

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 5, 1996**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, September 5, 1996.

AGENDA

Work Session

4:30 p.m. Council questions and comments
 Review of regular meeting
4:45 p.m. Bond issue
5:00 p.m. Other meeting questions/comments
5:30 p.m. 55-57 King Road

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 15, 1996

V PUBLIC HEARINGS

1. An Ordinance amending Sections 2 and 8 of the Land Management Code of Park City, Utah regarding regulation of solid fuel burning devices and gas appliance in all zoning districts **(to be continued to a date uncertain)**
2. An Ordinance amending Section 9 of the Land Management Code of Park City, Utah regarding parking lighting standards **(to be continued to a date uncertain)**
3. Ordinance amending the Belleterre Subdivision plat to amend the plat note to allow Lot 10 to increase the allowable square footage for the building (6160 Silver Lake Drive)

VI CONSENT AGENDA

1. Ordinance amending the Belleterre Subdivision plat to amend the plat note to allow Lot 10 to increase the allowable square footage for the building (6160 Silver Lake Drive)
2. Ordinance approving the subdivision plat, located at 322 Daly Avenue, Section 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Park City, Summit County, Utah to be known as the Canyon Subdivision

3. Grant of easement to SBSID for Eagle Pointe Phase II
4. Resolution declaring September 2 - 8, 1996 as Union Label Week in Park City, Utah

VII NEW BUSINESS

Conclusions of law and findings of fact for Zions Bank appeal of Planning Commission denial of June 12, 1996 to amend the Snow Creek Crossing MPD and MPD/CUP application for Zions Bank/Visitors Center located at SR248 and SR224 - P. C. Development

VIII OLD BUSINESS

Continuation of public hearing and action on Ordinance approving an amendment to the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65, located at 55-57 King Road to be known as the 55-57 King Road plat amendment, Park City, Utah

IX ADJOURNMENT

A Municipal Building Authority Meeting will convene

Posted: 9/3/96

**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 5, 1996**

Present: Mayor Brad Olch; Council members Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincok

Toby Ross, City Manager; Jodi Hoffman, City Attorney; Frank Bell, Chief of Police; Pat Putt, Planning and Zoning Administrator; Eric DeHaan, City Engineer; Nora Seltnerich, Special Projects Manager; Frank Bell, Chief of Police; Lloyd Evans, Assistant Police Chief; Myles Rademan, Public Affairs Director; Tom Bakaly, Finance Manager

Dana Williams and Suzanne McAdams, residents; Judy Scipione, David Halliday, Esq., Brent Gold, Esq., and Paul deGroot, 55 - 57 King Road matter

City Council questions/comments. The Mayor announced that Brian Fryer will be leaving the Park Record and thanked him for his professional reporting of City news. Hugh Daniels expressed his appreciation for Deer Valley providing some employee housing and encouraged other employers to do the same. He disclosed that he met with Ron Whaley who had concerns about Sandridge. Ms. Kerr added that she also discussed Sandridge with Mr. Whaley and hunter safety courses. Mr. Whaley suggested using confiscated guns obtained by the Police Department that could be sawed in half to demonstrate the working operations of a weapon. The Chief of Police offered his assistance. Ms. Kerr continued that she met with Burnis Watts who would like Council review of his issues regarding Park Avenue and suggested that the Town Run be considered first because its outcome affects his property. She relayed that the Park City Garden Club complimented the baskets throughout town.

Chuck Klingenstein reported that the crossing guard was sick one day last week, and parents volunteered. He felt that there should be a better back-up system and whenever possible, to have an officer in the area during school crossing times. Mr. Klingenstein has personally witnessed speeding cars on SR248 and suggested the possibility of UDOT considering a signalized pedestrian crossing. He added that if it is warranted, the City may have to pay for it which may total \$150,000. In response to a question from Paul Sincok, Mr. Klingenstein explained that school districts are not responsible for school crossings and health and safety issues fall to cities or counties. He felt that there should be a traffic light on SR248, but unfortunately UDOT doesn't agree. The Mayor pointed out that the crossing area is limited; there is a high school down the road, and a seminary across the street. He felt that the issue goes beyond the crossing area and the entire highway needs to be considered comprehensively. Mr. Klingenstein explained that state law dictates the design of elementary school crossings from which high schools are exempt and looking at this strip comprehensively may take a change in state law. In response to a question from Roger Harlan, it was stressed that the City cannot set the speed limit on this state highway. The Mayor pointed out that the soonest there would be light would be a year from now; Mr. Klingenstein felt that the situation will continue to worsen. Ms. Kerr questioned if UDOT's warrant would be any different

for a pedestrian signal than it was for a traffic signal. Mr. DeHaan explained the evaluation process and that pedestrian counts would take place during peak times and this request could be made. He suggested that all requests be made at one time, rather than randomly.

Chief Bell explained that a pedestrian light won't result in a traffic light because it would not be located at an intersection. He felt that if a pedestrian light was installed that it would reduce the chances of ever having a traffic control device there. He explained that a pedestrian light looks like a traffic light, but only controls traffic on the highway when pedestrians push a button to stop traffic. This also would not eliminate the responsibility of a crossing guard which is the responsibility of the City. The City Manager explained that this service is based on need. Suzanne McAdams, resident of Prospector, agreed with Mr. DeHaan about organizing and consolidating requests. She hoped that the study wouldn't be conducted in January when parents are driving their kids to school and expressed that this is a city-wide problem.

Lloyd Evans stated that the Police Department will be hosting a public meeting later in the month inviting citizens to brainstorm about city-wide traffic concerns. The Mayor noted that he has observed school crossing signs in Salt Lake that are larger than the signs on SR248 and asked that staff look into retrofitting our smaller signs with larger ones. Lloyd Evans explained that UDOT would have to approve new signage but that UDOT representatives will be attending the public meeting and this can be addressed.

Mr. Klingenstein continued that the Franklin Quest Tournament went well although people didn't predict the effect of Arnold Palmer's presence. He added that this tournament will be reevaluated and will be moving to late July. He stated that he received calls about the tree cutting at Snow Creek. Rescheduling the Town Run to October 19 was discussed and it was explained that all parties have agreed to that date.

With regard to the memo on the Main Street pocket plazas, Myles Rademan explained that when this program was implemented about ten years ago, owners were asked if they would consider selling their parcels. Hank Louis sold his parcel, but other than that all properties were leased. Mr. Rademan discussed Arts Plaza and explained that he and the Mayor have talked with the current owner, David Bernolfro who indicated that it wasn't for sale but if it were it would cost about \$2 million or a land trade. Mr. Rademan added that the owners of the parcel next to Grappa are not interested in selling the parcel to the City but would consider leasing for 15 to 20 years. The owners will be getting back to the City with a lease rate and up to this point, the owners of the pocket plazas were not charging rent. Mr. Rademan indicated that if this is a high priority with Council, he will pursue the purchase of Arts Plaza.

Paul Sincock relayed that he received calls about rerouting the buses to better accommodate school children. Hope Bleecker reported that she is working on it, and will get back to Council. It will probably not be an option until next budget year as it has financial implications.

Roger Harlan stated that he and Mr. Daniels attended a Parks and Rec Board meeting at the barn and the need to sprinkle the barn was discussed. He added that Brenna Herteux contacted him about double stripping Holiday Ranch Loop. The City Manager stated that for wider roads, generally there is no stripping but that staff will look at this. He explained that there is graffiti on Nacho Mama's and Mercer Garage on Iron Horse. Pat Putt announced that all three top candidates for the three planning vacancies have accepted.

Myles Rademan discussed the Olympic planning trip to Europe and the Leadership 2000 program.

Review of regular meeting.

Bonds. Tom Bakaly distributed amended resolutions, which are intended to cover the Pace property purchase and the construction of the public works facility. Staff is recommending an MBA issue because of better interest rates and bond insurance that will increase the City's rating. This parameter resolution authorizes staff to prepare a preliminary official statement for potential investors and provides 30 days notice to citizens regarding the intent to issue bonds. Mr. Bakaly stressed that \$9 million is indicated as the maximum cap, but the amount will be significantly less and although 20 years is specified, the term will be more like 15 years. Interest rates and discounts are also estimated. He explained that the bond issue will cover the \$3.9 million for the public works facility, \$2.4 million for the Pace purchase, and \$300,000 for Osguthorpe building improvements. He added that the lower Park Avenue land purchase of \$800,000 has been removed from the proposal and in its place is \$500,000 for improvements to the Marsac Building. With regard to the Park Avenue purchase, the City Manager explained that Mike Hale is the existing tenant and IRS regulations prohibit assuming leases for longer than one year. The dealership has a 14 to 15 month lease remaining. There are also environmental requirements that complicate the bonds, and staff felt it easier to omit purchase and replace it with Marsac Building improvements, which could be financed rather than using cash. The \$300,000 for barn improvements is the lower end of estimates and bond financing must be expended in two years. The \$300,000 includes site improvements and the trail on the east side of the Osguthorpe Property. Project amounts and the exact amount of the issue will be before the MBA on September 26. In response to a question from Paul Sincock, Tom Bakaly explained that the first payment will be June 30, 1997 and this year's budget will have been amended so that funds appropriated for the public works building in the capital improvements fund will be allocated to debt service. The Pace purchase will come out of the Water Fund. The public works facility will be funded from the Water Fund, Transportation Fund and General Fund. Mr. Ross discussed the prepaid interest feature of the bond.

Eagle Pointe sewer easement. Chuck Klingenstein discussed the scar on the City's open space by disturbing this area. Roger Harlan pointed out the success of the revegetation efforts in Aspen Springs. Ms. Kerr stressed that this location is a southern exposure and the terrain is rocky. The Mayor added that perhaps ejection pumps could be a alternative. Chuck Klingenstein suggested

that this be pulled off the agenda and placed under New Business for discussion. Eric DeHaan felt that the Sewer District would prefer a gravity system and discussion ensued regarding ejection systems.

55-57 King Road. Mr. Putt explained that this matter was tabled to provide Ms. Scipione an opportunity to submit written comments regarding her issues and to have legal representation. No written comments were submitted. David Halladay, Esq. stated that Ms. Scipione's concern is that her property will be damaged during construction. It is his understanding that there will be bonding or insurance to protect her property. Brent Gold, Esq. read the condition in the proposed ordinance and indicated that his clients have accepted the requirement. In response to a question from Mr. Halladay, Mr. Putt stated that Ms. Scipione has an easement to use the driveway for access and parking and this plat amendment does not change that. Ms. Scipione stated that she has four lots and is concerned that she won't be able to build another home with access from the easement. Ms. Kerr stated that the fire marshal would not be able to render a decision about access until a design was submitted. Widening the access road was discussed and Ms. Scipione explained where she desired to build a house. Mr. Putt pointed out that she doesn't currently have access to that location and approval of the plat would not change that. Ms. Scipione expressed that snow shedding is also a concern. Mr. Putt felt that there is a design solution for the access road that will address this issue, and staff would review this. Paul deGroot expressed that it is in their best interests to adequately build the access road. Chuck Klingenstein mentioned that he was excused from the August 22 meeting but determined from the minutes that there was to be a dialog between the parties. He felt that there were several private property issues involved. Brent Gold indicated that the issues have been on the table a long time, but negotiations were unsuccessful. He explained that at the last meeting, action was delayed to provide Ms. Scipione with an opportunity to put her issues in writing and be represented by an attorney. No new issues were presented to him, and they were well aware of the issues discussed over the past year. Mr. Gold stated that he did not want to revisit the issues here and emphasized that the right-of-way was created prior to the purchases of properties by Mr. Watts or Ms. Scipione. He felt that situations like this are typical in Old Town. Ms. Scipione indicated that there were no new issues since the August 22, 1996 meeting.

Prepared by Janet M. Scott

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 5, 1996**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 5, 1996. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Meg Ryan, Planner; Ron Ivie, Chief Building Official; Nora Seltenrich, Special Projects Manager; and Mark Harrington, Assistant City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

With regard to the MBA bond issue, the City Manager explained that the bond is likely to close in the early part of October which is after the date indicated for the purchase of the Pace property. The Council has formally authorized staff to purchase the property, and Mr. Ross advised that it will be purchased with cash and the bonds will be used to reimburse the fund. The Council supported this method of funding.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF AUGUST 15, 1996

Hugh Daniels, "I move approval". Paul Sincock seconded. Motion carried unanimously.

V PUBLIC HEARINGS

1. An Ordinance amending Sections 2 and 8 of the Land Management Code of Park City, Utah regarding regulation of solid fuel burning devices and gas appliance in all zoning districts (to be continued to a date uncertain) - Roger Harlan, "I move that we continue Public Hearing No. 1, as it is stated on the agenda, an Ordinance amending Sections 2 and 8 of the Land Management Code of Park City, Utah regarding regulation of solid fuel burning devices and gas appliance in all zoning districts to a date uncertain - Chuck Klingenstein seconded. Motion unanimously carried.

2. An Ordinance amending Section 9 of the Land Management Code of Park City, Utah regarding parking lighting standards (to be continued to a date uncertain) - Chuck Klingenstein, "I move that we continue to a date uncertain an ordinance amending Section 9 of the Land Management Code regarding parking lighting standards". Paul Sincock seconded. Motion carried unanimously.

3. Ordinance amending the Belleterre Subdivision plat to amend the plat note to allow Lot 10 to increase the allowable square footage for the building (6160 Silver Lake Drive) - Meg Ryan distributed a chronology of this project which may be beneficial. This is a request on a specific parcel, Lot 10, to amend the note on the plat to allow for 260 square feet to be used as liveable area.

The Planning Commission forwarded a negative recommendation to the City Council. It was concerned about the precedent of altering maximum house sizes.

Paul Sincock asked why plan check didn't detect that the crawl space was 11 feet high. Ms. Ryan explained that the plans originally indicated crawl space but the excavator dug a larger area than needed. The Mayor asked if the applicant was aware of the concession in granting an additional 700 plus square feet and Ms. Ryan believed that they were aware. The Mayor invited public comment.

Rick Erickson, agent for the owner, distributed information to the Council. He stated that Lot 10 was granted only 6,300 square feet when Lots 2 through 9 were allowed 7,000 square feet. Mr. Erickson referred to the staff report which indicated that Lot 10 was restricted because of the large conifers but Lot 9 has as many trees. He argued that the owner has saved the trees through limits of disturbance and has planted at least 20 new ten foot or taller pine trees. He didn't feel that this was precedent-setting and if the owner was trying to push every maximum square foot, he wouldn't have kept a large rock in a room. The excavation was not dug but was blasted 18 times and this extra area was created by accident. The area at issue is planned for an exercise room and the structure is not going to change. Mr. Erickson felt that the room should be finished and that the owner is proceeding legally and in good faith. He felt that the additional room would increase the value of the home and the owner would be paying more taxes. Mr. Erickson stated that he has a letter from Mark Prothro who serves on the architectural committee, who has no objections. Paul Sincock asked Mr. Erickson if the owner knew about the 6,300 square foot limitation when he bought the lot. Mr. Erickson responded that if he didn't know it then, he would have known through the building permit process. He stated that he couldn't find a reason for limiting Lot 10 in the City's files. The Mayor recalled that there was lengthy discussion about totally eliminating Lot 10 from development as well as Lots 1, 2, and 3. The outcome was limiting Lot 10. Chuck Klingenstein emphasized that the developer, Mr. Prothro, agreed to this and there is a note on the plat and purchasers are put on notice. The Mayor reiterated that the owner also benefitted by almost an additional 800 square feet. Ms. Kerr calculated more like 1,000 additional square feet. Rick Erickson didn't understand the logic of not using the space. In response to a question from Roger Harlan, Mr. Erickson indicated that the Building Department overlooked that the excavation was too large. Chief Building Official Ron Ivie stated that the Building Department was aware of this problem in the early stages. He continued that the space could have been filled up but the applicant was offered the option of pursuing a plat amendment. Mr. Ivie wasn't sure if this occurred at the foundation stage or the rough stage. Mr. Erickson responded that if staff knew about the problem, the contractor should have been told to fill up the hole, so he wouldn't have wasted his time.

With no further comments, the public hearing was closed.

VI CONSENT AGENDA

The Mayor requested a motion to move Items 1 and 3 to New Business. Shauna Kerr, "Iso move". Chuck Klingenstein seconded. Motion unanimously carried. Chuck Klingenstein, "I move approval of the Consent Agenda, as outlined, noting that Items 1 and 3 have been moved and Items 2 and 4 remain". Roger Harlan seconded. Motion carried unanimously.

1. Ordinance amending the Belleterre Subdivision plat to amend the plat note to allow Lot 10 to increase the allowable square footage for the building (6160 Silver Lake Drive) - See staff report, Public Hearing and New Business.
2. Ordinance approving the subdivision plat, located at 322 Daly Avenue, Section 21, Township 2 South, Range 4 East, Salt Lake Base & Meridian, Park City, Summit County, Utah to be known as the Canyon Subdivision - See staff report.
3. Grant of easement to SBSID for Eagle Pointe Phase II - See staff report and New Business.
4. Resolution declaring September 2 - 8, 1996 as Union Label Week in Park City, Utah - See back-up.

VII NEW BUSINESS

1. Conclusions of law and findings of fact for Zions Bank appeal of Planning Commission denial of June 12, 1996 to amend the Snow Creek Crossing MPD and MPD/CUP application for Zions Bank/Visitors Center located at SR248 and SR224 - P. C. Development - Paul Sincock, "I move to continue to a date uncertain". Shauna Kerr seconded. Motion carried unanimously.
2. Ordinance amending the Belleterre Subdivision plat to amend the plat note to allow Lot 10 to increase the allowable square footage for the building (6160 Silver Lake Drive) - Chuck Klingenstein stated that notice was provided to all buyers and the developer agreed to these restrictions. The current owner gained an additional 700 square feet. Consistency is important and it would be precedent-setting to change the rules. Ms. Kerr agreed and if the maximum square footage is not retained then none of them are valid. She recalled that there was discussion about eliminating this lot in its entirety and this was a negotiated maximum square footage and added that granting this request increases the square footage by 1,000 square feet. Paul Sincock, "I move that we affirm the Planning Commission's denial of the proposed amendment to the Belleterre Subdivision plat, increasing the maximum floor area for Lot 10". Hugh Daniels seconded. Motion carried unanimously. Paul Sincock agreed with Mr. Klingenstein and Ms. Kerr and did not see any compelling reason to grant 260 square feet more to a house that has already benefitted from additional square footage. The limitations were also clearly indicated on the plat. Roger Harlan did not feel that the additional square footage should be granted because the excavation was accidentally blasted larger than intended. Motion unanimously carried.
3. Grant of easement to SBSID for Eagle Pointe Phase II - Nora Seltenrich explained that this is a request for the City to grant an easement to the Sewer District to allow the sewer to gravity flow to an existing sewer line for the Eagle Pointe Phase II Subdivision. It crosses through an area of City open space property. She continued that there are conditions of approval that the developer be responsible for revegetation and there are financial securities in place to cover the cost of the improvements. Chuck Klingenstein felt that the landscape in the West is very fragile and undisturbed natural open space should be maintained. He stated that if Council is not legally obligated to approve this easement, alternatives should be explored. Shauna Kerr expressed that the developer probably has expectations from the plat, as drawn, but agreed with Mr. Klingenstein that

the exposure is harsh and without added irrigation, the vegetation might not reestablish. She stated that she is reluctant to approve this cut in the City's open space. Paul Sincock asked if there was any liability in the City approving the location. Assistant City Attorney Mark Harrington responded that the City Council has the flexibility in mitigating the effects of the open space and there may be additional conditions to ensure revegetation. Roger Harlan stated that he is not inclined to require the developer to pump uphill if there are adequate guarantees that a revegetation plan can be put in place. Hugh Daniels was inclined to agree with Roger Harlan. Chuck Klingenstein expressed a concern with precedent-setting and Ms. Kerr added that there may be requests for utilities to go through the City's open space as opposed to around it. She discussed not only have an open space acquisition policy but also a maintenance policy. Ms. Kerr was skeptical of revegetation on this site and discussed her feeling that revegetation conditions are staff intensive to enforce.

Jeff Graham, agent for applicant, pointed out that the Sewer District master plan anticipated this area to be gravity flow and stubbed in an 8" public site sewer line between the two lots. Plans submitted for the MPD, the settlement agreement and the preliminary plat indicated a sewer line coming through the City's property. He continued that the strip is only 200 linear feet through the open space area which is narrow and houses will be backing up on both sides, so it is not going to be very visual. He warned that the City may want to run its utilities through open space property at some point, and at times it needs to be done. In response to a question from Paul Sincock about mitigation efforts, Mr. Graham clarified that once the line is installed there is no vehicular access and he described the location of the man holes. He believed that the Sewer District requires a 20 foot easement. In response to a question from Paul Sincock, Jeff Graham stated that pumping does not change the plan but adds significant cost to the project. Discussion ensued about pumping and that 17 lots would be serviced. The Mayor commented that the cost of ejection pumps could be amortized by 17 lots. Jeff Graham emphasized that there is a revegetation plan and a financial guarantee. The City Manager asked why the easement couldn't go through one of the existing lots, and Mr. Graham indicated that this is not feasible because it prohibits access to the manhole and there is a grade change through the area. He added that this would also cause a more visible scar. Another location was suggested and the requirements of the Sewer District with regard to the location of the access road in relation to a second manhole was explained.

Norman Rossman, developer, explained that he is very sensitive to scared hillsides and he is hopeful in revegetating Quarry Mountain. A gravity plan makes more sense than building lift stations that have to be maintained by the Sewer District. He respectfully reminded the Council that this proposal was always envisioned when the settlement agreement was executed and the master plan was approved. Mr. Rossman stated that there are requirements to construct trails throughout the dedicated open space which scars the hillside. He suggested that the solution may be to build a hiking/jogging path on the easement and connect it with the trail system. He believes that the area could be revegetated, but a trail may be a better solution. Paul Sincock stated that he would like some time to consider the trail proposal, a more specific revegetation plan and perhaps a relocation of the easement. Shauna Kerr suggested that the Council visit the site as a trail may not be appropriate on the site.

Chuck Klingenstein, "I move that we continue the grant of an easement to the Snyderville Basin Sewer Improvement District for Eagle Pointe until such time as we get on site and look at some other alternatives". Hugh Daniels seconded. Motion carried unanimously.

VIII OLD BUSINESS

Continuation of public hearing and action on Ordinance approving an amendment to the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65, located at 55-57 King Road to be known as the 55-57 King Road plat amendment, Park City, Utah - In response to a question from Chuck Klingenstein regarding snow shedding and storage, Mr. Putt responded that there is not yet a driveway design and drainage plan. Snow storage could be mitigated with a special design of the curb for drainage. Ms. Kerr asked if the applicants would oppose this condition being stated and it was clarified that this is already a "standard" condition of approval.

Sewer easement requirements were discussed as Ms. Scipione was confused about her situation. She expressed that all of her issues regarding the plat amendment have been addressed. Brent Gold, Esq. reminded Council that this is a plat amendment defining two lots, and there are other property issues that need to be solved in the future.

Because there were no further comments, the public hearing was closed and the Mayor asked for a motion to approve the plat amendment. Chuck Klingenstein, "I move approval of an amendment of the plat of the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65 with the attached findings, conclusions of law, and conditions of approval". Hugh Daniels seconded. Motion carried unanimously.

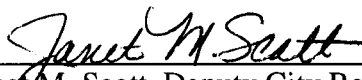
IX ADJOURNMENT

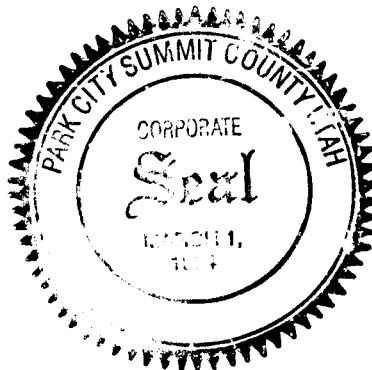
With no further business, the meeting of the City Council was adjourned and a Municipal Building Authority convened.

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The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott


Janet M. Scott, Deputy City Recorder





CITY COUNCIL STAFF REPORT

DATE: August 29, 1996
DEPARTMENT: Planning Department
AUTHOR: Megan Ryan
TITLE: Plat Amendment - 6160 Silver Lake Drive
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Receive public comments, evaluate the alternatives and consider the Planning Commission and staff's recommendation to deny the proposed amendment to the Belleterre Subdivision plat which will increase the "maximum living floor area" for Lot 10 from 6,300 square feet to 6,560 square feet.

DESCRIPTION:

A. Topic.

An amendment has been proposed to the Belleterre Subdivision Plat to change the "**RESIDENCE FLOOR AREA**" note on the plat which would increase the "maximum living floor area" for Lot 10 from 6,300 square feet to 6,560 square feet, thus enabling the owner to convert existing crawl space into useable living area. Please refer to EXHIBIT A - Location Map and EXHIBIT B - Lower Level Floor Plan.

B. Background.

The Planning Commission reviewed this request at their meeting of June 12, 1996. The Planning Commission held a public hearing and voted to forward a negative recommendation to the City Council on this request. The Planning Commission minutes from that meeting are attached as EXHIBIT C.

Belleterre Subdivision was approved and recorded in April of 1990. As one of the Conditions of Approval, a note was required on the plat which established maximum and minimum floor areas for each of the ten (10) lots in Belleterre Subdivision as follows:

Lot #1	3,000 sq.ft. maximum - 2,500 sq.ft. minimum
Lots 2-9	7,000 sq.ft. maximum - 3,000 sq.ft. minimum
Lot #10	6,300 sq.ft. maximum - 3,000 sq.ft. minimum

According to the Planning Commission Meeting Minutes of February 14, 1990, it was reported to the Planning Commission that the City Council had concerns about the appropriateness of development on Lot 1, and that "...reductions in maximum allowed square footages should be considered , particularly for Lot 10." (Note : In the original North Silver Lake MPD for this parcel, the areas now allocated to lots 1, 2, 3 and 10 of Belleterre Subdivision were identified as open space parcels due to the sensitivity of these areas regarding visibility and/or the existence of mature stands of conifers (as found on Lot 10).) In response to those concerns, the applicant had reduced the square footage to 6,300 sq. ft. on Lot 10.

In 1995, plans were submitted for a home on Lot 10. According to Planning Department calculations at that time, the floor area was determined to be 7,057 sq.ft. (757 sq.ft. greater than the 6,300 sq.ft. maximum allowed). The Department at that time had just implemented a new method of determining how floor area was calculated.

Rather than revise the plans to fit the new method of floor area calculations, the architect requested that the Community Development Director review the plans in light of changes in the Land Management Code regarding definition of "Floor Area" in measuring and permitting floor areas (See Exhibit C - Rick Lewis findings). Based upon the Community Development Director's findings, the additional 757 sq.ft. was allowed.

As the home was nearing completion, it was discovered that an area labeled as "crawl space" on the construction drawings did not meet the Land Management Code definition of crawl space. Chapter 2 of the Land Management Code defines crawl space as:

"An area with five feet or less of head room as measured from the base of the footings to the floor framing above with no exterior windows or doors. Crawl spaces shall not be included in calculating floor area below the ground level floor square footage."

This area has over 11 feet of head room and is separated from adjacent useable living area by frame walls (See EXHIBIT B - Lower Basement Floor Plan).

On behalf of the homeowner, Kirk V. Roney, Rick Erikson has submitted a plat amendment application for the purpose of changing the "RESIDENCE FLOOR AREA" note on the Subdivision plat to increase the allowed maximum square footage for Lot 10 from 6,300 sq.ft. to 6,560 sq.ft., thus enabling a conversion of the "crawl space" into useable living area.

C. Analysis

Because the house is already constructed, the outside appearance and above-grade mass of the structure will remain unchanged. Approval of this request will not change the effect the approved structure will have on views and/or vegetation.

However, the fact that the *existing* house will not change outwardly if this request is granted does not necessarily mean that it does not have an impact upon the area and the community in general. As originally designed, this space is readily accessible and useable. The fact that it was labeled as "crawl space" on the construction drawings does not make it comply with the code definition of crawl space. The only technical difference between this "crawl space" and useable living area is the frame wall partition between the two or installation of a door and a window.

Because this area is not truly a crawl space, the total floor area of this structure should have been reduced by at least 260 sq.ft. to comply with the maximum floor area allowed for Lot 10, thus reducing the total visible mass of the house. Unfortunately, now that the house is completed it is highly unlikely that the house will be modified to reduce its mass to conform to the limitation on maximum floor area as required on the approved Belleterre Subdivision plat.

In the Community Development Department's opinion, it is not likely that denial of the proposed amendment will alter any existing or perceived impact of this extra floor area. However staff is concerned that approval may set a precedent and encourage the creation of extra mass in the design of other homes where it is merely camouflaged as "crawl space" only to be converted later into useable living area.

D. Department Review.

The Community Development Department and the City Attorney's office have reviewed this application.

ALTERNATIVES

- A. Approve the proposed amendment to the Belleterre Subdivision plat which will increase the "maximum living floor area" for lot #10 from 6,300 square feet to 6,560 square feet and direct staff to prepare such findings
- B. Deny the request regarding the proposed plat amendment and adopt the prepared findings.
- C. Continue item for further discussion and input.

SIGNIFICANT IMPACTS:

Alternative A: This alternative would allow the homeowner to convert 260 sq.ft. of existing "crawl space" into useable floor area.

Alternative B: This alternative would not allow the homeowner to legally convert the existing "crawl space" into useable floor area.

Alternative C: Defers action to a later date

PUBLIC NOTICE AND COMMENTS:

Notices were sent to all property owners in Belleterre Subdivision and within 300 feet of Lot 10 Belleterre Subdivision. A call of support was received from the owner of an adjacent unit who was interested in the proposal and wished to convert their crawl space as well. Staff will follow up with the owner prior to the Council's meeting on Thursday.

RECOMMENDATION:

The staff recommends that the Council receive public comments, evaluate the alternatives and consider the recommendation to deny the proposed amendment to the Belleterre Subdivision plat which would increase the "maximum living floor area" for Lot 10 from 6,300 square feet to 6,560 square feet.

If the City Council recommends denial, the following findings are proposed:

Findings:

1. The proposed amendment, which adds approximately 260 square feet of usable space, directly contradicts the approved subdivision plat which was previously reviewed and approved by the Planning Commission and City Council with public input from nearby property owners.
2. The proposed amendment is not consistent with the intent of the Conditions of Approval for Belleterre Subdivision.
3. The applicant was allowed approximately an additional 757 square feet in June of 1995. This allowance permitted the applicant to take advantage of the prior floor area calculation methods that were in place to the applicant's submittal.
4. If the allowance of additional square footage to this residence was allowed simply because an owner had to excavate a larger area than originally anticipated a bad precedent and possible future enforcement problems with maximum house sizes may occur.

Conclusions of Law:

1. There is not good cause for the plat amendment.
2. Nearby property owners will be materially injured by the proposed plat amendment in as much as homes within the subdivision have been constructed subject to the building floor area square footage limitations.

EXHIBITS:

- EXHIBIT A - Location Map
- EXHIBIT B - Lower Level Floor Plan
- EXHIBIT C - Minutes from June, 12, 1996 Planning Commission meeting
- EXHIBIT D - Rick Lewis Findings 6/95
- EXHIBIT E - Plat

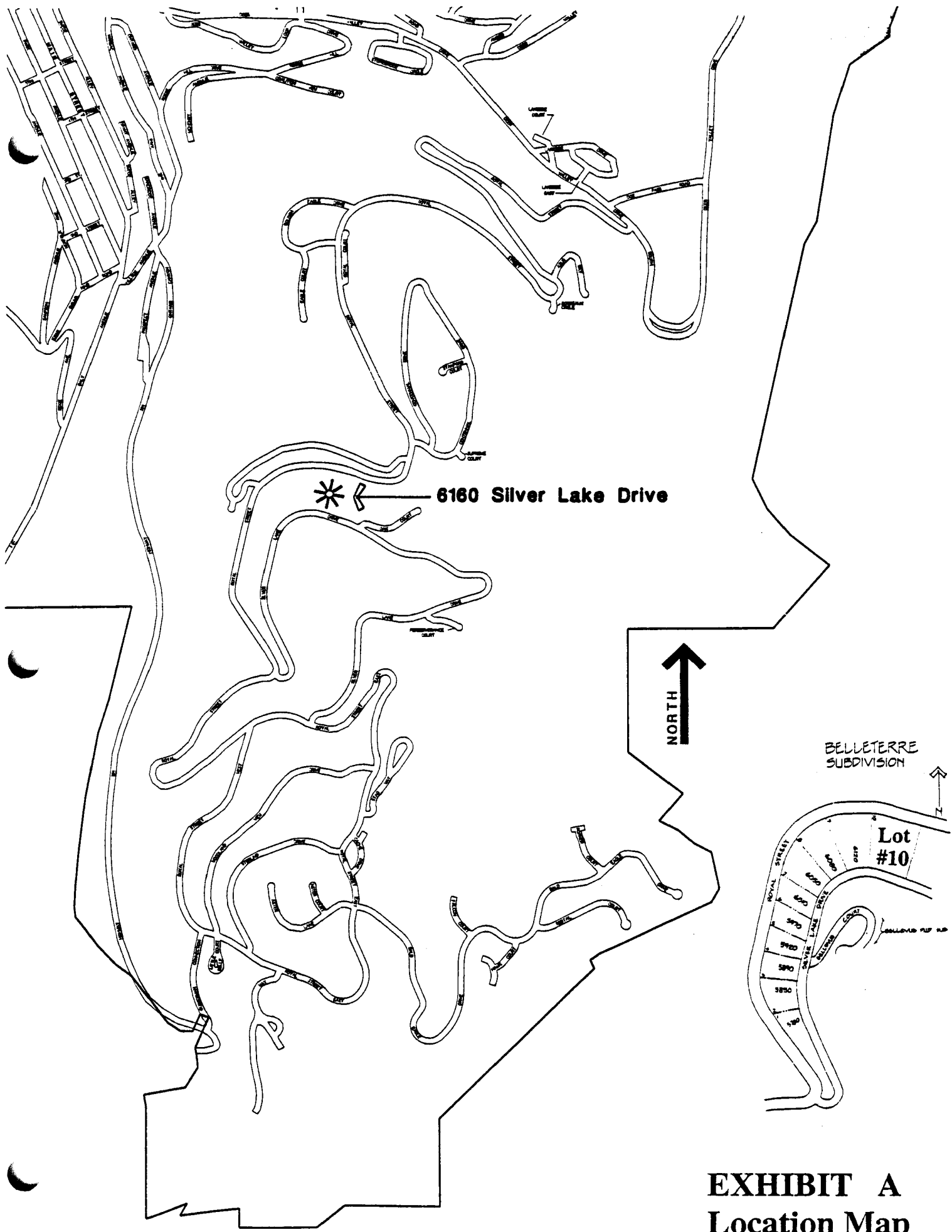


EXHIBIT A
Location Map

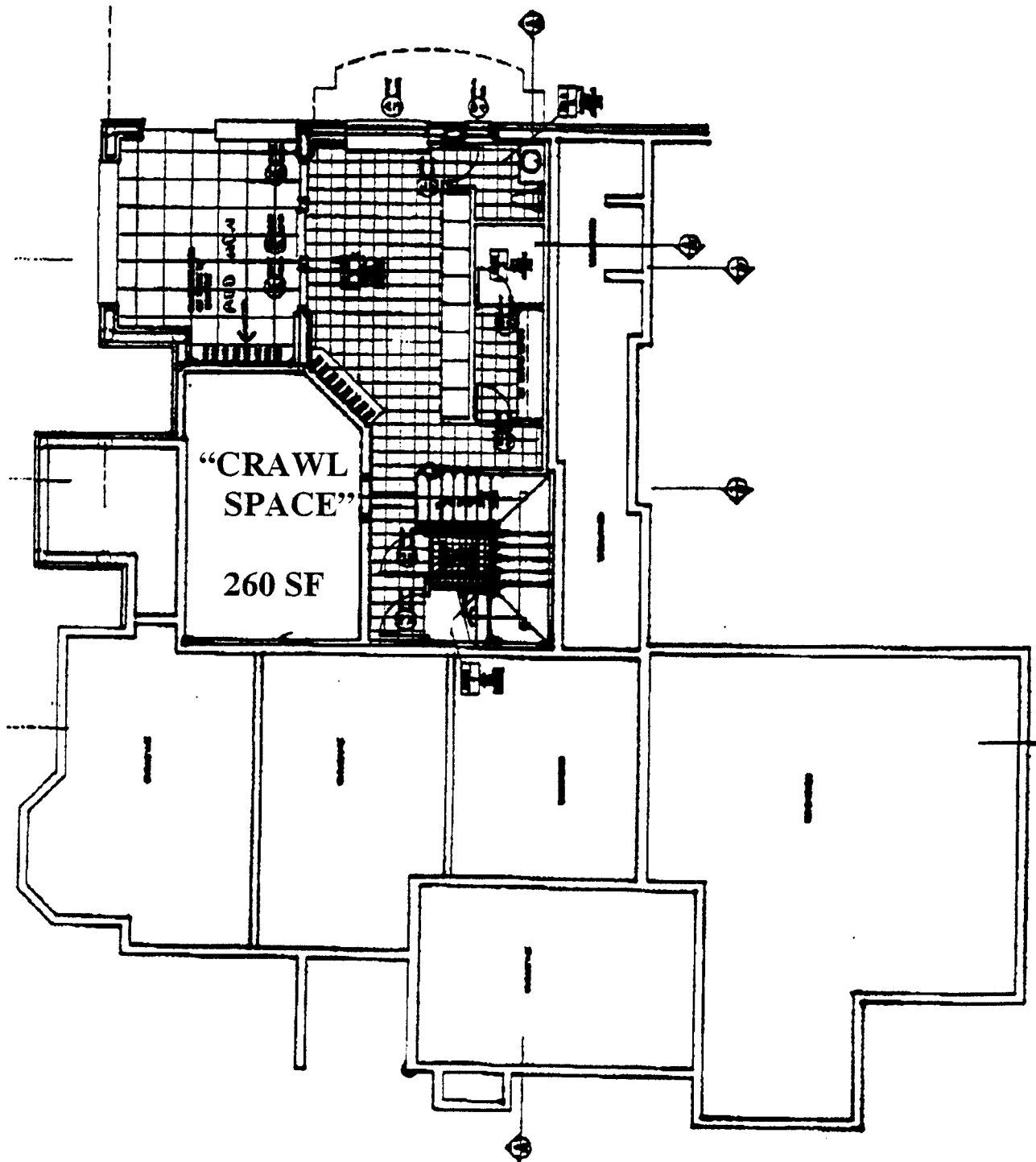


EXHIBIT B

Lower Floor Plan

EXHIBIT C

schools. Planner Ryan presented a map showing the area being considered with overlay zones and the 300-foot buffer.

Chair Jones clarified that the recommendation is for a zoning ordinance only, not for a permit for specific sexually oriented businesses. Specific requests will be handled under the Conditional Use Permit process. The Legal Department advises that, if the City does not address the issue, there is a potential that such a use could occur within any commercial zone.

Chair Jones opened the public hearing.

There was no input.

Chair Jones closed the public hearing.

MOTION: Commissioner Larson moved to forward a POSITIVE recommendation to the City Council on the sexually oriented business ordinance as defined in the staff report. Commissioner Hays-Walzer seconded the motion.

VOTE: The motion passed unanimously.



5. 6160 Silver Lake Drive - Plat Note Amendment

Administrator Putt reported that this application is a request by the property owner of Lot 10 Belleterre to amend the plat note to increase the allowable square footage for the building on the property. When the Belleterre subdivision was approved, Lot 10 was designated a maximum building square footage of 6,300 square feet which was determined to be the acceptable building square footage based largely on the visibility of Lot 10 from within the subdivision and off site and the existence of mature vegetation on the site. In 1995, building plans for a house were submitted, and there was a change in City policy on how building square footage was measured. Until then, building square footage was measured from the inside of the wall. The policy was changed to measure the square footage from the outside of the wall to be consistent with UBC. In this case, the plans submitted were for a house 7,057 square feet in size, 757 square feet more than the allowed 6,300 square feet stated on the plat. A provision in Ordinance 83-3 allows the Community Development Director to make modifications to the Land Management Code on specific applications. In 1995, the Community Development Director granted an exception to allow the additional 757 square feet due to the difference in measuring from the inside wall to the outside wall and other findings in the Staff report. The overall above-ground mass of the building currently being proposed will not significantly change, and there will be no adverse impacts on the adjacent properties. The plan approved with

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the exception included a crawl space of 260 square feet. The applicant is requesting an amendment to the plat note to allow that 260-square-foot area to be opened up and included in the habitable area. Findings of fact and conclusions of law have been prepared for both approval and denial. If the Planning Commission chooses to deny the application, the Staff requests that the denial be based on the fact that the 260 square feet should have been designed up front to come out of the above-ground building mass. Other than a precedent factor, approving the application would not have a detrimental impact on adjacent property owners.

Chair Jones opened the public hearing.

Rick Erikson, an employee of the lot owner, commented that, after doing some research, he felt the issue regarding the maximum square footage allowed on Lot 10 was due to the large stands of conifers on the property. Lots 2 through 9 are all 7,000 square feet. Although Lot 10 was larger than the other lots, the allowed square footage was set at 6,300 because of the trees. The owner had taken great care to ensure that the least amount of trees were removed. The above-ground mass is consistent with the 6,300-square-foot house, and the additional 260 square feet would not change the structure. He felt the application made sense and should be approved, because otherwise the space and resources would be wasted. He did not feel it would set a precedent because the issue of saving the trees had been met. He commented that the ratio of level of disturbance on the other lots has been far greater than the disturbance on Lot 10.

Commissioner Erickson asked why the area was designated as a crawl space on the drawings when it did not comply with the definition of a crawl space. Mr. Erikson replied that in conversations with the architect, he was informed that, when they blasted, the hole became bigger.

Chair Jones closed the public hearing.

Commissioner Larson felt this was an obvious circumvention of floor area ratios and wanted to hear arguments as to why it should not be rubber stamped.

Commissioner Erickson suggested that, for future applications, the Staff find an administrative mechanism for dealing with incorrectly labeled drawings. Administrator Putt replied that the Staff is working on alternatives to address problems that involve crawl spaces. They will be presented in the form of Land Management Code amendments in the future.

MOTION: Commissioner O'Hara moved to forward a NEGATIVE recommendation to the City Council with the Findings of Fact and Conclusions of Law outlined in the staff report. Commissioner Larson seconded the motion.

Commissioner Erickson asked for the motive behind the motion and Commissioner O'Hara replied that he could see some reasonableness to use the space, but he was greatly concerned with setting precedent. Commissioner Erickson was unsure what would happen next if the application is denied.

Commissioner Calder remarked that, legally, the 260 square feet would be walled up and become non-usable square footage in the structure.

VOTE: The motion passed 5 to 1, with Commissioners Calder, Erickson, Hays-Walzer, Larson, and O'Hara, voting in favor of the motion and Commissioner Zimney voting against the motion.

6. Zion's Bank/Visitor's Center

Administrator Putt reported that this application is a request for a revision of the Snow Creek Crossing master plan and an MPD for a 16,550-square-foot bank with drive-through facilities and a Chamber of Commerce Visitors Center located at the intersection of Highway 224 and Highway 248. He reviewed an exhibit illustrating of the location and configuration. The project dates back to May 1995 when an incomplete application was submitted. As part of a review of another revision proposed for the Snow Creek project and a pending McDonald's project, the Staff reviewed the Zion's Bank project as a macro view of potential modifications to the Snow Creek plan. The application was completed in December 1995 and scheduled for work session and public hearing on March 27. Administrator Putt presented the plan reviewed on March 27, at which time the Planning Commission expressed concern over the loss of a significant portion of 29,000 square feet of open space on Parcel D, the loss of vegetation buffering the shopping center from the two highways, the visual impacts and use of the Frontage Protection Zone (specifically the 30-foot, no-build zone), and the adverse impacts of traffic circulation created by a new connection between Snow Creek Drive and the two State Highways. Staff's concerns also included the use of the UDOT right-of-way for part of the project's parking. Discussions with the applicant in March determined that, if a long term lease could be executed between the State and property owner, the Staff would be willing to bring the argument to the Planning Commission that the area involved could be counted toward the 30-foot FPZ setback. The Staff does not yet have documentation that the lease has been executed. The building

JUNE 19, 1995

To: File

Re: B95-01168
6160 Silver Lake Drive
Belleterre Subdivision

=====

WHEREAS: PCMC Ordinance No. 83-3 provides for An Ordinance Of Administration of Building and Planning Related Ordinances and;

WHEREAS: Ordinance No. 83-3 Section 2. provides for the Community Development Director to make specific modifications to strict compliance with the codes and ordinances, provided that conditions of Sections 3 and 4 are met and;

WHEREAS: The current Land Management Code, Section 6.1 permits the Community Development Director to make the determination as to when a development is in substantial compliance with this Code,

THEREFORE: The Community Development Director finds that:

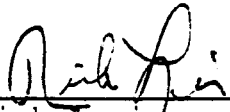
- 1.) The Belleterre Subdivision was approved in April of 1990, and the Land Management Code in effect at the time had a different definition of "Floor Area" in sizing and measuring permitting structure areas.
- 2.) Notwithstanding the calculation of spaces within the design of the home as submitted for approval, the exterior bulk of the home and building envelope are unaffected with or without the modification herein.
- 3.) The impact of any modification is negligible to adjoining properties.
- 4.) The net affect of the proposed modification provides a functionally equal structure for the owner and for the city as a whole.
- 5.) There is no material increase in the burden to city services by granting the modification.
- 6.) There is no health and saftey risk associated with the modification.
- 7.) The modification provides for more desirable architectural and functional conditions.
- 8.) There is no incompatibility with other ordinances.

EXHIBIT D
Rick Lewis Findings

9.) This modification is unique to this lot given it's neighboring uses, neighborhood compatability, building location, topography, and impacts.

Given the above conditions;

The Community Development Director finds that the plans submitted as B95-01168 for 6160 Silver Lake Drive, are in substantial compliance with the plat and Land Management Code with regard to floor area size.



Rick Lewis
Director of Community Development

Date: 6/22/95

1. **Advertisement:** The advertisement is for a book titled "The History of the City of London" by John Stow. It is published by the City of London Corporation and is available for purchase at the City of London Library. The book is a hardcover and is priced at £10.00. It is a new edition and is available in both English and French. The book is a history of the city of London and is a must-read for anyone interested in the history of the city. It is a comprehensive history of the city and is a valuable resource for anyone studying the history of London.

STATE OF TEXAS
COUNTY OF _____

I, _____, a duly qualified juror in the above entitled case, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County of _____, State of Texas.

Witness my hand and seal of office this _____ day of _____, 1968.

Juror

"BARKY'S BARK"

AUTHOR'S ADDRESS

Name of Author _____
County of _____) ss
State of _____

I, _____ County Clerk,
do hereby certify that _____
has been duly elected _____
and has taken the oath of office.

Dated this _____ day of _____ A.D. 19____.
Notary Public _____
My Commission Expires _____

RECEIVED
FEB 28 1996
PARK CITY
PLANNING DEPT.

SECOND AMENDED PLAT OF LOT 10

BELLETERRE SUBDIVISION

AS SHOWN VALLEY

A SUBDIVISION LOCATED IN THE NORTHWEST AND THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

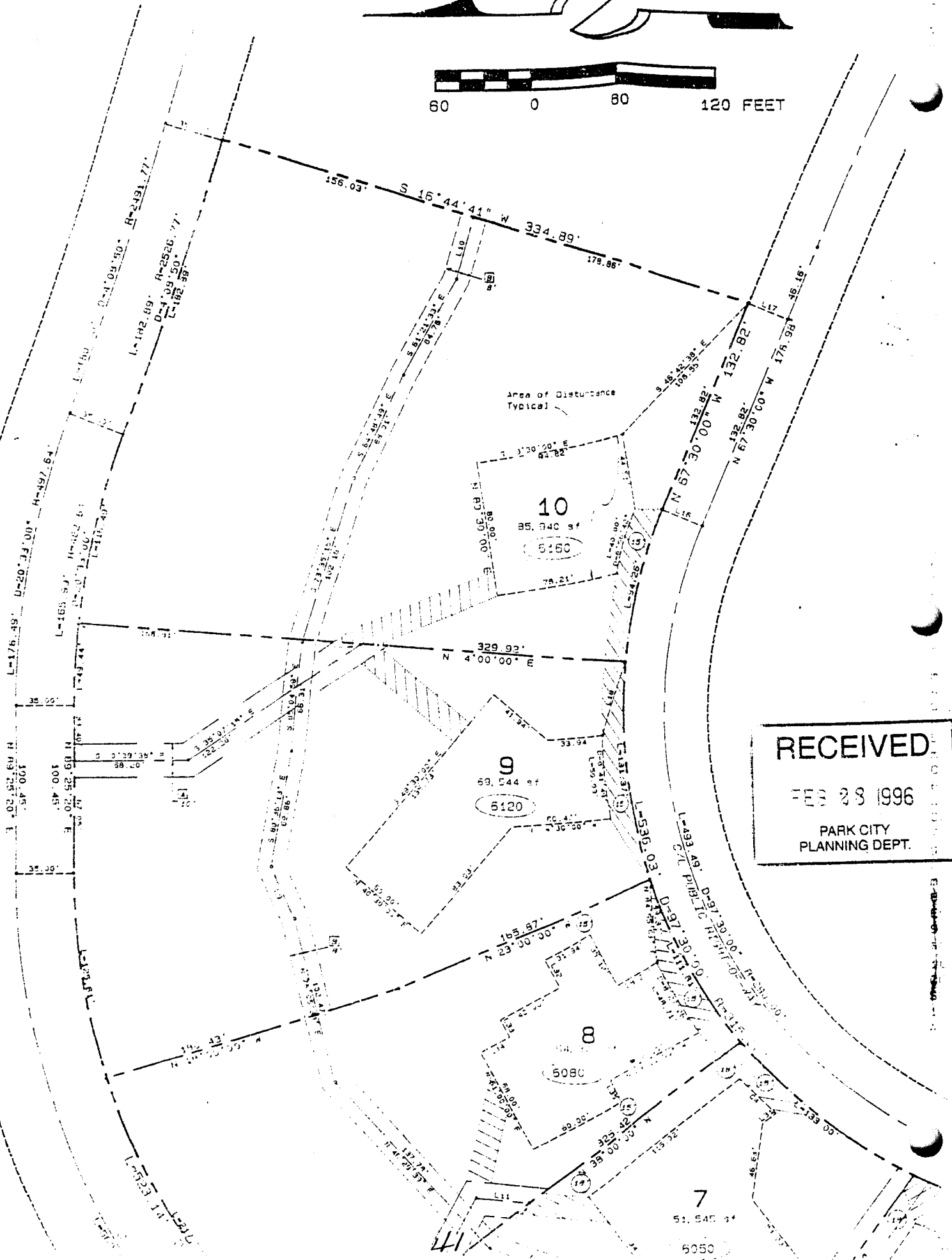
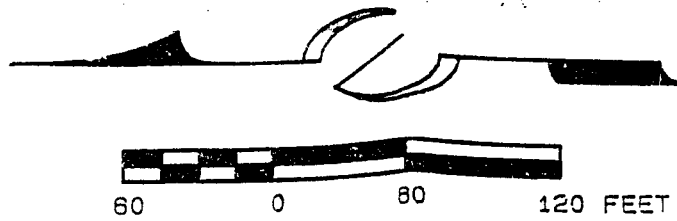
A SUBDIVISION LOCATED IN THE NORTHWEST AND THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 3 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

EXHIBIT E
Plat - PROPOSED

[illegible]

Alliance

Figure 1



RECEIVED
 FEB 28 1996
 PARK CITY
 PLANNING DEPT.



CITY COUNCIL STAFF REPORT

DATE: August 29, 1996
DEPARTMENT: Planning Department
AUTHOR: Megan Ryan
TITLE: The Canyon Subdivision - 332 Daly Avenue
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Staff recommends that the City Council conduct a public hearing and consider the Planning Commission and staff's recommendation to approve the proposed subdivision of one parcel of land (known as 332 Daly Avenue) into two lots.

DESCRIPTION:

A. Topic.

A subdivision proposing the creation of two lots from one parcel of land as described on EXHIBIT E - Plat, referred to as The Canyon Subdivision (332 Daly Avenue).

B. Background.

The Planning Commission held a public hearing on this matter on July 10, 1996. The Planning Commissioners voted to forward a positive recommendation to the City Council on the proposed subdivision. The minutes of the July 10, 1996 meeting are attached as Exhibit D.

Application for this plat subdivision was submitted by Thomas Pittman, Jr. on behalf of the owner, George W. Murgatroyd, III. The owner wishes to build two single family structures rather than one duplex structure. The existing neighborhood is a mix of historic single family and new duplex structures. The owner believes that the current HDC and Planning Commission seem to prefer the single family structures as infill development for their compatibility in scale relative to the existing historic structures.

The existing parcel is situated on the west side of Daly Avenue and is adjacent to and south of an existing historic single-storey frame home (refer to EXHIBIT B- Location Map). On the south side of the parcel are two historic wooden sheds, one of which encroaches six or more feet into the subject parcel (see EXHIBIT C - Site Plan). The hillside slopes up abruptly behind the old foundation of the former structure.

C. Analysis

The existing parcel is approximately 7,523 square feet in area with 68.49 feet of frontage on Daly Avenue and is approximately 108 feet deep (Please see EXHIBIT B - Site Plan). If subdivided as proposed, each new lot would contain approx. 3,480 square feet (just over two times the area of a standard old town lot); and, if approved without conditions, the area is sufficient to allow the owner to build a duplex on each newly created lot. (A minimum lot size of 3,750 sq. ft. is required for a duplex in the HR-1 zone.)

In summary, the permitted uses on the existing parcel would have less potential total mass: 3,480 SF versus 5,306 SF for the single family scenario and 3,480 SF versus 6,106 SF for the duplex scenario. However, the individual structures (including garage areas) could be considerably larger if the parcel is developed as a single lot: (Approximately 40% larger, 37% larger comparing duplex to duplex or up to 58% larger comparing a duplex on the existing parcel to a single family home on one of the proposed lots).

Because the construction of two duplexes on the subdivided parcel would increase the unit density, thereby placing additional demands on infrastructure and traffic/parking, staff recommends that the subdivision be conditioned to allow only single family structures on each of the new lots (the owner has already indicated that he wishes to build only single family homes in the subdivision).

Staff also believes that the single family structures would be more compatible in design, mass and scale in this neighborhood. This would also ensure no increase in the potential unit density for this site while reducing the size of individual structures allowed on the parcel. The total sideyard setback will increase from a 15 foot total to a 20 foot cumulative total if the subdivision is approved as recommended, resulting in a net increase in open space.

Findings of Fact:

Staff supports the subdivision of the parcel as conditioned because:

1. The proposed plat amendment for two (2) single-family lots will create a need for additional improvements, including utilities and fire protection.
2. The subdivision limits the lots to single family structures and will reduce the allowable maximum area for the site, resulting in smaller structures nearer in scale and compatibility to the existing historic homes. Staff has evaluated the neighborhood and finds that a mix of building types, including historic single-family and newer duplexes exists in the immediate vicinity of the property. Single-family residences are compatible with the context of the immediate area, therefore, the impacts to the

neighborhood are not significant.

3. The net cumulative increase in the sideyard setbacks will also provide for an increase in open space.
4. Snow storage area is required to ensure the safety of the applicant's property and the general public in the surrounding neighborhood.
5. The proposed subdivision, as conditioned, will maintain the original character and density in the neighborhood. Duplex structures would increase the mass and density on the site and would negatively impact the aesthetic nature, scale and character of the Daly Canyon neighborhood.
6. The new structures are located more than 150 feet from a fire hydrant and will require fire sprinkling at the direction of the Chief Building Official in order to provide adequate and fire code compliant structures.
7. A portion of the existing Daly Avenue crosses the applicants property and will need to remain part of the existing street.

Conclusions of Law:

1. There is good cause for the amendment because the subdivision will reduce the allowable maximum area per structure, resulting in smaller structures nearer in scale to the existing historic homes and an increase in open space.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposed plat amendment is consistent with both the Park City Land Management Code and State Subdivision requirements.

D. Department Review.

The Community Development Department and the City Attorney's office have reviewed this application.

ALTERNATIVES

- A. Approve subdivision of the parcel into two lots conditioned to allow only single family structures.
- B. Deny the subdivision request and allow the property to be developed as a permitted use.
- C. Continue the item for further discussion and input.

SIGNIFICANT IMPACTS:

Alternative A: This alternative would allow subdivision of the parcel into two lots. Each lot would contain approximately 3,480 square feet and allow construction of a 2,170 square foot single family home on each lot (in accordance with Floor Area Ratio formula for the HR-1 zone as defined in the Land Management Code). Sideyard setbacks would also increase from fifteen (15) feet for the undivided parcel to a cumulative total of twenty (20) feet for the subdivided parcel (10 ft. total per lot), thus increasing total open space.

Alternative B: This alternative would still allow the owner to build either a single family home of approximately 3,381 sq. ft. plus a 400 sq. ft. garage or a duplex of 3,381 sq. ft. plus two 400 sq. ft. garages.

Alternative C: Defers action to a later date.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The owner would still be able to build either a single family home or a duplex on the undivided parcel. However, the structure could be between 43% and 58% larger than each of the single family homes.

PUBLIC COMMENTS:

This item was noticed on June 21, 1996 and on August 20, 1996.
No public comments have been received.

RECOMMENDATION:

Conduct a public hearing and forward a positive recommendation to the City Council to approve the request for subdivision of the parcel known as 332 Daly Avenue into two lots subject to the following conditions:

1. Only single family structures shall be permitted to be constructed on each lot.
2. The owner shall install necessary public improvements in a manner approved by the City Engineer including but not limited to the following: water meter box assembly for two units and sewer and water laterals.
3. A ten-foot snow storage easement shall be dedicated to the City along Daly Ave beyond the edge of asphalt which shall be dedicated to the City as a public street right-of-way.
4. A reciprocal fifteen-foot snow shed easement/agreement shall be designated on the plat along the shared border of the two newly created lots.
5. Snyderville Basin Sewer Improvement District shall have approved the plat prior to recordation.
6. The City Attorney and City Engineer's approval of the subdivision for compliance with State law, the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
7. The plat must be recorded prior to issuance of any building permits.
8. The plat must be recorded within one year of this approval or this approval is null and void.
9. Fire Sprinklers are required in each home in accordance with the Uniform Building Code Section 13d as modified for Park City.
10. Dedication of a the public trail on the westerly edge of the parcel shall be shown on the plat.
11. A current and correct title report shall be submitted prior to any further staff review on this project.
12. The final plat shall delineate and dedicate that portion of existing Daly Ave.

that crosses the applicant's property to the City as a public street right - of- way.
13. The Floor Area Ratio for the single family structures shall not include the portion of Daly Ave. that has been dedicated to the City.

EXHIBITS:

EXHIBIT A - Ordinance

EXHIBIT B - Location Map

EXHIBIT C - Site Plan

EXHIBIT D - Minutes from Planning Commission 7/10/96 mtg.

EXHIBIT E - Proposed plat

EXHIBIT A

Ordinance No. 96-

AN ORDINANCE APPROVING A SUBDIVISION TO BE KNOWN AS THE CANYON SUBDIVISION, A PART OF WASHINGTON MILLSITE RESERVATION, LOCATED AT 332 DALY AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property known as the Canyon Subdivision has petitioned the City Council for approval of a subdivision amendment to the Washington Millsite Reservation; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 10, 1996; and

WHEREAS, the City Council held a public hearing on September 5, 1996 to receive public input on the proposed Subdivision;

WHEREAS, Staff has evaluated the neighborhood and finds that a mix of building types, including historic single-family and duplex units exist in the immediate vicinity of the property. Two single-family residences on two 3,700 square foot lots are compatible with the context of the immediate area, therefore, the impacts to the neighborhood are not significant; and

WHEREAS,

1. The proposed plat amendment for two (2) single-family lots will create a need for additional public improvements, including utilities and fire protection.
2. The subdivision limits the lots to single family structures and will reduce the allowable maximum area for the site, resulting in smaller structures nearer in scale and compatibility to the existing historic homes. Staff has evaluated the neighborhood and finds that a mix of building types, including historic single-family and newer duplexes exists in the immediate vicinity of the property. Single-family residences are compatible with the context of the immediate area, therefore, the impacts to the neighborhood are not significant.
3. The net cumulative increase in the sideyard setbacks will also provide for an increase in open space.
4. Snow storage area is required to ensure the safety of the applicant's property and the general public in the surrounding neighborhood.
5. The proposed subdivision, as conditioned, will maintain the original character and density in the neighborhood. Duplex structures would increase the mass and density on the site and would negatively impact the aesthetic nature, scale and character of the Daly Canyon neighborhood
6. The new structures are located more than 150 feet from a fire hydrant and will require fire sprinkling at the direction of the Chief Building Official in order to provide adequate and fire code compliant structures.

7. A portion of the existing Daly Avenue crosses the applicants property; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

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

SECTION 1. FINDINGS. The above recitals are hereby incorporated as findings of fact.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 3. PLAT APPROVAL. The Canyon Subdivision is approved as shown on the attached Exhibit A with the following conditions:

1. Only single family structures shall be permitted to be constructed on each lot.
2. The owner shall install necessary public improvements in a manner approved by the City Engineer including but not limited to the following: water meter box assembly for two units and sewer and water laterals.
3. A ten-foot snow storage easement shall be dedicated to the City along Daly Ave. beyond the edge of asphalt which shall be dedicated to the City as a public street right- of-way.
4. A reciprocal fifteen-foot snow shed easement/agreement shall be designated on the plat along the shared border of the two newly created lots.
5. Snyderville Basin Sewer Improvement District shall have approved the plat prior to recordation.
6. The City Attorney and City Engineer's approval of the subdivision for compliance with State law, the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
7. The plat must be recorded prior to issuance of any building permits.
8. The plat must be recorded within one year of the date of this approval or this approval is null and void.
9. Fire Sprinklers are required in each home in accordance with the Uniform Building Code Section 13d as modified for Park City.
10. Dedication of a the public trail on the westerly edge of the parcel shall be shown on the plat.
11. A current and correct title report shall be submitted prior to any further staff review on this project.
12. The final plat shall delineate and dedicate that portion of existing Daly Ave. that crosses the applicant's property to the City as a public street right - of-way.
13. The Floor Area Ratio for the single family structures shall not include the portion of Daly Ave. that has been dedicated to the City.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 5th day of September, 1996.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

332 DALY AVENUE

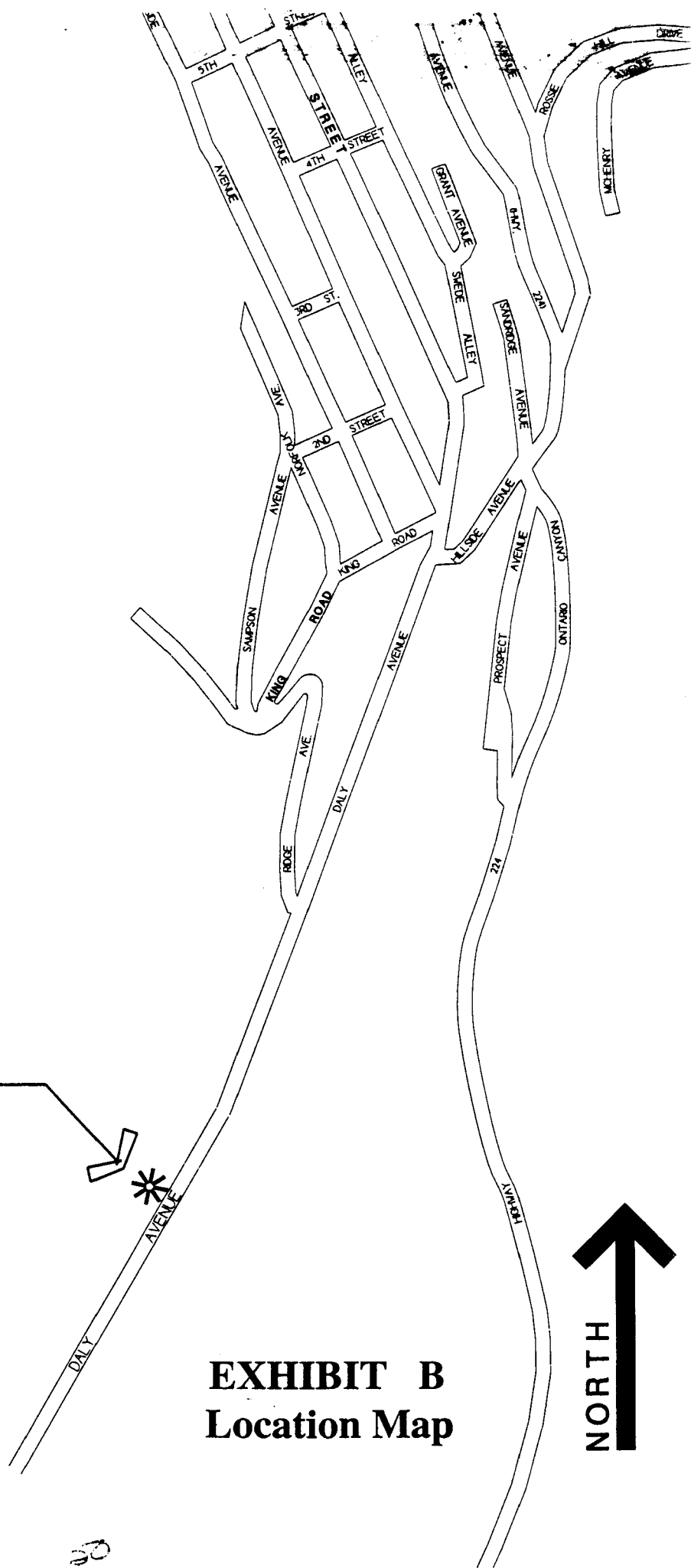


EXHIBIT B
Location Map

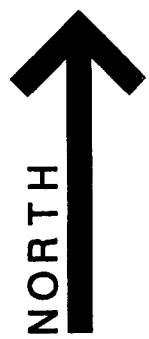


EXHIBIT C

Planning Commission Meeting
Minutes of July 10, 1996
Page 4

2. 332 Daly Avenue, Canyon Subdivision

Planner Whetstone reviewed the request to subdivide approximately a 7,500-square-foot lot in the Millsite Reservation at 332 Daly Avenue into two 3,700-square-foot lots to create two legal lots for two single-family homes. The Staff recommended that the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for further review of the subdivision. She noted the condition of approval requiring that each lot be restricted to a single-family home. The lots would be large enough for duplexes which could be constructed as a permitted use if the condition is not applied.

Chair Jones opened the public hearing.

There was no input.

Chair Jones closed the public hearing.

MOTION: Commissioner Tom Calder moved to forward a POSITIVE recommendation to the City Council on the Canyon Subdivision at 332 Daly Avenue taking into consideration the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the staff report. Commissioner Erickson seconded the motion.

VOTE: The motion passed unanimously.

Conditions of Approval - 332 Daly Canyon Subdivision

1. Only single-family structures shall be permitted to be constructed on each lot.
2. The owner shall install necessary public improvements in a manner approved by the City Engineer including but not limited to the following: water meter box assembly for two units, sewer and water laterals, and a fire hydrant if one does not exist within 150 feet.
3. A 10-foot snow storage easement shall be dedicated to the City along Daly Avenue.
4. A reciprocal 15-foot snow shed easement/agreement shall be designated on the plat along the border of the two newly created lots.
5. Snyderville Basin Sewer Improvement District shall have approved the plat prior to recordation.

6. The City Attorney and City Engineer's approval of the subdivision for compliance with State law, the Land Management Code, and these conditions of approval is a condition precedent to plat recordation.
7. The plat must be recorded prior to issuance of any building permits.
8. The plat must be recorded within one year of this approval or this approval is null and void.

3. Woodburning Ordinance

Planner Whetstone noted that a draft ordinance is available for public review. She reported that the Planning Commission addressed the issue several years ago and several drafts were reviewed. There was concern about non-conforming use and air quality issues, and the matter was tabled for further research. Since then, the Planning Staff has become aware of the increased number of fires resulting from fireplaces and increased concern from the Fire District. Based on that information, the Staff has drafted a new ordinance for the public hearing and the City Council.

Planner Whetstone explained that the ordinance would reduce the number of solid fuel burning devices in Park City and require that any solid fuel burning device be EPA Phase II certified. It would allow one EPA certified solid fuel burning device per single-family home, and none would be allowed in multi-family units other than in a common area. One device is allowed per commercial establishment. The ordinance places no restrictions on the number of alternative non-solid fuel burning devices. Open fireplaces are not EPA certified and are prohibited by the ordinance. Any device or open fireplace currently existing that is not EPA certified would become a legal non-conforming use. If 50% of a structure were demolished or remodeled, the structure would be brought up to Code and be required to meet the requirements of the ordinance.

Planner Whetstone referred to a letter from Mrs. Shiebler who suggested swapping out existing wood burning fireplaces in condominiums for a wood fireplace in a single-family house. The suggestion is intriguing, but the Staff was unsure how it could be administered.

Chair Jones opened the public hearing.

Don Blox felt the ordinance was a great piece of legislation and thanked the Staff for their work. He offered a solution used in other cities in which he has lived to mitigate some of the questions regarding multiple units. Some other cities allow people

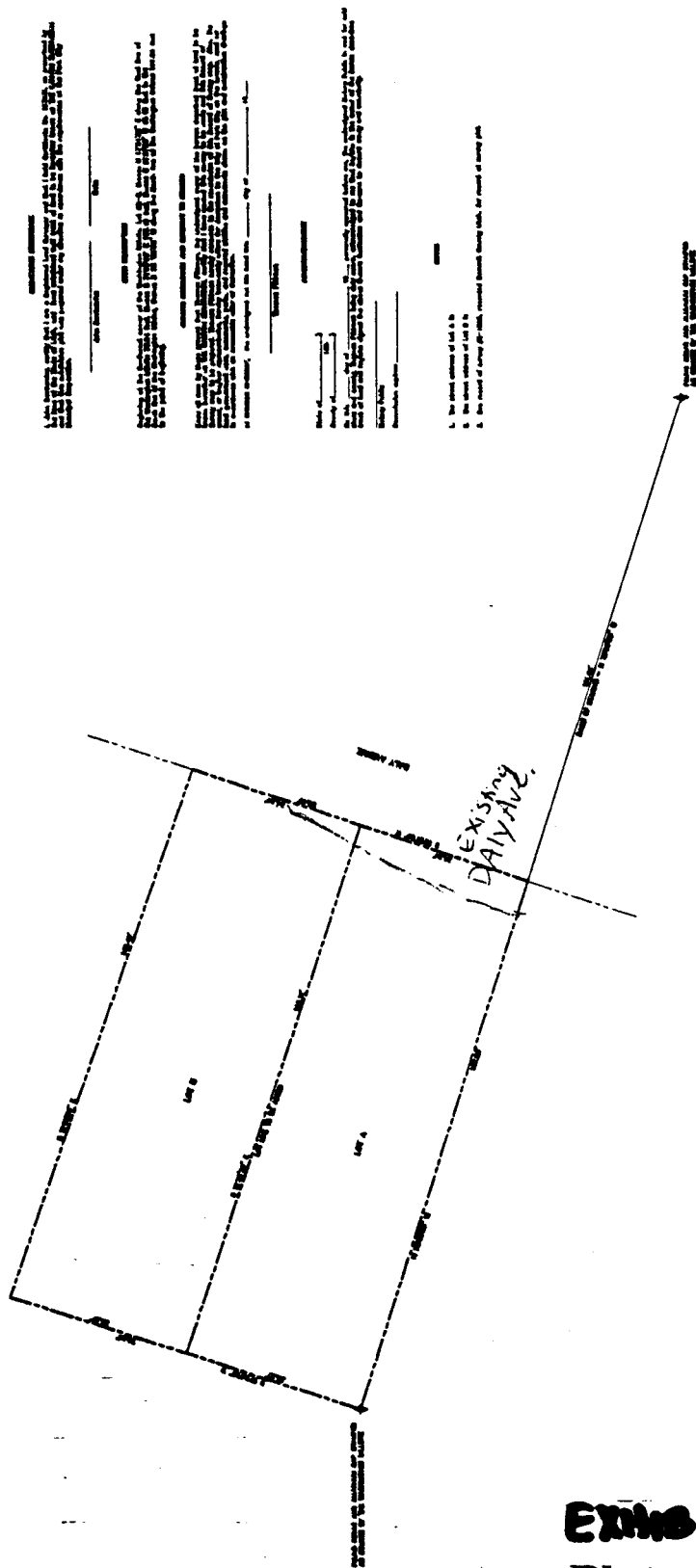


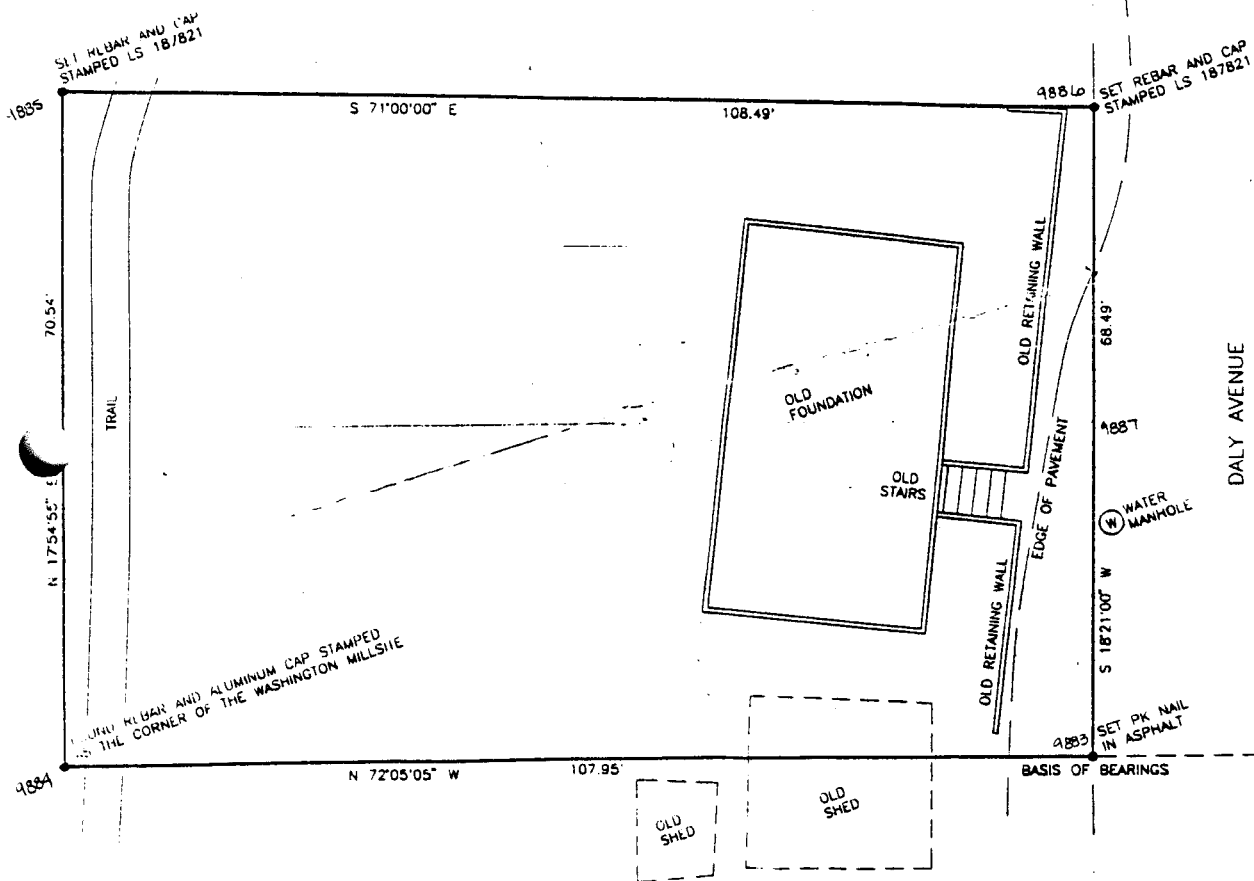
EXHIBIT D
Plat

THE CANYON SUBDIVISION

SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED

ALLIANCE ENGINEERING INC. P.O. BOX 1000 PARK CITY, UTAH 84302 (801) 414-1000		UTAHVILLE BLANK MAPS IMPROVEMENT DISTRICT REVEALED FOR CONFORMANCE TO SUBDIVISION MAPS 2412P IMPROVEMENT DISTRICT SUBDIVISION ON THE DATE OF _____ 19__ A.D.		PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE DATE OF _____ 19__ A.D.		ENGINEERS CERTIFICATE APPROVED WITH INFORMATION ON FILE IN AN OFFICE THE DATE OF _____ 19__ A.D.		APPROVAL AS TO FORM APPROVED AS TO FORM THIS DATE OF _____ 19__ A.D.		CERTIFICATE OF ATTORNEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ 19__ A.D.		COUNCIL APPROVAL AND ACCEPTANCE APPROVED BY THE PARK CITY COUNCIL THIS _____ 19__ A.D.		STATE OF UTAH COUNTY OF SUMMIT AT THE REQUEST OF DATE _____ 19__ A.D.		RECORDED APR 19 1996 PAGE 1 OF 1 ARK CITY PLANNING DEPT	
---	--	---	--	---	--	---	--	--	--	--	--	--	--	--	--	---	--



EASTERLY RIGHT-OF-WAY OF DALY AVENUE
AS DEFINED BY FOUND SURVEY MONUMENTS
AT THE EASTERLY SIDE OF THE GUTTER

NORTH



COUNCIL AGENDA REPORT

DATE: September 3, 1996
DEPARTMENT: Community Development Department
AUTHOR: Nora Seltenrich, Special Projects Manager
TITLE: Grants of Easement to SBSID for Eagle Pointe
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS:

Approve the requested Grants of Easement

DESCRIPTION:

A. Background.

On July 18, 1996, the City Council approved the final plat for Eagle Pointe Phase II. This phase of the subdivision contains a downhill cul-de-sac which cannot be gravity sewered from Meadows Drive. The subdivision construction plans call for the sewer to be connected to existing lines in Risner Ridge Phase II. In order for this to occur, the sewer line will have to cross a piece of City Property. This is a request for the City to grant easements to SBSID to allow the sewer lines to cross City Property.

B. Analysis

The Sewer District finds that this sewer alignment is the preferred alternative in this area.

The city parcel was acquired by the City with the intent that it remain open space. The applicant will be required to revegetate the disturbed area after the sewer is installed.

C. Department Review.

The City Engineer and City Attorney have reviewed this request and recommend granting the easements.

ALTERNATIVES

1. Grant the requested Easements to SBSID
2. Deny the request to grant the requested easements requiring redesign of the

Eagle Pointe Subdivision, Phase II.

3. Continue the item and request additional information.

SIGNIFICANT IMPACTS:

Crossing the City property with a sewer line will result in disturbance to a parcel intended as open space. The applicant will be required to revegetate the disturbed area. The sewer trench will be in close proximity to existing residences in Risner Ridge.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The applicant would have to redesign the Sewer alignment which may result in a redesign of the subdivision.

RECOMMENDATION:

Staff recommends that the City Council grant the requested easements, in a form approved by the City Attorney, to SBSID to accommodate the sewer for Eagle Pointe Phase II subject to the following conditions of approval:

1. The final easement shall state that:
 - a. The Developer will be required to revegetate the area disturbed within 6 months after the sewer is installed.
 - b. The Developer must obtain the City's approval of the installation of any utility facilities above ground prior to the installation of such facilities.

Recorded at Request of _____ at ____ M.
Fee Paid \$ _____ by _____ Dep.
Book _____ Page _____ Ref.: _____
Mail tax notice to _____ Address _____

GRANT OF EASEMENT

Park City Municipal Corporation, Grantor --, of Park City, County of Summit, State of Utah, hereby CONVEY AND WARRANT to SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT, Grantee, its successors, and assigns, of Summit County, Utah for the sum of Ten Dollars and Other Good and Valuable Consideration, the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes including all necessary fixtures under, across and upon the following described real estate owned by Grantor situated in the County of Summit, State of Utah:

Line A

Commencing at a point located North 00°09'43" East 1662.82 feet from the West Quarter Corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being the corner common to Lots 19 and 20 of Eagle Pointe Subdivision Phase I and on the Northerly boundary of Risner Ridge Subdivision: thence North 143.22 feet; thence East 1324.90 feet to the TRUE POINT OF BEGINNING, Running thence North 00°01'12" East 49.70 feet; thence South 37°06'16" East 152.87 feet; thence South 09°54'33" West 149.87 feet to a Westerly lot corner that is common to Lots 2 and 3 of Risner Ridge #2 Subdivision; thence along westerly lot line of Lot 2 of said subdivision South 29°00'00" West 28.85 feet to the Northeasterly corner of Risner Ridge Subdivision; thence along the boundary of said subdivision North 80°00'00" West 20.56 feet; thence departing said boundary North 09°54'33" East 164.05 feet; thence North 37°06'16" West 100.20 feet to the TRUE POINT OF BEGINNING.

Said easement being the right to construct, operate, replace, repair and maintain utility facilities under or across said easement and a right of access thereto under or across the above-described tract of land along any reasonable route designated in writing by the Grantor thereof and accepted by the Grantee, or in the absence of such reasonable designation and acceptance, a reasonable right of access as designated by the Grantee, its agents, or employees.

This Grant includes the right of the Grantee, its agents and employees, to enter upon said real estate at any time for the purpose of exercising any of the rights herein granted; also the right to trim, clear or remove, at any time from the said easement any tree, brush, structure or obstruction of any kind of character whatsoever which, in the sole judgment of the Grantee may endanger the safety of or interfere with the operation and maintenance of said Grantee's facilities.

The Grantors covenant that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute this Grant of Easement.

X _____

STATE OF UTAH)
 : ss.
County of)

X _____

On the ____ day of _____, A.D., 19 ____, personally appeared before me _____
_____, the signer of the within instrument, who duly acknowledged to me that
____ he ____ executed the same.

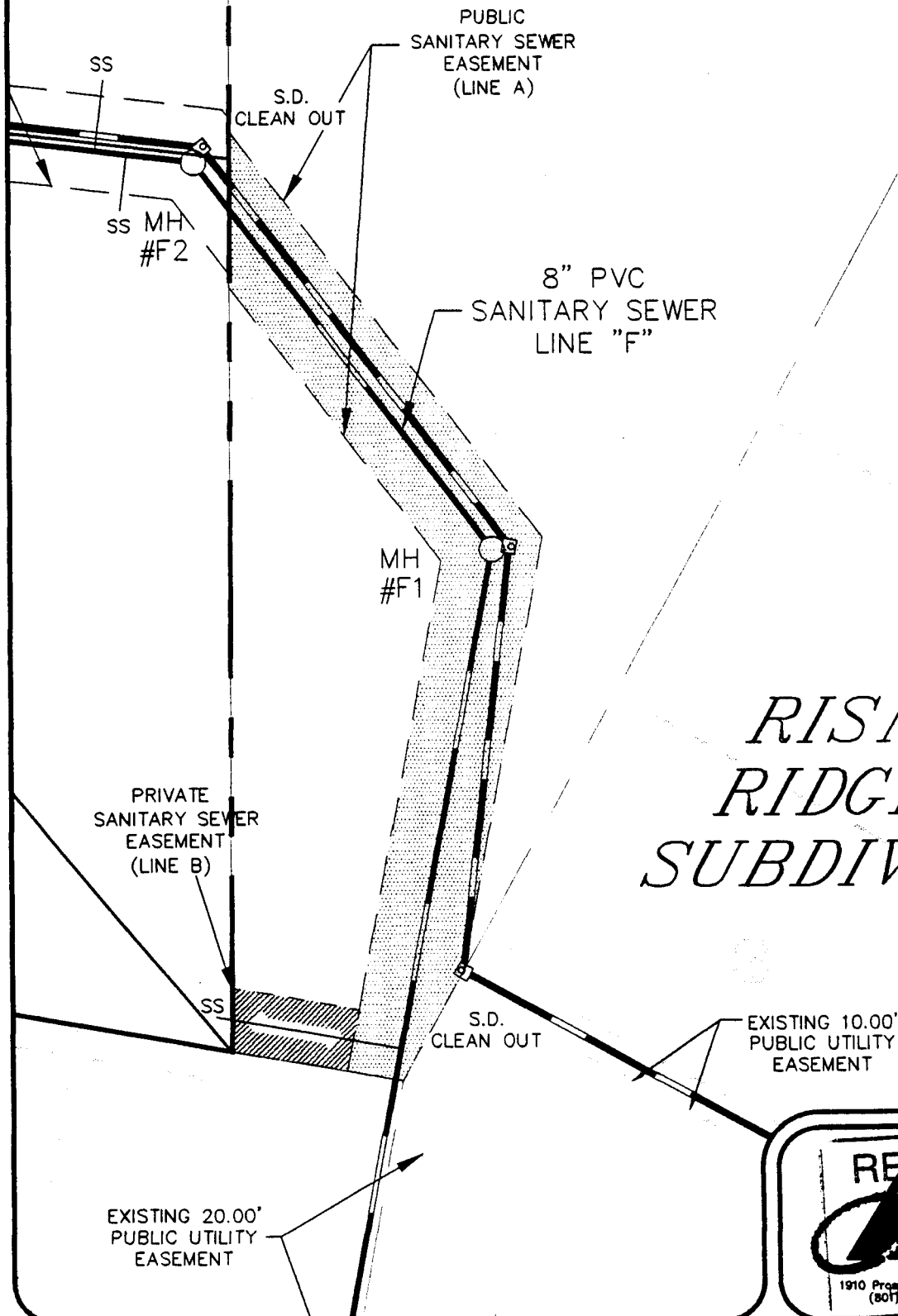
Notary Public

My Commission expires: _____

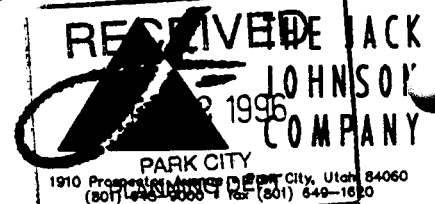
Residing at:

EASEMENT EXHIBIT

EAGLE POINTE SUBDIVISION PHASE II
SANITARY SEWER EASEMENTS THROUGH
PARK CITY MUNICIPAL CORPORATION



*RISNER
RIDGE #2
SUBDIVISION*



Recorded at Request of _____ at ____ M.
Fee Paid \$ _____ by _____ Dep.
Book _____ Page _____ Ref.: _____
Mail tax notice to _____ Address _____

GRANT OF EASEMENT

Park City Municipal Corporation, Grantor --, of Park City, County of Summit, State of Utah, hereby CONVEY AND WARRANT to SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT, Grantee, its successors, and assigns, of Summit County, Utah for the sum of Ten Dollars and Other Good and Valuable Consideration, the right, privilege and authority to construct, operate, replace, repair and maintain sewers and pipes including all necessary fixtures under, across and upon the following described real estate owned by Grantor situated in the County of Summit, State of Utah:

Line B

Commencing at a point located North 00°09'43" East 1662.82 feet from the West Quarter Corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being the corner common to Lots 19 and 20 of Eagle Pointe Subdivision Phase I and on the Northerly boundary of Risner Ridge Subdivision: thence South 88.34 feet; thence East 1300.65 feet to the TRUE POINT OF BEGINNING; said point being on the North boundary of Risner Ridge Subdivision; thence departing said boundary line North 00°10'12" East 20.30 feet; thence South 80°00'00" East 36.86 feet; thence South 09°54'33" West 20.00 to a point on the North boundary of Risner Ridge Subdivision; thence along said subdivision North 79°59'44" West 33.43 feet to the TRUE POINT OF BEGINNING.

Said easement being the right to construct, operate, replace, repair and maintain utility facilities under or across said easement and a right of access thereto under or across the above-described tract of land along any reasonable route designated in writing by the Grantor thereof and accepted by the Grantee, or in the absence of such reasonable designation and acceptance, a reasonable right of access as designated by the Grantee, its agents, or employees.

This Grant includes the right of the Grantee, its agents and employees, to enter upon said real estate at any time for the purpose of exercising any of the rights herein granted; also the right to trim, clear or remove, at any time from the said easement any tree, brush, structure or obstruction of any kind of character whatsoever which, in the sole judgment of the Grantee may endanger the safety of or interfere with the operation and maintenance of said Grantee's facilities.

The Grantors covenant that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above-described land and has the right and authority to make and execute this Grant of Easement.

STATE OF UTAH)
 : ss. X
County of)

On the _____ day of _____, A.D., 19 ____, personally appeared before me _____
_____, the signer of the within instrument, who duly acknowledged to me that
___ he ___ executed the same.

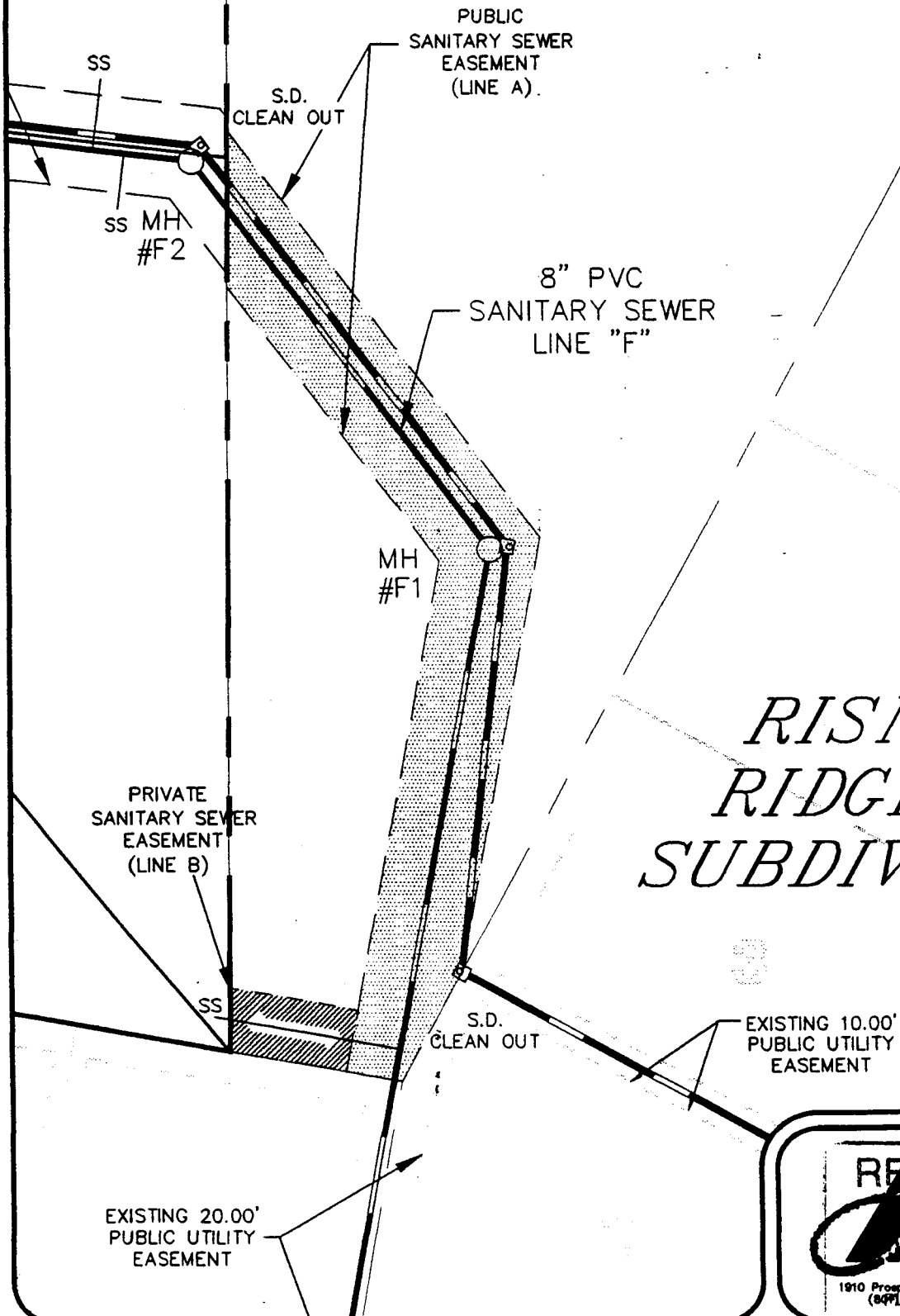
Notary Public

My Commission expires: _____

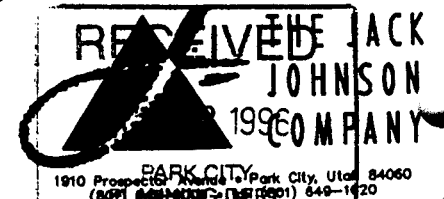
Residing at:

EASEMENT EXHIBIT

EAGLE POINTE SUBDIVISION PHASE II
SANITARY SEWER EASEMENTS THROUGH
PARK CITY MUNICIPAL CORPORATION



EXH2.DWG
OT DATE: 8/14/96



Resolution No. -96

**RESOLUTION DECLARING SEPTEMBER 2 - 8, 1996
AS UNION LABEL WEEK IN PARK CITY, UTAH**

WHEREAS, a strong American and Utah economy depends on good jobs; and

WHEREAS, buying union-made goods and services helps to establish and maintain the integrity of family, family values and promote a sense of community by preserving quality jobs that strengthen the economy; and

WHEREAS, products and services identified by a Union Label, Union Shop Card, Union Store Card or Union Service Button are guaranteed to be the best quality, American-made products and services;

NOW, THEREFORE BE IT RESOLVED that September 2 - 8, 1996 be known as Union Label Week in Park City, Utah, in recognition and in honor of these distinguished emblems which signify commitment to quality and dignity in the American and Utah workplace.

PASSED AND ADOPTED this 5th day of September, 1996.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder



CENTRAL UTAH FEDERATION OF LABOR

2261 South Redwood Road
Salt Lake City, Utah 84119

August 30, 1996

The Honorable Brad Olch
Mayor, Park City Utah
PO Box 1480
Park City 86060

Dear Mayor Olch;

We respectfully ask that you join us in celebrating Labor Day, Monday, September 2, 1996 by issuing the enclosed proclamation. We hope that you will accept our invitation, if your schedule permits, to open the concert scheduled at the Park City Park bandshell and issue the proclamation.

Your attendance at any time during the concert will be welcomed.

Please let me know if you will be able to accommodate this request by calling me any time before Monday 9:00AM at my home (801) 466-7075. Thank you for your consideration. We look forward to your response.

Very truly yours,

Esther L. Fors
Secretary-Treasurer
Central Utah Federation of Labor Council

f: afm104
encls



The Zions Bank findings will be distributed to Council before Thursday's meeting.



PLANNING COMMISSION REPORT

DATE: September 3, 1996
(September 5, 1996 Meeting)

DEPARTMENT: Planning Department

AUTHOR: Patrick Putt

SUBJECT: Public Hearing concerning a replat of the Millsite
Reservation Subdivision No. 1, Block 75, Lots 43-47 and
Lots 60-65; 55 and 57 King Road.

TYPE OF ITEM: Legislative

City Council continued this item to the September 5, 1996 meeting to allow Judy Scipione, an adjacent property owner, an opportunity to submit written concerns regarding the proposed plat amendment. As of the date of this memorandum, Ms. Scipione has not submit any new materials for Council's review. The staff report and recommendation for approval with conditions, as submitted in the August 22, 1996 Council packet, is attached.

64



CITY COUNCIL REPORT

DATE: August 16, 1996
(August 22, 1996 Meeting)

DEPARTMENT: Planning Department

AUTHOR: Patrick Putt *P.P.*

SUBJECT: A replat of the Millsite Reservation Subdivision No. 1,
Block 75, Lots 43-47 and Lots 60-65; 55 and 57 King
Road.

TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Approve an amendment
to the plat of the Millsite Reservation Subdivision No.1, Block 75,
Lots 43-47 and Lots 60-65 with the attached Findings, Conclusions
of Law and Conditions of Approval.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	Anchor Development LLC (Paul Degroot) and Michael Watts
Location:	55 and 57 King Road (South of King Road/Sampson Avenue/Norfolk Avenue Intersection)
Zoning:	HR-1
Adjacent Land Uses:	Residential
Application Completed:	July 14, 1995
Project Planner:	Patrick Putt

B. Background.

The applicants have submitted an application to combine 9 ½ platted lots (15,261 sq. ft.) in the Millsite Reservation and a 2729 sq. ft. metes and bounds parcel into two single-family lots (5750 sq. ft. and 9511 sq. ft. in size not including R-O-W area). Access to the lots is proposed via a 16 foot wide paved driveway out to King Road. The vacant property is located directly south of the King Road/Upper Norfolk Avenue/Sampson Avenue intersection (see attached vicinity map). The property is located in the HR-1 District. The proposed lots have uphill slopes and are vegetated primarily with scrub oak. Historic structures are located directly to the east and west (*Judy Scipione residence and shed*) of the applicants' site. The properties to the south are vacant. Development to the north across King Road is primarily a mix of historic and recent residential construction.

C. Analysis:

1. 1985 Agreement To Provide Emergency Access Agreement: In 1985, the owner's of the property signed an agreement regarding primarily to fire-code related provisions for the development of two houses on the subject property. The agreement imposed special access, driveway, fire mitigation and water line improvements as conditions precedent to the issuance of any building permits. Ron Ivie has concluded that the conditions imposed by the agreement meet the current Fire Code, provided no further subdivision nor access is allowed. The Planning Department has drafted conditions of approval memorializing these requirements for the Commission's consideration. In addition, Staff has also prepared a condition of approval that a note be added to the plat which specifies that further subdivision and/or the development off of additional units beyond the two units prescribed by the 1985 agreement shall be prohibited. The requirement of the note is a condition precedent to the recording of the plat.

2. Access: Access to the proposed two lots will be by way of a 16 foot wide paved drive to King Road. The City Engineer and Chief Building Official have reviewed the applicants' access proposal and have determined it to be marginally adequate for the proposed two units. City approval of a detailed driveway design is condition precedent to the issuance of any building permits. No additional units will be permitted off of the proposed driveway. Approval of the proposed plat amendment will not result in any adjacent properties being landlocked. All immediately adjacent properties have access to existing improved streets and/or to platted unimproved rights-of-way.

3. Maximum Building Size: At 5750 square feet and 9511 square feet, the proposed lots are three to five times larger than standard 25' x 75' Old Town lot (1875 square feet). Under the current HR-1 floor area ratio, the maximum house size permitted on a 25' x 75' Old Town lot is 1687 square feet, plus an additional 400 square feet for a garage. Given the HR-1 floor area ratio and the proposed lot sizes, houses constructed on the applicant's two lots could be substantially larger than buildings permitted on typical HR-1 lots. The HR-1 floor area ratios and proposed lot sizes yield a maximum permitted house size on Lot 1 of 2836 square feet

(plus 400 sq. ft. for garage) and 3964 square feet (plus 400 sq. ft. for garage) for Lot 2.

The context of the immediate area is one of mixed building scale. House sizes range from the Scipione historic residence at approximately 1000 square feet to larger contemporary single-family and multi-family structures over 4000 square feet. In considering this application, the Planning Commission reviewed the potential house sizes to determine whether or not they would be compatible with the scale of historic structures within the neighborhood and consistent with the inherent constraints of the property's hillside topography and driveway access.

The Planning Commission forwarded a recommendation that the plat amendment be approved with a condition that a note be added to the plat which establishes limitations on the future above-ground building square footages. Based upon building sizes within the immediate neighborhood, the Commission recommends that the maximum above-ground square footages not exceed 2400 square on Lot 1 (*2836 sq. ft. total above and below-ground under the F.A.R.*) and 3400 square feet on Lot 2 (*3964 sq. ft. total above and below-ground under the F.A.R.*). In recognition of sloping lots, above-ground square footages are considered to be the floor area of the building that is 80% or more above finished grade. Above-ground square footage does not include the floor area associated with a garage door, man door, or window well that is not visible from an adjacent public right-of-way. (*This definition is consistent with the description of a basement as defined in the LMC, Section 2.1: Definitions -- Floor Area.*)

The Commission acknowledged that new HR-1 amendments (*27 ft. height limitation/total 30 ft. front and rear yard setbacks*), reduced above-ground building square footages, and larger lot configuration will promote house sizes that are more compatible with the neighborhood's historic scale. The proposed above-ground square footage limitations would also result in buildings which would appear to be smaller than would be allowed under the current floor area ratio, and substantially smaller than nearby large non-conforming structures. The proposed plat note is a condition precedent to the recording of the plat.

4. Impacts on Adjacent Structures: The root cellar of an adjacent historic residence and a old shed may potentially be impacted if the proposed plat amendment be approved and development take place. The root cellar of the Judy Scipione residence, located east of the applicants' property, extends under proposed driveway. A condition of approval has been drafted specifying that the City review and approve an plan prepared by the applicant to protect the structural integrity of the Scipione residence during any construction on the applicants' property. This proposed requirement is a condition precedent to the issuance of a building permit.

Construction of the proposed driveway may affect a historic shed located on or directly west of the applicants' proposed driveway. The Department has prepared a condition of approval requiring a Certificate of Appropriateness of Demolition for the shed a condition precedent to any demolition or relocation in conjunction with the construction of the driveway.

5. Fire Protection: The City's Chief Building Official will require that the City's approval of a plan for, and construction of, a 16 foot wide paved driveway constructed to the front property line of the Lot 2 be a condition precedent to the issuance of a building permit. In addition, the Building Official will require that fire sprinklers using the modified 13D standard be installed in any residence constructed on the property prior to any Certificate of Occupancy.

6. Utility Installation: The City Engineer will require the review and approval of a subdivision utility plan as a condition precedent to recording the plat.

7. Public Comment: Judy Scipione, the adjacent property owner and owner of the adjacent residence and shed has expressed concerns that the proposed driveway access will damage her house and shed. Staff believes that these concerns are addressed through the conditions of approval.

D. Department Review.

The Planning, Building, Engineering, and Legal Departments have reviewed this application.

E. Planning Commission Action: The Planning Commission reviewed this application on December 13, 1995, March 27, 1996 and forwarded a positive recommendation to City Council on May 8, 1996. The Commission's Finding of Fact, Conclusions of Law and Conditions of approval are included as part of this report.

ALTERNATIVES

- A. Approve the proposed plat amendment thereby allowing the reconfiguration of the property (*Recommended Alternative*)
- B. Deny the proposed amendment and retain the current lot configuration.
- C. Continue the item and request additional evaluation from the Staff.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Should the Council deny the proposed plat amendment, the applicant may attempt to pursue development of the existing lots as presently platted subject to all City ordinances, codes and guidelines.

RECOMMENDATION:

The Planning Department recommends that the City Council approve the proposed plat amendment subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval for consideration.

Findings of Fact:

1. The AGREEMENT TO PROVIDE EMERGENCY ACCESS AT BLOCK 75, PARK CITY SURVEY, dated April 1985, allows access for the development of two houses on applicants' property subject to certain driveway and fire mitigation improvements.
2. The proposed plat amendment will limit the development of the property to two (2) single-family lots.
3. The proposed lots sizes meet the minimum standards for buildable lots in the HR-1 District.
4. The proposed lots are substantially larger than the standard 25 ft. x 75 ft. platted lots in the HR-1 District. Due to the large lot sizes and existing HR-1 District floor area ratios, the maximum permitted house sizes on the proposed lots would be substantially larger than residences constructed on standard platted HR-1 lots.
5. The Planning Department has evaluated the neighborhood and finds that building sizes in the immediate vicinity of the property ranging from approximately 1000 square feet in the case of historic residences and over 4000 square feet in the case larger, non-conforming structures. To insure development of the property that is compatible with the scale of historic structures within the neighborhood and consistent with the inherent constraints of the property's hillside topography and driveway access, Staff recommends that above-ground square footage limitations be established for the proposed lots.
6. The root cellar of an adjacent historic residence extends under the applicants' proposed driveway. Without proper the consideration of a methodology to mitigate construction impacts, the structural integrity of the historic structure may be jeopardized. It is in the public interest to preserve historic residences in the Historic District.
7. An historic shed is located in close proximity to the applicants' property line which may be impacted as a result of the proposed driveway construction.

Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment, as conditioned.

Conditions of Approval:

1. The City Engineer and City Attorney's approval of the form and substance of the

amended plat is a condition precedent prior to recording the plat.

2. All Standard Project Conditions shall apply.
3. The addition of a plat note specifying that further subdivision and/or the development of additional units beyond the two units shall be prohibited is a condition precedent to recording the plat.
4. The addition of a plat note specifying that:

the maximum above-ground square footage for Lot 1 not exceed 2400 square feet (*not including garage*) and 3400 square feet (*not including garage*) for Lot 2 . In recognition of sloping lots, above-ground square footages are considered to be the floor area of the building that is 80% or more above finished grade. Above-ground square footage does not include the floor area associated with a true basement or crawl space.

The addition of the plat note is a condition precedent to the recording of the plat.

5. City approval of an Engineer's plan or similar methodology intended to insure that the structural integrity of the Scipione residence and shed are protected during any construction on the applicants' property or improvements to the driveway is a condition precedent to the issuance of a building permit.
6. Approval of a Certificate of Appropriateness of Demolition for the shed located directly west of the applicants' driveway is a condition precedent to any demolition, damage or relocation of the shed in conjunction with the construction of the driveway.
7. City approval of a plan for, and construction of, a 16 foot wide paved driveway constructed to the front property line of the Lot 2 is a condition precedent to the issuance of any building permit on the property.
8. Installation and City approval of fire sprinklers using the modified 13D standard on any residence constructed on the property is a condition precedent to any issuance of a Certificate of Occupancy.
9. The City Engineer's review and approval of a subdivision utility plan is a condition precedent to recording the plat.
10. Submittal of an up-to-date title report for the property is a condition precedent to recording the plat.
11. The plat shall contain a note referencing the 1985 Agreement To Provide Emergency

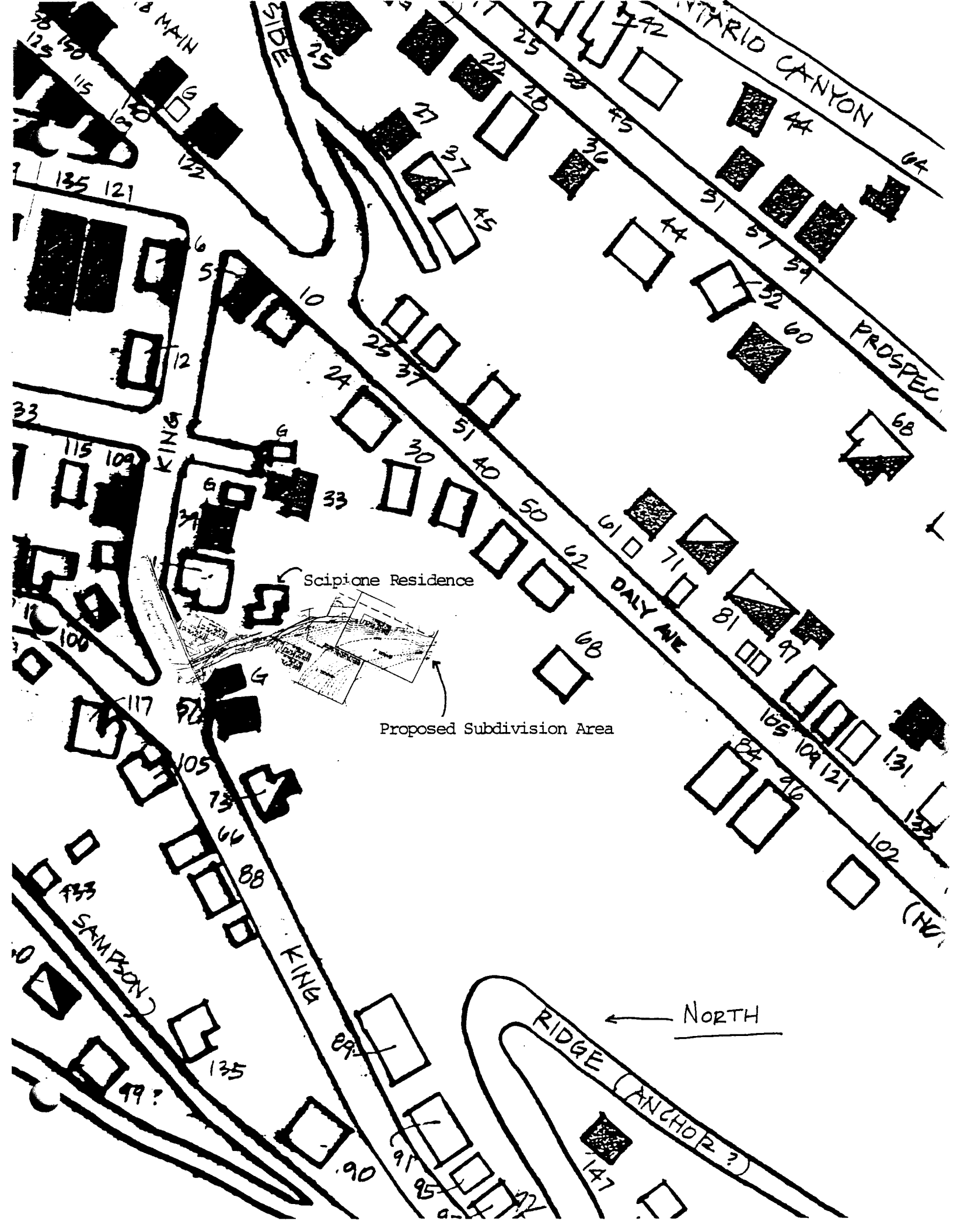
Access.

Exhibits:

Exhibit A- Location/Vicinity Map

Exhibit B- Existing Plat

Exhibit C- Amended Plat



Scipione Residence

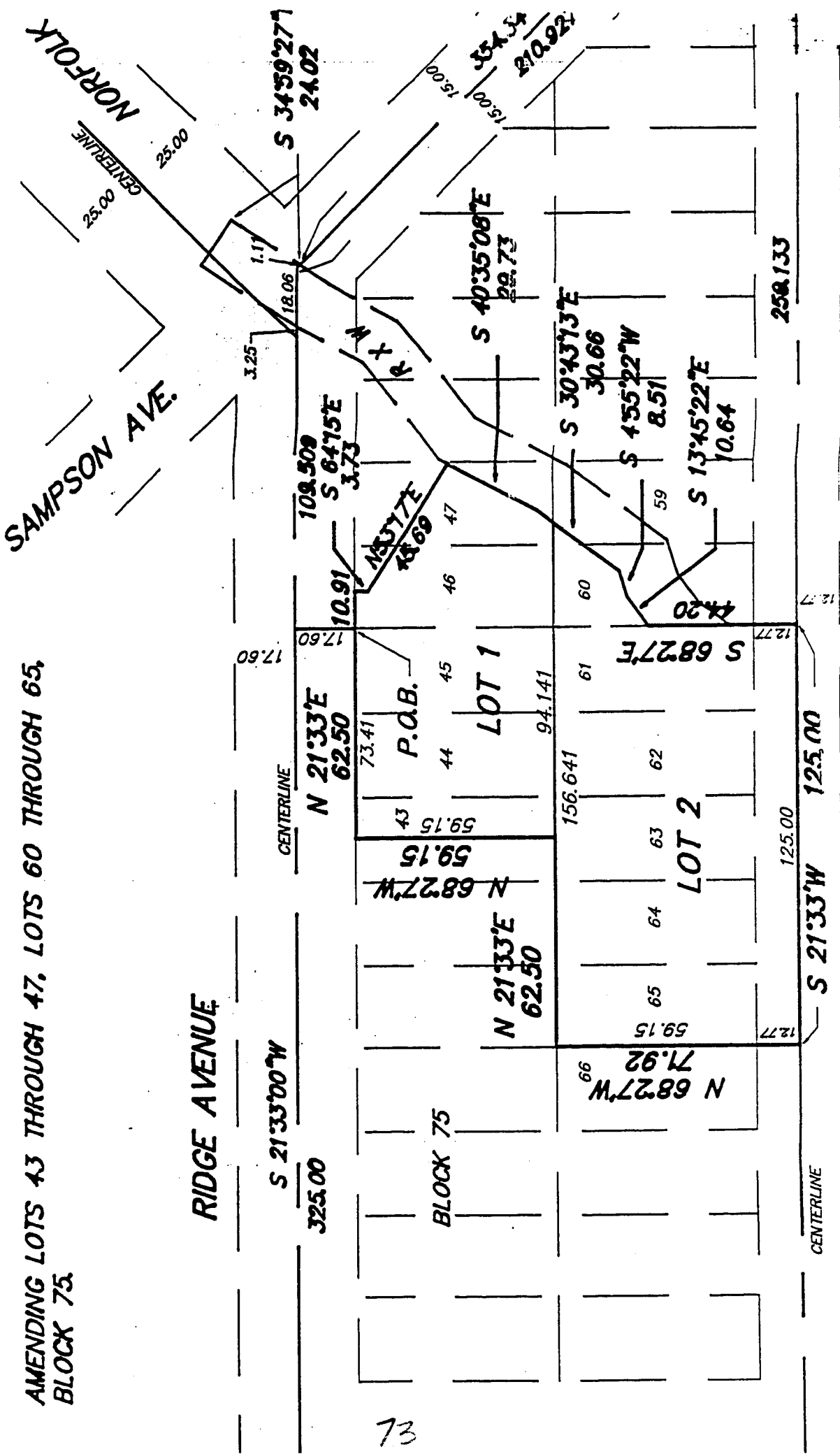
Proposed Subdivision Area

NORTH

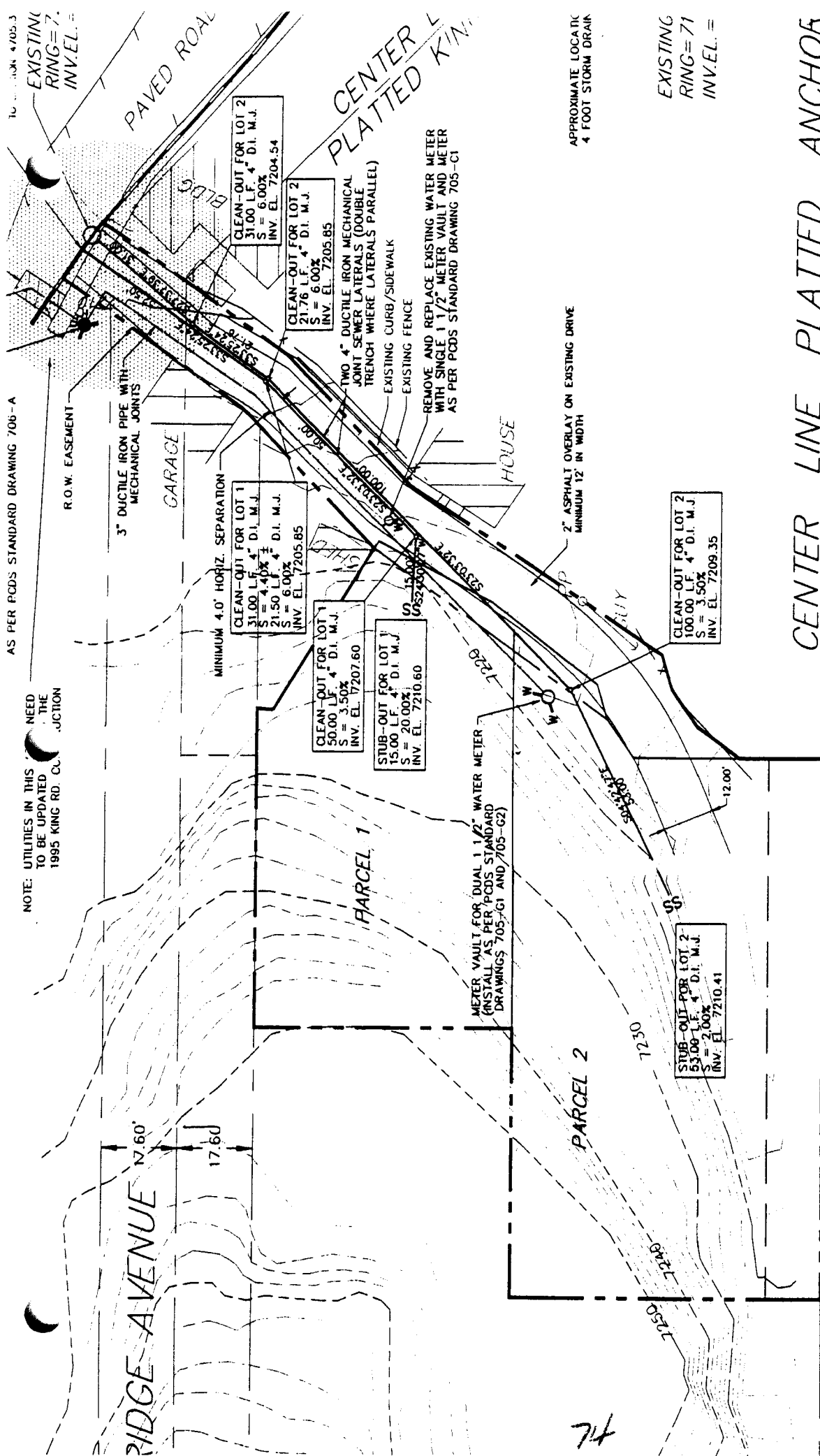
AMENDED PLAT

MILLSITE RESERVATION SUBDIVISION NO.1

AMENDING LOTS 43 THROUGH 47, LOTS 60 THROUGH 65,
BLOCK 75.



EXISTING
RING=7.
INV.EL.=



74

APPROXIMATE LOCATION
4 FOOT STORM DRAIN

EXISTING
RING = 71
INV. EL. =

CENTER LINE PLATTED ANCHOR

AVENUE

BASIS OF BEARING

1101.56

Ordinance No. 96-

**AN ORDINANCE APPROVING AN AMENDMENT TO THE MILLSITE
RESERVATION SUBDIVISION NO.1, BLOCK 75, LOTS 43-47 AND LOTS 60-65,
LOCATED AT 55-57 KING ROAD TO BE KNOWN AS THE 55-57 KING ROAD PLAT
AMENDMENT, PARK CITY, UTAH**

WHEREAS, the owners of the property known as the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65 have petitioned the City Council for approval of an amendment to the amended Park City Survey; and

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the City Council held a public hearing on August 22, 1996 to receive input on the proposed amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

WHEREAS, the AGREEMENT TO PROVIDE EMERGENCY ACCESS AT BLOCK 75, PARK CITY SURVEY, dated April 1985, allows access for the development of two houses on applicants' property subject to certain driveway and fire mitigation improvements;

WHEREAS, The proposed plat amendment will limit the development of the property to two (2) single-family lots;

WHEREAS, the proposed lots sizes meet the minimum standards for buildable lots in the HR-1 District;

WHEREAS, the proposed lots are substantially larger than the standard 25 ft. x 75 ft. platted lots in the HR-1 District. Due to the large lot sizes and existing HR-1 District floor area ratios, the maximum permitted house sizes on the proposed lots would be substantially larger than residences constructed on standard platted HR-1 lots;

WHEREAS, the Planning Department has evaluated the neighborhood and finds that building sizes in the immediate vicinity of the property ranging from approximately 1000 square feet in the case of historic residences and over 4000 square feet in the case larger, non-conforming structures. To insure development of the property that is compatible with the scale of historic structures within the neighborhood and consistent with the inherent constraints of the property's hillside topography and driveway access, Staff recommends that above-ground square

footage limitations be established for the proposed lots;

WHEREAS, the root cellar of an adjacent historic residence extends under the applicants' proposed driveway. Without proper the consideration of a methodology to mitigate construction impacts, the structural integrity of the historic structure may be jeopardized. It is in the public interest to preserve historic residences in the Historic District; and

WHEREAS, an historic shed is located in close proximity to the applicants' property line which may be impacted as a result of the proposed driveway construction.

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

SECTION 1. FINDING. The above recitals are hereby incorporated as Finding of Fact.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 3. PLAT APPROVAL. The amendment of the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65 is approved as shown on the attached Exhibit A with the following conditions:

1. The City Engineer and City Attorney's approval of the form and substance of the amended plat is a condition precedent prior to recording the plat.
2. All Standard Project Conditions shall apply.
3. The addition of a plat note specifying that further subdivision and/or the development of additional units beyond the two units shall be prohibited is a condition precedent to recording the plat.
4. The addition of a plat note specifying that:

the maximum above-ground square footage for Lot 1 not exceed 2400 square feet (*not including garage*) and 3400 square feet (not including garage) for Lot 2 . In recognition of sloping lots, above-ground square footages are considered to be the floor area of the building that is 80% or more above finished grade. Above-ground square footage does not include the floor area associated with a true basement or crawl space.

The addition of the plat note is a condition precedent to the recording of

the plat.

5. City approval of an Engineer's plan or similar methodology intended to insure that the structural integrity of the Scipione residence and shed are protected during any construction on the applicants' property or improvements to the driveway is a condition precedent to the issuance of a building permit.
6. Approval of a Certificate of Appropriateness of Demolition for the shed located directly west of the applicants' driveway is a condition precedent to any demolition, damage or relocation of the shed in conjunction with the construction of the driveway.
7. City approval of a plan for, and construction of, a 16 foot wide paved driveway constructed to the front property line of the Lot 2 is a condition precedent to the issuance of any building permit on the property.
8. Installation and City approval of fire sprinklers using the modified 13D standard on any residence constructed on the property is a condition precedent to any issuance of a Certificate of Occupancy.
9. The City Engineer's review and approval of a subdivision utility plan is a condition precedent to recording the plat.
10. Submittal of an up-to-date title report for the property is a condition precedent to recording the plat.
11. The plat shall contain a note referencing the 1985 Agreement To Provide Emergency Access.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 22nd day of August, 1996.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:



Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

NOTE: UTILITIES IN THIS AREA NEED TO BE UPDATED TO THE 1995 KING RD. CONSTRUCTION

EXISTING
RING = 7
INVEL.

APPROXIMATE LOCATION
4 FOOT STORM DRAIN

EXISTING
RING = 71
INV. EL. #

CENTER LINE PLATTED ANCHOR

AVENUE

BASIS OF BEARING

1101.56

" EXHIBIT A "

MBA MEETING

**PARK CITY MUNICIPAL BUILDING AUTHORITY MEETING
SUMMIT COUNTY, UTAH
JUNE 27, 1996**

I ROLL CALL

Chairman Brad Olch called the regular meeting of the Municipal Building Authority to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 27, 1996. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, Executive Director; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

None.

III MINUTES OF MEETING OF MAY 16, 1996

Hugh Daniels, "I move approval". Shauna Kerr seconded. Motion unanimously carried.

IV CONSENT AGENDA

Authorization to the Chairman to execute a preliminary agreement to purchase 372.5 acre feet of water and 218 acres of land - Hugh Daniels, "I move approval of the Consent Agenda Item". Shauna Kerr seconded. Motion carried unanimously

V ADJOURNMENT

With no further business, the meeting of the Municipal Building Authority was adjourned.

The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott

Janet M. Scott, Deputy Secretary



COUNCIL AGENDA REPORT

DATE: September 5, 1996
DEPARTMENT: Administrative Services
AUTHOR: Tom Bakaly
TITLE: Bond Parameters Resolution - Lease Revenue Bonds, 1996 Series
TYPE OF ITEM: Legislative/administrative

SUMMARY RECOMMENDATIONS: The Park City Municipal Building Authority should consider and approve the attached Parameters Resolution relating to the issuance of Lease Revenue Bonds, 1996 Series. These bonds will be used to finance the purchase of water rights and the construction of the new Public Works building.

DESCRIPTION:

A. Topic: Consideration and adoption of a resolution that does the following: 1) Preliminarily authorizes the sale of Municipal Building Authority of Park City Lease Revenue Bonds, Series 1996; 2) Sets parameters relating to the issuance size, length to maturity, and interest rates of the bonds and; 3) Authorizes the preparation and distribution of documents pertaining to the issuance of the bonds.

B. Background:

On June 27, 1996, City Council approved the acquisition of water and land from the Pace family and authorized staff to initiate bonding to finance the purchase. Similarly, on August 1, 1996, the City Council approved awarding a construction contract for the Public Works facility, and authorized staff to explore issuing bonds to finance the cost of construction. In consultation with the City's financial advisor, Dave Minor, President of Municipal Bond Consulting Inc., staff is recommending that these two projects, along with a possible land purchase in the Lower Park Avenue RDA, be combined into one bond issue. The bonds would be lease revenue bonds sold through the Municipal Building Authority (MBA). The bonds will be paid back through annual appropriations from the General Fund, Water Fund, Transportation Fund and Lower Park Avenue RDA. The bonds will be guaranteed by the new public works building, the land and water rights purchased from the Paces and the assets included in the 1994 MBA issue.

By combining all of these projects into one bond issue, the prospect of receiving bond insurance, and thus lowering the interest cost, is greatly improved.

C. Analysis: The attached resolution grants preliminary authorization to issue the MBA bonds. Before bonds are issued, the City Council and the Municipal Building Authority must approve the "Final Bond Resolution." Staff anticipates returning to City Council with the "Final Bond Resolution" during the latter part of September or early October. The Parameters Resolution gives advance notice that the City intends to issue these bonds and starts an appeals period. The resolution also authorizes the preparation and distribution of the Preliminary Official Statement (POS). The POS is the document that investors, the bond rating agencies, and the bond insurance companies use to evaluate the credit worthiness of the bonds. Staff is finalizing the POS and plans to distribute it during the week of September 9, 1996. The Parameters Resolution and the POS will be helpful in the rating and insurance process we'll use in the next two weeks.

Lastly, the resolution sets the following general parameters for the bond issue:

1) Size: The resolution sets the maximum amount of the bonds at \$9,000,000. This amount is purposely higher than the sum of the projects and the bond issuance costs in order to give the MBA flexibility when it comes time to actually sell the bonds.

2) Length to Maturity: The resolution states that the maximum length to maturity cannot exceed 20 years. Again, this parameter is conservative, and the length to maturity will most likely not exceed 15 years.

3) Interest Rates of the Bond Coupons: The resolution states that no single coupon of the bond issue can exceed 6.5%. When the bonds are sold, they will be structured in such a way that different maturities will have different interest rates. This parameter means that the coupon with the longest maturity will not have an interest rate of greater than 6.5 %. In addition, the resolution sets the maximum amount of discount that the bonds can be sold at to pay for issuance costs. The 2% parameter is again conservative, and the discount rate should be less than that amount. As far as an interest rate for the entire issue, staff is confident that it will be significantly less than the 6% parameter that was included as part of the authorization of the Public Works facility construction contract by City Council

D. Department Review: The Parameters Resolution has been reviewed by the City Manager's Office, the Legal Department, and the Administrative Services Department.

ALTERNATIVES:

A. Approve the Request: Adopting the resolution will allow the City to proceed with the bond issue and be able to finance the referenced projects in a timely manner.

B. Deny the Request: A Parameters Resolution is not required to issue bonds, but is generally recommended. If the City Council does not wish to issue bonds, Staff and City Council would then need to address funding strategies for the proposed projects.

C. **Continue the Item:** Continuing action on the resolution could delay the overall issuance of the bonds. Because there are timing and funding issues associated with on of the projects (Pace purchase), staff would need to elaborate further on the consequences of continuing this item. A one-week continuance probably would not present significant problems.

D. **Do Nothing:** This would have the same effect as denying the request.

SIGNIFICANT IMPACTS: Adoption of this resolution will allow the City and the Municipal Building Authority to proceed with the issuance of the bonds in timely and efficient manner. Swift completion of the bond issuance is needed to take advantage of favorable interest rates and meet the financing needs of the projects.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: Not adopting the resolution will impact the City's ability to issue the MBA bonds and finance the projects.

RECOMMENDATION: Adopt the attached Parameters Resolution relating to the issuance of Lease Revenue Bonds, 1996 Series.

RESOLUTION NO. ____

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF MUNICIPAL BUILDING AUTHORITY OF PARK CITY, UTAH LEASE REVENUE BONDS, SERIES 1996 (THE "BONDS"); FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; APPROVING FORMS OF A FIRST SUPPLEMENTAL INDENTURE, A FIRST AMENDMENT TO LEASE AGREEMENT, AND RELATED DOCUMENTS PERTAINING TO THE ISSUANCE OF THE BONDS; AUTHORIZING THE PREPARATION, USE AND DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND OTHER DOCUMENTS PERTAINING TO THE SALE OF THE BONDS; PROVIDING FOR THE PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; AND RELATED MATTERS.

WHEREAS, pursuant to the provisions of the Utah Municipal Building Authority Act, Title 17A, Chapter 3, Part 9, Utah Code Annotated 1953, as amended (the "Act"), the Municipal Building Authority of Park City, Utah (the "Authority") is authorized to issue lease revenue bonds for the purpose of financing projects (as defined in the Act); and

WHEREAS, pursuant to the provisions of the Act, the Authority has previously issued its Lease Revenue Refunding Bonds, Series 1994 (the "1994 Bonds") to refund and retire certain prior bonds of the Authority, which prior bonds were issued to finance the costs of acquisition, construction, reconstruction, remodeling, rehabilitation, furnishing and equipping of a municipal building, a parks/golf maintenance building, and a portion of a building for use as a public library and the acquisition of and related water rights and development of such water rights (the "1994 Project"); and

WHEREAS, the 1994 Project has been leased to the City; and

WHEREAS, the Authority desires to issue its Lease Revenue Bonds, Series 1996 (the "Bonds") for the purpose of financing the costs of construction, equipping and furnishing of a public works building and related facilities, acquisition of land and related improvements for a public park, acquisition of land and related water rights and the

development of such water rights, and improvements to certain open space property included in the 1994 Project (the "1996 Project" and collectively with the 1994 Project, the "Project"); and

WHEREAS, pursuant to the Act, the Authority is authorized to issue the Bonds for the purposes set forth above and the Authority desires to adopt this resolution to authorize the issuance of the Bonds, subject to final approval by the Authority and the City Council of Park City (the "City"); and

WHEREAS, the Authority deems it appropriate and in its best interest to authorize the preparation, use and distribution of a Preliminary Official Statement (the "Preliminary Official Statement") with respect to the offering for sale of the Bonds; and

WHEREAS, the Act provides for the publication of a Notice of Bonds to be Issued, and the Authority desires to publish such a notice at this time in compliance with said acts with respect to the Bonds.

NOW THEREFORE, it is hereby resolved by the Governing Board of the Municipal Building Authority of Park City, Utah as follows:

Section 1. The terms defined or described in the recitals hereto shall have the same meanings when used in the body of this Resolution.

Section 2. The Authority hereby authorizes the issuance and sale of the Bonds on the terms set out more specifically hereafter.

Section 3. The Authority hereby finds and determines that it is in the best interests of the Authority and Park City, Utah (the "City") that the Authority issue not more than \$9,000,000 aggregate principal amount of the Bonds, to bear interest at an interest rate or rates of not to exceed six and one-half percent (6.5%) per annum, to mature in not more than twenty (20) years from their date or dates, and to be sold at a discount from par of not to exceed two percent (2%) of the total principal amount thereof, for the purpose of financing the costs of the 1994 Project. The Bonds shall be issued pursuant to this Resolution, and a final resolution to be adopted by the Authority authorizing and confirming the issuance and sale of the Bonds (herein referred to as the "Final Bond Resolution"), and the Indenture of Trust and Pledge (the "Indenture") and the Lease Agreement (the "Lease") each entered into at the time of issuance of the 1994 Bonds, and the Authority hereby declares its intention to issue the Bonds according to the provisions of this Resolution, the Indenture, the Lease and a First Supplemental Indenture (the "Supplemental Indenture") the form of which is attached hereto as Exhibit

"A", a First Amendment to Lease Agreement (the "First Amendment to Lease") the form of which is attached hereto as Exhibit "B", and the Final Bond Resolution, when adopted.

Section 4. The Authority hereby authorizes the preparation, use and distribution of a Preliminary Official Statement with respect to the Bonds.

Section 5. The Authority hereby declares its intention to issue the Bonds according to the provisions of this Resolution, the documents described in Section 3 hereof and the Final Resolution, when adopted, with the form of the documents described in Section 3 hereof to be approved by the Final Bond Resolution, provided that the aggregate principal amount, interest rate or rates, maturity and discount shall not exceed the maximums set forth in Sections 2 hereof.

Section 6. In accordance with the provisions of Section 17A-3-915 of the Act, the Authority shall cause the following "Notice of Bonds to be Issued" to be published one (1) time in The Park Record, a newspaper of general circulation in the City and shall cause a copy of this Resolution (together with the forms of the documents described in Section 3 hereof) to be kept on file in the office of the Authority in Park City, Utah, for public examination during the regular business hours of the Authority until at least thirty (30) days from and after the date of publication thereof. The "Notice of Bonds to be Issued" shall be in substantially the following form: