



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 3, 1998**

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 3, 1998.

A G E N D A

Tour - Park City Municipal Golf Course

3:30 p.m. Meet at Pro Shop

Work Session - City Council Chambers - Lower Level

4:30 p.m. Council questions/comments

4:45 p.m. Snow Creek Lot 9

5:10 p.m. Review of regular meeting
Sandridge parking lot project

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV PUBLIC HEARINGS

1. Ordinance approving a plat amendment, amending portions of Lots 12 and 13 of Block 22 and Lots 13, 14, and 15 of Block 69 of the Park City Survey at 350 ½ Main Street, Park City, Utah
2. Ordinance approving a replat located at 943 Park Avenue, combining Lot 11 and the southerly half of Lot 12, Block 3, of Snyder's Addition Survey, located in the Northeast

Quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Utah

V CONSENT AGENDA

1. Ordinance approving a plat amendment, amending portions of Lots 12 and 13 of Block 22 and Lots 13, 14, and 15 of Block 69 of the Park City Survey at 350 ½ Main Street, Park City, Utah
2. Ordinance approving a replat located at 943 Park Avenue, combining Lot 11 and the southerly half of Lot 12, Block 3, of Snyder's Addition Survey, located in the Northeast Quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Utah

VI NEW BUSINESS

1. Authorization to pay insurance premiums in an amount not to exceed ~~\$110,000~~ \$132,332 for comprehensive insurance coverage through September 1, 1999
2. Authorization to staff to reject the landscape bids and to proceed with the fill and compaction contract with Daly Excavation in an amount not to exceed \$45,000 for the Sandridge Parking Lot Project
3. Resolution adopting Development Parameters for Flagstaff annexation

VII ADJOURNMENT

Posted: 8/31/98



**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
SEPTEMBER 3, 1998**

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

Toby Ross, City Manager; Nora Shepard, Special Projects Manager; Myles Rademan; Rick Lewis, Community Development Director; Jerry Gibbs, Public Works Director; Kevin LoPiccolo, Planner; Mark Harrington, Deputy City Attorney

Alan Roberts, Roberts & Cooper; Russ Wong, owner of Main Street Mall, Brent Gold, attorney for 350 1/2 Main Street; Tom Clyde, former City Attorney

1. Council questions and comments. Hugh Daniels requested that the Mike Hale and Offret properties be cleaned up and secured. The City Manager responded that the area will be attended to once the closing is completed with Mike Hale. Mr. Daniels asked when the traffic calming island will be landscaped and Jerry Gibbs recalled that there wasn't Council consensus and this project was not a high priority of Public Works. Mr. Daniels understood staff workload but would like it scheduled at some point. Nora Shepard added that the planning staff is reviewing enhancing other islands and the Park Avenue traffic calming island will be considered as a part of that review. There was a decision to not hold a meeting on September 17.

Paul Sincock reported that Summit County is proceeding with its own Olympic pin and asked when the City will pursue its own pin in a fund-raising capacity. Myles Rademan stated that the City submitted a design to SLOC but have been "stone-walled" for six months. He added that the City will proceed on its own, but couldn't guarantee if this would be a money-making project, as the pins are envisioned to be gifts. Mr. Sincock understood that Summit County will be issuing a five pin set and a good profit is anticipated. He believed there are enough stores in the community for marketability. A request from the Arts Council for office space was discussed. It was agreed by Council to donate \$1,000 to the Rocky Mountain Land Institute.

Myles Rademan reported on a policy forum as a part of the Leadership 2000 Program on Monday, September 28. He added that he received 123 applications for the Program next year and the selection committee will be meeting on September 14.

3. Snow Creek Lot 9. Rick Lewis explained that the City hired Architect Alan Roberts to work on preliminary design concepts for a transit center/parking structure on the southern half of the Snowcreek parcel, adjacent to the proposed post office. There was a design workshop with the post office architect, Mr. Roberts, the transportation consultant, and staff. Mr. Roberts explored a

low profile parking structure, complimentary with the post office, with the ability to park 250 to 300 vehicles and incorporate a transit function, including a gondola.

Alan Roberts explained that it was the firm's task to look at the piece of property to determine if it could meet the program uses. Criteria developed included not adding another curb cut into the property from SR224; the parking garage design working with the contour of the property; design compatibility with the post office; and considering the function of the transit center and the garage. There were other practical considerations including the efficiency of the garage.

Mr. Roberts displayed a site plan and discussed providing enhanced architectural variation and efficiency. He pointed out that this particular plan encroaches on the 100 foot frontage protection zone setback; other designs do not. The best approach to working with the contour seems to be split level design when access is at grade on the rear of the property and a six to eight level garage can be accommodated without violating height requirements in the zone. Mr. Roberts explained there are two approaches; one is to hide the garage with landscaping and another is to treat it like a legitimate building type. He showed an illustration of the proposed transit center and discussed a tabulation of the number of parking spaces in each of the three proposals. Scheme A which encroaches in the frontage protection zone has 338 stalls and six levels; Scheme B is on the frontage protect zone boundary and has fewer stalls; and Scheme C which is actually the most efficient can be eight levels with 396 stalls. If Council decided it didn't want a garage this large at this time, it could be constructed in stages. Mr. Roberts added that the cost of building a garage is about \$12,000 per stall, and \$500,00 is added for the luggage, lounge, restrooms, lobby, and site improvements. There is a range of figures from \$3.8 to \$5.2 million. He discussed the designs of two parking garages. Only one level is underground but the top two feet are above ground so it is ventilated, which is very beneficial. The footprint is 182 feet across and 210 feet deep into the lot, which does not include the lounge and lobby. Mr. Roberts preferred Scheme C. The six level scheme would be a very low building or a one and a half story building. In conclusion, he felt at least 250 stalls are possible, depending upon the height of the structure. The Mayor suggested placing two levels underground. Mr. Roberts relayed that this could result in a nine or ten level garage and still be under the 28 foot height limitation, however, this would probably require mechanical venting. Councilman Harlan pointed out two examples of well designed parking garages. Mr. Roberts felt there is a lot of latitude on the architecture and added that there doesn't need to be open ventilation on all four sides. Chuck Klingenstein pointed out that there isn't a lot of urban fabric around the site and it stands alone and would prefer that it be underground. There was discussion about the height of each level.

Paul Sincock asked if it is possible to turn the top level into an ice skating rink. Mr. Roberts believed the question is how many parking stalls are desired and this could be explored. Chuck Klingenstein questioned how this parking structure and a post office can fit on this site, and is not "excited" about a parking garage there. However, this may be a way to integrate a skating rink in the community. Mr. Ross suggested that Mr. Roberts explore broader options and other uses.

Mr. Roberts noted that the front of the structure could be a building with windows as the entry to the garage is in the rear. Submerging the garage would result in increased excavation costs and there may be a water table problem on the site. It was clarified that the post office cannot put public parking under its building, but can share public parking. Mr. Ross explained that this study was done to determine the capacity of the site and if there were design alternatives that made Council comfortable with the two uses. Mr. Roberts referred to discussions with the post office about moving parking to the rear of the building but there was reluctance on their part to redesign their project. Chuck Klingenstein felt this is an appropriate location for the post office but questioned how the parking structure will fit with the limited fabric on the site. He encouraged staff to be proactive with getting a traffic light at the site. Mr. Ross indicated that the City has just received the environmental assessment which includes the traffic analysis. This is one of the mechanisms envisioned in getting a traffic signal simultaneously with the development of the site. Hugh Daniels believed it appropriate that Mr. Roberts make a presentation to the Planning Commission, and Ms. Kerr felt that he should present this phase before doing any more work based on discussions today.

4. Review of regular meeting:

Sandridge parking lot project. Jerry Gibbs explained there are two issues for Council to consider. Over the last six to eight months, only about 50% of the fill material has been obtained and it is estimated that it may take another year to find selected materials for structural fill requirements. It is suggested to use more granular fill although there will be some settlement. Park City Mountain Resort is willing to donate 4,000 yards, which was planned on being redistributed on the mountain, if the City is willing to transport it; the Marriott contractor is also willing to donate material. This is about a \$15,000 trucking cost to bring the material in, using four to six trucks, but the City can reduce the amount of time on-site compacting the material. The prior approach was expensive by comparison. If Council doesn't want to proceed along these lines, it is very important that the pedestrian connection be installed before this winter between the Phase 1 parking lot and the Marsac Building to promote better utilization. The advantage of having the fill brought in allows for a determination of utilization on the site and allows for greater flexibility on the use of the site should Council decide not to build a parking lot. Mr. Gibbs explained that the \$15,000 expenditure would be funded from the current project budget.

Mr. Gibbs explained that the second issue deals with the landscaping. Staff received bids which were close to the estimated cost but unfortunately the bids didn't conform with the bid requirements. He asked that the contractors resubmit a bid, but since they each knew what each other had bid, it is his recommendation to reject the bids and readvertise. He explained that this can return to Council as early as next Thursday. In response to a question from Shauna Kerr regarding the contractors taking advantage of this situation, Mr. Gibbs believed the two companies who bid want to work and rather than negotiate, would prefer to bid privately. He explained that this was the first public bid they prepared, and it was a learning experience for them. He believed the bids will be well within the estimate.

Mr. Klingenstein stated that he wants the project completed before the winter and supports the fill proposal. Ms. Kerr asked for clarification on the truck traffic. Mr. Gibbs stated that it is hoped to have four to six trucks running, making two trips an hour which would result in a reasonable pace. The details have not been worked out at this point because of pending Council approval. Trips could be spread out on a schedule for loading and unloading, and Mr. Gibbs believed the fill can be completed in two weeks at the earliest and probably no longer than three weeks.

Plat amendment at 350 1/2 Main Street. Russ Wong stated that he attended the Planning Commission meeting on this plat amendment. He is stated that the Mall has an tunnel easement under Sgt. Leisure and is concerned that his rights are protected, although this may be a private matter. However, when the Mall was built around 1983, there may have been a City requirement to maintain the tunnels for delivery and access to the Mall. Mr. Wong stated that the Legal Department has provided him with some information and it is his understanding that when the Mall was approved, one of the conditions was the construction of the tunnels. The use of the tunnels was suggested for deliveries and pedestrian access, but was not a requirement for delivery. He stated that Mark Harrington indicated there was an inquiry from Esq. Brent Gold in 1993 about this, and Mr. Gold was provided an opinion that it may no longer be a requirement. Mr. Wong stated that things have changed in five years, and the City is trying to get delivery trucks off of Main Street and suggested that the City maintain delivery capabilities off of Swede Alley to service the Mall. He asked if there should be a condition regarding this as a part of the plat amendment. Wednesday's paper was the first notice on this agenda item. He corrected the Block number from 60 to 69. Planner Kevin LoPiccolo explained that for final plats, it is noticed once before going to Planning Commission and this has been an on-going application since 1997.

The Mayor asked if Mr. Wong preferred to have this item continued. Mr. Wong stated he was unsure of the process and acknowledged that negotiating the easement is a private matter between him and Mr. Hoffman. He would like clarification on whether there is a City requirement regarding the tunnels. Mark Harrington explained that the two tunnels were originally conditioned as part of the development approval for the Mall. The primary function was to provide pedestrian connections from the Mall to the parking structure which was also part of the approval. He noted that both tunnels were specified for pedestrians but the north one also had delivery access use. The agreement doesn't address termination, alternative use, or reconfiguration as is being proposed. Mr. Harrington explained that this question was raised in 1993 and the planning staff conducted a detailed analysis of the requirements of the tunnels. At that time, it was determined that the City Council would have to approve any closure of the tunnels and staff did not have a strong opinion regarding the continued use of the tunnels. To the extent the Council wants to condition a plat amendment to maintain some sort of minimal delivery access, a nexus would have to be made between the elimination of the interior lot lines and the impacts on the easement for the tunnel. This

was something the Planning Commission didn't want to get involved with but felt comfortable with the realignment of the lot lines.

Former City Attorney Tom Clyde explained it was the City's intent to get delivery trucks off of Main Street and move them into Swede Alley. The tunnels were intended to accommodate freight and there was always an assumption that something would be built on the vacant lots. There was a restrictive covenant for the total number of parking spaces, but it didn't delineate specific numbers in locations. Ms. Kerr asked if there was discussion about buildings over the tunnels and Mr. Clyde believed this wasn't discussed in detail, but there was an assumption that something would be built on the lots. Chuck Klingenstein asked if the tunnels are used today. Russ Wong indicated they are used for deliveries; there were comments about children using the south tunnel to access the Colby School located in the Mall.

Brent Gold, representing owner Aaron Hoffman, stated that he conducted extensive research when Mr. Wong bought the Mall through the RTC in 1993. It was discovered that the tunnel was built under Main Street of which 75 feet exists under the Sgt. Leisure Building, but there was never a legal easement across the property owned by Mr. Hoffman. As part of the negotiation with the RTC, Mr. Wong obtained an easement, which specifies the dimensions and the use, and anticipates a building on top of the easement. The easement can be relocated within the space and it has a height specification designating that when the building is built, the height of the walk-through cannot exceed more than a certain height, which is determined by the Building Department. Mr. Gold added that where that easement "comes to rest" is still under discussion. Paul Sincok understood that there is nothing that will prevent Mr. Wong's access to the Mall through the tunnel in the future. Mr. Gold explained that the easement specifies that it will be closed during the period of construction. Mr. Wong stated that there is an easement in place describing its location. He disagrees that the easement can move and if the lot combination is denied, it won't move.

Tom Clyde clarified that at the time the tunnel was built, the Mall and the lot Mr. Hoffman owns were all owned by the same party so there wasn't a concern about an easement. The Mayor asked if this should be continued. Mark Harrington stated that he wasn't sure about the time line for the applicant, but emphasized that the dispute is between Mr. Hoffman and Mr. Wong. Chuck Klingenstein understood this to mean that the lot combination stands apart from the easement negotiation. Mr. Harrington explained that if a building plan is presented that totally eliminates that access, then the City can intervene with the design plan to ensure access, which is really a condition of approval for the Mall and not for Mr. Hoffman's property. He admitted that this gives the City more leverage but it is not proper for the City to utilize this leverage at this time. Hugh Daniels asked if plats delineate easements. Mr. Harrington responded that plats do not, as a matter of law, have to show private easements but there could be a condition on the plat referencing the easement. Shauna Kerr felt this would be appropriate as she is concerned that the prior Council approval required the tunnel for delivery. She also supports it as a delivery access to get trucks off of Main Street and encouraged the parties to work together so that the tunnels can still function as such. The

only authority she has is that the plat reflects the easement and the minutes reflect that the Council intends that the tunnel be maintained for delivery. Brent Gold stated that they have no problem with the amended plat reflecting the easement, but emphasized that the easement is restricted and limited. The document has specified language that the easement probably will not accommodate vehicular traffic; it is intended to be a walking corridor for tenants in the Mall and Mr. Gold feared the Council is going a step beyond the easement agreement. Ms. Kerr expressed that a delivery easement doesn't need to mean vehicular access as deliveries can be made on a dolly through the tunnel. Brent Gold reiterated that they have no problem with the easement being referenced. Mark Harrington noted that if Ms. Kerr's opinion is shared by the Council, a condition of approval regarding some form of pedestrian access for the Mall could be attached to the plat amendment approval. Hugh Daniels expressed that he has some additional questions about this application.

See regular meeting minutes.

Prepared by Janet M. Scott



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 3, 1998**

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 3, 1998. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Kevin LoPiccolo, Planner; and Kurt vonPuttkammer, Planner.

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

None.

IV PUBLIC HEARINGS

1. Ordinance approving a plat amendment, amending portions of Lots 12 and 13 of Block 22 and Lots 13, 14, and 15 of Block 69 of the Park City Survey at 350 ½ Main Street, Park City, Utah - See staff report and work session notes. Hugh Daniels concurred with Ms. Kerr's work session comments about supporting the intention of the prior Council on the use of the tunnels. He believes the details of the easement need to be worked out privately with the two parties, but the easement probably needs to be referenced on the plat. Mr. Daniels asked why the property has a Main Street address, and if the six foot walkway has the potential of becoming a six foot wide building. Planner Kevin LoPiccolo responded that this was never discussed. Brent Gold explained that part of the plat amendment is the six foot corridor coming from Main Street which will have a Main Street address, as suggested by City staff, and questioned if there are any Swede Alley addresses. He believed it is Mr. Hoffman's desire to maintain the Main Street address. Hugh Daniels repeated his concern of the potential of the six foot wide walkway becoming a six foot wide building in the future which may or may not be connected to the building behind it. He pointed out that an eight foot wide building occurred a couple of years ago. Mr. Gold stated that the plans that he has seen indicate that the corridor is linked directly into a stairway system of the building and is not a separate structure; he didn't believe that would change. This plat amendment combines that

walkway with the other parcel so it would appear that they would have to request an additional plat amendment for a separate six foot wide building. Hugh Daniels emphasized that fire exiting should also be a requirement. He asked that the noticing question be addressed.

The Mayor invited public input. Hearing no further comments from the Council or the public, the public hearing was closed.

2. Ordinance approving a replat located at 943 Park Avenue, combining Lot 11 and the southerly half of Lot 12, Block 3, of Snyder's Addition Survey, located in the Northeast Quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Utah - Kurt vonPuttkammer explained that this is combining one full lot with a half lot. In response to a question from Roger Harlan, Mr. vonPuttkammer believed the historic structure would remain. With no further questions or comments from the Council or the public, the public hearing was closed.

V CONSENT AGENDA

Hugh Daniels, "I move that we remove Consent Agenda Item No. 1 and place it under New Business". Chuck Klingenstein seconded. Motion unanimously carried. Chuck Klingenstein, "I move approval of Consent Agenda Item No. 2". Roger Harlan seconded. Motion carried unanimously.

1. Ordinance approving a plat amendment, amending portions of Lots 12 and 13 of Block 22 and Lots 13, 14, and 15 of Block 69 of the Park City Survey at 350 ½ Main Street, Park City, Utah - See staff report, work session notes, Public Hearing, and New Business.

2. Ordinance approving a replat located at 943 Park Avenue, combining Lot 11 and the southerly half of Lot 12, Block 3, of Snyder's Addition Survey, located in the Northeast Quarter of Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian, Park City, Utah - See staff report and Public Hearing.

VI NEW BUSINESS

1. Authorization to pay insurance premiums in an amount not to exceed \$110,000 \$132,332 for comprehensive insurance coverage through September 1, 1999 - Attorney Tom Daley explained that the actual amount is \$136,332 to include the workman compensation premium. With no further comments, the Mayor requested a motion for approval. Hugh Daniels, "I so move". Chuck Klingenstein seconded. Motion unanimously carried.

2. Authorization to staff to reject the landscape bids and to proceed with the fill and compaction contract with Daly Excavation in an amount not to exceed \$45,000 for the Sandridge Parking Lot Project - Roger Harlan expressed that if there are cost over-runs that the Council should

be made aware of them as soon as possible. Shauna Kerr, "I move approval". Chuck Klingenstein seconded. Motion carried unanimously.

3. Resolution adopting Development Parameters for Flagstaff annexation - Shauna Kerr, "I move to continue this for one week so that we can work out the final details of the development parameters". Paul Sincock seconded. Hugh Daniels stated that he can only support the postponement for one week. Shauna Kerr added that applicant Park City Mines Company has agreed to this continuation. Motion unanimously carried.

4. Ordinance approving a plat amendment, amending portions of Lots 12 and 13 of Block 22 and Lots 13, 14, and 15 of Block 69 of the Park City Survey at 350 ½ Main Street, Park City, Utah - Hugh Daniels, "I move to table this for a week so that the conditions of approval include some language regarding the easement and that fire exiting requirements be added. If possible, I would like further review of the six foot walkway as I don't want this area to be a separate building in the future". Paul Sincock seconded. Motion carried unanimously.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

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The meeting for which these minutes were prepared as 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

Janet M. Scott, City Recorder





CITY COUNCIL STAFF REPORT

DATE: August 31, 1998
DEPARTMENT: Planning Department
AUTHOR: Staff *MBR*
TITLE: 1800 Snowcreek Crossing - Lot 9, Design Review
TYPE OF ITEM: Work Session

SUMMARY RECOMMENDATIONS: Review and discuss conceptual drawings for Lot 9 and Lot 9a.

DESCRIPTION:

A. Topic.

Design parameters for the potential location of a Transit Center and Post Office at Lot 9 and 9a at 1800 Snowcreek Drive.

B. Background.

The City has directed staff to acquire the approximately 10 acre parcel at Snowcreek Drive known as Lot 9. The potential subdivision of an approximately 2 acre piece for purchase by the U.S. Postal Service has been previously discussed and is still under negotiation. The remainder piece has been discussed to be used a "intra-City" transit center/parking structure.

C. Analysis.

The City has hired a contract architect, Cooper/ Roberts, to work on preliminary design concepts for the transit center site. Cooper/ Roberts and Gordon Shaw along with Frank Murdoch representing the U.S. Postal Service, and City staff met on August 25 to begin working on conceptual designs for the site. Design input that had been received from earlier discussions with the Planning Commission and Council were given to the working "team".

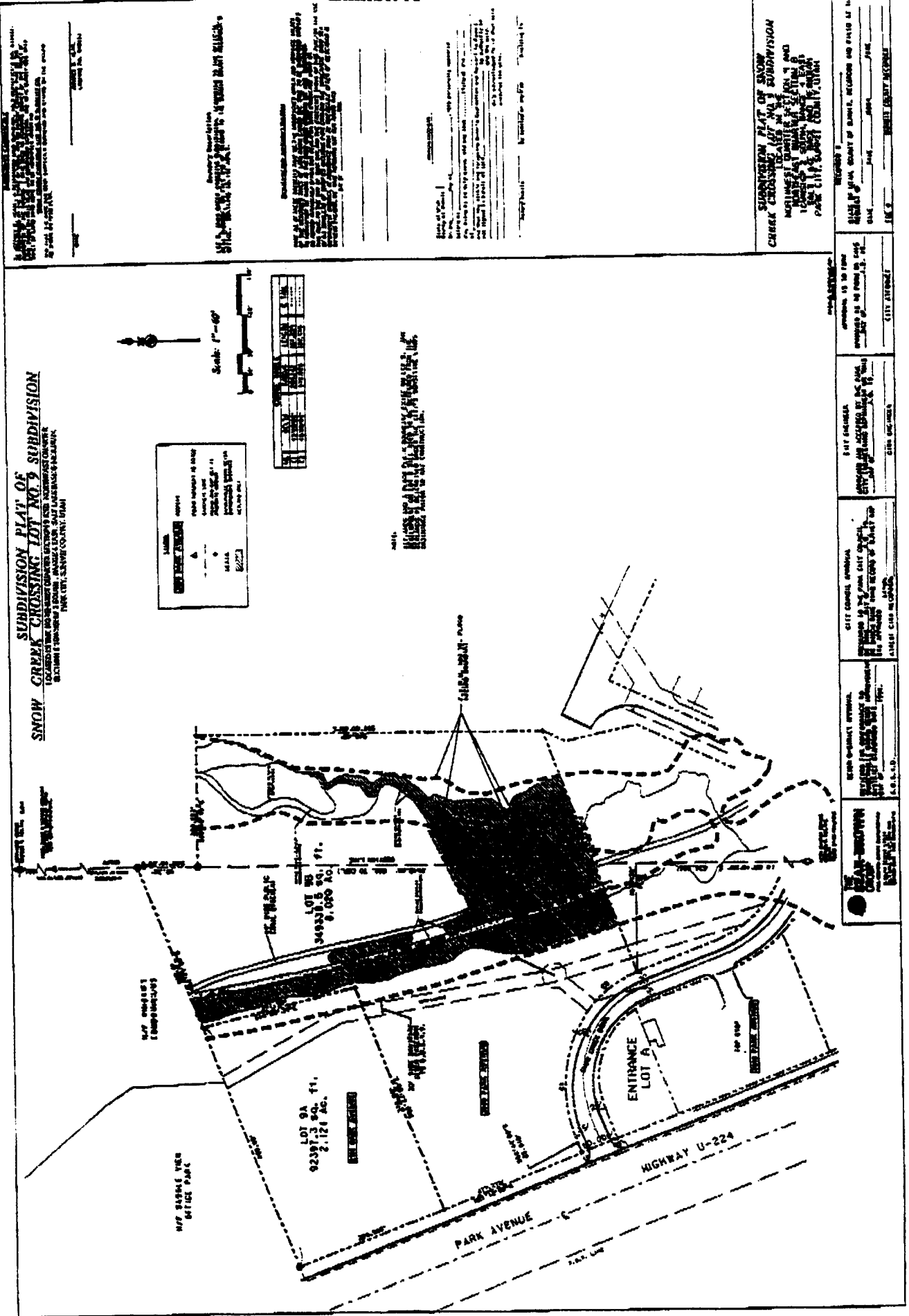
Some of the general parameters discussed were:

1. Integrated design features for any structures on the two adjacent lots. No "Big Box" or strip mall effects.
2. Design parameters that meet the regulations of the Frontage Protection Zone.
3. Coordinated circulation and shared parking.
4. Respect for the wetlands and natural features of the site.
5. Design that recognizes internal and external circulation needs.
6. Compliance with zoning criteria.
7. A plan that makes sense financially as well as aesthetically.

The architect will have conceptual sketches available for discussion at the work session on Thursday. The staff would appreciate direction and input.

EXHIBITS

EXHIBIT A- Site Map



NOTICE TO THE PUBLIC

THIS SUBDIVISION PLAT OF SNOW CREEK CROSSING LOT NO. 9 SUBDIVISION, BEING A SUBDIVISION OF THE SNOW CREEK CROSSING LOT NO. 9 SUBDIVISION, IS HEREBY OFFERED FOR SALE AND CONVEYANCE TO THE PUBLIC BY THE CITY OF SNOW RIVER, UTAH, AND THE CITY ENGINEER HAS REVIEWED THE PLAT AND FINDS IT TO BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTAH SUBDIVISION ACT, CHAPTER 37, UTAH CODE ANNOTATED, AND THE CITY ENGINEER HAS ISSUED THIS PLAT FOR RECORD.

RECORDED IN THE OFFICE OF THE COUNTY CLERK OF KANE COUNTY, UTAH, ON AUGUST 28, 1998, AT 12:37 PM.

FILE NO. _____

BOOK NO. _____

PAGE NO. _____

CITY ENGINEER: _____

CITY ATTORNEY: _____

RECORDING FEE: _____

FILED IN THE OFFICE OF THE COUNTY CLERK OF KANE COUNTY, UTAH, ON AUGUST 28, 1998, AT 12:37 PM.

FILE NO. _____

BOOK NO. _____

PAGE NO. _____

CITY COUNCIL STAFF REPORT

Date: September 3, 1998
Department: Community Development Department
Title: 350 ½ Main Street Plat Amendment to the
Park City Survey, partially lots 12 & 13 of Block 22 and
Lots 13, 14 & 15, Block 69
Type of Item: Legislative

Summary Recommendations

Conduct a public hearing and consider adopting the attached Ordinance approving a plat amendment as conditioned to combine partially lots 12 & 13 of Block 22 and Lots 13, 14 & 15 of Block 69 of the Park City Survey.

A. Topic:

Applicant: Aaron Hoffman
Location: 350 ½ Main Street
Proposal: Replat portions of lots 12 & 13 of Block 22 and lots 13, 14 & 15 of Block 69.
Zoning: Historic Commercial Business (HCB)
Adjacent Land Uses: Commercial/Public Right-of-Way
Project Planner: Kevin LoPiccolo
Date of Application: August 5, 1997

B. Background:

On May 27, 1998, the Planning Commission voted to forward to City Council a positive recommendation to approve the final plat amendment to combine property at 350 ½ Main Street. The property consists of portions of lots 12 and 13, of Block 22, and Lots 13, 14 & 15, Block 69 of the Park City Survey. The site is currently

vacant and is adjacent to the Seafood & Oyster Company. The lots front Swede Alley and do not connect to Main Street with the exception of a walkway between the Seafood & Oyster Company and Sgt. Leisure.

The purpose of the plat amendment is to combine portions of lots 12 & 13 of Block 22 and Lots 13, 14 & 15, of Block 69 into one parcel of record.

The applicant's objective is to construct a building along Swede Alley and cover the existing walkway from Swede Alley to Main Street. The walkway is currently covered under a temporary permit. The Uniform Building Code does not permit any structure to cross property lines. This request will remedy the existing situation and allow the applicant to eventually construct a new building along Swede Alley. The applicant at some point will present an HDC Design Review application for the proposed addition.

C. Analysis:

The proposed plat amendment is consistent with all requisite Land Management Code requirements. The request will combine two partial lots in Block 22 and lots 13, 14 & 15 of Block 69. Although the intent of the lot combination is to construct a new building, it will also achieve a legal conforming lot in that will enable the property owner to construct a building that will not cross over property lines.

Compliance:

Land Management Code: The proposed plat amendment is consistent with all requisite Land Management Code requirements. The HCB Zone requires no setbacks off of property lines and has maximum height of 45 feet. Parking is required for new construction.

Parking: The applicant's property located next to Swede Alley (Lots 13, 14 and 15 of Block 69) was not part of the 1986 restrictive parking covenant that required the property owner to maintain the lot for parking purposes unless an in-lieu fee is paid to Park City. The applicant understands that all parking requirements will have to comply with the Land Management Code as a result of new construction. Any fees will be calculated and submitted at time of building permit issuance.

Sidewalk: Along Swede Alley, by prior agreement with the city, the applicant is required to construct a five foot sidewalk from Fourth Street south to 350 Main Street Seafood and Oyster Company. The sidewalk shall be installed prior to the building's Certificate of Occupancy.

Utilities: The newly created parcel will abut Trouts which is under separate ownership. Access to utilities and fire exiting is under review by the Engineering & Building Departments. An easement and utility relocation will be a condition of approval to address this issue.

D. Department Review:

The City's Staff Review Team and City Attorney's Office have reviewed this application and found the request to be in compliance with the Land Management Code.

Public Input:

All owners within the affected plat were noticed. No comments have been received at the time of this staff report.

Alternatives:

- A. Approve the proposed plat amendment allowing four lots to be combined into one lot of record as conditioned.
- B. Deny the proposed plat amendment and retain the original form of the property.
- C. Continue the item and request further evaluation from the staff.

Significant Impacts:

Approval of the plat amendment will allow four lots to be combined into one lot of record and will allow the construction of a new building along Swede Alley (pending HDC approval) and will eliminate the lot lines that will allow for new construction.

Consequence Of Not Taking The Recommended Action:

Denial of this application will preclude the applicant from constructing a building that would otherwise cross property lines in violation the Uniform Building Code. The property owner would be able to construct two individual buildings on lots 13 & 14 if this plat was denied.

Recommendation:

The Community Development Department recommends approval of the proposed plat amendment subject to the following Findings of Fact, Conclusion of Law, and Conditions of Approval:

Findings of Fact:

1. The project is located in the HCB zoning district.
2. The proposed plat amendment is required to allow construction of a new building at 350 ½ Main Street. Currently the rear lots along Swede Alley are used for parking.
3. The property owner is applying for a plat amendment to combine three partial and two full lots into a single lot of record.
4. The parcel abuts existing commercial buildings and will need to accommodate existing utility, drainage and snow release issues.
5. The applicant will provide or pay for parking as necessary for any building square footage over the 1.5 FAR allowed in the zone.
6. Overhead power lines exist on the property.
7. The applicant agrees to install a sidewalk along Swede Alley per the 364 Main Street Plat Amendment City Council approval on November 13, 1997.
8. The applicant stipulates to all conditions of approval.

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 revision.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval

1. The applicant shall dedicate an easement, subject to the approval of the Community Development Department staff, for the roof drain and all related drainage requirements for the Trout's building. The easement shall be shown on the recorded plat for 350 ½ Main Street.
2. Prior to issuance of a full building permit for the building at 350 ½ Main Street, the property owner shall submit a plan for relocation of the existing overhead power and

telephone lines. Such plan shall be subject to the reasonable review and approval of the Community Development Department staff.

3. The contractor for the building at 350 ½ Main Street shall relocate and reconnect the sanitary sewer laterals for Trout's and Chimayo, including obtaining the necessary permit to work in the Fourth Street and Swede Alley rights-of-way as determined necessary by the City Engineer. Said contractor shall also relocate and reconnect power lines and storm drain lines for Sgt. Leisure and Trout's, and the sanitary sewer lateral for Sgt. Leisure if necessary. All work shall be in accordance with the UBC, and the Park City Construction Standards.
4. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
5. The owner shall construct a five-foot sidewalk to City standards along Swede Alley from Fourth Street south to 350 Main Street prior to Certificate of Occupancy of any building addition constructed on the newly created lot. An easement shall be shown on the Plat providing for public use of the sidewalk.
6. All Standard Project Conditions shall apply.
7. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.
8. A financial security for all public and private improvements required by this approval shall be placed with Park City in an amount and form satisfactory to the City.

Exhibits:

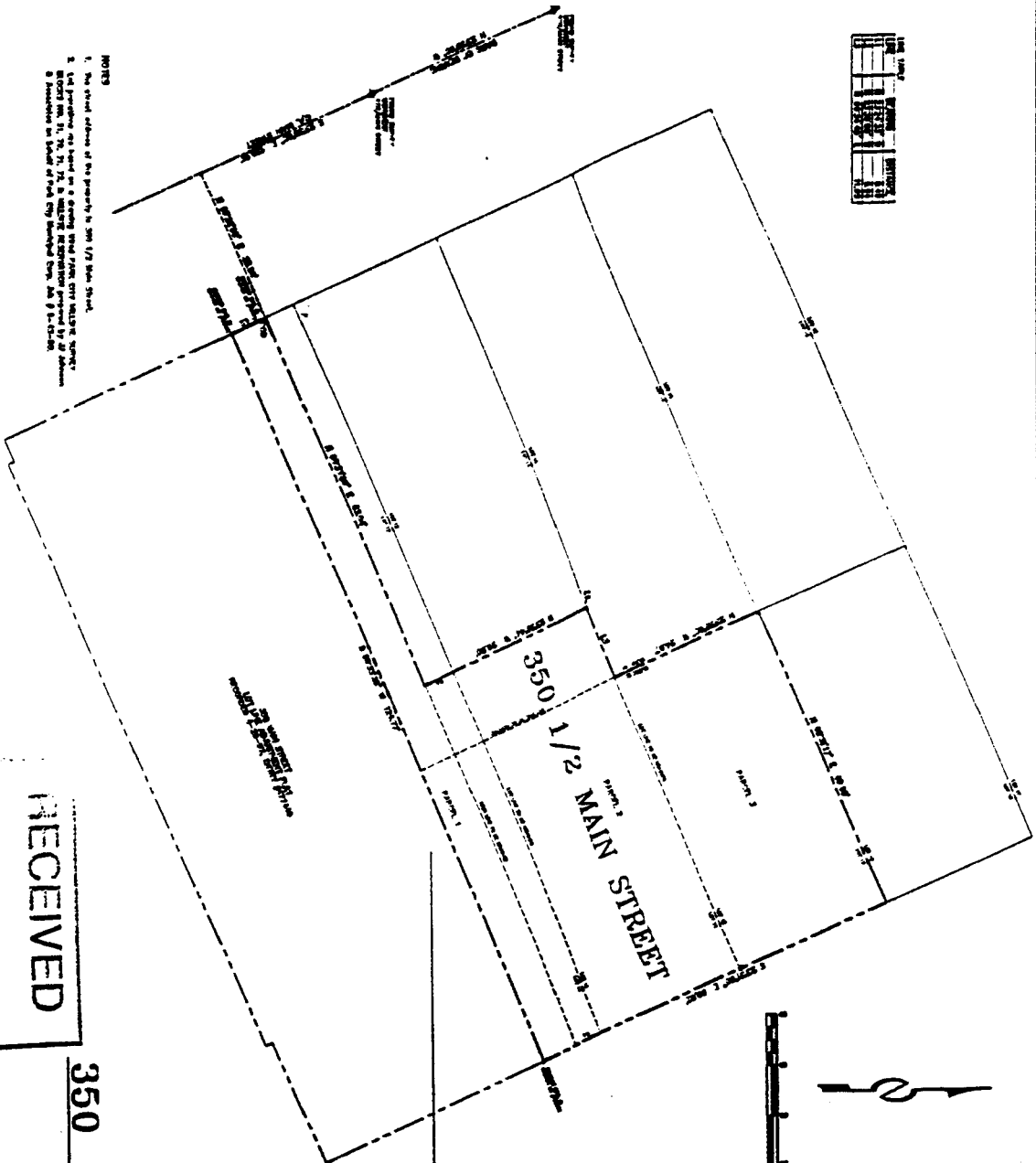
Exhibit A -Vicinity Map

Exhibit B - Proposed Plat

Exhibit C - Proposed Ordinance

M:\CDD\KL\CC98\PLAT\3505.PH1



[illegible]

SUBJECTOR'S CONTRIBUTION

1. After Banknote writing that I am a Registered Land Surveyor and that I had completed the 100-hour requirement for the Surveyor's License, I was meeting by the town of the State of Ohio, and that the 1st of the Additional Post was required under the provisions in accordance with the requirements of the Post after Banknote Corporation.

2. Before writing that the job actually represents the wrapped property.

RECEIVED

[illegible][illegible]

REPORT OF THE UNITED STATES DEPARTMENT OF AGRICULTURE, BUREAU OF PLANT INDUSTRY, OFFICE OF THE CHIEF, PLANT INDUSTRY, ON THE PROGRESS OF THE WORK OF THE BUREAU DURING THE YEAR 1907.

[illegible]

Inventory Period _____

Disbursement (up to) _____

LOT LINE ADJUSTMENT PLAT

350 1/2 MAIN STREET

LOCATED IN SECTION 18
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

EXHIBIT B - PROPOSED PLAT AMENDMENT

ALUMINUM ENGINEERING INC.

P.O. BOX 8042
219 MAIN STREET
ANN ARBOR MI 48106
(PH) 974-6667

SPECIALIZED ALUMINUM ENVIRONMENT PROTECTION FOR CONSTRUCTION TO SPECIFICALLY DESIGN AND MANUFACTURE SPECIAL STRUCTURES ON THE JOB SITE

BY _____
DATE _____

STATE OF UTAH COUNTY OF SUTWAT AND PAIR
AT THE REQUEST OF _____ DOOR _____ PART
DATE _____ PAGE _____
PER _____ BY/DATE _____

Ordinance No. 98-

AN ORDINANCE APPROVING A PLAT AMENDMENT, AMENDING PORTIONS OF LOTS 12 & 13 OF BLOCK 22 AND LOTS 13, 14, & 15 OF BLOCK 69 OF THE PARK CITY SURVEY AT 350 ½ MAIN STREET, PARK CITY, UTAH

WHEREAS, the owner, Aaron Hoffman, of the property known as 350 ½ Main Street, have petitioned the City Council for approval of an amendment to the Park City Survey Plat; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on May 27, 1998 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, the proposed plat amendment combines lots 12 & 13 of Block 22 and Lots 13, 14, 15 of Block 69 of the Park City Survey (350 ½ Main Street) into one parcel.

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

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The project is located in the HCB zoning district.
2. The proposed plat amendment is required to allow construction of a new building at 350 ½ Main Street. Currently the rear lots along Swede Alley are used for parking.
3. The property owner is applying for a plat amendment to combine three partial and two full lots into a single lot of record.

4. The parcel abuts existing commercial buildings and will need to accommodate existing utility, drainage and snow release issues.
5. The applicant will provide or pay for parking as necessary for any building square footage over the 1.5 FAR allowed in the zone.
6. Overhead power lines exist on the property.
7. The applicant agrees to install a sidewalk along Swede Alley per the 364 Main Street Plat Amendment City Council approval on November 13, 1997.
8. The applicant stipulates to all conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following 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 revision.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

SECTION 3. CONDITIONS OF APPROVAL. The proposed plat amendment attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The applicant shall dedicate an easement, subject to the approval of the Community Development Department staff, for the roof drain and all related drainage requirements for the Trout's building. The easement shall be shown on the recorded plat for 350 ½ Main Street.
2. Prior to issuance of a full building permit for the building at 350 ½ Main Street, the property owner shall submit a plan for relocation of the existing overhead power and telephone lines. Such plan shall be subject to the reasonable review and approval of the Community Development Department staff.
3. The contractor for the building at 350 ½ Main Street shall relocate and reconnect the sanitary sewer laterals for Trout's and Chimayo, including obtaining the necessary permit to work in the Fourth Street and Swede Alley rights-of-way as determined necessary by the City Engineer. Said contractor shall also relocate and reconnect power lines and storm drain lines for Sgt. Leisure and Trout's, and the sanitary sewer lateral for Sgt. Leisure if necessary. All work shall be in accordance with the UBC, and the Park City Construction Standards.

4. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
5. The owner shall construct a five-foot sidewalk to City standards along Swede Alley from Fourth Street south to 350 Main Street prior to Certificate of Occupancy of any building addition constructed on the newly created lot. An easement shall be shown on the Plat providing for public use of the sidewalk.
6. All Standard Project Conditions shall apply.
7. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within the one year time, this approval and the plat shall be considered void.
8. A financial security for all public and private improvements required by this approval shall be placed with Park City in an amount and form satisfactory to the City.

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

PASSED AND ADOPTED this 3rd day of September, 1998.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney

PARK CITY

CITY COUNCIL STAFF REPORT

DATE: September 3, 1998
DEPARTMENT: Planning Department
AUTHOR: Kurt von Puttkammer, AIA
TITLE: 943 Park Avenue-Plat amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Staff requests the City Council conduct a public hearing, consider public input, and review the project within the context of the Land Management Code. Staff recommends the City Council adopt an ordinance amending the plat located at 943 Park Avenue to combine Lot 11 and the southerly half of Lot 12, Block 3 of the Snyder's Addition Survey.

DESCRIPTION:

A. Topic

PROJECT STATISTICS

Applicant: Richard B. Peek
Location: 943 Park Avenue
Proposal: Plat amendment
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Project Planner: Kurt von Puttkammer, AIA

B. Background

The owners of Lot 11 and the southerly half of Lot 12, Block 3 of the Snyder's Addition Survey, Richard Peek, submitted an application to combine one 1,875 SF lot and one 937.5 S.F. partial lot into one 2,812.5 square foot lot to accommodate the existing single family structure. The proposed project is located on the west side of Park Avenue with historic single family homes on both sides.

Any additions or modifications to the existing structures will need to conform with the Historic District Design Guidelines and Land Management Code Requirements. The Historic District Commission will review the design prior to the issuance of a building permit.

On July 22, 1998, the Planning Commission reviewed the Plat Amendment, held a public hearing (no public input was offered), and forwarded a positive recommendation for approval to the City Council.

C. Analysis

This request is to combine one and one-half of a typical 25'-0" x 75'-0" lot to create one 2,812.5 square foot parcels for one single family residence each. Staff has evaluated the overall project against the Land Management Code, Section 7.1, Historic Residential, HR-1 and determined the proposed lot combination complies as presented with all requisite City codes.

The proposed lot size is compatible with the current ownership pattern along Park Avenue. Structures in the neighborhood are typically single family historic and new homes. Any additions to the existing structures will be limited by the setback, and height requirements of the Land Management Code for the HR-1 District.

D. Department Review

The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on March 17, 1998, where representatives from the local utilities and City Staff were in attendance and found it to be in conformance with all current requisite City development codes of which we are currently aware.

E. Noticing

The item was advertised in the Park Record on July 18, 1998, as a regular agenda item and on July 7, 1998, all adjacent property owners were mailed written notice. No input has been received.

ALTERNATIVES:

- A. Approve the Plat Amendment, thereby, allowing the relocation of the existing lot lines.
- B. Deny the Plat Amendment, thereby, retaining the current parcel configuration.
- C. Continue the item for further discussion and input.

SIGNIFICANT IMPACTS:

This proposed amendment will allow a two foot wide addition to the north side of the existing historic structure and still comply with the minimum side yard requirements. Overall density is not increased or reduced by combining the two lots into one.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is not approved as proposed, the existing historic structure will continue to have side yards that do not comply with the LMC.

RECOMMENDATION:

Staff recommends the City Council conduct a public hearing, consider public input, and adopt an ordinance amending the plat located at 943 Park Avenue to combine Lot 11 and the southerly half of Lot 12, Block 3 of the Snyder's Addition Survey, based on the following:

Findings of Fact:

1. The property is located in the HR-1 District.
2. Lot 11 and the southerly half of lot 12 currently contain a historic structure.
3. The proposed Plat Amendment will combine one and one-half lots into one lot for the existing residence.
4. The project is located on Park Avenue with high intensity residential uses and with minimal construction staging area.
5. Dedication of a ten (10) foot non-exclusive snow storage easement along Park Avenue is necessary to provide adequate snow removal services.
6. The existing structure on the newly created lot is non-conforming (side yard setbacks).

Conclusions of Law:

1. There is good cause for the amendment as increased setbacks are provided and overall density is reduced.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Park Avenue shall be dedicated to the City on the plat.
3. Design of any additions require review and approval by the Historic District Commission in compliance with the Historic District Design Guidelines.
4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
5. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

H. EXHIBITS:

Exhibit A- Proposed Plat

Exhibit B- Location Map

Exhibit C- Existing site plan

Exhibit D- Standard Conditions of Approval

M:\CDD\KVP\CC\CC98\943PARK.REP

Exhibit A

STATE OF MISSISSIPPI
COUNTY OF HANCOCK

PLANNING COMMISSION
CITY OF HANCOCK

PLANNING COMMISSION AND COUNCIL TO REVIEW
THE PROPOSED LOT LINE AMENDMENT PLAT
FOR THE LOT LINE AMENDMENT PLAT
FOR THE LOT LINE AMENDMENT PLAT

DATE OF REVIEW

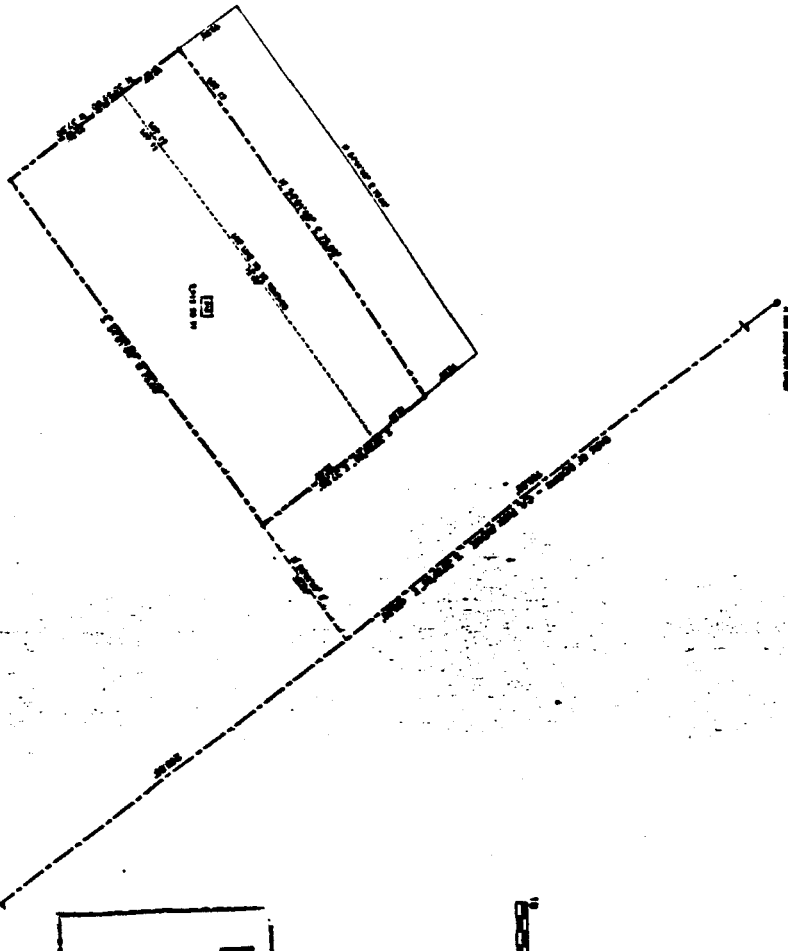
PLANNING COMMISSION

DATE OF REVIEW

PLANNING COMMISSION AND COUNCIL TO REVIEW
THE PROPOSED LOT LINE AMENDMENT PLAT
FOR THE LOT LINE AMENDMENT PLAT
FOR THE LOT LINE AMENDMENT PLAT

DATE OF REVIEW

PLANNING COMMISSION AND COUNCIL TO REVIEW
THE PROPOSED LOT LINE AMENDMENT PLAT
FOR THE LOT LINE AMENDMENT PLAT
FOR THE LOT LINE AMENDMENT PLAT



RECEIVED
APR 24 1998
PARK CITY
PLANNING DEPT.

RECORDED
DATE OF REVIEW
DATE OF REVIEW
DATE OF REVIEW

LOT LINE AMENDMENT PLAT 943 PARK AVENUE REPLAT

LOCATED IN SECTION 16
TOWNSHIP 2 NORTH, RANGE 4 EAST, COAL LANE RANGE
AND WYOMING, PARK CITY, SHERIDAN COUNTY, WYOMING

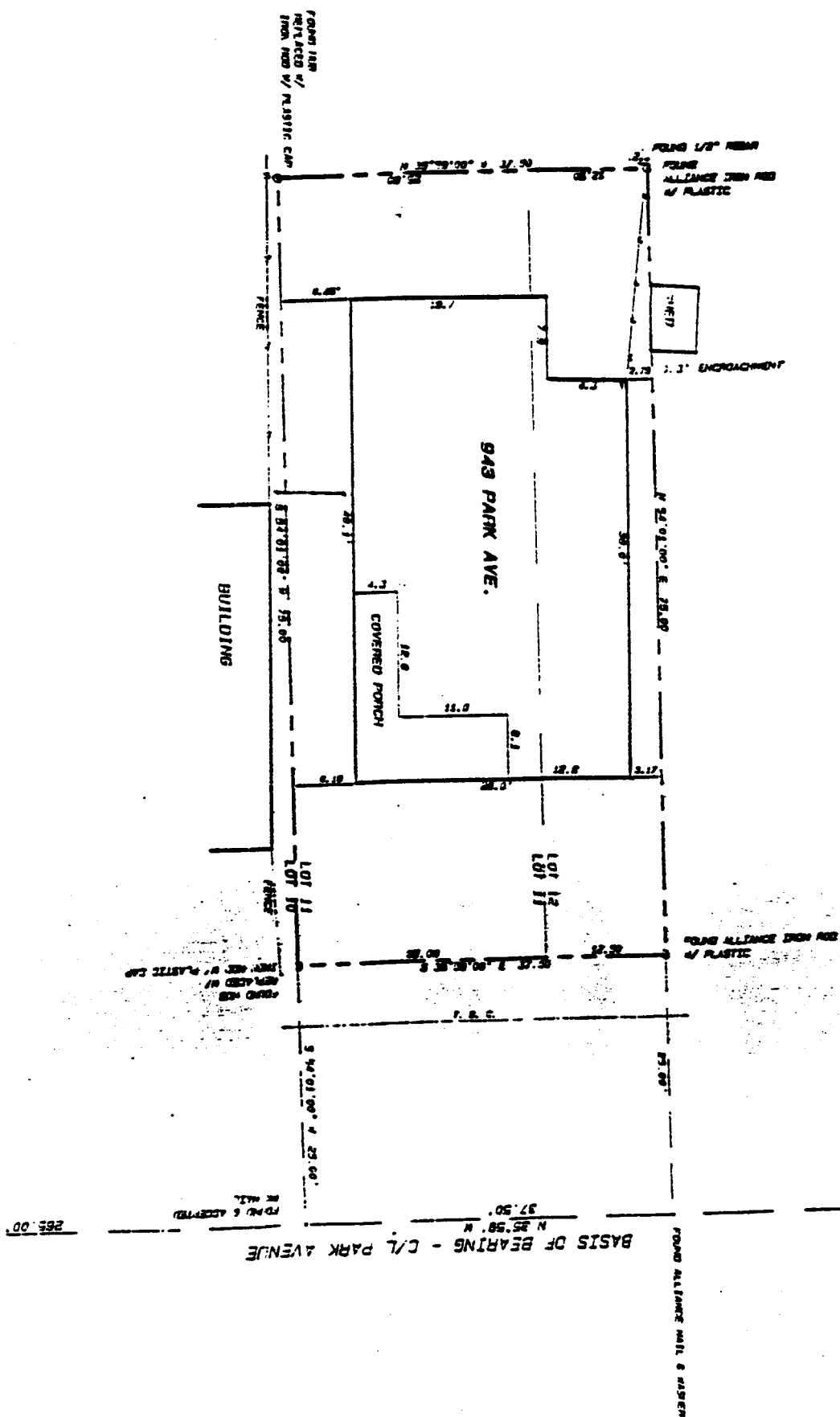
ALLIANCE ENGINEERING INC. P.O. BOX 1001 310 WEST 100TH SALT LAKE CITY, UTAH 84119 (801) 581-1001	PREPARED BY: [Signature] DATE: 11/11/97	PLANNING COMMISSION APPROVED BY THE PLANNING COMMISSION DATE: 11/11/97	ENGINEERING CERTIFICATE I HAVE BEEN FULLY INSTRUCTED BY THE PLANNING COMMISSION DATE: 11/11/97	APPROVAL AS TO FORM APPROVED AS TO FORM DATE: 11/11/97	CERTIFICATE OF ATTEST I HAVE BEEN FULLY INSTRUCTED BY THE PLANNING COMMISSION DATE: 11/11/97	COUNCIL APPROVAL AND ACCEPTANCE APPROVED AND ACCEPTED BY THE PLANNING COMMISSION DATE: 11/11/97	RECORDED DATE OF REVIEW DATE OF REVIEW DATE OF REVIEW
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943 Park Avenue



Vicinity Map





SURVIVOR'S CERTIFICATE

I, John Hemminger, certify that I am a registered land surveyor and that I have certificate No. 6104, as prescribed by the laws of the



3D LAND S.

EXHIBIT D

1997

PARK CITY MUNICIPAL CORPORATION STANDARD PROJECT CONDITIONS

1. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes; the Park City Design Standards, Construction Specifications, and Standard Drawings; and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
2. All modifications to plans as specified by conditions, and all final design details, such as material and color samples, shall be submitted to and approved by the Community Development Department prior to issuance of any building permits.
3. The applicant is responsible for compliance with all conditions of project approval.
4. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
5. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof.
6. Construction staging areas shall also be clearly defined and approved by the Community Development Department, and shall be placed so as to minimize site disturbance. The landscape plans shall include plans for revegetation of all areas disturbed during construction.
7. Final grading, drainage, utility, erosion control and revegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
8. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.

9. All construction shall be completed according to the approved plans on which building permits are issued. The approved plans include all site improvements shown on the site plan. "Site improvements" shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grades, walls, landscaping, lighting, planting, paving, paths, and trails, and similar improvements, as shown on the set of plans on which final approval and building permits are based.
10. Any desired modifications to approved plans, after the issuance of a building permit, must be specifically requested and approved in writing prior to execution.
11. Plans shall conform to all design standards for persons with disabilities as required by any applicable federal, state and local laws.
12. Access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
13. The required utility easements along street frontages shall include language to allow for these areas to be used for snow storage. Typically, a 10-foot snow storage easement is required above Deer Valley Drive (approximate elevation of 7,200 feet). A five foot easement is necessary below this elevation.
14. Lockout units are not permitted unless specifically approved.
15. The infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or termination of the permit as specifically conditioned.

**AN ORDINANCE APPROVING A REPLAT LOCATED
AT 943 PARK AVENUE, COMBINING LOT 11 AND THE SOUTHERLY HALF OF
LOT 12, BLOCK 3, OF SNYDER'S ADDITION SURVEY,
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, UTAH**

WHEREAS, the owner, Richard B. Peek, of the property at 943 Park Avenue, located in the Northeast Quarter of Section 16, Township 2 South, Range 4 East, Park City, Utah, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and state law; and

WHEREAS, on July 22, 1998 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on September 3, 1998, the City Council reviewed the proposed plat amendment and held a public hearing; and

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

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

SECTION 1. FINDINGS OF FACT.

Findings of Fact:

1. The property is located in the HR-1 District.
2. Lot 11 and the southerly half of lot 12 currently contain a historic structure.
3. The proposed Plat Amendment will combine one and one-half lots into one lot for the existing residence.
4. The project is located on Park Avenue with high intensity residential uses and with minimal construction staging area.

5. Dedication of a ten (10) foot non-exclusive snow storage easement along Park Avenue is necessary to provide adequate snow removal services.
6. The existing structure on the newly created lot is non-conforming (side yard setbacks).

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. The plat is consistent with the Park City Land Management Code and applicable State law.

SECTION 3. PLAT APPROVAL.

The plat amendment located at 943 Park Avenue, is hereby approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Park Avenue shall be dedicated to the City on the plat.
3. Design of any additions require review and approval by the Historic District Commission in compliance with the Historic District Design Guidelines.
4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
5. All Standard Project Conditions shall apply to this project.

SECTION 4. EFFECTIVE DATE.

This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 3rd day of September, 1998.

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

M:\CDD\KVP\CC\CC98\943PARK.ORD



DATE: August 31, 1998
DEPARTMENT: Legal
AUTHOR: Tom Daley
TITLE: Insurance Renewal
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS:

- 1) Authorize the payment of \$136,332.00 for comprehensive insurance coverage through September 1, 1999.
-

DESCRIPTION:

A. Topic: Insurance Renewal

B. Background: This year, we are able to decrease insurance premiums by approximately \$38,000.00, while increasing the scope and substance of our coverage. Please see the attached spread sheet which shows competing underwriter bids.

C. Analysis: With this insurance proposal, Park City will enjoy new and expanded protection in several areas. Additionally, the deductible for "all risk perils" is lowered from \$25,000.00 to \$5,000.00, making our coverage much more accessible. Park City will also have some flood protection which we did not have last year. Thus, we have lowered our insurance costs even though the value of our insured property and the size of our payroll have increased. These cost reductions are a direct result of Park City's favorable loss history and our pro-active focus on risk management, claims and record-keeping.

The payment of \$136,332.00 will provide Park City with comprehensive coverage through September 1, 1999.

- D. Department Review:** The insurance renewal was handled by the Legal Department. Other departments were consulted regarding their real property, vehicles, operations, and personnel changes to ensure comprehensive insurance coverage needs were met.

ALTERNATIVES:

- A. Approve the request. This is the recommended action.
- B. Deny the request. This is not recommended. The proposed coverage is comprehensive for Park City's purposes, and a comparison of other rates and policies shows this as the favorable proposal.
- C. Continue the item. The Council may continue the item, and Park City could extend coverage under its current policies.
- D. Do nothing. Not recommended.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

We would be left to choose insurance coverage that is not as attractive as the current proposal.

- RECOMMENDATION:** Authorize the payment of \$136,332.00 for insurance coverage for the year 1998-1999.

PARK CITY MUNICIPAL CORPORATION

	1997-98 AFFILIATED FM, GENESIS, CHUBB, KEMPER	1998-99 AFFILIATED FM, GENESIS, KEMPER, CHUBB	AFFILIATED FM, GULF, KEMPER
PREMIUM SUMMARY			
PROPERTY	\$25,281	\$25,281	\$25,281
GENERAL LIABILITY	\$89,500	\$89,500	\$77,418
PUBLIC OFFICIALS LIABILITY	Included	Included	Included
AUTO LIABILITY	Included	Included	Included
LAW ENFORCEMENT LIABILITY	Included	Included	Included
AUTO PHYSICAL DAMAGE	\$31,741	\$25,765	Included
CRIME	\$2,581	\$2,532	\$2,532
BOILER & MACHINERY	\$2,731	Included In Property	Included In Property
TREASURERS BOND - Thomas Bakaly	\$966	\$966	\$966
TREASURERS BOND - Water Resources	\$179	\$210	\$210
TOTAL	\$152,979	\$144,254	\$106,407
CONDITIONS		Signed Statement of Values	Signed Statement of Values

Excess Workers' Comp (2
Year Premium)

\$25,000
Based on \$5,700,000
payroll 09/01/98-2000

\$29,925
Based on \$7,673,838
09/01/98-2000

\$29,925
Based on \$7,673,838
09/01/98-2000

J&H MARSH &
MCLENNAN



DATE: September 3, 1998
DEPARTMENT: Public Works
AUTHOR: Jerry W. Gibbs
TITLE: Sandridge Parking
TYPE OF ITEM: Contractual/ Informational

SUMMARY RECOMMENDATIONS: Reject all bids for landscaping of phase 1 Sandridge. Provide direction and authorization to complete fill and/or pedestrian path prior to this winter.

DESCRIPTION:

A. Topic. Sandridge Surface Parking Program

B. Background: Council authorized staff to proceed with design, bid and construction of the Sandridge Parking Project in July, 97. Bids were received on August 27, 1997 and reviewed by Council on August 28, 1997 for an eighty car facility. Miller Paving submitted the low bid of \$415,036 (\$5,188 per space). The bid did not include landscaping. The bids received were higher than anticipated due to the cost of the fill material and a storm sewer. Council directed staff to reduce the scope of the project. Phase 2 was delayed in anticipation of receiving free dirt from projects under construction through out Park City. Miller Paving was awarded a contract for a 46 space parking area excluding landscaping.

In January, 1998 council directed staff to develop an alternative that would provide 56 additional spaces. The bids were significantly higher than engineer estimates. Council asked staff to reduce the cost of landscaping, finish Phase 1 and proceed with acquiring free dirt.

As part of the FY 1998-99 budget process the Council approved \$360,000 to finish phase 2. Council requested a review of the final program upon completion of the fill program. When added to the Phase 1 appropriation of \$310,000, the total project budget is \$670,000 (\$6,505 per space including peace park, landscaping and pedestrian paths).

C. Analysis. Free Fill program for Phase 2:

Phase 2 required approximately 9,000 yards of material. Approximately 4,000 yards have been delivered and spread on the site. The project is being built to the Prospector Ordinance due to tailings being encountered with the excavation. Two criteria have been set for backfill material. One, any material brought onto the site must have less than 500 ppm lead. Two, the backfill gradation must meet our Park City Specifications for structural backfill requirements. These criteria have limited the usable import material.

The fill criteria is being reviewed and adjusted to allow a larger range of gradation. It is still desirable to limit the amount of clays to minimize potential settling problems. A broader gradation range will increase the availability of import material.

An additional problem has been a lack of a steady supply of fill dirt. The hit and miss approach required the City to bring in an excavator to knock down and move the piles from the storage area to the lower area. The equipment cost exceeded \$1,000 per day. The volume and moisture content determined how efficiently work could be completed. This process turned out to be inefficient and costly because multiple mobilizations were required and moisture content of import varied tremendously. All dirt work has been temporarily suspended.

Park City Mountain Resort has offered to provide dirt to the City from their 450,000 yard earth moving operation. Our obligation would be to hire trucks and haul to our Sandridge site. Staff estimates that between 450 to 500 truck loads would be required at a cost of \$30 per load. This equates to \$15,000. A gradation and lead test will be needed prior the start of any hauling operation.

The hauled dirt would be compacted on-site as it is delivered. This effort requires a track dozer/loader with a sheeps-foot and possible a track backhoe. This work is estimated to cost between \$20,000 and \$30,000. The upper end of cost would be encountered if rain or snow occurred during the haul and placement operation. This range of cost will be necessary under any fill operation scenario. This amount could be slightly higher if the fill operation is spread over a larger time period with multiple mobilizations and excessive moisture is encountered.

Three bids were received from excavating contractors to provide equipment to move and compact dirt as necessary as part of the free fill process. Two of the three bids exceeded \$100,000. Byer's Excavation and Precision Excavation proposed bids of \$159,000 and \$103,125 respectively. A bid from Daley excavation was \$32,950. The two high bids indicated that our structural spec was very limiting and fill material would need to be hauled in from a gravel pit.. The low bid assumed the availability of dirt over a six to eight month time period with multiple site visits.

The Park City Mountain Resort option could be implemented by awarding the fill bid to Daley Excavation, prior to signing a contract negotiate a truck haulage component and a reduced equipment cost to spread and compact component due to the accelerated time frame. The truck cost would be based on the Public Works Department's snow haulage rates negotiated each year with local truckers. This program could start within 10 days of City Council authorization.

The other option is to rebid the excavation and compaction portion to include the haulage and coordination with the ski area. This program would be a complete package with a fixed amount. The process would require a minimum of 30 days for advertising and award plus start-up time. No significant cost savings would be anticipated.

The first two options would allow the construction of a permanent concrete staircase at an estimated cost of \$30,000. The slope and height of the fill will not accommodate a sloped pedestrian path. If one of these options is selected staff will solicit bids for a permanent stairway. City Council will need to approve a subsequent contract for the stairway construction.

The third option is to button up the site, construct the pedestrian path and delay the fill process until next year. The estimated cost is less than \$10,000. Portions of the temporary path will have grades that are less desirable during snow or icy conditions.

Staff is requesting direction and authorization.

Landscaping for Phase 1:

Bids were received on the reduced landscape plan for Phase 1 on Wednesday August 26. An invitation to bid was sent to all local and Salt Lake landscaping firms listed in the yellow pages. Bids were received from two Park City businesses, G-Bar Landscaping and Excavation, Inc and Aspen Lawncare and Landscaping. Their bids were \$34,546.67 and \$35,066.51 respectively. Both firms failed to fill out the bid schedule. Each submitted their own bid bread-out.

I reviewed each bid by categories outlined in the bid schedule. The contract bid schedule included a demolition line item for the rock wall (The Agra letter allows us to keep the wall). G-Bar included in their bid \$1,800 for demolition. Unfortunately the \$1,800 in their bid was to do other work and they had missed the removal of the rock wall. G-Bar also included installing irrigation sleeves in the parking lot that are already in-place. Aspen Lawncare did see the removal of the wall but include the cost in their total backhoe and labor cost. They had a value in excess of \$2,500. They also included a cost for permits and fees. Both bids could be reduced by over 10% by revising their bids.

I met with both contractors on Monday morning. Neither contractor was comfortable with a negotiated bid process between each. It was decided the cleanest process was to reject the current bids, re-advertise, rebid and open bids on Thursday, September 10 at 10:00 am. This will meet the City's advertising criteria. Both contractors are prepared to begin.

Rock Retaining Wall:

Agra Earth and Environmental completed a field review of the wall and determined it was adequate with minor corrections.

D. Department Review. Finance reports show approximately \$52,000 remaining in the original Phase 1 allocation. According to City Council direction, no Phase 2 funds have been spent and

the \$360,000 remains intact.

Community Development has worked closely with Public Works to develop a modified landscaping plan that meets or exceeds the same standards applied to private projects.

ALTERNATIVES:

Phase 2

- A. Award a contract to Daley Excavation and authorize staff to negotiate the trucking and accelerated Phase 2 filling program using fill from the Park City Mountain Resort in an amount not to exceed \$45,000.**
- B. Rebid the excavation and compaction portion of Phase 2 to include the haulage and coordination with the ski area.**
- C. Delay the fill process until next year. Prepare site for the winter and construct the pedestrian path.**

Landscaping for Phase 1

- A. Reject all bid and re-advertise immediately**
- B. Reject all bids and delay work until next year.**
- C. Award a bid to the lowest negotiated price between G-Bar and Aspen Landscaping**

SIGNIFICANT IMPACTS:

Filling operations have been suspended to avoid an inefficient operation resulting from the unpredictability of the quantity, quality and type of free fill that has been available. A more deliberate approach can control cost and timing.

The landscaping has been delayed developing a modified landscape plan. The delay has pushed our project into the busy time for most contractors.

Proceeding with the Phase 2 filling program using fill from Park City Mountain Resort appears to be the only way to efficiently complete the filling this construction season.

Re-bidding should decrease the bid prices from both companies and open up the possibility of additional bidders.

CONSEQUENCES OF DELAYING A DECISION

Demand for free and permit parking space exceeds the available supply on most days during the winter. The completion of the fill program and pedestrian connection will provide additional free, safe, parking areas.

RECOMMENDATION:

Reject the bids for landscaping of Phase 1 Sandridge and re-bid for an award of bid on September 10. Provide direction and authorization to make a portion of phase 2 parking and pedestrian path ready to use prior to this winter

