

Park City Heights Task Force Findings and Recommendations

July 10, 2007

1. The Park City Heights Annexation Petition and Master Planned Development application were filed on January 28, 2005 with the City Recorder. The applicant later filed additional and amended materials on February 16, 2005 to complete the annexation petition. On July 5, 2007, the Annexation Petition/Master Planned Development application was amended to include the 40 acre United Park City Mines Company/Talisker property.
2. The overall Annexation area proposed is 256.84 acres and is located in the Quinn's Junction area near the southwest quadrant of the US-40/SR-248 interchange. The properties comprising in the proposed Park City Heights/Talisker Annexation/Master Planned Development total 239.56 acres and include two separate parcels owned by the Park City Heights, LLC (*north/"90" Parcel--24 acres; south/Clark Ranch Parcel--176 acres*); and a +/- 40-acre parcel owned by the United Park City Mines Company (UPCMC)/Talisker. The 12.46-acre Byer property; and the State of Utah Rail Trail properties are not listed as applicants on the Annexation Petition/Master Planned Development application.
3. The annexation area is bounded on the north by the 29.55 acre Quinn's Junction Partnership property; SR-248 right-of-way, City-owned open space, and UDOT property to the west; Morning Star Estates Subdivision and Florence J. Gillmor land to the south; and the US-40 right-of-way to the east.
4. The proposed Park City Heights/Talisker Annexation and Master Planned Development area is located within Park City Municipal Corporation's Annexation Expansion area, as described by the adopted Annexation Policy Plan. The applicants' property is the subject of a July 2, 1992 Pre-Annexation and Settlement Agreement executed between the City and Frank and Nadine Gillmor, the applicants' predecessor in interest to the subject property. Section C of the Pre-Annexation and Settlement Agreement states that:

The parties agree that the Subject Properties should be annexed into Park City as and when they develop. The Gillmors and their assignees agree to petition for annexation of the Subject Properties to Park City before seeking any zoning or development approvals. The parties understand that Park City may not bind future City Councils to specific courses of Legislative action. However, Park City represents that it would favorably consider petitions for annexation of Subject Properties based upon the terms and conditions of its Annexation Policy Declaration, the Land Management Code and its dedication of water rights described in paragraph D of this Agreement.

Preliminary work associated with the preparation of Park City's comprehensive plan shows that low to moderate density residential uses, with limited light industrial or support commercial uses are

appropriate for the Clark Ranch and "90" properties. Actual use and configurations and densities cannot be finally determined until master plan approval and annexation of the Subject properties is formally proposed, and will depend on site planning, infrastructure, and market conditions at the time the Subject Properties are proposed for annexation and development.

5. The property is currently undeveloped. The current County zoning for the property is Developable Lands (DL) at 1 unit per 20 acres-base density; and Sensitive Lands (SL) at 1 unit per 40 acres (*for wetlands and land over 30% slope*).
6. The Park City Heights Annexation Petition was accepted by the City Council on March 10, 2005.
7. On July 27, 2005 the Park City Planning Commission held a public hearing on the annexation petition, at which time it expressed concerns including: proposed density type and location, lack of clustering, location and amount of open space, hillside development, traffic, consistency with the resort community; and affordable housing.
8. City Council adopted Resolution No. 13-06, on May 4, 2006 creating the Park City Heights Annexation Task Force. The intent of the City Council in forming the Task Force is to provide early input to the Planning Commission and applicant on major components of the application, without affecting the overall procedural requirements of annexation review as required by the Land Management Code and state law. The Task Force is established to review and provide a recommendation on the annexation petition to include the Housing, Transportation, Community Economy Elements of the General Plan, Density, and Zoning Designation.
9. City Council adopted Resolution No. 06-07 on May 3, 2007 which extended the term of the Park City Heights Annexation Task Force to August 3, 2007.
10. The membership of the Park City Heights Annexation Task Force includes two members of the City Council appointed by the City Council, three Planning Commissioners appointed by the Planning Commission, and one ex-officio, non-voting Summit County Planning Commissioner appointed by Summit County Planning Commission. The Planning Department provides staff and administrative support as necessary.
11. The Community Transition (CT) District consists of a base density of one (1) unit/acre.
12. The joint Park City Heights/Talisker Annexation and Master Planned Development project is 239.56 acres in total area and includes 157 market units (*81 single-family "homestead" structures on lots ranging in size from 12,000 – 15000 square feet and 76 single-family "cottages" on lots ranging in size from 8000 – 9,500 square feet*).
13. The Park City Heights/Talisker Annexation and Master Planned Development project complies with the City's Affordable Housing Resolution and Community Transition (CT) District Affordable Housing requirements. The project includes 31.4 Affordable Unit Equivalents for the proposed market rate units and 20 Affordable Unit Equivalents for

the Montage Development Agreement units. The Applicants propose to configure these AUEs as 36 required affordable homeownership units (*20 for Park City Heights and 16 for Talisker.*) All units proposed in fulfillment of the housing obligation will be owner-occupied. Consistent with the City's Housing Resolution and the Land Management Code, affordable housing units required by an annexation and/or MPD are not included in the overall project base density calculation.

14. The Park City Heights/Talisker Annexation and Master Planned Development project also include the 44.78 Affordable Unit Equivalents required to fulfill partially a housing obligation outlined in the Annexation Agreement between the City and Burbs LLC. As part of that Agreement, the Burbs dedicated a five-acre parcel to the City to meet on-site housing requirements created by the IHC hospital. Prior to commencing construction on that site, the City requested, and the Burbs agreed to, a 12-month waiting period with the goal of finding an alternative site for these units. This 12-month period expires in December 2007. The Park City Heights/Talisker Annexation and Master Planned Development includes the relocation of these 44.78 AUEs configured as 28 deed-restricted affordable homes. Consistent with the City's Housing Resolution and the Land Management Code, these relocated affordable housing units are not included in the overall project base density calculation.
15. The Park City Heights/Talisker Annexation and Master Planned Development project includes a proposal by Talisker to provide 52 deed-restricted affordable units to fulfill its remaining off-mountain housing obligation required by the Empire Pass/Montage Development Agreement. In addition, Talisker is offering an additional 30 deed-restricted housing units to create a greater range of housing type and price. All units proposed by Talisker will be owner-occupied units and will count towards the overall base density requirements.
16. The overall number of residential units included in the Park City Heights/Talisker Annexation and Master Planned Development is 303 units. A total of 239 residential units (*157 market units and 82 Talisker units*) count towards the overall project base density. The overall base density for the Park City Heights Annexation is one (1) unit/acre.
17. The Community Transition (CT) District requires a minimum of 70% project open space to achieve a residential density bonus up to one (1) unit/acre.
18. The Park City Heights/Talisker Annexation and Master Planned Development project includes 177.04 acres (*73.90%*) open space.
19. The CT District provides for consideration of a residential density bonus up to one (1) unit per acre for projects meeting specific standards incorporated through a Master Planned Development process including, but not limited to, additional open space; increased Frontage Protection Zone setbacks; site-sensitive parking, provisions for public transit facilities; inclusion of public recreation facilities/land and trails; additional affordable housing; and implementation of sustainable-green development standards.
20. A Quinn's Junction/SR-248 Access Study, prepared for Intermountain Healthcare by Horrocks Engineers in conjunction with the Intermountain Healthcare/USSA Annexation

dated December 6, 2006, stated that the SR-248/Old Dump Road should be signalized in the future.

21. Hales Engineering prepared a traffic impact analysis of the project area (*dated June 7, 2007*) which notes that the SR-248/ Old Dump Road intersection does not currently meet the peak hour traffic volume signal warrant identified in the Manual on Uniform Traffic Control Devices (MUTCD). However, the Hales Engineering traffic analysis states that the SR-248/Old Dump Road intersection could qualify for a systems warrant provided that this intersection is identified for signal controlled access in a signed and executed Corridor Agreement between UDOT, Park City and/or Summit County. The intersection is so identifies in a Corridor Preservation Agreement dated February 1, 2007. If signalized, the SR-248/ Old Dump Road intersection could function at an overall LOS C or better. Park City Heights will be responsible for all costs associated with the construction and installation of the intersection improvements and signal.

The Hales Engineering traffic analysis further recommends that the following road/intersection improvements be incorporated into the project plan:

- a. A southbound left turn lane, deceleration lane and taper should be constructed on SR-248 to accommodate more than 10 vehicles per hour making left-hand turning movements.
 - b. A northbound right turn pocket, deceleration lane and taper should be constructed on SR-248 to accommodate more than 25 vehicles per hour making right-hand turning movements.
 - c. A westbound to northbound right turn acceleration lane and taper should be constructed to accommodate more than 50 vehicles per hour on roadways with speed limits greater than 40 mph for the unsignalized condition. When the intersection is signalized this improvement would not be necessary.
 - d. Old Dump Road should be built 29 feet back-of-gutter to back-of-gutter within a 50 foot right-of-way to the southernmost Park City Heights intersection of the expense of Park City Heights and Talisker.
22. The development and execution of late-comers agreements between Park City Heights, Byers, and United Park City Mines Company to recoup a proportional share of their investment may be considered in conjunction with the review and Final Action of the project Master Planned Development and Subdivision.
 23. The review of water rights associated with affected property owners is not an established function of the Park City Heights Annexation Task Force. The applicant(s) will be responsible for demonstrating that there are sufficient water rights and water service to support the proposed development prior to Final Action on the annexation.
 24. The Park City Heights Annexation Task Force reviewed and forwards a project Fiscal Impact Analysis to Planning Commission for further review, consideration, and public comment. The Fiscal Impact Analysis, prepared for the applicant by Lodestar West, Inc.

and dated June 6, 2007, concludes that the annexation will result in a positive financial impact on the City. The overall net impact to the City's General Fund is projected to be a benefit \$2,156 per Unit Equivalent (UE), using the combined Revenue per UE of \$4,074 and Expenses per UE of \$1,918. This totals \$281,261 in additional fiscal benefits annually to the City at build out.

25. Consistent with the intent of Council 13-06 and 06-07 which directs the Park City Heights Annexation Task Force to review and provide recommendations on annexation elements relating to housing, transportation, community economy, density, and zoning designation, the Task Force forwards the Park City Heights/Talisker Annexation Petition and Master Planned Development application to the Planning Commission for further review and public input with the conclusions set forth below. These conclusions do not constitute a Final Action or in any way preclude the Planning Commission from recommending an alternative zoning designation or action to the City Council.
 - a. Should the annexation be approved, Community Transition (CT) is the appropriate zoning designation for the subject properties. The CT District allows for consideration of a residential density bonus up to one (1) unit/acre subject to compliance with specific CT standards incorporated through a Master Planned Development process including, but not limited to, additional open space; increased Frontage Protection Zone setbacks; site-sensitive parking, provisions for public transit facilities; inclusion of public recreation facilities/land and trails; additional affordable housing; and implementation of sustainable-green development standards.
 - b. The traffic analysis for the proposed annexation/Master Planned Development by Hales Engineering (*dated June 7, 2007*) existing and future traffic/circulation conditions in the Annexation/Master Planned Development area and sets forth specific actions/improvements for mitigation.
 - c. The Fiscal Impact Analysis, prepared for the applicant by Lodestar West, Inc. and dated June 6, 2007, concludes that the annexation will result in a positive financial impact on the City.
 - d. The proposed affordable housing requirements are consistent with the requirements of the City's Housing Resolution and the Community Transition Zone. All units proposed are owner-occupied, deed restricted units which is consistent with the findings of the City's Housing Needs Assessment that identifies the most significant shortfall in the area of owner-occupied housing.
 - e. The Park City Heights/Talisker Annexation and Master Planned Development project design has evolved through the Task Force process. The Task Force reviewed a revised integrated conceptual site plan (dated July 10, 2007) that demonstrates the proposed project land use and density can be designed on the property in a manner consistent with the intent of the General Plan and Land Management Code. Final Action on the project site design, development standards, and project mitigation measures will be reviewed through the Master Planned Development review process.