PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 25, 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, May 25, 1995.

A G E N D A

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Request for reconsideration of denial of Noise Ordinance waiver for Outdoor Center (aka Teen Center) special event

III MINUTES OF MEETING OF MAY 18, 1995

IV PUBLIC HEARINGS

1. Ordinance amending Sunnyside Subdivision Plat - 630 Mellow Mountain Road

2. Ordinance amending the Park City Survey - 490 Ontario Avenue

3. Ordinance amending the Park City Survey - 310 Park Avenue

V CONSENT AGENDA

1. Ordinance amending Sunnyside Subdivision Plat - 630 Mellow Mountain Road

2. Ordinance amending the Park City Survey - 490 Ontario Avenue

3. Ordinance amending the Park City Survey - 310 Park Avenue

4. Ordinance amending Title 9, "Parking Code" to include parking restrictions on newly built Seventh and Ninth Streets and adding language describing the Historic District parking sign colors

5. Resolution honoring Nan McPolin on her 90th Birthday and declaring May 31, 1995 as "Nan McPolin Day" in Park City, Utah

VI COMMUNICATIONS FROM COUNCIL AND STAFF

1. Restaurant Tax grant monies - parking plan

2. Dog control problem

3. City Attorney's evaluation

VII ADJOURNMENT

Posted: 5/23/95 noon

Note: It should be noted that the entries under Public Input and Communications from Council and Staff occurred during the meeting and were not scheduled on the agenda. They appear here for reference purposes.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MAY 25, 1995

I ROLL CALL

Mayor Pro Tem Roger Harlan called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, May 25, 1995. Members in attendance were Ruth Gezelius, Roger Harlan, Lou Hudson, and Shauna Kerr. Mayor Brad Olch and Leslie Miller were excused. Staff present were Toby Ross, City Manager; Kirsten Whetstone, Planner; Janice Lew, Planner; Rick Lewis, Community Development Director; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

Request for reconsideration of denial of Noise Ordinance waiver for Outdoor Center (aka Teen Center) special event - Dr. Andrews referred to the definition of community in Webster's Dictionary and urged Council to reconsider its denial of the waiver of the noise ordinance to allow amplified music in City Park (see Minutes of May 18, 1995). He understood that the decision was made in consideration of the community but pointed out several special events and holidays where residents are inconvenienced. He urged Council to allow the teens to have amplified music for five hours on a Sunday afternoon so they can be part of the community. He stated that the teens are responsible young adults who have planned this event to mark the end of the school year and the start of the summer. They don't want to have it at the schools any more than City employees would want a party in the Marsac parking lot. He asked what is the message we're giving our youth when we say go to Wolf Mountain, when it's not even in the City limits. He urged Council to reconsider as the teens deserve our support and let's tell them they are a part of our community.

For the benefit of Lou Hudson, Dr. Andrews responded that a reservation has been made for June 11 and that Chief Bell did not have a problem with the permit except that it may create a precedence for future applications. Dr. Andrews discussed the Wednesday night concerts sponsored by the Chamber/Bureau where there is amplified music. Roger Harlan suggested that there be a motion to discuss this matter. Lou Hudson, "I move that we reopen this matter and take another look at it based on the information that we have been given and if we can at some time in the near future revisit this situation". Shauna Kerr seconded. Motion carried.

Ruth Gezelius	Nay
Roger Harlan	Aye
Lou Hudson	Aye

Shauna Kerr	Aye
Leslie Miller	Absent

Mayor Pro Tem Harlan invited the audience to speak on this issue.

Karen Massey, representing the student body of the high school, stated that they would like to have the "battle of the bands" at the gazebo but would have it on the basketball court as an alternative. It is their intention to have five bands from Park City; there may be a possibility that one band will be from Salt Lake. Shauna Kerr asked it they have a back-up plan in the event of rain. Ms. Massey stated that they could use the recreation building where there would be indoor activities but people would have to listen to the bands in the rain. Ms. Kerr understood that this was to be a fund-raiser, but Ms. Massey explained that refreshments are being donated by Albertson's and Killer Dave's Burritos where they can raise some funds; there will be no admission. She emphasized that purpose of the event isn't to raise money but to provide a good time for kids in Park City and involve the community. .She then explained the scheduling of the bands. Ms. Gezelius asked if other locations were explored as discussed last week. Ms. Massey stated that this was presented to the student body and the park was always the number one choice. She continued that they have explored having the event at the Park City Ski Area but businesses there would be competing by selling concessions. Ms. Massey added that they have called Wolf Mountain in the past about ski passes and it was their experience that calls are not returned. She pointed out that the front page of the Park Record has photos of kids which symbolizes how important kids are to the community. She felt that Council, as representatives, has the same values of the community. Ms. Massey realized that Council must consider consistency in enforcing ordinances but pointed out being consistent with the value that kids count in Park City. This event will encourage good behavior for kids. She noted her surprise by Council's remarks last week as they were consistent with the sound ordinance but inconsistent with everything they (kids) have grown up with. On a value scale, this is more important than following the sound ordinance which has been violated with the Wednesday night concerts in the park and other events. As a representative of 700 people, Ms. Massey urged Council to reconsider this matter.

Jacquie Cote, resident and alumnus from Park City High School, felt that this is the type of function suitable for the park and there are many ordinances that are broken every day. Council should support this.

Roger Harlan invited the public or the Council to comment. Ruth Gezelius stated that there are requests for

amplified music all of the time and allowing this would create more disturbances for nearby residents already impacted by park activities. She stressed that the biggest complaint in Old Town is the noise and density. She empathizes with the youth who want a special event and regrets that there is not a grassy theater area but cannot say yes to one group and turn down others. She views the Chamber/Bureau concerts different as there was a process for criteria and to date, it has worked well. City facilities are taxed to capacity and it is regrettable because this is a good idea and event. As Mayor Pro Tem, Roger Harlan "passed the gavel" to Ms. Gezelius and made a motion.

Roger Harlan, "I move that the City Council reconsider and take the position of affirming the concert for Sunday afternoon, June 11 in City Park". Lou Hudson seconded,"with a condition that they move it to the basketball court area which would lessen the impacts as far as the neighborhood goes". Roger Harlan amended his motion to include the condition.

Mr. Harlan stated that he is willing to waive the ordinance for the youth in the community. He added that it has been a tough year for teens as there was a unexpected teen death last year on June 1 and this has carried over through the year in a "silent way". He felt this is a terrific way to end the school year and a great statement from Council to the teens.

Shauna Kerr restated her position from last week that it is important that Council remains consistent with the noise ordinance. She added that she is uncomfortable with the Chamber/Bureau continuing with their amplified music and would like to rethink that even though the concerts have been successful they could be acoustical performances. Ms. Kerr felt it was not fair that the Council has been characterized as "uncaring for the youth" because they have done a lot for our youth including use of the recreation building for the Teen Center and recreation program. She felt that the request tonight is a position that parents often find themselves in, and that is you've made your rules and even though your child comes to you in good faith and with good intentions, he wants to violate those rules. It is not uncaring to have to tell your child "no" sometimes and she felt that this is the position Council has been backed into. Council needs to be consistent in the best interest of the community and she stressed that she did not feel that the students have explored other options. There are many options in Park City and this isn't a "one horse town" like so many other communities in Utah. In the long run, Ms. Kerr felt that it would be a better event hosted elsewhere that is more compatible as the park is already over-utilized. She strongly encouraged the teens to consider a back-up plan because of the weather patterns. Ms. Kerr suggested the football field which she felt is the most under-utilized piece of turf in this City.

There would be seating, security, there could be a ticket charge at the gate, and concessions. She pointed out that it is not as if the students are returning to their science labs and there is also a gymnasium in the event of rain.

Ms. Gezelius reminded Council that there is a motion on the floor to overturn the previous City Council decision and allowing the battle of the bands on June 11. Motion defeated for lack of majority vote.

Ruth Gezelius	Nay
Roger Harlan	Aye
Lou Hudson	Aye
Shauna Kerr	Nay
Leslie Miller	Absent

With no further comments from the audience, the pubic input session was closed and Roger Harlan resumed as Mayor Pro Tem.

III MINUTES OF MEETING OF MAY 18, 1995

Ruth Gezelius, "I move approval of the of the Minutes of May 18, 1995, as presented. Shauna Kerr seconded. Motion carried.

Ruth Gezelius	Aye
Roger Harlan	Aye
Lou Hudson	Aye
Shauna Kerr	Aye
Leslie Miller	Absent

IV PUBLIC HEARINGS

1. Ordinance amending Sunnyside Subdivision Plat - 630 Mellow Mountain Road - Kirsten Whetstone, Planner, distributed Exhibit A which depicts the plat. This is a request to combine Lots 12 and 13 to accommodate a single family home. See attached staff report.

2. Ordinance amending the Park City Survey - 490 Ontario Avenue - Ms. Whetstone reported that this matter is also a lot combination; the owner wishes to combine the parcels and create one building lot for a single family home.

Bill Greeney, owner, stated that he and his wife are planning to build a home for their retirement and would live there in seven to eight years. His architect, Craig Kidderman, was informed that they will be required to install an automatic sprinkler system as a condition of the plat amendment approval. His architect was concerned that the home will be unoccupied for

lengths of time and if something happened to the heat, the system could freeze and cause extensive damage. Mr. Greeney testified that there are no sprinkler systems in the Funk multi-unit development and other immediate adjacent homes. Mr. Greeney referred to the Uniform Building Code which requires sprinkling if any portion of the building is 150 feet from a fire apparatus access. He measured 150 feet from the property which lands in front of the Funk Subdivision where there is a 20 foot width which qualifies for fire access. He felt that he is being singled out to go to additional significant expense of installing a system that may also cause damage to his home.

Rick Lewis explained that the City has been requiring modified 13D fire sprinkler system on almost all lot combination applications for the past several years. The Chief Building Official has the discretion to consider this on applications for subdivisions and plat amendments. Ms. Hoffman added that staff has received direction from Council to more consistently apply health safety and welfare requirements and that requirements of the infrastructure ordinance are addressed on existing platted lots and new subdivisions. Ruth Gezelius understood that the technology has improved dramatically for sprinkler systems and there is an alarm and sensor system which protects homes for fire and malfunction of the system.

Planner Whetstone felt that the condition could be modified so that it is not a condition of approval but left at the discretion of the Chief Building Official as there might be another design solution.

Ruth Gezelius suggested that the language under Section 2, Item 2 of the ordinance be revised to read, "The discretion for an automatic fire sprinkling system shall be left to the Chief Building Official". See consent agenda motion.

3. Ordinance amending the Park City Survey - 310 Park Avenue - (See attached staff report). Janice Lew explained that the applicant is now proposing to dedicate approximately two feet of the south lot which would widen the Third Street right-of-way. This will reduce a lot to 50 feet which requires a ten foot combined setback on development of the parcel.

V CONSENT AGENDA

Ruth Gezelius, "I move approval of the Consent Agenda with the language to Item 2 as aforementioned in the discussion (see public hearing)". Lou Hudson seconded. Motion carried.

Ruth Gezelius	Aye
Roger Harlan	Aye

Lou Hudson	Aye
Shauna Kerr	Aye
Leslie Miller	Absent

1. Ordinance amending Sunnyside Subdivision Plat - 630 Mellow Mountain Road - See staff report and public hearing.

2. Ordinance amending the Park City Survey - 490 Ontario Avenue - See public hearing and staff report.

3. Ordinance amending the Park City Survey - 310 Park Avenue - See public hearing and staff report.

4. Ordinance amending Title 9, "Parking Code" to include parking restrictions on newly built Seventh and Ninth Streets and adding language describing the Historic District parking sign colors - See staff report.

5. Resolution honoring Nan McPolin on her 90th Birthday and declaring May 31, 1995 as "Nan McPolin Day" in Park City, Utah - Park City is a better placed because of Nan McPolin's presence here. Her civic, educational, and beautification achievements are unparalleled and a resolution in her honor and celebrating her 90th birthday is appropriate.

VI COMMUNICATIONS FROM COUNCIL AND STAFF

1. Restaurant Tax Grant monies - parking plan - Shauna Kerr reported that the City's three applications (trails, Main Street beautification and a parking study) will be before the committee tomorrow. She suggested that a letter be sent with Myles Rademan supporting these applications but emphasizing a longer term project which would be further funding for parking in future years. The majority of the restaurants that are burdened with collecting the tax are on Main Street. These businesses also receive complaints about the lack of parking. Committed grant funds could go a long way in funding and financing another parking structure or transportation alternative. She asked if there was support from the Council for the City to submit an on-going request.

Ms. Gezelius could support the concept but did not view parking as the problem. This is an issue that needs to be addressed and this is bigger than Main Street as there are problems in other areas and special events are another consideration. Mr. Hudson supported this project. Ms. Kerr agreed that there are

the final determination. Hugh Daniels, committee member, was in attendance.

2. Dog control problem - Ms. Kerr referred to a complaint Council received and suggested that the lack of dog control services provided by the County be scheduled on a work session for discussion. Ms. Gezelius pointed out that the new shelter will be dedicated in June and this facility may provide adequate dog control services. She suggested that this discussion be scheduled after the shelter is open for awhile.

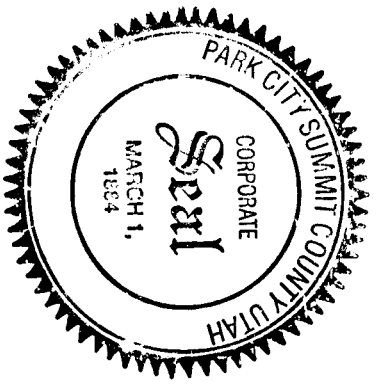
3. City Attorney evaluation - The City Manager stated that the City Attorney's evaluation was scheduled on June 1, but that he recently learned that Leslie Miller will be out-of-town. He suggested Friday, June 2 as an option. Shauna Kerr indicated that she will be out of town on Friday and it was the consensus of Council to keep this scheduled on Thursday, June 1.

VII ADJOURNMENT

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

Prepared by Janet M. Scott

Janet M. Scott
Deputy City Recorder



PARK CITY
1884

CITY COUNCIL REPORT

DATE:	**May 25, 1995**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Kirsten A. Whetstone**
TITLE:	**Plat Amendment to Lots 12 and 13, Sunnyside Subdivision, Park City**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS:

Adopt an ordinance amending the plat at 630 Mellow Mountain Road, to combine Lots 12 and 13 in Sunnyside Subdivision to create one lot for the purpose of constructing a single family house.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	**Ken Shoulders**
Proposal:	**Plat amendment for Lots 12 and 13, Sunnyside Subdivision.**
Zoning:	**RD, Residential Development**
Adjacent Land Uses:	**Residential**
Date of Application:	**April 18, 1995**
Project Planner:	**Kirsten A. Whetstone**
Recommendation:	**Approve with Conditions**

plat amendment subject to the following conditions:

1. **Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.**

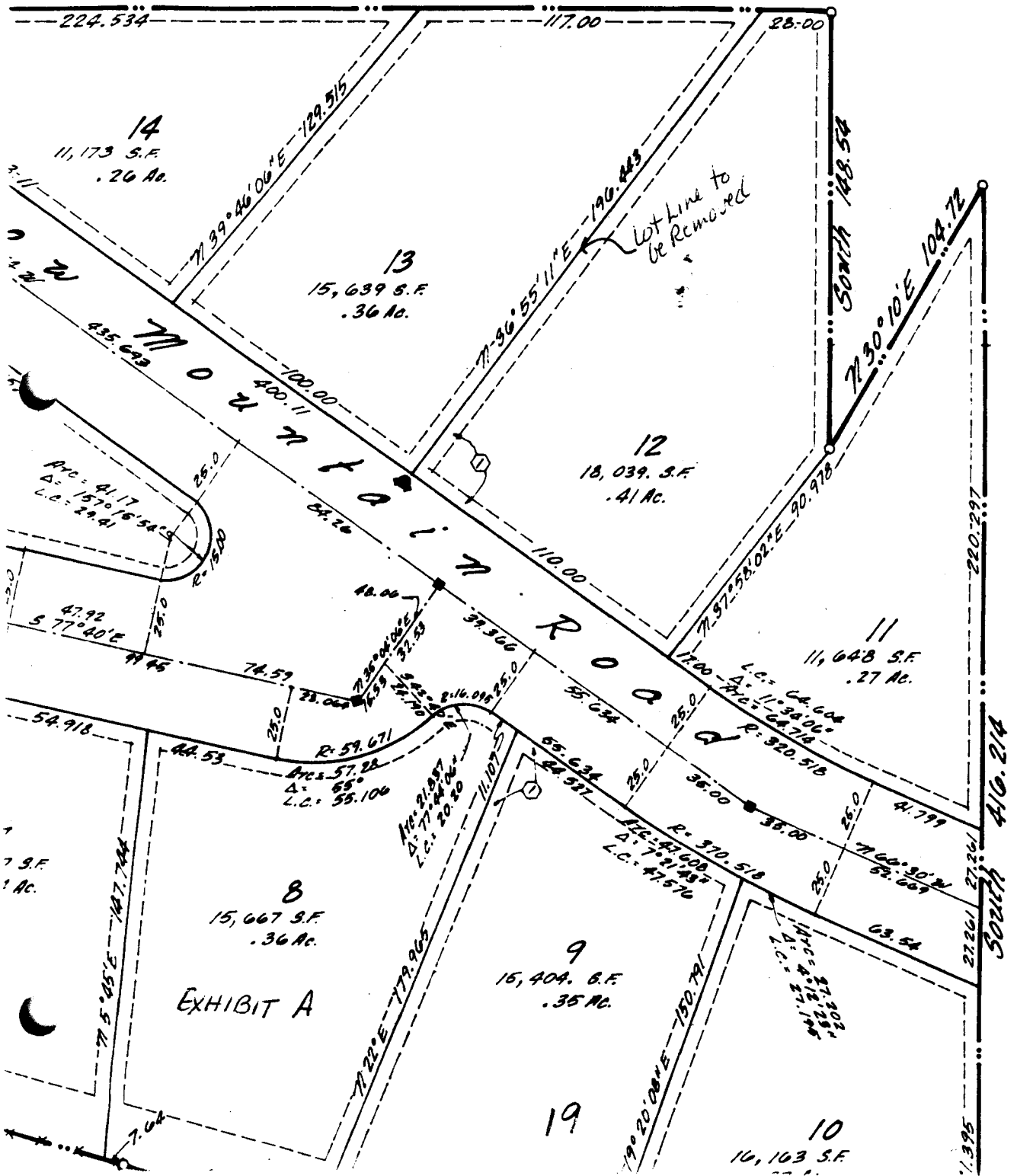
2. **Prior to building permit issuance house plans shall be reviewed and approved for neighborhood compatibility, by the Community Development Director.**

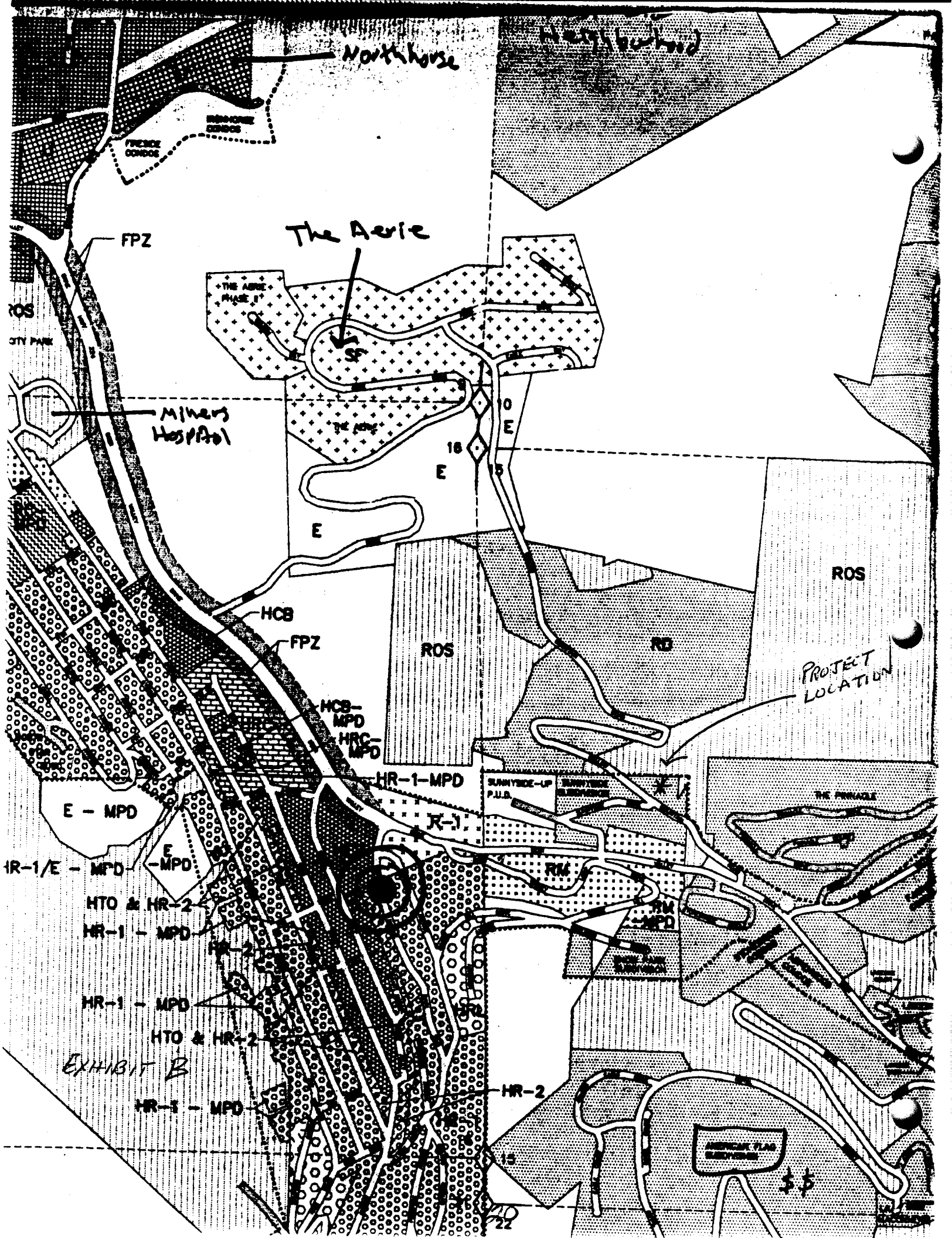
3. **All conditions of approval of the Sunnyside Subdivision remain in full force and effect.**

EXHIBITS:

Exhibit A: Preliminary Plat Map
Exhibit B: Project Location Map
Exhibit C: Schulte Letter in support

PRELIMINARY
PLAT SKETCH




Northhouse
Neighborhood
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The Aerie
THE AERIE PHASE II
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THE AERIE
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CITY PARK
Mining Hospital
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HCB
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ROS
RM
ROS
PROJECT LOCATION
HCB-MPD
HRC-MPD
HR-1-MPD
SUNNYSIDE-UP P.U.D.
SUNNYSIDE SUBDIVISION
THE PINNACLE
E - MPD
E -MPD
HR-1/E - MPD
HTO & HR-2
HR-1 - MPD
HR-2
RM4
RM -MPD
HR-1 - MPD
HTO & HR-2
EXHIBIT B
HR-2
HR-1 - MPD
15
AMERICAN FLAG SUBDIVISION
22

FRED C. SCHULTE

May 17, 1995

Park City Municipal Corporation
445 Marsac Avenue
P.O. Box 1480
Park City, Utah 84060-1480

Attn: Kirsten A. Whetstone

RE: Lots 12 & 13, Sunnyside Subdivision, Park City, Utah

We own a portion of Lot 11, Sunnyside Subdivision and have an option to purchase the residence that exist on the remaining portion of Lot 11. This lot is adjacent to the referenced property.

Please be advised that we fully support Mr. Shoulders proposal to combine Lots 12 & 13 for the purpose of building a single residence on such. We will be unable to attend the May 25, 1995 meeting regarding this proposal and, thus, ask that our support be conveyed as appropriate.

If you have any further questions regarding our position, please don't hesitate to contact us at P.O. Box 3924, Park City, Utah 84060 or 801-649-5677.

Very truly yours,

Fred & Sue Schulte

fs95008

EXHIBIT C

21

Ordinance No. 95-

AN ORDINANCE APPROVING THE AMENDMENT TO THE SUNNYSIDE SUBDIVISION, LOTS 12 AND 13, LOCATED AT 630 MELLOW MOUNTAIN ROAD PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 12 and 13 of the Sunnyside Subdivision have petitioned the City Council for approval of an amendment to the Sunnyside Subdivision plat to be known as the Shoulders Subdivision; and

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

WHEREAS, the City Council held a public hearing on May 25, 1995 to receive input on the proposed amendment; and

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

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

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment to the Sunnyside Subdivision plat, Lots 12 and 13, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation the City Attorney and City Engineer shall review and approve the final plat.

2. Prior to building permit issuance the house plans shall be reviewed and approved for neighborhood compatibility by the Community Development Director.

3. All conditions of approval of the Sunnyside Subdivision shall remain in full force and effect.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Bradley A. Olch

Attest:

_____

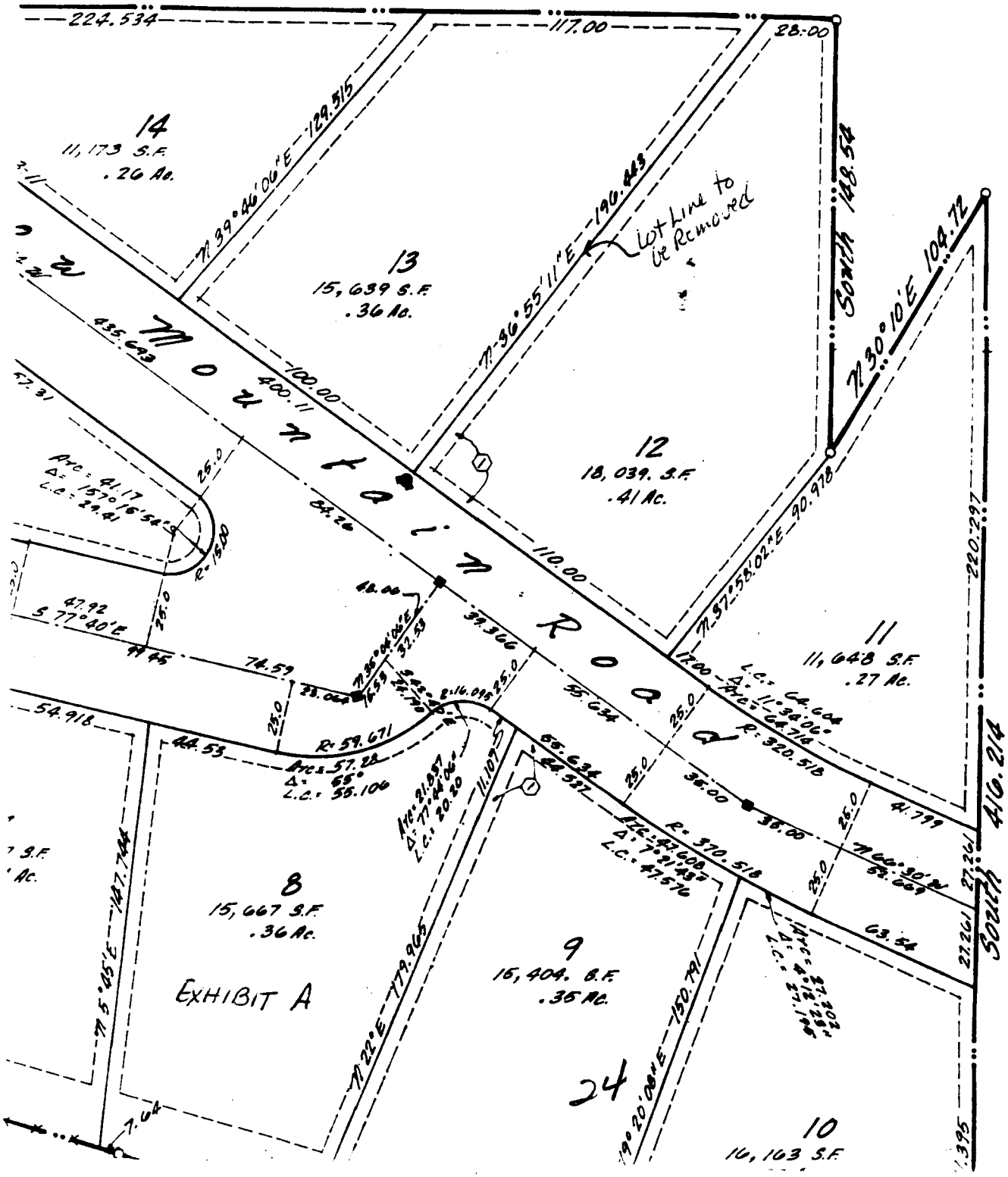
Janet M. Scott, Deputy City Recorder

Approved as to form:

_____

Mark D. Harrington, Assistant City Attorney

PRELIMINARY
PLAT SKETCH



PARK CITY
1884

CITY COUNCIL REPORT

DATE:	**May 25, 1995**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Christine Sapp**
TITLE:	**Plat Amendment to Lots 14 and 15, Block 58, of the amended Park City Survey**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS:

Adopt an ordinance amending the plat at 490 Ontario, Lots 14 and 15, Block 58 of the amended Park City Survey in order to combine a portion of Lot 15 with the adjacent Lot 14 to create a new lot.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	**William and Sally Grenney**
Proposal:	**Plat amendment for Lots 14 and 15, Block 58, Amended Park City Survey**
Zoning:	**Historic Residential, HR-1**
Adjacent Land Uses:	**Residential**
Date of Application:	**April 14, 1995**
Project Planner:	**Christine A. Sapp**
Recommendation:	**Approve with Conditions**

B. Background.

The applicants, William and Sally Grenney, own Lot 14 and the Southern half of Lot 15, located at 490 Ontario (see Exhibit A). By existing deed, ownership of Lot 15 is currently divided. One half is owned by William and Sally Grenney, owner of Lot 14, adjacent to the south, and one half belongs to the owner of Lot 16, adjacent to the north. All three lots currently have dimensions of 37.50' in width and 75' in length.

Property owners within 300' and within the affected plat were sent notice of this proposal. At this time, no concerns have been raised by the affected property owners.

C. Analysis.

If this subdivision amendment is approved, one single family house or duplex could be constructed on the newly created lot. The size of the structure (floor area ratio) and setbacks are determined from the size of the lot, according to requirements of the HR-1 zone. If this amendment is approved, the remaining Lot 15 will be reduced in size to a width of approximately 16.7', and will not meet requirements of the zone as a legal building lot. A house could not be built on the remaining Lot 15. Staff recommends that prior to any new construction on Lot 16 and the northern half of Lot 15, that a similar lot combination plat be submitted for approval.

This current request for a plat amendment is a request to formally combine, by a legal subdivision plat, an existing lot (Lot 14) with a portion of Lot 15 which has already been acquired by the applicant by deed.

Findings:

Staff supports this plat amendment as it creates a legal document to describe the acquisition of the property by deed. Staff finds that impacts to the City and surrounding neighborhood are not significant. There would be a reduction in density, as only two structures can be built on what were three building lots. Staff has reviewed the HR-1 requirements and finds that the size of house that would be allowed on the new Lot 14 would not be out of scale with houses in the surrounding area.

Conclusions of Law.

1. There is good cause for the amendment as the reconfiguration will allow construction of two instead of three structures on the three lots.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

D. **Department Review.**

The Community Development Department and City Attorney's Office have reviewed this proposal. There is a recommendation that Lot 16 and the remaining portion of Lot 15 be formally combined by a legal subdivision plat prior to any future construction on Lot 16.

ALTERNATIVES:

A. Deny the amendment to the amended Park City Survey plat, thereby retaining the original configuration of Lots 14, 15 and 16.

B. Approve the amendment to the amended Park City Survey plat and allow the new configuration of lots, with the southern half of Lot 15 combined with Lot 14 to create one lot.

C. Continue the item and request evaluation and recommendations from Staff.

SIGNIFICANT IMPACTS:

This proposed amendment to the existing amended Park City Survey plat will result in one lot larger than the standard "old town" lot. Because house size, floor area ratios, and setbacks are determined by the size of the lot, a larger home could be constructed on the new lot than could be constructed on Lot 14 as it is. This amendment will also result in one lot, 15, being smaller than the standard lot. Staff recommends that the remaining Lot 15 be formally combined with Lot 16, prior to any future construction on either of these lots.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the Council chooses not to approve the plat amendment as proposed, the applicant will retain the right to construct a house on Lot 14, according to the requirements of the zone.

RECOMMENDATION:

The Staff recommends that the Council select Alternative B and approve the proposed plat amendment subject to the following conditions:

1. **Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.**

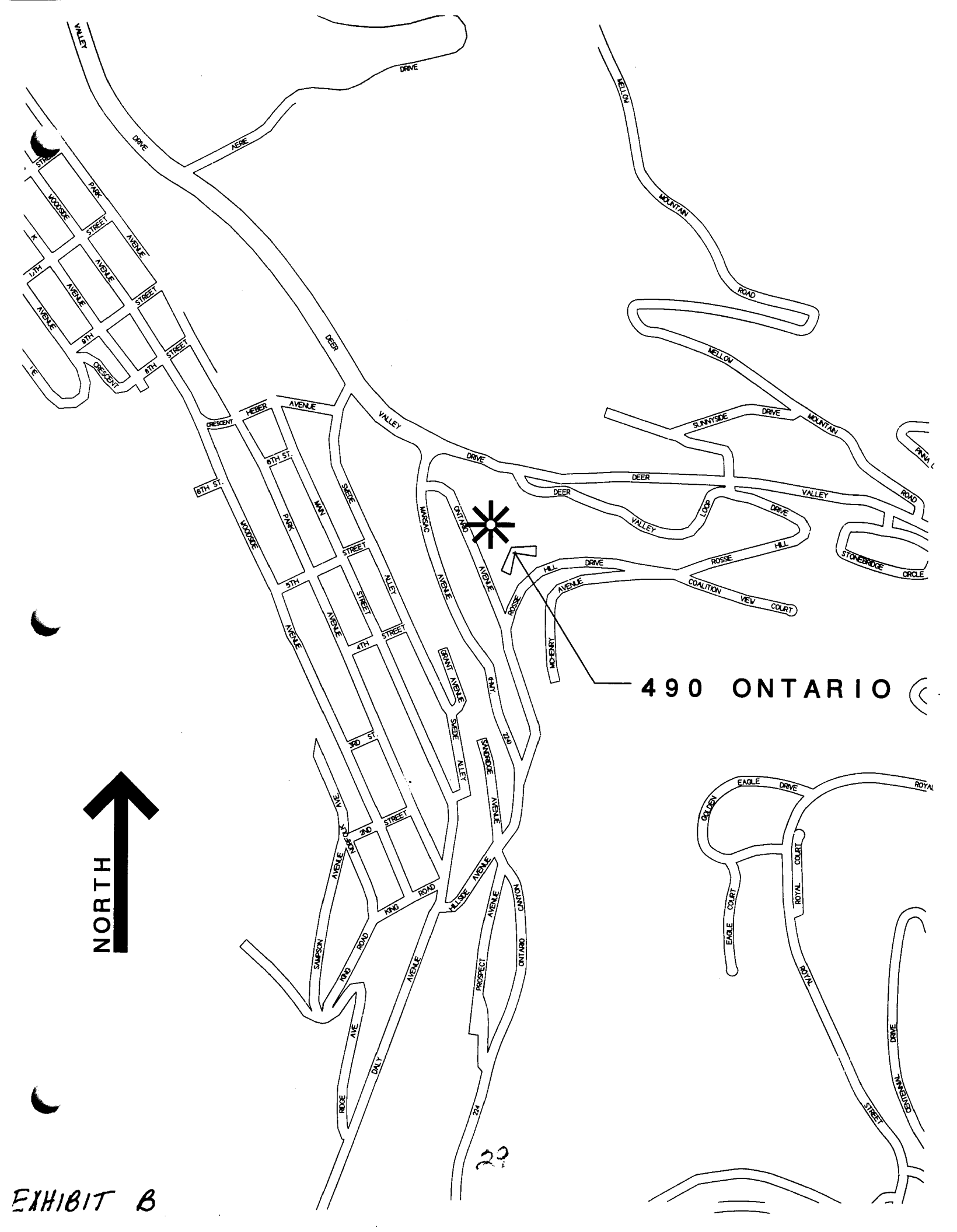
2. **An automatic fire sprinkler system shall be required and shall be shown on the plans prior to building permit issuance.**

3. **Shake roofing will not be permitted. Only fire resistant shingles, meeting the building Department's standards, shall be permitted.**

4. **Prior to building permit issuance, a construction staging plan shall be approved by the Building Department.**

EXHIBITS:

Exhibit A: Plat Map
Exhibit B: Project Location Map


490 ONTARIO
NORTH
VALLEY
DRIVE
AERIE
DEER
MELLON
MOUNTAIN
ROAD
SUNNYSIDE
DRIVE
VALLEY
LOOP
DRIVE
ROSSIE
HILL
STONEBRIDGE
CIRCLE
COALITION
VIEW
COURT
HILL
DRIVE
AVENUE
MCHENRY
ONTARIO
AVENUE
MAKSAC
AVENUE
ROSSIE
AVENUE
SWEDE
ALLEY
GRANT AVENUE
4TH
724
SANDRIDGE
AVENUE
HILLSIDE
AVENUE
CANYON
ONTARIO
PROSPECT
AVENUE
724
DALY
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RIDGE
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SAMPSON
ROAD
KING
ROAD
NORTON
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ALLEY
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MAN
PARK
WOODSIDE
6TH ST.
6TH ST.
HEBER
CRESCENT
AVENUE
8TH
STREET
9TH
AVENUE
STREET
AVENUE
11TH
AVENUE
STREET
PARK
WOODSIDE
DRIVE
EAGLE
DRIVE
GOLDEN
EAGLE
COURT
ROYAL
COURT
ROYAL
STREET
CENTENNIAL
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EXHIBIT B

Ordinance No. 95-

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK CITY SURVEY, LOTS 14 AND 15, BLOCK 58 LOCATED AT 490 ONTARIO AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Lots 14 and 15, Block 58 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey plat to be known as the Greeney Subdivision; and

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

WHEREAS, the City Council held a public hearing on May 25, 1995 to receive input on the proposed amendment; and

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

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

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, Lots 15 and 15, Block 58, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.

2. An automatic fire sprinkler system shall be required and shall be shown on the plans prior to building permit issuance.

3. Shake roofing will not be permitted. Only fire resistant shingles, meeting the building Department's standards, shall be permitted.

4. Prior to building permit issuance, a construction staging plan shall be approved by the Building Department.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Bradley A. Olch

Attest:

_____

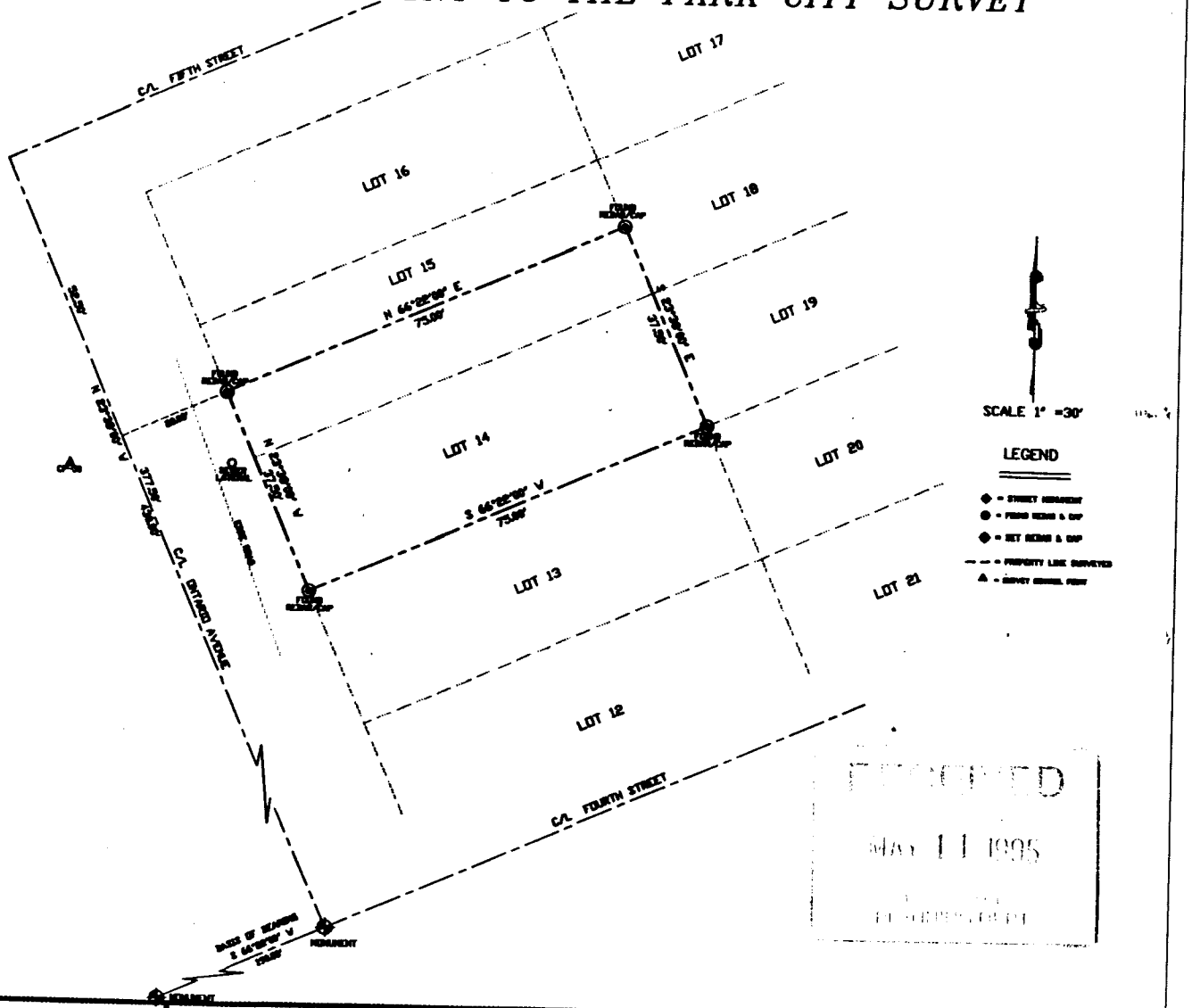
Janet M. Scott, Deputy City Recorder

Approved as to form:

_____

Mark D. Harrington, Assistant City Attorney

GRENNEY SUBDIVISION
BEING AN AMENDMENT TO THE PARK CITY SURVEY



RECEIVED
MAY 11 1995

SURVEYOR'S CERTIFICATE

I, _____ RICHARD K. JOHNSON _____ do hereby certify that I am a Registered Civil Engineer, and or Land Surveyor, and that I hold certificate No. _____ as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as _____ GRENNEY SUBDIVISION _____ AMENDMENT TO THE PARK CITY SURVEY _____ and that same has been correctly surveyed and staked on the ground as shown on this plat.

5-8-95
DATE

Richard K Johnson
REGISTERED LAND SURVEYOR

BOUNDARY DESCRIPTION

PROPERTY DESCRIPTION

ALL OF LOT 14 AND THE SOUTH ONE HALF OF LOT 15 BLOCK 50, OF THE PARK CITY SURVEY, ON FILE IN SUMMIT COUNTY.

SAID PROPERTY ALSO BEING DESCRIBED AS: BEGINNING AT THE SOUTH WEST CORNER OF LOT 14 BLOCK 50 OF THE PARK CITY SURVEY, ON FILE IN SUMMIT COUNTY, THENCE N 23°38'00" W 37.50 FEET; THENCE N 64°22'00" E 75.00 FEET; THENCE S 23°38'00" E 37.50 THENCE S 64°22'00" W 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.06 AC
2,812 SQ. FT.

OWNER'S DEDICATION

Know all men by these presents that _____ the _____ undersigned owner of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as the _____ GRENNEY SUBDIVISION _____ AMENDMENT TO THE PARK CITY SURVEY _____ do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof _____ have hereunto set _____ this _____ day of _____ A.D. 19__

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit :
Personally appeared before me this ___ day of _____ 19__ the following:

who acknowledged to me that ___he___ executed the above owners dedication.

MY COMMISSION EXPIRES _____
RESIDING IN _____
NOTARY PUBLIC

CONSENT TO RECORD

STATE OF UTAH
County of Summit :
The undersigned lien holder hereby consents to the recordation of the plat

By: _____
Authorized Officer

The foregoing consent to record was acknowledged before me this _____ day of _____ 19__ by _____

MY COMMISSION EXPIRES _____
RESIDING IN _____
NOTARY PUBLIC

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY COUNCIL APPROVAL	APPROVAL AS TO FORM	COUNTY RECORDER
					STATE OF UTAH COUNTY OF SUMMIT

EXHIBIT A

32

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: May 25, 1995
DEPARTMENT: Planning Department
AUTHOR: Stephen R. Call
TITLE: Plat Amendment - 310 Park Ave., West 50 feet of lots 31 and 32, Block 11, Park City Survey
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:
Staff recommends approval of the plat amendment removing the common lot line between the West 50 feet of adjacent lots 31 and 32 of Block 11, Park City Survey - 310 Park Ave.

DESCRIPTION:

A. Topic.

Plat amendment proposing removal of a common lot line between the West 50 feet of two existing lots - 31 and 32 of Block 11, Park City Survey - 310 Park Avenue. See EXHIBIT A - LOCATION MAP and EXHIBIT B - SITE PLAN.

B. Background.

Application for this plat amendment was submitted by the property owner, Thea Leonard. The owner has also submitted plans to build a single family residence with an accessory apartment on the proposed combined lots (the owner already owns the area in question by deed). State subdivision law currently prohibits building over a property line, therefore, the owner must first have the plat amended to remove the common lot line before building permits can be issued (subject, of course, to review by City staff and the Historic District Commission). The proposed accessory apartment is a conditional use and has been reviewed and approved by the Planning Commission on September 28, 1994.

The remaining portions of lots 31 and 32 are separately owned and remain unchanged by

this proposed action. As such, they continue to be undevelopable until combined with adjacent larger lots.

C. Analysis

Each lot is less than the 1875 SF minimum required for a single family residence in the HR-1 Zone (lot #31 is 1248.5 SF and lot #32 is 1359.5 SF). Structures could not be built upon the individual parcels without a variance from the Board of Adjustment. The owner wishes to combine the lots (2608 SF total) to build one single family residence with an accessory apartment.

If variances were granted, two homes could be constructed where one is presently proposed. The single house proposed is therefore a reduction of possible density. It should also be noted that for lots exceeding 50 feet in width, the sideyard setbacks must total 15 feet.

Findings:

Staff supports the lot combination and construction of one single family residence on the site. The relative density of one structure will be significantly less than two separate structures. The parking and infrastructure impacts related to one structure should also be significantly less than for two structures.

Even when combined, the total area of these lots will only allow one single family structure to be constructed.

Conclusions of Law:
1. There is good cause for the amendment because the lot combination will allow for the development of one structure instead of two and;
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

D. Department Review.

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

ALTERNATIVES

A. Approve the plat amendment removing the common lot line between the two lots.
B. Deny the plat amendment request.
C. Continue the item for further discussion and input.

SIGNIFICANT IMPACTS:

Alternative A: This alternative would effectively combine both lots, creating one lot of 2608 square feet in size, large enough for a single family residence (1875 sq. ft. min.) yet too small for a duplex (3750 sq. ft. min. required).

Alternative B: This alternative would require the owner to apply for a variance from the minimum lot size requirement for the Zone and redesign a structure to fit within one or both of the two substandard lots as presently platted. Potentially, both lots could be developed in this manner, dependent upon variances granted by the Board of Adjustments.

Alternative C: Defers action to a later date.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The owner would be required to redesign her home and obtain a variance from minimum lot size requirements to develop either or both lots.

PUBLIC COMMENTS:

As of March 14, 1995, we have received phone calls from property owners with the following concerns:

Susan Sheldon, 263 Park Avenue: Ms Sheldon is opposed to the lot combination because it will allow a larger home to be built which is out of scale with smaller historic homes in the area.

Response: While it is true that a house on these combined lots can be larger than one on a standard 25' x 75' old town lot, the total additional floor area allowed is only approximately 220 square feet. Though the added width of the combined lots will allow a wider home, this is not totally out of character with other structures in the area.

RECOMMENDATION:

Approve the request for a plat amendment removing the common lot line between the West 50 feet of lots 31 and 32 of Block 11, Park City Survey, addressed as 310 Park Avenue subject to the following condition:

1. **Prior to plat recordation, the City Attorney, and City Engineer shall have reviewed and approved the final plat.**

2. **The plat must be recorded prior to any occupancy permit being issued for a structure on this newly created lot.**

EXHIBITS:

EXHIBIT A - Location Map
EXHIBIT B - Site Plan
EXHIBIT C - Ordinance and attached plat

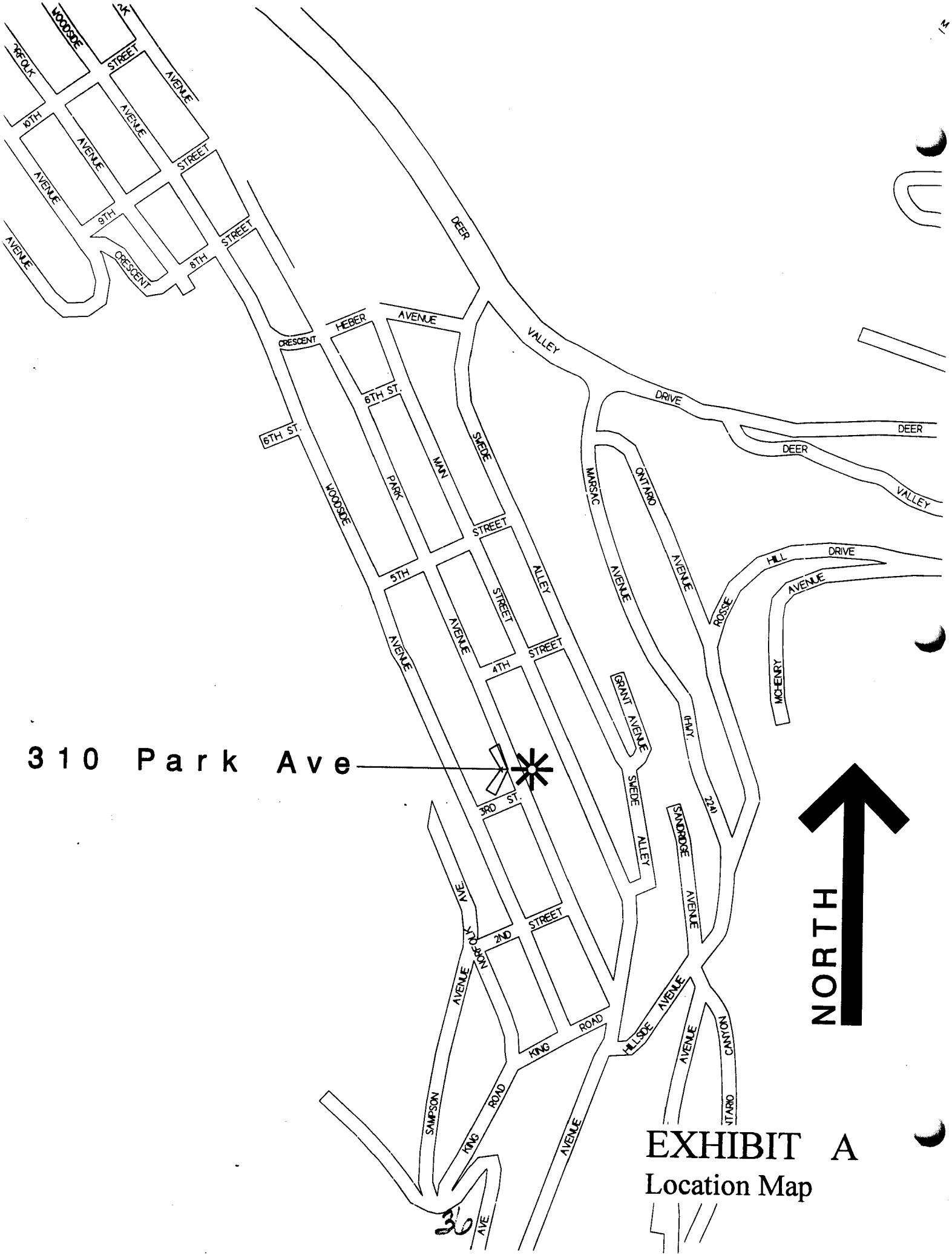
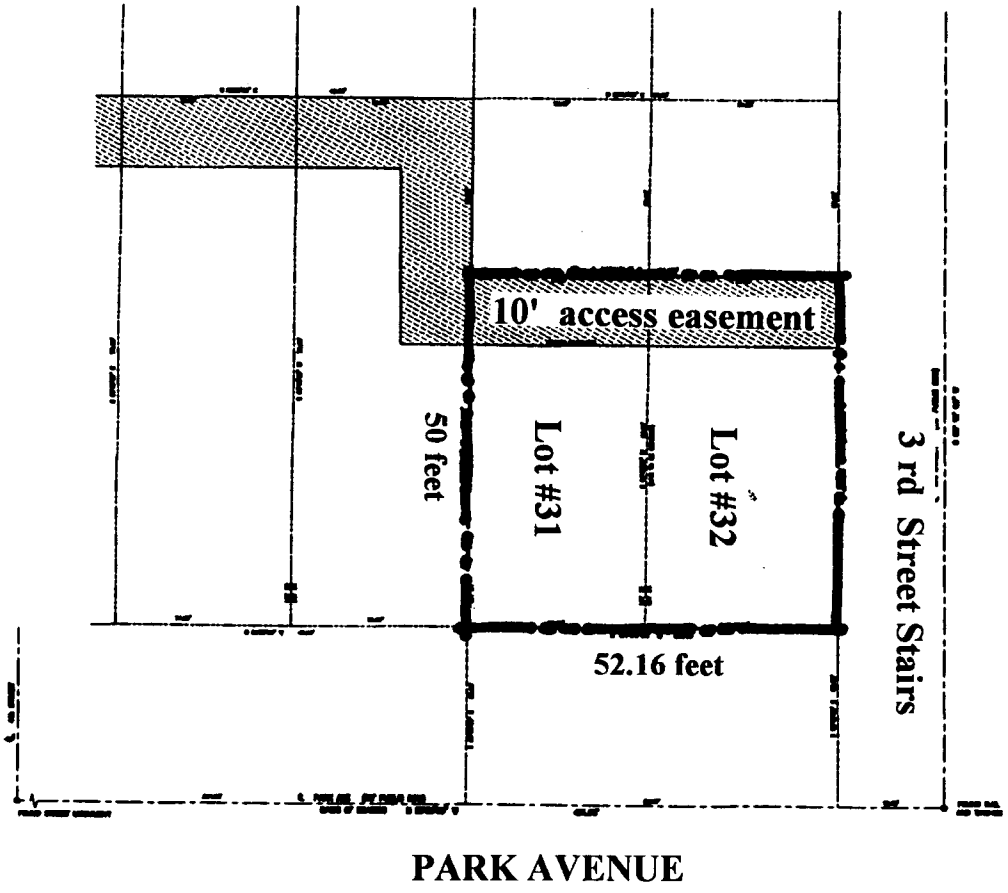

310 Park Ave
NORTH
WOODSIDE
STREET
AVENUE
10TH
9TH
8TH
CRESCENT
DEER
VALLEY
DRIVE
HEBER
6TH ST.
PARK
MAIN
SMEDE
ALLEY
5TH
4TH
3RD ST.
2ND
MARSAC
ONTARIO
GRANT AVENUE
SMEDE ALLEY
SANDRIDGE
HWY. 224
ROSSIE
HILL
MCHENRY
NORFOLK
KING ROAD
SAMPSON
HILLSIDE
CANYON
EXHIBIT A
Location Map

EXHIBIT B

Site Plan



NOTES

1. ● = Rebar/iron iron rod and cap LS #163639
2. The street address of "THE LEONARD PARCEL" is _____ Park Avenue.

SURVEYORS CERTIFICATE

LEGAL DESCRIPTION

OWNERS DEDICATION AND CONSENT TO RECORD

ACKNOWLEDGEMENT

THE LEONARD PARCEL

A LOT LINE RE-PLATTING
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE PARK
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 333 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 1996 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 1996 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 1996 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 1996 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER _____

PAGE 1 OF 1

JOB NO. 14-02-06 FILE T:\SUR\PCR\146206

Ordinance No. 95-___

AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK CITY SURVEY, THE WEST 50 FEET OF LOTS 31 AND 32, BLOCK 11 LOCATED AT 310 PARK AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the property known as the West 50 feet of Lots 31 and 32, Block 11 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey plat; and

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

WHEREAS, the City Council held a public hearing on May 25, 1995 to receive input on the proposed amendment; and

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

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

SECTION 1. FINDINGS AND CONCLUSIONS OF LAW.

Findings: The relative density of one structure will be significantly less than two separate structures. The parking and infrastructure impacts related to one structure should also be significantly less than for two structures.

Even when combined, the total area of these lots will only allow one single family structure to be constructed.

Conclusions of Law: The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, the West 50 feet of Lots 31 and 32, Block 11, is approved as shown on Attachment A with the following condition:

1. **Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.**

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

EXHIBIT C
Ordinance and Plat

PASSED AND ADOPTED this 25th day of May, 1995.

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Bradley A. Olch

Attest:

_____

Janet M. Scott, Deputy City Recorder

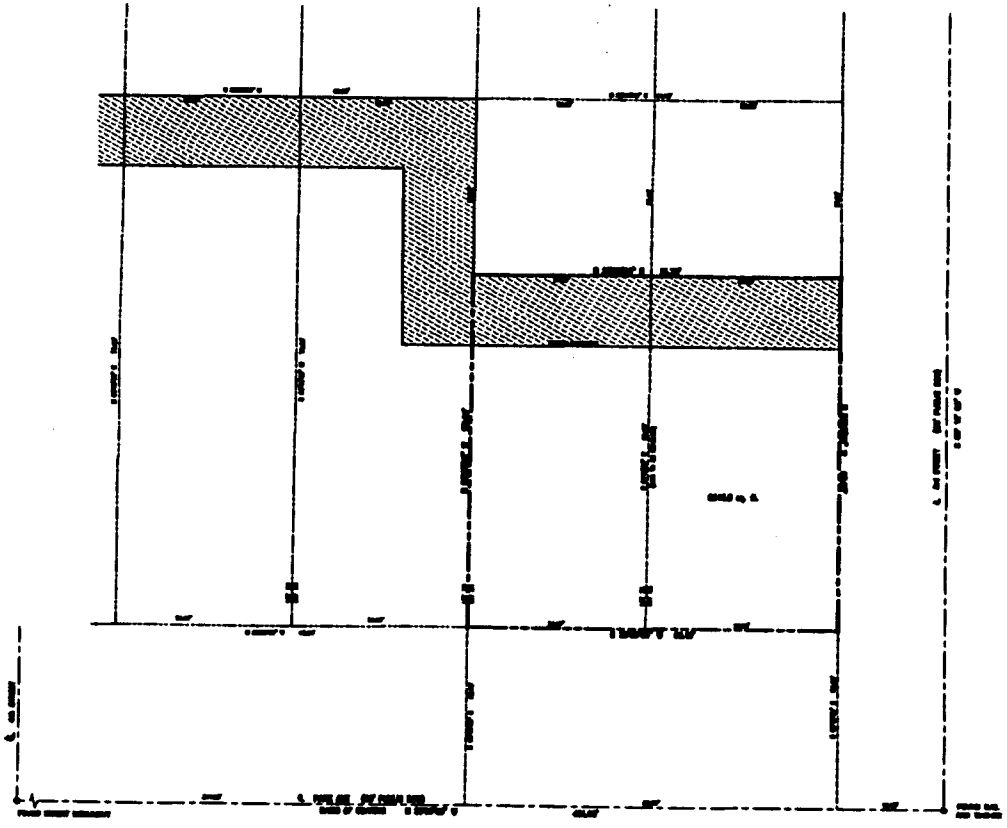
Approved as to form:

_____

Mark D. Harrington, Asst. City Attorney

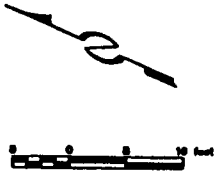
ATTACHMENT A

Plat



NOTE

1. ● = Boulder iron rod and cap LS #163539
2. The street address of "THE LEONARD PARCEL" is _____ Park Avenue.



SURVEYORS CERTIFICATE

I, John Bambenek, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 163539, as prescribed under the laws of the State of Utah; I further certify that by the authority of the owner I have made a survey of the tract of land shown on this plat and described herein and have subdivided said tract of land to be hereafter known as THE LEONARD PARCEL, and that same has been correctly surveyed and staked on the ground as shown on this plat.

_____ John Bambenek L.S. # 163539 _____ Date

LEGAL DESCRIPTION

The West 50 feet of Lots 31 & 32, Block 11, Park City Survey, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah.

OWNERS DEDICATION AND CONSENT TO RECORD

Know all men by these presents that by virtue of a resolution of the Management Committee of 300 Park Ave., L.C., a Utah limited liability company, owner of the tract of land described as follows:

The West 50 FEET of Lots 31 and 32, Block 11, Park City Survey according to the official plat thereof on file and of record in the Summit County Recorder's Office.

It hereby certifies that it caused this survey to be made and this Record of Survey map to be prepared. The Management Committee of 300 Park Ave., L.C. hereby further grants the easements as indicated and noted herein and consents, on behalf of the limited liability company, to the recordation of this Record of Survey Map.

300 PARK AVE., L.C.

By _____
Steve Leonard
Managing Member

ACKNOWLEDGEMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 1999 personally appeared before me, the undersigned Notary Public in and for said state and county, STEVE LEONARD, being by me duly sworn, acknowledged to me that (s)he is the owner of the herein described tract of land and that (s)he signed the above Owners Consent to Record freely and voluntarily.

_____ Notary Public

My Commission Expires _____
Residing at: _____

THE LEONARD PARCEL

A LOT LINE RE-PLATTING

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

JOB NO. 14-00-00 FILE T:\SRV\PCP\140200

ALLIANCE ENGINEERING INC.	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 333 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 1999 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 1999 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 1999 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 1999 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ _____ FEE _____ RECORDER

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: April 21, 1995
DEPARTMENT: Legal
AUTHOR: Anita Sheldon
TITLE: City Recorder
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Pass and Adopt an ordinance amending Title 9, "Parking Code" to include parking restrictions on newly built 7th and 9th Streets and adding language describing the Historic District parking sign colors.

DESCRIPTION:

A. Topic: An ordinance amending Title 9 of the Municipal Code.

B. Background: With the addition of newly built 7th and 9th Streets, it has become necessary to amend Title 9-4-1(C) of the Parking Code so that it is consistent with the Parking and Circulation Plan for Main Street and Swede Alley adopted by Resolution No. 19-93. Also, as a housekeeping issue, Title 9-6-2(A) describes parking regulation signs throughout the City and the colors of those signs have recently been changed in the Historic District.

C. Analysis: Resolution 19-93 (Parking and Circulation Plan for Main Street and Swede Alley) was passed on August 5, 1993, and was designed to help alleviate parking problems in the Main Street/Swede Alley area. In order to conform to this Resolution, 7th Street and 9th Street have been designated as part of the Main Street/Swede Alley plan and regulations on these two streets should be consistent with the plan.

D. Department Review: This Ordinance has been reviewed by the Legal Department, Police Department and Public Works Department.

ALTERNATIVES:

A. Approve the request:

B. Deny the request: The inconsistencies between the Code and the Parking and Circulation Plan for Main Street and Swede Alley cause many problems for the parking enforcement officers and the parking appeals committee, as well as the citizens who park in this area.

C. Continue the Item:

D. Do nothing:

SIGNIFICANT IMPACTS:

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: It will become increasingly difficult for the circulation plan and parking enforcement to be effective in the area if inconsistencies continue.

RECOMMENDATION: Pass and Adopt the Ordinance amending Title 9, "Parking Code".

ORDINANCE 95-___

AN ORDINANCE AMENDING TITLE 9, "PARKING CODE" TO INCLUDE PARKING RESTRICTIONS ON NEWLY BUILT SEVENTH AND NINTH STREETS AND ADDING LANGUAGE DESCRIBING THE HISTORIC DISTRICT PARKING SIGN COLORS

WHEREAS, the City Council is empowered to make amendments to the Municipal Code of Park City, Utah; and

WHEREAS, the health and safety of residents and visitors is an important consideration of the City Council; and

WHEREAS, the City Council finds it in the best interest of the public to amend the Municipal Code so that it is consistent with the Parking and Circulation Plan for Main Street and Swede Alley adopted by Resolution No. 19-93 on August 5, 1993,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF PARK CITY, UTAH, AS FOLLOWS:

SECTION 1. Title 9-4-1(C) is hereby amended as follows:

(C) It shall be unlawful to park any vehicle on Park Avenue between 12th Street and Heber Avenue, on Heber Avenue, 7th Street, 9th Street or Main Street between the hours of 2:00 a.m. and 6:00 a.m. during the winter months. Additional streets may be designated as no parking areas during these periods as necessary to facilitate snow removal.

SECTION 2. Title 9-6-2(A) is hereby amended as follows:

(A) Signs pertaining to a permanent parking regulation shall be blue with white lettering in the Historic District and white with ~~and~~ red lettering in all other areas, and shall state the nature of the regulations on the face of the sign. Signs shall be erected ~~with~~ in sufficient number to adequately inform the public of the parking regulation.

SECTION 3. This Ordinance shall take effect upon its publication.

PASSED AND ADOPTED this ____ day of _____, 1995.

PARK CITY MUNICIPAL CORPORATION

_____
BRADLEY A. OLCH, MAYOR

ATTEST:

_____
ANITA L. SHELDON, CITY RECORDER