PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 29, 1995

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, June 29, 1995.

A G E N D A

Closed Session

3:00 p.m. Personnel matter - appointments

Work Session

3:20 p.m. Council questions and comments
3:40 p.m. Norwegian School of Nature Life request
4:00 p.m. Olympic Parkway trees
4:45 p.m. Review of regular meeting
340 Main Street plat
Water user fees
King Road utility work
Development impact fees
Other meeting questions\comments

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III MINUTES OF MEETING OF JUNE 22, 1995

IV PUBLIC HEARING

1. Ordinance approving the amendment to Lots 9 and 10, Block 22, Park City Survey and Lots 10 and 100, Block 69, Millsite Reservation regarding 340 Main Street

2. Amendment to Resolution No. 29-92, Section 2, Water Fees, to increase water user fees

V CONSENT AGENDA

1. Award of construction contact for King Road utility and road project

2. Ordinance approving the final subdivision plat for Aspen Villas, Highway 248 - LDS Church

3. Authorization to staff to negotiate a scope of services contract regarding parking and transportation with Wilbur Smith Associations in an amount not to exceed $50,000

4. Ordinance approving the amendment to Lots 9 and 10, Block 22, Park City Survey and Lots 10 and 100, Block 69, Millsite Reservation regarding 340 Main Street

VI RESIGNATIONS AND APPOINTMENTS

1. Appointments and reappointment to Library Board

2. Appointment and reappointment to Board of Adjustment

VII ORDINANCES

Amendment to the Park City Municipal Code, Title 11, Buildings and Building Regulations, setting forth development impact fees and adopting a capital facilities plan and water capital facilities plan

VIII NEW BUSINESS

Amendment to Resolution No. 29-92, Section 2, Water Fees, deleting water connection and development impact fees and development impact fees

IX COMMUNICATIONS FROM COUNCIL AND STAFF

X ADJOURNMENT

Posted: 6/27/95 noon

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JUNE 29, 1995

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, June 29, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Staff present were Toby Ross, City Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business.

<u>In-fill development in Old Town</u> - Marianne Cone, Old Town resident, pointed out that property owners are maximizing development on small Old Town lots. She described a home being constructed on Prospect, and because of the grade of the street, it will be 37 feet higher and six feet away from the house next door. As a result, the small house is now for sale. She added that there is also a lack of landscaping for new construction in the area. Ruth Gezelius stated that this is not an issue of applying floor area ratios but rather setbacks and infill construction in the historic district is truly impacting the area. Ms. Miller relayed a situation where the property owner requested that the builder move a house back which made all the difference in protecting light and air and livability. Rick Lewis explained that the Historic District Commission is reviewing height and Janice Lew added that the Commission has been discussing looking at adjacent buildings for compatibility, but it is uncertain how that would affect the Land Management Code. Toby Ross discussed zoning philosophy as it relates to compatibility criteria, which is difficult to establish.

Hearing no further comments, the public input session was closed.

III MINUTES OF MEETING OF JUNE 22, 1995

Ruth Gezelius, "<u>I move approval of the Minutes as presented</u>". Lou Hudson seconded. <u>Motion carried unanimously</u>.

IV PUBLIC HEARING

1. <u>Ordinance approving the amendment to Lots 9 and 10, Block 22, Park City Survey and Lots 10 and 100, Block 69, Millsite Reservation regarding 340 Main Street</u> - Janice Lew explained that this is a request to formally combine four lots which the applicant

owns on Main Street between the Black Pearl and the Egyptian Theater. This would create a single parcel for the building that is under construction. The staff is recommending approval with the findings, conclusions of law, and conditions as outlined in the staff report (attached).

With no questions or comments from the public and the Council, the public hearing was closed.

2. Amendment to Resolution No. 29-92, Section 2, Water Fees, to increase water user fees - Jerry Gibbs, Public Works Director, explained that this is a request to raise water user fees by approximately 15% to most users. It is proposed to increase the base rate of $12 per residence to $15. The proposed formula would increase water user rates about 15% and for those using more than 40,000 gallons, an increase of 30% would be realized. The increase is required because of debt service increases, providing a capital plan for replacement of existing infrastructure, and operating costs.

With no further questions or comments, the public hearing was closed.

V CONSENT AGENDA

Janice Lew clarified language in Condition No. 5 for the Aspen Villas plat, adding a sentence, "In the event that Highway 248 is widened, the church education system will begin discussions with the City and UDOT on the possibility of designing and constructing an overhead or underpass walkway. In the event that a pedestrian underpass/overpass at Highway 248 in the vicinity of the seminary is deemed necessary in the future, the LDS Seminary shall financially participate in an equitable share on the cost of construction". Ruth Gezelius, With that language clarified, I would move approval of Consent Agenda Items 1 through 4". Shauna Kerr seconded. Motion carried unanimously.

1. Award of construction contact for King Road utility and road project - See attached staff report.

2. Ordinance approving the final subdivision plat for Aspen Villas, Highway 248 - LDS Church - See motion and staff report.

3. Authorization to staff to negotiate a scope of services contract regarding parking and transportation with Wilbur Smith Associations in an amount not to exceed $50,000 - See staff report.

4. Ordinance approving the amendment to Lots 9 and 10, Block 22, Park City Survey and Lots 10 and 100, Block 69, Millsite Reservation regarding 340 Main Street - See staff report.

VI RESIGNATIONS AND APPOINTMENTS

1. Appointments and reappointment to Library Board - Ruth Gezelius, "I move that we reappoint Jana Baumann to a term to the Library Board that expires in 7/98; that we appoint Mark Del Vecchio to a term expiring 7/98; and appoint Mark Maziarz to a term expiring 7/97 and Carol Larson to a term expiring 7/97". Leslie Miller seconded. Motion carried unanimously.

2. Appointment and reappointment to Board of Adjustment - Ruth Gezelius, "I move that we reappoint Dell Fuller to the Board of Adjustment to a term expiring January 2000, and that we appoint Scott Hansen to a five year term also expiring in January 2000". Leslie Miller seconded. Motion unanimously carried.

VII ORDINANCES

Amendment to the Park City Municipal Code, Title 11, Buildings and Building Regulations, setting forth development impact fees and adopting a capital facilities plan and water capital facilities plan - Shauna Kerr, "I move approval of the amendment to Title 11 for the Building and Building Regulations, setting forth development impact fees and adopting a capital facilities plan and water capital facilities plan". Ruth Gezelius seconded. Roger Harlan commended staff for its efforts on this project. Motion carried unanimously.

VIII NEW BUSINESS

Amendment to Resolution No. 29-92, Section 2, Water Fees, deleting water connection and development impact fees and development impact fees - Ruth Gezelius, "I move approval of the amendment to the Resolution No. 29-92, Section 2 with the typographical corrections". Roger Harlan seconded. Motion carried unanimously

IX COMMUNICATIONS FROM COUNCIL AND STAFF

The Mayor commended Frank Bell for his annual Police Department Report which he felt was thorough and informative.

X ADJOURNMENT

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

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, and Shauna Kerr. Leslie Miller was not in attendance. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney. Ruth Gezelius, "I move to close the meeting to discuss personnel matters". Roger Harlan seconded. Motion carried. The meeting opened at approximately 3:30 p.m.

Prepared by Janet M. Scott

Janet M. Scott
Deputy City Recorder

PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
JUNE 29, 1995

Present: **Brad Olch, Roger Harlan, Lou Hudson, Shauna Kerr, Ruth Gezelius, Toby Ross, Jodi Hoffman, Jennifer Harrington, Janice Lew, Rick Lewis**

Tom Cammermeryer and Dave Sturges, Norwegian School of Nature Life

1. **Council questions and comments.** Roger Harlan expressed his concern about the excavation on the Sweeney Project and the delays in construction. Toby Ross reported that the delays are due to redesigning efforts to down-scale the building and Ruth Gezelius added that there were Planning Commission approval delays. He discussed the overpass for 1800 Keanrs Blvd. subdivision; see regular minutes. Because he will be out-of-town, Mr. Harlan requested that council compensation be postponed to July 27, and added that if rental of the liquor store on Main Street is addressed at the meeting of July 13 when he will be absent, that it be clear that he feels it should be rented out at market value. Shauna Kerr added that the majority of comments she has heard are that the state should not be entitled to free rent. Leslie Miller asked that the pothole on Deer Valley Drive and Park Avenue be repaired and Shauna Kerr suggested that the PSA on pavement management locations also indicate the direction of work on the streets.

2. **Norwegian School of Nature Life request.** The Norwegian School of Nature Life is requesting building and planning related fee waivers for a spec house in Prospector Park on Lot 21, to be sold to raise funds for this non-profit organization. Dave Sturges, general contractor, discussed the merits of the School and stated that programs saved his son and many others in Park City. He commented on the volunteering efforts of the subcontractors and real estate agent. Toby Ross added that this request could be funded from the grant contingency, which Council designed for requests that fall outside the grant review deadline. Leslie Miller voiced her support as she felt that the School's programs are an enormous benefit to the community. Roger Harlan felt that they are doing an excellent job as did Ruth Gezelius. It was Council's consensus to grant fee waivers in an amount not to exceed $8,500.

3. **Olympic Parkway trees.** Jennifer Harrington explained that the Parks, Recreation and Beautification Advisory Board has been reviewing this project and has determined that the plantings should occur along the edge of the highway rather than on the medians. The trees will be planted from Payday Drive north to the underpass at the barn. Discussion ensued regarding the native species that can survive both wet and dry conditions as well as salt. Roger Harlan suggested a memorial tree program and Jennifer Harrington felt that this could be accomplished.

4. **Review of regular meeting.**

340 Main Street plat amendment. Janice Lew, by way of a plat, pointed out that this action would remove four lot lines to combine one lot. She added that the underground parking will satisfy parking requirements. Ms. Lew discussed the application and noted that this building was first reviewed by the Historic District Commission in June 1994. The plat amendment process is recent and succeeded this application so building commenced before the plat recordation. Leslie Miller noted that she felt that consistency is important and Janice Lew pointed out that all applications have been treated the same; 340 was caught in the middle of determining a process for lot combinations. Ms. Miller again asked why the plat amendment didn't occur before the building permit and Jodi Hoffman reminded her that a year ago, staff was administratively reviewing and approving lot combinations. Ms. Miller asked why the Schneckloth application was treated differently. Ms. Hoffman described the differences between a lot combination and a subdivision. The process is similar but the purpose is different because when property is subdivided it provides separate saleable lots. A lot combination erases the lot lines, usually resulting in one lot for one structure. Jodi Hoffman added that the ideal time for a plat amendment is before building permit issuance and clarified that the Schneckloth application would have never been handled administratively because of its complexity.

Rick Lewis explained that after Council's meeting of January 19 when lot combinations were discussed as they relate to compliance with state law, staff sent a letter to the applicant of 340 Main Street. Because noticing requirements were not clear and the state legislation was being amended, the applicant did not proceed with the plat amendment process. Mr. Lewis stated that a building occupancy permit will not be issued until the plat is recorded.

Ms. Miller expressed her confusion over the parking requirements as it appeared to her that 15 spaces are gone. Ms. Hoffman assured her that the parking covenant has not been released and there are 22 spaces; nine at the 340 Main Street building and 13 behind the Barking Frog. The City Attorney acknowledged that this has been a confusing issue because the agreement is unclear as to the allocation and it took some time for staff to ascertain the exact number for the locations. Ms. Miller mentioned that this application has been a political hot potato and she has had questions from her constituency. Much of the parking information was distributed to Council as privileged information and she felt that since parking is a concern of the community that it should have been discussed publicly. Ruth Gezelius stated that she did not feel that way and felt that staff has handled this application professionally. The parking behind the Barking Frog was discussed as there is a telephone pole and a dumpster blocking stalls. With regard to the 13 year old parking agreement, Shauna Kerr commented on the changes in parking stall specifications over the years and Roger Harlan pointed out that ADA requirements would also change the dimensions of parking stalls for current development.

Other meeting questions/comments. See regular meeting minutes and attached staff reports.

Prepared by Janet M. Scott