



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 23, 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, July 23, 1998.

A G E N D A

Work Session - City Council Chambers - Lower Level

- 4:00 p.m. Council questions/comments
- 4:15 p.m. Vest pocket park update
- 4:30 p.m. Empire Canyon discussion
- 5:00 p.m. Transportation plan update - Leigh, Scott & Cleary

Regular Meeting - City Council Work Session Room - Main Level

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 JULY 9, 1998

V PUBLIC HEARING

1. Ordinance approving the amendment to the Anchor Development Plat, a plat amendment to the Millsite Reservation Subdivision No. 1 located at 81 King Road, Park City, Utah
2. Ordinance approving a final subdivision plat for 1420 Park Avenue, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving the amendment to the Anchor Development Plat, a plat amendment to the Millsite Reservation Subdivision No. 1 located at 81 King Road, Park City, Utah
2. Ordinance approving a final subdivision plat for 1420 Park Avenue, Park City, Utah
3. Authorization to Mayor Pro Tem to execute a grant of easement to Snyderville Basin Sewer Improvement District for the East Canyon Relief Sewer
4. Authorization to staff to enter into a design-build contract not to exceed \$30,000 for vest pocket park located at 151 Main Street

VII ADJOURNMENT

PARK CITY COUNCIL MEETING SUMMIT COUNTY, UTAH JULY 30, 1998

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah **will not** be holding its regularly scheduled meeting on July 30, 1998. The City Council will be conducting its Summer Tour to Montana from July 29, 1998 to August 2, 1998.

Posted: 7/20/98
Revised: 7/21/98



**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
JULY 23, 1998**

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

Toby Ross, City Manager; Myles Rademan, Public Affairs Director; Nora Shepard, Special Projects Manager; Hope Bleecker, Transportation Director

Liz Josephson, planner for UPCM; Hank Rothwell, UPCM; Stan Christensen and Dana Williams, CARG; Gordon Shaw, Leigh, Scott & Cleary; Don Ensin, Design Workshop; Melanie Werling, Mac MacQuoid, and Linda McReynolds, Historic District Commission

Absent: Mayor Brad Olch

1. Council questions and comments. Hugh Daniels discussed a challenge grant with KPCW; Council decided to participate again. Taste of Park City went well, but some side streets in Old Town were impacted with parked cars. He suggested that the Council take a tour of the golf course. Roger Harlan complimented the Leadership 2000 program and Chuck Klingenstein suggested sending a letter from Council thanking supporters of the program which has truly become an asset to the community. Roger Harlan reported that City employees served as volunteers and participants in the Habi-Tri fundraiser. Mark Harrington took first place in the triathlon in his age division and Kirsten Whetstone took first place in the biathlon. He continued to report on highway reconstruction work in Summit County which will take place in 2000. Mr. Harlan felt that Council will receive further communications from attorney Tom Howard and urged members to keep these letters on file. Paul Sincock thanked Myles Rademan and the Chamber for the Leadership 2000 picnic. The Council had lunch with delegates of Matsumoto, Japan which is the sister-city of Salt Lake City. He appreciated employee Brian Anderson's attendance who could speak fluent Japanese. Shauna Kerr stated that she received an Olympic pin from the Mayor of Matsumoto and felt it appropriate to add it towards a City Olympic collection.

Ms. Kerr noted that she was contacted by Shauna Carpenter in the Human Resources Department, about the Christmas Party. There are many seasonal, part-time, and temporary employees and about 120 full-time employees. It has been suggested to down-size the party from a sit down dinner and dance so invitations to could be extended to all employees rather than just full-time. Staff asked for feedback from the Council before the concept goes to the Personnel Advisory Committee and if there is a change, the sooner the better so employees know what to expect. The Council was interested in looking at a budget and options.

Shauna Kerr reported that she has been appointed to the Surface Water Assessment Committee who is charged with formulating guidelines by February 6, 1999. She also agreed to serve as a member of the Nominating Committee and staff will follow up on appointing a member of the State Parks Trail Committee. The Cancer Wellness Center had a great turn-out. Chuck Klingenstein reported that they raised \$30,000 and he is anxious to hear how staff evaluates the waiver of the noise ordinance. Shauna Kerr reported on the People Make the City event.

2. Vest pocket park update. Myles Rademan explained that 11 years ago, the City created a pocket park program on undeveloped private property on Main Street. It was understood that as economics improved, the parks would disappear. The City attempted to purchase every one of them but was only successful with the Miners Park. The remaining parks are in danger of disappearing including Arts Plaza and the City has received notice to vacate it. Mr. Rademan reported that the City was approached by Grappa Restaurant at 151 Main Street, who owns a lot and a half to the south, and has offered to develop a vest pocket park with the City. The City issued an RFP for a design-build and received three bids. A committee from parks and planning decided on a design which is in keeping with downtown. If this is approved, the park can be completed within 90 days. Mr. Rademan added that the park will not be very visible as it is on upper Main Street, but would create a nice terminus. There will also be a water feature. The pocket could be removed at any time by the owner or the successors and assigns but during the first five years, there would be penalties in the form of amortizing the park's \$30,000 cost. If the owner provided three months notice and obtained an approved set of building plans, the penalty after a year would be \$24,000. The City is amortizing \$6,000 a year over five years. In addition, there have been discussions about the owner contributing a minimum of \$5,000 in cash or in-kind and the City having the first right of refusal. The parcel is about 6,000 square feet. He continued that there are ADA requirements that have to be met. The \$30,000 estimate is based on "normal" conditions with no problems, and staff is recommending that this project proceeds. In response to a question from Paul Sincock, the City Manager explained that the lease would allow the public to enjoy the property. Ms. Kerr emphasized that the park not increase Grappa's outdoor dining. Mr. Rademan again explained the terms of the lease and stated that it is on the agenda for action. The funding source is from the RDA for improvements to Main Street. This plan was well received by the Main Street task force and the Planning Commission. Hugh Daniels stated that he can support up to \$30,000 but no more. Myles Rademan felt that if there are potential problems, they would be discovered during excavation.

3. Empire Canyon discussion. Nora Shepard felt that it would be helpful to better understand the configurations in Pod D and Bonanza Flats. There are many other issues raised last week and she is in the process of addressing those and is also in the process of drafting terms of intent for annexation. The next meeting on this will be on August 6 and again on August 13. Regardless of this process, a separate public process will occur if Council decides to move forward including consideration of the gondola option and what happens in Richardson Flats. The public process could occur in the next 60 days; the applicant is anxious to get some kind of intent statement on an annexation.

Hank Rothwell stated that they want to discuss proposed siting locations for development. There are a number of planning principles involved and there have been discussions with a number of citizen groups over the last few weeks and there are areas where there is significant agreement at a conceptual level. Agreement goes to the issues of clustering, buffering the City from impacts as well as neighborhoods, maintaining vegetative character of the area, ridge line protection, and green design principles. Of course, there are areas of disagreement. Mr. Rothwell reported that there will be an advertised public open house on July 28 from 5 p.m. to 7 p.m.; all meeting materials will be there in an informal session at the Silver Mine Adventure.

Through illustration of a map, Liz Josephson discussed the Bonanza area. The property consists of about 1,850 acres within the Bonanza watershed in Wasatch County. She pointed out the tri-county peak and noted that the area contains alpine lakes and meadows. She emphasized the importance of the vegetation canopy and they have tremendous ability to tuck development into the mountain terrain and wooded areas. The multi-family area occurs on a bench below Blood Lake and above the frog pond. She discussed the ski lift connections. There are 220 acres within the pod and an estimated hard surface acreage of road at a maximum of 25 acres with a maximum net percentage of open space of 86.7%, not including them mandatory 60% within pods. If that portion is added there is upwards of 96% to 98% of open space in both projects. Ms. Josephson explained that the golf course would be located at the central hotel facility and pointed out the configuration of the course. They are also looking at a ski connection from a lower elevation to the top of the Y Lift. Hank Rothwell discussed accessing either the Deer Valley Resort or Park City Resort from this location. The smallest size lot in Bonanza would be 3/4ths of an acre which would be golf course frontage. Mr. Rothwell explained that there are 160 single family units, 50 multi-family condominium sites, and 50 unit equivalent hotel rooms, for a total of 260 unit equivalents as opposed to the application in Wasatch County which is currently 490 units. Liz Josephson explained that the larger lots are about two to ten acres, located by the lakes.

In response to a question from Paul Sincock, Hank Rothwell explained that one of the initial problems staff identified is how to create a hard edge to the south City boundary and how Bonanza could be part of that solution rather than the problem if it is an unrestricted County application. Part of the discussion has been private access so that there is no through winter access from any of the neighboring property owners. Sewer service and City water would only be provided to this site so it returns in a closed loop system back into Weber Basin. The alternative in the County application is the project developing a sewer outfall line that is sized for others as well as a County water system. With regard to emergency services, assuming it stays in unincorporated Wasatch County, Mr. Rothwell explained that they have asked for a county service area which has its own mill levy so that it would have the ability to contract with the Park City Fire District and Park City Police Department or a private security agency. He explained that this would be formed by the County Commission and could not be restructured without County Commission approval. Roger Harlan asked if this would allow Brighton Estates to develop. Hank Rothwell clarified that their sewer outfall line could serve neighboring properties and it would be their intent to create a water

district that would be a County operated water improvement district. They will not provide enough water for uses other than their own, but it would not be a private water company that UPCM would control. This is why in negotiating with staff, that UPCM is looking at City water and SBSID services, in keeping with the concept is that those services would not be extended to others. Chuck Klingenstein stressed that annexation of Wasatch County lands is not a part of this discussion at this time, but rather the annexation of Empire Canyon, and asking the developer to look at what happens in Bonanza Flats. Paul Sincock relayed that if Empire Canyon is not annexed into the City, then the option of controlling utilities diminishes dramatically.

Ms. Josephson displayed a map of Flagstaff, illustrating the north side skiing as well as Red Cloud and Quincy. She discussed the plan originally submitted where the size of the lots were considerably smaller. The new proposed road was described in Pod D and a narrower road was depicted, as discussed last week. Ms. Josephson stated that this could be a private one-way loop. UPCM is proposing six total lots in the basin which separates the north side from the new proposed X, Y and Z Pods. These ski-in/ski-out lots would start at an acre and a half and go up to about three and a half acres or more. There would also be three lots to the south of the north side. She discussed the dense tree mix in the area and development will not be very visible to the skier or people passing by the project. Five lots are proposed around the meadow which are tucked into the trees, with a road on the outside of the meadow, leaving the meadow in tact. There would be a small cul-de-sac off the end of this looping road serving about four acre and a half lots. Ms. Josephson relayed that she visited the site with CARG member Cheryl Fox who explained the importance of an area called *The Enchanted Forest*. UPCM would look at providing an acre plus for continued use as *The Enchanted Forest* for the skiers which would work with their plan. There are a couple more large lots that are pulled back so they are not gapping over a ridge. None of these areas can be viewed by the Park City vantage points. She described three lots where Ontario Canyon splits. Pod D has dropped dramatically in density from the initial plan of 200 lots plus, to a total of 38 lots, plus *The Enchanted Forest*. Hank Rothwell added that from a design principle used on the last two projects built by UPCM in Park City, CC&Rs would prohibit perimeter fencing, and gazebos. There would be limited areas of disturbance, leaving the balance of the sites in a natural forested condition. Individual lots provide permanent open space. Liz Josephson pointed out that there is a tremendous amount of space between houses. Mr. Sincock asked how many acres relate to the development of these 38 homes. Ms. Josephson noted that she will get that information to Council. Chuck Klingenstein stated that the presentation is helpful but would like to see what Pods A and B look like. In order for the gondola to be successful, it needs to have a certain amount of density at the terminus location. He suggested decreasing the density here and transferring it to Pods A and B. Mr. Rothwell hoped that the gondola public review process be completed in a timely manner because it would significantly change the configuration of the single family and hotel components. With an anchor to Old Town, UPCM would look at something more tight and dense in and around pedestrian corridors to that gondola station; a plaza feel would work well with that anchor. Short of that, they are looking at funding rubber-tired transit. However, he is concerned about this link to Old Town competing with Silver Lake businesses, who have struggled.

It was clarified that the 38 units include Pods C and D. Hank Rothwell explained that although there was dialog about dropping Pod C altogether, the sewer, water, and roads are going through this location anyway to provide access into Wasatch County. Whether it is private or public, seasonal, restricted, or year-round, these are home sites that are not visible other than from a lift being installed now. Chuck Klingenstein reiterated if there was a way to configure this so if the gondola occurs, that the density can be reduced in this area and transferred to Pods A and B. Pod C didn't exist in previous discussions. Mr. Rothwell indicated they would look at this.

Hugh Daniels asked what the plan is for the road in Bonanza. Hank Rothwell explained that from a conceptual standpoint, they are looking at the Guardsman Pass road as it is today. The access to Flagstaff and Bonanza would be through a private road system, restricted so that there be no through traffic on a year-round basis, other than for property owners and guests. Liz Josephson added that a private road could come over the top of the County line and intersect with Pine Creek Canyon Road. Neither of these roads in discussions with Park City, would be improved to meet capacity requirements. Roads within Bonanza would be paved to acceptable standards, looping around the golf course serving single family, then up to the alpine village, and then to some of the less dense single family. There is the ability for emergency access via gravel roads. Mr. Rothwell continued that access would be restricted by a gate and electronic devices were discussed. Hugh Daniels understood that there would be roads running parallel with the current alignment. Mr. Rothwell recognized that it is inefficient but access will be protected; there is a public prescriptive right to that access. In response to a question from Roger Harlan, Mr. Rothwell explained that they would not be offering the golf product outside of the Deer Valley community. Their goal is not to generate more traffic into that site. Flagstaff and Empire Canyon would have some access to the golf course and whether or not existing Deer Valley property owners would be offered that opportunity is unknown now.

Chuck Klingenstein invited questions from the public. Stan Christensen, CARG member asked if the configuration of Pods A and B have been changed from last week. Hank Rothwell responded that it has not changed, but if the gondola decision is favorable, density in Pod B may be significantly reduced by putting a good deal of that in Pod A. Pod A would be more pedestrian oriented and could support slightly higher density with an anchor to historic Old Town.

Ms. Kerr understood that the gondola would be a separate public process and asked if some determination is made in this process with regard to conditioning it. Hank Rothwell believed that the overall scope of the combined projects would be discussed and as the public process occurs on the gondola, a design process would be concurrently reviewed for Pods A and B, based on the gondola decision. UPCM would not have the ability to actually finalize a design on Pods A and B. This is all subject to small scale MPD review by the Planning Commission. Dana Williams, CARG member, pointed out that roads in Wasatch County would be 41 to 42 feet wide. He pointed out that the road cuts for Deer Crest are staggering. Hank Rothwell responded that this is an issue the City Council can approach Wasatch County. He noted that this is the County's public road standard and

their argument would be that they are private roads, but it is his understanding that the roads in Deer Crest are also private roads. Wasatch County is not sympathetic to narrower roads but this is a discussion that UPCM would welcome.

4. Transportation plan update - Leigh, Scott & Cleary (LSC). Hope Bleecker reported that the Transportation Department has been in the process of developing a Park City transportation enhancement program since March 1997. This comprehensive transportation development program includes the production of long-range operational development for the transit buses as well as capital facility passenger amenity recommendations to accommodate existing operations and future growth of Park City's transit system. She continued that in mid-1997, an environmental assessment was conducted to determine which sites were available for construction of a passenger transit facility in Old Town. That process took approximately six months and narrowed down the present site, which is located at the intersection of SR224, Swede Alley, and Heber Avenue. It is hoped to gain input from the Council and HDC members in attendance on the site planning. She explained that Gordon Shaw of LSC has been involved in the project since its inception in 1997. The transit center has been significantly down-scaled and the site plan includes a footprint of a future parking facility.

Gordon Shaw explained that they are trying to provide a facility that reflects the growth in the transit system. A year ago, a work shop was held and the community relayed that it wanted an improved transit system. Part of that is a center for buses so that passengers can conveniently change from one bus to another in one location with amenities and close to pedestrian activities. The first graphic illustrated the relationship of the site with the building massing on Main Street. The site at lower Swede Alley is a very convenient location for employees going to and from Old Town which is a key element for pedestrians, solving traffic and parking problems in this area.

Amenities at the facility include a comfortable waiting space, restrooms, information booth, and operational space, totaling about 2,500 square feet of building. There will be about 3,000 square feet of canopied space. It is felt that three bays for the core service is needed, one bay for the Silver Lake bus, and one bay reserved for neighborhood or shopping shuttles, Canyon Resort service in the future, or a commuter bus, totaling five bays. Roger Harlan insisted that five buses will not be there at the same time. Hugh Daniels pointed out that he has seen four buses at the same time at Heber Avenue and Main Street and one more is reasonable. Mr. Shaw pointed out that some buses need to lay over at a bay to remain on schedule. Chuck Klingenstein added that this is also planning for transit needs in the future.

Gordon Shaw explained that he has been working with staff for about a year on how to solve the traffic problem at the intersection and they have looked at a number of options, including traffic signals and a massive traffic circle. He felt they have arrived at a workable plan that avoids the need for traffic signals which are not compatible with the Historic District and may require adding three or four lanes across. He described a modern round-about, which has solved problems

in Vail, to be located at the intersection of Deer Valley Drive and Marsac and some channelization on the Deer Valley Drive and Swede Alley intersection. One of the real benefits of roundabouts is the ability to keep the access road narrow. Redesigning intersections for through, left, and right turn movements increases the number of lanes; there would have to be a 30 foot increase on Deer Valley Drive. If instead, there is a round-about, only an additional ten feet is required which is a lot less impact, will work better, and avoid the need for massive standards for lights. For the benefit of Shauna Kerr, Mr. Shaw described how the round-about would work with different traffic streams, but with a traffic signal there, the access to the transit center would be negatively impacted. The preferred access point works very well with pulling buses into Swede Alley.

There have been three meetings with the Downtown Revitalization Task Force where seven alternatives were presented. There are traffic problems and some can be solved with intersection improvements. Gordon Shaw explained a plan that has a bus-only roadway in two directions, keeping the buses off of Swede Alley. It could be signed as buses only at both ends and if there is a cut through problem, an automatic gate could be installed. This is common in other transit centers where there isn't usually a cut-through problem. This layout provides a lot of flexibility; there is an opportunity to build a parking structure and cars accessing the area won't impact the local streets. A three level structure would provide about 330 spaces. Chuck Klingenstein asked if this could be done in phases as there is no plan at this point that supports a parking garage. Mr. Shaw stated that funding for the transit center is more assured than funding for the parking structure and described the first phase of the transit center and the reconfiguration of the parking where there will be a net increase of one parking space. They have worked diligently to hide the parking lot from the view from Deer Valley Drive. He described a proposed pedestrian pathway depending upon the purchase of property. In addition to planning for space for a parking garage, there is space for a gondola terminal. Paul Sincock pointed out that the top level of the parking structure could be used as an extension of Marsac or a park. Mr. Shaw displayed elevations of the site plan.

Don Ensin, Design Workshop, displayed a rendering and encouraged the planting of trees on the site so there is a green entry to town from Deer Valley Drive. The parking lot is screened with landscaping and the building will have the brick element. Assuming the parking structure is built, Mr. Ensin pointed out a space in front of City Hall for a vest pocket park. Mr. Ensin discussed possible locations for the gondola. Mr. Sincock requested some design studies for the gondola. Chuck Klingenstein invited comments from HDC members.

Commissioner Melanie Werling asked if there were any more detailed perspectives. Gordon Shaw explained that they didn't have a photograph to use, but would be happy to do that. Don Ensin added that there hasn't been any architectural design done at this point, only conceptual work on massing and scale. Mr. Shaw explained that this is the result of a two day charrette and the purpose of this meeting is to gather input and bring a package back to the HDC, Planning Commission and City Council for the plan, not for the architectural detailing, which would be the

final step. Commissioner Mac MacQuoid felt it would be helpful for the HDC to have an actual street scape of structures directly adjacent to the project and/or a scale model. Linda McReynolds stated that she needs to be convinced that the round-about, parking structure and bus terminal in the middle of the most congested intersection in town is a good idea. She felt that the site at the bottom of lower Main Street should be considered. This two acre parcel is very fragile and she is concerned about the density and questioned the scope of the transit center. She warned against chasing federal funds and overbuilding a fragile area.

Shauna Kerr stated that she is also concerned about the congestion at that intersection. To build more parking and not have cars able to get in and out doesn't make sense. She isn't persuaded that the round-about will solve the "numbers game". Roger Harlan believes that roundabouts work in Europe but was unsure of they work here as people are unfamiliar with them. He also needs to be convinced about the need for an additional parking structure. Mr. Shaw explained that the project to be reviewed is the transit center, not really the parking structure. He emphasized that roundabouts work here and referred to the success in Vail. Hugh Daniels stated that he has had the benefit of also seeing the six other alternatives and number seven is not a big surprise to him. He has not made a decision but this is a viable opportunity and concurred that he is not convinced that we need a large parking structure. Through paid parking and other things, the need and details for a structure will be more clear. Mr. Daniels added that we should be planning for future needs so the transit center doesn't have to be redesigned. If and when there is an architectural design stage, he hoped the drawings would be realistic. He felt that not addressing transit in Old Town is foolish and didn't feel the federal money is driving this and if the City can benefit from it, that would be great. What we have now, doesn't work and the City needs to use its experts wisely and come up with methods to improve our community both for the visitor and the local. We are moving in the right direction. Paul Sincock stated that this is a good plan and if the round-about is considered the best alternative from a traffic engineering standpoint, he has no problem with it. He also liked the flexibility of the plan, especially in consideration of the parking structure, although he would like to see a public gathering space. There needs to be graphics so people can visualize this better which may result in less resistance. Chuck Klingenstein stated that it has taken a long time to get to this point. It took 50 years to get into this mess and will take a good 15 to 20 years to get out of it. He is quite familiar with roundabouts in the east and the ones that are failing have been impacted by interstates. Americans have dealt with roundabouts. He doesn't like the other alternatives and this plan allows for the option of a parking structure if the need is demonstrated and it is incredible that no surface parking is lost. He hoped that the public process offers alternatives to the automobile. Mr. Klingenstein thanked everyone for being here tonight.

Prepared by Janet M. Scott



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 23, 1998**

I ROLL CALL

Mayor Pro Tem Chuck Klingenstein called the regular meeting of the City Council to order at approximately 6:30 p.m. at the Marsac Municipal Building on Thursday, July 23, 1998. Members in attendance were Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Mayor Brad Olch was excused. Staff present were Toby Ross, City Manager; Alison Kuhlow, Planner; Pat Putt, Planning and Zoning Administrator; and Eric DeHaan, City Engineer.

II PUBLIC INPUT

The Mayor Pro Tem invited the public to comment on any matter of City business; hearing none, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JULY 9, 1998

Hugh Daniels corrected Page 3 of the Work Session Notes to clarify that the majority of the Council support funding the trail. Chuck Klingenstein requested a motion to approve, as corrected. Roger Harlan, "I so move, as amended". Shauna Kerr seconded. Motion carried unanimously,

V PUBLIC HEARING

1. Ordinance approving the amendment to the Anchor Development Plat, a plat amendment to the Millsite Reservation Subdivision No. 1 located at 81 King Road, Park City, Utah - Alison Kuhlow, Planner, stated that this is a plat amendment and vacation request. The applicants are Mike Watts and Rudy Riet. In 1996, the City Council adopted an ordinance approving the Anchor Development plat amending the Millsite Reservation Subdivision No. 1. and Lots 1 and 2 were created. The applicants are requesting to amend the Anchor Development Plat to add two more lots, Lots 3 and 4, and also requesting vacation of portions of Ridge Avenue. One area is 1,300

square feet and would be dedicated to Lot 1; another portion is approximately 1,500 square feet and would be dedicated to Lot 3; and finally 264 square feet would be dedicated to Lot 4. Staff has worked with the applicants to mitigate design aspects. On Lot 3, staff has drafted volumetrics which modifies the above-ground square footage, the setbacks, height and length of the wall. Staff has considered this as compensation for neighborhood compatibility for the right-of-way. Ms. Kuhlow continued that lots will be combined on Lot 4, owned by Rudy Riet, on which an historic house is located. In return for the 264 square feet of right-of-way, he is giving the City a facade easement. Through illustration of a map, Ms. Kuhlow described accesses to property, and discussion ensued about the Scipione property. Patrick Putt indicated that there was no public input from adjoining property owners who were notified about this application. Mike Watts described the new driveways which would accommodate visitor parking. Roger Harlan requested valuations of the City properties involved.

Alison Kuhlow stated that staff, with the help of an appraiser, looked at 16 listings in Old Town and calculated the average price per square foot which calculates to be \$48.17. Open space, as opposed to developable property, has a ratio of 10% to 16% of the average price per acre. The total area of right-of-way for Mike Watts equates to 2,827 square feet and calculated with the ratio, the price ranges from \$13,600 to \$21,800. That is for both the right-of-way for Lot 3 and Lot 1. Roger Harlan stressed that the vacation benefits the home owner, and felt in fairness that there should be a benefit to citizens. In response to a question from Hugh Daniels about development in the right-of-way on Lot 3, Alison Kuhlow explained that staff has suggested that the area be used, but stepping the building up the hill will minimize visual impacts for neighbors. Hugh Daniels pointed out that this is not open space but buildable space, and asked about Lot 1. The setbacks on Lot 1 push the building outside of the vacated area. Shauna Kerr stated that on Lot 3, there is a substitution of buildable space. Pat Putt noted that the applicant has agreed not to use the square footage of the area vacated toward the floor area ratio. Hugh Daniels commented that a vacation makes it a much more saleable and buildable lot, as the current access from Ridge Avenue would be extremely costly to construct. Mike Watts responded that the lower lot of the parking area could be used and a variance could be obtained. Hugh Daniels explained that that would entail an encroachment permit which would need to be approved by Council. Shauna Kerr expressed that after walking the lot, the benefit of the vacation was that the house would have more of a relationship to the street scape rather than being located on a knoll. Mike Watts pointed out the stepping back of the house and the benefits of the setbacks.

Roger Harlan asked if Mr. Watts has considered compensation for the vacation. Mike Watts explained that when he first approached staff, he suggested paying for the property and proceeding with a plat amendment but was informed that he was required to go through this process. He emphasized that there is a reduction of the FARs, increased setbacks, reduction in height, and stepping back of the structure and considers this compensation in consideration of compatibility with the neighborhood. The FAR on Lot 3 could be increased to 452 square feet according to the Land Management Code; on Lot 1 the FAR would allow for a 318 square foot larger home. A realtor

informed him that the cost for a home in Old Town starts at about \$180,000. When using this number for 452 and 318, there are respective values of \$81,360 and \$57,240. By reducing the mass and volume of the houses, the actual loss totals \$138,600. He believed losing square footage is compensation; there was discussion about public benefit. Hugh Daniels felt that this proposal offers a better architectural product and a much better access, and pointed out that Mr. Watts is not guaranteed an encroachment permit. Mike Watts asked about the other considerations. Hugh Daniels felt that a facade easement is good, but the City is also protected with the Preservation Ordinance and Historic District Guidelines; the situation on Lot 4 is somewhat different.

Toby Ross reminded Council that Ms. Kuhlow suggested offering an open space value for the land not a development figure. If Council is considering a development figure, Mr. Watts comments are well taken. Open space prices are considerable less, and there is also a range in open space figures. Mike Watts pointed out that for Lots 1 and 3, the open space range would be \$13,600 to \$21,800, and asked if that is a justifiable price for open space, and insisted that his concessions have significant value. Ms. Kerr acknowledged that there may be items that he is giving, but without some hard cash compensation, she is not willing to vacate a public asset, enhance his property values and lessen his development costs. She stated that she would lean toward the \$21,800 number, because it adds at least that much value to his property and saves at least that much money in construction costs. Paul Sincock felt there is a value in increased open space and smaller structures and didn't personally feel that cash compensation is as big an issue as it is to other Council members and he can support the proposal as recommended. Chuck Klingenstein stated that the facade easement has value to him. There is house size reduction, reduced heights, increased setbacks and stepping but once the homes go on the market, there is going to be an enhanced value and construction costs will be significantly reduced. Mr. Watts suggested that 16% be used for compensation on Lot 3; 10% on Lot 1; and the facade easement on Lot 4. The Mayor Pro Tem suggested pulling this off the Consent Agenda and placing it under New Business. There was discussion about continuing this item to provide adequate time to deliberate on a fair price.

Applicant Rudy Riet stated that he is the owner of Lot 4 and has no stake in Lots 2, 3 or 1; he is not a developer and has owned the property for more than 30 years. What has been proposed has been good for the City and the neighbors. He and his neighbor have unscrambled the "mess" on Lot 4, which the City created with platted property lines versus City property lines versus deed descriptions. They have cleaned up encroachments that kept both of them from doing anything. By consolidating several lots to one lot, he is guaranteeing his neighbors that he is not building three houses there which has occurred up the street. Mr. Riet understood that Ridge Road was created by a survey company in St. Louis who never had the knowledge of the lay of the land; there could never be a road there. A portion of Ridge Road that abuts Lot 4 has been vacated. He views what he is doing for the neighborhood and for the City as a plus in consideration of his legal hassles and costs. Mr. Klingenstein felt these are good points, but in the interest of arriving at a good sound decision, believed that the applicants should again meet with staff. Mr. Riet indicated that he will be moving

in the near future, and would appreciate a decision sooner than later. There was discussion about scheduling this matter as soon as possible.

With no further comments, the public hearing was closed.

2. Ordinance approving a final subdivision plat for 1420 Park Avenue, Park City, Utah - Kirsten Whetstone explained that this is a final subdivision plat for three lots. The parcel is currently unplatted and about 17,000 square feet, located in the RM zoning district. The preliminary and sketch plat have been through the Planning Commission on several occasions and the Planning Commission has forwarded a positive recommendation with conditions of approval. Roger Harlan appreciated that access is off of Park Avenue rather than Sullivan Road. With no questions or comments from the Council or the public, the public hearing was closed.

VI CONSENT AGENDA

Roger Harlan, "I move that we remove Item No. 1 from the Consent Agenda to a time uncertain, but in the near future". Hugh Daniels seconded. Motion unanimously carried. Shauna Kerr, "I move approval of Consent Agenda Items 2, 3, and 4". Hugh Daniels seconded. In response to a question from Hugh Daniels, Rex Ausburn, Snyderville Basin Sewer Improvement District Manager, explained that 40 feet is required because the UDOT right-of-way is on a curve and the sewer line is straight. If it were a "straight shot", only 20 feet would be required; ten feet on either side. In response to a question from Roger Harlan, City Engineer Eric DeHaan indicated that this does not preclude the construction of a trail on the easement. Construction on the sewer line will occur the day after Arts Festival. Mr. DeHaan added that the language in the easement has been modified to clarify revegetation requirements. Motion unanimously carried.

1. Ordinance approving the amendment to the Anchor Development Plat, a plat amendment to the Millsite Reserve ration Subdivision No. 1 located at 81 King Road, Park City, Utah - See work session notes, public hearing, and staff report.

2. Ordinance approving a final subdivision plat for 1420 Park Avenue, Park City, Utah - See public hearing and staff report.

3. Authorization to Mayor Pro Tem to execute a grant of easement to Snyderville Basin Sewer Improvement District for the East Canyon Relief Sewer - See comments above and staff report.

4. Authorization to staff to enter into a design-build contract not to exceed \$30,000 for vest pocket park located at 151 Main Street - See work session notes and staff report.

VII ADJOURNMENT

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

* * * * *

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, City Recorder







CITY COUNCIL REPORT

DATE: July 20, 1998
DEPARTMENT: Planning
AUTHOR: Nora L. Shepard, Special Projects Planner
TITLE: Empire Canyon Annexation
TYPE OF ITEM: Annexation

VLS

SUMMARY RECOMMENDATIONS: Work Session Only

DESCRIPTION:

A. Background: At the last meeting, the City Council and Planning Commission held a joint work session and discussed the Empire Canyon (A.K.A. Flagstaff) annexation. The Council directed staff to continue to work with the applicant on negotiations toward a revised annexation. The staff proposes the following schedule:

July 23, 1998 - Joint work session with Planning Commission.
Review of development configuration for Pods C, D and Bonanza
Discussion of public process for Gondola and Richardson Flat

August 6, 1998 - Joint work session with Planning Commission
Response to questions raised during public input
Review of Draft Resolution of Intent to Annex
Review of Fiscal Impact Analysis

August 13, 1998 - Joint meeting with Planning Commission
Further discussion and possible action on Annexation Resolution

B. Analysis: The applicant is preparing exhibits showing proposed development in Pods C, D and Bonanza Flats. The Planning Commission and City Council will have the opportunity to review and discuss those exhibits at work session on July 23rd.

Both the Gondola and recreation amenities in Richardson Flat will require further analysis and discussion. If this annexation process moves forward, it is important that both these items be

discussed in a public process. The staff will be prepared to discuss some alternatives at your meeting on Thursday.

Attached is a preliminary revenue analysis for your information. It represents revenues only and is preliminary. It does not include the real estate transfer fee. City staff is working with the applicant to complete this analysis, including expenditures. That should be available at your meeting on August 6, 1998.

Projected Revenues to Park City of Empire Canyon Development

Year	Direct Revenues to Park City					Other Taxing Agencies	
	Park City Property Tax Revenues	Park City Sales Tax Revenues	Park City Transit Tax Revenues	Park City Resort Tax Revenues	Planning, Engineering and Building Inspection	Total Direct Revenues to Park City	School District Property Tax Revenues
1998	\$0	\$0	\$0	\$0	\$0	\$0	0
1999	\$16,548	\$0	\$0	\$0	\$0	\$16,548	60,179
2000	\$115,990	\$0	\$0	\$0	\$324,146	\$440,136	421,806
2001	\$236,885	\$10,936	\$3,645	\$14,581	\$400,749	\$666,795	861,446
2002	\$357,779	\$21,872	\$7,291	\$29,162	\$400,749	\$816,852	1,301,087
2003	\$484,615	\$32,808	\$10,936	\$43,743	\$407,046	\$979,148	1,762,336
2004	\$609,120	\$43,743	\$14,581	\$58,324	\$413,344	\$1,139,112	2,215,104
2005	\$726,404	\$54,679	\$18,226	\$72,906	\$388,154	\$1,260,369	2,641,616
2006	\$830,693	\$54,679	\$18,226	\$72,906	\$343,313	\$1,319,817	3,020,868
2007	\$934,981	\$54,679	\$18,226	\$72,906	\$343,313	\$1,424,105	3,400,119
2008	\$1,028,927	\$54,679	\$18,226	\$72,906	\$343,313	\$1,518,051	3,741,759
2009	\$1,098,740	\$54,679	\$18,226	\$72,906	\$254,598	\$1,499,149	3,995,638
2010	\$1,098,740	\$54,679	\$18,226	\$72,906	\$0	\$1,244,551	3,995,638
Total	\$7,539,421	\$437,434	\$145,811	\$583,245	\$3,618,724	\$12,324,634	\$33,782,261

Impact Fees	
Parks	\$1,925,050
Police	\$254,450
Roads	\$202,075
Water	\$922,915
Total	\$3,304,490

ASSUMPTIONS

Year	Development Schedule				Commercial Space Absorption Schedule					
	Single Family Homes Sites	Single Family Homes	Condominiums	Hotel Rooms	Commercial SF	Retail Space	Meeting Space	Restaurant Space	Health Club	Total
1998	16		0	0						0
1999	10	5	45	0	20,000					0
2000	10	10	45	40	10,000	4,000		4,000		4,000
2001	10	10	45	40	10,000	4,000		4,000		4,000
2002	10	10	45	40	10,000	4,000		4,000		4,000
2003	14	10	45	40	15,000	4,000	15,000	4,000		23,000
2004	10	10	45	40	20,800	4,000		4,000	20,000	28,000
2005	10	10	45	40		4,000		4,000		8,000
2006	10	10	45	40		4,000		4,000		0
2007	10	10	45	45						0
2008		10	45	45						0
2009		10	45							0
2010			45							0
Total	100	85	450	200	75,000	20,000	15,000	20,000	20,000	75,000

Estimated Unit Size and Average Market Valuation By Product Type	
Single Family Avg. Unit Size	8,000
Single Family Total Unit Value	250
Single Family Total Unit Value	2,000,000
Single Family Home Site Value	600,000
Single Family Home Site Value	1,400,000
Condominium Avg. Unit Size	3,000
Condominium Total Value	300
Condominiums Total Value	900,000
Hotel Room Average Size	600
Hotel Room Avg. Value/SF	300
Hotel Rooms	180,000
Commercial Avg. Value/SF	200

Sales/SF and Sales Tax Assumptions	
Annual Vacancy Factor for Retail Sales	5%
Retail Sales per SF	\$383.71
Restaurant Sales per SF	\$70.00
Health Club Sales per SF	50.00
Retail % Total Commercial Space	26.67%
Restaurant % Total Commercial Space	26.67%
Summit County Effective Sales Tax Rate	0.938%
Summit County Restaurant Tax Rate	1.00%
Park City Effective Sales Tax Rate	0.75%
Park City Transit Tax Rate	0.25%
Park City Resort Tax	1.00%
Year Health Club Constructed	2004

Breakdown of Commercial Space	
Restaurant	20,000
Health Club	20,000
Meeting Space	15,000
Retail Space	20,000
Total	75,000

Demographics 1997 - Union Summit County	
Total	1997 Population 24,675
Union Area Only	13,393
1997 Households	9,474
	4,960

Lodging Assumptions	
Condominiums	
Average Rental Rate Winter	\$750.00
Average Rental Rate Nonwinter	\$375.00
Number of Days Available - Winter	110
Number of Days Available - Nonwinter	250
Occupancy Rate Winter	72.73%
Occupancy Rate Nonwinter	24.00%
% Units in Pool	60.00%
Hotels	
Average Rental Rate Winter	\$350.00
Average Rental Rate Nonwinter	\$150.00
Number of Days Available - Winter	110
Number of Days Available - Nonwinter	250
Occupancy Rate Winter	81.82%
Occupancy Rate Nonwinter	32.00%
% Units in Pool	100.00%
Summit County Lodging Tax	3.00%

Primary/Secondary Residential Assumptions	
Percentage Single Family Units Primary Residential	10.00%
Percentage Condominium Units Primary Residential	10.00%
Primary Residential Deduction	45.00%
1997 Certified Tax Rates	
Park City (1998 proposed rate)	0.001805
Summit County General Fund	0.001630
Summit County Municipal Services	0.000592
Multi-County Assessment and Collection	0.000239
Local Assessment and Collection	0.000140
Weber Basin Water	0.000145
Park City Fire	0.000811
Park City Schools	0.006564
Snyderville Basin Recreation District	0.001173
Total	0.011284

School Impact Assumptions	
Avg # Persons per Household	2.7
Percentage Population School Aged	21%
Total Education Cost/Student	\$10,230
Property Tax Related Cost	\$5,100

Calculation of Property Tax Impacts

Estimated Market Valuation of Construction (1998\$)						
Empire Canyon						
Year	Single Family Home Sites	Single Family Homes	Condominiums	Hotel Rooms	Commercial SF	Total
1998	\$0	\$0	\$0	\$0	\$0	\$0
1999	\$9,600,000	\$0	\$0	\$0	\$0	\$9,600,000
2000	\$6,000,000	\$7,000,000	\$40,500,000	\$0	\$4,000,000	\$57,500,000
2001	\$6,000,000	\$14,000,000	\$40,500,000	\$7,200,000	\$2,000,000	\$69,700,000
2002	\$6,000,000	\$14,000,000	\$40,500,000	\$7,200,000	\$2,000,000	\$69,700,000
2003	\$8,400,000	\$14,000,000	\$40,500,000	\$7,200,000	\$3,000,000	\$73,100,000
2004	\$6,000,000	\$14,000,000	\$40,500,000	\$7,200,000	\$4,000,000	\$71,700,000
2005	\$6,000,000	\$14,000,000	\$40,500,000	\$7,200,000	\$0	\$67,700,000
2006	\$6,000,000	\$14,000,000	\$40,500,000	\$0	\$0	\$60,500,000
2007	\$6,000,000	\$14,000,000	\$40,500,000	\$0	\$0	\$60,500,000
2008	\$0	\$14,000,000	\$40,500,000	\$0	\$0	\$54,500,000
2009	\$0	\$0	\$40,500,000	\$0	\$0	\$40,500,000
2010	\$0	\$0	\$0	\$0	\$0	\$0
Total	\$60,000,000	\$119,000,000	\$405,000,000	\$36,000,000	\$15,000,000	\$635,000,000

Year	Estimated Taxable Value - Residential Properties With Primary Residential Deductions				Taxable Value - Hotels and Commercial SF		Total Taxable Value	Cumulative Taxable Value	Estimated Park City Property Tax Revenues
	Single Family Home Sites	Single Family Homes	Condominiums	Total Residential	Hotel Taxable Value	Commercial Taxable Value			
1998	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
1999	\$9,168,000	\$0	\$0	\$9,168,000	\$0	\$0	\$9,168,000	\$9,168,000	\$16,548
2000	\$5,730,000	\$6,685,000	\$38,677,500	\$51,092,500	\$0	\$4,000,000	\$55,092,500	\$64,260,500	\$115,990
2001	\$5,730,000	\$13,370,000	\$38,677,500	\$57,777,500	\$7,200,000	\$2,000,000	\$66,977,500	\$131,238,000	\$236,885
2002	\$5,730,000	\$13,370,000	\$38,677,500	\$57,777,500	\$7,200,000	\$2,000,000	\$66,977,500	\$198,215,500	\$357,779
2003	\$8,022,000	\$13,370,000	\$38,677,500	\$60,069,500	\$7,200,000	\$3,000,000	\$70,269,500	\$268,485,000	\$484,615
2004	\$5,730,000	\$13,370,000	\$38,677,500	\$57,777,500	\$7,200,000	\$4,000,000	\$68,977,500	\$337,462,500	\$609,120
2005	\$5,730,000	\$13,370,000	\$38,677,500	\$57,777,500	\$0	\$0	\$64,977,500	\$402,440,000	\$726,404
2006	\$5,730,000	\$13,370,000	\$38,677,500	\$57,777,500	\$0	\$0	\$57,777,500	\$460,217,500	\$830,693
2007	\$5,730,000	\$13,370,000	\$38,677,500	\$57,777,500	\$0	\$0	\$57,777,500	\$517,995,000	\$934,981
2008	\$0	\$13,370,000	\$38,677,500	\$52,047,500	\$0	\$0	\$52,047,500	\$570,042,500	\$1,028,827
2009	\$0	\$0	\$38,677,500	\$38,677,500	\$0	\$0	\$38,677,500	\$608,720,000	\$1,088,740
2010	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$608,720,000	\$1,088,740
Total	\$57,300,000	\$113,645,000	\$386,775,000	\$557,720,000	\$36,000,000	\$15,000,000	\$608,720,000	NA	\$7,539,421

Sales and Restaurant Tax Revenue Calculations

Year of Construction	Commercial Square Footage Breakdown by Type					
	Commercial SF	Restaurant SF	Retail SF	Health Club	Cumulative Restaurant SF	Cumulative Retail SF
1988	0	0	0	0	0	0
1989	0	0	0	0	0	0
2000	20,000	0	0	0	0	0
2001	10,000	4,000	4,000	0	4,000	4,000
2002	10,000	4,000	4,000	0	8,000	8,000
2003	15,000	4,000	4,000	0	12,000	12,000
2004	20,000	4,000	4,000	20,000	16,000	16,000
2005	0	4,000	4,000	0	20,000	20,000
2006	0	0	0	0	20,000	20,000
2007	0	0	0	0	20,000	20,000
2008	0	0	0	0	20,000	20,000
2009	0	0	0	0	20,000	20,000
2010	0	0	0	0	20,000	20,000
Total	75,000	20,000	20,000	20,000	20,000	20,000

Gross Retail Sales and Revenues					
Year	Gross Retail Sales	Park City Sales Tax Revenues	Park City Transit Tax Revenues	Park City Resort Tax Revenues	Total Park City Revenues from Sales
1998	\$0	\$0	\$0	\$0	\$0
1999	\$0	\$0	\$0	\$0	\$0
2000	\$0	\$0	\$0	\$0	\$0
2001	\$1,458,112	\$10,906	\$3,645	\$14,581	\$29,162
2002	\$2,816,223	\$21,872	\$7,291	\$29,162	\$58,324
2003	\$4,374,335	\$32,808	\$10,906	\$43,743	\$87,487
2004	\$5,832,447	\$43,743	\$14,581	\$58,324	\$116,649
2005	\$7,290,559	\$54,679	\$18,226	\$72,906	\$145,811
2006	\$7,290,559	\$54,679	\$18,226	\$72,906	\$145,811
2007	\$7,290,559	\$54,679	\$18,226	\$72,906	\$145,811
2008	\$7,290,559	\$54,679	\$18,226	\$72,906	\$145,811
2009	\$7,290,559	\$54,679	\$18,226	\$72,906	\$145,811
2010	\$7,290,559	\$54,679	\$18,226	\$72,906	\$145,811

OTHER FEES CALCULATED - DO YOU WANT ANY OF THESE?

Year	Fire	Recreation	School Revenues	Animal Control Fees	Planning, Engineering and Building Inspection
1998	\$0	\$0	\$0	\$0	\$0
1999	\$7,435	\$10,754	\$80,179	\$0	\$0
2000	\$52,115	\$75,378	\$421,806	\$56	\$324,146
2001	\$106,434	\$153,942	\$861,446	\$124	\$400,749
2002	\$160,753	\$232,507	\$1,301,087	\$192	\$400,749
2003	\$217,741	\$314,933	\$1,762,336	\$260	\$407,046
2004	\$273,682	\$395,844	\$2,215,104	\$328	\$413,344
2005	\$326,379	\$472,062	\$2,641,618	\$396	\$388,154
2006	\$373,236	\$539,835	\$3,020,868	\$464	\$343,313
2007	\$420,094	\$607,608	\$3,400,119	\$532	\$343,313
2008	\$462,304	\$668,660	\$3,741,759	\$600	\$343,313
2009	\$493,672	\$714,029	\$3,995,638	\$643	\$254,598
2010	\$493,672	\$714,029	\$3,995,638	\$643	\$0

CITY COUNCIL REPORT

DATE: July 23, 1998
DEPARTMENT: Planning Department
AUTHOR: Megan Ryan and Alison Kuhlrow AK
TITLE: Amendment to the Anchor Development Plat
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Discuss the proposed Plat Amendment and Vacation Request to amend the Anchor Development Plat, conduct a public hearing, and consider Staff's recommendation to adopt the attached ordinance for approval of the Plat Amendment and Vacation request.

DESCRIPTION:**A. Topic.**

PROJECT STATISTICS:

Applicant: Mike Watts and Rudolf Riet
Location: 81 King Road
Zoning: Historic Residential District Low Density - HR-L
Adjacent Land Uses: Vacant HR-L parcels and Residential structures, Historic homes and duplexes.
Date of Applications: February 12, 1998 and March 4, 1998

B. Background.

In September of 1996 the City Council adopted an Ordinance approving the Anchor Development Plat amending the Millsite Reservation Subdivision No. 1, Block 75 Lots 43-47 and Lots 60-65 into two (2) parcels for development (Lot 1 and Lot 2). The vacant property is located directly south of the King Road /Upper Norfolk Avenue/Sampson Avenue intersection (please refer to Exhibit A - Vicinity Map). Within the 1996 approval, the conditions of approval specified the maximum above ground square footage for each of the lots and also designated an access easement that would provide vehicular access to the proposed lots.

The applicants of the proposal before you, Mike Watts and Rudolf Riet, have submitted applications that request the following:

1. Amendment of the Anchor Development Plat. This is a request to amend the two lot plat which was approved by the City Council in 1996. The amendment consists of the addition of two new lots, Lot 3 and Lot 4, to the original plat.

Lot 3 would combine existing portions of platted lots to make one new development parcel. Lot 4 has an existing historic structure on site and would simply create one new parcel from fragment lots (please refer to Attachment B, Plat Amendment). The staff would also like to define the setbacks on Lot 1 in order to create a building pad that preserves the significant existing vegetation on the site. Lot 2 remains as platted under the 1996 approval.

Through the Plat Amendment process, the owner of the historic structure located at 81 King Road, Rudi Riet, agreed to a facade easement that will preserve the facade of the historic structure. If the owner of the structure wished to construct an addition to the existing historic structure, the HDC would need to find that the addition did not overpower the existing structure and did not detract from the overall historic characteristics of the building. These criteria will keep the addition in proportion to the existing structure.

2. The vacation of portions of Ridge Avenue The second request relates to the plat in that the applicant is requesting the City to vacate portions of the Ridge Avenue right-of-way that runs adjacent to the applicants lots. The applicant requests the area of the vacated right-of-way be incorporated into Lot 1, approved within the original plat amendment, and the newly created Lots 3 and 4. Again, Lot 2 is not affected by this request.

A field trip may be useful and staff is happy to accompany any interested Council members to the site.

The Plat Amendment and Vacation were discussed at many Planning Commission meetings, and on June 24, 1998 the Planning Commission forwarded a positive recommendation to the City Council with the understanding that the issue of compensation for the right-of-way will be discussed at the City Council.

C. Analysis

The property is located within the Historic Residential Low Density (HRL) District. Single family structures are permitted and are commonly found in this district, provided each lot is a minimum of 3,750 square feet in area and all developable standards of the Land Management Code, including: height, setbacks, parking, architectural design, floor area ratio, and neighborhood compatibility are met. The floor area ratio restrictions in the HRL District limit the building size of a single family residence to 2,249 + 400 (garage) square feet for the required 3,750 square foot lot.

If the plat amendment is approved as proposed the Anchor Development Plat would have a total of four (4) lots. The Land Management Code (LMC) and conditions of approval as stated in the 1996 ordinance adopting the Anchor Development Plat will apply. All four (4) lots are subject to any subsequent ordinances which may change the regulations as stated below.

		Existing Lots		Proposed Amendment	
		Lot #1	Lot #2 (no changes)	Lot #3	Lot #4
Existing	Current Use	Vacant	Vacant	Vacant	Historic Structure
Proposed	Lot Size including R.O.W.	7,305 square feet	11,963 square feet	6,251 square feet	4,643 square feet
	1998 Requested area of vacation	1,322 square feet	none	1,505 square feet	264 square feet
Code Requirement	F.A.R. (Based on lot size without R.O.W.)	2998 square feet	3824 square feet	2548 square feet	NA
	Above ground S.F. maximum	2400 square feet	3400 square feet	2165 square feet	NA
	Setbacks				
	• Front	15 feet	15 feet	25 feet	15 feet
	• Side	10 feet	10 feet	5 feet min*/ 15 feet total	10 feet
	• Rear	10' min	15 feet	15 feet min	15 feet
	Height	27'	27'	27'	27'
	Parking	2/unit	2/unit	2/unit	2/additional units
	Design	HDC Review	HDC Review	HDC Review	HDC Review

* The front of Lot 3 shall have five foot (5') sideyard setbacks with no minimum total requirement.

Lot 1

The density for Lot 1, a single family residence, remains the same as the original approval of the Anchor Development Plat. Setbacks for Lot 1 have been designated and defined and are shown on Exhibit C. The setbacks shall be stated on the plat.

Lot 2

There are no proposed changes to Lot 2.

Lot 3

Density

The Planning Commission stated a concern regarding the potential increase in density achieved through the inclusion of the vacated portions of the Ridge Avenue right-of-way into proposed Lot 3. The Legal Department has confirmed that the rear two and a half lots, Lots 41, 42 and half 43, which compose part of the proposed lot three could be combined through a plat amendment for a single family structure. Access can be given to the lot either by granting an encroachment permit

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over the existing right-of-way or by constructing Ridge Avenue following the right-of-way south toward the Nyman residence. If the applicant were to propose the plat amendment combining the rear lots today, the Planning Department could not draft reasonable findings to deny the plat amendment. So essentially the applicant has one density unit as the lots stand today. Therefore, vacating a portion of the Ridge Avenue right -of-way does not cause an increase in the possible density for Lot 3.

Construction of Ridge Avenue

The Planning Department staff discussed the reality of constructing Ridge Avenue to the south of the proposed plat, toward the Nyman residence, within the right-of-way with the City Engineer. The City Engineer has determined that if the road was constructed at grade, it would result in a slope greater than 10%. Therefore, the road would need to be elevated off of grade by the use of retaining walls to accommodate a slope of 10%. Staff does not recommend the construction of Ridge Avenue within the right-of-way due to the amount of impact a retaining wall elevating the road would have on the environment. It is a more visually sensitive and better site planning process to allow Lots 41, 42 and half of 43 to be developed by giving access to King Road by vacating portions of Ridge Avenue right-of-way.

Volumetrics

During the process of the Planning Commission's review of the proposal, Staff drafted volumetrics for Lot 3, which specifically regulate height, setback, and building articulation. The Commission forwarded the positive recommendation to the City Council based on the proposed volumetrics which are listed below.

(a) Height Restrictions:

- The first eighty (80) feet, as measured from the west property line, are restricted to a building height no greater than eighteen feet (18') as measured from existing or final grade, whichever yields the shorter building. The remaining lot area is restricted to the twenty-seven feet (27') height limit as stated in the current Land Management Code regulations for the HRL District.
- No ridge shall be greater than thirty feet (30') in length without a three foot (3') step in elevation within the first eighty feet (80') of the lot, as measured from the west property line.

(b) Building Articulation:

- No building wall within the twenty-seven foot (27') height range shall be greater than thirty feet (30') in horizontal length without a four foot (4') step in the wall plane.

(c) Setbacks:

- The front yard setback on Lot 3 shall be twenty-five feet (25') and remaining setbacks follow the Land Management Code Requirements. Setbacks for Lot 1 are discussed below.

Lot 4

There is no increase in density resulting in the vacation of 300 square feet of the Ridge Avenue right-of-way. In return for the vacated area, the applicant has agreed to execute a facade easement for the historic structure which is located at 81 King Road.

Vacation of Ridge Avenue

The application includes a request to vacate portions of the Ridge Avenue right-of-way, which is currently undeveloped. The applicant proposes to add these vacated areas into an existing lot and two proposed lots. The City Council pursuant to a petition may consider any proposed vacation and shall hold a public hearing prior to their decision. The Planning Commission included a positive recommendation to the City Council regarding the vacation of Ridge Avenue based on the criteria stated in the policy resolution on street vacations (Exhibit D). The applicant has submitted two letters addressing the criteria and these

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letters are included as part of the staff report as Exhibit E.

Vacation for the right-of-way does not increase density or floor area and by vacating the right-of-way, Ridge Avenue would not need to be constructed to give access to the Lots 41, 42 and half of 43. The City is receiving design constraints for the future structure on Lot 3, along with a facade easement for the historic structure located on Lot 4.

D. Department Review.

The Community Development Department has reviewed this request. The City Attorney and City Engineer will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on February 17, 1998, where representatives from local utilities and City Staff were in attendance.

ALTERNATIVES

- A. Adopt the attached ordinance approving the plat amendment and vacation request thereby allowing for delineated setbacks on Lot 1, a single family structure on Lot 3, the design of which is mitigated through Volumetrics and the historic district design guidelines, and a facade easement on the historic structure located at 81 King Road, which will become Lot 4.
- B. Deny the request for the plat amendment and vacation of portions of Ridge Avenue and retain the original Record of Survey and Anchor Development Plat.
- C. Continue the item and request further evaluation from the Staff.

SIGNIFICANT IMPACTS:

The proposed amendment will result in two (2) additional lots in the Anchor Development Plat which meet the minimum lot requirement for the HRL District. The plat amendment does not increase nor decrease the potential density of the developed units on the lots. The Plat Amendment results in increased setbacks and set design standards for a future house on Lot 3, and preserves the front facade of the historic structure located at 81 King Road. Given the required setbacks, the historic district height restrictions, and the predominant ownership pattern and house size in the area, the lot combination results in proposed structures which are compatible in mass and scale with the immediate neighborhood.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is not approved as proposed, Lots 41, 42 and half of 43 could be combined through a Plat Amendment process and a structure could eventually be constructed on Lot 3 by either allowing an encroachment into the right-of-way or by constructing Ridge Avenue. There would be no guarantee of the volumetric restrictions on the lot, as there is currently proposed with the current Plat Amendment. The structure at 81 King Road would not have a facade preservation easement.

E. RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing, consider public input and consider Staff's recommendation to adopt the attached ordinance for approval of the Plat Amendment and Vacation request based on the following Findings of Fact, Conclusions of Law and Conditions of approval;

Findings of Fact:

1. The property is located in the Historic Residential Low Density (HRL) District.
2. The site is currently undeveloped.
3. The proposed amendments to the Anchor Development plat will result in two (2) additional lots which accommodate an existing historic structure at 81 King Road and a future single family structure on Lot 3.
4. The proposed plat amendment neither increase nor decreases the potential density along King Road.
5. The right-of-way vacation criteria are as follows:
 - (a) There is no increase in density as a result of the vacation of the Ridge Avenue right-of-way;
 - (b) The volumetric constraints added to Lot 3 ensures compatibility with any future structures on Lot 3 with the surrounding neighborhood;
 - (c) Compensation for the loss of the right-of-way shall be addressed at City Council; and
 - (d) The area of the vacated right-of-way is not currently used for public utilities nor planned for such use in the future.
6. Dedication of a ten (10) foot non-exclusive snow storage easement along King Road is necessary to provide adequate snow removal services.
7. Regulations regarding height, setbacks and building articulation are necessary to ensure neighborhood compatibility for future development on Lot 3.
8. The applicant agrees with the conditions of approval.

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 Chapters 7 and 15, State subdivision requirements, and the Right-of-way Vacation Resolution.

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 King Road shall be dedicated to the City on the plat.
3. The construction of the single family residence on Lot 3 shall comply with the following

regulations and note to that effect added to the plat:

(a) Height Restrictions:

- The first eighty (80) feet, as measured from the west property line, are restricted to a building height no greater than eighteen feet (18') as measured from existing or final grade, whichever yields the shorter building. The remaining lot area is restricted to the twenty-seven feet (27') as stated in the current Land Management Code regulations for the HRL District.
- No ridge shall be greater than thirty feet (30') in length without a three foot (3') step in elevation within the first eighty feet (80') of the lot, as measured from the west property line.

(b) Building Articulation:

- No building wall within the twenty-seven foot (27') height range shall be greater than thirty feet (30') in horizontal length without a four foot (4') step in the wall plane.

(c) Setbacks:

- The front yard setback on Lot 3 shall be twenty-five feet (25') and remaining setbacks follow the Land Management Code Requirements.

4. Only one (1) single-family home is permitted on Lot 3.
5. The structure on Lot 1 shall comply with the setbacks as designated on Exhibit C and added to the plat.
6. The facade preservation easement for the historic structure located at 81 King Road shall be signed and executed prior to the recordation of the plat.
7. Design of the proposed homes on all lots require review and approval by the Historic District Commission in compliance with the Historic District Design Guidelines.
8. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
9. All Standard Project Conditions shall apply (Please see Exhibit F - Standard Project Conditions).

F. Exhibits

- A. Location Map
- B. Plat Amendment
- C. Setback Determination for Lot 1
- D. Right-of-way Policy Resolution
- E. Letters from Mike Watts 5/5/98 and 6/16/98
- F. Standard Project Conditions
- G. Minutes from March 25, 1998 and May 13, 1998 Planning Commission Meetings.

Ordinance No. 98-

AN ORDINANCE APPROVING THE AMENDMENT TO THE ANCHOR DEVELOPMENT PLAT, A PLAT AMENDMENT TO THE MILLSITE RESERVATION SUBDIVISION NO. 1 LOCATED AT 81 KING ROAD, PARK CITY, UTAH

WHEREAS, the owners of the property known as the Anchor Development Plat, and the owner of Lots 36, 35, 34 and the north 15 feet of Lot 33, Block 76 and the owner of Lots 41, 42, and the south half of Lot 43, Block 75 and the north half of Lot 32 and the south 10 feet of Lot 33, Block 76, Millsite Reservation, have petitioned the City Council for approval of a revision to the final plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

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

WHEREAS, the Planning Commission held a public hearing on May 27, 1998, and June 24, 1998 to receive input on the proposed condominium plat;

WHEREAS, the Planning Commission, on June 24, 1998, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 23, 1998, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey and plat amendment.

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Historic Residential Low Density (HRL) District.
2. The site is currently undeveloped.
3. The proposed amendments to the Anchor Development plat will result in two (2) additional lots which accommodate an existing historic structure at 81 King Road and a future single family structure on Lot 3.
4. The proposed plat amendment neither increase nor decreases the potential density along King Road.

5. The right-of-way vacation criteria are as follows:
 - (a) There is no increase in density as a result of the vacation of the Ridge Avenue right-of-way;
 - (b) The volumetric constraints added to Lot 3 ensures compatibility with any future structures on Lot 3 with the surrounding neighborhood;
 - (c) Compensation for the loss of the right-of-way shall be addressed at City Council; and
 - (d) The area of the vacated right-of-way is not currently used for public utilities nor planned for such use in the future.
6. Dedication of a ten (10) foot non-exclusive snow storage easement along King Road is necessary to provide adequate snow removal services.
7. Regulations regarding height, setbacks and building articulation are necessary to ensure neighborhood compatibility for future development on Lot 3.
8. The applicant agrees with the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Anchor Development Plat, a plat amendment to the Millsite Reservation Subdivision No. 1 to be known as the Anchor Development Replat, is 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 King Road shall be dedicated to the City on the plat.
3. The construction of the single family residence on Lot 3 shall comply with the following regulations and note to that effect added to the plat:
 - (a) Height Restrictions:
 - The first eighty (80) feet, as measured from the west property line, are restricted to a building height no greater than eighteen feet (18') as measured from existing or final grade, whichever yields the shorter building. The remaining lot area is restricted to the twenty-seven feet (27') as stated in the current Land Management Code regulations for the HRL District.
 - No ridge shall be greater than thirty feet (30') in length without a three foot (3') step in elevation within the first eighty feet (80') of the lot, as measured from the west property line.
 - (b) Building Articulation:
 - No building wall within the twenty-seven foot (27') height range shall be greater than thirty feet (30') in horizontal length without a four foot (4') step in the wall plane.
 - (c) Setbacks:

- The front yard setback on Lot 3 shall be twenty-five feet (25') and remaining setbacks follow the Land Management Code Requirements.
4. Only one (1) single-family home is permitted on Lot 3.
 5. The structure on Lot 1 shall comply with the setbacks as designated on Exhibit C and added to the plat.
 6. The facade preservation easement for the historic structure located at 81 King Road shall be signed and executed prior to the recordation of the plat.
 7. Design of the proposed homes on all lots require review and approval by the Historic District Commission in compliance with the Historic District Design Guidelines.
 8. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
 9. All Standard Project Conditions shall apply (Please see Exhibit F - Standard Project Conditions).

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

PASSED AND ADOPTED this 23rd day of July, 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

81 King Road

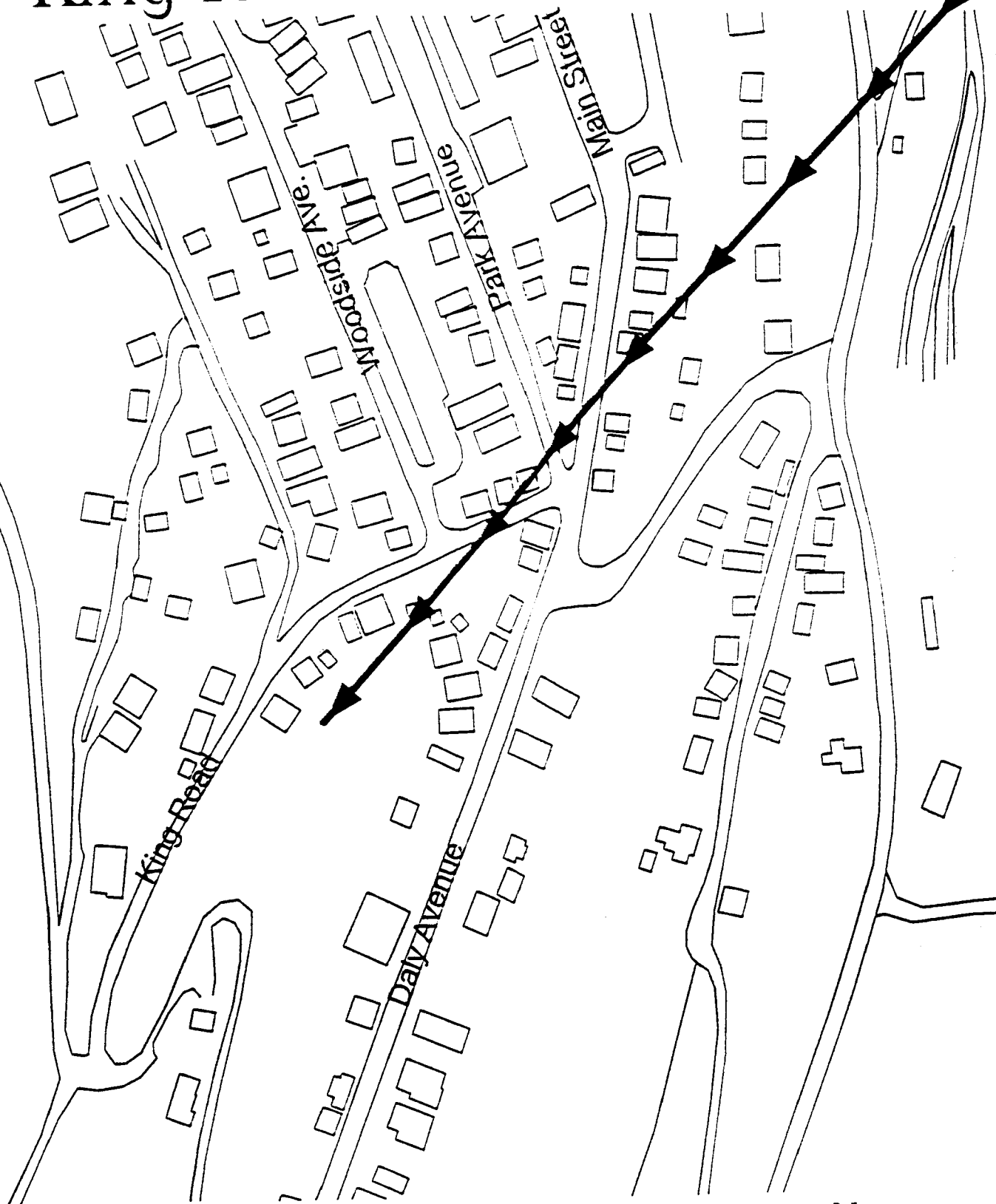


Exhibit A
Location Map



LOT 4

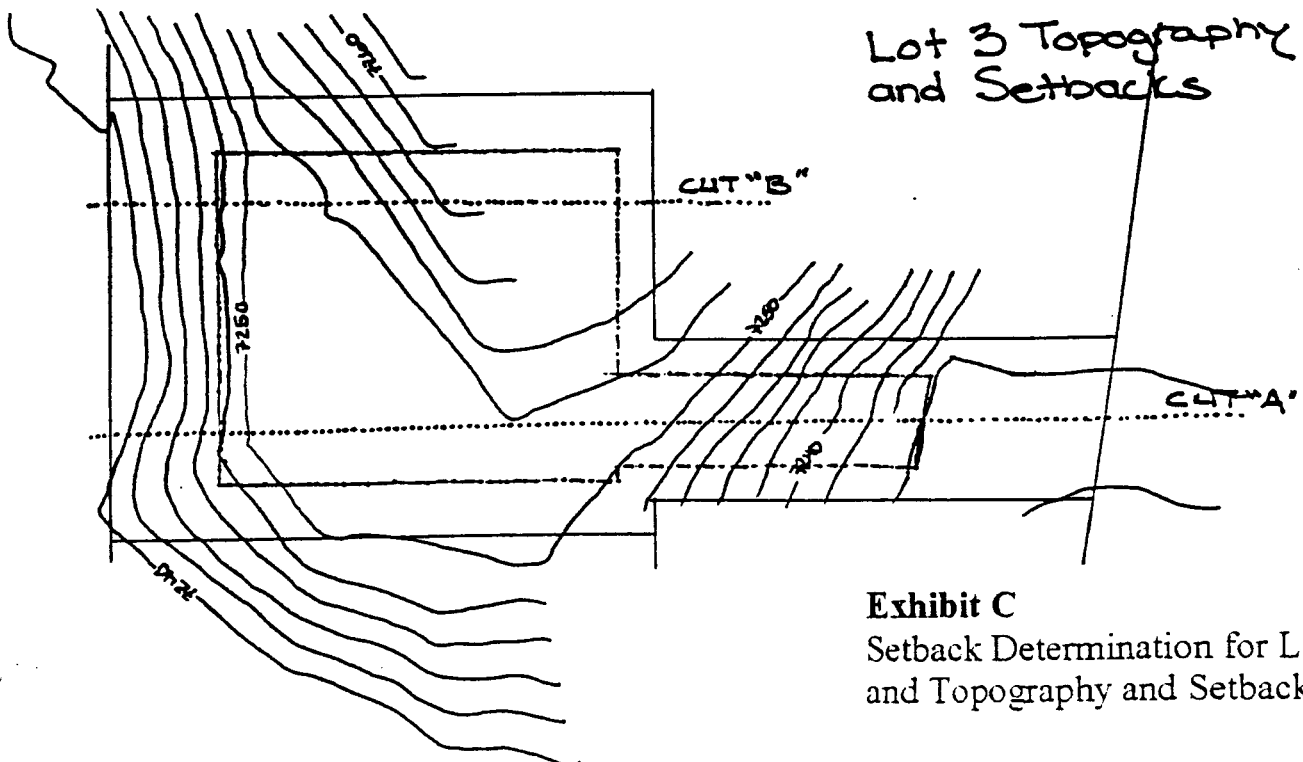
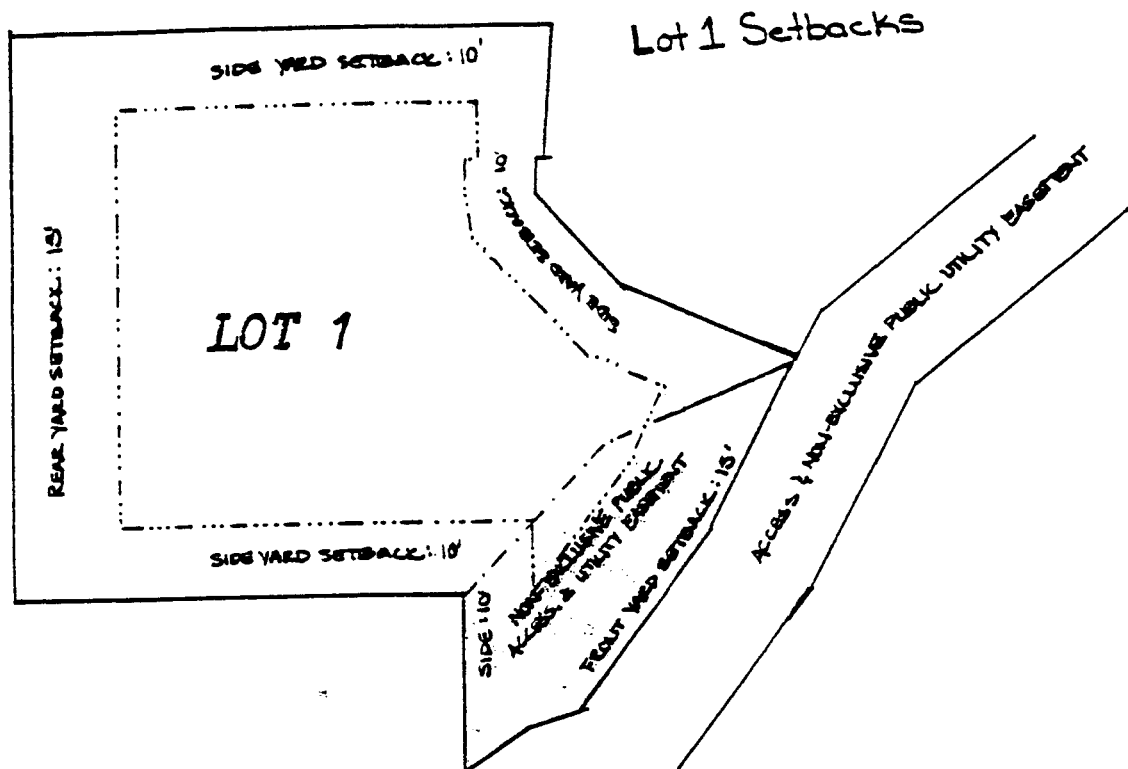


Exhibit C
Setback Determination for Lot 1
and Topography and Setbacks for Lot 3

**A RESOLUTION ADOPTING
A POLICY STATEMENT REGARDING THE VACATION OF PUBLIC RIGHT OF
WAYS WITHIN PARK CITY**

WHEREAS, the Municipal Land Use Development and Management Act of the Utah Code ("Act") provides that the City Council may vacate public right of ways upon findings of: 1) good cause for the proposed vacation; and 2) that neither the public nor any person will be materially injured by the proposed vacation; and

WHEREAS, the Act and relevant common law fail to further define "good cause" and allow the local jurisdiction legislative discretion in disposing of public right of ways; and

WHEREAS, to help assure the consistent and reasonable application of the Act, the Planning Commission and City Council wish to provide their constituents with some general guidance as to the circumstances in which the City may favorably consider vacating public right of ways; and

WHEREAS, this policy statement is not an evaluation of any particular request for vacation, but a general position regarding the terms and conditions in which the City may typically grant a citizen's request to vacate a public right of way within the City; and

WHEREAS, nothing herein shall be construed as an abandonment of public right of way within Park City; and

WHEREAS, this policy shall not be construed as creating a vested right nor entitlement of any nature with regard to vacation of a right of way, but shall only be advisory for the Planning Commission and City Council to utilize when exercising their legislative discretion in evaluating the merits of a vacation petition; and

WHEREAS, the Planning Commission and City Council shall continue to evaluate vacation petitions on a case-by-case basis; and

WHEREAS, although the City Council will give significant weight to the Planning Commission recommendation, the ultimate decision to vacate or not rests squarely with the City Council.

NOW THEREFORE, the City hereby adopts the following guidelines:

SECTION 1. GOOD CAUSE. The City may generally find "good cause" when a proposal evaluated as a whole demonstrates a "net tangible benefit" to the immediate

neighborhood and to the City as a whole. The City will evaluate a particular proposal against the following criteria to determine whether a "net tangible benefit" has been demonstrated by the petitioner:

- a. NO INCREASE IN DENSITY. Existing density shall be determined by counting the lots/units that the petitioner could reasonably obtain a building permit for at the time the petition is filed. The existing density must have existing access and must not require a plat amendment in order to obtain a building permit. Street rights of way will generally not be vacated to facilitate greater density, floor area or area of disturbance. New applications which proposed the subdivision of rights of way shall be reviewed under Land Management Code Chapter 15, Subdivisions, and must result in a lower density than that permitted by the underlying zoning (Chapter 7), without the vacated right of way.
- b. NEIGHBORHOOD COMPATIBILITY. The proposal shall be analyzed according to the following criteria: the application complies with all requirements of the Land Management Code ("LMC"); the use will be compatible with surrounding structures in use, scale, mass and circulation; the use is consistent with the Park City General Plan, as amended; and the effects of any differences in use or scale have been mitigated through careful planning. The City shall review each of the following items when considering compatibility: (1) size and location of the site; (2) traffic impacts including capacity of the existing streets in the area; (3) utility capacity; (4) emergency vehicle access; (5) location and amount of off-street parking; (6) internal circulation; (7) fencing, screening, and landscaping to separate the use from adjoining uses; (8) building mass, bulk, and site plan; (9) usable open space; (10) signs and lighting; (11) physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing; (12) provision of snow storage, and mitigation of noise, vibration, odors, steam, or other mechanical factors that might affect people and property off site; (13) control of delivery and service vehicles, loading and unloading zones, and screening of trash pick-up areas; (14) expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies; (15) proposed uses in an historic district must comply with the Historic District architectural guidelines provided in a supplement to the LMC; (16) all proposed uses in the zones outside an historic district must comply with the General Architectural Guidelines in LMC Chapter 9; and (17) the Sensitive Area Overlay Zone Regulations (which normally apply only to property within the Sensitive Area Overlay Zone) shall apply to all development proposals including a petition to vacate right of way, regardless of the underlying zoning/platting of the development.
- c. CONSIDERATION. Proposals must compensate the City for the loss of the right of way. Consideration favored by the City will generally be financial (market value based upon square footage); open space dedication above and beyond normal subdivision

or development approval requirements; trail or public access dedication above and beyond normal subdivision or development approval requirements; replacement right of way dedication; and/or any other public amenity deemed in the best interests of Park City's citizens.

d. UTILITY OF EXISTING RIGHT OF WAY. The City shall typically dispose of public right of way only when the right of way is no longer of significant utility to the City. The City shall consider the right of way's status as listed in the Streets Master Plan, the recommendation of the City Engineer, existing improvements and utilities within the right of way, and the Capital Improvement Plan. Replacement of the prior right of way alignment or dedication of a new right of way must meet the construction and width standards in the Street Master Plan, unless otherwise reduced by the City Engineer.

SECTION 2. MATERIAL INJURY. The City must find that no person nor the public is "materially injured" by the proposal. "Materially injured" generally means direct or indirect injury to property or a property right as a result of the proposal. The injury must be significant enough to rise to the level of interfering with the injured party's use of his/her property or property right. The injury must be demonstrated by evidence on the record, or the City's reasonable inference therefrom, and shall not merely be conjecture nor public clamor.

SECTION 3. JOINT MEETINGS. Joint meetings between the Planning Commission and City Council, and Historic District Commission as necessary, are encouraged early in the process for large (greater than 5 lot) projects and master planned developments, which propose vacation and reconfiguration of public rights of way.

PASSED AND ADOPTED this ____ day of _____, 1998.

Park City Municipal Corporation

Bradley A. Olch, Mayor

Attestation by:

Jan Scott, City Recorder

Approved as to Form:

Mark D. Harrington, Deputy City Attorney

H:\LEGAL\MH\CDD\VACATION.POL

3 of 3

5/5/98

To: City Council and Park City Planning Commission.
Re: 81 King Road Plat Amendment and Vacation.
Zoning: HR-L.
Planners: Megan Ryan and Alison Kuhlow.
Applicant: Michael Watts

According to the draft of, A Policy Statement Regarding The Vacation of Public Right of Ways Within Park City. The Municipal Land Use Development and Management Act of the Utah Code ("Act") provides that the City Council may vacate public right of ways should a variety of these findings be met.

Section 1. Good Cause. The following list of items have been negotiated through the plat amendment process. I feel that these items demonstrates a "net tangible benefit" to the neighborhood and the City.

1. NO INCREASE IN DENSITY. The density at this point has been DECREASED. The proposed above ground square footage (Based on lot size **without** R.O.W) is 2165 sq. ft.. Which is 35% of the allowable F.A.R..
2. Increased set backs. 25 ft. front, 15 ft. rear. See staff report. The increased front setback would allow for extra off street parking spaces and an area for staging, to mitigate the construction impacts. This is in front of a two car garage.
3. Restrictions in roof line heights and stepping requirements. See staff report.
4. Restrictions in offsets of building walls and roof. See staff report.
5. Neighborhood compatibility: The above listed items would force the design of a single family residence to be more than compatible with the area.
 - a. smaller than average house size in the neighborhood.
 - b. more offstreet parking than most old town lots.
 - c. an area to stage construction
 - d. all utilities exist today in King Road and were stubbed for this lot.
 - e. height and stepping restrictions.
6. Neither the public nor any person will be materially injured by the proposed vacation or plat amendment.
7. This proposal makes more sense that the alternate possible chooses.
 - a. Upgrading existing plated Ridge Ave. to use as access to lots.
 - b. Request lower road standard variance to allow for driveway use on Ridge Ave.
 - c. To combine lot 3 with lot 1 through a plat amendment and still vacate Ridge Ave.

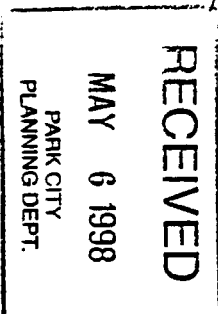


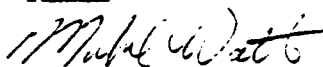
Exhibit E

Letters from Mike Watts 5/5/98 and 6/16/98

8. This plat amendment and vacation cleans up many lot line problems that exist between land owners and also the City.
9. A lot of Ridge Ave. has previously been vacated (rear area of lot 4 and Scipone parcel). The intent of the City Council at the time of vacating these parcels was to provide access to all land owners in the area and clean up lot lines problems. The vacation occurred, but the follow-through from the Council did not, leaving some lots more land locked. See minutes of City Council meetings dated Oct. 27, 1983 and Nov. 3, 1983. This plat amendment and vacation would finish what was the intent of the Council in 1983.
10. Would put the R.O.W on the tax rolls.

Thanks for your consideration of the plat amendment and vacation. I believe that the items listed above demonstrate "net tangible benefit".

Thanks



Michael Watts

6/15/98

To: City Council and Park City Planning Commission.
Re: 81 King Road Plat Amendment and Vacation.
Zoning: HR-L.
Planners: Megan Ryan and Allison Kuhlowl.
Applicant: Michael Watts

At the last Planning Commission meeting at which 81 King Road was discussed (May 13, 1998). The members ask to address the issues of consideration as they pertain to the POLICY STATEMENT REGARDING THE VACATION OF PUBLIC RIGHT OF WAYS WITHIN PARK CITY.

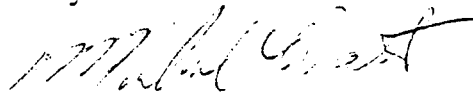
The following list of items, I feel, are compensation to the City and surrounding public. These items have been negotiation between the staff and applicant and are deemed, ABOVE NORMAL DEVELOPMENT REQUIREMENT for this zone, in the current master plan

1. Increased open space. None of the RIGHT OF WAY footage has been used in any calculation. If we were allowed to purchase the Right of Way, then use that footage in the calculations all numbers would be quite different.
2. Decrease in density. The maxim allowable house, was determined by calculating the allowable F.A.R., then multiplying that by 85%. None of the Right Of Way footage was used in this calculation.
3. Increased setback requirement. The 25 ft. front yard setback would allow for parking and an area to stage construction. This would greatly mitigate impacts to the neighborhood. Once construction is complete there is increased off street parking. Something you do not find in old town. Rear yard setback was increased to 15 ft. to give a greater separation between neighbors.
4. Restrictions in roof line heights and stepping requirements. These restrictions will greatly reduce the mass and scale of the home. See staff report.
5. Restrictions in wall offsets of building. This will force home to have some architectural brakeup. See staff report.
6. The footage of the R.O.W. would move onto the tax rolls.

These items listed above are all requirement that are above the normal requirement stated in the Code for this zone. Because of this I feel that the City and the public are receiving consideration for Right of Way.

As to the loss of a current Right of Way. I feel that there is no loss of a current Right of Way. Previous City Councils have vacated different sections of this, Right of Ways, making it impractical to think that it will be ever used. The grade of this Right of Way is steeper than current standards would allow. By vacating this Right of Way as per this request, it will limit and control the impacts of a single family home on this site.

Thanks for your consideration on this



RECEIVED

JUN 16 1998

PARK CITY
PLANNING DEPT.

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.
17. The name of a master planned development, plat, record of survey, subdivision, condominium project, or other approved project may not be changed without review and approval by the Community Development Department, said approval is not to be unreasonably withheld. The Community Development Department's review shall be limited to prevent confusion of the project with others in terms of emergency and delivery services and project identification.

Exhibit F
Standard Project Conditions

Commissioner Jones asked if a setback is proposed on the south property line. Planner Von Puttkammer explained that there is a 0 lot line. Mr. Stanislaw noted that the structure would be within a foot of the property line. However, the stair is set back from the property line, and a landscape buffer is proposed between the edge of the stair and the new building wall.

81 King Road, Plat amendment

Planner Kuhlow reported that this property is located at the intersection of Sampson, King, and Upper Norfolk Avenues. In 1996, a plat amendment known as the Anchor Development Plat combined several platted lots into two lots which are accessed by an encroachment easement coming through a driveway located between two historic homes owned by Judy Scipione. In 1963, a portion of the Ridge Avenue right-of-way was vacated to Rudy Riet, who owns the house on Lot 4. Planner Kuhlow reviewed the current request for a plat amendment and vacation of the Ridge Avenue right-of-way which would amend the 1996 Anchor Development plat amendment to add two lots, Lots 3 and 4. The vacation request will be added to a portion of Lot 1, providing additional lot area on that lot. The Staff would like to see additional setbacks and preservation of two significant trees on Lot 1. Planner Kuhlow presented slides of the site and points relative to the proposal. One slide showed the access easement between the house and shed and the historic house which provides the only vehicular access to Lots 1 and 2. Other slides showed the significant trees. Lot 4 contains an existing historic house, and the Staff is working with the applicant on a facade easement. The Staff would like to consider increased side yard setbacks along the south edge of the property. Another issue is a historic shed which encroaches across the property line and into the right-of-way which the applicants wish to vacate. A flag lot would be created on Lot 3 which would be smaller on the front end with access off of King Road and open up to a wider, flatter portion. House size is regulated by the Floor Area Ratio of Lot 3, and the Staff would like to work on an above-ground maximum square footage and determine setbacks and possibly a building envelope for Lot 3. Not including the right-of-way, maximum house size is approximately 2,500 square feet. There is an option to not include the front portion of the lot when calculating the floor area ratio, which would make the maximum floor area 2,200 square feet. Planner Kuhlow requested input from the Planning Commission on that issue. She explained that the applicants are considering going to the Board of Adjustment to request a reduction in the front yard setback for better house placement on the front of the lot. She asked for Planning Commission input on the construction mitigation plan for Lot 3 and possibly requiring

Exhibit G

Minutes from March 25, 1998 and
May 13, 1998 Planning Commission Meetings

construction to occur off of King Road rather than using the access easement through Lot 1.

Commissioner Larson clarified that the flag lot is to allow access off of King Road and asked why the applicant is not pursuing access through the access road coming into Lots 1 and 2. Planner Ryan replied that such access is not being pursued due to the topography and additional nuisance to Judy Scipione.

Commissioner Larson noted that Lots 1 and 2 were previously replatted, and now a street vacation is being requested to augment the size of Lots 1 and 2. He asked if the Staff knew of any intent other than to make the lots larger. Planner Kuhlow replied that the vacation would provide increased setbacks from the lot line and greater separation. The right-of-way area is not included in the Floor Area Ratios, so the home would not be larger.

Commissioner Jones clarified that Lot 1 was originally platted without the right-of-way and that Lot 2 would remain the same. He asked what benefit there would be to the City to vacate the area. Planner Kuhlow suggested that the applicant address that question.

Commissioner O'Hara asked if Lot 3 would be buildable without the vacation. Planner Kuhlow replied that it would not. The rear portion of Lot 3 would require a plat amendment to combine lots to meet minimum lot size requirements for the HRL District, but there is currently no access.

The applicant, Mike Watts, commented that the purpose of the request is to clean up the neighborhood. The original vacation in October 1983 was behind Judy Scipione's parcel for the old building. Originally, an agreement between all the owners allowed access into a number of lots. At that time, they were trying to clean up the property lines, and clear title was needed. The lower part of Ridge Avenue was vacated, which started the vacations in the area. The bottom access from Ridge Avenue was eliminated because the house sits on 90% of Ridge Avenue. Property owners were asked whether it was viable to vacate that access, and they that it was because there was a plan to gain access to the other lots. The vacation was completed, but there was no follow-up plan, and the easement did not deal with access to the other lots. As a result, the vacation occurred, but other properties were stuck without gaining access. Since then, they have been trying to find suitable ways to regain access. Lot 4 was vacated in 1963, and the applicant is trying to apportion half to each owner. Mr. Watts noted that they are trying to clean up the lot lines in the whole area and provide an access to the

existing lots. Lot 1 would gain half the road, Lot 4 has the adjacent half, and Lot 3 would gain access from King Road. In response to the question about Lot 3 not having access off the easement, he explained that the plat states that there can be only two lots there.

Commissioner Hays asked if Lots 1 and 3 sit on the ridge. Mr. Watts replied that Lots 1 and 3 are on top of the ridge, and they hope to preserve the two trees on Lot 1.

Chair Erickson asked for discussion of the Ridge Avenue right-of-way vacation.

Commissioner Jones stated that he wanted to know a good reason for the City to vacate the right-of-way before entertaining the matter. The Commissioners concurred.

Commissioner Larson recalled formulating a policy in accordance with the City Council on this issue and suggested that they make sure this conforms with the General Plan.

Commissioner Larson suggested looking at volumetrics for Lot 3 in addition to maximum above-ground square footage. He requested a section profile running from King Road toward town along the center line of Lot 3.

Due to the steepness of the road, Commissioner Hays asked how King Road could be used as a construction access. Planner Kuhlow explained that using King Road would minimize the amount of traffic on the parking access easement. Since the applicant would be building up the hillside, the best place to store materials would be on King Road.

The Commissioners were interested in visiting the site when the snow melts. The Planning Commission requested that topography be included as part of the next packet.

General Plan Annual Review

Chair Erickson stated that the staff report contains items which have changed during the year and current building valuations and statistics relative to Park City. He suggested reviewing the Plan to determine whether anything needs adjustment and whether changes need to be made moving forward into Phase II. He recommended excluding the mapping discussion until it can be addressed at the Staff level.

11. The applicant agrees to provide an enhanced sidewalk connection along the west side of the Bellemarc Building to a total width of 6 feet.
12. The applicant agrees to provide Staff with a landscape plan for review and approval prior to the issuance of a building permit.
7. 143 Norfolk Avenue, Plat Amendment

The Staff requested that this item be postponed to a date uncertain.

MOTION: Commissioner Hays moved to POSTPONE the plat amendment at 143 Norfolk to a date uncertain. Commissioner Hier seconded the motion.

VOTE: The motion passed unanimously.

8. 81 King Road, Plat amendment

Planner Kuhlow stated that the Staff requests the Planning Commission discuss the proposed plat amendment and vacation of the Ridge Avenue right-of-way, conduct a public hearing, and provide direction to the Staff regarding future development on this project. The last time this matter was presented, the Planning Commission directed the Staff to return with the following items:

- Volumetrics for the proposed structure on Lot 3 with a section of topography;
- The policy statement on vacation request; and
- The net benefit regarding the plat amendment.

Regarding volumetrics for the proposed structure on Lot 3, the Staff has included an exhibit in the staff report showing some of the cut sections through the slope along with height restrictions, setback restrictions, and the square footage allowed by the Land Management Code. Regarding the policy statement on vacation requests, the Staff has prepared a draft resolution and request that the Planning Commission forward a positive recommendation to the City Council for adoption as policy for future vacation requests. The net benefit of the plat amendment is addressed in the applicant's letter to the Planning Commission contained in the staff report.

Planner Kuhlow reviewed the 18-foot height limitation and cut sections shown as Exhibit D in the staff report. The Staff restricted the height within the first 65 feet of the property to 18 feet. This was determined

by using the guidelines for downhill lots for the appropriate height of a one-story or garage element from the streetscape. This was done in an attempt to minimize effects as the structure goes up the slope. Once the right-of-way section is passed, the height may increase to 27 feet as allowed by the Land Management Code in the HRL zone.

Chair Larson clarified that the setback is increased to 30 feet within the 65-foot right-of-way. Planner Kuhlow noted that the setback was incorrect in the staff report and should read 25 feet.

Commissioner Hays noted that the resolution states no increase in density and asked if they would be allowing increased density by vacating the right-of-way. Planner Kuhlow replied that, without vacating the right-of-way, the applicant would still be able to develop on the lots if they could gain rear access. If they could get to the lots, they could build, but combining them would only allow one single-family home.

Commissioner O'Hara asked how many units could be built on these parcels as they exist today. Planner Kuhlow replied that nothing could be built without the improvement of Ridge Avenue.

Commissioner Hays was concerned about setting a precedent for increased density if the vacation is allowed.

The Commissioners and applicant discussed the matter and the access to Lot 3. Chair Larson summarized that they are building on the vacated right-of-way, but it is not being used to increase density.

Commissioner Zimney suggested adding a finding to that effect. The Commissioners concurred.

Commissioner Jones asked if anything would prevent the applicants from crossing the Ridge Avenue right-of-way if the vacation does not occur. Administrator Putt replied that they could have a driveway off of King Road and put a parking pad or one-car garage and access across the right-of-way.

A representative for the applicant, Mike Watts, explained that the right-of-way can be crossed, but it requires an encroachment agreement, and a house or garage cannot be built on it.

Commissioner Jones referred to item (c) of the resolution criteria addressing consideration and asked if there has been a discussion of consideration for the vacation. Planner Kuhlow replied that there has not yet been a financial discussion. Administrator Putt explained that

in order to meet this criteria, the applicant must satisfy the Planning Commission and City Council that this can be met.

Commissioner Jones remarked that the criteria is specific about financial consideration, open space, trails, etc., and those items must be addressed.

Chair Larson opened the public hearing.

There was no input.

Chair Larson closed the public hearing.

Chair Larson noted that this matter needs to be continued, and the Planning Commission should forward a positive recommendation to the City Council on the resolution.

MOTION: Commissioner Jones moved to CONTINUE the plat amendment for 81 King Road. Commissioner Hays seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Jones moved to forward a POSITIVE recommendation to the City Council to adopt as policy the resolution regarding the vacation of public rights-of-way within Park City. Commissioner Hays seconded the motion.

VOTE: The motion passed unanimously.

9. 1040 Norfolk Avenue, Plat amendment to combine 3 single family lots into 2 single family lots

Planner Kuhlman reported that the Staff recommended forwarding a positive recommendation to the City Council to combine three lots in Block 9 of the Snyder's Addition into two lots.

Chair Larson opened the public hearing.

There was no input.

Chair Larson closed the public hearing.

MOTION: Commissioner Hier moved to forward a POSITIVE recommendation to the City Council to combine the three lots in Block 9, Snyder's Addition,

CITY COUNCIL STAFF REPORT

DATE: July 15, 1998 (July 23, 1998 meeting)
DEPARTMENT: Planning Department
AUTHOR: Kirsten A. Whetstone
TITLE: 1420 Park Avenue
TYPE OF ITEM: Final Subdivision plat

SUMMARY RECOMMENDATIONS: Staff requests that the City Council review the final subdivision plat and consider the Planning Commission's recommendation to approve the 1420 Park Avenue Subdivision with findings of fact, conclusions of law, and conditions of approval as outlined in this staff report.

DESCRIPTION:

A. Topic

PROJECT STATISTICS:

Applicant: Jeff Graham of Jack Johnson Company for Jeff Camp
Location: 1420 Park Avenue
Zoning: RM- Residential Medium Density
Adjacent Land Uses: Single family residences, condominium projects, and City Park
Date of Application: April 20, 1998

B. Background

This is a request for a three lot subdivision of a 16,969 sq. ft. unplatted parcel of land located at

1420 Park Avenue (see Exhibit A). The parcel is zoned RM, Residential Medium Density. There is an existing single family residence at the northwest corner of the parcel. On December 10, 1997 the Planning Commission approved with conditions, the preliminary subdivision plat for this 3 lot subdivision. On July 8, 1998 the Commission forwarded to the City Council a positive recommendation to approve the final plat for 1420 Park Avenue. All vehicular access to the lots is from Park Avenue. Architectural review was discussed and the Commission determined that revisions to the existing historic house and new construction on Lots 2 and 3 should be reviewed and approved by the Community Development Staff, for compliance with the Historic District Design Guidelines.

C. Project Description

Location

The 1420 Park Avenue parcel is located on the east side of Park Avenue, between Park Avenue and City Park across from the Ski Team and Alpenhof Condominiums. The parcel is situated between two small single family structures on the Park Avenue side and between the Craigs and Wasatch Condominiums developments on the Sullivan Road side. Adjacent properties are primarily multiple dwellings and condominiums at a relatively high density.

Sketch and Preliminary Plat

The combination sketch and preliminary subdivision plat for three lots at 1420 Park Avenue (Exhibit B) was approved by the Planning Commission on December 10, 1997.

Final Subdivision Plat

The applicant is requesting approval of a final subdivision plat to divide a 0.40 acre unplatted parcel of land into three lots for the purpose of platting one lot for an existing single family house and two lots for future development. The application is a subdivision plat, not a plat amendment, because this parcel has not been previously subdivided. Planning Commission held a public hearing, reviewed the final subdivision plat for conformance with the preliminary plat, and recommended approval with conditions as reflected in this staff report.

Site Plan and Land Management Code Requirements for the RM zone

The property is a total of 16,969 square feet in area and is located in the RM zone. The applicant proposes to create three lots. Lot 1, for the existing house, is 5,255 sf with access off of Park Avenue. Lots 2 and 3, for the future development are 4,891 sf and 6,824 sf, respectively. Access for any future development is proposed off of Park Avenue in a 20' wide access and utility easement across Lot 3. Setbacks and open space requirements are greater for structures of more than 2 units. These factors and the parking requirement are generally the limiting development factors in the RM zone.

The applicant is requesting flexibility in designating Lots 2 and 3 as either duplex or tri-plex lots, in that they meet the land requirements for tri-plexes and agreed not to take access off of "Sullivan Lane". The Planning Commission discussed this issue and determined that the structures shall meet all requirements of the zoning district and conditions of this subdivision

approval, including any specific architectural guidelines, at the time of submittal of building plans. Single family homes, duplexes, and tri-plexes are permitted uses in the RM zoning district.

The following table illustrates current required development parameters for this site:

	Code Requirements*		
	Single Family	Duplex	Tri-Plex
Lot Size	2,812	3,750	4,687
Setbacks			
• Front	15 feet garages may be 10'	15 feet garages may be 10'	20 feet
• Rear	10 feet (15 feet if adjacent to a street)	10 feet (15 feet if adjacent to a street)	10 feet (20 feet if adjacent to a street)
• Sides	5 feet	5 feet	10 feet
Parking	2 per dwelling unit	2 per dwelling unit	2 per dwelling unit
Height	28 feet.**	28 feet**	28 feet**
Square Footage FAR	no requirement in the RM zone		
Open Space	none	none	60% of each lot

*LMC Code requirements are subject to change with the current LMC re-write.

**Height compliance is determined at the time of building permit application.

Existing Historic Structure

There is an existing historic single family structure on the parcel which was recently remodeled with an addition. The core of the existing structure is 50 years old or older. The building is listed as a type "C" structure on the 1995 Survey of Historic Structures in Park City. Structures with a "C" rating are buildings which have been altered from their original historic condition. "C" rated structures typically require renovation before they can be eligible for the National Register. The structure's "C" rating is undoubtedly due to the type of windows or siding, shape of windows, or other modern alterations and additions which are not consistent with the Historic District Design Guidelines. Many of these alterations are reversible and the structure can be brought back to type "A" or "B" rating with appropriate renovations.

The structure meets the minimum criteria to be considered a historic structure (i.e. it is 50 years old or older) however, it has never gone through a formal Historic District Commission review for a determination of historical significance. The core of the structure is older than 50 years old.

Planning Commission approval of the preliminary plat included conditions that require future additions to the existing structure to comply with the Historic District Design Guidelines in order to be compatible with the design and character of the existing historic house, as well as of existing historic structures on Park Avenue and the Park City historic district. A note has been added to the final plat regarding this architectural review. The applicant is not proposing to demolish the single family structure but wishes to retain the option of adding on floor area or a porch element at some time in the future (see "**Architectural Guidelines**").

Utility Plan

A shared utility easement, to serve Lots 2 and 3 with water, sewer, power, phone, etc. is proposed across Lot 3. Utility issues will be resolved to the satisfaction of the City Engineer and Fire Marshall prior to recording of the final plat. All construction shall conform to UBC and Fire Code applicable at the time of building permit application. The applicant is not proposing to extend any utilities from Sullivan Road, with the possible exception of telephone and power.

Landscape Plan

Staff recommends that a landscape plan, to address how the site will be re-vegetated and landscaped after construction is complete, be required as part of the building permit application, and as a condition of plat approval. A note has been added to the final plat regarding the landscape plan. The parcel is located within the Prospector Soils and Maintenance area and is subject to the Prospector Landscaping and Maintenance of Soils Ordinance dated December 8, 1988.

Access

Access to all units is proposed off of Park Avenue and therefore the policy resolution review requirements for development proposals on Sullivan Road do not apply. A note has been added to the final plat indicating the all vehicular access associated with development at 1420 Park Avenue and the new lots shall be restricted to Park Avenue. No access to Sullivan Road is permitted.

Pedestrian Access

There is an existing 5' sidewalk along Park Avenue. This sidewalk connects to 5' sidewalks on adjacent property to the north and south. At the November 12, 1997 work session the Commission discussed sidewalk width and determined that 5' was sufficiently wide. The applicant pointed out that there are approximately 10' of public ROW between the back of sidewalk and his property line if the City ever determined that wider sidewalks are needed.

Architectural Guidelines

The Planning Commission directed staff to incorporate Historic District Commission review and approval, in accordance with the Historic District Design Guidelines, of additions to or remodels

of the existing house. The Commission believed that it is appropriate to apply architectural guidelines to new construction on Lots 2 and 3. Section 15.4.2 (f) Architectural Standards in the LMC (for subdivision approval) specifically states the following :

Architectural standards will be required to be developed which will result in compatible building design and materials. Guidelines should include consistency of roof pitch, roofing materials, siding materials, colors, porch details, window types, and similar provisions. These guidelines should also be compatible with adjacent developments. Buildings should be designed to blend and harmonize with the existing environment rather than compete.

Upon review and analysis of the existing Historic District Design Guidelines, staff believes that the existing guidelines are appropriate to apply to new construction on Lots 2 and 3. These Guidelines are appropriate due to the existing historic structure on this site, as well as proximity of other historic structures on Park Avenue. Staff is concerned that architectural review based on neighborhood compatibility alone will not prevent new structures from emulating the "box like" condominiums on surrounding properties, which can detract from historic structures.

Staff believes the existing Historic District Guidelines meet the intent of Section 15.4.2 (f) as stated above. Staff has reviewed the guidelines, specifically "Standards for All New Construction" and "Standards for New Residential Construction", with the applicant to explain how they apply to his proposal. A note has been added to the final plat regarding historic architectural review.

D. Analysis

The final plat, as conditioned, complies with the approved proposed sketch and preliminary plat of December 10, 1997. The final plat is consistent with all requisite requirements of the Land Management Code, specifically Section 7.8 for development within the RM zoning district and Section 15 for development of a subdivision. The proposal reduces the potential density of development which could occur under the RM zoning district for the single parcel.

The proposal, as conditioned, retains the mass and scale of 1420 Park Avenue by requiring any additions to or remodels of the existing structure to follow HDC guidelines with final approval by the Historic District Commission. New construction will be compatible with the existing structure and the historic structures on Park Avenue by adhering to the HDC guidelines with review and approval by the CDD staff.

Proposed site and utility plans are consistent with the Planning Commission's and Parks Board's review criteria as stated in the two Resolutions of May 29 and October 22, 1997, in that no vehicular access is provided to Sullivan Road and major utilities will be extended from Park Avenue only. A final utility plan shall be reviewed and approved by the City Engineer prior to plat recordation. A financial guarantee for completion of all required public improvements shall be submitted to the City prior to plat recordation.

E. Public Input

Notice of this amendment and the public hearing were properly published and posted. Letters were sent to property owners within 300' of the property on June 22, 1998. As of the date of this staff report, Planning staff received two phone calls from affected property owners who requested additional information about the proposal. A property owner at 1435 Park Avenue called to express general opposition to any development that increased the density of the neighborhood. There was no public input given at the July 8, 1998 public hearing.

F. Department Review

City staff most recently reviewed this proposal at the May 19, 1998 staff review meeting. Any issues raised have been mitigated through conditions of approval. The City Attorney and City Engineer will review the final plat and development plans, for compliance with the Land Management Code, Utah State Subdivision law, and all conditions of approval prior to recordation of the plat.

ALTERNATIVES:

- A. Approve the final subdivision plat as proposed to create a three lot subdivision from the 0.40 acre parcel at 1420 Park Avenue for the purpose of creating one lot for an existing house and two lots for two future structures.
- B. Deny the final subdivision plat as proposed, and provide direction to staff and the applicant on acceptable alternatives.
- C. Continue the item and request further evaluation from the City Staff.

SIGNIFICANT IMPACTS:

The proposed subdivision plat and site plan will result in three platted lots at 1420 Park Avenue. The plat will eliminate access onto Sullivan Road, decrease the overall potential density of development on the parcel, and preserve the mass and scale of an existing historic structure. Given the required setbacks, historic district design review, and preservation of existing vegetation and open area along Park Avenue, the proposed subdivision plat and associated site plan will result in structures which are smaller than the predominant land use of a single large condominium building.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the subdivision plat is not approved as proposed, there is development potential for up to 12 dwelling units to be constructed on this parcel provided the development proposal is consistent with requirements of the Land Management Code for historic preservation, lot and site requirements, utilities, public improvements. Development of these 12 units would require construction of underground parking.

RECOMMENDATION:

Staff recommends the Council consider the Planning Commission's positive recommendation and staff's recommendation to approve the proposed final subdivision plat based on the following:

Findings of Fact

1. The property is located in the RM, Residential Medium Density, zoning district.
2. There is an existing house and detached garage on this property. The existing house is listed as a "C" type structure on the Park City Historic Survey (1995) indicating that it is currently a non-contributory house due to siding material, windows, and other recent additions not compatible with the Historic District Design guidelines. Type C structures can become Type A or B structures with appropriate remodeling efforts. The structure contributes to the historic street scape along Park Avenue due to the building's general mass and scale. A determination of significance has not been conducted on this property.
3. Historic structures are a valuable asset which contribute to the distinct character of the Park City community as a whole. The historic structure contributes to the historic street scape along Park Avenue, which is the entry corridor to the Park City Historic District.
4. There are several existing trees on the property. There is a vegetated open yard area south of the existing house.
5. The proposed subdivision plat creates three platted lots for the purposes of creating a platted lot for the existing house and two lots for future construction to the rear of the house at 1420 Park Avenue. The site is approximately 0.40 acres in area.
6. No known encroachments onto this parcel are stated in the title report.
7. This subdivision plat amendment is associated with specific development plans regarding access and circulation, utility installation, density, construction mitigation, protection and enhancement of existing vegetation, and preservation of the general mass and scale of the existing house at 1420 Park Avenue.
8. 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.
9. This property abuts City property to the east at the north end of City Park where daily recreational use is more intensive than at any other location in the Park.

10. The existing house at 1420 Park Avenue has an existing driveway off of Park Avenue for vehicular access.
11. There is an existing 5' paved sidewalk along the Park Avenue frontage which connects to 5' concrete paved sidewalks along the adjacent properties to the north and south.
12. Construction activity on this property will have impacts on Park Avenue, Sullivan Road, City Park, and the adjacent properties. A construction mitigation plan is part of this subdivision plat for the purposes of mitigating the potential development impacts.
13. The applicant stipulates to the conditions of approval.
14. According to the title report, this property is located in an area subject to the Prospector Landscaping and Maintenance of Soils Ordinance.
15. On December 10, 1997 the Planning Commission approved a sketch and preliminary plat for this 3 lot subdivision at 1420 Park Avenue.
16. On July 8, 1998 the Planning Commission held a public hearing and forwarded to City Council a positive recommendation to approve the final subdivision plat for 1420 Park Avenue.

Conclusions of Law

1. There is good cause for this subdivision plat.
2. Neither the public nor any person will be materially injured by the proposed subdivision plat as conditioned.
3. Approval of the plat as conditioned does not adversely affect the health, safety and welfare of the citizens of Park City.
4. The final subdivision plat, as conditioned, complies with the sketch and preliminary plat for 1420 Park Avenue, approved by the Planning Commission on December 10, 1997.
5. The final subdivision plat, as conditioned, is consistent with all applicable sections of the Land Management Code and Utah State subdivision law.

Conditions of Approval

1. City Attorney and City Engineer review and approval of the final form and content of the final plat for compliance with State law, the Land Management Code, and the conditions of approval is a condition precedent to recordation of the final plat.
2. All standard project conditions shall apply.

3. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
4. As reflected in the note added to the final plat, no vehicular access to Sullivan Road from this property is permitted.
5. Any future additions to the existing historic structure shall be reviewed and approved by the Community Development Department prior to issuance of any building permits. A note was added to the final plat indicating the following: 1) All new additions to and remodels of the existing house at 1420 Park Avenue shall comply with the Historic District Design Guidelines and shall be reviewed and approved by the Community Development Department prior to issuance of any building permits. 2) All new construction of the buildings on Lots 2 and 3 shall comply with the Historic District Design Guidelines and shall be reviewed and approved by the Community Development Department. 3) At grade porch elements facing Sullivan Road shall be incorporated into the designs for the buildings on Lots 2 and 3.
6. Any significant changes to the development plans associated with the final plat, including the site plan, utility plan, and construction mitigation plan as submitted to and reviewed by the Planning Commission on December 10, 1997, must be reviewed and approved by the Planning Commission.
7. The construction mitigation plan shall outline specific measures, including soils testing and management, to be undertaken during construction to preserve existing vegetation to remain as identified on the landscape and site plan and to ensure compliance with the Prospector Landscaping and Maintenance of Soil Cover requirements of Title 11, Chapter 15 of the Municipal Code of Park City.
8. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.
9. A building permit for any new construction on the subject property may not be issued until the final plat is recorded.
10. Prior to issuance of any building permits the applicant shall submit to the City for review and approval a final landscape plan, consistent with the construction mitigation plan and utility plan, showing how the site will be re-vegetated and landscaped. A landscape guarantee will be collected at the time of building permit issuance in conformance with standard City requirements.
11. Prior to issuance of any building permits the applicant shall comply with all requirements of the UBC and Fire Codes in effect at the time of building permit application. A note was

added to the final plat indicating that modified 13-D residential fire sprinkler systems are required.

12. City Engineer review and approval of all appropriate grading, utility, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

EXHIBITS:

Exhibit A- Proposed plat and site plan

Exhibit B- Location map

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Ordinance No. 98-

**AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT
FOR 1420 PARK AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of the property known as 1420 Park Avenue has petitioned the City Council for approval of a final subdivision plat; and

WHEREAS, the property was properly noticed and posted according to the requirements of the Land Management Code; and

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

WHEREAS, the Planning Commission held a public hearing on July 8, 1998, to receive input on the proposed subdivision;

WHEREAS, the Planning Commission, on July 8, 1998, forwarded a positive recommendation to the City Council; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for 1420 Park Avenue.

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the RM, Residential Medium Density, zoning district.
2. There is an existing house and detached garage on this property. The existing house is listed as a "C" type structure on the Park City Historic Survey (1995) indicating that it is currently a non-contributory house due to siding material, windows, and other recent additions not compatible with the Historic District Design guidelines. Type C structures can become Type A or B structures with appropriate remodeling efforts. The structure contributes to the historic street scape along Park Avenue due to the building's general mass and scale. A determination of significance has not been conducted on this property.
3. Historic structures are a valuable asset which contribute to the distinct character of the Park City community as a whole. The historic structure contributes to the historic street scape along Park Avenue, which is the entry corridor to the Park City Historic District.
4. There are several existing trees on the property. There is a vegetated open yard area south of the existing house.

5. The proposed subdivision plat creates three platted lots for the purposes of creating a platted lot for the existing house and two lots for future construction to the rear of the house at 1420 Park Avenue. The site is approximately 0.40 acres in area.
6. No known encroachments onto this parcel are indicated on the title report.
7. This subdivision plat amendment is associated with specific development plans regarding access and circulation, utility installation, density, construction mitigation, protection and enhancement of existing vegetation, and preservation of the general mass and scale of the existing house at 1420 Park Avenue.
8. 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.
9. This property abuts City property to the east at the north end of City Park where daily recreational use is more intensive than at any other location in the Park.
10. The house at 1420 Park Avenue has an existing driveway off of Park Avenue for vehicular access.
11. There is an existing 5' paved sidewalk along the Park Avenue frontage which connects to 5' concrete paved sidewalks along the adjacent properties to the north and south.
12. Construction activity on this property will have impacts on Park Avenue, Sullivan Road, City Park, and the adjacent properties. A construction mitigation plan is part of this subdivision plat for the purposes of mitigating the potential development impacts.
13. The applicant stipulates to the conditions of approval.
14. According to the title report, this property is located in an area subject to the Prospector Landscaping and Maintenance of Soils Ordinance.
15. On December 10, 1997 the Planning Commission approved a sketch and preliminary plat for this 3 lot subdivision at 1420 Park Avenue.
16. On July 8, 1998 the Planning Commission held a public hearing and forwarded a positive recommendation to approval the final subdivision plat for 1420 Park Avenue.

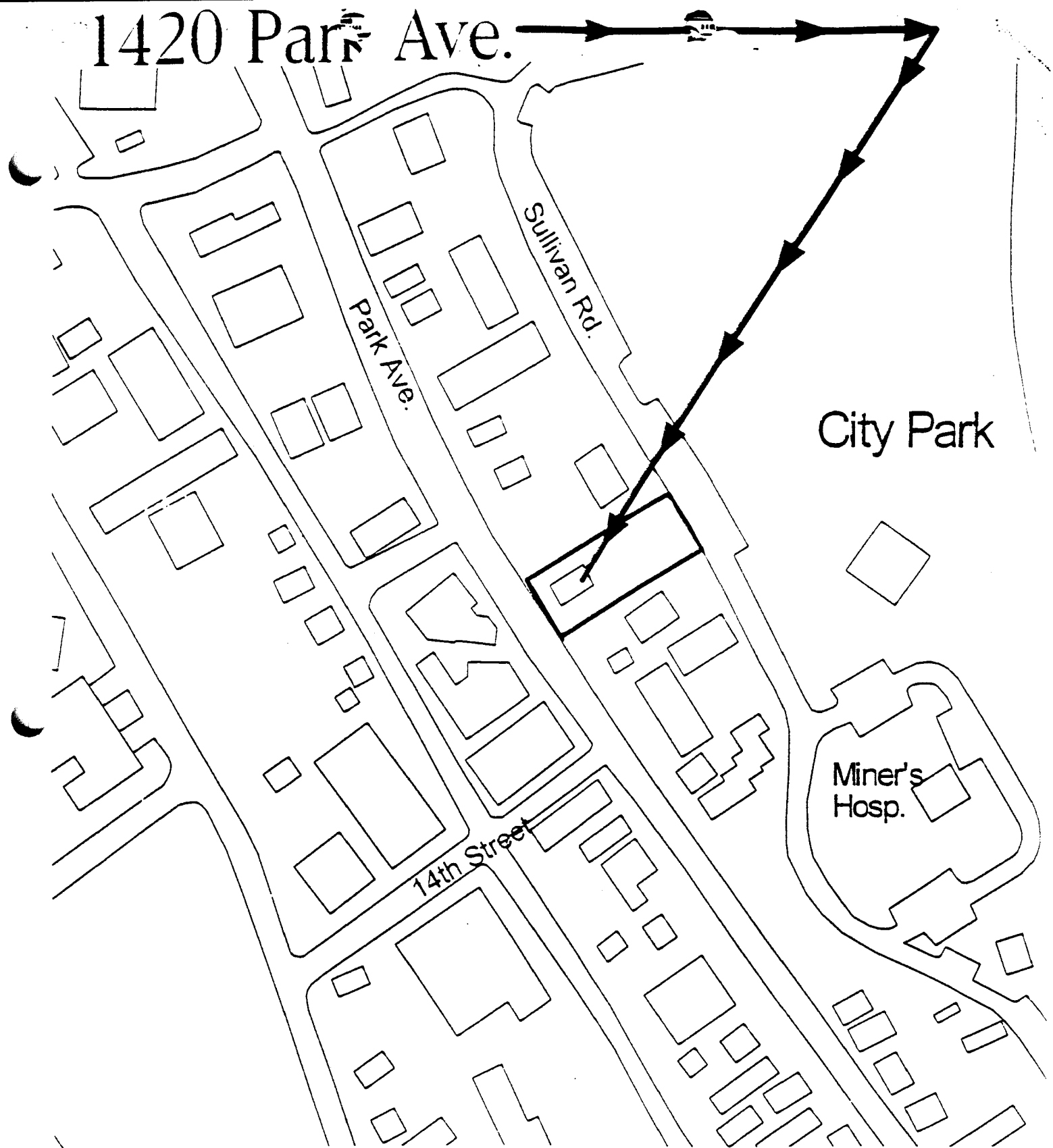
SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat, that neither the public nor any person will be materially injured by the proposed amendment. The final plat is in conformance with the

approved preliminary plat (December 10, 1997) and is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The final subdivision plat for 1420 Park Avenue is approved as shown on Exhibit A, with the following conditions:

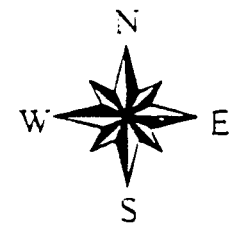
1. City Attorney and City Engineer review and approval of the final form and content of the final plat for compliance with State law, the Land Management Code, and the conditions of approval is a condition precedent to recordation of the final plat.
2. All standard project conditions shall apply.
3. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
4. As reflected in the note added to the final plat, no vehicular access to Sullivan Road from this property is permitted.
5. Any future additions to the existing historic structure shall be reviewed and approved by the Community Development Department prior to issuance of any building permits. A note was added to the final plat indicating the following: 1) All new additions to and remodels of the existing house at 1420 Park Avenue shall comply with the Historic District Design Guidelines and shall be reviewed and approved by the Community Development Department prior to issuance of any building permits. 2) All new construction of the buildings on Lots 2 and 3 shall comply with the Historic District Design Guidelines and shall be reviewed and approved by the Community Development Department. 3) At grade porch elements facing Sullivan Road shall be incorporated into the designs for the buildings on Lots 2 and 3.
6. Any significant changes to the development plans associated with the final plat, including the site plan, utility plan, and construction mitigation plan as submitted to and reviewed by the Planning Commission on December 10, 1997, must be reviewed and approved by the Planning Commission.
7. The construction mitigation plan shall outline specific measures, including soils testing and management, to be undertaken during construction to preserve existing vegetation to remain as identified on the landscape and site plan and to ensure compliance with the Prospector Landscaping and Maintenance of Soil Cover requirements of Title 11, Chapter 15 of the Municipal Code of Park City.

1420 Park Ave.



PARK CITY
1884

Vicinity Map
EXHIBIT B



72

65



CITY COUNCIL REPORT

DATE: July 22, 1998
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer *Eric DeHaan*
TITLE: Grant of Easement to Snyderville Basin Sewer Improvement District (SBSID) for the East Canyon Relief Sewer
TYPE OF ITEM: Administrative Approval of Grant of Easement

SUMMARY RECOMMENDATIONS: Approve the Grant of Easement to SBSID to facilitate construction of the East Canyon Relief Sewer.

DESCRIPTION:

A. Topic: SBSID has requested that the City grant an easement across the property formerly known as the Peterson property located in our northern entry corridor. Please see attached map. SBSID hopes to complete construction of the East Canyon Relief Sewer in the easement in late August and September.

B. Background: The installation of a sewer line in our entry corridor will be a very visible operation while the actual construction is underway. For that reason and because only the Council can actually encumber City property with additional easements, this item is before the Council. The actual Grant of Easement (copy attached) would allow SBSID to install and maintain a sewer line parallel to and west of Highway 224 in the area between Meadows Drive (at Aspen Springs Ranch) and the old Visitors' Kiosk.

The relief sewer will keep everything flowing smoothly from Park City downstream to the East Canyon Treatment Plant near Jeremy Ranch. The sewer easement alignment was selected to interfere as little as possible with our existing and future trails and trees in the area. The grant of easement and sewer design has been coordinated with Alison Costello and Matt Twombly of our Trails Planning and Landscape Architecture departments.

C. Analysis: The overall sewer project will run downhill northerly from Payday Drive through Franklin Richards' property and Park City's property to a point near the intersection of Meadows Drive and Highway 224. From that point a sewer line with excess capacity was installed just prior to and concurrent with the widening of 224. Some additional construction will occur in the "breakdown lane" of 224 from Thaynes Canyon Drive to Payday. The sewer line will be

installed in our late summer "shoulder season" when flows are lower than at peak periods and when traffic on 224 is at non-peak levels. The trench will be filled, top soiled, and revegetated. The resulting surface will be compatible with the City's surface usage of our property. For example, a similar sewer line runs under the softball outfield at City Park and we receive no complaints about foul odors or intrusive manhole covers.

D. Department Review: Community Development and Public Affairs have reviewed this request for a Grant of Easement. No unresolved concerns remain.

ALTERNATIVES:

A. Approve the Request: This action will keep the construction of the Relief Sewer on schedule.

B. Deny the Request: If the Council were to deny the request, SBSID would need to run the Relief Sewer within the paved area of 224 [thus inconveniencing traffic significantly and raising the cost to SBSID ratepayers, including City residents] or along the shoulder of 224, thus removing the surviving trees.

C. Continue the Item: If the Council desires additional information the item could be continued. The Staff can arrange a field trip so we can peer into an actively over-capacity sewer manhole, which on a hot day would be a memorable olfactory experience.

SIGNIFICANT IMPACTS: Although the temporary construction activity will be highly visible due to its proximity to our entry corridor [or, more appropriate for a sewer line, our exit corridor]. The revegetated trench will have virtually no visual or practical impact. There is no fiscal impact on Park City.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: The construction of the SBSID East Canyon Relief Sewer will occur regardless of our action. By enabling the work to occur off of Highway 224 the inconvenience to our guests and residents can be minimized.

RECOMMENDATION: Approve the Grant of Easement to SBSID to facilitate construction of the East Canyon Relief Sewer.

When recorded return to:
SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT
2800 Homestead Road
Park City UT 84098

GRANT OF EASEMENT

PARK CITY MUNICIPAL CORPORATION, Grantor, of Park City, Summit County, State of Utah, hereby quit claims 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:

See Exhibit "A"

Said easement being the right to construct, operate, replace, repair and maintain sewer and pipes 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 judgement of the Grantee may endanger the safety of or interfere with the operation and maintenance of said Grantee's facilities.

Bradley A. Olch, Mayor

STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

On the _____ day of _____, A.D., 1998, personally appeared before me
Bradley A. Olch, the signer of the within instrument, who duly acknowledged to me that he
executed the same.

Notary Public

Residing at: _____

My Commission Expires: _____

Exhibit "A"

Easement Description
East Canyon Relief Sewer - Phase 1
Sanitary Sewer Easement across Parcel P.A.-103-C-X

A forty foot wide sanitary sewer easement immediately adjacent to the SR-224 right of way line more particularly described as:

Beginning at a point in the Westerly right of way line of State Highway SR-224 which point is South $00^{\circ}17'50''$ West 1338.83 feet along the Section line and North $89^{\circ}58'59''$ West 1883.44 feet from the East 1/4 corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point of beginning is in the South line of the North $\frac{1}{2}$ of the SE 1/4 of said Section 5 and running thence North $89^{\circ}58'59''$ West 26.82 feet along said South line; thence North $21^{\circ}12'00''$ West 112.21 feet parallel to said Westerly right of way line to a point of curve with the arc of a 2754.79-foot radius curve to the left; thence Northwesterly 1233.68 feet along the arc of said curve to the West line of the North $\frac{1}{2}$ of said SE 1/4; thence North $00^{\circ}00'59''$ West 23.13 feet along said West line to said Westerly right of way line; thence along said Westerly right of way line the following three courses and distances: North $42^{\circ}11'39''$ East 8.07 feet to a point on the arc of a 2779.79-foot radius curve to the right, Southeasterly 1260.82 feet along the arc of said 2779.79-foot radius curve (Note: Chord for said 2779.79-foot radius curve bears South $34^{\circ}11'37''$ East for a distance of 1250.04 feet.), and South $21^{\circ}12'00''$ East 121.92 feet to the point of beginning.

Contains 1.567 Acres.

Together with a temporary construction easement to facilitate the construction of a sanitary sewer line and appurtenant parts there of and is more particularly described as follows:

A strip of land 25.00 feet wide adjoining westerly the westerly sideline of the above described 40.00 foot wide sanitary sewer easement, within the grantors property.

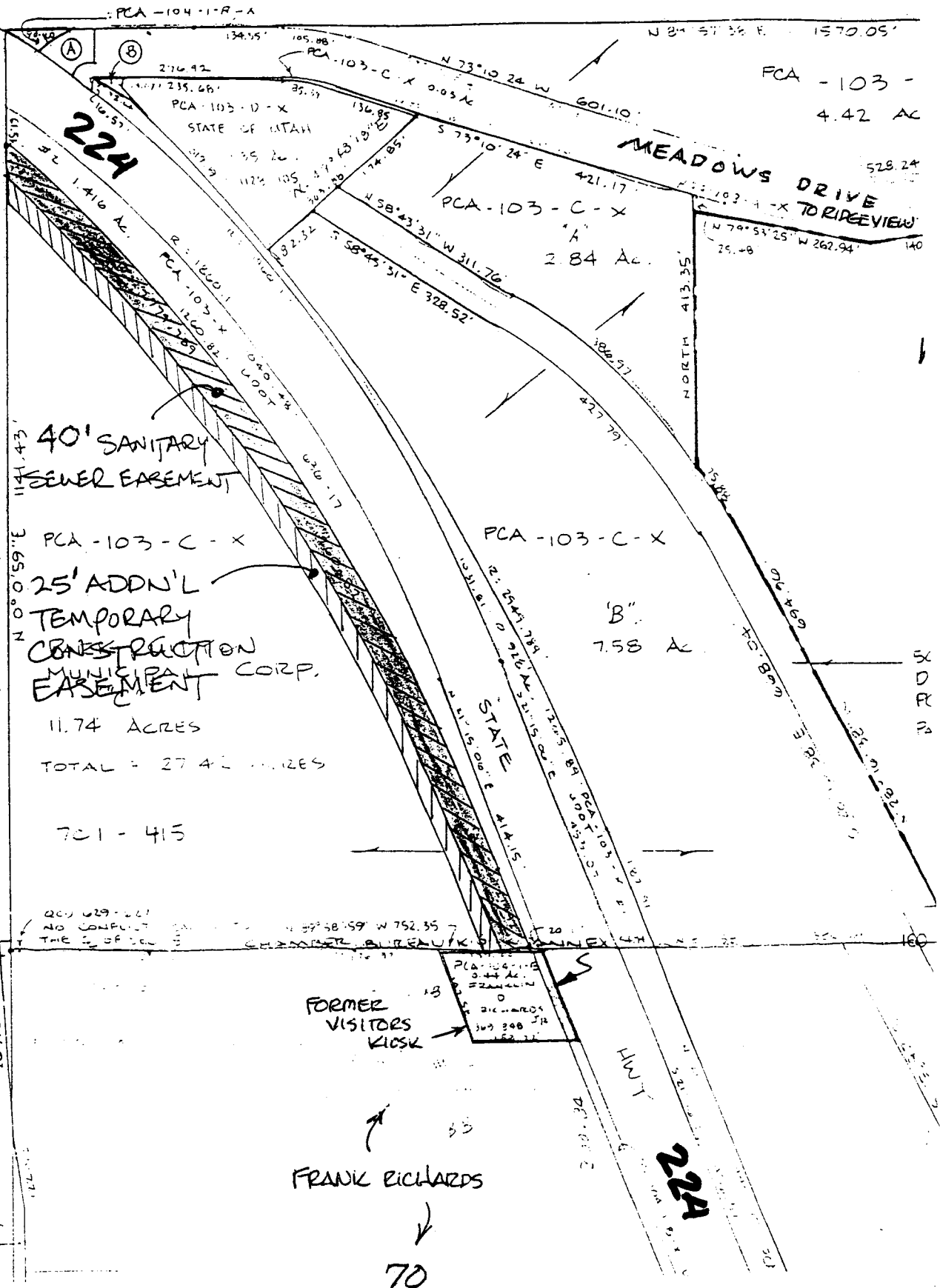
SE 1/4 SE
T 2
SALT
SCA
NE 1/4

(A) PCA-103-B
MY CORP SERVICES INC.
0.07 AC
743-492

(B) PART OF
PCA-103-X
U.D.O.T.
0.02 AC
641-404



UDOT
126.13
61.51
187.64
41.43
329.07



SW 1/4
SEC 5

PCA-103-A
SEE SW 1/4

PART OF
ASPEN SPRING
RANCH

FRANK RICHARDS

70

