PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 29, 1999

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, April 29, 1999.

AGENDA

Work Session - City Council Chambers - Lower Level

3:00 p.m.- 4:00 p.m. Capital Improvement Projects (CIP) Budget
4:00 p.m.- 5:30 p.m. Review of regular meeting:

- Assignment of Wyoming Woolens Lease to Jans, 524 Main
- Deer Crest Settlement Agreement Amendment
- Sale of City Property to UDOT and Consideration of Agreement with UDOT relating to the improvement of S.R. 248

5:30 p.m.- 6:00 p.m. Council questions/comments

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Swearing in of new police officer - Ellis Maxwell

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV NEW BUSINESS

1. Sale of City Property to UDOT and Consideration of Agreement with UDOT relating to the improvement of S.R. 248

2. Bond Parameters Resolution - 1999 Water Revenue Refunding Bonds

   Resolution No. 99-
   A Resolution Authorizing the Issuance and Confirming the Sale of Not More Than $5,300,000 Aggregate Principal Amount of Water Revenue Refunding Bonds of Park City, Summit County, Utah, Fixing the Maximum Aggregate Principal Amount of the Bonds, the Maximum Number of Years Over Which the Bonds May Mature, the Maximum Interest Rate Which the Bonds May Bear and the Maximum Discount From Par At Which the Bonds May Be Sold; Authorizing Publication of a Notice of Bonds to Be Issued; and Related Matters

3. Award of Contract for Woodside construction to Geneva Rock Products, Inc. in the amount of $2,590,918.60

4. Deer Crest Settlement Agreement Amendment, Roosevelt Gap/Snow Park Hotel project (aka Deer Crest Grande Lodge)

5. Professional Services Contract change order with Von Visions Architecture & Planning for an amount not to exceed $20,000 ($40,000 total)

6. Assignment of Wyoming Woolens Lease to Jans, 524 Main

V PUBLIC HEARINGS

1. Capital Improvement Projects (CIP) Budget

2. 802 Norfolk Avenue plat amendment

3. 1800 Snowcreek Crossing - Lot 9a Subdivision plat and design review (Post Office)

4. Land Management Code (LMC) Phase I

VI CONSENT AGENDA

1. An Ordinance Approving the Plat Amendment to Lot 20, 21, and 22, Block 11, Snyder's Addition to the Park City Survey, Located at 802 Norfolk Avenue, Park City, Utah

2. An Ordinance Approving an Amendment to the Snowcreek Subdivision Plat, Lot 9, to Create Lot 9A at 1800 Snowcreek Drive, Park City, Utah

VII ADJOURNMENT To the Municipal Building Authority meeting, immediately following this meeting.

Posted: 4/26/99 see parkcity2002.org

PARK CITY
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PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
APRIL 29, 1999

Present: **Mayor Brad Olch, Councilmembers Hugh Daniels, Shauna Kerr, Chuck Klingenstein, and Paul Sincock**

Toby Ross, City Manager; Patrick Putt, Planning and Zoning Administrator; Tom Bakaly, CIP/Budget Manager; Eric DeHaan, City Engineer; Megan Ryan, Senior Planner; Carol Simmons, Library Director; Bob Stephens, Administrative Services Manager

Caron Keim, Vice President and Controller of Jans
John Anderson, UDOT S.R. 248 Project Manager, and Michael Hegarty, P.E., representing Michael Baker Jr., Inc.

Absent: **Councilmember Roger Harlan**

1. **Capital Improvement Projects (CIP) Budget.** CIP Manager Bakaly presented the staff report and Alternative Matrix outlining characteristics and staff prioritization of projects for the proposed five year CIP program budget; stated the purpose of this meeting was to begin obtaining Council direction on the prioritization and provide an opportunity for public input, which information will be used to formulate a balanced Capital and Operating Budget for presentation on May 13; reported the total necessary for funding all of the projects is approximately $108 million and the City does not have this amount or the staffing resources available, projects listed under Alternatives 1 through 4 total approximately $65 million and are within the budget, however, doing all of these projects would not allow for operating budget flexibility.

Councilmember Daniels noted significant impacts identified in the report shows funding through Alternative 4 requires a significant transfer from the General Fund in 1999; Councilmember Klingenstein commented there is traditionally excess funds left over which allows the City a fair amount of confidence for sufficient capital program funding. City Manager Ross reported this will be a tight budget and traditional end of year surpluses will not be available. Councilmembers concurred prioritizations should be ultimately determined with public health, safety and welfare projects ranking first.

CIP Manager Bakaly explained criteria utilized in formulating the matrix staff prioritization recommendations; noted projects already underway and funded ranked high, some projects show up in more than one alternative due to phasing, there is the ability to make annual adjustments. Council requested staff identify projects committed by Council action. Manager Bakaly noted a portion of

CIP project funding comes from grants or specific revenues; identified projects with commitments as follows :

Alternative 1 Projects Committed - Debt, Equipment Replacement, Special Revenues, Maintenance, Water Projects, Transit Coaches (grant 80%; transportation fund vehicle replacement 20%), Open Space Acquisition (public approved), Library Donations Expenditures, City Wide Signage Program Phase 1 (RDA funds), Swede Alley Pocket Park (out for bid), Sandridge Parking Lot (going to bid)

Alternative 2 Projects Committed - Pavement Management and Implementation, Historical Incentive Grants ($658,000 committed project balance, remainder uncommitted), City Farm Phase 1 (under contract), Fiber Optics (approved, staff to verify if under contract), Office Space Phase 1 (portion tied up contractually, $200,000 uncommitted), Trails Master Plan Implementation (going to bid; portion grant funded; $400,000 uncommitted), Downtown Revitalization Phase 1 (portion under contract; Main St. RDA funds), Computer Mapping ($18,000 grant funds; $50,000 uncommitted)

Alternative 3 Projects Committed - Old Town Stairs ($100,000 under contract), Refurbish Bus Barn, Old Town Transit Center (large portion from grant, property interest), Woodside (before Council for approval on this agenda)

Manager Bakaly requested Council consideration of approving City Farm Phase 2 (site-work, landscaping) at this time as a funded alternative; stated staff would like to proceed with this phase by amending the existing contract with Gardner & Boswell Construction, Inc. in the amount of $300,000. Director Johnston explained that the purpose of going forth with Phase 2 at this time is because the contractor is currently on site and it is logical to continue and finish what has been started.

Alternative 4 Projects Committed: Water Source Storage and Delivery Phase 2 (Impact Fees); Downtown Revitalization (small portion committed to contracts); 800 MHZ Radio; Prospector Entry Corridor (Impact Fees); bus washer (grant funds available for half); Emergency Generator (Y2K backup)

Library Director Simmons clarified the request for Library Software includes software for staff cataloging, circulation, data entry, also software for patron stations and internet access; grant funds are available for half the cost ($75,000), remainder from city funds over a two year period.

Alternatives 5 and 6: CIP Manager Bakaly reported impact fees were planned to fund Public Safety Building project; some funds coming in for Affordable Housing; $75,000 contributed by Post Office for Snowcreek Signal; other impact fee projects out in the future, no other committed contracts.

Councilmember Klingenstein requested future reports list project numbers numerically in order to find descriptions easier. Councilmember Sincock requested display of funding source breakdown in the matrix for each project.

Line Item Discussion: Council reviewed and confirmed each projects purpose and funding source. Requested renaming of Special Revenues to Special Revenue Commitment. Landscape Designer Allison Costello provided information concerning the Hillside Trail and Administrative Services Manager Stephens presented GIS project information.

2. Review of regular meeting.

Assignment of Wyoming Woolens Lease to Jans, 524 Main Street. Councilmember Daniels noted $25/sq. ft. appears low; Councilmembers and staff discussed appropriate sq. ft. amount as it appeared Main Street leases range from $20/sq. ft. to $60/sq. ft. Councilmember Kerr pointed out every lease involving City-owned property entered into the past few years included provision that the space may or may not be excess to the City's needs for the Olympics and tenants are on the alert they may need to vacate the premises for the time of the Olympics. City Manager Ross reported Jans has offered to pay the City $25,000 for use of that space during the month of the Olympics or in the event they do not elect to do would give the City nine months notice. Councilmember Klingenstein reported the Historical District/Museum is also interested in expanding into the space by applying for additional grant funds and the attorney upstairs has expressed interest in expanding and paying more rent; Councilmember Daniels noted there are limited grant funds.

Caron Keim, Vice President/Controller of Jans, pointed out the space is currently vacant and to get a tenant for 18 to19 months would be very difficult; stated Jans on Main Street would be important to the community as it is an established business and its management skills would be a great contribution to the Main Street Association; explained $25/sq. ft. was determined as it was an increase from the original $22/sq. ft. lease, also pointed out the lease includes 1 to 2 percent of revenues donated to local charitable organizations similar to the original lease; confirmed Jans would not be interested in an 18 to19 month assignment.

Deer Crest Settlement Agreement Amendment. Planning and Zoning Administrator Patrick Putt presented an overview of Deer Crest's request to consider amendment of the Deer Crest Settlement Agreement to allow the Planning Commission to consider transfer or increase of residential units equivalents for the Roosevelt Gap/Snow Park project also known as the Deer Crest Grand Lodge; noted at this point it appears the plan for the Roosevelt Gap portion of the project exceeds the permitted unit equivalents of 105 by approximately 12 unit equivalents, the Snow Park portion is proposed for 35 unit equivalents, the applicant has expressed intent to explore transfer of units from elsewhere on the project, or possibly Deer Valley.

Tom Ellison, representing Deer Crest, stated Deer Crest did not realize potential amendments could not be brought through a Planning Commission process because the development agreement as interpreted by the City Attorney states Deer Crest is legally bound to only apply for what was allowed and specified in the agreement. Clarified: 1) current project design plans are non-complying in that they include an additional 12 unit equivalents and 50 additional day-use only parking spaces; and 2) additional unit equivalents are required because the proposed units are designed with increased sq. footage in the bathroom and room circulation areas, not due to an increase in quantity of units; stated Deer Crest intends to propose an acquisition or transfer from Deer Valley or somewhere in the project.

In response to Council inquiries, Mr. Ellison stated some units approach 2500 sq. ft and are 3 bedroom suites sold as a condominiums with lockout rooms, hotel rooms are 500-650 sq. ft., the hotel is designed in such a way that you would not be able to differentiate which rooms are suites and which are standard hotel rooms from the halls; the objective is to have a sufficient project that generates transient room tax; 20 single family lots are located in city limits, there are 83 unit equivalents at Deer Hollow and 130 unit equivalents at Roosevelt Gap/Snow Park with 10 discretionary units provided for in the settlement agreement at Snow Park that would make a total of 140 units, the ski academy has moved to the Jordanelle Village as part of the 1996 settlement agreement amendment, there are 5% commercial space allowances at each of the two sites.

Councilmember Kerr noted she will only entertain transfer from within the project, not Deer Valley units; strongly recommended negotiating for more than a 1 for 1 unit exchange to further allay traffic impacts and offset the additional request for 50 parking spaces and use of Keetley Road.

Mr. Ellison pointed out the unequal situation concerning county and Park City units and requested Council not determine a unit formula; stated in regard to the additional parking spaces the applicant understands as a condition it must again demonstrate there is no adverse traffic impact on Keetley Road, noted a detailed transportation plan for the project will be completed soon and submitted for staff review; confirmed the applicant is requesting Council permission to submit the density issue to the Planning Commission for consideration, stated Deer Crest is essentially trying to get Park City a 5-Star hotel and is running up against constraints in the LMC structure. Councilmember Kerr pointed out that the Ritz Carlton traditional room size is 600-700 sq. ft., the Ritz in San Francisco has 500 sq. ft. rooms, so five star hotels can have smaller rooms and bathrooms. Councilmember Daniels emphasized the LMC sets unit size at 2000 sq. ft., and it makes no difference that Deer Crest is getting 2500 sq. ft. somewhere else. Mr. Ellison responded that is a core planning issue the applicant hoped to get some Planning Commission input on.

Councilmember Klingenstein inquired if there is a height component as part of the density issue. Mr. Ellison responded staff has advised standard Planning Commission height exception policies and processes apply to height constraints in the project and the applicant could apply for a height variation.

Council discussed alternatives; concurred importance of balancing related sales tax, transient room tax and real property tax components to ensure there is no loss; requested staff provide copy of the agreement and draft language for review.

Sale of City Property to UDOT and Consideration of Agreement with UDOT relating to the improvement of S.R. 248. City Engineer Eric DeHaan presented the staff report and recommendation; and introduced John Anderson, UDOT S.R. 248 Project Manager, and Michael Hegarty, P.E., representing Michael Baker Jr., Inc., UDOT consultant for environmental assessment and design of the S.R. 248 improvement; presented information pertaining to the following S.R.248 related issues for discussion and consideration:

- UDOT's offer ($383,000,~~000)~~ to the Municipal Building Authority (MBA)/Park City Municipal Corporation for Parcel Nos. 1,3,4,5,8,9,9B,10 & 11 (6.674 total acres) for the right-of-way necessary for S.R. 248 widening;
- Formal defining of Prospector Park boundaries to ensure lands taken for the project are not park lands which violates a section of the Federal Funding Regulations;
- Undergrounding of UP&L's overhead power lines (cost to PCMC $252,641 and UDOT $110,259); recommendation to channel portion of funds received from the UDOT property purchase to UP&L to facilitate undergrounding of the overhead power lines currently running between Comstock and U.S. 40.
- Relinquishment of city's leasehold interest in the BLM parcel that would be acquired by UDOT

John Anderson presented a project overview and noted the following:
- accident history has increased since 1997, primarily due to the substandard nature of the road e.g. some places with no shoulder, substantial drop-offs;
- to address safety concerns associated with the widening, a traffic signal will be installed for school/pedestrian crossing at Comstock, the speed limit will be decreased, and planter median installed as a traffic calming component;
- to accommodate bicyclists, a box culvert will be constructed under S.R. 248 which can be connected to trail;
- drainage facilities will be resolved;
- aesthetic treatments have been determined by the aesthetics and landscape committee.

Mike Hegarty reported project details as follows:

- public comments received concerned with width of the road resulted in elimination of two feet from each shoulder, tightening up as much as possible on the mountainside, and pulling further away from the wetlands;
- closest point of road to Silver Creek wetlands will be six feet at location of the wall which was coordinated with the Corp. of Engineers, and zero impact to the wetlands;

- three tiered speed limits signs slowing traffic coming into Park City, 50 mph posting on Summit County portion, 35 mph coming into Park City and continuing to Hwy 224 (reduction from current 40 mph);
- mechanically stabilized earth wall system (18" wide) to be constructed adjacent the wetlands includes eight inch thick concrete panels with straps placed under soil weight eliminates a wide footing, has least impact to vicinity, life expectancy 50 years;
- aesthetics and landscape committee created composed of staff, community members developed plans for planting of cottonwoods and willows in front of wetlands wall; Councilmembers suggested wall be stamped with pattern or river rock; Planner Robinson reported planned vegetation is fast growing especially in such a wet environment;
- traffic signal specified to be in place by August 15 prior to start of school year;
- right turn lane will be added to north side of Comstock adjacent school;
- 18" wide rumble strips inside striped lanes;
- staged construction, two directional lanes open at all times except for three week period during construction at tight part of mountain with a flagman handling one lane of traffic;
- grid composed of rustic brown colored rock bolts will hold mountainside 15 ft. high by 200 ft. wide, bolts should blend into the mountainside;

Mr. Hegarty stated public involvement and information has been extensive, design is near completion, down to right-of-way issues and paperwork stage. Reported construction is scheduled to begin this summer to complete half of the project that includes retaining wall, drainage ditch and pipe, noted traffic will run on existing road through the winter; construction of new road and final components will begin the following spring with completion late summer, planter box median will be final component. Councilmember Klingenstein requested construction area be cleared as much as possible before the winter shut down as it is the City's second most important entry corridor. Councilmember Sincock inquired regarding possibility of remnant fractions of parcels City would sell to UDOT be deeded back to Park City as additional consideration. John Anderson responded as UDOT is using 93% federal funding that question cannot be addressed until the project is complete/accepted, then a declaration by the agency that it is surplus property can be prepared; stated he does not have a philosophical problem with doing that.

Von Visions Professional Services Contract Change Order. Councilmember Sincock inquired what the work was for additional amount; Councilmember Kerr concurred stating the change order needs to be amended to specify additional work. CIP/Budget Manager Bakaly responded the change order extends the existing contract to allow completion of the design for Miners Park and preparation of the construction documents so that project can be bid at the same time as the Main Street bulb-out.

3. **Council questions/comments.** Deferred.

Prepared by Cindy LoPiccolo, Legal Assistant

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PARK CITY COUNCIL MINUTES
SUMMIT COUNTY, UTAH
APRIL 29, 1999

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, April 29, 1999. Councilmembers in attendance were Hugh Daniels, Paul Sincock, Shauna Kerr, and Chuck Klingenstein. Councilmember Roger Harlan was absent.

Staff present were Toby Ross, City Manager; Lloyd Evans, Police Chief; Rick Lewis, Planning Director; Patrick Putt, Planning and Zoning Administrator; Frank Bell, Olympic Coordinator; Tom Bakaly, CIP/Budget Manager; Eric DeHaan, City Engineer.

PUBLIC INPUT

Sheila Haloff-Berry, Rugged Elegance/Main Street Merchants, reported the end of September would be the best time for Main Street resurfacing; requested July-August Heber Avenue closure between Park Avenue and Main Street be reopened if the idea does not work. Council responded if the Historic District Task Force concept goes forward following public process, it will be achieved using removable concrete barriers/flower boxes etc. and results will be monitored.

Sam McCracken, Mayor's Youth Council Director, invited Council and community to black tie Main Street Masquerade Ball, scheduled for May 15, 6:30 p.m., a fund raising event for a new Teen Center; reported the Youth Council is involved with a community ropes course and upcoming cultural fair at the High School.

Tom Clyde, expressed opinion the S.R. 248 project was a major land rape, beyond what is appropriate or needed, acknowledged road will be faster, however, unsure if it will be safer; stated the box culvert connecting Rail Trail and Round Valley Trail is a great idea; requested a narrow and/or straight rumble bar installed to assist cyclists and a scaled back road plan.

Swearing in of new Police Officer - Ellis Maxwell

Chief Evans introduced new Officer Ellis Maxwell; Mayor Olch conducted the Oath of Office and Police Officer Ellis Maxwell was welcomed by the Mayor, Councilmembers and staff.

COMMUNICATIONS FROM COUNCIL AND STAFF

Councilmember Kerr announced the Summit County Democratic Party extends an invitation to City officials and citizens to meet Donald Dunn, a potential candidate running against Chris Cannon, at the Miners Hospital, Friday, May 14, 9:30-10:30 a.m.

Mayor Olch requested remembrance of Eleanor Bennett, past Councilmember and great Park City champion, who recently passed away.

Councilmember Klingenstein inquired if mobile radar unit provides data/printout that can be used to evaluate and strategically target the peaks and flows of traffic; Chief Evans responded the unit has a computer which statistically analyzes cars per hour and speeds pursuant to set parameters, can also count vehicles if the pressure hose is laid across the road, this information helps determine what streets to pay the most attention to.

Councilmember Sincock congratulated the golf department alluding to Tribune article ranking the course the fourth best municipal course in the state; reported he attended this mornings Olympic Cultural Arts Task Force meeting, the task force is planning a multitude of events the year before the Olympics with all school districts involved and a lot of citizen participation.

NEW BUSINESS

1. **Sale of City Property to UDOT and Consideration of Agreement with UDOT Relating to the Improvement of S.R. 248**. (also see Work Session Notes)

   City Engineer DeHaan noted the project was discussed at length during the Work Session, pointed out the road would be two lanes narrower than Hwy 224, responded to Council inquiry concerning accident history, and presented necessary action components for consideration.

   Motion by Councilmember Kerr to:
   1) Accept UDOT's offer ($383,000~~,000~~) to the Municipal Building Authority (MBA)/Park City Municipal Corporation for Parcel Nos. 1,3,4,5,8,9,9B,10 & 11 (6.674 total acres) for the right-of-way necessary for S.R. 248 widening;
   2) Authorize undergrounding of UP&L's overhead power lines (cost to PCMC $252,641);
   3) Authorize Mayor to sign two letters, one amending the City's leasehold interest in the BLM property so BLM can cooperate with UDOT on this road, and the second letter to provide for formal defining of Prospector Park boundaries.
   Councilmember Klingenstein seconded. Motion carried.

Hugh Daniels	Aye
Paul Sincock	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Roger Harlan	Absent

2. **Bond Parameters Resolution - 1999 Water Revenue Refunding Bonds**.

Resolution No. 10-99
Resolution Authorizing the Issuance and Confirming the Sale of Not More Than $5,300,000 Aggregate Principal Amount of Water Revenue Refunding Bonds of Park City, Summit County, Utah, Fixing the Maximum Aggregate Principal Amount of the Bonds, the Maximum Number of Years Over Which the Bonds May Mature, the Maximum Interest Rate Which the Bonds May Bear and the Maximum Discount From Par at Which the Bonds May Be Sold; Authorizing Publication of a Notice of Bonds to Be Issued; Authorizing Certain Redemption Notices; and Related Matters

CIP/Budget Manager Bakaly reported at this time there is an opportunity to refund one of the City's water bonds; introduced the authorizing resolution and reported the final bond resolution will be considered May 13, 1999, noting completion must occur prior to June 14.

Motion by Councilmember Kerr to approve authorizing Resolution. Councilmember Sincock seconded. Motion carried.

Hugh Daniels	Aye
Paul Sincock	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Roger Harlan	Absent

3. **Award of Contract for Woodside Avenue Reconstruction Project**.

Motion by Councilmember Kerr to approve award of contract for the Woodside Avenue Reconstruction project to Geneva Rock Products, Inc. in the amount of $2,590,918.60. Seconded by Councilmember Klingenstein. Motion carried.

Hugh Daniels	Aye
Paul Sincock	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Roger Harlan	Absent

4. **Deer Crest Settlement Agreement Amendment, Roosevelt Gap/Snow Park Hotel Project aka Deer Crest Grande Lodge.** (also see Work Session Notes)

Planning and Zoning Administrator Patrick Putt noted Council began discussion of this issue at the Work Session; presented for consideration draft language that amends the Settlement Agreement to allow the Planning Commission to consider additional residential unit equivalents for the Grand Lodge, with the following parameters:

- provision for a density transfer to the Roosevelt Gap site if the maximum transfer is no more than 12 unit equivalents;
- transfer may only occur from the portion of the Deer Crest project that is presently within the city limits;
- City Council would have final approval of any density transfer under the scenario the Planning Commission would consider the actual ratio of transfer and make recommendation to the Council, and the Planning Commission would also make determination and findings that the traffic and parking impacts would be addressed or reduced; and
- prior to any final Council approval for density transfer, the property owner would need to provide a fiscal impact analysis detail, and report if any impacts of the density transfer exist, how they might be mitigated.

Tom Ellis confirmed he has reviewed the proposed language, noted the applicant is also requesting consideration of 50 additional parking spaces for non-overnight use. Councilmember Sincock recommended modification of language to include approval or "modification" of terms by Council.

Motion by Councilmember Kerr to approve amendment language enabling Planning Commission consideration of transfer of up to 12 unit equivalents to the Roosevelt Gap/Snow Park Hotel project (aka Deer Crest Grande Lodge) from the City's portion of the project site, the Planning Commission shall consider whether or not a transfer is recommended and if so at what ratio the density should be transferred to assure traffic and parking impacts are reduced prior to seeking City Council approval, the property owner shall provide City Council with a fiscal analysis detailing the impacts of the proposed transfer of density, the Planning Commission may also review and consider making a recommendation regarding the request for 50 additional non-overnight parking spaces at the Roosevelt Gap site; recommendations to be submitted to City Council for ultimate approval, modification or denial. Seconded by Councilmember Sincock.

Councilmember Daniels expressed concern about further amendment to the Settlement Agreement believing the last amendment, at which time Deer Crest received 105 additional parking spaces, to be the final amendment and the applicant should modify the project design to meet LMC/2000 sq. ft. unit equivalent; stated he is interested in the Planning Commission's input, however, would prefer obtaining input prior to amending the Settlement

Agreement. Councilmember Kerr concurred, responding she would also feel more comfortable sending it to the Planning Commission with a request to consider the request for transfer before amending the agreement. Councilmember Klingenstein pointed out part of what they were trying to ascertain during Work Session was whether Council could direct the Planning Commission to review the issue without amending the agreement; City Manager Ross responded it was his opinion Council could give direction for Planning Commission review and forward opinion to Council.

Councilmember Kerr withdrew her motion; Councilmember Sincock withdrew his second.

Motion by Councilmember Kerr for resolution giving approval for the applicant to go before the Planning Commission, prior to submitting plans, for an advisory opinion addressing the issues of density transfer and additional parking spaces; that opinion to come back to City Council, and based on that information Council will determine whether the applicant will be able to apply for additional density or be denied. Seconded by Councilmember Sincock. Motion carried.

Hugh Daniels	Aye
Paul Sincock	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Roger Harlan	Absent

5. **Professional Services Contract change order with Von Visions Architecture & Planning**. (also see Work Session Notes)

CIP/Budget Manager Bakaly presented the staff report and recommendation; referred to Work Session discussion.

Motion by Councilmember Klingenstein to approve a change order extending existing professional services contract with Von Visions Architecture and Planning for an additional amount not to exceed $20,000; change order to be amended to identify specific additional work. Seconded by Councilmember Kerr. Motion carried.

Hugh Daniels	Aye
Paul Sincock	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Roger Harlan	Absent

6. **Assignment of Wyoming Woolens Lease to Jans, 524 Main**.

Motion by Councilmember Klingenstein to continue consideration of the Wyoming Woolens Lease assignment to May 13, 1999; staff to return with information addressing Main Street rent amounts, vacation of property and value during the Olympics, and viability of use of space by the Historic Society/Museum and what that cost would be. Seconded by Councilmember Daniels. Motion carried.

Hugh Daniels	Aye
Paul Sincock	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Roger Harlan	Absent

PUBLIC HEARINGS

1. **Capital Improvement Projects (CIP) Budget**. (also see Work Session Notes)

Mayor Olch opened the public hearing to receive public input concerning the Capital Improvement Projects Budget. CIP/Budget Manager Bakaly presented the staff report and recommendation, noted Council began review of Alternatives during Work Session.

Public Comment:

Troy Duffin, Mountain Trails Foundation, requested consideration of funding for continuation of Rail Trail pavement from Wyatt Earp Way across S.R. 248 in conjunction with the widening project; working with UDOT to additionally get curb cuts. Councilmember Daniels pointed out that portion of the trail is outside Park City limits.

Steve Hooker, Main Street Merchants/Historic Business District/Downtown Action Plan Task Force, requested consideration of funding for Main Street area improvements.

Phyllis Robinson, Mountainlands Community Housing, expressed support for non-profit center funding, offered to conduct research and check other available funding sources; thanked Council for continued support of affordable housing budget.

Peg Bodell, representing Park City Arts Council, thanked Council and staff for project support.

Sally Elliott, concurred with Mr. Duffin's comments regarding Rail Trail pavement and urged approval of funds for completion pointing out safety concerns.

Fred Jones, Planning Commissioner, expressed opinion installation of the Snowcreek signal is essential and its priority should be placed higher than Alternative 5.

Nick Powell, requested charts and graphs be improved to be more readable.

Carolyn Meyer, Park City Library, commented in support of Library automation system funding.

Dana Williams, commented in support of new City Park Master Plan funding, and inclusion of skateboard and ice park.

Council concurred to meet on May 13, 1999, from 9:00 a.m. to noon, for special CIP budget meeting to continue project and funding alternatives discussion.

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

2. **802 Norfolk Avenue Plat Amendment**.

Ordinance Approving the Plat Amendment to Lot 20, 21, and 22, Block 11, Snyder's Addition to the Park City Survey, Located at 802 Norfolk Avenue, Park City, Utah

Mayor Olch opened the public hearing to receive public input concerning the 802 Norfolk Avenue Plat Amendment. Administrator Putt presented the staff report and recommendation, and introduced Ordinance approving the Plat Amendment which combines Lot 20, 21 and 22, Block 11, Snyder's Addition to the Park City Survey into two (2) lots to accommodate an existing historic structure and new single family structure, and includes Findings of Fact, Conclusions of Law and Conditions of Approval.

Public Comment: None

With no questions or comments, Mayor Olch closed the public hearing.

3. **1800 Snowcreek Crossing, Lot 9a Subdivision Plat and Design Review (Post Office)**.

Ordinance Approving an Amendment to the Snowcreek Subdivision Plat, Lot 9, to Create Lot 9A at 1800 Snowcreek Drive, Park City, Utah

Mayor Olch opened the public hearing to receive public input concerning the 1800 Snowcreek Crossing, Lot 9a Subdivision Plat. Planner Megan Ryan presented the staff report, proposed project site design and details for the Post Office structure and landscape, and introduced Ordinance approving the amendment; requested Council take action on the proposed subdivision plat, also decide on best site plan in regards to circulation, traffic and mitigation of neighborhood impacts; introduced Postal Service representatives Frank Murdock, project architect, Wayne Christensen, Salt Lake District Administrative Services Manager, Ed Gianni, architect, and Edward Bavouset, Real Estate Manager.

Frank Murdock presented site plan details, noting traffic signal is essential and discussed ingress/egress concerns, and the proposed design was completed following meetings with adjacent residents; recommended an interior mural to qualify for a public art element. Ed Bavouset confirmed any future remodal, renovation, or landscaping will be coordinated with the City; the Postal Service is open to relocating the snorkle/mail drop-off lane.

Public Comment:

Jim Kennecott, Windrift homeowner, expressed support of the project and design; recommended relocating loading docks to the south side.

Malcolm MacQuoid, emphasized Hwy 224 and S.R. 248 are important view corridors, appreciate sensitivity by Postal Service in their design; recommended agreement that any future additions must be reviewed by Planning Commission.

Sheila Haloff-Berry, Windrift homeowner, suggested 75' frontal setback to align with Saddleview; requested finishing/landscaping adjacent small dead end road; noted area was originally wetlands.

Peg Bodell, representing Park City Arts Council, offered Arts Council assistance with project and public art component.

Myra Strauchen, Windrift homeowner, concurred with prior comments and suggestions; requested the mail drop-off area be moved to the Snowcreek entry location.

David Belz, requested future considerations for the Main Street Post Office include creation of a plaza/open space in which the Post Office would be a principal anchor along with City Hall and other structures.

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

4. **Land Management Code (LMC) Phase 1**.

Mayor Olch opened the public hearing to receive public input concerning Phase 1 revisions to the Land Management Code. Administrator Putt noted this is the second public hearing for Phase 1; following Council direction, staff will make modifications to these sections pursuant to input collected over the last several months, extensively proof and edit, then schedule for final public hearing and possible final action.

Presented the following options addressing nightly rental in the HR-1 and HRL districts:

- Adopt Planning Commission recommendation to create a nightly rental exclusion overlay zone to exclude nightly rental; noted this could be accomplished neighborhood by neighborhood;
- Retain nightly rentals as a permitted use based on input and testimony from affected property owners, determine whether nightly rentals are a problem or not, and if so are there other ways to mitigate;
- Reclassify nightly rentals as a conditional use; this could be accomplished retroactively, or by grandfathering property owners who have a business license for nightly rentals up to the point of ordinance adoption, those commencing nightly rentals following adoption of the ordinance would be required to go through the CUP process.

Presented the following options addressing the lower Park Avenue area rezoning:

- Planning Commission recommendation to establish an HRM district along lower Park Avenue from 10th Street to the old Texaco station(15th Street); with provision for neighborhood commercial uses through a CUP process;
- Establish an HRM district along lower Park Avenue from 10th Street to the old Texaco station, however NOT have neighborhood commercial uses;
- Maintain current HR-1 zoning between 10th and 12th Street, however, rezone 12th Street to the old Texaco station HRM, with or without CUP requirement for nightly rentals;
- Maintain existing zoning district with the exception of rezoning City Park area from Estate zone to ROS and clarify in the ordinance that quasi-public facilities including offices would require CUP.

Public Comment:

Debbie Richter-Elrick, requested nightly rentals remain allowed use in HR-1 and HRL zones; presented plat map highlighting properties in support of nightly rentals, existing nightly rentals and month to month rentals; requested LMC inclusion to require parking pads.

Elizabeth Lockette, resides adjacent month to month rental, noted problems with parking, noise and disturbances.

David Belz, commented in support of nightly rentals remaining an allowed use in HR-1 zone; requested executive summary prepared identifying LMC changes made from December 31 document to LMC sections prepared for next hearing, also requested final draft be available for public inspection at least 2 weeks prior going to Council for action. Councilmember Sincock suggested draft included on internet site for public review.

Vicky Ross, representing Resort Property Management, commented in support of nightly rentals remaining an allowed use in HR-1 zone.

Richard Webber, representing Holiday Ranch Homeowners Association, requested LMC be amended to clarify guest units/houses are not permitted in their subdivision in order to not conflict with their CC&R's. Councilmember Kerr responded in essence the request is for the City to change the entire single-family zone to match the restrictions of the CC&R's; Councilmembers concurred the HOA has two options: to enforce their CC&R's or go through the application process for rezoning of the Holiday Ranch subdivision.

Gary Nielsen, representing Holiday Ranch Homeowners Association, concurred with comments by Mr. Webber. Administrator Putt offered to meet with HOA representatives.

Dick Vento, commented in support of nightly rental; expressed opinion maximum building height of 27' is too low, and any slope on property creates drainage problem.

John Stein, HRL resident, commented in support of Planning Commission recommendation to amend the LMC to prohibit nightly rental in HRL zone.

Stephen Elrick, King Road, commented in support of nightly rentals in HRL zone.

Carol Bradley, Rossi Hill Homeowners Association member, read letter from Mary Wintzer in support of Planning Commission recommendation to prohibit nightly rental pursuant to the original ordinance creating the zone, pointed out residents were not notified and were unaware of change in 1987 allowing nightly rental.

Nick Powell, representing Utah Coal & Lumber, requested Code not be changed as it concerns the HRC and HCB zones, noting very few future development opportunities existing.

Mike Dixon, commented in support of nightly rentals in HRL zone.

Doug Bart, representing Fred Babcock & Babcock Associates, commented concerning parking and driveway issues, requested LMC be amended to allow residential driveway slope to grade increase from 10% to 15%. Administrator Putt responded he will continue to work with the City Engineer to establish a reasonable percentage.

Robert Traver, 90 King Road, commented in support of nightly rentals during winter season only; pointed out problems usually involve long-term renters.

Steve Calder, 1161 Park Avenue, expressed opinion nightly rentals should either be entirely allowed or not allowed in the old town area.

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

CONSENT AGENDA

Ordinance No. 99-16
Ordinance Approving the Plat Amendment to Lot 20, 21, and 22, Block 11, Snyder's Addition to the Park City Survey, Located at 802 Norfolk Avenue, Park City, Utah

Ordinance No. 99-17
Ordinance Approving an Amendment to the Snowcreek Subdivision Plat, Lot 9, to Create Lot 9A at 1800 Snowcreek Drive, Park City, Utah

Motion by Councilmember Kerr to approve the Consent Agenda. Seconded by Councilmember Sincock. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Aye
Chuck Klingenstein	Aye
Paul Sincock	Absent

ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned to the Municipal Building Authority meeting immediately following.

* * * * * * * * * * * *

The meeting for which these minutes were prepared was noticed by posting 72 hours in advance and by delivery to the news media 6 days prior to the meeting.

Prepared by Cindy LoPiccolo.

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Cindy LoPiccolo, Deputy City Recorder

PARK CITY
1884

CITY COUNCIL STAFF REPORT

DATE: April 29, 1999
DEPARTMENT: Office of Capital Management & Budget
AUTHOR: Tom Bakaly, Director of Capital Programs & Budget TB
TITLE: Capital Improvement Program (CIP) Prioritization
TYPE OF ITEM: Informational - Direction from Council will be Used to Finalize the CIP

SUMMARY RECOMMENDATIONS: City Council should: 1) Review and suggest changes to the recommended prioritization of the Capital Improvement Program (CIP) and; 2) Open, hold and close a public hearing on the preliminarily prioritized Capital Improvement Program (CIP).

DESCRIPTION:

A. Topic: Capital Improvement Program (CIP) Prioritization

B. Background:

On November 19, 1998, staff presented an analysis of the Capital Improvement Program (CIP) to the City Council. The CIP analysis concluded that implementation of Park City's proposed five year CIP program would present a significant increase in capital spending as compared with previous years and that both established financial resources and present staffing levels were inadequate to accomplish all of the projects.

Staff returned to City Council at their retreat in January with a list of all of the City's CIP projects and current project descriptions for those projects (separate cover). Staff also presented strategies and a "staff recommended" prioritization of the CIP to address the CIP funding and staffing inadequacies. At the direction of Council, the City held a CIP open house that was attended by approximately 120 people. A verbatim write-up of the comment cards and a list of frequently asked questions is included under separate cover for your information. Since the Council retreat, staff has made CIP presentations to the Planning Commission, Historic District Commission (HDC), Parks, Recreation, and Beautification Board (PRBB) and the Historic Main Street Business Alliance (HMBA). The presentations were geared to the respective roles of the Commissions and Task Forces.

C. Analysis:

CIP Overview: The focus of City Council on the CIP prioritization process until now has not been on specific projects. The Park City community, City Council, and staff have identified projects for the next 5 years that total roughly $108.5 million. We have the funding and staffing capacity to fund about $64.5 million over the next 5 years. The recommended CIP is still approximately 2 ½ times our normal CIP spending levels. At their retreat, City Council made it clear that they wanted the CIP to be balanced within our existing means. City Council was not interested in increasing the property tax rate in order to fund the CIP or the Operating Budget.

In its recommended prioritization of projects, staff has been sensitive to balance the CIP budget within the context of Operating Budget trade-offs and the following 1999 City Council priorities:

Top Priorities	High Priorities
Transportation/Traffic Management & Parking	Land Mgt. Code & General Plan Revision
Olympic Planning	Valuing Employee Program Implementation
Capital Projects Management	Affordable Housing
Financial Planning	City Property
	Intergovernmental Relations

This prioritization process has proven difficult. Staff originally intended to come back to Council in March for prioritization of the CIP, but needed the extra time to determine if it could present a balanced CIP and Operating Budget to City Council in May. Please see the Significant Impact section of this report for further elaboration on this point.

History of Prioritization Process: Over the last several months, staff has developed possible CIP alternatives as directed by City Council. In the course of these efforts, staff reviewed all of its CIP projects and where possible combined projects. City Council will remember that throughout the prioritization process, staff used the following criteria to "rank" projects.

Criteria	Description and Relevant Questions
Policy	Is there support from City Council or an advocacy group?
Time line	Is the project time sensitive or Olympic related?
Funding	Is funding identified and how reasonable are assumptions?
Dependence	Does the project need to be completed before others?
Complexity	How significant are historical, environmental, and other issues?
Investment	How far along is the project?

Using the criteria listed above as a starting point, staff then used the Alternative Matrix (attached) to distribute projects to six alternatives of projects. The alternatives are additive, which means that each alternative contains the prior alternative(s). The alternatives range from the accomplishment of "ongoing" projects to doing everything. The matrix illustrates that as you move towards alternative 6 (everything), impacts to the City increase. The following sheets depict where the projects were placed by staff among the various alternatives. The CIP is funded through alternative 4 with limitations as described in the Significant Impact section of this report.

Capital Project Management...Characteristics of Alternate Capital Programs

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6
Characteristics	**Status Quo**	**Enhanced**	**Expanded**	**Accelerated**	**Aggressive**	**Maximum**
Number of projects	fewest	low	moderate	moderate	higher	highest
New projects	few if any	few	some	some	many	most
Scale of projects	smallest	small	moderate	moderate	moderate & full	full scale
Project timing	cancel & defer	defer	defer & phase	phase	implement	accelerate
Total spending	little increase	some increase	moderate increase	major increase	higher	highest
General Fund	little impact	some impact	moderate impact	major impact	high impact	highest impact
Funding	readily obtainable funds	some federal and Olympic funds	plus new outside revenue sources	plus new outside revenue sources	plus moderate tax increases	plus significant tax increases
Financing	limited	some	moderate	moderate	significant bonding	aggressive bonding
Management strategy	mostly existing staff	some additional staff or consultants	moderate new staff & consultants	major new staff consultants	significant new staff & consultants	significant new staff & consultants
Community impact	moderate	moderate	high	high	very high	highest
Legacies	few	more	moderate	moderate	high	highest
Operations	little impact	some impact	moderate impact	moderate impact	high impact	highest impact
Federal Funding Probability	highest	high	moderate high	moderate low	small	low

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
1		Debt	4,550,321
1		Equipment Replacement	5,610,211
1		Special Revenues	1,370,683
1		Maintenance	342,793
1		Water Projects	5,450,028
1	419	Transit Coaches: Bleecker	3,705,823
1	754	Open Space Acquisition : Cook	10,000,000
1	579	Library Donations Expenditures: Simmons	7,566
1	592	City Wide Signage Program: Rademan: Phase 1	111,030
1	694	Police Department Computer System	100,000
1	600	Swede Alley Pocket Park: Erickson	32,191
1	620	Sandridge Parking Lot: Bleecker	348,509
1	649	Park Dedication Fee Projects: Johnson	8,895
1	761	Lighting-Thaynes & 224: Gibbs	10,000
1	760	Racquet Club Building Maintenance and Repair	50,000
1	481	Main Street Parking Structure Phase 1: Bakaly	35,338
1		Alternative Total	31,733,388
1		Total funding required	31,733,388

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
2	3	Information System Enhancement / Upgrades: Sunday	544,785
2	85	Pavement Management and Implementation: Gibbs	2,176,458
2	166	Historical Incentive Grants: Putt	1,658,807
2	473	City Farm Phase 1: Complete Building Renovations: Johnston	273,827
2	602	Fiber Optics: Sunday	162,221
2	629	Bus Graphics: Bleecker	120,000
2	630	Bus Shelters: Bleecker	33,200
2	666	Equipment Replacement- Film Equipment	49,000
2	426	Office Space Phase 1: Stephens	1,035,020
2	490	Golf Course Improvements: Erickson	686,542
2	54	Trails Master Plan Implementation: Cook:1999	950,000
2	643	Downtown Revitalization Phase 1: Lewis	612,251
2	547	Parks Acquisition: Cook, Ross	$1,800,563
2	598	Computer Mapping: Sunday	68,000
2		Alternative Total	10,170,674
2		Total funding required	$41,904,062

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
3	32	Old Town Stairs: Phase: 1 Cook	737,804
3	445	Affordable Housing: Lewis, Ryan	725,199
3	473	City Farm: Phase 2: Landscaping and Accessibility: Johnston	300,000
3	604	Refurbish Bus Barn: Lind	35,616
3	667	Salt Storage Dome: Gibbs	53,000
3	672	Old Town Transit Center : Bakaly	7,627,006
3	677	Olympic Plaza: Linda Cook	56,607
3	681	Pro Shop Phase 1: Improvements or Lease: Erickson	250,000
3	685	Historic District- Acquisition/ Loan Fund For Threatened Buildings: Putt	50,000
3	52	Property Improvements: Cook	710,512
3	605	Park Avenue Demolition: Cook	126,601
3	69	Woodside: DeHaan	2,893,625
3	752	Traffic Calming	$250,000
3		Alternative Total	13,815,970
3		Total funding required	$55,720,032

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
4	48	City Park Phase 1: Youth Facilities	1,294,972
4	750	Bonanza Crosswalk: Gibbs	85,000
4	418	Water Source, Storage and Delivery Phase 2: Gibbs	3,333,000
4	54	Trails Master Plan Implementation: Cook:2000: Cook	1,500,000
4	643	Downtown Revitalization: Lewis: Phase 2	1,387,749
4	756	Gillmor Park and Ride Planning: Cook	50,000
4	758	Project Management Hardware and Software: Bakaly	125,000
4	759	Library Software: Simmons	150,000
4	765	Public Works Storage Parcel: Gibbs	250,000
4	766	800 MHZ Radio: Evans	150,000
4	437	Prospector Entry Corridor: Erickson	245,928
4	770	Emergency Generator	55,000
4	764	Bus Washer	145,000
4		Alternative Total	8,771,649
4		Total funding required	64,491,681

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
5	32	Old Town Stairs Phase 2: Cook	1,000,000
5	37	Hillside Avenue: DeHaan	1,026,830
5	73	Upper Park Avenue- King to 6th: DeHaan	750,000
5	177	Reconstruct Wyatt Earp Drive Streets: DeHaan	500,000
5	614	Royal St. : Gibbs	91,610
5	670	Park City Recreation Facility: Kelly: Phase 1	250,000
5	671	Public Safety Building: Evans	4,000,000
5	681	Pro Shop Phase 2: Acquisition: Erickson	1,500,000
5	681	Pro Shop Phase 3: Erickson	2,000,000
5	757	Non-Profit Center :Cook	1,000,000
2	498	Equipment (New) Public Works Phase 1: Gibbs	150,000
5	769	Sidewalk Improvements: Gibbs	75,000
5	771	Affordable Housing Phase 2: Ryan	200,000
5	481	Old Town Parking Structure Phase 2: Bakaly	7,214,788
5	768	Public Works Equipment Phase 2: Gibbs	175,000
5	762	Snow Creek Signal: Gibbs, DeHaan	$250,000
5	592	City Wide Signage Program Phase 2: Rademan	500,000
5	753	Bus Maintenance Facility: Bleecker	2,500,000
5	48	City Park Phase 2: Stream Bank Improvements: Johnston	600,000
5	643	Downtown Revitalization Phase 3: Lewis	1,250,000
5		Alternative Total	25,033,228
5		Total funding required	89,524,909

Capital Project Management...Characteristics of Alternate Capital Programs

	Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5	Alternative 6
Characteristics	**Status Quo**	**Enhanced**	**Expanded**	**Accelerated**	**Aggressive**	**Maximum**
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Scale of projects	smallest	small	moderate	moderate	moderate & full	full scale
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Federal Funding Probability	highest	high	moderate high	moderate low	small	low

8

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
C 1		Debt	4,550,321
C 1		Equipment Replacement	5,610,211
C 1		Special Revenues for oblig.	1,370,683
C 1		Maintenance	342,793
C 1		Water Projects	5,450,028
C 1	419	Transit Coaches: Bleecker 20% PC 80% fed grant	3,705,823
C 1	754	Open Space Acquisition : Cook	10,000,000
C 1	579	Library Donations Expenditures: Simmons	7,566
BOA funds	592	? City Wide Signage Program: Rademan: Phase 1 Main St RDA	111,030
C 1	694	Police Department Computer System	100,000
C 1	600	Swede Alley Pocket Park: Erickson [illegible] Lease Park [illegible]	32,191
C 1	620	Sandridge Parking Lot: Bleecker [illegible]	348,509
1	649	Park Dedication Fee Projects: Johnson nothing Cur eliminate	8,895
C 1	761	Lighting-Thaynes & 224: Gibbs	10,000
1	760	Racquet Club Building Maintenance and Repair ? comp?	50,000
C 1	481	Main Street Parking Structure Phase 1: Bakaly	35,338
1		Alternative Total	31,733,388
1		Total funding required	31,733,388

reassign #s - numerically

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
2	3	Information System Enhancement / Upgrades: Sunday 110,000/year	544,785
C 2	85	Pavement Management and Implementation: Gibbs	2,176,458
C 2	166	Historical Incentive Grants: Putt 1 million may be / classified 200,000 yr overage	1,658,807
C 2	473	City Farm Phase 1: Complete Building Renovations: Johnston finishing existing proj	273,827
C ? 2	602	Fiber Optics: Sunday	162,221
2	629	Bus Graphics: Bleecker Trans. fund	120,000
2	630	Bus Shelters: Bleecker new ones	33,200
2	666	Equipment Replacement- Film Equipment ?	49,000
C F 2	426	Office Space Phase 1: Stephens 200,000 Marcar not contracted	1,035,020
2	490	Golf Course Improvements: Erickson fees	686,542
C P 2	54	Trails Master Plan Implementation: Cook:1999 ? 400,000 "	950,000
C 2	643	Downtown Revitalization Phase 1: Lewis rda funds	612,251
2	547	Parks Acquisition: Cook, Ross ? Imp fees Enhancement Can use for City Park or Trails / combine w City Park ?	$1,800,563
2	598	Computer Mapping: Sunday 50,000 " 16,000 year hardware : maps : data	68,000
2		Alternative Total	10,170,674
2		Total funding required	$41,904,062

10

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
3	32	Old Town Stairs: Phase: 1 Cook 632,504 ''	737,804
3	445	Affordable Housing: Lewis, Ryan rda Lower parkave	725,199
3	473	City Farm: Phase 2: Landscaping and Accessibility: Johnston	300,000
3	604	Refurbish Bus Barn: Lind	35,616
3	667	Salt Storage Dome: Gibbs	53,000
3	672	Old Town Transit Center : Bakaly	7,627,006
3	677	Olympic Plaza: Linda Cook	56,607
3	681	Pro Shop Phase 1: Improvements or Lease: Erickson	250,000
3	685	Historic District- Acquisition/ Loan Fund For Threatened Buildings: Putt	50,000
3	52	Property Improvements: Cook	710,512
3	605	Park Avenue Demolition: Cook	126,601
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4	54	Trails Master Plan Implementation: Cook:2000: Cook	1,500,000
4	643	Downtown Revitalization: Lewis: Phase 2 2 mill needed total	1,387,749
4	756	Gillmor Park and Ride Planning: Cook	50,000
4	758	Project Management Hardware and Software: Bakaly	125,000
4	759	Library Software: Simmons 75,000 over 2 year period rest is grant	150,000
4	765	Public Works Storage Parcel: Gibbs	250,000
4	766	800 MHZ Radio: Evans	150,000
4	437	Prospector Entry Corridor: Erickson imp fees	245,928
4	770	Emergency Generator	55,000
4	764	Bus Washer grant for portion/matching	145,000
4		Alternative Total	8,771,649
4		Total funding required	64,491,681

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
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5	37	Hillside Avenue: DeHaan	1,026,830
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5	177	Reconstruct Wyatt Earp Drive Streets: DeHaan	500,000
5	614	Royal St. : Gibbs	91,610
5	670	Park City Recreation Facility: Kelly: Phase 1	250,000
5	671	Public Safety Building: Evans imp fees	4,000,000
5	681	Pro Shop Phase 2: Acquisition: Erickson	1,500,000
5	681	Pro Shop Phase 3: Erickson	2,000,000
5	757	Non-Profit Center :Cook	1,000,000
2	498	Equipment (New) Public Works Phase 1: Gibbs	150,000
5	769	Sidewalk Improvements: Gibbs	75,000
5	771	Affordable Housing Phase 2: Ryan	200,000
5	481	Old Town Parking Structure Phase 2: Bakaly	7,214,788
5	768	Public Works Equipment Phase 2: Gibbs	175,000
5	762	Snow Creek Signal: Gibbs, DeHaan 75,000 from PO	$250,000
5	592	City Wide Signage Program Phase 2: Rademan	500,000
5	753	Bus Maintenance Facility: Bleecker	2,500,000
5	48	City Park Phase 2: Stream Bank Improvements: Johnston	600,000
5	643	Downtown Revitalization Phase 3: Lewis	1,250,000
5		Alternative Total	25,033,228
5		Total funding required	89,524,909

Alternative Number	Project Numbers	Project Title: Project Manager	Funding Required for Project
6	48	City Park Phase 3: Park Infrastructure Improvements: Johnston	750,000
6	48	City Park Phase 4: Park Recreation Elements: Johnston	800,000
6	74	Meadows Drive: DeHaan	400,000
6	473	City Farm Phase 3: Renovate Barn: Johnston	5,000,000
6	670	Park City Recreation Facility Phase 2: Kelly	1,250,000
6	751	Public Works Building: Gibbs/Middleton/Christiansen	300,000
6	54	Trails Master Plan Implementation 2001: Cook	750,000
6	780	Snow Creek Park and Ride	9,700,000
6		Alternative Total	18,950,000
6		Total funding required	108,474,909

City Council Prioritization of CIP projects: Staff is now asking City Council to prioritize the Capital Improvement Program. Staff would suggest that City Council look carefully at projects in the Alternative 5 and 6 categories. With the exception of projects funded by impact fees, projects listed in category 5 or 6 will not be completed in the next 5 years. One way for City Council to prioritize the CIP would be to use a an "inverse" methodology. Council could look at projects in alternatives 5 and 6 and determine which of those they wanted to fund and complete in the next 5 years. Council would then need to identify which project(s) in alternatives 1 - 4 that would need to be "unfunded" or deferred for 5 years in order to move the alternative 5 and 6 projects to a funded status as an alternative 4 project. After Council discussion and the public hearing on April 29th, there would be more budget hearings in June. The budget is scheduled for adoption in mid June. City Council should consider the following "key" prioritization issues:

Construction/Community Impacts: Construction impacts to the "core" of Park City will be significant. It will be extremely important to gauge the level Community's "tolerance" to this amount of construction in the next three years.

Community/Commission Involvement Process: In order to proceed with the CIP and complete specific projects for use during the 2002 Winter Olympic Games, the City needs to secure constituency support and relevant Commission approval for most of these projects. A public hearing dedicated to the CIP on April 29th is a step in that direction.

Time Criticality of Decisions: It is also important that decisions on projects be made quickly in order to remain as flexible as possible. If Council wants to complete a project prior to the Olympics, that decision needs to be made immediately.

Project Phasing and Scale: In coming up with the alternatives, staff used various phasing techniques. Another option for Council to consider would be to "scale down" funded projects to make funding available for alternative 5 & 6 projects that the City Council wanted to complete.

"Like Funded" Projects: As Council prioritizes projects and contemplates "swapping projects" between alternatives, it will be important to consider how a project is funded. Projects within enterprise funds or redevelopment areas may be less difficult to fund than projects that use General Fund revenues. This means that "like funded" projects would need to be interchanged. Staff has discussed this concept before with City Council and will be prepared on April 29th to assess whether proposed re-prioritization of projects are complying with this financial constraint.

Project Highlights: City Council has seen most of these projects before. Staff wanted to highlight a couple of projects and issues for Council to consider as they prioritize the CIP.

City Farm: The next phase of the project is additional site work: the plaza, retaining walls, sidewalks, driveway, bridge, etc.; and landscaping: sprinklers, grading, grass and a few flowers. Funding in the amount of $300,000 for this next phase of the City Farm project is recommended as a funded alternative. These funds are in addition to the current restoration project that is underway. If Council is in agreement with this prioritization, staff would like to proceed with this phase of the project by amending the existing contract with the vendor to cover the additional $300,000 of services.

Snowcreek Transit Center: Based upon issues related to the community support and funding criteria, staff has changed the Snowcreek Transit Center Project from an alternative 4 to an alternative 6. This means that this project will not be completed in the next 3-5 years.

Old Town Parking Structure: In light of the fact that additional parking in conjunction with the Snowcreek Transit Center is not a recommended alternative, staff has moved the Old Town Parking structure from alternative 6 to alternative 5. This increases the likelihood that this project or one similar to it in the Main Street area would be undertaken in 3-5 years.

Non-Profit Center: $1 million for the construction of a non-profit center on the site of the Lower Park Avenue RDA property adjacent to City Park has been requested. This building is not part of the City Park plan that has been recommended recently by the PRBB and reviewed by the Planning Commission and the City Council. Based upon unclear community support (in the form of a negative reaction from the PRBB) and funding issues, staff has included this project in alternative 5. If City Council wishes to construct this project in the next 3-5 years, the City would have to identify a source of funding, most likely at the expense of other projects.

Downtown Revitalization: The total budgeted amount of this project is $2 million. This project has been split between alternative 2 ($750,000), alternative 4 ($1,250,000) and alternative 5 ($1,250,000). The $750,000 in alternative 2 is currently budgeted and is the source of funds for the China Bridge lighting improvements, bulb-outs, Miner's Park and Heber Ave. Plaza projects that are possibly scheduled for construction this Summer. Some of those projects have already incurred expenses against that budget amount. It is anticipated that there will be funds in this alternative to accomplish other goals of the Downtown Action Plan. The funds in alternative 4 are programmed for China Bridge structural and safety improvements ($500,000) and other Main Street and Swede Alley improvements ($750,000) such as pedestrian linkages related to the Transit Center (Post Office Plaza and Heber Crossing) and refuse collection facilities (also possibly related to the Transit Center).

In discussing the "price tag" for the Main Street improvements (other than a new parking structure and Transit Center), the figure of $2 million has consistently been identified by the HMBA. At a recent meeting, some HMBA members stated that the $2 million was in addition to the originally budgeted $750,000 (alternative 2) for a total of $2,750,000. In addition, staff is not certain that the HMBA intended the China Bridge safety improvements to come out of the $2 million as well. Therefore, it is likely that the HMBA would request $1,250,000 in addition to the $2,000,000 that is recommended by staff. Staff has placed the additional $1,250,000 in alternative 5 which means that that amount will not be funded by the City in the next 5 years. It is important to point out that the budgeted $2 million is all City funds and does not anticipate a contribution from the business community. It is possible that future capital funds raised from business and property owners by the HMBA could go towards funding the alternative 5 and old town parking improvements (alternative 5).

Computer and Technical Improvements: An additional $425,000 ($150,000 - Police radio system; $150,000 - Library software and; $125,000 - Capital project management software and hardware) in computer system and technological improvements has been recommended as a funded alternative. These improvements seem to be consistent with City Council priorities and staff recommends that they remain in the CIP as funded alternatives.

Mountain Trails Request: The Mountain Trails foundation has requested $60,000 from the City for paving a portion of the Rail Trail (attached). The Mountain Trails Foundation has assumed responsibility for the Rail Trail operation throughout the State Park System. Given the fact that this is not a Park City Municipal capital project, staff has not included this request in any of the six alternatives. If City Council wanted to add this project as a funded alternative, it could identify a source of funding from an alternative 4 project. Representatives from the Mountain Trails Foundation have informed staff that they would prefer that the funds not come from funded City trails projects. Another alternative would be to fund the project through the City's grant program. This would entail either increasing the funds for the grant program or re-prioritizing existing grants. City Council has recently expressed an unwillingness to increase the General Fund contribution to the grants program. Lastly, another funding alternative would be to have the Mountain Trails Foundation and the State Park system use payments for utility easements or other outside sources to pay for some or all of the paving of the Rail Trail.

D. Departmental Review:

Participants in the overall analysis of this issue have included the CIP Committee, departmental project managers, consultants and the City Manager's Office.

ALTERNATIVES:

1) Make modifications to the CIP prioritization presented by Staff, take public input and direct staff to make adjustments to the budget accordingly. This is staff's recommendation.

2) Do nothing and address identified issues in the context of the annual budget process

3) Modify analysis assumptions and ask staff to report back with additional information

4) Provide comments and input about alternatives and recommendations

SIGNIFICANT IMPACTS:

The City does not have the funding and staffing resources to complete all of the CIP projects within the next 5 years. Alternatives 5 & 6 would require significant additional revenues and bonding in order to complete those projects. As it is, funding alternative 4 requires a significant transfer from the General Fund in 1999. If for some reason that transfer is not feasible, the CIP will need to be amended and reduced prior to adoption in June. This funding strategy will limit flexibility in both the General and CIP funds in the future. It will be nearly impossible to add new projects to the CIP and programs to the General Fund in the future without additional resources such as a tax increase. In addition, the Transportation and Water Funds are significantly contributing to the CIP and their flexibility will also be limited. If Council wishes to maintain flexibility, they may want to consider "unfunding" some of the alternative 4 projects.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Staff can prepare a CIP reflecting City Council's directions. Significant delays in making decisions may reduce the City's flexibility.

RECOMMENDATION:

It is recommended that the City Council provide staff with input concerning the prioritization of the Capital Improvement Program (CIP) and provide an opportunity for people to publicly comment on that direction. Additional public input and City Council's prioritization of the CIP at the April 29, 1999 meeting will allow staff to present a balanced Capital and Operating Budget on May 13, 1999 that is consistent with City Council direction.

MOUNTAIN TRAILS
FOUNDATION

MANAGER AND OPERATOR OF:
HISTORIC UNION PACIFIC RAIL TRAIL STATE PARK

BOARD OF DIRECTORS
TOM CLYDE
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PAST PRESIDENT/TREASURER
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PARK CITY MUNICIPAL CORPORATION
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BONNIE PARK
SNYDERVILLE BASIN RECREATION
ANDY BEERMAN
TREASURE MOUNTAIN INN
TINA QUAYLE
JANS MOUNTAIN OUTFITTERS
TODD THIEBAULT
COLE SPORT
CHARLIE STURGIS
WHITE PINE TOURING

P.O. Box 754
PARK CITY, UT 84060
435.649.6839
435.655.0779 FAX

April 20, 1999

Ms. Linda Cook
Park City Municipal Corp.
Post Office Box 1480
Park City, Utah 84060

Re: CIP Request for Paving of Rail Trail from Wyatt Earp to SR 248

Dear Ms. Cook:

Under a contract with Utah State Parks, Mountain Trails Foundation is has taken on responsibility for maintenance and operations of the Historic Union Pacific Rail Trail State Park, which runs from the Prospector Square area in Park City to Echo Reservoir, covering approximately 26 miles. Pursuant to that contract, the Foundation is charged with the duty to maintain the trail, as well as improve the surface wherever possible.

As a local non-profit organization, our resources are limited. Our financial capability to provide improvements is therefore also limited. Even so, we are very interested in expanding the pavement sections. Currently, the first 3/4 mile is paved, but that pavement ends at Wyatt Earp Way. We are interested in continuing that pavement to the point at which the trail crosses Highway 248.

We have several reasons for our desire to pave this segment. First, the Park City section of the Rail Trail is by far the most heavily used. In order to accommodate the widest range of users (including road bicyclists, in-line skaters, strollers, children, wheelchair and hand bike users, etc.), laying pavement on a portion of the trail is necessary. Next, due to the construction over the portion of Highway 248 which parallels the trail, bicycle use along the roadway will be extremely dangerous. Paving the trail will allow users which normally would use the roadway to comfortably shift over to the trail, thereby dramatically increasing their safety. Finally, we propose to pave only a portion of the trail's overall width (8' of the existing 12-14'); leaving the remaining section in its existing state, which is suitable for trail runners, equestrians, dogs, and others who prefer a soft surface.

In order to make pavement possible this summer, when construction on Highway 248 begins, we are requesting Capitol Improvement funds from Park City Municipal Corporation. I have received preliminary estimates which place the total cost for this two mile segment at approximately $60,000. That amount is thus the level of CIP funding we are seeking. At your earliest convenience please let me know what I can do to help process this request.

Sincerely,

Troy Duffin
Rail Trail Manager

PARK CITY 1884

DATE: 4/23/99
DEPARTMENT: Legal
AUTHOR: Mark Harrington, Deputy City Attorney
TITLE: Wyoming Woolens Lease Assignment- Jans LTD.
TYPE OF ITEM: Administrative- Property

SUMMARY RECOMMENDATIONS: **Consider a request to approve a lease assignment to Jans LTD from Wyoming Woolens for retail space at 524 Main through 2005, with rent adjustments, and in a form approved by the City Attorney's Office.**

DESCRIPTION:

A. **Topic:** Commercial lease assignment.

B. **Background:** The City has leased the first floor of the Old City Hall to Wyoming Woolens since October of 1990. They paid $20-22 per sq. ft. over the first five-year lease term. The lease expired in October of 1995. Wyoming Woolens was granted a renewal for five years at $22 per sq. ft./year, or $23,232 ($1936 monthly) in 1995. The term expires September 30, 2000. No rent increases were included in the lease as the City Council accepted Wyoming Woolens' proposal to pay up to 2% of their annual gross profit to local charities. No option for renewal is given in the lease, but the Tenant has an option of first refusal (if the City is going to lease the space, the City must first offer it to the existing Tenant prior to leasing it to a new party).

C. **Analysis:**

1. Assignment: Wyoming Woolens recently closed its store and moved out of the space. Wyoming Woolens has assigned its rights in the lease to Jans LTD. Jans requests approval of the assignment pursuant to Paragraph 14 of the Lease:

> 14. Assignment/Sublease. This Lease may not be assigned or the premises sublet without the prior written consent of Landlord. Landlord's consent to assignment or sublease will be granted on the basis of the financial reliability of the assignee or sublessee and the business to be operated by the assignee or sublessee in order to insure a tenant that is compatible with the historic nature of the premises and the public ownership of the building. No assignment or sublease to a tavern, liquor club, or bar will be approved. Landlord's consent will not be unreasonably withheld.

Staff has no issues with the assignment and recommends that the Council approve the assignment.

2. Addition Term/Rent: Jans' assignment is contingent upon Jans receiving a longer term from the City Council. Jans proposes to amend the lease term to expire on September 30, 2005. See attached Letter for Russ Coburn, President/CEO of Jans LTD. Jans will not agree to any interference with the leased Premises during the Olympics. The City has consistently placed breaks in its commercial leases to achieve the maximum level of space flexibility for the 2002 Winter Olympics. This property is unique in that it is the only space that is primarily **retail** that the City leases. Jans argues that it is unrealistic for the City to find a retail tenant to pay market rental rates, yet agree to terminate the lease during the Olympics. Furthermore, since the lease is for retail, it is dramatically more difficult for the tenant to remove inventory and move out for a short period of time, as compared to the office space the City typically rents out. The City agreed with White Pine on this point and contracted for a reduction in their lease at the golf course, but not a complete termination. Of course, now SLOC has identified the White Pine space as crucial to their plans, and the City and SLOC will have to negotiate with White Pine to fully utilize their leased premises. The Main Street location of this space makes this space equally important. But the Council must weigh its ability to get a temporary retail operation to commit to a lease, versus its potential use during the games.

If the Council agrees to extend the term, Staff recommends that the rent be increased immediately to $25/square foot with a rent adjustment based upon the CPI beginning in October, 2001, and annually thereafter. Jans cannot sublease the premises for **any period** (even a couple of weeks) without the consent of City Council. However, the Council may wish to direct staff to tighten the assignment clause above to include broader authority to deny assignment and/or address revenue sharing during the Olympics.

D. Department Review: The Legal, Special Events and Administrative Departments reviewed this matter. Frank Bell raised concerns about tieing down premium Main Street space during the Olympics.

ALTERNATIVES:

A. Approve the Request: Authorize the Mayor to execute a lease assignment with Jans LTD for retail space at 524 Main through 2005, with annual rent adjustments as of 2001.

B. Approve the Assignment without new terms: Jans has indicated that they would not lease without the extension. The City would have to deal with Wyoming Woolens on termination of the existing lease or assignment to anther third party.

The Historic Society has always expressed an interest of expanding the museum into this space. Some of the lost revenue from the retail lease could be made up by increasing the lease with Strachan and Strachan upstairs (if the Historic Society took over the Wyoming Woolens space, they would vacate the office space they currently occupy in Gordon's office area). With the museum there, the City could probably more easily use the space during the Olympics, although certainly it would depend on the types of exhibits installed.

C. Change the Rental Terms: The Council may decide to alter the terms of the proposed lease, in which case it should incorporate such changes into the motion to approve the lease or direct staff to prepare the changes for the next meeting. The Council could direct staff to negotiate an "Olympic premium rental rate" for the 2002 period, specify City control of the space for a certain period in 2002, and/or specify desired revenue sharing from any sub-lease.

D. Continue the Item: If the Council wants more information, it should request such additional data and continue the item. The Council should be aware that Wyoming Woolens has totally moved out and Jans is ready to move into the space immediately. Therefore, Jans respectfully requests feedback this week if possible.

E. Do Nothing: This is not recommended since the Jans needs to make a decision regarding the space as soon as possible.

SIGNIFICANT IMPACTS: The leased area represents 1056 sq. ft. of prime retail space on Main Street. The Museum and other parties constantly express their interest in the space.

RECOMMENDATION: **Determine whether or not to extend the lease. If the Council determines to extend the lease, it should authorize the Mayor to execute a lease assignment with Jans LTD for retail space at 524 Main through 2005, with rent adjustments, and in a form approved by the City Attorney's Office.**

CORPORATE OFFICES ■ POST OFFICE BOX 280 ■ 1600 PARK AVENUE ■ PARK CITY, UTAH 84060 ■ (435) 649-1020 ■ FAX (435) 649-7511

JANS®
MOUNTAIN OUTFITTERS

RECEIVED
APR 23 1999
PARK CITY LEGAL

April 23, 1999

Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060

Attn.: Mark Harrington

Re: Lease for 524 Main Street (Main Level)

Dear Mark:

Jans LTD. has purchased the improvements and fixtures as well as a lease opportunity for 524 Main Street, owned by the Park City Municipal Corporation and formally requests the city to extend the lease opportunity to Jans, LTD.

The current lease expires September 30, 2000, with a first right of refusal on the extension. Jans requests the council to consider renegotiating the current lease extension option with the usual square footage adjustments allowing Jans an additional five year, uninterrupted occupancy with a municipal space review of surplus on September 30, 2005.

Let me know if you have any questions or if there is any additional information you need from Jans.

Sincerely,

Russell J. Coburn

Russell J. Coburn
President/CEO

95

PARK CITY
1884

CITY COUNCIL REPORT

DATE: April 29, 1999
DEPARTMENT: Planning NS
AUTHOR: Nora Shepard, Special Projects Planner
TITLE: Deer Crest Settlement Agreement Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Consider and act on the proposed amendment to the Deer Crest Settlement Agreement to allow the Planning Commission to consider allowing a transfer of development rights to increase in Residential Unit Equivalents for the Roosevelt Gap/Snow Park Hotel project (aka Deer Crest Grande Lodge).

DESCRIPTION:

A. Topic. Deer Crest Settlement Agreement.

B. Background.
In 1991, Wasatch County granted a density determination for Telemark Park, a residential resort development on 524 acres. The approval consisted of chairlift and ski run development along with residential development in 6 "neighborhoods." The developer also controls an additional 84 acres within unincorporated Summit County and 70 within the Park City limits. The development plan for the entire property consists of not more than 545 units (150 single family and 395 multifamily) with 42,000 gross square feet of commercial space and a 20,000 gross square foot Ski Academy.

After several years of litigation, the developer (Park City Consolidated Mines Company and Trans-Wasatch Company) and Park City entered into a settlement agreement in order to settle the outstanding disputes and to redefine certain rights and obligations. A copy of the Settlement Agreement is available at your request. The Settlement Agreement addresses density, limited access on Keetley Road, and options for partial annexation to Park City.

On December 17, 1998, the City Council approved annexation of three portions of the project, now known as Deer Crest, as was contemplated in the 1995 Settlement Agreement. At that time, the City Council approved an amendment to the Settlement Agreement which would allow Planning Commission to consider an increase in parking spaces at Roosevelt Gap.

Deer Crest, LLC has been working on plans for the Deer Crest Grand Lodge, which consists of the Roosevelt Gap site and the Snow Park site. At this time, the developer would like the City Council to further amend the 1995 Settlement Agreement to allow the Planning Commission to consider additional density for the Grand Lodge.

According to the Settlement Agreement, the Roosevelt Gap parcel is entitled to 105 residential unit equivalents and 5% support commercial, if it is developed jointly with the Snow Park Hotel and connected by a Funicular. If there is no such connection, the Roosevelt Gap site is entitled to 5 single family parcels. There is no maximum building height specified in the agreement, but there is a requirement that the project not be visible from the Stew Pot Restaurant deck (with the exception of the funicular).

The Snow Park Hotel Site is entitled 25 residential unit equivalents and 5% support commercial, with an option to increase to 35 residential unit equivalents if the density is transferred from the Deer Hollow site and Park City approves the revised plans. The maximum allowed building height is 45 feet.

C. <u>Analysis</u>.

The Grand Lodge is proposed to be a five star hotel and would offer a product which Park City does not currently have. The developer is currently working with Ritz Carlton. Because of the unique nature of this project, the proposed condominium units are large and there is a great deal of space required for "back of house" and support uses. The developer asserts that the larger units and square footage will not result in an increased impact, but will result in a higher end product.

At this time, the developer is requesting that the City Council amend the 1995 Settlement Agreement to allow the Planning Commission to evaluate the project and give the Planning Commission the option to recommend that additional residential unit equivalents be transferred to the Roosevelt Gap site.

The applicant is still working on the proposal. At this time, it appears that the Roosevelt Gap portion of the project exceeds the permitted 105 unit equivalents by about 12 unit equivalents. The Snow Park portion, as proposed contains 35 unit equivalents. The applicant is willing to explore the transfer of units from elsewhere in the project, or from Deer Valley. The City Council would have to grant final approval for the project.

In the past, the applicant indicated that numerous amendments to the Settlement Agreement may be requested. The project has been revised so that only an increase in residential unit equivalents is necessary. The City Council previously authorized the Planning Commission to consider additional parking at Roosevelt Gap.

The applicant intends to request a height variation as provided for in the Land Management Code. That does not require an amendment to the Settlement Agreement. The variation will require Planning Commission and City Council action.

D. <u>Department Review.</u>

The staff has only preliminarily reviewed the plans in order to give the City Council an idea of the nature of the request being made by the applicant.

<u>ALTERNATIVES</u>

A. <u>Amend the Settlement Agreement to allow the Planning Commission to consider additional residential unit equivalents for the Grand Lodge</u>. This would allow the developer to go through the Planning Commission process with the plans as they are currently proposed. The developer is prepared to address any additional impacts resulting from the additional unit equivalents. The Planning Commission would make a recommendation to the City Council for any transfer.

B. <u>Deny the request of Deer Crest to amend the Settlement Agreement</u>. This would result in the developer having to redesign the plans to meet the unit equivalents as currently outlined in the Settlement Agreement prior to proceeding with the Planning Commission process.

C. <u>Request additional information of the developer and/or staff prior to making a determination on the amendment to the Settlement Agreement</u>.

PARK CITY
1884

CITY COUNCIL REPORT

DATE: April 29, 1999
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer *Eric DeHaan*
TITLE: S.R.248 - Sale of City Property; formalization of the Boundary of Prospector Park Park; approval for Staff to enter into agreement with UP&L to underground an existing overhead power line.
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Discuss the status of the S.R.248 improvements; the sale of City property to UDOT and several related issues. Approve the sale of City property to UDOT. Authorize Staff to enter into an agreement with UP&L to underground existing overhead power lines. Authorize the Mayor to sign a letter formalizing the Prospector Park Park boundary.

DESCRIPTION:

A. Topic: The improvement of S.R. 248 has been a discussion topic in Park City for many years, in response to constant concern about pedestrian safety at the school campus and to an ever-increasing accident level (30 in 1994, 32 in 1995, 58 in 1996, etc.). UDOT identified federal funds for the requested pedestrian crossing improvements and has proceeded to complete a project design for improvements all the way from U.S. 40 into Bonanza Drive. UDOT held a public meeting regarding its proposed improvements to S.R.248. The public meeting was Tuesday, October 6, 1998 from 4PM to 7PM, at Treasure Mountain Middle School. The general consensus was qualified support for the various elements of the project as a means of obtaining a pedestrian crossing signal, reducing the accidents on S.R.248, and planning for the traffic in the year 2020.

B. Background: UDOT hired the consulting firm of Michael Baker Jr., Inc. to prepare an environmental analysis and plans for upgrading S.R.248 between Bonanza Drive and U.S.40. We hope to have John Anderson, UDOT's project manager, and Michael Hegarty, P.E., the project engineer for Michael Baker Jr., Inc., with us at the Council meeting to discuss the status of S.R.248. UDOT plans to reconstruct S.R.248 in 1999 so that it will be available for traffic regardless of the potential reconstruction of Kimball Junction and Silver Creek Junction in 2000 and 2001. The plans include a signal at Comstock and the continuation of restrictions on left turns into Buffalo Bill and Wyatt Earp. All the plans are metric, so they can be a little confusing to people not conversant with metric measurements.

C. Analysis: UDOT's preferred alternative will be to construct a modern two-lane road. There will be one travel lane in each direction, an eight-foot to ten-foot shoulder on each side, and a fourteen-foot median turn lane in the middle. This is very close to what already exists in front of Park City High School. In the corridor on the south side of PC Hill UDOT will pipe the ditch on the south side of 248 in order to gain the necessary width. This will eliminate the need for large cuts into PC Hill. UDOT proposes significant traffic calming and pedestrian amenities as part of the project. The traffic calming will include consistent 35 MPH speed limits (at or below current limits), a raised median (32 inches high to the base of the landscaping) in the area between Wyatt Earp and the existing Park City monument entry sign, and the ability to have trees in the Prospector buffer strip relatively close to the pavement. Pedestrian amenities include a signal at Comstock and an underpass at the Old Landfill Road crossing near U.S.40. That underpass will be funded using money saved by not excavating PC Hill. UDOT has met with City staff to coordinate the landscaping, landscape irrigation, and the decorative concrete elements.

The project needs additional right-of-way acquisition in order to be built. Parcels need to be acquired from the BLM, Park City School District, Park City Municipal Building Authority, and Park City Municipal Corporation. UDOT has offered $383,000 to Park City for the MBA and City parcels which total 6.67 acres. A total of nine parcels are involved. (See attached offer and sample deed). Park City proposes to retain a deed restriction on certain parcels such as those used for open storm runoff detention to guarantee that they remain in perpetuity used for the currently intended uses. What UDOT needs from Park City is our approval of the sale of right-of-way, our agreement (in the form of a letter to BLM - copy attached) to relinquish our leasehold interest in the BLM parcel that would be acquired by UDOT, an indication to BLM that PCMC will continue to be supportive of the preservation of the Silver Creek Wetlands, authorization for the Mayor to sign a letter (attached) which states that Prospector Park Park is outside of the right-of-way line (because otherwise the road would be built "through" the Park, a violation of the Federal funding) and an agreement with UP&L to place their power lines underground (because simply moving them to another overhead location would be insensitive to our entry corridor and could delay the construction sequencing for the project. Park City's leasehold interest in the BLM parcel is a general lease for recreational purposes; those purposes include trails and wildlife habitat which are very important for the BLM ground as a whole but which are regarded by the Staff as a reasonable tradeoff for the pedestrian and cyclist enhancements for the project when applied only to the UDOT-acquisition BLM parcel.

UDOT is also acquiring the "McDermott/Law" parcels which now houses a house and trailer. Myles Rademan has contacted UDOT to request that any remnant fractions of these parcels not needed for the roadway improvements be deeded back to PCMC as additional consideration for the items of value described in this report.

The UP&L undergrounding will cost PCMC $252,641 and UDOT $110,259. UDOT's portion is what it would cost them to move the power line to an alternative overhead location. Please refer to UP&L's February 24 letter, attached. Please note that in the State of Utah, power lines are installed above ground by statute unless local funding is approved for the additional costs to place the lines underground. Please remember we are in the State of Utah.

D. Department Review: The Planning Commission held a work session with Michael Hegarty and expressed concern that the proposed road is too wide. UDOT has re-evaluated the proposed road width based on this input. Otherwise, the City Staff is supportive of the project as a means to reduce accidents on 248 (such as slide-offs) and to address the concerns about the Comstock pedestrian crossing.

ALTERNATIVES:

UDOT has two alternatives identified at this time, and Park City should probably focus our attention on these two alternatives.

A. **The No Build Alternative:** UDOT clearly desires to use available Federal funds to improve 248, but UDOT has indicated to Park City staff that UDOT will consider a no-build alternative if Park City so desires. In the event Park City asks for expensive changes to the 248 design UDOT may also select a No Build alternative. This alternative would leave up to $8 million of available state and federal funds on the table, and that money would not be available in the Park City area. By not approving the land sale, Park City would be mandating this alternative. Further, we could easily delay the project by asserting parkland status for the right-of-way, or for a variety of other reasons, but such tactics would not be responsive to the requests from school patrons for pedestrian improvements, nor would we be responsive to the poor safety record of the existing road.

B. **UDOT's Recommended Alternative:** This alternative has been described in the Analysis section above. It will involve Park City's Council agreeing to a minor redefinition of the boundary of Prospector Park Park along Wyatt Earp. It will allow for the overhead power lines along the south edge of S.R.248 to be placed underground. In order to allow this alternative to occur, Park City needs to agree to the property sale, the letter to BLM, and the authorization to UP&L to proceed.

SIGNIFICANT IMPACTS: The Staff is supportive of UDOT making improvements to 248 (including the desired signal crossing at Comstock) at State/Federal expense rather than the City having to become involved in potentially expensive improvements. UDOT's preferred alternative will have an impact on traffic and on Wyatt Earp Drive, although we hope to complete construction early in the year 2000, and the relocation of Wyatt Earp is minor. Financially, PCMC needs to pay UP&L $252,641. This money is more than covered by the $383,000 right-of-way payment from UDOT. PCMC will also have to maintain the landscaping in the raised median.

RECOMMENDATION: Discuss the status of the S.R.248 improvements; the sale of City property to UDOT and several related issues. Approve the sale of City property to UDOT. Authorize Staff to enter into an agreement with UP&L to underground existing overhead power lines. Authorize the Mayor to sign a letter formalizing the Prospector Park Park boundary.

A-78035

UTAH DEPARTMENT OF TRANSPORTATION
OFFER TO PURCHASE RIGHT OF WAY

Project No.: STP-0248(2)3 **Parcel No.**: 1,3,4,5,8,9,9B,10,&11

Owner: Park City Municipal Corporation

The Utah Department of Transportation hereby makes you an offer of

$383,000.00 (Three Hundred Eighty Three Thousand Dollars)

as the purchase price for the tract (s) of land described in Utah Department of Transportation Project shown above. You are not required to vacate your property until payment of the purchase price has been made available to you.

Your signature on the **Offer to Purchase** is only for the purpose of verification that such an offer has been made to you and does not prejudice your right to have the final amount determined through condemnation proceedings in the event you do not accept the State's offer. Information regarding your rights in Condemnation proceedings is explained in the brochure, **"Your Highways and You"**, presented to you at this time.

THIS IS NOT A CONTRACT TO PURCHASE BUT MERELY AN OFFER TO PURCHASE FOR THE AMOUNT INDICATED ABOVE.

Date April 15, 1999 By Layne K. Schaugaard
Acquisition Agent

Received a copy of the above offer this 15th day of April 1999

R-764 ______________________

7-90 ______________________

A-78035

UTAH DEPARTMENT OF TRANSPORTATION
STATEMENT OF JUST COMPENSATION

Project No.: STP-0248(2)3

Parcel No.: 1,3,4,5,8,9,9B,10,&11

GRANTOR: Park City Municipal Corporation

The following information is the basis for the amount estimated by the Utah Department of Transportation to be Just compensation.

(a) Identification of the real property to be acquired: (location, etc.). Parcels of land located on both sides of S.R. 248 east of Park City, Utah, needed for the improvement and widening of the highway.

Ownership Size: 101.071 acres

TYPE OF INTEREST ACQUIRED	PARCEL NO.	SIZE OF ACQUISITION SQ. FT/ACRE	REMAINDER LT	REMAINDER RT
Quit Claim Deeds	1, 3, 4, 5, 8,	6.674 acres		
	9, 9B, 10, 11	(Total)		

(b) Identification of improvements including fixtures which are to be acquired.

BUILDINGS:

LANDSCAPING/YARD: Park improvements including sod, landscaping, trees, curb & gutter, paving, wood chips, and sprinkler system.

(c) Impr. taken that will be replaced/or constructed as part of project. Reinstall sprinkler system, relocate electric light, and relocate boulders and rail ties.

(d) Summary of fair market value: . . . . $ 362,136.00
1. Land . . . . $ 18,177.00
2. Improvements . . . . $ 2,600.00
3. Damages . . . . $________
4. Less Special Benefits . . . . **TOTAL ROUNDED =** $ 383,000.00
5.

(e) The Utah Department of Transportation declares that this offer is the amount that has been established by the Department as just compensation and is in accordance with applicable State laws and requirements. Just compensation is defined as the fair market value of the property taken, plus damages, if any, to the remaining property, less any benefit which may accrue to said property by reason of the construction of the highway.

DATE: April 15, 1999

Layne K. Schaugaard
Right-of-Way Acquisition Agent

R-62/Rev. 4/90

COPY

(ONE OF NINE - NOT INCLUDED)

WHEN RECORDED, MAIL TO:
Utah Department of Transportation
Right-of-Way, Fourth Floor,
Box 148440
Salt Lake City, Utah 84119-5998

Quit Claim Deed

(Park City)
Summit County

Parcel No. 0248:1
Project No. STP-0248(2)3

____, a municipal corporation of the State of Utah, Grantor, hereby QUIT CLAIMS to the UTAH DEPARTMENT OF TRANSPORTATION, at 4501 South 2700 West, Salt Lake City, Utah 84119, Grantee, for the sum of ____ Dollars, and other good and valuable considerations, the following described parcel of land in Summit County, State of Utah, to-wit:

A parcel of land in fee for the widening of the existing highway State Route 248 known as Project No. STP-0248(2)3, being part of an entire tract of property, situate in the NW¼NW¼ and the NE¼NW¼ of Section 10, T. 2 S., R. 4 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the Northwest corner of said entire tract, 16.619m (54.52 ft) perpendicularly distant southerly from the control line of said project at engineers station 12+021.833, which corner is 241.045m (790.83 ft) S. 89°36'31" W. along the section line and 310.875m (1019.93 ft) S. 84°16'00" W. along the Northerly boundary line of Prospector Park Subdivision, Phase 2 according to the official plat thereof from the North Quarter corner of said Section 10; and running thence N. 84°16'00" E 219.960m (721.65 ft) along said Northerly subdivision boundary line to a point 11.694m (38.37 ft) perpendicularly distant southerly from said control line at the Westerly right of way line of Wyatt Earp Way; thence Southeasterly 27.299m (89.56ft) along said Westerly right of way line and the arc of a 86.56-meter (284.00 ft) curve to the right (Note: Chord to said curve bears S. 52°57'48" E. for a distance of 27.186m (89.19 ft)); N. 87°06'52" W. 67.066m (220.03 ft); thence S. 85°01'15" W.173.623m (569.63 ft) to the Westerly boundary line of said subdivision; thence N. 05°44'00" W. 6.125m (20.10 ft) along said Westerly subdivision boundary line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation. The above described parcel of land contains 1987.8 square meters (21397 square feet or 0.491 acre) in area, more or less.

(Note: To obtain distances in feet, divide above metric distances by 0.3048. Multiply above square meters by 10.764 to obtain square feet.)

Continued on Page 2

Parcel No. 0248:1
Project No. STP-0248(2)3

IN WITNESS WHEREOF, said ______________________________ has caused this instrument to be executed by its proper officers thereunto duly authorized, this ______________________ day of ______________________, A.D. 19____.

STATE OF UTAH)
) ss.
COUNTY OF ________________)

____

By ______________________________

On the date first above written personally appeared before me, ____, who, being by me duly sworn, did say that __he is the ___________________________ of ___________________________, a municipal corporation of the State of Utah, and that the within and foregoing instrument was signed in behalf of said municipal corporation by authority of a resolution adopted at a regular meeting of the ____ held on the ____________________ of ______________________, A.D. 19___, and said ______________________________________ acknowledged to me that said municipal corporation executed the same.

WITNESS my hand and official stamp the date in this certificate first above written:

____
Notary Public

PARK CITY

Department of Community Development
Engineering • Building Inspection • Planning

April 26, 1999

Mr. Mike Nelson
Bureau of Land Management
c/o Mike Hegarty
via Fax @ (801)255-0404

Re: Red Maple Lease U-29830

Gentlemen:

Park City is very supportive of the BLM's efforts to provide and maintain quality recreational lands and high-value wetlands. We appreciate your interest in the Park City neighborhood and your ongoing stewardship of public lands in general.

UDOT has worked with Park City for several years on the design of S.R.248. In general, Park City is supportive of the current design.

When this letter is endorsed by the Mayor of Park City, this letter will serve as Park City's agreement to amend our leasehold interest within and upon those BLM lands which are being transferred as necessary for the 248 project. We understand about 6 acres are being transferred.

As part of our ongoing wetlands preservation efforts, Park City is very interested in the Silver Creek area and we would like to maintain or enhance its high quality. In order to help this effort, Park City will divert surplus flows from the Pace-Homer ditch into the Silver Creek wetlands.

Respectfully submitted,

Eric DeHaan

Eric W. DeHaan, P. E.
City Engineer

____
Bradley A. Olch, Mayor

EWDH/scb

38

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (435) 615-5055 • Engineering (435) 615-5055 • Building (435) 615-5100
Planning (435) 615-5060 • FAX (435) 615-4906

PARK CITY
1884

Department of Community Development
Engineering • Building Inspection • Planning

February 8, 1999

Michael Hegarty, P. E.
Michael Baker Jr., Inc.

Via facsimile @ FAX (801) 255-0404

Re: 4(f) Statement regarding Prospector Park Park near SR-248

Dear Michael:

This letter is written in regard to formalizing the boundary of Prospector Park park, a neighborhood park in Park City adjacent to the SR-248 corridor.

When endorsed below by our Mayor, this letter will define the boundary of our park, enabling the SR-248 corridor and all of the proposed construction therein to be entirely outside of our park.

The legal description attached to this letter adequately represents the boundary of Prospector Park Park as it has been developed. We have worked very hard with the BLM and adjacent property owners such as the Rail-Trail State Park to blend the park with the trails and wetlands adjacent to it, but we feel the park boundary as shown on the attached legal description represents the park correctly.

Please feel free to call if I can answer any questions.

Respectfully submitted,

Eric DeHaan

Eric W. DeHaan, P. E.

EWDH/scb

____
Park City Municipal Corporation
By Bradley A. Olch, Mayor

39

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (435) 615-5055 • Engineering (435) 615-5055 • Building (435) 615-5100
Planning (435) 615-5060 • FAX (435) 615-4906

MERIDIAN ENGINEERING & SURVEYING, LC
ENGINEERS • SURVEYORS • CONSTRUCTION MANAGEMENT

N.I.C. BLM Leases
N.I.C. entire Southcorpe purchase.

PARK BOUNDARY

A parcel of land incident to the widening of State Route 248 known as Project No. STP-0248(2)3, being part of an entire tract of property, situate in the NE1/4NE1/4 of Section 10, T. 2 S., R. 4 E., S.L.B. & M. The boundaries of said parcel of land are described as follows:

Beginning at the most easterly corner of Prospector Park, Phase II, a recorded subdivision of Summit County, which corner is 31.937m (104.78 ft) South and 163.412m (536.13 ft) S. 58°25'48" W. from the North Quarter corner of said Section 10; and running thence along the subdivision boundary line of said Prospector Park, Phase II the following five (5) courses: N. 21°00'00" W. 59.202m (194.23 ft); thence N. 87°00'00" W. 53.917m (176.89 ft); thence S. 74°30'00" W. 50.307m (164.51 ft); thence N. 14°00'00" W. 7.417m (43.71 ft); thence Northwesterly, 24.597m (80.70 ft) along the arc of a 106.680-meter (350.00 ft) radius curve to the left (Note: Chord to said curve bears N. 20°36'20" W. for a distance of 24.543m (80.82ft)); to a point 48.606m(159.47 ft) perpendicularly distant southerly from the control line of said project, thence leaving said subdivision boundary line N. 13°31'52" E. 31.728m (104.09 ft)to a point 18.227m (59.80 ft) perpendicularly distant southerly at engineers station 12+305.297 from said control line; thence N. 86°45'04" E. 74.080m (243.05 ft); thence Northeasterly, 86.731m (284.55 ft) along the arc of a 718.080-meter (2,355.91 ft) radius curve to the left (Note: Chord to said curve bears N. 83°09'59" E. for a distance of 86.677m (284.37ft)) to a point 18.078m (59.31 ft) perpendicularly distant southerly from said control line; thence S. 31°34'12" E. 84.864m (278.43 ft); thence S. 58°25'48" W. 91.440m (300.00 ft) to the point of beginning. The above described parcel of land contains 13,558.0 square meters (145,937 square feet or 3.350 acres) in area, more or less.

SR-248: UDOT No. STP-0248(2)3
F:\97-Projects\97018\Meridian Legals\park-legal.txt

December 15, 1998

40

9257 South Redwood Road, Building 6, Suite B • West Jordan, Utah 84088
Phone: (801) 569-1315 • Fax: (801) 569-1319

RECEIVED
JAN - 5 1999
PARK CITY PLANNING DEPT.

PACIFICORP

February 24, 1999

UTAH POWER - PACIFIC POWER
4115 ATKINSON AVE. PO BOX 1508 PARK CITY, UTAH 84060 (435) 655-7813

PARK CITY MUNICIPAL CORPORATION
ATTN:ERIC DEHAAN
PO BOX 1480
PARK CITY, UTAH 84060

Fax Transmittal (435) 615-4906

RE: HIGHWAY 248 / UDOT PROJECT

Dear Eric Dehaan,

Regarding the UDOT road project. of Highway 248 / Kearns Boulevard – U. S. 40. I submit the following proposals for your review.

The estimated project cost, for Utah Power to relocate our existing three phase overhead distribution system is $110,259.00. This cost estimate would constitute re-construction of a like facility, along an existing fence line on the north side of 248.

The estimated project cost, for Utah Power to relocate our existing three phase overhead distribution system. And to reconstruct this line using underground construction standards, along the same existing fence line is $$362,900.00.

The State of Utah, has agreed to finance the relocation with like facilities. Park City, would be responsible for the cost difference between the two estimates. The project cost difference would have to be paid 100% in advance of construction. This would allow the required materials to be acquired.

A portion of the underground project cost would be for the trenching sanding backfill and compaction. From Sidewinder Dr. to the old County Rd. approx. 2 miles. Park City, or UDOT could provide this trenching for the project and reduce the cost estimated cost difference amount by $50,000.00.

Please call with any additional questions which you may have (435) 655-7813

Sincerely

R. Duane Layton
Journey Estimator
Park City Area

R Duane Layton

cc: Scott Rhees PacifiCorp
file

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: April 29, 1999,
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Tom Bakaly, Director of Capital Programs and Budget
TITLE: Bond Parameters Resolution - 1999 Water Revenue Refunding Bonds
TYPE OF ITEM: Legislative/administrative

SUMMARY RECOMMENDATIONS: The City Council should consider and approve the attached Parameters Resolution relating to the issuance of Water Revenue Refunding Bonds, Series 1999.

DESCRIPTION:

A. Topic:

Consideration and adoption of a resolution that does the following: 1) Preliminarily authorizes the refunding of Park City Water Revenue Bonds, Series 1991 and Series 1994 to effectuate an estimated interest savings of $295,000 ($125,000 in present value); 2) Sets maximum parameters relating to the issuance size, length to maturity, interest rates and discount of the bonds; 3) Authorizes the publication of a Notice of Bonds to be Issued and; 3) Authorizes the preparation and distribution of documents pertaining to the issuance of the bonds.

B. Background:

The City is authorized under State law to issue revenue bonds to fund improvements to its water system and to repay the debt from income generated by the Water Fund. These revenue bonds have no effect on property taxes, and do not require an election or public hearing. The City has issued a number of water revenue bonds and currently has two issues outstanding: 1) a 1991 Subordinated Water Revenue Bond in the amount of $2,023,604 bearing interest at 5.0% and payable over the next 14 years and 2) a 1994 Water Revenue Refunding Bond in the amount of $3,480,000 bearing interest at an average rate of 5.44% and payable over the next 5 years. The Series 1991 Bond can be repaid at any time without a penalty. The Series 1994 issue can only be repaid on June 15 or December 15 at a 1% penalty, therefore, timing is important. The proposed Series 1999 Refunding Bond will not be used to fund any new water projects.

The proposed refunding would save interest over the life of the issue in the amount of about $295,000 ($125,000 present value), net of all reissuance expenses. The completion of the financing is subject to achieving satisfactory savings. With the City Council's approval and a cooperative market, the sale of the bonds is scheduled to go forward on May 13th.

C. Analysis:

The resolution establishes the following outside parameters with respect to the proposed bond issue:

1) Size: The resolution sets the maximum amount of the bonds at $5,300,000. This amount is purposely set slightly higher than the amount currently estimated as necessary in order to provide the underwriter and City some flexibility when it comes time to actually sell the bonds.

2) Length to Maturity: The resolution states that the maximum length to maturity cannot exceed 10 years. Again, this parameter is conservative and the length ro maturity will most likely not exceed 7 years.

3) Interest Rates of the Bond Coupons: The bond is structured so that a predetermined amount of principal will be repaid each year. Each annual principal amount bears its own rate of interest. The resolution states that no principal may bear an interest rate greater than 5.0%. We estimate the average rate to be about 4.0% with no principal bearing interest higher than 4.2%.

4) Maximum Discount: The resolution also sets the maximum amount that the bond price can be discounted (2%). The discount would cover compensation to the underwriter (in this bond, about 0.55%) and, occasionally, would include original issue discount to the ultimate purchasers (not expected to apply in this financing). The 2% parameter is again conservative.

5) Financing Team: The City is using Municipal Bond Consulting Inc. as the Financial Advisor and Chapman and Cutler as Bond Counsel for the issuance. Through a Request for Proposal (RFP) process, the City selected Zions as the Underwriter for the transaction.

6) Bond Rating: The City currently has an A-3 rating from Moody's on its Water Revenue debt. It is staff's hope that through this refunding, that rating will be upgraded.

7) Notice of Bonds: The Notice of Bonds to be Issued will be published one time in the Park Record and will inform the public of the proposed bond sale. Furthermore, it establishes a 30 day protest period in which any person may file a legal challenge to the issuance of the proposed bonds. After the 30 day protest period has run no more legal challenges are allowed. It essentially establishes a short statute of limitations with respect to this bond issue.

D. Department Review:

This report has been reviewed the Office of Capital Management and Budget, the City Manager's Office and the Legal Department.

ALTERNATIVES:

A. **Approve the Request:** Adopting the resolution will allow the City to proceed with the bond issue and lock in the estimated interest savings.

B. **Deny the Request:** A Parameters Resolution is not required to issue bonds, but is generally recommended to reduce the City's legal exposure. If the City Council does not refund the bonds, then the City would forego approximately $295,000 of interest savings.

C. **Continue the Item:** Continuing action on the resolution could delay the issuance of the bonds causing us to miss the June 15 redemption date on the Series 1994 Bonds. This means that we would lose about $33,000 of interest savings that could be achieved between June 15 and December 15, the next available redemption date on the Series 1994 Bonds.

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

SIGNIFICANT IMPACTS: Adoption of this resolution will allow the City and the Water Fund to proceed with the issuance of the bonds in a timely and efficient manner. Swift completion of the bond issuance is needed to take advantage of favorable interest rates that will result in savings as well as a semi-annual window to call the Series 1994 Bonds. The net present value of the savings is estimated to be about $125,000

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: The consequences of not taking the recommended action, based upon today's interest rates, would be to forgo roughly $33,000 in interest savings if the City elected to refund the bonds at the next call date. If the City did not refund the bonds, assuming current interest rates, the City would forgo roughly $125,000 in interest savings (net present value).

RECOMMENDATION: Adopt the attached Parameters Resolution relating to the refunding of Water Revenue Bonds, Series 1999.

RESOLUTION NO. ____ -99

A RESOLUTION AUTHORIZING THE ISSUANCE AND CONFIRMING THE SALE OF NOT MORE THAN $5,300,000 AGGREGATE PRINCIPAL AMOUNT OF WATER REVENUE REFUNDING BONDS OF PARK CITY, SUMMIT COUNTY, UTAH, FIXING THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF THE BONDS, THE MAXIMUM NUMBER OF YEARS OVER WHICH THE BONDS MAY MATURE, THE MAXIMUM INTEREST RATE WHICH THE BONDS MAY BEAR AND THE MAXIMUM DISCOUNT FROM PAR AT WHICH THE BONDS MAY BE SOLD; AUTHORIZING PUBLICATION OF A NOTICE OF BONDS TO BE ISSUED; AUTHORIZING CERTAIN REDEMPTION NOTICES; AND RELATED MATTERS.

*** *** ***

WHEREAS, the City Council of Park City, Summit County, Utah (the *"City Council"*) considers it desirable and necessary and for the benefit of Park City, Summit County, Utah (the *"City"*) to issue its Water Revenue Refunding Bonds, Series 1999 (the *"Refunding Bonds"*) for the purposes set forth below; and

WHEREAS, the City Council now desires to publish a Notice of Bonds to be Issued pursuant to Section 11-27-4, Utah Code Annotated 1953, as amended;

NOW, THEREFORE, Be It Resolved by the City Council of Park City, Summit County, Utah, as follows:

Section 1. Bonds to be Issued. The City Council hereby finds and determines that it is desirable and necessary and for the benefit of the City for it to issue not more than $5,300,000 aggregate principal amount of its water revenue refunding bonds, to mature in not more than ten years from their date or dates, to bear interest at a rate or rates not to exceed five percent (5.00%) per annum, and to be sold at a discount from par, expressed as a percentage of principal amount, of not to exceed two percent (2%), all in accordance with and pursuant to the provisions of (1) a General Trust Indenture (the *"General Indenture"*), between the City and the trustee named therein (the *"Trustee"*), a draft of which is attached as *Exhibit A*, (2) a First Supplemental Trust Indenture, between the City and the Trustee, supplementing the General Indenture (the *"First Supplemental Indenture"*), a draft of which is attached as *Exhibit B*, and (3) a Bond Resolution Authorizing the Issuance and Sale of the Refunding Bonds (the *"Refunding Bond Resolution"*) to be adopted by the City Council at a future date, a draft of which is attached as *Exhibit C*, and the City Council hereby declares its intention to issue the Refunding Bonds according to the provisions of this Section. The Refunding Bonds are to be issued for the purpose of (a) refunding a portion of (i) the City's outstanding Subordinated Water Revenue Bonds, Series 1991 (the *"Series 1991 Bonds"*), and (ii) the City's outstanding Water Revenue Refunding Bonds, Series 1994 (the *"Series 1994 Bonds"*), (b) funding any necessary debt service and other reserves, and (c) paying certain costs relating to the issuance of the Refunding Bonds.

Section 2. Authorization. The City Council hereby authorizes and approves the issuance and sale of the Refunding Bonds pursuant to the provisions of this Resolution, the General Indenture and the First Supplemental Indenture; *provided* that the principal amount, interest rate or rates, maturity or maturities, and discount shall not exceed the maximums set forth in Section 1 hereof.

Section 3. Approval of Forms of General Indenture, First Supplemental Indenture and Refunding Bond Resolution. The General Indenture, the First Supplemental Indenture and the Refunding Bond Resolution in substantially the forms presented at this meeting and attached hereto as *Exhibits A, B* and *C*, respectively, with such changes, omissions, insertions and revisions as the Mayor shall deem advisable, are hereby authorized and approved.

Section 4. Publication of Notice of Bonds to be Issued. In accordance with the provisions of Section 11-27-4, Utah Code Annotated 1953, as amended, the City Recorder shall cause the following *"Notice of Bonds to be Issued"* to be published one time in *The Park Record*, a newspaper of general circulation in the City, and shall cause a copy of this Resolution, together with the exhibits thereto, to be kept on file in her office for public examination during the regular business hours of the City Recorder for at least thirty days after the date of such publication. The *"Notice of Bonds to be Issued"* shall be in substantially the following form:

NOTICE OF BONDS TO BE ISSUED

NOTICE IS HEREBY GIVEN pursuant to the provisions of Section 11-27-4, Utah Code Annotated 1953, as amended, that on April 29, 1999, the City Council of Park City, Summit County, Utah (the *"City"*), adopted a resolution (the *"Resolution"*) in which it authorized and approved the issuance of the City's Water Revenue Refunding Bonds, Series 1999 (the *"Refunding Bonds"*) in an aggregate principal amount of not to exceed $5,300,000, to mature in not more than ten years from their date or dates, to bear interest at a rate or rates not to exceed five percent per annum, and to be sold at a discount from par, expressed as a percentage of principal amount, of not to exceed two percent.

The Refunding Bonds are to be issued and sold by the City pursuant to (i) the Resolution, (2) a resolution to be adopted at a future date (the *"Refunding Bond Resolution"*), (3) a General Trust Indenture between the City and the trustee named therein (the *"Trustee"*), and (4) a First Supplemental Trust Indenture between the City and the Trustee, supplementing the General Trust Indenture. The General Trust Indenture and the First Supplemental Trust Indenture will be executed and delivered and the Refunding Bond Resolution will be adopted by the City Council at a future date prior to the issuance of the Refunding Bonds in substantially the form attached to the Resolution, with such changes thereto as shall be approved by the City Council, *provided* that the principal amount, interest rate or rates, maturity or maturities and discount will not exceed the maximums set forth above.

The Refunding Bonds are to be issued for the purpose of (a) refunding a portion of (i) the City's outstanding Subordinated Water Revenue Bonds, Series 1991, and (ii) the City's outstanding Water Revenue Refunding Bonds, Series 1994, (b) funding any necessary debt service and other reserves, and (c) paying certain costs relating to the issuance of the Refunding Bonds, all as set forth in the Resolution, the Refunding Bond Resolution, the General Trust Indenture and the First Supplemental Trust Indenture.

A copy of the Resolution (including drafts of the General Trust Indenture, the First Supplemental Trust Indenture and the Refunding Bond Resolution) is on file in the office of the City Recorder, located at 445 Marsac Avenue, in Park City, Utah, where it may be examined during regular business hours of the City Recorder from 8:00 A.M. to 5:00 P.M. Said Resolution (including drafts of the General Trust Indenture, the First Supplemental Trust Indenture and the Refunding Bond Resolution) shall be so available for inspection for a period of at least thirty (30) days from and after the date of the publication of this notice.

NOTICE IS FURTHER GIVEN that pursuant to law for a period of thirty days from and after the date of the publication of this notice, any person in interest shall have the right to contest the legality of the above-described Resolution (including the Refunding Bond Resolution, the General Trust Indenture and the First Supplemental Trust Indenture) of the City Council of Park City, Summit County, Utah, or the Refunding Bonds or any provisions made for the security and payment of the Refunding Bonds, and that after such time, no one shall have any cause of action to contest the regularity, formality or legality thereof for any cause.

DATED this 29th day of April, 1999.

PARK CITY, SUMMIT COUNTY, UTAH

By ______________________________
Deputy City Recorder

Section 5. Authorization to Give Notice of Redemption. In order to provide for the refunding and redemption of the Series 1991 Bonds and the Series 1994 Bonds on the earliest practicable date, the preparation and providing of the notices of redemption of the Series 1991 Bonds and the Series 1994 Bonds is hereby authorized and directed. Such notices shall provide for the redemption of the Series 1991 Bonds and the Series 1994 Bonds on the earliest practicable redemption date following the issuance of the Refunding Bonds, *provided however* that such notices are authorized to be given prior to the issuance of the Refunding Bonds.

Section 6. Ratification. All proceedings, resolutions and actions of the City and its officers taken in connection with the sale and issuance of the Refunding Bonds are hereby ratified, confirmed and approved.

Section 7. Severability. It is hereby declared that all parts of this Resolution are severable, and if any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining provisions, paragraphs, clauses or provisions of this Resolution.

Section 8. *Conflict.* All resolutions, orders and regulations or parts thereof heretofore adopted or passed that are in conflict with any of the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 9. *Captions.* The captions or headings herein are for convenience of reference only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

Section 10. *Effective Date.* This Resolution shall be in full force and effect immediately upon its adoption.

PASSED and APPROVED by the City Council and the Mayor of Park City, Summit County, Utah, this 29th day of April, 1999.

PARK CITY, SUMMIT COUNTY, UTAH

By______________________________
Mayor

[SEAL]

ATTEST AND COUNTERSIGN:

By______________________________
Deputy City Recorder

APPROVED AS TO FORM:

By______________________________
City Attorney

PARK CITY
1884

CITY COUNCIL REPORT

DATE: April 29, 1999
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer Eric DeHaan
TITLE: Woodside Avenue Reconstruction Project - Award of Construction Contract to Geneva Rock Products Inc.
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Award the Construction Contract for the Woodside Avenue Reconstruction project in the amount of $2,590,918.60 (or a slightly revised amount if technical adjustments are necessary) to Geneva Rock Products, Inc.

DESCRIPTION:

A. Topic: We have been designing the Woodside project and coordinating it with neighbors and affected utilities for over six months. The project extends from 12th Street to King Road on Woodside, with storm drain and sanitary sewer connections down 8th and 12th to Park, and water connections up 2nd to Norfolk and up 12th to Empire. This project includes extra capacity in storm drains, water lines, and utility conduits to handle all zoned density in the western Old Town area, including the Sweeney MPD, insofar as Woodside Avenue is concerned.

B. Background: Bids were opened on April 20th for the Woodside project. The bids came in as follows:

Nelson Trucking	$4,152,848.40
Harper Contracting, Inc.	$3,320,706.00
Cal Wadsworth Construction	$2,797,818.02
Geneva Rock Products, Inc.	$2,590,918.60

The contract bid schedule **includes** some SBSID sewer work for which PCMC will be reimbursed by SBSID. That schedule on the Geneva bid amounts to about $140,000.00, and SBSID will reimburse PCMC an additional (approximate) $60,000.00 which represents SBSID's share of the traffic control, asphalt patching, etc.

The **net** cost to PCMC for Geneva's bid would therefore be about $2.4 million, but the contract amount would be their full bid amount of $2,590,918.60. Please note that SBSID may request minor additional reimbursable work, which would affect the contract amount but not the **net** cost to PCMC.

Both EWP and the City Engineer have worked with Geneva before. They are fully qualified for the Woodside job. They are an "old-line" company with tremendous amounts of equipment and experienced supervisors. Both EWP and the City Engineer recommend that we accept their bid. We feel costs will only increase in the next few years, and the higher bids illustrate the potential costs of waiting.

To date on Woodside we have spent $50,000.00 with Montgomery-Watson and we are well into a $300,000.00 contract with EWP which will take us through the completion of construction in the fall of 2000. The spreadsheet we have been using throughout the project is attached. We are over the "Total Thru 2000" amount by about $250,000.00, taking into consideration all the engineering and the **net** cost to PCMC of Geneva's bid. The spreadsheet shows $435,528.00 available in FY2001, which period would include the completion of construction in July thru November, 2000.

C. Analysis: Although we regret the fact that our bids came in above our engineer's estimate, Staff does not believe it would be advantageous to postpone the project. With all of the engineering in place and with a huge cooperative effort being mounted with SBSID and Questar, many man-hours would be wasted with a postponement. The Woodside residents are anticipating construction in 1999 and 2000 and in many cases are contemplating landscaping projects on their property once our construction is complete. The project will be massive and disruptive, but the condition of Woodside's paving argues that we undertake the project now so the new gutters and paving included in the project can be installed as soon as possible. A copy of Geneva's broken-out bid is attached.

D. Department Review: The Woodside project design has been coordinated with public Works. The parking and traffic impacts have been coordinated with Melissa Caffey representing the Library and Education Center, Father Bob Bussen representing St. Mary's, and also with Parking Manager Brian Anderson. The budget impacts and cash flow aspects have been coordinated with our Capital Project Management department. The contract has been coordinated with Legal. Everyone is happy with the current plans and contract.

ALTERNATIVES:

A. Approve the Request: By approving the contract with Geneva Rock, the Woodside project will be kept on schedule. Our C.I.P. budget will be impacted as anticipated.

B. Re-bid the Project: The project could be re-bid at a different time. Although costs may decrease, there is no guarantee of reduced costs and with inflation we may be looking at much higher costs.

C. Abandon the Project: The Woodside project can still be abandoned. Doing so would cost the lion's share of the $350,000.00 in engineering contracts to date, and the design would "stale" on the shelf as new building and utility construction occur.

SIGNIFICANT IMPACTS: The C.I.P. budget programs the Woodside funds between now and FY2001, and this project will expend the programmed funds in a well-designed manner. The flow of impact fee revenues and expenditures would continue to be orderly. Intrusive construction on Woodside will occur but we have the best available contractor/project management team assigned to the project to deal with the impacts.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: The constant and ongoing damage to structures and the Woodside Avenue road improvements resulting from the uncontained flow of drain water will continue. The risk to our historic district from a multi-structure fire, also uncontained due to inadequate fire flows and hydrant proximity, will continue.

RECOMMENDATION: .Award the Construction Contract for the Woodside Avenue Reconstruction project in the amount of $2,590,918.60 (or a slightly revised amount if technical adjustments are necessary) to Geneva Rock Products, Inc.

PARK CITY MUNICIPAL CORPORATION
BUDGET SUMMARY

CIP #	FUND	PROJECT	DESCRIPTION	1998 BUDGET	1998 ADJUST	1998 ADJ BUDGET	EXPENSES TO DATE	1999 PLAN	TOTAL THRU 1999	FY2000	TOTAL THRU 2000	FY2001	FY2002	FY2003	PROJECT TOTAL
WOODSIDE EXPENSES															
69	31	42111	Old Town Utilities	17,500		17,500	(4,200)		13,300		13,300				17,500
69	34	49043	Old Town Utilities Master Plan	17,500		17,500	0		17,500		17,500				17,500
187	31	49097	Woodside-Crescent Tram	130,000		130,000	0	130,000	260,000	130,000	390,000	130,000	130,000		650,000
495	31	42079	Utilities & Streets Master Plan	469,010		469,010	(347,411)	175,000	296,599	175,000	471,599	175,000	175,000		1,169,010
495	34	49052	Implement Old Town Streets	354,375		354,375	0	97,555	451,930	130,528	582,458	130,528			712,986
571	51	45057	Ontario Avenue Water Line	80,000		80,000	0		80,000		80,000				80,000
628	31	49091	Woodside Storm Drain	150,000		150,000	0	150,000	300,000	150,000	450,000				450,000
692	51		Woodside-Water Line King -12th	0		0			0	535,000	535,000				535,000
			Total Woodside Projects	1,218,385	0	1,218,385	(351,611)	552,555	1,419,329	1,120,528	2,539,857	435,528	305,000	0	3,631,996
WOODSIDE REVENUES															
69	31	32361	Impact Fees	17,500		17,500			17,500		17,500				17,500
	34	31113	Property Tax Increment	17,500		17,500			17,500		17,500				17,500
187	31	32361	Impact Fees	29,600		29,600		29,600	59,200	29,600	88,800	29,600	29,600		148,000
	31	33261	Class C Road	100,400		100,400		100,400	200,800	100,400	301,200	100,400	100,400		502,000
495	31	38211	Transfer from General Fund	236,303		236,303			236,303	175,000	411,303	175,000	175,000		761,303
	31	39990	Beg Balance	0		0		175,000	175,000		175,000				175,000
	31	32361	Impact Fees	232,707		232,707			232,707		232,707				232,707
	34	31113	Property Tax Increment	354,375		354,375		97,555	451,930	130,528	582,458	130,528			712,986
571	51	34111	Water Service Fees	80,000		80,000			80,000		80,000				80,000
628	31	38211	Transfer from General Fund	150,000		150,000			150,000	150,000	300,000				300,000
	31	39990	Beg Balance	0		0			0		0				0
	31	39220	Bond Proceeds	0		0		150,000	150,000		150,000				150,000
692	51	34111	Water Service Fees	0		0			0	535,000	535,000				535,000
			Total Woodside Revenue	1,218,385	0	1,218,385	0	552,555	1,770,940	1,120,528	2,891,468	435,528	305,000	0	3,631,996
WOODSIDE REVENUES BY TYPE															
	31	39990	Beg Balance	0		0	0	175,000	175,000	0	175,000	0	0	0	175,000
	34	39220	Bond Proceeds	0		0	0	150,000	150,000	0	150,000	0	0	0	150,000
	31	33261	Class C Road	100,400		100,400	0	100,400	200,800	100,400	301,200	100,400	100,400	0	502,000
	31	32361	Impact Fees	279,807		279,807	0	29,600	309,407	29,600	339,007	29,600	29,600	0	398,207
	34	31113	Property Tax Increment	371,875		371,875	0	97,555	469,430	130,528	599,958	130,528	0	0	730,486
	31	38211	Transfer from General Fund	386,303		386,303	0	0	386,303	325,000	711,303	175,000	175,000	0	1,061,303
	51	34111	Water Service Fees	80,000	0	80,000	0	0	80,000	535,000	615,000	0	0	0	615,000
			Total Woodside Revenue	1,218,385	0	1,218,385	0	552,555	1,770,940	1,120,528	2,891,468	435,528	305,000	0	3,631,996

WOODSIDE BUDGET SUMMARY SPREADSHEET

WOODSIDE AVENUE IMPROVEMENTS
TOTAL PROJECT COSTS
GENEVA ROCK PRODUCTS BID - 4/20/99

ASSOCIATED COSTS BREAKDOWN

PCMC

ITEM	DESCRIPTION	PRICE	ASSOCIATED PERCENTAGE	ASSOCIATED COSTS
	PCMC ASSSOCIATED CONSTRUCTION COSTS			$2,237,410.00
	PCMC ASSOCIATED GENERAL COSTS			$140,017.31
	TOTAL PCMC ASSOCIATED COSTS			$2,377,427.31

SBSID

ITEM	DESCRIPTION	UNIT PRICE	UNIT	ESTIMATED QUANTITY	PRICE	ASSOCIATED PERCENTAGE	ASSOCIATED COSTS
	SCHEDULE A - GENERAL						
1	MOBILIZATION YR 1999 (1% OF CONSTRUCTION COSTS)				$24,000.00	8.02%	$1,925.41
2	REMOBILIZATION YR 2000 (1% OF CONSTRUCTION COSTS)				$24,000.00	8.02%	$1,925.41
4	CLEANUP (2% OF CONSTRUCTION COSTS)				$24,000.00	8.02%	$1,925.41
5	RECORD DRAWINGS (0.5% OF CONSTRUCTION COSTS)				$10,000.00	8.02%	$802.25
3	TRAFFIC CONTROL & SIGNAGE				$70,230.00	8.02%	$5,634.22
	SCHEDULE B - ROADWAY IMPROVEMENTS						
4	TRENCH PAVEMENT REPAIR	$35.00	LF	594	$20,790.00	100%	$20,790.00
7	IMPORT TRENCH BACKFILL (STRUCTURAL FILL)	$14.20	TON	2450	$34,790.00	100%	$34,790.00
12	CONSTRUCT ASPHALT PAVEMENT SECTION	$16.50	SY	99	$1,628.00	100%	$1,628.00
	SCHEDULE C - WATER SYSTEM IMPROVEMENTS						
6	F & I 8-INCH DUCTILE IRON WATER PIPE	$33.00	LF	5	$165.00	100%	$165.00
	SCHEDULE E - SANITARY SEWER IMPROVEMENTS						
1	F & I 12-INCH DI SEWER PIPE (MJ)	$72.00	LF	213	$15,336.00	100%	$15,336.00
2	F & I 8-INCH PVC SEWER PIPE (ASTM D 3034)	$37.60	LF	796	$29,929.60	100%	$29,929.60
3	RECONSTRUCT EXISTING SEWER LATERAL	$970.00	EA	10	$9,700.00	100%	$9,700.00
4	F & I 4-INCH PVC SEWER PIPE (ASTM D 3034)	$905.00	EA	6	$5,430.00	100%	$5,430.00
5	F & I 4-INCH PVC SEWER PIPE (ASTM D 3034) SW	$905.00	EA	35	$31,675.00	100%	$31,675.00
6	F & I 4-INCH PVC SEWER PIPE (ASTM D 3034) 10TH ST	$905.00	EA	1	$905.00	100%	$905.00
7	LOCATE & CONNECT TO EXISTING BUILDING SEWER	$1,040.00	EA	7	$7,280.00	100%	$7,280.00
8	F & I 4-FOOT DIA. MANHOLE	$1,975.00	EA	8	$15,800.00	100%	$15,800.00
9	REMOVE & DISPOSE OF EXISTING MANHOLE	$500.00	EA	3	$1,500.00	100%	$1,500.00
10	ADJUST EXISTING SEWER MANHOLE TO GRADE	$325.00	EA	22	$7,150.00	100%	$7,150.00
11	REPAIR EXISTING SEWER WYE	$1,070.00	EA	6	$6,420.00	100%	$6,420.00
12	REPAIR EXISTING SEWER MAIN	$2,130.00	LUMP		$2,130.00	100%	$2,130.00
13	REPAIR EXISTING SEWER MAIN	$2,130.00	LUMP		$2,130.00	100%	$2,130.00
14	REPAIR EXISTING SEWER MAIN	$2,130.00	LUMP		$2,130.00	100%	$2,130.00
15	REPAIR EXISTING SEWER MAIN	$2,130.00	LUMP		$2,130.00	100%	$2,130.00
16	REPAIR EXISTING SEWER MAIN	$2,130.00	LUMP		$2,130.00	100%	$2,130.00
17	REPAIR EXISTING SEWER MAIN	$2,130.00	LUMP		$2,130.00	100%	$2,130.00
	SBSID ASSOCIATED CONSTRUCTION COSTS						$201,278.60
	SBSID ASSOCIATED GENERAL COSTS						$12,212.69
	TOTAL SBSID ASSOCIATED COSTS						$213,491.29

PREPARED BY EWP ENGINEERING
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WOODSIDE AVENUE IMPROVEMENTS
TOTAL PROJECT COSTS
GENEVA ROCK PRODUCTS BID - 4/20/99

ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT COST	AMOUNT
SCHEDULE A - GENERAL					
3	TRAFFIC CONTROL & SIGNAGE		LUMP		**$70,230.00**
SCHEDULE B - ROADWAY IMPROVEMENTS					
1	REMOVE AND DISPOSE OF ASPHALT PAVEMENT, WOODSIDE		LUMP		$187,157.58
2	REMOVE AND DISPOSE OF ASPHALT PAVEMENT, 8TH ST		LUMP		$2,450.00
3	REMOVE AND DISPOSE OF ASPHALT PAVEMENT, 12TH ST		LUMP		$3,440.00
4	TRENCH PAVEMENT REPAIR	780	LF	$35.00	$27,300.00
5	ASPHALT MILLING, PARK AVE		LUMP		$5,000.00
6	REMOVE AND DISPOSE OF CONCRETE PAVEMENT, WOODSI	100	SY	$14.40	$1,440.00
7	IMPORT TRENCH BACKFILL (STRUCTURAL FILL)	15,700	TON	$14.20	$222,940.00
8	ROAD PREPARATION, WOODSIDE		LUMP		$74,860.00
9	ROAD PREPARATION, 8TH		LUMP		$1,400.00
10	ROAD PREPARATION, 12TH		LUMP		$1,980.00
11	CONSTRUCT ROADWAY SHOULDERS		LUMP		$9,514.00
12	CONSTRUCT ASPHALT PAVEMENT SECTION	9,440	SY	$16.50	$155,760.00
13	CONSTRUCT ASPHALT PAVEMENT SEAL COAT	635	SY	$9.00	$5,715.00
14	CONSTRUCT SEMINOLE SPEED BUMP	5	EA	$2,000.00	$10,000.00
15	CONSTRUCT ASPHALT DRIVEWAY PAVEMENT SECTION	1,556	SY	$21.70	$33,765.20
16	CONSTRUCT CONCRETE DRIVEWAY PAVEMENT SECTION	965	SY	$28.60	$27,599.00
17	CONSTRUCT ROLL GUTTER (CUT-IN)	436	LF	$32.12	$14,004.32
18	CONSTRUCT ROLL GUTTER	9,650	LF	$11.35	$109,527.50
19	CONSTRUCT DRAIN GUTTER - 4' WIDE	20	LF	$30.00	$600.00
20	IMPORT AND PLACE 1" MINUS GRAVEL	100	TON	$20.00	$2,000.00
21	CONSTRUCT STACKED ROCK WALL		LUMP		$10,000.00
22	LANDSCAPE RESTORATION, WOODSIDE	540	SY	$15.00	$8,100.00
23	LANDSCAPE RESTORATION, 2ND ST		LUMP		$5,250.00
24	LANDSCAPE RESTORATION, 12TH ST		LUMP		$4,500.00
25	REMOVE & RELOCATE STREET SIGN W/ BASE	4	EA	$100.00	$400.00
26	REMOVE & RELOCATE SIGN W/ POST	26	EA	$250.00	$6,500.00
27	REMOVE & RELOCATE SIGN W/ POST	3	EA	$350.00	$1,050.00
28	F & I SIGN	6	EA	$350.00	$2,100.00
29	F & I SIGN	4	EA	$400.00	$1,600.00
30	F & I SIGN	2	EA	$400.00	$800.00
31	F & I SIGN	1	EA	$500.00	$500.00
32	F & I SIGN	1	EA	$550.00	$550.00
33	F & I SIGN	11	EA	$600.00	$6,600.00
34	F & I SIGN	2	EA	$600.00	$1,200.00
35	F & I SIGN	10	EA	$600.00	$6,000.00
36	PAVEMENT MARKINGS		LUMP		$3,000.00
	SUBTOTAL SCHEDULE B				**$954,602.60**

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SCHEDULE C - WATER SYSTEM IMPROVEMENTS

1	PROVIDE TEMPORARY WATER SERVICE		LUMP		$57,500.00
2	F & I 8-INCH DUCTILE IRON WATER PIPE	4,987	LF	$33.00	$164,571.00
3	F & I 12-INCH DUCTILE IRON WATER PIPE, IN-PAVEMENT	4,608	LF	$38.00	$175,104.00
4	F & I 12-INCH DUCTILE IRON WATER PIPE, OUTSIDE-PAVEMI	320	LF	$117.50	$37,600.00
5	F & I 8" DIA. GATE VALVE & BOX	37	EA	$765.00	$28,305.00
6	F & I 12" DIA. BUTTERFLY VALVE & BOX	9	EA	$1,115.00	$10,035.00
7	F & I 6" DIA. CUT-IN VALVE & BOX	4	EA	$1,190.00	$4,760.00
8	F & I 8" DIA. CUT-IN VALVE & BOX	1	EA	$1,345.00	$1,345.00
9	RELOCATE EXISTING WATER METER BOX	13	EA	$450.00	$5,850.00
10	F & I 3/4" SINGLE WATER METER BOX	2	EA	$890.00	$1,780.00
11	F & I 2" SINGLE WATER METER BOX	2	EA	$2,576.00	$5,152.00
12	CONNECT TO EXISTING METER BOX W/ 3/4" CU, EAST	37	EA	$565.00	$20,905.00
13	CONNECT TO EXISTING METER BOX W/ 3/4" CU, WEST	67	EA	$615.00	$41,205.00
14	CONNECT TO EXISTING METER BOX W/ 1" CU, EAST	9	EA	$585.00	$5,265.00
15	CONNECT TO EXISTING METER BOX W/ 1" CU, WEST	3	EA	$635.00	$1,905.00
16	F & I 1" DIA. CU WATER SERVICE STUB & BOX, EAST	22	EA	$510.00	$11,220.00
17	F & I 1" DIA. CU WATER SERVICE STUB & BOX, WEST	7	EA	$663.00	$4,641.00
18	REMOVE EXISTING FIRE HYDRANT ASSEMBLY	9	EA	$335.00	$3,015.00
19	F & I FIRE HYDRANT, VALVE AND SERVICE LINE	12	EA	$2,990.00	$35,880.00
20	CONNECT TO EXISTING 6" MAIN	8	EA	$800.00	$6,400.00
21	CONNECT TO EXISTING 8" MAIN	2	EA	$1,058.00	$2,116.00
22	CONNECT TO EXISTING 10" MAIN	2	EA	$1,081.00	$2,162.00
23	ADJUST EXISTING WATER VALVE BOX TO GRADE	5	EA	$200.00	$1,000.00
24	CONSTRUCT PRV AND VAULT		LUMP		$45,149.00
25	CONSTRUCT PRV AND VAULT		LUMP		$45,149.00
26	CONSTRUCT PRV AND VAULT		LUMP		$45,149.00
27	CONSTRUCT PRV AND VAULT		LUMP		$45,149.00
28	REMOVE AND SALVAGE EXISTING PRV AND VAULT	3	EA	$2,576.00	$7,728.00
29	ADJUST EXISTING WATER METER BOX TO GRADE	55	EA	$110.00	$6,050.00
30	CONSTRUCT CAV MANHOLE	2	EA	$2,277.00	$4,554.00
	SUBTOTAL SCHEDULE C				**$826,644.00**

SCHEDULE D - STORM DRAINAGE IMPROVEMENTS

1	F & I 15-INCH RCP STORM DRAIN PIPE	5,505	LF	$31.00	$170,655.00
2	F & I 24-INCH RCP STORM DRAIN PIPE	722	LF	$36.20	$26,136.40
3	F & I 6-INCH CPEP BUILDING DRAIN LINE	30	EA	$680.00	$20,400.00
4	F & I SINGLE GUTTER INLET BOX	35	EA	$1,200.00	$42,000.00
5	F & I OFFSET SINGLE GUTTER INLET BOX	3	EA	$1,400.00	$4,200.00
6	F & I DOUBLE GUTTER INLET BOX	2	EA	$2,000.00	$4,000.00
7	F & I COMBINATION BOX	3	EA	$2,200.00	$6,600.00
8	F & I 4' STORM DRAIN MANHOLE	30	EA	$1,932.00	$57,960.00
9	F & I 4'X4' STORM DRAIN BOX	3	EA	$2,500.00	$7,500.00
10	F & I 2'X2' AREA DRAIN	1	EA	$1,000.00	$1,000.00
11	F & I 4' DIAMETER AREA DRAIN		LUMP		$2,870.00
12	CONSTRUCT CONCRETE DRAIN CONNECTION		LUMP		$1,500.00
13	REMOVE AND DISPOSE OF STORM BOX	1	EA	$350.00	$350.00
	SUBTOTAL SCHEDULE D				**$345,171.40**

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SCHEDULE E - SANITARY SEWER IMPROVEMENTS					
1	F & I 12-INCH DI SEWER PIPE (MJ)	213	LF	$72.00	$15,336.00
2	F & I 8-INCH PVC SEWER PIPE (ASTM D 3034)	796	LF	$37.60	$29,929.60
3	RECONSTRUCT EXISTING SEWER LATERAL	10	EA	$970.00	$9,700.00
4	F & I 4-INCH PVC SEWER PIPE (ASTM D 3034)	6	EA	$905.00	$5,430.00
5	F & I 4-INCH PVC SEWER PIPE (ASTM D 3034) SW	35	EA	$905.00	$31,675.00
6	F & I 4-INCH PVC SEWER PIPE (ASTM D 3034) 10TH ST	1	EA	$905.00	$905.00
7	LOCATE & CONNECT TO EXISTING BUILDING SEWER	7	EA	$1,040.00	$7,280.00
8	F & I 4-FOOT DIA. MANHOLE	8	EA	$1,975.00	$15,800.00
9	REMOVE & DISPOSE OF EXISTING MANHOLE	3	EA	$500.00	$1,500.00
10	ADJUST EXISTING SEWER MANHOLE TO GRADE	22	EA	$325.00	$7,150.00
11	REPAIR EXISTING SEWER WYE	6	EA	$1,070.00	$6,420.00
12	REPAIR EXISTING SEWER MAIN		LUMP		$2,130.00
13	REPAIR EXISTING SEWER MAIN		LUMP		$2,130.00
14	REPAIR EXISTING SEWER MAIN		LUMP		$2,130.00
15	REPAIR EXISTING SEWER MAIN		LUMP		$2,130.00
16	REPAIR EXISTING SEWER MAIN		LUMP		$2,130.00
17	REPAIR EXISTING SEWER MAIN		LUMP		$2,130.00
	SUBTOTAL SCHEDULE E				**$143,905.60**
SCHEDULE F - DRY UTILITIES IMPROVEMENTS					
1	TRENCHING FOR GAS LINE	5,545	LF	$5.70	$31,606.50
2	F & I 6-INCH PRIMARY POWER CONDUIT	4,470	LF	$9.50	$42,465.00
3	F & I 3-INCH SECONDARY POWER CONDUIT	1,100	LF	$7.25	$7,975.00
4	F & I 4-INCH PRIMARY TELEPHONE CONDUIT	4,470	LF	$8.10	$36,207.00
5	F & I 1-INCH SECONDARY TELEPHONE CONDUIT	1,100	LF	$4.80	$5,280.00
6	F & I 3-2-INCH CABLE TV CONDUIT	4,585	LF	$8.30	$38,055.50
7	F & I 2-INCH CABLE TV CONDUIT	1,100	LF	$6.16	$6,776.00
	SUBTOTAL SCHEDULE F				**$168,365.00**
SUBTOTAL CONSTRUCTION COSTS					**$2,508,918.60**
1	MOBILIZATION YR 1999 (1% OF CONSTRUCTION COSTS)		LUMP		$24,000.00
2	REMOBILIZATION YR 2000 (1% OF CONSTRUCTION COSTS)		LUMP		$24,000.00
4	CLEANUP (2% OF CONSTRUCTION COSTS)		LUMP		$24,000.00
5	RECORD DRAWINGS (0.5% OF CONSTRUCTION COSTS)		LUMP		$10,000.00
TOTAL CONSTRUCTION COSTS					**$2,590,918.60**

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CITY COUNCIL REPORT

DATE: April 29, 1999
DEPARTMENT: Community Development
AUTHOR: Rick Lewis, CD Director
TITLE: Authorize extension of professional services contract
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATION: Approve a change order to extend the existing professional services contract with Von Visions Architecture and Planning for an additional amount not to exceed $20,000.

DESCRIPTION:

A. Topic:
Extending the existing contract for professional services will allow Von Visions to complete the design for Miner's Park and prepare the construction documents so this project can be bid at the same time as the Main Street bulb-out.

B. Background:
Following a request for proposal process in October 1998, Von Visions Architectural and Planning design firm was hired by the City to assist staff on miscellaneous design projects including the Main Street Pedestrian Enhancement project (bulb-out) and remodeling plans for the Public Works Building. The contract was limited to $20,000. As the design for the Main Street Bulb-out project progressed, some preliminary studies were prepared for improvements to Miner's Park which is adjacent to the bulb-out project. The Parks, Recreation and Beautification Board, the Historic Main Street Business Alliance, Parks and Recreation Department and others have endorsed the park improvement plan and have strongly suggested that the park be improved as part of the bulb-out project.

C. Analysis:
The original contract signed in October 1998 with the design firm of Von Visions Architectural and Planning was a result of analyzing several requests for proposals by local design firms. Von Visions has done satisfactory work to date and has completed preliminary design on Miner's Park. The cost for the combination of work on the Public Works building remodel and the Main Street Enhancement projects including preparing construction documents will exceed the original contract of $20,000.
It was anticipated that if the cost of professional services exceeded the original contract,

staff would return to the City Council for authorization to extend the contract amount. The City Manager may only authorize up to $20,000 in any fiscal year for a professional services contract. Since we are still in FY 1998-99, the Council must authorize any amount exceeding $20,000. The recommended extension of an additional $20,000 will be adequate to complete the anticipated work. The change order is attached as Exhibit A.

D. Department Review:
The Community Development Director, City Manager, Director of Capital Programs and Budget, and Legal Department have reviewed the proposed contract extension.

ALTERNATIVES:

1. Approve the change order of the existing contract as recommended by Staff.
2. Direct Staff to issue an additional request for proposal for these services.
3. Deny the change-order request. This action would delay the design of the bulb-outs and Heber closure design.
4. Do nothing; same as denying the request.

SIGNIFICANT IMPACTS:
The work anticipated under this contract is part of the City's approved Capital Improvement Program. The funding for design and preparation of construction documents is a legitimate expense for CIP projects such as the Main Street Improvements which is funded by the Main Street RDA budget. There is adequate funding for this project for design and construction document preparation.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:
If the City Council chooses to not extend the contract, work on the Main Street Enhancement program will cease until other direction is given.

RECOMMENDATION:
Authorize staff to execute a change order to the professional services contract with Von Visions Architecture and Planning design firm in an additional amount not to exceed $20,000.

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PARK CITY MUNICIPAL CORPORATION SERVICE PROVIDER/PROFESSIONAL SERVICES AGREEMENT

SERVICE PROVIDER: VON VISIONS ARCHITECTURE AND PLANNING

CHANGE ORDER - APRIL 29, 1999

PARK CITY MUNICIPAL CORPORATION (the "City"), and **VON VISIONS ARCHITECTURE AND PLANNING** (the "Service Provider"), hereby agree to change the Service Agreement between the parties dated October 1st, 1998 as follows:

1. Paragraph 1 is modified to reflect that the total cost of the Project shall not exceed $40,000.00.

2. The Scope of Services of the Agreement, "Exhibit A", is modified to state that the total fee of the services will not exceed $40,000.

3. All other terms remain in full force and effect.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed the day and year first hereinabove written.

PARK CITY MUNICIPAL CORPORATION

____

BY: ________________________

TITLE: ______________________

Approved as to form:

____

MARK D. HARRINGTON
DEPUTY CITY ATTORNEY

Attest:

____

CITY RECORDER

SERVICE PROVIDER

____
Signature

____
Printed name

____
Title

CORPORATE ACKNOWLEDGMENT

STATE OF ________)
: ss.
COUNTY OF ________)

On this ___ day of ______________, 199_, personally appeared before me __________ ____________, who being duly sworn, did say that he/she is the __________________ of **VON VISIONS ARCHITECTURE AND PLANNING**, and acknowledged to me that the preceding Agreement was signed on behalf of said company, by their authority and he/she acknowledged that the company did execute the same for its stated purpose.

____
NOTARY PUBLIC

PARK CITY
1884

CITY COUNCIL REPORT

DATE: **April 29, 1999**
DEPARTMENT: **Planning Department**
AUTHOR: **Alison Kuhlow** AK
TITLE: **802 Norfolk Avenue - Plat Amendment**
TYPE OF ITEM: **Legislative**

SUMMARY RECOMMENDATIONS: Staff recommends the City Council conduct a public hearing and consider the Planning Commission's recommendation to approve the Plat Amendment which combines Lot 20, 21 and 22, Block 11, Snyder's Addition to the Park City Survey into two (2) lots to accommodate an existing historic structure and a new single family structure.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	Sheri Russel and Todd Arenson
Owners:	Sheri Russel and Todd Arenson
Location:	802 Norfolk Avenue
Proposal:	Plat Amendment
Zoning:	Historic Residential (HR-1)
Adjacent Land Uses:	Residential

B. Background.

On April 14, 1999, the Planning Commission forwarded a positive recommendation to the City Council to approve the Plat Amendment to create two (2) lots to accommodate an existing historic structure and a new single family structure.

The owners of Lots 20, 21, and 22, Block 11 of the Snyder's Addition to the Park City Survey, Todd Arenson and Sheri Russel, submitted an application to combine three (3) platted lots into two (2) lots, Lot A approximately 3030 square feet and Lot B approximately 2477 square feet. Lot A could be developed with a new single family structure which would need to be reviewed and approved pursuant to Chapter 4 for compliance with the Historic District Guidelines. Lot B would be created to accommodate the existing historic single family structure.

The existing structure at 802 Norfolk Avenue sits on Lot 20, 21 and 22. The Applicant proposes to lift the structure, rotate and relocate it on the newly created lot to comply with the setbacks for the zone. The applicant has received a variance from the Board of Adjustment to locate the structure with a zero foot front yard setback along Norfolk Avenue to keep the alignment of historic structures on Norfolk Avenue. An addition is proposed for the existing historic structure and it will need to conform with the Historic District Design Guidelines and Land Management Code Requirements. Any future additions and potential relocations will be reviewed for compliance with the Historic District Design Guidelines prior to the issuance of any building permits. The Historic District Commission reviewed and approved the demolition of the addition application at their April 5, 1999 meeting. The Historic District Commission continued discussion regarding the addition to the Historic Structure to their next meeting.

C. <u>Analysis</u>

This Plat Amendment request is to combine three (3) lots to create one (1) 3030 square foot parcel, Lot A, to accommodate a new single family structure and one (1) 2477 square foot parcel, Lot B, to accommodate the existing historic structure. Staff has evaluated the overall project against the Land Management Code (February 25, 1998) and (December 31, 1999) regulations for the HR-1 District. Staff determined the proposed lot combination complies as presented with all requisite City codes. Any additions to the existing structures and new structures will be limited by the setback, building footprint and height requirements of the Land Management Code for the HR-1 District.

		Lot A	Lot B
Lot Size		3030 square feet	2477 square feet
Setbacks			
	• **Front**	10' minimum	10' minimum
	• **Rear**	10' minimum	10' minimum
	• **Side**	5' minimum, 14' total	5' minimum, 14' total
Height		27'	27'
Maximum Building Footprint		2203 square feet	1473 square feet

The three (3) lots are originally platted lots, which allows them the ability of accommodating a single family home on each lot. The applicants wish to combine the three (3) lots into two (2) to accommodate the existing historic single family residence and a new single family residence. The Plat Amendment, as conditioned, would reduce the potential density of the area from three single family homes, to two. An addition to the existing historic structure may be possible provided it meets the Land Management Code requirements and design guidelines. Lot A will be built as an infill lot between the historic structure on Lot B, to the south, and a single family house to the north. The proposed lot sizes are compatible with the current ownership pattern along Norfolk Avenue. Structures in the neighborhood are typically single family historic and new homes.

The applicant is proposing to relocate the structure onto newly created Lot B. The structure will conform to the setbacks as defined within the Land Management Code. However, the applicant has received a variance from the Board of Adjustment to locate the structure at a zero front setback along Norfolk Avenue. The maximum building footprint shall also apply to the sum of the existing building footprint and all new additions. If any portion of the proposed addition or new construction is located on a slope greater than thirty percent

(30%), it would require Planning Commission approval of a Conditional Use Permit.

E **Notice**
Notice of this hearing was sent to property owners within 300' on March 24, 1999. No formal comments have been filed at the time of this report.

F. Department Review.
The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recording. The request was discussed at a Staff Review Meeting on February 23, 1999, where representatives from the local utilities and City Staff were in attendance and found it to be in conformance with all current requisite City development codes if it is completed as conditioned.

ALTERNATIVES

A. Approval of the proposed plat amendment combining Lots 20, 21 and 22, Block 11, Snyder's Addition to the Park City Survey and thereby allowing for the parcels to accommodate an existing single family home.

B. Deny the subdivision plat amendment and retain the original Record of Survey which may allow for the individual development of each lot.

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

SIGNIFICANT IMPACTS:
The proposed amendment will result in two (2) lots which meet the minimum lot requirement for the HR-1 District. The plat amendment will reduce the potential density of the units on the lots. Given the required setbacks, the historic district height restrictions, and the predominant ownership pattern and house size in the area, the lot combination will result in a structure that is 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, the three (3) lots could be developed separately which would increase the residential density on Norfolk Avenue.

RECOMMENDATION:
Staff recommends that the City Council conduct a public hearing, consider public input and approve the Plat Amendment for 802 Norfolk Avenue based on the following Findings of Fact, Conclusions of Law and Conditions of approval;

Findings of Fact:

1. The parcels are located in the HR-1 District.

2. The site currently contains a historic structure that straddles two lots. The applicants have petitioned the Historic District Commission to relocate the structure.

3. The proposed Plat Amendment will combine three (3) lots to accommodate two single family residences.

4. The proposed plat amendment, as conditioned, reduces the potential density on Norfolk Avenue by creating two lots for a single family homes instead of allowing the development of a single family home on each of the three existing lots.

5. Dedication of a ten (10) foot non-exclusive snow storage easement on Lot A along Norfolk Avenue is

necessary to provide adequate snow removal services.

6. Dedication of a ten (10) foot non-exclusive snow storage easement along 8th Street is necessary to provide adequate snow removal services.

Conclusions of Law:

1. There is good cause for the amendment as increased setbacks are provided and overall density is reduced.

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

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

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording

2. A ten (10) foot non-exclusive snow storage easement on Lot A, along Norfolk Avenue shall be dedicated to the City on the plat.

3. A ten (10) foot non-exclusive snow storage easement along 8th Street shall be dedicated to the City on the plat.

4. Design of any proposed additions shall comply with the Historic District Design Guidelines.

5. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

6. Building Permits for Lot A and Lot B may not be issued until the plat is recorded.

7. The Plat Amendment shall not be recorded prior to an approval from the Historic District Commission approving the relocation of the historic structure.

8. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

EXHIBITS:

Exhibit A - Location Map
Exhibit B - Site Plan
Exhibit C - Proposed Plat
Exhibit D - Standard Project Conditions

Ordinance No. 99-

AN ORDINANCE APPROVING THE PLAT AMENDMENT TO LOT 20, 21, AND 22, BLOCK 11, SNYDER"S ADDITION TO THE PARK CITY SURVEY, LOCATED AT 802 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of Lot 20, 21 and 22, Block 11, Snyder's Addition to the Park City Survey 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 April 14, 1999, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on April 14, 1999, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 29, 1999, 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 parcels are located in the HR-1 District.

2. The site currently contains a historic structure that straddles two lots. The applicants have petitioned the Historic District Commission to relocate the structure.

3. The proposed Plat Amendment will combine three (3) lots to accommodate two single family residences.

4. The proposed plat amendment, as conditioned, reduces the potential density on Norfolk Avenue by creating two lots for a single family homes instead of allowing the development of a single family home on each of the three existing lots.

5. Dedication of a ten (10) foot non-exclusive snow storage easement on Lot A along Norfolk Avenue is necessary to provide adequate snow removal services.

6. Dedication of a ten (10) foot non-exclusive snow storage easement along 8th Street is necessary to provide adequate snow removal services.

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 plat amendment to combine Lot 7 and Lot 8, Block 5 of the Park City Survey known as 527 Park Avenue Plat Amendment, is approved as shown on Exhibit B, 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 recording

2. A ten (10) foot non-exclusive snow storage easement on Lot A, along Norfolk Avenue shall be dedicated to the City on the plat.

3. A ten (10) foot non-exclusive snow storage easement along 8th Street shall be dedicated to the City on the plat.

4. Design of any proposed additions shall comply with the Historic District Design Guidelines.

5. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

6. Building Permits for Lot A and Lot B may not be issued until the plat is recorded.

7. The Plat Amendment shall not be recorded prior to an approval from the Historic District Commission approving the relocation of the historic structure.

8. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

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

PASSED AND ADOPTED this 15th day of August, 1999.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

____

Mark D. Harrington, Deputy City Attorney

802 Norfolk Ave.

PARK CITY
1884

Exhibit - A
Location Map

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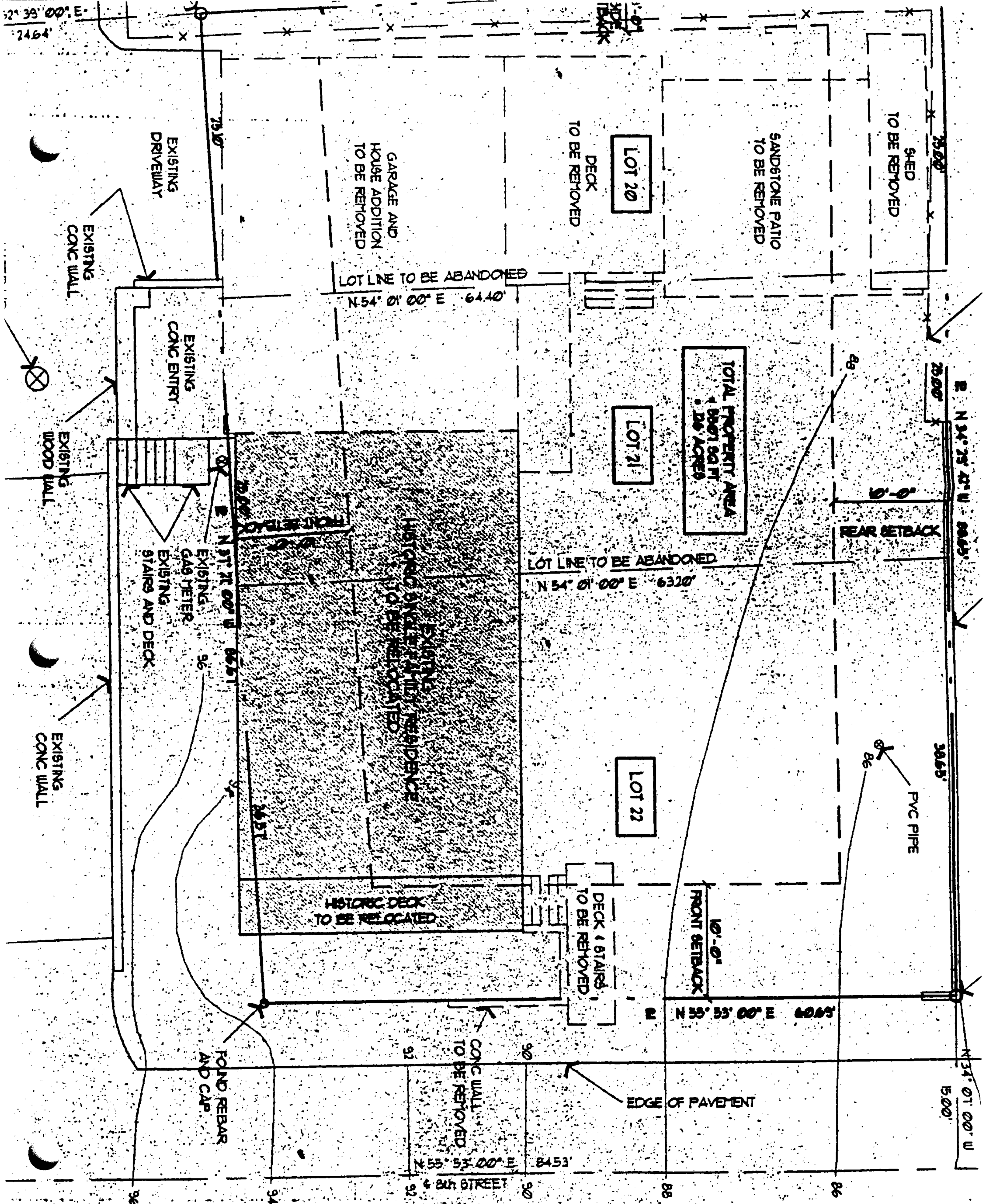

8th STREET

Exhibit - B

Site Plan

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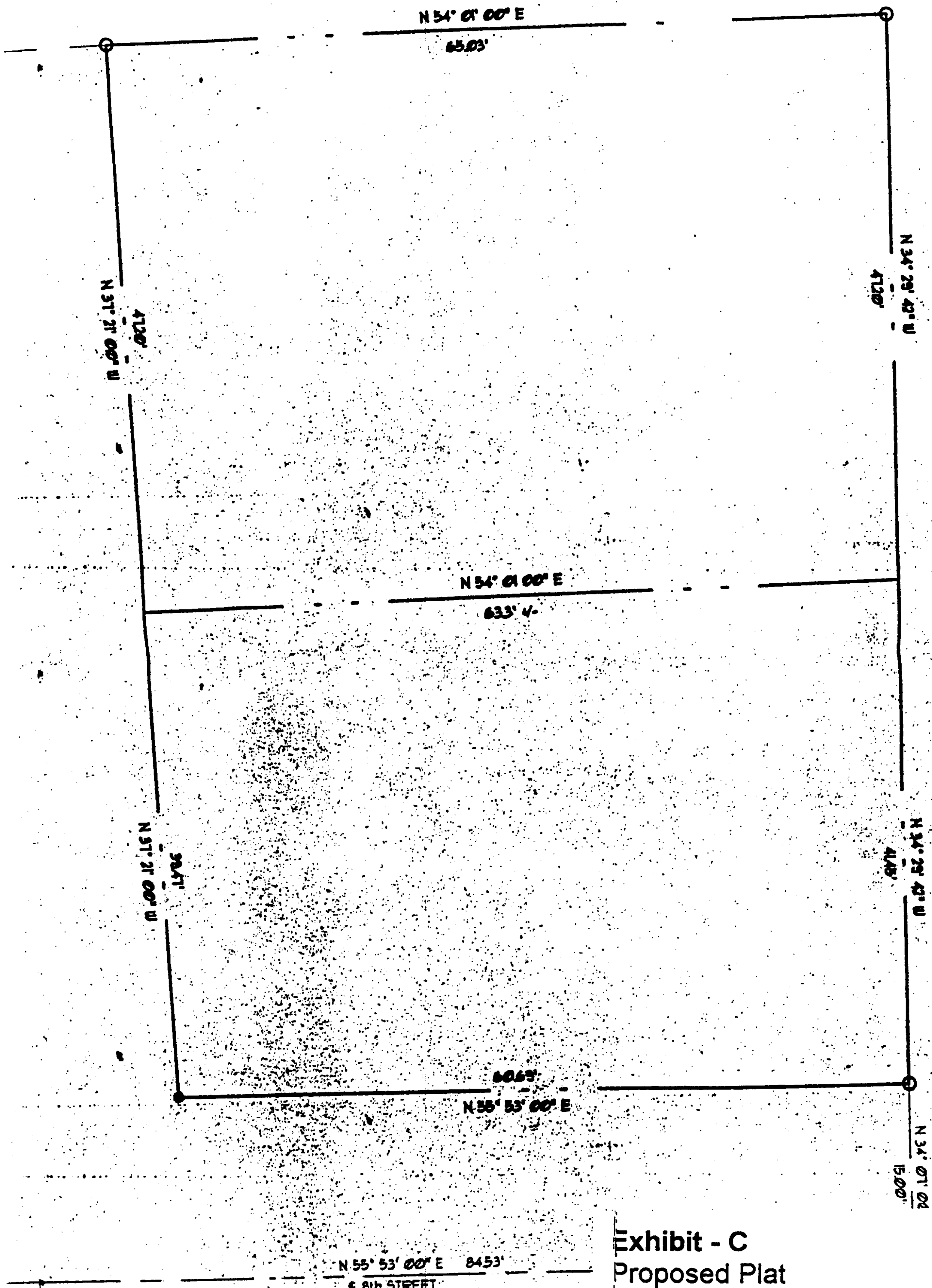

Exhibit - C
Proposed Plat

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 feet 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 - D

78 **Standard Project Conditions**

CITY COUNCIL
STAFF REPORT

DATE: April 29,1999
DEPARTMENT: Community Development
AUTHOR: Staff
TITLE: 1800 Snowcreek Crossing - Lot 9a Subdivision plat and Design Review
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Conduct a public hearing on the proposed subdivision plat, take action on approval or denial of plat and then take comment and provide direction on the proposed design for the Post Office.

DESCRIPTION:

A. Topic.

Applicant: Park City Municipal Corporation
Location: 1800 Snowcreek Drive
Zoning: Residential Medium Development (RDM), Frontage Protection Zone (FPZ) and Sensitive Lands (SLO)
Adjacent Land Uses: Office, Gas station, Residential, Wetlands
Date of Application: June 29, 1998

B. Background.

1. Subdivision:

The City acquired the approximately 10 acre parcel at Snowcreek Drive known as Lot 9. The potential subdivision of an approximately 2 acre piece for purchase by the U.S. Postal Service has been discussed since June of 1998. In 1995 the Snowcreek Commercial Development was subdivided into nine lots. The subject of this application is the potential subdivision of Lot 9.

The Postal Service would also like to purchase an approximately 2 acre site on the northern portion of the site that fronts Highway 224 (Proposed Lot 9a). The City Council has also authorized staff to enter into an Offer to Sell agreement with the Post Office. The Offer to Sell agreement contains language on the design parameters for the project, trail enhancement language, cross easement language and other restrictions that are conditions that will survive the transfer of ownership. The Offer to Sell is attached an Exhibit to this report.

The Postal Service needs to be under contract by May of this year. They anticipate construction in the summer/fall.

2. Design:
Review of design parameters for the Post Office at Lot 9a are also included in tonight's discussion. The Post Office, as provided by federal law, is not subject to the building permit review or Conditional Use Permit (CUP) process but has agreed to work with the City on the site design building design, and trail connection.

The Offer to Sell agreement with the City calls for compliance with the following:
1) Site Plan - LMC and Design Guidelines compliance
2) Landscaping
3) Building Design
4) Signs
5) Exterior Lighting
6) Review of any future remodels, landscaping or additions.

In addition the staff has utilized the following criteria for use in review of the project:
1. Design and landscape parameters that meet the regulations of the Frontage Protection Zone.
2. Coordinated circulation and shared parking with adjacent city parcel.
3. Respect for the wetlands and natural features of the site.
4. Design that recognizes internal and external circulation needs.
5. Compliance with LMC zoning criteria.

The Post Office has expressed a desire to make this building a "flagship" piece and has displayed a willingness to work with the staff to meet the City's design review criteria. The plans first submitted to the Planning Commission in July and August of 1998 have significantly changed due to public and staff input. The Postal Service over the last 10 months has demonstrated their commitment to work with the City on the design process.

C. Analysis.
Project Site Design and Details - Proposed Lot 9a
The parcel is just outside the wetlands, trail corridor and stream that run through the site. The facility would act as the main post office for Park City. The Emporium facility will be closed and the Main Street facility will remain and will be a continuing active Post Office.

An at- grade parking structure is located on the north side of the building. Surface parking to the east and west of the building is also proposed. Underground parking is provided for on the north and east sides. Details are as follows:

Site Design: The building pad does not encroach in the Frontage Protection Zone. Surface parking starts past the 100' "conditional use" zone. The project will also not encroach into the wetlands. Snow storage issues still need to be resolved in a manner that does not adversly affect the wetlands or landscaping.

Height: 28' with 5' allowance for pitched roof (33' maximum).

Materials: Sandstone base, tinted split faced block with tinted band for main body of building, aged copper color metal roof, wood clad aluminum windows with trim to match roof color, natural timber trusses with black metal gussets, and light tinted glass.

Signs: A monument sign to be placed 30' back from the edge of curb. Staff recommends a non-internally illuminated sign with design features that utilize the building materials. A wall mounted sign of wood or metal near the main entryway is also proposed. A directional sign off of Snow Creek Drive will need to be coordinated with the owner of Lot 9. Off premise signs are not allowed under the Sign Code.

Lighting: All lights will comply with Park City Lighting ordinance. Exact building and parking lot fixtures have not been detailed at this time.

Landscaping/Trails: Significant landscaping is anticipated in the first 70' of the project. Final details on plant types are being finalized and will be designed to the satisfaction of the City's landscape architect. See Exhibit E for the latest status on this issue. The Post Office has also agreed to pay its proportionate share for a bridge crossing across the creek which will be a significant improvement to the trail system along Highway 224 and will help resolve a long standing concern on the part of the Windrift Homeowners.

Access/Circulation: No new access points are proposed for the site. Access will be gained from Snowcreek Drive and from the existing curb cut on the northern entry to the Saddleview office park. Access easements will be provided for on the adjacent vacant lot.

The purchase agreement with the City requires the Post Office to participate financially in the installation of a traffic light at the Top Stop intersection. The environmental assessment that was prepared for the City on the adjacent parcel indicated that a traffic signal is warranted at the Top Stop location.

Planning Commission Action:

The Planning Commission discussed this item at their work session of July 8, 1998 and regular meeting of July 22, 1988. At the July 22nd meeting the Commission voted to forward a negative recommendation on the plat request to the City Council. In summary the Commission felt that the proposed uses were not compatible with the congested traffic patterns in the area and that the uses were incompatible for the Residential zone. The minutes from that meeting are attached as Exhibit D.

The Planning Commission reviewed the design aspects of the project at their meeting on

March 24 and on April 14, 1999. The Commissioners at the March meeting asked the applicant to examine the circulation pattern and to return with alternatives that minimize access onto Highway 224. On April 14th the Planning Commission held a public hearing on the design aspects of the project. At that meeting several residents from the adjacent residential condominium projects, Windrift, were present.

In sum, the residents were concerned with the impacts of the proposed commercial use in relation to the neighboring residential uses. Issues on increased traffic, truck traffic and deliveries, and the location of loading docks in the residential view corridors were raised. The Post Office will conduct a neighborhood meeting with the Windrift Assocation on April 27 at 6:30 pm. Staff has also sent notice of tonights's meeting to the adjacent property owners to the north.

The Planning Commissioners forwarded the following comments to the Council at the conclusion of the public hearing:

1. If the project were processed as a Conditional Use Permit, the Commission could not find this project to be in compliance with the code review criteria, specifically in relation to use, traffic and circulation.

2. The Council should re-examine the site location, landscaping and should address neighborhood compatability of this use with residential uses.

3. Large trucks and truck traffic in general are inappropriate for this site and the use is not consistent with the original Large Scale Master Planned Development approved for the site.

4. The City should negotatiate the best truck circulation possible. The plan as presented does not achieve the best circulation and restrictions that are possible.

In general, the Commission members were satisfied with the proposed materials and the overall look of the building. Minutes from the meeting are attached as Exhibit D.

<u>Council Issues for Discussion and Action</u>
<u>A. PLAT</u> The Staff recommends that the Council take action on the proposed subdivision plat.
<u>B. DESIGN</u> The staff also requests that the Council provide direction on the following issues:
<u>1. Decide on the best site plan in regards to circulation and traffic and mitigation of neighborhood impacts.</u>
At tonight's meeting the applicant will have two alternative site designs that were presented to the Planning Commissioners' comments on April14th . A third alternative has been proposed since that meeting that is intended to address the concerns raised by adjacent neighbors.

One plan shows a road on the south side of the building along city property. This road connects to Snow Creek Drive. A variety of directional signs are used in this alternative and a suggestion to make Saddleview Drive a right turn only exit. The Commission and staff do not support this road at this time as it minimizes the landscape buffer for the project.

The second option removes the road and replaces the area with increased amounts of landscaped area and potentially parking. The staff supports the increased landscaping but does not believe that the parking is warrented at this time.

The third plan will show the building moved forward approximately 15' in order to allow for more planting area in the rear of the building in order to further screen the loading docks from the residential view corridors. Staff has not seen this option at the time of this report.

D. Department Review

The Community Development Department, City Manager's and City Attorney's Office have reviewed this report.

ALTERNATIVES

A. Approve the subdivision plat and direct staff and the Post Office on design issues by May 14 at the latest.

B. Deny the subdivision plat and direct staff to prepare findings.

C. Continue the item for further discussion and/or additional input from Staff.

SIGNIFICANT IMPACTS:

The approval of the subdivision plat will create two separate parcels for development.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

The Offer to Sell requires compliance with most City regulations related to design. I f the City Council determines that the project is not in compliance with the Offer to Sell it should direct staff to prepare findings that reflect the areas of non compliance.

RECOMMENDATION:

Conduct a public hearing and consider staff's Findings of Facts, Conclusions of Law, and Conditions. If the Council approves the subdivision the following findings and Ordinance (Exhibit E) are provided:

Findings:

1.The project is located in the Residential Development, Medium Density zone, RDM, with three overlay zones. The Entry Corridor Protection Zone, ECPZ, Regional Commercial Overlay zone, RCO, and Sensitive Lands overlay, SLO, districts exists on portions of the site.

2. The subdivision will create two lots, 9 and 9a.

3. The site is located adjacent to Highway 224, the City's busiest roadway. Access to the site

is provided off of Snow Creek Drive. Lot 9a is also accessed by a private drive to the north
4. No design plans are proposed for Lot 9 at this time.
5. Lot 9a is proposed to house a new main Post Office distribution facility for Park City.
6. A public trail exists on the site that is not aligned with the City's Master Trail Plan connections. Trail re-alignment improvements and construction of a bridge crossing on the site will bring the trail in compliance with the plan.
7. The proposed owner of Lot 9a has agreed to work with the City on a design that is acceptable to the City.
8. No new curb cuts are required for access along Highway 224 to Lot 9 or 9a.
9. Lot 9 has wetland and flood plain boundaries located on the parcel.
Reciprocal access for trucks, traffic, parking and utilities is anticipated on Lot 9 and Lot 9a. Lot 9 is not currently served with water lines.
10. The Planning Commission conducted a public hearing on July 22, 1998 on the proposed subdivision and forwarded a negative recommendation to the City Council on the item.
11. The City has offered to sell the parcel to the Post Office with conditions that are outlined in the Offer to Sell agreement and that survive transfer of ownership.

Conclusions of Law:
1. The proposal will create two parcels, Lot 9 and Lot 9a, and is consistent with both the Park City Land Management Code, Chapter 15 and the General Plan as the project has been conditioned to follow the necessary review and approval process for the RDM, RCO, ECPZ and SLO Districts.
2. There is good cause for the subdivision as among other benefits the project will create pedestrian pathways with related improvements to the City and will maintain a main Post Office within City limits.
3. Neither the public nor any person will be materially injured by the proposed subdivision plat.

Final Conditions:
1. Review and approval of this plat for compliance with these conditions of approval by the City Engineer and City Attorney is a condition precedent to plat recordation.
2. Reciprocal cross easements for circulation, parking and utilities are conditions precedent to plat recordation.
3. Design standards for Lot 9a that reflect the City's Design Guidelines and Frontage Protection Zone specifications such as setbacks, articulated facades and screened parking are delineated in the Offer to Sell agreement and will need to be acceptable to the City prior to any construction. Prior to recordation of the plat, the Post Office shall execute theOffer to Sell agreement which shall contractually bind the United States Post Office to certain design and development criteria.
4. A note shall be added to the plat that indicates that wetlands and a flood plain boundary exist on Lot 9a. Any development on Lot 9a will need to be buffered from the wetlands as determined under the City's Sensitive Lands Ordinance prior to any construction.

EXHIBITS

Exhibit A - Location Map
Exhibit B - Proposed Plat
Exhibit C -Site plans and Elevations
Exhibit D - Minutes from Planning Commission meetings 98/99
Exhibit E- Memo in regards to Landscaping
Exhibit F - Ordinance
Exhibit G - Letters from public
Exhibit H - Offer to Sell agreement

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Exhibit A - Location Map

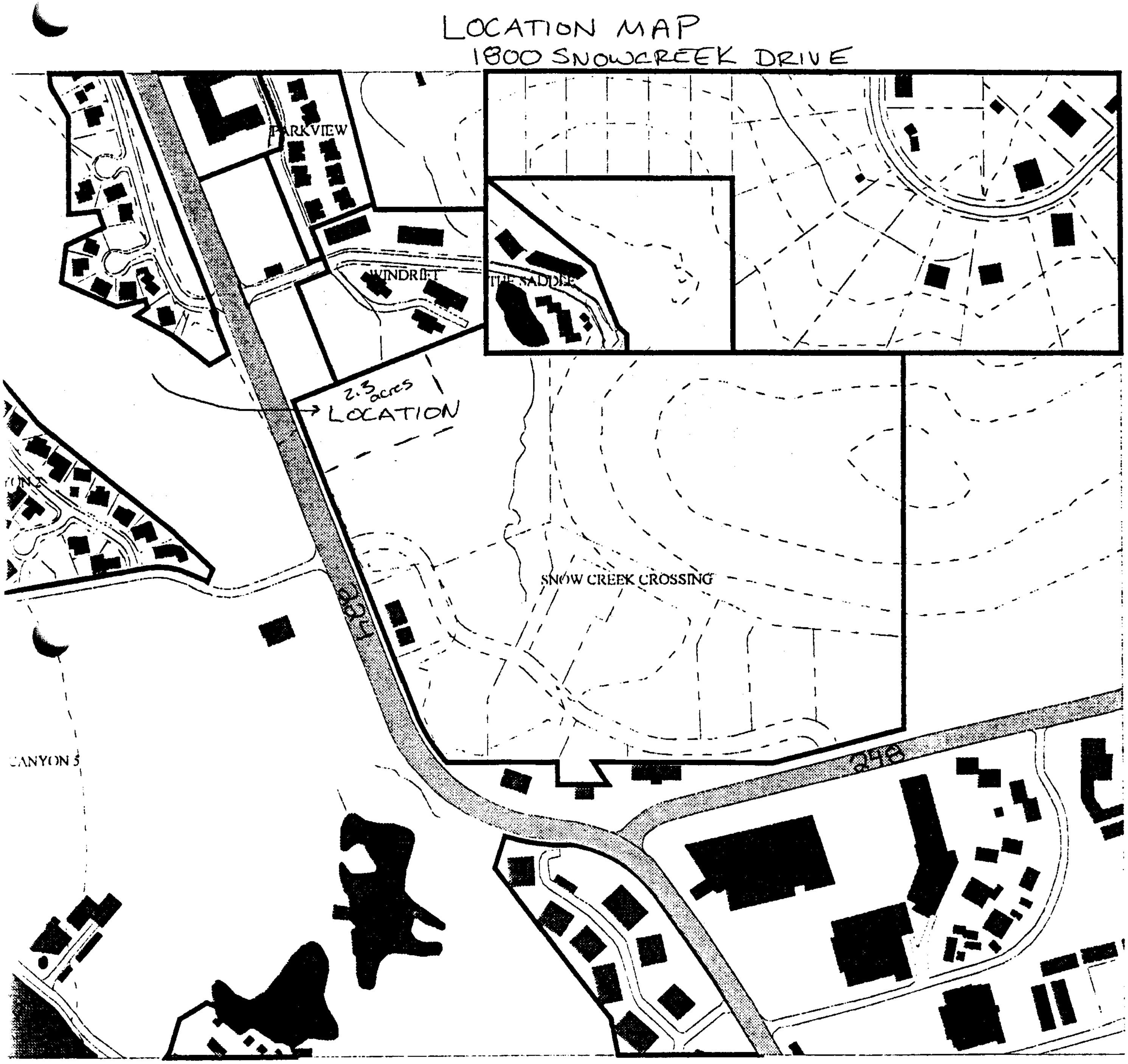

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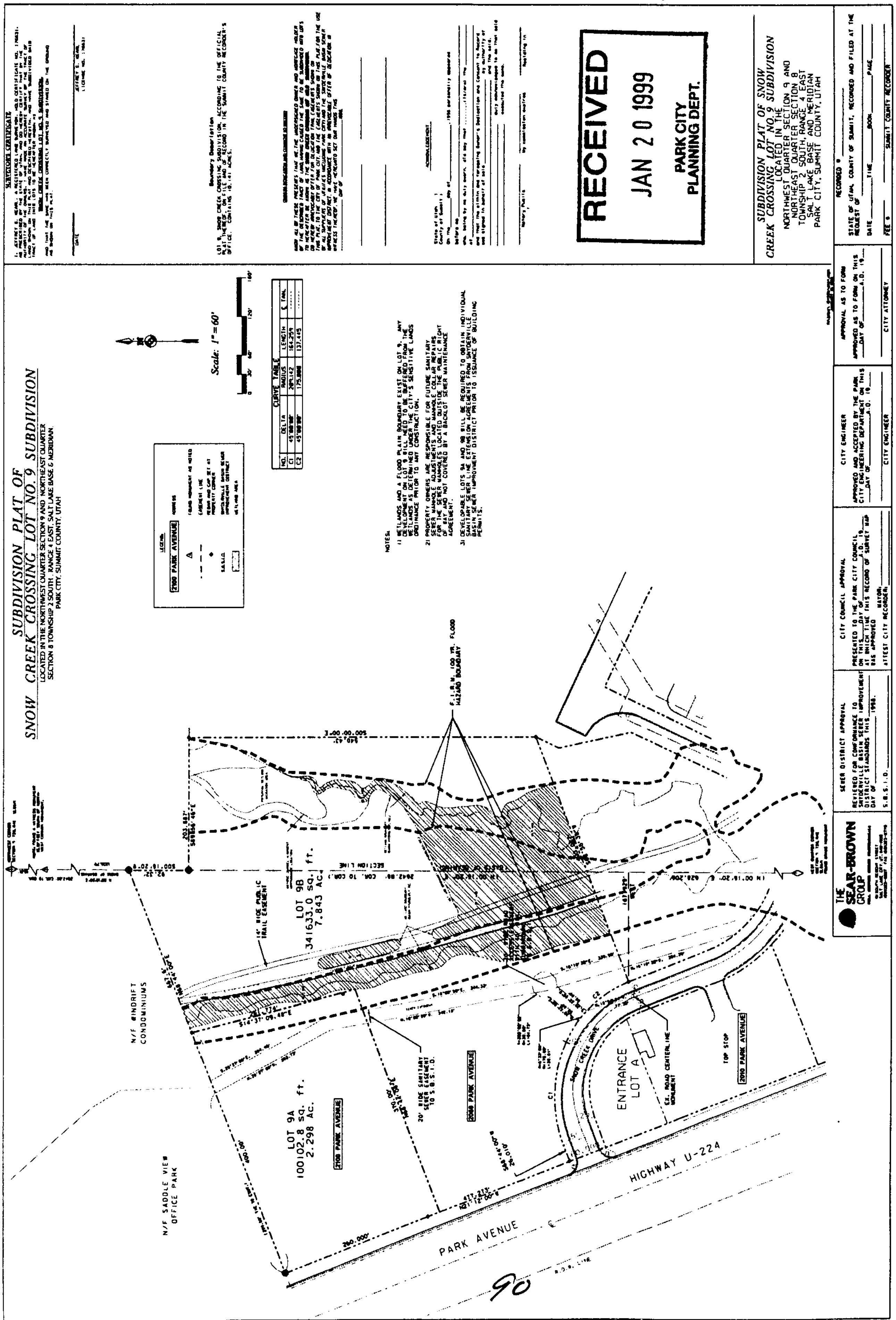
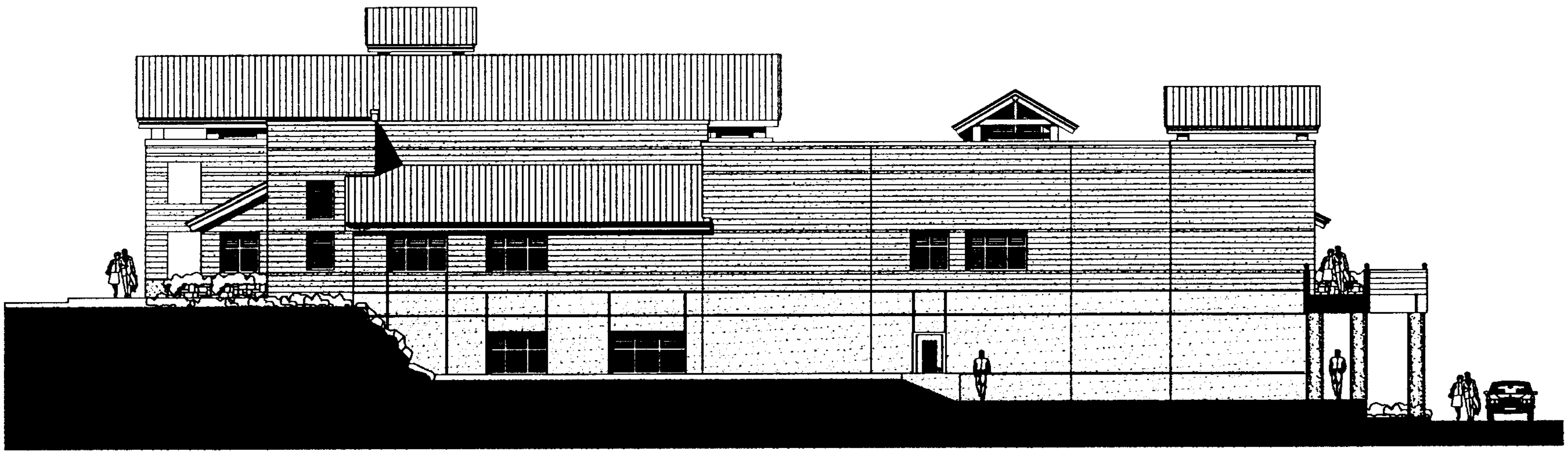
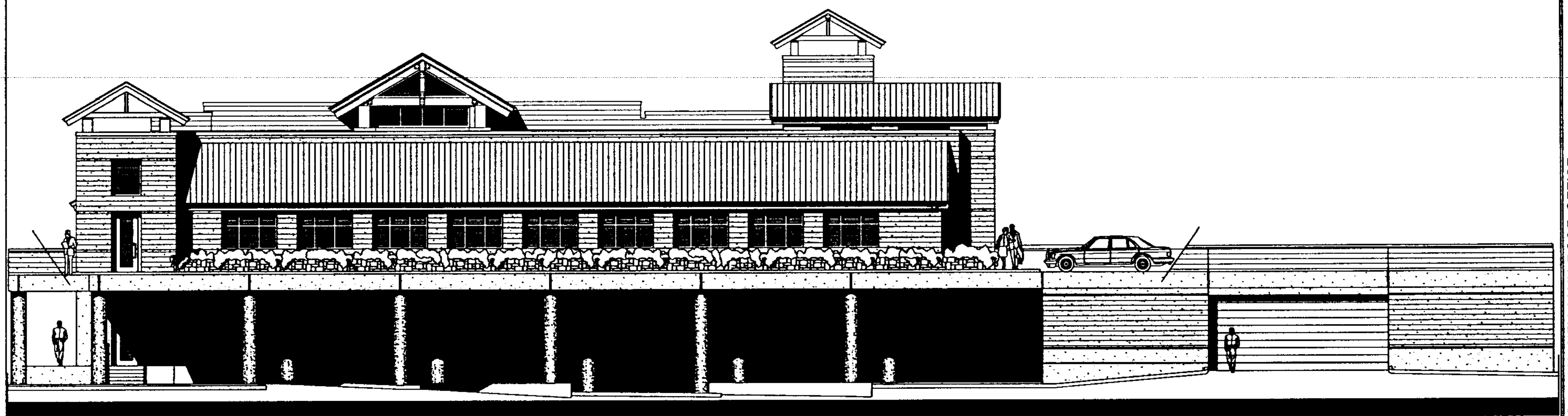
Exhibit B - Proposed Plat





PARK CITY UTAH MAIN POST OFFICE
SOUTH EXTERIOR ELEVATION
SCALE: 3/16" = 1'-0"



PARK CITY UTAH MAIN POST OFFICE
EAST EXTERIOR ELEVATION
SCALE: 3/16" = 1'-0"

3/16" = 1'-0"

91

USPS PARK CITY MAIN POST OFFICE
PARK AVENUE (STATE HIGHWAY U-224)
PARK CITY, UTAH

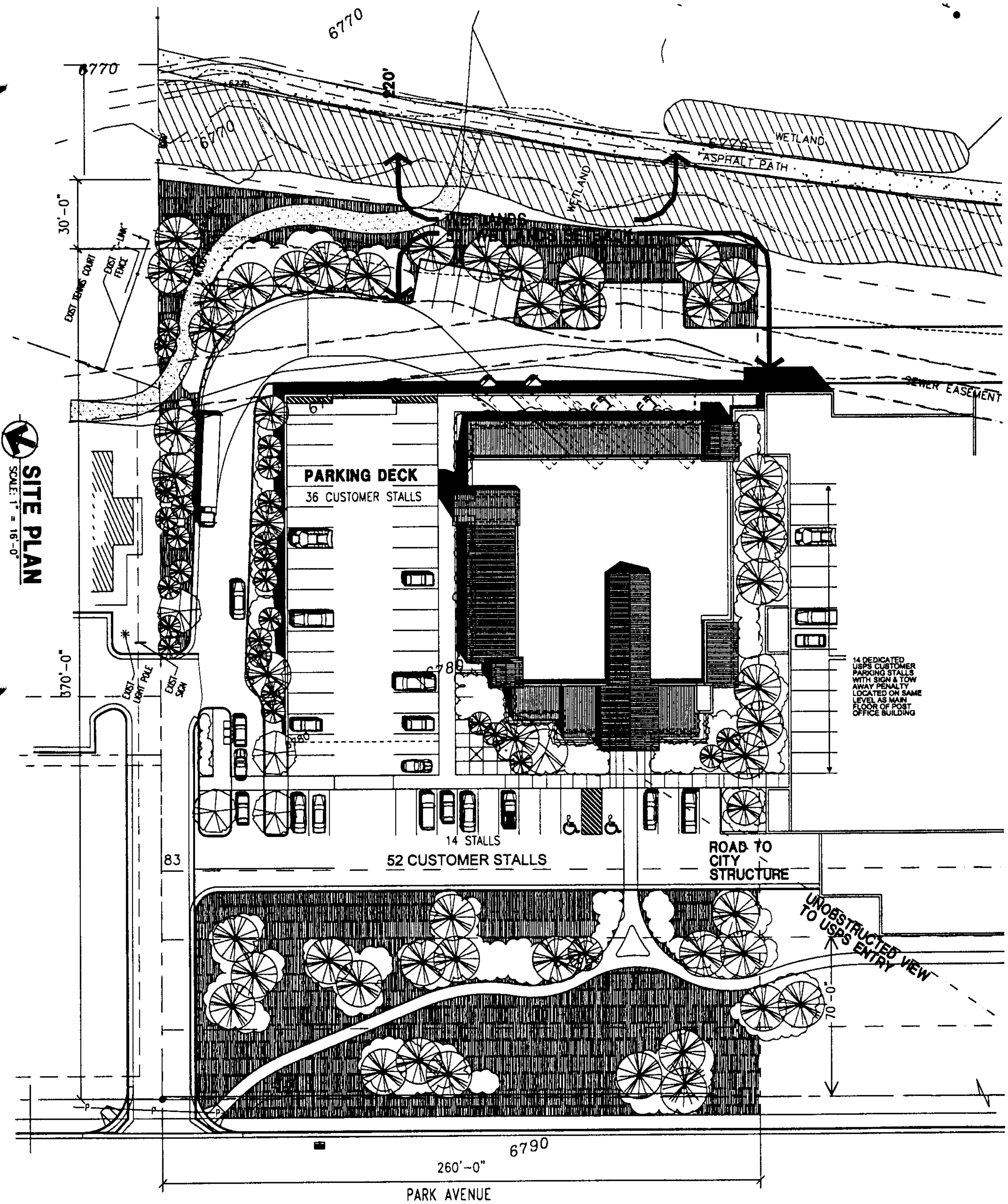
FRANK H MURDOCK JR III Architect & Associates
376 East 400 South Suite 312, Salt Lake City, Utah 84111 (801) 532-4441

EXTERIOR ELEVATIONS

FILE NAME: PC-A4
PLOT SCALE: 1/8" = 1'-0"
DRAWN BY: STAFF
CHECKED BY: FHM
DATE: DECEMBER 29, 1998

A-4

Exhibit C -Site plans and Elevations



SD-1	USPS PARK CITY MAIN POST OFFICE PARK AVENUE (STATE HIGHWAY U-224) PARK CITY, UTAH
	FRANK H MURDOCK JR III Architect & Associates 376 East 400 South Suite 312, Salt Lake City, Utah 84111 (801) 532-4441
	SITE PLAN

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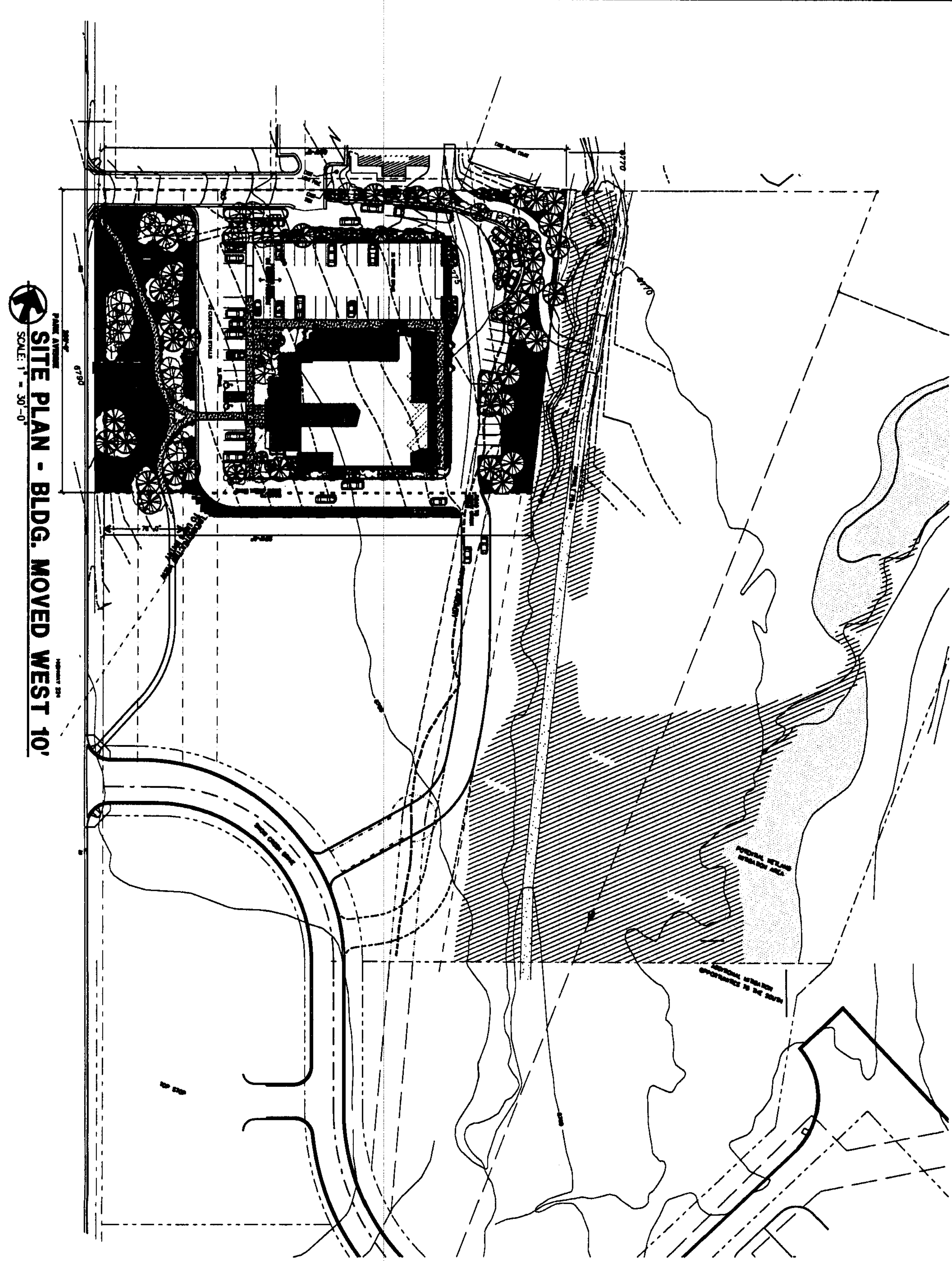


USPS PARK CITY MAIN POST OFFICE
PARK AVENUE (STATE HIGHWAY U-224)
PARK CITY, UTAH

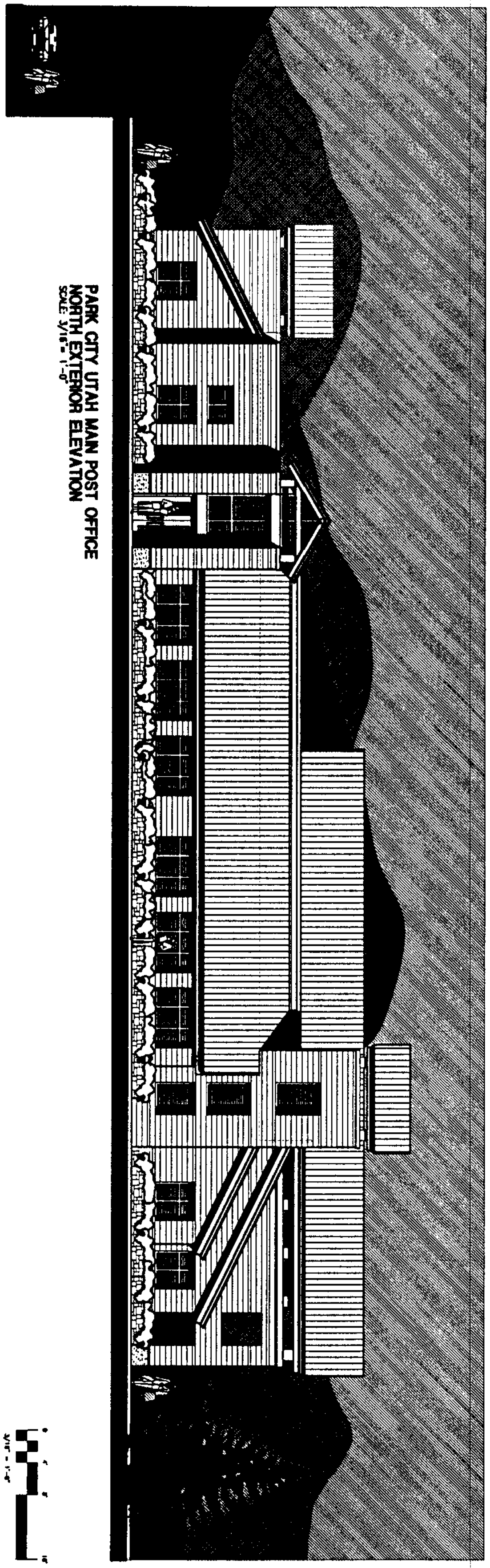
93

FRANK N MURDOCK JR III Architect & Associates
376 East 400 South Suite 312, Salt Lake City, Utah 84111 (801) 532-4441

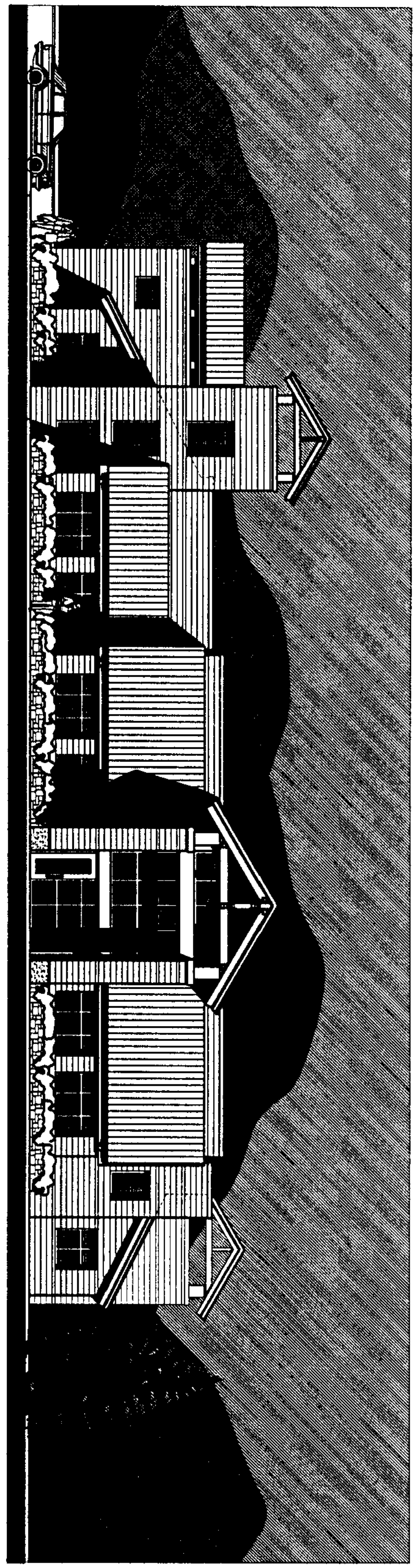
SITE PLAN OPTION WITH TWO WAY LOOP ROAD

SD-1E

PARK CITY UTAH
MAIN POST OFFICE



PARK CITY UTAH MAIN POST OFFICE
NORTH EXTERIOR ELEVATION
SCALE 3/16" = 1'-0"



PARK CITY UTAH MAIN POST OFFICE
WEST EXTERIOR ELEVATION
SCALE 3/16" = 1'-0"

A-3

PARK CITY UTAH MAIN POST OFFICE
PARK AVENUE (STATE HIGHWAY U-224)
PARK CITY, UTAH

FRANK H MURDOCK JR III Architect & Associates
376 East 400 South Suite 312, Salt Lake City, Utah 84111 (801) 532-4441

EXTERIOR ELEVATIONS

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Exhibit D - Minutes from Planning Commission meetings 98/99

Basin Planning Commission is Tuesday, May 4, at 8:00 p.m. Agendas will be set by both the City and County Planning Departments. He asked that any Commissioner who cannot attend contact him, and it was hoped that as many Planning Commissioners as possible would attend.

Administrator Putt reported that the second Phase I Land Management Code public hearing before the City Council is scheduled for Thursday, April 29. He urged the Planning Commission to attend the work session and public hearing.

Commissioner Hier announced that he would be unable to attend the April 28 Planning Commission meeting.

V. PUBLIC HEARING/DISCUSSION/ACTION ITEMS

1. **1800 Snowcreek Drive - Post Office Design Review**

Planner Ryan explained that the Post Office project is part of a potential sale to the Post Office of a 2.3-acre parcel which requires City Council approval. Contained in the purchase and sale agreement are review parameters for construction of the facility which include Land Management Code provisions such as site design, conformance with lighting and landscaping criteria, and conformance with Frontage Protection Zone criteria. This is not a conditional use review process because the Post Office is not subject to that process, but they have agreed to work with the City on these issues through the purchase and sale agreement. The first design was submitted in the fall of last year, and revised plans were presented in January or February of 1999. She suggested reviewing the site plan and comments made at the last meeting, specifically dealing with the building location and its effect on circulation and circulation patterns in the greater area. She also asked for discussion of the process and neighborhood dialogue and concerns. The environmental analysis for the adjacent property is included in the staff report and addresses traffic counts in the area and installation of a light at the Top Stop relative to the circulation patterns and activity on the site. Based on that analysis, the City believes the site has sufficient capacity to warrant a light a that location. The Post Office has agreed to make a proportional monetary contribution for the light. Conversations with the City Manager and Post Office indicate that the timing of the light's installation will correlate with the opening of the Post Office. Planner Ryan distributed copies of the anticipated traffic counts for the Post Office. The Staff requested that the Planning Commission forward a recommendation to the City Council this evening, and the City Council plans to hold a public hearing near the end of April regarding the purchase and sale and subdivision of the land. Planner Ryan reported that she received letters from two Windrift home owners, Jim Kennicott and Myra Strauchen, and distributed copies to the Commissioners. She reported that she also received a phone call from Susanne Burkett. Planner Ryan asked the Post Office to set up neighborhood association meetings with the Windrift Association, the Saddle Condo owners, and the Saddleview Office Park to explain the parameters of the project and take input in an effort to craft a design that meets the objectives of all interested parties.

Frank Murdock, architect for the project, reviewed the site plan and discussed the three alternatives. He noted that a major concern is the grade of the site. There is approximately 15 feet of drop from Highway 224 to the rear of the site before the stream. Using this 15 feet, they are providing a lower level accessed from the rear of the site and a main level for customer access on the front of the site. From the road in front, one would see a one-level building, and from the rear one would see a two-level building with a walkway to help diffuse the height. As part of the sales agreement, truck traffic, which is limited to four trucks a day, would enter off of Snowcreek and come through the east road on the property. The trucks would exit off the north road and make a right turn. The sales agreement prohibits the trucks from exiting back onto Snowcreek. Responding to a question from the last meeting regarding why parking is located on the north and the building on the south, he explained that if the plan were mirrored, it would take seven feet of rise to get to the front door, which is unacceptable for handicap accessibility. Trucks would also not have room to make the turn to exit the property. The 45-degree backing allows a shallower maneuvering area than typically seen. He reviewed earlier plans and discussed the related problems and why they are unacceptable.

Wayne Christensen, representing the Post Office, reported that he had spoken with Richie Taylor from UDOT who is familiar with the intersection and stated that UDOT would do another survey to see if the intersection has reached the point to warrant a light. Mr. Christensen believed UDOT'S timetable would coincide with the Post Office timetable for completion of the building.

Mr. Murdock reviewed revisions to the site plan based on input from the last meeting and suggestions from the Planning Staff. He presented elevation renderings and explained the proposed building materials and landscaping. He noted that a monument sign is being designed and will be reviewed by Staff.

Mr. Christensen addressed traffic questions and explained that traffic counts include customers at the Emporium station and Main Street. The Emporium has approximately 1/3 more than the Main Street office, and it is hoped that the new facility will pull some of the traffic off of Main Street. In trying to estimate the traffic count for the new facility, they figured that 50% of the combined usage from Emporium and Main Street will come to the new station. He reviewed a traffic count chart showing half hour increments and projections of the number of people visiting the post office by hour.

Chair O'Hara opened the public hearing.

Sheila Holloferi, a Windrift resident living behind the proposed construction, commented on the drainage problem at Windrift. She asked if the Post Office was aware of the problem and was concern4ed that her condo might be affected. Mr. Murdock replied that there is an existing storm drain in Highway 224, and all of the property from the platform forward will drain to the front rather than the rear. By Code, the Post Office is required to retain the runoff to the east which will be done at a very restrictive rate. Chair O'Hara suggested that Ms. Holloferi request an answer from the City Engineer prior to the public hearing at the City Council level. Ms. Holloferi asked if the "road to nowhere" which runs from Dan's to the Windrift fence and brings dead-end traffic to her backyard would be eliminated. Planner Ryan replied that the remainder of the piece is owned by the City, and as they look at the parcel, the Planning Commission can address that issue. Ms. Holloferi noted that the Staff report lists adjacent uses, but Windrift is not mentioned. She noted that it is adjacent to the new facility and asked that they be made aware of that fact. She was unhappy that the docks would back up to Windrift and asked if the building could be twisted to change the dock location. Mr. Murdock explained that twisting the building was considered, but larger vehicles would be unable to exit onto the street, and it would go against the slope of the property. Ms. Hollcferi stated that she did not like the location of the docks, reiterated the drainage issue, and discussed her uncertainty of how the project would work from a traffic standpoint. She also asked for consideration of wildlife in the area.

Chair O'Hara closed the public hearing.

Commissioner Erickson acknowledged that the Postal Service and its architect are doing their best to resolve the issues. However, if he were to make a recommendation, he could not recommend that through traffic and left turns use Saddleview Way. He could not perceive anyone other than the four trucks per day using Saddleview Drive. All other traffic must use Snowcreek Drive. If the road looped around the south end of the building, he did not know enough about the circulation to suggest that it was an absolute requirements. Without knowing the absoluteness of that requirement, he suggested that the road be one way or not exist and that additional landscaping be placed on the north and east sides of the building. If it costs the City a few feet of the Frontage Protection Zone, it would not be a problem. He would rather lose five feet of the Frontage Protection Zone and add five feet of landscaping.

Commissioner Hier preferred to see the trucks required to exit on Snowcreek. He requested that the public also enter and exit from Snowcreek Drive and leave Saddleview Drive open for emergency purposes only. It did not make sense to have a signal light at Snowcreek and wrap traffic around to Saddleview. He stated that he could not recommend approval of this project as it exists.

Commissioner Hays commented that she used to own a Windrift unit and was equally concerned about semi-trucks pulling into the backyards of Windrift owners several times a day. She was concerned about the noise and pollution from semi-trucks and the safety factor for those with children. She preferred that the trucks come to the south side of the building unless there is significant berming and mature vegetation to shield the area. She also suggested that trucks be required to turn off their engines while unloading. She expressed concern about traffic pulling out onto Saddleview and did not believe that was the best option. She felt the project would cause significant impacts on the neighbors.

Commissioner Zimney agreed with Commissioners Hays and Erickson. She commented that, whenever they come to an issue with so many problems, they know the project is too big for the site. The traffic does not work, the trucks do not work, and the impacts on the neighbors do not work. She believed the use was too intense for the site and recognized that, because it is the Post Office, the Planning Commission cannot stop it.

Chair O'Hara asked the Commissioners if they had enough information to make a recommendation to the City Council.

Commissioner Erickson stated that he understood the City Council had passed this matter on to the Planning Commission for a recommendation, but they did not provide any criteria upon which to base a recommendation. Planner Ryan replied that compliance with the Land Management Code and Park City Design Guidelines are tools for their review as stated in the purchase and sale agreement.

Commissioner Hier suggested forwarding a negative recommendation based on neighborhood compatibility and traffic problems.

Commissioner Erickson stated that the matter is neither a conditional use nor a permitted use, and he did not understand how it fell under their jurisdiction. The City Council had asked for their review and opinion, and he believed they had given sufficient comments to the Staff.

Commissioner Zimney clarified that when the Planning Commission talks about the Frontage Protection Zone, it refers to more than just a strip of land that cannot be built on. They use the term interchangeably with the entry corridor vision. She wanted it made clear to the City Council that they are considering more than just 35 feet of the Frontage Protection Zone.

Commissioner Erickson reviewed the criteria in Section 3.14 by which the Planning Commission can make decisions, and he did not believe this project fell into any of the categories.

Planner Ryan replied that this project is subject to the CUP process, and she believed that was the City Council's intent when they referred to the Land Management Code in the purchase agreement.

Chair O'Hara suggested forwarding a recommendation to the City Council for their review without a positive or negative recommendation.

MOTION: Commissioner Erickson moved to forward a recommendation to the City Council to relook at the traffic and transportation plan, and if this were a Conditional Use Permit, it probably would not be in compliance with the Code; that the City Council relook at the landscape plan and location of the building on the site and consider additional mitigation to conform to neighborhood compatibility criteria; and that the City Council consider that the use, given the requirement for large trucks, is probably inappropriate in this location because the zoning and the master plan for Snowcreek project showed housing in this area.

Administrator Putt clarified that he should write his notes to the City Council in a manner that would state that no specific recommendation was forwarded by the Planning Commission. However, specific input was provided and that input relates to traffic and transportation concerns, that this project would not meet the criteria for a CUP set forth in Chapter 1.13, the need for substantial landscaping around the periphery of the project, particularly around the Windrift condominiums to provide buffering and neighborhood compatibility, and the concern that large trucks are inconsistent with the original master plan which included residential housing.

Commissioner Erickson stated that this is a recommendation, but there is no specific recommendation to approve or deny the project. The Planning Commission is making a specific recommendation to the City Council for their review. He believed the City Council had an opportunity to negotiate the truck circulation and work with the architects and facilities manager to look for additional mitigation locations.

Commissioner Hays asked that the minutes from this meeting accompany the recommendation to the City Council.

Commissioner Hier seconded the motion.

Commissioner Erickson expressed his appreciation for the discussion and efforts put forth by the postal service and facilities managers. He also noted that he did not have particular concerns with the building design.

VOTE: The motion passed unanimously.

2. <u>1212 Empire Avenue - MPD and Plat amendment</u>

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

MOTION: Commissioner Zimney moved to CONTINUE this item to a date uncertain. Commissioner Erickson seconded the motion.

Commissioner Hier felt the current concept was much better than the previous one. He liked the gondola and believed the ability for two ski areas to share one access into town was a great benefit. Commissioner Jones agreed that conceptually this was a better plan. Commissioner Hier wanted an understanding of the nighttime operation and matching capacities from Old Town to Silver King and from Silver King over. He wondered if enough thought had been given to capacity if Park City Mountain Resort develops activities at Silver King. Another item that should be part of the plan is handling transportation for the balance of units in the Flagstaff project, including over the hill.

Commissioner Jones wanted to know that plan and how it would tie into this system. He believed they need a better understanding of how employees could access the system and where they could park in Park City to avoid using Marsac Avenue and the Mine Road. Conceptually, the pulse gondola made sense, but he wanted to know what happens in those pods. He wanted to think they could achieve Ecosign's numbers. It was his first impression that the study was optimistic, but he thought everything possible should be done to get people out of their cars. He suggested that they rethink the improvements to the Mine Road to minimize rather than maximize improvements. They should look at parking in the Flagstaff project and make it less convenient for people to walk to their car versus the gondola. He stated that the gondola system should be the first choice, and they should do what they can to enhance that choice.

Chair O'Hara felt this plan has a strong potential to be an attractive addition to the City. He agreed that the study was optimistic, but they had to start somewhere. He stated that reducing visitor traffic from Flagstaff down Marsac must start at the airport. This issue should be discussed with the City Council and other City entities. He believed this plan was an attractive approach.

Commissioner Larson echoed the comments of the other Commissioners. He also found the transportation study to be optimistic and felt they should look at the numbers and find opportunities to improve ridership.

Chair O'Hara recessed the work session to reconvene after the regular meeting.

Snow Creek Post Office - Design Review

Planner Ryan explained that the purpose of this review was to discuss preliminary design concepts and for the Staff to receive direction on the proposed design concept. Initial designs were reviewed during the process of subdividing Lot 9 into two parcels last June. At that time, the Planning Commission forwarded a negative recommendation on the subdivision to the City Council. The City Council has not acted on the subdivision nor the purchase and sale agreement. However, they have a letter of intent to work with the Post Office on the sale of the parcel. Planner Ryan referred to the Purchase and Sale Agreement language in the staff report and noted that there are specific review criteria for the design, including site plan compliance with the Land Management Code, design guideline compliance, landscaping compliance, building design, sign/exterior lighting compliance, and review of future additions and remodels. The Post Office has prepared a brief presentation to update the Planning Commission on site design, layout, circulation, materials, and design and has requested Planning Commission feedback to incorporate into the plan before returning on April 14 for a recommendation to City Council. It was noted that the property is in the Frontage Protection Zone in the RDM Zone, and the Post Office plans to comply with the 100-foot setback required for the Frontage Protection Zone and is set back from the wetlands.

Chair O'Hara referred to the access off of Snow Creek and noted that there is no indication of where the road comes in. He stated that he understood it would be a truck feeder. Planner Ryan replied that the agreement addresses entry. The exit onto Highway 224 will be an exit only, and major truck delivery traffic will enter and access a shared common driveway in the rear. If a light is warranted at that intersection in the future, the purchase and sale agreement details a proportionate fair share to be contributed by the Post Office.

Representing the Post Office, Frank Murdock explained that the site is laid out on property which slopes approximately 15 to 20 feet from front to back. The intent is to set the building at the same elevation as Park Avenue. Due to the slope and size of the site, this will be a two-story structure, with the primary postal facility functions located underneath the building and all customer functions on the main floor. He indicated the proposed location for customer parking and noted that 52 parking stalls will be provided for the public with two main public entrances into the building. It is intended that Park Avenue will be the primary entrance for customers. The plan was designed to connect to future roads on the site to the south. Regarding connection to Snow Creek, the exact design of that road has not yet been determined. All truck traffic will enter off of Snow Creek.

Chair O'Hara asked how many trucks would be expected per day. A Post Office representative, Wayne Christensen, replied that there are two trucks in the morning, one truck in the afternoon, and one in the evening, for a total of four trucks per day. There are rarely more than two trucks at one time.

Mr. Murdock reviewed a floor plan showing the internal functions of the building.

Commissioner Hier asked about the number of boxes at the Emporium Station. Mr. Christensen replied that Emporium has approximately 4,200 boxes. They will be moved to the new station, and the Emporium station will be closed. The Post Office on Main Street will be remodeled and will become the Main Street station. The proposal would net an increase of 2,000 boxes. Mr. Christensen stated that he expected some current box holders on Main Street to move to the new facility because there will be parking. Mr. Murdock pointed out that the boxes are designed for a 10-year time frame.

Mr. Murdock noted that the building exterior was modified based on the Staff's suggestions. The massing was significantly broken up, and a number of sloped roofs were added. Masonry will be used on the exterior and will incorporate a tinted split-face block and hung-face block. A sandstone planter will run around the exterior, and sandstone will be incorporated into the facade. Heavy timber will be used in some areas, and the roof will be metal.

Commissioner Erickson stated that he appreciated the effort made by the Staff and the Postal Department. He felt this was a better proposal than the one previously. He stated that he was concerned with the external aspects of the site, such as circulation, access off of Highway 224, and access to the driveway to the north.

Commissioner Jones echoed Commissioner Erickson's comments. He stated that he was unsure how to resolve the circulation issue, and he wondered if it had been completely thought out. It appeared that the main customer ingress and egress would be on the common road between the Post Office and Saddleview Office Park. He asked how they intended to make it work, because a left-hand turn cannot be made off that road. He had thought the plan would be to use the Snow Creek road for access, but since it is at the rear, it would be difficult to get people to go that way. Mr. Murdock explained it was the intent for the majority of traffic to enter the site off of Park Avenue. In terms of exiting, he stated that the Post Office understood that a light would be installed. Planner Ryan explained that UDOT will not install a light unless it is warranted, and that may not occur in the immediate future. If this plan moves forward, it will be in operation before a light is installed. People should be encouraged to use Snow Creek, but customers will no doubt use the Saddleview exit. This issue is still being worked on, and determination of the other site will have an effect. Cross easements are being negotiated to allow access and to encourage people to use Snow Creek Drive.

Mr. Murdock asked if there was a way to expedite the traffic signal. Planner Ryan replied that the City Engineer could better answer that question, but she understood that traffic generation must reach a certain level before UDOT will consider installing a light.

Commissioner Jones asked if the signal will be at Saddleview. Planner Ryan replied that it will be at the Snow Creek crossing just before Top Stop. Commissioner Jones felt that Snow Creek was the proper intersection and suggested that the plan be turned so parking would be on the south side of the building closer to Snow Creek road. He noted that his main objection from the beginning has been circulation, and he did not think the ingress/egress issue had been solved.

Mr. Murdock and the Commissioners discussed moving the parking to the south and how it could be accessed. Mr. Murdock explained that they are limited to one access off of Park Avenue located as shown on the plan, which is the only allowable access to the site. There is one access to Snow Creek defined at the southeast corner. No matter how access is configured, customers must zig-zag to get through.

Commissioner Erickson recalled a previous discussion of Saddleview Drive and Saddleview Way and what could be on it. He suggested that primary access into the site should not be from Saddleview Way since the light will not be at Saddleview Way. He also suggested asking City Engineer Eric DeHaan for clear direction on accessing the site. He agreed that the ingress and egress for this site should be Snow Creek, which was the concept of the Snow Creek master plan. In the absence of evidence showing otherwise, he believed it should remain that way.

Mr. Christensen stated that he had worked with UDOT on a number of lights, and their main concern was who would pay. If most of the money is put up front, UDOT is usually amenable to installing the light. In this case, the Post Office plans to pay half. He believed that when the light is installed, people would use the easy access at the light rather than trying to make a left-hand turn. Commissioner Erickson agreed but noted that, until the light is installed, the building design encourages people to come in from Saddleview Way, not Snow Creek. He stated that he was happier with the site plan and building and believed they were closer to conformance with the Code except for traffic access off of Highway 224.

Commissioner Zimney commented on the history of the entry corridor and noted that it took three years to get a plan at Snow Creek that was acceptable and a year and a half to approve the motel site by the Raddison. She was disappointed that, because this is a government building and the City sold the property, they are forced to look at a plan that puts too much impact on the entry corridor and Highway 224. She expressed frustration that they did not have the ability to critique the design on a building that is inappropriate for the entry corridor.

Commissioner Hier discussed the amount of traffic going in and out of the Emporium and Main Street. He did not think the access at the Emporium was an appropriate way to handle traffic. He believed studies should be done regarding traffic in and out of Main Street and the Emporium to determine volume and how it will impact Highway 224, which might help determine whether access onto Highway 224 is necessary or if it could be handled from the existing entrance to Snow Creek.

Commissioner Hays felt the owner of Dan's Food should be notified if the traffic comes off of Snow Creek Drive. She noted that there are dangerous roads coming off the parking lot with no stop signs, which increases the potential for accidents. If more traffic will use the access because of the Post Office, she felt it was important to inform whoever needs to know and suggest stop signs.

Chair O'Hara felt the Post Office had taken a large step, and he appreciated the improved building design. He echoed the comments regarding transportation and commented on the number of cars being parked in the entry corridor. He noted that there is a large expanse of asphalt for automobiles in the current design, and the elevations do not clearly indicate how it will look from the highway. He stated that all his concerns relate to transportation and parking, and he believed serious work needed to be done on traffic, traffic studies, parking, and understanding what the flow of people in and out of the building would be. He asked if the number of boxes would expand after 10 years when they have outgrown the 6,000 boxes proposed. He noted that the Post Office should provide the Planning Commission with factual information regarding access, circulation, parking numbers, and justifications. Mr. Christensen replied that a fourth post office will be built in another location when they run out of boxes for this facility because there is no room for expansion.

Commissioner Hier asked if the facility is considered a city or regional post office. Mr. Christensen replied that it is a city post office servicing two ZIP codes of Park City.

Commissioner Erickson requested for the next meeting that the plans show the larger picture of the Snow Creek master plan in context with the Post Office as well as the requested explanations on transportation.

2280 Deer Valley Drive, Mountain View Lodge - CUP

Planner Whetstone reviewed the proposal for the Snow Park parcel at Deer Valley for 42 condominium residential units on 7.8 acres. The site is located south and east of the Snow Park Lodge, and she provided a slope analysis of the site. The proposal is for a configuration of several buildings with parking provided underground and proposed heights ranging from 40 to 45 feet. The Staff identified five issues that warrant discussion prior to discussing details: density and height, the sensitive lands overlay and its applicability to the site, access and circulation, the general site layout, and skier access.

Mark Walker, representing the applicant, gave a brief introduction to the project and explained some of the design objectives and goals. The project will consist of 43 units located next to Snow Park Lodge on the east side of the hill. Each unit is designed with a lock-out potential for rental purposes. The main units are 26 flats at 2100 square feet with two bedrooms and a guest bedroom lockout. Also proposed are 11 penthouse units with a 2100-square-foot flat and an additional 1000-square-foot master bedroom suite on the upper level. The remaining five units are townhouse units, 2100 square-foot flat with an additional 1000-square-foot basement where the site slopes away from the buildings. He noted that access to the project is on an easement granted from Deer Valley off of the existing service drive for the Snow Park Lodge. The driveway will be widened to make it accessible for traffic, and their own driveway will split off the service drive and ramp up the hillside into the parcel. This is the only access into the site, and it will go into a turnaround area which enters the underground parking structure containing 95 parking stalls. Mr. Walker noted that the principal orientation of the units on the hillside is linear in nature. All units are oriented toward the Deer Valley ski trails, and the design is a single loaded concept so every unit has a view toward the ski trails. The building contains a limited amount of common space and utilizes the Snow Park Lodge for the restaurant and amenity package. In addition to the 42 units, the building will contain a check-in lobby area, health

4. The project is located on park Avenue with high intensity residential uses and with minimal construction staging area.

5. Dedication of a ten (10) foot non-exclusive snow storage easement along Park Avenue is necessary to provide adequate snow removal services.

6. The existing structure on the newly created lot is non-conforming (side yard setbacks).

<u>Conclusions of Law - 943 Park Avenue</u>

1. There is good cause for the amendment as the amendment brings the existing historic structure into compliance with State law.

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

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

<u>Conditions of Approval - 943 Park Avenue</u>

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. A ten (10) foot non-exclusive snow storage easement along Park Avenue shall be dedicated to the City on the plat.

3. Design of any additions require review and approval by the Historic District Commission in compliance with the Historic District Guidelines.

4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.

5. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).

4. **<u>1800 Snowcreek Drive, Snowcreek Subdivision Lot 9 - U.S. Post Office</u>**

Manager Shepard reported that this item was discussed at the work session on July 8. It is before the Planning Commission this evening with a Staff recommendation to forward a positive recommendation to the City Council. Since the last meeting the Staff has worked with the architect on design. Manager Shepard noted that the recommendation is written such that the sales agreement which is executed between the City and the current owner and the City and the Post Office would have certain design restrictions and regulations that would come before the Planning Commission for review and approval. The Staff recommends that the Planning Commission authorize the subdivision of Lot 9 into Lot 9 and 9a. Lot 9a would be approximately 2 acres and the balance would be 8 acres. The City would retain ownership of the larger parcel with the intent of a possible transit center. The two acre parcel is proposed to be sold to the Post Office and the Staff will continue to work with their architects on site design and building design.

Commissioner Erickson asked if 9A is a developable lot and Planner Shepard replied that it is. He clarified that there is no linkage between what the Post Office proposes to do with the lot and the subdivision. Manager Shepard stated that he was correct.

Commissioner O'Hara referred to Conditions #4 and asked why the Army Corps of Engineers was building a bridge. Manager Shepard explained that the Post Office is building a bridge subject to approval by the Army Corp of Engineers. She pointed out the location of the bridge noted that the trail has to cross the wetland. Currently the trail alignment through Snowcreek has to make a jog to connect to the trail on the other side and in order to make that jog the Post Office needs to provide a bridge.

Commissioner O'Hara requested that the conditions of approval be written to require approval of the bridge by the Corp of Engineers and the Community Development Department.

Commissioner Zimney disclosed that she owns property in the immediate vicinity. Commissioner Zimney is concerned that the Planning Commission is not able to see the design because of a purchase agreement made by the City. After all the years the Planning Commission has spent on that entry corridor parcel and what other properties have had to go through to be approved she believes that a transit center in that location as well as a huge Post Office with 5,000 boxes goes against everything they have been planning from the start. The original Snowcreek subdivision approval specifically stated what could go there. She understands this has to be allowed because the government says they have to but she is frustrated over it and believes the traffic will be a horrible mess. Commissioner Zimney requested that Condition #6 state that semi-trucks shall not enter or exit on that private easement. It is a small easement and the road cannot handle the weight of the trucks let alone the traffic. She felt traffic should be directed up Snowcreek Drive because of the traffic lights and because it fits in more with what the Planning Commission has been trying to do in that area. Commissioner Zimney stated that if this project was not controlled by the government she would be violently opposed.

Commissioner Jones asked if the size of lot 9A is large enough for the plan presented by the Post Office. He recalled that parking was in the Frontage Protection Zone and he wondered if there could be alternatives for shared parking between the City and the Post Office. If the site is not large enough then the parking would have to be in the Frontage Protection Zone because there would be no room to put it elsewhere.

Manager Shepard remarked that in their discussions with the Post Office the lot was made larger than originally proposed and she believes there is enough wiggle room to make it work with their criteria. Manager Shepard did not know when this plat will be recorded but if the Post Office finds that they need more land they can return to the Planning Commission with that request.

Commissioner Jones referred to Condition #9 and asked if the condition can be written to require a stop light prior to occupancy of either the Post Office or transit facility. Manager Shepard replied that the stop light is a UDOT issue and is not controlled by the City. She suggested adding language stating that the City will do everything possible to install the light concurrent with construction of the Post Office or transit center. If the City is willing to pay a portion of that stop light hopefully the time frame could be shortened. Commissioner Jones was uncomfortable with waiting until traffic becomes a real problem before doing something. This is an obvious location that they know will be a problem. Manager Shepard assured Commissioner Jones that the City will do everything they can to push the issue but the ultimate decision is up to UDOT.

Regarding the Frontage Protection Zone, Manager Shepard explained that from the highway right-of-way to 30 feet back is a no build zone. From 30 feet to the next 70 feet to 100 feet back requires Planning Commission review. The Post Office is not proposing construction in the 30 foot buffer and they are trying to stay beyond 70 feet.

Chair Larson opened the public hearing.

There was no input.

Chair Larson closed the public hearing.

MOTION: Commissioner O'Hara moved to forward a POSITIVE recommendation to the City Council to approve the subdivision plat for Lot 9 and Lot 9a at 1800 Snowcreek Drive with the Findings of Fact, Conclusions of Law, and Conditions of Approval with the following changes:

Conditions #4 - that the bridge crossing is acceptable to the Army Corp of Engineers and the Community Development Department.

Condition #6 - that semi-truck traffic shall not enter or exit Lot 9a.

The motion died for lack of a second and Chair Larson called for another motion.

Commissioner Erickson moved to forward a NEGATIVE recommendation to City Council for this project on the basis that it does not conform to the existing master plan and it creates too much traffic on Highway 224. Commissioner Zimney seconded the motion.

VOTE: The motion passed unanimously.

On another matter, Commissioner Erickson requested that Administrator Putt provide copies of the preliminary environment review for the extension of Highway 248. He wants to see it right away and he wants the Planning Commission to take formal action as soon at they are ready to provide comment. His primary concern is with the cut on Highway 40 going down to the Jordanelle just past the Mayflower exit.

The Park City Planning Commission Meeting adjourned at 8:35 p.m.

Approved by Planning Commission________________________________ resort which start at 8:00 a.m. The Commissioners concurred with 8:00 a.m. to 9:00 p.m. hours of operation.

Chair Larson stated that parking and circulation appeared to be well addressed.

Commissioner Jones asked how parking would be affected when Lowell is relocated. Mr. Clyde explained that parking will be shifted further to the west from Snowflower by 110 feet when Lowell is realigned.

Commissioner O'Hara addressed pedestrian safety, and he wanted to be sure there would be a good buffer between parking and pedestrian activity at the skatepark.

Commissioner O'Hara asked about the fencing material. Mr. Clyde replied that the material proposed is a board and batt construction stained an aspen color. He explained that a 6-foot fence is proposed to comply with Code, but they would prefer an 8-foot fence to help buffer noise. Commissioner Hier supported the 8-foot fence to prevent people loitering around the fence to talk with friends or climbing over the fence.

Chair Larson asked if Mr. Clyde had worked with any organizations to make the skatepark available to all income levels. Mr. Clyde replied that they had met with groups to discuss the issue. The Resort would like to offer discounts to holders of recreation passes and season passes to the Resort. The more complex issue is what to do about kids who do not have any money. Chair Larson stated that he would like to provide the same recreation pass accessibility. Mr. Clyde stated that they will provide a discount from the standard rate, but the Resort has not yet approached pricing.

Commissioner Hays commented that a person can swim all day at the Racquet Club for $2.00 and ski all winter for $100, and she would like to see the skatepark pricing stay within a reasonable range. Mr. Clyde replied that the fee will be more than $2.00 because the facility is quite expensive to maintain.

Chair Larson noted that this item is scheduled for public hearing at the regular meeting this evening.

Lot 9, Snowcreek Subdivision

Planner Ryan reported that this item is scheduled for work session only. She reviewed the site plan and explained that Lot 9 is one of the remaining parcels of the Snowcreek Crossing development. In 1993, a large-scale MPD was approved which separated the parcel into two portions, a commercial MPD and a residential MPD. The commercial MPD is nearly completed. The Planning Commission and City Council held a joint meeting to discuss Lot 9 and whether the residential MPD should still be the firm and absolute directive for this parcel. They also discussed commercial and hotel uses. The opinions varied, but the consensus was that residential is not necessarily the only appropriate use. After the joint meeting, a subdivision plat was approved to make Lot 9 one parcel. The request this evening is for initial discussion on a proposed subdivision. Planner Ryan reviewed a preliminary sketch showing the location of the parcel and adjacent properties. The proposal is to subdivide the parcel into two pieces, Lot 9 and Lot 9A. The main post office is proposed for Lot 9A, and representatives from the post office are in attendance this evening to explain the potential project on that parcel. The remainder of the parcel will be owned by the City, which currently has an option on the parcel and is pursuing funding to help assist in developing the parcel for a potential transit center. An environmental assessment is being prepared on the remainder of the site, and the post office has already conducted one on Lot 9A. Any development on the City parcel is subject to a Conditional Use Permit and will require Planning Commission review and approval. There is a shared access, and no new curb cuts are proposed for Lot 9. The Frontage Protection Zone requirements apply with a 30-foot no-build area. Anything within the remaining 70 feet must come to the Planning Commission as a CUP for construction.

Chair Larson asked if the post office is exempt from local jurisdiction of the Frontage Protection Zone requirements. Planner Ryan replied that they are exempt by federal law, but they have agreed to work with the City.

Representing the post office, Frank Murdock reviewed a site plan specific to the postal service area. He indicated shared access between the two lots. The postal service will have access off the roadway, and he indicated where the postal customers would park. He indicated the location of landscaping and berms and identified the area for a suspended parking structure to accommodate the necessary number of stalls. He explained that this facility is unusual in terms of the number of post office boxes required. This facility proposes 6,500 boxes compared to the normal 3,000 or 4,000 boxes. He believed the number was high to accommodate the transient population in Park City. He discussed the parking structure and the vehicles it would house and indicated the traffic patterns and ingress and egress points. He explained that the building contains two levels, which is unusual for a post office. The main floor will house customer services, and service-related activities will occur on the lower level. He commented on the landscaping proposed for aesthetics and buffering.

Planner Ryan explained that the Staff requested that the postal service put the building in front and the parking in back because building facades are more appropriate than asphalt in the Frontage Protection Zone. However, that was not possible because truck access would be inhibited.

Mr. Murdock reviewed the proposed building materials and discussed the heights of the building starting at grade.

Commissioner Jones asked how the postal service determined the number of parking spaces needed. Mr. Murdock replied that the formula is based on the number of boxes.

Planner Ryan reiterated that the postal service has agreed to work with the City on the site plan and architecture. This is the first time the Staff has seen the site plan, and they will continue to work on it with the postal service prior to the July 22 meeting.

Commissioner Jones felt the better looking side of the building was on the parking garage side and suggested that they look at the Highway 224 side.

Commissioner Hays understood that the postal service was not bound by City jurisdiction and asked if the Planning Commission could have input regarding the building design. Planner Ryan replied that the Staff is currently working with the architects on the platting process, and they have agreed to work with the City.

Wayne Christensen, a postal representative, stated that they want total input from the Planning Commission and are open to all suggestions. The postal service does have veto power, but they probably will not use it.

Planner Ryan noted that this item will be reviewed again at the July 22 meeting.

Exhibit E- Memo in regards to Landscaping

PARK CITY
1884

Memorandum
April 21, 1999

TO: Meg Ryan, Rick Lewis

FROM: Brooks T. Robinson

SUBJECT: Snowcreek Post Office

Several months ago, I received a call from Robert Peeples of the USPS Environmental Division. He also sent by e-mail some documents relating to design of Federal projects (attached). With the recent landscape plan, I was expecting some coordination with Mr. Peeples and sent him e-mail to that effect (also attached). From his recent response, it would appear that the USPS landscape architects will be involved.

It would be my design intent to have a low maintenance, water-efficient, mostly native landscape plan. The plant materials shown are generally water intensive, particularly along SR 224. Blue grass turf with aspen, birch, maple and blue spruce are not in keeping with the Federal guidelines nor with the City's xeriscape program.

Plants found along water courses such as the creek behind (east) of the Post Office are appropriate for this area. This would include willows, aspen, birch (not native), and poplar species. In addition, screening of the loading areas from the Windrift condos is necessary. The current plan does shown some evergreens here, but this plan needs to be filled out some more.

Also attached is the standard landscape plan review sheet for informational purposes. If the City goes ahead with the sale of the site and the approval of the building and it's location, I would expect that the landscape plan would be greatly modified to present a water-efficient, mostly native, demonstration landscape that is attractive and presents a positive statement about Park City and the Postal Service.

Exhibit F - Ordinance

ORDINANCE NO. 99-

AN ORDINANCE APPROVING AN AMENDMENT TO THE SNOWCREEK SUBDIVISION PLAT, LOT 9, TO CREATE LOT 9A AT 1800 SNOWCREEK DRIVE, PARK CITY, UTAH.

WHEREAS, the Unites States Postal Service has petitioned the City Council for approval of a amendment to the Snowcreek Subdivision plat; and

WHEREAS, proper notice was sent and the Planning Commission and the City Council held a public hearing to receive input on the proposed amendment on July 22, 1998 and April 13, 1999 respectively; and

WHEREAS, it is in the best interest of Park City to approve the amendment, and

WHEREAS, there is good cause for the amendment; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

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

SECTION 1. The amendment to the Snowcreek Subdivision plat Lot 9, is approved as shown on the attached Exhibit B with the following findings, conclusions and conditions:

Findings:

1.The project is located in the Residential Development, Medium Density zone, RDM, with three overlay zones. The Entry Corridor Protection Zone, ECPZ, Regional Commercial Overlay zone, RCO, and Sensitive Lands overlay, SLO, districts exists on portions of the site.
2. The subdivision will create two lots, 9 and 9a.
3. The site is located adjacent to Highway 224, the City's busiest roadway. Access to the site is provided off of Snow Creek Drive. Lot 9a is also accessed by a private drive to the north
4. No design plans are proposed for Lot 9 at this time.
5. Lot 9a is proposed to house a new main Post Office distribution facility for Park City.
6. A public trail exists on the site but is not aligned with the City's Master Trail Plan connections. Trail re-alignment improvements and construction of a bridge crossing on the site will bring the trail in compliance with the plan.
7. The proposed owner of Lot 9a has agreed to work with the City on a design that is acceptable to the City.
8. No new curb cuts are required for access along Highway 224 to Lot 9 or 9a.

9. Lot 9 has wetland and flood plain boundaries located on the parcel.
Reciprocal access for trucks, traffic, parking and utilities is anticipated on Lot 9 and Lot 9a. Lot 9 is not currently served with water lines.
10. The Planning Commission conducted a public hearing on July 22, 1998 on the proposed subdivision and forwarded a negative recommendation to the City Council on the item.
11. The City has offered to sell the parcel to the Post Office with conditions that are outlined in the Offer to Sell agreement and that survive transfer of ownership.

Conclusions of Law:
1. The proposal will create two parcels, Lot 9 and Lot 9a, and is consistent with both the Park City Land Management Code, Chapter 15 and the General Plan as the project has been conditioned to follow the necessary review and approval process for the RDM, RCO, ECPZ and SLO Districts.
2. There is good cause for the subdivision as among other benefits the project will create pedestrian pathways with related improvements to the City and will maintain a main Post Office within City limits.
3. Neither the public nor any person will be materially injured by the proposed subdivision plat.

Final Conditions:
1. Review and approval of this plat for compliance with these conditions of approval by the City Engineer and City Attorney is a condition precedent to plat recordation.
2. Reciprocal cross easements for circulation, parking and utilities are conditions precedent to plat recordation.
3. Design standards for Lot 9a that reflect the City's Design Guidelines and Frontage Protection Zone specifications such as setbacks, articulated facades and screened parking are delineated in the Offer to Sell agreement and will need to be acceptable to the City prior to any construction. Prior to recordation of the plat, the Post Office shall execute theOffer to Sell agreement which shall contractually bind the United States Post Office to certain design and development criteria.
4. A note shall be added to the plat that indicates that wetlands and a flood plain boundary exist on Lot 9a. Any development on Lot 9a will need to be buffered from the wetlands as determined under the City's Sensitive Lands Ordinance prior to any construction.

SECTION 2. This ordinance shall take effect upon publication.

DATED this the 29th day of April, 1999.

PARK CITY MUNICIPAL CORPORATION

____

Bradley A. Olch, Mayor

ATTEST:

____

Jan Scott, Deputy City Recorder

APPROVED AS TO FORM:

____

Mark Harrington, Deputy City Attorney

Exhibit G - Letters from public

Myra Strauchen
P.O. Box 2256
Park City, Utah 84060
435-645-9876
April 14, 1999

RECEIVED
APR 14 1999
PARK CITY
PLANNING DEPT.

Dear Planning Commission and City Council members:

As a Park City resident, business owner and Windrift homeowner I am concerned about the impact of the proposed post office design on the Windrift residents and on the esthetics of the entry corridor. I don't know how much input the commission and council have in the design process but I would like to express my concerns.

The plan I recently reviewed showed the major truck parking behind the building (adjacent to the stream, wetlands and Windrift condominiums) and the car parking between the Saddle View offices and the post office building. I would like to suggest that the parking of both trucks and cars be located on the South side of the building toward Top Stop and the Dan's shopping complex entrance. This is already a commercial area and is also furthest away from the stream, the offices and the residences. Located there the vehicle runoff, emissions and traffic noise would have less effect on the wetlands and on the office and residental areas. I would propose the area for trash disposal be placed there also.

The Saddle View office complex incorporated muted lighting and an attractive low roof profile with view corridors in their design. I am hoping the post office design will do likewise and take into consideration the fact that the occupants of many of the condominiums will be looking down on the post office roof as well as viewing across the building.

Access is another major concern. Will a traffic light be installed at this already hazardous intersection?

Thank you for listening to my concerns. At this point I feel confident that with careful design review and creative landscaping the post office, like the Saddle View office park can be an acceptable addition to the neighborhood and have minor impact on the esthetics of the entry corridor. I hope my confidence is not misplaced.

Sincerely,

Myra Strauchen

Myra Strauchen

JIM KENNICOTT

POST OFFICE BOX 2339, PARK CITY, UTAH 84060

April 14, 1999

RECEIVED
APR 14 1999
PARK CITY
PLANNING DEPT.

Park City Planning Commission
Hand Deliver

Re: Post Office Purchase and Sale.

My thanks to Megan Ryan for her help this morning in getting up to date on this proposed transaction. I realize that the Postal Service is normally a law unto itself when it comes to planning and building matters. The staff and council are to be congratulated for maintaining some control over the finished product through the imposition of conditions on the sale of the parcel. The public input aspect would have been better served by written notice to adjoining property owners of this meeting as it would have allowed the Windrift HOA an opportunity to involve more of its members in the process at this stage. What follows are strictly my personal opinion and observations and do not reflect a position on the project by the Windrift HOA or any other owner.

Background -

I am an owner and full-time resident at Windrift Condominiums which abuts the parcel the City proposes to sell to the Postal service for the construction of its new facility. Windrift is, unlike many condominium projects in Park City, primarily owner-occupied. Of the twelve units most immediately impacted by the proposed Post Office, three are nightly rented, three are second homes and never rented, and six are primary residences. The remaining twenty units are also mostly primary residences with only four units which are rented nightly. While I am very much in favor of the construction of a full-service post office in this location, I have some specific reservations about the proposed design and siting.

I. Siting Issues -

The current orientation of the proposed building places the loading dock on the side of the structure most visible from Windrift. This is the aspect of the building that in most communities would be oriented toward the railroad tracks, an alley or the freeway. In addition to the unpleasant view of the butt-end of the structure, it would appear that the residents of Windrift would be treated to a view of the largest mass of the building as well. While the maximum height above grade is specified at 33 feet, the East elevation of the structure as submitted by the to the Postal Service for the construction of its new facility.

Respectfully submitted,

Jim Kennicott

cc. Myra Strauchen
David Yound
Susanne Burkett

Exhibit H - Offer to Sell agreement

DENVER FACILITIES SERVICE OFFICE

UNITED STATES POSTAL SERVICE

March 09, 1999

Mr. Toby Ross, City Manager
Park City Municipal Corporation
PO Box 1480
Park City, UT 84060-1480

Re: Park City Post Office Project

Dear Mr. Ross:

I am writing this letter as a follow up to our recent discussions concerning the new Park City Post Office. As you know, the Postal Service is desirous of closing the acquisition of the site as soon as possible in order to have the project positioned for a construction award this fiscal year.

Ed Giagni, the Postal Service project manager, and Frank Murdock, architect responsible for design, will be available to meet with your planning commission on March 24, 1999. At this time, we will present elevation and site utilization design changes previously requested by the City. Ed and Frank will also be able to address any other issues that members of the planning commission might raise at this time. On April 14, 1999, Ed and Frank will meet again with the planning commission to present building plans for comment. We should also have information on landscaping, exterior lighting, elevation, and signage for review and comment at this meeting.

It is my understanding, that comments from the planning commission will be forwarded to the city council for action at the April 29, 1999, meeting. Additionally, the council is scheduled for consideration of the subdivision plat at this meeting. Currently, the Postal Service's schedule for this project is as follows:

May 03, 1999 Close on acquisition of site (the Postal Service is willing to close prior to this date)
May 15, 1999 Completion of final design and construction documents
June 01, 1999 Solicitation for construction award (30 days)
July 01, 1999 Evaluation of construction proposals
July 15, 1999 Construction award

8055 E TUFTS AVE STE 400
DENVER CO 80237-2881
(303) 220-6569
FAX (303) 220-6511

Previously, the Postal Service Executive Vice President Chief Operating Official approved this project on January 07, 1999. Funding for this project has been budgeted for our Fiscal Year 99, which runs through September 10, 1999. As I have discussed with you in the past, the Postal Service's funding does not carry over from one fiscal year to the next. If we do not commit construction funding on this project this fiscal year, then the Park City project must re-compete for funding with other projects the next fiscal year. There are no guarantees that the funding will be available. In order to award the Park City project this year, we will need to make an actual construction award by July 15, 1999. This is the latest award date that our project management team feels is realistic to get the project underway and closed in before weather conditions permit otherwise.

The Postal Service appreciates Park City's efforts to work with us to meet the above schedule and ensure completion of a new postal facility to serve the community of Park City. If you have any questions, please call me at (303) 220-6569.

Sincerely,

Ed L. Bavouset
Team Leader - Manager, Real Estate

DST Wayne Christensen, ASM
Postmaster, Park City, UT

Offer to Sell Real Property

Facility Name/Location
Park City, UT - Main Office (496800-G03) Project : E87085

The undersigned, hereinafter called the Seller, in consideration of mutual covenants and agreements herein set forth, and for other good and valuable consideration, the sufficiency of which is hereby acknowledged, hereby makes the irrevocable offer to sell and convey to the United States Postal Service (Postal Service) and its assigns, the fee simple title to the following described land, with the buildings and improvements thereon, hereinafter referred to as "Land", and all rights, hereditaments, easements and appurtenances thereunto belonging, and legally described as follows:

Proposed Lot 9 A, Snow Creek Crossing Subdivision, Park City, County of Summit, Utah. Said legal description to be amended at a later date by ALTA/ACSM Land Title Survey, and approved subdivision plat by Park City Council.

Subject to the following rights outstanding in third parties:

Except as shown on attached Exhibit "A" attached hereto and made a part hereof.

Excepting and reserving to the Seller the following rights and interests:

See exceptions in the Addendum to this document.

The terms and conditions of this offer are as follows:

1. Seller agrees that this offer may be accepted by the Postal Service through any duly authorized representative, by delivering, mailing or telefaxing a notice of acceptance to the Seller at the address stated below, at any time within 120 calendar days from the date hereof, whereupon this offer and the acceptance thereof become a binding contract.

2. The Postal Service agrees to pay the Seller for said Land the sum of $2,000,000.00 ***Two Million and 00/100 Dollars*** payable upon approval by the Postal Service of the Seller's title and execution and delivery by the Seller of a good and sufficient General Warranty Deed with Deed Reservations regarding mineral rights conveying said Land with the hereditaments and appurtenances thereunto belonging to the Postal Service and its assigns, in fee simple, free and clear form all liens and encumbrances, except those specifically excepted or reserved above.

3. The Postal Service will pay to record the deed to the Postal Service and the procurement of the necessary title evidence.

4. The Seller agrees that all taxes, assessments, and encumbrances which are a valid lien against the Land as of the time of conveyance to the Postal Service shall be satisfied of record by the Seller at or before the transfer of title and, the Seller, will, at the request of the Postal Service and without prior payment or tender of the purchase price deliver the General Warranty Deed with Deed Reservations to the Postal Service and obtain and record such other curative evidence of title as may be required by the Postal Service. If the Seller fails to satisfy any such liens or fails to secure such curative evidence as required within sixty (60) days of acceptance of this offer by the Postal Service, the Postal Service may pay said liens and cure such defects and deduct any cost incurred from the purchase price of the Land. Real estate taxes for the current year, utilities and rents, if applicable, are to be pro-rated as of the date of closing.

5. The Seller agrees that loss or damage to the property by fire or acts of God shall be at the risk of the Seller until the title to the Land and deed to the Postal Service have been accepted by the Postal Service through its duly authorized representative or until the right of occupancy and use of the Land, as herein below provided for, has been exercised by the Postal Service; and, in the event that such loss or damage occurs, the Postal Service may, without liability, refuse to accept conveyance of the title or it may elect to accept conveyance or title to such property, in which case there shall be an equitable adjustment of the purchase price.

6. The agents, employees or representatives of the Postal Service shall have the right, during the period of the offer, subject to the use made of the premises by the Seller to enter upon the said premises for the sole purpose of inspecting the same and making test borings, plans and topographical surveys in connection with the Postal Services's contemplated use of the premises. The Postal Service, at its expense shall promptly restore the property of the Seller to its original condition in accordance with good engineering practices.

7. Possession of the property shall be delivered to the Postal Service on closing unless a different possession date is herein specified.

8. The Seller agrees not to rent, lease or otherwise increase tenancy on any portion of the property subsequent to execution of this Offer to Sell Real Property.

9. No member of or delegate to Congress may be admitted to any part or share of this option, or to any benefit arising from it. This prohibition does not apply to the extent this option is with a corporation for the corporation's general benefit.

10. Contingent Fees:

a) The Seller warrants that it has not employed or retained any person or selling agency to solicit or obtain this contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee.

b) For breach or violation of this warranty, the Postal Service has the right to deduct from the contract price or consideration or otherwise recover from Seller the full amount of the commission. Percentage, brokerage fee, or contingent fee, if paid by Seller.

11. The terms and conditions aforesaid apply to and bind the Seller's heirs, executors, administrators, successors, and assigns.

12. Seller authorizes the Post Office to conduct any tests it deems necessary to determine whether contamination exists on said Land. Seller certifies that it is not aware of any contamination, hazardous material or underground tanks or associated piping on the site. Seller warrants that since Seller purchased the Land no contamination or hazardous material has been detected on site.

13. All terms and conditions with respect to this offer are expressly contained herein and the Seller agrees that no representative or agent of the Postal Service has made any representation or promise with respect to this offer not expressly contained herein. Similarly, the Postal Service agrees that no representatives or agent of the Seller has made any representation or promise with respect to this Offer not expressly contained herein.

14. Seller warrants that legal title is held as follows: Park City Redevelopment Agency.

Addendum

Facility Name/Location

Park City, UT - Main Office (496800-G03)

1. **Price Adjustment.** The purchase price, as identified in paragraph two of this offer, is $2,000,000. In the event Park City Municipal Corporation (PCMC) modifies said square footage from the attached subdivision plat (Exhibit A), the purchase price shall be adjusted accordingly based on appraised value of $20.20 per square foot.

2. **Conditions**. As further conditions of this agreement, if any of which survive and shall be enforced after closing, the Postal Service agrees as follows:

   a) The Postal Service will enter into reciprocal cross easements to the satisfaction of PCMC and Seller for circulation, parking, construction and utilities with the owner of Lot 9.

   b) The Postal Service will implement exterior design and landscape plans acceptable to PCMC and Seller.

   c) The Postal Service agrees to pay for the realignment, restoration, and dedication of a public trail along the northern boundary of the Land to the reasonable satisfaction of PCMC in an amount not to exceed $20,000.

   d) The Postal Service agrees not to request support or use of any new curb cuts onto Highway 224 in the vicinity of the Park City postal project.

   e) The Postal Service agrees not to direct or permit, and to design in a manner which discourages any semi truck traffic from entering over the contiguous private access drive along the north property line, all to the reasonable satisfaction of PCMC. The current site plan (Exhibit B) reflects a design which discourages any semi truck traffic from entering over the contiguous private access drive. Any significant modification to that design would require review and approval from PCMC. Semi truck exiting will be permitted onto SR224.

   f) As a condition of this Offer, the Postal Service shall not exercise, nor claim the benefit of sovereign immunity in the areas identified below. The Postal Service will comply with Park City Municipal Land Management Code and Park City Design Guidelines requirements in the following areas to the extent they do not conflict with the United States Postal Inspection security requirements. If the LMC or Park City Design Guidelines conflict with the United States Postal Inspection Security requirements, Postal Service will comply with Park City laws to the maximum extent possible:

1) Site plan. The site plan shall substantially conform to Exhibit C. Postal operations such as dock and truck maneuvering areas and employee parking shall not be affected by these regulations.

2) Landscaping. Landscaping shall comply with provisions in the LMC.

3) Building Design. The Post Office must be granted approval from the Community Development Director or on appeal from the Park City Council for exterior building elevations consistent with the Park City Design Guidelines.

4) Signs. All signs shall conform with the Park City Sign Code. Flag Poles placement shall not be within the first 30 feet of the Frontage Protection Zone.

5) Exterior Lighting. All exterior building lighting and parking lot lighting shall conform with the LMC.

6) Remodeling, Renovation and Landscaping. The Postal Service will generally comply with the LMC and Park City Design Guidelines requirements with respect to the areas covered in Subsection f) in any major remodeling or renovation (including landscaping) of the Park City Postal Project.

g) The Postal Service agrees to pay Park City 50 percent of the cost for an access road, curb, gutter, access easement improvements (on north property line), drainage and waterline extension from Snow Creek Drive to the property line of Lot 9A in an amount not to exceed $150,000. The Postal Service may access the dock and employee parking area from the access road. Park City agrees to complete construction of the roadway by August 31, 1999 or within 120 days of the Postal Service commencing site work on Lot 9A, whichever is later. Park City shall not be required to complete any road work between October 15 and May 15. In the alternative, Park City may notify the Postal Service in writing within 30 days of the Postal Service commencing site work on Lot 9A, that it does not intend to construct the road at that time. In which case, the Postal Service may complete said roadway at its own cost. Upon completion of the access road by the Postal Service, said roadway will be exclusively for the benefit of the Postal Service until such time that Park City reimburses the Postal Service its 50 percent of road costs in an amount not to exceed $150,000. In the event that Park City secures other federal funding for the development of said roadway, the Postal Service will be responsible for 50 percent of the costs not covered by the grant , as long as the Postal Service reinvests any savings in enhancements of the Park City postal project. Enhancements could include items such as public art, trail improvements, improved exterior finishes or architectural detailing, habitat protection or decorative landscaping not already a part of the project, but must meet Park City's reasonable satisfaction in advance of installing enhancements.

h) The Postal Service agrees to pay the Park City Water Service District $30,000 for water related issues, excluding its proportionate share of cost of a water line from the connection on the north to Snow Creek Drive referenced in "g" above. As a condition of the Postal Service paying this amount, Park City agrees that it will not impose any water impact fees. The Postal Service will pay customary user fees for water service.

I) The Postal Service agrees to pay $75,000 to cover its proportional cost of a traffic signal and any required intersection improvements, to be located at a future time, at the intersection of SR224 and Snow Creek Drive. The Postal Service will pay these funds upon closing.

j) The Postal Service agrees to refrain from constructing any parking west of the driveway in front along SR224 unless the City fails to make at least 12 parking spaces available for use by employees and customers. If the Postal Service determines that its current parking is inadequate, it shall notify PCMC in writing. If the City fails to construct such improved parking for the Postal Service within 180 days of said notice, the Postal Service may construct no more than 12 spaces west of the driveway adjacent to SR224.

k) No part of this Agreement shall merge into the deed upon delivery.

Date: January 14, 1999

Park City Redevelopment Agency
Chair, Bradley A. Olch

____
Signature

Attest:

____
Janet M. Scott, Secretary

Park City Municipal Corporation
Mayor, Bradley A. Olch

____
Signature

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Jodi Hoffman, City Attorney

Notice of acceptance of this offer to be sent to:

Seller: Address: P.O. Box 1480 Park City, Utah 84060-1480
Telephone No: (435)615-5007
Federal ID: 87-6000-260

STATE OF UTAH)
)ss.
COUNTY OF SUMMIT)

On the _____ day of ______________, 1999, personally appeared before me Bradley A. Olch, who by me duly sworn, did say that he is the Mayor of Park City Municipal Corporation and the Chair of the Park City Redevelopment Agency that said document was signed by him in behalf of said corporation and agency by authority of their bylaws and said Bradley A. Olch acknowledged to me that said corporation and agency executed the same.

____
Notary Public
My Commission expires on:___________

Date:________________

The offer to the Seller contained herein is accepted for and on behalf of the United States Postal Service.

Cheryl Hamilton
Print Name and Title of Contracting Officer

____
Signature of Contracting Officer

Approved as to form:

____
Legal Department

Denver Facilities Service
8055 E Tufts Ave #400, Denver, CO 80237-2881
Print Address of Contracting Officer

STATE OF _____________)
)ss.
COUNTY OF ___________)

On the _____ day of _______________, 1999, personally appeared before me Cheryl Hamilton, who by me duly sworn, did say that she is the Contracting Officer of the United States Postal Service, Denver Facilities Service, and that said document was signed by her in behalf of said corporation by authority of its bylaws and said Cheryl Hamilton acknowledged to me that said corporation executed the same.

____
Notary Public
My Commission expires on:_____________

PARK CITY
1884

CITY COUNCIL STAFF REPORT

DATE:	**April 26, 1999** **(April 29, 1999 Meeting)**
DEPARTMENT:	**Planning and Legal Departments**
AUTHOR:	**Patrick Putt**
TITLE:	**LMC Re-Write Phase 1; Section 1: General Provisions/Procedures, Section 2: Definitions, Section 7: Districts and Regulations, Section 12: Non Conforming Uses and Section 13: Off-Street Parking.**
TYPE OF ITEM:	**Public Hearing**

SUMMARY RECOMMENDATIONS: Conduct a second public hearing on Phase I of the Land Management Code re-write, (Section 1: General Provisions/Procedures, Section 2: Definitions, Section 7: Districts and Regulations, Section 12: Non Conforming Uses and Section 13: Off-Street Parking), and proposed zone changes. No action is requested at this meeting.

City Council will hold a second public hearing on Phase I of the Land Management Code revisions this Thursday. No action is scheduled for this meeting. Staff will give a presentation regarding the lower Park Avenue rezoning and the issues regarding nightly rentals in the HR-1 and HRL districts.