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

October 5, 2017

The Council of Park City, Summit County, Utah, met in open meeting on October 5, 2017, at 5:00 p.m. in the City Council Chambers.

Council Member Beerman moved to close the meeting to discuss property, personnel and litigation at 5:00 p.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, and Matsumoto. Council Member Worel was excused.

CLOSED SESSION

Council Member Gerber moved to adjourn from Closed Meeting at 5:30 p.m. Council Member Henney seconded the motion. Voting Aye: Council Members Beerman, Gerber, Henney, and Matsumoto. Council Member Worel was excused.

WORK SESSION

Council Questions and Comments:
Council Member Matsumoto attended the Historic Preservation Board meeting, where they finalized the design guidelines for the Historic District. She attended the Recreation Advisory Board meeting, where they discussed working with Diego from the Community Foundation on the initiative to increase Latino participation in community sports programs.

Council Member Gerber participated in being a Park City Firefighter for a day. She attended the Scarecrow Festival hosted by Friends of the Farm. She attended a Youth City Council meeting, and the Chamber’s skier demographic presentation. She attended a Ski Utah meeting and noted they were rolling out the season’s ad campaigns. She attended the Women in Leadership luncheon where Pat Jones, a former Utah Senator, presented. She attended a Park City Action Network (PCAN) social, where Mark Harrington presented on the history and background of the process and how to be involved. She also attended a Bright Futures Board meeting, and the Park City Area Lodging Association.
Council Member Henney noted that at the Chamber’s skier demographic presentation, he observed that the data indicated an increase in public transit with return visits by skiers. He toured the Egyptian Theatre and listened to a great local history lesson. He met with the Vernal Mayor and staff as they learned about the City’s trail system. He attended a Joint Transportation Advisory Board meeting and the Prospector’s Homeowners Association meeting. He attended a Mountainlands Community Housing Trust meeting where the new affordable housing project in Silver Creek was discussed and hope was expressed that a groundbreaking would take place this fall.

Council Member Beerman attended a Citizen’s Open Space Advisory Committee (COSAC) meeting. He attended the meeting with the Vernal Mayor and staff. He attended the Prospector Homeowners Association meeting and heard from Transit staff. He also stated he was happy to see the Latino outreach efforts for the Ice Arena activities.

Mayor Thomas indicated he attended the Fire Board meeting, the Historical Society meeting and other events.

**Transit Signal and Transit Lane Updates:**
Blake Fonnesbeck, Darren Davis, Matthew Hartnett and Alfred Knotts presented this item. Knotts explained the three agreements for Council approval in the regular meeting. Hartnett indicated the transit lane agreement expanded the current agreement so buses could travel on both northbound and southbound shoulders of SR-224 and it would eliminate the time-of-day restrictions. He noted the traffic signals would align with the electric bus route so that stops would be minimized. This would allow transit to bypass congested areas, which would make transit a more attractive choice for users, and reduce idling times for transit vehicles. Hartnett also noted that a staff study performed during the 2013 Sundance Festival showed a 30% time savings by using transit.

Fonnesbeck stated the traffic signal prioritization agreement would be for all the traffic signals in town, and not just the signals on SR-224. Davis stated this was advanced technology that would help transit perform more efficiently. Fonnesbeck indicated UDOT was a great partner and the trust had developed over time to the point that they were comfortable allowing the City to operate with these systems on their right-of-way.

Council Member Beerman asked about park-and-rides at Kimball Junction. Fonnesbeck stated the County was building a park-and-ride south of the transit center, and one was being planned at Ecker Hill.

**REGULAR MEETING**

I. ROLL CALL
II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Staff Communications Reports:

- **Parking Technology Progress Update:**
  Julie Dixon and Kenzie Coulson asked if Council had questions on the progress of the parking project. Coulson indicated the tone of the outreach had shifted and the response appeared to be receptive and calm compared to former outreach meetings. Dixon indicated Coulson had done amazing work in her outreach efforts. She also noted the compliments on the new parking garage paint job. Council Member Henney stated this was a disruptive and transformative initiative and he would hold it up as the standard for future endeavors by the City. Council Member Beerman praised Coulson for going door-to-door to meet with every business individually. Coulson gave credit to the Community Engagement team for their help as well. Dixon stated the Main Street employees were a priority and that priority had not changed.

Mayor Thomas asked for public input. No comments were given. Mayor Thomas closed the public input portion of the meeting for this item.

- **Latino Outreach & Fee Reduction Update:**

- **Historic District Grant Program:**

- **Bonanza Flat Lease Agreement- REDUS Park City LLC.:**

- **Hillside Soft-Surface Trail Enhancement Update:**

- **Park City Transit Awarded Low-No Grant:**

- **Transit App MyStop Update:**
III. PUBLIC INPUT  (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

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

IV. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from September 15, 2017:

Council Member Gerber moved to approve the City Council meeting minutes from September 15, 2017. Council Member Beerman seconded the motion.

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

V. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute Contract Change Order No. 11 to the Construction Contract with Granite Construction for Construction of the Lowell Avenue Re-Construction Project in a Form Approved by the City Attorney and for an Amount of $165,430.69:

2. Request to Authorize the City Manager to Execute Amendment No. 2 to the Professional Service Contract with Stanley Consultants for Construction Engineering Management for the Lowell Avenue Re-Construction Project in a Form Approved by the City Attorney and for an Amount of $82,158:

3. Request to Authorize the City Manager to Execute a Professional Services Agreement, in a Form Approved by the City Attorney, with SKM, Inc. for the SCADA Integrator Services for Creekside Water Treatment Plant Project in an Amount Not to Exceed $74,533.00:

4. Request to Authorize the City Manager to Enter into Transit Lane Operation Agreement with the Utah Department of Transportation (UDOT) in a Form Approved by the City Attorney:

5. Request to Authorize the City Manager to Enter into Transit Signal Priority Cooperative Agreement with the Utah Department of Transportation (UDOT) in a Form Approved by the City Attorney:
6. Request for Assignment of the Quinn’s Junction Property Annexation and Master Planned Development Agreement (A.K.A. Park City Film Studio Development Agreement) from Quinn’s Junction Partners L.C. to Quinn Capital Partners, LLC:

7. Request to Authorize the City Manager to Sign a Professional Services Agreement with Global Traffic Technologies, LLC for Professional Services Related to the Installation of a Traffic Signal Preemption and Priority Control System in the Amount of $389,409.92 in a Form to be Approved by the City Attorney:

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

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

VI. OLD BUSINESS

1. Consideration to Approve Ordinance No. 2017-51, an Ordinance to Repeal and Replace Municipal Code Title 4, Licensing; Adopt 4A, Special Events; Adopt 4B, Franchised Utilities and Taxes; Adopt 4C, Freedom from Discrimination:

Beth Bynan, Business License Specialist, presented this item and indicated Title Four was being amended in two parts. The proposed changes tonight were, for the most part, formatting changes. She thanked those who helped with this process. She stated Special Events, Franchised Utilities and Taxes, and Freedom from Discrimination were being moved to newly added Code Titles and would not be amended at this time. The definitions were reorganized and the refund was now a flat fee of $25 to cover administration costs. The appeal process was now all under the same section. She also noted that the code was now aligned with State Code.

Bynan stated “Licenses” was being renamed to “Consultant License” to meet that specific need, and commented that this title was now easier to navigate.

Mayor Thomas opened the public hearing.

Mike Sweeney stated he read this document and the exhibits, and thanked Bynan for her efforts, saying he supported the changes.

Mayor Thomas closed the public hearing.
Council Member Gerber stated this was a big feat and it was done very well.

Council Member Gerber moved to approve Ordinance No. 2017-51, an ordinance to repeal and replace Municipal Code Title 4, Licensing; adopt 4A, Special Events; adopt 4B, Franchised Utilities and Taxes; adopt 4C, Freedom from Discrimination. Council Member Henney seconded the motion.

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

2. Consideration to Approve Ordinance 2017-41, an Ordinance Approving the Lilac Hill Subdivision-First Amended Located at 632 Deer Valley Loop, Park City, UT Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:

Anya Grahn, Planner II, Frank Watanabe, Owner and Developer, Bryan Markkenen from Elliott Work Group, Bo Piktin, project manager; and Kyle Cook from Fehr and Peers, the transportation engineer who conducted the roadway study recommended by the City Council, presented this item. Watanabe read a prepared statement (attached to approved minutes) reviewing the history of the project, the conditions that had been met, and the conditions allowed for this parcel.

Markkenen displayed the site plan for this parcel and other options that were proposed, but were not optimal. He indicated the preferred option was in total compliance with the plat requirements. Cook presented a summary of the field operations performed on Rossi Hill Road and Deer Valley Loop. He stated Rossi Hill was not as steep, was not north facing, and had a greater width than Deer Valley Loop. Rossi Hill also had a greater site distance so drivers leaving the proposed development would not have impaired vision. He noted the impact of the development would be divided, with two units accessing Deer Valley Loop and two units accessing Rossi Hill, so neither road would have an undue burden.

Council Member Beerman asked if the trip generation numbers displayed were actual or based on an estimate. Cook stated the numbers were based on the average in a condo residential area. Council Member Matsumoto asked which option would use less cement for the driveways. Markkenen stated the one driveway option would use less cement than the option with two driveways, but the one driveway option would necessitate a parking garage which would use a lot of cement.

Mayor Thomas opened the public hearing.

Jennifer Camp stated snow removal was a big deal on Rossi Hill. Most of the snow was pushed into the condo on the corner, which would cut into the sight line. The corner was very dangerous in the winter.
Diane Bernhardt represented Save Rossi Hill Historic Open Space and Snow Park Homeowners Association. She requested that access be limited to Deer Valley Loop. She distributed a handout with an overlay transparency of the preferred site plan, and compared each option from the developer using the transparency. She thought the developer could maximize space more efficiently in his non-preferred options so that the one driveway access to Deer Valley Loop could become the preferred option.

Council Member Henney asked why the neighbors were opposed to the one additional curb cut on Rossi Hill and why it would be safer to put all the traffic onto Deer Valley Loop. Bernhardt stated the hairpin turn on Rossi Hill was dangerous and the City should not promote traffic above that turn. There were pedestrians and bikes that travelled the road as well and the road should not be promoted. She also asserted that when that parcel was developed, there would be more cars and people. Council Member Henney asked if Deer Valley Loop was dangerous. Bernhardt stated it was dangerous but not as dangerous as Rossi Hill.

Mary Wintzer stated she agreed with everything Bernhardt said. The access would create a hazardous situation. She felt if the condos were sold to fulltime residents, they would learn how to navigate the road, but she guessed these units would be sold to second homeowners who would not be familiar with the hazardous traffic conditions. She asked that the residents could have the assurance that the driveway would be set back as well.

Jeff Camp reviewed the history of the property and the various owners. He knew the developer’s goal was to make money, and asserted the City and community should not be concerned with the developer’s profit margin when making a decision on this property. He also expressed concern on the lack of snow storage on the road as well as the lack of parking there.

Mayor Thomas closed the public hearing.

Council Member Matsumoto asked where the garages were located on the parcel. Watanabe indicated the garages were located on the lower level and each unit could accommodate two cars. She indicated that street parking was a concern for the residents. Grahn noted that No Parking signs would be installed on one side of the street. Council Member Matsumoto asked about the snow berm problem at the hairpin turn. Matt Cassel indicated the code allowed snow to be pushed into the right-of-ways as long as it wasn’t in the travel lanes of the road. He commented that when the road was narrowed, the snow would only be pushed to the downhill side of the road and No Parking signs would be placed on the uphill side of the road. These efforts would help increase the sight lines. It was also indicated that there would be increased enforcement in this area. Council Member Matsumoto stated the concerns that the neighbors addressed should be resolved whether or not a development was approved for this parcel. She preferred the option with the two access points, noting that splitting the
traffic would be the best situation for both streets, and added the plat restrictions were being followed.

Mayor Thomas asked the length of the driveway that was perpendicular to Rossi Hill. Markkenen stated he didn’t have an exact number. Mayor Thomas requested the driveway be longer so cars could come out straight to the road and noted the County requirements of having a 20 foot driveway that was perpendicular to the road as well as a five percent grade change maximum going into a parking area. Cassel indicated that the driveway could be adjusted to resolve that concern. Markkenen agreed that the length could be adjusted.

Council Member Gerber agreed with Council Member Matsumoto with regard to addressing the concerns of the neighbors. She also was in favor of splitting the traffic by having the two access points.

Council Member Henney stated he was partial to having only one driveway onto Deer Valley Loop. With respect to the conditions and plat notes, he asked what would be required if the Council wanted to restrict the access to one on Deer Valley Loop. Harrington stated it would have to be determined that having the second driveway in this location would not meet code or would be unsafe. It was a question of which option didn’t meet code. If the preferred option created an eastern lot which didn’t front Rossi Hill, then it wouldn’t implicate the existing condition of approval. If it did, then the other code issues, if any, would need to be ascertained. If there was a different basis to deny the current proposal, the condition would be another procedural step. If there was a basis to deny, there would be justification to amend the other ordinance.

Council Member Henney asked Markkenen if square footage could be added to other options. Markkenen stated the other options could have a little more square footage but open space on the parcel would be minimized. Watanabe indicated the non-preferred options required parking garages, which would eliminate a level of living space for two units. Council Member Henney asked Grahn to highlight the issues on the preferred option. Grahn stated that even if the parcel was configured a different way, there was still the plat note that allowed one unit to access Rossi Hill. She stated the front and rear setbacks were deeper than side setbacks, which affected the configurations. She indicated the other concern, as far as design guidelines, was the transitional element between the historic house and the new development uphill, and noted she didn’t want the new structures to overwhelm the existing structure.

Council Member Henney preferred having the single access on Deer Valley Loop for safety concerns. He thought drivers would drive on that road at a slower speed than on Rossi Hill, making it a safer alternative. He wondered at the extent of the details presented. Harrington indicated the developer provided the details at Council’s request. The details were also necessary to show that the actions dictated by the conditions of approval were achievable.
Council Member Beerman also expressed concern about the safety of Rossi Hill Drive. When there were significant snow banks, the problem was magnified. He hoped the developer could maximize some square footage with the options that only had access to Deer Valley Loop, noting that road was better equipped to handle the additional traffic since it had two access points onto Deer Valley Drive. He indicated Council didn't know that the developer had enough space to increase the length of the driveway onto Rossi Hill in order to make it safe. Cassel stated that the site plan might need to be adjusted, but the length of the driveway onto Rossi Hill could be achieved.

Council Member Gerber asked if there was room for a walkability project for the residents in that neighborhood as well as within the development, noting there was a bus stop close by. Watanabe stated there was access to both Rossi Hill and Deer Valley Loop for the owners of this project. Cassel stated there was a request made to the Bureau of Land Management (BLM) for a staircase to be installed on the BLM property. Watanabe indicated if the design was approved for this development and BLM gave consent for a staircase on its land, Watanabe would pay for that staircase on the BLM land.

Mayor Thomas agreed with Council Members Henney and Beerman that the development should only have one access to Deer Valley Loop, noting the driveway onto Rossi Hill was unsafe. He also commented that many longtime residents travelled Rossi Hill and their knowledge of that road could not be dismissed. He preferred that the developer look at the other options. Grahn noted that if two lots were created, the plat notes would need to be amended since the notes now give one access onto Rossi Hill. Watanabe indicated if the concern was the unsafe driveway onto Rossi Hill, he could do further work on the site plan in order to resolve that concern.

Bruce Erickson stated the Planning Department was not in favor of any options that included a parking garage. His department would consider alternatives that did not include access onto Rossi Hill but they did not want the parking garage in those alternatives if at all possible. Council Member Matsumoto agreed that parking garages should not be an option. She also thanked the neighbors for their concern and taking time to come tonight.

Council Beerman stated there were three conditions that he would want addressed before he would consider approval of this development: a walkability solution for the residents, No Parking signs to the elbow of that section of Rossi Hill if access was to be allowed there, and sufficient length to the driveway accessing Rossi Hill. Council Member Henney noted the fourth condition mentioned by Council Member Matsumoto of not having a parking garage.

Council Member Beerman moved to continue Ordinance 2017-41, an ordinance approving the Lilac Hill Subdivision-First Amended located at 632 Deer Valley Loop,
Park City, Utah, pursuant to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney to a date uncertain in order to allow time for staff to work with the developer on the above mentioned conditions. Council Member Gerber seconded the motion.

RESULT: CONTINUED TO A DATE UNCERTAIN
AYES: Council Members Beerman, Gerber, Henney, and Matsumoto
EXCUSED: Council Member Worel

VII. NEW BUSINESS

1. Consideration to Approve Ordinance No. 2017-52, an Ordinance Approving the Vacation of the John Doyle House Condominium Plat at 339 Park Avenue, Park City, Utah According to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney:
   Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.

Council Member Gerber moved to approve Ordinance No. 2017-52, an ordinance approving the vacation of the John Doyle House Condominium Plat at 339 Park Avenue, Park City, Utah, according to findings of fact, conclusions of law, and conditions of approval in a form approved by the City Attorney. Council Member Henney seconded the motion.

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

2. Approval of Richardson Flat Park & Ride Use Agreement for Fire and Ice Productions at Park City Film:
   Council Member Matsumoto recused herself from this item since she did business with Fire and Ice. Council Member Beerman asked if the City was being paid for the use. Jenny Diersen stated $6,000 was paid for the use of the lot and it would cover maintenance costs. Council Member Gerber asked if this would be an opportunity to make permanent improvements to this lot. Harrington stated the lease restricted what could and could not be done on the property. The City was fine with having this lot as a temporary use. Council Member Beerman asked how many parking spaces were in the lot. Diersen stated there were 700 spaces and Fire and Ice requested to use 500 of those spaces.

   Mayor Thomas opened the public hearing. No comments were given. Mayor Thomas closed the public hearing.
Council Member Beerman moved to approve the Richardson Flat Park and Ride Use Agreement for Fire and Ice Productions at Park City Film. Council Member Gerber seconded the motion.

RESULT: APPROVED
AYES: Council Members Beerman, Gerber, and Henney
RECUSED: Council Member Matsumoto
EXCUSED: Council Member Worel

VIII. ADJOURNMENT

IX. PARK CITY REDEVELOPMENT AGENCY MEETING

I. ROLL CALL

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<th>Attendee Name</th>
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<tr>
<td>Jack Thomas</td>
<td>Chair</td>
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<td>Andy Beerman</td>
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<td>Becca Gerber</td>
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<td>Tim Henney</td>
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<td>Cindy Matsumoto</td>
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<td>Nann Worel</td>
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<td>Secretary</td>
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II. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Chairman Thomas opened the public input portion of the meeting for those who wished to speak on items not listed on the agenda. No comments were given. Chairman Thomas closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Grant an Exclusive Utility Easement Across City Property to Dominion Energy, in a Form Approved by the City Attorney, for the 1450/1460 Park Avenue Housing Project:

Chairman Thomas opened the public hearing. No comments were given. Chairman Thomas closed the public.
Committee Member Gerber moved to grant an exclusive utility easement across City property to Dominion Energy, in a form approved by the City Attorney, for the 1450/1460 Park Avenue Housing Project. Committee Member Beerman seconded the motion.

RESULT: APPROVED
AYES: Committee Members Beerman, Gerber, Henney, and Matsumoto
EXCUSED: Committee Member Worel

X. ADJOURNMENT

XI. PARK CITY WATER SERVICE DISTRICT MEETING

I. ROLL CALL

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

Chairman Thomas opened the public input portion of the meeting for those who wished to speak on items not listed on the agenda. No comments were given. Chairman Thomas closed the public input portion of the meeting.

III. NEW BUSINESS

1. Consideration to Authorize the Chair of the Park City Water Service District to Execute the Spiro Tunnel Water Agreement with VR CPC Holdings, Inc., a Delaware Corporation, D/B/A Park City Resort:

Chairman Thomas opened the public hearing. No comments were given. Chairman Thomas closed the public.
Committee Member Beerman moved to authorize the Chair of the Park City Water Service District to execute the Spiro Tunnel Water Agreement with VR CPC Holdings, Inc., a Delaware Corporation, d/b/a Park City Resort. Committee Member Gerber seconded the motion.

RESULT: APPROVED  
AYES: Committee Members Beerman, Gerber, Henney, and Matsumoto  
EXCUSED: Committee Member Worel

XII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder
Transit Signal Priority (TSP) and Transit Lane Operations

October 5, 2017
Overview

• Three items on tonight’s Consent Agenda:
  – Transit Lane Operation Agreement with UDOT
  – Transit Signal Priority Cooperative Agreement with UDOT
  – Request to authorize City Manager to execute a Professional Services Agreement for the installation of a Traffic Signal Preemption and Priority Control System
The Opportunity

• Permits Park City Transit to operate on the shoulders of SR-224
  – Expands operations to both Northbound and Southbound and eliminates time of day and seasonal restrictions
• Allows Park City Transit vehicles to more reliably pass through signalized intersections without having to stop
• Critical to helping maintain 10-minute headways and improve travel time reliability on the Electric Xpress
• Implements additional elements of a true Bus Rapid Transit service
• Accomplishes necessary work and establishes necessary agreement to also equip emergency services vehicles and implement signal preemption
Advancing Park City’s Transportation Goals

• Increases opportunities for Park City Transit vehicles to bypass congested areas
  – Improves transit travel times along the SR-224 and SR-248 corridors
  – Makes transit increasingly attractive to potential riders
  – Increases the mobility and accessibility afforded to local transit riders
  – Increases system capacity (especially evident during special event operations)

• Supports the City’s energy and air quality goals, reducing idling and stop and go travel
7 Basics of Bus Rapid Transit

1. Running Ways
Options range from general traffic lanes to fully grade-separated BRT transitways.

2. Stations
Options vary from simple stops with basic shelters to complex stations and intermodal terminals with many amenities.

3. Vehicles
Options vary in terms of size, design, propulsion, internal configuration and horizontal/longitudinal control - all of which influence system performance, capacity and service quality.

4. Fare Collection
Options range from traditional pay-on-board methods to pre-payment with electronic fare media (e.g., smart cards).

5. Intelligent Transportation Systems (ITS)
Options include vehicle priority, operator communications, operation and maintenance management, real-time passenger information, and safety and security systems.

6. Service and Operation Plan
A design plan that meets the needs of the population and employment centers in the service area and matches the demand for service.

7. Branding
Packaging all of the elements into a cohesive system communicates the value of BRT elements to the traveling public.

Global Facts
More than 160 cities in the world have some version of BRT.
34% of the world’s cities with BRT are in Latin America.
Nearly 21% of the cities with BRT are in Asia.
CDM Smith has worked on more than 30 BRT projects in the U.S.

*Source: BRTdata.org, IMB-ARG Social, Environmental and Economic Impacts of BRT Systems Report (December 2013)
Monitoring

• Staff study: Transit lane operations facilitated transit travel time savings of ~ 30% (study conducted during ‘13 Sundance Film Festival)

• Staff will closely monitor the impacts of TSP implementation and increased transit lane operations, measuring the following:
  – Travel time
  – Travel time reliability
  – On-time performance
  – Ridership
632 Deer Valley Loop
Alternative A
Units 3 & 4
Submitted to City for Historic District Design Review
Units 1 & 2
Submitted to City for Historic Design Review
632 Deer Valley Loop
Alternative A
Statement by Frank Watanabe to Park City Council 5 October 2017

Good evening Mayor Thomas and Council members. Of course, I am Frank Watanabe, and I am here representing the Lilac Hill LLC, owner of 632 Deer Valley Loop. I’m joined here at the table by Bryan Markkenen from Elliott Work Group; Bo Piktin, my project manager; and Kyle Cook from Fehr and Peers, the transportation engineer who conducted the roadway study recommended by the city council.

As I think the entire council is well aware, there has been a long and laborious process surrounding the various approvals associated with the 632 Deer Valley Loop project. While rehashing that whole history is not warranted, I do think that it is worth reviewing briefly some of the historical context of the approvals, in part so the Council can proceed with an understanding of what is and what is not in dispute, so that you can focus your analysis on the narrow question presented by our current application.

If the last meeting is any indication, you may hear some public input concerning a variety of concerns with our project which nearby residents feel are pertinent. I simply ask that the Council focus on the question of whether this subdivision application is contrary to either the general welfare or to the purposes of the Land Management Code, and that any public comments that don’t pertain to these two factors should not be considered.

Our proposed development of Lilac Hill, of which this subdivision application is a part, is important not only to Lilac Hill LLC financially, but to Park City’s historic preservation. The restoration of the historic miner’s cabin located at 632 Deer Valley Loop as part of Lilac Hill’s development is the only economically feasible way, to use the Planning Commission’s apt phrase, to “keep the historic buildings from demolition by neglect.”

Furthermore, we have worked diligently with the Planning Department throughout the design process to ensure not only that the historic miner’s cabin is preserved for generations to come, but that the entire project is consistent with the design vernacular of Old Town and provides a transition from Old Town to the denser and taller projects in Deer Valley.

During the original approval process for the plat for 632 Deer Valley Loop, the previous owner agreed to a number of restrictions on development rights as Conditions of Approval to the Plat, restrictions which were not required by the LMC, by the historic guidelines, or by other codes and regulations. Specifically, the prior owner agreed that:

1) All properties built on the lot would be subject to the Park City’s Design Guidelines for Historic Districts and Historic Sites, even a subdivided lot without a listed building that normally would not be bound to those guidelines, which was a major concession, and as the city has stated before, which was very important to you.

2) That no development would occur in front of the historic Miner’s cabin, again a condition that the city identified as a priority.
3) That a minimum of 40% of the site be preserved as Open Space – a major concession on our part, and one that impairs our development rights, but which we are not disputing.

4) That any development on this lot or future subdivided lots within this lot would provide a transition in scale between the historic structures in this neighborhood, the Historic District, and Deer Valley Resort.

5) Finally, the previous owner agreed that driveway access to any development to this one-lot subdivision would be limited to Deer Valley Loop Road, if the lot was subdivided in a manner which would result in lots fronting Rossi Hill Drive, those new lots would only be accessible from the eastern half of the Rossi Hill frontage, and that any driveway off of Rossi Hill would have specific design constraints to ensure safety.

Again, these conditions were all in excess to what is required by the LMC, by the Design Guidelines for Historic Districts and Historic Sites, or by other Park City laws or regulations, and collectively, they represent a substantial limitation on our ability to develop the Lilac Hill property.

However, as both staff and the Planning Commission have already recognized, we are not contesting any of these restrictions, or requesting any modifications. Instead, we have designed a project which is in full compliance with all of the Conditions of Approval.

These Conditions of Approval were the product not only of lengthy discussions between the prior owner and the city planning department and the city council, but also of direct negotiations between the previous owner and the residents in the area, particularly the Save Rossi Hill group.

Neither side got everything that they wanted out of those negotiations. And in fact, Councilman Beerman commented at your October 2016 meeting, and I quote “they always say the art of good compromise is no one is happy and I don't see a lot of happy faces out there so we might be close.”

But now the Rossi Hill group is trying to come back and – unwittingly or not - revisit a key condition of approval that has already been agreed upon, namely the ability to have a driveway access Rossi Hill if the lot is subdivided, as agreed in Condition of Approval 8 in the existing plat approval.

As I am sure you recall, at the August 3rd City Council meeting, the City Council heard from several neighbors, including the Rossi Hill group, requesting the City revise the approved Condition of Approval, and block any driveway access to Rossi Hill. The neighbors cited the unsafe conditions on Rossi Hill, and the alleged exacerbation of those conditions due to my proposed development.
At that same meeting, the council asked us to go back and, in conjunction with the City’s Planning Department, re-evaluate options for restricting access to Deer Valley Loop. You also asked us to have a road conditions study prepared.

We have done both of these things. Over the last several weeks, we have spent considerable time and money reconsidering various options for developing the property with access restricted to Deer Valley Loop, we have met on two occasions with the Planning Department to review these options. Bruce Erickson and Anya Grahn, the city planning director and historic planner, concluded that the currently proposed subdivision was preferable because it minimizes driveway traffic impacts in front of and beside the historic home, and meets the LMC, Design Guidelines, and existing plat notes. In contrast, as the Planning Department stated in their staff report, the alternatives are less preferred because “these alternatives in varying ways do not comply with the LMC, Design Guidelines, or existing plat notes.”

Regarding the road condition report, that report was completed by Fehr and Peers, a respected traffic engineering company who I understand also does work for Park City, and was submitted to the Planning Department, and it was in your package. As you may have read, the independent road engineers who conducted the study concluded that both the proposed driveway off of Rossi Hill and that off of Deer Valley Loop “are acceptable from a transportation engineering perspective.”

More importantly, as you will hear in greater detail in a moment, the transportation engineers found that “Rossi Hill Drive will be easier to navigate than Deer Valley Loop, which has steep slopes (approx. 9%) and narrow pavement width (approx. 18-20 feet) on the eastern and western segments approaching Deer Valley Drive”, and that the proposed Rossi Hill driveway would have longer sightlines than the proposed Deer Valley Loop driveway.

As an aside, I would also like to remind the council that at the October 20, 2016 City Council meeting, some of our neighbors on Deer Valley Loop did raise concerns about additional traffic on Deer Valley Loop, so it seems unlikely that all concerned parties would have their concerns addressed by limiting access to Deer Valley Loop.

Finally, the road condition report concluded “Providing two driveways will disperse project traffic and minimize impacts on Deer Valley Loop.”

Since quoting our esteemed Council members has become a popular activity during these discussions of Lilac Hill, I’d like to quote two of the members from the October 20th, 2016 meeting:

Regarding the driveway issue, Council Beerman said “I trust the Planning Commission and the city engineer to make that decision at the time”

Similarly, Councilwoman Gerber said “And we'll let the Planning Commission and the city engineer figure out the access.”
At the July 12th Planning Commission meeting on this plat subdivision, the City Engineer, in response to a direct question from Commissioner Campbell, stated that, with the existing restrictions, he was comfortable with the Rossi Hill driveway.

I would also point out that at its July 12th meeting, the neighbors’ concerns regarding the Rossi Hill driveway were raised and discussed, and in the end, the Planning Commission unanimously approved forwarding our plat amendment with a recommendation that the city council approve it, along with the recommendation to consider additional parking restrictions along Rossi Hill.

Lilac Hill’s development, and the preservation of the historic miner’s cabin, cannot be done in an economically viability way while simultaneously satisfying all of the city-imposed development conditions unless the Rossi Hill Drive access driveway is approved as a part of the project. Without this access point, it will be far more difficult, if not impossible, for this project to be economically feasible—particularly considering our commitment to historical preservation and open space.

Conversely, the alternatives to what has already been approved — specifically revoking the approved driveway access off of Rossi Hill Drive — would constitute an undue burden on our proposed development rights.

So where does that leave us?

One, as Bryan Markkenen will expound upon in a minute, we have established that subdividing the lot in an east-west orientation is preferable to subdividing the lot in a north-south orientation in terms of providing the desired transition in scale, in meeting the sewer district’s requirements, in minimizing driveway impact on the historic home, and in ensuring compliance with the city’s engineering and building codes.

Two, we have established that Rossi Hill is suitable for the proposed driveway, and is actually better than Deer Valley Loop in terms of slope, width, and sight lines – meaning our proposal is better for the general welfare of the community.

Third, we have established that splitting traffic from our development between Deer Valley Loop and Rossi Hill would be preferable to minimize any adverse impacts.

Fourth, our proposed subdivision is in full compliance with the Park City Municipal development code for subdivision approval, along with the site-specific restrictions and conditions, and, as such, meets both the spirit and the letter of the Land Management Code.

With this factual and historical background in mind, we strongly believe our application should be completely and finally approved, as proposed.

Thank you, and now I would like Kyle Cook to briefly review the road conditions study, and then Bryan will briefly touch on the various alternatives that, along with the City’s Planning Department, we evaluated. Kyle?