

Exhibit D - Analysis for the Use of Kimball Terrace for the Kimball Arts Festival & Gala

On March 27, staff received a request from the KAC to use the Kimball Terrace and Patio (675 Main Street) for the Gala (Thursday, August 1, 2019) and PCKAF (August 2 to 4, 2019). The approval of such use is under Council's authority according to section [4A-2-3.H\(2\)](#) of the municipal code and per the [Kimball Arts Festival City Services agreement](#) (section 1.2 page 2 and section 2.3 on page 3).

Staff has made findings that impacts regarding the requested use are significantly mitigated. An analysis of the requested use, included coordinating a robust mitigation plan to address concerns about traffic, transit, deliveries, parking and pedestrians, noise, community outreach and financial impacts specifically associated with this request is below:

- **Noise** - The Kimball Art Center has not requested amplified noise on the patio space. A variance from noise restriction has been approved for non-amplified noise during the events as it is likely that noise from conversation and non-amplified music at the events will exceed the 65 decibel limit. Any variance for non-amplified noise will be as according to section [6-3-11](#) of the code, which Council has delegated to the Chief of Police as pertains to Special Events, and community functions or events.

An exemption to the noise ordinance 6-3-11, As according to section 6-3-11 of the Municipal Code, relief from noise restrictions in chapter 6 of the municipal code on basis of section 6-3-11(B)(3) in which the permittee is performing an activity that there is no reasonable alternative and a relief from restriction has been granted by the Chief of Police including that the noise from the stationary source of sound shall not exceed a ninetieth percentile sound pressure level (L90) of:

- Thursday, August 1 from 4 p.m. to 9 p.m. for the Gala on the Kimball Terrace roof top patio at a level of 80 dBA from non-amplified noise and music. No amplified noise is permitted from the Kimball Terrace roof top patio.
- Friday to Sunday, August 2 to 4 90 dBA during the daily operations of the Festival. No amplified noise is permitted from the Kimball Roof Top Patio during this time.

Any sound outside of these timeframes as listed above shall be kept to the noise levels as outlined in section 6-3-9 of the Municipal Code. The permittee shall work to orient noise activities to minimize sound impacts to the neighboring residents, businesses and public facilities. If a complaint is received by Park City Police Department, the police department will investigate the complaint from the source of the complaint. If asked by the Park City Special Event staff or Police Department, the permittee shall turn noise down to mitigate concerns of noise from surrounding residents, businesses or public facilities. The permittee shall provide on-site management for each aspect of the event and shall be responsible to ensure that the sound system maintains level adjustments not to exceed provisions of the Park City Noise exemption as outlined above.

The Police Department has worked very hard to make sure that all officers are properly educated with regard to the noise ordinance and properly trained on the use of the sound meter. Sergeant Randall, who has been working with the Building Department and the Legal Department on the noise ordinance since inception will be assigned to oversee the officers assigned to the Kimball Terrace and to proactively address any noise levels throughout the event.

- **Parking, Deliveries & Transportation** – Kimball Art Center has coordinated with Town Lift and received permission to allow guests to park and walk to the venue. Attendee valet or drop off will not be permitted on site for the Gala or Festival, as it will add traffic impacts to the roads. Special consideration may be made for those with various abilities or media requests. All deliveries are required to be scheduled and submitted to the Special Events Coordinator, no less than a week before the events. Furthermore, during the PCKAF, KAC will also encourage guests to carpool, take transit, and bike as part of their overall transportation plan for the Festival.

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- Transit – Transit has reviewed the request, and will divert transit to 9th street on Thursday, August 1 to ensure transit. Transit already operates its route this way throughout the Festival, and will simply implement such change a day earlier to ensure smooth transit and traffic operations on Heber Avenue during the Gala. The transit stop on 9th Street under Town Lift Bridge will be suspended during this time for operations. For both the Gala and Kimball Arts Festival, the Kimball Art Center will continue to promote the City’s transit system as the preferred way to get to all events.
- Public Safety – Public Safety will require an additional 4 officers on site for problem solving on Thursday, August 1. Officers will assist with traffic operations, deliveries, pedestrians etc. to mitigate impacts. Please note above in noise section regarding Police coordination for addressing noise complaints.
- Financial Impacts – There will be an incremental increase to City Services for Public Safety for the Gala as mentioned above. Costs are estimated at \$3,600 and covered within the existing City Services Contract and Budget.

City Service Required		
Police Services	4 officers for 12 hours as problem solvers in the Main Street/Kimball Terrace area – Total 48 hours	*Hours will be from 10 a.m. to 10 p.m. for Gala. No increased hours required for rest of the Festival weekend.
	48 hours x \$75 per hour	Total Cost of Increased Services = \$3,600

- Outreach & Notification – In collaboration, Kimball Art Center, staff worked to gain perspective from numerous stakeholders regarding this request in order to come up with the best possible solutions for the event. All comments received at the time this report was published of this report have been incorporated into [Exhibit C](#). This included
 - Direct outreach to merchants on Lower Main Street and Park Avenue as well as the corner businesses on Heber and Main. Additionally, staff worked with HPCA to send an e-blast notice to all merchants in the association.
 - During merchant outreach there were no concerns about the use. While outreach was completed, staff had the opportunity to speak with the new businesses at the Kimball Terrace building and will be following up with them individually later in May about all summer events as they have not been through a summer event season as of yet.
 - Direct outreach to residents on areas of Park Avenue, Woodside, and other adjacent roads. See map for details on areas of outreach. Staff also reached out to community members who had submitted public feedback during the consideration of the CUP of the Kimball Terrace building and received supportive and constructive feedback regarding the request for this specific event. Specifically, that there will be a direct and primary contact for City, Kimball and Kimball Terrace staff in the final round of outreach leading up to the event.

If approved, additional notification will be required leading up to the event, with direct primary and secondary contacts for City, Kimball Art Center and Kimball Terrace staff reminding residents and business of expected impacts, and a debrief showing compliance with operations as included in the Special Event Permit [\(Exhibit E\)](#) will be required for the Kimball Art Center use the space in future years.

All comments received at the time this report was published of this report have been incorporated into [Exhibit C](#). Any additional comments received after publish will be brought to the attention of

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Council during the meeting. Outreach received at the time this report was published has been positive and included a request to ensure a direct contact is provided for City, Kimball and Kimball Terrace staff during the use.

Event Coordination

A summary of events that occur on the same day as Park Silly Sunday Market 2018 Season is below. According to section [4A-2-5](#) of the municipal code, staff finds that these events will not duly interfere with each other.

DATE	EVENT	A – Geographic Separation	B - Proposed Time & Duration	C – Anticipated Attendance
August 1	No other permitted events	NA	NA	NA
August 2	Deer Valley Music Festival	Deer Valley Snow Park Amphitheatre	6:00 p.m. to 10:00 p.m.	4,500
August 2	Sundance Summer Series	City Park	6:00 p.m. to 11:00 p.m.	300
August 3	Summer in the City Volleyball Tournament	City Park	7 a.m. to 9 p.m.	600 all day
August 4	No other permitted events	NA	NA	NA