances, over acreage located on Prospect Ridge contiguous with City-owned open space. Such conservation easement will be to the reasonable satisfaction of the City and shall be first in priority in title.

4.4 Management Authority

Deer Valley Resort has management authority and responsibility for all ROS and POS lands within the Plan Area. During development, FMP will be responsible for managing the development pods and any open space within these areas. Following development, the respective Homeowners Association will assume management authority for open space within the development pods.

5.0 RELATED PLANNING DOCUMENTS

5.1 Flagstaff Mountain Resort Trails Master Plan

The Trails Master Plan identifies existing and proposed hiking, biking, and equestrian trails within the Plan Area. It outlines trail management and use considerations and restrictions. The Trails Plan interfaces with this Open Space Plan where trails pass adjacent to or through the Lady Morgan POS and the Centennial Draw Wildlife Management Area.

5.2 Flagstaff Mountain Resort Wildlife Management Plan

The Wildlife Management Plan was prepared to facilitate the preservation of wildlife habitat values within the Plan Area by minimizing habitat loss and human/wildlife conflicts. This plan identifies existing wildlife species and habitats that occur within the Flagstaff Mountain Resort Plan Area, and establishes management guidelines to help maintain the biotic integrity of the area while ensuring the long-term attractiveness and marketability of the proposed developments.

5.3 Deer Valley Open Space Plan

Deer Valley Resort has developed its own Open Space Management Plan for the portion of the ski area within the Flagstaff Mountain Resort property. The Deer Valley plan is considered part of the overall plan presented here. There are six components to the Deer Valley plan: A) General, B) Ski Area Development, C) Winter Skiing Operations, D) Summer Trail Use, E) Commercial Snowmobile Operation, and F) Wasatch County Homeowner Winter Snowmobile Access.

Under the "General" component of this plan, all of the area outside of the identified development pods is designated as Recreational Open Space under the Park City Land Management Code and use of the land is subject to the restrictions of that zone. No later than the issuance of the first MPD or CUP for Pods A - D, United Park City Mining Company (UPK) and Deer Valley are required to execute a conservation easement to limit the use of the Flagstaff Mountain ski terrain to construction, development, and operation of ski and mountain bike lifts, ski and mountain bike runs and trails, a skier day lodge, and other similar winter and summer recreational uses and services. This conservation easement will prohibit any commercial or residential development or use on the ROS-zoned land included in the annexation.

Ski area development restrictions outlined in this plan include the following:

- Only two graded ski runs shall be allowed in Ski Pod Z, with thinning and other limited vegetation removal for skier safety and glade skiing.

- The Lady Morgan Springs area is restricted to skiing without cutting runs, glading, or thinning trees, and summer daytime hiking.

Winter skiing operations and maintenance are the responsibility of Deer Valley Resort. During the winter skiing season (including preparation and shutdown activities immediately before the seasonal opening and closing of the resort, respectively), public access to the ski area is at the discretion of Deer Valley and public use of the property is subject to the operating policies of Deer Valley Resort.

There are two provisions contained in this component of the plan:

- The ski facilities shall be open to the general public and use thereof shall not be restricted to owners of property located within the Deer Valley or Flagstaff Mountain Resort developments or to members of any private club.
- All charges, fees, and costs paid by the general public for the use of the resort facilities shall not exceed those paid by owners of property located within the two resort developments.

The summer trail use component of Deer Valley's Open Space Plan provides a Trails Master Plan for the area. This component of the plan is described in the Flagstaff Mountain Resort Trails Master Plan and the reader is referred to that plan for a more complete description of the summer trail use component.

Commercial snowmobile operations currently utilize a designated route through the Plan Area to access state and private lands outside of the control of Deer Valley Resort. This route conflicts with FMP development plans and will be terminated accordingly.

Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and FMP will continue to work with UDOT in providing winter access to Wasatch County landowners.

APPENDIX A

FIGURES

Figure 1. Location of Project Area

Figure 2. Open Space

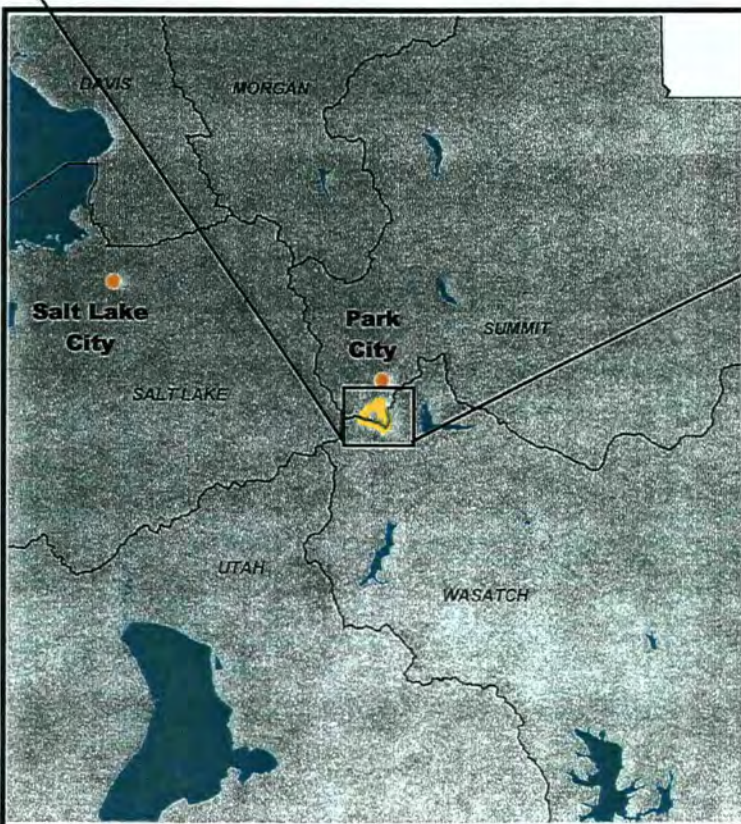
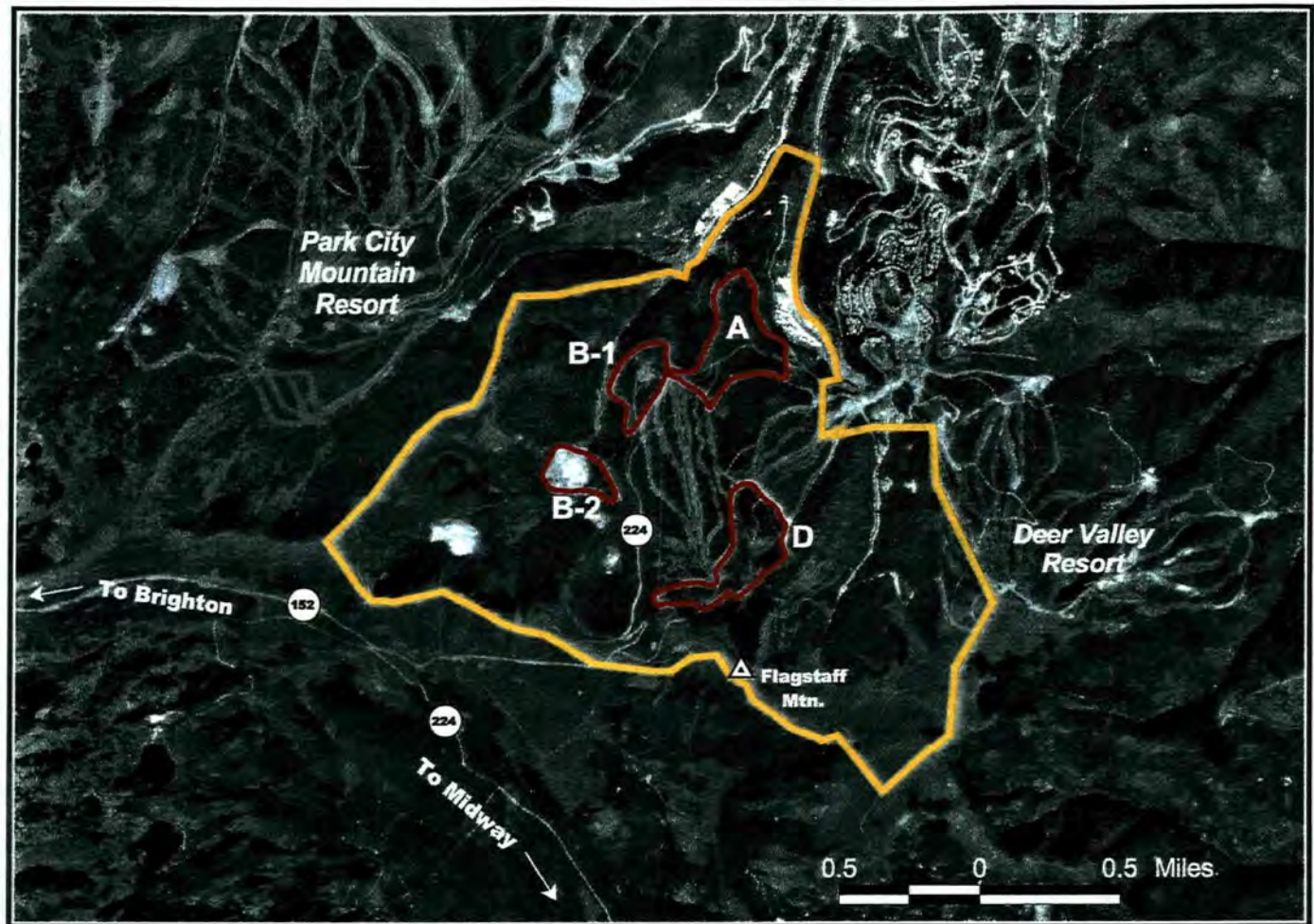
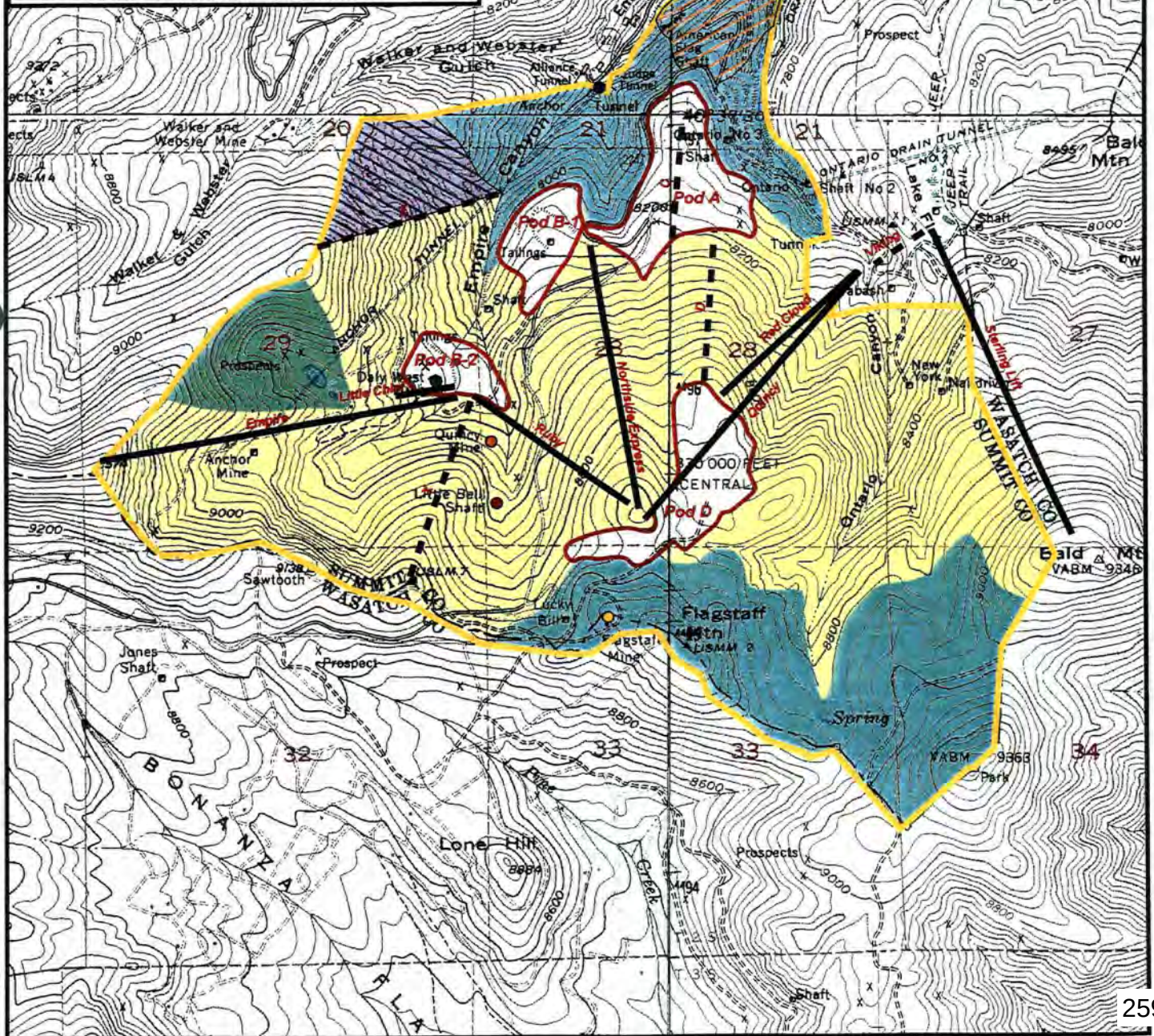


Figure 1. Location of Flagstaff Mountain Resort Plan Area, Summit County, Utah.

SWCA INC.



Figure 2. Open Space





FLAGSTAFF MOUNTAIN RESORT
A PLANNED RESORT COMMUNITY
DEER VALLEY, UTAH

HISTORIC PRESERVATION PLAN
EXHIBIT 6

MAY 2001
REVISED AND APPROVED DECEMBER 2001

PREPARED FOR:
FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450
PARK CITY, UTAH

HISTORIC PRESERVATION PLAN

Prepared for

FLAGSTAFF MOUNTAIN RESORT

Plan Summary

Exhibit 6

May 2001

Revised and Approved December 2001

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EXECUTIVE SUMMARY

The Historic Preservation Plan dated August 2000 is a 127-page detailed document produced for Flagstaff Mountain by SWCA, Inc., Environmental Consultants. The document describes in great depth the history of the area and the historic sites found within the Flagstaff Mountain Annexation Boundary.

Accompanying this plan summary is a chart that reviews the same information in an abbreviated format. It includes a brief description of every important site within the Boundary, together with a short history, an overview of the existing conditions, and recommendations for preservation work associated with each. Additionally, the chart includes information regarding a proposed phasing timeline for restoration or remediation of the sites together with a proposed signage format.

Figure A is a map depicting the Historic Sites and is intended as an aid to the reader in locating each site within the Flagstaff Mountain Annexation Boundary.

Concurrent with the first CUP authorizing construction of residential units, FMP will submit to Staff a plan detailing the repairs and stabilization of the historic structures and public protection plan for these structures and mining features. The maintenance and ongoing protection efforts for those buildings, which are not part of an ongoing operation, will become the responsibility of the master homeowners association.

FLAGSTAFF MOUNTAIN

Historic Sites and Preservation Plan

CHART – 5 PAGES

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Ontario Mine Shaft No.3	The shaft was used to haul ore and waste rock from the workings and to transport miners and equipment in and out of the mine. It also served as an extra exit point and ventilation shaft.	The No.3 shaft is located in the middle Ontario Canyon, west of and adjacent to State Road 224. The associated complex is situated atop a large historic mine waste dump. All of the surface works were replaced in 1970s and consist of a complex of metal buildings that houses offices, a workshop or garage, concentrator equipment, conveyors, the shaft works, and the Silver Mine Adventure museum in the shaft works building. This site is located on 6.19 acres.	The No.3 shaft and the modern surface works appear to be in good overall condition. Despite the end of the mining activities in the area, the shaft is still operational, and still serves the needs of underground work crews who continually maintain several miles of drain tunnels that supply water to the Park City Culinary water system and to the Jordanelle Water Conservancy district.	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. The steepness of the slope of this feature will restrict and lengthen the revegetation process. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Anchor (Daly-Judge) Drain Tunnel	The tunnel and its portal are associated with ventilation, water drainage, ore haulage, and access for equipment, utilities, and employees.	The drain tunnel is located approximately one mile up Empire Canyon. The portals covered extension is directly adjacent to the east wall of the Judge Mining & Smelting Company office building. Access to the tunnel is secured with a hinged steel grating that allows ventilation. A doorway in the changing room in the rear section of the office building connects directly to the tunnel. This opening is covered with steel grating. The portal itself is of concrete construction, and its covered extension is a wood frame structure with galvanized corrugated steel panels.	The portal appears to be in generally good condition. The tunnel is being maintained as part of Park City' culinary water system, and it is assumed that this feature is still structurally sound. However, there are some wooded patches on the east wall of the portal extension that may need to be secured. The condition of the sills and the bottoms of the wooden posts in the east wall is unknown. There are some loose corrugated roofing panels at the northeast corner of the roof of the Judge Mining & Smelting Company Office building, this problem would be addressed by deficiency mitigation work on that structure.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Judge Mining & Smelting Company Office	The building housed administrative offices for the Judge Mining & Smelting Company operations, which include mining, milling, and smelting operations, and their continued maintenance. It also provided shower and lavatory facilities for mine workers.	The office is located adjacent to the extension of the Anchor (Daly-Judge) Drain tunnel portal. It is a simple, front-gabled, one-story, concrete-walled structure that is divided into two functional areas. The front section was used as an office and is subdivided into six rooms. The rear section consists of a large Changing Room for miners that connects with the Anchor (Daly-Judge) Drain tunnel via a doorway in its east wall. A small shedroofed extension on the west side of the building serves as an entry to the rear section.	All of the building's walls, plus at least one internal wall, are constructed of poured concrete. The exterior walls are finished with stucco, which shows no obvious evidence of paint and retains its natural appearance. The stucco appears to be original and has the logo "J.M. & S. Co. -1920" incised into the front gable above the original entrance. All of the windows, with the exception of three windows on the east wall of the Changing Room, are wood-framed, double-hung windows, without counterweights or springs. The building appears to be in fair condition, but is in need of some repairs.	The building site will be cleaned of debris in summer 2001. With the first phase of Flagstaff development the restoration of the building will be initiated, interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. After restoration, the building is anticipated to serve as office and recreation uses for the Flagstaff development.

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Explosives Bunker	The bunker was used to store explosives, which is clear from the large incised sign on the façade.	This feature is located against a hillside, a few hundred feet north of the Judge Mining & Smelting Company office building. It consists of a concrete explosives bunker that appears to have been used by the Judge Mining & Smelting Company.	This bunker appears to be in excellent condition and unaltered, with the possible exception of some hasps or locking hardware that might be original, but could have been welded to the steel door at a later date. However, the interior of the structure was not available for inspection, so its condition is unknown.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
American Flag Mine Waste Dump	This dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	This feature is located one mile up Empire Canyon, on the east side of the canyon and opposite the site of the Daly-Judge Mill. Very little remains of the American Flag Mine itself, although it may have some potential to yield archaeological remains. This site is located on .60 acres.	The basic form of the waste dump has been significantly altered by landslides and other activities in the area. Vegetation has been growing up on portions of the dump.	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. The steepness of the slope of this feature will restrict and lengthen the revegetation process. Stabilization of some of the mine waste will likely be necessary. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly Mine No.1 Waste Dump	This dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located in upper Empire Canyon. About a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. This site is located on .51 acres.	This basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining landscape. Vegetation has grown up on portions of the dump, although there is still a small amount of bare material exposed to view.	Revegetation efforts have already begun on this mine site. A mulch has been spread over the dump and a seed mix used that contained species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly Mine No.2 Shaft	The shaft was used to haul ore and waste rock from the workings and to transport miners and equipment in and out of the mine. It also served as an extra exit point and ventilation shaft.	The shaft is located in upper Empire Canyon. About a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. Little remains today from these operations, except some scattered rock foundations or retaining walls, composed of coursed and uncoursed rough stone.	The rock walls are in poor condition and the area has been heavily disturbed.	Much of this mine feature has been covered. A thick soil cover will be placed on this mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly - West Mine Headframe, Shaft and Hoist	The headframe, shaft, and hoist was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft.	The headframe, shaft, and hoist are located in upper Empire Canyon, about a quarter of a mile above the Daly No.2 Shaft.	These features are still in operable condition and are maintained as an emergency exit and ventilation source for the drain tunnels.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Daly - West Mine Fire Hydrant Shacks	These features provided sources of pressurized water for fire fighting or other purposes.	These three fire hydrant or water connection shacks are located at the Daly-West Mine, just upslope from the headframe. One shack has a fire hydrant inside and the others have smaller water pipes and valves. All are painted red with white trim, perhaps as a requirement to indicate their function as water sources for fire fighting.	Other than some missing galvanizing roofing panels and typical weathering, these sheds are in reasonably good condition and do not appear to have been significantly altered over time.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Daly - West Mine Waste Dump	The dump represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	This feature is a large wasted dump in the middle part of the Empire Canyon that is associated with the Daly-West mine. This site is located on 14.55 acres.	This basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining land landscape. Vegetation has grown up on portions of the dump, although there is still a large amount of bare material exposed to view.	Revegetation of this mine feature will involve, from time to time, broadcasting mulch from the top and bottom of the mine dump. This will be followed by the addition of a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Quincy Mine Hoist Plant	The boiler and hoisting engine were used to operate the Quincy Mine shaft equipment, which was used to carry miners, equipment, and supplies in and out of the mine workings, and to haul ore out of the mine.	This feature consists of the remains of the hoist plant for the Quincy Mine Shaft. It is located in middle Empire Canyon, just upslope of the Daly-West Mine. A rectangular area and traces of rock foundations define the area that was occupied by the hoist building.	The hoist building is no longer standing, but some pieces of lumber and roofing material can be seen on the ground within the area defined by the hoist building foundations. These items are badly deteriorated and mixed with forest detritus.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Quincy Mine Shaft and Waste Dump	The shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft. The dump was used to discard waste rock that was removed from a mine in order to access high-grade ore deposits.	These two features are located in the middle Empire Canyon area, directly above the Daly-West Mine site. Little remains of the shaft, since it has been filled in. However, the fill has settled, and a depression clearly shows where the shaft is located. This site is located on 1.92 acres.	The shaft has been filled in and concavity exists over the filled shaft to suggest its location adjacent to the hoist plant. The basic form of the waste dump remains intact.	Revegetation efforts of the top of this mine dump has already started. The upper slopes have also been mulched. There is a good population of pine trees on the slope of the dump and efforts to cover the steep slope of the dump have been restricted by the trees. A seed mix that consists of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance was used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Little Bell Mine Ore Bin	The ore bin was used for short-term storage and redistribution of ore from the Little Bell mine, sometimes called "slagging."	The bunker is located in middle Empire Canyon, on the east-facing slope of the Little Bell Mine waste dump and approximately 175 feet east of the Little Bell Mine shaft. The ore bin is constructed of wood, excepting the steel-and-iron loading gate doors, nails, steel bracing rods, and other fasteners. The footprint of the structure measures 12' x 24'.	The overall effect of the damage to the ore bin is that the entire structure is supported only by the central support posts and cross braces at the front and rear of the structure, making its support base effectively much smaller and creating a precarious and dangerous situation.	With the first phase of Flagstaff development the Little Bell Ore Bin will be provided permanent shelter in the form of all weather roofing, and interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Additional building stabilization will occur in summer 2001.

FLAGSTAFF MOUNTAIN
Historic Sites and Preservation Plan - CHART

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Little Bell Mine Waste Dump	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The waste dump is located in middle Empire Canyon adjacent to Little Bell ore bin and shaft and south of the Quincy Mine. The mine shaft has been filled in and very little remains of that feature, but the dump is still visible. This site is located on 2.82 acres.	The dump is essentially unaltered part of a mining landscape. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.	This feature has been partially revegetated. Efforts will continue by adding mulch and available soil to the surface. A seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Diamond-Nemrod Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located high on the steel hillside above the Daily-West Mine, and are clearly visible from a distance.	The basic form of the dump remains relatively intact. Vegetation has been growing up on portions of the dump, although there is still some bare material exposed to view.	These mine dumps will be mulched with a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. However, access to these sites is limited and the merits of establishing access for the purpose of revegetating the mine dumps will have to be made prior to any work. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Anchor Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is a massive feature located in upper Empire Canyon. It is clearly visible from a great distance and is one of the largest and best preserved of the dumps in Empire Canyon.	The basic form of the dump remains relatively intact. It is a large waste dump and a highly visible part of a Mining land landscape, although there has been major recontouring of the east side of the dump for a ski run. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.	Some revegetation has already taken place on this mine feature. This is one of the largest mine features in the Flagstaff Project. The steep long slopes of the mine dump will make any revegetation efforts difficult. The surface of the dump will be covered with soil as it is available. The top of the steep slopes will be mulched seeded with a mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
White Pine Mine Log Structure	The original purpose of this structure has not been determined. It may have been a residence, or it could have functioned as an administrative building.	The remains of the log structure are located below the White Pine Mine and above the Anchor Mine. The structure consists of a one-room, one-story log building, with a footprint of approximately 16' x 22'. The highest point of the remaining structure is the northwest corner, which is about nine feet above the current ground level.	The roof is missing and may have fallen in. The attic or loft has fallen down, and a few of its remaining structural elements are still visible, mixed in among the debris inside the structure. These components are in poor condition, due to normal processes of weathering and decay.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
White Pine Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The Ridge-Line Waste Dump is located on a saddle at the ridge line at the top of Empire Canyon. The Downslope Waste Dump is located a short distance downslope and to the north of the ridge-line waste dump. This site is located on .43 acres.	The ridge-line waste Dump has been altered significantly by recontouring operations and other work in the area. The downslope waste dump appears to be intact and in stable condition.	This small mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.

NAME	HISTORY	DESCRIPTION	EXISTING CONDITIONS	WORK RECOMMENDATION
Flagstaff Mine Shaft	The shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft.	The shaft is located near the top of the Flagstaff Mountain, which lies between Empire Canyon and Ontario Canyon. The shaft has been capped with a concrete slab and very little remains of the mining operation other than its waste dump and some scattered materials.	The structural integrity of the slab is unknown. Some dilapidated fencing surrounds the concrete slab, but is no longer protecting it.	With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Flagstaff Mine Waste Dumps	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located near the top of the Flagstaff Mountain, between Ontario Canyon and Empire Canyon. It is a tall feature, but is spread over a fairly wide area around the shaft location. This site is located on 1.07 acres.	The basic form of this waste dump appears to be intact and more or less in its original form. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view.	This mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.
Naildriver Mine Waste Dump	This feature represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.	The dump is located in the eastern portion of the Flagstaff Mountain Resort project area. It is the only remaining historic feature of the Nail Driver Mine. This site is located on .43 acres.	The dump has not been significantly altered. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view.	This mine dump will be mulched and a seed mix that will consist of species as close to native as possible but focusing on the ability to have sustainable growth and foster soil stability with minimal maintenance will be used. However access is restricted and an evaluation will need to be completed to assess the merits of establishing access to the mine dump to revegetate it. With the first phase of Flagstaff development interpretive signage will be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity.

HISTORIC PRESERVATION PLAN FOR FLAGSTAFF MOUNTAIN RESORT SUMMIT COUNTY, UTAH

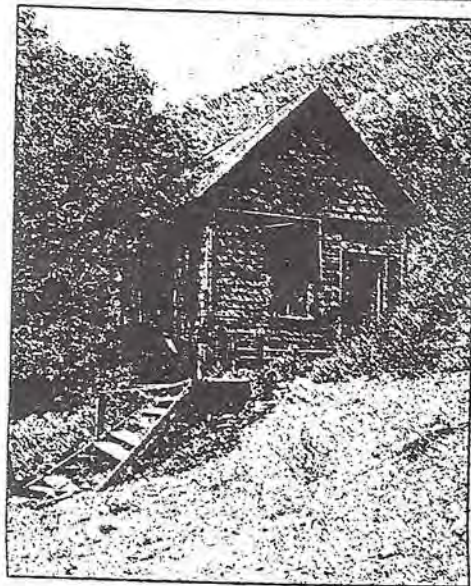
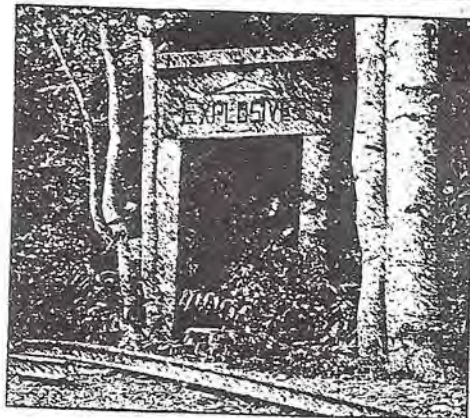
Prepared for

UPK/DMB Associates, LLC

Prepared by

**SWCA, Inc.
Environmental Consultants**

August, 2000



**HISTORIC PRESERVATION PLAN
FOR FLAGSTAFF MOUNTAIN RESORT
PARK CITY, SUMMIT COUNTY, UTAH**

Prepared for

UPK/DMB Associates, LLC

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SWCA Cultural Resources Report No. 00-28

August, 2000

**AMERICAN CULTURAL
RESOURCES ASSOCIATION**



MEMBER

ABSTRACT

Between August, 1999 and July, 2000, SWCA, Inc. Environmental Consultants (SWCA) conducted research on historic mining-related properties in the Flagstaff Mountain Resort project area in Park City, Summit County, Utah. This work was conducted at the request of UPK/DMB, LLC, the developer of the Flagstaff Mountain Resort. At the time of this writing, there were no state or Federal reporting requirements for this HPP, which was written for submission to Park City and to satisfy conditions outlined in a Development Agreement between Park City and UPK/DMB, LLC.

The intent of this research was to create a historic preservation plan (HPP) that would provide information to assist UPK/DMB, LLC and Park City make informed decisions regarding possible treatment plans for these properties. More specifically, this HPP provides:

- General historic context information for mining activities in the Park City area.
- Geological context information for the Park City area.
- Site-specific historic context information for certain mining-related sites in the project area.
- A description of each feature in a site, including physical characteristics, stylistic information, and construction details, as appropriate.
- A brief explanation of each feature's function within a mining system, if known.
- A description of significant problems or deficiencies that threaten a feature's structural integrity or life expectancy. Other problems or deficiencies may exist that were not noted during a preliminary inspection of the features described herein.
- An assessment of the causes or conditions that led to those deficiencies, or that maintain or exacerbate those deficiencies.
- A description of recommended work that might mitigate a feature's deficiencies. This information may be useful if stabilization is selected as a treatment plan for a particular feature.
- Suggestions for interpretive signage. This information may be useful if interpretation is selected as part of a treatment plan for a particular historic feature.
- Some basic information about types of treatment plans and a list of viable and suggested treatment plans for the historic properties in the Flagstaff Mountain Resort area.
- An appendix containing information about the artifacts and exhibit material associated with the Silver Mine Adventure operation.
- An appendix containing general background information on applying National Register of Historic Places (NRHP) criteria for determining historic significance and NRHP eligibility.

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INTRODUCTION

This Historic Preservation Plan (HPP) was prepared by SWCA, Inc. Environmental Consultants (SWCA) for UPK/DMB, LLC (UPK/DMB).

The Flagstaff Mountain Resort project area consists of approximately 1,750 acres of private land in Park City, Summit County, Utah. Flagstaff Mountain Resort developers include UPK/DMB, LLC (a joint venture between United Park City Mines Company and DMB Associates, Inc.) and certain other private property owners. A Development Agreement was negotiated between the developers and Park City Municipal Corporation as a prerequisite to Park City's annexation of the Flagstaff Mountain Resort property, which took place on June 24, 1999.

This HPP was commissioned by UPK/DMB to satisfy Park City's requirements for the creation of a Historic Preservation Plan, as described in the Development Agreement. There were no Federal or state requirements for the HPP at the time of this writing. The content and structure of this HPP was designed to satisfy certain content requirements agreed upon by UPK/DMB and the Park City Preservation Planner, and certain administrative requirements, including review by Park City and representatives of the Summit County Historical Society.

This HPP identifies certain historic mining-related properties in the Flagstaff Mountain Resort project area and provides information that should help UPK/DMB and Park City make informed decisions regarding possible treatment plans for these properties. More specifically, this HPP provides:

- General historic context information for mining activities in the Park City area.
- Geological context information for the Park City area.
- Site-specific historic context information for certain mining-related sites in the project area.
- A description of each feature in a site, including physical characteristics, stylistic information, and construction details, as appropriate.
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- An appendix containing general background information on applying National Register of Historic Places (NRHP) criteria for determining historic significance and NRHP eligibility.

Note: Certain obvious safety hazards pertaining to the features described in this report may be noted. However, SWCA is not a safety engineering firm and recommends that a qualified individual or organization perform on-site inspections to identify potential safety hazards and make specific hazard mitigation recommendations. There may be other hazards associated with these properties in addition to any that are mentioned in this report.

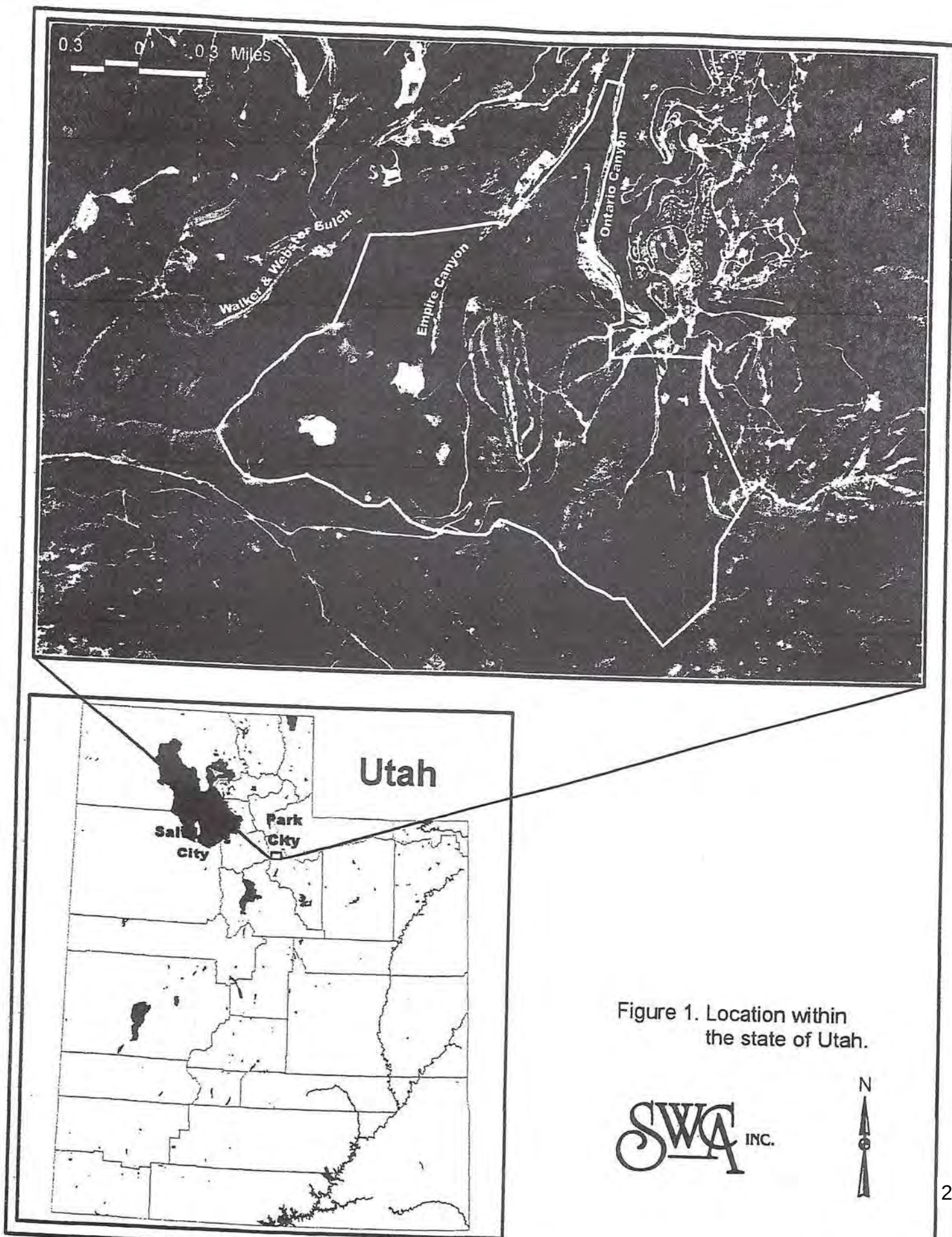


Figure 1. Location within the state of Utah.

Key to item numbers in Figure 2:

1. Ontario Mine No. 3 Shaft site (page 37).
2. Ontario Mine Water Tank A (page 43).
3. Ontario Mine Water Tank E (page 43).
4. Ontario Mine Water Tank B, Tank C, and Tank D (page 43).
5. Ontario Mine No. 2 Shaft site (page 37).
6. Ontario Mine No. 1 Shaft site (page 37).
7. Judge Mining & Smelting Company site (page 48).
8. American Flag Mine site (page 62).
9. Daly Mine Shaft No. 1 site (page 65).
10. Daly Mine Shaft No. 2 site (page 65).
11. Daly-West Mine site (page 69).
12. Quincy Mine site (page 78).
13. Little Bell Mine site (page 87).
14. Diamond-Nemrod Mine site (page 96).
15. Meeers Company shaft site (refer to Daly-West Headframe, page 70).
16. Anchor (Daly-Judge) Mine site (page 99).
17. White Pine Mine shaft (page 102).
18. Log structure (page 105).
19. Mine waste dump, associated with a White Pine Mine adit (page 103).
20. Flagstaff Mine site (page 110).
21. Lucky Bill Mine site (not documented).
22. New York Mine site (not documented).
23. Naildriver Mine site (page 114).

Blue Line – Anchor (Daly-Judge) Drain Tunnel.

Green Line – Ontario Drain Tunnel No. 1.

Dark Blue Line – Ontario Drain Tunnel No. 2 (to Keetley).

Dotted Orange Line – Judge Aerial Tramway.

APPROACH AND LIMITATIONS

More than a century of intensive mining activities within and adjacent to the project area has left an enormous number of mining-related features, ranging from bits of debris and subtle landscape alterations to massive mine waste dumps and intact standing structures. This Historic Preservation Plan concentrates on a subset of better-known mining-related sites within the project area that still have obvious features whose functions could be identified.

Research activities began with an examination of previous research, which included the following reports:

- Hal Compton (N.D.) prepared a preliminary assessment of historic mining-related properties in the project area for United Park City Mines Company.
- In September, 1999, SWCA conducted a Class I Literature Search and a Class III Cultural Resource Inventory of approximately 213 acres (86 ha) within the Flagstaff Mountain Resort property. The surveyed areas represented portions of the property that would be directly impacted by proposed development activities. Cultural resource work was managed by Lisa M. Meyer. Ms. Krislyn Taite acted as Crew Chief and assisted in the report preparation. Crew members included Scott Edmisten, Sandra Galvez, Rachel Orth, and Robert Sinnott. Rick Wessel provided historic context information.
- In August and September, 1999, SWCA conducted a preliminary field reconnaissance of known historic mining properties and related features in the Ontario Canyon and Empire Canyon areas. At UPK/DMB's request, these properties received a preliminary examination by SWCA and were informally documented. This report was intended to provide UPK/DMB with a better understanding of the potential historic significance of these features. This report was prepared by Lisa M. Meyer, Sherri Murray Ellis, and Rick Wessel.

Information from the preliminary research mentioned above was incorporated, as appropriate, into this HPP. Dr. Alan R. Bowes of SWCA served as Project Manager for this effort.

Additional background research was done, including examining a variety of historical records about mining activities in the Park City area and identifying known properties associated with those activities. The research included an examination of mining claim records, historical photos and maps, previous studies in the project area and within one mile of its perimeter, interviews with knowledgeable individuals, and an examination of materials in the Utah State Historical Society and Park City Historical Society archives. The information was compiled to provide a historic context for analyzing mining-related properties in the Park City area, with the object of identifying and describing these historic properties in terms of their function within a mining system and providing background information that would be helpful in evaluating their historical significance.

Further field inventory work was conducted to examine and document these historic properties and their related features in more detail, including standing structures and other architectural remains (such as headframes, mine buildings, storage sheds, etc.), landscape features (such as waste dumps, railroad grades, roads, etc.), and archaeological remains (such as prospects, pits, trash dumps, privy pits, collapsed structures, foundations, etc.). Any historic property in this area has the potential to yield archaeological remains. However, no excavation work was carried out for this report, and SWCA does not recommend excavation work for any of the properties at this time.

HISTORIC CONTEXT

General Historic Mining Context

The mineral resources of the American West have drawn hordes of individuals seeking fortune, adventure, and independence. But as these immigrants transformed the landscape, they too were transformed by the experience. With each major discovery, a new wave of people from every corner of the nation and world would descend upon the place, bringing with them their own traditions and values. Mining districts were true melting pots of race, ethnicity, religion, nationality, and politics, with all of the attendant conflicts and compromises. With such a diverse population thrown suddenly together, tensions ran high and sometimes boiled over, but the rich cultural amalgam of the western mining towns and camps left rich legacies that helped shape American culture as we know it today.

From a monetary standpoint, the effect of these migrations was immense. Billions of dollars in capital investments, profits—and sometimes losses—shaped local, regional, and national economies. The United States may not have ever achieved its standing as a world power were it not for its enormous mineral wealth and the risks and sacrifices that individuals were willing to take to wrest it from the ground.

The mining camp that would become Park City was not a small player in this drama. At various times, it was the world's leading producer of silver and also ranked high in the production of lead, zinc, and gold. The context in which this study examines mining-related properties is concerned primarily with the history of mining in the Park City area, beginning with the initial discovery of ore.

The history of mining camps, towns, and districts tends to fall into periods of discovery, development (boom), production (mature phase), and decline (bust), although each situation is unique to varying degrees. Developmental sequences were shaped by a variety of social, economic, political, and environmental factors, although virtually always with the same basic underlying purpose: to locate, extract, process, and sell the mineral riches of the area for a profit.

For many mines and mining districts, their history cannot be represented by a simple boom-to-bust cycle. Over the years, fluctuations in demand, prices, and production, coupled with changes in ownership, technological innovations, and other environmental, political, and economic factors, would influence the chain of events. Some mines went bust, for a variety of reasons, but new ones often sprang up if the metals market was healthy enough. Other mines extended their useful life—and often their profits as well—by expanding their operations to include adjacent claims. Neighboring claims could often be had for a price or in exchange for interest in the mining operation. Adjacent claims held the prospect of new veins and might provide access to other claims with their own potential lodes. This process is known as "consolidation" or "amalgamation" (not to be confused with the ore refining process of the same name). Another form of consolidation was the combination of claims and other resources to form entirely new mining companies.

As mining operations grew larger and more numerous in a region, scattered mining camps would often give way to the establishment of a sizeable town. Some towns were short-lived, while others would endure multiple cycles of pain and prosperity. In either case, their character was shaped by those who toiled thousands of feet beneath the earth, by their often long-suffering families, and by those who sat behind polished desks.

Park City Mining District Historic Context

As mentioned, it is important to examine mining properties from the perspective of a historic mining context, which is basically a particular theme that is further defined by a chronological period and a geographical area. The theme is mining development in the Park City area, the geographical area is the present-day Park City Mining District, and the chronological period begins at the date of the initial discovery of ore bodies in the Park City area and ends in 1982, when the last mining operations shut down and the economy and culture of Park City were already well established on a new foundation of recreation and land development.

The area that would become the Park City Mining District can be counted among the major mineral development areas of the American West. During the district's heyday, its silver and other metals made an important contribution to the national and regional economy. At one time, the district laid claim to being the world's leading silver producer. Eventually, however, the combination of low metal prices and high operating costs (when compared to competing foreign markets) rendered it unprofitable to continue mining operations. However, there is still metal in the mountains surrounding Park City, and perhaps someday ore cars may again rumble down their tracks, bearing the ore that made Park City an icon in the mineral industry and in the history of the American West.

The information in this section may help determine the function of mining-related properties within a mining system, and could also assist in evaluating the historic significance of those properties. As such, it is primarily a history of mining-related events in the district, including some comments regarding their effects upon certain social, political, cultural, or economic conditions, their relationship to certain historically significant individuals, or their significance from an engineering standpoint. It is not intended as a general history of the Park City area (although certain non-mining-related events are included when germane). Because of the large number of properties in this report, the wide range of dates associated with those properties, and the often complex interrelationships among those properties, it was decided to provide a higher-than-normal level of detail and to present this information in table form for easier reference.

Information in the table was compiled from several sources, including Thompson and Buck (1981), Boutwell (1920), Butler, et al. (1920), Stott (1916), interviews with Hal Compton (N.P., 2000) and Kerry Gee (N.P., 2000), Sanborn fire insurance maps (1889, 1900, 1907), an examination of many historic photographs and maps, and several informal sources.

Table 1 – Park City area mining history.

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1847	Mormon pioneers arrived in the Utah Territory.		Mormons were admonished by their church leaders to avoid involvement in mining activities for about 15 years after their arrival in the Utah Territory
1858	General Johnston's army sets up Camp Floyd, 50 miles south of Salt Lake City.		Mormons were at odds with the Federal government over polygamy and political issues. Federal troops were brought in to "restrain" the Mormons.
1862	Colonel Patrick E. Connor and 300 soldiers organized Fort Douglas in the Salt Lake Valley. Col. Connors' soldiers soon began prospecting in the mountains around Salt Lake City.		
1863	The first mining claim in Utah was the West Jordan claim in Bingham Canyon. Other finds near Stockton in the Tooele District would soon follow.		
1864	The first discovery of silver in the Wasatch Range was made at the head of Little Cottonwood Canyon, which would become the Emma Mine at Alta in just a few years. This discovery is attributed to Colonel P.E. Connor.		
1868	Prospectors began using the community of Snyderville (which had grown up around Snyder's Sawmill) as a base of operations for exploring the Park City area.		
1868	The first mining claim filed in what would later become the Park City Mining District was the Young America lode, soon followed by the Yellow Jacket and Green Monster claims. The Walker and Webster were other early discoveries.	Young America, Yellow Jacket, Green Monster, Walker, Webster.	
1868-1872	Claims staked in McHenry and Glencoe Canyons.	McHenry, Hawkeye, Glen Allen.	Water problems in the mine workings were developing. The flow in the McHenry Mine, for example, was so strong that miners had difficulty maneuvering against the current. This would prove to be an issue for most of the mines in the district.
1868	Col. Connors' soldiers make discovery on ridge overlooking Bonanza Flat, which would become the Flagstaff Mine.	Flagstaff.	
1869	The "Golden Spike" was driven at Promontory Point, Utah, marking the completion of the transcontinental railroad and effectively ending Utah's period of isolation. The railroad carried many prospectors, miners, and equipment into the area, increasing the rate of mineral development in Utah and diluting the Mormon population with "gentiles" (non-Mormons).		Western mines had great difficulties transporting ore to smelters until the transcontinental railroad was built, sometimes even carting the ore to San Francisco for shipment by boat to eastern smelters.
1870	A census showed a population of 164 persons living at Parley's Park, near Snyderville, including nearby prospectors. Park City had not yet been founded.		
1871	The first ore shipment from a mine in the area was made from the Flagstaff Mine.	Flagstaff.	40 tons of galena ore were shipped by wagons to a new railroad line at Echo City.

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1871	The Pinion claim owners found a large ore body and contracted to send the ore to a mill to be built in Ogden. Other claims had also been located in the district. Ore from the Walker and Webster claim was hauled to Godbe's Smelter in Rush Valley, near Tooele.	Pinion, Walker and Webster, Wild Bill, Rocky Bar, Buckeye, etc.	
1872	The Ontario lode claim was filed by Herman Buden, James Kane, Rector Steen, and Augustus Dawell. They sold the claim to George Hearst later that year for \$27,000. Hearst had borrowed the capital from James Ben Ali Haggin, a wealthy California lawyer of Turkish ancestry. The Ontario would become the greatest of the Park City mines.	Ontario.	Buden and Steen each claimed to be the discoverer of the Ontario lode. The Ontario mine would eventually produce over \$50,000,000 and pay dividends of \$15,000,000. Hearst became wealthy from the Ontario and would go on to invest in other mines and found his powerful Hearst newspaper chain, to be continued by his son, William Randolph Hearst.
1872	On July 4th, the name "Park City" was informally given to a mining camp along Silver Creek where it forked at Deer Valley.		George Snyder built the first house in Park City, soon to be followed by W.J. Montgomery's General Store and the Post Office.
1873	R.C. Chambers was installed by Hearst as Superintendent of the Ontario Mine. The Ontario No. 1 shaft had problems with cave-ins, and the No. 2 shaft was started, eventually reaching a depth of 1,500 feet.	Ontario.	Chambers was a key figure in leading the Ontario Mine's development efforts.
1873	Several wealthy investors arrived in Park City, including E.P. Ferry (and later, his brother Col. William Ferry), D.C. McLaughlin, J.W. Mason, and F.A. Nims. E.P. Ferry purchased the Flagstaff Mine for \$50,000 from James Kennedy.	Flagstaff.	Kennedy had purchased the Flagstaff Mine from the soldier prospectors who had originally discovered it, for \$5,000, then sold it to Ferry in 1873 for \$50,000. Soon after these investors arrived, F.A. Nims formed a "townsite company" and applied to the government for a townsite. With help from R.C. Chambers, the townsite company prevailed over the existing residents in the camp, who then had to purchase their property from Nims, who had received title to the townsite.
1873	Ferry began construction of the Marsac Mill, a 20-stamp mill at the foot of Rossie Hill on Silver Creek. The McHenry Company also began a 20-stamp mill in Deer Valley. Park City continued to grow. Col. Ferry started a waterworks company, new cabins and businesses began to spring up, and new streets appeared.	Marsac.	The mills were not running efficiently, primarily because of transportation problems, especially in the winter. The early population of Park City included people of Irish, Cornish, English, Scottish, Chinese, and Scandinavian descent. This was typical of many mining camps in the Great Basin area. The Scots tended to live apart, such as at their settlement in the Lake Flat area. A Chinatown grew up behind Main Street.
1875	The Ontario Mine opened the camp's first school, for the children of Ontario miners.	Ontario.	
1876	The Ontario Silver Mining Company was incorporated with a stock issue of \$10,000,000, and preparations for sinking the mine's No. 3 shaft were being made across the canyon.	Ontario.	
1877	The Ontario Mine began an enormous 40-stamp mill below the mine at the mouth of Ontario Canyon. The company also paid its first dividend of \$50,000 and began construction of a drain tunnel and its No. 4 shaft.	Ontario.	During the mill's construction, the existing McHenry and Marsac Mills could not handle the huge volume of ore from the Ontario Mine, even when the McHenry Mine was not producing due to its water problems. Water problems were also to plague the Ontario mine, and work began on the Ontario Drain Tunnel No. 1, near the mouth of Ontario Canyon that was to intersect with the No. 3 shaft at the 600-foot level. Work on the drain tunnel also proceeded from the direction of the new No. 4 shaft, at the approximate mid-point of the planned drain tunnel.

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1877	After disputes surrounding ownership of adjacent ore bodies owned by a United States Marshall named Shaughnessy, George Hearst arranged for the Ontario Mine to purchase the claims, adding them to the Ontario's already extensive holdings.	Ontario	Something close to "underground warfare" was waged by miners in the two adjoining operations, helping, perhaps, to coerce Shaughnessy to sell his interests to Hearst.
1879-1885	Five schools were established in the Park City area during this period, including a free school, the St. Mary's Catholic School, the New West School, the Park City Academy, and the Washington School.		By 1887, there were about 500 students enrolled in these schools. There was also a three-room school, called the Jefferson School, that functioned until 1902.
1880s	The decade of the 1880s was a period of rapid growth for Park City, during which it was transformed from a camp of rough shacks and 3,000 miners to a city of 5,000 people, with stone and brick buildings and many genteel homes. It became the third city in Utah to receive telephone service in 1881. In 1884, Park City finally obtained a charter of incorporation from the state, and F.W. Hayt was elected mayor. New businesses sprang up, along with lodges and the Society Hall, sponsored by various lodges, which drew many of the stage stars of that period. Park City gradually became a safer place to live, although it still had its share of notorious crimes.		
1880	The Ontario Mine contracted with J.P. Morris & Company of Philadelphia to install a huge "Cornish pump" in the mine's No. 3 shaft.	Ontario	The "Cornish pump" was intended to pump large quantities of water out of the mine from below the 600-foot level that was served by the drain tunnel. The pump and its components weighed some 500 tons. The pump's engine had a 70-ton flywheel, two 20-inch-diameter pistons, and the pump could remove some 4,000,000 gallons of water per day from the depths of the mine. The fuel needs for the steam boilers for this pump, as well as for the boilers used to power other mine-related equipment in the Park City area, would soon result in serious denuding of the area's forested hillsides and canyons. Sawmills from up to 40 miles away supplied cordwood for the furnaces and boilers.
1880	The <i>Park Mining Record</i> was founded, under James Schupback as publisher.		Schupback soon moved to Butte, Montana, and Harry White became publisher in 1881.
1880	Col. Ferry locates seven iron ore claims near Cold Springs.		Ferry developed these claims and began shipping iron ore from them instead of from the Dyer Mine in the Uintah Mountains north of Vernal. This would cut haulage distances by more than half. Iron ore was used for flux in the sampler and smelter plants.
1881	Installation of the Cornish pump in the Ontario workings began, under the supervision of David Keith.	Ontario	David Keith would become one of Park City's most influential citizens.
1881	The Ontario drain tunnel was completed.	Ontario	Water from the drain tunnel was used at the Marsac mill, and the drain tunnel allowed miners to enter the Ontario mine at the mouth of Ontario Canyon, which made it convenient to live in Park City instead of farther up the canyon.
1881	The narrow-gauge Utah Eastern Railroad line was completed from Echo City to Park City and began carrying coal to power the mines, replacing the use of cordwood. The Ontario Mine purchased control of a coal mine at Grass Creek, near Coalville.	Ontario and others.	The Ontario's Cornish pump alone used 100 tons of coal per day. The Ontario Company soon purchased control of the Utah Eastern Railroad, then sold it to the Union Pacific Railroad a few years later.

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1881	The Salt Lake & Eastern Railroad and the Salt Lake & Fort Douglas Railroad began construction of competing railroad lines up Parley's Canyon from Salt Lake City.		Rough terrain and steep grades made this a difficult project, which took about nine years to complete. The Salt Lake & Eastern Railroad was the product of John W. Young, son of Mormon leader Brigham Young. When the railroad fell upon hard times, J.W. Young hatched a plot involving a non-existent city (Gorgoza) in hopes of luring capital from a wealthy Spaniard named Gorgozada, who pumped \$1,000,000 into the railroad project and facilitated its completion.
1881	The old Catholic church was built.		The Catholic church had the largest membership of the town's various congregations.
ca. 1881	John Daly began to acquire 24 claims, located to the west of the Ontario Mine, based on his belief that the Ontario's ore bodies extended to the west. He began work on the Central Tunnel in lower Empire Canyon. He soon struck the ore that he predicted was there.	Daly.	Daly deeded a half interest in the mine to R.C. Chambers. Daly tried to convince Chambers to form a corporation with him on 40 additional claims, but Chambers refused, so Daly took his own half interest in the additional claims and incorporated it as his second company, the Daly-West Mining Company, which was enormously successful. Daly continually deposited half of his profits in a special account in the event of a settlement between Daly and the Chambers & Hearst interests regarding the additional claims, in which the property's ownership was to be determined. After ten years of litigation, a settlement gave half of the property to the Chambers & Hearst interests.
ca. 1882	Several mines (Walker, Buckeye, Climax, Rebellion) were involved in litigation over apex rights to determine which mines could claim disputed ore bodies. Ferry managed to consolidate the Pinion Ridge claims as the Crescent Mining Company.	Walker, Buckeye, Climax, Rebellion.	The Crescent almost immediately struck a major ore body, which was believed to lie between the Snowflake tunnel and the Rebellion tunnel on Pinion Ridge.
1882	The Mackintosh Sampler was built to process ore from the Crescent Mine.	Crescent, Mackintosh.	The Crescent Tram (a narrow-gauge rail line) was built to haul ore from the Crescent to the Mackintosh Sampler. The tram depot was located at the bottom of Main Street. The line climbed the mountain front to the west and wound its way around to the west side of Pinion Ridge, which it followed up to the Crescent Mine. It hauled approximately 60 tons of ore per day.
1883	The Crescent Mine purchased the nearby Walker & Webster mine for \$50,000.	Crescent, Walker & Webster.	
1883	A drop in silver prices caused a minor depression in Park City.		
1884	Sam Raddon, formerly of the Salt Lake Tribune, joined the Park Record staff.		Raddon was influential in shaping the highly critical nature of many of the newspaper's stories and editorials. The paper's critiques were often racially or ethnically jaundiced and decidedly anti-Mormon, but they also provide a unique window into the day-to-day life and times of Park City. The Park Record was to persevere through it all to become Utah's oldest weekly newspaper, and is still published today.
1884	The Creole Mine was started on Treasure Hill by D.F. Condon, who leased the mine to E.N. Jenkins, Dan Dorey, and Pay Blaney.	Creole.	

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1885	The Utah and White Pine claims were consolidated with a new claim (Anchor?) at the head of Empire Canyon, to form the Anchor Mining Company, with E.P. Ferry as manager.	Utah, White Pine, Anchor.	Serious water problems were encountered at the 600-foot level, where a water source was struck that flooded the mine up to the 100-foot level. Pumps kept the mine operable to the 400-foot level. John Dally was contracted to build a 6,000-foot drain tunnel from near the mouth of Walker & Webster Gulch to the planned 1,200-foot level of the Anchor shaft, which was only 600 feet deep at the time.
1885	In 1885 and 1886 ore was found at what would become the Black Diamond and Nemrod claims.	Farish.	Sometime prior to 1893, the Farish Shaft was sunk at the southeast corner of the Farish and McLaughlin West Ontario Consolidated Mining Group claims, adjacent to the west edge of the Black Diamond claim. A tunnel was also excavated, with its portal in the Nemrod claim (Gorlinski 1893).
1886	Work began on the new Anchor drain tunnel.		
1887	Work began on the new Ontario drain tunnel at a site three miles east of the Ontario, called Camp Florence.	Ontario.	The work was supervised by John Keetley.
1887	The first branch of the Mormon church was organized.		The LDS chapel was not built until 1897, and until then, meetings were held in other facilities.
1888	The unprofitable Sampson Mine was sold at a sheriff's sale. The new owners (controlled by A. Hanauer and N. Trewick) drove the Hanauer drain tunnel to the shaft's 400-foot level. The Hanauer drain tunnel was extended to the Crescent Company's ground to drain that operation as well.	Sampson.	The Sampson Mine had been unprofitable due to high water removal costs.
1888	A smallpox epidemic took many lives in Park City.		
1888	An outcrop of high-grade ore was discovered by James Drake and James Wellman near their diggings in Woodside Gulch, where they had been leasing and working some rather uninteresting claims.		
1889	The Woodside Mining Company was incorporated for \$1,000,000 with E.P. Ferry as president, D.C. McLaughlin as vice president, and John J. Daly as one of the directors.	Woodside, Northpole, Mayflower, old Silver King.	This was a rich ore body in "Treasure Hill." Other claims in the area included the Northland (Andy Lundin), Jennie Lind, Northpole, Mayflower (Dodge and McGrath), and the Silver King group owned by them in partnership with John Farrish and Con McLaughlin. Its discovery prompted a rush of prospectors and miners, including Thomas Kearns, a Nevada acquaintance of David Keith, who was then the foreman of the Ontario Mine.
1888	The Comstock Company was organized. Its shaft was located at the head of Thaynes Canyon, near the Crescent Mine.	Comstock.	This was just a small operation. By 1900 its shaft was only down about 100 feet.
1889	Peter Boyce, Con Hunt, William Bennett, Thomas Kearns, and David Keith joined in leasing one of the Mayflower claims (the No. 7) from W.H. Dodge. A rich ore body was soon struck.	Mayflower, Northland.	The mine was soon entangled in litigation. Boyce, Bennett, and Hunt sold their interests to W.V. Rice, John Judge, and Albion Emery. The lawsuit was settled years later in the owner's (Dodge's) favor, but until then, the mine produced many large shipments of high-grade ore. Kearns became a millionaire. Al Emery's wife became a "silver queen." A lawsuit was filed by the owners of the adjoining Northland claim, involving encroachments into adjoining claims. Eventually, that lawsuit was settled in favor of the Mayflower lessees. Yet another lawsuit was brought by the Northland Company, which was settled in favor of Northland. Tempers ran high, prompting a shooting the following year.

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1889	The Anchor Drain Tunnel was completed, making the Anchor Mine a viable operation. By 1892, the Anchor would be ranked along with the Ontario and the Daly as the area's largest producers. Before long, the Anchor would build its own mill and stop using the Union Mill in Empire Canyon.	Anchor (later known as the Daly-Judge), Union Mill.	The Anchor Drain Tunnel reached a point directly below the flooded shaft above it, and a bore hole was drilled, first partway down through the shaft and then up through the end of the tunnel. The remaining link was blasted to complete the hole to drain the shaft.
1889	Hanauer, Trewick, and John Daly began a deeper tunnel, called the Alliance.	Sampson, Alliance.	
1889	The Park City Light, Heat, and Power Company was organized. Service began later that year.		
1889	The Constellation Mine was started in a wooded gulch just above the Ontario Mill.	Constellation.	
1889	A rich ore vein was struck at the Creole Mine on Treasure Hill.	Creole.	The Creole Mine became an important producer in the district and continued so for many years.
1890	The Mayflower's lessees, at Thomas Kearns' direction, leased the adjacent Silver King claims (which didn't seem valuable to their owners) and Kearns followed the ore body into that property, where he had known it would go.	Mayflower, old Silver King.	
1890	The Alliance Drain Tunnel reached its goal and drained the Sampson ground and other nearby claims. The Sampson Mine could now be mined to greater depths and with high profitability. This tunnel is depicted by Gorlinski (1893) as the "Alliance Co. Tunnel," serving the Alliance Mining Company claims.	Sampson, Alliance, and others.	The Alliance Drain Tunnel, by draining the Crescent seam, produced water for Park City's domestic water supply, but in later years the Anchor Mine would take over as the city's water supplier.
1890	The Utah Central Railroad (formerly the Salt Lake & Eastern and the Salt Lake & Fort Douglas Railroads) completed their railroad line from Salt Lake City to Park City.		
1890	The Anchor Mine hoists and shops burned.	Anchor.	There were several other serious fires that year.
1891	The First National Bank was organized in Park City.		
1891	John Daly began to sink a new shaft, using the hoist and other equipment from the Ontario's No. 4 shaft, which was the old ventilation shaft at the mid point of the Ontario's 600-foot-level drain tunnel.	Daly.	The new shaft had works that connected to the Daly No. 1 shaft at the 800-foot level.
1892	Thomas Kearns and his fellow Mayflower lessees purchased the Silver King claims in accordance with the lease terms. Later that year, they purchased the adjoining Park City Mining Company, and the Silver King Mining Company was incorporated for \$3,000,000.	Mayflower, Park City Mining Company, Silver King Mining Company.	The Silver King Mining Company had been organized during a period of falling silver prices that forced several mines to close down. The Silver King would follow later that year. When miners accepted a pay cut, the Silver King was able to reopen and earn enough profits to pay dividends.
1893	A national monetary panic struck. Most of the mines temporarily suspended operations. Notably, the Anchor mine kept operating and shipping ore.	Anchor (later known as the Daly-Judge).	
1894	A rich new ore body was struck at the Silver King at the 900-foot level.	Silver King.	Al Emery, one of the Silver King owners, died shortly afterwards, leaving his widow very wealthy. She would come to be known as Utah's "Silver Queen." However, Al Emery was just a poor book-keeper when he began his involvement in the mine venture, and it was a matter of some speculation as to how he obtained the \$8,000 with which he bought his way into the venture. There may have been some mysterious arrangement with R.C. Chambers, which almost came out in court, but Chambers denied any involvement at the last minute.

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1894	The new Ontario Drain Tunnel No. 2 was completed, three miles in length and connecting to the Ontario No. 2 Shaft. This drained the Ontario No. 2 Shaft workings to the 1,500-foot level and allowed the Ontario works to go still deeper in search of silver. The same tunnel would be used to drain the Ontario Shaft No. 3 workings, as well as the Daly, Daly-West, and the American Flag mines.	Ontario, Daly, Daly-West, American Flag.	The Ontario Drain Tunnel No. 2 was also known as the East Drain Tunnel (Gorlinski 1893).
1896	Utah entered the Union on January 4, 1896		At this time, Park City's population was estimated at over 7,000. Thomas Kearns had been selected as a delegate to the Utah State Constitutional Convention and later became a U.S. senator.
1896	The Lincoln School was built in Park City as an elementary school.		
1896	The Daly-West Mining Company completed a new mill and hoisting plant.	Daly-West.	
1896	The Valeo Mine was organized. It was located in a gulch about a mile from the Glencoe and was shipping ore within a year.	Valeo.	
1896	A tremendous flow of water was struck in the Ontario at a 1,500-foot-level working, but the drain tunnel was able to handle the load.	Ontario.	Another flow was struck the following year that filled the flume in the drain tunnel and brought the water level a foot over the tracks.
1897	Silver King dividends exceeded the \$1,000,000 mark, and a new mill was begun, including an aerial tramway to haul ore directly to the mill.	Silver King.	
1897	The Utah Central Railroad was purchased by the Rio Grande Western Railroad, which soon began converting the narrow-gauge line up Parley's Canyon to a standard-gauge line.		The first standard-gauge train entered Park City's station in 1900.
1897	The Daly-West mine cut into a major underground water flow, which prevented access to promising ore bodies until better pumps could be obtained. Organizational problems and conflicts of interest associated with R.C. Chambers' involvement in the mine led to the closing of the mine for two years.	Daly-West.	
1898	The Ontario Mine obtained a franchise for a power plant to compete with the city's power plant. It also contracted to build two wash houses in Chinatown.	Ontario Power Company.	
1898	The Spanish-American War began on April 23, 1898.		
1898	The Park City Fire of June 19, 1898 burned down most of Park City.		The fire started in Harry Freeman's American Hotel, then was quickly spread by strong south winds. Most of the city's core and several adjoining neighborhoods were completely destroyed. No lives were lost, however, and the town and its residents embarked upon a rapid and massive rebuilding effort. By the end of the year, much of the town had been reconstructed. Most of the new construction was wood at first, but a number of brick or stone buildings would soon follow.
1899	Jacob and Simon Bamberger, of Salt Lake City, agreed to purchase the Hearst interests in the Daly-West Mining Company, and the mine was re-opened.	Daly-West.	
1899	A face of ore at the Naildriver claim was found by Jack Creen, who had taken over the previously barren mine from John Morey.	Naildriver.	

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1899	Eight claims that were being leased by the Putnam Mining Company were incorporated as the Quincy Mining Company, with D.C. McLaughlin as president.	Putnam, Quincy.	The Quincy ground was located just up Empire Canyon from the Daly-West. Hoisting works were erected and a shaft was sunk to 110 feet, striking lead-silver carbonate high grade ore. Shipments by the end of the first year came to \$725,000. In its first year, the Quincy took second place in production. The following year, it took the lead in production.
1899	The Ontario Mining Company started the new Aschiem store, with R.C. Chambers as the principal stockholder. That same year, the Ontario Power Company absorbed the Park City Heat, Light, & Power Company.	Ontario Power Company, Park City Heat, Light, & Power Company, Aschiem store.	
1900	John Daly combined his Jones-Bonanza mine in Bonanza Flat with adjoining claims owned by John Judge, forming the Daly-Judge.	Daly-Judge.	
1900	The Little Bell Mining Company was organized in 1900 from 25 claims located south of the Quincy Mine.	Little Bell.	
1900	The California Company was organized, with nine claims adjacent to the Comstock ground.	California.	
1900	A Union Pacific Railroad spur was completed to the Ontario Mill at the mouth of Ontario Canyon. This new loading facility was used by the Ontario Mill for shipping concentrate to smelters and may also have been used by John Daly's mining operations and other mines in the area.	Ontario Mill.	John Daly of the Daly-Judge Mine and R.C. Chambers of the Ontario Silver Mining Company were involved in planning the new spur line. The Union Pacific was soon moving 16 cars of ore per day. That same year, the Ontario's dividends passed the \$14,000,000 figure, having shipped some 36,136 bars of silver bullion.
1901	The Thunderer group of claims in Empire Canyon was purchased by William Curtis and John Rhodin and consolidated at the American Flag Company.	Thunderer, American Flag.	High-grade gold and silver ore.
1901	The Silver King's new aerial tramway began hauling ore from the mine.	Silver King.	Under M.J. Daley as assistant manager, the Silver King made important new ore discoveries and the company exceeded \$10,000,000 in dividends.
1901	The McHenry and Hawkeye mines in McHenry Canyon were combined as the Hawkeye-McHenry Company. The mines had not been worked for 17 years. Water was at the 323-foot level, near where it had been 17 years earlier.	Hawkeye-McHenry.	
1902	The Daly-West Mining Company purchased the Little Bell Mine, but allowed it to continue to operate as a separate company.	Daly-West, Little Bell.	The Little Bell shaft, which was started in 1901, was excavated to a depth of 753 feet. By this time, the company had been purchased by the Daly-West Mining Company. The shaft produced very little until lateral exploration in 1906 resulted in the striking of a rich body of lead ore. The Little Bell made some significant high-grade ore shipments in 1909-10.
1902	The Daly-Judge Mining Company acquired the Anchor Company, which had been experiencing financial difficulties for some time.	Daly-Judge, Anchor.	The hoist and steam plant at the Jones-Bonanza mine was moved to the Anchor. At this time, Daly's mines, the Daily-Judge (including the newly acquired Anchor), the Daly, and the Daly-West, were the district's richest, with the exception of the Ontario, which was still the leading mine.

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1902	An underground explosion at the Daly-West mine left 25 people dead at the Daly-West. Poisonous gases from the blast killed nine people at the Ontario mine.	Daly-West, Ontario.	The blast was probably caused by improper explosives handling at the Daly-West Mine. The incident led to improved safety regulations.
1902	The Naildriver Mining Company was incorporated by Jack Green.	Naildriver	
1902	The Star Mining Company, or "Star Group," was organized. It was located just south of the Naildriver and headed by Jimmie Burns.		
1902	The Daly-West Mining Company and the Quincy Mining Company were consolidated. The Daly-West, Quincy, and Little Bell were now all under John J. Daly, although they functioned as separate companies.	Daly-West, Quincy, Little Bell.	The Daly-West Mining Company had brought suit against the Quincy Mining Company for taking ore from the Daly-West, with the Quincy filing a counter suit. Meanwhile, the Daly-West acquired the neighboring Little Bell Mining Company, whose mine connected to the Quincy between its 200 ft and 300 ft levels. A settlement was reached with 30,000 shares of Daly-West exchanged for the Quincy property. The consolidation of the Daly-West and Quincy companies resolved lawsuits between these entities. After the consolidation, the Quincy continued operations as before, until 1904, when it was operated through the Daly-West.
1902	The Ontario shaft was sunk to the 2,000-foot level, a new record for the district.	Ontario.	This depth was thought to be impossible at that time.
1903	The Diamond-Nemrod Company was formed in 1903 as a consolidation of the West Ontario Consolidated Mining Group and the Black Diamond and Nemrod claims.	Diamond-Nemrod.	The mine never produced significant amounts of ore, and very little of the Diamond-Nemrod operation remains today.
1903	The Daly-Judge Mill was constructed in lower Empire Canyon to process ore from the Daly-Judge Mine.	Daly-Judge Mill, Daly-Judge Mine.	The mill operated until 1931. Its machine shop was reopened for a while in 1952 by its owner, United Park City Mines Company.
1903	The Naildriver Mining Company began a new shaft higher on the mountain to connect to its tunnel.	Naildriver.	A new headframe, bunk houses, shops, and other buildings were constructed, and within a year, the mine was sending wagon loads of high-grade silver ore down Ontario Canyon.
1903	The California-Comstock Company was formed as a merger between the California and Comstock companies. It soon began regular shipments of high-grade ore and built a high-quality mill, as well as other substantial buildings and equipment.	California, Comstock.	
1904	The Daly-Judge Mine ordered an electric locomotive to replace horse-drawn ore trains, and the Daly-West began installing compressed-air-driven rock drills.	Daly-Judge, Daly West.	An attempt to introduce oil lamps was rejected by the miners, who staged a short walkout. The miners preferred to stay with their candles, despite certain safety advantages of the new lamps. The walkout was settled by allowing the miners to keep their candles.
1904	The hoist and engine house at the Ontario were destroyed by fire. The hoist and gallows from the Daly Company No. 2 shaft were moved to the Ontario for temporary use.	Ontario, Daly No. 2 shaft.	

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1905	A series of cave-ins blocked the Ontario Drain Tunnel No. 2, and water rose to the 1,200-foot level, 300 feet above the drain tunnel. The last large cave-in was cleared later that year, with one miner drowning in the flood of water. The tunnel was repaired up to the Ontario No. 2 Shaft, but it was still blocked past that point. The Ontario Shaft No. 3, the Daly, Daly-West, and the American Flag mines were still unable to be drained by the tunnel. It would not be opened for three years.	Ontario, Daly, Daly-West, American Flag.	Miners were laid off, and an assessment was made against the Ontario stock.
1905	The American Flag mine's best ore-producing sections that were located below the 600-foot level were flooded as the result of the cave-ins of the Ontario drain tunnel.	American Flag, Ontario drain tunnel.	At this time, the American Flag mine had what was described as the finest hoisting plant in the district. Most of their large amount of underground water was drained by the Ontario drain tunnel. Work continued on the lower-grade upper-level ore while the drain tunnel was being cleared.
1905	John Daly sold a stockpile of zinc to pay off a \$300,000 debt owed by the company. This made Park City one of the first producers of zinc.	Daly-Judge Mill.	Zinc was previously thought to be more or less worthless, but John Daly thought that it might be worth something someday and stockpiled it as it was separated by the milling process.
1906	The Silver King Mining Company purchased E.P. Ferry's Woodside Company to make its ownership of Treasure Hill almost complete.	Silver King, Woodside.	
1906	The Creole Mine was consolidated with the Uintah Treasure Hill Mine.	Creole, Uintah Treasure Hill.	
1907	The Silver King Mining Company purchased James McGregor's St. Louis-Magnolia Mining Company, which included 56 claims over 486 acres, including the Pinion and Baltimore claims and associated workings. As a result, a new company was formed: the Silver King Coalition Mines Company (not to be confused with the Silver King Consolidated, known as the "King Con").	Silver King, St. Louis-Magnolia, Pinion, Baltimore, Silver King Company.	Kearns and Keith may have pushed the purchase to settle a lawsuit filed by the St. Louis-Magnolia Mining Company, as well as to increase their holdings. The Silver King Coalition Mines Company was soon producing more ore than the American Smelting and Refining Company could process. The Silver King Company would soon become the best-known mining company in the West.
1907	The Silver King Consolidated was incorporated, with Solon Spiro as president and Samuel Newhouse as vice president. The Silver King Consolidated owned land jointly with the Silver King Company.	Silver King Consolidated (known as the King Con), Silver King Company.	The Silver King Consolidated filed a lawsuit against the Silver King Company for mining ore in jointly owned ground without accounting for it. The suit was finally settled in 1913, when the King Con was awarded \$900,000 in damages. Spiro used the money to help finance a drain tunnel he was building to drain his water-plagued King Con workings, but ran out of funds after tunneling 14,000 feet. He was forced to sell to Keith and Kearns of the Silver King Company, who struck a rich ore lode after tunneling only 40 more feet.
1907	Jesse Knight gained control of the Creole Mine and the Uintah Treasure Hill Mine, which had been merged the previous year, and filed a lawsuit against the Silver King Company owners. The Silver King Company settled out of court.	Creole, Uintah Treasure Hill, Silver King Company.	
1907	The Panic of 1907 hit the nation, tolling the death knell for many mining camps, but Park City weathered the crisis, despite other difficulties related to the cave-ins of the Ontario drain tunnel.		One reason that Park City weathered this crisis better than many other mining camps was the refusal of most of the local banks and merchants to accept company scrip. The general policy in the area was to use "hard money" instead of scrip.

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1908	The rest of the Ontario Drain Tunnel No. 2 was cleared, and the Ontario Shaft No. 3, the Daly, Daly-West, and the American Flag mines could finally be drained by the tunnel.	Daly, Daly-West, American Flag, Ontario.	This event was a kind of economic turning point for Park City. The combination of the Park City fire, the financial Panic of 1907, and the cave-ins of the Ontario drain tunnel caused a significant depression in Park City during this period. When the Ontario Drain Tunnel was finally cleared, it was cause for a great celebration in Park City, since it brought production levels back up in several mines and put many miners back to work.
1908	The Keystone Mine sued the Silver King Company for removing ore under their claim.	Keystone, Silver King Company.	The Keystone ground was on the west slope of Pinyon Ridge, near the California and Comstock shafts that were being sunk.
1909	The American Flag Company acquired the Constellation Company. This acquisition brought the American Flag's surface holdings to 360 acres.	American Flag, Constellation.	
1909	The Silver King Company, which now controlled the Alliance Drain Tunnel, donated a site for a water reservoir and promised a steady supply of water from the Alliance Tunnel.	Silver King Company, Alliance.	
1910	The Daly-Judge owners began the Snake Creek drain tunnel to drain the Daly-Judge and the Daly-West mines. This tunnel would be three miles long and would drain the underground "lake" that plagued the Daly-Judge and Daly-West mines, although it would not connect directly to their shafts.	Daly-Judge, Daly-West, Snake Creek.	After some difficulties in construction, the work was contracted to the Taylor Free Company, which soon went bankrupt. The job was taken over by J.A. McIlwee & Company, who gave up after a huge water flow was struck. The next contractor was the Williams Leasing Company, followed again by McIlwee & Company. Finally, in 1916, the tunnel reached its planned length and drained the water body at the rate of 8,600 gallons per minute.
1900-1910	Newspaper accounts suggest that a large number of miners still lived at or near the mines during this period.		An account of mine-provided Thanksgiving dinners one year indicated that the Daly-West served 205 dinners, the Silver King served 150, the Ontario served 100, the Quincy served 100, the California and Comstock served 70, and the Little Bell served 40. This is not necessarily a direct indication of the number of miners and their families living at or near the mines, since a number of employees who lived in town may have also attended the dinner, but it provides insight into food-handling capabilities at the mines and suggests that a fair number of workers still lived on-site at that time.
1912	Silver King Company dividends of \$14,000,000 equaled those paid out by the Ontario.	Silver King Company, Ontario.	
1913	The Silver King Company began work on a huge underground station, to be called Silver Hill Station. The station included a gallows frame, hoists, motor-generator plants, skip pockets, and other equipment normally found in a surface plant. It was built at the 500-foot level, and connected to the Alliance Drain Tunnel.	Silver King Company.	
1913	The Daly-West mill and hoisting works were destroyed by fire. The damaged facilities would be replaced and operating within a year.	Daly-West.	
1914	Metal prices began to rise slowly, probably due to the war in Europe.		More mining-related jobs were generated and business generally improved.

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1916	The Daly-Judge Mining Company became the Judge Mining and Smelting Company, sending its ore to a new electrolytic smelter that the company had built in Deer Valley. The new company was under the direction of Otto Hanke as president, M.C. Fox as vice president, and George Lambourne as manager.	Daly-Judge, Judge Mining and Smelting Company.	
1916	The Silver King Company mine was electrified.	Silver King Company.	
1916	The Snake Creek drain tunnel was completed to drain the water body that affected the Daly-Judge and Daly-West mines. This project was started in 1910.	Daly-Judge, Daly-West, Snake Creek.	The drain tunnel was successful. It allowed the deeper areas of the Daly-Judge and Daly-West mines to be worked profitably.
1917	The Three Kings Company, located on Treasure Hill, hit a rich strike.	Three Kings.	
1917	Registration for the draft for WWI began.		
1917	Prohibition began in Utah.		
1917	The Park Utah Mining Company, located at the end of McHenry Canyon, was formed.	Park Utah.	
1917	By this time, the Revelator Mine, known as John the Revelator, located just beyond Bonanza Flat and Boulder Basin, was shipping high-grade silver-lead ore.	Revelator.	
1918	George Lambourne took control of the Daly-West Mining Company and became president of the Judge Mining and Smelting Company.	Daly-West, Judge Mining and Smelting Company.	
1918	An influenza epidemic struck Park City.		The epidemic was less severe in Park City than in most other locations, although nine people died.
1918	The war in Europe ended in November, 1918.		After the war ended, metal prices began to decline and the mining companies made cuts as necessary to keep the miners working.
1919	A strike was called by the miner's union to raise wages to \$5.50 per day and cut the work day to six hours. By April, 1919, all the mines were closed due to the strike.		The Judge Mining and Smelting Company provided food to their employees at low cost to help them through the strike.
1919	The Walsh-Putnam Act was passed, which raised silver prices.		Prior to the passage of the Wash-Putnam act, the price of silver had slumped, due in part to the establishment of the gold standard for U.S. currency. Many small mines had been forced to close, and even larger operations had been forced to make cut-backs. This act raised the price of silver to \$1.00 per ounce, rejuvenating the area to the point where there was a shortage of miners to fill the number of open positions. Closed mines opened, and open mines expanded their production. Even low-grade waste dumps were shipped for processing.
1919	George Lambourne became president of the Park Utah Mining Company, which was doing well as the result of several good strikes and a modern surface plant.	Park Utah.	
1920	The Judge Mining and Smelting Company and the Silver King Company opened their own stores, where miners could purchase items on credit.	Judge Mining and Smelting Company, Silver King Company.	

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1920	A longstanding suit between the Keystone Mine and the Silver King Company was settled in favor of the Keystone Mine.	Keystone, Silver King Company.	
1920	George Lambourne took control of the old Daly Mining Company.	Daly Mining Company	
1921	A longstanding suit between Col. Nickolas Trewick of the Conklin claim and the Silver King Company was settled in favor of the Silver King Company. The suit was filed in 1908.	Conklin, Silver King Company.	The suit was decided in the U.S. Supreme Court and set a precedent that left the Silver King Company free of lawsuits and the undisputed "King" of Treasure Hill.
1921	The Park Utah Mining Company paid its first dividend and was shipping 200 tons of ore per day. A new mining camp, called Keetley, had grown up where Camp Florence had been, at the end of the Ontario drain tunnel.	Park Utah, Keetley, Ontario drain tunnel.	Keetley had homes, offices, a recreation hall, and a Union Pacific Railroad spur.
1922	The Utah Ski Club began ski jumping on Treasure Hill.		This was a period during which ski activities started becoming more organized. It was a sign of things to come. By the late 1930s, the area had begun to attract professional skiers to events such as the ski jump at Ecker Hill north of Snyderville.
1922	The Daly Mining Company, Daly-West Mining Company, and Judge Mining and Smelting Company (the old Daly-Judge) were combined into one company, the Park City Mining and Smelting Company, with George Lambourne as president, treasurer, and managing director. M.C. Fox was vice president, O.N. Friendly was mine manager, and George Kreuger was superintendent.	Daly, Daly-West, Judge Mining and Smelting Company (Daly-Judge), Park City Mining and Smelting Company.	
1925	The Park Utah Company merged with the Park City Mining and Smelting Company and the pioneer Ontario Silver Mining Company, to become the Park Utah Consolidated Mining Company. George Lambourne was president and general manager. E.C. Fox, Charles Lange, and Adolph Hanke were directors. Oscar Friendly, J.W. Stoner, E.A. Hewitt, and Leonard Wilson were mining engineers. H.R. Wallace and George Kreuger were superintendents and foremen.	Park Utah, Park City Mining and Smelting Company, Ontario Silver Mining Company, Park Utah Consolidated Mining Company.	A huge ore deposit was discovered at the 800-foot level and the stock soared.
1926	The Park Galena Company was started on ground adjoining the Glen Allen, which had been put up for sale the same year to satisfy debts.	Park Galena, Glen Allen.	The Park Galena reported good finds the following year and erected a small concentrating mill.
1926	Charles Moore and John D. Fisher located claims in the canyon above the Park Galena and formed the Star of Utah Mining Company.	Star of Utah.	
1927	The New Quincy Company began shipping ore.	New Quincy.	
1928	A new Park City high school was completed.		
1928	Charles Moore purchased the Park Bingham property	Park Bingham.	
1928	The Park Utah Consolidated Mining Company became the nation's largest silver producer for the year of 1928.	Park Utah Consolidated Mining Company.	The late 1920s were prosperous years for Park City mining operations.
1929	The Keystone Mine reopened after a long shut-down.	Keystone.	

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1929	The Star of Utah Company and the Park Bingham properties were merged as the Mayflower Mines Corporation.	Star of Utah, Park Bingham, Mayflower Mines.	
1929	The Wall Street stock market crashed on Black Friday.		Although metal prices and stock values dropped, most Park City mines kept working for the time being. Mines cut workers' pay by 50 cents per day.
1930	Silver prices had dropped to 38 cents per ounce, compared with a high of \$1.12 per ounce in 1919.		The mines cut workers' pay by another 25 cents per day. Some smaller companies began to close down.
1932	The larger mines were still operating, but the number of needy and unemployed gradually rose in Park City.		
1932	Roosevelt was elected President of the U.S. Prohibition was repealed.		
1932	The Mayflower Mines Corporation merged with the Park Galena Mining Company to form the New Park Mining Company. The president was Charles Moore. T.L. Walden, Fraser Buck, R.C. Wilson, Clark Wilson, Robert Cranmer, and W.H.H. Cranmer were directors. J.F. Featherstone was secretary and treasurer.	Mayflower Mines, Park Galena, New Park Mining Company.	The New Park was one of just a handful of mines in the district that produced significant quantities of gold ore.
1933	Metal prices began to rise and some of the closed mines were reopened, including the old Flagstaff Mine.	Flagstaff.	
1933	Local 99 of the Mine, Mill, & Smelter Workers union was organized. It proposed a more militant stand on wage and hours issues.		
1934	WPA projects provided relief to over 200 unemployed Park City miners.		
1935	Silver prices rose to 65 cents per ounce and gold climbed to \$35 per ounce. More mines reopened, including the old Naildriver. The Park Con Mine opened, and a new shaft, known as the Thayne's shaft, was begun by the Silver King Company near the head of Thayne's Canyon just below the old California-Comstock Mine.	Naildriver, Park Con, Thayne's shaft (Silver King Company).	
1935	The Park Con Company told its workers they would be put on a seven-day work week, which triggered an immediate objection from the MM&SW union.	Park Consolidated Mining Company.	
1936	The Silver King Company would not agree to a "closed shop" or to time-and-a-half pay for overtime work. Negotiations failed, and some 1,000 miners walked off their jobs at the Silver King Company, Park Utah, Park Con, New Park, and several other smaller mines. By October, Park City business was down by 50%, and many miners wanted to return to work, but the union still demanded a 50-cent daily pay increase and an eight-hour work day. "Valley men" (men who worked in the Park City mines but lived in other communities) were going to accept the mines' offer of a 25-cent increase. Fights broke out between striking miners and the valley men, with the valley men backing off and leaving town. In December, a settlement was reached.	Silver King Company, Park Utah Company, Park Consolidated Mining Company, and other companies.	This strike spread to most other Utah mining camps, taking over 2,500 workers off their jobs.

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1936	The D&RGW Railroad ran a special train from Salt Lake City to carry skiers to the slopes just above the Park Con Mine in Deer Valley. The project was repeated the following year, with an additional train from Ogden.		
1938	President Roosevelt ordered a silver price cut from 77 cents down to 64 cents per ounce. This forced the Silver King Company to cut its work force by 150 men. The Park Utah Company announced a similar cut. In April, the Silver King Company shut down its operations indefinitely, and other mines followed suit.	Silver King Company, Park Utah Company, and other mining companies.	This prompted the miner's union to renew its demand for a six-hour work day, claiming that the reduced hours would help put men to work and improve conditions. A tentative contract was rejected by the workers.
1938	The government agreed to return the silver price to 77 cents per ounce. This, coupled with a temporary agreement with the miner's union, prompted the mines to resume operations on a limited scale.		
1938	Camp Cloud Rim, a WPA-built Girl Scout camp on Bonanza Flat was dedicated. It was built on 15 acres donated by the Park Utah Mining Company.		
1938	The Park City Mining Company, originally located as the Liberty Mine in lower McHenry Canyon, announced that it would reopen the old Wasatch Tunnel on Bald Mountain and sink a new incline to connect to the Star of Utah workings. A cave-in trapped eight miners, but they were rescued.	Park City Mining Company, Liberty Mine, Wasatch Tunnel, Star of Utah.	Ore from the Wasatch Tunnel was hauled by truck to the Judge Loading Station.
1938	The Park Utah Mining Company began using a submersible pump to raise water to the 900-foot level for draining the lower workings.	Park Utah Company.	
1939	Ski jumping at Ecker Hill drew crowds of over 5,000.		
1939	The miner's union accepted a 25-cent raise, with the provision that wages could be cut if the metal prices fell again, which is what happened in May, prompting the announcement of a strike. However, metal prices rose again before the strike began and a two-year contract was signed.		This marked the end of four years of frequent strikes, shut-downs, and high unemployment. The mines were getting their production levels back up and the local economy was getting back to normal.
1940	In October, registration began for the draft, in anticipation of war in Europe.		
1941	On December 7, Congress declared war. Much of the abandoned metal mining equipment in the area was shipped as scrap metal for the war effort. Demand for metal was high, but Park City mining stock plummeted in value. A shortage of miners was a factor, with many of the younger miners being called away to war. Before long, some draftees were returned to the mining camps, where their labor was needed. However, their skills were not often well matched to the needs of metal mining.		Production levels in the Park City mines during WWII never reached pre-war levels, due largely to the labor shortage and the lower skill levels of the wartime labor force.
1943	The Ontario Mine drained its long-flooded lower levels to get to their substantial zinc deposits. The mine would soon become a major producer of zinc.	Ontario.	
1944	A major water flow was struck in the Silver King Company's west-end shaft below the 1,900-foot level. The pumps could not handle the flow, and all mining in that area was closed.	Silver King Company.	
1945	On August 14, WWII officially ended.		

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1946	Park City's first ski lift was built in Deer Valley by Otto Carpenter and Bob Burns. This was to be called the Snow Park ski area.		
1946	The D&RGW Railroad and its predecessor, the Utah Central, had served Park City for over 50 years, but in 1946 the D&RGW abandoned its Parley's Canyon route due to lack of freight business and losing passenger business to the bus lines.		
1946	The Newmont Mining Company began operation of the East Utah Mine near the New Park Mine, but abandoned the operation three years later, after not finding any significant ore bodies.	Newmont Mining Company, East Utah Mine.	
1947	The Park City Consolidated Mine had been an active mine from 1929 to 1939, when it had shut down. In 1947, it was supposedly about to reopen, but contrary to rumors and a dividend paid by the company, the mine failed to reopen.	Park City Consolidated Mine.	
1949	A contract between the MM&SW union and the Park City mines was not renewed. This resulted in the loss of some 800 jobs and the closing of mines in the Park City area. Soon after the mines closed, the union membership severed ties with the MM&SW union and became affiliated with the Progressive Metalworkers union. A separate agreement was reached with the New Park Mine, which restarted operations. The other mines remained closed. Then the union membership voted to leave the Progressive Metalworkers union and join the United Steelworkers of America. Many of the Park City mines remained shut down.		There may have been political issues as well as labor cost and metal price issues involved in the failure to renew the contract. Certain figures in government, in their post-war frenzy to hunt down communists, had branded the MM&SW union as a communist-led organization.
1950-1956	Metal prices dropped again and again. The few mines that were still running were operating in the red. Only a few large companies remained.		
1953	The Silver King Company (the Silver King Coalition Mines Company) joined the Park Utah Consolidated Mining Company (including the Park Utah, Ontario, Daly, Daly-West, Daly-Judge, etc.) to form the United Park City Mines Company. Now all of the Park City mining companies, except the New Park Company, were under the same management. The United Park City Mines Company would continue mining operations at a scaled-down level.	Silver King Company, Park Utah Consolidated Mining Company, United Park City Mines Company, New Park Mining Company.	This reduced overhead expenses and allowed undeveloped ground between these mining operations to be mined. The merger resulted in the closing of the Silver King shaft and mill. The shops at the Judge Mine and the hoist at the Daly-West Mine became the operating surface plants. The Park Utah tunnel became the main access and haulage route. New discoveries were made, including a good find on the 1,900-foot level of the Daly-West workings.
1956	An ore body containing 45 ounces of gold per ton was discovered by the independent New Park Mining Company. Despite the presence of high-grade ore, the New Park could not contend with the low metal prices prevalent in the market, and it eventually closed down its Park City mining operations. However, the mine was soon reopened in an unusual arrangement in which the company miners leased the mine from the New Park Mining Company.	New Park Mining Company.	

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1956	Summit Park, a residential development, was started at Parley's Summit.		Despite the fact that Park City's mining operations had been sharply curtailed and that Park City was rapidly losing population and approaching "ghost town" status, Summit Park represented the beginning of an influx of people who were interested in the mountain-living lifestyle of Summit County. People from out of town also began buying and fixing up a few of the empty homes in Park City.
1959	Early plans were being laid by the citizens of Park City to develop its potential as a recreational destination. The Guardsman Pass road between Park City and Brighton was also built this year. Metal prices also began to rise again, and the United Park City Mines Company began advertising for miners. UPCM also began sinking a new incline shaft from the Ontario Mine's 1,800-foot level. New ore discoveries were being made, and no significant new water problems were encountered.	United Park City Mines Company, Ontario.	The New Park Mining Company continued to operate their mine successfully during this period. Workings were sunk below the 2,000-foot level.
1961	Charles Steen, the kingpin of Utah's uranium mining industry, acquired a large portion of the New Park Mining Company stock and became its executive vice president, becoming president of the company the following year. The Hecla Mining Company was contracted to take over the operations of the mine and build a new mill, the first one in many years in Park City. However, the mine did not weather the change in management, and the operation was eventually shut down. Its abandoned equipment was finally sold at auction in 1972.	New Park Mining Company, Hecla Mining Company.	Waste tailings from the mill were pumped back into the mines to fill worked areas and eliminate much of the need for timbering while eliminating waste dumps on the surface. At this time, Park City's economy had rebounded to some degree from its lowest point in 1957 and could still claim title to being the greatest hard-rock mining camp in the state.
1961	The United Park City Mines Company announced the formation of the subsidiary Park City Land and Development Company.		This was the result of an earlier stockholders meeting, in 1959, in which a proposal was made to turn over all of United Park City Mines Company's surface rights to the new company to develop a year-around vacation and recreation complex.
1962	The Park City Land and Development Company applied for a Federal "Area Redevelopment Administration" loan to begin their long-term recreational development plans. The loan was approved and United Park City Mines Company added more money and 10,000 acres of scenic property to the development effort.		Simultaneous improvements were made by Park City to its streets and other facilities.
1962	The new Park City ski complex was started, with investments from the United Park City Mines Company, the Park City Land Development Company, the American Smelting and Refining Company, and the Anaconda Copper Company, plus proceeds from a 10-year bond sale. The complex would soon bring in large numbers of skiers and ancillary services, providing a huge lift to the local economy.		
1971	United Park City Mines Company leased its mining operations to Park City Ventures, a partnership between Anaconda Copper Company and the American Smelting and Refining Company. Park City Ventures invested over \$30,000,000 in the new operation, including the modernization of the old Ontario workings, but in 1978 its closure was announced.	Park City Ventures, United Park City Mines Company, Ontario.	

Date	Mining-Related Events and Other Selected Events	Related Mines or Companies	Notes
1978	In 1978, the Ontario workings were closed by Park City Ventures, and operations were to be taken over by the Noranda Mining Company of Canada.	Ontario, Park City Ventures, Noranda.	
1982	The Noranda Mining Company ceased operations at the old Ontario No. 3 Shaft works.	Ontario, Noranda.	With the failure of Noranda's efforts to keep the mines operating, Park City was without a single working mine for the first time in its history. Today, the workings are still quiet, with the exception of United Park City Mines maintenance crews, who still use the Ontario Shaft No. 3 to access and maintain certain drain tunnels as a water source for Park City's potable water system and for the Jordan-elle Water Conservancy District.
1999	The Silver Mine Adventure was closed in 1999. At the time of this writing, most of the exhibits were still in place, waiting for a decision as to their disposition.	Silver Mine Adventure	The United Park City Mines Company had opened the Silver Mine Adventure as a museum and tourist attraction. Besides the museum displays of historic mining activities, the facility featured tours of a portion of the underground workings.

PREHISTORIC CONTEXT

Beginning with Paleo-Indian cultures, Utah has a rich and varied archaeological record that spans over 12,000 years. However, early human occupation in high-altitude environments such as those that comprise much of the Park City area was rather limited, beginning with the seasonal occupations of Archaic peoples who extended their landscape usage into highland areas during the late spring, summer, and early fall, when these areas were relatively free of snow and certain floral and faunal resources were accessible.

Archaic Period

The Archaic period is generally characterized by an adaptive radiance across the landscape, accompanied by an increasing reliance upon plant resources. Schroedl (1976) has defined four phases for the Archaic period, each of which is distinguished from the others by technological remains, subsistence strategies, and environmental change. The Black Knoll phase lasted from ca. 8300 to 6200 years B.P. Black Knoll phase sites are characterized by Pinto projectile points and what is interpreted as an elevational dichotomy in food procurement: larger game was hunted at higher elevations, while wild plants were gathered at lower elevations. The subsequent Castle Valley phase (ca. 6200-4500 B.P.) is represented archaeologically by the presence of Rocker, Hawken, Sudden Side-Notched, and Humboldt and McKean projectile point styles. Slab-lined fire pits and the increasing reliance upon grasses and forbs are also characteristic of this phase (Black and Metcalf 1985). The Green River phase (ca. 4500-3300 B.P.) is marked by the presence of Gypsum and San Rafael/Mallory Side-Notched projectile points, split-twist figurines, and an increase in the dietary importance of amaranth and bighorn sheep (Black and Metcalf 1985). The Dirty Devil phase (ca. 3300-1500 B.P.) is characterized by increased sedentism and by the introduction of corn and the bow and arrow (Schroedl 1976). Madsen (1982) and others refer to this time frame as the Late Archaic period (3500-2000 B.P.), with the subsequent Formative period overlapping (1600 to 650 B.P.).

Formative Period

The Fremont culture (A.D. 500 to A.D. 1250), which Jennings (1978) sees as an outgrowth of the earlier Desert Archaic, subjected to heavy influence from the early Pueblo culture of the Southwest, was centered in what is now the state of Utah. Basic Fremont traits include use of the bow-and-arrow, pithouses, good quality grayware ceramics, horticulture, and villages composed of as few as three dwellings and associated storage facilities (Jennings 1978; Marwitt 1970). It has been said that the Fremont were adaptable enough to live in many different environmental settings and that their subsistence strategies seem to have ranged from full-time settled farmers to full-time mobile hunter-gatherers, including everything in between (Madsen 1982). The Formative period is characterized by a shift from hunting and gathering towards maize horticulture.

Ethnohistoric Period

Historically native peoples have been documented throughout the Wasatch area. Other than sporadic visits by the Spanish and perhaps a few early trappers, Western or European peoples did not enter the Wasatch area until the 1840s, at which time native peoples were observed. The arrival of Mormon immigrants in 1847 led to the establishment of colonies throughout the Wasatch area, which was then occupied by the Ute and Western Shoshone. Today, the Ute live on three reservations established during the mid-1800s: The Uintah and Ouray Indian Reservation in eastern Utah, and the Southern Ute and the Ute Mountain Ute Indian reservations in western Colorado. The Western Shoshone live on several small reservations and colonies throughout California, Nevada, and Utah (Thomas et al. 1986).

GEOLOGICAL CONTEXT

This section provides a general technical overview of the geology of the Park City Mining District and the characteristics of its ore deposits. This information is excerpted from Rockwell, et al. (1999), including references to other sources.

The Park City mining district is situated near the intersection of the north-trending Wasatch Range and the west-trending Uinta arch. Intermediate-composition Tertiary stocks have intruded a 3,000-meter-thick sequence of Precambrian, Paleozoic, and Mesozoic sedimentary rocks. These stocks intruded along an east-trending linear zone aligned with the Bingham Canyon deposit in the Oquirrh Mountains 50 km to the west. The Tertiary stocks are porphyries with phenocrysts of plagioclase, hornblende, biotite and pyroxene, with lithologies ranging from quartz granodiorites to monzonites and latites (Erickson et al. 1968). The sedimentary formations include limestone, dolomite, sandstone, siltstone, and argillite, and were folded and thrust faulted during the Cretaceous Sevier orogeny. The district is centered on one of these folds, the north-trending Park City anticline.

The Oligocene Keetley volcanic sequence overlies the folded sedimentary rocks in the eastern part of the study area near the Jordanelle Reservoir. Stocks in the Park City district may represent source vents for these younger volcanic rocks. Erosion has removed the Keetley volcanic rocks from the main part of the district. Tertiary high-angle faults cut the sedimentary and volcanic rocks and form an ENE-trending zone along which the ore deposits are localized. These northwards-dipping fault zones are often characterized by breccias, slickensides, and abundant iron oxides and hydroxides.

Park City is an epigenetic polymetallic deposit formed at high temperatures (200°-300° C) during and immediately after intrusion of the stocks at about 33-36 Ma (Bromfield, 1989). The ore occurs as fissure veins in both igneous and sedimentary rocks and as stratabound, manto-type replacement deposits in favorable carbonate units along fault fissures which cut the porphyritic stocks. Although the ore deposits are spatially associated with the intrusions, most mineralization is believed to postdate the intrusive events. Metal production data for the Park City district includes (through 1982): gold (1.5 million ounces), silver (253 million ounces), copper (129 million pounds), lead (2.7 billion pounds), and zinc (1.5 billion pounds). The bonanza-grade oxidized lead-silver ores discovered by early prospectors (and long ago mined out) contained cerussite, anglesite, iron oxides, argentite, azurite, malachite, and chrysocolla (Koschmann et al. 1968). The main sulfide ore minerals are galena, sphalerite and pyrite, with tetrahedrite-tennantite, chalcopyrite, enargite, and other Pb/Cu/Sb sulfosalts. Principal gangue minerals are quartz and calcite, with less abundant hematite, chlorite, rhodochrosite and anhydrite.

Large exposures of bleached, iron-stained gossans are not abundant in the district. Contact metamorphism near the Clayton Peak Stock has created marbleized limestones and hornfels/argillite from shales. These rocks crop out along the east-trending ridge near Jupiter Hill (Bromfield 1989). Also present in altered carbonate units near the stocks are specular hematite, epidote, and calc-silicate minerals (skarns).

Propylitic alteration of the stocks is present in the eastern part of the district in the hills to the west of the Jordanelle Reservoir. Mild propylitic alteration consists of aggregates of chlorite, iron oxides, and calcite after biotite and hornblende. More intense alteration has produced calcite from plagioclase and epidote from both feldspars and mafic minerals. The Clayton Peak and Pine Creek stocks are relatively unaltered. Intense silicification, sericitization and pyritization (QSP alteration), and formation of hydrothermal phlogopitic biotite, is limited to a small area in the eastern part of the district along the strike of the Mayflower/Pearl vein/fault system.

TECHNOLOGICAL CONTEXT

Mining Property Types

For the purpose of this study, a mining "property" can refer to a spatially isolated individual feature or to a spatially grouped set of related features. It is not meant to suggest the scale or the functions of a set of features. As such, it could be considered a term of convenience from a property management standpoint. For example, a mining property could be a mine site with its associated rail bed, ore bin, power plant, etc., all grouped more or less together. Or it could be a smelter with its associated adjacent features. Or it could be an isolated ore bin that stands alone, located miles from the mine entrance.

A mining "property type" can also refer to an isolated feature or a grouped set of features, but it also provides information about the function of the property. For example, one property type might be a "prospect" representing the least developed end of the mining spectrum, although another might be a "mine" such as the Ontario mine with its numerous features. As another example, a "mill" might be the Ontario mill, which stood apart from the diggings farther up Ontario Canyon, and could be considered a separate "property" from the Ontario mine. In a case such as the Daly-West mine, where the mill is adjacent to the mine itself, the mill could be considered a feature of the complete "mining and milling operation."

Basic Property Types

For this report, mining property types are broken down into five functional categories: prospecting, extraction, maintenance, beneficiation, and refining, as outlined here in the context of metal mining. Most, but not necessarily all of these property types are found in the Park City area.

Prospecting activities involve the search for significant ore deposits. These activities are exploratory in nature and are characterized by test excavations of various types, including pits, trenches, shafts, adits (tunnels opening to the surface), drill holes, blasted rock faces, etc. It should be mentioned that many exposed ore bodies have been located by exploration alone, without excavation.

Extraction activities involve the process of accessing and removing valuable ores from the earth's crust, and are characterized by a variety of equipment, including headframes, hoists, shafts, adits, ventilation systems, pumps, water drainage systems, electrical power plants and systems, compressed air plants and systems, steam power plants and systems, ore bins, tipples, machine shops, blacksmith shops, administrative offices, assay laboratories, worker housing, ore cart runways, railroads, roads, tramways, and a host of other features. This process often involves removing a good deal of waste rock that covers or separates ore bodies, and includes any equipment, facilities, or other features involved with removing, transporting, dumping, or processing waste rock.

Maintenance activities involve any activity related to normal maintenance of mine or mill workings. This may entail such activities as replacing rotted timbers, repairing ventilation systems, updating equipment and facilities, improving safety features, etc.

Beneficiation activities involve separating the desired minerals or metals from ore, concentrating them, and further separating metallic elements from others with which they were combined. The basic beneficiation processes include milling, concentrating, and smelting. After beneficiation, the metals are ready for further refining. Smelters and refining facilities were typically located at some distance from the mines, and often in different counties or states. In some cases, ore or concentrate has been (and sometimes still is) shipped overseas for processing. Property types associated with beneficiation are characterized by mills, concentrators, smelters, and related equipment, facilities, and transportation networks.

Refining activities involve the process of purifying metals to a point where they are ready to be made into their final end products or combined with other metals to make alloys. Property types associated with refining generally are characterized by the refineries themselves, as well as any directly associated equipment or facilities. Some researchers consider refineries as part of the beneficiation process, but because many refineries are not directly associated with mills or smelters, and because some refining processes may be unique to a particular end use, refining activities are listed separately.

Other Property Types

Other property types include engineer-designed complexes, mining landscapes, and related property types that are not directly related to prospecting, extraction, maintenance, beneficiation, or refining. Some, but not necessarily all of these property types may be found in the Park City area.

Engineer-Designed Complexes are a property type characterized by a number of properties or features that were designed specifically to work together in a compatible and efficient manner. An example might be a mine with its own engineer-designed mill and smelter and an integral transportation system connecting them all. Such complexes are more typical of larger, established mining operations that wanted to control as many aspects as possible of the mining process. The idea of a "complex" can be misleading, however, since it was not always practical or possible to have all of the components adjacent to one another. For example, a mill or smelter might be located at a considerable distance from the mine itself, or worker housing might be placed closer to a town, etc.

Mining Landscapes are a property type characterized by the tangible effects of mining operations on the physical nature of the landscape. This shaping of the landscape can result from a wide range of mining-related activities, such as water damage from placer mining, buildup of waste rock dumps or tailings ponds, cut-and-fill for railroad grades or roads, open pit mining operations, leveling or recontouring ground for equipment staging or building construction, recontouring operations after ore bodies have been removed or mines permanently closed, etc.

Related Properties are those properties that may not have been directly involved in mining operations, but which naturally accompany mining development. Towns and villages that grow up in a mining-based local economy might best exemplify a related property type.

Other Considerations

Mining sites are industrial sites and can, like farms and ranches, be considered production features of the landscape. Mining operations can range from technologically simple to highly complex. The material remains of mining-related activities might be nothing more than the vestiges of a single prospect hole or could encompass a myriad of features extending across miles of landscape. Thus the determination of what constitutes a "property" versus a "feature" of a property can be a difficult question.

For example, a typical prospect or a small-scale mining operation might leave only a collapsed or filled shaft, a waste dump, a trail or narrow road, and a few pieces of discarded trash, all of which could be very restricted in area and represent only a short temporal duration. Larger mining operations often leave a complex and rich set of remains, such as the remnants of ore mills, transportation systems, support facilities, miner housing, power houses, and other facilities and systems.

It is worth noting, however, that "typical" is a word that does not always apply in a mining-related context. Sometimes, more features may remain from a small, forgotten mine than from a large operation, depending on subsequent events. For example, after the ore played out in a large operation, equipment and other structures were often removed and put into service at some other location, since larger companies

usually had the necessary equipment and labor to move these items, not to mention the fact that larger operations could often afford better quality equipment and facilities that warranted the extra effort to move them. A smaller operation might be operating on a shoestring budget, with older and less valuable equipment, and if the ore played out or if the company went bust, the equipment might just be left where it was. Or, as another example, the activities of a subsequent operation might totally obliterate all traces of an earlier operation at the same location. So, there may be a "tendency" for larger operations to leave more material evidence of their activities, but there are also many exceptions, as in the above examples. Another tendency would be for older sites to leave fewer remains than newer sites, but again, there are always exceptions to this rule of thumb, usually linked to economic factors.

A mining claim is a conventional unit of area, whose boundaries are registered in the mining district and recognized by all applicable governmental bodies, and, hopefully, by all contemporary prospectors and miners. If a claim had development potential, the claimants would typically attempt to expand the boundaries of their holdings, either by filing claims on adjacent or nearby ground or by buying up additional existing claims. The consolidation of claims was a nearly constant process in most mining districts. To "patent" the claim, which gave the claimants title to the ground and its mineral content, the claimants had to "prove up" the claim by "working" their claim to the degree required by law.

Mines generally underwent significant changes over the years, some being abandoned and others expanding their holdings or being incorporated and transformed into another mine. Such was the process in the Park City area. As rich ore deposits were hit, capital flooded in, and mine development took off. Mining companies sprang up, changed hands, merged with other companies, or went bust at an amazing rate. Over time, the holdings and associated area of a mine could change dramatically—growing, shrinking, or disappearing with the vagaries of investing, deal-making, and metal prices, as well as the size and quality of the ore bodies they were tapping.

As mentioned, subsequent mining-related operations could alter earlier features to widely varying degrees, ranging from total obliteration of earlier features to simply adding to what was already there. This factor can present a major stumbling block when trying to trace the history of a mining-related property from its physical remains. Archaeological investigation can often provide evidence of earlier phases in a property's development, since smaller and less valuable structures, materials, equipment, and other minor features tend to be ignored, discarded, or overlooked when changes are made by subsequent mining-related operations.

Mining camps located in areas of successful mining operations could quickly evolve into towns and cities, such as Park City, the area's primary residential and commercial center. These camps, towns, and cities are related to mining operations, but are not generally considered part of a mining system.

Mining Processes

The technology of hardrock silver mining varies with the geology of the associated ore bodies and the necessary means to access the lode and remove the ore and waste rock. Ore bodies in the Park City region were often narrow and steeply dipped, which necessitated appropriate underground mining techniques for ore access and extraction. The solidity and stability of the rock strata helps determine the methods for tunneling and reinforcement. Many parts of the geology in the Park City Mining District are quite unstable, requiring timbering and other reinforcement methods. Underground water presented major technical challenges to mines in the Park City, whose works were often flooded when a new water source was struck. Drain tunnels and massive pumps helped solve the problem but at a high cost. As new problems were encountered, new technological solutions were implemented. Much of the technological information in this section was derived from publications by George Stott (1916), the Utah Mining Association (1967), and other selected works.

Prospecting Processes and Technology

In the early days of mining in the Park City area, most of the ore bodies were discovered where an outcropping of ore was visible on the surface. After the more obvious outcroppings were taken up into mining claims, subsequent discoveries were usually made as the result of excavation. In either case, excavation soon came into play, since even in the case of a surface discovery, it was difficult or impossible to ascertain the extent and form of the ore body without digging. Typically, shafts, inclines (steep tunnels) or adits (basically horizontal tunnels that open to the surface) were dug towards known or suspected ore bodies. Additional drifts (underground tunnels) were also driven off of shafts and adits towards the anticipated location of ore bodies. A typical size for a drift was a tunnel four feet wide and six feet high. The following section discusses excavation techniques in more detail. Once an ore body was encountered, extraction of the ore could begin. Ore bodies were often missed entirely, with drifts passing within feet or inches of a deposit. Later methods that employed diamond drills to take core samples would discover many more deposits without the expense of hit-and-miss tunneling.

Extraction Processes and Technology

Excavation methods in the Park City area were much like those used in other western underground mines. The typical working consisted of one or more vertical shafts with horizontal levels radiating out from the shafts. Vertically, the levels were spaced an average of about 100 feet apart. Earlier or lower-budget excavations tended to be loosely organized in what has been called a "rat-hole" system, but later or larger operations often consisted of a carefully designed network of tunnels, adits, stopes, inclines, shafts, raises, and other specialized underground features for accessing and removing the ore in an efficient manner. Some of the larger mines had complex systems for ore handling with specialized excavations and equipment, the variations of which are too numerous to discuss here.

Excavations into the ore bodies themselves are usually called stopes, the size and shape of which were determined by the size and shape of the ore body, since the object was to remove all of the worthwhile ore in the deposit. Veins of ore that had a gentle dip would typically involve either overhand (from the ceiling) or underhand (from the floor) stoping, while veins of steep dip were typically overhand only.

In some areas, the walls and roofs were solid enough that timbers were not required, but other areas required timbering or other methods to prevent their collapse. Timbering was used primarily in stopes and fissures and not as much in drifts and cross cuts, which were generally self supporting. Timber frameworks were often constructed to provide platforms for accessing ore as the ceiling of a stope rose as more ore was removed. Timbers might also be left in place in stopes to keep them open, or the stopes might be allowed to collapse of their own accord after the ore was removed. Backfilling stopes and other excavations was not practiced very much until new technologies made it easier and cheaper to backfill or where it was difficult to dispose of waste rock outside of the workings. Large trees in the district disappeared quickly. Stott (1916) mentions the use of 8" x 8" Oregon fir timbers, with the occasional use of 10" x 10" timbers. A few mines occasionally used even heavier timbers for some specialized applications.

During the history of the Park City area, a variety of methods were employed for excavating. Prior to 1869, when powered rock drills began to appear, drilling was accomplished by hand, using hammers and drill bits. Depending on the number of workers, these manual drills are termed single- or double-jack drills. Powered drills typically operated on compressed air that was piped throughout the mine workings. Some early rock drills used high-pressure water or steam, but the compressed air drills seemed to be the most practical approach, which also provided some relatively fresh air at the excavation face. Even after powered drills came into common use, certain situations still lent themselves to the use of manual rock drills. Miners working new prospects seldom had a suitable power plant for producing the air, water, or steam pressure needed for a powered drill. Even in established mines, there were some situations where

manual drills continued to be used for decades, such as in stopes where the ore was not stable or where the surrounding waste rock would tend to fall in. Later, after electric power was brought into the mines, a new option was to use an electric-powered compressor car to supply air pressure to areas of the mine that had no pressure pipes..

A wide range of explosives were used throughout the history of the district, including blasting powder, dynamite, "gelatin" compounds, and a variety of other explosives. Early explosive charges were set off with detonator caps and a fuse that burned at a timed rate to allow the miner to exit the area before the charge went off. Later, electric detonators were also employed, but the use of fuses continued.

For lighting, early miners used open candles. These were a long-time favorite among miners, who later—and somewhat reluctantly—began using a variety of more modern devices, including enclosed candle lights, oil lamps, enclosed oil lamps, carbide lamps, or electric lamps. Early "safety" candle and oil lamps had built-in flame propagation arrestors that reduced the chance of a flame igniting an explosive atmosphere. An explosive mine atmosphere was not as large a problem in the Park City mines as it was in coal mines, where coal dust and methane gas posed constant threats of fire and explosion.

In the early mines, pressurized air, water, or steam was supplied by wood or coal-fired boilers and steam engines. Ore trains were usually pulled by horses. After the turn of the century, the mines gradually began using electric motors to produce compressed air or to pump water, and electric-motor-driven locomotives began to replace the horses that pulled the ore trains. By 1920 or thereabouts, most of the major mines had invested heavily in electrification.

Proper ventilation and drainage of deep hardrock mines were constant concerns. The elimination of foul air in the earlier mines depended on the use of ventilation shafts and adits/tunnels to create a natural draft. Later, forced-air systems were introduced to replace or augment natural draft or to serve areas that had no adequate means of ventilation.

Flooding was a severe problem at the Park City mines that seriously limited the depth of the mine workings. Many significant ore bodies were out of reach until the heavy flows of water could be dealt with. Draining the mines presented challenges that prompted a variety of responses. Excavating drain tunnels below the level of the ore body was often done but involved considerable time and labor. Simple bale systems could be employed where flooding was a minor problem, but more powerful means were necessary at the Park City mines. By the 1870s the famous Cornish force pumps were available. A huge Cornish pump, such as the one installed in the Ontario Mine, could remove as much as four million gallons of water a day. In the long run, drain tunnels proved to be the most effective approach, often draining several different mining operations with the same drain tunnel. However, even though these tunnels could be several miles in length and drain to the lowest area possible, there was still much ore below that level, and pumps still had to be employed for the deeper mines. In addition, a collapse of a single drain tunnel could put the lower reaches of several mines out of commission, and many jobs would be lost until the tunnel was eventually cleared, which was not always an easy task and could take many months.

Drainage tunnels frequently were used as the main entry for a mine, allowing easier and faster movement of miners and equipment in and out of a mine. This also freed up the shaft for hauling out more ore and waste rock. The ends of some drain tunnels may also have been closer to town which made it less necessary to have worker housing near the shaft.

Ore was moved through the mine by ore-carts mounted on rails. The ore carts were pulled by burros or other draft animals in the early mines and in mines that could not afford electric locomotives. Due to the extreme slope of many of the ore bodies in Park City mines, hoists were commonly employed at various locations in a mine's workings to raise the ore. The simplest hoist mechanism used a *windlass*, a hand-

operated winch. A windlass powered by a horse was called a *whim*. Various types of hoists were used for excavation, such as hoists or winches for pulling scraper buckets or skips. Electric loader cars appeared, allowing easier and faster clearance of ore and waste rock.

A headframe, a gallows-like structure constructed of wood or metal framing, was erected over a mine shaft or steep incline opening, with a sheave or drum perched at the top, over which a cable from a hoisting plant was suspended to raise and lower the cages loaded with ore carts, men, and supplies, or to raise the ore skips in the shaft. Once out of the mine, the waste rock was usually dumped in waste piles and the ore transported to the mill. Other surface works included carpenter shops, blacksmith shops, offices, power plants, pump houses, and other facilities.

Beneficiation Processes and Technology

Separating the metals from the ore involved milling, concentrating, and smelting. Over the years, there were many changes and improvements to the milling and concentrating processes used in the Park City area—far too many to mention here. Milling was a mechanical process that separated the metals from the waste rock in the ore. In a typical milling process, the ore was first crushed to a certain size by crushing machinery, such as a stamp mill, then fed along with water into a ball or rod mill. Early ball mills used rounded flint stones to help pulverize the ore. As it left the ball mill, the ore was classified by size, and any that was not ground finely enough was fed back into the ball mill. The process was designed to produce very uniform grain size.

Various amalgamation methods were employed to process the slurry of water and finely ground ore to help separate the metals from the waste rock. Some, but not necessarily all of these methods were employed in Park City operations. Simple amalgamation could be effected by agitating the ground ore slurry to allow the metals to settle out. Chloridizing-roasting amalgamation and pan amalgamation techniques involved roasting the ore in furnaces before taking it to the amalgamation pans containing a variety of chemicals, such as salt, copper-sulfate, and mercury. Metal that clung to the mercury, for example, was separated by heating the mercury in a retort, which caused the mercury to change to a gas, leaving the metal behind. The mercury could be reused after recondensing. Various leaching processes were developed to extract metal from low-grade ores or as the final extraction step before the slurry was sent to the talus dumps or tailings ponds.

These amalgamation processes gave way to a series of continually improving processes to separate the metal from the slurry, including the flotation process. Flotation involved mixing certain chemicals or oils with the slurry from the milling process. The chemicals or oils stuck to the metal particles and rose to the surface, where they could be skimmed off as a concentrate. This was a much more efficient process that not only reduced operating costs, but also enabled certain metals, such as zinc, to be mined profitably.

The concentrate was then sent to a smelter, where the application of heat and the use of fluxes were employed to separate the metallic elements from others with which they were combined. This often involved a preparatory step, such as roasting the metal concentrate along with coke, to reduce the sulfur levels of the metal concentrates prior to smelting. At first, ore had to be shipped out of the area, such as to Godbe's Smelter in Rush Valley, near Tooele. In 1916, the Judge Mining & Smelting Company opened an electrolytic smelter in Deer Valley, but most of the Park City area ore continued to be shipped out of the area for processing.

Refining Processes and Technology

There were a number of different refining processes for various metals and for the different applications for those metals. In addition, the smelted metal was shipped out of the area for refining purposes, making detailed information about refining processes unnecessary for this report.

Remaining Features of Mining-Related Processes

The remaining features associated with the above processes will vary. It would be easy to make the assumption that larger mines would have left a richer set of remaining features than smaller mines. However, as has been mentioned, there is very little consistency in such assumptions. The many complex alterations that take place during the evolution of a typical mining district can be so extreme and pervasive that it is often difficult to reconstruct a sequence of events from physical remains.

That said, there are certain features that tend to last longer than others. For example, mine shafts and tunnels, even if filled in at some later date, usually leave evidence of their existence, and road and railroad grades also tend to be traceable long after they have been abandoned, unless subsequent changes to the mining landscape have obliterated them. Foundations tend to persist, due to their usually durable nature and the fact that even when a building is destroyed or moved, its foundation often remains.

Machinery and certain structures are often found out of their original context for several reasons. It was common practice to salvage any valuable items from a defunct or declining site and move them to another site where they were more useful. As older equipment was updated with new technology, the older items were often sold to lower-budget operations that could not afford the latest machinery. Metal items tended to be recycled, especially when scrap prices were up or when metal was needed for strategic purposes, such as during the massive metal recycling effort during World War II.

On the other hand, some structures and other features may have persisted for various reasons, such as a low economic value relative to the costs of moving them, scrapping them, or upgrading them. Other "preserving" factors might include their geographical isolation, abandonment and bankruptcy, and the mothballing of certain facilities, equipment, or structures for possible future use.

Despite problems associated with the loss of features over time and with the loss of context for many remaining features, there was so much activity in the district over a long period of time that there is still a very rich set of remaining features in the district, and many of those are either still in their original context or can be traced to their original context.

HISTORIC RESOURCES IN THE FLAGSTAFF MOUNTAIN RESORT AREA

This section describes certain historic mining-related sites in the Flagstaff Mountain Resort project area and their related features. More specifically, it provides:

- Site-specific historic context information for mining-related sites in the project area.
- A description of major features in a site, including physical characteristics, stylistic information, and construction details, as appropriate.
- A brief explanation of each feature's function within a mining system, if known.
- A description of significant problems or deficiencies that threaten a feature's structural integrity or life expectancy. Other problems or deficiencies may exist that were not noted during a preliminary inspection of the features described herein.
- An assessment of the causes or conditions that led to those deficiencies, or that maintain or exacerbate those deficiencies.
- A description of recommended work that might mitigate a feature's deficiencies. This information may be useful if stabilization is selected as a treatment plan for a particular feature.
- Suggestions for interpretive signage. This information may be useful if interpretation is selected as part of a treatment plan for a particular historic feature.

Note: Certain obvious safety hazards pertaining to the features described in this report may be noted. However, SWCA is not a safety engineering firm and recommends that a qualified individual or organization perform on-site inspections to identify potential safety hazards and make specific hazard mitigation recommendations. There may be other hazards associated with these properties in addition to any that are mentioned in this report.

Site-specific historic context information was extracted from the table in the section, "Park City Area Historic Mining Context," which was derived from several sources, including Thompson and Buck (1981), Boutwell (1920), Butler, et al. (1920), Stott (1916), interviews with Hal Compton (N.P., 2000) and Kerry Gee (N.P., 2000), Sanborn fire insurance maps (1889, 1900, 1907), an examination of a large number of historical photos and maps, and several informal sources.

Appropriate stabilization measures are described for several of the features in this section. However, this does not mean that stabilization is necessarily the most practical treatment option. There may be numerous viable approaches for a particular feature. Refer to "Treatment Plans – General Information" for general background information about treatment plans. Refer to "Treatment Plans – Flagstaff Mountain Resort Properties" for suggestions about selecting appropriate treatment options and for a matrix of viable and recommended treatment options for properties described in this report.

All of the features in this report have the potential to yield archaeological remains. Archaeological deposits may contain a wide variety of items associated with any mining-related processes, worker housing, or other human activities. SWCA does not recommend excavation work at this time. In general, no invasive investigations should take place without a scholarly research design, a staff of qualified individuals, arrangements for proper curation of any artifacts, and a plan for publishing the results of the project.

The properties described in this report are grouped by their general location in the project area:

- Middle Ontario Canyon
- Lower Empire Canyon
- Middle Empire Canyon
- Upper Empire Canyon
- Other (Flagstaff Mountain)

PROPERTIES IN MIDDLE ONTARIO CANYON

Properties discussed in this section include the Ontario Mine Site, along with its associated features.

For location information, refer to the numbered items in Figure 2:

Ontario Mine Shaft No. 3 Site

This site includes the Ontario Mine Shaft No. 3 (and its modern surface works), the Silver Mine Adventure, the Ontario Shaft No. 3 waste dump, and a group of historic water tanks that were probably associated with the Ontario Shaft No. 3 surface operations.

Historic Context

The Ontario Mine has been, at various times, the leading silver producer in the Park City area, and for a time was the leading silver producer in the entire United States. The No. 3 shaft is the best known of the Ontario's shafts. For over a century, this shaft and its workings played major roles in local, regional, and national mining history. George Hearst, who purchased the original Ontario Lode claim and started the operation, made his fortune from the Ontario Mine and went on to found the famous Hearst Publishing Company, later headed by his son, William Randolph Hearst.

Preparations to sink the shaft began in 1876. The following year, the Ontario Drain Tunnel No. 1 was started from the No. 3 shaft to drain water from the 600-foot level. The drain tunnel was completed in 1881. That same year, installation of the famous Cornish pump began, which would drain even lower levels and allow access to deeper ore bodies. The enormous pump would raise up to 4,000,000 gallons of water per day to be removed via the drain tunnel. The pump consumed prodigious amounts of wood (and later coal) to power its massive steam engine with its two 20-inch pistons and 70-ton flywheel (Figure 3).

In 1894, the 3-mile Ontario Drain Tunnel No. 2, also known as the East Drain Tunnel (Gorlinski 1893), was completed, draining the Ontario Shaft No. 2 workings to the 1,500-foot level and allowing access to deeper ore deposits. The tunnel would soon be extended to drain the Ontario Shaft No. 3 workings, as well as the Daly, Daly-West, and American Flag mines. The present-day flow from the Ontario Drain Tunnel No. 2 is some 6,000 to 9,000 gallons per minute.

In 1902, an underground explosion at the Daly-West mine left 25 people dead. Poisonous gases from the same blast killed nine people at the connected Ontario mine. Also in 1902, the Ontario Shaft No. 3 was sunk to the 2,000-foot level (the present-day depth of Ontario Shaft No. 3 is 2,600 feet).

In 1905, cave-ins blocked the Ontario Drain Tunnel No. 2 and water rose to the 1,200-foot level, 300 feet above the drain tunnel. The drain tunnel was repaired up to the Ontario No. 2 shaft, but it remained blocked past that point, leaving the lower workings of the Ontario Shaft No. 3 and the Daly, Daly-West, and American Flag mines flooded until 1908, when the rest of the tunnel was finally cleared. The combination of the Park City fire, financial Panic of 1907, and cave-ins of the Ontario drain tunnel caused a significant depression in Park City. When the drain tunnel was finally cleared, it brought production levels back up in several mines and put many miners back to work.

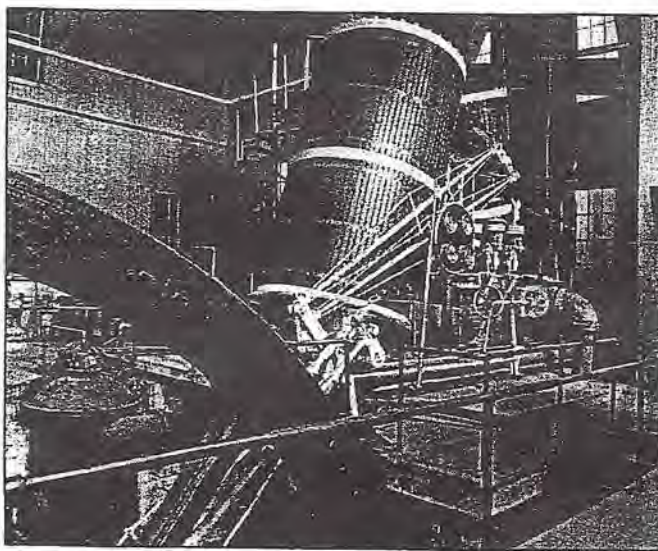


Figure 3 – The engine of the famous Cornish pump.
Photo courtesy of the Utah Historical Society.

The Ontario Mine produced almost continuously for many years, weathering many ups and downs during World War I, the Great Depression, World War II, and the lean post-war years. During this period, the Ontario Shaft No. 3 was central to the mine's operations. Mine ownership shifted with the years as well, but the mine remained. In the 1970s, various attempts were made to revitalize the Ontario workings. Anaconda Copper Company and the American Smelting and Refining Company built a new mill and modernized the workings at Ontario Shaft No. 3. However, in 1978, the Ontario workings were closed by Park City Ventures and the operations were to be taken over by the Noranda Mining Company, but this did not pan out, and Park City found itself without a working mine for the first time. Today, the workings are still quiet, with the exception of maintenance crews who use the Ontario Shaft No. 3 to access and maintain certain drain tunnels as a water source for Park City's water system.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.

Ontario Mine Shaft No. 3

Description

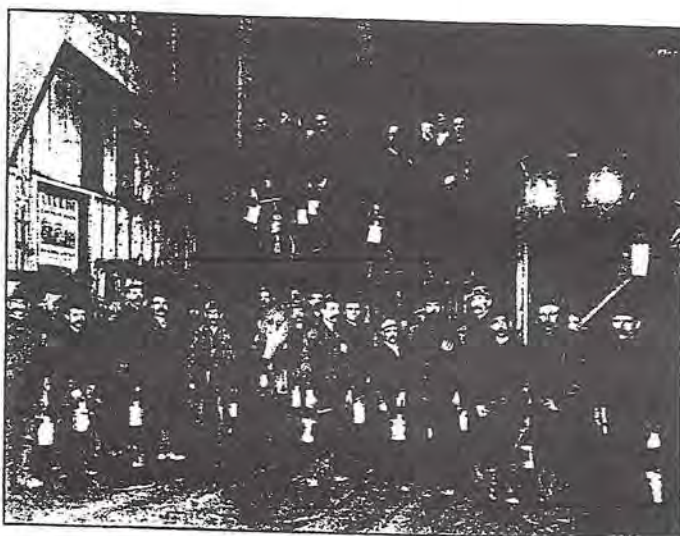
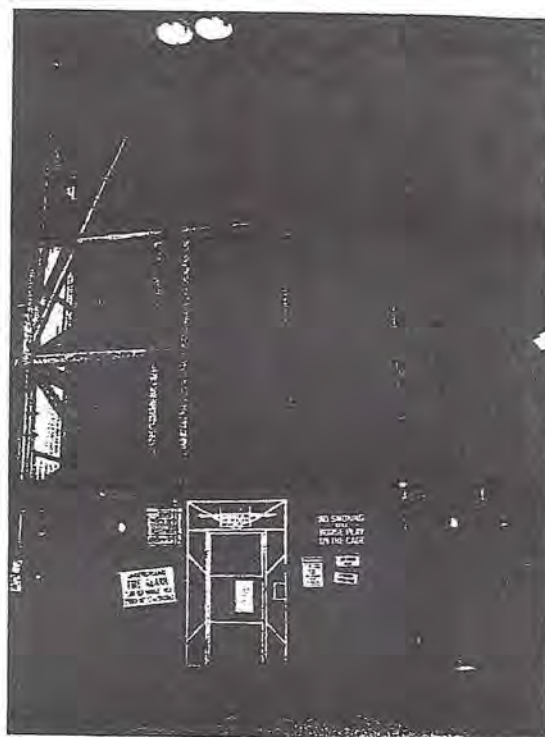


Figure 4 – Miners at the Ontario Mine Shaft No. 3, ca. 1902. Photo courtesy of the Utah Historical Society.

Figure 5 – (Right) – Shaft No. 3 as it exists today.



The Ontario Mine Shaft No. 3 is located in middle Ontario Canyon, west of and adjacent to State Road 224, also known as the Guardsman Pass road. The associated complex is situated atop a large historic mine waste dump, which is easily seen by visitors passing by on State Road 224. All of the surface works were replaced in the 1970s and consist of a complex of metal buildings that house offices, a workshop or garage, concentrator equipment, conveyors, the shaft works, and the Silver Mine Adventure museum in the shaft works buildings. There are also various tanks, pieces of mounted equipment, and smaller structures throughout in the complex. Some of the modern buildings are still in use as office and maintenance facilities for United Park City Mines Company.

Although the surface structures are modern, the Ontario No. 3 Shaft is historic and was used almost continually from the late 1870s into modern times. It also represents the last working mine in the Park City area, having ceased mining operations in 1982. Despite the end of mining activities in the area, the shaft is still operational. Until the Silver Mine Adventure was closed in 1999, the shaft was used to transport visitors down into the mine works, and it still serves the needs of underground work crews who continually maintain several miles of drain tunnels that supply water to the Park City culinary water system and to the Jordanelle Water Conservancy District.

The Ontario Shaft No. 3 is approximately 2,600 feet deep, and the Ontario Drain Tunnel No. 2 keeps the works drained to the 1,500-foot level of the workings. Currently, pumps are used to lower the water level to the 1,700-foot level and maintain it at that point, about 200 feet below the level of the Ontario Drain Tunnel No. 2. Below that level, the workings are flooded. There are still significant silver, lead, and zinc deposits in the Park City area, but the costs of removing and processing ore relative to current and foreseeable metal prices have kept the mines closed.

Function

The Ontario No. 3 Shaft represents the extraction and maintenance processes in a mining system. More specifically, the shaft was used to haul ore and waste rock from the workings and to transport miners and equipment in and out of the mine. It also served as an extra exit point and ventilation shaft. This feature is related to the Ontario Mill in lower Ontario Canyon, which represents the beneficiation process, as does the modern concentrator plant immediately south of the shaft works.

Deficiencies and Suggested Mitigation Work

The historic Ontario No. 3 Shaft and the modern surface works appear to be in good overall condition. There is a certain amount of ongoing maintenance work on these features.

Ideally, a stabilization plan for a significant historic resource should maintain or improve the historic integrity of that resource. This may not always be possible, but at the very least, stabilization work should not weaken the historic integrity of a resource. Based upon this premise, it appears that one viable approach for maintaining the condition and the historic integrity of the Ontario No. 3 Shaft would be to retain the modern hoist works so that the shaft itself would remain accessible, protected, and in a setting—albeit modern—that still demonstrates the shaft's original purpose and its functional association with other elements of a mining system.

The form of the modern hoist works resembles traditional structures in many respects and suggests the shaft's function, which has remained essentially unchanged over time. Should this approach be selected, the hoist works would remain in place and its features would eventually become historic structures in and of themselves. This also could apply to the Silver Mine Adventure facility if it were to continue operation.

Other than the hoist works, the modern surface structures at this site do not significantly maintain or contribute to the historic integrity of the Ontario No. 3 Shaft. Besides being of modern construction, their forms, for the most part, are nondescript and stylistically ubiquitous in modern industrial settings. In addition, most of their exterior forms and features do not suggest their functions within a mining system.

No stabilization work is recommended for this feature at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could describe aspects of the operation of the shaft and how miners were packed tightly into two-level cages for entering or exiting the mine. The depth of the shaft could be compared to the world's tallest buildings, which are still far shorter than the shaft's 2,600-foot depth. References could be made to the huge amount of silver extracted via this shaft, or to a close call that William Randolph Hearst once had while descending into his father's mine.

Ontario Mine Shaft No. 3 Waste Dump

Description

The Ontario Mine Shaft No. 3 waste dump is a large mining landscape feature located immediately north of the Ontario Shaft No. 3 works and adjacent to State Road 224. Its form can be clearly seen as one passes along State Road 224. The modern structures associated with the Ontario Mine Shaft No. 3 are located atop this feature. A driveway from State Road 224 enters the property at the south end of the dump.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority - None

Deficiency Description – The basic form of the waste dump remains intact, although there has been some recontouring in certain areas of the dump. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage might describe how most of the material removed from a typical mine was waste rock that had to be removed to access high-grade ore deposits. The size of this massive feature might be correlated to the silver output of the Ontario Mine Shaft No. 3 operation, which was among the most productive silver mines in the world for a period of time. The vegetation growing up on the dump might be referenced to show how nature is gradually reclaiming this feature.

Silver Mine Adventure

Description

The Silver Mine Adventure operation, including its associated museum, is housed in structures associated with the Ontario Shaft No. 3 works (items A and B in Figure 6) in middle Ontario Canyon. Some of the exterior walls have been sided with weathered corrugated steel, to create a historic appearance. Adjacent to the front entrance, a large timber-frame assembly demonstrates timbering methods used in mine stopes.

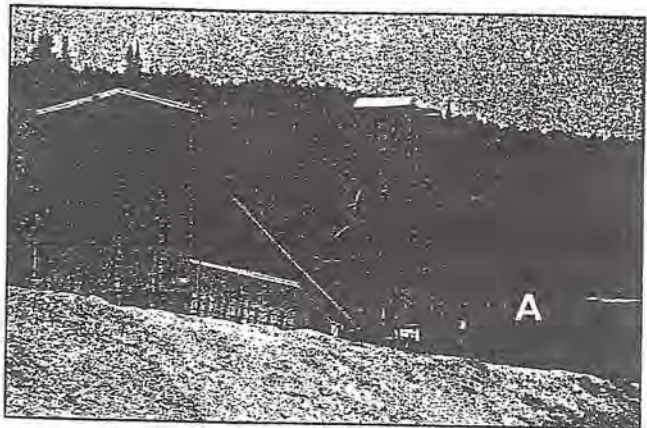


Figure 6 – Silver Mine Adventure facility (Item A).

Several pieces of mining equipment are on display in front of the museum and in the stope-frame exhibit. Numerous pieces of mining equipment are located outside of the museum and are not part of any exhibit. Inside the museum, exhibits portray the history of mining in the Park City area and mining-related activities. SWCA conducted a preliminary inventory of the historic mining-related objects in the museum's collection as well as other historic artifacts located in and around the complex. Refer to "Appendix A – Silver Mine Adventure Inventory" for more information about these items.

A key feature of the Silver Mine Adventure was a tour of a portion of the underground workings. Visitors donned rain gear and helmets and were taken down Ontario Shaft No. 3 to the 800-foot level, where various displays of historic mining operations had been set up as educational exhibits. This tour, along with the museum itself, has been closed.

Function

The Silver Mine Adventure operation itself does not represent any process in a historic mining system. However, the contents of the museum's collection represent all phases of historic mining activities.

Deficiencies and Suggested Mitigation Work

The Silver Mine Adventure operation facilities are housed in modern structures that are in good condition and still receive some basic maintenance. The Silver Mine Adventure operation was closed in 1999. Most of the museum exhibits are still intact. The Ontario Shaft No. 3 is still in operating condition and receives periodic maintenance (refer to "Ontario Mine Shaft No. 3"). For stabilization suggestions regarding the museum's collection items, refer to "Appendix A – Silver Mine Adventure Inventory."

No stabilization work is recommended for the Silver Mine Adventure facilities at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Not applicable at this time.

Ontario Mine Water Tanks

Description

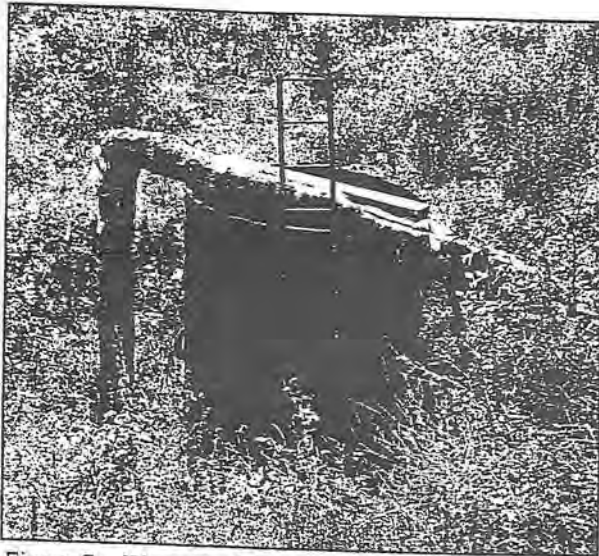


Figure 7 – Water Tank D.



Figure 8 – Water Tank E.

The Ontario Mine water tanks consist of five circular, wooden-stave tanks of varying sizes located on a slope above the Ontario No. 3 Shaft operations. All of the tanks are located downslope of State Road 224. The largest tank (Tank A) is located adjacent to State Road 224. This tank appears to have been in recent use, but is now out of service. The age of its slab foundation is unknown, but it may be modern.

A group of three tanks is located downslope and northeast of the largest tank. The largest tank in this group (Tank B) is currently in use and appears to be modern. The middle-sized tank in this group (Tank C) is located adjacent to Tank B and also appears to be modern, but is out of service. Tanks B and C are fitted with modern plumbing components and rest upon modern concrete slabs. The smallest tank of this group (Tank D, Figure 7), is just downslope and across a dirt road from the other two, and appears to be historic. Tank D is open at the top and rests upon what is probably a historic foundation. A steel ladder of unknown age is propped against the side of the tank for service or inspection, although it may have been placed there to service a modern pipe that passes directly over Tank D but is not connected to it. The wood staves appear to be redwood, bound by steel rods that wrap around the tank like barrel hoops and pass through cast-iron clamps, which are labeled "National Pipe and Tank Company – Portland, Oregon 113" in raised letters. The rods have threaded ends and are tightened via a nut against the clamp. As typical of most redwood tanks, none of the tanks display any obvious evidence of having been painted.

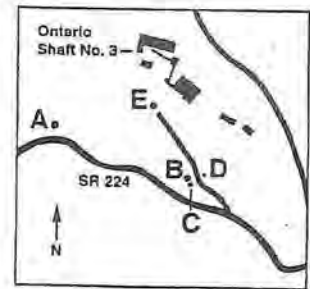


Figure 9 – Tanks A to E.

West of this group of three tanks, at the end of a short dirt road, is a fifth tank (Tank E, Figure 8) that is surrounded by trees and cannot be seen from State Road 224 when the trees are in foliage. This tank has not been used in recent times and is listing to one side. It appears to be the oldest of the five tanks and can be considered historic. This tank, like the others, is circular, but it rests upon timbers that in turn rest upon a set of four historic-period mortared stone footings. The layout of the footings does not correspond to the form of the wooden tank, which raises the possibility that the current wooden tank is a historic-period replacement for an earlier tank. A water pipe with an outside diameter of approximately 4-1/2 inches and a valve with a hand-wheel are still connected to the tank. The tank is approximately 10 feet in height and 38

feet in circumference, which equates to an outside diameter of approximately 12 feet and an inside diameter of roughly 11 feet, 9 inches. Based on these estimated dimensions and a water depth of 9 feet 6 inches, this tank could have held approximately 7,700 gallons of water. The wood staves appear to be redwood, bound by steel rods that wrap around the circular tank like barrel hoops and pass through cast-iron clamps, which are labeled "5/8," which may refer to the rod diameter. The rods have threaded ends and are tightened via a nut against the clamp. There is a flat wooden roof over this tank, but only the edges are visible from the ground. There is no apparent evidence of paint on this tank.

Only two of the tanks appear to be historic. These include Tank D (Figure 7), the smallest tank in the group of three tanks, and Tank E (Figure 7), the larger tank located in the trees to the west of the group of three tanks. However, there is a possibility that the other tanks (A, B, and C) may have been built to replace earlier tanks and that there could be some historic implications if they were removed. If historical associations can be established for tanks A, B, and C, then they may also warrant stabilization treatment.

Function

These features represent the maintenance process in a mining system. More specifically, these tanks supplied water for the Ontario No. 3 Shaft operations, but could also have served the Ontario No. 1 and No. 2 Shaft operations, located just a short distance away across Ontario Canyon. The tanks probably supplied pressurized water for fire hydrants, but could also have served virtually any domestic or mining-related purpose, such as culinary water for boarding houses or water for milling operations. Water storage for fire protection systems was a common application of such tanks.

Sanborn fire insurance maps of 1889, 1900, and 1907 show a six-inch water pipe (for fire control) that leads upslope from the Ontario No. 3 shaft operations to a 75,000-gallon tank (not shown on the map). Even the largest of the five tanks is considerably smaller in capacity. The largest tank (Tank A), which is probably modern, was not measured. The oldest of the five tanks (Tank E) only held about 7,700 gallons. However, even a smaller tank could have been used as a water source for fire control, since it was common to have several tanks, each taking advantage of a different spring or other water source and placed at practical locations for their end purpose.

The placement of a water tank high on a hillside assured that pressurized water would be available without having to use pumps, which could easily fail if they were involved in a fire or explosion. Several possible measures could be taken to help keep the water from freezing during the harsh winters, such as maintaining a certain amount of constant flow, building a shack around the tank to help insulate the tank and which could be heated if necessary, piling bales of straw around tanks as insulation, adding recirculating pumps (later) to heat water by movement, etc.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Tank D

Condition – Fair

Priority – Medium

Deficiency Description – Tank D is in fair condition and appears to be solid and upright. The wood staves have weathered, but seem solid. The foundation also appears to be intact. The tank is open at the top and there are currently several inches of debris inside the tank that prevented an inspection of its bottom. There is a possibility that water from precipitation might accumulate inside the tank.

Suggested Mitigation Work – The debris inside Tank D should be removed to prevent it from holding moisture against the bottom of the tank. The bottom of the tank should then be inspected. If there is no means for water to drain out, a small drain hole or two could be drilled. A water-repellant solution could be applied to the wooden components, and the steel rods and clamps could be coated with a sealant.

Tank E

Condition – Fair to Poor

Priority – High

Deficiency Description – Tank E, which is probably the oldest of the five tanks, is listing to one side. At present, the amount of list may not seem great, but if the staves were to loosen up, the structure might suddenly lose its structural integrity and collapse. The wood staves, which appear to be redwood, have weathered but still seem fairly solid. The condition of the wooden bottom of the tank is unknown. The condition of the flat wood cover or roof over the tank is also unknown. The mortared stone footings appear to be in good overall condition.

Suggested Mitigation Work – Some internal braces should be installed to prevent further listing. Debris should be cleared from the wooden roof to retard rotting and corrosion from contact with moisture. Any badly rotted, missing, or rusted components in the roof should be replaced, repaired, or reinforced as necessary to ensure adequate structural integrity to the roof. The interior of the tank should be cleared of any debris that could trap moisture, and a means of escape for water should be provided, which could involve drilling drain holes in the bottom of the tank or loosening a pipe fitting. Consolidants or water-repellant solutions could be applied to the wood. Steel and iron components could be coated with a sealer, such as a clear urethane or epoxy.

Straightening the tank is not recommended at this time. The tank staves may loosen up if the tank is straightened, and it is unlikely that the badly rusted nuts could be retightened on their steel rods without damage. If it is decided to do additional work and straighten the tank, a possible approach would be to straighten the tank and check for looseness in the staves. If the staves are loose, and with the tank properly supported with temporary braces, one stave could be removed and the sides of the adjoining staves tapered slightly. Then a replacement stave could be driven into place to tighten the staves. The replacement stave would have to be slightly wider than the original and tapered to match the adjoining staves.

Site Clean-Up

There is a small amount of modern trash that should be cleaned up. Debris on or inside the tanks should be removed, although this could be done as part of the stabilization work. The site by Tank E is apparently used as a local “hangout,” which tends to foster littering. Fencing or other barriers might be considered to prevent parking in the immediate vicinity.

Potential Safety Hazards

Potential safety hazards associated with this feature include the listing of Tank E, which could collapse if the staves were to loosen. Hazards related to tank collapse might be mitigated by the stabilization work on Tank E. Other potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could describe the vertical drop from the tank down to the Ontario No. 3 surface works and the resulting water pressure that it would attain, comparing that with the pressure of a typical household water system. The signage could discuss technical aspects of the tank design, such as why wooden tanks don't leak very much or how the water was kept from freezing during the winter. If the pipe is still visible, perhaps the visitor could be asked to note its course toward its intended destination.

PROPERTIES IN LOWER EMPIRE CANYON

Properties discussed in this section include the Judge Mining & Smelting Company site and the American Flag Mine Site, along with their related features.

For location information, refer to the numbered items in Figure 2:

Anchor (Daly-Judge) Drain Tunnel Portal

Description

The portal of the Anchor Drain Tunnel (known later as the Daly-Judge Drain Tunnel) is located approximately one mile up Empire Canyon. The portal's covered extension (Figure 10) is directly adjacent to the east wall of the Judge Mining & Smelting Company office building. Access to the tunnel is secured with a hinged steel grating that allows ventilation. A doorway in the changing room in the rear section of the office building connects directly to the tunnel. This doorway allowed miners to conveniently enter the tunnel from the changing room. This opening is covered with a steel grating. The portal itself is of concrete construction, and its covered extension is a wood-frame structure with galvanized corrugated steel panels.



Figure 10 – Anchor Drain Tunnel portal.

Function

The Anchor Drain Tunnel and its portal represent the extraction and maintenance processes in a mining system. More specifically, they are associated with ventilation, water drainage, ore haulage, and access for equipment, utilities, and employees.

Underground water was a common problem in the Park City area mines and prevented access to deeper ore bodies. Drain tunnels were an effective, but labor-intensive solution to the problem. Despite the simple concept behind drain tunnels, they still presented significant engineering challenges. For example, when the Anchor Drain Tunnel reached a point directly below the flooded shaft, making the actual connection was difficult. A bore hole was drilled, first partway down through the shaft and then up through the end of the tunnel. The remaining link was blasted to complete the hole, resulting in a flood that almost drowned the workers.

A 1916 account (Stott 1916) explains how the tunnel was used at that time to connect the Anchor (Daly-Judge) Mine and the Daly-Judge Mill:

"Milling and crude ore are hoisted to the 1200-foot level in 16 cu. ft. cars on double-deck cages. The cars are made up into trains and are taken out (through) the Anchor drain tunnel 6,625 feet to the portal by means of an electric locomotive having a draw bar pull of 1200 lbs. Cars of crude ore are transferred to the crude ore bins and the milling ore is dumped into bins at the top of the mill (Daly-Judge Mill)."

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

East Wall of Portal

Condition – Fair to Poor

Priority – Medium

Deficiency Description – The portal appears to be in generally good condition. The tunnel is being maintained as part of Park City's culinary water system, and it is assumed that this feature is still structurally sound. However, there are some wooden patches on the east wall of the portal extension that may need to be secured. The condition of the sills and the bottoms of the wooden posts in the east wall is unknown. There are some loose corrugated roofing panels at the northeast corner of the roof over the portal, but since this is an extension of the roof of the Judge Mining & Smelting Company office building, this problem would be addressed by deficiency mitigation work on that structure.

Suggested Mitigation Work – Any loose panels should be secured, as appropriate. If the loose panels are of modern materials, such as the plywood patch, they could be replaced with planks matching the older, and possibly historic, wooden planks on the rest of the wall. The posts and sills should be checked for structural integrity.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could instruct the visitor to stand in front of the portal opening and feel the cold, moist air issuing from the tunnel (at least for summer visitors), providing a very tactile link to the presence of the tunnel, even though they can't actually see the inside of the tunnel. As another example, the signage could point out the tracks that issue from the portal and instruct the visitor to follow them past the historic portal and over to where a trestle once crossed Empire Canyon to carry ore to the Daly-Judge Mill, allowing the visitor to follow a physical link and visualize certain activities in the mining process.

Judge Mining & Smelting Company Office Building

Description

The Judge Mining & Smelting Company office building is located adjacent to the extension of the Anchor (Daly-Judge) Drain Tunnel portal. It is a simple, front-gabled, one-story, concrete-walled structure (Figure 11) that is divided into two functional areas.

Figure 12 shows the building layout. The front section was used as an office and is subdivided into six rooms, consisting of a Reception (Room 1) and Main Office (Room 2) at the north end of the building, a Small Office (Room 3) adjoining the south wall of Room 2, a Restroom (Room 4), Closet 1 and Closet 2 (Room 5 and Room 6), and a large walk-in Vault (Room 7) with a steel door.

The rear section consists of a large Changing Room (Room 8) for miners, with toilet, lavatory, shower, dressing benches, and clothing storage facilities. Room 8 connects with the Anchor (Daly-Judge) Drain Tunnel via a doorway in its east wall.

A small shed-roofed extension on the west side of the building serves as the entry to the rear section. There is no physical connection between the front and rear sections, except for an opening between the attic area in the front section and the loft area in the rear.

There is an attic area in the front section, but it is not known if it was ever used, since an employee of United Park City Mines Company indicated that the attic stairway was built for the purpose of filming a movie, and may not have replaced an earlier stairway. The rear section of the building does not have an attic, although it has a loft area above some of the rooms of the front section.



Figure 11 – Judge Mining & Smelting Company office building.

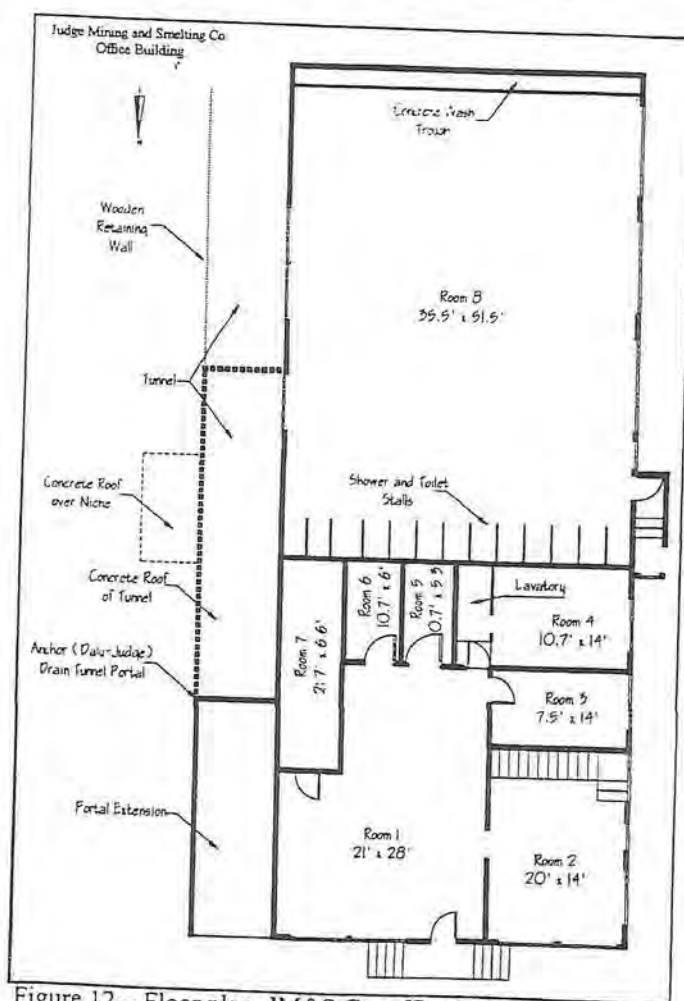


Figure 12 – Floor plan, JM&S Co. office building.

The roof of the building extends over the wood-frame extension of the Anchor (Daly-Judge) Drain Tunnel portal. The roof of the drain tunnel behind the portal is constructed of concrete and abuts the east wall of the changing room.

All of the building's outer walls, plus at least one internal wall, are constructed of poured concrete. The walls of the vault may also be concrete. The exterior walls are finished with stucco, which shows no obvious evidence of paint and retains its natural appearance. The stucco appears to be original and has the logo "J. M. & S. Co. - 1920" incised into the front gable above the entrance.

The structure is built partially into the hillside. The rear (south) wall of the building is embedded into the slope to a level just below the eaves of the roof. Judging by the large rocky outcroppings in the hillside and the size of the trees growing immediately behind the building, the slope has not subsided since the building was constructed, and the current grade is close to the original.

The outside interior walls of the rooms are plastered, with the plaster applied directly to the pecked concrete walls. The exception to this treatment is the east wall of the Reception, which had once been plastered, judging from the peck marks on the concrete, but had later been furred out with standard dimensional 2 x 2 and 1 x 2 lumber (without insulation in the dead-air space) and then sheet rocked.

All of the windows, with the exception of three windows on the east wall of the Changing room, are wood-frame, double-hung windows, without counterweights or springs, and are typical of lower-cost residential windows in common use at the time. The remains of a sash in a front window suggests a one-over-one style, also common at that time. There is only one entrance to the front section of the structure, consisting of a standard-width doorway with a transom window above it.

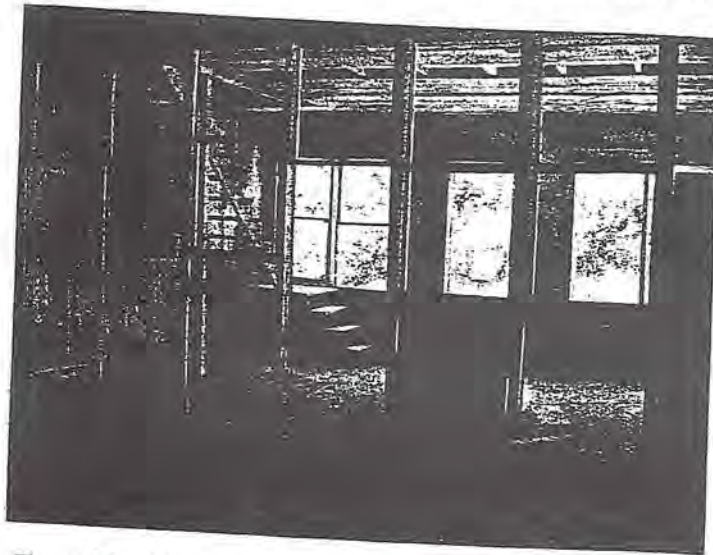


Figure 13 - Divider wall between Reception and Main Office.

The wall between the Reception and the Main Office is a non-structural divider wall (Figure 13) that consists of a wooden framework that once had glass panels in the upper portion of the wall and double-layer beadboard panels in the lower portion. There may have been a cashier's window to the immediate left of the doorway in Figure 13.

In the Small Office, the north, east, and south walls have been faced with 1/4-inch plywood and painted. The plywood may have been applied later as a repair over damaged plaster. The ceiling is faced with soft, wood-fiber panels. There are two double-tube fluorescent light fixtures hanging from the ceiling, which are later additions.

In the Restroom, the north and west walls have been stuccoed, apparently at a later date. The ceiling and the south and east walls are covered with ashlar-pattern stamped-steel panels, painted pale blue. These are commonly known as "tin ceiling panels," from their protective tin plating. Stamped-steel coving is used at the junction of the walls and ceiling. The walls of the toilet and shower stall are also paneled.

In Closet 1 (Figure 14), all of the walls and ceiling are covered with the same stamped-steel paneling as that used in the Restroom. The same treatment is used in Closet 2, which also contains some wooden shelving that appears to have been added at a later date.

Remnants of some stamped-steel coving in the Reception and Main Office suggest that they once had the same kind of stamped-steel ceiling as in the other rooms. The steel ceiling panels are missing in these two rooms, possibly taken for reuse elsewhere. The ceilings above the steel panels were once plastered, but the plaster has fallen to the floor. Despite the use of plaster on the Reception and Main Office ceilings, the stamped-steel panels are probably original, since it was common to apply a "scratch coat," and sometimes a "brown coat" of plaster to wood lath or sheathing prior to covering it with some other material, such as the steel panels. These plaster coats were important for sealing out drafts and for sound-proofing (the latter was especially important with stamped-steel wall or ceiling panels).

Most of the wood trim above the doorways in the front section of the building is in the style of a simple Classical entablature without an architrave. This was a common stylistic motif for interior trim for a long period of time, including throughout the 1920s. The baseboard molding is of a compatible design, consisting of a tall baseboard (about 8 inches high) that is topped with a strip of cap molding.

The floor structure in the front section is of wood-frame construction with plywood flooring, except for a bare concrete floor in the Restroom. Remnants of imitation linoleum are still visible in several areas. The type of flooring inside the Vault is unknown.

The toilet is a simple art-deco design that is probably a later replacement, since it is known that this design was available in 1938 and most (but not all) 1920-vintage toilets had a short, but visible, pipe connecting the water tank to the bowl.

In the Changing Room in the rear section of the building, toilet and shower stalls line the entire north wall (Figure 15) and a concrete wash basin/trough runs the length of the south wall. All of the walls, except the north wall, are concrete with a thin coating of plaster or stucco. The north wall is covered with the same painted, ashlar-pattern, stamped-steel paneling as used in the front section of the building.

The floor of the Changing Room is probably all concrete, but the floor was covered with a deep layer of debris, making inspection impossible.

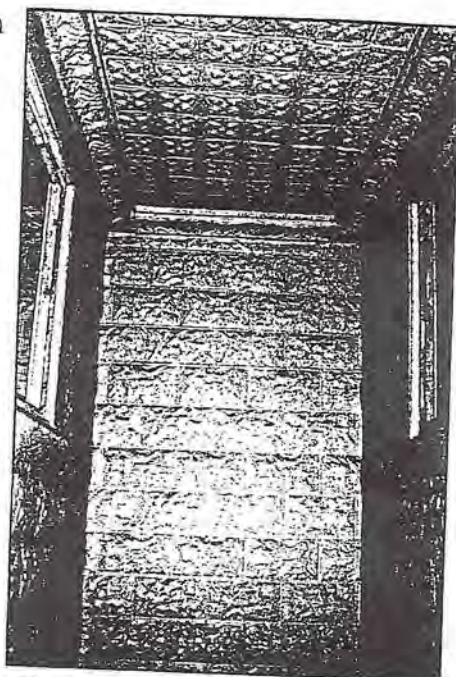


Figure 14 – Stamped-steel panels.

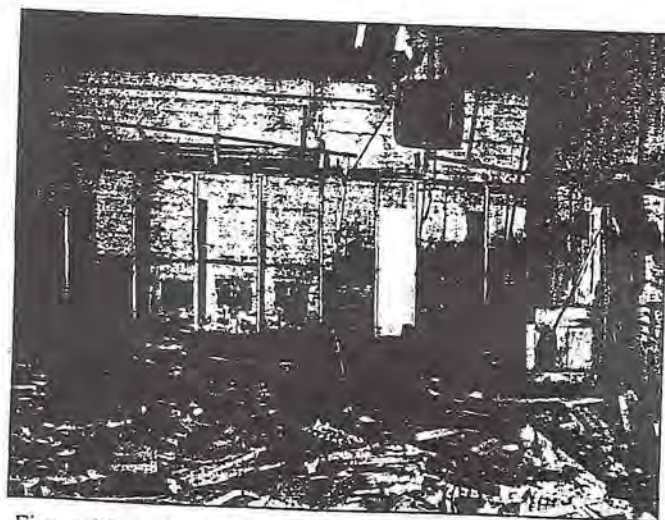


Figure 15 – Interior of rear section.

The roof structure throughout the entire building consists of steel truss beams and wooden purlins, (Figure 16) upon which wooden planks are laid as subroofing, which are then covered with corrugated galvanized steel. The wooden purlins appear to be approximately 3" x 8" timbers on 24" centers. There is no ceiling in the rear section of the building, although there may once have been some kind of ceiling material.

There is a crawl space under the building, accessible from the front of the structure, but this is secured with a steel grid, and it was not explored.

The building's style is not architecturally unique for that period, but stuccoed-concrete mine buildings are unusual in the Park City area.

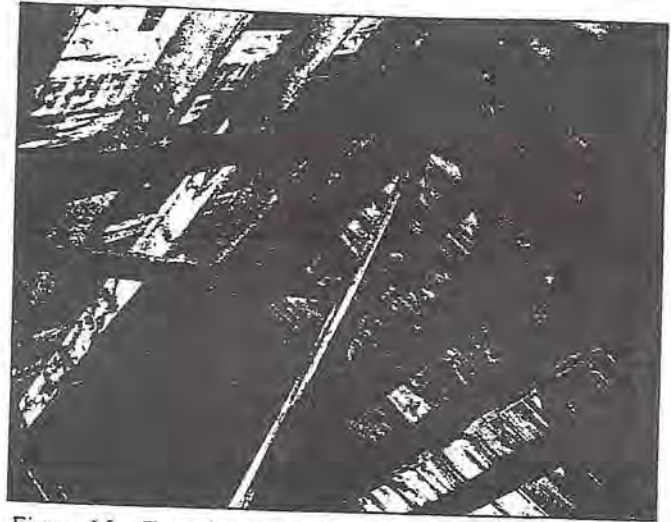


Figure 16 – Truss beams and purlins.

Function

As an office building, this feature represents the extraction, beneficiation, refining, and maintenance processes in a mining system, albeit from an administrative perspective. More specifically, it housed administrative offices for the Judge Mining & Smelting Company operations, which included mining, milling, and smelting operations, and their continued maintenance. It also provided shower and lavatory facilities for mine workers. Its physical proximity to the Anchor (Daly-Judge) Drain Tunnel, Daly-Judge Mill, and other mining-related features helps establish its functional role in the mining system.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Roofing Material

Condition – Fair

Priority – High

Deficiency Description – The corrugated galvanized roofing panels are in fair condition on the west side of the building, with only some minor rusting, but on the east side of the building, a number of panels are badly damaged. It appears that one of the chimneys and a sewer vent pipe have been pushed down, probably by a heavy snow load sliding off the roof, and have torn large openings in the roofing material (Figure 17). Water entering through these holes is damaging the adjacent wooden structural elements of the roof. The other chimney is missing, although it did not tear a large hole in the roof. A secondary problem is that the roofing nails have crept out about half an inch.

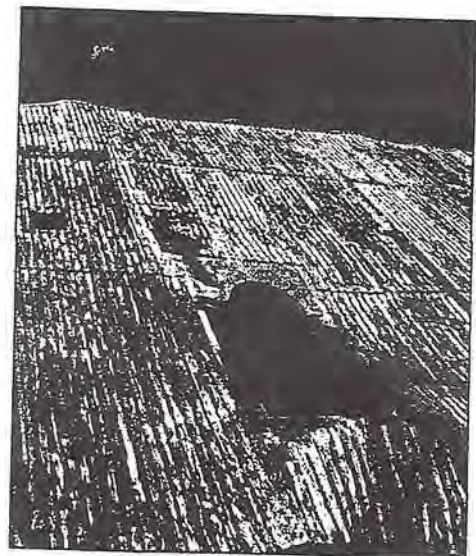


Figure 17 – Damaged roofing panels.

Suggested Mitigation Work – At a minimum, the damaged panels should be replaced in kind, although the fact that the panels have all begun to rust agitates for a longer-term solution that would involve replacing all of the roofing panels, which would also resolve the loose-nail problem.

Roof Structure

Condition – Fair

Priority – High

Deficiency Description – Most of the roof structural components are solid and straight, with a few exceptions. Some components adjacent to the chimney and sewer vent openings have been damaged by water. There are also two or three cracked purlins in the east side of the roof over the front section, which have been temporarily braced (Figure 18). Other problems could exist, but have not been noted.

Suggested Mitigation Work – At a minimum, the cracked purlins should be sistered and any seriously damaged wooden components near the chimney and vent openings should be reinforced or replaced in kind, as appropriate. The suggested roof work will mitigate further damage to the exposed components.

Exterior Walls

Condition – Fair

Priority – High

Deficiency Description – The exterior concrete walls are in good condition, with some exceptions. There are several large cracks in the east and south walls of the rear section (Figure 19) and at least two places where there has been lateral displacement of more than one inch. The exact cause of these cracks is unknown, but might include soil pressure, settling, or poor concrete quality. There is also a missing chunk of concrete in the shed-style entrance to the rear section of the building that could be described as a large "gouge" of some unknown cause. The degree to which these problems affect the building's structural integrity is unknown.

Suggested Mitigation Work – At a minimum, the building should be examined by a structural engineer, who can recommend a treatment plan to address any structural problems.

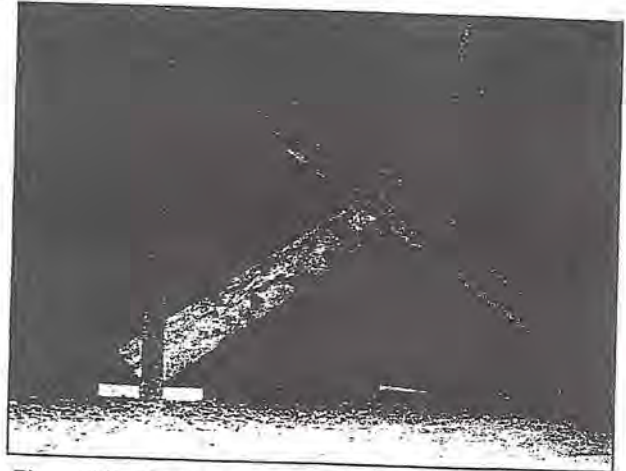


Figure 18 – Temporary roof bracing.

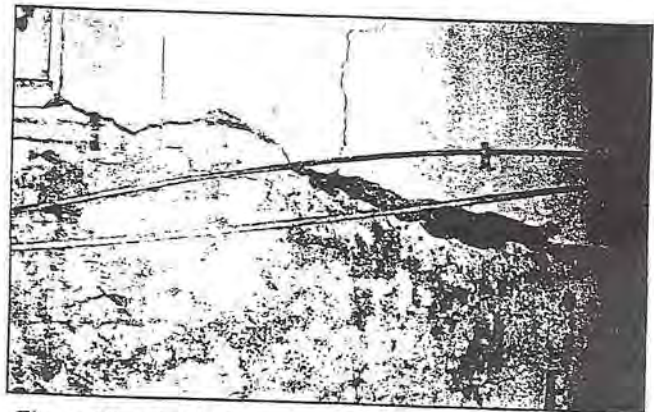


Figure 19 – Cracks in concrete wall.

Doors and Windows

Condition – Poor

Priority – High

Deficiency Description – The door and window frames and their associated interior trim components are still intact and in fair condition (Figure 20), but almost all of the window sashes and doors are missing. This situation allows moisture, wind, debris, and animals to enter the structure and damage various components. It also allows unauthorized human access.

Suggested Mitigation Work – Plywood or Lexan fillers could be installed in the window openings. Lexan (or a similar polycarbonate material) is break resistant and allows light to penetrate into the structure, which may be an advantage under certain circumstances. Heavy-duty, lockable doors should be installed. These doors could be constructed of thick plywood sheets. Optionally, if a historic photo or building plan could be located, doors that are stylistically appropriate could be installed.

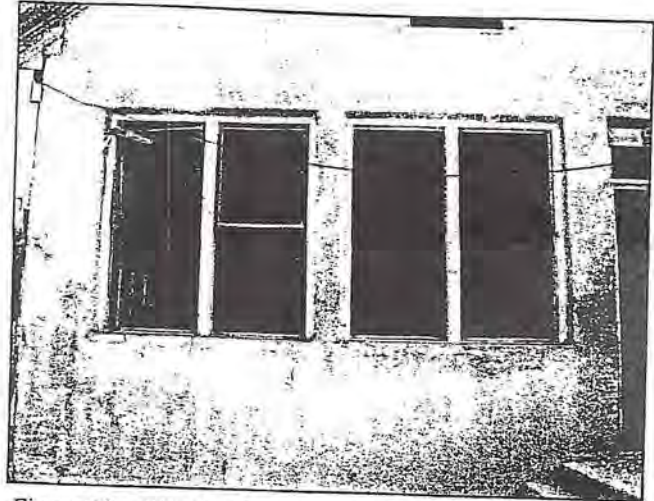


Figure 20 – Window frames in front wall.

Flooring and Floor Structure

Condition – Fair

Priority – High

Deficiency Description – Most of the wooden flooring appears solid, with the exception of an area in the Reception immediately adjacent to the west wall of the Vault and a hole through the flooring in the Main Office (Figure 21). These problems can present a safety hazard. There are also a number of loose remnants of imitation linoleum that could be tripped over or might slide when stepped on, presenting another potential safety hazard. The weak area near the vault was probably caused by moisture damage from a leaky roof (this area is directly below the cracked purlins that have been shored up). The hole in the floor was probably caused by vandals. The loose remnants of linoleum are simply the results of wear, abuse, or the lack of normal maintenance.

Suggested Mitigation Work – The floor joists and subflooring in the weak area by the Vault should be inspected and the affected components should be reinforced or replaced as necessary. The hole in the floor should be cut out square with the nearest joists and flush-patched with the same subflooring or flooring material. Doubling pieces should be added to the joists to support the repair material. The seams could also be placed over the center of the joists if allowed by code. The entire floor structure should be inspected from the crawl space, if possible.

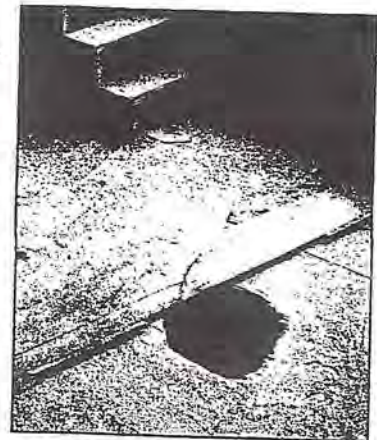


Figure 21 – Hole in flooring.

Wooden Stairway

Condition – Fair

Priority – Medium

Deficiency Description – According to an employee of United Park City Mines Company, the wooden stairway to the attic (Figure 22) was added for the purpose of filming a movie. The stairway seems relatively solid, but it would not meet current code requirements. There is no railing, which is a clear safety hazard. The flooring in the attic area appears to have been added later, perhaps along with the stairway, and there is no railing around the attic flooring. The top riser of the stairway is higher than the other risers.

Suggested Mitigation Work – The stairway is not original and should be removed after it serves any useful purpose during roof repair work.

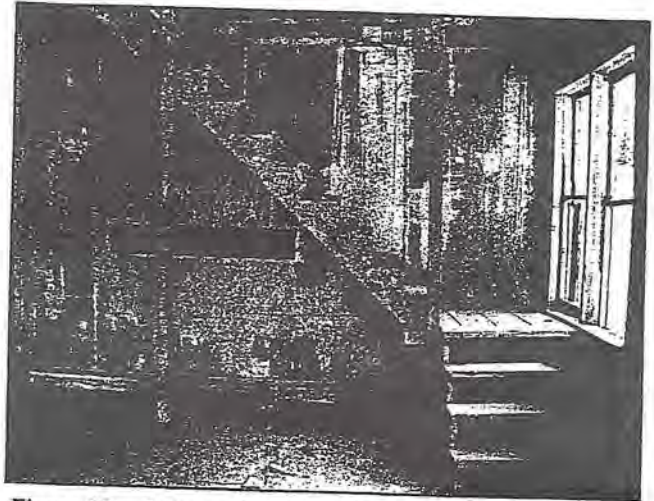


Figure 22 – Stairway in Main Office room, not original.

Site Clean-Up

This structure contains piles of core samples, shelving, boxes, and miscellaneous debris, such as shown in Figure 23. Most of the debris appears to be modern, although there may be some historic items, such as a few wood-and-steel dressing benches in the Changing Room. There is also a quantity of debris outside the structure.

Some of this material may constitute a safety hazard. All debris should be removed in a manner that is safe and appropriate for the materials being removed. Monitoring may be advisable during the removal process to record any historic items that may be found. Some large or durable historic artifacts, such as the steel-and-wood dressing benches in the Changing Room, might be left in the structure and secured against theft. Monitoring may be advisable during the removal process to make sure that any historic artifacts are properly recorded.



Figure 23 – Debris piles.

Potential Safety Hazards

In general, potential safety hazards associated with this feature include piles of debris and other materials throughout the structure, weak spots and holes in the flooring, loose or damaged architectural components, and a dangerous stairway and attic. Hazards related to the debris and other materials might be mitigated by site clean-up work. Hazards related to the loose architectural components and holes in the flooring might be addressed by the suggested deficiency mitigation work. Other potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could ask the visitor to look inside the changing room and visualize the miners coming in off their shift, covered with dust, tired, and anxious for a shower and a clean change of clothes. It could point out where their clothes baskets once hung from the ceiling and the brackets on the walls where the miners locked the ropes to keep their baskets out of reach overhead. It could also point out the direct connection with the Anchor (Daly-Judge) Drain Tunnel. Summer visitors could stop to cool off in the cold air that often flows out of the tunnel, and signage could discuss the factors that affect air movements through the mine workings.

Explosives Bunker

Description

This feature is located against a hillside, a few hundred feet north of the Judge Mining & Smelting Company office building and the Anchor (Daly-Judge) Drain Tunnel portal. It consists of a concrete explosives bunker that appears to have been used by the Judge Mining & Smelting Company.

The visible portion of the explosives bunker consists of a concrete portal with a steel door (Figure 24). The bunker's interior is embedded in the hillside and was not available for inspection. The interior dimensions of the bunker are unknown.

The steel door is recessed about a foot into the facade. A small amount of the bunker's concrete roof protrudes from the hillside toward the facade and a steel ventilation stack rises from the bunker's roof.

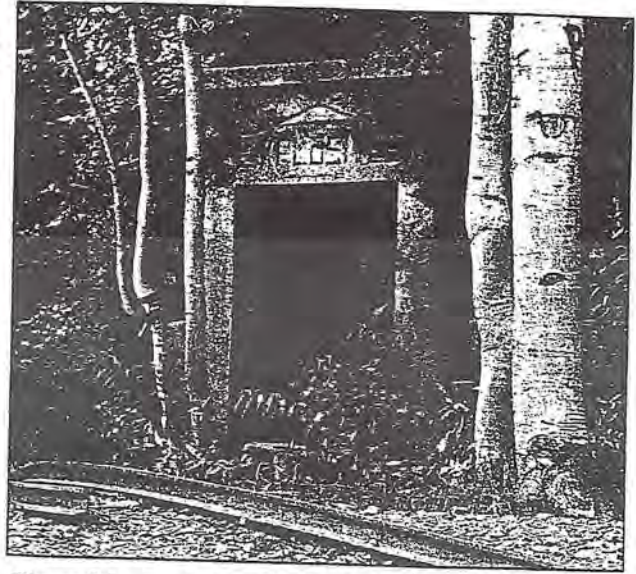


Figure 24 – Explosives Bunker, J. M. & S. Co.

Stylistically, the doorway is difficult to define. It has a simple, rectangular cornice above a plain frieze, with five widely spaced pointed dentils under the cornice. "EXPLOSIVES" is incised into the frieze above the steel door and resembles the lettering used above the entrance to the Judge Mining & Smelting Company office building. The facade is slightly reminiscent of the older false-front buildings of Park City's Main Street, although it is doubtful that this resemblance was intentional.

Narrow-gauge tracks pass from under the door of the bunker and curve to the south. These tracks may have been connected to the Anchor (Daly-Judge) Drain Tunnel. Trees and shrubs have grown up around the bunker, creating a pleasing aesthetic effect and a feeling of age and abandonment.

Function

This feature represents the extraction process in a mining system. More specifically, it was used to store explosives, which is clear from the large incised sign on the facade. The bunker's association with other features of this mining system is also emphasized by the remaining tracks, the proximity to the other features, and the stylistic similarities to the Judge Mining & Smelting Company office building.

Condition Report and Deficiency Mitigation

This feature appears to be in excellent condition and unaltered, with the possible exception of some hasps or locking hardware that might be original, but could have been welded to the steel door at a later date. However, the interior of the structure was not available for inspection, so its condition is unknown.

Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could relate how a disastrous underground explosion at the Daly-West Mine in 1902 underlined the danger of storing large quantities of explosives underground in the mine workings, and how it became standard practice to keep most of the explosives in above-ground bunkers and bring only small quantities down into the workings at any given time, in order to limit the amount of damage if there were an accidental explosion.

Modern Shed

Description

This structure is located a short distance north of the Judge Mining & Smelting Company office building and next to a road leading to the office building. The building (Figure 25) is a simple shed that is constructed against a concrete retaining wall that appears to be older than the shed and may be historic.

The shed appears to be of modern construction. According to Hal Compton (N.P., 1999), this structure was probably built in the 1960s or 1970s.

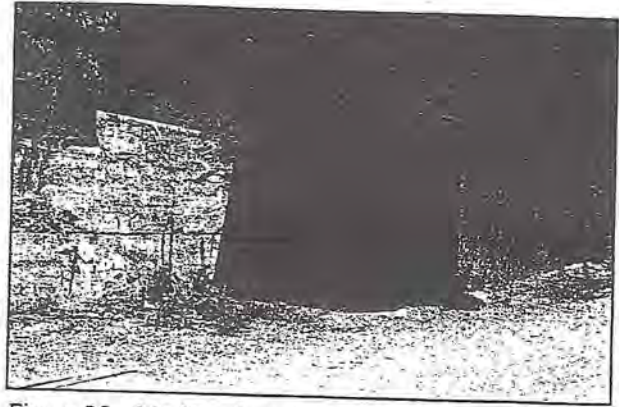


Figure 25 – Modern shed near J. M. & S. Co. office.

Function

This feature may represent the extraction or maintenance processes in a mining system, but its exact purpose has not been determined.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Modern Shed

Condition – Good

Priority - None

Deficiency Description – This feature is of modern construction and appears to be in good condition and stable. The rock wall against which the shed is built may be historic, and appears to be in good condition and very stable.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage for this modern feature would be of little value at this time.

American Flag Mine Site

Historic Context

The mineral deposits of the American Flag Mine were discovered in 1898 and the mine was incorporated in 1903. This was a successful mine that continued operations into the 1940s. In the late 1960s, two large landslides covered much of the waste dump. The American Flag is one of a handful of mines in the Park City area that produced significant quantities of gold.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.

American Flag Mine Waste Dump

Description

The American Flag Mine and its associated dump are located about one mile up Empire Canyon, on the east side of the canyon and opposite the site of the Daly-Judge Mill. Very little remains of the American Flag Mine itself, although it may have some potential to yield archaeological remains. A portion of its waste dump is still visible, but landslides and subsequent road construction have altered much of it.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Waste Dump

Condition – Poor

Priority – Low

Deficiency Description – The basic form of the waste dump has been significantly altered by landslides and other activities in the area. Vegetation has been growing up on portions of the dump.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time. Demolition or removal may an option, since most of the feature is already gone.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could explain how even a large mining landscape feature like a waste dump could be reclaimed. It could also point out how the American Flag mine was one of the few mines in the area to have produced significant quantities of gold.

PROPERTIES IN MIDDLE EMPIRE CANYON

Properties discussed in this section include the Daly Mine site, Daly-West Mine site, Quincy Mine site, and Little Bell Mine site, along with their related features.

For location information, refer to the numbered items in Figure 2:

Daly Mine Site

Historic Context

Because of the close ties between the Daly Mining Company and the Daly-West Mining Company, historic context information is provided here for the Daly Mine site and the Daly-West Mine site.

About 1881, John Daly acquired 24 claims west of the Ontario Mine, and began work on the Central Tunnel in lower Empire Canyon. He soon struck ore and deeded a half interest in the mine to R.C. Chambers. Daly tried to convince Chambers to form a corporation with him on 40 additional claims, but Chambers refused, so Daly took his own half interest in the additional claims and incorporated it as his second company, the Daly-West Mining Company, which was enormously successful. Daly continually deposited half of his profits in a special account in the event of a settlement between Daly and the Chambers & Hearst interests regarding the additional claims. After ten years of litigation, a settlement gave half of the property to the Chambers & Hearst interests.

In 1891, John Daly began to sink a new shaft, using the hoist and other equipment from the Ontario's No. 4 shaft, which was the old ventilation shaft at the mid point of the Ontario's 600-foot-level drain tunnel. The new shaft had works that connected to the Daly shaft at the 800-foot level.

In 1894, the new Ontario Drain Tunnel No. 2, also known as the East Drain Tunnel (Gorlinski 1893), was completed, three miles in length and connecting to the Ontario No. 2 Shaft, which it drained to the 1,500-foot level and allowed the Ontario works to go deeper in search of silver. The same tunnel would be used to drain the Ontario Shaft No. 3 workings, as well as the Daly, Daly-West, and the American Flag mines.

In 1896, the Daly-West Mining Company completed a new mill and hoisting plant.

In 1897, the Daly-West mine cut into a major underground water flow, which prevented access to promising ore bodies until better pumps could be obtained. Organizational problems and conflicts of interest associated with R.C. Chambers' involvement in the mine led to the closing of the mine for two years.

In 1899, Jacob and Simon Bamberger, of Salt Lake City, agreed to purchase the Hearst interests in the Daly-West Mining Company and the mine was reopened.

In 1902, the Daly-West Mining Company purchased the Little Bell Mine, but allowed it to continue to operate as a separate company. Also that year, an underground explosion at the Daly-West mine left 25 people dead at the Daly-West. Poisonous gases from the blast killed nine people at the Ontario mine. The blast was probably caused by improper explosives handling at the Daly-West Mine. The incident led to improved safety regulations.

In 1902, the Daly-West Mining Company and the Quincy Mining Company were consolidated. The Daly-West, Quincy, and Little Bell were now all under John J. Daly, but functioned as separate companies. The Daly-West Mining Company had brought suit against the Quincy Mining Company for taking ore from the Daly-West, with the Quincy filing a counter suit. Meanwhile, the Daly-West acquired the neighboring Little Bell Mining Company, whose mine connected to the Quincy between its 200- and 300-foot levels. A settlement was reached, with 30,000 shares of Daly-West exchanged for the Quincy property. After the consolidation, the Quincy mine continued operations as before, until 1904, when it was operated through the Daly-West works.

In 1904, the hoist and engine house at the Ontario were destroyed by fire. The hoist and gallows from the Daly Mine No. 2 shaft was moved to the Ontario for temporary use.

Also in 1904, the Daly-Judge Mine ordered an electric locomotive to replace horse-drawn ore trains, and the Daly-West began installing compressed-air-driven rock drills. An attempt to introduce oil lamps was rejected by the miners, who staged a short walkout, preferring to stay with their candles despite the safety advantages of the new lamps. The walkout was settled by allowing the miners to keep their candles.

In 1905, a series of cave-ins blocked the Ontario Drain Tunnel No. 2 and water rose to the 1,200-foot level, 300 feet above the drain tunnel. The last large cave-in was cleared later that year, with one miner drowning in the flood of water. The tunnel was repaired up to the Ontario No. 2 Shaft, but it was still blocked past that point. The Ontario Shaft No. 3, the Daly, Daly-West, and the American Flag mines were still unable to be drained by the tunnel. In 1908, the rest of the Ontario Drain Tunnel No. 2 was cleared, and the Ontario Shaft No. 3, the Daly, Daly-West, and the American Flag mines were finally able to be drained by the tunnel. This event was cause for a great celebration in Park City, since it brought production levels back up in several mines and put many miners back to work.

In 1910, the Daly-Judge owners began the Snake Creek drain tunnel to drain the Daly-Judge and the Daly-West mines. This tunnel would be three miles long and would drain the underground "lake" that plagued the Daly-Judge and Daly-West mines, although it would not connect directly to their shafts. After some difficulties in construction, the work was contracted to the Taylor Free Company, which soon went bankrupt. The job was taken over by J.A. McIlwee & Company, who gave up after a huge water flow was struck. The next contractor was the Williams Leasing Company, followed again by McIlwee & Company. Finally, in 1916, the tunnel reached its planned length and drained the water body at the rate of 8,600 gallons per minute.

In 1913, the Daly-West mill and hoisting works were destroyed by fire. The damaged facilities would be replaced and operating within a year.

In 1916, the Snake Creek drain tunnel was completed to drain the water body that affected the Daly-Judge and Daly-West mines. This project was started in 1910. The drain tunnel was successful and it allowed the deeper areas of the Daly-Judge and Daly-West mines to be worked profitably. Two years later, George Lambourne took control of the Daly-West Mining Company and became president of the Judge Mining and Smelting Company.

In 1922, the Daly Mining Company, Daly-West Mining Company, and Judge Mining and Smelting Company (the old Daly-Judge) were combined into one company, the Park City Mining and Smelting Company, with George Lambourne as president, treasurer, and managing director. M.C. Fox was vice president, O.N. Friendly was mine manager, and George Kreuger was superintendent.

In 1953, the Silver King Company (the Silver King Coalition Mines Company) joined the Park Utah Consolidated Mining Company (including the Park Utah, Ontario, Daly, Daly-West, Daly-Judge, etc.) to form the United Park City Mines Company, putting all of the Park City mining companies except the New Park Company under the same management. The Silver King shaft and mill were closed, the shops at the Judge Mine and the hoist at the Daly-West Mine became the surface plants, and the Park Utah tunnel became the main access and haulage route. New discoveries were made, and the United Park City Mines Company continued mining operations at a scaled-down level for a number of years, but after a final effort in the early 1980s, ceased all mining operations.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.

Daly Mine Shaft No. 1 and Shaft No. 2

Description

The Daly Mine Shaft No. 1 and Shaft No. 2 are located in upper Empire Canyon, about a half mile further up the canyon than the Anchor (Daly-Judge) Drain Tunnel portal. Little remains today from these operations, except some scattered rock foundations or retaining walls, composed of coursed and uncoursed rough stone.

Function

These rock walls represent the extraction and maintenance processes in a mining system. More specifically, they could be associated with boarding houses or bunkhouses (such as the structure at the right-hand side of Figure 26), but their exact function has not been ascertained.

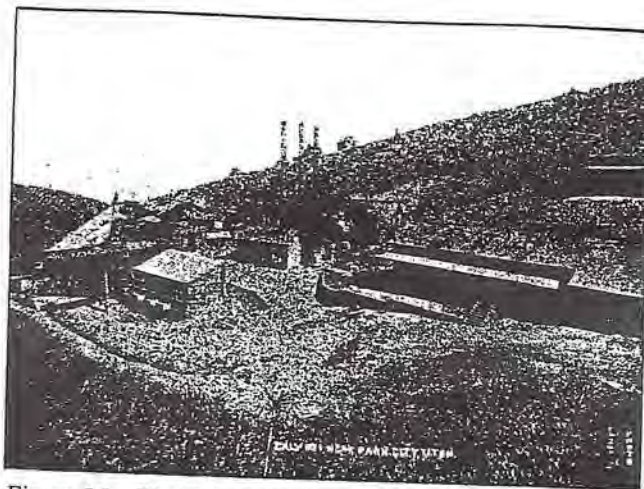


Figure 26 – The Daly Mine Shaft No. 1 operations.
Photo courtesy of the Utah State Historical Society.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Rock Wall

Condition – Poor

Priority – Low

Deficiency Description – The rock walls are in poor condition and the area has been heavily disturbed. Little remains of this feature or other aspects of the mine operation.

Suggested Mitigation Work – No stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could relate the site to the many other mining operations in the area that were founded or influenced by John Daly, one of the most prominent silver magnates in the American West.

The Daly Mine Shaft No. 1 and 2 both have a long and interesting history and are closely interrelated with other mines in the area. The long legal battles between the Daly and Hearst interests could be discussed. Or the role of the Ontario Drain Tunnel No. 2 in draining the Daly and other mines could be explained.

Daly-West Mine Site

Historic Context

Because of the close ties between the Daly Mining Company and the Daly-West Mining Company, refer to the "Daly Mine Site" section for historic context information on both the Daly Mine site and the Daly-West Mine site.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.



Figure 27 – First mule train at the Daly-West, ca. 1899.
Photo courtesy of the Utah State Historical Society.

Daly-West Headframe and Shaft

Description

The Daly-West headframe and Daly-West shaft are located in upper Empire Canyon, about a quarter of a mile above the Daly No. 2 Shaft. The headframe is directly over the Daly-West shaft, and both of these features are still in operable condition. The shaft provides an emergency exit and a ventilation shaft for the Ontario Drain Tunnel No. 2 and other workings.

The headframe is a distinctive mining-related feature that probably dates from 1913, when the mill and hoisting works were destroyed in a fire. It is constructed of riveted steel "laced girders" that are typical of that period. The entire framework is exposed and it presents an impressive sight. A chain-link fence surrounds the headframe for security reasons.

Just upslope of the Daly-West headframe and shaft are traces of the waste dump and/or surface operations of the Meeers Company Shaft No. 1, although very little remains of this operation. The Meeers Company Shaft No. 2 operation was located immediately to the northeast of the Daly-West headframe and shaft, but no remains of this operation were noted.

Function

This headframe and shaft represent the extraction and maintenance processes in a mining system. More specifically, the shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft.

Deficiencies and Suggested Mitigation Work

The headframe and shaft are still in usable condition and are maintained as an emergency exit and ventilation source for the drain tunnels that provide water for Park City's culinary water system. The area around the headframe and shaft is fenced. If this feature were to be abandoned, steps could be taken to preserve the feature, such as protective coatings on exposed iron and steel surfaces, lubrication, etc.

In terms of stabilization, as long as this feature is being maintained in operable condition, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic

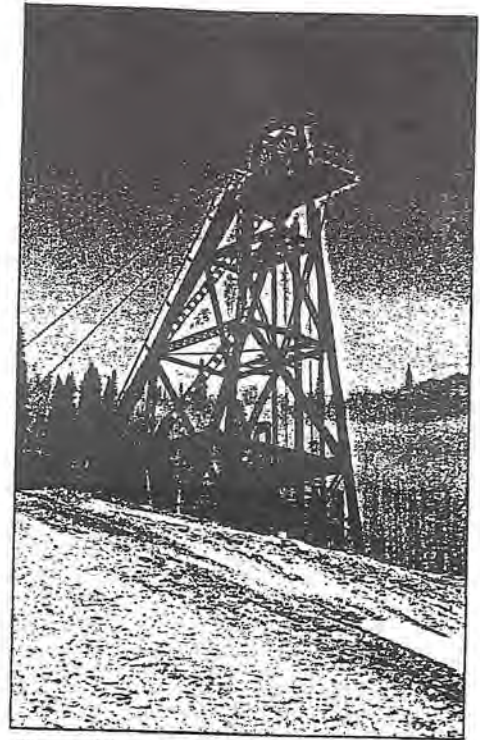


Figure 28 – Daly-West headframe.

background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could relate the site to the many other mining operations in the area that were founded or influenced by John Daly, one of the most prominent silver magnates in the American West. The headframe is a visually interesting feature, and the signage could point out and explain the function of the various visible components, such as the hoist shack, cables, sheaves, cages, etc. It could also point out that this is a working feature and make reference to the depth of the works or how the air moves in or out of the shaft, depending on changes in temperature or atmospheric pressure. It might also point out some interesting details about the headframe construction, such as the beautiful lace girders, or how the steel headframe was a replacement for a wooden headframe destroyed by fire in 1913. It might also point out some slightly warped areas in the girders that may have resulted from a subsequent fire.

A discussion of fires at the Daly-West site would provide a natural segue to interpretive signage about the fire hydrant shacks above the shaft works.

Daly-West Hoist Plant

Description

This feature is located adjacent to the Daly-West mine shaft and headframe. It is a modern structure that houses the hoisting machinery for the Daly-West shaft.

Function

This feature represents the extraction and maintenance processes in a mining system. More specifically, the hoist plant was used to operate the shaft equipment, which was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine.

Deficiencies and Suggested Mitigation Work

The hoist plant is still in usable condition and is being maintained to operate the Daly-West shaft, which serves as an emergency exit and ventilation point for the drain tunnels that provide water for Park City's culinary water system. The hoist shack is not historic and it is not known at this time if any of the equipment or foundations are historic. If this feature were to be abandoned, certain steps could be taken to preserve the feature, such as protective coatings on exposed surfaces, periodic lubrication, etc.

In terms of stabilization, as long as this feature is being maintained in operable condition, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

In and of itself, this modern feature probably does not merit interpretive signage, although some information about the function of this feature could be included as part of the interpretive signage for the Daly-West headframe and shaft.

Daly-West Fire Hydrant Shacks

Description

These three fire hydrant or water-connection shacks are located at the Daly-West Mine, just upslope from the headframe. One shack has a fire hydrant inside and the others have smaller water pipes and valves. All are painted red with white trim, perhaps as a requirement to indicate their function as water sources for fire fighting.

The cedar shake shingles have been covered with corrugated galvanized steel panels, one of which is missing, exposing the shingles underneath.

All three of these shacks are single-unit, side-gabled structures with one doorway and no windows. The doors are simple batten-type doors and are still intact and operational. The wood frame construction incorporates a variety of lumber sizes, mostly rough-sawn, and the shacks vary somewhat in construction technique, as though they were made up without plans or by different people. The shacks all have board-and-batten siding. The type of wood used for the siding was not determined. The shack closest to the headframe seems to be somewhat newer than the others, judging by the planking used in its construction and some other details, but all appear to be historic.

Function

These features represent the maintenance processes in a mining system. More particularly, they provided sources of pressurized water for fire fighting or other purposes.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Fire Hydrant Shacks

Note: All three shacks are grouped together here as one element because of their simplicity and their similarity in design and condition.

Condition – Fair

Priority – Medium



Figure 29 – Fire hydrant shacks at the Daly-West Mine site.



Figure 30 – Another fire shack.

Deficiency Description – Other than some missing galvanized roofing panels and typical weathering, these sheds are in reasonably good condition and do not appear to have been significantly altered over time. It is possible that the wooden sills may have some deterioration below ground level, but this could not be ascertained without invasive testing. Some of the paint appears quite old, and demonstrates considerable weathering, especially on the south-facing sides.

Suggested Mitigation Work – New galvanized roofing panels should be installed to replace any missing panels. Loose existing panels should be secured. If a more historic appearance is desired, the cedar shingles under the galvanized roofing could be replaced in kind. The walls and trim could be cleaned, primed, and painted to match the original paint colors. Soil should be cleared away from the sills to prevent accelerated decay of the sills. This would also allow an inspection of the sills. If any badly deteriorated components are discovered, they should be reinforced or replaced, as appropriate.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could describe how fire was a constant threat, especially with the many wooden buildings and heat sources in a typical mining or milling operation, and how the need for adequate water sources was critical. Examples of famous fires, including the 1913 fire at the Daly-West works, could be mentioned. The relationship between the fire hydrant shacks and hillside water tanks could be discussed, explaining how the vertical drop from the water tanks provided a reliable source of pressurized water that did not depend on a pump.

Rock Retaining Wall

Description

This feature is a rock wall (Figure 31) located directly upslope from the Daly-West shaft and adjacent to a fenced-in transformer area. This wall is approximately 30 feet in length and averages about three feet in height. It is constructed of uncoursed and unmortared irregular rocks of varying sizes, and it is in reasonably good condition.

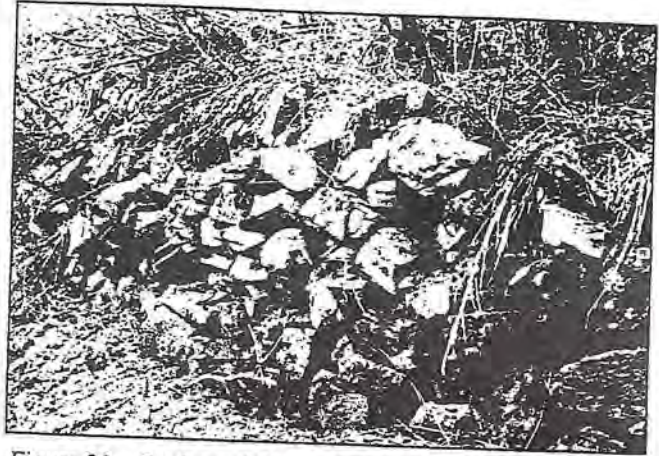


Figure 31 – Rock retaining wall by transformer platform.

This feature appears to be a retaining wall, rather than a foundation wall, due to several design features, including a large radius of approximately four feet at the northeast corner. Such a curved corner is unlikely for a foundation wall, which would typically have square corners. In addition, there are examples in historic photographs of retaining walls that were constructed of loose, irregular rocks in the same manner as this wall. Unmortared walls that were built to support the weight of a structure typically demonstrated much better construction, including the careful stacking of rectangular rocks.

Function

This feature could represent the extraction, maintenance, or beneficiation processes in a mining system. More specifically, it appears that it was constructed as a retaining wall to stabilize the flat area upon which the transformer platform was built. The transformer platform itself is of unknown age. At least one of the three weathered transformers is still in operation, providing power to the Daly-West hoist plant.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Rock Wall

Condition – Fair

Priority – Low

Deficiency Description – The rock wall is in reasonably good condition and most of it is quite stable. It does not appear to have been altered. The only damage to the wall entails a few loose rocks at the southeast corner of the wall, where it could have been struck by something. Someone has restacked the rocks, but it was done rather roughly.

Suggested Mitigation Work – A small number of rocks should be restacked at the corner of the wall to make the corner more stable and restore its profile.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Unless the transformer platform proves to be historic, interpretive signage for this feature would be of little value at this time.

Daly-West Mine Waste Dump

Description

This feature is a large waste dump in the middle part of Empire Canyon that is associated with the Daly-West mine. It is a substantial feature that is visible from a great distance.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority – None

Deficiency Description – The basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a highly visible feature of a mining landscape. Vegetation has grown up on portions of the dump, although there is still a large amount of bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could explain the various surface operations at the Daly-West Mine and how the waste rock was transported from the mine shaft and disposed of at the edge of the waste dump. It could also indicate that the dump contains waste rock that was extracted from other nearby mines that became part of the Daly-West operation and began using the Daly-West shaft for access.

Quincy Mine Site

Historic Context

In 1899, eight claims that were being leased by the Putnam Mining Company were incorporated as the Quincy Mining Company, with D.C. McLaughlin as president. Hoisting works were erected and a shaft was sunk to 110 ft striking lead-silver carbonate high grade ore. Shipments by the end of its first year amounted to 725 thousand dollars. In its first year of operation, the Quincy was the second-leading silver producer, and took the lead in its second year of operation.

In 1902, the Daly-West Mining Company and the Quincy Mining Company were consolidated. The Daly-West, Quincy, and Little Bell were now all under John J. Daly, although they functioned as separate companies. The Daly-West Mining Company had brought suit against the Quincy Mining Company for taking ore from the Daly-West, with the Quincy filing a counter suit. Meanwhile, the Daly-West acquired the neighboring Little Bell Mining Company, whose mine connected to the Quincy between its 200 ft and 300 ft levels. A settlement was reached with 30,000 shares of Daly-West exchanged for the Quincy property. The consolidation of the Daly-West and Quincy companies resolved lawsuits between these entities. After the consolidation, the Quincy continued operations as before, until 1904, when it was operated as part of the Daly-West Mine.

However, it is not known when the Quincy surface operations were shut down. A Sanborn map of 1907 indicates that the Quincy surface operations were still running "day and night." It is clear from the remains, however, that this facility has been abandoned for a considerable period of time.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.

Quincy Mine Hoist Plant

Description

This feature consists of the remains of the hoist plant for the Quincy Mine shaft. It is located in middle Empire Canyon, just upslope of the Daly-West Mine. A rectangular area and traces of rock foundations define the area that was occupied by the hoist building.

A two-cylinder steam-driven hoist is still mounted on its concrete pad. The hoist is powered by a double-acting, crosshead-type engine, which, like many hoist engines and marine windlasses, is integrated into the same iron frame as the hoist. Historic photos (Figure 33 and Figure 34) depict what appears to be the same kind of hoist being used as a winch at the Anchor Mine for raising ore cars in an incline. This hoist could even be the same hoist as the one at the Quincy, since it was common to buy, sell, trade, and move equipment from one mine to another.

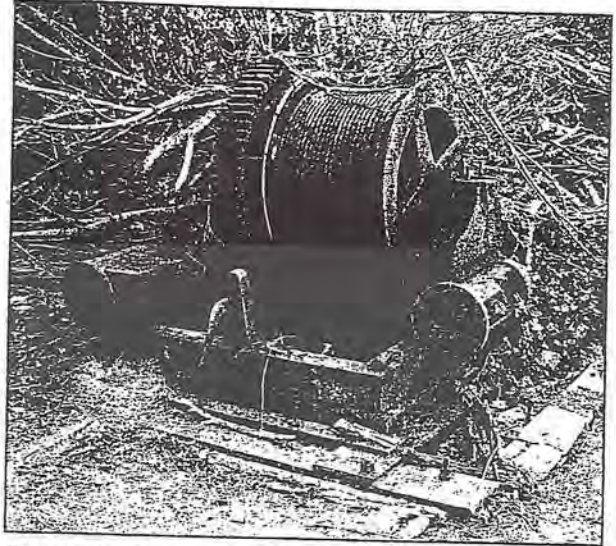


Figure 32 – Two-cylinder, steam-driven hoist.

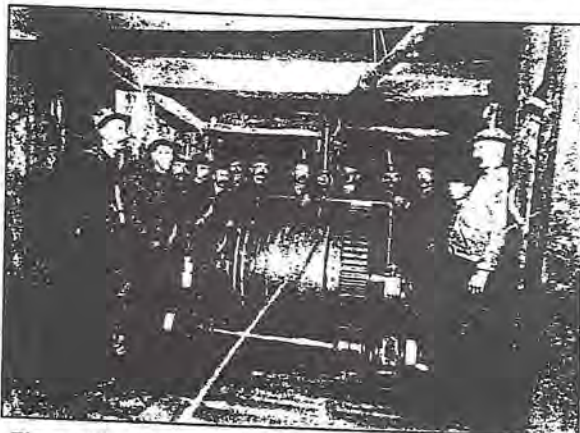


Figure 33 – Steam hoist at the Anchor Mine.
Photo courtesy of the Utah State Historical Society.



Figure 34 – An incline at the Anchor Mine.
Photo courtesy of the Utah State Historical Society.

Located between the hoist engine and the mine shaft, and apparently within the area once covered by the hoist building, are the remains of a boiler, consisting of the lower portion of its brick enclosure and the boiler's lower water drum (Figure 35).

The larger, upper drum has been removed, and the bricks from the upper part of the brick enclosure are scattered around the base of the boiler. There are also some remaining vertical iron or steel straps that may have acted as supports or anchors for the brick boiler enclosure. It is difficult to make a determination of the boiler type without removing the debris that covers the remains of the boiler and firebox.



Figure 35 – Lower drum of boiler.

In addition to the boiler and engine, the remains of a mortared-brick pad are located immediately north of the hoist engine. Large bolts protrude from the pad in several places. The north edge of the pad is located approximately 12 feet north of the north edge of the hoist engine pad. This feature may have been associated with the headframe structure. Most of the pad is covered with soil and could not be examined.

The foundation of the hoist plant is little more than a trace, with some irregular rocks visible at the ground surface level. More of the foundation may be intact below the ground surface.

Function

These features represent the extraction process in a mining system. More specifically, the boiler and hoisting engine were used to operate the Quincy Mine shaft equipment, which was used to carry miners, equipment, and supplies in and out of the mine workings, and to haul ore out of the mine. The boiler may have been used to supply steam to operate other equipment as well, but this is not known at this time.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Hoist Engine

Condition – Fair

Priority – High

Deficiency Description – One of the hoist engine cylinders has been removed, as well as some other parts, but many of the pieces are still intact, and it is possible that several of the missing parts could still be found in the immediate vicinity. The adjustable cutoff and reversing mechanism for one of the cylinders is still intact. The cable is still wrapped around the drum, and appears to be in good condition, with traces of hardened grease still clinging to the cable. No markings were visible regarding manufacturer, model, serial no., etc., although a portion of the hoist was obscured by vegetation and debris, making a complete surface inspection of the hoist impossible without site clean-up work.

Suggested Mitigation Work – Vegetation and modern debris should be removed away from the hoist. Cleaning a site has the potential of exposing a number of surface artifacts, which immediately become targets for theft, and steam engine parts are especially susceptible because of their popularity with collectors. Hence, surface artifacts should be appropriately recorded, and arrangements should be made for their curation. A sealer should be applied to the metal surfaces of the hoist, and long-duration penetrating lubricants should be applied to the various interstices in the machinery for additional protection. These penetrating lubricants may have to be reapplied every two to five years, depending on the composition of the lubricants and the environmental conditions.

Boiler

Condition – Poor to Fair

Priority – High

Deficiency Description – The larger, upper drum of the boiler was apparently removed many years ago, having been cut off of the main connecting, or return pipe that connects the lower and upper drum. The upper drum appears to have been cut off with an acetylene torch, perhaps during a scrap metal drive during World War II, at which time much of the abandoned machinery in the area was recycled as scrap, but this is merely speculation. The bricks from the upper part of the brick enclosure are mixed in the forest detritus around the boiler. The enclosure was probably dismantled to remove the upper drum. The lower portion of the bricks seems to be at least partially intact and could provide important evidence as to the design and construction of the boiler.

Suggested Mitigation Work – The vegetation and modern debris should be cleared away from the boiler. If plant roots penetrate the bricks, the roots should not be removed, but rather treated with herbicide to prevent their further growth. The bricks should not be disturbed, although during the clearance, some of the bricks that are out of alignment (but have not fallen) could be realigned to help stabilize them. Fallen bricks should be left *in-situ*. Remortaring the bricks should not be done at this time. This is a complex feature that will require further study before taking invasive actions or instituting any repairs that are difficult to undo or which could compromise the integrity of the feature. Any further stabilization or restoration work on this feature should be handled as part of a carefully designed archaeological investigation.

Building

Condition – Poor

Priority – Low

Deficiency Description – The hoist building superstructure is no longer standing, but some pieces of lumber and roofing material can be seen on the ground within the area defined by the hoist building foundations. These items are badly deteriorated and mixed with forest detritus.

Suggested Mitigation Work – Some of the surface detritus could be removed, but the lumber and roofing materials should not be disturbed unless they present a significant safety hazard. They should be left *in-situ*, in their correct context for possible future archaeological work on this feature, at which time they can be properly recorded and analyzed as they are removed. These badly deteriorated items are not likely to be stolen, and could be left in place, even if visible.

Foundation and Pads

Condition – Poor

Priority – Low

Deficiency Description – The foundation of the hoist building and some nearby mortared-brick pads are in very poor condition, in most cases leaving little more than a trace to define the area once occupied by the building, or areas upon which equipment was once mounted. These are low features and relatively stable in their current condition.

Suggested Mitigation Work – No stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could point out the remains of the boiler and hoist engine and explain their functions and their relationship to the shaft, which is located immediately west of the hoist building. The adjoining Daly-West Mine operation could be discussed in terms of the takeover of the Quincy and in terms of the physical relationships, such as connected underground tunnels.

Quincy Mine Shaft

Description

The Quincy Mine shaft is located in the middle Empire Canyon area, directly above the Daly-West Mine site. Little remains of the shaft, since it has been filled in. However, the fill has settled, and a depression clearly shows where the shaft is located. The shaft is directly adjacent to the remains of the hoist plant.

Function

This feature represent the extraction and maintenance processes in a mining system. More specifically, the shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine. It also served as an extra exit point and ventilation shaft.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Mine Shaft

Condition – Poor

Priority - None

Deficiency Description – The shaft has been filled in and a only a slight concavity exists over the filled shaft to suggests its location adjacent to the hoist plant.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

The stability of the mine shaft is not known. Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

Interpretive signage for the shaft could be combined with the signage for the hoist plant.

Quincy Mine Waste Dump

Description

The waste dump at the Quincy Mine is located in the middle Empire Canyon area, directly above the Daly-West Mine site. From a distance, it is the most visible feature of the Quincy Mine.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority – None

Deficiency Description – The basic form of the waste dump remains intact. Some recontouring has taken place in portions of the dump. It is a visible feature of a mining landscape. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could explain the various surface operations at the Quincy Mine and how the waste rock was transported from the mine shaft and disposed of at the edge of the waste dump. If more information is available about the Quincy's relationship with the Daly-West Mine, the signage might point out how the operation of the Quincy mine changed as the result of that relationship. For instance, it is possible that ore from the Quincy may have been removed via the Daly-West workings, which can be seen from the Quincy.

Rock Retaining Wall

Description

This feature is a rock wall (Figure 36) located in the middle of Empire Canyon, approximately 100 feet east of the Quincy Mine hoist plant. This wall consists of uncoursed, unmortared irregular rocks. The majority of the rocks appear to be in the 6- to 8-inch size range. The wall is largely obscured by soil and vegetation. Its specific purpose is unknown at this time, although it appears to have been a retaining wall, such as often depicted in historic photos in front of mine offices or boarding houses and constructed to provide a small yard area adjacent to the house.

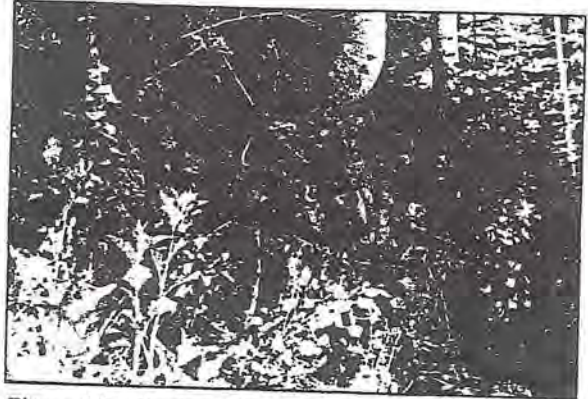


Figure 36 – Rock wall near the Quincy Mine.

Judging by the size of the aspen trees that have grown up inside the perceived perimeter of the wall, and in some cases through the wall itself, the built-up area behind the wall has been abandoned for a considerable period, probably over 70 years.

A 1900 Sanborn map shows a boarding house, but at a much greater distance from the hoist plant. Similarly, an 1889 Sanborn map shows a smaller boarding house, but it is also too far from the mine to be related to this feature.

Function

This feature may represent the extraction and maintenance processes in a mining system. Its specific function was probably related to stabilizing or improving the landscaping adjacent to housing facilities for mine workers or mine office structures, by serving as a retaining wall in front of a structure.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Rock Wall

Condition – Fair

Priority – None

Deficiency Description – This feature is in fair condition and reasonably stable. Vegetation has grown around and through the rocks in many places. It appears to be basically in its original form, although much of it is obscured by soil and vegetation.

Suggested Mitigation Work – Unlike certain other structures where vegetation is breaking them apart, the stability of this structure may actually be maintained by the network of roots and plants. Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

The exact function and association for this feature have not yet been identified, so no interpretive signage is recommended at this time.

Wooden Ore Bin

Description

The Little Bell ore bin or "bunker" (Figure 37) is a historic structure in middle Empire Canyon, located on the east-facing slope of the Little Bell Mine waste dump and approximately 175 feet east of the Little Bell Mine shaft.

A modern ski slope is located approximately 15 feet east of the ore bin, and two water pipes used for snow-making operations are located about ten feet northeast of the structure. The ski slope occupies the area where the mine's boarding house once stood, and also covers a road that once passed in front of the ore bin. Preliminary research on the Little Bell Mine suggests a construction date of ca. 1900.

The ore bin was used for short-term storage and redistribution of ore from the Little Bell mine, sometimes called "staging." Ore car tracks, now gone, went from the shaft works to the top of the ore bin. Ore cars were tipped to dump their loads into the ore bin, which would hold the ore until the next horse-drawn ore wagon arrived, at which time the gates at the bottom of the ore bin were opened to allow the ore to pour into the wagon. From there, the wagons transported the ore to beneficiation facilities, such as a mill or smelter. Figure 38 shows a historic photo of a similar ore bin at the nearby Quincy Mine, with a horse-drawn cart awaiting a load of ore.

The ore bin is constructed of wood, excepting the steel-and-iron loading gate doors, nails, steel bracing rods, and other fasteners. The wood is probably a fir species that was imported from the Pacific Northwest. It was quite common at that time to import wood from out of state, since the area's mining operations had used up most of the mature trees in the area for mine timbers and building surface works.

The footprint of the structure measures 12' x 24'. For descriptive purposes, the structure can be divided into two basic components: the ore bin itself and the support structure. The ore bin itself is approximately 17'4" high, plus the height of the support structure. The front wall of the ore bin, including the support structure, is approximately 24 feet high from the top of the front footing. The back wall of the ore bin is approximately 17'4" high from the top of the rear footing.

The support structure consists of a framework of rough-sawn timbers. The front portion of the support structure consists of seven vertical posts, six cross-braces, and a beam across the top, which is in two pieces, joined by a shiplap joint at the center. The timbers in the front portion of the support structure consist of 8" x 8" posts, beams, and cross braces, with slight dimensional variations in their cross sections. The cross braces lean toward the center of the front of the structure (i.e., the three cross braces on the left side lean to the right, and vice-versa). This assembly rests upon a 16" x 16" timber footing.

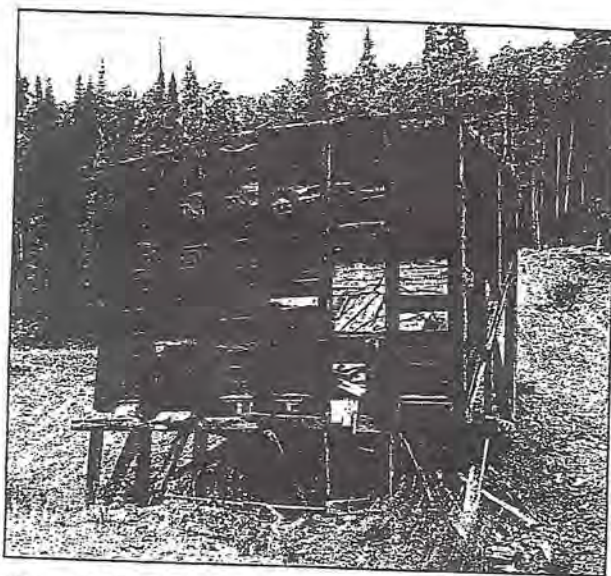


Figure 37 – Little Bell ore bin.

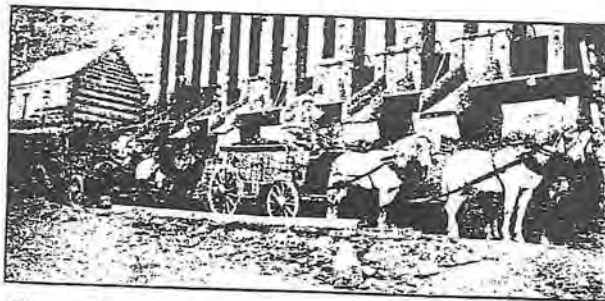


Figure 38 – Similar ore bin at the Quincy Mine.
Photo courtesy of the Utah State Historical Society.

It is not known if anything lies below this footing. The rear section of the support structure consists of a timber footing placed in the side of the mine waste dump. Owing to the condition of the rear footing, it is difficult to ascertain the original dimensions of the timbers or if anything lies behind or below them. The front and rear sections of the support structure are joined by seven 8" x 8" beams laid front-to-rear, which rest on the top beam of the front support assembly and on the rear footing. Each of these seven beams are supported by a 6" x 8" cross brace between the mid point of the beam and the intersection of the corresponding front vertical support post and the front footing.

The ore bin itself is a single-cell structure that has a steeply slanted floor (approximately 45 degrees) that allows the ore to slide down toward the two loading gates that are located at the bottom of the front wall. Its basic construction consists of a timber framework that is lined with wooden planks to form the ore storage cavity. The ore bin uses a greater variety of rough-sawn dimensional lumber than the support structure. Its construction is relatively simple, and all elements are visible, with the exception of certain internal joint structures, such as mortise-and-tenon joints. The preliminary inspection revealed no evidence of paint, varnish, shellac, or other finish coating on the structure.

The ore bin's front wall framework incorporates seven 8" x 8" posts that rest upon corresponding front-to-rear 8" x 8" beams, which in turn rest atop the top beam of the support structure. The posts are joined to the front-to-rear beam with mortise-and-tenon joints, one of which is visible as an example (Figure 40). The rear wall framework also incorporates seven 8" x 8" posts, which also use mortise-and-tenon joints to join them to the corresponding front-to-rear beams, which in turn rest on the rear footing. The bottoms of the front and rear wall posts are fitted into shallow notches in the front-to-rear beams. Seven 8" x 8" timbers are used atop the bin to connect the top of each front wall post to the top of each rear wall post, probably with mortise-and-tenon joints.

The floor is supported by seven 8" x 8" joists placed between the approximate mid point of the rear wall posts and the intersection of the front wall posts and the corresponding front-to-rear beams. The joists fit into notches cut into the rear wall posts. These joists are cross braced with 6" x 8" timbers, which are in turn cross braced by 3.25" x 5.25" timbers. The framework of each side wall incorporates four 8" x 8" posts, including the corner posts (the end posts of the front and rear walls). The bottom end of the two central posts in the side walls are joined to the end floor joists. There is also a 1.5" x 11" board nailed across the top of the front wall and rear wall framework, plus another that runs horizontally across the backs of the rear posts, just below the top of the ore bin.

The 1.5" x 11" floor planks run lengthwise atop their supporting joists and are nailed into the joists. The wall planks are placed horizontally inside the framework. Every other wall plank extends past the interior of the bin to the outer edge of a corner post. This is handled in such a manner that every other plank on every wall contributes to the tensional strength of the periphery of the bin area, helping it contain the forces of the heavy ore that would fill the bin and press outward to try to split the bin apart at the corners. The planks that do not extend to the outer edge of the corner posts are secured by a board nailed into the corner posts to serve as a stop for those planks. There are also boards installed at the bottom of each side wall frame to serve as stops for the lower planks in the side wall. These stop-boards are of several sizes, including 1.5" x 3.5" (standard 2 x 4), 1.5" x 7", and 1.5" x 5".

Seven steel or iron rods are used to secure the front and rear walls against the outward force of ore in the bin. These rods are located about two-thirds of the way up the front wall of the ore bin, and join the front and rear wall posts together. The ends of the rods are threaded and secured with a nut and a cast-iron washer. One of the rods is broken (missing a section inside the bin), but its ends are intact.

The two gate doors (Figure 39) were operated by a rack-and-pinion mechanism that raised and lowered them inside a cast-iron track mounted inside the jambs. Two cast-iron rack gears are still riveted to each of the steel gate doors, but the pinion assemblies are missing.

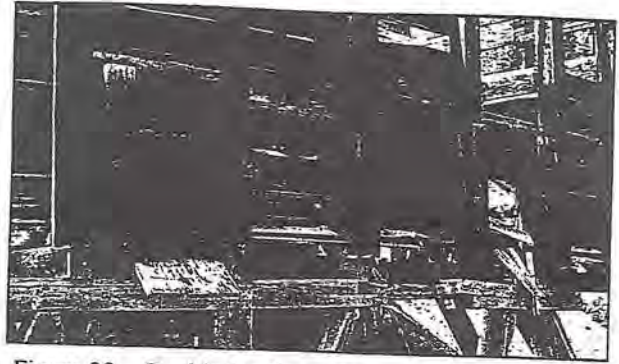


Figure 39 – Ore bin loading gates.

The original mounting points for the pinion assemblies are clearly visible on the wooden jambs around the gate openings. One of the gate doors is still in place and the other is lying on the ground in front of the ore bin. A historic photo (Figure 38) of a similar ore bin shows a round, hand-operated wheel, probably of cast-iron construction, attached to the pinion shaft. The similarity between the placement of the mechanism, the gate doors, and other features suggest that the same type of mechanism was probably used on the Little Bell ore bin.

A missing beam has exposed a tenon (Figure 40) at the lower end of a post, indicating the use of mortise-and-tenon joints in the framework of the ore bin itself, although the support timbers under the bin do not appear to use mortise-and-tenon joints.



Figure 40 – Tenon of a mortise and tenon joint.

The use of mortise-and-tenon joints is appropriate for the ore bin as a means to lock the joints and prevent them from moving under high lateral loads from the ore pressing outward against the sides of the ore bin. The support framework does not experience these lateral loads, and would not benefit as much from the use of mortise-and-tenon joints. No treenails (also known as trunnels or wooden pegs) were obvious in the inspection. Standard wire nails (spikes) were used to help secure the joints. These would have been in common use at the turn of the century and closely resemble today's nails.

Function

This feature represents the extraction process in a mining system. More specifically, the ore bin was used for short-term storage and redistribution of ore from the Little Bell mine, sometimes called "staging."

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Support Structure – Front Section

Condition – Poor

Priority – High

Deficiency Description – From what is visible of the wooden front footing, it is likely that the entire front footing is badly rotted. The rot in these elements was the result of long-term exposure to moisture, bacteria, fungus, and insects, a situation directly related to being covered with soil. The lower ends of most of the front support posts and cross braces are covered with soil, making it difficult to determine their condition without excavation. However, it is likely that the lower ends of all of the posts and cross braces have decayed significantly.

The northeast corner of the ore bin support framework has been damaged by an unknown event (possibly a collision, but this is only speculation). Whatever the event, it dislodged an 8" x 8" x 14' wooden beam, causing it to pivot; its north end was displaced to the west approximately 39 inches and its south end displaced to the east approximately 28 inches (Figure 41). In addition to swinging the beam out of place, this event also knocked out an 8" x 8" x 6' post that supported the northeast corner of the ore bin, rendering the adjoining cross brace ineffective. It appears that the wooden beam is still in good condition. The support post, however, is rotted at its lower end. The lower end of the cross brace also appears to have rotted to some degree, although it is difficult to determine the extent of the decay without removing the cross brace.

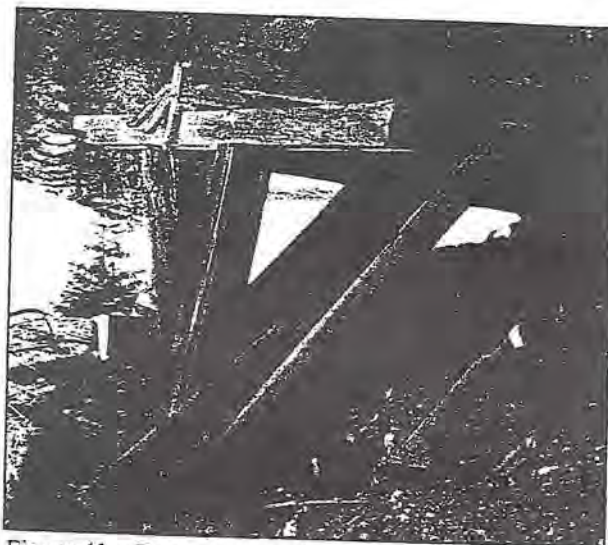


Figure 41 – Damage at northeast corner of ore bin.

At the south end of the structure, a beam is missing at the bottom of the ore bin (Figure 42). The front support post at the southeast corner of the bin is missing, along with the associated cross brace.

Suggested Mitigation Work – All of the rotted timbers and footings in the front section of the support structure are key structural elements and no significant rot can be tolerated in them. Reinforcing these rotted timbers by “sistering” new lumber against them is not recommended for several reasons: First, since the footing is almost certainly rotten, all of the posts would have to be removed in order to replace the footing. Second, the installation of reinforcing posts would require replacement of the cross braces with redesigned braces that could accommodate the extra width of the sistered posts, making their angles much steeper. In addition, the use of reinforcing posts would be a highly visible modification that would significantly compromise the historic integrity of the structure.

The posts, cross braces, and footings should be replaced with rough-sawn timbers of the same dimensions and wood species (probably Oregon fir). Treated wood (either pressure-treated or creosote-treated) is an option and should be strongly considered for the footings. The 16" x 16" front footing may have to be replaced with multiple smaller-dimension timbers, depending on the availability of large-dimension lumber. The wooden beam in the front support structure that was swung out of place is still in good condition and could be rotated back into the correct position and secured with nails.

The soil that covers the front footing and the bottoms of the posts and cross braces must be recontoured so that it does not completely cover the footing. However, part of the footing must remain in the ground to secure the footing and prevent it from shifting under load. The use of treated lumber for the footing, together with improving drainage by using graded gravel and mesh (and perhaps a perforated drain pipe) beneath ground level, would help ensure a long-lasting footing for the structure.

Support Structure – Rear Section

Deficiency Description – The footing that supports the rear wall of the ore bin is badly rotted and the ends of the rear footings have completely rotted away. As with the front footing, the rot in the rear footing was due to long-term exposure to moisture, bacteria, fungus, and insects, caused by its being buried in the side of the mine's waste dump. The slope of the waste dump encourages downslope drainage and water buildup against the rear footing.

The missing support at the south end has also caused the southwest corner of the structure to sag several inches (Figure 43).

The overall effect of the damage to the ore bin is that the entire structure is supported only by the central support posts and cross braces at the front and rear of the structure, making its support base effectively much smaller and creating a precarious and dangerous situation, made potentially more hazardous by the unknown condition of the footings.

Suggested Mitigation Work – Repairing the support structure should mitigate most of the sagging and restore the original profile. The rear footing should be replaced with rough-sawn timbers of the same dimensions as the originals, if possible. Some excavation will be required to determine the exact configuration of the rear footing, as it is partially buried and what is visible is badly rotted.

The rear footing must be partially buried in the slope of the waste dump to secure it against shifting under load, but it may be possible to reduce moisture levels against the footing by the use of graded gravel, mesh, and a perforated drain pipe, per building code specs. Pressure-treated or creosote-treated wood should be considered for the rear footing.

Upper Section of Ore Bin (the bin itself)

Condition – Fair

Priority – Medium

Deficiency Description – The upper section of the ore bin (the bin itself) is basically sound. There are some minor problems, however. Some sections of the planks that line the ore bin have been broken out, one of the gate doors has fallen off, the hand-crank pinion gear assemblies are missing, a wooden chute has fallen off, a steel bracing rod is broken, a vertical wall timber is cracked, and there are a number of loose joints. However, other than securing any loose pieces, most of these problems would be addressed at the restoration level, rather than the stabilization level.

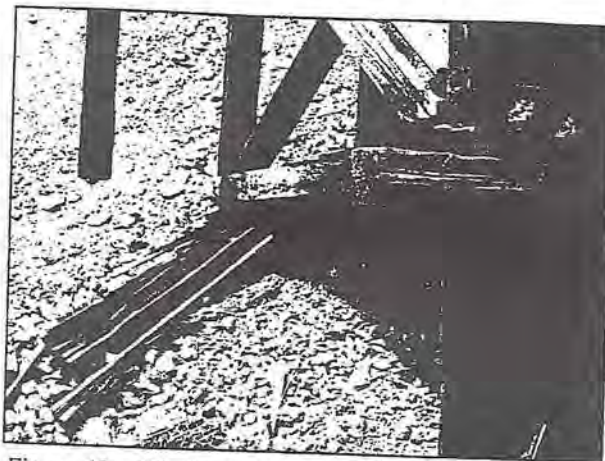


Figure 42 – Missing beam and post, rotted footing.



Figure 43 – Rear view, showing sagging corner.

Suggested Mitigation Work – Loose pieces of wood should be secured. The cracked side wall post should be secured to make sure that it cannot fall off. If the original location of any detached pieces of wood can be identified, they should be reattached. The wood should be sprayed with a penetrating water-repellant solution or otherwise treated to resist moisture and weathering. These treatment recommendations for the upper section of the ore bin are not as critical as those relating to its support structure, but they would still contribute to the longevity of this structure, as well as maintaining its historic integrity and interpretive value.

If desired, there are some comparatively simple tasks that go beyond basic stabilization and would improve the appearance and integrity of the structure: The fallen steel gate door could be reinstalled in its slot after making sure that the guide slot is secure and properly spaced. If the door is not reinstalled, it should be recorded and arrangements made for its curation. If the hand-crank pinion gear assemblies can be located, they could be reinstalled on the gate door jambs. The broken steel or iron bracing rod (or 'stay') could be repaired by welding in a section of rod to replace the missing section. The missing plank sections in the wall of the ore bin could be replaced.

General Notes

Since the condition of this structure poses a safety hazard, actions should be taken as soon as possible to temporarily stabilize the structure until permanent repairs can be made. Any permanent repair work should be carried out in a manner that uses appropriate materials and does not compromise the historic integrity and appearance of the structure.

Rough-sawn lumber matching the dimensions of the timbers used in the structure should be readily available. As already mentioned, treated lumber may be appropriate for the replacement footings, or for other elements in the structure. The application of a penetrating water-repellant sealer should also be considered, as it helps wood acclimate more slowly, thereby reducing shrinkage problems. It also adds some weathering resistance without producing any appreciable alteration in the color or sheen of the wood. Periodic reapplication of a sealer is recommended as part of an ongoing maintenance program. The existing nails/spikes that were examined are wire nails that were manufactured in a manner similar to today's standard wire nails, making replacement an easy matter. As mentioned, some of the joints involve notching techniques. These notches should be matched in any replacement elements.

Loose joints should be secured with nails of the same form and size of the originals. To assure tight joints, slightly longer nails can be used in some cases, as long as they do not penetrate all the way through the wood. Optionally, an adhesive or consolidant can be used in the original nail holes to help secure the nails. Original nails should be reused whenever possible. Another option is to use additional nails in new locations, but these should be nailed into pre-drilled holes with diameters slightly smaller than the nails to avoid splitting the wood.

For general suggestions about repairing, replacing, or reinforcing any components of a structure, refer to the section, "General Guidelines for Stabilization," later in this document. The following recommendations are only meant as rough guidelines. Many different factors can emerge that may agitate for different approaches. Actual stabilization or restoration work must be handled on a case-by-case basis, incorporating practical decisions that best serve the needs of the community in terms of public safety and historical integrity.

It is possible that missing parts of the ore bin, such as the hand-crank pinion gear assemblies, could be buried in the debris adjacent to the structure, not to mention other artifacts related to the Little Bell Mine or other activities. This area should be monitored for historic material during any excavation activities.

Little Bell Mine Waste Dump

Description

The Little Bell Waste dump is located in middle Empire Canyon, adjacent to the Little Bell ore bin and shaft and south of the Quincy Mine. The mine shaft has been filled in and very little remains of that feature, but the dump is still visible.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Condition Report and Deficiency Mitigation

The basic form of the waste dump remains intact. It is a visible and essentially unaltered part of a mining landscape. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.

Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could explain the various surface operations at the Little Bell Mine and how the waste rock was transported from the mine shaft and disposed of at the edge of the waste dump. The interpretive signage for the waste dump could be combined with the signage for the Little Bell ore bin.

PROPERTIES IN UPPER EMPIRE CANYON

Properties discussed in this section include the Diamond-Nemrod Mine site, Anchor (Daly-Judge) Mine site, and the White Pine Mine site, along with their associated features.

For location information, refer to the numbered items in Figure 2:

Diamond-Nemrod Mine Site

Historical Context

In 1885 and 1886 ore was found at what would become the Black Diamond and Nemrod claims. Sometime prior to 1893, the Farish Shaft was sunk at the southeast corner of the Farish and McLaughlin West Ontario Consolidated Mining Group claims, and a tunnel was excavated, with its portal in the Nemrod claim (Gorlinski 1893). The Farish Shaft was adjacent to the west edge of the Black Diamond claim. The Diamond-Nemrod Company was formed in 1903 as a consolidation of the West Ontario Consolidated Mining Group and the Black Diamond and Nemrod claims. The mine never produced significant amounts of ore, and very little of the Diamond-Nemrod operation remains today.

Diamond-Nemrod Mine Waste Dumps

Description

The Diamond-Nemrod waste dumps are located high on the steep hillside above the Daly-West Mine, and are clearly visible from a distance. The associated Farish Shaft is filled and no longer visible.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority – None

Deficiency Description – The basic form of the waste dump remains relatively intact. It is a visible feature of a mining landscape. Vegetation has been growing up on portions of the dump, although there is still some bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

This mine never produced significant amounts of ore, so interpretive signage may not be worthwhile.

Timbers

Description

These timbers are located near the Diamond-Nemrod waste dump in upper Empire Canyon, high above the Daly-West Mine site. The location of the timbers suggests they might represent the remains of a shaft house. Further research is necessary to evaluate the significance and integrity of this feature.

Function

The exact function of this feature is unknown at this time.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Timbers

Condition – Fair

Priority – Low

Deficiency Description – Normal weathering.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Since the exact function and historic association have not been ascertained, no interpretive signage is recommended at this time.

Anchor (Daly-Judge) Mine Site

Historic Context

The backgrounds of the Anchor Mine, the Anchor Drain Tunnel, the Daly-Judge Mine, and the Judge Mining and Smelting Company are closely intertwined, and their histories are combined here.

In 1885, the Utah and White Pine claims were consolidated with a new claim at the head of Empire Canyon, to form the Anchor Mining Company, with E.P. Ferry as manager. Serious water problems were encountered at the 600-foot level, where a water source was struck that flooded the mine up to the 100-foot level. Pumps kept the mine operable to the 400-foot level. John Daly was contracted to build a 6,000-foot drain tunnel from near the mouth of Walker & Webster Gulch to the planned 1,200-foot level of the Anchor shaft, which was only 600 feet deep at the time. In 1886, work began on the new tunnel.



Figure 44 – Historic photo of Anchor Mine, no date.
Photo courtesy of the Utah State Historical Society.

In 1889, the Anchor Drain Tunnel was completed, making the Anchor Mine a viable operation. By 1892, the Anchor would be ranked along with the Ontario and the Daly as the area's largest producers. Before long, the Anchor would build its own mill and stop using the Union Mill in Empire Canyon. The Anchor Drain Tunnel reached a point directly below the flooded shaft and a bore hole was drilled, first partway down through the shaft and then up through the end of the tunnel, and the remaining link blasted to complete the hole, which successfully drained the shaft. In 1890, the Anchor Mine hoists and shops burned but were soon replaced.

In 1893, a national monetary panic struck. Most of the mines temporarily suspended their operations. Notably, the Anchor mine kept operating and shipping ore.

In 1900, John Daly combined his Jones-Bonanza Mine in Bonanza Flat with adjoining claims owned by John Judge, forming the Daly-Judge Mining Company. Also in 1900, a Union Pacific Railroad spur, planned by John Daly of the Daly-Judge Mine and R.C. Chambers of the Ontario Silver Mining Company, was completed to the Ontario Mill and Ontario-Judge Loading Station in Ontario Canyon.

In 1902, The Daly-Judge Mining Company acquired the Anchor Company, which had been experiencing financial difficulties for some time. The hoist and steam plant at the Jones-Bonanza mine was moved to the Anchor Mine, which would become known as the Daly-Judge Mine. At this time, Daly's mines, the Daly-Judge (including the newly acquired Anchor), the Daly, and the Daly-West, were the district's richest, with the exception of the Ontario, which was still the leading mine.

In 1904, the Daly-Judge Mine ordered an electric locomotive to replace horse- or mule-drawn ore trains, and the Daly-West began installing compressed-air-driven rock drills. An attempt to introduce oil lamps was rejected by the miners, who staged a short walkout. The miners preferred to stay with their candles, despite certain safety advantages of the new lamps. The miners were allowed to keep their candles.

In 1905, John Daly sold a stockpile of zinc to pay off a \$300,000 debt owed by the company. This made Park City one of the first producers of zinc, which was previously thought to be more or less worthless,

but John Daly thought that it might be worth something someday, and stockpiled it as it was separated in the milling process.

In 1910, the Daly-Judge owners began a new and deeper drain tunnel, called the Snake Creek Tunnel, to drain the lowest areas of the Daly-Judge and the Daly-West mines. This tunnel would be three miles long and would drain the underground "lake" that plagued the Daly-Judge and Daly-West mines, although it would not connect directly to their shafts.

In 1916, the Daly-Judge Mining Company became the Judge Mining and Smelting Company, under the direction of Otto Hanke as president, M.C. Fox as vice president, and George Lambourne as manager. It sent its ore to its new electrolytic smelter in Deer Valley. Also that year, the Snake Creek drain tunnel was completed, successfully draining the water body that affected the Daly-Judge and Daly-West mines. Two years later, George Lambourne took control of the Daly-West Mining Company and became president of the Judge Mining and Smelting Company.

In 1922, the Daly Mining Company, Daly-West Mining Company, and Judge Mining and Smelting Company (the old Daly-Judge) were combined into the Park City Mining and Smelting Company, with George Lambourne as president, treasurer, and managing director. M.C. Fox was vice president, O.N. Friendly was mine manager, and George Kreuger was superintendent.

In 1925, the Park Utah Company merged with the Park City Mining and Smelting Company and the pioneer Ontario Silver Mining Company, to become the Park Utah Consolidated Mining Company. George Lambourne was president and general manager. E.C. Fox, Charles Lange, and Adolph Hanke were directors. Oscar Friendly, J.W. Stoner, E.A. Hewitt, and Leonard Wilson were mining engineers. H.R. Wallace and George Kreuger were superintendents and foremen.

In 1928, the Park Utah Consolidated Mining Company became the nation's largest silver producer for the year of 1928. The late 1920s were prosperous years for Park City mining operations.

In 1936, labor strikes plagued most of the mining companies in the district. Then, in 1938, President Roosevelt ordered a silver price cut from 77 cents down to 64 cents per ounce, which prompted cutbacks and sparked labor unrest, but later that year, the government agreed to return the silver price to 77 cents per ounce. This, coupled with a temporary agreement with the miner's union, prompted the mines to resume operations on a limited scale. Also that year, Camp Cloud Rim, a WPA-built Girl Scout camp on Bonanza Flat was dedicated on 15 acres donated by the Park Utah Mining Company.

In 1953, the Silver King Company (the Silver King Company Coalition Mines Company) joined the Park Utah Consolidated Mining Company (including the Park Utah, Ontario, Daly, Daly-West, Daly-Judge, etc.) to form the United Park City Mines Company. Now all of the Park City mining companies, except the New Park Company, were under the same management. The United Park City Mines Company would continue mining operations at a scaled-down level for a number of years, but after a last effort in the early 1980s, ceased all mining operations.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.

Anchor Mine Waste Dump

Description

The Anchor Mine waste dump is a massive feature located in upper Empire Canyon. It is clearly visible from a great distance and is one of the largest and best preserved of the dumps in Empire Canyon.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority – None

Deficiency Description – The basic form of the waste dump remains relatively intact. It is a large waste dump and a highly visible part of a mining landscape, although there has been some major recontouring of the east side of the dump for a ski run. Vegetation has been growing up on portions of the dump, although there is still a considerable area of bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could point out many interesting aspects of the Anchor Mine's history, such as the importance of the Anchor Drain Tunnel and the later Snake Creek Drain Tunnel. The three-mile-long Snake Creek Drain Tunnel is interesting because it drains the lower works without actually connecting to them by draining what might be called an "underground lake" that plagued the lower portions of the mine. Or, it might trace the evolution of the mine from the Anchor to the Daly-Judge Mining Company to the Park Utah Consolidated Mining Company to the United Park City Mines Company.

White Pine Mine Site

Historic Context

The White Pine is one of the oldest mines in the district. In 1883, a rich silver deposit was struck under the Utah and White Pine claims at the head of Empire Canyon. In 1885, the Utah and White Pine mines were consolidated under the Anchor Mining Company in 1885, which was later purchased by the Daly-Judge Mining Company in 1902. Since the White Pine operation was absorbed into the Anchor Mining Company and then the Daly-Judge Mining Company at an early date, please refer to the "Historic Context" information for the Anchor (Daly-Judge) Mine site for more details.

White Pine Mine Waste Dumps

Description

Ridge-Line Waste Dump – This waste dump is located on a saddle at the ridge line at the top of Empire Canyon. This feature has sometimes been attributed to the Utah Mine. However, it appears to be located on the White Pine claim, whereas the Utah claim is located to the south, on the other side of the ridge line. A map by Gorlinski (1893) depicts a shaft on the Utah claim, but does not show a shaft at the ridge line on the White Pine claim, although if the White Pine shaft was inactive at that time, it may not have been included for that reason. However, a 1901 USGS survey (published 1903) does show a shaft on the ridge line that appears to be in the White Pine claim. Hence, it appears that the ridge-line shaft and associated waste dump are probably associated with the White Pine Mine. In any case, the shaft has been filled and is no longer visible, and its associated waste dump has been heavily disturbed and/or recontoured.

Downslope Waste Dump – This feature is located a short distance downslope and to the north of the ridge-line waste dump. It has been attributed to the White Pine operation, although it is apparently adjacent to an adit portal, rather than a shaft. A 1901 USGS survey (published 1903) shows an adit portal at what appears to be the correct location. This adit might lead to the White Pine Mine shaft, but this has not been ascertained. This waste dump is located on the War Eagle claim, which became part of the Anchor Mining Company group of claims, probably in 1885. The relationship of the War Eagle claim to the White Pine claim prior to 1885 has not been determined. This waste dump appears to be intact and basically unaltered from its historic form, other than some minor erosion.

Function

These features represent the extraction process in a mining system. More specifically, they represent the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Ridge-Line Waste Dump

Condition – Poor

Priority – None

Deficiency Description – The form of the waste dump near the White Pine shaft has been altered significantly by recontouring operations and other work in the area.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Downslope Waste Dump

Condition – Good

Priority – Low

Deficiency Description – The form of this waste dump appears to be intact and in stable condition.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with these features, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

The signage would have to concentrate on aspects of the White Pine Mine's history, since little remains in terms of identifiable features. Since it is one of the earliest mines in the district, its role in the development of mining in the Park City area is worth mentioning. Its absorption into the Anchor mining operation also associates it with the long evolution of the Anchor Mine. If the background of the waste dump associated with the tunnel portal could be established, interpretive signage could explain its relationship, if any, to neighboring mines or features, such as the White Pine Mine.

Log Structure

Description

The remains of a log structure (Figure 45) are located below the White Pine Mine and above the Anchor Mine. It has been suggested that this structure may have been a miner's cabin associated with the White Pine Mine (Compton N.D., N.P.). Further research would be necessary to determine its history.

The structure consists of a one-room, one-story log building, with a footprint of approximately 16' x 22'. The highest point of the remaining structure is the northwest corner, which is about nine feet above the current ground level.

The structure once had an attic or loft, as evidenced by notches cut into logs at ceiling height and the remains of some of the loft's floor joists that are visible in and above the debris. The door opening is at the north side of the structure, facing downslope, possibly in consideration of an escape route in the event of an avalanche. Each of the other three walls have one window opening.

The wall logs were built with V-notch construction (Figure 46), also known as "sharp notch," and vary somewhat in size, typically ranging from about 8 to 11 inches in diameter. The sides of a number of the wall logs, both inside and outside of the structure, have been hewn to form a slightly flattened surface. An initial inspection of a few of the flattened areas showed no evidence of the use of an adz to create the flat sides, which were probably hewn with an axe. Chinking strips, split from logs, were nailed into the interstices between the log courses. Other supplementary chinking materials, such as cement or clay, would have been used to seal the joints, but the actual material(s) used are unknown at this time. The cabin uses cut nails in its construction, which were still in common use until the late 1880s or early 1890s, when wire nails began to take over in popularity as the result of cheaper mass-production methods.

The foundation structure, if any, is unknown. It was typical for simple log structures such as this to have been built upon leveled sill logs, although stone foundations were not unusual.

Function

The original purpose of this structure has not yet been determined. At this altitude and location it is probably associated with prospecting or extraction activities in a mining system. It may have been a residence, or it could have functioned as an administrative building associated with a nearby mining company, such as the White Pine, Anchor, or other operation. It is still uncertain as to whether a nearby waste dump located about 80 feet away (on the "War Eagle" claim) is associated with the White Pine Mine or some other operation.

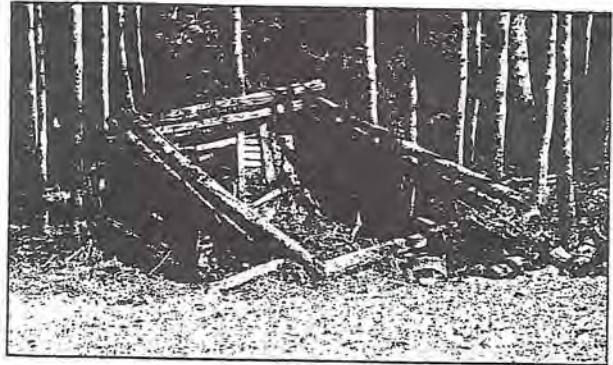


Figure 45 – Log Structure next to ski slope.

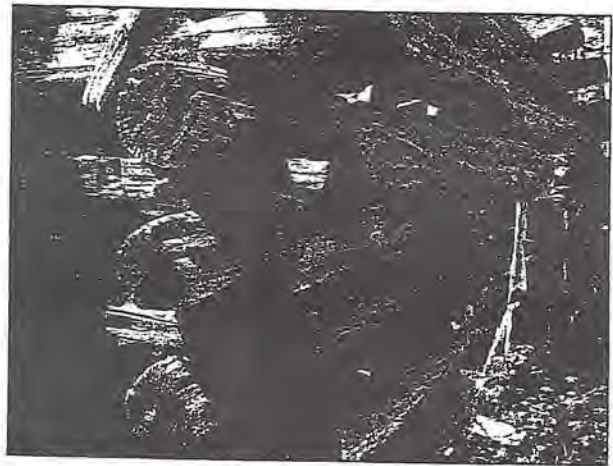


Figure 46 – V-notch log construction.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Roof and Attic

Condition – Poor

Priority – Low

Deficiency Description – The roof is missing and may have fallen in, in which case its remains could be buried in the deep layer of debris within the structure's walls. The attic or loft has fallen down, and a few of its remaining structural elements are still visible, mixed in among the debris inside the structure. These components are in poor condition, due to normal processes of weathering and decay.

Suggested Mitigation Work – These components should be left *in-situ*. They should not be disturbed unless it is part of a carefully planned and executed archaeological excavation.

Log Walls

Condition – Fair

Priority – Medium

Deficiency Description – Most of the logs that are above ground level (Figure 47) have weathered considerably, but appear to be quite solid and free of significant rot, with the exception of about ten percent of the logs, which are badly decayed from some combination of moisture, insects, bacteria, fungus, and oxidation. Several aspen trees along the east wall of the structure are in direct contact with the wall, but they appear to be serving a beneficial role in helping to keep the structure upright.

Suggested Mitigation Work – A few of the logs that have rotted or shifted off center could be reinforced or replaced and shifted back into position directly over the underlying logs and secured against further movement. This would tend to stabilize the structure to some degree. It may also be advisable to install a few wood braces at key locations where shifting is possible. The logs next to the window and door openings could also be aligned more vertically and unobtrusively secured. Wood consolidants or water repellent solutions could be applied to the remaining logs, as appropriate.



Figure 47 – West side of log structure.

Foundation or Support Structure

Condition – Poor

Priority – Low

Deficiency Description – The south end of the structure has settled noticeably (Figure 47), possibly due to rotting subsurface logs or other support components. An exploratory probe suggested that the logs have rotted very badly below the soil level as the result of long-term contact with soil moisture, bacteria, fungus, insects, etc. A small stream runs down the slope just a few feet from the east wall of the structure, saturating the ground with water, which could be accelerating moisture-related decay. It appears that this stream may have been rerouted by the recontouring of the area immediately west of the structure.

Suggested Mitigation Work – If possible, the small stream should be diverted farther away from the structure to allow the ground to dry out as much as possible. Perhaps the stream's channel could be deepened to reduce the chance of heavier runoff flooding the structure.

Doors and Windows

Condition – Poor

Priority – Low

Deficiency Description – The doors and window sashes are missing, possibly cannibalized at an early date for use elsewhere. Remains of some of the window frames are still in place. Some remnants of the door jamb are lying on the ground in front of the structure. Additional remnants of these features might be present in the debris and soil in and around the structure.

Suggested Mitigation Work – The surface of the area in and around the structure should be searched for any detached components that could be resecured to the structure. For example, if the doorway could be cleared of debris without causing any loss of support, any detached door jamb components could be nailed back into place, using appropriate cut nails.

Site Clean-Up

Debris, consisting mostly of logs and slash from forest clearing activities, has been piled up next to the south wall of the structure. This debris should be removed to reduce pressure against the wall and prevent the rapid buildup of smaller debris between the larger pieces, which could trap moisture against the wall.

Some kind of signs, flags, or barriers may be required to keep skiers and equipment away from the structure, which is susceptible to damage from ski area activities.

Some of the most recent buildup of debris inside and adjacent to the structure could also be cleared away, although care should be taken not to remove anything but the most recent debris that is lying on the surface. Otherwise, archaeological context and materials could be seriously disturbed or damaged.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

This is an interesting feature, and appears to represent a very early period in Park City area mining history. However, little is known about this structure, so no specific interpretive signage recommendations can be made at this time.

OTHER PROPERTIES

Properties discussed in this section include the Flagstaff Mine site, the Naildriver Mine site, and their related features.

For location information, refer to the numbered items in Figure 2:

Flagstaff Mine Site

Historic Context

In 1862, Colonel Patrick E. Connor and 300 soldiers organized Fort Douglas in the Salt Lake Valley. Col. Connors' soldiers soon began prospecting in the mountains around Salt Lake City. Two years later, the first discovery of silver in the Wasatch Range was made at the head of Little Cottonwood Canyon. This would lead to the development of the famous Emma Mine at Alta in just a few years. This discovery is attributed to Colonel P.E. Connor.

In 1868, Col. Connors' soldiers made a discovery on a ridge overlooking Bonanza Flat, which would become the Flagstaff Mine. In 1871, the first ore shipment from a mine in the area was made from the Flagstaff Mine. The shipment consisted of 40 tons of galena ore that was shipped by wagons to a new railroad line at Echo City.

In 1873, E.P. Ferry purchased the Flagstaff Mine for \$50,000 from James Kennedy, who had purchased the Flagstaff Mine from the soldier-prospectors who had originally discovered it. Soon after these investors arrived, F.A. Nims formed a "townsite company" and applied to the government for a townsite. With help from R.C. Chambers, the townsite company prevailed over the existing residents in the camp, who then had to purchase their property from Nims, who had received title to the townsite. This was the official start of the town of Park City.

The Flagstaff Mine eventually shut down due to the cost of operations relative to what it could produce, but in 1933, metal prices began to rise and some of the closed mines were reopened, including the old Flagstaff Mine, which produced for a while before shutting down again.

Please refer to the section, "Park City Mining District Historic Context," earlier in this report, for a detailed historic context of the Park City Mining District and how this property fits within that context.

Flagstaff Mine Shaft

Description

The Flagstaff Mine shaft is located near the top of Flagstaff Mountain, which lies between Empire Canyon and Ontario Canyon.

The shaft has been capped with a concrete slab and very little remains of the mining operation other than its waste dumps and some scattered materials that may have been associated with its surface operations.

A 1901 USGS survey (published 1903) shows a second shaft less than 200 feet from this shaft, but it apparently has been filled and was not noted during the site visits.

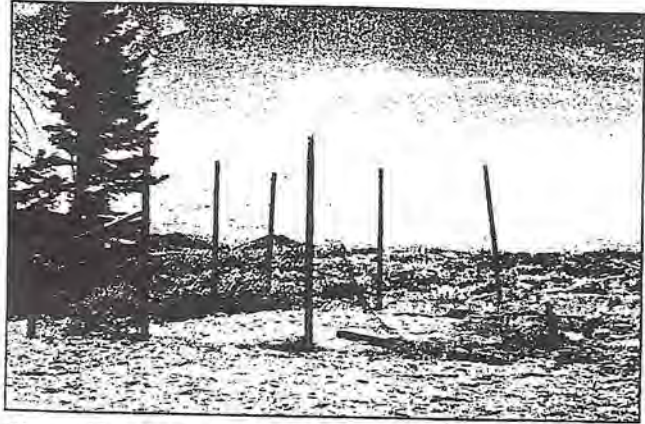


Figure 48 – Capped shaft of Flagstaff Mine.

There are also a large number of prospect pits scattered throughout the area, but it is not known if these are directly related to the Flagstaff Mine.

The Flagstaff mine is best known for being the first of the Park City area mines to have shipped ore, which took place in 1871.

Function

This feature represent the extraction and maintenance processes in a mining system. More specifically, the shaft was used to haul ore and waste rock from the workings and to transport miners, equipment, and supplies in and out of the mine.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Mine Shaft

Condition – Unknown

Priority - None

Deficiency Description – The shaft has been capped with a concrete slab. The structural integrity of the slab is unknown. Some dilapidated fencing surrounds the concrete slab, but is no longer protecting it.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

The stability of the mine shaft or the concrete cap is not known. If the fencing is required for safety reasons, then it should be replaced. Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage could explain the role of the military in early prospecting activities and their association with this mine, which was the first in the area to have shipped ore in 1871.

Flagstaff Mine Waste Dump

Description

The Flagstaff Mine waste dump is located near the top of Flagstaff Mountain, between Ontario Canyon and Empire Canyon. It is not a tall feature, but is spread over a fairly wide area around the shaft location. It is probably in its original form.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority - None

Deficiency Description – The basic form of the waste dump appears to be intact and more or less in its original form. It is a visible feature of a mining landscape. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

The signage for this feature could be combined with the signage for the Flagstaff Mine shaft.

Naildriver Mine Site

Historic Context

In 1899, a face of ore at the Naildriver claim was found by Jack Creen, who had taken over the previously barren mine from John Morey.

In 1902, the Naildriver Mining Company was incorporated by Jack Creen. The following year, a new shaft was begun higher on the mountain to connect to its tunnel. A new headframe, bunk houses, shops, and other buildings were constructed, and within a year, the mine was sending wagon loads of high-grade silver ore down Ontario Canyon.

Low silver prices led to the closure of the Naildriver, but in 1935, silver prices rose to 65 cents per ounce and gold climbed to \$35 per ounce. A number of mines reopened, including the old Naildriver. Eventually, the Naildriver—like other mines in the area—shut down for good.

Naildriver Mine Waste Dump

Description

The Naildriver Mine waste dump is located in the eastern portion of the Flagstaff Mountain Resort project area. It is the only significant remaining historic feature of the Naildriver Mine. The Naildriver shaft was plugged with concrete in 1980 and no historic features of the shaft remain visible. One item of note is that the Naildriver shaft was 2,980 feet deep—more than the height of two Empire State Buildings.

Function

This feature represents the extraction process in a mining system. More specifically, it represents the discarded waste rock that was removed from a mine in order to access high-grade ore deposits.

Deficiencies and Suggested Mitigation Work

Deficiencies that affect this feature's structural integrity, promote damage or deterioration, or present obvious safety hazards have been noted in the following elements:

Waste Dump

Condition – Fair

Priority - None

Deficiency Description – The basic form of the waste dump has not been significantly altered. It is a visible feature of a mining landscape. Some vegetation is growing on parts of the waste dump, but there is still a considerable amount of bare material exposed to view.

Suggested Mitigation Work – Assuming that there are no structural problems or safety hazards associated with this feature, no stabilization work is recommended at this time.

Potential Safety Hazards

Potential safety hazards could be associated with this feature, but are not known to SWCA.

Interpretation Recommendations

Interpretive signage could be installed to explain the history and function of this feature and describe its relationship with other historic mining-related features in the immediate vicinity. Besides providing basic background information, the signage should point out interesting facts about the resource and take advantage of any clearly visible features to create a more interesting, educational, and personal experience.

For example, the signage might draw attention to the extreme depth of the Naildriver shaft, some 2,980 feet. It might also mention how this mine, like others in the area, opened and closed with fluctuations in metal prices.

TREATMENT PLANS – GENERAL INFORMATION

Basic Categories of Treatment Plans

Treatment plans for historic resources can be divided into several broad categories, as outlined below. These plans can be carried out at different levels and are not necessarily mutually exclusive. For example, a structure might undergo basic stabilization work in addition to the partial restoration of some features.

No Action

This approach involves leaving the resource in “as-is” condition and allowing the forces of nature to act upon the resource. This is typically applied when a resource is relatively durable, isolated, or otherwise protected, or when it is assumed that other preservation options may be considered at some time in the future, in which case this option prevents demolition of the resource during the interim.

Demolition

This approach involves the physical destruction of a historic resource. It is generally only advisable when the resource lacks historic significance, poses a safety risk, lacks visual interest, has little physical integrity, or when no other options are feasible.

Relocation

If a resource has enough historic significance and integrity to justify the effort of moving it to a new location, this can be a viable approach in a number of circumstances, especially if the only other option is demolition. In some cases, moving the structure to an improved location may also improve its value as a community resource, such as when safety or accessibility is enhanced by the move.

Site Clean-Up

This approach involves a general site clean-up, including removing unsightly or dangerous debris, or materials that compromise the historical integrity of the resource. It may also involve landscaping activities, such as pruning shrubs, removing branches, cutting grass, removing or moving rocks, installing turf, laying down gravel, surface recontouring, etc.

Hazard Mitigation

This approach involves having an appropriately qualified individual or organization analyze possible safety hazards and recommend a treatment plan to mitigate the hazards. Actions might include repairing rotted flooring, securing loose boards, repairing structural elements of a building, putting a fence around a dangerous area, placing warning signs, etc. Hazard mitigation often overlaps into the stabilization, restoration, or adaptive reuse process, and vice-versa.

Documentation

This approach involves documenting a historic resource and archiving the information for public education and research purposes, for meeting the reporting requirements of any local, state, or Federal agency that may be involved, or for meeting the needs of other public or private entities that have an interest in the resource. There are many factors that could affect the type, level of detail, and organization of information relating to a historic resource.

Stabilization

This approach involves analyzing the physical condition and environment of a resource, designing a strategy for stabilizing the resource to arrest further deterioration or strengthen weak structural members, carrying out the stabilization work, and conducting periodic monitoring and maintenance. Stabilization work can range from minimal through very extensive. It may involve relatively simple steps, such as the application of coatings or penetrants to reduce the effect of weathering or consolidate loose or decayed material, removing threats to the resource from vegetation, soil, trash, or other objects, or minimal repairs to assure an acceptable level of structural integrity, protection from weather, and public safety. It may also involve fencing or other appropriate measures to prevent vandalism. Stabilization activities can overlap into hazard mitigation work, such as replacing weak structural elements.

Restoration

This approach involves analyzing a resource, researching its history, designing a strategy for restoring the resource to its original condition and appearance (or to its appearance at some historically significant period in its history), carrying out the restoration work, and conducting periodic monitoring, maintenance, and repair work on the resource. The term "restoration" is subject to interpretation. If carried to its logical conclusion, it may be an impossible task, but the general idea is to bring the structure as close as possible to some historically significant condition and appearance as possible, and to use materials and methods that are as authentic as possible, given some set of reasonable constraints. A full restoration can often be a difficult and expensive undertaking, requiring careful planning and a long-term vision of the role of the resource in the community. Security and public access are other issues that must be addressed.

Adaptive Reuse

This approach involves the use of a resource in a manner that may not be consistent with its historic use, but which serves to protect most of its historic integrity. Typically, the resource should be open to the public to allow the resource to serve an interpretive role in the community. Examples might include information centers, museums, gift shops, bookstores, coffeehouses, shelters for the public, and so forth. When planning for this approach, the same factors should be considered as for a full restoration of a resource. In addition, the intended use of the structure should be carefully researched to ensure its long-term viability. This is especially important when the new use is a commercial enterprise or when it will require a significant amount of continued funding to maintain it.

Interpretation

This approach involves developing a historic resource into an educational resource for the community. For example, at a minimal level, an interpretive plaque might be placed outside a structure to explain its role within a historic context and provide other information of interest about the resource itself or the surrounding area. At a higher level, a resource might be incorporated into a historic district, used as a living museum, or serve as a subject of a media documentary production.

Special Approaches

There will always be unique situations that demand specialized solutions. These solutions may consist of some combination of the above approaches, or they may be unique. The important thing is that any significant historical resource should be dealt with in a manner that will best "preserve" and "present" the resource for the maximum benefit to the community while operating within a practical constraints.

General Guidelines for Certain Treatment Plans

General Guidelines for Hazard Mitigation

As with any industrial landscape, there are potential hazards associated with mining-related activities and their remains. Hazards may include unstable structures, unstable ground over filled excavations, uncovered excavations, hazardous substances, etc. SWCA is not a safety engineering firm, and recommends that historic mining properties should be inspected by an individual or organization that is qualified to recognize potentially hazardous situations and recommend appropriate hazard mitigation measures.

To help assure that hazard mitigation measures are carried out in a manner that does not significantly compromise the historic integrity of the resources in this report, copies of hazard mitigation plans should be submitted to SWCA at the earliest opportunity for review prior to commencing activities.

General Guidelines for Site Clean-Up

Generally speaking, site clean-up activities involve the removal and disposal of debris and other items that compromise the aesthetics, safety, or historic integrity of a site. Materials to be cleaned up may be historic or modern (less than 50 years old). Generally speaking, modern materials should be removed, but historic materials should be left in place unless they are out of context, present a safety hazard, or are likely to be damaged or stolen. If removing any materials will cause significant disturbance below the ground surface, the action should be monitored for possible archaeological content. Any potentially hazardous debris, either historic or modern, should be dealt with according to acceptable safety procedures as outlined by the hazard mitigation consultant and in accordance with Federal, state, or local requirements. Refer to "General Guidelines for Hazard Mitigation," above.

In some cases, there may recent ground features that are aesthetically unpleasing, create hazardous situations, or make access difficult. If these are modern features, such as tire ruts or piles of sand or gravel, they may be filled, removed, or contoured to make them less obtrusive. However, if they are historic features, such as an old drainage ditch, a prospect hole, or the outline of an old building or foundation, they should not be disturbed unless they present a significant safety hazard, in which case the action should be monitored for possible archaeological content.

Certain modern features that are on or attached to a property may qualify for disposal. For example, if an otherwise historically authentic structure has a modern sign tacked onto it, the sign may usually be removed in a manner that does not damage the structure.

General Guidelines for Documentation

Documenting a historic resource and archiving the information may be necessary to meet the reporting requirements of local, state, or Federal agencies, or to satisfy the needs of any other public or private entities that have an interest in the resource. When a reporting requirement exists, the reporting guidelines should be obtained from the applicable agency or other entity before proceeding with research and the compilation of information. In the absence of any specific legal requirements for reporting, various other factors may affect the type, level of detail, and organization of information that should be compiled relating to a historic resource. Time, labor, and economic restraints may be limiting factors. The degree of interest in a particular historic resource and the perceived level of historic significance can influence the documentation effort. The desired or potential future plans for the resource can also be a major factor in determining documentation needs. Some expansion upon this latter factor may be in order.

For example, having adequate documentation of a feature prior to its demolition or alteration will help assure that information about that resource is not lost forever. One common approach in this situation is the preparation of a HABS/HAER (Historic American Buildings Survey/Historic American Engineering Record) document. HABS/HAER documentation generally includes measured drawings, large-format photography, and a history of the resource. The HABS/HAER program goal is to create an archive of American architecture and engineering and help people understand what historic resources can tell us about America's diverse ethnic and cultural heritage. This does not mean that HABS/HAER documentation applies only to features that are to be demolished or altered. This level of documentation can serve as a valuable resource about any historic features, regardless of what is planned for them.

As another example, if a historic feature is being considered for nomination to the National Register of Historic Places (NRHP), documentation should be created to satisfy NRHP eligibility criteria and meet NRHP reporting standards. Even if there are no plans for nominating a feature to the NRHP, it may still be useful to create documentation that could be used at some indeterminate time in the future as part of an NRHP nomination package. In addition, many state, county, and local government bodies have based their own standards for historic significance and integrity upon NRHP criteria, or slight variants thereof.

Of course, documentation can go much further, depending on the types and amount of available data for a historic resource and the ability or desire of the interested parties to carry out research work on the resource. It might include data recovery work from surveys and excavations, curation and registration of artifacts, detailed photography, recording oral histories, producing detailed floor plans and elevations, etc.

General Guidelines for Stabilization

Stabilizing a historic resource should maintain or restore a reasonable level of structural integrity to the resource (which often overlaps with hazard mitigation work), arrest or slow the rate of deterioration, and secure the resource to a reasonable extent against damage or wear from benign or malicious human contact, while retaining a reasonable degree of access as a community resource. Absolute stabilization is seldom, if ever, possible, but there are a number of measures that can significantly improve structural integrity and slow the rate of deterioration for many historic resources. Every resource requires a unique set of stabilization methods, due to differences in materials, environment, design, construction, security, visitation rates, and a host of other factors. For general planning purposes, here are a few areas of concern:

Protection from the Elements

This approach generally involves creating, replacing, or enhancing some kind of barrier to protect a historic resource from damage from natural sources, such as wind, rain, snow, hail, surface water, ground water, sunlight, insects, bacteria, fungi, etc. The barrier may be an existing element of the resource itself, such as the roof of a building, a secondary barrier, such as a canopy constructed over an archaeological site or a retaining wall, a coating material, such as paint or varnish, a chemical treatment, such as a water-repellent penetrant solution applied to wood or stone, a windbreak, such as a row of trees, etc.

The selection of appropriate methods can be problematic, since any obvious alteration or addition will affect the historic integrity of a resource, and "invisible" methods that enhance the resource's ability to withstand the elements are sometimes not as effective. A combination of approaches is often employed to produce an adequate level of protection without significantly compromising historic integrity.

Protection from Human Intervention

This approach generally involves restricting human access, or controlling the type, time, or rate of access to a property, with the idea of reducing vandalism, undue wear and tear, or compromising the feeling of a setting. This could involve constructing barriers, such as fences or walls, periodic or constant monitoring, alarm systems, closing off certain areas of a property during certain time periods, etc. Unfortunately, human access will be difficult to control for many of the properties in this report, simply because of the extent and relatively uninhabited state of much of the area, combined with the many possible means of entering and exiting the area. For more sensitive or valuable properties, fences may be the best solution.

A tall security fence is more effective, but it may significantly compromise the setting and feeling of a property and reduce its interpretive value, whereas a low, traditional fence will be less obtrusive and will control access by most reasonable individuals, but will not stop a serious vandal or thief. The nature of some of the properties in this report is such that they would not tend to attract miscreants, but others, such as a historic house or building, may be quite prone to vandalism. The complete restoration of a feature is not often recommended unless adequate security measures can be taken to protect it.

Structural Stabilization

This approach involves evaluating the structural integrity of a property, identifying any related structural problems, and implementing the necessary repairs or stabilization treatments in a historically correct manner, with the goal of maintaining or attaining an adequate level of structural stability. Structural stabilization work overlaps with hazard mitigation work, insofar as a lack of structural integrity may result in a potentially hazardous situation. For all but the simplest structures, the evaluation and planning stages should involve a qualified individual or organization, such as a structural engineering firm.

Whenever possible, structural stabilization work should be handled in a manner that does not limit a structure's potential for future restoration or adaptive reuse. This means that repair or replacement work should avoid compromising the historic integrity of a structure, and that reinforcement work, with the possible exception of permanent hidden reinforcements, should be reversible/removable without causing any significant damage to the structure.

Stabilization efforts tend to apply more to structural or protective elements of a structure than to finish or cosmetic elements, which often fall into the "restoration" category. However, an improvement in aesthetics and other aspects of historic integrity is often a secondary result of structural stabilization work.

Replace, Reinforce, or Repair?

Damaged or deteriorated components that are critical to structural integrity are high-priority elements. More often than not, these should be replaced or reinforced, although sometimes a structural element can be repaired to its original strength without adding external reinforcing members (this should be approached carefully, since many types of repairs do not restore original levels of structural strength, and their application is often irreversible). Some factors to consider when deciding whether to replace, reinforce, or repair structural elements are listed below. These guidelines factor in an underlying premise of maintaining maximum historic integrity while not limiting future restoration or adaptive reuse options.

Replacing Weakened Components

Replacing a damaged or deteriorated structural component generally requires more effort than reinforcement, although the results are often more satisfying from the perspective of maintaining historic integrity.

Replacement components should be duplicates, made of the same materials, with the same finish, and exhibiting the same type and quality of workmanship as the original. They should also produce the same design strength as the original. Components that are highly visible or represent important design elements would merit a greater effort to make accurate duplicates.

If a damaged structural element is unique and historically significant in and of itself, a reasonable option may be to leave it in place, in which case it should either be repaired or reinforced to bring it back to its original design strength. Replacement is still an option, although this would typically require that the original component be placed in an appropriate repository, such as a museum collection, to protect the item and allow its use in research or public education.

Reinforcing Weakened Components

Reinforcement is a very common approach in stabilization work, since it usually involves less effort than replacement. However, there are several factors to consider before proceeding with reinforcement work, such as whether to use visible or invisible reinforcement, or whether the reinforcement should be permanent or temporary.

Any kind of visible reinforcement to a weakened structural element will alter the form of a structure and compromise its historic integrity of design, workmanship, materials, setting, and feeling to some degree. On the other hand, visible reinforcement is a viable option under certain circumstances, such as for emergency stabilization or for interim stabilization until some future date when the original component may be repaired or replaced with an exact duplicate. There may also be some circumstances, as previously mentioned, when a structural element is historically significant in its own right, and where it is desired that the original component remain in place and undisturbed, in which case a visible reinforcement may be applied as either a temporary or permanent measure. In most cases, a visible reinforcement should be applied in a reversible manner that will facilitate its removal at a later date with only minimal damage (if any) to original components. Invisible reinforcement of a visible structural element is another option (refer to "Repairing Weakened Components," below).

Reinforcement is also a viable long-term or permanent option for hidden structural elements, such as wall studs that are permanently covered with wall materials, or floor joists that are covered by floor and ceiling materials. While not totally correct as a permanent measure from the standpoint of historical integrity, it is still a common approach that allows more effort and money to be directed to the more visible aspects of a stabilization or restoration project.

Repairing Weakened Components

Any repair of a weakened structural element should return the element to its original design strength, although this is often difficult to accomplish without reinforcement. There are numerous consolidants and fillers available, such as epoxy resins, polyurethanes, etc. that are quite strong, especially when impregnated with reinforcing fibers. However, these materials seldom impart the original tensile, shear, or bending strength to a structural element unless used in conjunction with some additional reinforcing material, such as fiberglass cloth, kevlar, carbon fiber, steel, etc. When repairing a damaged or deteriorated structural component, any permanent repair work should be invisible or at least unobtrusive, and should not significantly compromise the historic integrity of the component.

Invisible reinforcement is a common approach for repairing weakened structural elements, although it often requires specialized tooling and construction skills. One example of this would be the internal reinforcement of an intricately carved wooden banister, using a high-strength insert that runs the length of the banister. This would require boring a hole lengthwise through the component or cutting a channel in a

manner that the channel could be filled in a nearly undetectable fashion after installing the insert. If properly executed, this kind of repair can often create greater-than-original structural strength.

Repairs can be temporary or permanent. Temporary repairs are less of a concern from the standpoint of historic integrity, but are more demanding in terms of reversibility with minimal or no damage to the repaired component. Permanent repairs should be designed to last for at least the normal expected lifespan of the original component when it was new, and in most cases should be as undetectable as possible. There are occasional exceptions to this visibility guideline, depending on the philosophy of the parties involved. For example, when repairing a historically significant and unique component (one that has historical significance in and of itself), some individuals or organizations may opt for using a repair material of a contrasting tone for filling holes or damaged areas, in order to distinguish the original portion of the panel from the repaired areas.

Generally speaking, due to the time and expense involved, repairing a component rather than replacing or reinforcing it tends to fall into the restoration category, although it is often used in situations where stabilization work is intended to be long-term or permanent and no restoration work is planned for the future.

TREATMENT PLANS – FLAGSTAFF MOUNTAIN RESORT PROPERTIES

The guiding factor in the design and selection of treatment plans for a historically significant resource is the need to "preserve" a resource, either by physically preserving or restoring the resource itself, or by documenting the resource prior to its disposal or alteration. This underlying philosophy helps ensure that the resource—or the knowledge to be gained from it—is not lost to society. Treatment plans can range from "no-action" through various levels of stabilization work to total restoration or adaptive reuse of a resource. They may also involve demolition, relocation, documentation, or interpretation of a resource.

There is typically a wide range of viable treatment options for any given historic property. Some options may prove more practical than others, depending on many different variables. There are always a number of logistical factors, such as financial resources, time limitations, availability of materials and skilled labor, legal issues, ownership issues, zoning requirements or limitations, etc. There are also a variety of important factors to consider that relate to the property itself.

For example, some typical factors to evaluate when considering stabilization work include:

- The historical significance and interpretive value of a resource.
- The community's level of interest in a resource.
- Any imminent threats to a resource.
- The remaining physical integrity of a resource and whether or not stabilization is feasible.
- The archaeological potential of a resource.
- The resource's potential for later restoration or adaptive reuse.
- The ability to monitor and maintain the integrity of a resource after stabilization.
- Any issues relating to hazard mitigation, damage avoidance, vandalism prevention, etc.

As another example, when considering the restoration or adaptive reuse of a historic resource, there are several prerequisites that will help assure a successful long-term outcome, including:

- Adequate historical significance and interpretive value.
- An adequate increase in value to the community as the result of restoration or adaptive reuse.
- A mechanism for periodic inspection, continual maintenance, and appropriate repair work.
- A source of continued funding, labor, or other resources for inspection, maintenance, and repairs.
- An effective security plan to control access, monitor disturbances, and prevent abuse.
- An established individual or body with authority over the historic resource.
- An adaptive reuse plan that allows an adapted resource to serve a viable, long-term purpose.

There are many viable treatment options for the historic properties in the Flagstaff Mountain Resort area. As with other historic resources, some options may not prove practical under certain circumstances. Until long-term plans are designed or selected for these properties, a recommended conservative approach would be to stabilize certain historic features that are structurally unsound or rapidly deteriorating. By solidifying and protecting these features, a variety of future treatment choices will remain open.

Table 2 lists the historic properties described in this report and shows both viable and recommended treatment options for those properties. "YES" indicates an option that is recommended at the time of this writing. "NO" indicates that an approach is not recommended or viable at this time. "Viable" indicates that an approach may be viable, but is not necessarily recommended at this time. "?????" indicates that not enough data is available to make a recommendation, or the potential success of a treatment option is unknown. Circumstances affecting the viability or practicality of these options are subject to change.

Table 2 – Treatment plan matrix for historic properties

Key: YES = Recommended; NO = Not recommended or viable; Viable = Viable option; ??? = Unknown at this time or lack of adequate data

Property or Feature	Demolition	Relocation	Site Clean-Up	Hazard Mitigation	Documentation	Stabilization	Restoration	Adaptive Reuse	Interpretation
Ontario Mine Shaft No. 3 Site									
Ontario Mine Shaft No. 3 (page 39)	NO	NO	???	YES	Viable	Viable	???	???	YES
Ontario Mine Shaft No. 3 Waste Dump (page 41)	Viable	NO	???	???	Viable	Viable	NO	???	YES
Silver Mine Adventure (page 42)	Viable	???	???	???	Viable	???	N/A	Viable	???
Water Tanks (page 43)	Viable	Viable	???	YES	Viable	YES	Viable	???	YES
Judge Mining & Smelting Co. Site									
Anchor (Daly-Judge) Drain Tunnel (page 49)	NO	NO	YES	YES	Viable	YES	???	???	YES
Judge Mining & Smelting Company Office (page 51)	Viable	???	YES	YES	Viable	YES	Viable	Viable	YES
Explosives Bunker (page 59)	Viable	???	???	???	Viable	Viable	Viable	Viable	YES
Modern Shed (page 61)	Viable	Viable	???	???	Viable	???	N/A	Viable	???
American Flag Mine Site									
American Flag Mine Waste Dump (page 63)	Viable	NO	???	???	Viable	???	NO	???	YES
Daly Mine Site									
Daly Mine Shaft No. 1 and No. 2 (page 67)	Viable	NO	???	???	Viable	Viable	NO	???	YES
Daly-West Mine Site									
Daly-West Mine Headframe and Shaft (page 70)	NO	NO	???	???	Viable	Viable	Viable	???	YES
Daly-West Mine Hoist Shack (page 72)	NO	???	???	???	Viable	???	N/A	???	Viable
Daly-West Mine Fire Hydrant Shacks (page 73)	Viable	Viable	YES	???	Viable	YES	Viable	Viable	YES
Rock Retaining Wall (page 75)	Viable	NO	???	???	Viable	YES	???	???	Viable
Daly-West Mine Waste Dump (page 77)	Viable	NO	???	???	Viable	???	NO	???	YES
Quincy Mine Site									
Quincy Mine Hoist Plant (page 79)	Viable	Viable	YES	YES	Viable	YES	???	???	YES
Quincy Mine Shaft (page 83)	Viable	NO	???	???	Viable	???	NO	NO	YES
Quincy Mine Waste Dump (page 84)		NO	???	???	Viable	Viable	NO	???	YES
Rock Retaining or Foundation Wall (page 85)	Viable	NO	???	???	Viable	Viable	???	???	Viable
Little Bell Mine Site									
Little Bell Mine Ore Bin (page 88)	Viable	Viable	???	YES	Viable	YES	Viable	???	YES
Little Bell Mine Waste Dump (page 94)	Viable	NO	???	???	Viable	???	NO	???	YES

Property or Feature	Demolition	Relocation	Site Clean-Up	Hazard Mitigation	Documentation	Stabilization	Restoration	Adaptive Reuse	Interpretation
Diamond-Nemrod Mine Site									
Diamond-Nemrod Mine Waste Dumps (page 97)	Viable	NO	???	???	Viable	Viable	NO	???	YES
Timbers (page 98)	Viable	Viable	???	???	Viable	Viable	NO	Viable	???
Anchor (Daly-Judge) Mine Site									
Anchor Mine Waste Dump (page 101)	Viable	NO	???	???	Viable	Viable	NO	???	YES
White Pine Mine Site									
Log Structure (page 105)	Viable	Viable	YES	YES	Viable	YES	Viable	???	YES
White Pine Mine Waste Dumps (page 103)	Viable	NO	???	???	Viable	???	NO	???	YES
Flagstaff Mine Site									
Flagstaff Mine Shaft (page 111)	Viable	NO	???	???	Viable	???	NO	NO	YES
Flagstaff Mine Waste Dumps (page 113)	Viable	NO	???	???	Viable	Viable	NO	???	YES
Naildriver Mine Site									
Naildriver Mine Waste Dump (page 115)	Viable	NO	???	???	Viable	Viable	NO	???	YES

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From: [Sandra Morrison](#)
To: [Hannah Tyler](#)
Cc: [Bruce Erickson](#); [Matt Dias](#); [Sally Cousins Elliott](#)
Subject: Flagstaff mine structures
Date: Friday, November 1, 2019 5:16:13 PM
Attachments: [List of Mine Structures.docx](#)

Hannah, Bruce and Matt

Thank you for the meeting yesterday and listening to all our concerns.

I've attached the list of Historic Mine structures and estimated costs – some are from actual estimates (like the Daly West Headframe from Anya and Mayor Thomas) and some are based on our 5 year experience from working with contractors on other similar structures.

I did forget to mention preservation easements that were also promised in the Annexation Agreement.

See you at Council on Thursday

Sandra

List of Mine Structures Identified in the Flagstaff Annexation Agreement:

Ontario Mine Water tank	\$ 60,000
Judge Mining & Smelting Office 3,200sq ft x 100	\$350,000
Explosives Bunker	\$ 40,000
Daly West Headframe	\$230,000 (not including new fence)
Daly West fire shacks x 3 @ \$20,000 each	\$ 60,000
Log structures x 2 @ \$20,000 each	\$ 40,000
Judge Mine complex: Wooden house	\$ 95,000
Pump house	\$ 75,000
Alliance Steel building	\$150,000

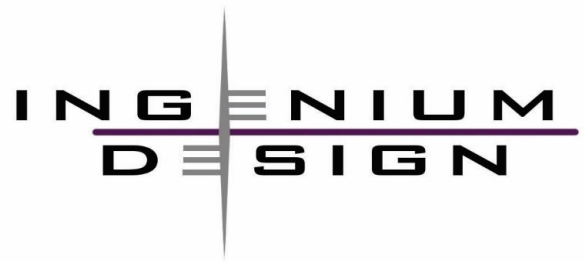
Lower Priority since stabilization recently occurred

Little Bell Ore bin

Judge Loading station

Judge Aerial Tram Towers \$ 30,000 (two still need work)

\$1,150,000



October 9, 2019

JUDGE BUILDING STABILIZATION
19.077

DOUGLAS OGILVY
Empire Pass EPMOA
Park City, UT

RE—STRUCTURAL FINDINGS & RECOMMENDATIONS

DEAR DOUGLAS—

This letter summarizes the findings of our structural observations and calculations for the Judge Mine Office Building. We visited the structure on October 13, 2019 and visually observed the condition of the building and took dimensional field measurements.

Based on our observations and calculations, we have prepared roof repair drawings. These address missing, broken, and overstressed wood purlins and decking. The structural steel trusses have adequate capacity.

The walls on the south end of the structure are tipping towards the west. It appears the soil build up on the east side is pushing the east wall, which is then pushing the west wall by way of the trusses. Because the east wall may be stabilizing the slope, we do not recommend removing the soil in this area, unless a geotechnical engineer assess the slope stability. Additionally, it is unclear if the walls are continuing to move. We therefore recommend monitoring the movement of the walls each year. This can be done by a surveyor, or someone with the necessary knowledge and skill. If the walls show movement over 2-3 inches at the top, we can develop a repair plan.

There is a small, overhang on the west side of the building. The concrete has been eroded here. We do not recommend repair currently, as the concrete is hard in the wall that remains, and the roof framing cantilevers sufficiently to carry the roof loading.

Respectfully,

Paul W. McMullin, SE, PhD
Structural Engineer



GENERAL STRUCTURAL NOTES

A— GENERAL

- 1) Bring conflicts or omissions in the plans and specifications to the immediate attention of the Engineer.
- 2) By submission of bid, the contractor shall acknowledge acceptance of the contract documents as adequate definition of the scope of work. Contractor shall familiarize themselves with all contract documents and conduct a complete field survey. Change orders based on inadequate scope definition will not be accepted.
- 3) Written approval is required for any change to the work. Change approval does not constitute approval of a change order.
- 4) Shop drawing review does not relieve the Contractor, Fabricator, Erector, or other supplier from completing the work in accordance with the plans and specifications.
- 5) Do not scale drawings.
- 6) The Contractor is responsible for means, methods, procedures, techniques and sequences.
- 7) Perform all work in accordance with owner, local, state, and federal safety requirements.
- 8) Time material delivery to ensure uninterrupted work.
- 9) Keep all materials off the ground and protect them from deterioration.
- 10) Do not cut any structural member without written approval from the Structural Engineer.
- 11) Plan installation of new work and any modification of existing work to ensure minimal interference with facility operation. All system shutdowns shall be coordinated with the owner.

B— QUALITY CONTROL

- 1) Report any non-conforming work immediately to the Contractor and Structural Engineer.
- 2) Construct work in a thorough, workmanlike manner, according to the plans and specifications.
- 3) The owner, or owner's agent, shall reject any sub-standard work or material at their sole discretion.
- 4) Check all dimensions and verify all field conditions and existing equipment locations prior to ordering materials or starting work.
- 5) Contractor shall ensure quality of work through in-house means or by hiring a third party.
- 6) Owner shall engage a third party to inspect and test work indicated in the sections below.
- 7) Special inspectors shall be qualified and demonstrate competence to the satisfaction of the building official or owner.
- 8) Distribute inspection and testing reports to the Owner, Contractor, Engineer, and jurisdiction when required, within 5 working days.
- 9) Correct any non-conforming work before continuing with dependent work.
- 10) Observation of construction work by Ingenium Design is not for approval or special inspection.

C— BASIS OF DESIGN

CODES	ASCE 7-16
The intent of this project is solely to stabilize the roof structure. It does not bring the structure to a condition that makes it inhabitable.	
RISK CATEGORY	I

SNOW LOADS	
Importance Factor <i>I_s</i>	0.80
Ground Snow Load <i>p_g</i>	180 lb/ft ²
Exposure Factor <i>C_e</i>	1.0
Thermal Factor <i>C_t</i>	1.2
Flat Roof Snow Load <i>p_r</i>	121 lb/ft ²
Sloped Roof Snow Load <i>p_s</i>	73 lb/ft ²

D— TIMBER

Conform to the latest edition of the following—
National Design Specification for Wood Construction (NDS)
Manual for Engineered Wood Construction
ASTM D5456 Standard Specification for Evaluation of Structural Composite Lumber Products
AITC A190 American National Standard for Structural Glued Laminated Timber
ASTM AD3737 Standard Practice for Establishing Allowable Properties for Structural Glued Laminated Timber
AWPA U1 and M4

D.1 MATERIALS

FRAMING MEMBERS			
	Type	Species/MOE	Grade
SAWN LUMBER			
	Dressed Lumber	DF	No. 2
	5x and greater	DF	No. 1
	Studs	DF	Stud
	Blocking/Misc	DF	No. 2
	LVL	2.0 E	F _b =2,750 lb/in ²
	Pressure treat, or wrap in tar paper, timber in contact with concrete, masonry, or soil		

OTHER MATERIALS

Structural Panels	Typical	Exposure 1
	Outside	Exterior
	High Humidity	Exterior
Wood Bolts		ASTM A307
Connection Plate		ASTM A36
Proprietary Metal Plate Connectors		Simpson™ or approved equal
Nails	All nails sizes are common	
Galvanize	Exterior steel	
	Steel in contact with pressure treated lumber	

D.2 CONSTRUCTION

FRAMING	
Coordinate openings with other trades	
Fasteners	Nail as indicated in the plans Follow the IBC minimum nailing requirements where not indicated

STRUCTURAL PANELS

Orientation		Orient long panel dimension perpendicular to framing members
Blocking		Block roof and floor panels where indicated
		Block all wall panels
Nailing	Min spacing, 6" at edges, 12" in field	
Gap		1/8" between panels
		1/2" at wall/roof edges

D.3 QUALITY

INSPECTION	
Construction	Construction follows the plans and specifications
Grade Stamps	Material has grade stamps indicating conformance with the specified material grades above
nd anchor placement	

E— POST INSTALLED ANCHORS

E.1 STANDARDS

Conform to the latest edition of the following—
ACI Manual of Concrete Practice
ACI 301 Specifications for Structural Concrete
ACI 318 Building Code Requirements for Structural Concrete and Commentary
ACI 355.2 Qualification of Post-Installed Mechanical Anchors in Concrete and Commentary
ACI 355.4 Qualification of Post-Installed Adhesive Anchors in Concrete and Commentary

E.2 MATERIALS

CONCRETE ADHESIVE ANCHORS	Standard	Type
Threaded Rod	ASTM F1554	Gr 36, GALV
Adhesives		
Hilti	ICC-ES-ESR-3814	HIT-RE 500 V3
Simpson	ICC-ES-ESR-2508	SET-XP
	IAPMO UES ESR-263	AT-XP

E.3 CONSTRUCTION

- 1) Use post-installed anchors only where specified in details, or approved in writing.
- 2) Do not substitute post-installed anchors for cast-in-place anchors unless approved in writing for the specific condition.
- 3) Alternate manufacturers must be approved in writing by the Structural Engineer prior to use. Alternate submittals must provide minimum capacities equal to or greater than those listed above.
- 4) Install anchors in strict accordance with ICC Evaluation Reports and manufacturers recommendations.
- 5) Concrete must be 21 days old before installation of adhesive anchors.
- 6) Holes in unreinforced masonry shall be drilled with the hammer function off.

E.4 QUALITY

- 1) Provide special Inspection according to the ICC Evaluation Report and IBC.
- 2) Test 50% of non-redundant anchors (column, brace, boundary elements, hold-downs) and 10% of redundant elements.
- 3) Test anchors to the following loads.

CONCRETE ADHESIVE ANCHORS TENSION TEST VALUES			
Bar Size	Anchor Diameter (in)	Embedment (in)	Test Force (pounds)
#3	3/8	6	3,500
#4	1/2	6	7,500
#5	5/8	8	11,000
#6	3/4	9	15,000
#7	7/8	11	20,000
#8	1	12	26,000
#9	1 1/8	14	31,000
#10	1 1/4	16	35,000

For embedments shorter than those listed, reduce the test force by the ratio of the actual embedment to embedment listed above

F— ABBREVIATIONS

(E)	Existing	HD	Hold Down
AA	Adhesive Anchor	HORIZ	Horizontal
AB	Anchor Bolt	HAS	Headed Stud Anchor
ABV	Above	HVY	Heavy
ADDIT	Additional		
ALT	Alternate	ID	Inside Diameter
		INT	Interior
B/	Bottom of		
B/B	Back to Back	JST	Joist
BLK	Blocking	JT	Joint
BM	Beam		
BN	Boundary Nail	K	kip
BOTT	Bottom	LB	pound
BP	Base Plate	LVL	Laminated Veneer
BRCG	Bracing		Lumber
BRG	Bearing	LW	Lengthwise
BTWN	Between		
		MAX	Maximum
c/c	Center to center	MIN	Minimum
CANT	Cantilever	MISC	Miscellaneous
CJ	Control Joint		
CJP	Complete Joint	NS	Near Side
		NTS	Not to Scale
CL	Centerline		
COL	Column	oc	On Center
CONC	Concrete	OD	Outside Diameter
CONN	Connection	OH	Opposite Hand
CONT	Continuous	OPP	Opposite
CONTR	Contractor	OSB	Oriented Strand Board
CTR	Center		
CW	Crosswise	PC	Piece
		PEN	Penetration
DBA	Deformed Bar Anchor	PERP	Perpendicular
DBL	Double	PL	Plate
DCW	Demand Critical Weld	PLF	Pounds per Foot
DET	Detail	PNL	Panel
DIA	Diameter	QTY	Quantity
DIAG	Diagonal		
DIM	Dimensions	R	Radius
DWG	Drawing	REF	Reference
		REINF	Reinforcing
		REQ	Required
EA	Each		
EF	Each Face		
EW	Each Way	SCHD	Schedule
EXT	Exterior	SECT	Section
φ	Diameter	SHTG	Sheathing
		SIM	Similar
FLG	Flange	SP	Spaced
FLR	Floor	SS	Stainless Steel
FND	Foundation	STD	Standard
FS	Far Side	STIFF	Stiffener
FTG	Footing	STL	Steel
FV	Field Verify	SW	Shear Wall
		SYM	Symmetrical
ga	Gage		
GALV	Galvanize	T & B	Top and Bottom
GLB	Glue-Lam Beam	T/	Top of
GMN	General Mech Notes	Thru	Through
GRT	Grout	TYP	Typical
GSN	General Struct Notes		
		UN	Unless Noted
		VERT	Vertical
		W/	With

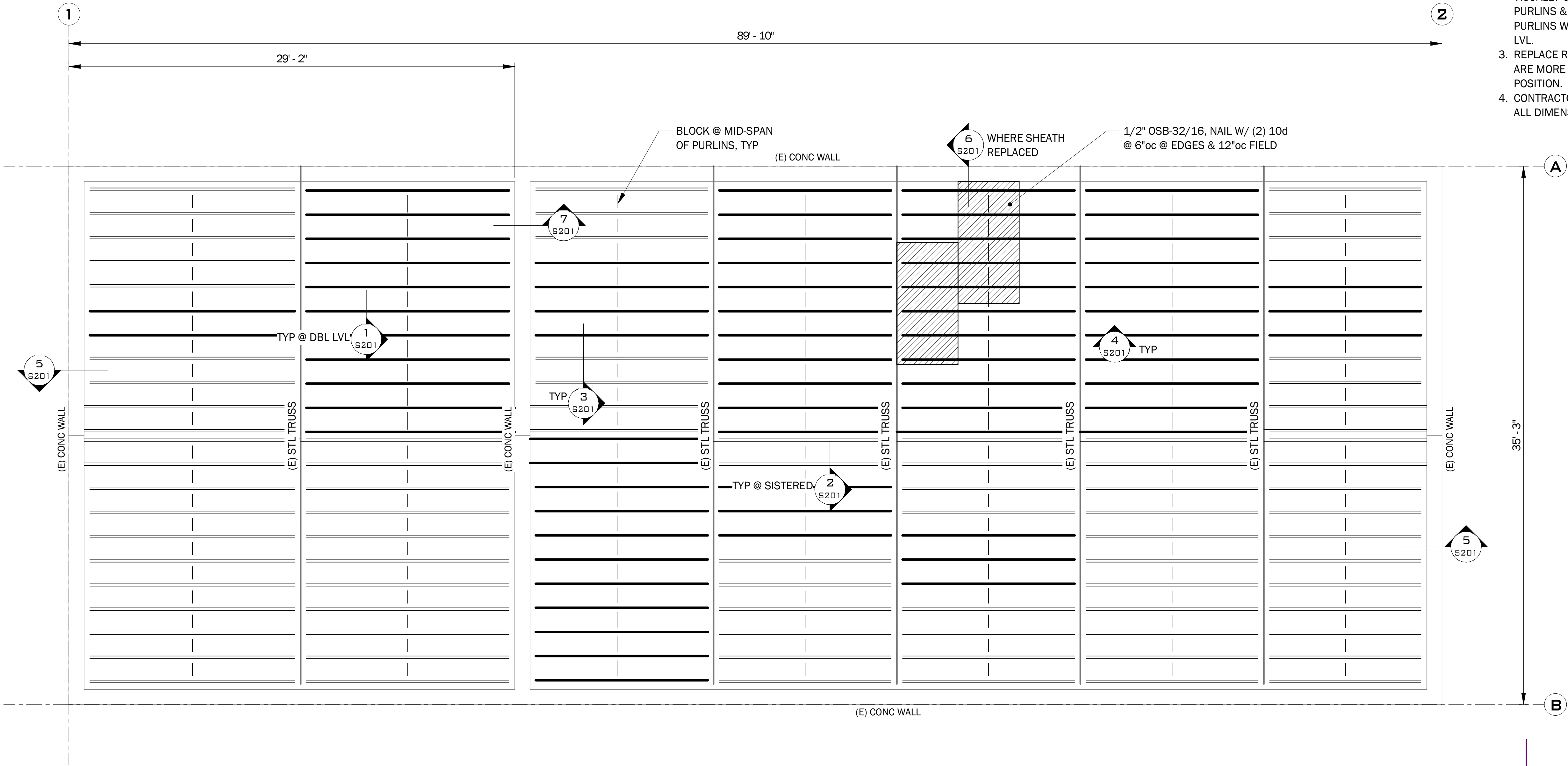
GENERAL STRUCTURAL NOTES

JUDGE ROOF STABILIZATION

JUDGE MINING & SMELTING BUILDING,
EMPIRE PASS (DEER VALLEY, UTAH)

THIS IS A PRELIMINARY DESIGN.
THIS DRAWING IS THE INTELLECTUAL PROPERTY OF INGENIUM DESIGN. ITS
USE IS LIMITED TO THE INDICATED PROJECT. NON-PAYMENT FOR SERVICES VOIDS ITS USE.
NOT APPROVED FOR CONSTRUCTION UNLESS SEALED AND HAS A NUMERIC REVISION NUMBER. DESTROY
ALL PRINTS BEARING AN LARGER DATE OR REVISION

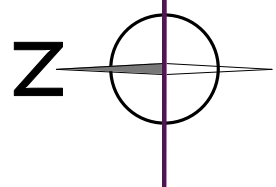
PROJECT #: 19_077
PRELIMINARY
DATE: 2019-10-8
DRAWN: M. GUSTAFSON
ENG: P. McMULLIN
PHONE #: 801.413.7672



PLAN NOTES & LEGEND	
	(2) 1 3/4"x5 1/2" LVL NAILED TOGETHER
	(E) 2 1/2"x5 1/2" TIMBER NAILED TO (1) 1 3/4"x5 1/2" LVL

- | NOTES |
|--|
| 1. CONTRACTORS BID TO CLEARLY INDICATE QUANTITY OF JOISTS TO BE REPLACED & JOISTS STRENGTHENED. PROVIDE UNIT COST FOR EACH. |
| 2. JOIST REPAIR QUANTITY IS BASED ON FIELD OBSERVATIONS FROM THE GROUND. CONTRACTOR TO VISUALLY OBSERVE ALL (E) PURLINS & REPLACE ANY BROKEN PURLINS WITH (2) 1 3/4"x5 1/2" LVL. |
| 3. REPLACE ROLLED PURLINS THAT ARE MORE THAN 15° OUT OF POSITION. |
| 4. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS. |

1 ROOF FRAMING PLAN
S200 1/4" = 1'-0"

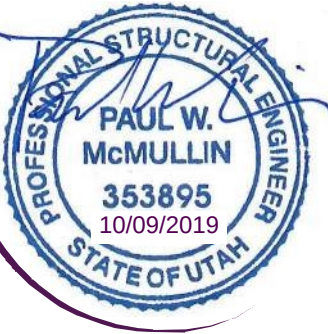


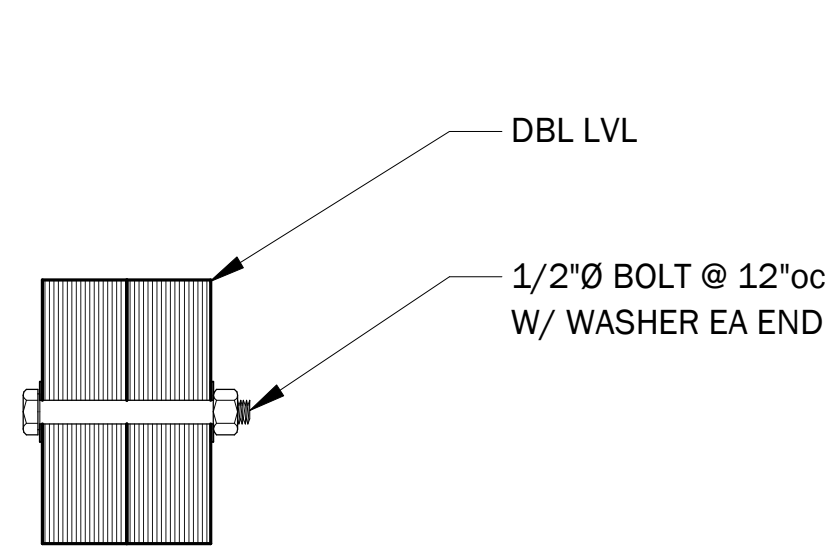
ROOF FRAMING PLAN
JUDGE ROOF STABILIZATION
JUDGE MINING & SMELTING BUILDING,
EMPIRE PASS (DEER VALLEY, UTAH)

DESIGN BY: INGENIUM DESIGN
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ALL PRINTS BEARING AN EARLIER DATE OR REVISION

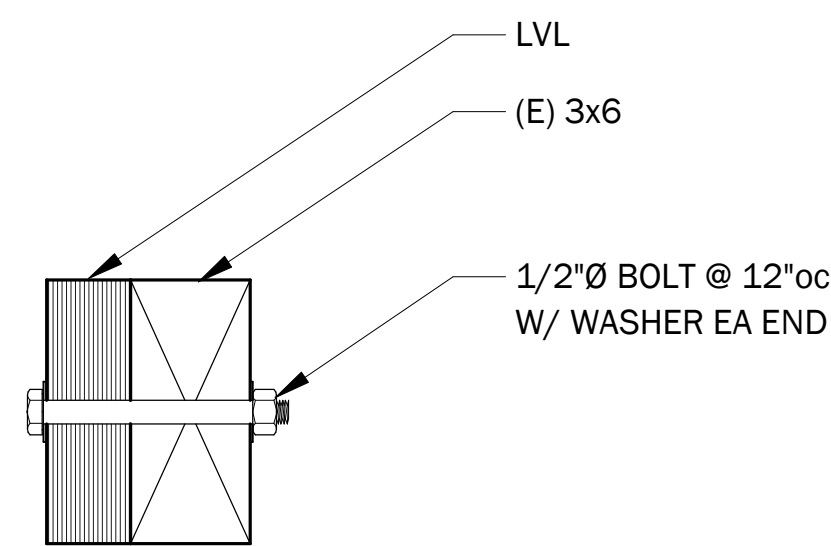
REV	DESCRIPTION	DATE	BY
0	FOR CONSTRUCTION	2019-10-8	M. GUSTAFSON

PROJECT #: 19_077
PRELIMINARY
DATE: 2019-10-8
DRAWN: M. GUSTAFSON
ENG: P. McMULLIN
PHONE #: 801.413.7672

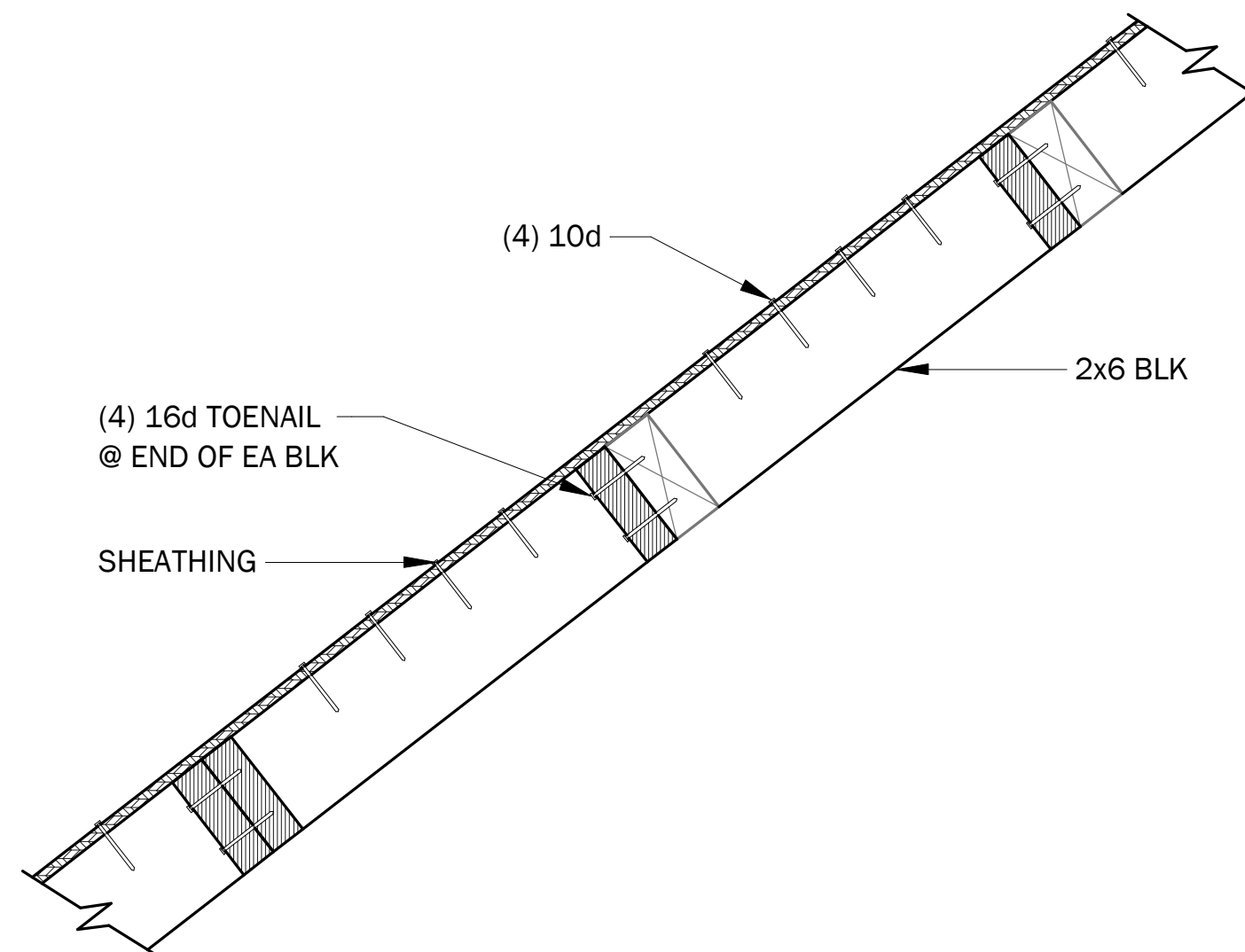




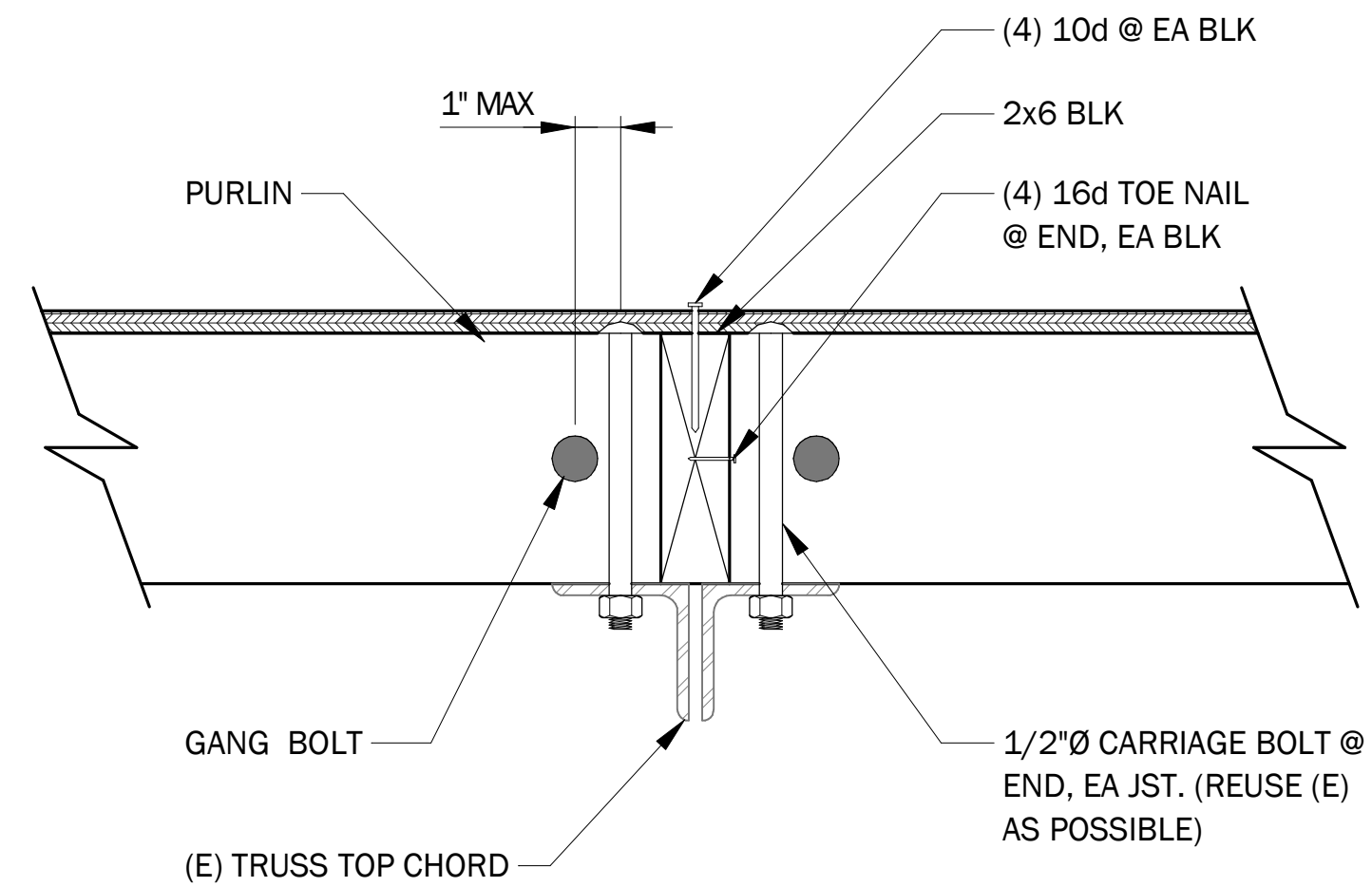
1 GANG @ DOUBLE LVL
S201 NO SCALE



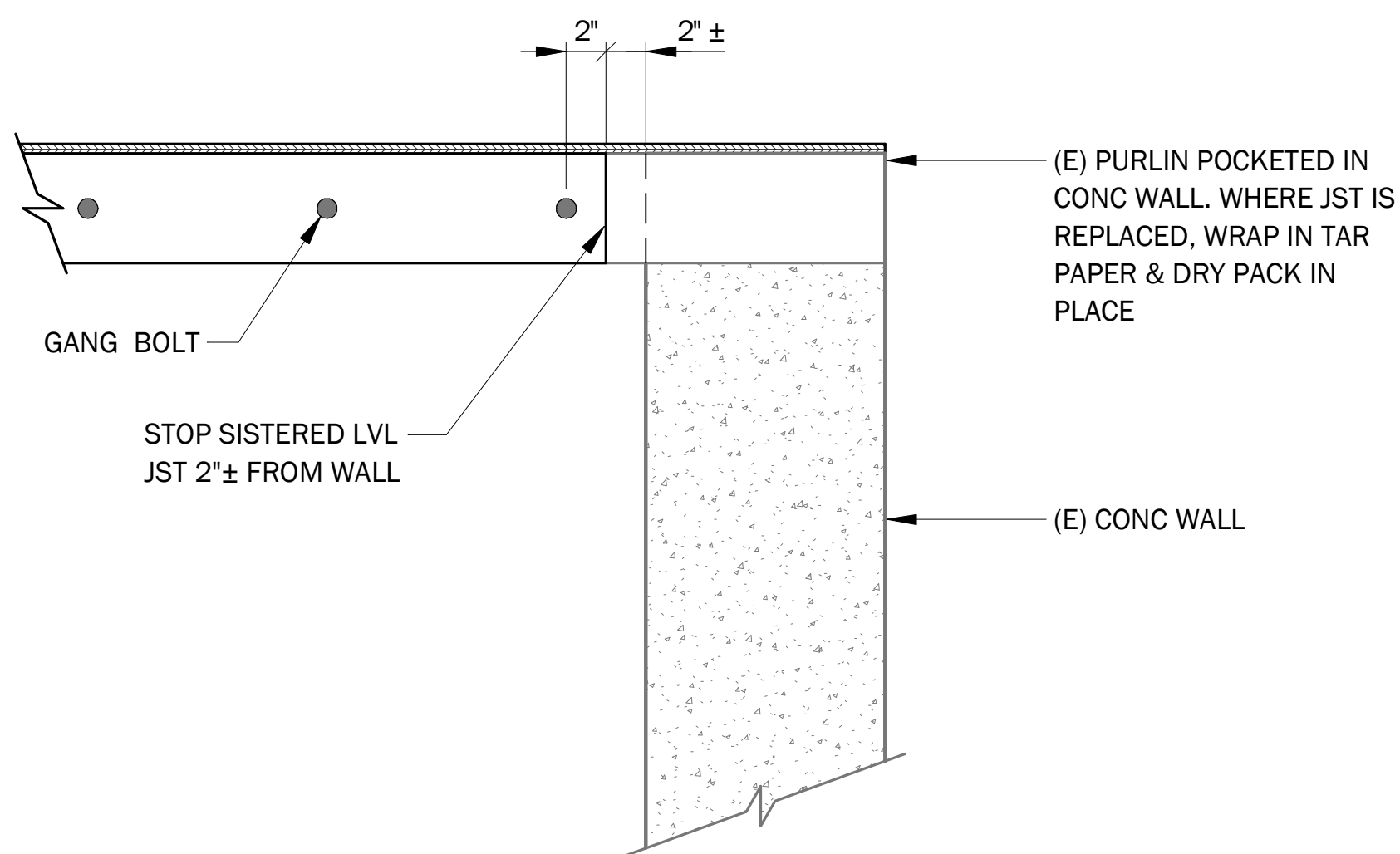
2 SISTER GANG DETAIL
S201 NO SCALE



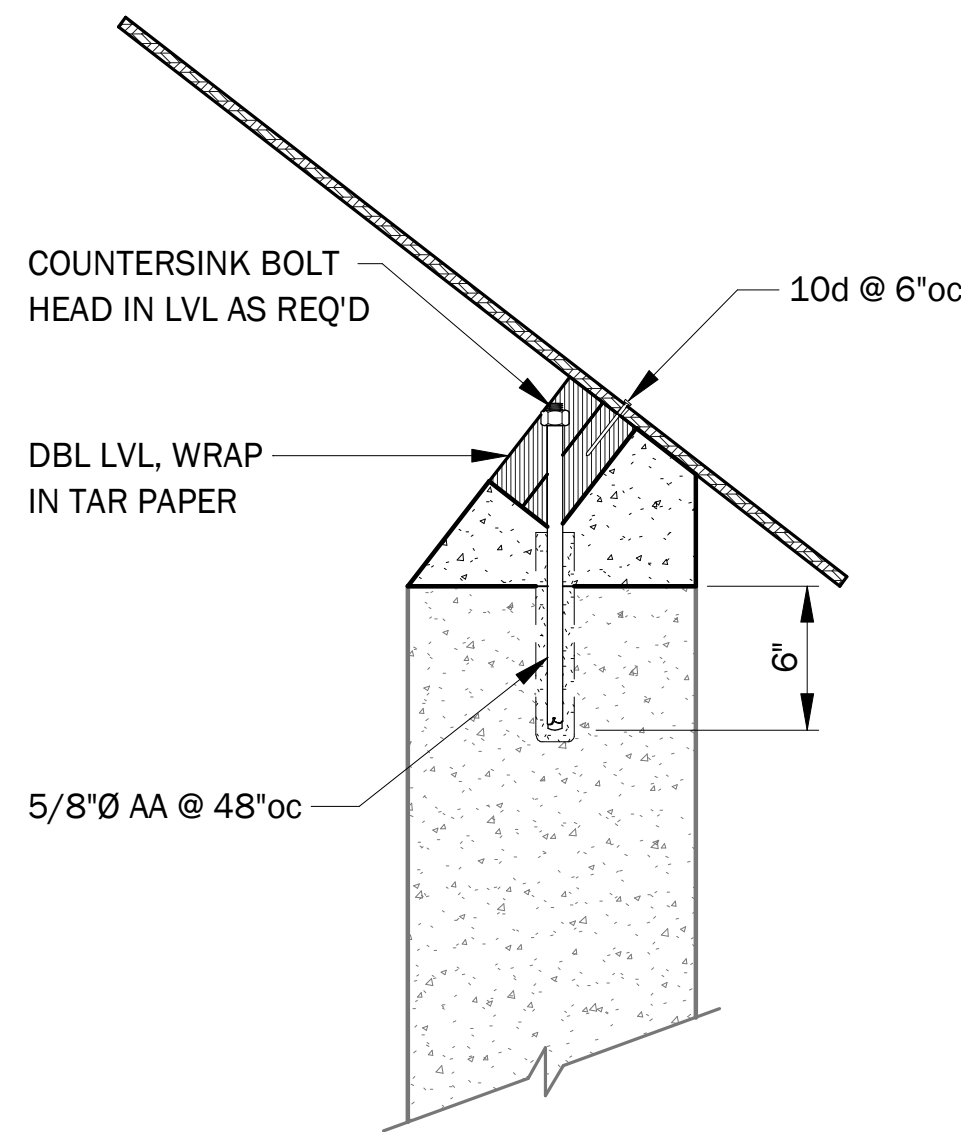
3 TYPICAL BRIDGING
S201 NO SCALE



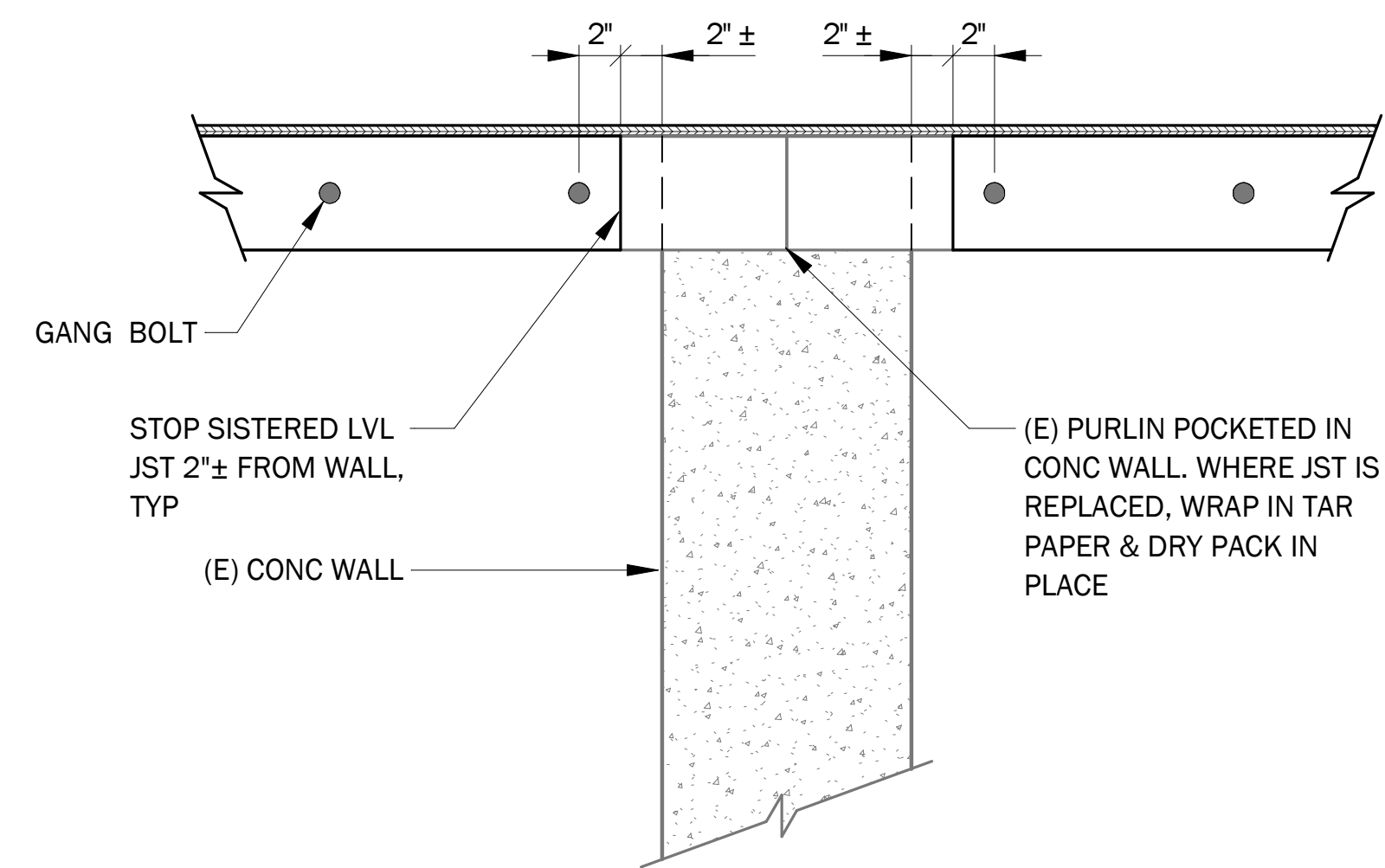
4 PURLIN CONNECTION @ TRUSS
S201 NO SCALE



5 PURLIN PERPENDICULAR TO CONCRETE WALL
S201 NO SCALE



6 JOIST PARALLEL TO CONCRETE WALL
S201 NO SCALE



7 PURLIN PERPENDICULAR TO CONCRETE WALL
S201 NO SCALE



INGENIUM DESIGN FRAMING DETAILS JUDGE ROOF STABILIZATION JUDGE MINING & SMELTING BUILDING, EMPIRE PASS (DEER VALLEY, UTAH)

REV	DESCRIPTION	DATE	BY
0	FOR CONSTRUCTION	2019-10-8	M. GUSTAFSON

PROJECT #: 19_077
PRELIMINARY
DATE: 2019-10-8
DRAWN: M. GUSTAFSON
ENG: P. McMullin
PHONE #: 801.413.7672



BLACKDOG BUILDERS, INC
PO BOX 982755
PARK CITY, UT 84098
OFFICE: 435.649.5252
FAX: 435.649.3638

Mine Building
Past Ontario Mine
Roof Repair Only
Rough Budget Only - Not a Bid or Estimate
10/29/2019

Item	Qty/Hrs	Rate	Total	Description of Work Performed
1000-General				
1000-General:-1000-Chainlink sec	1	\$ 1,500.00	\$ 1,500.00	
1000-General:01-Architectural	0		\$ -	By Owner
1000-General:02-Engineering	0		\$ -	By Owner - Assumes building not being brought to code
1000-General:03-Management Labor - Project Manager	60	\$ 75.00	\$ 4,500.00	
1000-General:0X-Management Labor - Site Supervision	120	\$ 65.00	\$ 7,800.00	
1000-General:05-Permits	0		\$ -	By Owner
1000-General:06-Estimating/Budgeting Labor	16	\$ 75.00	\$ 1,200.00	
1000-General:85-Clean Up Labor	20	\$ 60.00	\$ 1,200.00	
SUBTOTAL 1000-GENERAL			\$ 16,200.00	
SUBTOTAL 1100-EXCAVATION			\$ -	Assumens no excavation needed
1150-Equip Rental				
1150-Equip Rental:10-Scaffold	1	\$ 4,000.00	\$ 4,000.00	Structural Scaffold Rental
1150-Equip Rental:15-Generator	1	\$ 500.00	\$ 500.00	
SUBTOTAL 1150-EQUIPMENT			\$ 4,500.00	
1200-Demolition				
1200-Demolition:05-Labor	240	\$ 65.00	\$ 15,600.00	
1200-Demolition:60-Rolloff/Hauling	4	\$ 500.00	\$ 2,000.00	
SUBTOTAL 1200-DEMOLITION			\$ 17,600.00	
SUBTOTAL 1300/1400-CONCRETE			\$ -	Assumes no Concrete work
1500-Framing				
1500-Framing:01-Labor	360	\$ 65.00	\$ 23,400.00	
1500-Framing:02-Materials	1	\$ 20,000.00	\$ 20,000.00	
1500-Framing:60-Fasteners, Bits, Blades	1	\$ 2,500.00	\$ 2,500.00	
SUBTOTAL 1500-FRAMING			\$ 45,900.00	
SUBTOTAL 1600- DOORS & WINDOWS			\$ -	Assumes not replacing boarded up windows & doors
1700-Roofing				
1700-Roofing:25-Metal	1	\$ 10,500.00	\$ 10,500.00	Repair/Replace 15% of Metal sections
1700-Roofing:General-(No Detail)	1	\$ 5,750.00	\$ 5,750.00	Coat Roof 20% & Seal as Needed
1700-Roofing:General-(No Detail)	1	\$ 3,000.00	\$ 3,000.00	Ice & Water Shield
SUBTOTAL 1700- ROOFING			\$ 19,250.00	
SUBTOTAL 1800-EXTERIORS			\$ -	No Exterior Work Included
SUBTOTAL 3300-LANDSCAPING			\$ -	No Landscape work Included

\$ 103,450.00 **SUB-TOTAL ALL COSTS**

15% \$ 15,517.50 Overhead & Profit

\$ 118,967.50 PROJECT TOTAL



Park City Municipal Planning Department

To:	Sandra Morrison
Address:	P.O. Box 555, Park City, UT 84060
Phone :	345.649.7457
From:	Anya Grahm
Department:	Planning Department
Date:	December 18, 2018
Comments:	GRAMA GR-18-1218

On December 18, 2018, we received a request for 'Three quotes prepared when the Daly-West head frame fell over'. We have included the quotes that were completed in 2015.

Please let me know if you have any questions regarding the materials provided.

Sincerely,

Anya Grahm
Historic Preservation Planner II



GREENE STRUCTURAL ENGINEERING INC.
2091 EAST 1300 SOUTH
SALT LAKE CITY, UTAH 84108
PHONE 1-801-487-9595; FAX 1-801-487-9422.

1/2

ANYA GRAHN 7/7/2015
PARK CITY MUNICIPLE PLANNING DEPARTMENT
445 MARSAC AVE P.O. BOX 1480
PARK CITY UTAH

RE: DAYL WEST HEADFRAME

ANYA:

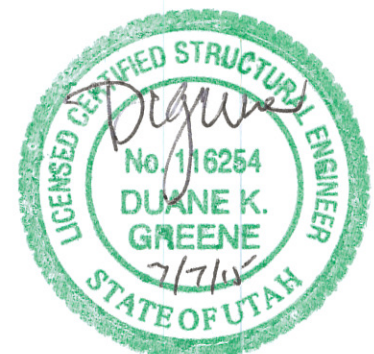
THIS IS THE ESTIMATE OF THE WORK FOR FIXING AND STABALIZING THE HEADFRAME.

AS SHOWN ON THE ENCLOSED STEEL FAB QUOTE	\$90,000.00
ENGINEERING FOR THE HEADFRAAME	\$5,000.00
TOTAL	\$95,000.00

PLEASE CALL IF YOU HAVE ANY QUESTIONS.

YOURS TRULY,

DUANE K. GREENE
GREENE STRUCTURAL ENGINEERING INC
2091 EAST 1300 SOUTH #102
PHONE: 801-487-9595
FAX 801-487-9422
EMAIL: gseinc@qwestoffice.net





PO Box 900235, Sandy, UT 84090-0235
Phone 801-954-8355~ Fax (801)954-8568

TO: **GREENE STRUCTURAL ENGR.**

DATE:

Attn: **DWANE**

Name of Job: **HEADFRAME RESTORATION**

Engineer:

Location: **PARK CITY, UT.**

Bids Open:

Quantity:	Description:	Price
-----------	--------------	-------

We propose to furnish per plans and specifications on the following:

1. CRANE AND MANPOWER TO SHORE UP HEADFRAME,
REMOVAL OF BENT MEMBERS @ BOTTOM TIER.

2. FABRICATION OF NEW MEMBERS,

4- MAIN CORNER COLUMNS. (LATTICE)

1- BOX BEAM GIRDER. (LATTICE)

1- 6" CHANNEL BOX BEAM

1- 5" I-BEAM

WT- ANGLE CROSS BRACING (HORIZONTAL)

WT- VERTICAL CROSS BRACING

1- 5" CHANNEL BEAM (LATTICE)

3. FIELD INSTALLATION OF ABOVE.

4. HOISTING AND SETTING HEADFRAME.

5. SANDBLAST FOR RUSTING. F.O.B. INSTALLED \$90,000.00

ABOVE IS BUDGETARY ESTIMATE BASED ON FIELD INSPECTION.



CALDER RICHARDS

CONSULTING ENGINEERS

July 6, 2015

Anya Grahn
Park City Municipal Planning Department
445 Marsac Avenue
Park City, UT
Transmitted Via Email: anya.grahn@parkcity.org

Reference: **Daly –West Mine Head Frame - Structural Evaluation**
Proposal to Perform Structural Engineering Services

Dear Ms. Grahn,

We are very pleased to submit this proposal for providing structural engineering services for the above referenced project. Our understanding of the project, the scope of work, and the associated fee are outlined below.

Project Description

- Project involves a historic 85 foot tall head frame mine structure that has recently fallen due to the collapse of an underlying mine shaft. Elements of the structure have been compromised due to the fall.
- The current scope is to provide a structural condition assessment of the existing structure and provide general recommendations for repair.
- Rough budget costing for repair and restoration of the structure are also requested.
- This phase of the project will focus on the evaluation to provide enough information for future planning and budgeting. The scope of the work will not include preparing construction documents.

Scope of Services

Investigation Phase

1. Provide an on-site investigation to field measure structural sizes and tower configuration. Review original documentation for the tower that may be available (if any).
2. Perform a visual condition survey to assess and document damaged elements of the structure.
3. Using computer analysis and hand calculations to determine the adequacy of structure and develop recommendations for repair.
4. Review geotechnical investigations that have been prepared for the site.
5. Address the future foundation system that will be required.
6. If needed, coordinate materials testing of the steel structure with an independent testing agency for further consideration.



Anya Grahn
Park City Municipal Planning Department
Daly –West Mine Head Frame - Structural Evaluation
Proposal

Report & Estimated Cost Phase

1. Prepare a brief executive summary report that outlines our findings and recommended repair and support strategies.
2. Prepare schematic plans, elevations and details as needed to determine scope of damage and recommended repairs. Drawings will be reduced size that will be an appendix to the report.
3. Meet with owner to discuss the findings and recommended repairs noted in the report.
4. Provide assistance to the owner in developing estimated costs of repairs for future budgeting.

Proposed Lump Sum Fee: \$ 7,800

Exclusions; Cost of materials testing, if needed is not included

Relative Experience

- Calder Richards Consulting Engineers has completed structural assessment and repairs on many Park City Mining Era Structures. A few notable projects are; **Park City Mines Aerial Tramway Towers & Water Tanks, California Comstock Mine Mill Structure, McPolin Barn Stabilization, and the Historic Watts Garage (High West Distillery) renovation.**
- We are currently working with the Park City Historic Society/Museum on various historic mining structures throughout Park City Resort.

Enclosed you will find my resume outlining my credentials for your review.

We appreciate the opportunity to submit this proposal to you. If you need any clarification or wish to modify the scope in any way, do not hesitate to call.

Sincerely,
Calder Richards Consulting Engineers

Jonathan (JR) Richards, P.E., S.E.



PROPOSAL FOR STRUCTURAL ENGINEERING SERVICES

July 6, 2015

Anya Grahm
Park City
445 Marsac Ave.
Park City, UT

Subject: Daly-West Head Frame Restoration Structural Assessment and Cost Estimate
(p-150948)

Dear Sir or Madam:

We appreciate the opportunity to provide you with a proposal for Structural Engineering services on the above-referenced project. This proposal is based on the phone call we had with you and the document you. Its intent is to provide you with a budgeting number.

PROJECT DESCRIPTION

The project consists of an evaluation of the structure of the Daly-West Head Frame located on Park City, Utah. The existing structure is a 85' tall steel tower built in 1913. The structure recently collapsed and has sustained some damage. ASCE and the IEBC will be the basis for our analysis and design.

The evaluation will include:

- Measure and document the dimensions, materials and steel shapes of the head frame.
- Assess the condition of the head frame
- Assess the structural capacity head frame
- Design a repair for the structure.
- Maintain the historic nature of the structure
- Provide structural drawings of the repair to design development level. (Construction documents would be compiled after a city and historical review as a separate contract)
- A structural report summarizing the findings
- Sahara construction will provide a cost estimate of the proposed work.

EXCLUSIONS

Material testing will be needed to determine the steel type and strength. This will be an owner expense.

PROFESSIONAL FEE

Our fees break down by phase as follows:

Engineering Assessment, Drawings and Report	\$4,300.00
Costs Estimating.....	\$2,500.00
	\$6,800.00

REIMBURSABLE COSTS

Reimbursable costs are in addition to the fees for basic and additional services, and include actual expenditures made by BHB in the interest of the project. They shall be billed at 110% of the direct cost and are payable monthly as incurred. Reimbursable costs include, but are not limited to the following:

1. The cost of reproduction sets of drawings in excess of four sets for client use. The cost of reproducing four sets of construction drawings is included in the basic scope of services. Progress sets of drawings prepared during the various design phases will be provided electronically as PDFs.
2. Hired transportation (rental cars, air fares, etc.).
3. Fees and charges for services contracted on your behalf, such as soil and materials testing.
4. Additional liability insurance, requested by the owner, in excess of that normally carried by a BHB. BHB carries liability insurance for professional errors and omissions of \$2,000,000.00 per incident, \$2,000,000.00 aggregate.

STATEMENTS AND PROGRESS PAYMENTS

1. Throughout the project, BHB will submit monthly statements based upon the percentage of the work completed.
2. Payment shall be due and paid within 60 days of statement date.
3. BHB does not provide project financing, nor is it an expressed condition of this contract that payment be withheld from BHB until a construction loan is funded, or a building permit is issued for the work. BHB will assist, if requested, to help obtain the permit, but its absence shall not stand as a bar against payments due.

EXPIRATION OF PROPOSAL

This proposal will expire if not accepted within 30 days of the date of execution by BHB. Direction to proceed will constitute acceptance of this proposal.

The signing of this proposal by Client and BHB Consulting Engineers, PC (BHB) will serve as written authorization for BHB to proceed with the services described above and the requirements contained in the Terms and Conditions found on the last page of this proposal. Charges to the project by BHB may precede the date of the signing of the Agreement.

Thank you for giving BHB Consulting Engineers this opportunity to submit a proposal for this project. We are eager to be a part of your team on this exciting project. We have attached copies of the resumes of the key personnel that will work on this project. Please do not hesitate to contact us if you have any questions, or require further information.

Sincerely yours,

BHB Consulting Engineers, PC

Accepted By



Brett Goodman
Associate, BHB

Date:

TERMS AND CONDITIONS

Extent of Agreement: This Agreement represents the entire and integrated Agreement between Client and BHB Consulting Engineers, PC (BHB) and supersedes all prior negotiations, representations or agreements, either written or oral, on this phase of the project. This agreement may be altered only by written instrument signed by both Client and BHB. Work beyond the Scope of Services and/or redoing any part of the project through no fault of BHB, shall constitute extra work and shall be paid for on a time and materials basis in addition to any other payment provided for in this Agreement. In the event BHB is prevented from performing its services in whole or in part under this Agreement through no fault of BHB or in the event Client requests BHB to temporarily suspend the rendering of its services, the fee for extra services rendered as a result of such delay shall be those set forth in the hourly fee schedule of BHB in effect at the time the services, as resumed, are rendered. Any fixed price amount shall be negotiated to take into consideration mobilization and demobilization changes applicable to the period when services, as resumed, are in fact being rendered.

Client Information: BHB may rely solely upon the information provided to BHB by Client or its agents and BHB shall have no obligation to verify the accuracy of such information unless otherwise agreed in writing. Client shall indemnify, defend and hold BHB harmless from any and all claims and liability arising, directly or indirectly, from BHB's use of and/or reliance on such information.

Limitation of Liability: Client agrees to limit BHB's liability to Client from BHB's professional acts, errors or omissions such that the total aggregate liability of BHB to all those named shall not exceed ten times the fee value of this Agreement or \$50,000 whichever is less. The Client does not assume any liability for damages to others which may arise solely on the account of BHB's professional acts, errors or omissions. Client agrees to indemnify, defend and hold BHB harmless from any claim, liability or defense cost in excess of the limits determined above for injury sustained by any party from exposure allegedly caused by BHB's performance of services hereunder, except for injury or loss caused by the sole negligence or willful misconduct of BHB. Client shall indemnify BHB, its agents, employees and consultants for liability in excess of the limits stated herein. For purpose of computing liability, liability shall include defense costs and attorney's fees.

Third Party Claims: Notwithstanding any other provisions of this Agreement, the Client agrees, to the fullest extent permitted by law, to indemnify and hold harmless the Consultant, its officers, directors, employees and sub consultants (collectively, Consultant) against all damages, liabilities or costs including reasonable attorneys' fees and defense costs, arising out of architects negligent performance or in anyway connected with this Project, or the performance by any of the parties above named of the services under this Agreement, excepting only those damages, liabilities or costs attributable to the negligent acts or negligent failure to set by the Consultant.

Termination: This Agreement may be terminated by either party by not less than ten days written notice to the other party specifying substantial failure to perform in accordance with the terms of the Agreement by the other party through no fault of the terminating party. But such termination shall not be effective if that substantial failure has been remedied before expiration of the period specified in the written notice. If this Agreement is terminated, BHB shall be paid for services performed to the termination notice date plus reasonable termination expenses. In the event of termination or suspension for more than three months prior to completion of all reports contemplated by this Agreement, BHB may perform such analyses and prepare records as are necessary to complete appropriated files and may also prepare a report on the services performed to the date of notice of termination or suspension. The expenses of termination or suspension shall include all direct costs of BHB in completing such analyses, records and reports.

Payment: Invoices/Statements will be issued once a month. Each billing shall be due and payable upon receipt. In the event Client fails to make any payment due BHB within 30 days after BHB's billing date, the unpaid amount due BHB shall bear a late charge at the rate of 1.5% per month (18% per annum) from date of billing until paid and in addition, BHB may suspend or terminate its services under this Agreement until it has been paid in full all amounts due for its services and expenses. Any known disagreement, dispute or dissatisfaction of BHB's services shall be resolved at the time they arise rather than waiting until the final payment. The progress billings, when paid, represent acceptance by Client of the invoiced services performed by BHB insofar as Client has knowledge of the services provided. BHB may at its sole discretion, suspend or terminate its services under this Agreement should Client not satisfy any amount invoiced within forty-five days of the date of invoice. BHB further reserves the right to withhold any instruments of its service, or copies thereof, from Client on any project pending payment on Client's outstanding indebtedness. 1.

Warranty and Liability: Services performed by BHB within the limits prescribed by this Agreement will be conducted in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions. No other warranty or representation, either expressed or implied, is included or intended under this Agreement. Client waives any claim against BHB and agrees to defend, indemnify and hold BHB harmless for any claim or liability for injury or loss which may arise as a result of any field investigative activities performed by BHB on Client's behalf. BHB's liability shall be limited to injury or loss caused by the negligence of BHB, its subcontractors and/or agents hereunder. By entering into this Agreement, Client recognizes that subsurface conditions may vary from those encountered at the site where investigations are made by BHB and that the data, interpretations and recommendations of BHB are based solely on the information available. BHB will be responsible for those data, interpretations and recommendations but shall not be responsible for the interpretation by others of the information developed. Increased liability limits may be negotiated upon Client's written request, prior to commencement of services, and agreement to pay an additional fee.

Design Services Only: BHB's professional services performed hereunder shall not include site observations of the contractor's work or performance, unless otherwise agreed in writing. Client shall indemnify, defend and hold BHB harmless from any claim or suit whatsoever including, but not limited to, all payments, expenses or costs involved arising from or alleged to have arisen from the contractor's performance or the failure of the contractor's work to conform to the design intent and the contract documents. When on site inspections are agreed upon, such inspections shall be limited to a cursory review and shall not constitute approval or permission to deviate from contract documents. All such changes must be approved in writing.

Ownership and Maintenance of Documents: All materials resulting from BHB efforts on this project, including documents, calculations, photographs, drawings, computer printouts, notes and any other pertaining data, are instruments of BHB's service and shall be the property of BHB unless otherwise specified in the Scope of Services. In any event, BHB shall have the right to retain copies of all said instruments of service. BHB shall maintain for Client all such materials in kind for a period of not less than two years after completion of the project. Client shall specify in advance and be charged for all arrangements for special or extended period maintenance of such materials by BHB. All reports and other materials resulting from BHB efforts on this project are not intended or represented to be suitable for reuse by Client or others on extensions or modifications of this project or any other project. Reuse of said reports or other materials by Client on such extensions, modifications or other projects without written permission or adaptation by BHB for the specific purpose intended shall be at the user's sole risk, without liability on BHB's part. Client agrees to indemnify and hold BHB harmless from all claims, damages, and expenses including attorney's fees arising out of such unauthorized reuse. Modification or use on other projects of such instruments of service or copies thereof, without BHB's prior expressed written consent shall be at Client's sole risk. Client agrees to indemnify, defend and hold BHB harmless as to any and all claims arising out of any such non-permissive modification or use.

Compliance with Laws: Any provisions of this Agreement held in violation of any law or ordinance shall be deemed stricken and all remaining provisions shall continue valid and binding upon the parties. Client and BHB shall attempt in good faith to replace any invalid or unenforceable provisions of this Agreement with provisions which are valid and enforceable and which come as close as possible to expressing the intention of the original provisions.

Assignments and Subcontracts: Neither Client nor BHB shall assign its interest in this Agreement without the written consent of the other. BHB may subcontract any portion of the work to be performed hereunder without such consent.

Force Majeure: In the event that either party hereto shall be delayed or hindered in or prevented from the performance of any act required hereunder by reason of strikes, lockouts, labor troubles, inability to procure materials, failure of power, restrictive governmental laws or regulations, riots, insurrection, war or other reason of a like nature not the fault of the party delayed in performing work or doing acts required under the terms of this lease, then performance of such act shall be excused for the period of delay and the period for the performance of any such act shall be extended for a period equivalent to the period of such delay.

Attorney's Fees: If suit be brought to enforce the provisions hereof, BHB shall be entitled to receive its costs and reasonable attorney's fees. Said costs and attorney's fees shall include, without limitation, costs and attorney's fees incurred in any appeal and in any proceedings under any present or future federal bankruptcy act or state receivership act. If Client unsuccessfully asserts a claim against BHB for any alleged act, error or omission, professional or otherwise, alleged to arise out of or be due directly or indirectly to BHB's performance of the professional services rendered hereunder, Client shall pay all costs, including reasonable attorney's fees, incurred by BHB or its Assignee(s) or subreege(s) in defending against said claim.

Severability Waiver: Should any provision of this Agreement be held invalid and unenforceable, the remaining provisions shall remain valid and binding upon the parties. The failure of BHB to insist upon strict performance by Client of any of the terms and conditions of this Agreement shall not be deemed a waiver of any of BHB's rights or remedies and shall not be deemed a waiver of any subsequent breach of default by Client.

Dispute Handling

The Client shall make no claim either directly or in a third party claim, against BHB unless the Client has first provided BHB with a written certification executed by an independent professional currently practicing in the same discipline as BHB and licensed in the state of the subject project. This certification shall a) contain the name and license number of the certifier; b) specify each and every act or omission that the certifier contends is a violation of the standard of care expected of a professional performing professional services under similar circumstances; and c) state in complete detail the basis for the certifier's opinion that each such act or omission constitutes such a violation. This certificate shall be provided to BHB not less than thirty (30) calendar days prior to the presentation of any claim or the institution of any judicial proceeding. All actions shall be filed in the jurisdiction of the project and the laws, regulations and rules of that state of shall apply.

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

5:45 p.m. - Break

Suggested Action:

Attachments:

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Holly Lopez

Submitting Department: Public Utilities

Item Type: Staff Report

Agenda Section:

Subject:

Drinking Water Quality Program Update - EPA Mandated Lead and Copper Rule

Suggested Action:

Attachments:

[Drinking Water Quality Program Staff Report](#)



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 7, 2019
Type of Item: Information

This report is intended as a high level briefing on Park City's continued compliance with Water Quality Programs specific to Lead and Copper Rules and regulations.

Park City's Compliance with the Lead and Copper Rule

In light of lead exposure in drinking water in water systems across the country, City Water Quality staff has been proactively collecting additional lead samples in drinking water to validate compliance with regulations.

In 2019, regulation lead and copper samples were required from customer taps every three years with Park City's previous round of sampling in 2016. See summary of results and criteria for sampling pool below. Every water system in the US is subject to the same minimum requirement.

1. All of Park City's samples for 2019 are below the EPA required lead and copper action level.

Contaminant	EPA Action Level based on 90 th percentile (ppb)	90 th percentile Park City Results (ppb)	Range (ppb)
Lead	0.015	0.0013	<0.0005-0.011*
Copper	1.3	0.27	0.066-0.79

*One sample result of 0.011 with remainder below 0.002 part per billion (ppb).

All residents were notified of their individual sample results. 2016 results were similar. Park City is not required to take any action other than continuing sampling every 3-years based on existing regulations.

2. In 2016, Water Quality staff reassessed Park City's EPA and Utah Division of Drinking Water (DDW) required Lead and Copper monitoring program, including conducting a water system materials inventory and determined the following for Park City:
 - 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.

3. Site Selection and Residential Sampling

Residents of the 21 homes selected were extremely helpful in sample collection and certification of correct sampling procedures. 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

Residents collected samples after water remained stagnant overnight to represent water with highest potential lead or copper results.

4. School Testing for Lead

Park City School District voluntarily collected lead samples again in 2019 after sampling in 2016 based on DDW's request for voluntary school sampling. Sample results ranged from <0.0005-0.0033 ppb, well below the 90th percentile action level of 0.015 ppb.

In October 2019, EPA Proposed Lead and Copper Rule Revisions that will require: "Better protecting children in schools and child care facilities by requiring water systems to take drinking water samples from the schools and child care facilities served by the system." The implementation date and details of this new requirement will be clearer upon rule finalization.

5. City Building Testing

In 2018, the City voluntarily tested for lead at several drinking water taps within publicly utilized City buildings (e.g. Marc, ice rink, Marsac). Results ranged from <0.0005-0.0056 ppb, which are well below the 90th percentile action level of 0.015 ppb.

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Staff Report

Agenda Section:

Subject:

City Council Meeting Closed Captioning Service

Suggested Action:

Note: This report has been resubmitted in an effort to receive feedback from the public prior to making budgetary decisions on closed captioning services.

Attachments:

[Closed Captioning Staff Report](#)



City Council Staff Communications Report

Subject: Council Meeting Closed Captioning Services

Author: Michelle Kellogg

Department: Executive

Date: November 7, 2019

Item: Administrative

Note: This report has been resubmitted in an effort to receive feedback from the public prior to making budgetary decisions on closed captioning services. Thus far, no feedback has been received.

Closed captioning services for City Council meeting live stream audio has been implemented since January, 2019. Council approved a one year pilot of the service and requested an evaluation at the end of the year. Staff contacted the Granicus team, who administers the closed caption service, and they indicated there was no way to measure the usage of this service.

Staff promoted closed caption service for the following reasons:

1. It benefits the hearing impaired persons who want to listen/participate in City meetings.
2. The community is aging. It benefits seniors, who process conversations at a little slower speed and lose their hearing as they age.
3. It benefits those who speak English as a second language and may not have the same level of literacy.
4. It offers an additional option for community members who are visual/linguistic learners to further engage with City meetings.

The captioning service benefits the above mentioned individuals, but has some drawbacks:

1. It costs approximately \$20,000 per year or ~\$700 per meeting.
2. It is labor intensive for staff to edit the captions in order to make them readable before uploading them onto the City website after the conclusion of the Council
3. It has been, and will continue to be, difficult to measure the actual benefit to the community using the existing meeting management system.

At this time, staff requests feedback from the community who use or rely on the closed captions of Council meetings so usage can be determined and evaluated. Social media posts will be used to request feedback, as well as announcements made during Council meetings. If there is little or no feedback, staff may recommend discontinuing the service given the lack of support/usage, labor necessary to edit captioning, and expense. Feedback can be sent to michelle.kellogg@parkcity.org

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Jenny Diersen

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Transportation Planning during Peak Winter Events

Suggested Action:

This report serves as an update regarding transportation planning during Peak Winter Event time period including staff's intent to work towards a series of changes to the existing plan to help further deter traffic in residential neighborhoods and increase transit priority.

Attachments:

[Special Event Peak Winter 2020 Transportation Plan Staff Report](#)

[Exhibit A: Transportation Plans Evaluation](#)

[Exhibit Ai: Sundance Circulation Peer Review Technical Memo](#)

[Exhibit Aii: Letter to Park City on Behalf of Sundance Institute](#)

City Council Staff Communications Report

Subject: Transportation Planning during Peak Winter Event Timeframe
Author: Jenny Diersen, Special Event & Economic Dev. Program Manager
Department: Economic Development
Date: November 7, 2019
Type of Item: Informational

Summary

Pursuant to Council direction at the Sundance debrief in May 2019, Special Events continues to pursue significant transportation, circulation, and parking changes for the 2020 winter special event season. Changes under consideration include changing two-way street to one-way, more police presence at key intersections, new transit only lanes, and changes to paid parking rates and locations. After meeting with stakeholders, we hope to further align special event related impacts with Council and community goals to improve public safety, reduce traffic and congestion, promote transit, and mitigate impacts to residential neighborhoods.

Summary

Over the last 3 years, staff has made significant changes during special events to deter traffic, increase transit ridership, and reduce residential impacts. Some initiatives include drop and load / taxi /TNC zones, additional transit routes and shuttles, paid parking, increasing wayfinding and signage, and residential neighborhood enforcement. For these efforts to be successful, extreme levels of coordination was required from numerous stakeholders and City departments (Econ. Development, Transit, Police, Parking, Streets, and Community Engagement).

While this report focuses on future operations during the Sundance Film Festival, the need for increased event management is not solely a symptom of the Festival. More common than not, related impacts are actually the result of third party activities, ambush events, and other operations well outside the control of Sundance.

At the [May 29, 2019 City Council meeting](#), after [receiving community and staff feedback](#), Council requested staff evaluate a *next level up* event operations transportation plan ([minutes from 5.29.19 meeting](#), pages 3 - 6). Subsequently, as part of the ongoing Old Town Circulation discussions, staff has implemented additional mitigation measures during summer events to test strategy viability, including direct signage, new drop and load zones, additional security at intersections, and removing parking spaces to benefit transit, pedestrians, and access.

Specifically, staff is exploring several transportation alternatives for peak winter 2020 events (Exhibit A). Due to the short timeframe and potential impacts on residents and businesses, staff is seeking to implement a program similar to last year that basically includes 'sharpening our tools'. Staff plans to evaluate proposed changes with the Sundance Institute, community members, and stakeholders prior to seeking Council approval in December.

Attachments

Exhibit A – Preliminary Evaluation of Transportation Plans during Winter Peak Event Times, Fehr & Peers Peer Review and Letter from Sundance Institute

Staff has worked to consider possible transportation plan changes during Peak Winter Event Season including the Sundance Film Festival timeframe specifically. While staff has looked at plans that could create one way traffic flow, Close Street to pedestrian staff recommends sharpening tools and working from the current plan that is established, adding more minimal costs as compared to some of the other plans.

Recommendation: Current Plan with Sharpened Tools ([Picture of Map here](#))

This includes looking at a number of changes to further deter traffic in residential areas and increase transit priority. Fehr's & Peers have performed a peer review of this plan which can be found [here](#).

Such changes include:

To further deter traffic in residential neighborhoods

1. One way street directionality
 - o From Park Avenue East only at 4th and 5th Streets to further deter traffic from Main Street turning into the residential district.
 - o Hillside One Way West (towards Main Street) to further deter traffic from Main Street entering the commercial district. This includes adding possible security at Swede and Main with signage.
 - o All of Park Avenue, one way North to create a flow out of town (currently in the Winter Park is one way North from King Road to Heber Ave). Transit would continue to be allowed to travel North and South. We would work closely with Sundance Institute and their Sponsors to ensure they have access to the 4 venues on Park Ave. Further analysis is needed regarding the intersection at Park and DV Drive.
2. Increased Police presence at key intersections
 - o There may be the need for increased police at key intersections around the resort base, at 9th and Park Avenue and at the Box of Rocks and Main and Swede to further deter traffic and in some cases direct traffic. Staff needs time to specifically evaluate these with Public Safety.
3. Additional signage at key intersections
 - o This includes implementing additional no left or no right turns, and having more clearly marked signs regarding where parking is available.

Possible changes to further increase transit priority

4. Bus Lane on DV Drive
 - o We have stated discussion with UDOT to gain permission to implement the bus lane if weather is favorable. Snow presents a unique challenge for a bus lane, which cannot be implemented with snow on the roads because of plowing.
5. Remove parking from one side of Park Avenue
 - o Removal of parking from one side of Park Avenue will help with snow removal and allow transit better access on narrow roadways. As staff takes this approach we will complete outreach with residents to ensure they have parking.
6. Flow of Swede Alley
 - o Staff is working to establish Swede Alley as a transportation core for those taking transit, rideshares and taxis, not as a parking area. This may also help increase flow on Swede Alley.

Possible changes to Parking Areas to help increase traffic flow and give transit priority:

7. Flow of China Bridge
 - o Entry only from Marsac / Exit only to Swede. Staff believes this will lessen left hand turning movements that may cause back up in the parking garage and on Marsac Avenue.

Exhibit A – Evaluation of Transportation Planning during Winter 2020 Peak Event Time Period

8. Flagpole Use
 - o Staff is evaluating a number of possible solutions for this lot that encourage long term use. Some parking lot will remain available for Sundance ticket pick up.
9. Dynamic Parking Pricing and Consistent Transit Messaging
 - o Over the last few years, staff has been evaluating parking capacity in the parking garage and monitoring transit ridership. Staff is looking into possibly creating more dynamic parking rates throughout the 10 days, but also balancing the desire to continue to increase transit ridership. Lowering parking rates may result in decreased transit ridership.
10. Looking at Operational needs of City Lots
 - o The City has operational needs in some parking lots for snow storage, public safety and other storage needs. The City is evaluating their needs to see if we can become more efficient in where these items are located.

Other Alternatives: ([images of maps here](#))

Staff has considered a number of other alternatives, but due to time and budgetary constraints, staff does not intend to move forward with any of these alternatives at this time, but such alternatives may be considered in future years or for future peak days.

Plan A - Swede S/ Main N

- Requires additional Police Staffing for traffic direction including 12 additional positions per day, estimated at \$54,000 for 5 days.
- Could look at one way on other residential streets if this is what we go with.
- May be the best plan to also help with residential access.

Plan B – Swede N / Main S

- Complicates turning movements and access to Main Street for vehicles that need access from Hillside.
- Complicates residential access.
- Requires additional Police Staffing for traffic direction including 12 additional positions per day, estimated at \$54,000 for 5 days.

Plan C – Double One Way Lanes

- Complicates any turning movement off of Main or Swede.
- Snow removal is still challenging in this case (as opposed to narrowing street to one lane).
- Would significantly increase public safety needs.
- *Didn't draw this plan up because it gets confusing quickly.

Plan D – Exclusive Main St Access

- All of Main would be Deliveries until Noon, then access only to Sundance and their sponsors. Other groups outside of Sundance would need to have drop and load areas on Swede Alley which may cause serious congestion on Swede.
- Likely this model pushes traffic to Deer Valley Drive.
- Enforcement and who is allowed on Main Street is very complex, and would take a significant increase in the amount of programming and/or staffing.

Plan E – Ped Only + Programming on Main /Access for Transportation on Swede

Exhibit A – Evaluation of Transportation Planning during Winter 2020 Peak Event Time Period

- This type of program may change some public safety and staffing locations, but likely will increase the need for Public Safety in specific locations.
- May allow deliveries and access until noon, but then close the street for pedestrians and 'programming' from noon to midnight. Would need to establish goals of programming.
- Would need to consider Bollard installation on Lower Main locations (and such increased costs associated (up to possibly \$8,400)).
- Need further analysis of how Swede Alley would operate regarding access and traffic.
- Residential Mitigation would need to be addressed similarly to other major events such as Arts Festival, Halloween or Tour of Utah.

MEMORANDUM

Date: November 1 2019

To: Park City Municipal Corporation

From: Fehr & Peers

Subject: Sundance Circulation Plan Peer Review

INTRODUCTION

This technical memorandum summarizes Fehr & Peers' review of circulation strategies to manage one of the busiest peak congestion time periods in Park City stemming from a successful resort economy during the Sundance Film Festival, understanding that not all of the impacts are specifically caused by the Festival itself. The primary purpose of these strategies is to reduce traffic impacts on the residential neighborhoods within the core of Old Town. Fehr & Peers was provided via email a draft map of proposed circulation patterns and an list of strategies; this memorandum is in response to those materials, and includes additional recommendations from Fehr & Peers to manage Sundance-related congestion. It should be noted that none of the strategies listed here have been modeled, analyzed, or tested in the field. Fehr & Peers recommends testing and monitoring strategies as next steps for Park City.

PEER REVIEW

This section contains a summary of the proposed circulation strategies identified by Park City via email to Fehr & Peers on Friday October 25, 2019, alongside the results from Fehr & Peers' peer view of the strategies.

Park Avenue Strategies:

1. Place VMS board at "Box of Rocks" (understood to be the intersection of Park/Empire/Deer Valley Drive), directing drivers to PCMR or to Deer Valley Drive/China Bridge parking garage. Monitor the intersection with a traffic control officer. Allow Park City Transit vehicles to use Park Avenue in both directions on Park Avenue between Deer Valley Drive and Heber Avenue.
 - a. We agree with the concept of diverting Sundance traffic away from Old Town, starting at this location. We would further recommend limiting any traffic entering this gateway to transit vehicles, pedestrians, and residents. Park City could issue hanging tags to Old Town residents so they can pass the traffic control officer at the intersection (there may need to be several officer-controlled points around the perimeter of Old Town to discourage entry elsewhere as well). We understand there are concerns from Sundance about whether sponsor vehicles and Lyft vehicles could be allowed to access Park Avenue beyond this point. Park City could prioritize access for residents, transit, and pedestrians,

and take a “wait and see” approach with the sponsor and Lyft vehicles; if circulation is functioning well by limiting traffic on Park to just these users, then maintain access for Lyft and sponsor vehicles. If circulation is still poor even with these limitations, consider limiting access further for Lyft and/or sponsor vehicles.

- b. These limitations may only need to be applied for the peak days of Sundance and possibly not for the entire period of the festival – possibly only the Thursday, Friday, Saturday and Sunday dates of the festival period.
- c. Success of this strategy will rely heavily on advance notification, in several ways:
 - i. Drivers approaching the Park Ave/Empire/Deer Valley Drive intersection from the north will need advance notice via VMS (temporary and permanent signs can be used) to inform them of the diversion. Signs could direct “event traffic” to PCMR or Deer Valley Drive and indicate “residents only beyond this point” at the Park Ave/Deer Valley Drive intersection. Notification could be provided to drivers as far away as the approaches to Park City from US-40 and I-80, directing drivers to free satellite park-and-rides with transit access. Park City should avoid allowing drivers to get past the intersection of Park Ave/Deer Valley Drive just to learn that they can’t proceed further; the narrow pavement width on Park Avenue south of that intersection (and likely presence of snow on the curbs and shoulders) will make U-turns difficult and constrain circulation unnecessarily.
 - ii. Park City may wish to entice drivers from outside Park City to utilize park-and-ride and transit facilities through the offering of incentives such as free coffee or snacks at the park-and-rides (ie, host a coffee truck or similar at Kimball, the View lot on I-80, Richardson Flats, etc). Use of electric buses may provide further appeal to visitors committed to reducing their carbon footprint.
 - iii. Similarly, Park City, Sundance, the Chamber of Commerce, and other commercial organizations will need to get the word out in advance to the hospitality industry about changes to access and circulation. This should include Sundance ticket holders, AirBnB and VRBO hosts, hoteliers, and other commercial centers.
2. Park City has also considered removing parking from one or both sides of Park Avenue between Empire/Deer Valley Drive and Heber, in order to improve conditions for transit vehicles who are sometimes constrained by snow storage and on-street parking in winter conditions. Given that the primary purpose of the proposed strategies is to reduce impacts on Old Town residents, we do not recommend broadly eliminating on-street parking for residents. Instead, we recommend the strategies outlined in paragraph #1 above to incentivize travel into Old Town via transit or walking, and diverting vehicle traffic around the perimeter of Old Town. It may be feasible to remove a small section of on-street parking during the peak days of the festival for residents near City Park, if those residents have other on-site parking available to them and could direct visitors to use City Park stalls instead of on-street parking on Park Ave.

China Bridge Strategies:

1. Enter the China Bridge parking garage only from Marsac, and exit onto Swede. Vehicles would not be able to enter China Bridge from Swede, unless the driver has a "black permit". Have dynamic pricing (possibly up to \$60) on the Friday and Saturday dates of Sundance.
 - a. We agree with the plan of directing drivers to enter the parking garage from Marsac and exit onto Swede, with caveats as outlined below.
 - i. The "Sundance Current Plan" map provided to Fehr & Peers indicates that Main Street is proposed to function as one-way northbound traffic during the festival. We disagree with this strategy for a range of reasons, outlined later in this memo. If the City decides to maintain this strategy of one-way northbound traffic on Main Street, then vehicles exiting the China Bridge parking garage should be forced to make a right-turn only onto Swede to leave Old Town. If vehicles are allowed to turn left out of China Bridge onto Swede, they will head up to the intersection of Swede and Main, where they will be forced to turn right due to the one-way restrictions. This will add traffic and congestion to Main Street.
 - ii. If Main Street is allowed to carry traffic in both directions, then vehicles exiting China Bridge could be allowed to turn right or left onto Swede. Drivers would have more options to leave Old Town, either via Swede/Heber or via Swede/Main/Hillside (assuming Hillside is allowed to function as a two-way street). If Hillside is restricted to westbound traffic only, then drivers will again be forced northbound on Main Street or Park Ave, adding congestion to already busy areas.
 - b. We agree with the dynamic pricing for China Bridge and would add the following considerations:
 - i. The higher the price, the less likely it is that people will have exact change in their wallets to pay the fee. This means that there may need to be credit card transactions at the entry, which could extend the transaction time per vehicle and lengthen the amount of time it takes to get into the garage. This could lead to queuing onto Marsac depending on how many people are trying to enter the garage at peak times. One way to mitigate this would be to convert the garage exit on Marsac into an entrance, so two vehicles at a time could enter the parking garage. This would require some signage and operational changes within the parking garage, and would likely need to be configured prior to the start of the festival (rather than adapting on the fly).
 - ii. Similar to the concept outlined in 1c above, advance notification will be valuable here to communicate parking pricing and availability to people approaching Park City. It is our understanding that event staff monitor parking occupancy within the garage, and consider China Bridge "full" at 80% occupancy (this is fairly consistent with industry standards). "China Bridge full" information could be displayed via VMS to visitors on Deer Valley Drive, Bonanza, and Park Ave, so

they could make other choices about where to park and avoid unnecessary trips into Old Town. Information can also be shared with visitors and festival-goers in advance, to let them know that parking rates could be “up to \$60” (even if it isn’t \$60 throughout the festival), and set expectations that cheap or free parking is better found elsewhere.

Other Parking Areas:

1. Park City is considering charging for parking at Flagpole Lot, and/or making it a required 4+ carpool lot for merchants or employees. We support charging for parking. While we agree generally with the idea of allowing only carpool vehicles to park there, enforcement of this will be a challenge – especially verifying that these individuals are employees of Old Town businesses. This may be a good pilot project to test in 2020 for rollout in 2021, to work out enforcement and operational challenges.
2. Park City is considering allowing Lyft vehicles to stage at the Brew Pub Lot at the top of Main Street. Other staging areas are located in different parts of Old Town. While staging Lyft vehicles closer to the heart of the action may result in shorter waits for some Lyft users, it would also add vehicle traffic (including deadhead trips, where the driver returns to the staging area with an otherwise empty vehicle) to Swede Alley which is already likely to be congested. We would suggest finding more locations for Lyft to stage outside Old Town, such as at Deer Valley, the high school Bonanza, City Park, or other areas.
3. Park City is considering using City Hall South Marsac Lot as a pickup/dropoff zone for people who don’t want to go down to the street. We agree that this is a good location for pickup/dropoff, and would recommend having clear signage for pickup vs dropoff areas to manage parking and curb spaces efficiently and reduce congestion.

One Way Streets:

Park City is considering establishing a network of temporary one-way streets throughout Old Town, per the “Sundance Current Plan” map provided to Fehr & Peers via email on October 25, 2019. In general, our opinion is that establishing a new and unfamiliar network of one-way streets may not improve conditions much, and it may add confusion and logistical challenges that detract from whatever benefit there might be. Park Avenue between King and 7th may be the exception to this, given that the one-way northbound traffic is a pattern that persists throughout the winter and is a function of snow storage needs. Otherwise, converting streets such as Main Street to one-way travel creates circulation problems for transit, delivery vehicles, and on-street parking, and could potentially confuse visitors who are already unfamiliar with the area, may not be comfortable driving in winter conditions, and may have been consuming alcohol. Instead, we would advise the City to focus on limiting the amount of travel in Old Town by visitors in private vehicles, applying the concepts noted throughout this document. This approach is consistent with the City’s adopted Transportation Demand Management Plan and sustainability goals, and has the added benefit of reducing vehicle trips and the associated greenhouse gas emissions.



5900 Wilshire Blvd, Suite 800, Los Angeles, CA 90036
1825 Three Kings Dr., Park City, UT 84060
321 W 44th Street, Suite 805, New York, NY 10036

November 7, 2019

Park City Municipal
445 Marsac Avenue
Park City, UT 84060

Dear Mayor and City Council,

Sundance Institute and Lyft (a Sundance Sponsor) were asked to participate in meetings with the City over the past two months to look for effective ways to address traffic congestion during Sundance Institute's annual Sundance Film Festival. The overarching goal of these meetings was to search for ways to reduce the traffic on residential streets especially in Old Town.

We thank Park City staff for inviting us to join these brainstorming sessions, allowing us to provide ideas and feedback as we tried to narrow down this year's new action plans. We also want to thank the Lyft management team who flew in for several meetings over the past several months to meet with the City in order to help with ideas to mitigate traffic on and around Main Street, coming to the table as a solution oriented partner. We appreciate their efforts to work with the City and greatly appreciate them as a sponsor of the Film Festival and year round partner of the Institute.

Although Park City has been experiencing over the past several years a noticeable increase in the number of high traffic days throughout the year, not solely during the Film Festival dates, due to a variety of reasons, Sundance Institute has willingly worked hard in conjunction with the City to mitigate traffic congestion. Sundance Institute recognizes the traffic during the first 5 days of the Festival, compounded by both Deer Valley and Park City Resorts' skier load in and out, is probably the busiest traffic days of the year within the city. One of the most successful results over the last couple of years is the increased use of public transit, with just over 300,000 riders utilizing the bus system during the 10 days of Festival. This represents close to 1/3 of the City's annual ridership. Even with successful results such as the significant increase in bus ridership during the Festival, Sundance Institute and the City agree more needs to be done.

Sundance Institute is eager to help evaluate all traffic ideas and options during the 10 days of its annual Festival to help test ideas not only to manage its traffic, but traffic within the city year round. We agree with all of the items the City is suggesting for changes during Sundance Film Festival, with the exception of restricting Park Avenue traffic. We ask that the Mayor and City Council take these items into consideration as they make a decision on how to direct the City staff to move forward, especially regarding the proposed Park Avenue plan.

During the first 5 days of the Festival, the City is suggesting closing Park Avenue from the cross streets Deer Valley Drive/Empire Avenue south to restricted access. The City plans to allow traffic one-way north on Park Avenue while allowing permit-based access to Transit vehicles (i.e. public buses), emergency vehicles and certain other approved vehicles to go south on Park Avenue. However, permit needs for access will be high, including:

- Residents and businesses located along of Park Avenue along with year-round Library patrons and staff, Lucky Ones coffee staff and patrons, and Pre-School children.
- Sundance Film Festival has several venues located on Park Avenue including the Santy Library with up to 5 public film screenings a day, The Shop with events throughout the days and evenings, Miners Hospital used by Sundance staff, the Recreation Building near City Park for Festival production back-of-house support and the Festival Communications trailer which will be located in the Miners Hospital lot. The Institute will need permits for working staff as well as program and patron VIP's that will need access not only to Park Avenue venues but lower Main Street venues.
- Service, food and beverage trucks along with trash and recycling vehicles.



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Our concerns also lie with the additional non-permitted cars taken off of Park Avenue and routing them either on to Deer Valley Drive or Empire Avenue, causing increased gridlock along both roads and all the way down to the Park Avenue and Kearns Boulevard intersection and possibly out further along Highway 224. With the noted success of the free bus system during the Festival, if Deer Valley Drive has increased gridlock how do the buses get in and out the Old Town Transit Center? There is discussion about adding a center lane for buses heading into Old Town on Deer Valley Drive but that can only happen in good weather and providing easy lane transition for the buses as they approach the roundabout. We cannot add more risk of an accident occurring on Deer Valley Drive with possible temporary closures on the only way up to Main Street or Deer Valley Resort.

Our concerns are numerous and we have included them as an attachment to this letter. Our suggestion is that the City hire an experienced traffic engineer to work through the City's current and forecasted traffic issues not only during the 5 days of the Sundance Film Festival, but year round. We are amenable to testing reasonable alternatives during the Festival as we want to improve the overall traffic experience for both residents and visitors, but we need to feel, with a reasonable degree of certainty, that such alternatives will not have severe unintended consequences that will negatively impact Festival operations and the flow of traffic throughout the city.

Thank you in advance for taking our concerns into consideration. We want to make the Festival safe and enjoyable for all our city residents and the Festival patrons visiting Park City.

A handwritten signature in blue ink that reads "Betsy Wallace". The signature is fluid and cursive, written over a light blue rectangular background.

Betsy Wallace
Managing Director and CFO
Sundance Institute



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Additional, but not exhaustive, list of concerns:

- We are worried that our filmgoers will not be able to get to the Library theater and will miss their films. We need to make sure that transit runs as smoothly as possible so that people continue to trust and use the free buss/shuttle system to get them to their locations on time.
- Guests attending Festival events at The Shop will not be able to approach from southbound on Park Avenue, resulting in more traffic from Old Town and more cars cutting through neighborhoods. This will negate our established traffic plan to reduce congestion in the neighborhood near the Shop.
- Restricting Park Avenue might create the opposite result and push more cars to residential streets. The number of officers/street management and cost of enforcement at every residential street would be hard to fill and very expensive.
- How would someone access the parking garage on 7th Street? There are no turns allowed onto 7th from Main Street in either direction.
- How will law enforcement be able to manage all the cars with permits going through Park Avenue without causing complete gridlock at the intersection of Empire Avenue, Deer Valley Drive and Park Avenue? Enforcement will be stopping cars to look for a permit which will cause traffic to back up into that very busy intersection.
- How would Empire Avenue be managed so cars are not getting to residential streets or the Park City Mountain Resort base, bypassing enforcement at Park Avenue?

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Michelle Kellogg

Submitting Department: Executive

Item Type: Minutes

Agenda Section:

Subject:

Consideration to Approve the City Council Meeting Minutes from October 10 and 22, 2019

Suggested Action:

Attachments:

[October 10, 2019 Minutes](#)

[October 22, 2019 Minutes](#)



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

October 10, 2019

The Council of Park City, Summit County, Utah, met in open meeting on October 10, 2019, at 2:00 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss property, personnel and litigation at 2:00 p.m. Council Member Henney seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 3:45 p.m. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

STUDY SESSION

Community-Wide Recreation Survey Discussion:

Ken Fisher, Recreation Manager, indicated a survey was initiated in order to guide the decision making process for recreation facilities. Kyrene Gibb, Y2 Analytics, reviewed the findings from the survey and noted 80% of respondents felt the recreational amenities were excellent. Some takeaways from the survey included interest in a new outdoor golf learning center and indoor pools. She indicated 85% of the respondents would use the MARC at least once a week if their preferred programming was included, such as weight or cardio areas, indoor lap lanes for swimming, or a plyometric functional area. One unique takeaway was that 89% of respondents were willing to pay more for recreation facilities, trails, and open space. Gibb explained how the survey was distributed, and indicated it was sent in English and Spanish. The male respondents were almost equal to the female respondents. Each question on the survey with the corresponding ratings was reviewed.

Council Member Henney asked if there was a question on designated trail use versus multi-use trails. Fisher indicated he would have to look at the survey. Heinrich Deters,

Trails and Open Space Manager, stated there were plenty of trails, but the use of the trail was what the respondent was concerned about. Council Member Henney stated recently there had been support for single use trails. Further discussion ensued on the future of trail use.

Council Member Worel asked what the next steps were. Council Member Gerber indicated she went to the Kamas pool weekly and frequently saw other Park City families there. Fisher indicated the focus at the MARC would be on indoor aquatics and plyometric areas. Mayor Beerman asked if field space had been met. Fisher stated that was a priority for Basin residents. Council Member Joyce requested a summary of recreation projects going on in other areas of the County. Council Member Ware Peek asked if Fisher was surprised at some of the responses, to which he responded that some surprising answers included pickleball and the ice arena. Vaughn Robinson, Golf Manager, defined a golf learning center as a driving range with a few three-par areas, and noted this center would be good for summer camps so kids could learn golf fundamentals.

WORK SESSION

Park City Vision 2020 Project Update:

David Beurle, Future IQ, presented this item. Council Member Worel asked when the online survey would end, to which Beurle stated it would go to November. Beurle reviewed the project timeline and indicated 300+ people attended the visioning sessions this week. He stated an online survey would be distributed to the people in the Think Tank who did not participate in the visioning sessions. It was indicated 691 people had completed the community vision survey.

Jager reviewed the visioning events from the past week. Beurle indicated this was a well engaged community. If there was a weakness in representation, it would be with responses by second homeowners. Mayor Beerman stated some in the community thought the businesses dominated in receiving preferential treatment by the City. He asked how the visioning session with businesses contrasted to the community perception. Beurle stated he was surprised that there was no difference in the concerns about the future of the City between the different visioning groups. Mayor Beerman asked if results could be filtered by session, to which Beurle stated they were not, and added that even with the additional visioning sessions, there was no shift in expected future versus the preferred future of the community.

Beurle stated there were several areas the City could consider in embracing bold change, including the pursuit of solutions for social issues like housing, inclusion, equity and seniors; exerting regional influence on managing growth; focusing on a sustainable tourism model; driving economic diversification like culture, food, and arts; continuing in

environmental management solutions; and reinventing the transportation model and solutions. These options were considered bold to radical change.

Mayor Beerman asked if Beurle saw other cities that were having success with their social issues, to which Beurle indicated that the issue of seniors, for example, could look at Boston, Massachusetts, or Columbus, Ohio. Council Member Joyce asked if respondents had suggestions on how to make the community their preferred future. Beurle felt the people were trying to balance the dream with the reality of paying for it. Council Member Gerber stated there were different filters she used to make a decision and this visioning process was helping. Mayor Beerman thought the City's core values hadn't changed, but people were trying to build strategies to protect those values in the future. Briggs stated this was a community driven visioning process where data would be gathered and then Council would figure out how to implement that information.

Beurle explained the future summit and suggested members of the community come to speak on the strategic pillars noted above that represented them. Council Member Henney stated these pillars were issues that Council had heard from the community, and now Council could consider this feedback as reinforcement of what it was hearing. Council Member Joyce wondered if bold change was what the community actually wanted, since there had been pushback on several initiatives, i.e. accessory apartments. Council Member Gerber acknowledged the pushback in the past, but noted as unplanned changes occurred, the residents were reacting by wanting bold planned change to maintain control of the change that was coming. Council Member Henney stated people asked for aspirational change and they controlled that through elections. Beurle agreed that the City would really have to jump ahead to maintain control. Mayor Beerman asked if there was a cost/benefit analysis that the community could be involved in to make their desired choices. Beurle stated in the future summit, attendees would be given the ability to make choices and see the consequences.

Woodside Park Phase I Update:

Jason Glidden, Affordable Housing Manager, presented this item. He reviewed the remaining steps prior to completing this housing project, which included getting the Certificate of Occupancy, getting the CCRs finalized, getting the PERS certification, which was aid in Fanny Mae financing, and going through the occupant selection process. He noted a third party would be engaged to accept applications and go through the process until the selections were made. He estimated the owners selected could close in January, 2020.

Council Member Joyce asked if there was a concern about getting the Fanny Mae financing. Glidden stated there was concern because Fanny Mae did not want the accessory unit to be a rental; but he noted there were other local lenders willing to step up and approve those loans.

Council Member Gerber asked if Fanny Mae was preferable because a down payment was not required. Glidden stated the other lenders were willing to give a 100% loan because the homes were appraised at market value, so there was a lot of equity in the units. If something happened with the loan, the deed restrictions could be pulled and the lenders could get their money.

Council Member Henney reviewed that in previous conversations, staff indicated they had the resources to move the project along. He wanted to know what staff could have done to have completed this process months ago, noting these units were completed August 1st. The City was trying to do something that created hope, but the delays caused despair.

Council Member Gerber stated the Housing team needed to be bolstered so the delays did not continue. She thanked Glidden for his hard work. Council Member Ware Peek saw the people who attended the open house and thought there was a lot of hope. Mayor Beerman stated the goal was to get the project completed as soon as possible. Dias stated staff could learn from the experience and put more resources into future projects to meet expectations. Harrington indicated the liability was not just on staff because one delay caused other delays. Laurent noted there were several people who attended that were glad the application period was not closed.

REGULAR MEETING - 6:00 p.m.

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Lynn Ware Peek Council Member Nann Worel Matt Dias, Interim City Manager Mark Harrington, City Attorney Michelle Kellogg, City Recorder	Present
None	Excused

II) RECOGNITION FOR SERVICE

1. Consideration to Adopt Resolution 20-2019, a Resolution Acknowledging Michelle Henry's Retirement from Park City Municipal Corporation and Recognizing her many Contributions in Providing Service to Park City:

Ken Fisher, Recreation Manager, stated Michelle Henry worked at the Rec Department for 30 years. He praised her for her contributions to the department and City, and noted it would be difficult to replace her. One notable project she headed was the expansion to the skate park. Henry thanked the Council for the opportunity to serve the community through the Rec Department.

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

Council Member Joyce moved to adopt Resolution 20-2019, a resolution acknowledging Michelle Henry's retirement from Park City Municipal Corporation and recognizing her many contributions in providing service to Park City. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Live Like Sam Presentation:

Ron Jackenthal explained his son, Sam, who was a national ski champion, died four years ago in a skiing accident at 14 years of age. He established a scholarship program and hoped others could live like Sam. A video about Sam was shown. Jackenthal noted that others were doing acts of kindness in remembrance of Sam, and indicated one issue his organization was tackling was bullying. Tate Shaw indicated the Rec Department would be working with this group as they taught character-based education.

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

Mayor Beerman opened the meeting for public input on matters not being addressed on the agenda.

Gerd Holmsen Aguilar stated there was a need for continued care for seniors. She wrote a few articles for The Park Record, and felt this group needed to be heard. In the 15 years she worked on this, nothing had been done. They needed three things, a senior center, continued care, and housing. She asked what Council's plan was to support seniors.

Dick Welsh indicated he attended today's visioning meeting at the Senior Center. He asserted seniors wanted to age in place. They spent their lives here, volunteering and working, and wanted to remain. In looking at major cities, he found there was intergenerational housing, which was finding people with extra rooms who were willing to rent them to college students, first responders, or seniors. He hoped there could be a

way to match the need to the supply of spare rooms. He knew there was concern with security, but stated other cities hired a security firm that could do background checks.

Mary Demhoucce lived here for over 40 years and wanted to stay here. She requested Council have a work session to reach a solution.

Council Member Gerber asked if this topic could be discussed in the upcoming combined meeting with the County and School District.

Mayor Beerman closed the public input portion of the meeting.

III) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Mayor Beerman asked if any of the Council had received feedback about closed captioning services, and stated if there was no response for this service, the money could be used for a different area within social equity.

Council Member Joyce asked if there would be feedback for the circulation project. He heard the study would cost \$250,000, which some felt was too much. He asked for a work session to set priorities and discuss what Council was looking for in the future of transportation. Council agreed a work session would be a good thing prior to initiating a study.

Council Questions and Comments:

Council Member Henney reviewed what Mountainlands Community Housing was doing in developing and being a housing resource center. Since they weren't compensated for the resource center, they were considering eliminating that part and being a developer only. They indicated if they were fairly compensated, they would be favorable to continuing in that role. Council Member Henney also praised the Park City Police for their relationships with the community, and stated it was the relationships that made this community special, noting Ron Jackenthal and Michelle Henry as examples.

The Mayor and Council reviewed the activities, events and meetings they attended since the last meeting.

Council Member Ware Peek asked for an opinion from the Recreation Advisory Board (RAB) on selling part of the park land to the adjacent homeowners. Council Member Joyce felt it was late in the process, since negotiations were currently being done with the homeowners. Heinrich Deters, Open Space Manager, stated this was still a community discussion and there would be another Council meeting prior to a decision being made. Mayor Beerman asked if the Citizens Open Space Advisory Committee (COSAC) looked at Old Town Park for a preservation agreement. Deters stated that

committee had not considered that, but indicated he would include a RAB opinion in his next staff report.

Mayor Beerman and the Council members expressed thanks to all who helped make the Mountain Towns 2030 conference great.

Staff Communications Reports:

1. **2019 Wildfire Season Update:**
2. **State Reporting Requirements for Moderate Income Housing Plans:**
3. **City Council Meeting Closed Captioning Service:**
4. **2020 Budget Guide & Monthly Budget Reporting for September 2019:**

V) CONSENT AGENDA

1. Request to Approve a Concessionaire Agreement in a Form Approved by the City Attorney with Jans Ltd. dba "White Pine Touring Nordic Center" to Operate the Nordic Center at the Park City Municipal Corporation Golf Course and Various Pieces of Open Space:

Council Member Henney requested staff feedback on the possibility of solar lights at the farm.

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

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

VI) NEW BUSINESS

1. Consideration to Approve Ordinance No. 2019-51, an Ordinance Approving the Kings Crown Resubdivision First Amended Plat, Located at 1271 Lowell Avenue and 1217 Rothwell Road, Park City, Utah:

Rory Murphy, Developer, and Laura Kuhrmeyer, Planner I, presented this item. Kuhrmeyer indicated this proposed plat would move a lot line.

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

Council Member Joyce moved to approve Ordinance No. 2019-51, an ordinance approving the Kings Crown Resubdivision First Amended Plat, located at 1271 Lowell Avenue and 1217 Rothwell Road, Park City, Utah, with the amendment that Lot 2 would not be split. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

2. Consideration to Approve Ordinance No. 2019-52, an Ordinance Approving the Kings Crown Townhome Condominiums, Located at 1217 Rothwell Road, Park City, Utah:

Laura Kuhrmeyer, Planner I, presented this item and stated the plat needed to be condominiumized to sell the units individually.

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

Council Member Joyce asked how the affordable housing for the project was coming. Murphy stated it would be done by December, and noted the units were all claimed.

Council Member Worel moved to approve Ordinance No. 2019-52, an ordinance approving the Kings Crown Townhome Condominiums, located at 1217 Rothwell Road, Park City, Utah. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

3. Consideration to Approve a Purchase Agreement to Acquire the 9.51 acre Daderko Property from Utah Open Lands, for \$95,000 in a Form Approved by the City Attorney:

Heinrich Deters, Open Space Manager, stated a motion to approve this item should include the verbiage "in a form approved by the City Attorney." He reviewed that the City would be purchasing a property within the Bonanza Flat boundary and Utah Open Lands would pay for half the cost.

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

Council Member Worel moved to approve a purchase agreement to acquire the 9.51 acre Daderko Property from Utah Open Lands, for \$95,000 in a form approved by the City Attorney. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

4. Consideration to Approve a Purchase Agreement to Dispose of Lot 4, Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility- Fourth Amendment Amending Lot 4, Consisting of 2.5 acres, to the Park City Fire District in the Amount of \$1,000,000:

Heinrich Deters stated the City entered into a purchase agreement with the Fire District and they now decided to purchase the adjacent property instead of the original property. The purchase agreement was terminated and a new one was created to indicate the change.

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

Council Member Gerber moved to approve a purchase agreement to dispose of Lot 4, Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility-Fourth Amendment amending Lot 4, consisting of 2.5 acres, to the Park City Fire District in the amount of \$1,000,000. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

VII) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



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

October 22, 2019

The Council of Park City, Summit County, Utah, met in open meeting on October 22, 2019, at 4:00 p.m. in the City Council Chambers.

WORK SESSION

3Kings Water Treatment Plant Related Contracts Summary Discussion:

Roger McClain, Public Utilities, reviewed the construction schedule for the 3Kings Water Treatment Plant, the Golf Maintenance building and the Water Administration building. Council Member Joyce asked about fiscal impacts to the Golf season. It was indicated Vaughn Robinson would look at the numbers when the season ended and bring a report to Council.

McClain stated ECI was the contractor and they put the project out to bid with subcontractors. The contract would come to Council for approval on November 21st. Council Member Henney asked about public outreach with the neighbors. McClain indicated he met with a few of the neighbors that had concern with the project and conversations with them would continue. Council Member Gerber asked if the buses were being rerouted, to which McClain indicated the buses maintained their normal routes and times. Council Member Ware Peek noted the temporary stop lights were long, even when there was no other traffic. McClain stated during the day the intervals were monitored to keep buses on schedule. Council Member Worel stated a resident was concerned about pedestrian safety and asked if accommodations had been made. McClain noted a pedestrian walkway would go up this fall.

Council Member Ware Peek asked if the cost could be broken down into real costs. She stated having clean water was necessary and wanted it to be understood by all. McAfee stated there were financial impacts that could be displayed and noted they were available as requested. McAfee displayed a table for the construction projects that included the amounts, future contracts with estimated amounts, and the percent of the project completed.

Transportation Demand Management Plan Progress Update:

Alfred Knotts, Johnny Wasden, Alexis Verson, and Andrew Stevenson, Transportation Department, presented this item. Verson explained the Transportation Demand Management Program (TDM). She reviewed programs that were currently being

1 implemented, including bike share, park and ride facilities, transit priority technology,
2 efficient parking, commuter programs, events and incentives. She explained there were
3 several trends in Park City. Transit ridership was increasing 10-15 % month over month,
4 when the national trend was declining or having a minimal increase, service hours had
5 increased and the regional route service had improved.

6
7 Wasden displayed a chart of parking usage. The trend showed that that Main Street and
8 surface parking meters had a more consistent usage than the China Bridge Parking
9 Garage. Council Member Ware Peek noted the data showed that some residents were
10 using the Sandridge lot 24 hours. Wasden stated those vehicles were monitored and
11 given 72 hours before requiring removal of the vehicle. It was indicated special event
12 days were the highest parking days. Wasden noted the parking trend was that China
13 Bridge was less utilized because of the gates and complexity. He spoke with other cities
14 that used meters for all their parking. He stated changing from gates to meters was
15 something to think about, and noted all the damage done to the current gates. Council
16 Member Ware Peek asked why the consultant suggested gates a couple years ago.
17 Wasden thought the consultant might have expected a higher turnover, similar to a retail
18 parking garage. He had researched gates versus parking meters and recommended the
19 parking meter. Council Member Gerber asked if the long-term pass and parking permits
20 would still be an option. Wasden thought any type of permit could be feasible with
21 meters.

22
23 Council Member Gerber indicated that local employees seemed willing to pay for a
24 permit. Council Member Ware Peek related that at the last Historic Park City Alliance
25 (HPCA) meeting an employer related the success of the carpool permit process.
26 Council Member Gerber asked if staff could get buy-in from Main Street businesses and
27 employees. Stevenson stated it was important to staff to find what worked and what
28 wouldn't undermine Transit.

29
30 There was discussion on parking locations for Main Street employees. Council Member
31 Worel asked about the meters at the library lot. Wasden indicated the three hour
32 parking limit signage had been very successful. Mayor Beerman asked about having an
33 employee at the gates to collect money, and thought that might help avoid damage.
34 Wasden stated he had an employee stationed at the gate to take credit cards Thursday
35 and Friday nights, and damage control was successful. But to manage the damage
36 effectively, there would have to be an employee at every entrance. Council Member
37 Gerber asked if an email address was required when signing up with the parking app.
38 Wasden stated it was not required. She requested emails and phone numbers so the
39 users could receive updates on parking changes. Wasden stated staff was working on
40 that with the T2 system. Council Member Joyce asked what the next step would be.
41 Wasden stated implementing better suited parking technology in China Bridge,
42 improving wayfinding to promote consistent occupancy, considering minor parking rate
43 increases during special events and in areas with greater demand to ride Transit, and

1 fine tuning services through collaboration with external stakeholders. Verson noted her
2 next steps including developing new metrics to measure change, moving from baseline
3 data collection to adaptive management, creating public facing materials, and utilizing
4 better technologies for parking and trip reduction strategies. She also reviewed the Long
5 Range Transit Plan (LRTP) goals which were part of the visioning process and
6 explained the RideAmigos program.

7
8 Council Member Joyce requested that when looking at data, staff should focus on real
9 impacts instead of additional infrastructure. He gave examples of number of riders,
10 cyclists, people using trails, etc. Council Member Worel asked how staff determined
11 when a tool was not effective, such as the Dial-a-Ride program. Knotts stated that
12 program was just a safety measure and was not promoted as a continuous Transit
13 option.

14
15 Council Member Ware Peek talked about Vision 2020 and embracing bold change. She
16 stated Guatemala had 20 gondolas that connected the villages to the cities, and also
17 referred to the gondola in Telluride, Colorado. She hoped the City would move toward
18 bold solutions. Knotts stated Franklin Williams was assigned to look for innovative
19 solutions for Transit, so he would relate that to Williams. Council Member Henney noted
20 that Park City had 150 years of moving people through the air, referring to the mining
21 era of using trams. He also stressed the importance of communicating with the
22 employees in the City who didn't have the necessary parking information.

23
24 Mayor Beerman indicated there would be conversations about aerial transportation from
25 the Bonanza Transit hub in the near future. Knotts indicated his team would bring back
26 costs for that mode of transportation and it could be part of the Capital Improvement
27 Projects (CIP) process. Verson stated that the LRTP was also considering aerial
28 transportation and researching if the Federal Transit Administration (FTA) would
29 consider this a form of transit. Mayor Beerman stated staff had a conversation with
30 congressional transportation committee members with regard to this, and they indicated
31 there were mechanisms for getting federal funding for aerial transit.

32
33 Council Member Joyce proposed thinking big, and proposed the Quinn's Junction park
34 and ride should be built in conjunction with Park City Mountain Resort (PCMR) and
35 Deer Valley with a five story parking facility accommodating 1,500 vehicles being built
36 on that property, and having a gondola to move people from Highway 40 to Old Town.
37 He didn't think the current thought was big planning. Knotts stated land was a factor in
38 planning.

39
40 **Census 2020 Presentation by Summit County Complete Count Committee:**

41 Jeff Jones, Summit County Economic Development Manager, presented this item. He
42 displayed a PowerPoint of the upcoming 2020 Census, and indicated Park City had a
43 30% response rate in 2000 and a 67% response rate in 2010. The response rate

translated into federal dollars, so it was very important to create energy for completing the census next year. He hoped someone from Park City could be on the Summit County Census Committee and expressed hope for increased diversity within the committee. Jones indicated he applied for a \$30,000 grant and a \$10,000 budget request to have a total budget of \$40,000 for marketing to bring awareness to completing the census.

Jones stated this would be the first census that could be filled out on the internet. Paper forms were still available but the push was for digital responses. It was indicated that each residence would receive a card with a code, and when the code was entered into the website, the process would be brief and easy. Council Member Worel asked about residents that had post office boxes. Jones did not have information about cards being sent to post office boxes. Council Member Henney volunteered to be on the committee.

REGULAR MEETING - 6:00 p.m.

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Lynn Ware Peek Council Member Nann Worel Matt Dias, Interim City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present
None	Excused

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Mayor Beerman and the Council members reviewed the meetings, activities and events they attended since the last meeting.

Council Member Joyce disclosed he was friends with the owner of New Business Item Two and indicated it would not affect his opinion. Council Member Worel stated the seniors were concerned with long-term care, a community center and housing. She thought there were some short-term solutions and requested a work session on this topic. Council agreed to have that discussion.

The Council discussed a date for canvassing the election. It was decided to hold the canvass on Tuesday, November 19th, at 8:30 a.m.

Alfred Knotts introduced the new Transit Manager, Kim Fjeldsted. She reviewed her career history and stated she loved public transportation and was excited to work for Park City.

Staff Communications Reports

1. Howl-O-Ween Event Reminders:

2. Residential Parking Permit Zone Expansion:

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

Mayor Beerman opened the meeting for public input on matters not being addressed on the agenda.

Karen Halverson, Park Meadows resident, sought funding to further the trail system. She noted the recreation survey that was distributed this spring which showed respondents reacting positively with regard to trails. She indicated e-bikes were approved for some trails and knew that this was just the beginning. The trails were crowded, and with the introduction of e-bikes the congestion would be unmanageable. She requested the City be proactive by building new trails or upgrading the underutilized trails. She felt increasing funding to Mountain Trails Foundation would help fund more staff and facilitate building and maintaining trails. She gave some suggestions on finding funds for trails.

Mayor Beerman noted Council did not approve a pilot program for e-bikes, but did approve e-bike use on trails for people over 65 or with disabilities.

Bob Gurss stated the summer tourism had grown dramatically, and many used the trails. E-bikes were coming and he hoped the City could address that.

Jamie Rubin stated taxpayers paid significantly for open space, which benefited businesses, visitors, and residents. She felt asking for \$250,000 per year was a very small amount to invest in trails. She hoped to keep the outdoor community outdoors.

Beverly Hurwitz walked every road and trail in Park City and had observed user behavior. She thought bikes were hazardous and caused many injuries. She supported Halverson's platform to create new trails and ensure safety on all trails.

Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from September 26, 2019 and October 4, 2019:

Council Member Gerber moved to approve the City Council meeting minutes from September 26, 2019 and October 4, 2019. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

V) CONSENT AGENDA

1. Request to Approve Resolution 21-2019, a Resolution Declaring November 1, 2019 as "Extra Mile Day" in Park City, Utah:

2. Request to Authorize the City Manager to Execute an Amendment which would Extend to October 31, 2020 the terms of: 1) The October 8, 1991 Water Supply Agreement between Salt Lake City Corporation and Park City Municipal Corporation; and 2) the March 2, 2016 Amendment to the 1991 Agreement as Amended:

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

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

VI) OLD BUSINESS

1. 2019 Park Silly Sunday Market (PSSM) Debrief:

Chris Phinney, Special Event Coordinator, Kate McChesney and Michelle McDonald, PSSM, presented this item. Phinney stated staff found that PSSM operated consistently with the contract. He reviewed the dates for the 2020 season.

For the 2019 season, there was an average of 13,365 attendees per week, and attendee transit ridership increased 3.7%. Parking was removed from Heber Avenue, which helped bus flow. Signage and barricades were implemented on Heber Avenue as well, which helped with pedestrians remaining in the crosswalks.

Council Member Henney asked if pedestrians prohibited the traffic flow and asked if the solutions discussed would continue to be implemented as problems were seen. McDonald indicated that was the practice. Council Member Henney thought this was a good model for other events, noting there was a small cost with a big benefit.

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

Council Member Joyce moved to approve the 2020 special service contract dates for the Park Silly Sunday Market. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

2. Consideration to Authorize the City Manager to Amend the Existing Contract Amount between Park City Municipal and Rocky Mountain Power, a division of Pacificorp, for an Additional \$43,334, AND to Authorize the City Manager to Amend the Existing Contract Amount between Park City Municipal and Horrocks Engineers for an Additional \$122,235 as they Relate to the Construction of a Pedestrian and Bicycle Tunnel on SR-248/Kearns Boulevard:

Julia Collins and Alfred Knotts, Transportation Department, presented this item. Collins reviewed that the HAWK signal delayed traffic. It was activated 23 times prior to the beginning of the school day. The tunnel would alleviate those delays. She reviewed the features of the tunnel, stating it was a green tunnel, with a solar snowmelt system and board form concrete.

Collins indicated the Church of Jesus Christ of Latter Day Saints (LDS) Seminary and the high school were heavily impacted during this project. The seminary offered additional parking, and the school staff also helped with logistics. The police, school district and UDOT helped mitigate the construction impacts. It was indicated that considerable outreach had been performed with residents, the school district parents and students, HOAs and property management services, including a hotline and email address and bilingual flyers.

Collins stated the contractor did not meet the project timeline, but committed to an opening date of mid-November. The utility lines were not mapped correctly and had to be moved as the project proceeded. This project was also in coordination with the waterline replacement project, so the project was put on hold for the water project's completion. She requested funding to extend the engineer contract and with Rocky Mountain Power for moving the utilities. The funding for the project came from the Summit County Transportation tax so the City could see some money come back.

Knotts stated these corridor improvements would be a great benefit to the community once the project was completed.

Council Member Joyce asked why this request didn't come out of the 10% contingency fund. Collins stated each contract had a 10% contingency, and in the case of RMP, 10% of the original contract amount of \$42,000 would not cover moving the utility line. Council Member Joyce didn't want to pay the construction company for not completing on time. Collins stated her team, along with Horrocks Engineers, did a great job keeping the project on budget, especially with the contractor. There could be overruns due to the concurrent waterline and other utility projects. Knotts stated Collins withheld paying the contractor for work that wasn't completed 100%.

Council Member Gerber asked if the colder weather would prohibit the contractor from pouring concrete. Collins stated the last concrete would be poured this week. Council Member Worel asked if there was a fine or other penalty for not completing the project on time. Knotts stated there were penalties and they would be discussed when the project was completed. Council Member Ware Peek asked if the owner would be onsite for the completion of the project. Collins stated he stepped in and staff saw a great improvement in the company's performance. Council Member Ware Peek complimented Collins on her outreach efforts.

Council Member Henney expressed concern on the curb cuts. He hoped vehicles at that point in SR248 would be able to exit after the traffic lights were removed. Knotts stated the estimate was there would be traffic gaps for exits from those side streets, but data would have to be collected after the completion of the project.

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

Council Member Gerber moved to authorize the City Manager to amend the existing contract amount between Park City Municipal and Rocky Mountain Power, a division of PacifiCorp, for an additional \$43,334, and to authorize the City Manager to amend the existing contract amount between Park City Municipal and Horrocks Engineers for an additional \$122,235 as they relate to the construction of a pedestrian and bicycle tunnel on SR-248/Kearns Boulevard. Council Member Ware Peek seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

VII) NEW BUSINESS

1. Consideration to Approve Ordinance No. 2019-53, an Ordinance Approving the Amended Mine Cart Subdivision, Located at 552 Deer Valley Drive, and 553 Deer Valley Loop Road, Park City, Utah:

Laura Kuhrmeyer, Planning Department, presented this item and indicated the proposed plat was to adjust an internal property line in order to build a home. Council Member Joyce asked if the ingress would be from Deer Valley Drive, to which Kuhrmeyer responded in the affirmative.

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

Council Member Joyce moved to approve Ordinance No. 2019-53, an ordinance approving the Amended Mine Cart Subdivision, located at 552 Deer Valley Drive, and 553 Deer Valley Loop Road, Park City, Utah. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

2. Consideration to Approve Ordinance No. 2019-54, an Ordinance Approving the Aerie Phase I, Amending Lots 9, 10 and 11, Plat Amendment, Located at 1312, 1324 and 1336 Aerie Drive, Park City, Utah:

Laura Kuhrmeyer and Bruce Erickson, Planning Department, presented this item. Erickson requested that this item be continued because of a Condition of Approval change request. Marshall King, representing the owner, stated his client was not made aware of this until today. Erickson stated the square footage was not the same in the report and he requested time to make sure the numbers were correct.

Josh Arrington, Upwall Design, stated the house was 13,500 square feet and that number might increase a bit, but it was unclear if code stated that the square footage maximum would include basements. Council Member Joyce indicated the Planning Commission discussed the house size with or without a basement. Erickson stated this was mostly a paperwork item, but basements needed to be verified because in the Aerie subdivision it was not clear. Arrington indicated there was also a question on height restriction that needed to be clarified. Council Member Joyce summarized the Planning Commission discussion.

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

Jim Brown, homeowner, was confused if there was agreement. Mayor Beerman stated the numbers were close.

Council Member Henney moved to continue Ordinance No. 2019-54, an ordinance approving the Aerie Phase I, amending Lots 9, 10 and 11, Plat Amendment, located at 1312, 1324 and 1336 Aerie Drive, Park City, Utah to November 7, 2019. Council Member Gerber seconded the motion.

RESULT: CONTINUED TO NOVEMBER 7, 2019

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

3. Consideration to Approve a Professional Service Agreement, in a Form Approved by the City Attorney, with Alliance Engineering Inc., in the Amount of \$39,000 to Provide Land Planning and Engineering Services Associated with the Annexation of Property Identified in the Current Annexation Property Plan:

Heinrich Deters, Trails and Open Space Manager, presented this item. Mayor Beerman noted this was a Council request to provide more resources in order to expedite the annexation process.

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

Council Member Ware Peek moved to approve a professional service agreement, in a form approved by the City Attorney, with Alliance Engineering Inc., in the amount of \$39,000 to provide land planning and engineering services associated with the annexation of property identified in the current annexation property plan. Council Member Worel seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

4. Consideration to Authorize the City Manager to Enter into a One Year Professional Services Agreement, which may be Renewed for an Additional Two Years (2021 and 2022) in a Form Approved by the City Attorney Not to Exceed \$256,325 Annually between Park City Municipal Corporation and Kane LLC to provide Special Event and Peak Time Period Transportation Operations and Personnel:

Chris Phinney and Jenny Diersen, Special Events Department, presented this item. Phinney reviewed the background for traffic mitigation for Sundance and other events. In 2016, the City hired an outside service for traffic services. He stated Special Events, Parking, Transportation, Emergency Management and Economic Development pooled resources to have one contract for traffic mitigation services. There would be seven scheduled calendar events with an additional 500 peak time hours, which could include a first amendment event or holiday weekend, where Parking might need extra staff.

1 Council Member Ware Peek asked how much was previously spent, so she could
2 determine the cost savings. Diersen stated because the costs were spread over multiple
3 departments and the events had grown year over year, it was difficult to get an exact
4 number. Council Member Ware Peek asked if these contract employees sat in the
5 parking booths during Sundance. Diersen stated in the past, the parking booths were
6 staffed by a different company.

7
8 Council Member Gerber asked if the traffic mitigation would be charged to other events.
9 Diersen stated the cost was not always charged because this increased level of service
10 was a traffic mitigation service, but Tour of Utah had been charged for traffic mitigation
11 the past few years. Council Member Gerber thought the charge back could be
12 implemented on a case-by-case basis and requested this increased level of service be
13 included as fees for each event, noting it could be a tool used to control the size and
14 impacts of events. Diersen stated she could relate that to the events at the request of
15 Council. Council Member Henney stated one way to charge this to the events was to
16 reduce event fee waivers.

17
18 Savor the Summit was one of the events listed, and Council Member Gerber stated that
19 event might not occur. She asked how those hours would be filled. Diersen stated the
20 hours could go into the peak time bank, or if they were unused at the end of the year,
21 the City would not have to pay for them. Council Member Gerber also asked about the
22 cost associated with bollard installation. Phinney stated the length of the event
23 corresponded to the cost of bollard since staff needed to be onsite by the bollards in
24 case there was an emergency and they had to be removed. Council Member Gerber
25 asked if the peak time bank could be used to staff drop and load zones. Diersen
26 affirmed they would bring staff in as needed. There would be a soft training and they
27 might need additional resources for that training.

28
29 Council Member Worel indicated the contracted hourly wage for staff went down on
30 subsequent years. Diersen stated the reduced amount in future years was an incentive
31 the company gave to have a longer contract, but the employees would not have
32 reduced wages. Council Member Joyce noted the Police expense during events would
33 not go away. Council Member Ware Peek indicated there was a desire of consistency,
34 so the contracted employees could interact with the businesses and get to know the
35 people. Council Member Henney asked to get an estimate of a cost breakdown as if
36 each department had handled its own costs for events.

37
38 Mayor Beerman thought the service was beneficial and the residents had noticed the
39 mitigation efforts. If staff performed this mitigation, it would take a toll.

40
41 Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman
42 closed the public hearing.

Council Member Worel moved to authorize the City Manager to enter into a one year professional services agreement, which may be renewed for an additional two years (2021 and 2022) in a form approved by the City Attorney not to exceed \$256,325 annually between Park City Municipal Corporation and Kane LLC to provide special event and peak time period transportation operations and personnel. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

5. Consideration to Authorize an Amendment to the Park City Municipal Corporation/Park City School District (PCMC/PCSD) Fields Lease to Allow an Additional Year:

Jonathan Weidenhamer, Economic Development Manager, Clint Daley, Public Works Manager, and Tate Shaw, Assistant Recreation Manager, presented this item. Weidenhamer stated in 1990 the City entered into an agreement with the School District for use of its fields when they weren't in use. The agreement was about to expire. The City was authorized to extend the agreement up to 20 years, but he recommended extending it for one year until the school master plan was completed. It was noted the school board was agreeable to the one year extension. Mayor Beerman indicated the parking and water elements were part of this agreement so the one year extension would allow staff time to evaluate these aspects and the school district would have time to complete the master plan.

Council Member Ware Peek asked if the area between Treasure Mountain and the fields was wetland, to which Weidenhamer responded in the affirmative. Mayor Beerman stated this was a good partnership with the school district. Council Member Joyce asked if the school master plan would be substantially completed in a year in order to have a discussion. Weidenhamer indicated it would be.

Mayor Beerman opened the public hearing.

Joe Cronley liked the agreement that had been in place the past 30 years and supported the extension. He stated the water table was high and it was great for natural surface fields. He indicated those fields also served as a park for families and dogs.

Mayor Beerman closed the public hearing.

Council Member Joyce stated in a year when the contract came up again, he would like to see how much gym time, water time etc. was actually used.

Council Member Worel moved to authorize an amendment to the Park City Municipal Corporation/Park City School District (PCMC/PCSD) fields lease to allow an additional year. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Gerber, Henney, Joyce, Ware Peek and Worel

Council Response to Public Input Protocol:

Council Member Henney proposed changing the protocol to how Council responded to public comments. He wanted to be able to respond to the public's questions. Plane stated the exception to discussing items not on the agenda was if it was brought up by the public. Further discussion ensued on stating back the comments that were given to clarify the concern. Dias stated he would review the protocols and report back to Council.

VIII) ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Elizabeth Jackson

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Request to Authorize the Mayor to Sign an Updated Agreement to Allow an Enclosed Balcony over a Public Pedestrian Right-of-Way with Riverhorse on Main, Located at 540 Main Street, in a Form Approved by the City Attorney

Suggested Action:

Attachments:

[Riverhorse Balcony Agreement Staff Report](#)

[Riverhorse Balcony Agreement](#)

City Council Staff Report



Subject: 2019-2020 Winter Balcony Enclosure on Main
Author: Liz Jackson, Planner
Department: Planning
Date: 7 November 2019
Type of Item: Administrative

Summary Recommendation/Executive Summary

Staff recommends that the City Council consider authorizing the Mayor to sign an updated Agreement to Allow an Enclosed Balcony over a Public Pedestrian Right-of-Way with Riverhorse on Main, in a form approved by the City Attorney.

Background

Per [Land Management Code \(LMC\) 15-2.6-3\(D\)\(1\)](#) the Historic Commercial Business (HCB) Zoning District requires advance City Council approval for a Balcony being erected, enlarged, or altered. In 2018, City Council approved supporting a five (5) year extension of the Winter Balcony Enclosure Program. This was an extension of the original three (3) year pilot program that began in 2015. For background on the program see the [staff report](#) and [minutes](#) (beginning on page 10) from the October 11, 2018 City Council meeting. Although the program itself was extended, City Council will review and approve Encroachment Agreements for proposed balcony enclosures on an annual basis.

Alternatives for City Council to Consider

1. Deny the request to authorize the Mayor to sign the updated Agreement to Allow an Enclosed Balcony over a Public Pedestrian Right-of-Way. This would prevent Riverhorse on Main from constructing the enclosure over the Right-of-Way; or
2. Modify the updated Agreement to Allow an Enclosed Balcony over a Public Pedestrian Right-of-Way. The City Council may provide direction to City staff regarding the 2019-2020 Agreement; or
3. Continue this item. The City Council may continue the item to another date to allow City staff to return with additional information and discussion; or

Analysis

This program has shown to be a benefit to the business owner and community, as it increases service and special events capacity during the busy winter season. The program also has Design Guidelines for Balcony Enclosures to mitigate impacts on the Historic District. These Guidelines are shown in Exhibit A of the staff report linked above. Riverhorse is the only business to request to take part in the Winter Balcony Enclosure Program. No complaints have been received for the Balcony enclosure. Per Riverhorse owner Seth Adams, the enclosure has been well-received by Riverhorse patrons and increased the business's profitability. No new terms are proposed.

Department Review

The Planning, Engineering, Legal, and Executive Departments have reviewed this staff report.

Funding Source

Not applicable.

Exhibits

Exhibit A – Proposed 2019-2020 Balcony Agreement with Riverhorse

EXHIBIT A

AGREEMENT TO ALLOW AN ENCLOSED BALCONY OVER A PUBLIC PEDESTRIAN RIGHT-OF-WAY

This AGREEMENT is made and executed this ____ day of _____, 2019, by and between Park City Municipal Corporation, a municipal corporation and political subdivision of the State of Utah, ("Park City") and the Riverhorse Partners, LLC ("Riverhorse on Main" and "Tenant"), located at 530 Main Street, also known as 540 and 544 Main Street, Park City, Utah.

RECITALS

WHEREAS, pursuant to Land Management Code section 15-2.6-3(D) no balcony may be erected, enlarged or altered over a public pedestrian right of way without the advanced approval of City Council; and

WHEREAS, the owner of the Riverhorse on Main, located at 540-544 Main Street, Park City, Utah, wishes to enclose the balcony for wintertime use which will alter the balcony; and

WHEREAS, the City Council wishes to continue a pilot program to allow enclosures of balconies facing Main Street in non-historic buildings for restaurants; and

WHEREAS, the City wishes to enable opportunities for restaurants on Main Street to be able to provide additional dining opportunities; and

WHEREAS, the City's goals include the establishment of new and creative opportunities to facilitate the Main Street experience for residents and visitors alike during the winter season; and

WHEREAS, the City recognizes the desire of many visitors and residents to dine above historic Main Street during the winter months; and

WHEREAS, the City's goals include maintaining and furthering the resort community's economic opportunities, as well as enhancing the economic viability of Park City's Main Street Business District.

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

TERMS & CONDITIONS OF AGREEMENT

Based upon good and valuable mutual consideration, the Tenant and Park City agree as follows:

1. PROPERTY. The property affected by this Agreement is generally described as the balcony appurtenant to 540-544 Main Street, Park City, Utah, which is over a public pedestrian right of way (hereinafter referred to as the "Premises").

2. TERM.

- a. The term of this Agreement shall commence on November 15, 2019, and shall terminate on April 30, 2020, unless terminated earlier as provided herein. This Agreement may be terminated by Park City upon a finding of non-compliance of this Agreement.
- b. The balcony enclosure must be constructed and deconstructed on or between November 14, 2019 and May 4, 2020.

B. USE OF PREMISES.

- a. Tenant may enclose the Premises only for dining services.
- b. Park City makes no representations regarding the Premises and Tenant accepts the Premises "as is."
- c. The enclosure must meet all requirements of a Historic District Design Review.
- d. The Enclosure design and material should respect the architectural style of the building and shall retain existing balcony railings in order to achieve a design consistent with open balconies and maintain the character of the original building.
- e. The existing exterior wall of the building may not be removed seasonally in order to accommodate the enclosure.
- f. The enclosure shall not block existing door and window openings on neighboring buildings.
- g. The enclosed area must have direct access to the dining area of the restaurant in the building.
- h. Enclosures should consist of clear glazing set in window frames that generally match the mass, scale, and materials of those used for the glazing frames of the building.
- i. Screens are permitted and should only be used in times of extreme sun, but should not be obtrusive.
- j. The enclosure design must address snow shedding which must be approved by the Building Department.
- k. Any snow or ice shedding onto the City sidewalk or street caused by the enclosure as determined by the Chief Building Official is the responsibility of the property owner of 530 Main Street, also known as 540 and 544 Main Street, or Tenant to remove.
- l. The maximum height for the enclosure shall not exceed one (1) story in height, and shall be subordinate in mass, scale, and height to the existing structure. The height of the enclosure shall not exceed the height of the building's second story or cornice, whichever is shorter in height.

- m. No additional exterior electric lighting is permitted on the outside of the enclosure.
- n. The use shall not violate the Summit County Health Code, the Fire Code, or International Building Code.
- o. The use of outdoor speakers and music is prohibited.

C. ENCLOSURE OF THE PREMISES.

- a. The enclosure shall be completed at Tenant's sole expense and removed at Tenant's sole expense upon expiration of this Agreement.
- b. Tenant is responsible for obtaining building permits to erect the enclosure and remove it.
- c. Tenant is also responsible for adhering to all other applicable City and State licensing ordinances, including the Department of Alcoholic Beverage Control.
- d. The Tenant is responsible for obtaining the necessary building permits to construct and demolish the balcony enclosure. The Tenant shall work with the Building Department to schedule necessary inspections. A Demolition Permit will be required for the removal of the balcony enclosure prior to the demolition of the Structure.

D. SIGNS. No signs shall be permitted on the Premises except as specifically approved by the Park City Municipal Corporation Planning Department pursuant to the Park City Sign Code and/or Tenant's Master Sign Plan.

E. INSURANCE. Tenant shall, at Tenant's sole expense, carry a policy of general liability insurance in an amount of at least Two Million Dollars (\$2,000,000) per combined single limit per occurrence and Three Million Dollars (\$3,000,000) per aggregate for personal injury, bodily injury and property damage. Park City shall be named as an additional insured by endorsement on each policy. Tenant's insurance is to be primary to Park City's and Park City's insurance shall be noncontributory. A certificate of insurance with a thirty (30) day cancellation notice provision shall be provided to Park City on or before the lease commencement date, and maintained continuously during the term of the lease. Tenant may carry whatever other insurance Tenant deems appropriate. The parties agree that Tenant's sole remedy in the event of business interruptions, fire, windstorm, or other loss from hazard shall be its own insurance and Tenant will have no action against Park City. Park City is protected by the Utah Governmental Immunity Act, and nothing herein is intended to waive or limit the protection of the Act on behalf of either entity, but to the extent it is consistent with this intent, it is the purpose of this provision to protect Park City for liability or allegations arising out of the Tenant's use of the Premises.

F. HOLD HARMLESS. Tenant covenants and agrees to defend, indemnify, and hold Park City harmless from all claims, loss damage, injury, or liability (hereafter "Liability") resulting from Tenant's use and occupancy of the Premises to the full extent permitted by law and/or the Utah Governmental Immunity Act, including reasonable

attorney's fees, but excluding any Liability resulting from acts or omissions of Park City, its officers, employees or agents. Nothing herein shall be construed as a waiver of any of the rights or defenses under the Utah Governmental Immunity Act (Utah Code Ann. Sections 63-30-1, et seq.), as amended. The obligations hereunder shall be determined under principles of tort law including, but not limited to, the Governmental Immunity Act. In case of an emergency, including, but not limited to a flood, storm drain, or utility issue, the structure may be removed or damaged by response teams at the cost of the Tenant.

Tenant shall indemnify, protect and hold the Landlord harmless from and defend (by counsel reasonably acceptable to Landlord) the Landlord against any and all claims, causes of action, liability, damage, loss or expense (including reasonable attorneys' fees and costs and court costs incurred in connection with that action or proceeding), statutory or otherwise, arising out of or incurred in connection with (i) the use, operation, occupancy or existence of the Premises or the presence of visitors, or any other person, at the Premises during the Term or the Renewal Term, (ii) any activity, work or thing done or permitted or suffered by Tenant in or about the Premises, (iii) any acts, omissions or negligence of Tenant, any person claiming through Tenant, or the contractors, agents, employees, members of the public, invitees, or visitors of Tenant or any other such person ("Tenant Party" or "Tenant Parties"), (iv) any breach, violation or nonperformance by any Tenant Party of any provision of this Lease or of any law of any kind, or (v) except to the extent resulting from any negligence or intentional torts of Landlord.

G. ASSIGNABILITY. Tenant shall not assign or transfer any interest in this Agreement without the prior written consent of Park City. Any assignment or transfer without written approval is void.

H. PROFESSIONAL PERFORMANCE. Tenant agrees to perform services under this Agreement at the highest professional standards, and to the satisfaction of Park City.

I. APPLICABLE LAW. This Agreement shall be governed by the laws of the State of Utah.

J. ENTIRE AGREEMENT. This Agreement constitutes the entire and only agreement between the parties and it cannot be altered or amended except by written instrument, signed by both parties.

Executed the day and year first above written.

Tenant:

By:

Its:

**(ACKNOWLEDGEMENT AND SIGNATURES CONTINUE ON FOLLOWING PAGE)
ACKNOWLEDGMENT**

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 2019, _____ personally
appeared before me _____, who being duly sworn, did say
that he is the _____ of Riverhorse Partners, LLC and acknowledged to me
that the preceding Agreement was signed on behalf of
_____, and he acknowledged that he executed
same on behalf of the company for its stated purpose.

Notary Public

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

City Attorney's Office

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Roger McClain

Submitting Department: Public Utilities

Item Type: Staff Report

Agenda Section:

Subject:

Request to Authorize the City Manager to Execute the Third Addendum to the Design Professional Services Agreement, in a Form Approved by the City Attorney, with CH2M, Inc., for the 3Kings Water Treatment Plant (3KWTP) Phase III Design Services in an Amount Not to Exceed \$565,000

Suggested Action:

Attachments:

[3KWTP Design Services Third Addendum Staff Report](#)

[Attachment A: 3KWTP Contracts Summary Table](#)



City Council Staff Report

Subject: 3Kings Water Treatment Plant Phase III - Design Services Professional Services Agreement, Third Addendum – CH2M, Inc.
Author: Roger McClain, Public Utilities Engineering Manager
Department: Public Utilities
Date: November 7, 2019
Type of Item: Administrative

Recommendation

Staff recommends Council authorize the City Manager to execute the Third Addendum to the Design Professional Services Agreement, in a form approved by the City Attorney, with CH2M, Inc., for the 3Kings Water Treatment Plant (3KWTP) Phase III Design Services in an amount of \$565,000 for a total contract amount of \$9,532,909.

The proposed scope and fee reflects additional work to complete the design through the building permit application and approval process and support the Early Contractor Involvement (ECI) 3KWTP contract delivery method. Staff feels that the proposed fee is warranted for the services of the nature, scope, and expertise associated with the complex treatment facility design that is required to address the SCO. Services included in the proposed Third Addendum for CH2M include:

ECI construction contract support, design related services such as:

- Owner-requested Value Engineering (VE) input
- Rework of generator building to address selected equipment sizing and building sizing optimization based on VE review
- Preparation prequalification packages for supplier selection of major equipment
- Review of equipment supplier proposals and subsequent shop drawing reviews
- Construction Mitigation and Demolition GMP Package to support ECI 3KWTP phasing and contractor staging on the Park City Golf Course Hole 11

Additional site, building, and treatment process design services consist of:

- Design support for Thiriot Spring temporary pumping and filtration
- Addition of a backwash waste clarification system
- System-wide hydraulic water pressure surge analysis
- System-wide upgrades including support for Owner's procurement of membrane rack and replacement/upgrade of the wash water equalization basin and design services for additional City requested treatment components
- Virtual Reality model programming for 3KWTP
- Supplemental design work to address PCMC building permit review and agencies review comments

Schedule. The design work associated with Addendum No. 6 is anticipated to be completed by early 2020 and will be included in the 100% design package.

Background

- May 25, 2017, Council authorized the execution of the Professional Services Agreement (PSA) for Concept Design services in amount not-to-exceed \$1,497,909;
- April 5, 2018, CC authorized First Addendum to the PSA for Schematic Design services in amount not-to-exceed \$1,600,000
- October 24, 2018 received Planning Commission approved the Master Planned Development and Conditional Use Permits;
- November 8, 2018, CC authorized Second Addendum to the PSA for Design Development and Construction Drawing services in amount not-to-exceed \$5,870,000.
- A table reflecting the Council approved and anticipated contracts for the *3Kings Water Treatment Plant and Associated Improvements* is included with the staff report. The line item pertinent to the proposed addendum is highlighted. The proposed addendum is less than the anticipated amount listed in the table.

Funding Source

The funding for the addendum is from water service fees, is included in the approved FY2020 Water CIP budget, and costs are included in the Water Department's long term comprehensive financial model.

Attachments

A summary of the contracts related to the 3Kings Water Treatment Program is attached. The contract considered in this staff report is highlighted in yellow.

Two corrections have been made to this table since it was last presented to Council 1) The total budget is corrected to include the budget prior to FY 2020 which was for contracts issued prior to FY 2020. 2) The GMP for the construction of 3KWTP is corrected to include the estimated contingency for this project which was budgeted for but not included in the estimated contract amount.

Summary of Approved Council Contracts and Anticipated Contracts

Total Approved Contracts	\$15,893,403
Total Estimated Contracts	\$107,050,000
Budget prior to FY 20	\$8,075,375
5 year CIP Budget (FY 20 - FY 24)	\$101,736,093
Total Budget	\$109,811,468
Percent Design Complete	90%
Percent Construction Complete	5%

Service	Contractor	Contract	CC Authorized Date	CC Authorized Amount	Estimated Contract Amount	Estimated Future Contract Approval Date
3Kings Water Treatment Plant and Associated Improvements						
Design Engineer - 3KWTP Concept & Process Development	CH2M (Jacobs)	DSPA	25-May-17	\$1,497,909.00	\$1,500,000	
Schematic Design		First Addendum	5-Apr-18	\$1,600,000.00	\$1,470,000	
Design Development & Const. Drawings		Second Addendum	8-Nov-18	\$5,870,000.00	\$5,100,000	
Supplemental Design and Equipment Procurement Assistance		Third Addendum		\$565,000.00	\$580,000	October 2019
Design Engineer - 3KWTP Process Advisory Assistance	WQTS	DSPA		\$98,460.00	\$100,000	
ECI Contractor - 3KWTP Pre-Construction & Construction Services	Alder Construction	Agreement	8-Nov-18	\$0.00	\$0	
Pre-Construction Services		Amendment No. 1	8-Nov-18	\$183,500.00	\$200,000	
Pre-Construction Services		Amendment No. 2	18-Jul-19	\$61,336.00	\$100,000	
Pre-Construction Services		Amendment No. 3	15-Aug-19	\$82,374.00	\$100,000	
Off-site Improvements Ph 1 GMP		Amendment No. 4	15-Aug-19	\$2,400,000.00	\$2,400,000	
Construction Mitigation & Demolition GMP		Amendment No. 5	2-Sep-19	\$2,530,650.00	\$2,500,000	
3KWTP Construction GMP		Amendment No. 6			\$77,000,000	November 2019
Off-site Improvements Ph 2 GMP		Amendment No. 7			\$6,000,000	June 2020
3KWTP Construction Engineering Services	TBD	DSPA			\$6,500,000	November 2019
3KWTP Geotechnical Engineering Services	TBD	DSPA			\$25,000	January 2020
3KWTP Materials Testing & Inspections	TBD	DSPA			\$750,000	January 2020
3KWTP Special Inspections	TBD	DSPA			\$50,000	January 2020
3KWTP Energy Modeling & Building Commissioning	Van Boerum Frank & Assoc.	DPSA	31-May-18	\$44,174.00	\$50,000	
Building & Mechanical Commissioning Services		First Addendum			\$75,000	February 2020
Public Art in the Community	TBD	DSPA			\$300,000	July 2020
Design Engineer - 3KWTP Off-Site Improvements	Bowen Collins & Associates	DPSA	8-Nov-18	\$755,000.00	\$800,000	
Construction Engineering - Off-Site Improvements Ph 1		First Addendum	15-Aug-19	\$205,000.00	\$200,000	
Construction Engineering - Off-Site Improvements Ph 2		Second Addendum			\$200,000	June 2020
Construction Engineering - Empire Tank Replacement		Third Addendum			\$50,000	June 2021
Empire Tank Replacement - Construction	TBD	C/A			\$650,000	March 2021
Empire Tank Replacement - Materials Testing	TBD	DSPA			\$25,000	March 2022
Judge Tunnel & Empire Tank Communications System	TBD	C/A			\$325,000	March 2023
3KWTP Building Permit Fee Waiver	TBD				TBD	
3KWTP Annual Operations and Maintenance Budget	NA				\$2,000,000 per year	Fiscal Year 22
TOTALS				\$15,893,403	\$107,050,000	

Notes

1- Dollar amounts shown in the estimated contract amount column are based on the best available information and are subject to change based on many factors such as scope change, project approach change, price inflation and other similar factors.

2 - The list of future contracts is estimated and some may be removed or added depending on the requirements of the project.

LEGEND:

CC: City Council
C/A: Construction Agreement
CM/GC: Construction Manager/General Contractor
DSPA: Design Service Professional Services Agreement
TBD: To be Determined

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Jonathan Weidenhamer

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Request to Authorize the City Manager to Exercise a Seven Month Contract Extension in a Form Approved by the City Attorney for an Amount Not to Exceed \$17,000 for City Facilities and \$68,000 for the Historic Park City Alliance (HPCA) Main Street Area

Suggested Action:

Extend Current Service Provider Agreement through Spring 2020

Attachments:

[Trash Contract Extension Staff Report](#)

[Exhibit A: Allied Republic Contract Addendum 2](#)



City Council Staff Report

Subject: Extension of Downtown Trash Contract
Author: Jonathan Weidenhamer, Economic Development Manager
Department: Economic Development
Date: November 7, 2019
Type of Item: Administrative

Recommendation

In order to allow time to better assess and achieve City Council and the Historic Park City Alliance (HPCA) sustainability goals in terms of trash and recycling services, staff recommends a simple seven month extension of the existing trash contract. During this time, staff will work with HPCA, Council Liaisons, and City staff to assess additional sustainability strategies and associated costs.

Staff recommendation - Authorize Addendum #3 to the Allied Waste Services d/b/a Republic Services Provider/Professional Services Agreement, for a seven month contract extension, in a form approved by the City Attorney, not to exceed \$17,987 for City Facilities and \$52,896 for the HPCA Main Street area.

Background

In 2007, Park Municipal Corporation (PCMC) created the Main Street Business Improvement District (BID) to establish a single service provider for commercial solid waste collection and provide business promotion for the District. The BID was extended in June 2019 for one year through June 30, 2020 ([link, minutes](#)), with the idea that City Council felt there were opportunities to clarify and better align expectations and resources related to common goals.

PCMC holds the overarching contract with Allied Services for dumpsters at City Facilities as well as the BID's trash. The contract establishes costs for hauling businesses with individual totes on Main and Swede as well as the common dumpsters/compactors in Swede Alley. The contract, expiring November 30, 2019, can be extended by mutual agreement, and Allied (Republic) is supportive.

The costs reflect a seven month pro-rated amount based on actuals from last year with a CPI bump.

Exhibits

A Second Addendum to Current Trash Contract

**SECOND ADDENDUM TO PARK CITY MUNICIPAL CORPORATION
SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT**

THIS SECOND ADDENDUM is made and entered into in duplicate this 5 day of December, 2016, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation and political subdivision of the State of Utah ("City"), and ALLIED WASTE SERVICES of NORTH AMERICA, LLC, d/b/a ALLIED WASTE SERVICES of SUMMIT COUNTY//REPUBLIC SERVICES of SUMMIT COUNTY, a Utah limited liability company, ("Service Provider"), to amend the PARK CITY MUNICIPAL CORPORATION SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT and Amendment #1 signed and executed by the Parties on December 1, 2013, (the "Original Agreement").

WHEREAS, the parties entered into a PARK CITY MUNICIPAL CORPORATION SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT and Amendment #1 on December 1, 2013, (hereinafter "Original Agreement");

WHEREAS, the City desires to have Service Provider continue to perform municipal solid waste collection services for the commercial and business sector within the Main Street area within the terms of the Agreement per the Agreement's extension provision and to add the definition and terms of the Annual Increase as stated below.

WHEREAS, This Second Addendum is to exercise the option to renew for an additional three (3) years of service beginning December 1, 2016, terminating on November 30, 2019.

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, the parties hereto now amend the Original Agreement as follows:

1. AMENDMENTS:

- a. **EXTENSION OF TERM.** The parties agree that the Original Agreement shall be extended for an additional three (3) years beginning December 1, 2016 and expiring on November 30, 2019, (the "Extended Term").
- b. **ANNUAL FEE INCREASE.** Effective as of December 1, 2016, and each December 1st thereafter during the Extended Term, Service Provider shall increase the rates for basic service in an amount equal to the percentage increases in the Garbage & Trash line in the CPI for Urban Consumers (CPI-U) U.S. City Average (Table 3), Unadjusted percent change, as published by United States Bureau of Labor Statistics (www.bls.gov). Rates will be adjusted using June of prior year to June of current percent change, Garbage & Trash index with a 1%

Revised 9.14.16

minimum and a 3% maximum. This increase is outside of any price adjustment needed to capture increased costs due to volume or landfill cost increases using the same cost adjustment measures used during initial Agreement period. The total fee for the Project shall not exceed per annum Seventeen Thousand Dollars (\$17,000) for City Facilities and Sixty Eight Thousand Dollars (\$68,000) for HPCA Main Street Area.

2. **OTHER TERMS.**

All other terms and conditions of the Original Agreement shall continue to apply.

3. **ENTIRE AGREEMENT.** This First Addendum is a written instrument pursuant to Section 21 of the Original Agreement between the parties and cannot be altered or amended except by written instrument, signed by all parties.

IN WITNESS WHEREOF the parties hereto have caused this Second Addendum to be executed the day and year first herein above written.

PARK CITY MUNICIPAL CORPORATION
445 Marsac Avenue
P.O. Box 1480
Park City UT 84060-1480

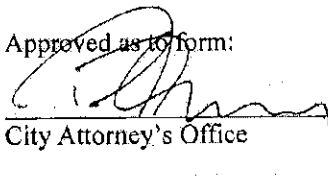



Diane Foster, City Manager

Attest:


City Recorder's Office

Approved as to form:


City Attorney's Office

SERVICE PROVIDER:

ALLIED WASTE SERVICES of NORTH AMERICA, LLC, d/b/a ALLIED WASTE SERVICES of SUMMIT COUNTY/REPUBLIC SERVICES of SUMMIT COUNTY, a Utah limited liability company

4144 Atkinson Ave.
Park City, UT 84098

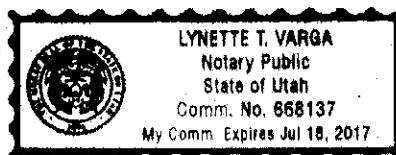
Tax ID#: 20-1838910
PC Business License#: B-005238

OLIVER DIBBEE
Printed Name

[Signature]
Signature

General Manager
Title

STATE OF UTAH)
) ss.
COUNTY OF SUMMIT)



On this 2nd day of December, 2016, before me, the undersigned notary, personally appeared Oliver Dibbee, personally known to me/proved to me through identification documents allowed by law, to be the person whose name is signed on the preceding or attached document, and acknowledged that he/she signed it voluntarily for its stated purpose as General Manager (title) for ALLIED WASTE SERVICES OF NORTH AMERICA, LLC, d/b/a ALLIED WASTE SERVICES OF SUMMIT COUNTY/REPUBLIC SERVICES OF SUMMIT COUNTY, a Utah limited liability company..

[Signature]
Notary Public



CERTIFICATE OF LIABILITY INSURANCE

Page 1 of 5

DATE (MM/DD/YYYY)
09/17/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER CANNON COCHRAN MANAGEMENT SERVICES, INC. 17016 N. SCOTTSDALE RD. SCOTTSDALE, AZ 85255	CONTACT NAME: PHONE (A/C No. Ext): FAX (A/C No. Ext): E-MAIL ADDRESS: certificate@ccmsai.com														
INSURED REPUBLIC SERVICES, INC. 18500 N. ALLIED WAY PHOENIX, AZ 85054	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: ACE American Insurance Company</td> <td>22667</td> </tr> <tr> <td>INSURER B: Indemnity Insurance Company of NA</td> <td>43675</td> </tr> <tr> <td>INSURER C: ACE Fire Underwriters</td> <td>20702</td> </tr> <tr> <td>INSURER D: Illinois Union Insurance Company</td> <td>27860</td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: ACE American Insurance Company	22667	INSURER B: Indemnity Insurance Company of NA	43675	INSURER C: ACE Fire Underwriters	20702	INSURER D: Illinois Union Insurance Company	27860	INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: ACE American Insurance Company	22667														
INSURER B: Indemnity Insurance Company of NA	43675														
INSURER C: ACE Fire Underwriters	20702														
INSURER D: Illinois Union Insurance Company	27860														
INSURER E:															
INSURER F:															

COVERAGES

CERTIFICATE NUMBER: 1040029

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY ☒ COMMERCIAL GENERAL LIABILITY CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☐ PROJECT ☐ LOC			HDO G27853420	08/30/2016	08/30/2017	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 5,000,000 MED EXP (Any one person) PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS -COMP/OP AGG \$ 5,000,000
A	AUTOMOBILE LIABILITY ☒ ANY AUTO ☒ ALL OWNED AUTOS ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ☒ NON-OWNED AUTOS UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$			ISA H06043585	08/30/2016	08/30/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) EACH OCCURRENCE AGGREGATE
B A C A D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☒ N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WLR C48608115 - AOB WLR C48608127 - CAA/MAJOR SCF C48608139 - W WDU C48608140 - CH XS TNS C48612763 TX NB XS	04/30/2016 08/30/2016 08/30/2016 08/30/2016 08/30/2016	08/30/2017 08/30/2017 08/30/2017 08/30/2017 08/30/2017	☒ WC STATUTORY LIMITS ☐ OTHER E.L. EACH ACCIDENT \$ 3,000,000 E.L. DISEASE -EA EMPLOYEE \$ 3,000,000 E.L. DISEASE -POLICY LIMIT \$ 3,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Division Number: 4494 - Named Insured Includes: Allied Waste Services of North America, LLC - Dba: Allied Waste Services of Summit County

CERTIFICATE HOLDER

Park City Municipal Corporation
 445 Marsac Avenue
 Park City, UT 84060-5122
 United States

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Christopher Phinney

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

2019 Park City Kimball Art Festival Debrief

(A) Public Input

Suggested Action:

Attachments:

[Kimball Arts Festival Debrief Staff Report](#)

[Exhibit A: Background Park City Kimball Arts Festival](#)

[Exhibit B: 2019 Kimball Arts Festival Debrief Staff Analysis](#)

[Exhibit C: 2019 Park City Kimball Arts Festival Recap](#)

City Council Staff Report

Subject: Kimball Arts Festival 2019 Debrief
Author: Chris Phinney, Special Event & Facility Coordinator
Department: Special Events & Economic Development
Date: November 7, 2019
Type of Item: Informational

Recommendation

Each year, as a requirement of the [City Service Contract](#) for the Park City Kimball Arts Festival, the Kimball Art Center is required to debrief the event and demonstrate contract compliance. Staff is returning with representatives from the Kimball Art Center to present City Council a debrief of the 2019 Park City Kimball Art Festival (PCKAF) which will focus on economic impact, performance measures including transportation and sustainability efforts, operational coordination, and City Service Fees. The 2019 Kimball Arts Festival was a successful vibrant event that brought many national and international attendees to Main Street. The PCKAF was in compliance with their contract and supplemental plan requirements.

Background

There is an extensive background of the PCKAF found in Exhibit A. PCKAF is an important cultural and community event and provides economic benefits to our local business community. The PCKAF serves as the primary fundraiser for the Kimball Art Center each year and is a Level 5 event that helps maintain Park City's reputation throughout the western states as a destination for arts and culture. Over the last 50 years, proceeds from the Festival enable the Kimball Art Center to provide numerous exhibitions and programs for the community.

Analysis

A detailed staff analysis of the 2019 Kimball Arts Festival can be found in Exhibit B which includes Transportation and Parking Analysis, Residential Mitigation, Kimball Terrace Event Space and Financial Considerations. The Kimball Art Center's Recap of Economic Impact and Performance Measures can be found in Exhibit C and includes Economic Impact and Performance Measures such as Environmental Sustainability, Free the Fest for Primary Resident Recap and RFID.

In 2019, the festival celebrated its 50th year by freeing the fest all weekend for Summit County primary residents and bringing the gala back to Main Street at the Kimball Terrace Event Space. This was a successful endeavor that has received much praise from local residents and contributed \$1.2 million in Artist Sales (\$1.2 million in 2018).

The PCKAF remains one of the largest events on Park City's event calendar. The continued success of the event has also created impacts that need to be mitigated, specifically in the Old Town neighborhood and Main Street areas. The size and popularity of the event require coordination between almost every department in the City, as well as many community partners.

Funding

There were \$152,552.84 in City Service Fees for 2019. All fees according to the contract will be waived. The Kimball Art Center has been invoiced for \$10,000 in City Services as according to requirements in section E.10 for the [City Service Contract](#). Funding for the Park City Kimball Arts Festival comes from the General Fund (Exhibit B includes 2019 Park City Kimball Arts Festival City Services Fee Final Invoice).

Attachments

Exhibit A	Park City Kimball Arts Festival Background
Exhibit B	2019 Kimball Arts Festival Debrief Staff Analysis
Exhibit C	2019 Park City Kimball Arts Festival Recap

Exhibit A Park City Kimball Arts Festival Background

Past Council Meetings

<u>Date</u>	<u>Item</u>
November 3, 2016	Kimball Arts Festival Contract Approval / Minutes (pg.14)
June 29, 2017	Kimball Arts Festival Supplemental Plan Approval (pg 159 - 183) / Minutes (pg. 12)
October 24, 2017	Kimball Arts Festival Debrief (pg. 31 – 49) / Minutes (pg 2 to 3)
July 19, 2018	2018 Park City Kimball Arts Festival Supplemental Plan Approval / Minutes (pg 13)
November 8, 2018	2018 Kimball Arts Festival Debrief (pg. 6 – 7) / minutes (pg 1 to 2)
May 2, 2019	Amendment to the Kimball Arts Festival (KAC) Supplemental Plan for use of Kimball Terrace as Venue (pg 268 to 303) / Minutes (page 12 to 13)
July 11	2019 Kimball Arts Festival (KAC) Supplemental Plan Approval

Exhibit B – 2019 Kimball Arts Festival Debrief Analysis

For the weekend of the Kimball Arts Festival (Friday, August 2 – Sunday, August 4), City staff implemented the following mitigation strategies:

Transit Only Lane Along Deer Valley Drive and Encouragement of Transit Use

The transit only lane for southbound shuttles on Deer Valley Drive, new transit efficiencies (the high level of service provided by the *Electric Xpress*), paid parking, advanced Variable Message Signs (VMS) for traveler information, residential traffic mitigation signage and personnel are all believed to have contributed to dramatically higher levels of transit ridership during Arts Fest 2019. During the 2019 Festival, Park City Transit accommodated an estimated 44,271 one-way passenger trips, representing a nearly 23% year-over-year increase in one-way passenger trips from Arts Fest 2018 (estimated at 35,765 one-way passenger trips in 2018).

Satellite Parking Options

Kimball Art Center coordinated the use of the School District Kearns Campus, Deer Valley and Vail parking lots in a park-and-ride capacity during Arts Fest weekend. On the weekend of the Festival (August 4th & 5th), the School District lots filled to approximately 70% capacity, suggesting that the parking measures implemented downtown and increased transit use were effective in reducing private automobile trips into Old Town. A decrease in total congestion of satellite lots was observed between last and this year (80% in 2018), but the flow of traffic to and from the lots was consistent throughout the festival.

Paid and Restricted Parking in Old Town

During Arts Fest weekend, staff implemented a parking rate of \$5 per hour with an \$18 per day max rate for Saturday and Sunday and Normal parking rates on Friday evening (\$3 per hour/\$18 max) in China Bridge garage in order to manage traffic impacts of reduced availability of downtown parking. These implementations incentivized visitors to park at park-and-ride locations or reach the Festival by other means, reducing congestion impacts in the Old Town area. On August 3rd & 4th, the China Bridge garage was close to capacity, hovering around 95% occupancy throughout the afternoon.

Advanced VMS Messaging and Improved Wayfinding

In partnership with the Utah Department of Transportation (UDOT), City staff continued increased use of the VMS infrastructure for operations during Arts Fest weekend as similarly operated in 2018. From Thursday, August 1 to Sunday, August 4, staff leveraged VMS in the City to encourage residents and visitors to carpool and use transit when traveling to Old Town. Throughout the weekend, VMS as well as additional way finding were used and monitored in order to appropriately direct visitors to parking areas with available capacity.

Kimball Terrace Event Space Usage – The Art Starts Here Gala

On [May 2, 2019](#) the Kimball Terrace was approved for use by the Kimball Arts Festival for as the Gala and VIP Lounge location. Per approval the Council wanted noise readings taken 4 times during the night (at the onset, cocktail hour, dinner and ending of the Gala). Per section 6-3 of the municipal code, a variance relief from the noise

Exhibit B – 2019 Kimball Arts Festival Debrief Analysis

restrictions was granted at a level of 80 dBs from 4:00 p.m. to 10:00 p.m. for non-amplified music and conversational noise. The noise readings are listed below and average below 60 dBs and in accordance with the variance. The night was well attended and ingress and egress of guest as well as load-in and load-out caused no issues.

Per Park City Police Department Action Report:

- Reading one (cocktail hour): Below 60 dBs
- Reading two (auction): 68 dBs
- Reading three (dinner): Below 60 dBs
- Reading four (egress): Below 60 dBs.

Funding

Funding for the Park City Kimball Arts Festival comes from the General Fund. The Kimball Art Center has been invoiced for \$10,000 in City Services as according to requirements in section E.10 for the [City Service Contract](#). The total City Service Fees waived in 2019 is \$142,552.84. (Exhibit C includes 2019 Park City Kimball Arts Festival City Services Fee Final Invoice)

2019 Park City Kimball Arts Festival City Services Fee Final Invoice

Special Events and Facilities Department				
Attention: Canice Harte Kimball Art Center 1401 Kearns Boulevard PO Box 1478 Park City, UT 84060	Please remit payment within 30 days to: Park City Municipal Corporation - Special Events and Facilities Dept. City Hall, 3rd Floor, Attn: Chris Phinney, P.O. Box 1480, Park City, UT 84060			
Event: Park City Kimball Arts Festival				
Event Date: August 2, 3, 4, 2019				
	DATE: 10/02/2019			
SERVICE DESCRIPTION	COST	# OF ITEMS OR HOURS	Waiver %	Fees Paid
Special Events and Facilities Department				
Level 5 Application Fee - Annual	\$640.00	1	100%	\$0.00
Fire/ Building Permits	\$202.84	1	100%	\$0.00
Parking Services	\$10,000.00	1	100%	\$0.00
Increased Cleanings Building Maintenance	\$1,500.00	1	100%	\$0.00
Transit Operations	\$72,473.00	1	100%	\$0.00
Banner Installation	\$800.00	1	100%	\$0.00
Public Safety Personnel	\$66,937.00	892.5	100%	\$0.00
	Total Fees		\$152,552.84	
	Total Fees Waived by City		\$142,552.84	
	Total Fees Paid by Organizer		\$0.00	
	Total Due		\$10,000.00	



2019 PARK CITY KIMBALL ARTS FESTIVAL RECAP 50th ANNUAL | AUGUST 2-4, 2019

2019 OVERALL SUMMARY

- **Economic Impact***
 - Total Economic Impact: \$26,366,146 (up 13% from \$23,314,237 in 2018)
 - Utah State Taxes (8.45%): \$2,227,939
 - Park City (1%): \$263,661
 - Special (2.65%): \$698,703
 - Summit County (.1%): \$26,366
 - UT Statewide (4.7%): \$1,239,210
 - Total Combined Artist and Vendor Sales
 - Total Sales: \$1,248,291
 - UT Sales Tax: \$105,481
 - Estimated Spending Per Attendee
 - Average Spending Per Person: \$492
- **Attendance**
 - 53,550 Total Visitors
 - 7,145 Free the Fest – Summit County Primary Residents +67%
- **Ticketing**
 - eTicket
 - Successful introduction
 - Provided great data
 - Easy to use
 - RFID
 - The idea is better than the result
 - Added complication
 - Not all volunteers utilized RFID properly
- **Artists**
 - 1013 applications submitted
 - 218 total participating artists
 - Artists from 34 states, plus Canada and Germany
- **Volunteers**
 - Arts Festival Volunteers: 412
 - Arts Festival Shifts: 660
 - Total Volunteer Hours: 2,164



- **Environmental Initiatives**

- Banned the sale of single use plastic water bottles
- Sold reusable water bottles
- Created four “Hydration Stations”
- Mandated all food vendors use compostable materials
- Introduced a Vegan food option
- Recycled
- Used Goal Zero generators at all gates and with sponsors
- Used solar panels to charge Goal Zero generators
- Introduced new sign strategy to reduce waste
- Provided Bike Valet
- Title sponsor provided 1-hour free electric bike rental
- Promoted mass transportation

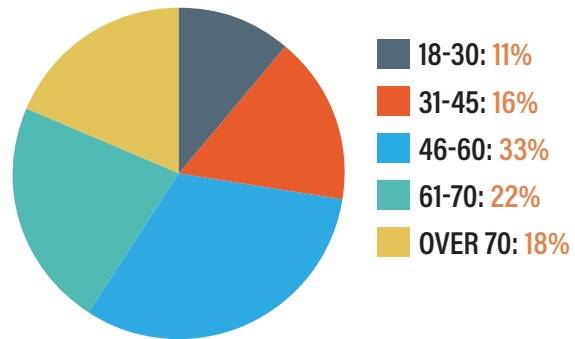
50TH
ANNUAL
PARK CITY
KIMBALL ARTS
FESTIVAL



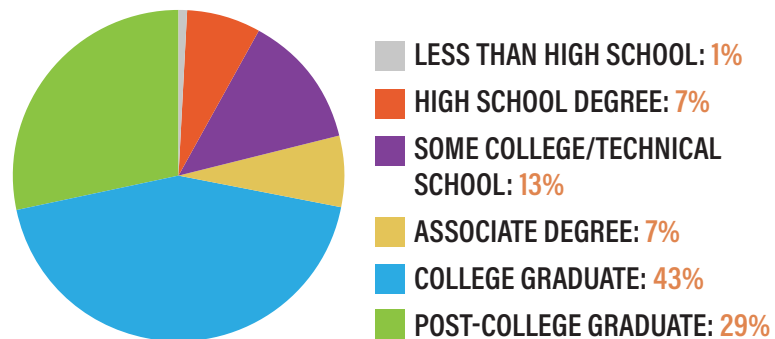
2019

summary

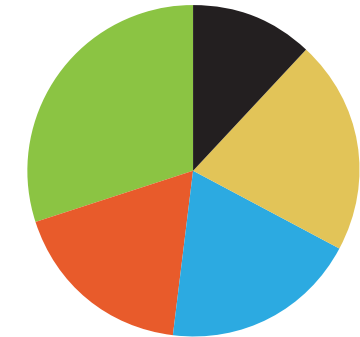
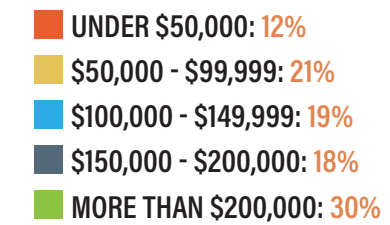
age range of attendees



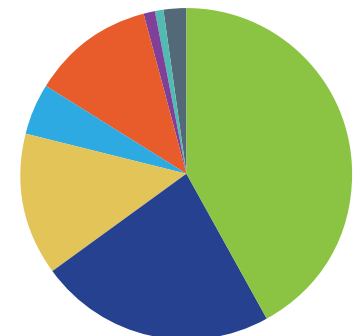
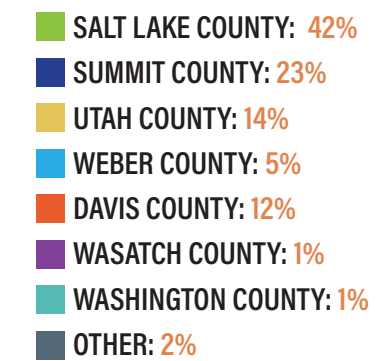
education level last completed



annual household income



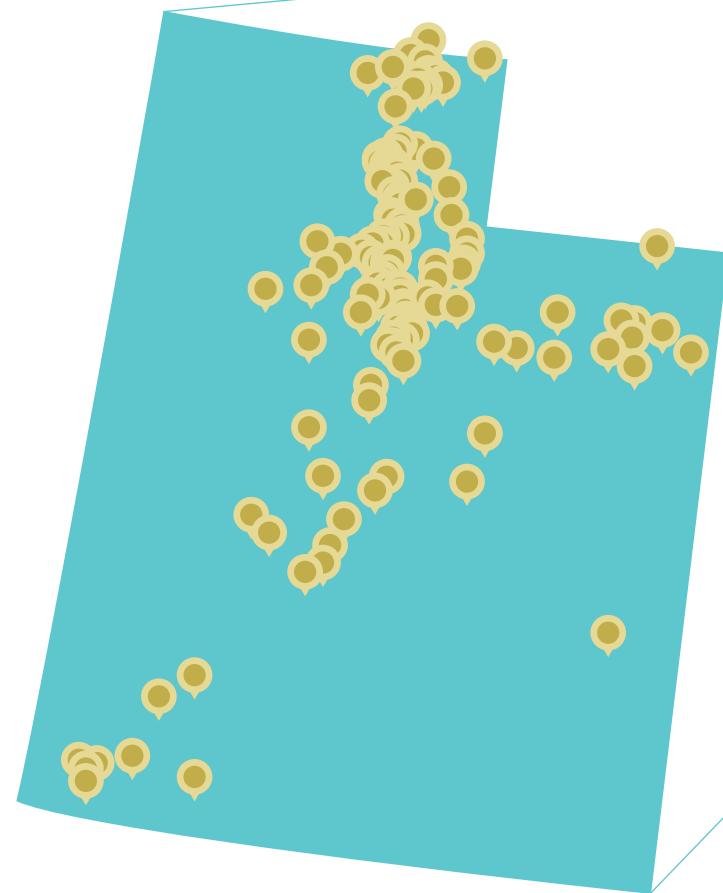
utah attendees by county



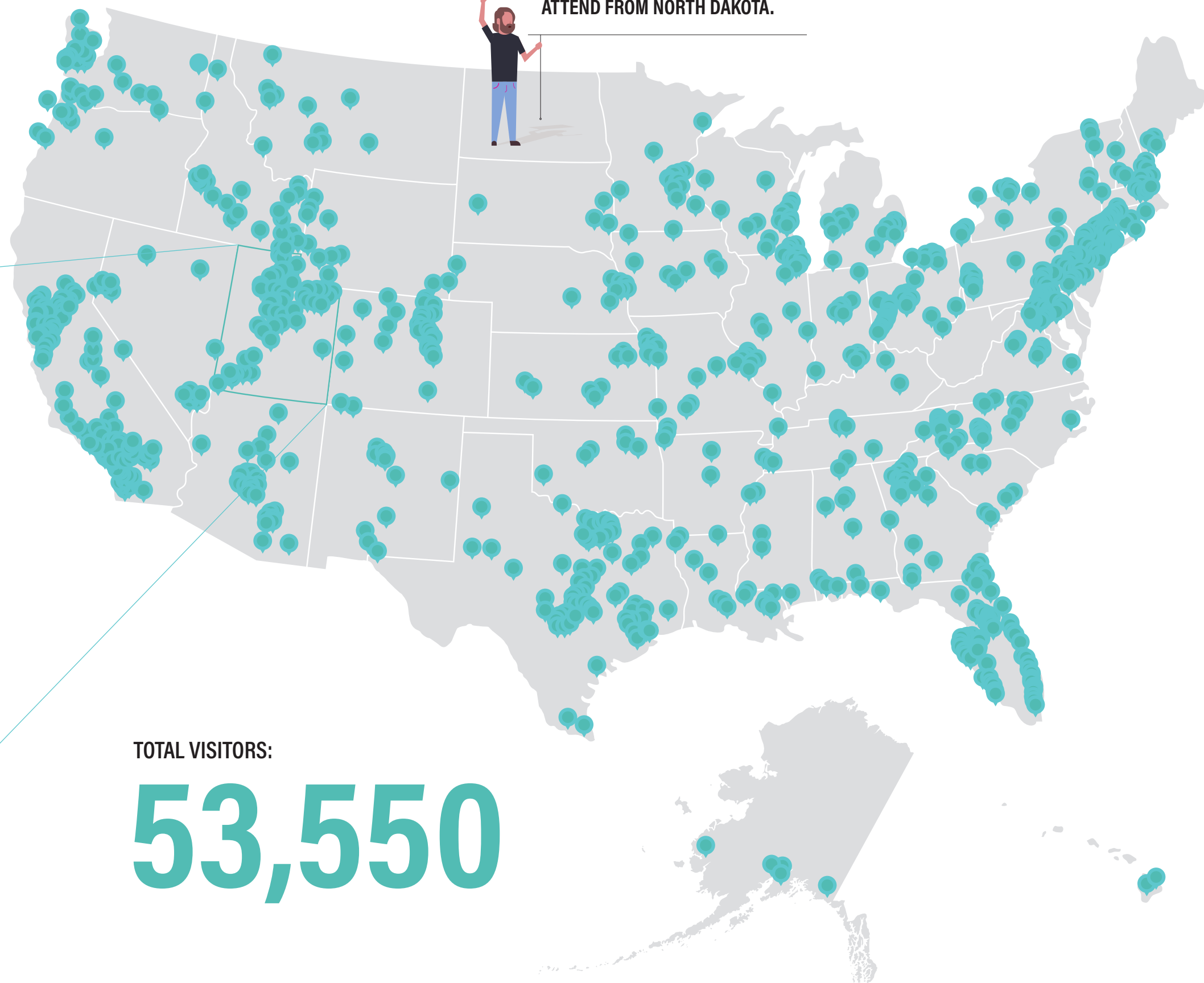
Our Audience



 Where do our attendees live?



 Where do our locals live?



2020 GOAL
GET AT LEAST ONE RESIDENT TO
ATTEND FROM NORTH DAKOTA.

TOTAL VISITORS:

53,550



kimball
arts
festival
park city

+12%



TOTAL ECONOMIC IMPACT:

\$26,366,146

PARK CITY KIMBALL ARTS FESTIVAL BY THE NUMBERS

1013

APPLICATIONS
SUBMITTED

\$1,200,000+

IN ARTIST SALES

13

VISUAL ARTS
PRESENTED



"Park City is well known for hosting the Sundance Film Festival and we'd say the Park City Kimball Arts Festival is just as glamorous!"

—LAURA BYRNE AND ANNA TATARIS DE JESUS, TAMPA BAY PARENTING



TOTAL MEDIA IMPRESSIONS:
30,000,000+
INCLUDING NATIONAL TV BROADCAST

"As an entertainment reporter, I've covered the Sundance Film Festival for years, but it's the Park City Kimball Arts Festival that really "wows" me! The talent on the red carpet rivals the artistic talent you'll find at the Park City Kimball Arts Festival."

— JERRY PENACOLI, EXTRA TV



Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Heinrich Deters

Submitting Department: Sustainability

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve a Purchase Agreement to Acquire Five (5) Acres of the Armstrong Snow Ranch Pastures for \$3,550,000 from Armstrong Holdings LLC. AND Subsequently Grant a Conservation Easement on the Five (5) Acres to Utah Open Lands, in a Form Approved by the City Attorney
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Armstrong Snow Ranch Pastures Staff Report](#)

[Exhibit A: Purchase and Sale Agreement ASRP](#)

[Exhibit B: ASRP Conservation Easement](#)



City Council Staff Report

Subject: Armstrong Snow Ranch Pastures- Purchase Agreement and Conservation Easement
Author: Heinrich Deters
Department: Sustainability
Date: November 7, 2019
Type of Item: Old Business-Property Acquisition and Granting of Conservation Easement

Staff Recommendation

Staff recommends Council approve the following documents, in a form approved by the City Attorney, associated with the preservation of the Armstrong Snow Ranch Pastures located in Thaynes Canyon:

1. A purchase agreement to acquire 5 acres of the Armstrong Snow Ranch Pastures for \$3,550,000 from Armstrong Holdings LLC. (Attachment I)
2. Grant of a conservation easement on the acquired five (5) acres benefitting Utah Open Lands. (Attachment II)

Acquiring the property and subsequently blanketing the property with an open space conservation easement is consistent with the voter approved bond and Council direction.

Executive Summary

Council should acquire five (5) acres of the Armstrong Snow Ranch Pastures property from Armstrong Holdings LLC. for \$3,550,000 and, subsequently, grant a conservation easement on the five acres to Utah Open Lands.

Background

On July 12, 2018, UOL presented Council with the Snow Ranch Pasture open space purchase and preservation plan, consisting of 19 acres of land owned jointly by Kerry and Herb Armstrong, located near Thaynes Canyon Drive. In November 2018, Park City voters overwhelmingly approved the Treasure Hill/Armstrong Snow Ranch Pasture Open Space Bond by 78%, which anticipated a contribution of up to \$3M for the Snow Ranch Pasture. On June 27, 2019, Council approved an additional funding request by Utah Open Lands (UOL) for \$550,000, bringing the total contribution of City funding to \$3,550,000. UOL privately raised the remaining \$2,450,000 of the overall \$6,000,000 necessary to protect the entire property from development.

Analysis

PCMC contribution of \$3,550,000 entails the following:

- PCMC will acquire 5 acres of ASRP property to serve as an asset for public funding.
(Noted as yellow in map below)
 - PCMC will grant a conservation easement benefitting UOL on the 5 acres removing all density and preserving as recreational open space.
- PCMC will lease 1 acre/foot of water to Herb Armstrong for agricultural purposes.
- As part of the overall preservation of the property and in consideration of the water lease, PCMC will acquire a right of first refusal for the 14 acre ASRP not owned being acquired by PCMC. (Noted as red and blue on map below)



- Public recreational winter access - a trail.
(Noted in map within hashed area)

Separate but Related Projects

These projects are aspects associated with the preservation of ASRP but the City is not party to the documents.

1. Armstrong Holdings LLC., owners of the remaining 14 acres of ASRP, (Red and Blue on map above) will grant a conservation easement to UOL which:
 - Removes existing density;
 - Preserves the open, scenic and wildlife values of the property;
 - Preserves the agricultural value of the pastures;
 - Allows for public recreational access in the form of a winter cross country and snow shoe trail contemplated in the map above.
2. The Red Barn and associated property, owned by Kerry Armstrong, generously stated her intent to donate a conservation easement to UOL in perpetuity. Staff understands this donation, completely separate and independent of the ASRP project and city funding, will close within the 2019 calendar year.

Additional Capital Costs

Staff anticipates additional capital costs for trail construction, fencing, signage and stewardship costs. These costs are covered by the 2018 Treasure Open Space bond.

Staff Recommendation

Staff recommends Council approve the following documents, in a form approved by the City Attorney, associated with the preservation of the Armstrong Snow Ranch Pastures located in Thaynes Canyon:

3. A purchase agreement to acquire 5 acres of the Armstrong Snow Ranch Pastures for \$3,550,000 from Armstrong Holdings LLC. (Attachment I)
4. Grant of a conservation easement on the acquired five (5) acres benefitting Utah Open Lands. (Attachment II)

Acquiring the property and subsequently blanketing the property with an open space conservation easement is consistent with the voter approved bond and Council direction.

**AGREEMENT FOR PURCHASE
AND SALE OF REAL PROPERTY**
[Armstrong Snow Ranch Pasture 5 acre Property]

THIS AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY (this “**Agreement**”) is entered into this ____ day of _____, 2019, by and between **PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation**, (the “**Purchaser**”), and **ARMSTRONG HOLDINGS LLC., a Utah limited liability company**, (the **Seller**).

WHEREAS, Seller is the owner of approximately 5 acres of real property in Summit County, commonly referred to as the Armstrong Snow Ranch Pastures property and depicted on **Exhibit “A”**, attached hereto and made hereof (the “**Property**”); and

WHEREAS, Purchaser owns adjacent open space property in Summit County and intends to utilize the area for preservation and passive public recreational purposes; and

WHEREAS, the Property is located just outside of the current Park City (“**City**”), State of Utah (“**State**”) limits; and

WHEREAS, Seller desires to sell and Purchaser wishes to purchase the Property pursuant to the terms and conditions hereinafter set forth.

NOW, THEREFORE, for Ten and No/100 Dollars (\$10.00) in hand paid and in consideration of the mutual promises of the parties as set forth herein, Seller does hereby agree to sell to Purchaser and Purchaser agrees to purchase from Seller in fee simple the Property pursuant to the following covenants, conditions, terms and obligations:

1. **TRANSACTION AND TRANSACTION DOCUMENTS.** Purchaser desires to purchase, and Seller desires to sell, the Property strictly in accordance with the terms and conditions set forth below.

2. **SELLER MATERIALS.** Purchaser is familiar with the Property and is willing to purchase in its “As-Is” condition as further described in Paragraph 11 below and subject to title inspection as set forth in Paragraph 5, and an inspection period as set forth in Paragraph 6 of this Agreement. To assist Purchaser in familiarizing itself with the Property, Seller has provided those items listed on Exhibit “B” attached hereto (“**Seller’s Materials**”) on or prior to the Effective Date [defined below.] Notwithstanding anything to the contrary contained in this Agreement, in the event of a termination of this Agreement, Purchaser shall return Seller’s Materials and any copies thereof to Seller. The furnishing of Seller’s Materials is without representation or warranty by Seller as to the accuracy thereof, or as to the right of Purchaser to rely on Seller’s Materials.

3. **PURCHASE PRICE AND CLOSING.** The purchase price for the Property is Three Million Five Hundred Fifty Thousand Dollars (\$3,550,000.00). (the “**Purchase Price**”)

4. The Purchase Price shall be paid by Purchaser as follows:

4(a) Within five (5) business days after the Effective Date, Purchaser shall deposit the sum of (\$0.00) (the “**Earnest Money Deposit**”) with High Country Title (the “**Escrow Agent**”).

4(b) Upon Closing [defined below], the Earnest Money Deposit shall be applied against the Purchase Price, and the balance of the Purchase Price shall be paid to Seller in immediately available funds.

4(c) The closing (the “**Closing**”) shall occur on or before **November 14, 2019**, (the “**Closing Date**”). The Closing shall be held at the offices of the Escrow Agent or such other location as the parties shall mutually designate. Seller and Purchaser shall have the right to extend the Closing Date by written agreement. In the event that Closing does not occur by the initial Closing Date or any extension agreed to in writing by Seller and Purchaser, this Agreement shall terminate, in which case the Earnest Money Deposit shall be released to Seller, and the parties shall be relieved of further liability hereunder with the exception of Purchaser’s obligations to Seller that survive any termination of this Agreement as described in Paragraph 9(a) and 9(b) below.

5. TITLE.

5(a) Purchaser shall obtain a title insurance commitment issued by the Escrow Agent setting forth the status of title to the Property and showing all encumbrances and other matters affecting the Property (the “**Commitment**”). The Commitment is described as one of the documents listed in Exhibit “B.” Within two (2) days following the Effective Date, Purchaser shall notify Seller in writing as to Purchaser’s disapproval of any of the title exceptions, monetary liens or encumbrances, set forth in such Commitment. Seller shall be obligated to remove and/or resolve any disapproved monetary liens or encumbrances. Seller shall have two (2) business days thereafter (“**Seller Response Period**”) to elect whether or not to remove said exceptions, in addition to any monetary liens or encumbrances, at Seller’s expense at or prior to the Closing. In the event Seller does not give written notice to Purchaser and Escrow Agent within the Seller Response Period that Seller will remove such disapproved exception(s) at or prior to the Closing, then Purchaser may, by delivery of written notice to Seller and Escrow Agent within one (1) business days following expiration of the Seller Response Period, elect to (i) terminate this Agreement, or (ii) approve the previously disapproved title exceptions reflected in the Commitment (in which case such exceptions shall become Permitted Exceptions) without any reduction in the Purchase Price and waive Purchaser’s right of termination set forth in

subparagraph 4(c). In the event Purchaser (i) does not object to the items reflected in the Commitment, or (ii) fails to give timely written notice of its election to terminate this Agreement following expiration of the Seller Response Period, Purchaser shall be deemed to have expressly approved the Commitment and all matters reflected therein shall be deemed “Permitted Exceptions” under this Agreement, and Purchaser shall take title to the Property at Closing subject to all Permitted Exceptions.

5(b) Purchaser shall be entitled to request that, at Closing, with respect to the Property, the Escrow Agent (i) issue to Purchaser an ALTA title insurance policy as to the Property and a standard coverage (or other form standard for similar transactions in the State) owner’s form title policy (the “**Title Policy**”), in the amount of the Purchase Price, insuring that fee simple title to the Property is vested in Purchaser subject only to the Permitted Exceptions, and (ii) provide such endorsements (or amendments) to such Title Policy as Purchaser may reasonably require; provided that (a) the Title Policy and any endorsements thereto shall be at no cost to, and shall impose no additional liability on, Seller, (b) Purchaser’s obligations under this Agreement shall be conditioned upon Purchaser’s ability to obtain such Title Policy and/or any endorsements to the Title Policy and, if Purchaser is unable to obtain a Title Policy and/or any such endorsements, Purchaser shall not be obligated to proceed to close the transactions contemplated by this Agreement without reduction of or set off against the Purchase Price, and (c) the Closing shall not be delayed, unless agreed to in writing by Seller and Purchaser, as a result of Purchaser’s aforementioned request.

5(c) At the Closing, Seller shall convey fee title to the Property by providing a Special Warranty Deed (the “**Deed**”) to Purchaser, subject to the Permitted Exceptions [defined below].

5(d) If applicable, Purchaser shall have the right to deliver to Seller a written notice (“**New Title Exception Notice**”) at any time prior to the Closing Date, but not more than five (5) days after the date of Purchaser’s discovery of any title exception which (i) first comes to Purchaser’s attention following the expiration of the Seller Response Period, (ii) was not created due to the acts of Purchaser, (iii) has not been consented to by Purchaser, and (iv) materially adversely affects the Property (each, a “**New Title Exception**”), stating that a New Title Exception has arisen and that such New Title Exception is unacceptable to Purchaser. If Purchaser timely delivers a New Title Exception Notice to Seller, the following provisions shall apply:

(i) Upon Purchaser’s delivery to Seller of the New Title Exception Notice, Seller may, but shall not be obligated to, (i) remove or correct the New Title Exception to Purchaser’s reasonable satisfaction on or prior to the Closing

Date, or (ii) cause Escrow Agent to provide, at Closing, title insurance with respect to the New Title Exception.

(ii) Seller shall have the unilateral right, based on Seller's discretion or for the purpose of performing Seller's obligations or exercising Seller's rights under this Paragraph 5(d), to extend the Closing Date for a period of up to sixty (60) days by delivery to Purchaser of written notice to such effect not more than five (5) business days after Seller's receipt of a New Title Exception Notice. The period of any such unilateral extension by Seller pursuant to this subparagraph shall run concurrently with any other extension periods provided for in this Agreement. Notwithstanding any election by Seller to extend the Closing Date as set forth above, Purchaser may elect at any time to waive Purchaser's objection to such New Title Exception by giving written notice thereof to Seller, in which case Seller and Purchaser shall proceed to Closing on or before the Closing Date in accordance with the provisions of this Agreement (and such New Title Exception will be a Permitted Exception for all purposes hereunder).

6. INSPECTION PERIOD.

6(a) Access to Property. From and after the Effective Date until Closing, (The "Inspection Period"), Seller agrees to allow Purchaser and Purchaser's authorized representatives reasonable access to the Property during normal business hours on prior written notice to Seller and Seller hereby authorizes Purchaser to carry out such reasonable tests and inspections thereof as Purchaser may deem necessary, All such tests and inspections shall be undertaken at no expense to Seller and will be carried out in accordance with the terms and provisions of this Agreement. Upon request by Seller, any samples collected for laboratory analysis will be split with a representative of Seller. Purchaser shall obtain, or cause to be obtained, all necessary permits, licenses, consents or other authorizations or notifications required by all applicable laws for such activities conducted on the Property. Within five (5) days following receipt of a request from Seller, Purchaser will provide Seller with the results of all laboratory analyses performed, reports, field logs and data and survey data on any samples collected during the activities described in this Section 6(a), which obligation shall survive whether or not this Agreement is terminated without Closing and provided that such data and reports are available to Purchaser at the time of Seller's request. If such data and reports are not available at the time of Seller's request, Purchaser shall provide such data and reports within five (5) days after delivery to Purchaser.

6(b) Indemnity. Purchaser shall defend, indemnify and hold Seller and its property managers, directors, officers, trustees, shareholders, employees, advisors, agents, managers, members and affiliates, and their respective successors and assigns (collectively, the "Indemnitees") harmless from and against any and all mechanic's liens that may be filed against the Property and any and all other liabilities and claims, including reasonable attorneys' fees, arising by reason of access to the Property and performance of any of such inspections and

operations by Purchaser or its representatives, subcontractors, agents, invitees or licensees, which obligation to defend, indemnify, and hold Seller and the Indemnitees harmless shall survive whether or not this Agreement is terminated without Closing. Notwithstanding the foregoing, in no event shall Purchaser be responsible for defending, indemnifying or holding Seller harmless from any diminution in property value of any other claims or liabilities resulting from any information or circumstances discovered during Purchase's inspections hereunder.

6(c) Seller acknowledges that Purchaser may desire to discuss or otherwise inquire about plans, documents, agreements, rights and other records of various federal, state, county or other governmental entities, districts and utilities, including but not limited to the U.S. Environmental Protection Agency (collectively, "Governmental Authorities") regarding the Property or otherwise impacting, restricting, or affecting its use or value with various Governmental Authorities. In this regard, Purchaser may request in writing at any time any publicly available records relating to the Project from Governmental Authorities. In addition, from and after the execution of this Agreement to the Closing Date or earlier termination of this Agreement, Purchaser is permitted to contact all necessary Governmental Authorities to discuss the Property.

7. CONDITIONS PRECEDENT TO CLOSING.

7(a) Purchaser's Conditions Precedent. The obligation of Purchaser to purchase the Property shall be conditioned upon satisfaction of the following at or prior to Closing, any of which may be waived by Purchaser in its sole and absolute discretion (the "**Purchaser Conditions Precedent to Closing**");

(i) All conditions of title have been met pursuant to Paragraph 5 hereof;

(ii) Seller is not in default of this Agreement;

(iii) The representations, warranties and covenants of Seller set forth in this Agreement shall be true and correct as of the Closing Date, including, but not limited to, the representations in Paragraph 10(a);

In the event that any of the foregoing Purchaser Conditions Precedent to Closing are not satisfied on or prior to the Closing Date, then Purchaser shall, as its sole remedy, either (i) waive the applicable unsatisfied Purchaser Conditions Precedent to Closing and proceed to Closing on the scheduled Closing Date or (ii) immediately terminate this Agreement by written notice to Seller, in which case the parties shall be relieved of further liability hereunder with the exception of Purchaser's obligations to Seller that survive any termination of this Agreement. If Seller has breached the Agreement, Purchaser is entitled to the remedy described in Paragraph 9(b) below.

7(b) Seller's Conditions Precedent. The obligation of Seller to sell the Property shall be conditioned upon satisfaction of the following at or prior to

Closing, any of which may be waived in writing by Seller in its sole and absolute discretion (the “**Seller Conditions Precedent to Closing**”):

- (i) All conditions of title have been met pursuant to Paragraph 5 hereof;
- (ii) Purchaser is not in default of this Agreement;
- (iii) The representations, warranties and covenants of Purchaser set forth in this Agreement shall be true and correct as of the Closing Date, including, but not limited to, the representations in Paragraph 10(b) hereof;

In the event that any of the foregoing Seller Conditions Precedent to Closing are not satisfied on or prior to the Closing Date, then Seller shall, as its sole remedy, either (i) waive the applicable unsatisfied Seller Conditions Precedent to Closing and proceed to Closing on the scheduled Closing Date or (ii) immediately terminate this Agreement by written notice to Purchaser, in which case the parties shall be relieved of further liability hereunder with the exception of Purchaser’s obligations to Seller that survive any termination of this Agreement. If Purchaser has breached the Agreement, Seller is entitled to the remedy described in Paragraph 9(a) below.

8. CLOSINGS, CONVEYANCE AND TITLE.

8(a) Title to the Property is to be conveyed hereunder subject to the Permitted Exceptions.

8(b) Any escrow fee shall be paid by Purchaser. Any transfer or conveyance taxes or fees, filing fees and/or costs associated with the recordation of the Deed and/or Purchaser’s financing shall be at Purchaser’s expense. Seller shall also pay all costs and expenses associated with Purchaser’s procurement of a survey and procurement of title insurance, including, without limitation, the Title Policy. Except as otherwise provided for in this Agreement, Seller and Purchaser will each be solely responsible for and bear all of their own respective expenses.

8(c) Seller shall be responsible for all real estate taxes, assessments or other charges accruing prior to the date of the Closing and Purchaser shall be responsible for such real estate taxes, assessments and other charges accruing on or after the date of the Closing. At Closing, real estate taxes and other charges payable on an annual or periodic basis shall be prorated to the date of Closing based on the most recent available tax information.

8 (d) Purchaser shall provide a water lease, consisting of one (1) acre foot for agricultural purposes, to Herb Armstrong subject to the

conditions of the lease agreement.

8(e) At or prior to Closing, if requested by Escrow Agent, Seller shall deliver to Purchaser a "Certification of Non-Foreign Status" which meets the requirements of Section 1445 of the Internal Revenue Code and Internal Revenue Regulations for the purpose of informing the transferee that withholding of Federal taxes is not required.

9. DEFAULT; LIABILITY OF PARTIES.

9(a) In the event of any breach, failure or default by Purchaser under the terms of this Agreement (which breach, failure or default is not remedied or cured by Purchaser pursuant to any applicable provisions hereof), Seller shall be entitled to terminate this Agreement and obtain the Earnest Money Deposit, if applicable, from Escrow Agent (if Escrow Agent then is in possession of same) or retain the Earnest Money Deposit (if Seller is then in possession of same) as full, fixed and liquidated damages, not as a penalty, whereupon this Agreement shall terminate, the parties hereby acknowledging the difficulty of ascertaining Purchaser's damages in such a circumstance and agreeing that this remedy represents a reasonable and mutual attempt by Seller and Purchaser to anticipate the consequence to Seller of Purchaser's breach. After Seller has exercised its applicable remedy as described above, Purchaser shall be relieved of further liability hereunder, at law or in equity, it being the agreement of the parties that in no event shall Seller be entitled to any other remedies other than those expressly provided herein.

9(b) Notwithstanding anything to the contrary contained herein, in the event Seller breaches this Agreement (which breach, failure or default is not remedied or cured by Seller pursuant to any applicable provisions hereof) Purchaser shall have the right, as its sole and exclusive remedy, to either: (i) obtain the return to Purchaser of the Earnest Money Deposit (if Seller is in possession of the same), as full, fixed and liquidated damages, not as a penalty, whereupon this Agreement shall terminate, the parties hereby acknowledging the difficulty of ascertaining Purchaser's damages in such a circumstance and agreeing that this remedy represents a reasonable and mutual attempt by Seller and Purchaser to anticipate the consequence to Purchaser of Seller's breach; or (ii) commence an action against Seller for specific performance of this Agreement or similar legal or equitable action. After Purchaser has exercised its applicable remedy as described above, Seller shall be relieved of further liability hereunder, at law or in equity, it being the agreement of the parties that in no event shall Purchaser be entitled to any other remedies other than those expressly provided herein. Nothing herein shall be construed to limit Purchaser's power to acquire the Property by condemnation, however.

9(c) Seller and Purchaser acknowledge and represent that Seller and

Purchaser have dealt with no brokers in connection with the Property and entering into this Agreement. Should any other claim for commission be asserted or established, the party in breach of its representation in this Paragraph 9(c) hereby expressly agrees to hold the other harmless with respect to all costs relating thereto (including reasonable attorneys' fees) to the extent that the breaching party is shown to have been responsible for the creation of such claim. Anything to the contrary in this Agreement notwithstanding, such agreement of each party to hold the other harmless shall survive the Closing and any termination of this Agreement.

9(d) No failure(s) or default(s) by Purchaser or Seller shall result in the termination or limitation of any right hereunder or the exercise of any rights or remedies with respect to such failure(s) or default(s) unless and until the defaulting party shall have been notified in writing of such default and shall have failed to remedy the specified failure(s) or default(s) within fifteen (15) days after the receipt of said written notice (or, if the cure thereof cannot be completed within fifteen (15) days, then a reasonable period of time, not to exceed an additional thirty (30) days provided the party diligently and continuously pursues such cure). The provisions of this Subparagraph 9(d) shall not apply to Purchaser's failure to timely deliver the Earnest Money Deposit or to a default by Purchaser or Seller for failure to close on the purchase of the Property as and when required hereunder.

A 9(e) If Seller breach this Agreement, and the breach is discovered prior to Closing, Purchaser's sole remedy is described in Paragraph 9(b) of this Agreement. Except as to a breach by Seller of any warranty, representation or covenant contained in Paragraph 9(c) or Paragraph 10 of this Agreement, if Seller breaches this Agreement, and such breach is discovered after Closing, Purchaser shall have no remedy or recourse against Seller. Purchaser has factored this risk into its decision to purchase. If and only if it is determined within six (6) months after Closing that Seller breached any warranty, representation or covenant contained in Paragraph 9(c) or Paragraph 10 of this Agreement, and if Purchaser notifies Seller in writing of any such breach within six (6) months of the Closing, Purchaser's sole remedy shall be one of the following: (i) cure of the breach by or on account of Seller; or (ii) payment of appropriate monetary compensation by Seller to Purchaser for such breach. Purchaser hereby agrees that in no event will the liability of Seller under this Agreement (including, without limitation, any liability of Seller for breach or default under any representation, warranty or covenant made by Seller in Paragraph 9(c) or Paragraph 10 hereof) exceed, in the aggregate, one and one half of one percent (1.50%) of the Purchase Price.

10. REPRESENTATIONS, WARRANTIES AND COVENANTS.

10(a) Seller hereby represents, warrants and covenants to Purchaser that:

(i) Seller has granted no person any contract right or other right to possession of any portion of the Property.

(ii) Except as may be required by law or agreed to by Purchaser, Seller shall not materially alter the condition of the Property during the term of this Agreement.

(iii) Seller has the full right, power, and authority to sell the Property to Purchaser as provided in this Agreement and all required action necessary to authorize Seller to enter into this Agreement has been or will have been taken prior to the Effective Date. Seller shall have, on or before the Closing Date, the full right, power, and authority to carry out its obligations hereunder and all required action necessary to authorize Seller to carry out its obligations hereunder has been or will have been taken prior to the Closing Date.

(iv) Seller has provided all of the documents in its possession and control as required by Paragraph 2 and all such documents are, to Seller's knowledge, complete and accurate copies thereof.

10(b) Purchaser warrants, represents and covenants to Seller that:

(i) Purchaser has the full right, power, and authority to purchase the Property from Seller as provided in this Agreement and all required action necessary to authorize Purchaser to enter into this Agreement has been or will have been taken prior to the Effective Date. Purchaser shall have, on or before the Closing Date, the full right, power, and authority to carry out its obligations hereunder and all required action necessary to authorize Purchaser to carry out its obligations hereunder has been or will have been taken prior to the Closing Date.

11. AS-IS. PURCHASER ACKNOWLEDGES TO AND AGREES WITH SELLER THAT PURCHASER IS PURCHASING THE PROPERTY IN AN "AS-IS" CONDITION "WITH ALL FAULTS" AND SPECIFICALLY AND EXPRESSLY WITHOUT ANY WARRANTIES, REPRESENTATIONS OR GUARANTEES, EITHER EXPRESS OR IMPLIED, OF ANY KIND, NATURE OR TYPE WHATSOEVER FROM OR ON BEHALF OF SELLER OTHER THAN THOSE EXPRESSLY STATED IN THIS AGREEMENT.

PURCHASER ACKNOWLEDGES THAT PURCHASER HAS NOT RELIED, AND IS NOT RELYING, UPON ANY INFORMATION, DOCUMENT, SALES BROCHURES OR OTHER LITERATURE, MAPS, SKETCHES, DRAWINGS, PLANS, PROJECTION, PROFORMA, STATEMENT, REPRESENTATION, GUARANTEE OR WARRANTY (WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, MATERIAL OR IMMATERIAL) THAT MAY HAVE BEEN GIVEN BY OR MADE BY OR ON BEHALF OF SELLER.

EXCEPT AS EXPRESSLY STATED IN THIS AGREEMENT, PURCHASER HEREBY ACKNOWLEDGES THAT IT SHALL NOT BE ENTITLED TO, AND SHALL NOT RELY ON SELLER, ITS AGENTS, EMPLOYEES OR REPRESENTATIVES, AND SELLER HEREBY DISCLAIMS ANY

REPRESENTATIONS OR WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, EITHER UNDER COMMON LAW, BY STATUTE, OR OTHERWISE, AS TO (I) THE QUALITY, NATURE, ADEQUACY OR PHYSICAL CONDITION OF THE PROPERTY INCLUDING, BUT NOT LIMITED TO, ANY STRUCTURAL ELEMENTS, FOUNDATION, ACCESS, LANDSCAPING, SEWAGE OR UTILITY SYSTEMS AT THE PROPERTY, IF ANY; (II) THE QUALITY, NATURE, ADEQUACY OR PHYSICAL CONDITION OF SOILS AND GROUND WATER OR THE EXISTENCE OF GROUND WATER AT THE PROPERTY; (III) THE EXISTENCE, QUALITY, NATURE, ADEQUACY OR PHYSICAL CONDITION OF ANY UTILITIES SERVING THE PROPERTY; (IV) THE DEVELOPMENT POTENTIAL OF THE PROPERTY, ITS VALUE, ITS PROFITABILITY, ITS HABITABILITY, MERCHANTABILITY OR FITNESS, SUITABILITY OR ADEQUACY OF THE PROPERTY FOR ANY PARTICULAR PURPOSE; (V) THE ZONING OR OTHER LEGAL STATUS OF THE PROPERTY; (VI) THE COMPLIANCE OF THE PROPERTY OR ITS OPERATIONS WITH ANY APPLICABLE CODE, STATUTE, LAW, ORDINANCE, RULE, REGULATION, COVENANT, PERMIT, AUTHORIZATION, STANDARD, CONDITION OR RESTRICTION OF ANY GOVERNMENTAL OR REGULATORY AUTHORITY; (VII) THE QUALITY OF ANY LABOR OR MATERIALS RELATING IN ANY WAY TO THE PROPERTY; (VIII) THE SQUARE FOOTAGE OR ACREAGE OF THE PROPERTY; OR (IX) THE OPERATION OF THE PROPERTY FROM THE DATE OF THIS AGREEMENT UNTIL THE CLOSING.

PURCHASER ACKNOWLEDGES IT HAS HAD AN ADEQUATE OPPORTUNITY TO MAKE SUCH LEGAL, FACTUAL AND OTHER INQUIRIES AND INVESTIGATIONS AS PURCHASER DEEMS NECESSARY, DESIRABLE OR APPROPRIATE WITH RESPECT TO THE PROPERTY. SUCH INQUIRIES AND INVESTIGATIONS OF PURCHASER SHALL BE DEEMED TO INCLUDE AN ENVIRONMENTAL ASSESSMENT OF THE PROPERTY, AN INSPECTION OF THE PHYSICAL COMPONENTS AND GENERAL CONDITION OF ALL PORTIONS OF THE PROPERTY, SUCH STATE OF FACTS AS AN ACCURATE SURVEY AND INSPECTION WOULD SHOW, THE PRESENT AND FUTURE ZONING AND LAND USE ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY, COUNTY AND STATE WHERE THE PROPERTY IS LOCATED AND THE VALUE AND MARKETABILITY OF THE PROPERTY.

PURCHASER ACKNOWLEDGES THAT THERE HAVE BEEN NO REPRESENTATIONS OR AGREEMENTS REGARDING SELLER'S OBLIGATION TO PROVIDE OR COMPLETE ROADS, SEWER, WATER, ELECTRIC OR OTHER UTILITY SERVICES, RECREATIONAL AMENITIES, OR ANY OTHER IMPROVEMENTS TO THE PROPERTY MADE BY SELLER OR RELIED UPON BY PURCHASER WHATSOEVER.

WITHOUT IN ANY WAY LIMITING THE GENERALITY OF THE PRECEDING, EXCEPT FOR TO THE EXTENT ARISING OUT OF A BREACH BY SELLER OF THE PROVISIONS IN PARAGRAPH 9(b),, PURCHASER SPECIFICALLY ACKNOWLEDGES AND AGREES THAT IT HEREBY WAIVES, RELEASES AND DISCHARGES ANY CLAIM IT HAS, MIGHT HAVE HAD OR MAY HAVE IN THE FUTURE AGAINST THE SELLER WITH RESPECT TO COSTS, DAMAGES,

OBLIGATIONS, PENALTIES, CAUSES OF ACTION AND OTHER LIABILITIES (WHETHER ACCRUED, CONTINGENT, ARISING BEFORE OR AFTER THIS AGREEMENT, OR OTHERWISE) ARISING AS A RESULT OF (I) THE CONDITION OF THE PROPERTY, EITHER PATENT OR LATENT, (II) ITS ABILITY OR INABILITY TO OBTAIN OR MAINTAIN BUILDING PERMITS, EITHER TEMPORARY OR FINAL CERTIFICATES OF OCCUPANCY OR OTHER LICENSES FOR THE USE OR OPERATION OF THE PROPERTY, AND/OR CERTIFICATES OF COMPLIANCE FOR THE PROPERTY, (III) THE ACTUAL OR POTENTIAL INCOME OR PROFITS TO BE DERIVED FROM THE PROPERTY, (IV) THE REAL ESTATE TAXES OR ASSESSMENTS NOW OR HEREAFTER PAYABLE THEREON, (V) THE PAST, PRESENT OR FUTURE CONDITION OR COMPLIANCE OF THE PROPERTY, OR COMPLIANCE OF PAST OWNERS AND OPERATORS OF THE PROPERTY, IN REGARD TO ANY PAST, PRESENT AND FUTURE FEDERAL, STATE AND LOCAL ENVIRONMENTAL PROTECTION, POLLUTION CONTROL, POLLUTION CLEANUP, AND CORRECTIVE ACTION LAWS, RULES, REGULATIONS, ORDERS, AND REQUIREMENTS (INCLUDING WITHOUT LIMITATION CERCLA, THE RESOURCE CONSERVATION AND RECOVERY ACT ("RCRA"), AND OTHERS PERTAINING TO THE USE, HANDLING, GENERATION, TREATMENT, STORAGE, RELEASE, DISPOSAL, REMOVAL, REMEDIATION OR RESPONSE TO, OR NOTIFICATION OF GOVERNMENTAL ENTITIES CONCERNING, TOXIC, HAZARDOUS, OR OTHERWISE REGULATED WASTES, SUBSTANCES, CHEMICALS, POLLUTANTS OR CONTAMINANTS), OR LAND USE LAWS, RULES, REGULATIONS, ORDERS OR REQUIREMENTS, (VI) THE PRESENCE ON, IN, UNDER OR NEAR THE PROPERTY OF (INCLUDING WITHOUT LIMITATION ANY RESULTANT OBLIGATION UNDER CERCLA, RCRA, 42 U.S.C. § 6973 *et seq.*, ANY STATE STATUTE OR REGULATION, OR OTHERWISE, TO REMOVE, REMEDIATE OR RESPOND TO) ASBESTOS CONTAINING MATERIAL, RADON, UREA FORMALDEHYDE OR ANY OTHER TOXIC, HAZARDOUS OR OTHERWISE REGULATED WASTE, SUBSTANCE, CHEMICAL, POLLUTANT OR CONTAMINANT, AND (VII) ANY OTHER STATE OF FACTS WHICH EXIST WITH RESPECT TO THE PROPERTY. NOTHING HEREIN SHALL BE CONSTRUED TO WAIVE, RELEASE, OR DISCHARGE ANY CLAIM THE CITY HAS, MIGHT HAVE HAD OR MAY HAVE IN THE FUTURE AGAINST ANY PARTY OTHER THAN REDUS OR ITS AFFILIATES, PARENT ENTITIES, SUBSIDIARIES, OFFICERS, MANAGERS, MEMBERS, EMPLOYEES, AGENTS OR REPRESENTATIVES.

PURCHASER ACKNOWLEDGES AND AGREES THAT THE TERMS AND CONDITIONS OF THIS PARAGRAPH 11 SHALL EXPRESSLY SURVIVE THE TERMINATION OF THIS AGREEMENT AND/OR THE RECORDATION OF THE DEED FOR THE PROPERTY.

12. ASSIGNMENT; SURVIVAL. Purchaser may assign this Agreement to any party without the express written consent of Seller. This Agreement shall be binding upon the parties hereto and each of their respective heirs, executors, administrators, successors and assigns. The provisions of this Agreement and the obligations of the parties shall survive the execution and delivery of the Deed executed hereunder and shall not be

merged therein, except that any representations and warranties of Seller hereunder shall survive Closing for six (6) months.

13. ESCROW AGENT. The terms and conditions set forth in this Agreement shall constitute both an agreement between Seller and Purchaser and instructions for Escrow Agent, which Escrow Agent shall acknowledge and agree to be bound by, as evidenced by its execution of this Agreement. Seller and Purchaser shall promptly execute and deliver to Escrow Agent any separate or additional escrow instructions requested by Escrow Agent which are consistent with the terms of this Agreement. Any separate or additional instructions shall not modify or amend the provisions of this Agreement unless otherwise expressly agreed by mutual consent of Purchaser and Seller. Purchaser and Seller both hereby acknowledge and agree that Escrow Agent shall hold and deliver the Earnest Money Deposit and all other deposits which may be made under this Agreement in accordance with the terms and conditions of this Agreement and that Escrow Agent shall be relieved of all liability and held harmless by both Seller and Purchaser in the event Escrow Agent makes any disbursement of such monies in accordance with the terms and provisions of this Agreement. Escrow Agent shall be relieved from any responsibility or liability and held harmless by both Purchaser and Seller in connection with the discharge of Escrow Agent's duties hereunder provided that Escrow Agent exercises ordinary and reasonable care in the discharge of such duties.

14. EFFECTIVE DATE. This Agreement shall become effective on the date signed by the last of Purchaser and Seller ("**Effective Date**").

15. MISCELLANEOUS.

15(a) All notices and other communications hereunder shall be in writing, and be deemed duly given: (i) when given, if personally delivered; (ii) three

(3) days after mailing, if mailed by certified mail, return receipt requested, postage prepaid; (iii) one (1) business day after shipping via FedEx or other nationally recognized overnight courier service; and (iv) upon the recipient's reply to the sender's Email after sending by Email, to the following addresses:

If to Purchaser: Andy Beerman, Mayor
Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060

With a copy to: Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060
Attention: Thomas Daley, -
Deputy City Attorney
Email: tdaley@parkcity.org

If to Seller:

Armstrong Holdings LLC.
Kerry Armstrong
c/o Jay Bell
Fabian Vancott
215 South State Street Suite
1200
Salt Lake City, Utah 84111
jbell@fabianvancott.com

Herbert Armstrong
c/o Dustin Christiansen
PO Box 1510
Park City, UT. 84060
dustin.christianson@gcinc.com

If to Escrow Agent:

Coalition Title
2200 Park Ave c100,
Park City, UT 84060
Attention: Craig
Rodman
Email: craig@coalitiontitle.com

The parties hereto shall be responsible for notifying each other of any change of address.

15(b) If any term, covenant or condition of this Agreement, or the application thereof to any party or circumstance, shall be invalid or unenforceable, the Agreement shall not be affected thereby, and each term shall be valid and enforceable to the fullest extent permitted by law.

15(c) It is the intention of the parties hereto that all questions with respect to the construction of this Agreement, and the rights or liabilities of the parties hereunder, shall be determined in accordance with the laws of the State, without regard to conflicts of law rules. Time is hereby declared to be of the essence in the performance of each of Seller's and Purchaser's obligations hereunder.

15(d) Any deadline date specified in this Agreement which falls on a Saturday, Sunday or legal holiday (any days other than the foregoing to be considered "business days" for all purposes hereunder) shall be extended to the first regular business day after such deadline date.

15(e) This Agreement, together with the Exhibits attached hereto, contains the final and entire agreement between the parties hereto. The recitals set forth in the beginning of this Agreement are incorporated herein as if restated in full. No change or modification of this Agreement, or any waiver of the provisions hereof, shall be valid unless the same is in writing and signed

by the parties hereto. Waiver from time to time of any provision hereunder will not be deemed to be a full waiver of such provision, or a waiver of any other provisions hereunder. The terms of this Agreement are mutually agreed to be clear and unambiguous, and shall be considered the workmanship of all of the parties and shall not be construed against the drafting party. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of this Agreement shall nonetheless remain in full force and effect.

15(f) Titles to Paragraphs and Subparagraphs are for convenience only, and are not intended to limit or expand the covenants and obligations expressed thereunder.

15(g) This Agreement may be executed in several counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

15(h) In addition to any other relief to which it may be entitled, the prevailing party in any dispute or controversy relating to this Agreement shall be entitled to recover its attorneys' fees and costs incurred in regard to such dispute or controversy. **THE PARTIES WAIVE THEIR RESPECTIVE RIGHTS OF TRIAL BY JURY.**

15(i) For purposes of this Agreement and any document delivered at Closing, all references to Seller's knowledge, including, without limitation, whenever the phrase "to Seller's actual knowledge," or the "knowledge" of Seller or words of similar import are used, they shall be deemed to refer to facts within the actual, personal knowledge of Seller's Representative only, and no others, only at the times indicated, without investigation or inquiry, or obligation to make investigation or inquiry, and in no event shall the same include any knowledge imputed to Seller by any other person or entity. "**Seller's Representative**" means and shall be limited to Jay Bell.

15(j) Purchaser shall reasonably cooperate with Seller, if applicable, with respect to one or more like-kind exchanges made pursuant to Section 1031 of the Internal Revenue Code ("**1031 Exchange**"), provided such 1031 Exchange shall not impose on Purchaser any additional liability or financial obligation, shall not delay Closing, and Seller shall indemnify, defend and hold Purchaser harmless for, from and against any claims, damages or expenses arising in connection with or resulting from Seller's 1031 Exchange. Notwithstanding the foregoing, the consummation of the transaction contemplated by this Agreement shall not be subject to or contingent upon Seller's ability to consummate its 1031 Exchange.

15(k) Neither this Agreement nor a memorandum thereof shall be filed or recorded by Seller or Purchaser.

15(l) THIS AGREEMENT SHALL IN ALL RESPECTS BE GOVERNED BY, AND CONSTRUED IN ACCORDANCE WITH, THE SUBSTANTIVE FEDERAL LAWS OF THE UNITED STATES AND THE LAWS OF THE STATE OF UTAH. PURCHASER AND SELLER AGREE THAT THE PROVISIONS OF THIS PARAGRAPH SHALL SURVIVE THE CLOSING OF THE TRANSACTION CONTEMPLATED BY THIS AGREEMENT.

(SIGNATURES FOLLOW ON NEXT PAGE)

WITNESS, the following signatures.

PURCHASER:

PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
Name: _____
Title: _____
Date: _____

Attest:

City Recorder

Approved as to form:

City Attorney's Office

(SIGNATURES CONTINUE ON NEXT PAGE)

SELLER:

ARMSTRONG HOLDINGS LLC., a Utah
limited liability company

By: _____
Name: _____
Title: _____
Date: _____

(SIGNATURES CONTINUE ON NEXT PAGE)

Escrow Agent executes this Agreement for the sole purpose of evidencing its agreement to the matters set forth in Paragraphs 4(c) and 8 hereof.

ESCROW AGENT:

COALITION

TITLE

By: _____

Name: _____

Title: _____

Date: _____

EXHIBIT A

Property (Map & Legal Description)

PCMC SNOW RANCH PASTURES PROPERTY
5 ACRE PARCEL
LEGAL DESCRIPTION
OCTOBER 18, 2019

A parcel of land in the east half of the northwest quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point South 00°22'02" West 1218.90 feet coincident with the section line and West 3953.97 feet from the northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 00°22'02" West 2627.35 feet between said northeast corner and the east quarter corner of said Section 8), said point being the southwesterly corner of Lot 11, Thaynes Canyon Subdivision No. 3, recorded October 7, 1977, as Entry No. 141404 in the Summit County Recorder's Office; and running thence coincident with the southerly boundary of said Lot 11 South 79°26'22" East 283.03 feet (Plat: 79°32'00" East); thence South 01°40'14" West 257.78 feet; thence South 12°53'36" West 773.23 feet to a point on the north line of the southwest quarter of the southwest quarter of the southeast quarter of the northwest quarter of said Section 8; thence coincident with said north line North 89°58'18" West 99.77 feet to a point on the west line of the southeast quarter of the northwest quarter of said Section 8; thence coincident with said west line North 00°05'07" East 1063.23 feet to the point of beginning.

Description contains 5.00 acres.

Armstrong Snow Ranch Pastures Ownership Map



EXHIBIT B

Document Deliveries

1. Title Commitment
2. Any other information relating to the Property that Purchaser may reasonably request.

When recorded, return to:
The Utah Open Lands Conservation Association, Inc.
1488 S. Main Street
Salt Lake City, UT 84115

THE PARK CITY ARMSTRONG PASTURES
DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT ("Easement"), made as of this __day of November, 2019, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation ("Grantor"), whose address of 445 Marsac Avenue, Park City, UT 84060, and

THE UTAH OPEN LANDS CONSERVATION ASSOCIATION, INC., a Utah non-profit corporation ("Grantee") whose address is 1488 S Main Street, Salt Lake City, Utah 84115.

EXHIBITS AS FOLLOWS:

Exhibit A: Property Description
Exhibit B: Property Map
Exhibit C: Trail Map Parcel

WITNESSETH:

WHEREAS, Grantor is the owner of certain real property, located along the Park City Municipal golf course, in Park City, Summit County, State of Utah, known as the Armstrong Pastures, more particularly described on Exhibit "A" attached hereto and incorporated herein, and located on the property map described on Exhibit "B" attached hereto and incorporated herein, which together constitutes (the "Property"); and

WHEREAS, the purpose of this Easement is to protect forever the scenic and aesthetic, public recreational, wildlife habitat, and open space qualities of the Property; and

WHEREAS, the Property has significant conservation values as recognized in the Utah Land Conservation Easement Act, (Utah Code §§ 57-18-1 to 57-18-7); and Grantor intends to convey this Easement under the statutory provisions of that Act and other applicable provisions of Utah statutory and common law; and

WHEREAS, the Property has open space value, including valuable scenic view characteristics, wildlife habitat including riparian systems, and public recreation, all of which constitute the Property's Conservation Values ("Conservation Values"), and are worthy of conservation and of great importance to Grantor, Grantee, the citizens of Park City, and the State of Utah (Park City, Utah voters approved by a 77.7% vote, significant governmental support to preserve the Conservation Values); and

WHEREAS, the Conservation Values are described in more detail in Paragraphs A through C immediately below and the preservation of which are of great importance to Grantor and Grantee, and which provide incalculable public benefit to the citizens of Park City and numerous counties in the State of Utah, and the United States of America, and the granting of this Easement will result in the:

- A. Protection and preservation of relatively natural habitat in accordance with 26 U. S. C. §170(h)(4)(A)(ii) and accompanying Treasury Regulations, including protection and preservation of habitat appropriate for several wildlife species identified on the Property including nesting sandhill cranes, fawning grounds for Mule Deer (*Odocoileus hemionus*), calving habitat for Shiras moose (*Alces, alces*) and habitat for Rocky Mountain Elk (*Cervus canadensis nelsoni*), important migration corridors for mule deer, Rocky Mountain elk, and moose, includes habitat for Mountain Lion (*Puma concolor*) which is known to be present on the Property, raptor habitat and upland hillsides on the Property provide Gambel's oak (*Quercus gambelii*) and mountain shrub communities that provide unique habitat values and include ecological connections to adjacent aspen forest and riparian habitats;
- B. Protection of open space for the scenic enjoyment of the general public and the protection of open space pursuant to a clearly delineated governmental policy in accordance with 26 U. S. C §170(h)(4)(A)(iii) and accompanying Treasury Regulations, as funding for the purchase of this Conservation Easement on the Property came in part from restricted proceeds of a \$48 million Treasure Hill and Armstrong Snow Ranch Pastures open space bond specific to the Property, which passed by a 77.7% margin of the Park City community on November 6, 2018, to "forever preserve open space, park and recreational land located in Treasure Hill and Armstrong Snow Ranch Pastures" and the protection of the scenic views of the Property which can be seen from several vantage points including the public Armstrong Trail, Park City Municipal Golf Course, Thaynes Canyon and Three Kings Drive, and Meadows Drive, and this protection is even more valuable because it is adjacent to similarly protected property owned by Park City Municipal Corporation;
- C. Protection of public recreation, as the Property will provide winter recreational trails accessible to the general public in the form of a destination snow shoe trail and winter nordic cross-country ski trail; and

WHEREAS, Grantee has documented and established throughout this Easement, an inventory of the Conservation Values and the current condition of the Property in the baseline documentation, defined below, which is, by this reference, made a part hereof; and

WHEREAS, Grantor desires and intends that the Conservation Values of the Property be conserved and maintained by the continuation, initiation, or introduction of activities on the Property that will not compromise nor be inconsistent with the protection of the Conservation Values; and

WHEREAS, Grantor, as the fee owner of the Property, holds the right to identify, conserve, enhance, and protect in perpetuity the Conservation Values of the Property; and

WHEREAS, Grantor values the undeveloped nature of the Property; and

WHEREAS, the State of Utah has recognized the importance of both public and private efforts to conserve and protect the state's natural resources by the enactment of Utah Code §§ 57-18-1 to 57-18-7; and

WHEREAS, Grantee's mission is to conserve and protect open space and natural areas for ecological, scientific, historic, recreational, and educational purposes; and The Utah Open Lands Conservation Association, Inc. is a non-profit, tax exempt organization under Section 501(c)(3) of the Internal Revenue Code, and a qualified conservation easement holder under Utah Code § 57-18-3; and Grantee is a qualified organization under Section 170(h)(3) of the Internal Revenue Code to receive and hold conservation easements; and

WHEREAS, the parties desire that any interpretation of this Easement be construed to further the conservation, protection, and enhancement of the Property's Conservation Values.

NOW, THEREFORE, in consideration of the recitals as set forth above and the covenants, terms and conditions and restrictions contained herein, which the parties hereby agree constitute adequate consideration for this Easement and pursuant to the laws of the State of Utah and in particular Utah Code 57-18-1 et seq (1985), Grantor hereby irrevocably grants and conveys to Grantee and its successors in interest a PERPETUAL CONSERVATION EASEMENT. This Easement is made over and across all of the Property to preserve and protect its Conservation Values. This Easement shall forever bind Grantor and Grantor's successors in ownership and use of the Property as well as Grantee and any qualified successor of Grantee as identified in Section IX below. This Easement is granted in perpetuity and any mortgage lien or other encumbrance other than encumbrances of sight or record existing at the time of this instrument's signing, shall be subordinate to the rights and intentions of this Easement and Grantee's ability to enforce the protection of the Conservation Values described herein. The scope of this Easement is set forth herein.

SECTION I - PURPOSE

The purpose of this Easement is to forever protect and preserve the Conservation Values of the Property by prohibiting any use of the Property that may materially impair or interfere with such protection and preservation (the "Conservation Purpose"), allowing the Property to remain forever in its scenic open space setting.. The parties agree that the Conservation Values are not likely to be materially adversely affected by the continued use of the Property as authorized in Section III to this Easement. Grantor and Grantee intend that this Easement will confine uses of the Property to only those activities that are consistent with the Conservation Purpose.

SECTION II - RIGHTS OF GRANTEE

To accomplish the Conservation Purpose, Grantor hereby conveys the following rights, without

restriction, to Grantee, which rights shall be in addition to and not in limitation of any other rights and remedies available to Grantee:

- (a) to identify, preserve, and protect in perpetuity the Conservation Values consistent with the terms of this Easement and consistent with any third-party rights of record in and to the Property that were not subordinated to the terms and conditions of this Easement on the effective date of the purchase of the Property;
- (b) to prevent Grantor and third persons (whether or not claiming by, through, or under Grantor) from conducting any activity on or use of the Property that is not consistent with the terms of this Easement, and to require Grantor or third persons to restore any areas or features of the Property that may be damaged by an inconsistent activity or use;
- (c) to enter upon the Property at reasonable times and in a reasonable manner to monitor Grantor's compliance with and otherwise enforce the terms of this Easement;
- (d) to enter onto the Property in the case of an emergency as determined by Grantee, in which event Grantee shall notify Grantor prior to entering onto the Property, if possible, or as soon thereafter as is reasonably practical;
- (e) to obtain injunctive and other equitable relief against any violations, including restoration of the Property to the condition that existed prior to any such violation;
- (f) to enforce this Easement in the case of breaches by Grantor or by third persons (whether or not claiming by, through, or under Grantor) by appropriate legal proceedings, after providing Grantor with reasonable notice and a reasonable opportunity to cure as provided in Section VII;
- (g) to erect signage at such locations on the Property as determined mutually between Grantor and Grantee identifying Grantee as the holder of this Easement, the terms of this Easement, or the Property's protected status; and
- (h) to burden title to the Property in perpetuity and bind Grantor and all future owners and tenants of the Property.

SECTION III - PERMITTED USES AND PRACTICES

The following uses and practices, while not an exhaustive recital of permitted uses and practices, are consistent with this Easement. The uses and practices described in this Section may not be precluded or prevented by this Easement, except under the following circumstances: the uses and practices may be precluded when this Easement requires Grantee's prior approval of an activity as provided in Section IV of this Easement or when such uses or practices are conducted or allowed to take place in a manner which violate the terms of this Easement; pose a serious threat of material damage to the Conservation Values protected by this Easement; or constitute a prohibited use or practice as set forth in Section V of this Easement.

A. Wildlife Habitat, Open Space, and Native Ecosystem. Grantor may maintain and improve the Property for wildlife habitat and open space. In this regard, Grantor may use such techniques and methods selected from time to time by Grantor to restore and maintain the native biological diversity of the Property including, but not limited to, invasive weed suppression, successional forest restoration and other passive ecological restoration.

B. Public Access and Recreational Trail. The right to identify and construct a winter nordic cross-country trail in accordance with recognized applicable design standards and a snow shoe trail contemplated within the area identified in Exhibit "C", attached hereto and incorporated herein, for public access and maintenance of said trail, provided that

1. The surface materials used on the trail are natural such as woodchip or dirt and remain pervious to water;
2. Grantee shall approve the final design and layout of the trail prior to construction;
3. Any disturbance associated with the winter trail construction is revegetated;
4. Fencing is provided to clearly delineate the public trail access area;
5. Signage prohibiting dogs on the trail;
6. Grantor may mow the winter trail in preparation of the winter use.

This Subsection B of Section III is to be interpreted so as to further the intent of the Grantor and Grantee to minimize trail development, trail use, and trail activity that materially interferes with the Conservation Values; including open space and wildlife conservation values.

C. Trail Related Improvements. The right to construct minimal trail related improvements to any permitted trail, provided that the improvements are necessary to prevent the impairment of the Conservation Values. This permitted use shall allow for the placement of no more than two (2) benches at scenic points of the Property.

D. Signs. The right to place signs on the Property for the following purposes:

1. To state the purpose of the conservation easement and the terms of this Easement;
2. To identify the trail or interpretive sites on the Property;
3. To post the Property with no trespass and/or no hunting signs;
4. To state rules and regulations, safety, or hazardous conditions found on the Property; and
5. This Subsection D of Section III should be interpreted so as to further the intent of the Grantor to post the property and the regulations of its use while simultaneously minimizing the effect signs may have on the scenic character.

E. Noxious Weed Control. Chemicals considered necessary to control noxious weeds shall be used in a de minimis way to ensure protection of the riparian value of the Property and to minimize possible harm to the native biological diversity of the Property. Grantor may use agrichemicals as necessary to control noxious weeds or insects. Pesticide application is prohibited within a minimum of twenty five feet (25') of all wetland edges and streams. Chemical controls may only be used in accordance with all applicable laws, and in those amounts and with that frequency of application constituting the minimum necessary to accomplish reasonable noxious weed objectives. The use of such agents shall be conducted in a manner to minimize any adverse effect on the natural values of the Property and to avoid any impairment of the natural ecosystems and their

processes.

F. Problem or Diseased Animals. Grantor may use legal methods to control diseased and problem animals as permitted by state and federal laws.

G. Fire Suppression. Grantor may remove brush and vegetation necessary to minimize the risk of wildfire on the Property. Potential means to reduce or remove high risk fuel loads and should include requiring removal of deadfall and slash. Removal methods shall limit the effect on the native biological diversity and may include, but would not be limited to: hand removal, mechanized methods, and biological methods such as short-duration grazing.

H. Utilities. Existing utilities may be maintained or relocated provided any utility relocation is first approved by Grantee, the utility is buried, and any disturbance to the property is restored, as much as is practical, to the original undisturbed nature of the Property.

I. Residual Rights. Except as expressly limited by this Easement, Grantor may exercise and enjoy all rights as owner of the Property not inconsistent with this Easement.

SECTION IV - PRIOR APPROVAL

If any provision of this Easement requires Grantor to obtain Grantee's approval prior to performing any act or undertaking any enterprise, Grantor shall not perform that act or undertake that enterprise until the notice and approval provisions of this Section have been fully satisfied. Nothing in this Section shall in any way prohibit or limit the Grantee's ability to obtain writs or injunctive relief relating to any violation of this Easement.

A. Grantor's Written Notice. Prior to the commencement of any activity, use, or enterprise which requires Grantee's approval, Grantor will first notify Grantee in writing of the proposed activity, use, or enterprise. The notice must fully inform Grantee of all material aspects of the proposed activity, use or enterprise. Grantor will send such notices to Grantee by registered or certified mail, return receipt requested, addressed to Utah Open Lands Conservation Association, Inc., 1488 South Main Street, Salt Lake City, UT 84115, Attention: Board of Trustees, or to such other address as Grantee may designate in writing.

B. Grantee's Response. Grantee shall have forty-five (45) days from the date such notice is received (as indicated by the registered or certified return receipt) to review the proposed activity, use, or enterprise and to notify Grantor of any objections it may have to the activity, use, or enterprise. The objections, if any, shall be based upon Grantee's opinion that the proposed activity, use or enterprise is likely to cause material damage to the Property's Conservation Values or is otherwise inconsistent with the purpose and/or provisions of this Easement. If, in the Grantee's judgment, the proposal presented by Grantor can be modified to avoid material damage to the Conservation Values and otherwise comply with the purpose and provisions of this Easement, then the response shall inform Grantor how the proposed activity, use or enterprise may be modified to conform with this Easement. Except as provided in

Subsection C of this Section IV, Grantor may commence the proposed activity, use, or enterprise only after it receives Grantee's express written approval, and only in the manner explicitly proposed by the Grantor and approved by Grantee. The Grantee will send such response to Grantor by registered or certified mail, return receipt requested, addressed to Grantor at Grantor's addresses as set forth on page one, or to such other address as Grantor may designate in writing.

C. Grantee's Failure to Respond: Grantee agrees to use reasonable diligence to respond to a notice from Grantor within forty-five (45) days from the date such notice is received (as indicated by the registered or certified mail return receipt or the "read receipt" confirming that the email message was opened by Grantee) or within forty-five (45) days after Grantee has received adequate information to evaluate the proposed act, use, or practice, whichever is later. Grantee's failure to respond within the forty-five (45) day period shall be deemed a constructive denial. Grantor may seek any legal remedy from the courts and recover reasonable fees and costs if a court rules the denial unjustified.

D. Force Majeure. Grantor will not be obligated to send a notice to Grantee, and Grantee will not be entitled to bring an action against Grantor for undertaking any prudent activity in a bona fide emergency situation to prevent, abate, or mitigate the immediate threat of significant damage to the Property resulting from causes beyond Grantor's control, including fire, flood, storm, and earth movement. Grantor will promptly notify Grantee of any injury to the Property caused by such events or the efforts to prevent, abate, or mitigate any damage caused by such events.

SECTION V - PROHIBITED USES AND PRACTICES

Any activity on or use of the Property inconsistent with the purpose of this Easement and which is likely to cause material damage to the Conservation Values is expressly prohibited. Grantor agrees that the following uses and practices, though not an exhaustive recital of inconsistent uses and practices, are explicitly deemed inconsistent with the purposes of this Easement, and shall be prohibited (the "Prohibited Uses").

A. Subdivision. Grantor does not have the right nor will any attempt be made to divide, subdivide, or take any action which creates an actual or *de facto* subdivision of the Property.

B. Construction. Grantor will not construct or affix to the ground any structures or facilities on the Property for use in human habitation, to shelter domestic animals or feral cats, or for commercial or industrial activities whether temporary or permanent. No materials shall be applied to the property in the maintenance of the property or for trail use that are impervious to water or are of a synthetic material.

C. Proffers, Dedications, Transfer of Development Rights. Proffer or dedication of the Property or any portion thereof as open space in or as part of any residential subdivision, any real estate development plan, or any other type of residential, commercial, or industrial development is prohibited. Proffer or dedication of the Property or any portion thereof for the

purpose of fulfilling density requirements to obtain approvals for any zoning, subdivision, site plan, or building permits, is prohibited. Transfer of any development rights that have been encumbered or extinguished by this Easement to any other property pursuant to a transferable development rights scheme, cluster development arrangement or otherwise is prohibited and this Easement terminates all development agreements associated with this Property.

D. Wildlife Disturbance or Harassment. Harassment of wildlife on the Property by people, vehicles or domestic animals is prohibited. The taking, removal, translocation or captivity of wildlife is prohibited, except as necessary by utilization of legal methods to control diseased and problem animals as permitted by state and federal laws

E. Hunting. Hunting on the Property is prohibited.

F. Alteration of Watercourses and Topography. Grantor will not change, disturb, alter, excavate, or impair any watercourse or wetland or the topography of the ground on the Property, except as expressly permitted by Section III of this Easement. Grantor shall conform uses on the Property to ensure compliance with all state and federal laws.

G. Roads. No roads over, through, or across this Property are permitted.

H. Recreational Structures. No permanent recreational structures or facilities will be allowed on the Property except as expressly permitted by Section III of this Easement.

I. Motorized Vehicles. Are not permitted to access this Property except for:

- 1) Emergency vehicles.
- 2) Vehicles necessary to carry out a permitted use as identified under Section III of this Easement, provided these vehicles are in sound working order.

J. Dumping. Trash, debris, ashes, sawdust, and other non-compostable refuse may not be dumped or otherwise disposed of on the Property.

K. Utilities. New utility corridors and new utilities are prohibited.

L. Mineral Activities. Exploration or extraction of oil, gas, rock, gravel, sand, minerals, artifacts, or other materials found in, on, or under the Property by Grantor is prohibited. No sub-surface exploration or extraction of oil, gas, rock, gravel, sand, minerals, artifacts, or other materials (including the lease, sale, or other disposition of the rights to such materials) are permitted by this document.

M. Billboards and Signs. Grantor will not construct, maintain, lease, or erect any commercial signs, political signs or billboards on the Property and signs shall be limited in size and number to minimize impacts to the scenic Conservation Values.

N. Hazardous Waste. Grantor will not store, dump, or otherwise dispose of any toxic and/or hazardous material on the Property. Neither this specific prohibition nor any other right granted in this Easement makes Grantee an owner of the Property, nor does it permit Grantee to control any use of the Property by Grantor which may result in the storage, dumping or disposal of hazardous or toxic materials; provided, however, Grantee may bring an action to protect the Conservation Values of the Property. This prohibition does not impose liability on Grantee, nor shall Grantee be construed as having liability as a “responsible party” under CERCLA or other similar state or federal statutes.

SECTION VI - BASELINE DOCUMENTATION

A baseline inventory has been completed prior to the signing of this Easement. The parties acknowledge that this collection of baseline information contains an accurate representation of the Property’s condition and natural resources as of the date of the execution of this Easement in accordance with Treasury Regulation 1.170A-14(g)(5)(I) (the “Baseline Documentation”). The parties agree that subsequent updates to the Baseline Documentation will be signed by both Grantee and Grantor. The parties acknowledge that the inventory of Baseline Documentation relating to the Property has been completed by competent professionals familiar with the Property and that it is an accurate representation of the current conditions of the Property as of the signing of this Easement. Copies of the Baseline Documentation and subsequent updates to the Baseline Documentation are on file in Grantee’s offices.

Notwithstanding the foregoing, should a future controversy arise over the biological and/or physical condition of the Property, the parties may use all relevant documents, surveys, reports and other information contained in the Baseline Documentation to assist in resolving the controversy.

SECTION VII - BREACH, RESTORATION, AND REMEDIES

A. Breach and Restoration: If either Grantor or Grantee becomes aware of a violation or potential violation of this Easement, or becomes aware of any damage or potential damage to the Conservation Values associated with the Property, whether precipitated by Grantor or by a third party, the party who has become aware must promptly notify the other party of such violation, potential violation, damage, or potential damage by registered or certified mail return receipt requested or by email with a “read receipt” tracking option. Grantor shall have thirty (30) days from the date of receipt of a notice from Grantee of a violation or potential violation or of damage or potential damage to commence actions, including restoration of the Property, that are reasonably calculated to prevent or correct the violation or damage (Grantor’s receipt of such a notice shall be indicated by the registered or certified mail return receipt or the “read receipt” confirming that the email message was opened by Grantor). If Grantor fails to take such corrective action within the thirty (30) day time period, Grantee may undertake appropriate action, including legal action, to effect such prevention or correction. Grantor shall pay the cost of such prevention or correction, including Grantee’s reasonable expenses, court costs, and attorney’s fees.

B. Injunctive and Other Relief: Grantee shall have the right to obtain injunctive relief

or writs from courts of competent jurisdiction, or seek any legal remedy to stop or prevent activities that are prohibited or not authorized by the terms of this Easement and to force the restoration of the portion of the Property affected by such unauthorized activity to a similar or equivalent condition that existed prior to such unauthorized activity. Such restoration may include, but is not limited to, restoring soils, replanting suitable native vegetation, and taking such other action as Grantee deems reasonably necessary to achieve such restoration. The costs by Grantee in such restoration and any required litigation, including reasonable attorney's fees, shall be reimbursed by Grantor or those of its successors or assigns against whom a judgment is entered.

C. Actual or Threatened Non-Compliance: Grantor acknowledges that irrevocable damage may result from any actual or threatened instances of non-compliance under this Easement and that Grantee's remedies at law for any such breach may be inadequate and Grantor acknowledges and agrees that Grantee, in addition to such other remedies as may be available to it at law, is entitled to seek and obtain an injunction and/or other equitable relief.

D. Cumulative Remedies: Grantee's remedies set forth in this Easement are cumulative. Any, or all, of the remedies may be invoked by Grantee if there is an actual or threatened violation of this Easement.

E. No Waiver of Enforcement: Grantee may exercise discretion in enforcing this Easement, subject to its fiduciary obligations to the public as beneficiary of the Easement. No delay or omission by Grantee in the exercise of any right or remedy under this Easement or applicable law shall impair such right or remedy or be construed as a waiver. Grantee's failure to exercise its rights under this Easement, in the event of a breach by Grantor, shall not be considered a waiver of Grantee's rights under this Easement in the event of any subsequent breach. Enforcement of this Easement shall not be defeated by adverse possession, laches, or estoppel. The parties agree that the rights of the public, as beneficiary of this Easement, shall not be forfeited by any acts or omissions of Grantee.

SECTION VII – NOTICES, SUPERIORITY OF EASEMENT, COSTS, TAXES & FEES

A. Notices: To provide Grantee with notice of a change in ownership or other transfer of an interest in the Property, Grantor agrees to notify Grantee in writing of the names and addresses of any party to whom the Property or any interest therein (including a leasehold interest) is transferred. Grantor further agrees to make specific reference to this Easement in a separate paragraph of any subsequent deed or other instrument by which any interest in the Property is conveyed, and attach a copy of this Easement to such instrument. Grantor also agrees to provide written notice of this Easement to all agents working under the direct control of Grantor in conjunction with the Property. Any failure to comply with the terms of this paragraph shall in no manner render this Easement or any provisions of this Easement unenforceable.

B. Superiority of Easement: Any lease, mortgage, trust deed, lien, judgment, or other interest executed or entered against the Property after the effective date of this Easement, except as expressly provided for herein, shall be subordinate to this Easement and in no way enable the holder of such interest or their successor(s) in interest to breach the terms of this Easement or

otherwise negatively impact the Conservation Values protected by this Easement.

C. Costs, Taxes, and Fees: Grantor retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including responsibility for fire suppression and the control of noxious weeds in accordance with all applicable laws. Grantor agrees to bear all costs of operation, upkeep, and maintenance of the Property. Grantor shall pay any and all lawful taxes, assessments, fees, and charges levied by competent authority.

SECTION VIII – INDEMNITY

Grantor and successors agree to defend, indemnify, and hold harmless Grantee from and against any damage, liability, and loss occasioned by, growing out of, or arising or resulting from (i) any act or omission by Grantor or its agents or employees while on the Property or (ii) the presence or release of any toxic or hazardous material or substance on the Property, except where the presence or release was directly caused by Grantee.

SECTION IX – RESTRICTION ON TRANSFER OF EASEMENT

A. Grantee is prohibited from assigning or otherwise transferring this Easement, whether or not for consideration, unless (i) the transferee is, at the time of the transfer, a “qualified organization” and an “eligible donee,” as those terms are defined in §170(h) of the Internal Revenue Code and accompanying Treasury Regulations, as from time to time amended, (ii) the transferee is qualified to hold a conservation easement under Utah law, (iii) the transferee agrees in writing that the Conservation Purpose of this Easement will continue to be carried out, and (iv) Grantor consents in writing to the transfer, which consent shall not be unreasonably withheld.

B. If Grantee shall cease to exist, or cease to be a qualified organization or eligible donee (as those terms are defined in § 170(h) of the Internal Revenue Code and accompanying Treasury Regulations) or qualified to hold a conservation easement under Utah law, Grantor shall identify a ‘qualified organization and eligible donee’ in compliance with this Section.

C. A transfer of this Easement in connection with a judicial extinguishment that satisfies the requirements of Section XIII shall not violate the provisions of this Section.

SECTION X – EXTINGUISHMENT; VALIDITY

A. Grantor agrees that the conveyance of this Easement gives rise to a property right that immediately vests in Grantee. Grantor further agrees that this property right has a fair market value on the effective date of this Easement that was equal to the proportionate value that this Easement, at that time, bore to the value of the Property as a whole at that time.

B. This Easement may be extinguished in whole or in part (whether through release, termination, eminent domain, abandonment, swap, exchange, reconfiguration, or otherwise) only (i) in a judicial proceeding in a court of competent jurisdiction, (ii) upon a finding by the court

that a subsequent unexpected change in conditions has made impossible or impractical the continued use of the Property (or the portion thereof to be removed from this Easement) for conservation purposes. Where applicable payment of proceeds to Grantor and Grantee is as provided in Paragraph C of this Section. Any removal of land from this Easement constitutes an extinguishment, however such removal might be characterized.

C. In the event of an extinguishment, Grantee shall be entitled to a share of the proceeds from any sale, exchange, or involuntary conversion of the property removed from this Easement equal to the appraised value of this Easement (or portion of this Easement encumbering the property to be removed) immediately before and ignoring the extinguishment, calculated using an appropriate “before and after” valuation methodology and this value shall remain constant. The parties agree that the proportionate value of the open space bond allocated to the Property of Three Million Five Hundred Fifty Thousand Dollars (\$3,550,000.00) shall remain constant. Grantor shall be entitled to the remainder of the proceeds. Grantee has a right to record a lien to secure its recovery of its share of the proceeds.

D. Grantor and Grantee acknowledge that the Property was purchased with restricted bond proceeds and restricted funds that were granted or raised for the express purpose of forever protecting and preserving the Property’s Conservation Values. Grantor and Grantee agree that any proceeds each receives upon any extinguishment of this Easement will be used to protect Conservation Values in a manner that is consistent with the conservation purpose of this Easement.

E. If all or any part of the Property is taken under the power of eminent domain, Grantor and Grantee shall participate in appropriate proceedings at the time of such taking to recover the full value of their respective interests subject to the taking as well as all incidental or direct damages resulting from the taking. All reasonable expenses incurred by Grantor or Grantee in any such action shall first be reimbursed out of the recovered proceeds; the remainder of such proceeds shall be divided between Grantor and Grantee as provided in Paragraph C of this Section.

F. The fact that any use of the Property expressly prohibited by this Easement or otherwise determined to be inconsistent with the Conservation Purpose of this Easement may become significantly more valuable or economical than permitted uses, or that neighboring properties may in the future be put entirely to uses inconsistent with the Conservation Purpose of this Easement, has been considered by Grantor in granting and by Grantee in accepting this Easement, and it is the intent of both Grantor and Grantee that any such changes shall not impair the validity of this Easement or be considered grounds for its extinguishment in whole or in part. In addition, the inability to carry on any or all of the permitted uses and practices, or the unprofitability of doing so, shall not impair the validity of this Easement or be considered grounds for its extinguishment in whole or in part.

G. All provisions of this Section shall survive any extinguishment of this Easement in whole or in part.

SECTION XI – LIMITED POWER OF AMENDMENT

A. Grantor and Grantee intend that the Conservation Values of the Property and the Conservation Purpose of this Easement will be protected in perpetuity by this Easement. While Grantor and Grantee have endeavored to foresee all possible threats to the perpetual protection of the Conservation Values of the Property and the Conservation Purpose of this Easement, there may come a time when this Easement should be amended to correct an error, to eliminate or reduce reserved rights that are not beneficial to the public, to clarify an ambiguity, or to otherwise enhance the protection of the Conservation Values of the Property. To that end, Grantor and Grantee have the right to agree to amendments to this Easement, provided, however, that any amendment must comply with each of the following requirements.

i. Only the following types of amendment are permitted:

a. Amendments that are technical in nature (such as correcting a scrivener's error).

b. Amendments that enhance the protection of one or more of the Conservation Values of the Property and are not detrimental to or inconsistent with the Conservation Purpose of this Easement.

ii. An amendment must not materially injure or destroy any of the Conservation Values of the Property or be detrimental to or inconsistent with the Conservation Purpose of this Easement. For example, this requirement prohibits "trade-off" amendments that would in any manner negatively impact a Value but arguably further the protection of the Conservation Values of the Property. Thus, for example, an amendment that would involve the relaxation or elimination of a restriction or other conservation protection in this Easement in exchange for the addition of land to this Easement is prohibited.

iii. An amendment must not limit or otherwise alter the perpetual duration of this Easement.

iv. An amendment must not adversely affect the status of Grantee as a qualified organization, eligible donee, or eligible holder of this Easement under any applicable laws.

v. An amendment must not result in private inurement or confer impermissible private benefit.

vi. An amendment must not adversely affect the qualification of this Easement or the status of Grantee under any applicable laws, including Sections 170(h) and 501(c)(3) of the Code and the laws of the State of Utah.

vii. An amendment must be in writing, duly signed by the parties, and promptly recorded in the appropriate location for public land records, and Grantee must document the amendment's compliance with the requirements of this Section in writing.

viii. Any such amendment shall be filed in the County Recorder's office of Summit County, Utah.

B. Nothing in this Section shall require Grantee to agree to any amendment or to consult or negotiate regarding any amendment.

SECTION XII – NOTICES

Any notice, demand, request, consent, approval or other communication shall be in writing and shall be sent by registered or certified mail return receipt requested or by email with a read receipt tracking option to:

Grantor:

Park City Municipal Corporation
c/o Thomas A. Daley, Deputy City Attorney
445 Marsac Avenue
Park City, UT 84060
tdaley@parkcity.org

Grantee:

Utah Open Lands
c/o Executive Director
1488 South Main Street
Salt Lake City, UT. 84115
wendy@utahopenlands.org

Grantor or Grantee may, by written notice to the other, designate a different recipient (i.e. "Attn.:" or a different mail or email address).

SECTION XIII - MISCELLANEOUS PROVISIONS

A. Partial Invalidity. If any provision of this Easement, or the application of this Easement, or the application of this Easement to any person or circumstance is found to be invalid, the remainder of the provisions of this Easement, and the application of such provisions to persons or circumstances other than those to which it is found to be invalid, shall not be affected thereby.

B. Enforcement. Grantor intends that enforcement of the terms and provisions of this Easement shall be at the discretion of Grantee, and that Grantee's failure to exercise its rights under this Easement, in the event of any breach by Grantor, shall not be considered a waiver of Grantee's rights under this Easement in the event of any subsequent breach.

C. "Grantor" and "Grantee". The term "Grantor", as used in this Easement, and any

pronouns used in place thereof shall mean and include the above-named Grantor, and its successors and assigns. The term “Grantee”, as used in this Easement and any pronouns used in place thereof shall mean The Utah Open Lands Conservation Association, Inc. and its successors and assigns.

D. Titles. Section and subsection titles and subtitles are for convenience only and shall not be deemed to have legal effect.

E. Liberal Construction. This Easement shall be liberally construed in favor of maintaining the Conservation Values of the Property, and in accordance with Utah Code §§ 57-18-1 to 57-18-7. The parties acknowledge that each has reviewed and revised this Easement with the assistance of counsel, and that no rule of construction resolving ambiguities against the drafting party shall be employed in interpreting this Easement.

F. Successors. This Easement is binding upon, and will inure to the benefit of Grantor’s and Grantee’s successors in interest and assigns. All subsequent owners of the Property are bound to all provisions of this Easement to the same extent as Grantor as to that portion of the Property conveyed to such subsequent owner. In the event the Grantor or a successor owner to Grantor conveys all of its interest in the Property, Grantor or such successor owners shall no longer have any obligations under this Easement.

G. Governing Law. This Easement will be interpreted and construed in accordance with applicable Utah laws.

H. Entire Agreement. This Easement sets forth the entire agreement of the parties. It is intended to supersede all prior discussions or understandings.

I. Compliance With Law. All uses and practices permitted by this Easement, shall comply with all applicable state and federal laws.

J. Effective Date. The effective date of this Easement will be the date signed by all parties.

K. State Law Notice Requirements. Grantor hereby acknowledges that Grantee, at least three (3) days prior to the execution of this Easement, discussed with it the types of conservation easements available, the legal effect of each easement, and the advisability of consulting legal counsel concerning the possible legal and tax implications associated with granting this Easement.

L. Merger. The parties intend that this Easement will not merge with or into the fee ownership, it being the intent of the parties that the Easement never be extinguished but remain in full force, enjoining Grantee or its successor in interest to perpetually comply with its terms and conditions regardless who holds title to the underlying fee interest. To that end, the parties hereby agree that (i) no purchase by or transfer to Grantee of the underlying fee interest in the Property shall be deemed to extinguish this Easement, or any portion thereof, under the doctrine of merger or other legal doctrine, and (ii) should Grantee come to own all or a portion of the

underlying fee interest in the Property: (a) Grantee, as successor in title to Grantor, shall observe and be bound by the obligations of Grantor under the restrictions imposed upon the Property by this Easement and (b) Grantee shall continue to hold and enforce this Easement as a public charitable trust for the benefit of the citizens of Park City, Summit County, the State of Utah, and the United States of America and be bound by its terms.

M. Change of Conditions. The fact that any use of the Property expressly prohibited by this Easement or otherwise determined inconsistent with the purpose of this Easement may become significantly more valuable or economical than permitted uses, or that neighboring properties may in the future be put entirely to uses inconsistent with this Easement, has been considered by Grantor in granting this Easement. It is Grantor's belief that any such changes will increase the public's benefit and interest in the continuation of this Easement, and it is the intent of both Grantor and Grantee that any such changes not be considered circumstances sufficient to terminate this Easement, in whole or in part. In addition, the inability to carry out any or all of the permitted uses, or the unprofitability of doing so, shall not impair the validity of this Easement or be considered grounds for its termination.

N. Superiority of Easement. Any mortgage, trust deed, lien, judgment, or other financial interest executed or entered against the Property hereafter shall be subordinate to this Easement and in no way enable the holder of such interest or their successor(s) in interest to breach the terms of this Easement or otherwise compromise the Conservation Values protected thereby.

[Notary and Signature Pages to Follow]

IN WITNESS WHEREOF, Grantor and Grantee hereby execute this Easement to be effective as of the date first written above.

GRANTEE:

THE UTAH OPEN LANDS
CONSERVATION ASSOCIATION

GRANTOR:

Park City Municipal Corporation

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

STATE OF UTAH)
 : ss.
County of Summit)

On this ____ day of _____, 2019, before me, the undersigned notary public, personally appeared _____, _____ of Park City Municipal corporation, a Utah municipal corporation, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

STATE OF UTAH)
 : ss.
County of Salt Lake)

On this ____ day of _____, 2019, before me, the undersigned notary public, personally appeared Matt Steward, Chair of The Utah Open Lands Conservation Association, Inc., a Utah non-profit corporation, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

Exhibit "A"
Property Description

PCMC SNOW RANCH PASTURES PROPERTY
5 ACRE PARCEL
LEGAL DESCRIPTION
OCTOBER 18, 2019

A parcel of land in the east half of the northwest quarter of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

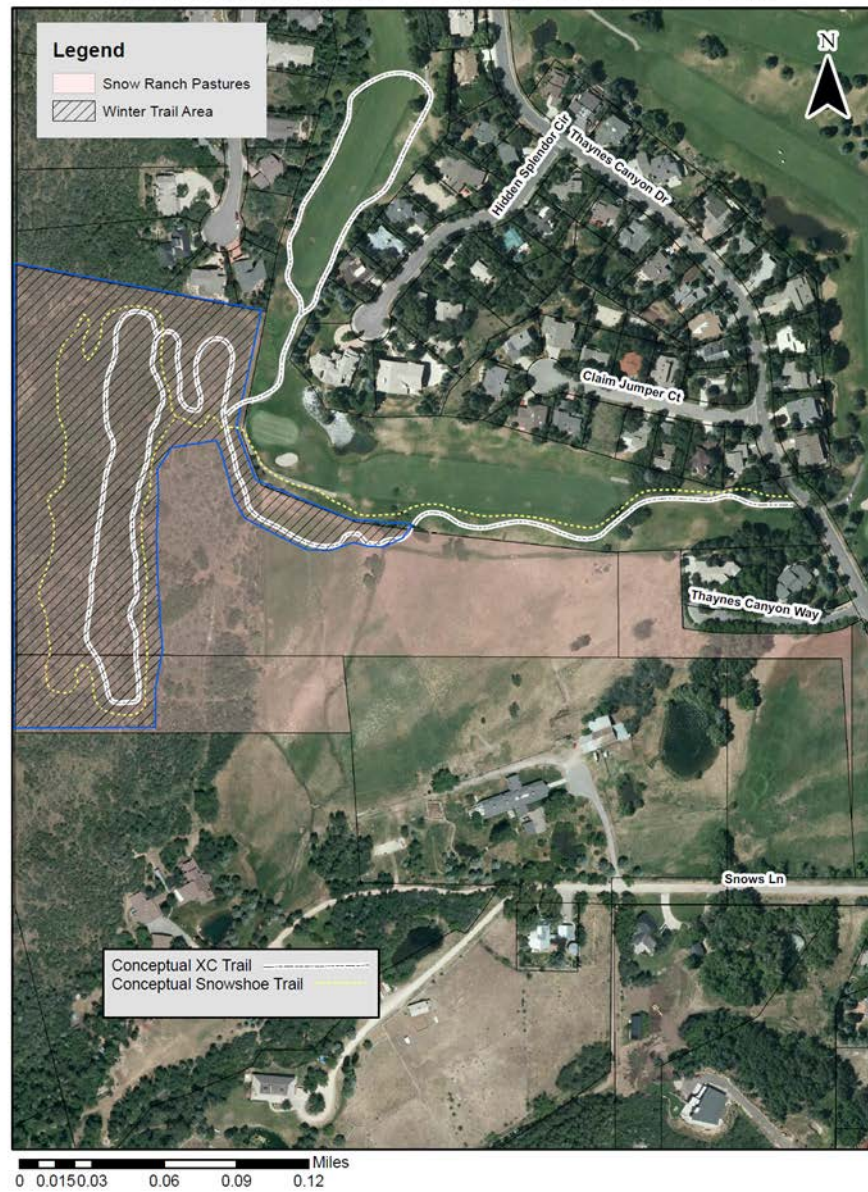
Beginning at a point South 00°22'02" West 1218.90 feet coincident with the section line and West 3953.97 feet from the northeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian (Basis of Bearing being South 00°22'02" West 2627.35 feet between said northeast corner and the east quarter corner of said Section 8), said point being the southwesterly corner of Lot 11, Thaynes Canyon Subdivision No. 3, recorded October 7, 1977, as Entry No. 141404 in the Summit County Recorder's Office; and running thence coincident with the southerly boundary of said Lot 11 South 79°26'22" East 283.03 feet (Plat: 79°32'00" East); thence South 01°40'14" West 257.78 feet; thence South 12°53'36" West 773.23 feet to a point on the north line of the southwest quarter of the southwest quarter of the southeast quarter of the northwest quarter of said Section 8; thence coincident with said north line North 89°58'18" West 99.77 feet to a point on the west line of the southeast quarter of the northwest quarter of said Section 8; thence coincident with said west line North 00°05'07" East 1063.23 feet to the point of beginning.

Description contains 5.00 acres.

Exhibit “B”
Property Map



Exhibit "C"
 Trail Map
 Snow Ranch Pasture Conceptual Winter Trails



Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Josh Miller

Submitting Department: Budget, Debt & Grants

Item Type: Work Session

Agenda Section:

Subject:

Consideration to Approve Special Service Contract Round Two Recommendations

(A) Public Input (B) Action

Suggested Action:

Attachments:

[Special Service Contracts Staff Report](#)

[Exhibit A: Funding Recommendations and Distribution Graph](#)



City Council Staff Report

Subject: Special Service Contracts Round 2
Authors: Jed Briggs & Josh Miller
Department: Budget, Debt, & Grants
Date: November 7, 2019
Type of Item: Informational

Executive Summary:

The Special Service Contract (SSC) Subcommittee is recommending \$165k in funding for eleven non-profit organizations that meet criteria outlined in the Community Social Equity Strategic Plan.

Background:

In the FY20 adopted budget, Council revamped the Special Service Contract process that split proposals into three categories: regular service contracts, social equity services, and innovation grants. Following a successful first round of grant awards, Council combined the Social Equity and Innovation categories to simplify the second round of the process.

The second round was guided by the Social Equity Advisory Committee Report, which highlighted three focus areas: housing, education, and inclusion. Workforce development was added as an area of focus. A request for proposals (RFP) was issued in October 2019, letters announcing the second round sent to previous awardees and interested parties, and staff utilized media platforms to inform the public. Applications were reviewed by the Special Service Contract Subcommittee, including Council Members Worel and Joyce.

Analysis:

The selection process involved an examination of each application to determine how well it matched Council goals and priorities as well as the City's Public Service Contract Policy. The committee recommended contracts with funding totaling \$165,000. There is an amount leftover of \$32,873 for future extraordinary requests as has been done in the past.

A full summary of grant award recommendations, complete with subcommittee justifications and program description can be found in *Attachment A*.

Department Review:

This report has been reviewed by the Budget, Legal, and City Manager departments.

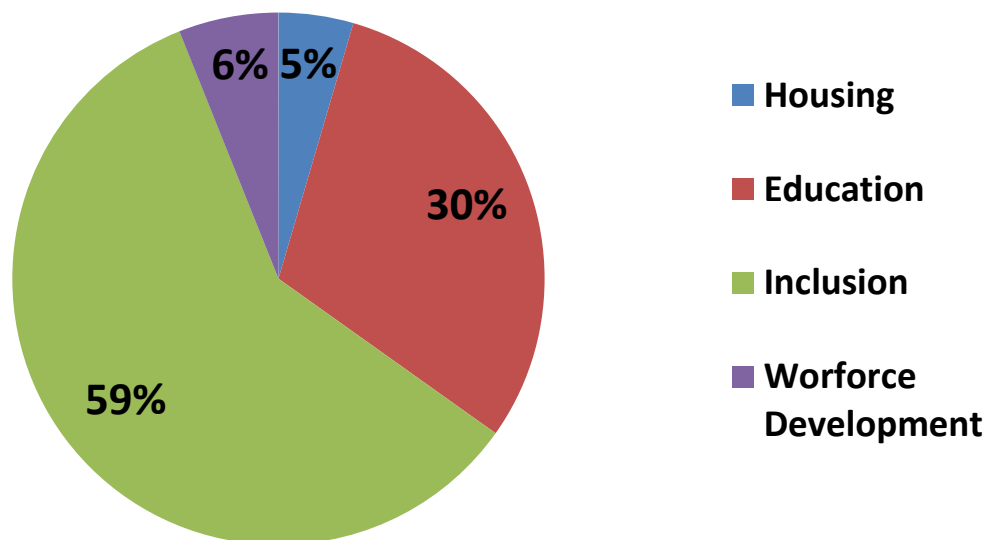
Attachments:

A – Funding Recommendations and Distribution Graph

Category	Description	Service	Applicant	FY2020 Requested Amount	FY2020 Recommended Amount	Notes
Housing	Facilitate a range of affordable and quality housing opportunities that meet the life cycle needs of persons at all economic levels.	Develop a web-based affordable housing application	Mountainlands	\$7,500	\$7,500	Met requirements as outlined in RFP.
		Provide housing for J9 employees	PC Concierge	\$305,000	\$0	Did not meet requirements as outlined in RFP.
Education	Provide students with learning and enrichment opportunities outside of the regular schhol day to help overcome disparities	Afterschool program for preschool/elementary students including exercise and art	Arts Kids	\$10,000	\$0	Did not meet requirements as outlined in RFP.
		Youtheatre program, bilingual summer camp, and translation	Egyptian Theater	\$25,000	\$0	Did not meet requirements as outlined in RFP.
		3 different afterschool art programs, reduced and free tuition	Kimball Art Center - After School Classes	\$20,000	\$0	Did not meet requirements as outlined in RFP.
		Provide college prep courses for 10th grade and over students	PC Ed Foundation - Bright Futures	\$25,000	\$0	Did not meet requirements as outlined in RFP.
		Afterschool program serving 90-100 elementary students	PC Ed Foundation - Afterschool at McPolin	\$50,000	\$50,000	Met requirements as outlined in RFP.
		Filmmakers in the classroom program during film festival serving 350-400 students. Also includes tickets for public screenings.	Sundance	\$10,000	\$0	Did not meet requirements as outlined in RFP.
		TED style lectures regarding climate change to 3 Universities across Utah	Utah Climate Project	\$100,000	\$0	Did not meet requirements as outlined in RFP.
		Avalnche awareness program - 18 presentations regarding dangers of avalanche to youth	Utah Avalanche Center	\$5,000	\$0	Did not meet requirements as outlined in RFP.
Inclusion	Strive for cultivating a community that engages diverse perspectives, differing ideas, and individuals from different backgrounds to help define policu and practice and help shape culture	Ballet programs for senior citizens at PC Marc	Ballet West	\$5,000	\$5,000	Met requirements as outlined in RFP.
		Support of Latino arts festival	Christian Center	\$50,000	\$25,000	Met requirements as outlined in RFP.
		Free bi-weekly art program for sernior citizens in the community	Kimbal Art Center - Senior Art Classes	\$10,000	\$10,000	Met requirements as outlined in RFP.
		Production costs for Cada Domingo radio program	KPCW	\$7,500	\$7,500	Met requirements as outlined in RFP.
		5 Community conversations regarding social equity to underserved population	Mountain Mediation	\$15,000	\$5,000	Met requirements as outlined in RFP.
		Spanish translating, discount tickets to films for underserved population	PC Film	\$26,944	\$15,000	Met requirements as outlined in RFP.
		Tickets for underserved population to author speaking events at Eccles center	PC Institute	\$20,000	\$0	Did not meet requirements as outlined in RFP.
		Training for wintersport athletes in mentoring, accesibility, involvement and inclusion	PC Ski and Snowboard	\$25,000	\$0	Did not meet requirements as outlined in RFP.
		Promotion of the Community Leaders Speak program	PC Toastmasters	\$5,000	\$0	Did not meet requirements as outlined in RFP.
		Youth council to develop educational video on microaggression, and distribute training session	Planned Parenthood of Utah	\$15,000	\$15,000	Met requirements as outlined in RFP.
		Provide fee waivers for low income youth to participate in sports programs	YSA	\$15,000	\$15,000	Met requirements as outlined in RFP.
WorkForce Development	Innovative programs that focus on augmenting education, language, job skills, job finding, and resume building needs to those from lower to middle economic backgrounds.	Adult education program including language tutoring and professional development	PC School District	\$15,000	\$10,000	Met requirements as outlined in RFP.
		Research and develop a teen employment program for 12 teenagers	EATS	\$15,000	\$0	Did not meet requirements as outlined in RFP.
			Totals	\$781,944	\$165,000	
			Available	\$197,873	\$32,873	

Housing	\$7,500
Education	\$50,000
Inclusion	\$97,500
Worforce Development	\$10,000
	\$165,000

SSC Equity/Innovation Funding Distribution



Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Alexandra Ananth

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Consideration to Approve Ordinance No. 2019-54, an Ordinance Approving the Aerie Phase I, Amending Lots 9, 10 and 11, Plat Amendment, Located at 1312, 1324 and 1336 Aerie Drive, Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[Aerie Plat Amendment Staff Report](#)

[Exhibit A: Applicant's Project Intent](#)

[Exhibit B: Neighborhood House and Lot Size Data](#)

[Exhibit C: Planning Commission Staff Report](#)

[Exhibit D: Planning Commission Redlined Site Plan](#)

[Exhibit E: City Council Audio October 22, 2019](#)

[Exhibit F: Applicant's Proposed Floor Plan](#)

City Council Staff Report

Subject: The Aerie Phase I, Amending Lots 9, 10 & 11
Author: Alexandra Ananth, Senior Planner
Date: November 7, 2019
Type of Item: Administrative – Plat Amendment



Project Number:	PL-19-04297
Applicant:	Aerie Holdings LLC
Location:	1312, 1326 & 1336 Aerie Drive
Zoning:	Single Family (SF)
Adjacent Land Uses:	Residential development parcels
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval

Recommendation

Staff recommends the City Council conduct a Public Hearing on the request to combine The Aerie Phase I, Lots 9, 10 & 11, located at 1312-1336 Aerie Drive and consider approving the requested Plat Amendment pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval as outlined in the attached Ordinance.

Executive Summary

This project encompasses three (3) lots, Lots 9, 10 and 11 off of Aerie Drive, all under common ownership. Lots 9 and 11 are currently vacant and Lot 10 contains a Single Family Dwelling. The applicant is proposing to remove the lot lines between the lots in order to combine all three lots into one new lot (Lot 10A). Although not part of this application, it has been noted that the applicant intends to demolish the existing house on Lot 10, and construct a new Single Family Residence on the combined new lot 10A. There are no maximum house size limits in the Single Family District or the Aerie Subdivision.

On October 9, 2019, the Planning Commission reviewed the proposed Plat Amendment and voted unanimously to forward a positive recommendation to City Council with the addition of four Conditions of Approval. Due to the visibility of the lot, the Planning Commission chose to set a Maximum House Size of 13,500 square feet *inclusive of Basement Area and any Accessory Buildings* on the combined lot in order to ensure compatibility with the surrounding neighborhood (Condition of Approval #7). The Commission also created limits of disturbance and increased setbacks in order to limit the building footprint and protect site vegetation/open space (See [Planning Commission October 9, 2019 Audio](#)).

At the October 22, 2019, City Council Meeting the architect for the applicant noted that the house as designed would not meet the Maximum House Size *as set by the Planning Commission Condition of Approval #7 if the basement area was included, and the item*

was continued to November 7, 2019.

Since the October 22, 2019, City Council Meeting the applicant has stated that the house was designed to meet the Land Management Code's (LMC) definition of Gross Residential Floor Area which does not include Basement and Crawl Space Areas below Final Grade, and allows for a 600 square foot exclusion for Garages. The LMC's definition of Gross Floor Area is as follows:

"Floor Area, Gross Residential. The Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet¹, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls."

Using the LMC definition the applicant's house meets the 13,500 square foot maximum and would be considered to be 13,113 square feet. Therefore the applicant is requesting to modify Condition of Approval #7 to strike the second half of the sentence as follows:

7. A Plat Note shall indicate the Maximum House Size shall not exceed 13,500 square feet, ~~inclusive of Basement Area and any Accessory Buildings.~~

The Planning Department agrees with the proposed change to Condition 7 above as it is consistent with the LMC's definition of Gross Residential Floor Area. Given the large lot size, if the Plat Amendment is approved (3.75 acres of 163,184 square feet), the Planning Department notes that the house would still have one of the smaller Floor Area Ratios in the neighborhood as proposed.

Background

All three (3) of the lots were originally platted in 1981 as part of The Aerie, Phase I, a single family subdivision.

In 1997, a Lot Line Adjustment was approved to modify Lots 10 and 11 as the Olch Replat, and was recorded in September of 1997. The common lot line was simply moved in the middle of the lots to accommodate an addition to the pool house. Both lots still exist, they were just modified.

In 2017, a Plat Amendment combined Lot 5 and Lot 6 of The Aerie Phase 1 subdivision to create one (1) legal lot of record by removing the property line which separated them.

The proposed Plat Amendment would be the third amendment for The Aerie Phase 1 subdivision. At the Planning Commission meeting on October 9, 2019, the Commission chose to add 4 additional Conditions of Approval including:

1. Due to the visibility of the lot the Planning Commission chose to set a Maximum House Size of 13,500 square feet inclusive of Basement Area and any Accessory Buildings on the combined lot in order to ensure compatibility with the surrounding neighborhood.
2. Per the existing Aerie CC&Rs Building Height shall not exceed 21 feet from existing grade.
3. In order to protect neighborhood views the Main Building and any Accessory Buildings shall meet a minimum front setback of 20 feet, minimum side setbacks of 75 feet and a minimum rear setback of 50 feet. (See PC Redlined Site Plan Exhibit D)
4. Prior to the issuance of any Building Permits the Planning Department shall review and approve a Final Landscape Plan with an emphasis on the maintenance and protection of existing mature vegetation on the northwest property lines (former Lot 11), as well as a Construction Mitigation Plan that shows a Level of Disturbance corridor not to exceed 20 feet from the edge of the proposed building that encroaches onto former Lot 11.

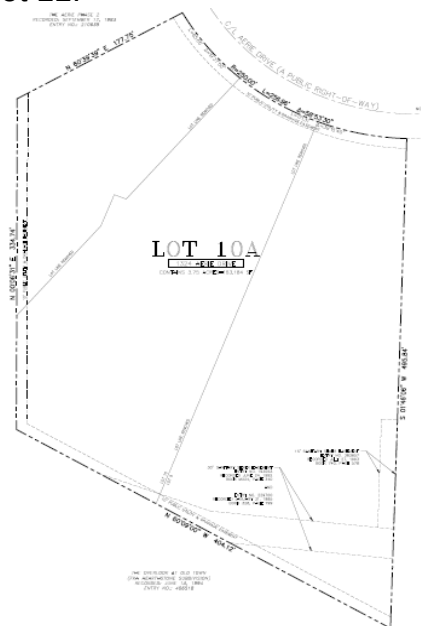


Figure 1. The Aerie Phase 1, Amending Lots 9, 10, & 11, Showing Removal of Interior Lot Lines

The applicant is proposing to modify one of the Planning Commission's imposed conditions consistent with the Land Management Code's definition of Gross Floor Area.

Alternatives

- The City Council may conduct a public hearing, discuss the proposal and approve The Aerie Phase 1, Amending Lots 9, 10, & 11. **This is Staff's recommendation.**
- The City Council may deny The Aerie Phase 1, Amending Lots 9, 10, & 11 and direct staff to make Findings for this decision.
- The City Council may continue this item to a date certain and request additional information in order to take Final Action.

Attachments

Ordinance

Exhibit A – Applicant's Project Intent

Exhibit B – Neighborhood House and Lot Size Data from Summit County Website

Exhibit C – [Link to Planning Commission Staff Report \(starting on Page 531\)](#)

Exhibit D – Planning Commission Redlined Site Plan

Exhibit E – [Link to City Council October 22, 2019 Audio](#)

Exhibit F – Applicant's Proposed Floor Plan

Draft Ordinance No. 2019-54

AN ORDINANCE APPROVING THE AERIE PHASE I, AMENDING LOTS 9, 10 & 11, PLAT AMENDMENT FOR 1312, 1324 & 1336 AERIE DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the properties known as 1312, 1324 & 1336 Aerie Drive, have petitioned the City Council for approval of The Aerie Phase I, Amending Lots 9, 10 & 11 to combine the lots; and

WHEREAS, on September 25th 2019, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on September 25th, 2019, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 9th, 2019, to receive input on the Plat Amendment for The Aerie Phase I, Amending Lots 9, 10 & 11;

WHEREAS, the Planning Commission, on October 9th, 2019, forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council on October 22th, 2019, held a public hearing and took final action on the Plat Amendment on November 7, 2019; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Plat Amendment for The Aerie Phase I, Amending Lots 9, 10 & 11.

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 Plat Amendment for The Aerie Phase I, Amending Lots 9, 10 & 11, 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 properties are located at 1312, 1324 & 1336 Aerie Drive.
2. The lots are located in the Single Family (SF) zoning district.
3. On August 8th, 2019, the City received a complete application to amend Lots 9-11 by combining Lots 9 and 10, and to include Lot 11 on the same subdivision as the three lots are currently under the same ownership. The applicant amended their application on September 9th, 2019 to combine all three lots into one new lot (Lot 10A).
4. Currently Lots 9 and 11 are vacant and Lot 10 contains a single family house.

5. Easements for public utilities, drainage, and sanitary sewer lines exist on the lots and will remain unchanged.
6. In 1997 a Lot Line Adjustment to modify Lots 10 and 11 was approved to create the Olch Replat.
7. The proposed plat amendment combines three (3) existing parcels (Lots 9, 10 and 11) to create one lot of record consisting of 3.75 acres (163,184 square feet), a reduction in density.
8. Zoning Requirements for the SF district will remain in place for this lot and any new structures must comply with all applicable LMC requirements.
9. The proposed Plat Amendment does not create any new non-complying or non-conforming situations or any remnant parcels.
10. Future development will be limited to one curb cut, improving the safety on Aerie Drive for all vehicles and pedestrians, with less potential points of conflict.
11. Due to the visibility of the lot the Planning Commission chose to set a Maximum House Size of 13,500 square feet ~~inclusive of Basement Area and any Accessory Buildings on the combined lot~~ in order to ensure compatibility with the surrounding neighborhood.
12. Per the existing Aerie CC&Rs, Building Height shall not exceed the horizontal line, 21 feet above the average height of the curb line of lot 10, The Aerie, Phase 1, and lots 89, 90, 91, 93 and 95, The Aerie, Phase 2, Summit County, State of Utah and the horizontal line 21 feet above the curb at the intersection of Aerie Drive and Golden Way of Lot 12, The Aerie, Phase 2, Summit County, State of Utah.
13. In order to protect neighborhood views the Main Building and any Accessory Buildings shall meet a minimum front setback of 20 feet, minimum side setbacks of 75 feet and a minimum rear setback of 50 feet.
14. Prior to the issuance of any Building Permits the Planning Department shall review and approve a Final Landscape Plan with an emphasis on the maintenance and protection of existing mature vegetation on the northwest property lines (former Lot 11), as well as a Construction Mitigation Plan that shows a Level of Disturbance corridor not to exceed 20 feet from the edge of the proposed building that encroaches onto former Lot 11.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the Plat Amendment for The Aerie Phase I, Amending Lots 9, 10 & 11, 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 submitted in writing and approved by the City Council.
3. A Plat Note shall indicate there shall be no further subdivision of Lot 10A.
4. A Plat Note shall indicate the number of curb cuts shall be limited to one single curb cut.
5. A Plat Note shall indicate any future driveway shall have sufficient turning room so that cars can pull out in a forward facing direction onto Aerie Drive.
6. A Plat Note shall indicate development on Lot 10A shall comply with the City's Defensible Space Requirements in effect at the time of application.
7. A Plat Note shall indicate the Maximum House Size shall not exceed 13,500 square feet, ~~inclusive of Basement Area and any Accessory Buildings.~~
8. A Plat Note shall indicate that per the existing Aerie CC&Rs, Building Height shall not exceed the horizontal line, 21 feet above the average height of the curb line of lot 10, The Aerie, Phase 1, and lots 89, 90, 91, 93 and 95, The Aerie, Phase 2, Summit County, State of Utah and the horizontal line 21 feet above the curb at the intersection of Aerie Drive and Golden Way of Lot 12, The Aerie, Phase 2, Summit County, State of Utah.
9. A Plat Note shall indicate the Main Building and any Accessory Buildings shall meet a minimum front setback of 20 feet, minimum side setbacks of 75 feet and a minimum rear setback of 50 feet.
10. A Plat Note shall indicate that prior to the issuance of any Building Permits the Planning Department shall review and approve a Final Landscape Plan with an emphasis on the maintenance and protection of existing mature vegetation on the northwest property line (former Lot 11), as well as a Construction Mitigation Plan that shows a Limit of Disturbance corridor not to exceed 20 feet from the edge of the proposed building that encroaches onto former Lot 11.

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

PASSED AND ADOPTED this ____ day of November, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Exhibit A – The Aerie Phase I, Amending Lots 9, 10 & 11

Exhibit A

Applicant's Project Intent

THE AERIE PHASE I, LOT 9
and
OLCH REPLAT, LOTS 10 & 11

(1312, 1324 & 1336 Aerie Drive)

PROJECT INTENT

The Aerie, Phase I, is a single family subdivision and was recorded on December 31, 1981, as Entry No. 187143. Subsequently, a plat amendment affecting Lots 10 and 11 was recorded September 11, 1997, as Entry No. 486605, and is known as the Olch Replat.

Lots 9 and 11 are currently vacant, and an existing residence occupies Lot 10. The owner proposes to remove the lot line between Lot 10 of the Olch Replat and Lot 9 of The Aerie, Phase I, as well as removing the lot line between Lot 10 of the Olch Replat and Lot 11 of the Olch Replat and to demolish the existing residence on Lot 10 and construct a new residence combining all three lots into one lot of record, to be known as Lot 10A. Following this course of action will prompt the Olch Replat to be retired and the new configuration for the currently existing three lots to be consolidated into one lot and be reflected on one plat amendment.

Exhibit B

Neighborhood House and Lot Size Data from Summit County Website

House and Lot Size Data from Summit County Website - Aerie Neighborhood

Address	Lot Area	Living Area	Basement Area	Total House Size	Year Built
1345 Aerie Drive	31,080	2,896	-	2,896	1992
1295 Aerie Drive	19,506	3,162	-	3,162	2005
1259 Aerie Drive	16,059	2,550	877	3,427	2002
1422 Aerie Drive	21,098	2,682	858	3,540	1989
1370 Aerie Drive	27,539	1,597	2,186	3,783	1986
1354 Aerie Drive	15,334	2,409	1,398	3,807	2000
1431 Aerie Drive	16,546	2,473	1,526	3,999	1991
1425 Mellow Mountain Road	45,100	2,456	1,648	4,104	1991
1240 Aerie Drive	23,347	2,375	1,857	4,232	2002
1410 Aerie Drive	21,249	2,667	1,596	4,263	2008
1386 Aerie Drive	26,662	2,790	1,690	4,480	1992
1271 Aerie Drive	17,208	3,359	1,173	4,532	2002
1437 Mellow Mountain Rd	16,343	3,013	1,552	4,565	1986
1329 Aerie Drive	31,044	4,604	-	4,604	1989
1434 Aerie Drive	21,000	2,550	2,130	4,680	1994
1395 Aerie Drive	14,277	3,191	1,832	5,023	2007
1419 Aerie Drive	12,747	5,319	-	5,319	2000
1288 Aerie Drive	29,555	2,740	2,740	5,480	1990
1235 Aerie Drive	13,761	3,712	1,854	5,566	1991
1216 Aerie Drive	21,263	3,807	1,849	5,656	1989
1300 Aerie Drive	41,051	6,074	-	6,074	1994
1378 Aerie Drive	28,462	3,871	2,239	6,110	2008
1324 Aerie Drive	163,184	3,164	3,164	6,328	1989
1407 Aerie Drive	12,797	5,008	1,420	6,428	2002
1401 Mellow Mountain Road	13,589	4,876	2,189	7,065	2007
1156 Aerie Drive	46,925	4,883	2,340	7,223	1989
1371 Aerie Drive	20,254	6,478	1,577	8,055	1988
1398 Aerie Drive	21,273	5,928	2,390	8,318	1986
1264 Aerie Drive	72,863	3,782	4,593	8,375	2018
1252 Aerie Drive	28,113	5,468	6,990	12,458	2003
Average	29,641			5,452	

Exhibit C

[Link to Planning Commission Staff Report \(starting on Page 531\)](#)

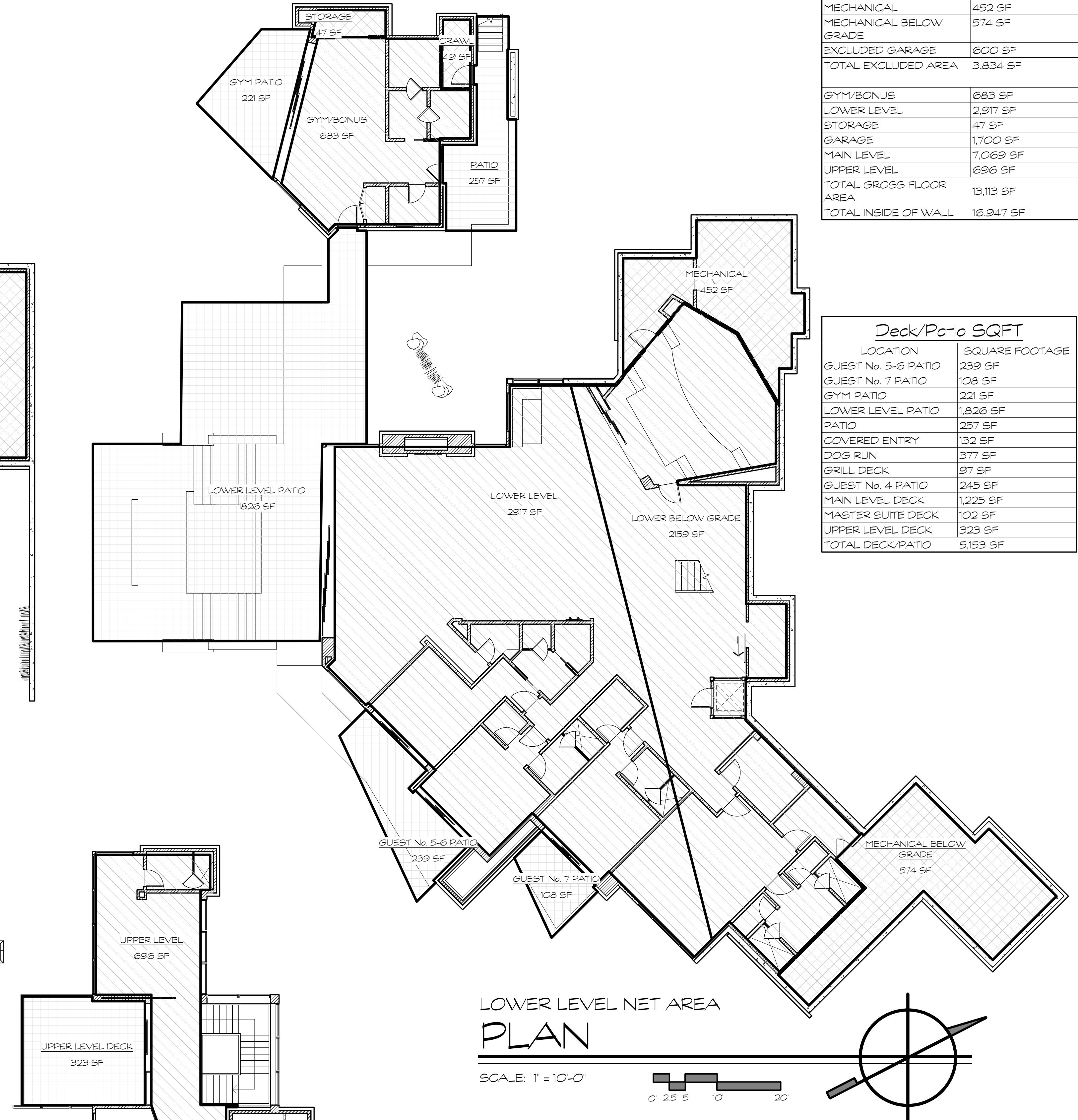
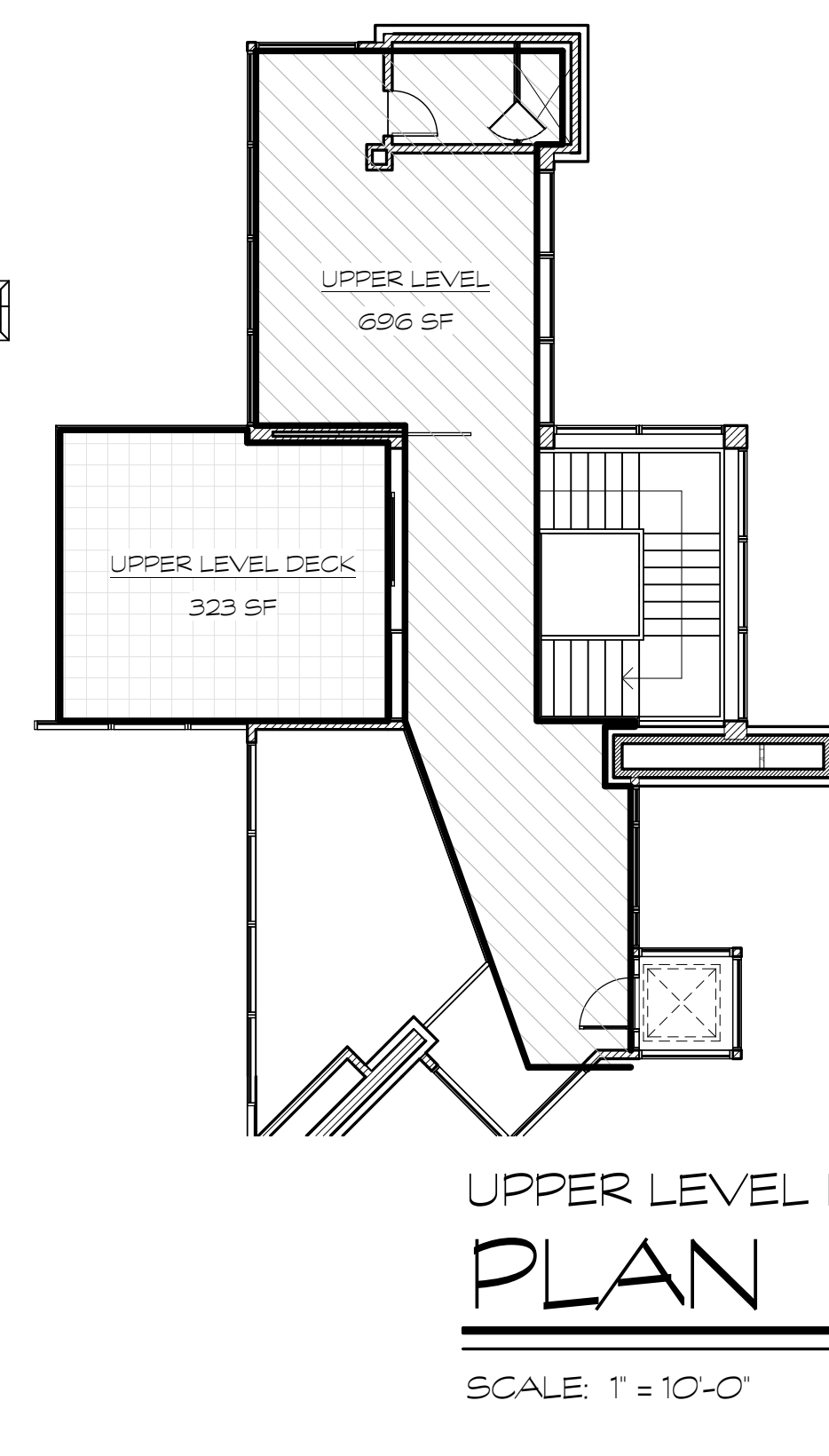
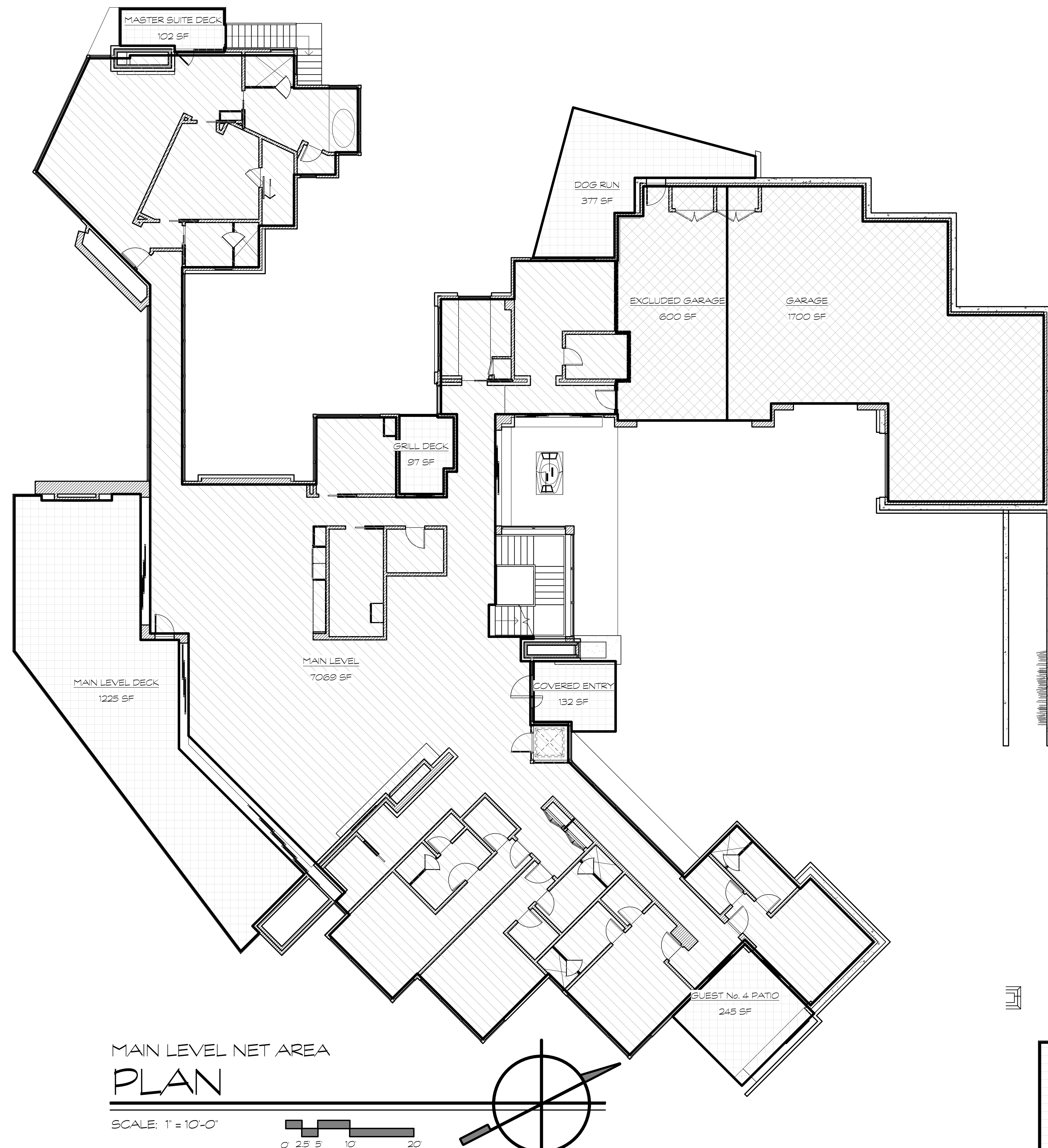
SITE GENERAL NOTES	
1	CONTRACTOR TO FIELD VERIFY LOCATION OF UTILITY LINES AS REQUIRED
2	CONTRACTOR TO FIELD VERIFY PIN
3	REPAIR SEPARATION BETWEEN GAS AND ELECTRICAL LINES
4	IRRIGATION TO ADEQUATELY ESTABLISHED VEGETATION. PROVIDE TEMP SURFACE WATER SHALL DRAIN AWAY FROM THE GRADE AT ALL POINTS DIRECT THE DRAINAGE WATER TO THE STREET OR TO AN APPROVED DRAINAGE COURSE BUT NOT ONTO NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6 INCHES WITHIN THE FIRST 10 FT. (IRC 801.3)
5	RETAINING WALLS (W/ OR SUPPORTING A SLURCHAGE), SWIMMING POOL, AND/OR WINDSCREENS, HEATING SYSTEMS, AND PHOTO-VOLTAIC SEPARATE PLANS, SPECIFICATIONS AND APPLICATIONS ARE TO BE SUBMITTED AND REVIEWED PRIOR TO ISSUANCE OF THESE PERMITS

NUMBER	KEYNOTES	DESCRIPTION

553

Exhibit E

[Link to City Council October 22, 2019 Audio](#)



Inside of Wall SQFT	
LOCATION	SQUARE FOOTAGE
CRAWL	49 SF
LOWER BELOW GRADE	2,159 SF
MECHANICAL	453 SF
MECHANICAL BELOW GRADE	574 SF
EXCLUDED GARAGE	600 SF
TOTAL EXCLUDED AREA	3,834 SF
GYM/BONUS	683 SF
LOWER LEVEL	2,917 SF
STORAGE	47 SF
GARAGE	1,700 SF
MAIN LEVEL	7,069 SF
UPPER LEVEL	696 SF
TOTAL GROSS FLOOR AREA	13,113 SF
TOTAL INSIDE OF WALL	16,947 SF

<u>Deck/Patio SQFT</u>	
<u>LOCATION</u>	<u>SQUARE FOOTAGE</u>
GUEST No. 5-6 PATIO	239 SF
GUEST No. 7 PATIO	108 SF
GYM PATIO	221 SF
LOWER LEVEL PATIO	1,826 SF
PATIO	257 SF
COVERED ENTRY	132 SF
DOG RUN	377 SF
GRILL DECK	97 SF
GUEST No. 4 PATIO	245 SF
MAIN LEVEL DECK	1,225 SF
MASTER SUITE DECK	102 SF
UPPER LEVEL DECK	323 SF
TOTAL DECK/PATIO	5,153 SF

10 SEPTEMBER 2019

REVISIONS

A NEW DESIGN FOR THE :
BROWN RESIDENCE
132, 1324 & 1326 ARBIE DRIVE
PARK CITY, UT 84050
LOTS 9, 10, 11
PLAT REP. AT SUBDIVISION

UP WALLING
DESIGN
1930 S. 1100 E. S.L.C. UT 84106
(801) 485-0708

A2.7

NET AREA PLANS



City Council Staff Report

Subject: Park City Moderate Income Housing Plan and Annual Report
Author: Jason Glidden, Affordable Housing Manager
Rebecca Ward, Land Use Policy Planner
Application: GI-19-00419
Department: Housing Department
Date: November 7, 2019
Type of Item: Legislative – General Plan Amendment & Annual Moderate Income Housing Report Adoption

Summary Recommendation

The Housing Department requests that the City Council review and consider adopting the 2020 Housing Assessment and Plan, the City's Moderate Income Housing Plan, as an addendum to the 2014 Park City General Plan, and the 2019 Moderate Income Housing Report that will be filed with the Utah Department of Workforce Services and the Mountainland Association of Governments.

Executive Summary

This year, the Legislature enacted [Senate Bill 34](#) (SB 34), which requires cities to adopt a Moderate Income Housing (MIH) Plan with specific elements as part of the city's general plan. The State-mandated deadline to update the MIH Plan is December 1, 2019.¹ The Legislature conditioned funds from the Transit Transportation Investment Fund (TTIF) and the Transportation Investment Fund (TIF) on city compliance with the SB 34 requirements.² Amendments to the General Plan require Planning Commission review, a public hearing, Commission recommendation to City Council, and Council review, a public hearing, and adoption of the Plan by resolution.³ On October 16, 2019, the Planning Commission held a work session, reviewed the Plan, conducted a public hearing, and forwarded a positive recommendation for Council's consideration. The Staff Report for the Commission may be viewed [here](#).

SB 34 also changed the Council's biennial Moderate Income Housing reporting requirements to an annual requirement.⁴ As a result, the Council must adopt by resolution and submit the 2019 Moderate Income Housing Report to the required entities by December 1, 2019.

Background

In 2019, the Legislature enacted [SB 34](#) to require certain cities to enhance the Moderate Income Housing (MIH) component of the city's general plan. The Legislature created a list of twenty-three affordable housing strategies and now requires cities with fixed route transit to choose at least four of the twenty-three strategies in the MIH Plan.

¹ Utah Code [§ 10-9a-401\(3\)](#).

² Utah Code [§ 72-2-124\(5\)](#).

³ Utah Code [§ 10-9a-403](#).

⁴ Utah Code [§ 10-9a-408\(1\)](#).

The City's Affordable Housing policies, strategies, and implemented resolutions and Codes exceed the Legislature's requirements. However, the State has mandated that the MIH Plan must contain specific information in a format adopted as an element of the General Plan. The City's existing 2014 General Plan covers much of the State-mandated requirements. In 2017, the City supplemented the MIH component of the General Plan with a 2017 Housing Assessment and Plan that contains the City's five-year MIH Plan.

The 2020 Housing Assessment and Plan updates the 2017 Housing Assessment and Plan data and describes current affordable housing initiatives that link affordable housing goals and strategies with the City's transit program to meet the requirements of SB 34. The updates to the Housing Assessment and Plan do not impact the direction, current goals, or timeline of the City's affordable housing development program. The City's overarching affordable housing goal remains unchanged: the City will add 800 new affordable units by 2026. To achieve this goal, the City will continue developing new units, reviewing and adapting the Land Management Code to promote the production of affordable housing development, and working with developers in the fulfillment of housing obligations generated by Master Planned Developments and Annexation Agreements.

Analysis

2020 Housing Assessment and Plan

The goals and strategies established in the 2017 Housing Assessment and Plan are ongoing. Please see pages 10 through 15 of the 2020 Housing Assessment and Plan (Attachment I, Exhibit A) to view the ongoing and current affordable housing goals. Since the October 16, 2019 Planning Commission meeting, a few minor typos have been corrected and a letter from the Mayor has been added to the Plan.

2019 Moderate Income Housing Report

The State requirements for affordable housing are based on population growth. However, the City's goal is based on a complete community wherein at least 15% of the local workforce lives in the community. The Utah Department of Workforce Services (UDWS) provides a template for city Moderate Income Housing (MIH) Reports. UDWS also creates excel spreadsheets for cities to use to calculate their need for affordable housing units for those at 30, 50, and 80 percent of AMI. For the State-required MIH Report, the City far exceeds affordable housing stock for households at 50 and 80 percent of AMI. According to the State's measure of affordable housing units, Park City has an excess of 310 affordable units for those at 80% of AMI and an excess of 230 units for those at 50% of AMI. This excess based on population falls short of the City's affordable housing goal for 800 units by 2026, which the City measures internally based on affordable units that enable at least 15% of the local workforce to live in the community.

Based on the State's population growth baseline, Park City lacks 65 affordable units for those community members who are at 30% or below of AMI. Goal 2 of the 2020 Housing Assessment and Plan is to implement the Budget Department's strategy to

finance affordable rental units for low and moderate income individuals through Housing Authority bonds to address this deficiency in housing for community members who are at or below 30% of AMI.

Next Steps

Please see page 16 for the implementation timeline of the 2020 Housing Assessment and Plan goals.

Process

On October 16, 2019, the Planning Commission reviewed the 2020 Housing Assessment and Plan and recommended the Plan for Council's consideration. Staff asks Council to please review the Plan, conduct a public hearing, and consider adopting the Plan as an addendum to the 2014 Park City General Plan by resolution, along with the Moderate Income Housing Report the Council is now required under State law to submit on an annual basis.

Notice

Notice was mailed to affected entities on September 30, 2019. Notice was posted on October 17, 2019 and published in the *Park Record* on October 19, 2019.

Public Input

No public input was received when this report was published.

Alternatives

- Council may adopt the 2020 Housing Assessment and Plan recommended by the Planning Commission, and the 2019 Moderate Income Housing Report, Attachment I, Exhibits A and B;
- Council may deny the 2020 Housing Assessment and Plan recommended by the Planning Commission, and the 2019 Moderate Income Housing Report, Attachment I, Exhibits A and B;
- Council may continue the 2020 Housing Assessment and Plan recommended by the Planning Commission, and the 2019 Moderate Income Housing Report, Attachment I, Exhibits A and B to a date certain and provide direction to staff regarding additional information, revisions, or analysis.

Consequences of not Taking Recommended Action

The Legislature conditioned funds from the Transit Transportation Investment Fund (TTIF) and the Transportation Investment Fund (TIF) on city compliance with the SB 34 requirements.⁵

⁵ Utah Code [§ 72-2-124\(5\)](#).

Attachments

Attachment I – Resolution 22-2019, Resolution Adopting the 2020 Housing Assessment and Plan, the Five-Year Moderate Income Housing Plan, as an addendum to the 2014 General Plan, and the 2019 Moderate Income Housing Report for Park City, Utah

- Exhibit A – 2020 Housing Assessment and Plan
- Exhibit B – 2019 Moderate Income Housing Report

RESOLUTION ADOPTING THE 2020 HOUSING ASSESSMENT AND PLAN, THE FIVE-YEAR MODERATE INCOME HOUSING PLAN, AS AN ADDENDUM TO THE 2014 GENERAL PLAN, AND THE 2019 MODERATE INCOME HOUSING REPORT FOR PARK CITY, UTAH

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

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

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

WHEREAS, in 2014 the City Council adopted a comprehensive rewrite of the General Plan as a guiding document for City decisions regarding Land Use, Housing, Transportation, Open Space, Resource Conservation, Parks and Recreation, Historic Preservation, Community Facilities, and Economic Development;

WHEREAS, the comprehensive rewrite of the Park City General Plan in 2014 complied with Utah Code § 10-9a-401 et seq. and promoted moderate income housing;

WHEREAS, the 2012 Housing Assessment and Plan, the Moderate Income Housing Plan component of the Park City General Plan, remained in full effect in conjunction with the 2014 Park City General Plan;

WHEREAS, in 2017, the Housing Department updated the Housing Assessment and Plan, the Moderate Income Housing Plan component of the 2014 Park City General Plan;

WHEREAS, in 2019, the Utah Legislature enacted Senate Bill 34 (SB 34), Affordable Housing Modifications, which expanded the requirements the City must follow regarding the Moderate Income Housing Plan component of the 2014 Park City General Plan;

WHEREAS, the 2017 Housing Assessment and Plan was updated as the 2020 Housing Assessment and Plan and complies with the SB 34 Affordable Housing Modifications requirements;

WHEREAS, the Planning Commission scheduled a work session and public hearing for October 16, 2019 to consider the 2020 Housing Assessment and Plan. On

September 27, 2019, notice was posted; on October 2, 2019, notice was published in the *Park Record*; on October 2, 2019, notice was mailed to affected entities;

WHEREAS, on October 16, 2019, the Planning Commission held a work session on the 2020 Housing Assessment and Plan;

WHEREAS, on October 16, 2019, the Planning Commission held a public hearing on the 2020 Housing Assessment and Plan;

WHEREAS, on October 16, 2019, the Planning Commission voted to forward to the City Council a positive recommendation regarding the 2020 Housing Assessment and Plan as an addendum to the 2014 Park City General Plan;

WHEREAS, the City Council scheduled a public hearing on the 2020 Housing Assessment and Plan for November 7, 2019. Notice was mailed to affected entities on October 2, 2019, posted on October 17, 2019, and published in the *Park Record* on October 19, 2019;

WHEREAS, on November 7, 2019, the City Council reviewed the 2020 Housing Assessment and Plan and held a public hearing pursuant to Utah Code § 10-9a-404 and § 10-9a-408;

WHEREAS, in conjunction with the review of the 2020 Housing Assessment and Plan on November 7, 2019, the City Council reviewed and approved the 2019 Moderate Income Housing Report pursuant to Utah Code § 10-9a-408;

WHEREAS, the City must submit a copy of the Moderate Income Housing Report to the Utah Department of Workforce Services and Mountainland Association of Governments by December 1, 2019;

WHEREAS, the City must publish the Moderate Income Housing Report on the Park City Municipal Corporation website by December 1, 2019;

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

SECTION 1. ADDENDUM TO THE 2014 PARK CITY GENERAL PLAN. The 2020 Housing Assessment and Plan attached as Exhibit A hereto is hereby approved and adopted as the Moderate Income Housing Plan component, an addendum to the 2014 Park City General Plan.

SECTION 2. MODERATE INCOME HOUSING REPORT. The Moderate Income Housing Report attached as Exhibit B hereto is hereby approved and adopted.

SECTION 3. FILING OF THE HOUSING ASSESSMENT AND PLAN AND MODERATE INCOME HOUSING REPORT. The Housing Assessment and Plan attached as Exhibit A hereto and the Moderate Income Housing Report attached as Exhibit B hereto shall be filed with the Utah Department of Workforce Services and Mountainland Association of Governments by November 27, 2019.

SECTION 4. POSTING OF THE HOUSING ASSESSMENT AND PLAN AND MODERATE INCOME HOUSING REPORT. The Housing Assessment and Plan attached as Exhibit A hereto and the Moderate Income Housing Report attached as Exhibit B hereto shall be posted on the Park City Municipal Corporation website by November 27, 2019.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 7th day of November, 2019.

PARK CITY MUNICIPAL CORPORATION

Mayor Andy Beerman

Attest:

Michelle Kellogg, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



2020 HOUSING ASSESSMENT AND PLAN

The Moderate Income Housing Plan,
an addendum to the 2014 Park City General Plan

Reviewed and recommended by the Planning Commission on October 16, 2019

Adopted by City Council on November 7, 2019, Resolution No. 22-2019

A MESSAGE FROM THE MAYOR

The success of the Park City community is dependent on all of our residents having a place and voice. We have long been committed to providing housing choices to all those who have a stake in this community. One of Park City's Critical Priorities is Housing, which is defined as the facilitation of a range of affordable, quality housing opportunities that meet the life-cycle needs of our residents at all economic levels.

We strive to welcome a diversity of cultures, household types, and income levels. This is challenging in a resort market, where vacation homeowners and investors pressure the real estate market, raising costs to unaffordable levels. It requires strategic intervention to keep an inventory of affordable and attainable housing so that we are a complete community with housing options for all sectors.

Park City's Critical Priority of Housing aligns with our other three Critical Priorities: Transportation, Energy, and Equity. Each reinforces the other as we seek to provide energy-efficient homes located near transit that are available to a diverse section of our residents.

We are working on many fronts to achieve our complete community. We are examining our Land Management Code to reduce barriers to providing more affordable housing. We are utilizing local resources to build units ourselves, and we are working in partnership with both our housing non-profits and local developers. Over the past 20 years, the City has contributed to the affordable housing inventory in a number of ways: through regulation, partnerships, housing authority projects, and subsidies to reduce the price of homes.

We applaud the State's focus on the need for affordable housing. Our hope is that everyone will join the City in realizing the goals of this Plan. It will take the entire community to ensure success.



Park City Mayor, Andy Beerman

A handwritten signature of Andy Beerman in black ink.

OVERVIEW

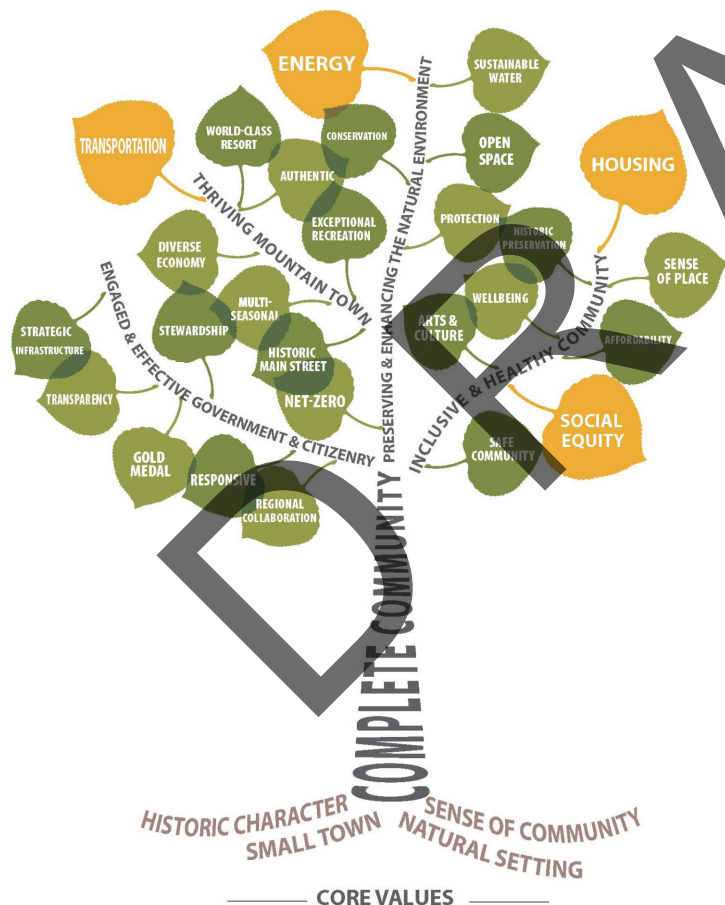
Park City has long been and continues to be committed to housing that is affordable to all sectors of our world-class resort community. The City's Long-Term Strategic Plan guides decision-making and provides structure for incremental, measurable steps to achieve the community's vision. Council deemed Housing a critical priority and the City is working to facilitate a range of affordable, quality housing opportunities that meet the life-cycle needs of Park City households at all economic levels.

The overarching affordable housing goal that guides the City's strategies over the next six years was adopted on November 17, 2016, when Council passed HA 01-2016, *A Resolution Establishing an Affordable Housing Production Goal for the Park City Housing Authority*. The Resolution states "[t]he 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."

In addition to the City's Long-Term Strategic Plan, many of the City's affordable housing goals and strategies are outlined in the 2014 Park City General Plan. The General Plan establishes two affordable housing goals to maintain Park City's sense of community.

Goal 7 is to create a diversity of primary housing opportunities to address the changing needs of residents. "By creating a mix of housing stock at varying price ranges, size, and design, residents will have local options, whether they are seasonal workers, young professionals, families, empty nesters, or retirees. Having options on all rungs of the housing ladder ensures opportunities within the community throughout residents' entire lives." Goal 8 is to increase affordable housing opportunities and associated services for the workforce of Park City by providing housing available to a wide range of income levels.

The General Plan also contains a Housing Toolbox, which establishes land acquisition, planning and regulation, financing, and maintenance strategies to achieve the City's affordable housing goals.



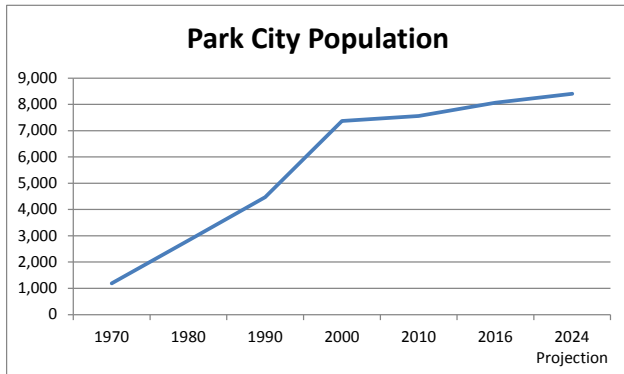
While the City's Long-Term Strategic Plan and General Plan establish the overarching affordable housing policies and goals for the City, the City also maintains a Housing Assessment and Plan that outlines the City's goals for a five-year horizon. The City completed the last Housing Assessment and Plan in 2017 and set forth affordable housing goals through 2022. However, in 2019, the Legislature enacted Senate Bill 34, Affordable Housing Modifications, and now requires that the City's Housing Assessment and Plan be submitted in a certain format with strategies selected from a list of twenty-three options the Legislature set forth in statute. Additionally, the Legislature requires that the City Council review this Plan every year and submit an annual report to the Utah Department of Workforce Services and the Mountainland Association of Governments that outlines the City's progress toward achieving its affordable housing goals.

This 2020 Housing Assessment and Plan ("Plan") captures three of the City's ongoing strategies and four of the City's current affordable housing goals to achieve 800 affordable units for moderate income households by 2026 and serves as an addendum to the General Plan. This Plan was reviewed by the Planning Commission and adopted by the City Council on November 7, 2019. The Plan will be reviewed and adapted as needed on an annual basis.

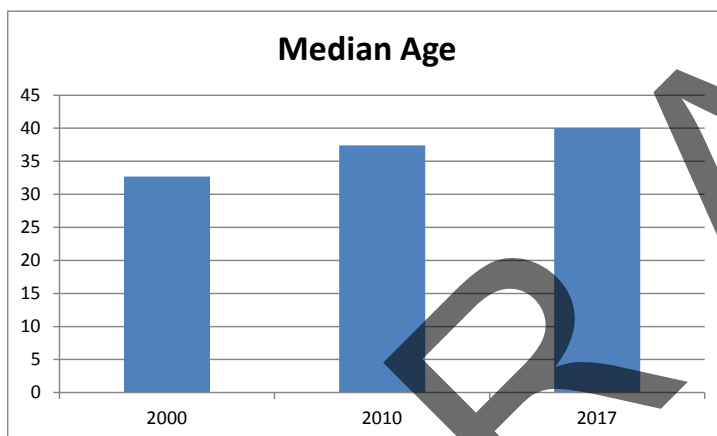


Silver Star is a mixed-use development with a ski-lift to Park City Mountain Resort. The development includes commercial use, mixed-income housing, and an outdoor gathering space at the base of the Park City trail system.

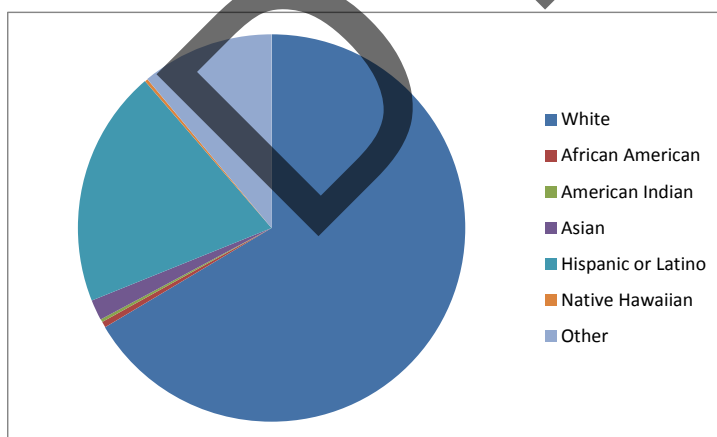
COMMUNITY PROFILE



In the 2010 Census, the permanent, year-round population increased by 187 people for a total population of 7,558. The 2016 ACS estimate accounted for an additional 506 people. By 2024, the Park City population is projected to increase to 8,405.



There has been a considerable increase in the average age of the City's population. The total population of people aged 10 to 54 decreased by 800, but the number of people age 55 and older increased by over 1,300, or 30 percent. The median age for Park City was 32.7 in the 2000 Census, but rose to 37.4 in 2010. According to the 2017 ACE estimates, the median age increased to 40.4.

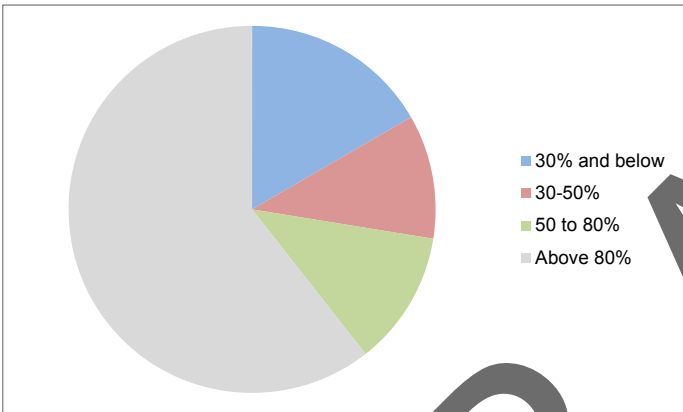


Park City's population continues to be primarily white and in most recent years the Hispanic or Latino population has been decreasing. According to 2017 ACS estimates, Hispanic/Latino persons make up 16 percent of the population, a decline from the 24 percent noted in the 2010 Census. Other population groups such as African American, Asian, or American Indian have changed little and continue to make up less than three percent of Park City's population.

COMMUNITY WORKFORCE

Park City is a world-class resort community that offers world-class amenities, which require a large workforce. According to the Utah Department of Workforce Services *Research & Analysis* based on U.S. Bureau of Labor Statistics 2019 data, the Summit County economy is strong and leisure and hospitality is the primary employment. However, in general, the hospitality industry pays 20 percent less than other industries. According to the UDWS, the average monthly wage for leisure and hospitality workers in 2019 was \$2,583, or \$30,996 per year. An annual salary of \$30,996 is only 40 percent of the Summit County Area Median Income (AMI).

Nearly 1,350 Park City households fall at or below 80 percent AMI, as shown below:



- 404 households earn 50 to 80 percent AMI
- 372 households earn 30 to 50 percent AMI
- 567 households earn 30 percent AMI and below

City staff calculates a Workforce Wage (WFW) based on wage data provided by UDWS to more accurately reflect the financial reality of those in need of affordable housing. The WFW is more indicative of the financial constraints under which key community members must live. The data from 2019 reveals that the annual WFW for an average Park City household was \$51,328, 52 percent of AMI.

	100% AMI	100% WFW	WFW as % of AMI
2019	\$98,820	\$51,328	52%
2017	\$93,060	\$57,173	61%
2012	\$90,270	\$55,714	62%
2010	\$83,970	\$51,764	62%
2000	\$61,470	\$42,434	69%

MARKET CONDITIONS

According to the Utah Association of Realtors August 2019 *Local Market Updates by County*, the median sales price for a home in Summit County was \$935,000, with a year-to-date average of \$815,000. A family of three must earn 156 percent AMI to afford a home at the median sales price in Summit County. The Park City Board of Realtors 2019 *2nd Quarter Statistics* found that the median sales price for a home in Park City was \$2.1 million. A family of three must earn 402 percent of AMI to afford to purchase a home at the median sales price in Park City. The Board of Realtors also determined that, while condo sales have declined, the price continues to rise and the median sales price for a condo in Park City is \$810,000. A family of three must earn 155 percent of AMI to afford to purchase a condo at the median sales price in Park City.

The U.S. Department of Housing and Urban Development (HUD) finds that families who pay more than 30 percent of their income for housing are considered cost burdened. For the nearly 1,350 Park City households at or below 80 percent AMI, affordable purchase prices are shown below, as well as attainable purchase prices for those who earn 80 to 120 percent AMI:

Housing Affordability for a Family of Three			
% of AMI	Annual Income	Monthly Rent/Mortgage	Purchase Price
30%	\$29,646	\$741	\$114,972
50%	\$49,410	\$1,235	\$191,620
60%	\$59,292	\$1,482	\$229,944
80%	\$79,056	\$1,976	\$306,592
100%	\$98,820	\$2,471	\$383,240
120%	\$118,584	\$2,965	\$459,888

Summit County, Utah

AFFORDABLE HOUSING STOCK

An affordable home at 80 percent AMI would have a purchase price of \$305,592. With a median sales price of \$2.1 million, the affordable housing gap is significant. Affordable housing is vital to sustain the City's sense of community and to ensure that at least 15 percent of the workforce can afford to live where they work. Currently, there are 550 affordable units in Park City. The timeline below tracks the development of these units:

- Prior to 2000, 43 units were built by private developers and 326 units were built with the help of the U.S. Department of Agriculture Rural Development program. Additionally, Deer Valley Resort built units to fulfill affordable housing obligations.
- Between 2000 and 2012, 22 units were built by the Mountainlands Community Housing Trust with a bridge loan from the City, 122 of the 326 units built prior to 2000 were rehabilitated and upgraded using Federal Low-Income Housing Tax Credits and gap loans from the City, 59 units were built by private developers to fulfill affordable housing obligations, 13 were built by the City, and one was built by Habitat for Humanity.
- Between 2012-2017, 17 units were constructed to fulfill developer housing obligations, 13 units were built by the City with a Federal Transportation Administration grant, 14 units were constructed at Park City Heights, and Habitat for Humanity built another unit.
- Since 2018, an additional 21 units were completed at Park City Heights, one unit was completed as a result of a housing obligation, and the City completed 19 affordable units. The City plans to develop an additional 52 units by 2022.



Snow Creek Cottages, a community of thirteen two- and three-bedroom affordable homes.

The City's affordable units have been built – the earliest in 1978 – through a variety of resources, including Federal Low-Income Housing Tax Credits (LIHTC) and USDA Rural Development funds, the efforts of local nonprofits, including Mountainlands Community Housing Trust and Habitat for Humanity, City funding, and private developer fulfillment of housing obligations pursuant to the City's Housing Resolution, which outlines affordable housing requirements for land that is annexed into the City, as well as for residential and commercial Master Planned Developments. The City provides assistance to bring about the success of a majority of the existing projects through gap loans, land donations, and fee waivers.

The table below shows the funding sources for the existing affordable housing stock:

2019 Inventory of Affordable Units			
Sources	Rentals	Owned	TOTAL
Housing Resolution Obligations	190	103	293
LIHTC	196	0	196
City Developed/Sponsored	13	19	22
Local Nonprofits	0	29	29
TOTAL	399	151	550

The majority of the City's 550 affordable housing units are 2- and 3-bedroom homes. However, the housing stock also consists of single-room occupancy, studios, and 1- and 4- bedroom units, as shown below:

Single-Room	Studio	1-Bedroom	2-Bedroom	3-Bedroom	4-Bedroom	TOTAL
22	15	70	160	278	5	550
4%	3%	13%	29%	51%	1%	

Twenty-two of the 550 units include accessibility features. Nineteen are Type A units and are wheelchair accessible, and three are Type B units and include adaptable features. Of these 22 units, five are owner-occupied and 17 are rentals.

The City monitors 189 of the 550 affordable units that have deed restrictions recorded with the City as the beneficiary. Of these 189 units, 129 units are owner-occupied, and 60 units are long-term rentals.

The following is a profile of households occupying these City-monitored units:

Units located in the Empire Pass and Deer Valley areas are occupied by employees that work in the area and earn between 60 and 80 percent of AMI (\$59,292 to \$79,056)

Units in the Prospector and Old Town neighborhoods are home to resort, retail, and restaurant employees who earn between 40 and 60 percent of AMI (\$39,528 to \$59,292)

Owner-occupied units are scattered throughout the community and are home to employees of the Summit County Health Department, Park City-based nonprofits, property management firms, ski and snowboard industries, Park City Municipal Corporation, the Park City School District, the Park City Medical Campus, the ski resorts, and local retail and restaurants, who earn between 60 and 100 percent of AMI (\$59,292 to \$98,820)

The City's need for affordable housing units has shifted over time. In 2005, the City determined that the available low-cost rental housing was meeting the most critical needs of the target workforce. However, there was a greater need for affordable homeownership opportunities and the City shifted its efforts to affordable homeownership. In 2012, the City assessed its housing stock and determined that Park City was still providing an adequate amount of low-income rental units and the City continued to focus on affordable homeownership.

However, in 2016, the number of properties transferring from long-term rental to nightly rentals increased with the popularity of online rental sites like Airbnb and VRBO. In 2016, James Wood completed a *Park City Housing Needs Assessment*. Wood found that Park City's rental market is difficult to survey. There are "very few traditional apartment projects...[and] the rental market is divided into market segments: apartment units and condominiums for rent, reflecting the needs of the City's economic base: winter sports activities." The study noted that "many of the year-round rental units are within family homes: 35 percent of all rental units in the city are in detached single-family homes. Surveying these units regarding rental and vacancy rates is very difficult..."

While it is difficult to fully survey the City's rental market, occupancy rates in traditional multi-unit rentals that can be tracked hover around 97 percent, which is virtually a fully occupied rental market. The assessment also found that the "rental inventory in Park City is much older than the owner occupied inventory. The typical rental unit was built in 1979...and ten percent of all rental units were built before 1939." As a result, not only is the City focusing on increasing affordable long-term rental units, the City is also working to preserve and rehabilitate existing affordable rental units.

For example, in 2013, the City built 13 studios, known as the Ironhorse Transit Housing, with a grant from the Federal Transportation Administration to provide affordable long-term rentals for transit employees. Additionally, in 2018, the City purchased 23 units that were threatened with foreclosure, renovated the units, and will rent the units to transit employees.



Ironhorse Transit Housing

ONGOING STRATEGIES

(1) STEWARDSHIP OF EXISTING AFFORDABLE HOUSING INVENTORY

Over the past few years, staff has been and continues to establish a program for stewardship over the physical structures and the financial stability of deed-restricted properties. Staff is working to:

- Provide education and technical assistance to HOAs with deed-restricted units;
- Review annual HOA financials;
- Utilize the Building Department to inspect properties on an annual basis when the owner submits the required compliance affidavit;
- Meet annually with HOA boards;
- Establish a quarterly newsletter for owners of affordable units to provide education, announcements, and reminders that they are stewards of a valuable community asset.

(2) REVIEW AFFORDABLE HOUSING RESOLUTION 03-2017

City Council passed the first Housing Resolution in 1991. To date, 293 deed-restricted affordable units have been developed in Park City as a result of the housing obligations required for annexed land and commercial and residential Master Planned Development units pursuant to the Housing Resolution. Staff is evaluating recommended amendments to the Housing Resolution that may provide more equitable distribution of developer housing obligations.

(3) UPDATE AFFORDABLE HOUSING DEED RESTRICTIONS

Affordable housing deed restrictions are critical to carry out the City's affordable housing policy. These legal documents are recorded against affordable housing properties to protect the long-term affordability of the unit. Housing staff is working with the City Attorney's Office to update the template for these documents to impose rental restrictions on certain owner-occupied housing to ensure that affordable units are serving the local workforce. Also, the deed restrictions provide the City with the right of first refusal when a deed-restricted unit is sold so that the City can ensure the unit is sold to a qualified buyer.

2020 GOALS AND STRATEGIES | GOAL 1

The City's ultimate goal is to create 800 affordable housing units by 2026. The 800 affordable housing units will help 15% of the City's workforce live within City limits. The goals and strategies below outline the City's steps to achieve its goal.

GOAL 1: BUILD AFFORDABLE AND ATTAINABLE UNITS ON CITY-OWNED PROPERTY THROUGH PUBLIC-PRIVATE PARTNERSHIPS.

City Council recognizes that private developers alone will never meet the affordable housing needs of the community. Land and construction costs are simply too high, making it difficult to provide affordable prices without subsidies. Current and future housing obligations associated with development agreements are projected to net around 400 units. To achieve the goal of 800 affordable units by 2026, the remaining units will be developed directly by the City, or in partnership with other entities. To that end, in 2016 the City Council committed approximately \$19 million in Lower Park Ave RDA bond funds and \$5 million in resort community tax revenue to launch a multi-year development pipeline. These funds subsidize land costs and up to 20% of construction costs for affordable units, and eighty percent revolves back to fund future affordable housing projects.



Photo Credit: Brooke Wilson (2019).

This year, the City completed Woodside Park, Phase I, shown on the left. This project features eight affordable owner-occupied units.

Woodside Park, Phase II is slated to add 50-60 more affordable units to the affordable housing stock in the next few years.

AFFORDABLE HOUSING PIPELINE

The following affordable housing projects have been completed since the City's 2017 Housing Assessment and Plan or are in the works:

- Ivory Homes, under a sales agreement with the City, will build 79 affordable homes as part of their larger Park City Heights development in Quinn's Junction. To date, 35 are completed and 33 are in the pipeline for completion this year. The final 11 homes will be completed within the next few years.
- In 2018, the City purchased 11 units in the Central Park Condominiums that were slated for market-rate sale. The units are now deed restricted and occupied by qualified buyers.
- In 2018, the City finished construction of The Retreat at the Park, eight single-family homes. These units are owner-occupied by qualified households.
- In 2018, the City purchased 23 affordable units in the Prospector Condos, renovated the units, and will rent the units to the City's transit employees.
- In 2019, the City completed Woodside Park Phase I, eight owner-occupied units.
- The following City-sponsored projects are in progress:
 - 1875 Homestake Drive (50-60 units)
 - Woodside Park Phase II (50-60 units)
 - Arts & Culture District (number of units to be determined)
- A balance of 13.225 units will be built to fulfill the affordable housing obligations of private developers working in the Empire Pass area.
- Affordable housing units will be considered for all the City's future capital projects.

2020 GOALS AND STRATEGIES | GOAL 2

GOAL 2: DEVELOP A FINANCIAL STRATEGY TO USE HOUSING AUTHORITY BONDS TO BUILD HOUSING AUTHORITY-OWNED LOW AND MODERATE INCOME RENTALS.

The most affordable rental units are those built or substantially rehabilitated using federal Low Income Housing Tax Credit (LIHTC) and those subsidized by HUD and USDA programs. HUD programs are in such high demand in more populated areas of Utah, there are limited subsidies for Summit County. LIHTC is no longer serving the lowest income households in the community. According to the 2016 *Park City Housing Needs Assessment* conducted by James Wood, “[o]nly fifty-nine of the tax credit units...are targeted for very low income households” at or below 50 percent of AMI (\$49,410 for a family of three). As a result, more rental units for tenants with a very low income are needed to ensure that people of all income levels are able to live and work in Park City.

The Budget Department is working on a strategy to finance affordable rental units for low and moderate income individuals. The Housing Authority will issue Housing Authority bonds to finance a portion of affordable housing construction on City-owned property with up to a 20% subsidy from City funds. The City subsidized construction value and property will be donated to the Housing Authority. The Housing Authority will own the affordable housing units to be used for low to moderate income rentals to ensure long-term affordability of the units. This strategy will be implemented for an upcoming project that includes affordable units and may be used to fund another City affordable housing project.

2020 GOALS AND STRATEGIES | GOAL 3

GOAL 3: IMPLEMENT ZONING INCENTIVES FOR AFFORDABLE UNITS IN NEW DEVELOPMENTS; REDUCE PARKING FOR CERTAIN AFFORDABLE HOUSING; AMEND THE LAND MANAGEMENT CODE TO INCENTIVIZE AFFORDABLE HOUSING DEVELOPMENT.

In 2017, Planning staff began reviewing the Land Management Code to identify potential impediments to affordable housing development, such as:

- Density and relationship to open space;
- Unit size and relationship to open space;
- Usability of open space; and
- Reduction in parking relative to size of unit.

Staff brought proposed Land Management Code amendments to the Commission and Council in 2018. Upon direction of the Council, the City hired land use consultants Cascadia Partners to investigate the financial feasibility of proposed amendments to the City's Master Planned Affordable Housing Development. Cascadia is in the process of completing their findings report and Planning staff will bring forth recommended amendments to the Master Planned Development affordable housing provisions based on Cascadia's findings.

Also, Planning staff proposed amendments to the Land Management Code parking regulations for Accessory Apartments, the City's Accessory Dwelling Units. Planning staff will continue to work with the Commission and Council to investigate potential amendments to the Land Management Code that may incentivize the construction and rental of affordable Accessory Apartments with reduced parking requirements.

2020 GOALS AND STRATEGIES | GOAL 4

GOAL 4: ENCOURAGE AFFORDABLE HOUSING NEAR TRANSIT. LOCATE CITY HOUSING PROJECTS WITHIN 1/4-MILE OF A FIXED ROUTE TRANSIT STOP.

The 2014 General Plan discusses the importance of planning and creating Transit-Oriented Developments through clustering dense housing and mixed-uses to support a high capacity and efficient mass transit system with access to employment centers, shopping, and government services. The Housing Toolbox recommends locating Affordable Housing in Transit-Oriented Development Zones. Goal 5 of the General Plan is to be a leader in energy efficiency and conservation of natural resources, reducing greenhouse gas emissions by at least fifteen percent (15%) below 2005 levels in 2020. To achieve this goal, Community Planning Strategy 5.2 encourages the identification of locations within existing neighborhoods in which increased density and/or mixed use are compatible, are located within 1/4-mile of public transit, and would decrease trip generation and associated vehicle miles traveled.

As the City advances the Critical Community Priority of Transportation, Planning staff will work with Transportation staff to evaluate and recommend potential Land Management Code revisions that support affordable housing units near transit that align with the Park City Long-Range Transportation Master Plan, scheduled for adoption in spring of 2020.



Rendering Credit: Method Studio, Inc. (2019).

Woodside Park Phase II, shown on the left, is slated for construction in the next few years and will provide 50-60 affordable units. The units are located in Old Town and are within walking distance to the City's free transit.

IMPLEMENTATION TIMELINE

GOAL 1: BUILD AFFORDABLE AND ATTAINABLE UNITS ON CITY-OWNED PROPERTY THROUGH PUBLIC-PRIVATE PARTNERSHIPS.

Complete 58 ownership units and 70 rental units by 2022.

Oversight: Jason Glidden, Housing Development Manager

GOAL 2: DEVELOP A FINANCIAL STRATEGY TO USE HOUSING AUTHORITY BONDS TO BUILD HOUSING AUTHORITY-OWNED LOW AND MODERATE INCOME RENTALS.

Finalize the financial strategy by end of 2020 and begin rental unit development.

Oversight: Jason Glidden, Housing Development Manager

Nate Rockwood, Director of Redevelopment & Capital Management

GOAL 3: IMPLEMENT ZONING INCENTIVES FOR AFFORDABLE UNITS IN NEW DEVELOPMENTS; REDUCE PARKING FOR CERTAIN AFFORDABLE HOUSING; AMEND THE LAND MANAGEMENT CODE TO INCENTIVIZE AFFORDABLE HOUSING DEVELOPMENT.

Finalize Code review and revisions of the Land Management Code by the end of 2020.

Oversight: Hannah Tyler, Senior Planner, AICP; Rebecca Ward, Land Use Policy Planner

Jason Glidden, Housing Development Manager

GOAL 4: ENCOURAGE AFFORDABLE HOUSING NEAR TRANSIT. LOCATE CITY HOUSING PROJECTS WITHIN 1/4-MILE OF A FIXED ROUTE TRANSIT STOP.

The Transportation Master Plan is scheduled for adoption in the spring of 2020. Review and revise the Land Management Code by the end of 2021.

Oversight: Hannah Tyler, Senior Planner, AICP; Rebecca Ward, Land Use Policy Planner

Jason Glidden, Housing Development Manager

FAIR HOUSING

The City works with local organizations to distribute information on affordable housing opportunities and to solicit feedback. These organizations include PC Unidos, the Christian Center, Peace House, Planned Parenthood, Holy Cross Ministries, the National Ability Center, and the Park City School District Latino Program. The City translates its affordable housing information to meet the needs of local tourists and populations.

In accordance with state and federal laws, Park City exercises the authority to plan, zone, and regulate land use in promoting the community's health, safety, and welfare. This Plan acknowledges and upholds the Utah Fair Housing Act by promoting the equal protection and equitable treatment of all people who lawfully seek to rent, lease, purchase, or develop real property within Park City. The City's housing policies, plans and Municipal Code strictly prohibit discrimination on the basis of race, color, religion, sex, national origin, familial status, source of income, disability, sexual orientation, or gender identity.

ANNUAL MODERATE-INCOME HOUSING REPORTING FORM

Under the Utah Code, Municipal legislative bodies must annually:

- Update 5-year estimates of moderate-income housing needs UCA 10-9a-408 and 17-27a-408
- Conduct a review of the moderate-income housing element and its implementation; and
- Report the findings of the annual review to the Housing and Community Development Division (HCDD) of the Utah Department of Workforce Services and their Association of Government or Metropolitan Planning Organization no later than December 1st; and
- Post the report on their municipality's website.

In accordance with [UCA 10-9a-401 and 17-27a-401](#) municipalities that must report regularly are:

- Cities of the first, second, third, and fourth class (or have 10,000 or more residents).
- Cities of the fifth class:
 - Having an estimated population greater than or equal to 5,000 residents; **AND**
 - That are located in a county with a population greater than or equal to 31,000 residents.
- Metro Townships:
 - Having an estimated population greater than or equal to 5,000 residents;
 - Having an estimated population less than 5,000 **BUT** is located in a county with a population greater than or equal to 31,000 residents.
- Not a town with fewer than 1,000 residents.

To find out if your municipality must report annually, please visit:

<https://jobs.utah.gov/housing/affordable/moderate/reporting/>

For additional moderate-income housing planning resources:

<https://jobs.utah.gov/housing/affordable/moderate/index.html>

MUNICIPAL GOVERNMENT INFORMATION:

Municipal Government: Park City Municipal Corporation

Reporting Date: November 15, 2019

MUNICIPAL GOVERNMENT CONTACT INFORMATION:

Mayor's First and Last Name: Andy Beerman

Mayor's Email Address: andy.beerman@parkcity.org

PREPARER CONTACT INFORMATION:

Preparer's First and Last Name: Rhoda Stauffer

Preparer's Title: Affordable Housing Program Manager

Preparer's Email Address: rhoda.stauffer@parkcity.org

Preparer's Telephone: 435-615-5152 Extension: _____



When did the municipality last adopt moderate-income housing element of their general plan?

11/7/19

Link to moderate-income housing element on municipality website:

<https://www.parkcity.org/home/showdocument?id=55949>

UCA 10-9a-403 (2)(b)(iii) and 17-27a-403 (2)(b)(ii) requires municipalities to include **three** or more strategies in their moderate income housing element of their general plan. In addition to the recommendations required under 10-9a-403 (2)(b)(iii) and 17-27a-403 (2)(b)(ii), for a municipality that has a fixed guideway public transit station, shall include a recommendation to implement the strategies described in 10-9a-403 (2)(b)(iii)(G) or (H) and 17-27a-403 (2)(b)(ii)(G) or (H). Municipalities shall annually progress on implementing these recommendations.

STRATEGIES

** Repeat questions 3 or more times

1. State strategy municipality included in the moderate-income housing element of its general plan below.

Use RDA funds to build affordable housing; develop financing to build low or moderate income rental units on City property; implement zoning incentives for affordable units in new developments; reduce parking for affordable housing; encourage affordable housing near transit.

2. Please state the municipality's goal(s) associated with the strategy

Through the strategies listed in 1 above, the City's goal is to facilitate the addition of 800 affordable and attainable units within City limits by 2026.

3. What are the specific outcomes that the strategy intends to accomplish?

The outcome sought by the City is to provide sufficient affordable housing within City Limits to maintain the current level of workforce living locally, 15%.

4. Please describe how the municipality has monitored its annual progress toward achieving the goal(s).

The city is self-monitoring the progress of units built through development projects that are completed with municipal funds. The city requires annual compliance affidavits of deed-restricted units. The city also monitors units developed as a requirement of market development under the City's 03-2017 Housing Resolution. Biannual work sessions are held with the Planning Commission and Quarterly progress reports are made to City Council on all housing goals and activities.

5. In the boxes below, outline the following objectives associated with the goal(s) stated in item 2.

a. Please identify the key tasks of each stage needed to accomplish the goal(s) stated in item 2.

1. Build affordable and attainable units on city-owned land through public-private partnerships.
2. Develop financial strategy to use Housing Authority bonds to build city-owned low & moderate income rentals.
3. Amend the Land Management Code to incentivize affordable housing development.
4. Locate City affordable housing projects within 1/4-mile of a fixed transit stop.

b. Please identify the parties that are responsible for completing the key tasks of each stage identified in item 5a.

1. Housing Development Manager, Jason Glidden
2. Director of Redevelopment & Capital Management, Nate Rockwood, and Jason Glidden
3. Senior Planner, Hannah Tyler, and Housing Development Manager, Jason Glidden
4. Housing Development Manager, Jason Glidden

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- c. Please describe the resources that the municipality must allocate to complete the key task of each stage identified in item 5a.

In 2016, the City committed \$19 million in Lower Park Avenue RDA funds and \$5 million of resort community sales tax revenue to subsidize the inventory of affordable and attainable housing units. Resources from RDA and resort sales tax pools are being utilized to fulfill housing program goals. Utilizing resources from both planning and housing operating budgets, an outside consulting firm has been hired to review Park City's Land Management Code and make recommendations on changes to remove regulatory barriers and provide incentives to build affordable units.

- d. Please state specific deadlines for completing the key tasks of each stage identified in item 5a.

1. Complete 8 ownership units in 2019, 58 ownership units and 70 rental units in 2022
2. Finalize financial strategy by end of 2020 in order to begin development of rental units.
3. Finalize Code review and revisions of the Land Management Code by the end of 2020.
4. The Transportation Master Plan is scheduled for adoption in the spring of 2020. Review and revise the Land Management Code by the end of 2021.

- e. Which of the tasks stated in item 5a have been completed so far, and what have been their results?

The City completed 19 ownership units in 2018 and the Inclusionary Housing program resulted in an additional 8 units. In 2019, we have added 43 units from both programs (City-built and Inclusionary units) and are likely to add between 20 and 30 more. We continue to work on the regulatory barriers and strategies for rental units.

- f. How is the municipality addressing results described in 5e that deviate from the desired outcomes specified in item 3? What barriers has the municipality encountered during the course of implementation of said goals?

Providing education to the community about the City's affordable housing program and the importance of affordable housing in sustaining Park City's Sense of Community so that the development of affordable housing is a community-supported endeavor.

- g. (Optional) Have you considered efforts to use a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency within your community.

In 2016, the City committed \$19 million of Lower Park Avenue RDA funds to affordable housing. Currently, Park City primarily uses RDA funds to build the city-sponsored affordable units.

PLEASE SUBMIT DOCUMENTATION FROM THE EVALUATION PERIOD THAT SUPPORTS PROGRESS AS OUTLINED ABOVE.

Municipal legislative bodies are also required to review and submit the following:

UCA 10-9a-408(2)(c)(i):

- A current estimate of the city's rental housing needs for the following income limits:
 - 80% of the county's adjusted median family income No need - Excess of 310 units
 - 50% of the county's adjusted median family income No need - Excess of 230 units
 - 30% of the county's adjusted median family income 65 units

UCA 10-9a-103(41)(b):

- An updated projection of 5-year affordable housing needs, which includes:

-
- Projected growth of households (housing demand)
 - Projected housing stock (housing supply)
 - Projected median housing costs

Projected median household income

To complete the annual reporting requirements above, please download the state's FIVE YEAR HOUSING PROJECTION CALCULATOR: <https://jobs.utah.gov/housing/affordable/moderate/>

SUBMISSION GUIDELINES:

1. Moderate-income housing review reports are due on **December 1, 2020 and annually thereafter.**
2. Emails must include the following items as *separate* attachments:
 - An updated estimate of the municipality's 5-year moderate-income housing needs
 - A findings report of the annual moderate-income housing element review
 - The most current version of the moderate-income housing element of the municipality's general plan
 - Submitted moderate-income housing elements must include their adoption date on a cover page.
3. Acceptable electronic document formats include:
 - (a) DOC orPDF
4. Emails **MUST** be addressed to: [** updated biennialreport email address](#)

Council Agenda Item Report

Meeting Date: November 7, 2019

Submitted by: Laura Newberry

Submitting Department: Planning

Item Type: Staff Report

Agenda Section:

Subject:

Consideration of the Appeal of the Planning Department's Approval of the Historic District Design Review for the Construction of a New Single Family Dwelling Located at 139 Main Street
(A) Public Hearing (B) Action

Suggested Action:

Attachments:

[139 Main Street Staff Report](#)

[Exhibit A: Letter of Appeal](#)

[Exhibit B: Existing Conditions Survey](#)

[Exhibit C: Recorded Plat](#)

[Exhibit D: Site Plan](#)

[Exhibit E: Floor Plans](#)

[Exhibit F: Elevations](#)

[Exhibit G: Streetscape](#)

[Exhibit H: Cross Canyon View](#)

[Exhibit I: Aerial Photograph](#)

[Exhibit J: Site Photographs](#)

[Exhibit K: HDDR Action Letter](#)

[Exhibit L: Standard Project Conditions](#)

[Exhibit M: Public Comment](#)

[Exhibit N: Preservation Consultant Letter](#)

Exhibit O: Submitted by Applicant on October 31 2019

Exhibit P: Second Item Submitted by Applicant on October 31 2019

City Council
Staff Report



Subject: 139 Main Street
Author: Laura Kuhrmeyer, Planner
Project Number: PL-19-04342
Date: November 7, 2019
Type of Item: Appeal of Planning Department approval of Historic District Design Review for the construction of a new Single Family Dwelling on a vacant Lot

Summary Recommendation

Staff requests that the City Council review the Appeal of the Planning Department's Approval of the Historic District Design Review (HDDR) Application for the construction of a new Single Family Dwelling on a vacant Lot and **deny** the Appeal based on the Findings of Fact and Conclusions of Law provided herein.

Executive Summary / Proposal

The Appellant is requesting that the City Council review a decision made by the Planning Department to **approve** the Historic District Design Review (HDDR) Application for the construction of a new Single Family Dwelling on a vacant Lot located at 139 Main Street. The property is located within the Historic Residential (HR-2B) Zoning District, in which Single Family Dwelling is an Allowed Use.

Burden of Proof and Standard of Review

In reviewing this appeal, the City Council must review the factual matters de novo and determine the correctness of the Planning Department's decision in its determinations of compliance with the the Historic District Design Guidelines ("Design Guidelines") for the proposed application. The Council shall interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application. The City Council's review shall be limited to consideration of only those matters raised by the petition (see Exhibit A), unless the City Council, by motion, enlarges the scope of the appeal to accept information on other matters. The burden is on the appellant to prove that the Planning Department erred.

Furthermore, the City finds these appeals as a non-adversarial process and the following apply ([LMC § 15-1-18 \(H\)](#)):

1. The procedural hearings and reviews established by the City's regulatory procedures does not adopt or utilize in any way the adversary criminal or civil justice system used in the courts.
2. The role of City staff, including legal staff, is to provide technical and legal advice and professional judgment to each decision making body, including City Council, as they are not advocates of any party or position in a dispute, notwithstanding the fact that their technical and legal advice and professional judgment may lead them to make recommendations concerning the matter.
3. In the absence of clear evidence in the record that a staff member has lost his or her impartiality as a technical adviser, the City's need for consistent,

coherent and experienced advisers outweighs any claims of bias by the applicant.

The City Council is acting in a quasi-judicial manner. Therefore, like with a judge, all contact by the parties with the City Council related to the appeal should be at the hearing. No “ex-parte” or one on one contact should occur.

Background & Timeline

January 1, 2019 – The City received a complete Plat Amendment application for the 139 Main Street Plat Amendment. This Plat Amendment combined all of Lot 10 and the southerly half of Lot 11 Block 13 of the Park City Survey.

February 27, 2019 – The Planning Commission reviewed the 139 Main Street Plat Amendment and forwarded a unanimous positive recommendation to City Council ([See Minutes](#)). No public comment was provided for this item.

April 4, 2019 – The City Council reviewed and approved [Ordinance 2019-14](#), approving the 139 Main Street Plat Amendment ([See Minutes](#)). No public comment was provided for this item.

July 23, 2019 – The Planning Department received a complete Historic District Design Review application for the construction of a new Single Family Dwelling on a vacant Lot. The Planning Department also received a complete Administrative Steep Slope Conditional Use Permit (Admin. SS-CUP) for the development on a Steep Slope.

July 31, 2019 – A Mailing Notice went out to properties within 100 feet of the subject property, notifying property owners of a Public Hearing to be held on August 14, 2019 for the HDDR.

August 14, 2019 – The Public Hearing for the Historic District Design Review was held in the Planning Department. A total of three members from the public attended the meeting, including the Appellant, Jeff Creveling.

August 22, 2019 – The 139 Main Street Plat Amendment was recorded with Summit County – Entry No. 1116474 (See Exhibit C).

August 29, 2019 – A second Mailing Notice went out to property owners within 100 feet of the subject property, notifying them that the Planning Department reviewed the HDDR and found compliance with the Park City Design Guidelines for Historic Districts and Historic Sites. The notice informed the public of Final Action by the Planning Department, approving the HDDR and establishing the thirty (30) day period in which the Planning Department’s decision may be appealed.

August 29, 2019 – A Mailing Notice was also sent out on this day to notify property owners of a public Administrative hearing to be held on September 12, 2019 for the Administrative Steep Slope Conditional Use Permit (Admin. SS-CUP).

September 12, 2019 – The Administrative Hearing for the Administrative Steep Slope Conditional Use Permit was held in the Planning Department. No public comment was received and no members of the public attended the meeting. The Planning Director approved the Administrative Steep Slope Conditional Use Permit and the Final Action established the ten (10) day appeal period.

September 30, 2019 – The City received an application for an appeal of the Planning Department's decision to approve the Historic District Design Review for the construction of a new Single Family Dwelling on a vacant Lot located at 139 Main Street. This application was accepted within 30 days of the HDDR Final Action. The Administrative Steep Slope CUP application is not contested in the appeal.

Purpose

The purpose of the Historic Residential (HR-2) District is found in [LMC § 15-2.3-1](#).

Analysis

The original application is a Historic District Design Review (HDDR) for the construction of a new Single Family Dwelling on a vacant Lot. Single Family Dwelling is identified as an Allowed Use in the Historic Residential (HR-2) Zoning District. The site is currently vacant, and the owner is proposing to build a new Single Family Dwelling on the vacant Lot. The proposed footprint of the new construction is 968.5 square feet and the construction is proposed on a slope greater than 30%. An Administrative Steep Slope CUP was approved by the Planning Director on September 12, 2019 and is not contested with this appeal.

On October 31, 2019, the Appellant submitted two additional documents (see Exhibit O and Exhibit P). Staff did not have these documents while preparing the Staff Report Analysis, so the Analysis Section below is based on the original Letter of Appeal (Exhibit A) submitted with the application on September 30, 2019.

Appeal

The letter of appeal (see Exhibit A) includes 12 paragraphs. The appellant is requesting that the City Council rule that the Planning Department erred in its decision to approve the HDDR for the proposed new Single Family Dwelling at 139 Main Street.

Below is Staff's analysis of the 12 paragraphs in the applicant's appeal letter. Text from the Letter of Appeal has been pasted verbatim and is underlined, while text from Staff analysis is italicized.

Appeal Paragraph #1 – Overview

"The proposed single family residential project at 139 Main, Park City, UT 84060 has a close proximity to my home at 129 Main. I appreciate Park City's desire to retain, improve and have produced historically relevant residences within the older neighborhoods. I also keenly recognize the historic significance in the more national and global sense. Park City is not just a destination, it is a mentality. Especially Main Street as it is the core of the historic nature of Park City. For these reasons I submit an appeal to Park City's staff approval of a home design for 139 Main for contradicting the Park City's Historic District Design Guidelines (HDDG) as discussed herewith."

Staff's Response to Appeal Paragraph #1

In Paragraph #1, the Appellant describes his proximity to the subject site and describes Park City as a Historic town. There are no substantive arguments in this paragraph for Staff to respond to.

Appeal Paragraph #2 – Overall Purpose of the Design Guidelines

"The goal of the HDDG is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects. Park City's Historic District is often referred as "Old Town" or "The Historic District" or simply "Historic Main Street" and is treated differently because it is associated with the earliest development of the City and contain the greatest concentration of Park City's historic resources. As such any addition or infill to this district requires extensive scrutiny to ensure compatibility to HDDG. 139 Main is one of only 17 homes making up the Main Street residential neighborhood. Park City's classification as Historic define land use regulations and building code requirements and also require design review for all new construction proposed in this area. Approval for 139's current design should not have survived this process as proposed."

Staff's Response to Appeal Paragraph #2

*In Paragraph #2, the Appellant describes the purpose of the Design Guidelines. Per [LMC § 15-13-1](#), "The goal of the Design Guidelines is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, **while at the same time allowing for reasonable changes to individual buildings to meet current needs.**" As shown above, Paragraph #2 pulls a direct quote from the Design Guidelines, however, the last part of the sentence (in bold above) has been removed.*

The Appellant argues that any infill to the Historic District requires extensive scrutiny to ensure compatibility with the Design Guidelines. Staff, along with the Design Review Team, reviewed the HDDR under the new Design Guidelines (see Ordinance 2019-06) and found compliance.

Appeal Paragraph #3 – "Historic" Wall

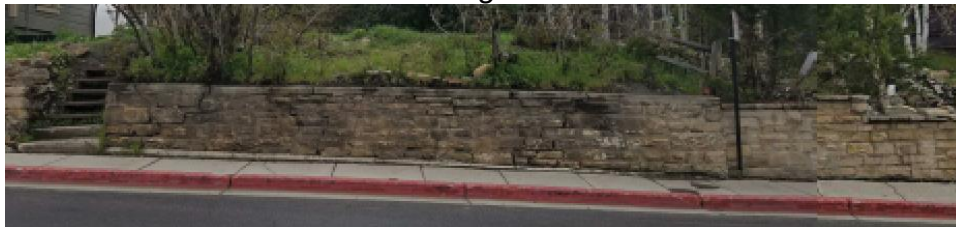
"There are several points of concern. Park City outlines it's Landmark Sites as those with structures that are at least sixty years old, provide historic integrity as defined by the National Park Service for the National Register of Historic Places and are significant in local, regional or national history or architecture. While the home that was constructed on this site has been raised, the stone wall abutting a length of Main Street should have, has before and continues to be a Landmark Site having a structure that exemplifies an architectural style and identifies as a type that were constructed during the early eras of Park City's past."

Staff's Response to Appeal Paragraph #3

Currently, 139 Main Street is not listed on the Park City Historic Sites Inventory (see [Land Management Code 15-11-10\(D\)](#)). Because the Site is not listed on the current HSI, the wall on this property along Main Street is not designated as Historic, Significant or Landmark. Therefore, the LMC does not authorize staff to regulate the wall as such. This appeal may not be used to appeal the original adoption of the HSI. However, while

the Applicant was not required to maintain the wall along Main Street, they chose to maintain a majority of the wall, only removing a small section to allow for a driveway access onto the property.

Existing Wall:



Proposed Rendering:



Appeal Paragraph #4 – “Historic” Wall

“Park City residents, visitors and leaders recognize that Park City’s historic significance is unique and every morsel of such significant elements should be protected as a community resource for the benefit of both residents and visitors. The purpose of Historic District Design Review (HDDR) is to protect the integrity of these resources by requiring projects undertaken in the historic district and projects involving historic sites comply with these design guidelines. This process is established to prevent projects that are insensitive, incongruous or incompatible with adjacent structures, the immediate neighborhood and the community as a whole. 139 Main, as approved, violates this established process immediately by compromising an historic wall.”

Staff’s Response to Appeal Paragraph #4

As mentioned in Staff’s response to Paragraph 3, the Applicant is not required to maintain structures that are not designated as Historic on Park City’s Historic Sites Inventory. Because this application was submitted after May 16, 2019, it was reviewed under the new Design Guidelines ([Ordinance 2019-06](#)). Further, the Site is not listed on the HSI and thus was reviewed under [LMC § 15-13-8](#), Design Guidelines for New Residential Infill Construction in Historic Districts.

Appeal Paragraph #5 – Windows and Doors

“Additionally, the individual elements of the building’s architectural components violate further HDDG defined restrictions. The windows and doors of the home are not proportional to the scale and style, nor are compatible with, the historic home in the neighborhood. Because of its location on upper Main Street, I find that the design does not reflect the historic character - simple building forms, unadorned materials, restrained ornamentation - of every other home on Main Street. Further, this style of architecture

lacks an emphasized design in a manner consistent with the contemporary interpretation of other new, non-reconstruction, homes on Main Street. The chosen style, at this time, provides no clear architecture discussion in a historic tone. In fact, it has also created a very stark design counter to HDDG's task of homogeny."

Staff's Response to Appeal Paragraph #5

The Letter of Appeal Paragraph #5 mainly focuses on three guidelines.

The first, [LMC §15-13-8\(B\)\(2\)\(c\)\(2\)](#), is relating to doors and states, "New doors shall be similar in location, size, and material to those seen traditionally in the Historic District. Doors shall be compatible with the style of both the new building and historical buildings in the Historic District."

The proposed doors are about seven feet (7') in height, which is consistent with doors seen both historically and in new infill construction.

The second, [LMC § 15-13-8\(B\)\(2\)\(d\)\(2\)](#), is relating to windows and states, "Windows shall be historic size and shall relate to the human scale of the Historic District. Windows shall be proportional to the scale and style of the building and shall be compatible with the historical buildings in the Historic District."

The majority of the proposed windows are a 2:1 ratio, with a few smaller windows for basement level and bathrooms. The windows are five feet or less in height (some with a transom above), are consistent with windows found throughout the Historic District, and are of human scale.

Lastly, the Appellant references Universal Guideline 1 which states, "New infill residential buildings shall reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites."

Staff and the Design Review Team find the proposed design to be a modern and modest interpretation of the Historic "L" or "T" ("cross-wing") style cottage, which is the most common residential building type in Park City. This building style consists of a front-end gable with a perpendicular projecting side-gable, or cross-wing, either intersecting to make an "L" or "T" in plan. A porch, either on the front, back, or wraparound, is also typically seen in this house type.

The proposed front (East) elevation establishes the key elements of the "cross-wing" style with a modest front-end gable and a small cross-wing projecting to the North. The proposed first and second level porches incorporate the modern elements of multiple front-facing porches, commonly seen in new residential construction in Park City, and include simple, unadorned, modern materials (further explained in the next paragraph) to distinguish the home from the surrounding Historic Sites.

Appeal Paragraph #6 – Materials

"Materially, this home utilizes modern surface materials contradicting with the essence of HDDG. Stylistic elements should not simply be applied to the exterior. Materials and detailing should be compatible in scale, proportion and finish texture as those used on

Historic homes in the neighborhood. Materials, especially stone and masonry, should be used in the manner they were used historically. Man-made or unfamiliar quarried materials should not be used as they diminish the historic character of the neighborhood. Styles that never appeared in Park City should be unmistakably avoided. Styles that radically conflict with the character of Park City's Historic Sites need also be avoided. Staff should have found that the applicant able to better articulate the design by applying consistent materials, forms, elements and features of neighboring houses with suitable selection of such to accomplish said homogeneity thus keeping with HDDG and still encapsulating scope components essential for a home."

Staff's Response to Appeal Paragraph #6

In Paragraph #6, the Appellant argues the modern surface materials contradict the essence of the Design Guidelines. However, Universal Guideline 4 states that "new infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion and massing..." Further, Universal Design Guideline 2 specifically states that "new infill residential buildings shall not directly imitate existing historic structures in Park City." It is clear that while the Design Guidelines do insist that new infill be compatible with historic structures, it is not meant to encourage imitation or the mimicking of historic structures.

The proposed design includes three surface materials: horizontal cedar wood lap siding, metal panels, natural stone veneer. The main material being used across all elevations is the horizontal cedar wood lap siding. This material is consistent with what was seen historically in Park City. The metal panels are used as an accent feature, and do not dominate any of the elevations but can be seen on the front (east) and side (north) elevations. The natural stone veneer will be used to match with the existing stone wall that runs along Main Street. The approved plans include a condition that "all stacked stone shall be consistent in color, texture, and size to historic rock walls."

Appeal Paragraph #7 – Building Form & Building Height

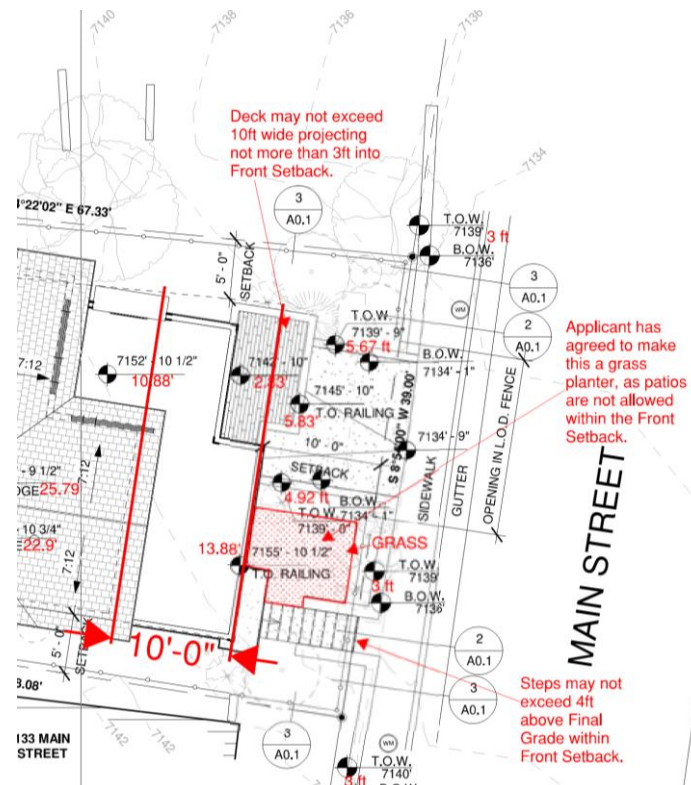
"Specific types of stylistic home designs found in historic Park City are the L or T Cottage, Rectangular or Hall-Parlor House, Gable Front, Hipped Roof or "Pyramid" House or the Bungalow house. A style of architecture should be selected and all elevations of the building should be designed in a manner consistent with a contemporary interpretation of the chosen style. None of the listed HDDG home mass designs are incorporated in 139's proposed home. Independent of home general massing, Land Management Code (LMC) changes regarding height state: A ten foot minimum horizontal step in the downhill façade is required unless the first story is located completely under the finish grade on all sides of the home. LMC continues; a horizontal step must take place at a maximum height of twenty three feet from where the building footprint meets the lowest point of existing grade. This appears absent in the design. Other architectural features, that would provide articulation to the upper story façade setback, which could encroach into the minimum ten foot setback but be limited to no more than twenty five percent of the width of the building encroaching no more than four feet into the setback, are clearly absent. In as much as the HDDG provides specific concepts for adhering to the document, this project is void any attempt."

Staff's Response to Appeal Paragraph #7

As mentioned in Staff's response to Paragraph # 5, Staff finds that the proposed design is a modern interpretation of the "L" or "T" Cottage, also referred to as a "cross-wing." The design reflects the key elements of the historic building form without directly imitating the historic building form.

According to [LMC § 15-2.3-6\(B\)](#), "A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The Planning Commission may grant an exception to this requirement as part of a Master Planned Development within Subzone A consistent with MPD requirements of Section 15-6-5(F). The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback, may encroach into the minimum ten foot (10') setback but shall be limited to no more than twenty five percent (25%) of the width of the building encroaching no more than four feet (4') into the setback, subject to compliance with the Design Guidelines for Historic Sites and Historic Districts."

Staff reviewed the Site Plan for compliance with [LMC § 15-2.3-6\(B\)](#) and has prepared the following image to demonstrate that the horizontal step is in fact being met.



portion of the structure within this ten foot (10') horizontal step shall not exceed an elevation of 7164 feet. The proposed portion of the structure within the ten foot (10') horizontal step is at a maximum elevation of 7155' 10.5" and equals a total of 13.88 feet above Existing Grade.

In the Appellant's second point relating to [LMC § 15-2.3-6\(B\)](#), he states that architectural features that may encroach into the ten foot step are absent. The LMC provides an allowance for such architectural features, but does not require that they be incorporated into the design.

Appeal Paragraph #8 – Noticing Requirements

"There is the process itself. Projects of this significance require community and especially neighborhood involvement. A notice of receipt of an application may have been sent to property owners within 100 ft. of the subject property, however, missing from the application notice for development for a vacant lot was any brief written history of the site (uses, owners, build date of the primary structure, and dates of additions and/or alterations made to the primary structure). This application should have listed and included all sources of information such as permit records, title abstracts, tax assessor records or other verifiable information. During the HDDR process, immediate neighbors should have been provided these details to ensure strict compliance. This was not done."

Staff's Response to Appeal Paragraph #8

No allegation of non-compliance with LMC notice is made. All required LMC notice was completed. Per [LMC §15-1-21](#), Noticing Matrix, HDDRs require two (2) posted notices on the property and two (2) courtesy mailing notices.

There is no requirement, in the LMC or State Code, to provide neighbors with a written history of the site, permit records, title abstracts, tax assessor records, or any other verifiable information. Most if not all of such information is available via public records.

Appeal Paragraph #9 – Exterior Elements, Scale & Compatibility

"139 Main Street's proposal should have been designed so that the façade reinforces the rhythm along the street in terms of traditional patterns of building architectural elements and materials. This project, in keeping with HDDG, should have had exterior elements; roofs, an entrance, eaves, a chimney, a porch, windows, doors, steps, retaining walls, garages, etc., compatible with its neighboring historic site. Its scale and height should have followed the predominant pattern of the neighborhood. Size and mass of the home should have been compatible with the size of the property so that lot coverage, building bulk, and mass would have been compatible with in the neighborhood. This home needed to be located on the site in a way that follows the predominant pattern of historic buildings along Main Street, maintaining traditional setbacks, orientation of entrances, and alignment. This one hasn't. Its windows, balconies and decks have been incorporated opposed to any order respecting existing conditions of neighboring homes and their primary facades. Not at all compatible with surrounding historic homes."

Staff's Response to Appeal Paragraph #9

In Paragraph #9, the Appellant argues that the rhythm along Main Street was not reinforced by the proposed design. Staff has included the proposed Streetscape, which can also be seen in Exhibit G.



As shown in the image above, the proposed design is similar to other new residential infill projects along the street. Further, the Appellant claims that the scale and height is not following the predominant pattern of the neighborhood. However, as seen in the image above, the building is consistent in height, scale, and mass with the surrounding buildings, both Historic and non-historic. Staff included the table below identifying approximate heights of the surrounding buildings (from left to right in the photo above) based on the available plans.

Address	Height
125 Main Street	No plans available
129 Main Street	27 feet
133 Main Street	22 feet
139 Main Street	Proposed 25.79 feet
151 Main Street*	40 feet

**This building is within the Historic Commercial Business Zoning District, which has a different height requirement.*

The subject property contains 2,332 square feet. Based on the formula provided in [LMC § 15-2.3-4\(E\)](#), the subject property is allowed a Building Footprint of 1,022.8 square feet. The proposed design has a Building Footprint of 968.5 square feet, well under the allowable Footprint for this Lot.

The proposed location of the house on the Site meets all required Setbacks for the Historic Residential (HR-2B) zone. This Lot has a Lot Width of thirty eight feet and one inch (38' 1"). Per [LMC § 15-2.3-4\(E\)](#), Lots with a Lot Width of more than 37.5' and up to 50' have required Side Setbacks of five feet (5') on each Side, for a total of ten feet (10'). The proposal maintains a Side Setback of at least five feet (5') on both sides; see Findings of Fact #15 & 16. Further, per [LMC § 15-2.3-4\(E\)](#), the minimum required Front and Rear Setback for Lots with a Depth of up to 75' is ten feet (10') for each, totaling twenty feet (20'). The proposal maintains at least a ten foot (10') Setback on both the Front and Rear; see Findings of Fact #12, 13, & 14. The majority of the second story deck on the Front façade is not within the minimum required Front Setback, and the portion that does encroach into the Front Setback is no more than ten feet wide projecting not more than three feet into the Setback (allowed per [LMC § 15-2.3-4\(F\)\(3\)](#)).

Appeal Paragraph #10 – Ratio of Opening-to-Solid

“Continually, ratios of openings-to-solid that are compatible with surrounding historic buildings should have been used. Here, windows and doors and other fenestration are unproportional to the scale and style of openings for neighboring homes within the historically significant neighborhood. And especially, the porches should have been traditionally embraced when this house will reside in Park City’s most historic site and the neighborhood has an established pattern for entry envelope. An over-scaled, monumental porch or under-scaled minimalist entry porch should have been avoided. 139 Main Street’s porch must be compatible with proportion and style and respect the scale and proportions found on historic buildings of the neighborhood.”

Staff’s Response to Appeal Paragraph #10

Staff finds that the proposed design maintains a compatible solid-to-void ratio on the lower (garage) and main (front entrance) level of the house. The third level contains the living space (i.e. kitchen, dining room, living room, etc.) and Staff along with the Design Review Team, found the proposed window ratio appropriate since that floor level is set back from the street and visually buffered by the deck railing..

The front façade contains approximately 822 square feet of surface area. Of that area, only 229 square feet (approximately 27.9%) contain windows and doors as visible from the public-right-of-way.

Staff does not find that the front porch is over-scaled or under-scaled. As you can see in Exhibit G – Streetscape, the proposed front porch is the same size as other new residential infill in the neighborhood. The Applicant had originally proposed a patio off the front entry door, but it could not be approved as it did not meet Front Setback requirements, [LMC § 15-2.3-4\(F\)\(3\)](#). Instead, the Applicant changed the patio to a garden area that contains grass and could be used as a picnic area.

Appeal Paragraph #11 – The National Register of Historic Places

“With Park City’s Main Street being on the National Register of Historic Districts due to its collection of historic buildings and unique character, this home has to be an integral part of the register acceptance and thus continued tourism success. As proposed, and since the original historic home having been raised, this home becomes and infill structure in historic Main Street it should have been further scrutinized to ensure that it would not diminish the integrity of the register. It would have to serve to strengthen the historic character of the area, not detract as markedly as it does. Any new construction in the Main Street National Register Historic District must be approved only after having been determined that what gets built would not jeopardize the integrity of the district.”

Staff’s Response to Appeal Paragraph #11

Staff finds the proposed design does not diminishes the integrity of the National Register District as the site would be designated as a non-contributing that does not detract from the character of the district. The purpose of application of the Design Guidelines to new construction in addition to historic structures is to protect the integrity of the district.

Appeal Paragraph #12 – Conclusion

“139 Main Street as currently designed and approved must be appealed as the solution does not utilize standard components for new construction of residences outlined in the HDDG nor been designed compatible with the surrounding homes on historic Main Street, Park City.”

Staff’s Response to Appeal Paragraph #12

Staff reviewed the proposed design under the new Design Guidelines and found compliance. The appeal fails to demonstrate that the Planning staff erred in the interpretation and determinations of compliance with the Design Guidelines in approving the application.

Process

As per the procedures for City Council Action on Appeals as found in [LMC § 15-1-18\(J\)](#), the City Council may affirm, reverse, or affirm in part and reverse in part any properly appealed decision. The City Council may remand the matter to the appropriate body with directions for specific Areas of review or clarification. City Council review of petitions of appeal shall include a public hearing.

As per [LMC § 15-1-18\(N\)](#), the Applicant or any Person aggrieved by City action on the project may appeal the Final Action by the City Council to a court of competent jurisdiction. The decision of the Council stands, and those affected by the decision may act in reliance on it unless and until the court enters an interlocutory or final order modifying the decision.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that would have to be addressed with conditions of approval and during building permit review.

Public Input

No public input has been received at the time of this staff report.

Alternatives

- The City Council may deny the appeal and affirm the Planning Department decision for the approval of the HDDR at 139 Main Street; or
- The City Council may grant the appeal and reverse the Planning Department decision; or
- The City Council may affirm in part and reverse in part the Planning Department decision; or
- The City Council may request specific additional information and may continue the discussion to a date certain.

Summary Recommendation

Staff requests that the City Council review the Appeal of the Planning Department’s Approval of the Historic District Design Review Application for the construction of a new Single Family Dwelling on a vacant Lot and **deny** the Appeal based on the Findings of Fact and Conclusions of Law provided herein.

PROPOSED ORDER DENYING APPEAL AND UPHOLDING THE PLANNING DEPARTMENT'S HISTORIC DISTRICT DESIGN REVIEW APPROVAL:

Findings of Fact:

1. The property is located at 139 Main Street. The Legal Description is Lot A of the 139 Main Street Plat Amendment.
2. On July 23, 2019, the Planning Department received a complete Historic District Design Review (HDDR) for the construction of a new single family dwelling on a vacant lot.
3. On July 31, 2019, a Mailing Notice went out to properties within 100 feet of the subject property, notifying property owners of a Public Hearing to be held on August 14, 2019 for the HDDR.
4. On August 14, 2019, the Public Hearing for the Historic District Design Review was held in the Planning Department. A total of three members from the public attended the meeting, including the Appellant, Jeff Creveling.
5. On April 4, 2019, the City Council approved the 139 Main Street Plat Amendment (Ordinance 2019-14) and on August 22, 2019, the Plat was recorded with Summit County (Entry No. 1116474). The Conditions of Approval of this Plat Amendment shall continue to apply.
6. On August 29, 2019, the Planning Department approved the HDDR for the construction of a new Single Family Dwelling located at 139 Main Street.
7. On August 29, 2019, a second Mailing Notice went out to property owners within 100 feet of the subject property, notifying them that the Planning Department reviewed the HDDR and found compliance with the Park City Design Guidelines for Historic Districts and Historic Sites. The notice informed the public of Final Action by the Planning Department, approving the HDDR and establishing the thirty (30) day period in which the Planning Department's decision may be appealed.
8. On September 30, 2019, the City received an application for an appeal of the Planning Department's decision to approve the Historic District Design Review for the construction of a new Single Family Dwelling on a vacant Lot located at 139 Main Street. This application was accepted within 30 days of the HDDR Final Action. The Administrative Steep Slope CUP application is not contested in the appeal.
9. On October 24, 2019, a mailing notice was sent to property owners within 100 feet of the subject property, notifying them that the City Council would hear the appeal and open a public hearing during the November 7, 2019 City Council meeting.
10. The property is located in the Historic Residential (HR-2B) Zoning District and is subject to all requirements of the Park City Land Management Code (LMC) and all the guidelines of the Historic District Design Guidelines.
11. This site is not listed on the Historic Sites Inventory; it is a vacant lot located on Main Street.
12. The applicant is proposing to construct a new Single Family Dwelling on the vacant lot.
13. The proposal complies with LMC § 15-2.3-2(A) as a Single Family Dwelling is an Allowed Use in the HR-2B Zone.

14. The proposal complies with LMC § 15-2.3-4(A) as the minimum Lot Size for a Single Family Dwelling is 1,875 square feet, and the Lot contains 2,332 square feet.
15. The proposal complies with LMC § 15-2.3-4(B) as the minimum Lot Width of a Lot is twenty-five feet (25'), measured fifteen feet (15') back from the Front Lot Line. The Lot Width will be 38.2 feet as measured fifteen feet (15') back from the Front Lot Line.
16. The proposal complies with LMC § 15-2.3-4(E) Building Footprint as the maximum Building Footprint for a lot of this size is 1,022.79 square feet. The proposed Structure has a Building Footprint of 1022.7 square feet.
17. The proposal complies with LMC § 15-2.3-4(E) Table 15-2.3a as the minimum required Front and Rear Setbacks for lots up to seventy-five feet (75') deep ten feet (10'). The applicant is proposing a Front Setback of at least ten feet (10') and a Rear Setback of at least ten feet (10').
18. The proposal complies with LMC § 15-2.3-4(F) Front Setback Exceptions. The applicant has proposed (1) retaining walls less than four feet (4') in height plus two (2) retaining walls up to 6 feet to allow for a driveway access (Planning Director approved); (2) uncovered steps leading to the main building, not more than four feet (4') in height from Final Grade; (3) decks, porches, or bay windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Setback; and (6) a driveway leading to a garage and approved parking area that is hard-surfaced within the Front Setback.
19. The proposal complies with LMC § 15-2.3-4(G) Rear Setback Exceptions as the applicant has proposed (4) roof overhangs projecting not more than two feet (2') into the Rear Setback; (9) retaining walls not exceeding four feet (4') in height; and (10) patios, decks, pathways, steps, or similar structures not more than 30" above Final Grade.
20. The proposal complies with LMC § 15-2.3-4(H) as the minimum Side Setback for lots up to fifty feet (50') wide is five feet (5') on each side for a total of ten feet (10'). The proposed Structure maintains at least a five foot (5') Side Setback on both the north and south sides.
21. The proposal complies with LMC § 15-2.3-4(I) Side Setback Exceptions as the applicant has proposed (1) bay window not more than ten feet (10') wide, projecting not more than two feet (2') into the Side Setback; (3) window well projecting not more than four feet (4') into the Side Setback; (4) roof overhangs projecting not more than two feet (2') into the Side Setback; and (7) the retaining walls not exceeding four feet (4') in height.
22. The proposal complies with LMC § 15-2.3-6 Building Height.
 - a. The zone height is twenty-seven feet (27') from Existing Grade, and the tallest portion of the proposed building is 25.79 feet from Existing Grade, as measured.
 - b. A structure is required to have a maximum height of thirty-five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate supporting the ceiling joists or roof rafters; the applicant is proposing an interior height of twenty eight feet and ten inches (28' 10").
 - c. The LMC also requires a ten foot (10') horizontal step on the downhill façade that takes place at a maximum height of twenty-three feet (23') from where the Building Footprint meets the lowest point of Existing

Grade; the applicant has incorporated a horizontal step on the façade of the building.

- d. The contributory roof form has a 7:12 roof pitch with rooftop decks as secondary roof forms.
23. The proposal will require an Administrative Steep Slope Conditional Use Permit (Admin SS-CUP). The applicant has submitted an application and this approval is conditioned so that a Building Permit cannot be issued until both the HDDR and the Administrative SS-CUP are approved by Planning.
24. The proposal complies with LMC § 15-3-3(A)(4) as the driveway will not exceed a 14% slope and LMC 15-3-3(B) as the Parking Areas and driveways are proposed to be Hard-surfaced.
25. The proposal complies with LMC § 15-3-4(A)(1), which requires that single car garages must have a minimum interior dimension of eleven feet by twenty feet (11' x 20'). The proposed interior dimensions of the single car garage will be eleven feet by twenty feet (11' x 20').
26. The proposal complies with LMC § 15-3-3(F), which requires that uncovered parking spaces must have a minimum dimension of nine feet by eighteen feet (9' x 18'). The applicant is proposing one of the two required parking spaces be located on the driveway, which measures eleven feet and four inches by eighteen feet (11' 4" x 18'0").
27. The proposal complies with LMC § 15-3-6(A) as a Single Family Dwelling requires two (2) parking spaces per Dwelling Unit. The applicant has proposed a total of one (1) covered parking space and one (1) uncovered parking space.
28. The proposal, as conditioned, complies with the Universal Guidelines for Historic Sites:
 - a. The proposal complies with Universal Design Guidelines #1 as the new single family dwelling reflects the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites through its simple design, massing, and scale of building elements.
 - b. The proposal complies with Universal Design Guidelines #2 as the new single family dwelling does not directly imitate existing historic structures in Park City. The roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites are reflected in the proposed design, but historic building elements such as moldings, cornice details, brackets, and porch supports have not be directly imitated. No reconstruction of non-surviving historic buildings is proposed.
 - c. The proposal complies with Universal Design Guidelines #3 as a style of architecture has been selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. Stylistic elements are not being applied to the exterior. Styles that never appeared in Park City have not been proposed. Styles that radically conflict with the character of Park City's Historic Sites are not proposed. The proposed elevations include gable roof forms from the public right-of-way, with more contemporary flat-roof forms on the side and rear of the house.
 - d. The proposal complies with Universal Design Guidelines #4 as the building and site design respects the existing topography, character-

defining site features, existing trees and vegetation and minimizes cut, fill, and retaining walls.

- e. The proposal complies with Universal Design Guidelines #5 as the exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc.—are of a human scale and are compatible with neighboring Historic Sites.
 - f. The proposal complies with Universal Design Guidelines #6 as the scale and height of new structure follows the predominant pattern of the neighborhood with special consideration given to Historic Sites. From the street, the height of this structure is similar to those of nearby houses. The height of this structure overall is taller than historic structures, but within the height requirements of the LMC, and relates to the mass and scale of neighboring contemporary homes.
 - g. The proposal complies with Universal Design Guidelines #7 as the size and mass of the structure is compatible with the size of the property so that lot coverage, building bulk, and mass are compatible with Historic Sites in the neighborhood. The proposed design is broken up into modules that reflect those seen on nearby houses.
 - h. The proposal complies with Universal Design Guidelines #8 as the new single family dwelling does not physically damage nearby Historic Sites.
29. The proposal complies with Specific Design Guidelines as follows:
- a. The proposal complies with Specific Design Guidelines A.1. Building Setbacks & Orientation. The new single family dwelling is located on the site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, and alignment along the street. The single family dwelling will face Main Street and the primary entrances face the street. The proposal's design will limit snow shedding onto adjacent properties.
 - b. The proposal complies with Specific Design Guideline A.2. Lot Coverage as the lot coverage of the new building is compatible with the surrounding Historic Sites.
 - c. Specific Design Guideline A.3.1 is not applicable as no fences are proposed.
 - d. The proposal complies with Specific Design Guidelines A.4. Site Grading & Steep Slope Issues. The new single family dwelling's design responds to the site's natural features as the massing of the house steps to follow the existing contours of the site. The site's natural slope is respected in a new building design in order to minimize cuts into hillsides, fill and retaining walls; excavation will generally not exceed one to two stories in depth. Where retaining walls are necessary, the impact is minimized by creating gradual steps or tiers, by using perennial plant materials to minimize visual impact, and by using forms and materials found on surrounding Historic Sites.
 - e. The proposal complies with Specific Design Guidelines A.5. Landscaping as conditioned. The proposed landscape plans balances water efficient irrigation methods and drought tolerant plant materials with existing plant materials and site features. The proposed landscape plan allows for snow storage from the driveway; the slope gradually declines directly off of Main

Street, and the applicant has proposed to bridge the driveway in order to use the front setback for snow storage. The landscape plan also incorporates landscape treatments for driveways, walkways, paths, building and accessory structures in a comprehensive, complimentary and integrated design. The character of the neighborhood and district will not be diminished by significantly reducing the proportion of built or paved area to open space. Landscaped separations between parking areas, drives, service areas, vehicular access points and public use areas including walkways, and plazas have been provided.

- f. The proposal complies with Specific Design Guidelines B.1. Mass, Scale & Height. The size of a new single family dwelling, its mass in relation to open spaces, will be visually compatible with the surrounding Historic Sites. When the overall length of the new structure is greater than those seen historically, it employs methods such as changes in wall plane, roof heights, etc. to diminish the visual impact of the overall building mass, form and scale. It also includes variations in roof height in order to break up the form, mass and scale of the overall structure. Taller portions of buildings will be constructed so as to minimize obstruction of sunlight to adjacent yards and rooms. The new single family dwelling will not be significantly taller or shorter than surrounding historic buildings when viewed from the right-of-way. Windows, balconies and decks will be located in order to respect the existing conditions of neighboring properties. Regardless of lot frontage, the primary façades are compatible with the width of surrounding historic buildings. The greater width of the structure will be set back significantly from the plane of the primary façade. The new single family dwelling will be constructed on a lot greater than twenty-five feet wide, and it will be designed so that the facade visible from the primary public right-of-way reinforces the rhythm along the street in terms of traditional building width, building depth, and patterns within the façade.
- g. The proposal complies with Specific Design Guidelines B.2.1 as generally no more than two feet (2') of the new foundation will be visible above finished grade when viewed from the primary public right-of-way along Main Street.
- h. The proposal complies with Specific Design Guidelines for Roofs. The roof structure of the new single family dwelling is visually compatible with the roof shapes and orientation of surrounding historic sites as it uses gable roof forms. The roof pitches are consistent with the style of architecture chosen for the structure and with the surrounding Historic Sites. The roof will be designed to minimize snow shedding onto adjacent properties and/or pedestrian paths.
- i. The proposal complies with Specific Design Guidelines for Materials. The applicant has proposed a material selection comprised of horizontal cedar lap siding, metal panel siding (SRI < 35), natural stone veneer, and architectural grade composition shingle. These materials are compatible in scale, proportion, texture, finish and color to those used on Historic Sites in the neighborhood. The materials, especially stone and masonry, will be

used in the manner they were used historically. No synthetic materials have been proposed.

- j. The proposal complies with Specific Design Guidelines for Windows and Doors. The ratios of openings-to-solid are compatible with surrounding historic buildings will be used. The windows and doors will be proportional to the scale and style of the building and be compatible with the historical buildings in the neighborhood. The windows are reflective of the styles, sizes, and proportions of historic window openings, with special consideration given to neighboring historic houses.
 - k. The proposal complies with Specific Design Guidelines for Porches. While a traditional front porch is not proposed, the roof overhang provides a simple porch-like element. No over-scaled, monumental and under-scaled entries have been proposed.
 - l. The proposal complies with Specific Design Guidelines Paint and Color as conditioned.
 - m. The proposal complies with Specific Design Guidelines for Mechanical and Utility Systems and Service Equipment as conditioned.
 - n. Specific Design Guidelines C. Reconstruction of Non-Surviving Structures is not applicable as the applicant is not reconstructing a building on this site; it is a new structure.
 - o. The proposal complies with Specific Design Guidelines D.1 Off-Street Parking Areas. The off-street parking area is located in the front of the site, perpendicular to Main Street. Only one car is permitted to park in the driveway, the other car will be located in a legal single car parking garage. The driveway and parking area will be visually subordinate to the character-defining streetscape elements of the neighborhood.
 - p. The proposal complies with Specific Design Guidelines D.2. Garages. The lot size has dictated that the garage must be located adjacent to the primary living space, but its visual impact has been minimized by emphasizing the front entrances under new porch roof overhang. A single car garage is proposed to face Main Street. The single vehicle garage doors do not exceed 9'x9'. No carports are proposed.
 - q. The proposal complies with Specific Design Guidelines D.3 Driveways. The proposed driveway does not exceed twelve feet (12') in width
 - r. Specific Design Guidelines E. Signs are not applicable as no signs are required for this Use.
 - s. Specific Design Guidelines F. Awnings are not applicable as no awnings have been proposed.
 - t. The proposal complies with Specific Design Guidelines G. Exterior Lighting as conditioned.
 - u. Specific Design Guidelines H. Accessory Structures are not applicable as no Accessory Structure is proposed to be built.
 - v. The proposal complies with Specific Design Guidelines I. Sustainability as conditioned.
 - w. The proposal complies with Specific Design Guidelines J. Mailboxes, Utility Boxes, and Other Visual Elements in the Landscape as conditioned.
30. The analysis section of the report is incorporated herein.

Conclusions of Law:

1. The proposal complies with the Park City Design Guidelines for Historic Districts and Historic Sites, as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential (HR-2B) District (lot size, setbacks, etc.).
3. The proposed work is consistent with Park City General Plan.
4. The Planning Department did not err in granting the HDDR approval.
5. The intent of the zone and standards of the zone are met by the proposed project including all Conditions of Approval.

Order

1. The appeal of the Planning Department's approval of the Historic District Design Review for the construction of a new Single Family Dwelling on a vacant lot at 139 Main Street is denied. The decision of the Planning Department is upheld, and the Conditions of Approval in the 8/29/19 HDDR Action Letter attached as Exhibit K apply.

Exhibits

Exhibit A – Letter of Appeal
Exhibit B – Existing Conditions Survey
Exhibit C – Recorded Plat
Exhibit D – Site Plan
Exhibit E – Floor Plans
Exhibit F – Elevations
Exhibit G – Streetscape
Exhibit H – Cross Canyon View
Exhibit I – Aerial Photograph
Exhibit J – Site Photographs
Exhibit K – HDDR Action Letter
Exhibit L – Standard Project Conditions
Exhibit M – Public Comment
Exhibit N – Preservation Consultant Letter
Exhibit O – Item Submitted by Applicant on October 31, 2019
Exhibit P – Second Item Submitted by Applicant on October 31, 2019

PARK CITY MUNICIPAL CORPORATION
PLANNING DEPARTMENT
445 MARSAC AVE ° PO BOX 1480
PARK CITY, UT 84060
(435) 615-5060



APPEAL OF A LAND USE DETERMINATION

For Office Use Only

BOARD REVIEW

APPROVED _____

DENIED _____

PROJECT PLANNER _____

APPLICATION #

DATE RECEIVED

EXPIRATION

P.19.04342

9.30.19

PROJECT BEING APPEALED

PROJECT NAME:

ADDRESS:

LAND USE AUTHORITY

BEING APPEALED:

DATE OF FORMAL

ACTION:

Construction of a new single family dwelling on a vacant lot

139 Main, Park City

Planning Department

September 30, 2019

APPELLANT INFORMATION

NAME:

MAILING

ADDRESS:

PHONE #:

EMAIL:

Harris J Craveling

4230 S. Diana Way

SLC UT 84124

(801) 822 - 7877

hjc@gsisn.com

APPLICANT REPRESENTATIVE

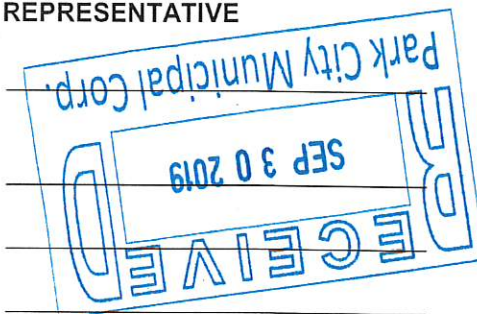
NAME:

MAILING

ADDRESS:

PHONE #:

EMAIL:



Appeal to be heard by Park City Council.

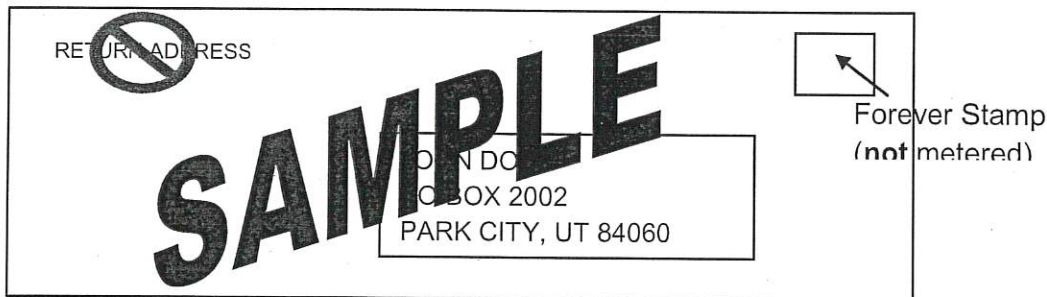
RECEIVED

SEP 30 2019

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

SUBMITTAL REQUIREMENTS – All of the following items must be included in order for the Planning Department to take the application.

- ✓ 1. Completed and signed application form.
- ✓ 2. Application Fee: \$500
- ✓ 3. Appeals must be by letter or petition, and must contain the name, address, and telephone number of the petitioner; his or her relationship to the project or subject Property; and must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken
- ✓ 4. Any additional information that will assist in clearly understanding the nature of the appeal.
5. List of property owners, names, and addresses to all parties who received mailed notice for the action being appealed. The distance is measured from the property line, not the location of the request. Please provide the Summit County Assessor's Parcel Number for each property if possible.
6. Stamped, addressed #10 size business envelopes for all parties who received a mailed notice for the action being appeal.
 - Envelopes (example given below of proper addressing) with mailing labels and stamps affixed. ***Please do not use self-adhesive style envelopes, do not include a return address, and do not use metered postage.***
 - **Stamps must be USPS Forever**
 - **Envelopes shall be provided within fourteen (14) days of filing the appeal.**



7. One (1) electronic copy of the required materials in PDF format.

PLEASE NOTE:

STANDING TO APPEAL: The following has standing to appeal a Final Action:

1. Any Person who submitted written comment or testified on a proposal before the Planning Department, Historic Preservation Board or Planning Commission
2. The Owner of any Property within three hundred feet (300') of the boundary of the subject site;
3. Any City official, Board or Commission having jurisdiction over the matter; and
4. The Owner of the subject Property

TIMING: All appeals must be made within ten (10) calendar days of the Final Action except for an appeal from a decision by the historic preservation authority which is Staff regarding the Design Guidelines for Historic Districts and Historic Sites or a decision by the Historic Preservation Board regarding a land use

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

application, the applicant may appeal the decision within thirty (30) days after the day on which the historic preservation authority issues a written decision. The reviewing body, with the consultation of the appellant, shall set a date for the appeal. All appeals shall be heard by the reviewing body within forty-five (45) days of the date that the appellant files an appeal unless all parties, including the City, stipulate otherwise.

FORM OF APPEALS: Appeals to the Planning Commission, Board of Adjustment, or Historic Preservation Board must be filed with the Planning Department. Appeals to the City Council must be filed with the City Recorder. Appeals must be by letter or petition, and must contain the name, address, and telephone number of the petitioner; his or her relationship to the project or subject Property; and must have a comprehensive statement of all the reasons for the appeal, including specific provisions of the law, if known, that are alleged to be violated by the action taken. The Appellant shall pay the applicable fee established by resolution when filing the appeal. The Appellant shall present to the appeal authority every theory of relief that it can raise in district court. The Appellant shall provide required envelopes within fourteen (14) days of filing the appeal.

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: _____

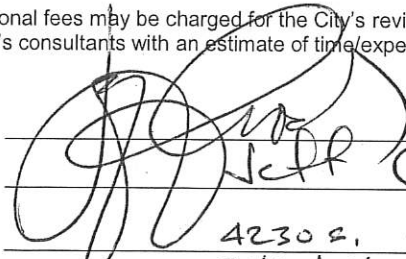
Name of Applicant: _____

Mailing Address: _____

Phone: _____

Email: _____

Type of Application: _____


Name of Applicant: Jeff Craveling
Mailing Address: 4230 E. Dismal Way
Salt Lake City, UT 84124
Phone: 801.826.7837 Fax: 877.608.1094
Email: hjc@sisna.com
Type of Application: Historic Preservation

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SEP 30 2019
PARK CITY
PLANNING DEPT.

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

September 30, 2019

Planning Department
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

re: Appeal of Approval for 139 Main, Park City, UT 84060
Contradicting Design Guidelines for Park City Historic Districts

The proposed single family residential project at 139 Main, Park City, UT 84060 has a close proximity to my home at 129 Main. I appreciate Park City's desire to retain, improve and have produced historically relevant residences within the older neighborhoods. I also keenly recognize the historic significance in the more national and global sense. Park City is not just a destination, it is a mentality. Especially Main Street as it is the core of the historic nature of Park City. For these reasons I submit an appeal to Park City's staff approval of a home design for 139 Main for contradicting the Park City's Historic District Design Guidelines (HDDG) as discussed herewith.

The goal of the HDDG is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects. Park City's Historic District is often referred as "Old Town" or "The Historic District" or simply "Historic Main Street" and is treated differently because it is associated with the earliest development of the City and contain the greatest concentration of Park City's historic resources. As such any addition or infill to this district requires extensive scrutiny to ensure compatibility to HDDG. 139 Main is one of only 17 homes making up the Main Street residential neighborhood. Park City's classification as Historic define land use regulations and building code requirements and also require design review for all new construction proposed in this area. Approval for 139's current design should not have survived this process as proposed.

There are several points of concern. Park City outlines it's Landmark Sites as those with structures that are at least sixty years old, provide historic integrity as defined by the National Park Service for the National Register of Historic Places and are significant in local, regional or national history or architecture. While the home that was constructed on this site has been raised, the stone wall abutting a length of Main Street should have, has before and continues to be a Landmark Site having a structure that exemplifies an architectural style and identifies as a type that were constructed during the early eras of Park City's past.

Park City residents, visitors and leaders recognize that Park City's historic significance is unique and every morsel of such significant elements should be protected as a community resource for the benefit of both residents and visitors. The purpose of Historic District

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Design Review (HDDR) is to protect the integrity of these resources by requiring projects undertaken in the historic district and projects involving historic sites comply with these design guidelines. This process is established to prevent projects that are insensitive, incongruous or incompatible with adjacent structures, the immediate neighborhood and the community as a whole. 139 Main, as approved, violates this established process immediately by compromising an historic wall.

Additionally, the individual elements of the building's architectural components violate further HDDG defined restrictions. The windows and doors of the home are not proportional to the scale and style, nor are compatible with, the historic home in the neighborhood. Because of its location on upper Main Street, I find that the design does not reflect the historic character - simple building forms, unadorned materials, restrained ornamentation - of every other home on Main Street. Further, this style of architecture lacks an emphasized design in a manner consistent with the contemporary interpretation of other new, non-reconstruction, homes on Main Street. The chosen style, at this time, provides no clear architecture discussion in an historic tone. In fact, it has also created a very stark design counter to HDDG's task of homogeny.

Materially, this home utilizes modern surface materials contradicting with the essence of HDDG. Stylistic elements should not simply be applied to the exterior. Materials and detailing should be compatible in scale, proportion and finish texture as those used on Historic homes in the neighborhood. Materials, especially stone and masonry, should be used in the manner they were used historically. Man-made or unfamiliar quarried materials should not be used as they diminish the historic character of the neighborhood. Styles that never appeared in Park City should be unmistakably avoided. Styles that radically conflict with the character of Park City's Historic Sites need also be avoided. Staff should have found that the applicant able to better articulate the design by applying consistent materials, forms, elements and features of neighboring houses with suitable selection of such to accomplish said homogeny thus keeping with HDDG and still encapsulating scope components essential for a home.

Specific types of stylistic home designs found in historic Park City are the L or T Cottage, Rectangular or Hall-Parlor House, Gable Front, Hipped Roof or "Pyramid" House or the Bungalow house. A style of architecture should be selected and all elevations of the building should be designed in a manner consistent with a contemporary interpretation of the chosen style. None of the listed HDDG home mass designs are incorporated in 139's proposed home. Independent of home general massing, Land Management Code (LMC) changes regarding height state: A ten foot minimum horizontal step in the downhill façade is required unless the first story is located completely under the finish grade on all sides of the home. LMC continues; a horizontal step must take place at a maximum height of twenty three feet from where the building footprint meets the lowest point of existing grade. This appears absent in the design. Other architectural features, that would provide articulation to the upper story façade setback, which could encroach into the minimum ten foot setback but be limited to no more than twenty five percent of the width of the building encroaching no more than four feet into the setback, are clearly absent. In as much as the HDDG provides specific concepts for adhering to the document, this project is void any attempt.

There is the process itself. Projects of this significance require community and especially neighbor involvement. A notice of receipt of an application may have been sent to property owners within 100 ft. of the subject property, however, missing from the application notice for development for a vacant lot was any brief written history of the site (uses, owners, build date of the primary structure, and dates of additions and/or alterations made to the primary structure). This application should have listed and included all sources of information such as permit records, title abstracts, tax assessor records or other verifiable information. During the HDDR process, immediate neighbors should have been provided these details to ensure strict compliance. This was not done.

139 Main Street's proposal should have been designed so that the facade reinforces the rhythm along the street in terms of traditional patterns of building architectural elements and materials. This project, in keeping with HDDG, should have had exterior elements; roofs, an entrance, eaves, a chimney, a porch, windows, doors, steps, retaining walls, garages, etc., compatible with its neighboring historic site. Its scale and height should have followed the predominant pattern of the neighborhood. Size and mass of the home should have been compatible with the size of the property so that lot coverage, building bulk, and mass would have been compatible with in the neighborhood. This home needed to be located on the site in a way that follows the predominant pattern of historic buildings along Main Street, maintaining traditional setbacks, orientation of entrances, and alignment. This one hasn't. Its windows, balconies and decks have been incorporated opposed to any order respecting existing conditions of neighboring homes and their primary façades. Not at all compatible with surrounding historic homes.

Continually, ratios of openings-to-solid that are compatible with surrounding historic buildings should have been used. Here, windows and doors and other fenestration are unproportional to the scale and style of openings for neighboring homes within the historically significant neighborhood. And especially, the porches should have been traditionally embraced when this house will reside in Park City's most historic site and the neighborhood has an established pattern for entry envelope. An over-scaled, monumental porch or under-scaled minimalist entry porch should have been avoided. 139 Main Street's porch must be compatible with proportion and style and respect the scale and proportions found on historic buildings of the neighborhood.

With Park City's Main Street being on the National Register of Historic Districts due to its collection of historic buildings and unique character, this home has to be an integral part of the register acceptance and thus continued tourism success. As proposed, and since the original historic home having been raised, this home becomes an infill structure in historic Main Street it should have been further scrutinized to ensure that it would not diminish the integrity of the register. It would have to serve to strengthen the historic character of the area, not detract as markedly as it does. Any new construction in the Main Street National Register Historic District must be approved only after having been determined that what gets built would not jeopardize the integrity of the district.

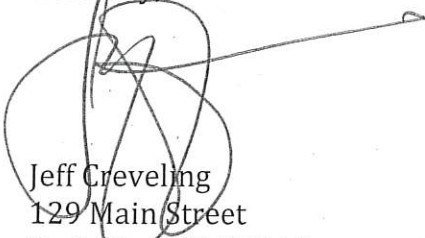
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139 Main Street as currently designed and approved must be appealed as the solution does not utilize standard components for new construction of residences outlined in HDDG nor been designed compatible with the surrounding homes on historic Main Street, Park City.

Cordially,

A handwritten signature in black ink, appearing to be "Jeff Creveling", written over a circular stamp or seal.

Jeff Creveling
129 Main Street
Park City, UT 84060
435.647.0000
hjc@sisna.com

encl. 139 Main HDDR Approval Notice
139 Main Elevation, 3d Model and Streetscape

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August 29, 2019

NOTICE TO PROPERTY OWNERS

Dear Property Owner:

The Park City Planning Department has received a Historic District Design Review application for a project to be located in your neighborhood. This is the second notice regarding this application. The Planning Department has reviewed the application and has found that the application complies with the Park City Design Guidelines for Historic Districts and Historic Sites. This notice is to inform you of the Final Action of the Planning Department approving the design review application. This establishes the 30 day period in which the Planning Department's decision may be appealed. Appeals will be accepted until **September 30th at 5 pm** regarding this project and compliance with the Design Guidelines for Park City's Historic District and Historic Sites. This project is described as follows:

Project Location: 139 Main Street
Project Number: PL-19-04272
Applicant: Barry Turner (Architect: Jonathan DeGray)
Project Description: Construction of a new single-family dwelling on a vacant lot

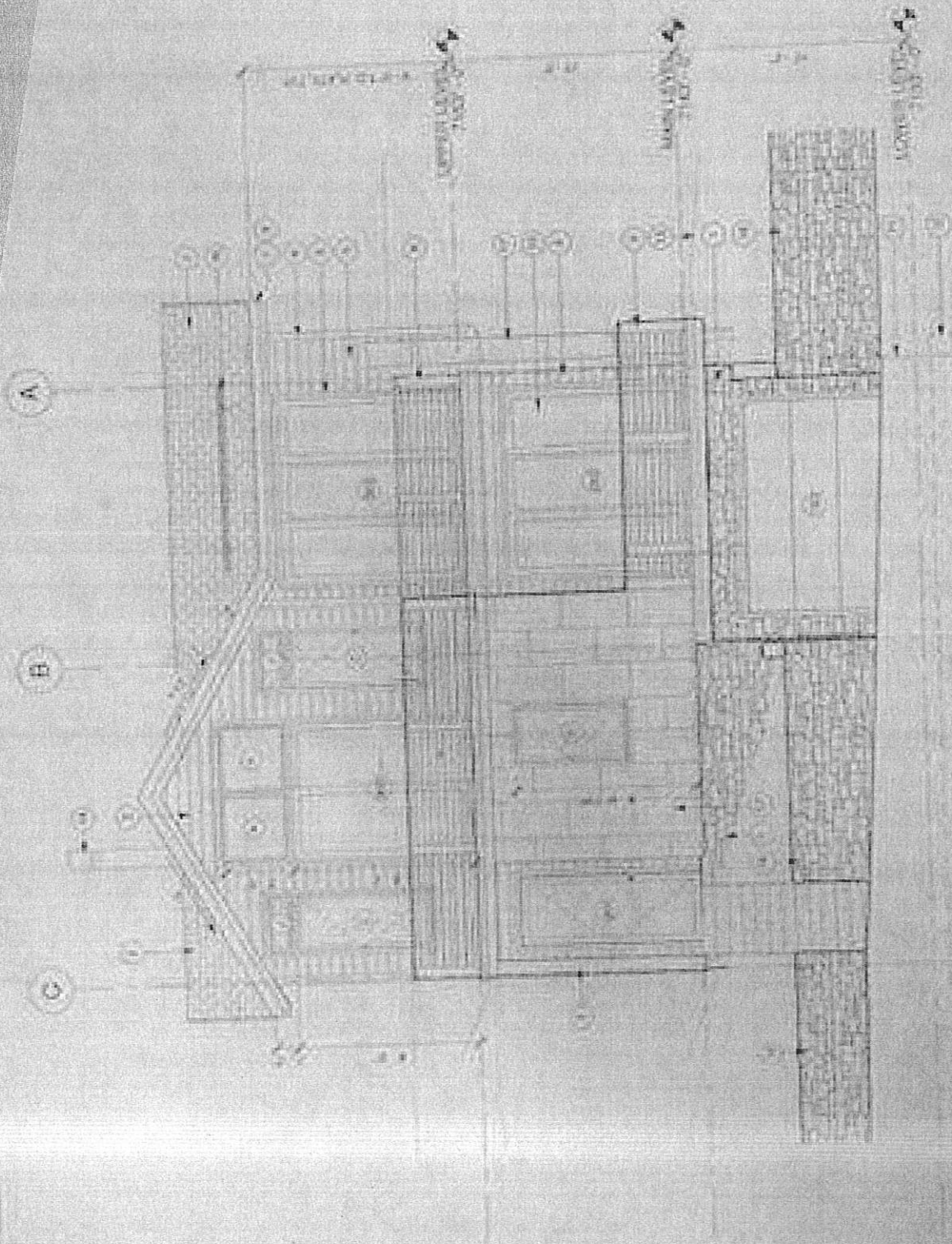
If you have any questions, concerns, or comments regarding the proposal or would like to review the plans, please contact me at (435) 615-5063 or laura.kuhrmeyer@parkcity.org during normal business hours prior to the date indicated above.

Sincerely,

A handwritten signature in cursive script that reads "Laura Kuhrmeyer".

Laura Kuhrmeyer
Planner I

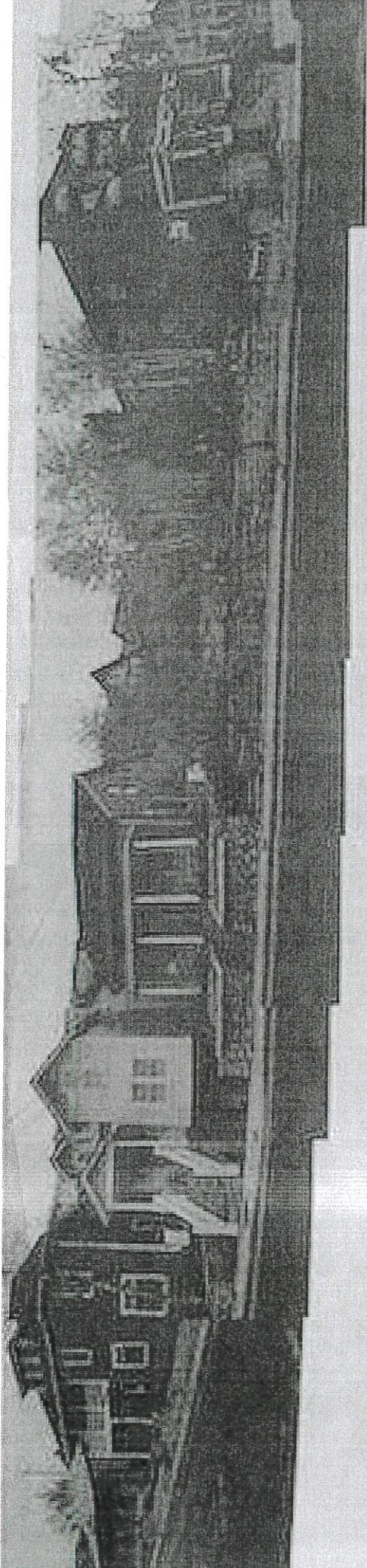
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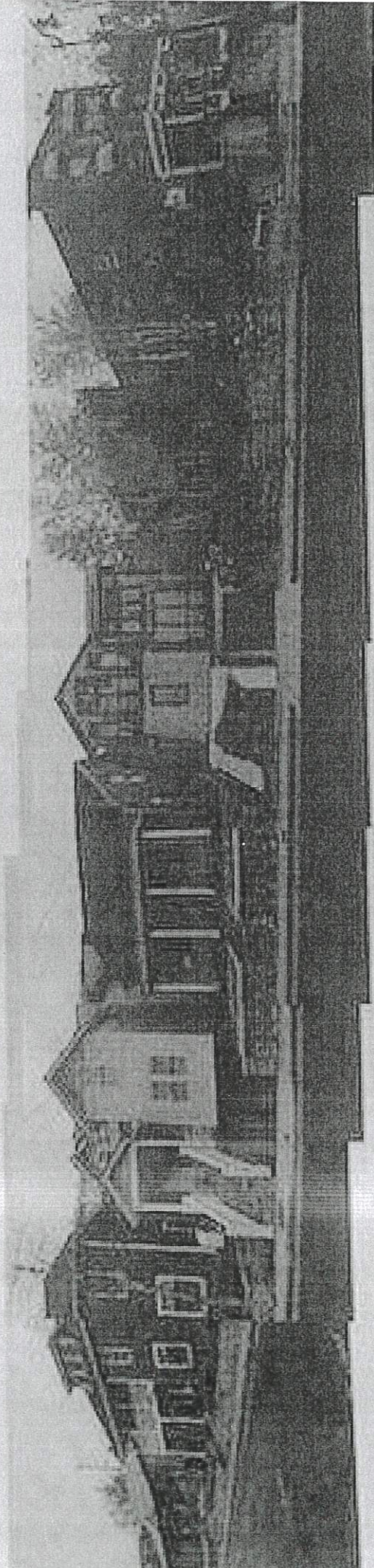


NO STREETSCAPE

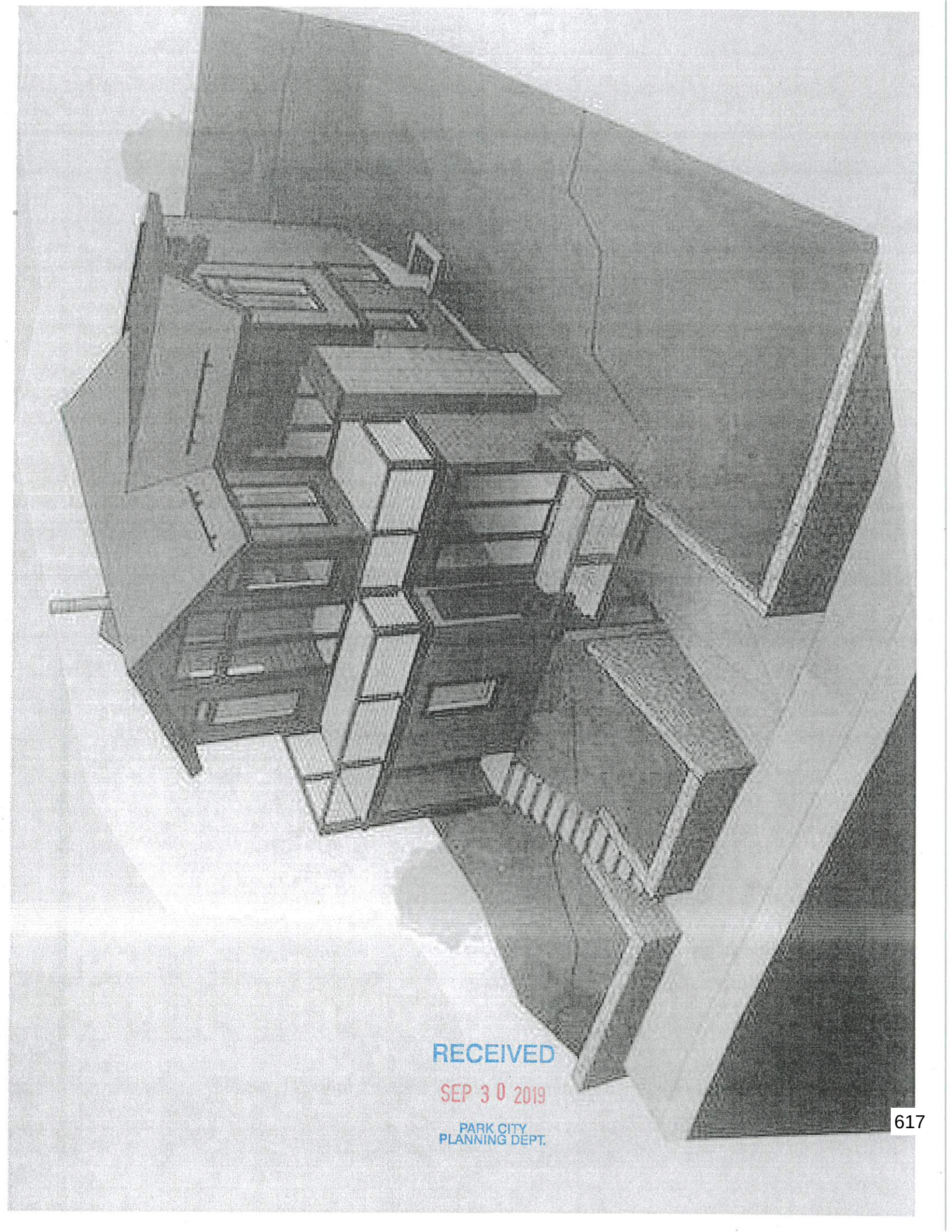
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USED STREETSCAPE



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Cody Vaughn Derrick
839 E South Temple #208
Salt Lake City, UT 84102-1390

Moore William M Trust
1776 Park Ave #4-438
Park City, UT 84060-5148

Jon Malcolm Benoist & Ellen Ellis Hendrickson
Po Box 1884
Park City, UT 84060-1884

Scott & Erin Mcpherson
4675 Rancho Verde Trl
San Diego, CA 92130-5236

Kristine Getzie
3560 Big Spruce Way
Park City, UT 84098-4621

Heimo & Maria Ritzinger
2653 Red Pine Ct
Park City, UT 84060-6829

Mark Stemler
524 Sibert Ave
Destin, FL 32541-1617

Richard & Cheryl Gale
31931 Peppertree Bnd
San Juan Capistrano, CA 92675-3941

Kurt & Catherine Reinke
3625 N Pantano Rd
Tucson, AZ 85750-2346

Michael John Kirby & Aimee Beth Wolfson
2210 Washington Ave
Santa Monica, CA 90403-2132

Douglas C Stephens & Cody Vaughn Derrick
Po Box 681939
Park City, UT 84068-1939

Ralph & Nancy Santangelo
Po Box 1801
Park City, UT 84060-1801

Jordan & Willemina Yospe
971 Chattanooga Ave
Pacific Palisades, CA 90272-2328

Gregg & Dawn Vagstad
Po Box 1053
Park City, UT 84060-1053

Patriot Family Trust
139 Main St
Evanston, UT 82930

David A Cox-Depelheuer
212 Hermitage Dr
Radnor, PA 19087-3722

Ishmael Jeffrey Trust
22 Mission Bay Dr
Corona Del Mar, CA 92625-1016

Main Suite, LLC
PO Box 981795
Park City, UT 84098-9998

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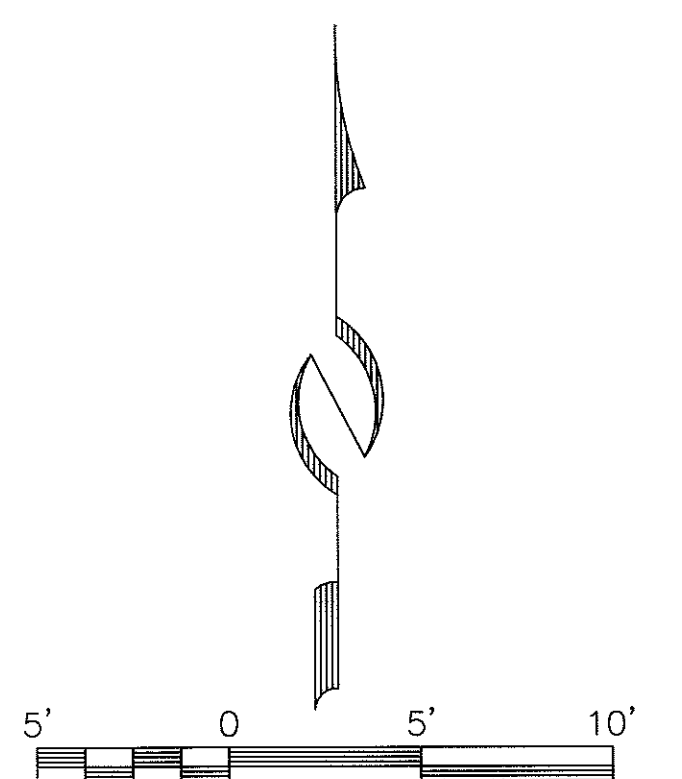
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
LOT 10 & A PORTION OF LOT 11, BLOCK 13
PARK CITY AMENDED SURVEY
RECORD OF SURVEY-EXISTING CONDITIONS
SUMMIT COUNTY, UTAH

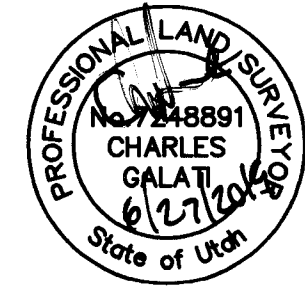
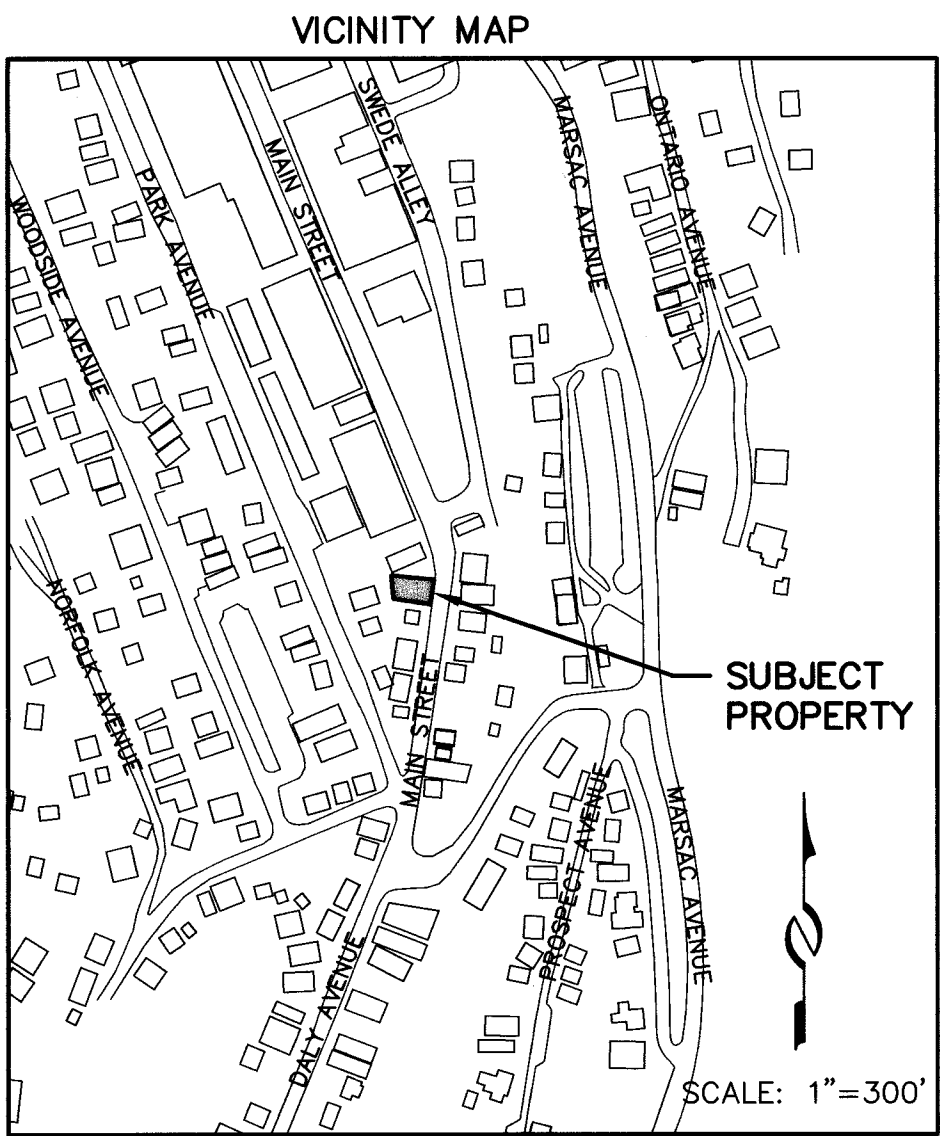
I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this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

All of Lot 10 and a southerly portion of Lot 11, Block 13, Amended Plat of the Park City Survey, according to the official plat thereof, on file and of record in the Office of the Summit County Recorder, said southerly portion of Lot 11, being more particularly described as follows;

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was performed November 19, 2018, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and no easements or setbacks were located as part of this survey. This owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, 151 Main Street Subdivision Plat, 160 Park Avenue Replat, Records of Survey S-6063, S-9222 and S-9317 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were used to determine the boundary as shown on this plat.
6. Site Benchmark: Water Meter, Elevation=7133.3' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Measured bearings and distances, when different from record, are shown in parenthesis ().

- Found Monument
(As-Noted)
- Found Street Monument
(As-Noted)





SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described hereon, and have combined said tract into one (1) lot together with easements, hereafter to be known as 139 MAIN STREET PLAT AMENDMENT, and that the same has been monumented on the ground as shown.

LEGAL DESCRIPTION

All of Lot 10 and a southerly portion of Lot 11, Block 13, Amended Plat of the Park City Survey, according to the official plat thereof, on file and of record in the Office of the Summit County Recorder, said southerly portion of Lot 11, being more particularly described as follows;

Beginning at the southeasterly corner of Lot 11, Block 13, Amended Plat of the Park City Survey, and running thence along the southerly boundary of said Lot 11, North 81°06'00" West 64.58 feet to the southwesterly corner of Lot 11; thence along the westerly boundary of said Lot 11, North 05°39'57" West 10.50 feet; thence South 84°22'02" East 67.33 feet to the easterly boundary of said Lot 11; thence along said easterly boundary of Lot 11, South 08°54'00" West 14.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS THAT, Barry Turner and Cheryl Sandy, Trustees of the PATRIOT FAMILY TRUST DATED SEPTEMBER 28, 2017, hereby certify that they have caused this plat amendment to be made and hereby consent to the recordation of this plat amendment.

ALSO, the owner hereby irrevocably offers for dedication to Park City the easements and land for public use shown on this plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand
this 28th day of JUNE, 2019.
By: Barry Turner
Barry Turner, Trustee

In witness whereof, the undersigned set her hand
this 28 day of June, 2019.
By: Cheryl Sandy
Cheryl Sandy, Trustee

ACKNOWLEDGMENT

STATE OF UT)
COUNTY OF Summit)

On this 28 day of June, 2019, Barry Turner, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Trustee of the PATRIOT FAMILY TRUST DATED SEPTEMBER 28, 2017, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 139 MAIN STREET PLAT AMENDMENT.

By: Shannon Ireland
Notary Public
Shannon Ireland
Printed Name
Residing in: Summit
My Commission Expires: October 1, 2022
Commission No.: 702573

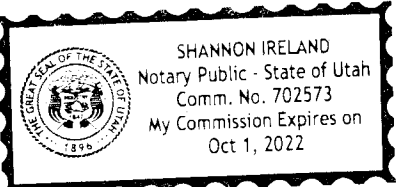


ACKNOWLEDGMENT

STATE OF UT)
COUNTY OF Summit)

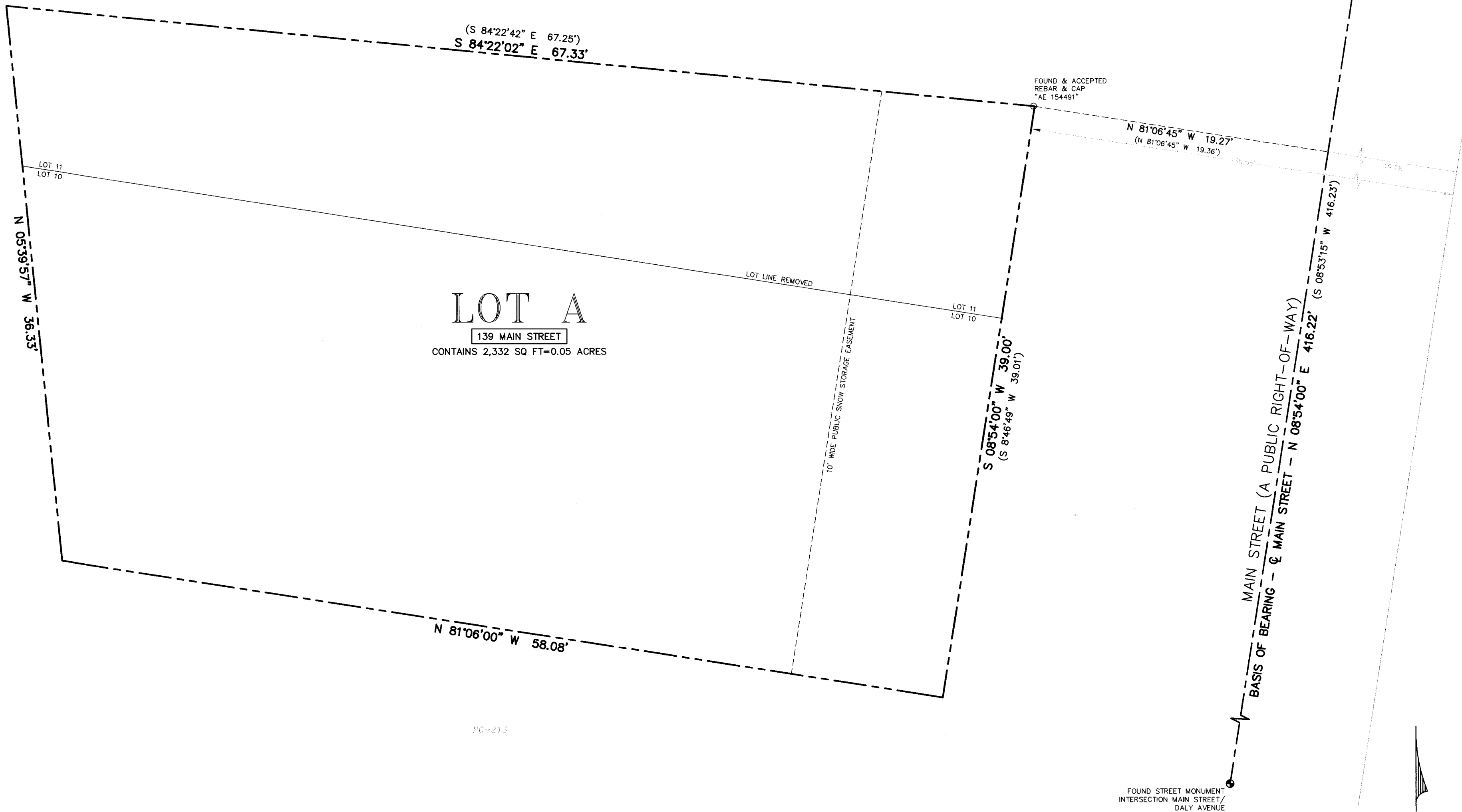
On this 28 day of June, 2019, Cheryl Sandy, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Trustee of the PATRIOT FAMILY TRUST DATED SEPTEMBER 28, 2017, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed the 139 MAIN STREET PLAT AMENDMENT.

By: Shannon Ireland
Notary Public
Shannon Ireland
Printed Name
Residing in: Summit
My Commission Expires: October 1, 2022
Commission No.: 702573



NOTES

- This plat amendment is subject to the Conditions of Approval in Ordinance 2019-14.
- Measured bearings and distances, when different from record, are shown in parenthesis ().
- See Record of Survey S-9669 in the Office of the Recorder, Summit County, Utah.
- Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
- The property is located in Zone X, areas determined to be outside the 0.2% annual chance floodplain, as shown on the Flood Insurance Rate Map of the Federal Emergency Management Agency, Panel 938, Map Number 49043C0938C, and has on effective date of March 16, 2006.



A LOT COMBINATION PLAT
BLOCK 13, PARK CITY SURVEY
139 MAIN STREET PLAT AMENDMENT

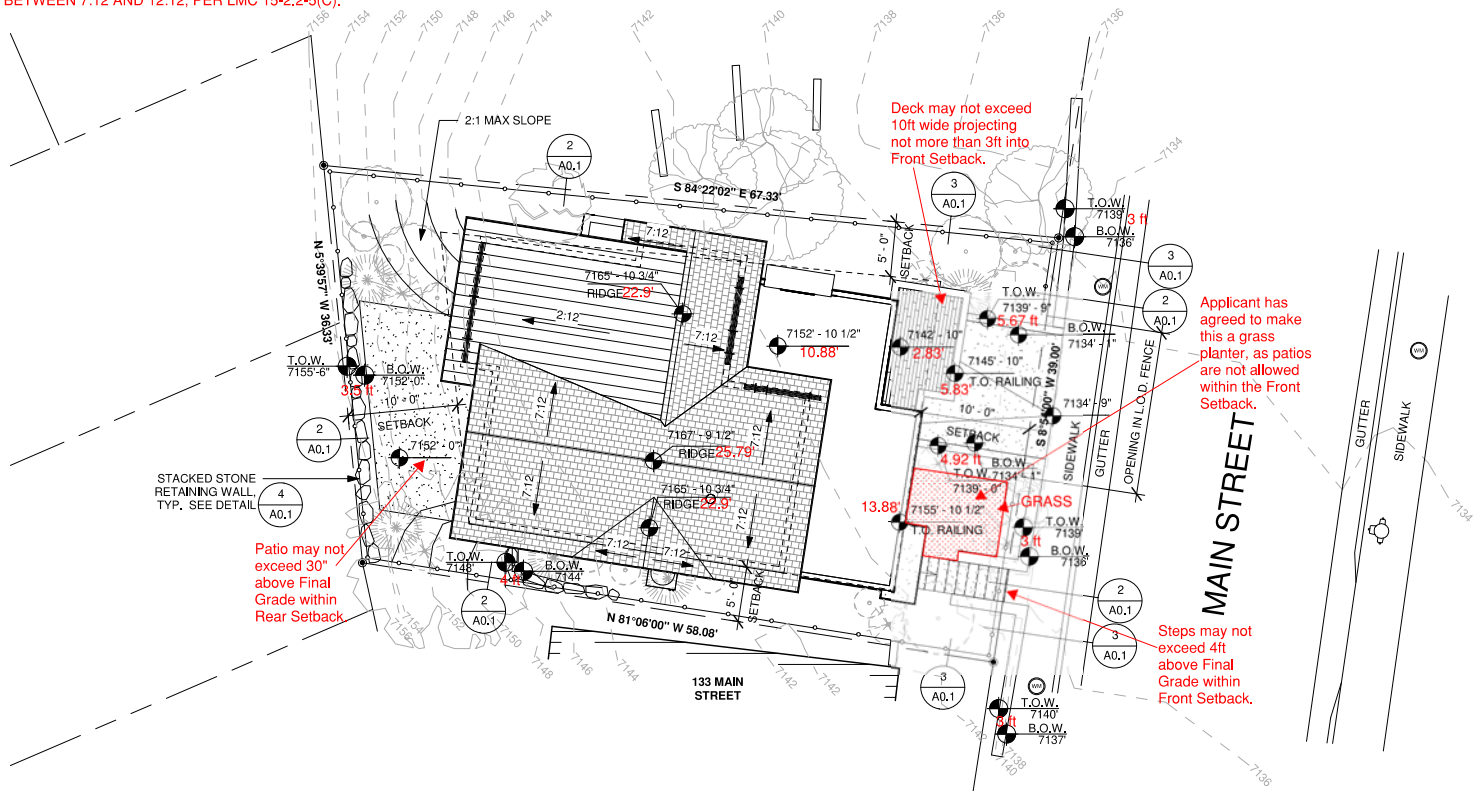
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

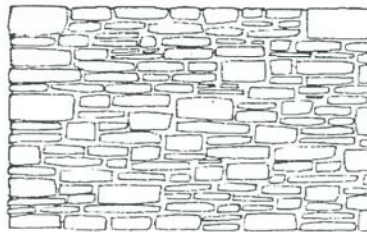
 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS <u>28th</u> DAY OF <u>June</u> , 2019 BY <u>[Signature]</u> S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 27TH DAY OF FEBRUARY, 2019 BY <u>[Signature]</u> CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>30</u> DAY OF <u>July</u> , 2019 BY <u>G. Bryan Tomlin</u> PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS <u>19th</u> DAY OF <u>April</u> , 2019 BY <u>[Signature]</u> PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 4TH DAY OF APRIL, 2019 BY <u>[Signature]</u> MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 4TH DAY OF APRIL, 2019 BY <u>[Signature]</u> PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF <u>Summit County Title Insurance Agency</u> # <u>5299</u> FEE TIME <u>3:56 PM</u> DATE <u>8/22/2019</u> ENTRY NO. <u>1116474</u>
--	--	--	--	--	--	---	--

THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN AT ALL TIMES THE PROPERTY OF JONATHAN DEGRAY - ARCHITECT P.C. REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF JONATHAN DEGRAY - ARCHITECT P.C. VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.
JONATHAN DEGRAY - ARCHITECT P.C. ALL RIGHTS RESERVED

- ALL NOTES APPLY TO ALL SHEETS.
-SEE ALL SHEETS FOR ALL NOTES.
-ALL WORK MUST BE WITHIN THE APPROVED LOD AND WITHIN PROPERTY LINES.
-ALL PARKING SHALL COMPLY WITH LMC 15-3-3.
-MAXIMUM DRIVEWAY WIDTH IS 12 FEET, PER THE DESIGN GUIDELINES.
-FINAL GRADE SHALL BE WITHIN FOUR VERTICAL FEET OF EXISTING GRADE.
-STONE-BASED MULCH IS NOT PERMITTED PER LMC § 15-5-5(N).
-ALL SIGNIFICANT VEGETATION SHALL BE MAINTAINED OR REPLACED IN KIND, PER LMC 15-5-5(N).
-ALL LANDSCAPED AREAS SHALL HAVE MORE VEGETATION THAN MULCH.
-THE MAXIMUM BUILDING FOOTPRINT ALLOWED, PER LMC 15-2-2-3(E), IS 991.4 SQUARE FEET.
-EXTERIOR MATERIALS SHALL ABIDE BY LMC § 15-5-5.
-STONE SHALL BE NATURAL PER LMC § 15-5-5(B)(6).
-THE MAXIMUM NUMBER OF EXTERIOR MATERIALS ON ONE FAÇADE IS 3, PER LMC § 15-5-5(D).
-ROOF MATERIAL SHALL NOT BE REFLECTIVE OR BRIGHTLY COLORED PER LMC § 15-5-5(E).
-ALL EXTERIOR METAL MATERIALS SHALL HAVE A SOLAR REFLECTIVE INDEX (SRI) OF 35 OR LESS.
-NO VINYL WINDOWS OR DOORS ARE PERMITTED.
-ALL STACKED STONE SHALL BE CONSISTENT IN COLOR, TEXTURE, AND SIZE TO HISTORIC ROCK WALLS.
-EXTERIOR MATERIALS SHALL HAVE AN OPAQUE RATHER THAN TRANSPARENT FINISH.
-EXTERIOR WOOD CANNOT BE RAW WOOD AND MUST BE STAINED OR PAINTED.
-ALL MECHANICAL EQUIPMENT SHALL COMPLY WITH LMC 15-5-5(L).
-ALL PROPOSED MECHANICAL AND UTILITY SYSTEMS AND SERVICE EQUIPMENT SHALL BE NOTED AND SHOWN IN PLAN ON THE CONSTRUCTION DOCUMENTS. IF EQUIPMENT IS LOCATED ON A SECONDARY FAÇADE, IT SHALL BE PLACED BEHIND THE MIDPOINT OR IN A LOCATION THAT IS NOT VISIBLE FROM THE PRIMARY PUBLIC RIGHT-OF-WAY ALONG WHATEVER STREET IS THE PRIMARY STREET. GROUND-LEVEL EQUIPMENT SHALL BE SCREENED USING LANDSCAPE ELEMENTS SUCH AS FENCES, LOW STONE WALLS, OR PERENNIAL PLANT MATERIALS.
-ALL MECHANICAL EQUIPMENT WITHIN THE REAR/SIDE SETBACKS MUST BE SCREENED AND LOCATED AT LEAST THREE FEET (3') FROM THE REAR AND SIDE LOT LINES.
-ROOF OVERHANGS MAY ONLY PROJECT UP TO THREE FEET (3') INTO THE FRONT SETBACK, ONLY UP TO TWO FEET (2') INTO THE REAR SETBACK, AND ONLY UP TO ONE FOOT (1') INTO THE SIDE SETBACKS.
-ALL FENCES/RETAINING WALLS CANNOT EXCEED FOUR FEET IN HEIGHT WITHIN THE FRONT SETBACK. FENCES/RETAINING WALLS IN THE SIDE/REAR SETBACKS SHALL NOT EXCEED 4/167 FEET IN HEIGHT.
-PATIOS, DECKS, PATHWAYS, STEPS MAY NOT EXCEED 30" ABOVE FINAL GRADE WITHIN THE REAR SETBACK.
-EXTERIOR LIGHTING SHALL BE DOWN-DIRECTED AND SHIELDED PER LMC § 15-5-5(J)(12).
-ALL EXTERIOR LIGHTING FIXTURES SHALL BE APPROVED IN WRITING BY THE PLANNING DEPARTMENT PRIOR TO INSTALLATION.
-BUILDING HEIGHT SHALL COMPLY WITH LMC 15-2-2-5 AND SHALL NOT EXCEED 27 FEET FROM EXISTING GRADE.
-INTERIOR HEIGHT SHALL NOT EXCEED THIRTY-FIVE FEET (35'), PER LMC 15-2-2-5(A).
-A TEN FOOT HORIZONTAL STEP IN THE DOWNHILL FAÇADE IS REQUIRED, PER LMC 15-2-2-5(B).
-THE PRIMARY ROOF PITCH MUST BE BETWEEN 7:12 AND 12:12, PER LMC 15-2-2-5(C).



1 SITE PLAN
1/8" = 1'-0"



Squared Rubble
A rubble wall built of squared stones of varying sizes and coursed at every third or fourth stone.

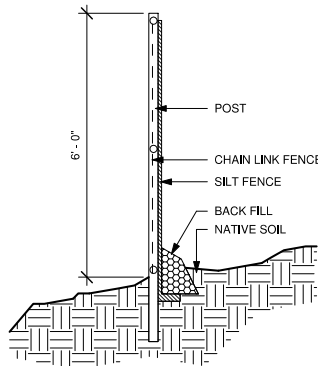
4 STACKED STONE DETAIL
3/4" = 1'-0"

SITE PLAN NOTES

- ALL SURFACE WATER SHALL DRAIN AWAY FROM THE HOUSE AT ALL POINTS, DIRECT THE DRAINAGE WATER TO THE STREET OR AN APPROVED DRAINAGE COURSE BUT NOT ONTO THE NEIGHBORING PROPERTIES. THE GRADE SHALL FALL A MINIMUM OF 6" WITHIN THE FIRST 10 FEET.
- STABILIZATION CONSTRUCTION ENTRANCE
- FOR A MINIMUM OF 50' FROM ROADWAY, A FILTER FABRIC SHALL BE INSTALLED OVER A COMPACTED SUBGRADE. A 6" LAYER OF 1'-2" AGGREGATE SHALL BE PLACED OVER THIS MEMBRANE. DAILY INSPECTION FOR SEDIMENT BUILD UP AND/OR LOSS OF GRAVEL WILL BE ENFORCED, AND REMEDIED AT ONCE.
- GRADING NOTES
- DRAINAGE TO COMPLY WITH IRC CHAPTER 4
- MAXIMUM ALTERED SLOPES AT 2:1
- MINIMUM SLOPE FOR DRAINAGE= 2%
- DRAIN AWAY FROM BUILDING
- CONTAIN DRAINAGE ON PROPERTY
- BOULDER RETAINING WALLS NOT TO EXCEED 4'-0" EXPOSED HEIGHT
- UTILITY NOTES
- ALL UTILITY LINES TO BE UNDERGROUND
- ABOVE GRADE UTILITY BOX TO BE IN SCREEN LOCATION
- SNOW REMOVAL
- SNOW PLOWED FROM DRIVE SHALL NOT BE PUSHED ONTO THE STREET

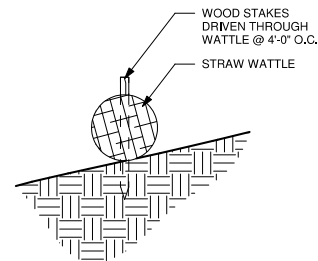
SYMBOL LEGEND

- INDICATES SURFACE DRAINAGE
- EXISTING GRADE
- PROPOSED GRADE
- SETBACK LINE
- PROPERTY LINE
- L.O.D. FENCE
- SEWER MANHOLE
- SIGN
- POWER POLE
- FOUND REBAR W/ CAP
- WATER SERVICE LID



- SANDBAGS WILL BE PLACED AT DISCHARGE LOCATIONS TO CONTAIN AND DIVERT STORM WATER THROUGH STRAW BALES.
- AN EARTHEN BERM 6" HIGH WILL BE CONSTRUCTED TO CONTAIN THE STORM WATER AND DIVERT IT TO DISCHARGE AREAS.
- STORM WATER WILL BE DISCHARGED INTO AN EXISTING DRAINAGE SYSTEM. EXISTING LINES SHALL BE INSPECTED PRIOR TO CERTIFICATE OF OCCUPANCY AND CLEANED IF NECESSARY.
- THE STORM WATER PREVENTION PLAN SHALL CONFORM TO ALL STATE DIVISION OF ENVIRONMENTAL PROTECTION REGULATIONS.

2 CHAIN LINK FENCE SECTION
1/2" = 1'-0"



3 STRAW WATTLE SECTION
3/4" = 1'-0"

Jonathan DeGray
A r c h i t e c t
P.O. Box 1674, 614 Main Street, Suite 302, Park City, Utah 84060
Tel. 435-649-7263, E-mail: jdegray@questoffice.net

TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

SITE PLAN

SHEET DESCRIPTION:

REVISIONS:
August 28th, 2019

DATE:
June 25th, 2019

PROJECT NUMBER:

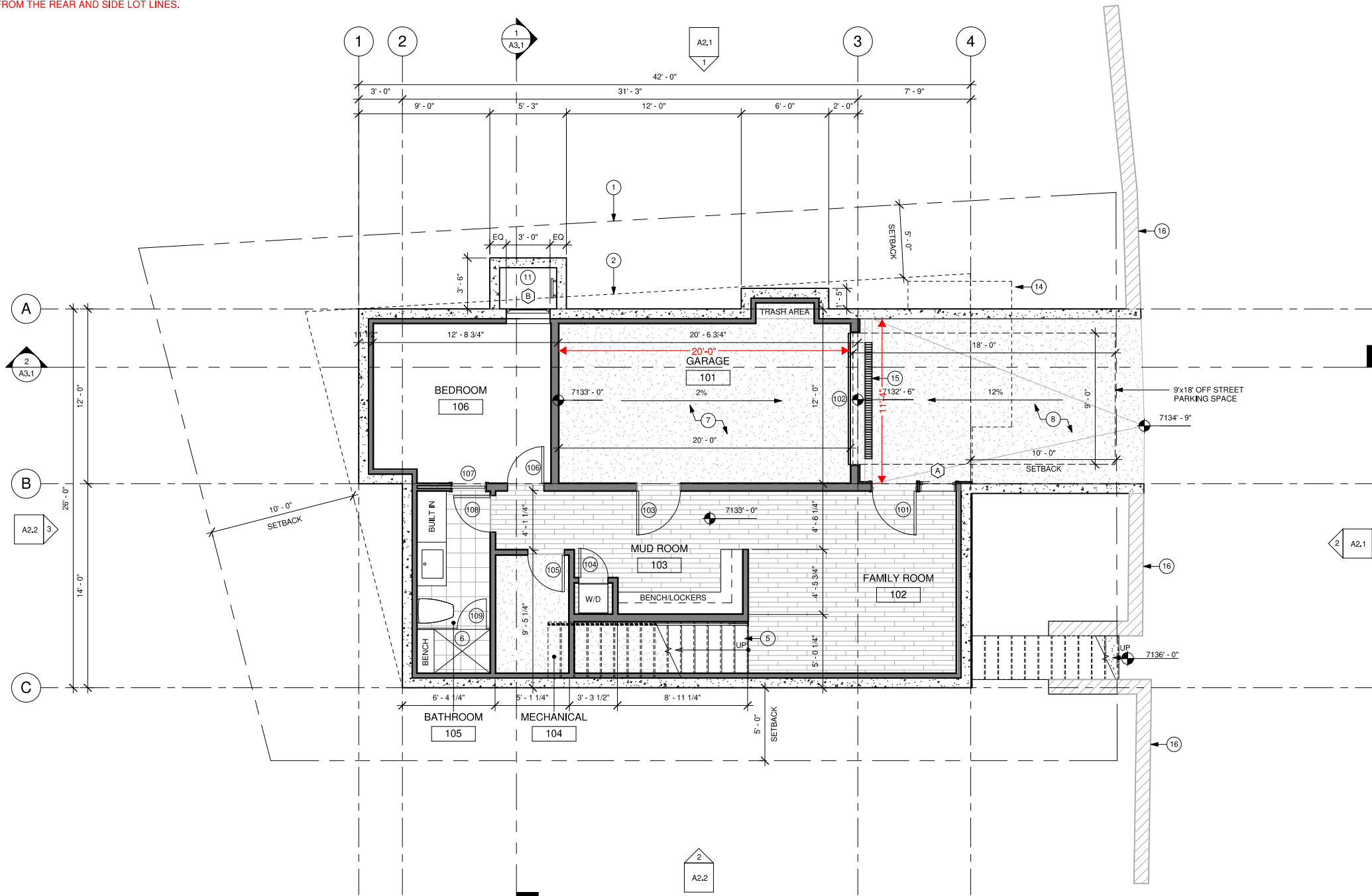
SHEET NUMBER:

A0.1

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-SEE ALL SHEETS FOR ALL NOTES.
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-MAXIMUM DRIVEWAY WIDTH IS 12 FEET, PER THE DESIGN GUIDELINES.
-THE MAXIMUM BUILDING FOOTPRINT ALLOWED, PER LMC 15-2-2-3(E), IS 991.4 SQUARE FEET.
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-ALL MECHANICAL EQUIPMENT WITHIN THE REAR/SIDE SETBACKS MUST BE SCREENED AND LOCATED AT LEAST THREE FEET (3') FROM THE REAR AND SIDE LOT LINES.

PARK CITY
1884
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PARK CITY PLANNING DEPT.
Planner - Laura Kuhrmeyer
08/29/2019



1 LOWER LEVEL PLAN
1/4" = 1'-0"

GENERAL NOTES

ALL DIMENSIONS ARE APPROXIMATE AND ARE TO BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION

- 2x FRAMED WALL
CONCRETE WALL

1. EXTERIOR WALLS TO BE 2x6 FRAMING W/ R-38 INSULATION - TYP. ALL INTERIOR WALLS TO BE 2x4 FRAMING, U.N.O. W/ R-13 INSULATION - TYP. ALL INTERIOR PLUMBING AND BEARING WALLS TO BE 2x6 FRAMING, U.N.O. W/ R-19 INSULATION - TYP. ALL FLOOR JOIST TO BE 2x8 FRAMING U.N.O. W/ R-38 INSULATION - TYP. ALL ROOF JOIST TO BE 2x8 FRAMING U.N.O. W/ R-49 INSULATION - TYP.

KEY NOTES

1. PROPERTY LINE
2. SET BACK LINE
3. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE
4. NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE ICC-ES APPROVED. ON ICE AND WATER MEMBRANE
5. FOR TYPICAL STAIRWAY, HANDRAILING AND GUARDRAILING NOTES & DETAILS SEE SHEET A5.1
6. TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER; GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION
7. 5/8" TYPE "X" ON GARAGE CEILING AND WALLS SEPARATING THE GARAGE AND LIVING SPACE
8. 4" REINFORCED CONCRETE PATIO/PORCH/ DRIVEWAY ON 4" GRAVEL BASE
9. 48" HEAT AND GLO SLIMLINE GAS FIREPLACE, #SL-9X, FRAME ON 10" PLATFORM. SEALED GAS APPLIANCE APPROVED FOR SLEEPING AREAS.
10. 36" HIGH CABLE GUARD RAILING: 2x6 SHAPED HARDWOOD CONTINUOUS TOP CAP, W/ 3/8" DIA. STEEL CABLE, HORIZONTAL, SPACED LESS THAN 4", THROUGH 3"x3" VERTICAL TUBE STEEL POSTS AND 6x6 VERTICAL END POST.
11. 3'-0" CLEAR CONCRETE LIGHT WELL W/ STEEL EGRESS LADDER AND EGRESS WINDOW
12. 10" DIAMETER STAINLESS STEEL CHIMNEY
13. SNOW RETENTION BARS S-5 X-GARD 2.0 OR EQUAL. SEE DETAIL 16/A5.2
14. DASHED LINE INDICATED ELEMENTS ABOVE
15. SLOTTED GALVANIZED STEEL GRATING DRIVEWAY SLOT/TRENCH DRAIN W/ CAST IRON GRATES
16. EXISTING STONE WALL TO REMAIN AND TO BE PATCHED AND REPAIRED AS REQUIRED
17. WOOD DECKING ON WOOD FRAMED DECK
18. HEATED DECK: WATERPROOF MEMBRANE ON 7/8" WARMBOARD HEATING SYSTEM ON SLOPED SLEEPERS ON 3/4" PLYWOOD P.T. DECK JOIST

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TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

LOWER LEVEL PLAN

SHEET DESCRIPTION:

REVISIONS:

August 28th, 2019

DATE:

June 25th, 2019

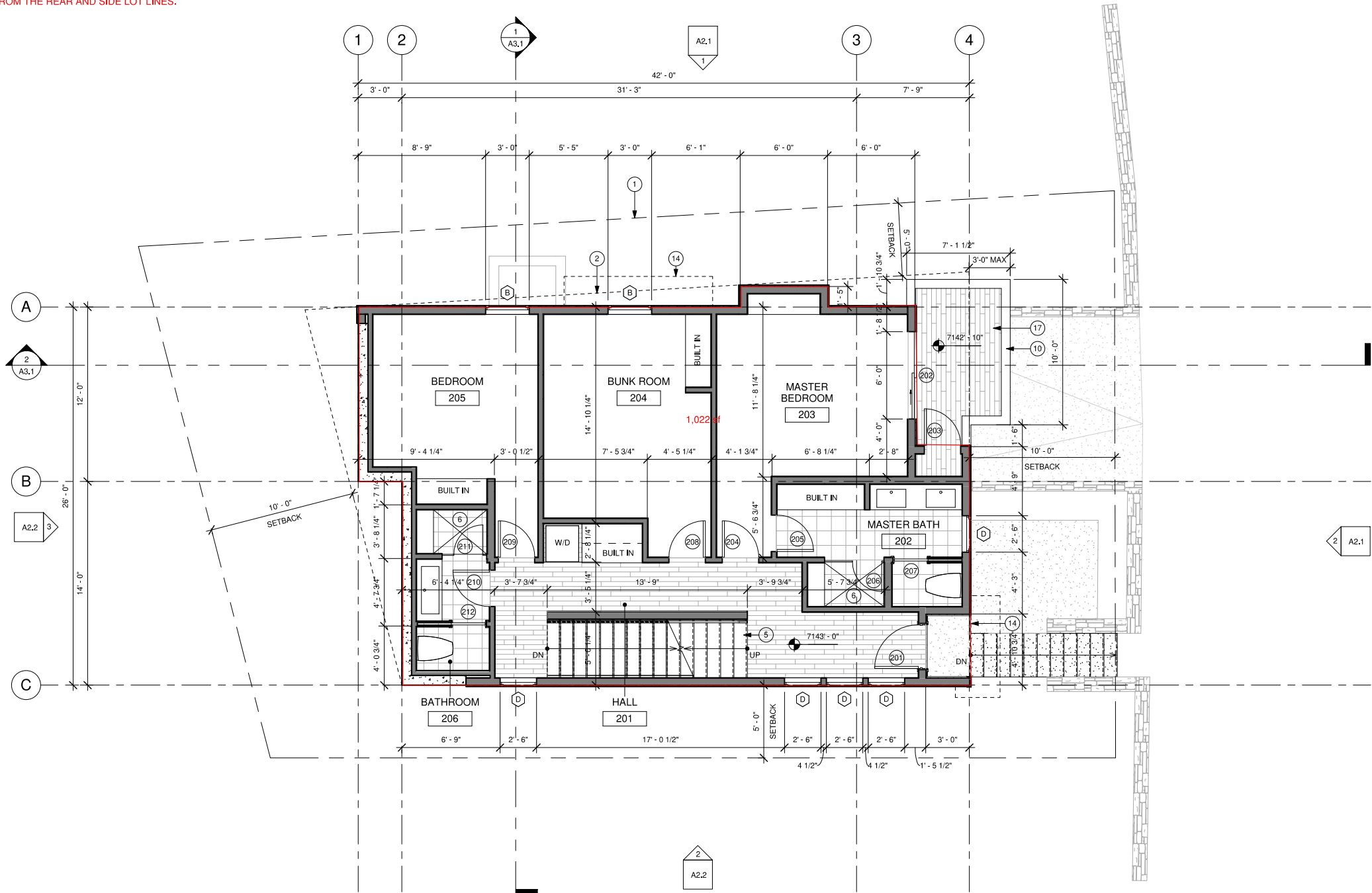
PROJECT NUMBER:

SHEET NUMBER:

A1.1

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PARK CITY
1884
APPROVED
PARK CITY PLANNING DEPT.
Planner - Laura Kuhmeyer
08/29/2019



1 MAIN LEVEL PLAN
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GENERAL NOTES

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KEY NOTES

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2 SET BACK LINE
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Jonathan DeGray
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TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

MAIN LEVEL PLAN

SHEET DESCRIPTION:

REVISIONS:

August 28th, 2019

DATE:

June 25th, 2019

PROJECT NUMBER:

SHEET NUMBER:

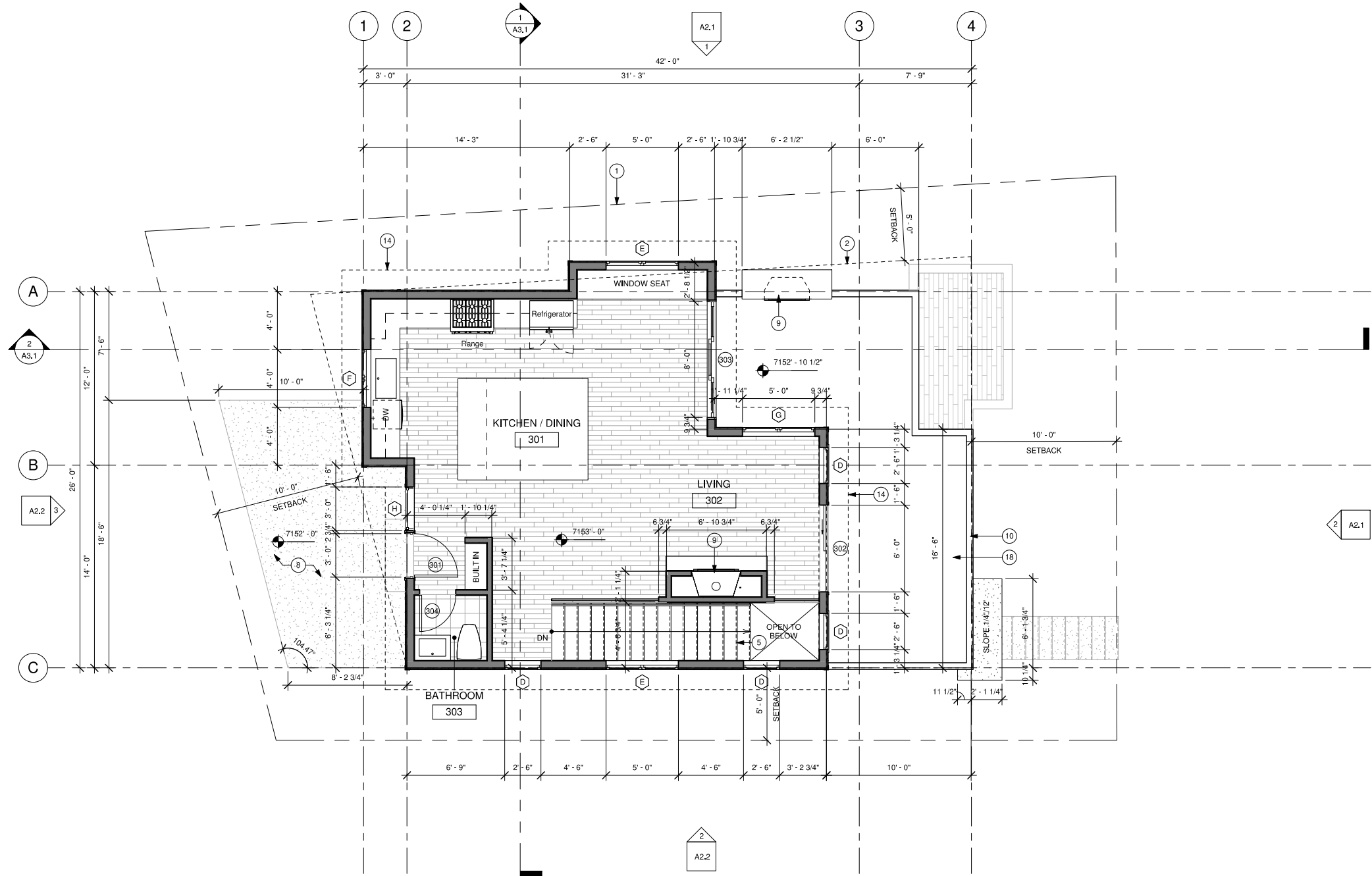
A1.2

623

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PARK CITY
1884
APPROVED
PARK CITY PLANNING DEPT.
Planner - Laura Kuhrmeyer
08/29/2019



1 UPPER LEVEL PLAN
1/4" = 1'-0"

GENERAL NOTES

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TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

UPPER LEVEL PLAN

SHEET DESCRIPTION:

REVISIONS:

August 28th, 2019

DATE:

June 25th, 2019

PROJECT NUMBER:

SHEET NUMBER:

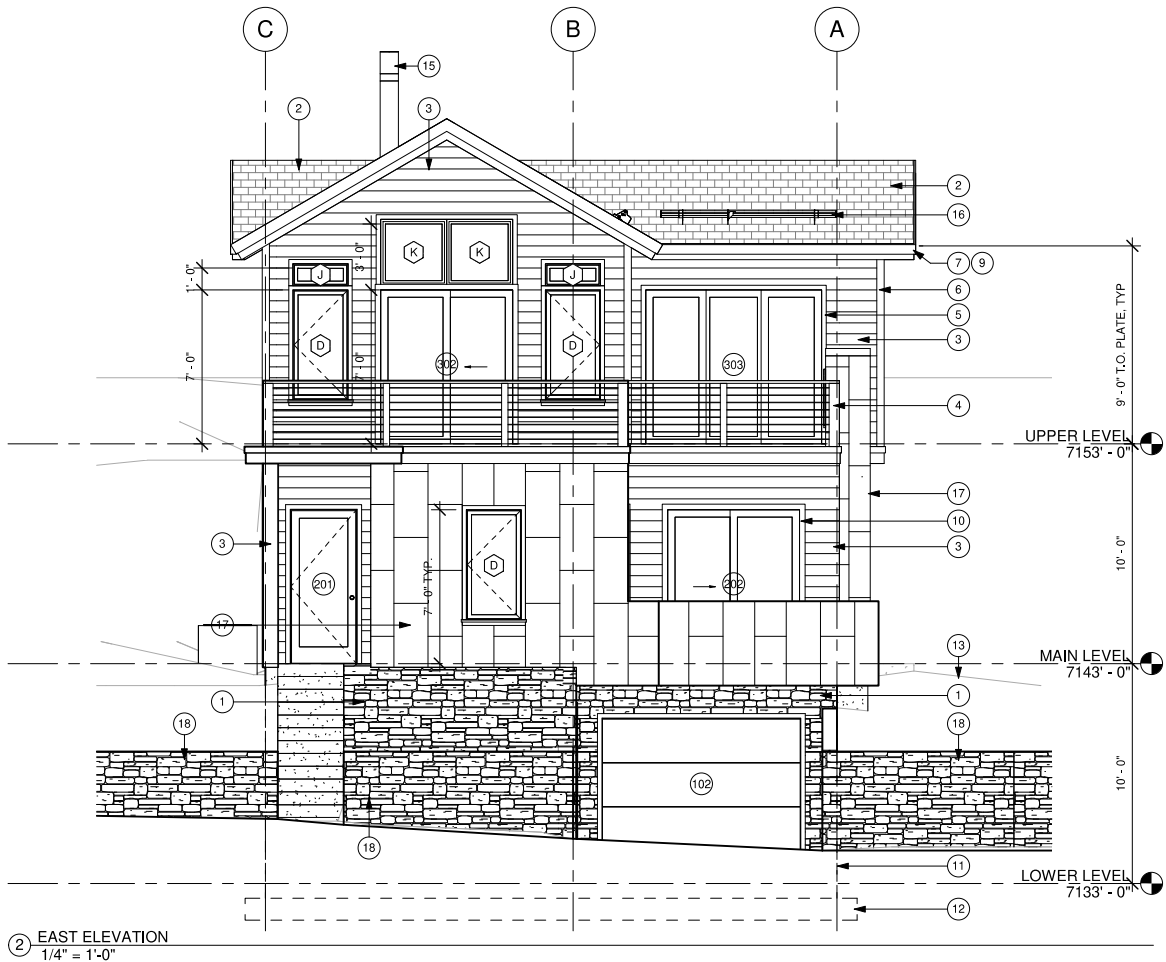
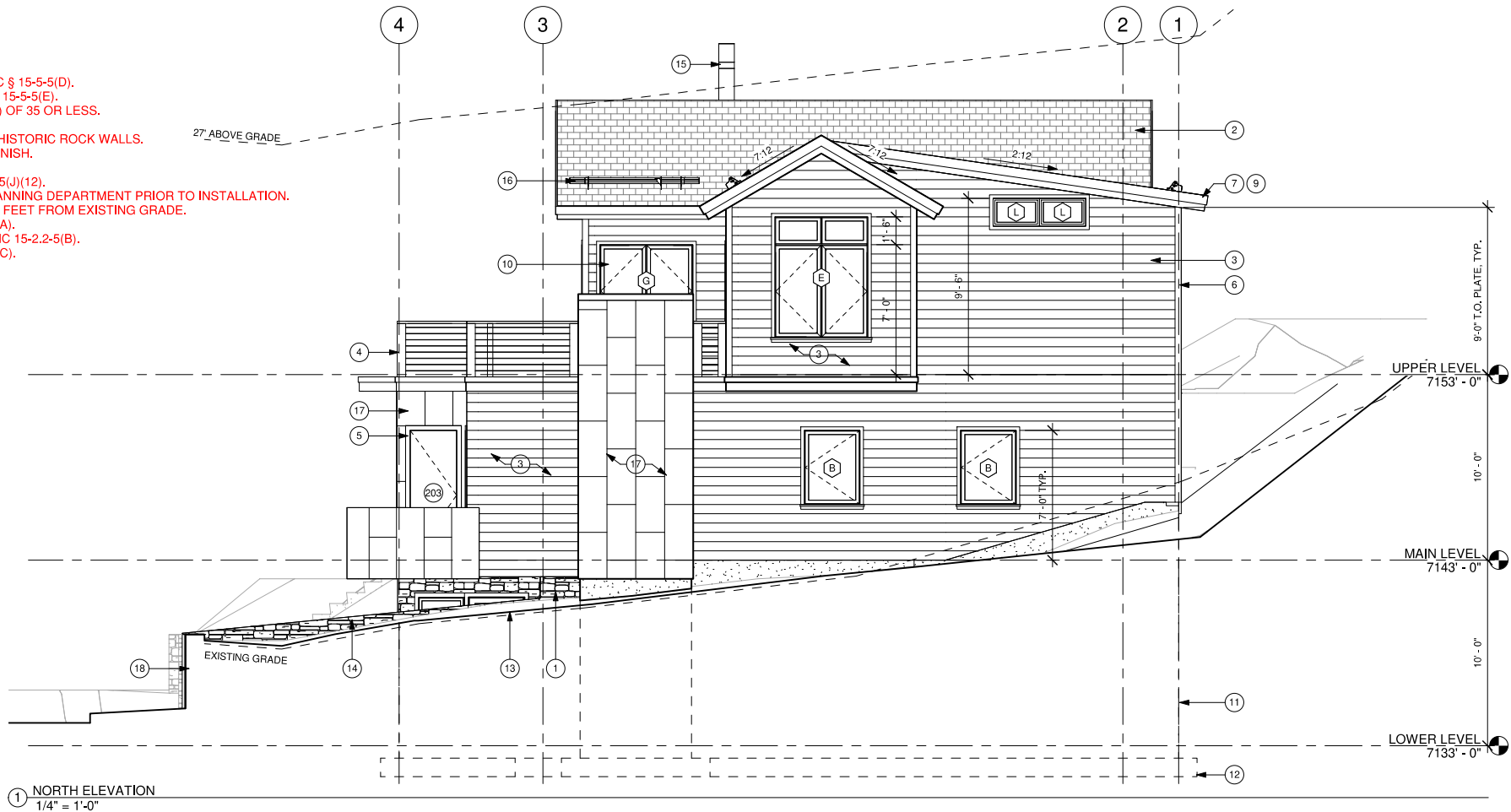
A1.3

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-STONE SHALL BE NATURAL PER LMC § 15-5-5(B)(6).
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-ROOF MATERIAL SHALL NOT BE REFLECTIVE OR BRIGHTLY COLORED PER LMC § 15-5-5(E).
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-NO VINYL WINDOWS OR DOORS ARE PERMITTED.
-ALL STACKED STONE SHALL BE CONSISTENT IN COLOR, TEXTURE, AND SIZE TO HISTORIC ROCK WALLS.
-EXTERIOR MATERIALS SHALL HAVE AN OPAQUE RATHER THAN TRANSPARENT FINISH.
-EXTERIOR WOOD CANNOT BE RAW WOOD AND MUST BE STAINED OR PAINTED.
-EXTERIOR LIGHTING SHALL BE DOWN-DIRECTED AND SHIELDED PER LMC § 15-5-5(J)(12).
-ALL EXTERIOR LIGHTING FIXTURES SHALL BE APPROVED IN WRITING BY THE PLANNING DEPARTMENT PRIOR TO INSTALLATION.
-BUILDING HEIGHT SHALL COMPLY WITH LMC 15-2-2-5 AND SHALL NOT EXCEED 27 FEET FROM EXISTING GRADE.
-INTERIOR HEIGHT SHALL NOT EXCEED THIRTY-FIVE FEET (35'), PER LMC 15-2-2-5(A).
-A TEN FOOT HORIZONTAL STEP IN THE DOWNHILL FAÇADE IS REQUIRED, PER LMC 15-2-2-5(B).
-THE PRIMARY ROOF PITCH MUST BE BETWEEN 7:12 AND 12:12, PER LMC 15-2-2-5(C).



APPROVED
PARK CITY PLANNING DEPT.
Planner - Laura Kuhrmeyer
08/29/2019



GENERAL NOTES

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KEY NOTES

- 1 NATURAL STONE VENEER
2 ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE
3 1x6 HORIZONTAL CEDAR WOOD LAP SIDING ON TYVEK HOMEWRAP ON 2x6 FRAMING PROVIDE SOLID BLOCKING @ 24" O.C.
4 36" HIGH CABLE GUARD RAILING: 2x6 SHAPED HARDWOOD CONTINUOUS TOP CAP, W/ 3/8" DIA. STEEL CABLE, HORIZONTAL, SPACED LESS THAN 4". THROUGH 3"x3" VERTICAL TUBE STEEL POSTS AND 6x6 VERTICAL END POST.
5 1x4 WOOD TRIM AT WINDOWS AND DOORS, TYP. REFER TO DETAILS ON SHEET AS.1 FOR FLASHING DETAILS
6 1x4 WOOD TRIM AT CORNER CONDITIONS, TYP.
7 1x4 STAINED WOOD FASCIA W/ BRONZE DRIP EDGE OVER 1x8 BUILT-UP STAINED WOOD FASCIA
8 NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE ICC-ES APPROVED, ON ICE AND WATER MEMBRANE
9 1 1/2" x 3 1/2" CONTINUOUS METAL DRIP EDGE
10 BLACK ANODIZED ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS, TYP. - SEE SCHEDULE
11 FOUNDATION LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
12 FOOTING LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
13 FINISH GRADE TO SLOPE AWAY FROM HOUSE A MIN. OF 6" WITHIN THE FIRST 10', IRC R401.3
14 STACKED STONE RETAINING WALL
15 10" DIAMETER STAINLESS STEEL CHIMNEY
16 SNOW RETENTION BARS S-5 X-GARD 2.0 OR EQUAL, SEE DETAIL 16/AS.2
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Architect

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TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

NORTH AND EAST ELEVATIONS

SHEET DESCRIPTION:

REVISIONS:

August 28th, 2019

DATE:

June 25th, 2019

PROJECT NUMBER:

625

SHEET NUMBER:

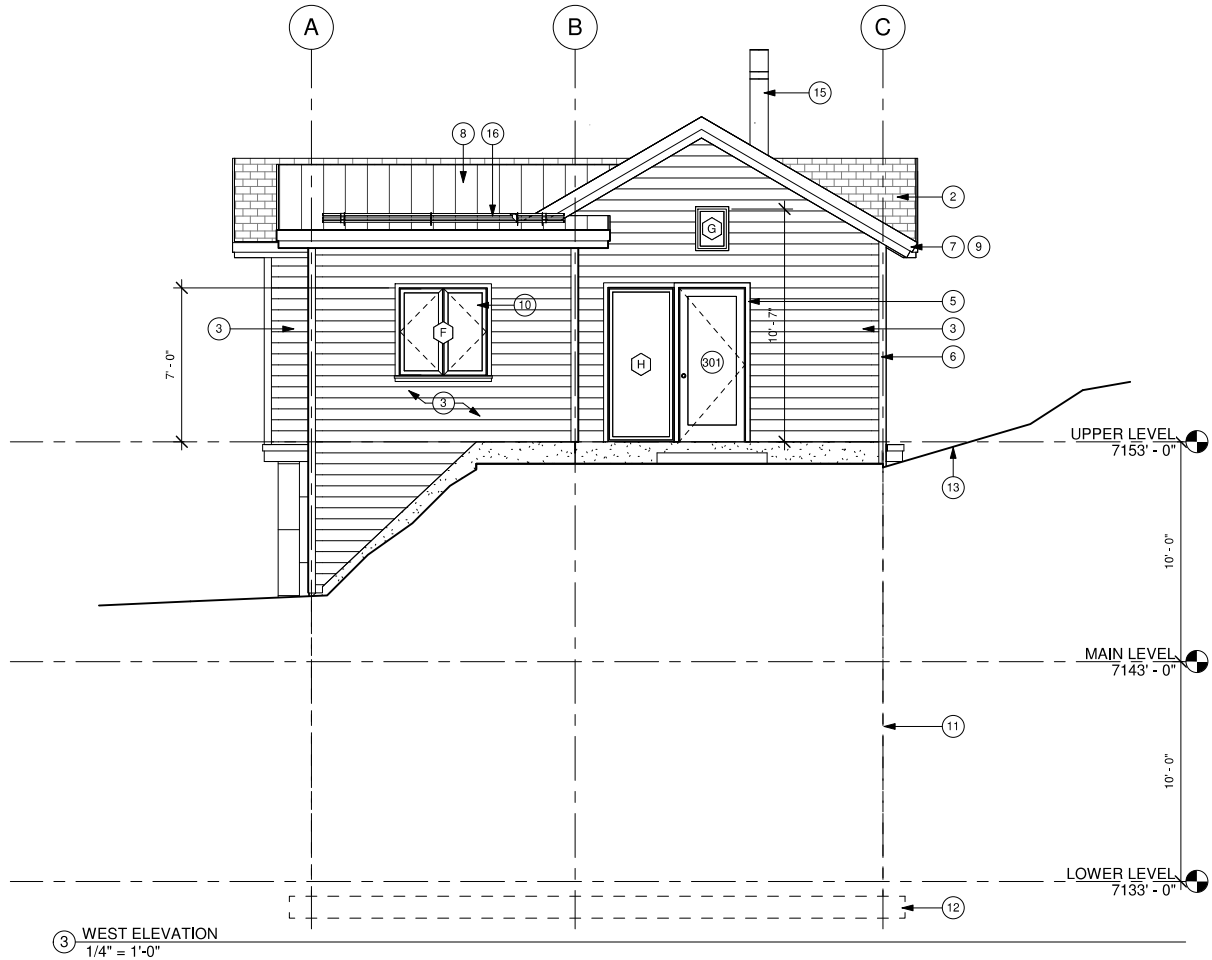
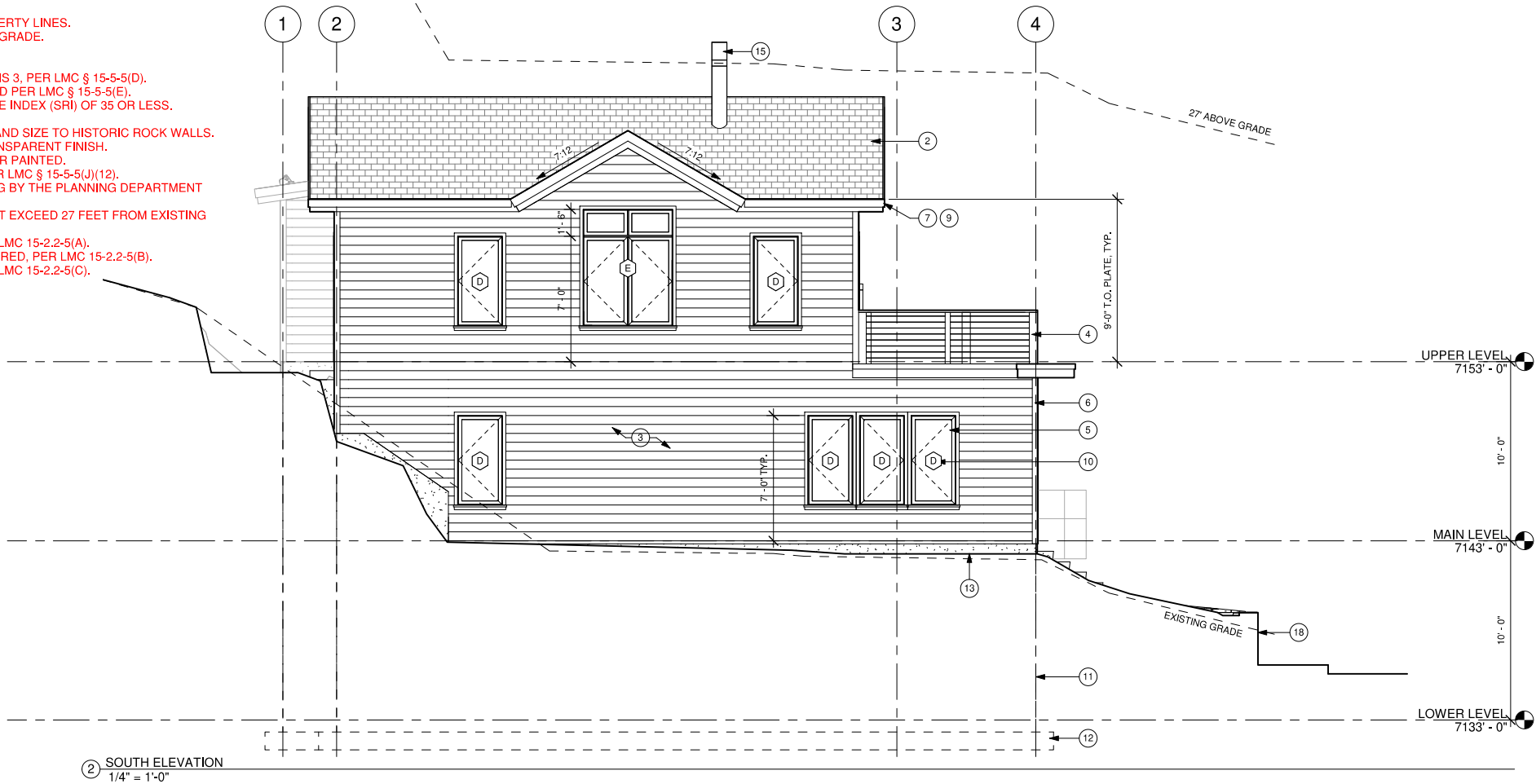
A2.1

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APPROVED
PARK CITY PLANNING DEPT.
Planner - Laura Kuhrmeyer
08/29/2019



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KEY NOTES

1. NATURAL STONE VENEER
2. ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (355# PER SQUARE, MIN.) ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE
3. 1x6 HORIZONTAL CEDAR WOOD LAP SIDING ON TYVEK HOMEWRAP ON 2x6 FRAMING PROVIDE SOLID BLOCKING @ 24" O.C.
4. 36" HIGH CABLE GUARD RAILING: 2x6 SHAPED HARDWOOD CONTINUOUS TOP CAP, W/ 3/8" DIA. STEEL CABLE, HORIZONTAL, SPACED LESS THAN 4", THROUGH 3"x3" VERTICAL TUBE STEEL POSTS AND 6x6 VERTICAL END POST.
5. 1x4 WOOD TRIM AT WINDOWS AND DOORS, TYP. REFER TO DETAILS ON SHEET AS.1 FOR FLASHING DETAILS
6. 1x4 WOOD TRIM AT CORNER CONDITIONS, TYP.
7. 1x4 STAINED WOOD FASCIA W/ BRONZE DRIP EDGE OVER 1x8 BUILT-UP STAINED WOOD FASCIA
8. NON-REFLECTIVE STANDING SEAM METAL ROOF. METAL ROOF TO BE ICC-ES APPROVED, ON ICE AND WATER MEMBRANE
9. 1 1/2" x 3 1/2" CONTINUOUS METAL DRIP EDGE
10. BLACK ANODIZED ALUMINUM CLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS, TYP. - SEE SCHEDULE
11. FOUNDATION LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
12. FOOTING LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
13. FINISH GRADE TO SLOPE AWAY FROM HOUSE A MIN. OF 6" WITHIN THE FIRST 10', IRC R401.3
14. STACKED STONE RETAINING WALL
15. 10" DIAMETER STAINLESS STEEL CHIMNEY
16. SNOW RETENTION BARS S-5 X-GARD 2.0 OR EQUAL, SEE DETAIL 16/A5.2
17. METAL PANELS ON TYVEK HOMEWRAP ON 2x6 FRAMING PROVIDE SOLID BLOCKING @ 24" O.C.
18. EXISTING STONE WALL TO REMAIN AND TO BE PATCHED AND REPAIRED AS REQUIRED

Jonathan DeGray
A r c h i t e c t
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Tel. 435-649-7263, E-mail: deggrayarc@westoffice.net

TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

SOUTH AND WEST ELEVATIONS

SHEET DESCRIPTION:

REVISIONS:
August 28th, 2019

DATE:
June 25th, 2019

PROJECT NUMBER:

SHEET NUMBER:

A2.2



EXISTING STREETScape



PROPOSED STREETScape

Jonathan DeGray
Architect
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Tel: 435-646-7263, Email: deggray@jondeggray.com

TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

BEFORE / AFTER IMAGES

DATE: June 25th, 2019
PROJECT NUMBER:
SHEET NUMBER:
AI-01



EXISTING CONDITION 1



PROPOSED DESIGN 1



EXISTING CONDITION 2



PROPOSED DESIGN 2

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TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

BEFORE / AFTER IMAGES

REVISIONS:
August 14th, 2019

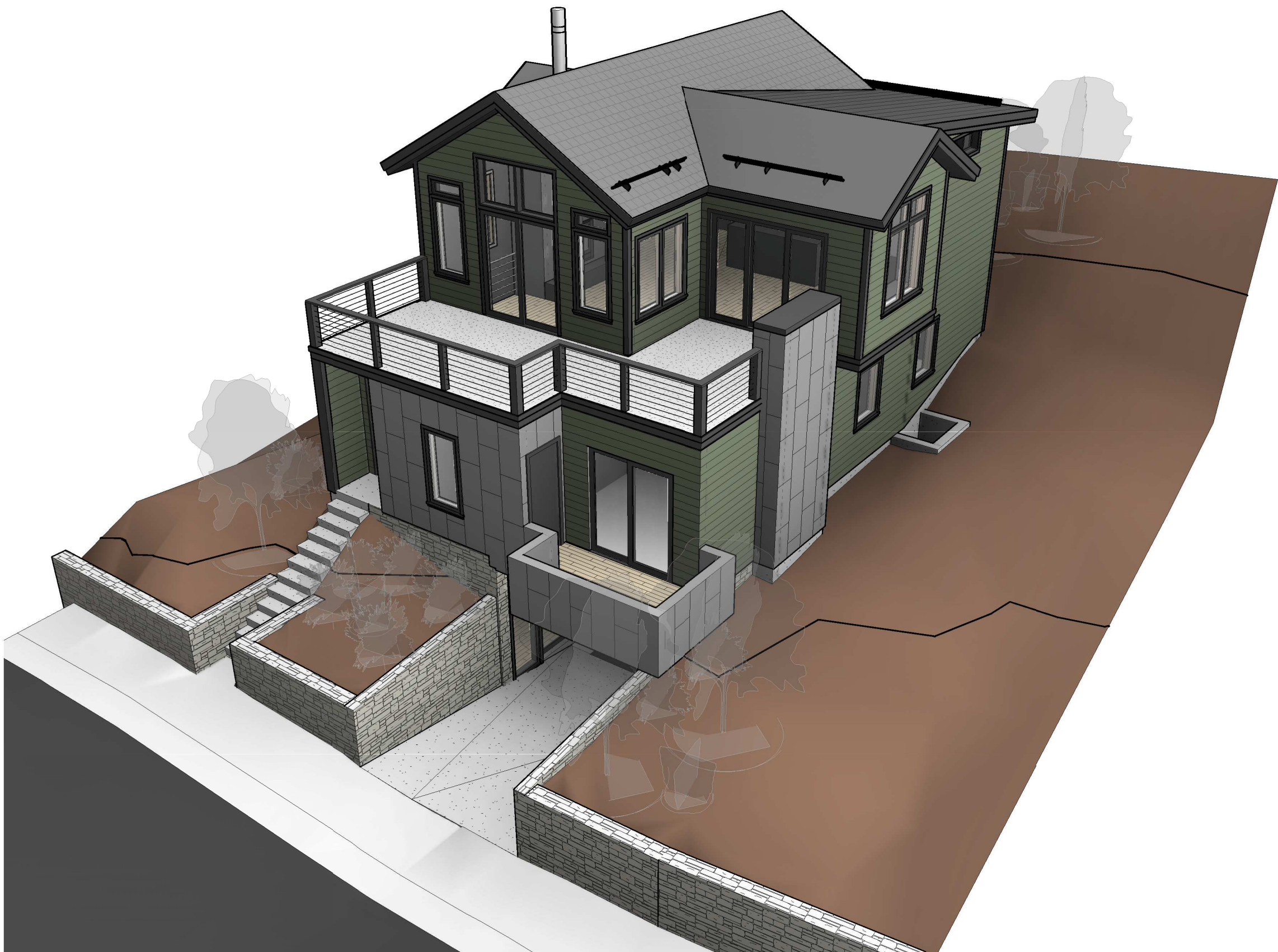
DATE:
June 25th, 2019

PROJECT NUMBER:

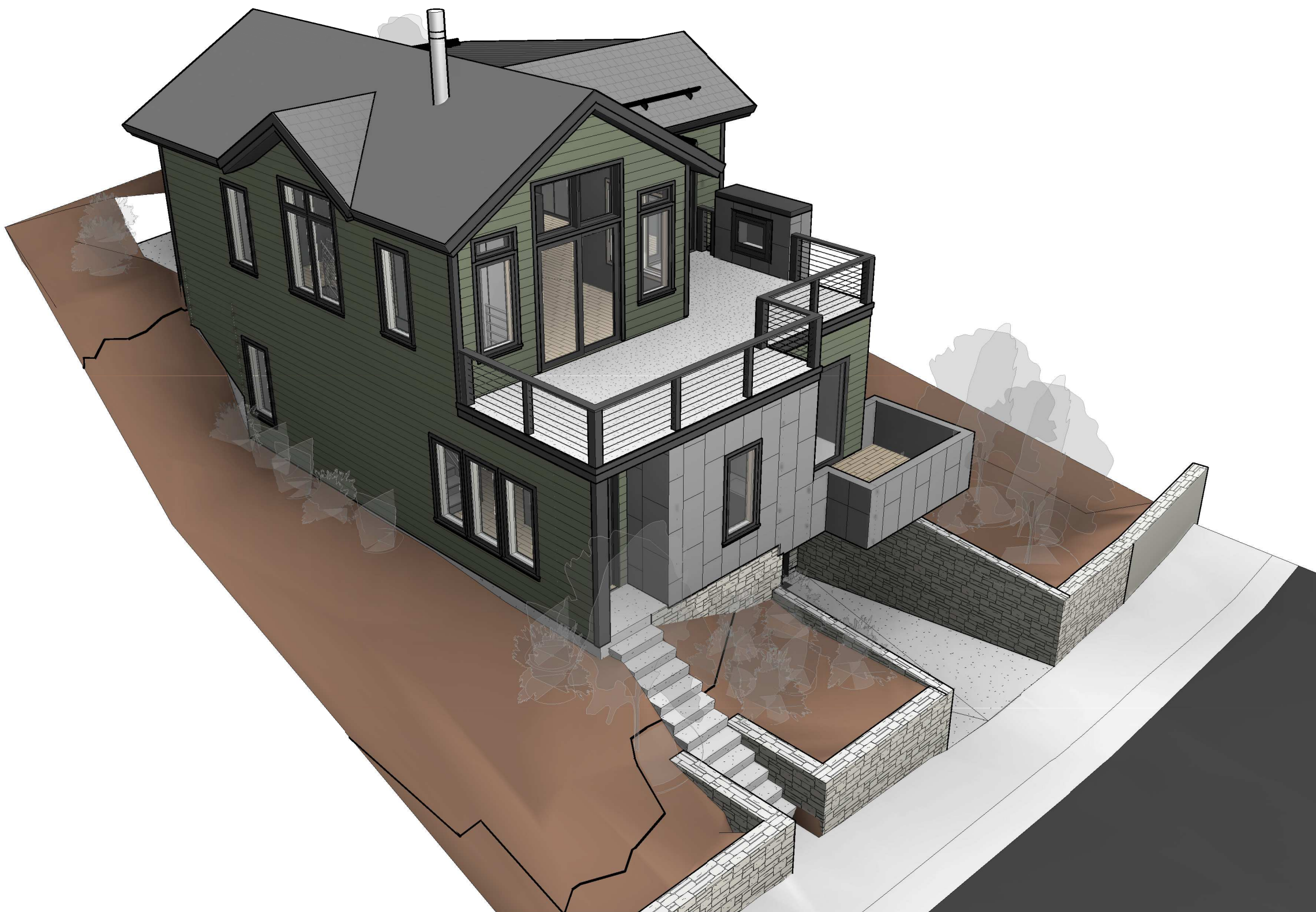
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AI-02

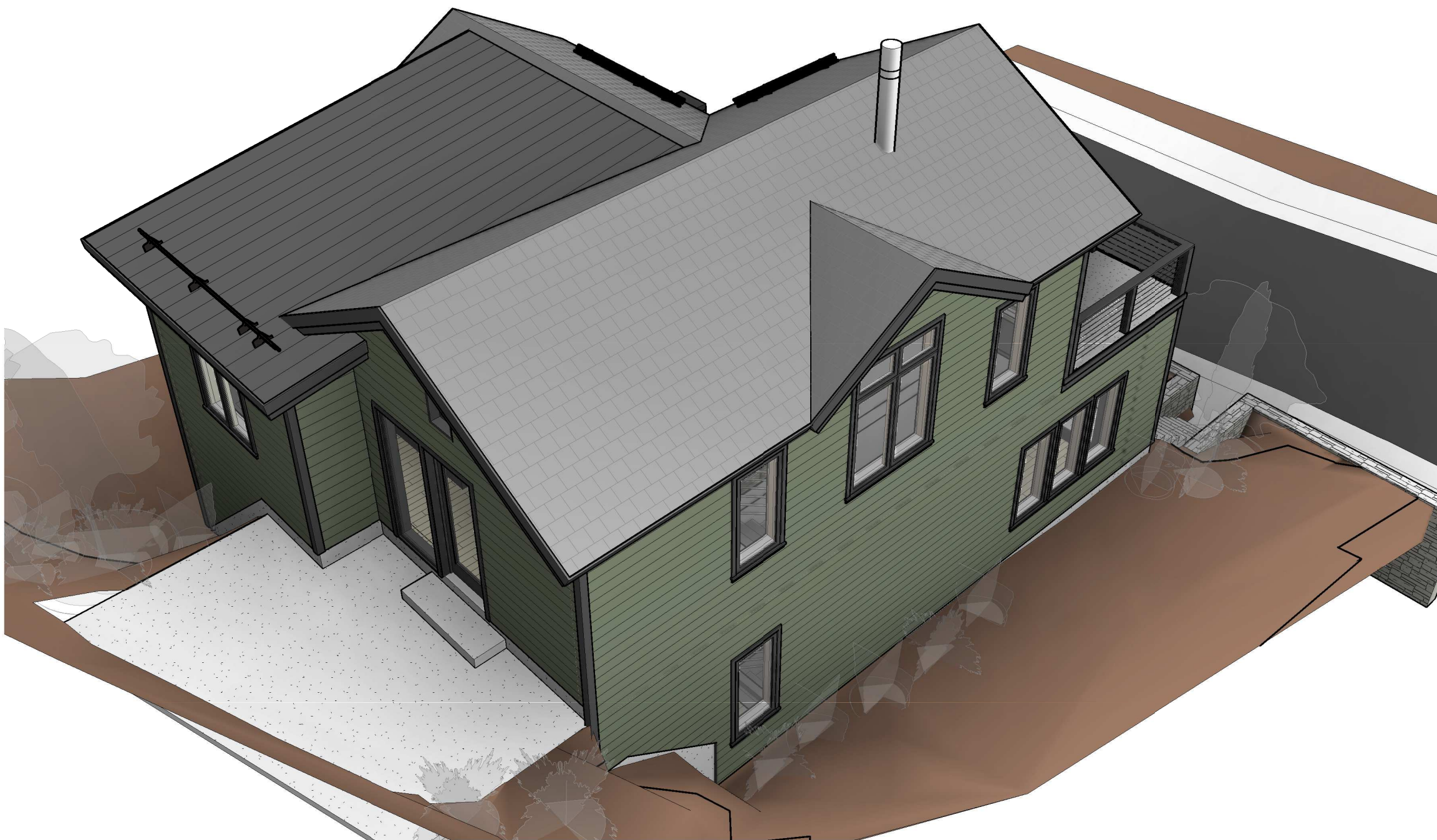
629 THE GRAPHIC MATERIAL AND DESIGN ON THIS SHEET ARE INSTRUMENTS OF SERVICE AND REMAIN AT ALL TIMES THE PROPERTY OF JONATHAN DEGRAY - ARCHITECT P.C. REPRODUCTION OR REUSE OF THE MATERIAL AND DESIGN CONTAINED HEREIN IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF JONATHAN DEGRAY - ARCHITECT P.C. VIOLATORS WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.
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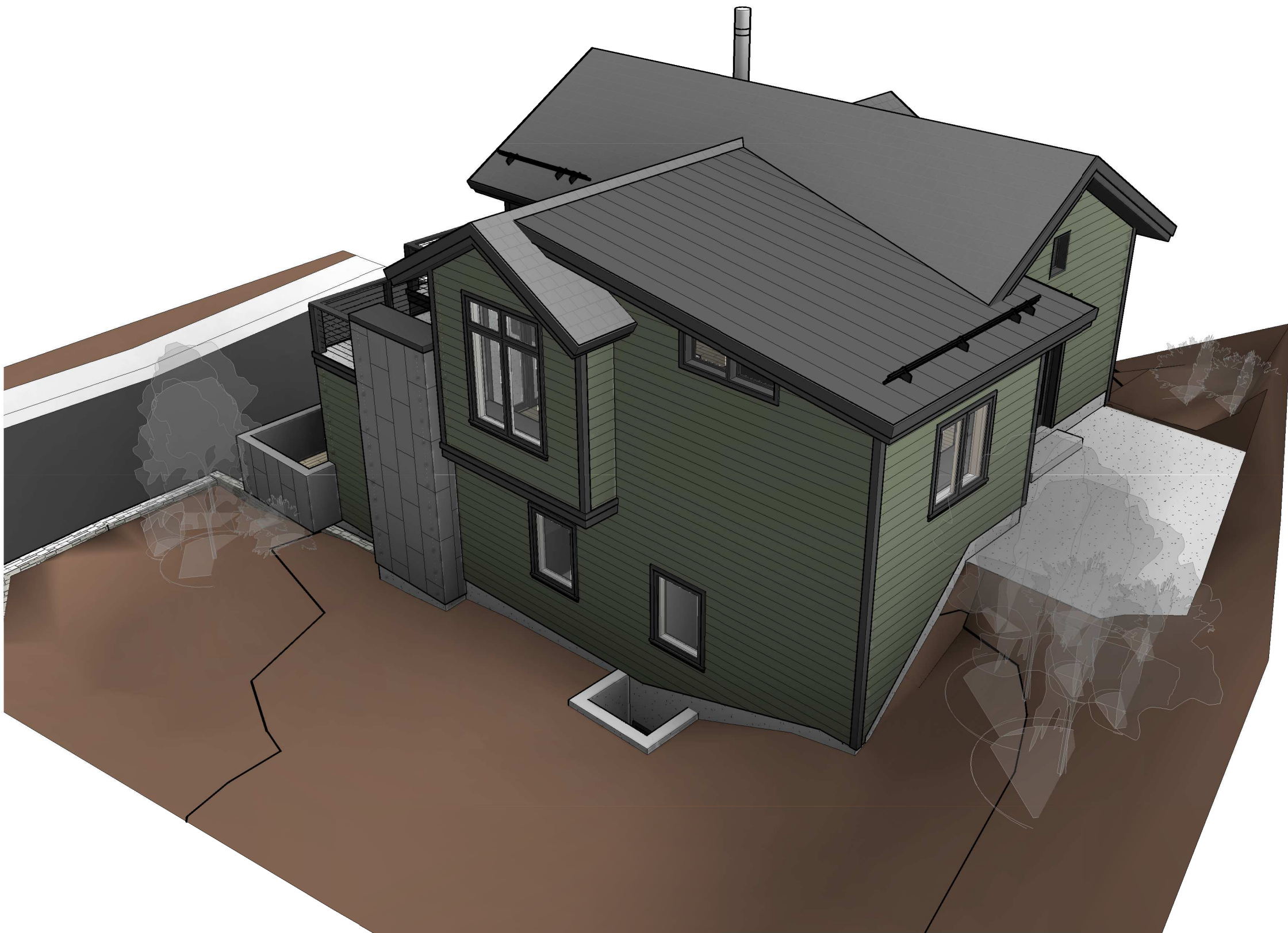
NORTHEAST BIRDSEYE



SOUTHEAST BIRDSEYE



SOUTHWEST BIRDSEYE



NORTHWEST BIRDSEYE

Jonathan DeGray
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PROJECT DESCRIPTION:
TURNER RESIDENCE
139 MAIN STREET
PARK CITY, UTAH 84060

SHEET DESCRIPTION:
BIRDSEYE IMAGES

REVISIONS:
August 14th, 2019

DATE:
June 25th, 2019

PROJECT NUMBER:

SHEET NUMBER:

AI-03



SUBJECT
PROPERTY

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

STAFF:
MARSHALL KING
DUSTIN CARRISH
DATE: 12/11/18

AERIAL PHOTOGRAPH
139 MAIN STREET
BLOCK 13, PARK CITY SURVEY
FOR: BARRY TURNER
JOB NO.: 6-11-18
FILE: X:\ParkCitySurvey\dwg\Exhibits\139 main-aerial.dwg

SHEET
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FOR SALE
435.655.3840

170





Grappa
Italian Restaurant

Grappa



NO
PARKING
BOTH SIDES
STREET

Grappa
Italian Restaurant







129

133











PLANNING DEPARTMENT

August 29, 2019

Barry Turner
2003 Prospect Ave.
Hermosa Beach, CA 90254

CC: Jonathan DeGray, Architect

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Project Address:</u>	139 Main Street
<u>Project Description:</u>	Historic District Design Review
<u>Date of Action:</u>	August 29, 2019
<u>Project Number:</u>	PL-19-04272

Summary of Staff Action

Staff reviewed this HDDR application for compliance with the Historic District Design Guidelines, specifically with Universal Guidelines; and Specific Design Guidelines: A. Site Design; B. Primary Structures; D. Off-Street Parking Areas, Detached Garages, & Driveways; and G. Exterior Lighting. Staff found that, as conditioned, the proposed construction of a new single family dwelling will comply with applicable Guidelines. This letter serves as the final action letter and approval for the proposed design for to the proposed construction of a new single family dwelling at 139 Main Street. The plans, as redlined, are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 139 Main Street. The Legal Description is Lot A of the 139 Main Street Plat Amendment.
2. On July 23, 2019, the Planning Department received a complete Historic District Design Review (HDDR) for the construction of a new single family dwelling on a vacant lot.
3. A public hearing was held for the HDDR application on August 14, 2019.
4. On April 4, 2019, the City Council approved the 139 Main Street Plat Amendment (Ordinance 2019-14) and on August 22, 2019, the Plat was recorded with Summit County (Entry No. 1116474). The Conditions of Approval of this Plat Amendment shall continue to apply.
5. The property is located in the Historic Residential (HR-2B) Zoning District and is subject to all requirements of the Park City Land Management Code (LMC) and all the guidelines of the Historic District Design Guidelines.
6. This site is not listed on the Historic Sites Inventory; it is a vacant lot located on Main Street.
7. The applicant is proposing to construct a new Single Family Dwelling on the vacant lot.
8. The proposal complies with LMC 15-2.3-2(A) as a Single Family Dwelling is an Allowed Use in the HR-2B Zone.

9. The proposal complies with LMC 15-2.3-4(A) as the minimum Lot Size for a Single Family Dwelling is 1,875 square feet, and the Lot contains 2,332 square feet.
10. The proposal complies with LMC 15-2.3-4(B) as the minimum Lot Width of a Lot is twenty-five feet (25'), measured fifteen feet (15') back from the Front Lot Line. The Lot Width will be 38.2 feet as measured fifteen feet (15') back from the Front Lot Line.
11. The proposal complies with LMC 15-2.3-4(E) Building Footprint as the maximum Building Footprint for a lot of this size is 1,022.79 square feet. The proposed Structure has a Building Footprint of 1022.7 square feet.
12. The proposal complies with LMC 15-2.3-4(E) Table 15-2.3a as the minimum required Front and Rear Setbacks for lots up to seventy-five feet (75') deep ten feet (10'). The applicant is proposing a Front Setback of at least ten feet (10') and a Rear Setback of at least ten feet (10').
13. The proposal complies with LMC 15-2.3-4(F) Front Setback Exceptions. The applicant has proposed (1) retaining walls less than four feet (4') in height plus two (2) retaining walls up to 6 feet to allow for a driveway access (Planning Director approved); (2) uncovered steps leading to the main building, not more than four feet (4') in height from Final Grade; (3) decks, porches, or bay windows not more than ten feet (10') wide, projecting not more than three feet (3') into the Front Setback; and (6) a driveway leading to a garage and approved parking area that is hard-surfaced within the Front Setback.
14. The proposal complies with LMC 15-2.3-4(G) Rear Setback Exceptions as the applicant has proposed (4) roof overhangs projecting not more than two feet (2') into the Rear Setback; (9) retaining walls not exceeding four feet (4') in height; and (10) patios, decks, pathways, steps, or similar structures not more than 30" above Final Grade.
15. The proposal complies with LMC 15-2.3-4(H) as the minimum Side Setback for lots up to fifty feet (50') wide is five feet (5') on each side for a total of ten feet (10'). The proposed Structure maintains at least a five foot (5') Side Setback on both the north and south sides.
16. The proposal complies with LMC 15-2.3-4(I) Side Setback Exceptions as the applicant has proposed (1) bay window not more than ten feet (10') wide, projecting not more than two feet (2') into the Side Setback; (3) window well projecting not more than four feet (4') into the Side Setback; (4) roof overhangs projecting not more than two feet (2') into the Side Setback; and (7) the retaining walls not exceeding four feet (4') in height.
17. The proposal complies with LMC 15-2.3-6 Building Height.
 - a. The zone height is twenty-seven feet (27') from Existing Grade, and the tallest portion of the proposed building is 25.79 feet from Existing Grade, as measured.
 - b. A structure is required to have a maximum height of thirty-five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate supporting the ceiling joists or roof rafters; the applicant is proposing an interior height of twenty eight feet and ten inches (28' 10").
 - c. The LMC also requires a ten foot (10') horizontal step on the downhill façade that takes place at a maximum height of twenty-three feet (23') from where the Building Footprint meets the lowest point of Existing Grade; the applicant has incorporated a horizontal step on the façade of the building.
 - d. The contributory roof form has a 7:12 roof pitch with rooftop decks as secondary roof forms.
18. The proposal will require an Administrative Steep Slope Conditional Use Permit (Admin SS-CUP). The applicant has submitted an application and this approval is conditioned so that a Building Permit cannot be issued until both the HDDR and the Administrative SS-CUP are approved by Planning.

19. The proposal complies with LMC 15-3-3(A)(4) as the driveway will not exceed a 14% slope and LMC 15-3-3(B) as the Parking Areas and driveways are proposed to be Hard-surfaced.
20. The proposal complies with LMC 15-3-4(A)(1), which requires that single car garages must have a minimum interior dimension of eleven feet by twenty feet (11' x 20'). The proposed interior dimensions of the single car garage will be eleven feet by twenty feet (11' x 20').
21. The proposal complies with LMC 15-3-3(F), which requires that uncovered parking spaces must have a minimum dimension of nine feet by eighteen feet (9' x 18'). The applicant is proposing one of the two required parking spaces be located on the driveway, which measures eleven feet and four inches by eighteen feet (11' 4" x 18'0").
22. The proposal complies with LMC 15-3-6(A) as a Single Family Dwelling requires two (2) parking spaces per Dwelling Unit. The applicant has proposed a total of one (1) covered parking space and one (1) uncovered parking space.
23. The proposal, as conditioned, complies with the Universal Guidelines for Historic Sites:
 - a. The proposal complies with Universal Design Guidelines #1 as the new single family dwelling reflects the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites through its simple design, massing, and scale of building elements.
 - b. The proposal complies with Universal Design Guidelines #2 as the new single family dwelling does not directly imitate existing historic structures in Park City. The roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites are reflected in the proposed design, but historic building elements such as moldings, cornice details, brackets, and porch supports have not be directly imitated. No reconstruction of non-surviving historic buildings is proposed.
 - c. The proposal complies with Universal Design Guidelines #3 as a style of architecture has been selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. Stylistic elements are not being applied to the exterior. Styles that never appeared in Park City have not been proposed. Styles that radically conflict with the character of Park City's Historic Sites are not proposed. The proposed elevations include gable roof forms from the public right-of-way, with more contemporary flat-roof forms on the side and rear of the house.
 - d. The proposal complies with Universal Design Guidelines #4 as the building and site design respects the existing topography, character-defining site features, existing trees and vegetation and minimizes cut, fill, and retaining walls.
 - e. The proposal complies with Universal Design Guidelines #5 as the exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc.— are of a human scale and are compatible with neighboring Historic Sites.
 - f. The proposal complies with Universal Design Guidelines #6 as the scale and height of new structure follows the predominant pattern of the neighborhood with special consideration given to Historic Sites. From the street, the height of this structure is similar to those of nearby houses. The height of this structure overall is taller than historic structures, but within the height requirements of the LMC, and relates to the mass and scale of neighboring contemporary homes.
 - g. The proposal complies with Universal Design Guidelines #7 as the size and mass of the structure is compatible with the size of the property so that lot coverage, building bulk, and mass are compatible with Historic Sites in the

neighborhood. The proposed design is broken up into modules that reflect those seen on nearby houses.

- h. The proposal complies with Universal Design Guidelines #8 as the new single family dwelling does not physically damage nearby Historic Sites.

24. The proposal complies with Specific Design Guidelines as follows:

- a. The proposal complies with Specific Design Guidelines A.1. Building Setbacks & Orientation. The new single family dwelling is located on the site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, and alignment along the street. The single family dwelling will face Main Street and the primary entrances face the street. The proposal's design will limit snow shedding onto adjacent properties.
- b. The proposal complies with Specific Design Guideline A.2. Lot Coverage as the lot coverage of the new building is compatible with the surrounding Historic Sites.
- c. Specific Design Guideline A.3.1 is not applicable as no fences are proposed.
- d. The proposal complies with Specific Design Guidelines A.4. Site Grading & Steep Slope Issues. The new single family dwelling's design responds to the site's natural features as the massing of the house steps to follow the existing contours of the site. The site's natural slope is respected in a new building design in order to minimize cuts into hillsides, fill and retaining walls; excavation will generally not exceed one to two stories in depth. Where retaining walls are necessary, the impact is minimized by creating gradual steps or tiers, by using perennial plant materials to minimize visual impact, and by using forms and materials found on surrounding Historic Sites.
- e. The proposal complies with Specific Design Guidelines A.5. Landscaping as conditioned. The proposed landscape plans balances water efficient irrigation methods and drought tolerant plant materials with existing plant materials and site features. The proposed landscape plan allows for snow storage from the driveway; the slope gradually declines directly off of Main Street, and the applicant has proposed to bridge the driveway in order to use the front setback for snow storage. The landscape plan also incorporates landscape treatments for driveways, walkways, paths, building and accessory structures in a comprehensive, complimentary and integrated design. The character of the neighborhood and district will not be diminished by significantly reducing the proportion of built or paved area to open space. Landscaped separations between parking areas, drives, service areas, vehicular access points and public use areas including walkways, and plazas have been provided.
- f. The proposal complies with Specific Design Guidelines B.1. Mass, Scale & Height. The size of a new single family dwelling, its mass in relation to open spaces, will be visually compatible with the surrounding Historic Sites. When the overall length of the new structure is greater than those seen historically, it employs methods such as changes in wall plane, roof heights, etc. to diminish the visual impact of the overall building mass, form and scale. It also includes variations in roof height in order to break up the form, mass and scale of the overall structure. Taller portions of buildings will be constructed so as to minimize obstruction of sunlight to adjacent yards and rooms. The new single family dwelling will not be significantly taller or shorter than surrounding historic buildings when viewed from the right-of-way. Windows, balconies and decks will be located in order to respect the existing conditions of neighboring properties. Regardless of lot frontage, the primary façades are compatible with the width of surrounding historic buildings. The greater width of the structure will be set back significantly from the plane of the primary façade. The new single family dwelling

will be constructed on a lot greater than twenty-five feet wide, and it will be designed so that the facade visible from the primary public right-of-way reinforces the rhythm along the street in terms of traditional building width, building depth, and patterns within the façade.

- g. The proposal complies with Specific Design Guidelines B.2.1 as generally no more than two feet (2') of the new foundation will be visible above finished grade when viewed from the primary public right-of-way along Main Street.
- h. The proposal complies with Specific Design Guidelines for Roofs. The roof structure of the new single family dwelling is visually compatible with the roof shapes and orientation of surrounding historic sites as it uses gable roof forms. The roof pitches are consistent with the style of architecture chosen for the structure and with the surrounding Historic Sites. The roof will be designed to minimize snow shedding onto adjacent properties and/or pedestrian paths.
- i. The proposal complies with Specific Design Guidelines for Materials. The applicant has proposed a material selection comprised of horizontal cedar lap siding, metal panel siding (SRI < 35), natural stone veneer, and architectural grade composition shingle. These materials are compatible in scale, proportion, texture, finish and color to those used on Historic Sites in the neighborhood. The materials, especially stone and masonry, will be used in the manner they were used historically. No synthetic materials have been proposed.
- j. The proposal complies with Specific Design Guidelines for Windows and Doors. The ratios of openings-to-solid are compatible with surrounding historic buildings will be used. The windows and doors will be proportional to the scale and style of the building and be compatible with the historical buildings in the neighborhood. The windows are reflective of the styles, sizes, and proportions of historic window openings, with special consideration given to neighboring historic houses.
- k. The proposal complies with Specific Design Guidelines for Porches. While a traditional front porch is not proposed, the roof overhang provides a simple porch-like element. No over-scaled, monumental and under-scaled entries have been proposed.
- l. The proposal complies with Specific Design Guidelines Paint and Color as conditioned.
- m. The proposal complies with Specific Design Guidelines for Mechanical and Utility Systems and Service Equipment as conditioned.
- n. Specific Design Guidelines C. Reconstruction of Non-Surviving Structures is not applicable as the applicant is not reconstructing a building on this site; it is a new structure.
- o. The proposal complies with Specific Design Guidelines D.1 Off-Street Parking Areas. The off-street parking area is located in the front of the site, perpendicular to Main Street. Only one car is permitted to park in the driveway, the other car will be located in a legal single car parking garage. The driveway and parking area will be visually subordinate to the character-defining streetscape elements of the neighborhood.
- p. The proposal complies with Specific Design Guidelines D.2. Garages. The lot size has dictated that the garage must be located adjacent to the primary living space, but its visual impact has been minimized by emphasizing the front entrances under new porch roof overhang. A single car garage is proposed to face Main Street. The single vehicle garage doors do not exceed 9'x9'. No carports are proposed.
- q. The proposal complies with Specific Design Guidelines D.3 Driveways. The proposed driveway does not exceed twelve feet (12') in width

- r. Specific Design Guidelines E. Signs are not applicable as no signs are required for this Use.
 - s. Specific Design Guidelines F. Awnings are not applicable as no awnings have been proposed.
 - t. The proposal complies with Specific Design Guidelines G. Exterior Lighting as conditioned.
 - u. Specific Design Guidelines H. Accessory Structures are not applicable as no Accessory Structure is proposed to be built.
 - v. The proposal complies with Specific Design Guidelines I. Sustainability as conditioned.
 - w. The proposal complies with Specific Design Guidelines J. Mailboxes, Utility Boxes, and Other Visual Elements in the Landscape as conditioned.
25. On July 29, 2019, Staff posted notice of final action as required by the Land Management Code. The thirty (30) day appeal period runs until 5 pm on August 28, 2019.

Conclusion of Law

- 1. The proposal complies with the Park City Design Guidelines for Historic Districts and Historic Sites, as conditioned.
- 2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential (HR-2B) District (lot size, setbacks, etc.).
- 3. The proposed work is consistent with Park City General Plan.

Conditions of Approval

- 1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing neighboring structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
- 2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on August 29, 2019, and approved on August 29, 2019 as redlined. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved work that have not been approved by the Planning and Building Departments may result in a stop work order.
- 3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in the approved construction shall be reviewed and approved prior to construction.
- 4. If a complete building permit has not been obtained by August 29, 2020, this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
- 5. The City Engineer shall review and approve all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
- 6. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state (or improved).
- 7. Roof overhangs, eaves, and cornices shall encroach no more than three feet (3') into the Front Setback, no more than two feet (2') into the Rear Setback, and no more than two

feet (2') into the Side Setbacks. The applicant shall include the lot lines on his roof plan at the time of building permit.

8. Site plans and Building design shall resolve snow release issues to the satisfaction of the Chief Building Official.
9. New construction activity shall not physically damage nearby Historic Sites.
10. Exterior surfaces that are painted shall have an opaque rather than transparent finish. A weather-protective finish shall be provided to wood surfaces that were not historically painted. When possible, low-VOC (volatile organic compound) paints and finishes should be used.
11. All proposed mechanical and utility systems and service equipment shall be noted on the construction documents. If equipment is located on a secondary façade, it shall be placed behind the midpoint or in a location that is not visible from the primary public right-of-way along Main Street. Ground-level equipment shall be screened using landscape elements such as fences, low stone walls, or perennial plant materials.
12. The Planning Department shall review and approve in writing all proposed exterior lighting fixtures prior to installation. Exterior, building-mounted light fixtures shall be compatible with the building's style and materials. Exterior lighting schemes shall compliment the overall building and site design. Indirect lighting shall be used to identify entrances.
13. The applicant shall provide an updated landscape plan at the time of building permit. Water efficient landscaping shall be balanced with existing plant materials that contribute to the character of the neighborhood.
14. Construction waste shall be diverted from disposal when feasible.
15. Utility boxes shall be located underground when possible. Where not possible, such boxes shall be visually minimized and/or concealed by landscaping or other appropriate features. Electrical lines and other utilities shall be located underground.
16. All exterior metal materials shall have a Solar Reflective Index (SRI) value of 35 or less.
17. All previous conditions of approval of the plat amendment shall be met.
18. All standard conditions of approval shall apply (see attached).

All approvals are subject to all of the notes as indicated on the drawings. If you have any questions about this approval, please do not hesitate to contact me. I can be reached at (435) 615-5063, or via e-mail at Laura.kuhrmeyer@parkcity.org.

Sincerely,

A handwritten signature in cursive script that reads "Laura Kuhrmeyer".

Laura Kuhrmeyer
Planner I

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.

10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

September 2012

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.

10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

September 2012

Laura Kuhrmeyer

From: drewbabcock@comcast.net
Sent: Tuesday, October 22, 2019 8:55 AM
To: Laura Kuhrmeyer
Cc: Sondra Babcock
Subject: 139 Main ST Park City

We are told there is an appeal going on for this new building at 139 Main. We want to be very clear on several facts.

We do not mind that another new construction sight will now be going on Upper Main Street. Some day it will end. We have seen all the requirements that other homes have had to deal with to keep the look and feel the same as the existing neighborhood. This new project is the ONLY one that the city seems to have not had the same care in what the street view is. There are no covered porches nor miner like elements to make this new home fit in? The lot previously had no garage possible due to a historic wall issues. What changed? Is the wall no longer historic? So please reconsider the approval and work with the owner to make the home more historic looking from the street. Please confirm that you did get this email.

Drew & Sondra Babcock 19 Daly.

Memorandum

To: Planning Department, Park City Municipal Corporation, Utah
From: Anne Oliver, Cultural Resources Program Director, SWCA Environmental Consultants
Date: October 28, 2019
Re: Historic District Design Guidelines Evaluation of Proposed New Residence at 139 Main Street

Introduction

The Planning Department has requested an evaluation of the proposed design for a new single-family residence at 139 Main Street, Park City, Utah. The original building on the lot has been demolished and the property is currently vacant. The property lies within the proposed Main Street National Historic District expansion area and is within the HR-2B zoning district. As such it is subject to Park City's *Design Guidelines for Historic Districts and Historic Sites*, adopted by Ordinance 2019-06 on May 16, 2019. Section 15-13-8 (Design Guidelines for New Residential Infill Construction in Historic Districts) applies. Only those guidelines relevant to the current discussion of the proposed design are discussed here.

15-13-8.A. UNIVERSAL GUIDELINES

A.1. New infill residential buildings shall reflect the historic character – simple building forms, unadorned materials, restrained ornamentation – of Park City's Historic Sites.

The proposed design reflects the simple cross-wing form of many historic houses in Park City. Three principal materials are used – stone for the foundation, horizontal wood lap siding for the walls, and vertically oriented metal panels to accent the walls and further emphasize the division of the building's massing into historically compatible volumes – all of which are unadorned and applied simply to the building exterior. No ornament is used in the design, such as brackets, elaborate cornices in the eaves, or design accents in the deck railings and porch overhang. The proposed design meets this guideline.

A.2. New infill residential buildings shall not directly imitate existing historic structures in Park City. Roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites may be duplicated, but building elements such as moldings, cornices details, brackets, and porch supports shall not be directly imitated.

The proposed design references the volume and massing of a traditional cross-wing house in Park City, as well as its roof pitch, but does not directly imitate a historic house. The placement of the primary entrance in the projecting wing and the use of metal siding clearly differentiate the design from historic precedents, as does moving the main-floor porch away from the principal entry and using it to create a balcony that shadows and softens the presence of the single-car garage. No historic building elements are directly imitated in the design, and the proposed design meets the intent of this guideline.

A.3. A style of architecture shall be selected and all elevations of the new infill residential building should be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided.

The selected style of architecture is a modern interpretation of the simple Victorian cross-wing house of late 19th century and early 20th century Park City, expressed in the crossed gables, roof pitch, wood siding, and the modest entry on the main floor. This style is expressed consistently across all elevations. Modern stylistic elements such as the lack of ornament, the use of metal cladding to accentuate historic volumes, steel cable railings on some decks, and the stepped façade, mandated by Park City's Land Management Code, clearly distinguish this as new construction without radically conflicting with the styles of the city's Historic Sites.

A.4. New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

The building is designed in volumes (or modules) to create an overall massing that is compatible with neighboring Historic Sites. The step back at the upper-floor level pushes the bulk of the building to the rear of the lot. Through the creation and location of these volumes and by limiting the height to two stories above grade, the building is compatible in size, scale, and proportion to adjacent and nearby Historic Sites and to the streetscape generally. The design employs compatible materials such as stone and wood siding. However, modern design elements, such as the lack of ornament and the use of modern materials such as metal cladding and steel cable railings on some decks, clearly distinguish this as modern construction without diminishing the integrity of the Historic District or the immediate streetscape.

A.5. Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls.

The proposed design respects existing topography and steps upslope, away from the street, to meet it. The design also preserves the historic stone retaining wall to the greatest extent possible.

A.6. Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures.

Key elements of the proposed design, including roofs, entrances, eaves, chimney, main floor balcony, steps, and garage, are of human scale and compatible with neighboring Historic Structures. Windows and doors are also sized to be compatible and are used sparingly on the main floor, closest to the street, to preserve a historic solid-to-void ratio. The groupings of doors and windows on the upper level depart from historic precedent but these elements are distanced from the public right of way and public view by the mandatory 10-foot step back in the east-west projecting wing, the lot's raised elevation above the street, and the even greater distance of the north-south cross wing from the street.

A.7. Scale and height of the new infill residential building shall follow the predominant pattern and respect the architecture of the streetscape or character area with special consideration given to Historic Sites.

The scale and height of the proposed design are compatible with neighboring Historic Sites, many of which are a full two stories in height and of very similar scale.

A.8. Size and mass of a structure shall be compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with the Historic Sites within the Streetscape or character area.

The size and mass of the proposed design are compatible with neighboring Historic Sites. The two nearby historic boardinghouses and the historic apartment building immediately to the north are significantly larger in size and mass.

A.9. New construction activity shall not physically damage nearby Historic Sites.

The only historic feature that will be affected in the proposed design is the historic stone wall that spans the front of the property. While a driveway cut is necessary, the existing stair cut and the remainder of the historic wall will be retained. Adjacent sections of new retaining wall will be constructed with a similar design and materials to lend continuity to the streetscape.

A.10. New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

The property is at the upper end of Main Street as it begins to enter Daly Canyon. The streetscape on this block is defined by a two-story apartment building, 2 two-story boardinghouses, 2 two-story houses, and several one and one-half story houses, all set close to the street. Because of topography, the houses on the west side, where the subject property lies, are set above street level by about a half story while those on the east side are level with or slightly below street level. The proposed single-family residence will be built on a currently empty lot and will be compatible in use, lot siting, mass, size, scale, and design with the other residential properties on this block without imitating historic sites. As such, the new infill will reinforce key existing rhythms and patterns of the streetscape.

A.11. New materials should reflect the character of the Historic District. Sustainable technology is constantly changing resulting in new alternative materials. New alternative materials may be reviewed by the Design Review Team for compliance...

No new materials are proposed. Wood siding, field stone, and sheet metal panels were all used historically in Park City. The application of sheet metal panels as cladding in residential construction is a departure from historic precedent but they form an accent to the proposed design only and help to distinguish it as a product of its own time.

15-13-8.B. SPECIFIC GUIDELINES

B.1. SITE DESIGN

B.1.a. Building Setback and Orientation

i. Lot coverage of new buildings shall be compatible with the surrounding Historic Sites.

The proposed design meets this guideline and complies with city ordinance for lot coverage in this zone.

ii. Structures shall be located on a site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, alignment along the street, and open space.

The proposed design maintains the front yard setback and alignment typical of historic residential properties on this block. The principal entrance is oriented toward the street and aligns with the historic location of the historic street stair and front walk on the property. The narrow front yard behind the existing retaining wall is appropriately scaled to be compatible with adjacent residential properties. And the step back between the main and upper floors, while required by Land Management Code, also reduces the mass of the house at the street front, respects the need for light of the one and one-half story house to the south, and provides a compatible transition between the full two-story apartment building to the north and the less dense residential streetscape to the south and east.

v. New buildings shall have a clearly defined primary entrance oriented toward the street consistent with historic buildings within the Streetscape or character area. Entrances on secondary or tertiary facades of a building shall be clearly subordinate to the entrance on the primary façade.

The entry on the primary façade, while recessed behind the front wall plane, is clearly defined by a small pent roof or fixed awning that projects from the façade and the south wall. It is common for historic front doors to be recessed behind the front wall plane and sheltered by a porch. The difference in this design is the narrowness of the entry porch. However, the addition of the fixed awning lends adequate definition to the entrance. Entrances on secondary and tertiary facades are clearly subordinate and the proposed design meets the intent of this guideline.

B.1.b. Topography and Grading

i. The natural topography and original grading of a site shall be maintained when feasible.

Natural topography is maintained in this design with the exception of the deep cut necessary to provide a driveway and single-car garage, which are needed to fulfill the parking requirements of the LMC.

ii. Building and site design shall respond to natural features. New infill residential buildings shall step down or up to follow the siting contours of steep slopes.

The proposed house will be built on an uphill lot, which presents design challenges in terms of conforming with natural grade while also minimizing the mass and scale of new construction. To address this, the LMC mandates a 10-foot horizontal step back at 23 feet above the point where the Building Footprint meets the lowest point of existing grade on uphill lots, which is a driving force in the stepped design proposed for this house. As such, although not an ideal design in terms of

compatibility with historic full-height two story houses (without step backs) along this streetscape, the proposed design meets both the LMC and the design guidelines.

B.1.d. Retaining Walls

ii. New retaining walls shall be consistent with historic retaining walls in terms of mass, scale, design, materials, and scale of materials. Simple board-formed concrete, stacked stone, and other traditional materials are recommended over concrete block, asphalt, or other modern concrete treatments.

The historic fieldstone retaining wall will be preserved to the extent possible and repaired. New retaining walls around the driveway will be built to match the existing wall in materials and construction method. The proposed design complies with this guideline.

iv. Traditional height and setback of retaining walls along the street shall be maintained.

The height and setback of the historic existing wall will be maintained and new sections of the retaining wall will match it in height and setback.

B.2. PRIMARY STRUCTURES

B.2.a. Mass, Scale & Height

i. The size and mass of a new residential infill building in relation to open spaces shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.

From the street, the proposed design appears similar in size and mass to a historic cross-wing house in Park City and is visually compatible in size, mass, and lot coverage with historic and non-historic residential properties in the surrounding streetscape. The proposed house will be larger than a traditional cross-wing but the bulk of this increase in mass and size is pushed to the rear of the lot or contained within the basement level.

ii. Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.

The proposed design references the Victorian cross-wing house form of late 19th century and early 20th century in Park City, as expressed in the crossed gables, roof pitch, wood siding, and the modest entry on the main floor. This style is expressed consistently across all elevations.

iii. Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.

The proposed design is compatible in height, width, and depth with other residential properties on the streetscape and therefore complies with this guideline.

iv. Building features such as upper story windows, porches, and first floor bays shall be aligned with similar historic building features in the Streetscape or character area.

The floor heights of the proposed design are similar to the floor heights of adjacent historic residential buildings and therefore upper story windows, decks and balconies, and the primary entrance align with comparable historic building features.

v. The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone.

From the street, the perceived scale of the proposed design appears similar to a two-story historic cross-wing house in Park City and is visually compatible with the two-story boardinghouses, houses, and apartment building in this character area.

vi. A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules should be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right of way, stepping down the mass of a larger building shall be considered.

The new residence is designed using a module that is expressed in the two arms of the cross wing and the shed-roofed and gable-roofed modules of the rear elevation. These modules are further broken down by elements such as the metal-clad section of the projecting wing and the projecting box bay on the north side. The larger mass of the building, namely the upper level, is stepped back from the primary façade, further minimizing the perceived mass and the impact of the new house on the historic one and one-half story building immediately to the south.

vii. Larger-scaled projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.

The project is not larger-scaled and this guideline does not fully apply. However, changes in roof height between the projecting wing and the cross wing help to break up the building mass into modules and reduce the perceived size of the house.

ix. Regardless of lot frontage, the primary facade shall be compatible with the width of surrounding historic buildings. The greater width of a building shall be set back significantly from the plane of the primary façade. The width of a new building shall not appear to be visibly greater than historic buildings in the Streetscape or character area.

The proposed design is not significantly wider than adjacent historic buildings and complies with this guideline.

xi. New buildings shall not be significantly taller or shorter than adjacent buildings with special consideration given to surrounding historic buildings.

The proposed design complies with this guideline.

xii. Primary facades shall be limited to one to two stories in height.

The proposed design complies with this guideline.

B.2.c. Doors

i. The historic pattern of principal doorways along the street shall be maintained. All buildings that face the street shall have a well-defined primary entrance.

The principal entry is on the primary façade and faces the street. While it is recessed behind the front wall plane, it is clearly defined by a small pent roof or fixed awning that projects from the

façade and the south wall. It is common for historic front doors to be recessed behind the front wall plane and sheltered by a porch. The difference in this design is the narrowness of the entry porch. However, the addition of the fixed awning lends adequate definition to the entrance.

ii. New doors shall be similar in location, size, and material to those seen traditionally in the Historic District. Doors shall be compatible with the style of the new building and historical buildings in the Historic District.

The principal entry is on the primary façade, faces the street, and measures 3 feet by 7 feet, similar in size to a historic door. The design is simple, with a wood frame and central glass panel, which is compatible with the modern interpretation of a cross-wing house embodied in this design and also with nearby historic buildings.

iii. Doors shall be designed and finished with trim elements similar to those used historically.

The simple wood trim of the door is compatible both with the proposed modern design of the building and historic door trim more generally in Park City.

B.2.d. Windows

i. Ratios of solid-to-void that are compatible with surrounding historic buildings shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically.

The ratio of solid to void on the main level of the proposed design is compatible to that seen in surrounding historic buildings. On the east façade, the double doors that open onto the balcony create more glazing (void) than might be seen typically but the solid railing of the balcony masks the lower halves of the doors, minimizing this effect.

The upper level of the main façade contains more voids (in the form of doors and windows) than would typically be seen on a historic building. However, these doors and windows are spread across multiple wall planes that are recessed from the projecting wall plane of the main level, making them less visible from the street. Transoms are used to break up the windows and some of the doors into smaller areas of glazing.

iii. The placement and grouping of windows shall be similar to those seen historically.

Windows on the main level are placed singly and in patterns similar to those seen historically. Windows on the upper level are grouped singly or in pairs, sometimes with transoms, as also would have been seen historically.

iv. Windows with vertical emphasis are encouraged. The general rule is the height shall be twice the dimension of the width (commonly referred to as 2:1 ratio). Double-hung, vertically proportioned windows similar to those used historically are particularly encouraged. Windows with traditional depth and trim are encouraged.

Most windows have a vertical emphasis and generally have a 2:1 ratio. While they are casement rather than double-hung windows, their proportions are similar to double hung windows. Secondary windows such as transoms have a horizontal emphasis, as is appropriate for this window type. The large, square transoms above the pair of doors on the upper level are inconsistent with these ratios

and a reduction in their size (as well as a return to a 2:1 horizontal ratio) would help improve the compatibility of this feature.

v. The number of different window sizes and styles on a building or structure shall be limited.

Window sizes are consistent across each elevation and are generally limited to vertical casement windows in one of two sizes and horizontal transom and accent windows. The large, square transoms above the pair of doors on the upper level are inconsistent with other window sizes. A reduction in their size to be more similar to the other transoms would help improve the compatibility of this feature.

B.2.e. Roofs

i. Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping roof forms, such as gable, hip, and shed, should be the dominant roof shapes.

The dominant roof forms of the proposed design are gable roofs, with a flat roof over the projecting first floor level on the east side and a shed roof over the northwest module of the house. The gable and shed roofs are compatible with the predominant roof shapes and orientations of surrounding historic sites. The flat roof is used as a deck and is secondary to the gable roofs.

B.2.i. Porches

i. Porches shall be used to define front entrances. Porches typically cover the entrance, and usually extend partially or fully across the main façade. Over-scaled, monumental, and under-scaled entries shall be avoided.

A small, partially enclosed porch is used to define the main entry on the east façade, and the projecting awning above its east and south sides helps to further define the porch and entry. The balcony on the main level that overhangs the garage, while separated from the main entry, provides a similar function to an entry porch by bringing a human connection to the street front.

ii. Porches on primary and secondary facades shall be compatible with a building's style and shall respect the scale and proportion found on historic buildings.

The porch and associated balcony on the primary façade are compatible with the building's style and are of similar scale and proportion to porches on historic buildings. No porches are proposed on secondary facades.

iii. The height of porch decks shall be similar to those found on historic buildings in the Historic District.

The relationship of the proposed porch deck's height with adjacent grade is consistent with that found on historic buildings in the district.

iv. Locate porches on new infill construction in a way that follows the predominant pattern of historic porches along the street, maintaining traditional setbacks, orientation of entrances, and alignment along the Streetscape or character area to reinforce the visual rhythm of the buildings and site elements.

The proposed entry porch maintains traditional setbacks, is oriented toward the street, and is aligned with the walkway between the street and house, following the predominant pattern of porches on the street.

B.4. MATERIALS

a. Building materials shall be compatible in scale, proportion, texture, finish, and color to materials used on Historic Structures in the Historic District. The dimensions of masonry units, wood siding, and other building materials shall be similar to those used historically.

Three principal materials are used: fieldstone for the foundation, horizontal wood lap siding for the walls, and vertically oriented metal panels to accent the walls. These materials are compatible in scale, proportion, texture, finish, color, and dimension to historic materials in the district.

b. The primary siding material for new structures shall appear similar to those on historic structures in the Streetscape or character area. Historically, the most common material on primary structures was painted horizontal lap siding with a reveal between 6 and 8 inches.

A 1 x 6 cedar horizontal wood lap siding is the primary siding material proposed. This is consistent with the siding most commonly found on adjacent historic structures.

c. Building materials shall be applied in the manner similar to that used historically. Typically, a hierarchy of building materials should be used, with heavier, more durable materials for foundations and more refined materials above foundations. Building materials, especially masonry, shall be used in the manner they were used historically.

The use of fieldstone for the foundation and wood lap siding for the walls reflects the hierarchy of materials typically found on historic structures in the district. Sheet metal was often used for walls and roofs on some types of historic structures, although these were typically industrial buildings and garages. Its use here as an accent siding on a residence marks the building as modern but does not render it substantially incompatible with surrounding historic structures, nor does the minor use of siding in this manner detract from the integrity of the district.

B.8. BALCONIES AND ROOF DECKS

a. New balconies and roof decks shall be visually subordinate to the new building and shall be minimally visible from the primary public right of way.

The balcony on the main level is visually subordinate on the façade and is rendered minimally visible by the use of a solid railing. The roof deck on the upper level is rendered somewhat subordinate through the setback of the cross wing. It remains quite visible from the primary public right of way, however, and this effect could be lessened through the use of additional solid sections of railing.

b. A new balcony shall be simple in design and compatible with the character of the Historic District. Simple wood and metal designs are appropriate for residential structures.

The metal-clad balcony on the main level is simple in design and unobtrusive, making it compatible with the overall house design and the district.

September 30, 2019

Planning Department
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

re: Appeal of Approval for 139 Main, Park City, UT 84060
Contradicting Design Guidelines for Park City Historic Districts

The proposed single family residential project at 139 Main, Park City, UT 84060 has a close proximity to my home at 129 Main. I appreciate Park City's desire to retain, improve and have produced historically relevant residences within the older neighborhoods. I also keenly recognize the historic significance in the more national and global sense. Park City is not just a destination, it is a mentality. Especially Main Street as it is the core of the historic nature of Park City. For these reasons I submit an appeal to Park City's staff approval of a home design for 139 Main for contradicting the Park City's Historic District Design Guidelines (HDDG) as discussed herewith.

The goal of the HDDG is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects. Park City's Historic District is often referred as "Old Town" or "The Historic District" or simply "Historic Main Street" and is treated differently because it is associated with the earliest development of the City and contain the greatest concentration of Park City's historic resources. As such any addition or infill to this district requires extensive scrutiny to ensure compatibility to HDDG. 139 Main is one of only 17 homes making up the Main Street residential neighborhood. Park City's classification as Historic define land use regulations and building code requirements and also require design review for all new construction proposed in this area. Approval for 139's current design should not have survived this process as proposed.

HDDG 6.9.2009

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There are several points of concern. Park City outlines it's Landmark Sites as those with structures that are at least sixty years old, provide historic integrity as defined by the National Park Service for the National Register of Historic Places and are significant in local, regional or national history or architecture. While the home that was constructed on this site has been raised, the stone wall abutting a length of Main Street should have, has before and continues to be a Landmark Site having a structure that exemplifies an architectural style and identifies as a type that were constructed during the early eras of Park City's past.

HDDG 6.9.2009

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Modified to current 60 year period v 50 from original document

Park City residents, visitors and leaders recognize that Park City's historic significance is unique and every morsel of such significant elements should be protected as a community resource for the benefit of both residents and visitors. The purpose of Historic District Design Review (HDDR) is to protect the integrity of these resources by requiring projects undertaken in the historic district and projects involving historic sites comply with these design guidelines. This process is established to prevent projects that are insensitive, incongruous or incompatible with adjacent structures, the immediate neighborhood and the community as a whole. 139 Main, as approved, violates this established process immediately by compromising an historic wall.

HDDG Amended 5.16.2019

Page3

15-13-1 Purpose & Policy

HDDG Amended 5.16.2019

Page 3

15-13-2 Design Guidelines for Historic Residential Sites

A. Universal Design Guidelines

Paragraphs 1, 2, 3, 4, 6, 7 and 10

Additionally, the individual elements of the building's architectural components violate further HDDG defined restrictions. The windows and doors of the home are not proportional to the scale and style, nor are compatible with, the historic home in the neighborhood. Because of its location on upper Main Street, I find that the design does not reflect the historic character - simple building forms, unadorned materials, restrained ornamentation - of every other home on Main Street. Further, this style of architecture lacks an emphasized design in a manner consistent with the contemporary interpretation of other new, non-reconstruction, homes on Main Street. The chosen style, at this time, provides no clear architecture discussion in an historic tone. In fact, it has also created a very stark design counter to HDDG's task of homogeny.

HDDG 6.9.2009

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Universal Guidelines

Paragraphs 1, 2, 3 and 5

HDDG Amended 5.16.2019

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15-13-2 A.9

Materially, this home utilizes modern surface materials contradicting with the essence of HDDG. Stylistic elements should not simply be applied to the exterior. Materials and detailing should be compatible in scale, proportion and finish texture as those used on Historic homes in the neighborhood. Materials, especially stone and masonry, should be used in the manner they were used historically. Man-made or unfamiliar quarried materials should not be used as they diminish the historic character of the neighborhood. Styles that never appeared in Park City should be unmistakably avoided. Styles that radically conflict with the character of Park City's Historic Sites need also be avoided. Staff should have found that the applicant able to better articulate the design by applying consistent materials, forms, elements and features of neighboring houses with suitable selection of such to accomplish said homogeneity thus keeping with HDDG and still encapsulating scope components essential for a home.

HDDG 6.9.2009

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Universal Guidelines

Paragraph 6 and 7

HDDG 6.9.2009

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Materials

B.2.5 and B2.6

Specific types of stylistic home designs found in historic Park City are the L or T Cottage, Rectangular or Hall-Parlor House, Gable Front, Hipped Roof or "Pyramid" House or the Bungalow house. A style of architecture should be selected and all elevations of the building should be designed in a manner consistent with a contemporary interpretation of the chosen style. None of the listed HDDG home mass designs are incorporated in 139's proposed home. Independent of home general massing, Land Management Code (LMC) changes regarding height state: A ten foot minimum horizontal step in the downhill façade is required unless the first story is located completely under the finish grade on all sides of the home. LMC continues; a horizontal step must take place at a maximum height of twenty three feet from where the building footprint meets the lowest point of existing grade. This appears absent in the design. Other architectural features, that would provide articulation to the upper story façade setback, which could encroach into the minimum ten foot setback but be limited to no more than twenty five percent of the width of the building encroaching no more than four feet into the setback, are clearly absent. In as much as the HDDG provides specific concepts for adhering to the document, this project is void any attempt.

HDDG 6.9.2009

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"Styles that never appeared in park City should be avoided"

There is the process itself. Projects of this significance require community and especially neighbor involvement. A notice of receipt of an application may have been sent to property owners within 100 ft. of the subject property, however, missing from the application notice for development for a vacant lot was any brief written history of the site (uses, owners, build date of the primary structure, and dates of additions and/or alterations made to the primary structure). This application should have listed and included all sources of information such as permit records, title abstracts, tax assessor records or other verifiable information. During the HDDR process, immediate neighbors should have been provided these details to ensure strict compliance. This was not done.

139 Main Street's proposal should have been designed so that the facade reinforces the rhythm along the street in terms of traditional patterns of building architectural elements and materials. This project, in keeping with HDDG, should have had exterior elements; roofs, an entrance, eaves, a chimney, a porch, windows, doors, steps, retaining walls, garages, etc., compatible with its neighboring historic site. Its scale and height should have followed the predominant pattern of the neighborhood. Size and mass of the home should have been compatible with the size of the property so that lot coverage, building bulk, and mass would have been compatible with in the neighborhood. This home needed to be located on the site in a way that follows the predominant pattern of historic buildings along Main Street, maintaining traditional setbacks, orientation of entrances, and alignment. This one hasn't. Its windows, balconies and decks have been incorporated opposed to any order respecting existing conditions of neighboring homes and their primary façades. Not at all compatible with surrounding historic homes.

HDDG 6.9.2009

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Building Setbacks & Orientation A 1.1

HDDG 6.9.2009

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Mass, Scale & Height B 1.1.6

Continually, ratios of openings-to-solid that are compatible with surrounding historic buildings should have been used. Here, windows and doors and other fenestration are unproportional to the scale and style of openings for neighboring homes within the historically significant neighborhood. And especially, the porches should have been traditionally embraced when this house will reside in Park City's most historic site and the neighborhood has an established pattern for entry envelope. An over-scaled, monumental porch or under-scaled minimalist entry porch should have been avoided. 139 Main Street's porch must be compatible with proportion and style and respect the scale and proportions found on historic buildings of the neighborhood.

HDDG 6.9.2009

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Windows & Doors B 2.8, B 2.9
Porches B 2.10, B 2.11

With Park City's Main Street being on the National Register of Historic Districts due to its collection of historic buildings and unique character, this home has to be an integral part of the register acceptance and thus continued tourism success. As proposed, and since the original historic home having been raised, this home becomes an infill structure in historic Main Street it should have been further scrutinized to ensure that it would not diminish the integrity of the register. It would have to serve to strengthen the historic character of the area, not detract as markedly as it does. Any new construction in the Main Street National Register Historic District must be approved only after having been determined that what gets built would not jeopardize the integrity of the district.

139 Main Street as currently designed and approved must be appealed as the solution does not utilize standard components for new construction of residences outlined in HDDG nor been designed compatible with the surrounding homes on historic Main Street, Park City.

Cordially,

A handwritten signature in black ink that reads "Jeff". The script is cursive and fluid, with the "J" being particularly large and stylized.

Jeff Creveling
129 Main Street
Park City, UT 84060
435.647.0000
hjc@sisna.com

encl. 139 Main HDDR Approval Notice
139 Main Elevation, 3d Model and Streetscape

Failures to comply with Land Management Code

A. CONTRIBUTORY ROOF FORM

15-2.3-6 C ROOF PITCH.

The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way.

There is no contributory roof form for a constant 20'.

B. SECONDARY ROOF FORM

15-2.3-6 C.1 ...Secondary Roof Forms may be Rooftop Decks...

Roof top deck is a secondary. Therefore any roof top deck cannot occur within the first 20' of the building structure.

C. HDDG A PART OF LMC

15-11-11 Design Guidelines For Park City's Historic Districts And Historic Sites

The HPB shall promulgate and update as necessary Design Guidelines for Use in the Historic District zones and for Historic Sites. These guidelines shall, upon adoption by resolution of the City Council, be used by the Planning Department staff in reviewing Historic District/Site design review Applications. The Design Guidelines for Park City's Historic Districts and Historic Sites shall address rehabilitation of existing Structures, additions to existing Structures, and the construction of new Structures. The Design Guidelines are incorporated into this Code as Chapter 15-13.

Failure to comply with HDDG is also a failure to comply with the LMC

City Council Staff Report

Subject: King's Crown Condominium Plat
Author: Laura Kuhrmeyer, Planner I
Project Number: PL-19-04159
Date: November 7, 2019
Type of Item: Legislative – Plat Amendment

Summary Recommendations

The original Planning Commission meeting (February 27, 2019) was continued to November 13, 2019. Due to legal notice requirements, this item needs to be continued to November 21, 2019.

Description

Applicant: CRG Development Partners, LLC represented by Rory Murphy
Location: 1271 Lowell Avenue
Zoning: Recreation Commercial (RC) District
Adjacent Land Uses: Trails, skiing, open space, and residential.
Reason for Review: Condominium Plat applications require Planning Commission public hearing / review / recommendation to the City Council, and City Council public hearing / review / final action

Proposal

The Applicant requests approval of a Condominium Plat for Buildings B, C, and D within Kings Crown to plat twenty-six (26) private market rate residential condominium units, one (1) Affordable housing unit, as well as accompanying mechanical space, internal circulation, parking, storage, swimming pool, etc., all to be designated common space. The Condominium Plat would allow the applicant to sell each unit individually and is subject to the amended Kings Crown Master Planned Development / Conditional Use Permit, and amended Affordable Housing Mitigation Plan.

Recommendation

The original Planning Commission meeting (February 27, 2019) was continued to November 13, 2019. Due to legal notice requirements, this item needs to be continued to November 21, 2019.