

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 27, 1995**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 27, 1995

A G E N D A

Work Session

- 3:00 p.m. Council questions and comments
- 3:15 p.m. Review of regular meeting
 - Plat approval/amendment
 - Grant applications
 - Pavement management projects
 - Main Street Enhancement District
- 4:00 p.m. Joint meeting with Planning Commission and Citizens Advisory Board - General Plan update

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Main Street/Swede Alley parking problems

III MINUTES OF MEETING OF APRIL 20, 1995

IV CONSENT AGENDA

1. An Ordinance approving a plat amendment to the Evergreen Subdivision Area of Disturbance in Park City, Utah
2. An Ordinance approving the amendment to the amended Park City Survey, Lots 8 and 9, Block 3 located at 331 Park Avenue, Park City, Utah
3. Grant applications for entryway improvements - Summit County Restaurant Tax application for \$70,000, and \$100,000 joint grant request to Utah Riverways and Non-Motorized Trails Program
4. Award of contract to Sutherland Landscaping for the construction of a cemetery gazebo burial information center not to exceed \$25,000

5. Findings, conclusions of law and order regarding Burnis and Betty Watts, appellants vs. Historic District Commission, respondent
6. Pavement management services: award of bid to Miller Paving for street overlays in the amount of \$195,242; Morgan Asphalt for Type III slurry seal in the amount of \$77,413; and Rivas Construction for utility adjustments in the amount of \$56,550
7. Resolution declaring May 4, 1995 as National Day of Prayer in Park City, Utah

VI PUBLIC HEARING

Formation of Main Street Enhancement District with improvements to be funded through an additional business license surcharge to businesses benefitting from the proposed project within the Main Street Enhancement District

VII REPORTS FROM COMMISSIONS AND BOARDS

VIII COMMUNICATIONS FROM COUNCIL AND STAFF

IX ADJOURNMENT

Posted: 4/25/95 noon
Reposted: 4/26/95 10 a.m.

Note: It should be noted that the entry under Public Input was added after the meeting. It appears on the agenda for reference purposes.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 27, 1995**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, April 27, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Roger Harlan, Shauna Kerr, and Leslie Miller. Lou Hudson was excused. Staff present were Toby Ross, City Manager; Myles Rademan, Public Affairs Director; Jerry Gibbs, Public Works Director; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

Main Street area parking concerns - The Mayor invited the public to comment on any matter not scheduled on the agenda. The Mayor explained that parking will not be part of the discussion on the Main Street Enhancement District, and suggested that parking could be discussed under public input. He further stated that parking is a priority of the Council which has set aside funds for a parking and traffic study. The Mayor stressed that these are separate issues and dollar-wise, are not even close.

Bruce Margolius, Main Street businessman, felt that these issues are related and distributed a petition signed by 20 business operators. He read the petition language which identified parking as the single most important problem facing businesses on Main Street and urged Council to consider the parking problem before minor issues. Mr. Margolius noted that the \$50,000 estimated for the enhancement district could cover debt service on about \$500,000 and this could make a significant difference. He continued that action on the district should be postponed until the parking study is completed and it is his opinion that under state law, the only way a city can raise business license fees for a portion of the business community is through the creation of a parking and business improvement district. No one is against beautification, but there is a parking crisis and there will be fewer spaces with the Gateway project purchasing 44 spaces, which have been public. Mr. Margolius added that the purchase price is \$9,000, although the City has indicated that spaces actually cost \$20,000 per stall. His research indicates that the in-lieu parking contributions amount to about \$80,000. He reiterated that an enhancement district should not be established until a parking analysis is available.

The Mayor invited the public to comment on the parking issue. Hearing no comments, the public input session was closed. Council acknowledged that they received Gary Weiss' written comments on parking solutions.

III MINUTES OF MEETING OF APRIL 20, 1995

Ruth Gezelius, "I move approval of the Minutes of April 20, 1995 as presented". Shauna Kerr seconded. Motion carried.

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

IV CONSENT AGENDA

Ruth Gezelius, "I move approval of Consent Agenda Items 1 through 7 with the language change to Item 5". Shauna Kerr seconded. Motion carried.

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

1. An Ordinance approving a plat amendment to the Evergreen Subdivision Area of Disturbance in Park City, Utah - See following staff report.

2. An Ordinance approving the amendment to the amended Park City Survey, Lots 8 and 9, Block 3 located at 331 Park Avenue, Park City, Utah - See staff report.

3. Grant applications for entryway improvements - Summit County Restaurant Tax application for \$70,000, and \$100,000 joint grant request to Utah Riverways and Non-Motorized Trails Program - See staff report.

4. Award of contract to Sutherland Landscaping for the construction of a cemetery gazebo burial information center not to exceed \$25,000 - See staff report.

5. Findings, conclusions of law and order regarding Burnis and Betty Watts, appellants vs. Historic District Commission, respondent - Shauna Kerr suggested that under No. 4 the word, "clearly" be stricken. See motion and staff report.

6. Pavement management services: award of bid to Miller Paving for street overlays in the amount of \$195,242; Morgan Asphalt for Type III slurry seal in the amount of \$77,413; and

Rivas Construction for utility adjustments in the amount of \$56,550
- See back-up material.

7. Resolution declaring May 4, 1995 as National Day of Prayer in Park City, Utah - Council adopted a similar resolution last year; staff recommends approval.

VI PUBLIC HEARING

Formation of Main Street Enhancement District with improvements to be funded through an additional business license surcharge to businesses benefitting from the proposed project within the Main Street Enhancement District - Myles Rademan stated that this concept relates to Council's commitment to the continuing vision of Park City as a vital, healthy resort community, recognizing that much of our revenue comes from the resort sector. Main Street is a central focus as a shopping area and a signature street of the Historic District and Park City. He explained that the last concerted effort on Main Street was through the RDA and that concluded three or four years ago. Mr. Rademan reviewed the results of the survey of the Main Street merchants which indicated that 80% supported improving Main Street and there was a split opinion on how that should be funded. There are also different opinions on priorities and Mr. Rademan emphasized that he would never suggest that parking is not a high priority. He pointed out that the idea that the City can solve the parking problem by building parking garages is like thinking "you can cure obesity by loosening your belt". It would give the City some leeway, but it is not going to solve the parking problem for a "successful" Main Street. He stressed that the only thing worse than a parking problem is a "no parking problem", which the community has experienced in the past. Mr. Rademan noted that he is not opposed to providing more parking spaces, but urged Council to be realistic. He clarified that it is too late in the season to implement the project this summer, but a demonstration project could be done. Implementing a plan next spring would be less confusing for billing the surcharge as business license renewals occur in January. The Public Affairs Director stated that Bruce Margolius suggested that the City apply for Restaurant Tax grant monies for parking improvements and he agreed that this is an appropriate source of funding; a grant application has been submitted to Summit County.

With regard to the legality of charging a business license surcharge, Ms. Hoffman stated that the Legal Department researched this matter and believes it is legal. Ms. Hoffman stated that she has had discussions with Mr. Margolius regarding his concerns. This proposal would come back to Council in ordinance form, but the real question before Council is whether

this project should go forward and whether the business license revenue source is an appropriate way of funding the district.

Leslie Miller stated that she is a proponent of the public hearing to hear a broad range of comments. It is difficult for her to understand why a discussion of parking as it relates to an enhancement district is not appropriate and is uncomfortable about restricting discussion of the enhancement district that is relevant or relative.

Jerry Gibbs, Public Works Director, pointed out that at the Council retreat, parking was identified as one of the action targets. The Main Street core area was also distinguished as one of the major parking problems. Staff was directed to prepare an RFP and select a consultant. The scope of work will include: (1) review alternatives, identify potential sites, and prioritize the alternatives; (2) prepare preliminary designs, plans and cost estimates for each alternative; (3) identify funding and financing strategies including private ownership and management of parking facilities; and (4) the consultant will be an active participant in gathering public input from business association meetings, discussion groups, public hearings, and other interested individuals. The time frame for the proposals is May 16; the consultant selection will be completed by June 16 and award of contract is anticipated the first week in July. The report will be completed the end of February, because it is important that the winter season, including Presidents Week, is considered as part of the analysis. Ruth Gezelius discussed residential occupancy in the area and hoped that these individuals are contacted regarding meetings.

The Mayor again invited the public to comment and opened discussion to parking, circulation, or anything the public cared to comment on. He read into the record a letter from Gordon Strachan supporting the formation of the enhancement district and his willingness to pay an assessment to support the project.

Gary Weiss, 510 Main Street - Dolly's Bookstore, felt that his written suggestions will have an immediate impact. He agreed with Mr. Rademan that the parking problem will not be solved but the tension can be relieved through measures. He quoted Supreme Justice Hugo Black, "Chain groceries, chain dry goods stores, chain drug stores, here today and merge tomorrow, grow in size and power. In the name of efficiency we are rapidly becoming a nation of few business masters and many clerks and servants. The local businessman and merchant is passing, and the community loses his contribution to local affairs as an independent thinker and executive". Mr. Weiss stated that we talk a lot about a sense of place, and while it's true that we have little control over much of that, we do have the ability to focus on the huge amenity of Old

Town. He felt it is important to enhance Main Street not because it's just about business. He felt that many locals avoid Main Street and Old Town and enhancing the experience of visitors and even film companies equates to local jobs and greater revenues. Mr. Weiss stated that he supports this proposal as a symbolic step of a developing program to keep the Old Town experience a quality one.

Joe Tesch, President of Historic Main Street Association, explained that the Association unanimously endorsed this proposal. "Main Street is what we sell" and it is the heart of the commercial area. He discussed the commercial areas away from Main Street which create competition. With regard to the parking problems, Mr. Tesch stressed the importance of satellite parking areas if the transportation system is to be effective. Because Main Street is so important to the community, perhaps improvements should be made without an increase in business licenses; this is not to say the Association doesn't want to be partners. Mr. Tesch concluded that it is important to maintain Main Street as a vital business area and requested that Council pass this proposal.

Jane Schaftner, LaNiche, urged Council to approve the formation of the district. The Main Street Merchants are in support of this and LaNiche has made efforts to beautify the building over the years. Although it's hard to measure if it has improved business, she stated that they receive many comments because of the flowers and it would be great if every business would do this on its own. Ms. Schaftner continued that businesses are not asking Council to give this to them, but are asking to participate in the funding.

Bruce Margolius stated that he is not against beautification or flowers but is opposed to increasing the business license fees of 190 business in order to achieve this in this context. He felt it is unfair to non-retail businesses to treat them like retail businesses. If the restaurant tax is successful, that would be a perfect way to fund this or if the Main Street Merchants Association could raise voluntary contributions from its members. He would contribute voluntarily but did not think it is an appropriate exercise of the City's taxing power to increase business license fees for this purpose.

Kathy Kahn, 440 Main Street, agreed with Mr. Margolius. She spoke with other owners who agree that this should not be singled out for Main Street merchants. This should be a City-wide situation and not just Main Street for an improvement area.

Janet Dart, non-retail business owner on Main Street, stated her support of the proposal. She stated that this is a public street; most of the buildings have built-in common area maintenance charges. She felt it important to keep upper and lower

Main Street together and a nominal charge of \$100 to \$200 a year is much less than anyone would pay in common area charges. She again emphasized her support.

Bruce Dart, manager of Zions Bank, stated that although his business is not on Main Street, that Main Street is one of the central economic engines which powers the area. As competition increases, investment needs to occur to avoid a downward cycle. He didn't see a link between flowers and parking. The lower part of Main Street will be using private money to beautify and he felt that overall this is something that should be done and supports the concept 100%.

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

VII REPORTS FROM COMMISSIONS AND BOARDS

Rick Lewis reported on the Planning Commission meeting held on April 26 at the work session; minutes of which are available in the Planning Department.

VIII COMMUNICATIONS FROM COUNCIL AND STAFF

Leslie Miller reported that Claire Weiss called her and was not supportive of the enhancement district.

IX ADJOURNMENT

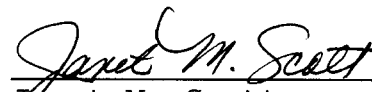
With no further business, the regular meeting of the City Council was adjourned.

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The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott





Janet M. Scott
Deputy City Recorder

**PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
APRIL 27, 1995**

Present: Brad Olch, Shauna Kerr, Leslie Miller, Ruth Gezelius, Toby Ross, Jodi Hoffman, Myles Rademan, Rick Lewis, Nora Seltenrich, Peter Staks

General Plan update: Planning Commission, General Plan Task Force Members, Ralph Becker of Bear West, Alan Richmond of Richmond & Associates

Absent: Lou Hudson

1. Council questions and comments. Ruth Gezelius commented on the Friends of the Library fund-raiser and was impressed by the number of people willing to participate in the success of a public library. There was discussion about the County landfill which was brought up at the joint meeting with the County Commission the night before. Roger Harlan felt that there is space for about 10 years but recycling efforts should be continued and encouraged.

2. Review of regular meeting. See regular meeting minutes. With regard to the grant application, more specifically for Summit County Restaurant Tax Funding, Shauna Kerr discussed her concern, which was expressed last year, that there are applications that may be competing against each other. She emphasized that the Main Street restaurants generate the highest traffic parking demand on Main Street and also significantly contribute to the collection of this tax. Ms. Kerr felt that in good faith, the City should approach the grant committee with an application for all of the money to deal with the parking issue and not "nickel and dime it" with competing projects. Ms. Kerr preferred that one clear project be submitted to make a good argument for funding. It was indicated to her by grant committee members that they would prefer considering funding larger projects rather than numerous little ones. Myles Rademan responded that he has submitted a grant application for consulting work on a parking plan in the amount of \$50,000. Toby Ross stated that he heard from a grant committee member that they would favorably consider a trail application.

3. General Plan update. Rick Lewis, Nora Seltenrich, Ralph Becker, Alan Richmond, and Peter Staks reviewed the attachments in detail. Jan Jones-Schenk felt that commercial centers should be better identified in pro-active planning efforts. Joe Tesch stressed that the vision statement should contain language addressing overcrowding and the informal nature of the community. There was criticism of the vision statement and Planning Commissioner Erickson felt that the language was too weak and that there should be action phrases to strengthen the City's commitment. Leslie Miller suggested some language changes and emphasized the importance of adding the word "preserve". As most of the presentation focused on adjacent County property and annexation issues, Mike Andrews noted that the negative impacts of growth need to be emphasized with the County

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City Council Work Session
April 27, 1995

especially in consideration of the water crisis there; the City needs to be upfront. Bruce Erickson added that there is no outcome in the vision statement. It was pointed out by David Belz that an analysis of connecting ski areas and Wolf Mountain development should be considered. See attached General Plan information which was reviewed during work session.

Prepared by Janet M. Scott

WORK SESSION



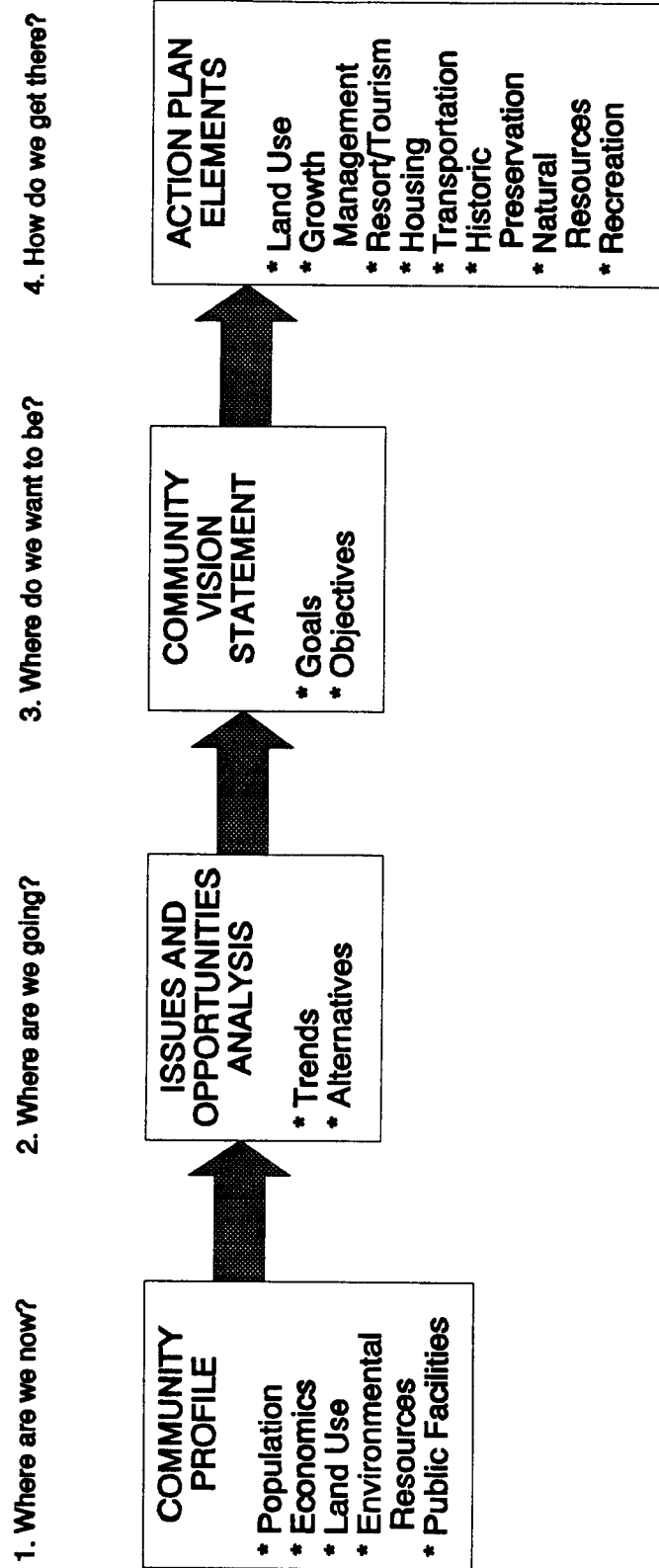
GENERAL PLAN UPDATE
SPECIAL JOINT SESSION MEETING
CITY COUNCIL/PLANNING COMMISSION/
CITIZENS ADVISORY COMMITTEE

Thursday, April 27, 1995
4:00 P.M.
Marsac Municipal Building
City Council Work Session Room

A G E N D A

- | | | |
|----------------------|------|---|
| 4:00 P.M. | I. | Introduction and overview of Work Program |
| 4:15 P.M. | II. | Review of Guiding Principles |
| 5:00 P.M. | III. | Vision Statement Discussion |
| 5:10 P.M. | IV. | Land Use Matrix Summary |
| 5:30 P.M. | V. | Review of Goal Statements |
| 5:45 to
6:00 P.M. | VI | Summary and Adjournment at 6 P.M. |

PARK CITY GENERAL PLAN UPDATE PLANNING PROCESS



GUIDING PRINCIPLES PARK CITY GENERAL PLAN UPDATE

- **HISTORIC AND RESORT COMMUNITY PRESERVATION**
- **DIRECT PATTERN & LOOK OF NEW DEVELOPMENT
- AVOID SPRAWL AND SUBURBIA**
- **OPEN SPACE PRESERVATION**
- **GUIDE PACE AND INTENSITY OF DEVELOPMENT**
- **PROACTIVE PLANNING/CONTROL DESTINY**
- **PROVIDE RANGE OF HOUSING OPPORTUNITIES**
- **WORK WITH OTHER GOVERNMENTAL ENTITIES**
- **SUPPORT TOURISM/RESORTS**

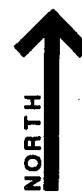
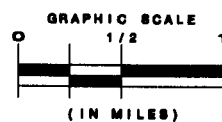
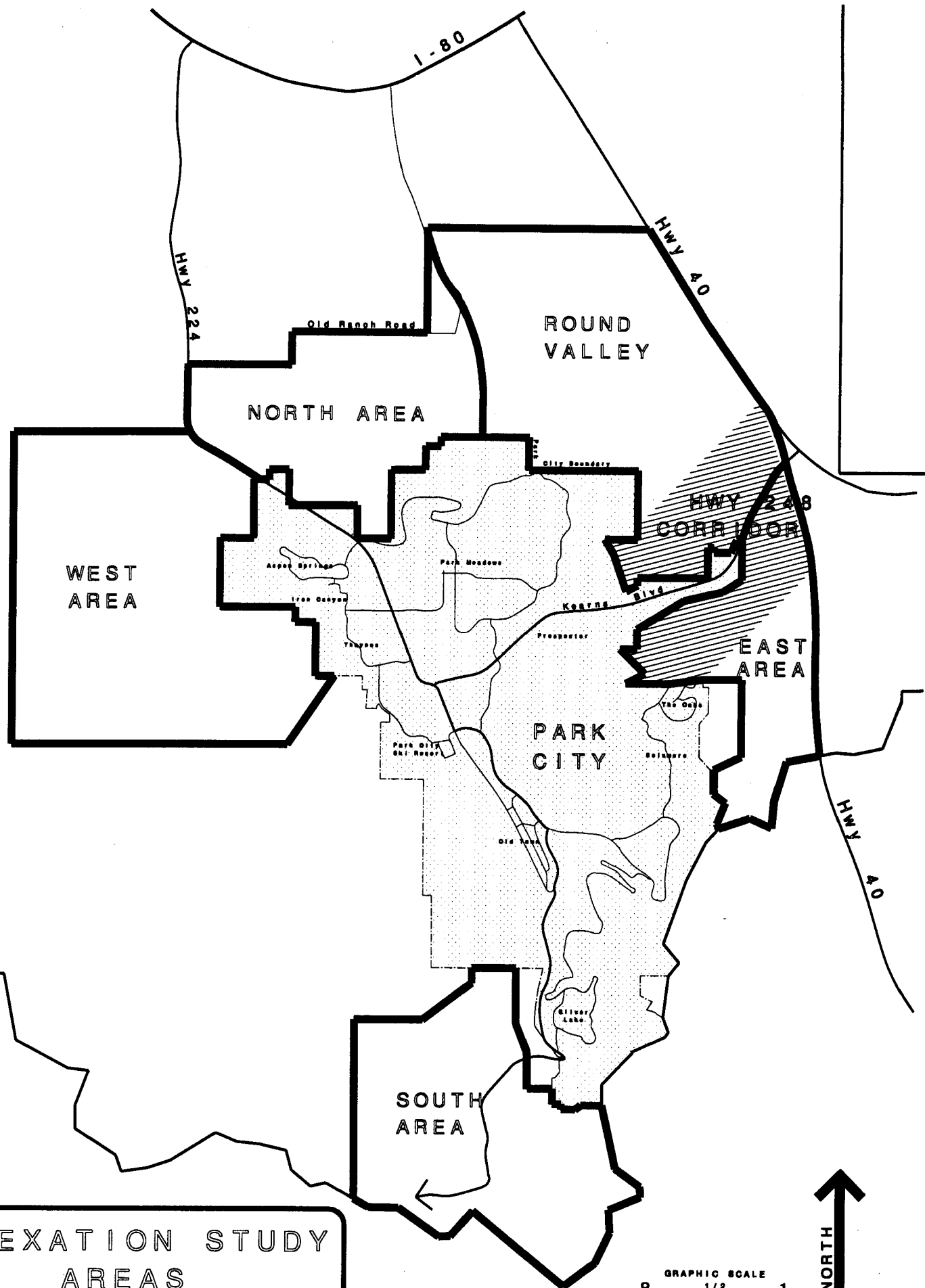
FORCES AFFECTING PARK CITY'S FUTURE PARK CITY GENERAL PLAN UPDATE

- ☐ **Growth (rate/intensity/scale)**
- ☐ **Year-Round Resort as Economic Engine**
- ☐ **Ski Area Expansion Plans**
- ☐ **Olympics**
- ☐ **Water Supply Limitations, Air Quality**
- ☐ **Vacant Approved/Platted Lots (inside and outside incorporated area)**
- ☐ **Transportation, Parking, Schools, Other Capital Facilities/ Services**
- ☐ **Intergovernmental Coordination/Relations/Cooperation**
- ☐ **Implications of Jordanelle Reservoir**
- ☐ **Wasatch Front Growth**
- ☐ **Erosion of Mixed Housing Base**

VISION STATEMENT PARK CITY PLAN UPDATE

Park City envisions a community that will

- *build on its historic town and resort mountain setting to offer a community for its residents and visitors that maximizes recreational amenities, a thriving commercial center, and strong neighborhoods*
- *maintain its mountain horizons, hills, and meadows*
- *set buildings and development within the mountain setting*
- *make housing available for a diverse range of full-time residents and visitors*
- *provide guests and residents entering Park City a sense that we care for and about our natural and man-made environment*
- *consider the broader regional context of the Snyderville Basin and the Wasatch Front in defining the future growth of Park City*
- *participate in representing its interests with other governmental entities*
- *involve an active community in City decisions*



COMPARATIVE ANALYSIS OF POTENTIAL PARK CITY ANNEXATION AREAS						
	North Area	Round Valley	Highway 248 Corridor	East Area	South Area	West Area
Number of Acres	2,003	1,917	717	1,607	1,745	2,740
County Zoning/Land Use Plan Designation	1 unit per 40 acres and 1 unit per 5 acres	1 unit per 40 acres	1 unit per 40 acres and Industrial	1 unit per 40 acres	1 unit per 40 acres	1 unit per 40 acres
County Capital Improvement Tier	Tier I and Tier II	Tier II	Tier II and Rural	Tier II and Rural	Rural	Rural
Site Development Constraints	- Some development sites are highly visible from roads. - Some steep slopes. - Stream corridor and associated wetlands. - Entry corridor protection area.	- Some development sites are highly visible from roads. - Entry corridor protection area. - Steep slopes. - Stream corridor and associated wetlands. - Existing well used trails over private property.	- Entry corridor protection area. - Stream corridor and wetlands. - Steep slopes at western end of corridor. - Possible tailings contamination on east side of US 40. - Existing industrial uses along US 40. - Highway interchange.	- Development sites are highly visible from US 40. - Entry corridor protection area. - Steep slopes.	- Wildlife habitat. - Steep slopes. - Visibility from Park City. - Dense vegetation. - Elevation of proposed development sites.	- Wildlife habitat. - Visibility from Park City.
Likely Future Development Patterns ¹	- Suburban residential. - Limited commercial or resort development along Highway 224 adjacent to Wolf Mountain.	- Suburban or estate residential. - Golf course.	- Commercial uses radiating out from interchange to serve Jordanelle traffic. - Housing at relatively high densities around interchange and at lower densities along hillsides.	Suburban or estate residential.	Plans have been submitted for ski area expansion with associated residential, commercial and lodging development.	- Rural residential. - Potential ski area expansion.
Infrastructure Availability	- Old Ranch Road is in place, but would need to be upgraded. - Area is served by several water companies. - Sewer trunk line is in the vicinity.	- Need road connections to Highway 40, Highway 248, or through Park Meadows Subdivision. - Area is not presently served by public water supply or sewage treatment systems.	- Major roads are in place. - Area is not presently served by public water supply system.	- Need road connections to Highway 40, Highway 248, or through The Oaks subdivision. - Area is not presently served by public water supply or sewage treatment systems or other utilities.	- There is insufficient road and intersection capacity for additional traffic within the City. - Sewer lines within the City will need to be replaced.	- White Pine Canyon Road has limited capacity. - Public water supply and sewage disposal systems are not available; service is likely to be provided on-site if densities remain low.

COMPARATIVE ANALYSIS OF POTENTIAL PARK CITY ANNEXATION AREAS

	North Area	Round Valley	Highway 248 Corridor	East Area	South Area	West Area
Impacts From Likely Future Development²	- Hillside are highly visible; additional ridgetop development would be very obtrusive. - Potential for strip development and loss of open vistas. - Loss of agricultural lands. - Impacts on stream quality.	- Meadows/hillside/ridgelines are highly visible - development will be obtrusive unless tucked into draws. - Loss of wetlands/stream quality impacts. - Impacts on Park Meadows neighborhood if through traffic is allowed. - Loss of recreational trails.	- Loss of attractive entry corridor to Park City. - Limited City control over quality of commercial development. - Potential competition with downtown businesses. - Hillside development. - Interference with trails experience.	- Meadows/hillside are highly visible - development will be obtrusive. - Impacts on The Oaks subdivision and nearby neighborhoods if through traffic is allowed.	- Loss of wildlife habitat. - Traffic impacts (construction/long term) on Marsac Ave. residents. - Sewer replacement will disrupt developed areas. - Changed recreational use of open space. - Secondary growth impacts of ski expansion. - Impacts on Wasatch Canyons.	- Secondary growth impacts of ski expansion. - Some residential development could be highly visible. - Loss of wildlife habitat. - Impacts on Highway 224 intersection. - Difficult to provide urban services to dispersed development.
Preferred Development Pattern	- Hillside should remain open as a development break from the Basin. - Cluster development at the edge of meadows and at the base of hillside to preserve integrity of wetlands and stream corridor and open vistas. - Keep entry corridor protection area open and avoid strip development.	- Housing can be accommodated if clustered and carefully sited; golf course may also be appropriate. - Open space can be obtained through clustering or acquisition. - Entry corridor protection area should remain open.	- Entry corridor statement: setbacks, sign controls and landscaping. - Clustered, tightly controlled commercial/light industrial uses around (east of) interchange; affordable housing near interchange. - Limited or no development beyond the interchange to the current City limits.	- Entry corridor setback with no frontage road development. - Cluster housing to the rear of the flat benches at the base of the hillside, thereby limiting intrusion into meadows and keeping hillside open.	- Cut fewer alpine skiing runs, leave more gladed areas and provide some opportunities for nordic skiing. - Shift balance between second homes and lodging units. - Propose a lesser overall number of units. - Consider alternative forms of public transportation.	- Limited rural residential hidden in the Upper Canyon area. - Some ski area expansion may be appropriate.
Benefits If Annexed	- Control over visually sensitive entry corridor - Creation of open space buffer around City limits.	- Control over visually sensitive entry corridor. - Creation of significant amount of public and private open space with trail links to surrounding open space buffers. - Protect Park Meadows by limiting or prohibiting through traffic. - Potential source for water development.	- Control over visually sensitive entry corridor and trail corridor. - Revenue source from commercial uses. - Potential opportunity to develop affordable housing. - Control over type, scale, design and timing of commercial development.	- Control over visually sensitive entry corridor. - Protection of The Oaks subdivision and nearby neighborhoods by limiting or prohibiting through traffic.	- Direct control over impacts of development, versus indirect control as a service provider. - Control over environmental impacts and community balance. - Tax revenues from commercial uses. - Second homes will enhance ratio of resort to non-resort City sales tax.	- Control over future ski area and residential expansion. - Revenue source if ski area expansion has associated commercial development.

COMPARATIVE ANALYSIS OF POTENTIAL PARK CITY ANNEXATION AREAS

	North Area	Round Valley	Highway 248 Corridor	East Area	South Area	West Area
Costs If Annexed³	- Water capacity will need to be increased. - Limited potential for new commercial revenues to offset demand for services by new residents.	- Water capacity will need to be increased (but landowners may have water sources to offer). - Road construction and maintenance costs. - Public water supply and sewage disposal systems will need to be extended. - Limited potential for new commercial revenues to offset demand for services by new residents.	- Water capacity will need to be increased (but landowners may have water sources to offer). - Public water supply system will need to be extended. - New residents will demand City services (although new commercial development may offset these costs).	- Water capacity will need to be increased (but landowners may have water sources to offer). - Public water supply and sewage disposal systems will need to be extended. - Road construction and maintenance costs. - Limited potential for new commercial revenues to offset demand for services by new residents.	- Road capacity expansion. - Sewer replacement. - The capacity of the City's water supply will need to be increased.	- Capacity and/or alignment of intersection with Highway 224. - Potential demand for urban services by residents (i.e., water supply, sewage disposal, fire/police protection).
Impacts on Other Governmental Units/ Special Districts	- Fire Dist. service area. - School enrollments. - Trash collection.	- Fire Dist. service area. - Sewer extension. - School enrollments. - Trash collection.	- Fire Dist. service area. - School enrollments. - Trash collection.	- Fire Dist. service area. - Sewer extension. - School enrollments. - Trash collection.	- Fire Dist. service area. - Sewer extension and replacement. - Trash collection.	Fire Dist. service area.
Potential Incentives Which City Might Offer For Annexation	- Density increase. - Provide public water and other City services.	- Density increase and/or accelerated development timing. - Provide public water and other City services.	- Density increase and/or accelerated development timing. - Provide public water and other City services.	- Accelerated development timing. - Provide public water and other City services.	City's ability to resolve the issue of mitigation of development impacts on City services and facilities.	Density increase and/or accelerated development timing.
Applicable Tools To Manage Development Patterns⁴	- Cluster housing with large "conservancy" lots on periphery. - Cluster housing with common ownership/lease of open space for agriculture. - Acquisition or donation of open space preserve.	- Cluster housing with large "conservancy" lots on periphery. - Cluster housing with common ownership/lease of open space for agriculture. - Acquisition or donation of open space preserve. - Potential for transfer of development rights to Quinn's Junction.	- Commercial development controls (i.e., ban drive-in windows; limit size of commercial uses to discourage chains; require common entries; prohibit frontage roads). - Entry corridor protection (setbacks, landscaping and signs). - Cluster housing off hillslides or acquire/obtain donation of open space.	- Cluster housing with large "conservancy" lots on periphery. - Cluster housing with common ownership/lease of open space for agriculture. - Acquisition or donation of open space preserve.	- Development standards to address the form and appearance of the ski area. - Cluster housing with large "conservancy" lots on periphery. - Cluster housing with common ownership/lease of open space. - Retain rural residential zoning.	- Development standards to address the form and appearance of the ski area. - Cluster housing with large "conservancy" lots on periphery. - Cluster housing with common ownership/lease of open space. - Retain rural residential zoning.

- Notes:**
1. Suburban residential means densities of 1 to 3 units per acre. Estate residential means densities of 1 unit per 5 to 10 acres. Rural residential means densities of 1 unit per 10 to 40 acres.
 2. Likely impacts common to all future development include increased traffic, reduced air quality and increased demand for recreation and other governmental services.
 3. These may not all be public costs, as development may be required to build roads or extend services as a condition of development approval.
 4. The City's adopted sensitive lands and MPD regulations and impact fees are also highly applicable tools to manage development in all of the potential annexation areas.

PARK CITY LAND USE - 1995

Park City has not only experienced a growing population base, but growth is also experienced through more developed land. The City has grown to approximately 6,455 acres in area - or roughly 10 square miles. The last previous inventory of land area occurred in 1980, when Park City was reported to contain 4,846 acres within the corporate boundary. As such, the city boundaries have grown by about 1/3 during the past 15 years.

Much of the area growth has been through annexation of land areas now platted as subdivisions such as; Iron Canyon, Aspen Springs, Willow Ranch, Thaynes Canyon, Morning Star, Hidden Meadows and Quarry Mountain. Additionally, institutional uses such as the public school areas north of HWY 248, and the corridor of land out along HWY 248, along with the Osguthorpe open space acquisitions, have been added to the City.

Along with the expansion of city limits, there has also been a commitment of land uses within the corporate boundaries to their ultimate disposition. In order to observe and characterize the land use change over the past one and one half decades, a 1995 estimate of current land use was generated. The following chart indicates that inventory.

<u>1995</u>		
<u>Land Use</u>	<u>Acres</u>	<u>% of Total Area</u>
Single Family	1,587	24.6
Condos	562	8.7
Retail/Commercial	182	2.8
Institutional	140	2.2
Estate (open) Private	161	2.5
Estate (open) Public	264	4.1
Recreation Open Space (Public and Private)	2,383	36.9
<u>Roads</u>	<u>1,176</u>	<u>18.2</u>
TOTAL	6,455	100.0

The 1980 land use table appeared in a University of Utah Comprehensive Planning Practicum report for Park City and was as follows:

<u>1980 Land Use</u>	<u>Acres</u>	<u>% Of Total Land</u>
Residential	330	6.0
Main Street Commercial	19	.4
Other Commercial	39	.7
School	32	.6
Industrial/Utilities	7	.1
Railroad R-O-W	49	1.0
Cemetery	8	.1
Public Parks	9	.1
Private Recreation	753	16.0
Mining Reservations	168	3.0
<u>Undeveloped</u>	<u>3,442</u>	<u>72.0</u>
TOTAL	4,846	100.0

In an attempt to relate the two sets of data, the 1980 and 1995 data categories are combined to yield the following comparative information;

<u>Land Use</u>	<u>1980 Acres</u>	<u>1995 Acres</u>	<u>1980 %</u>	<u>1995 %</u>
Single Family & Condo	330	2,149	6.0	33.3
Retail/Commercial/Industrial	114	182	2.2	2.8
School/Cemetery/Institutional	40	140	.7	2.2
Estate (Open) - Private & Public	-	425	-	6.6
Mining/Undeveloped	3,610	-	75.0	-
Recreation Open Space	762	2,383	16.1	36.9
<u>Roads</u>	<u>-</u>	<u>1,176</u>	<u>-</u>	<u>18.2</u>
TOTAL	4,864	6,455	100.0	100.0

An analysis the 1980-1995 land use changes indicates a few major occurrences. The first is the commitment of previously undeveloped and mining reservation lands, that were within the Park City corporate limits, to permanent land use status. This principally reflects the Deer Valley project land use determination, which accounts for about 3,350 of the 3,610 acres previously "undeveloped". Thus about 93% of the change in this category stems from the master planning of Deer Valley to fixed land uses.

The second major land use change has been in the amount of land (both acreage and percentage) committed to residential use. This indicates that the type of development that Park City is experiencing is primarily residential in nature.

It should be noted that while the land area for open space appears to generally increase at a comparable rate to the residential land use, much of the 1995 inventoried open space is private open space, such as skiing areas or is found within single family lots with large open space reservations. Point being, that the open space may be maintained in open use, but with limitations for public use.

Through the commitment of large portions of Park City's area to designated land uses, more certainty begins to apply to land use patterns within the city limits. About 425 acres are currently within the "Estate" category, which may be considered a type of holding zone until ultimate disposition of land use is determined. Since two thirds of the "Estate" land is in public ownership, only about 2.5% (or about 161 acres) of open Park City land is really in such a holding zone.

Therefore, the City's perimeter areas, subject to annexation, appear to be the frontier by which the complexion of Park City's land use make-up will be seen in the coming decade.

Analysis compiled by:
Peter Staks, Community Development Department
April 20, 1995

GOALS

PARK CITY GENERAL PLAN UPDATE

Park City enjoys a unique mix as a historic mining town and mountain resort community with easy access to a major metropolitan area. The City has taken measures through a combination of land-use regulation and City investment to obtain a quality lifestyle and development that should be retained in future City decisions. To achieve its desired future, Park City will pursue the following goals:

▣ **Fit Development Into Mountain Resort and Historic Community**

Goal: Future development should enhance the existing historic and resort qualities of our mountain community. Preservation of sensitive lands and important open spaces and vistas is critical to maintaining the future conditions desired. Similarly, the location, pattern, and appearance of development should not intrude on the visual quality of Park City or surrounding areas.

▣ **Retain High Quality of Life and Level of Governmental Services**

Goal: Park City will maintain its characteristics of friendly citizenry, clean mountain air, beautiful landscapes, and historic sense of community in a resort setting. It will continue to provide excellent infrastructure/capital and provision of public services.

▣ **Preserve Environmental Quality**

Goal: Park City is committed to preserving a clean, attractive environment, including clean air, good visibility, clean water, wetlands and stream corridors, and an appreciation for its mountain setting.

▣ **Assure Open Space Preservation and Outdoor Recreational**

Opportunities

Goal: Preserve the mountain ridges and meadows from intensive urban development, focusing development at the base of

▣ **Maintain Unique Identity/Character -- Historic, Resort Community**

Goal: Park City's mining history and resort economic base provide an identity, character, and ambience attractive to residents and guests. Efforts should be focused on maintaining the integrity and health of the historic district and recreational amenities that have established Park City as a destination and vital community.

▣ **Control Amount, Timing, Form and Location of Growth**

Goal: New development in Park City should be controlled to limit the rate, quantity, location, type, and appearance of new development. Park City should expand its boundaries to retain community identity, preserve gateways into the City, provide areas of affordable housing, and establish forms of development compatible with the existing quality of Park City.

▣ **New Development Should Pay Its Own Way**

Goal: New development should pay its fair share of costs associated with providing community facilities and services, and existing residents should not subsidize the costs imposed by new development.

▣ **Provide Affordable Housing**

Goal: Park City shall provide a community with balanced integration of people and diverse housing opportunities. (from 2/13/95 memo on Housing Action Plan)

▣ **Work Effectively with Other Governmental Entities**

Goal: Park City will actively participate in decisions by other jurisdictions in the Snyderville Basin, Wasatch Front communities, and the State of Utah to achieve its desired future. The community does not begin or end at the borders of the incorporated town, but is part of a region with impacts both from and on Park City. It is the desire of Park City to cooperatively achieve a better community in the region through coordination of decisions.

▣ **Community Involvement, Unity, Interaction in Decisionmaking**

Goal: Park City will lead in concert with its citizens' direction. Park City will take full advantage of the diverse and intelligent input from an active constituency, and will continue to seek input into decisions affecting Park City's future.

MINUTES

MEETING RECOMMENDATION



COUNCIL AGENDA REPORT

DATE: April 27, 1995
DEPARTMENT: Planning Department
AUTHOR: Stephen R. Call
TITLE: Plat Amendment to Evergreen Subdivision - Area of Disturbance
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Receive public testimony and take action on a proposed amendment to the Evergreen Subdivision Plat which provides for deviations from the platted Area of Disturbance without requiring a formal plat amendment. Staff recommends approval of the amendment.

DESCRIPTION:

A. Topic.

At the request of the City, and for the mutual benefit of both Park City and Evergreen Subdivision, an amendment to the Evergreen Subdivision Plat has been proposed which will provide for deviations from the platted Area of Disturbance without requiring a formal plat amendment. Any such deviations or changes would be subject to review and approval by the Park City Community Development Department and the Evergreen Architectural Committee.

B. Background.

Evergreen Subdivision was platted and recorded in 1988 with an "AREA OF DISTURBANCE" indicated for each lot on the plat. Generally, the Areas of Disturbance as shown on the plat appear to be located without regard to existing vegetation patterns. Because of this, many lots within the subdivision require deviation from the platted Area of Disturbance to preserve significant vegetation and provide a reasonable area for construction activity.

Early in 1994, the City Attorney evaluated the City's practices involving requests for changes in the Area of Disturbance and determined that, in some subdivisions, a plat amendment would be required to allow any deviation from platted Areas of Disturbance. This is such a subdivision because the plat affords staff no discretion to allow changes to the Area of Disturbance.

The language proposed to amend the Evergreen Subdivision plat is as follows:

Note:

The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee.

C. Analysis

As proposed, the plat amendment will not remove or alter any of the Areas of Disturbance as presently shown on the Evergreen Subdivision plat. Instead, the proposed language will provide for deviations in the Area of Disturbance subject to review and approval by the Evergreen Architectural Committee and the Community Development Department as a part of the normal building permit review process. The Building Department shall remain responsible for enforcing the Area of Disturbance and shall still require the customary orange fencing.

Findings:

1. Staff supports the proposed amendment to the Evergreen Subdivision plat because it retains site disturbance restrictions for each lot while providing for deviations in the Area of Disturbance where appropriate in order to preserve significant vegetation and provide reasonable access for construction activities.
2. This plat amendment will enable future requests for changes/deviations in the Area of Disturbance (within Evergreen Subdivision) to be handled administratively by city staff with the concurrence of the Evergreen Architectural Committee. This will result in improved customer service and in a significant savings of time otherwise expended by city staff, Planning Commission and City Council as required in the plat amendment process.

Conclusions of Law:

1. There is good cause for the plat amendment because it will allow some flexibility in the design and location of a structure in order to preserve significant vegetation while retaining restrictions on site disturbance through the standard review process by the city and the Evergreen Architectural Committee.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

D. Department and Planning Commission Review.

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

On March 22, 1995, the Planning Commission reviewed this application and has forwarded it with a positive recommendation for City Council Approval.

ALTERNATIVES

- A. Approve the plat amendment allowing requests for changes in the Area of Disturbance to be reviewed and approved administratively with the concurrence of the Evergreen Architectural Committee.
- B. Deny the plat amendment request.
- C. Continue the item for further discussion and input.

SIGNIFICANT IMPACTS:

Alternative A: This one-time amendment will allow future requests for changes/deviations in the Area of Disturbance to be reviewed and negotiated, approved, or denied administratively by city staff with the concurrence of the Evergreen Architectural Committee. All existing setbacks and easements remain unchanged and in effect. Improved customer service and a significant savings in time and city resources will result from approval of this alternative.

Alternative B: Alternative B will continue to require each future request for a change in the Area of Disturbance to be handled through the plat amendment process. The requirements for noticing, preparation and review of reports, and the holding of public hearings results in additional delays in processing time and a continued demand on the city resources required to process each plat amendment.

Alternative C: Defers action to a later date

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

A plat amendment will be required for each lot when changes in the Area of Disturbance are proposed, resulting in extended processing time, and an unnecessary demand on the city resources needed to process each plat amendment.

PUBLIC NOTICE AND COMMENTS:

Notices were sent to all property owners in Evergreen Subdivision and within 300 feet of Evergreen Subdivision.

At the time of this report, no comments in opposition to the proposed plat amendment have been received.

RECOMMENDATION:

Staff recommends City Council approve the proposed amendment to the Evergreen Subdivision plat as follows:

Note:

The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee.

EXHIBITS:

EXHIBIT A - Location map

EXHIBIT B - Plat

EXHIBIT C - Sample - excerpt from Evergreen plat

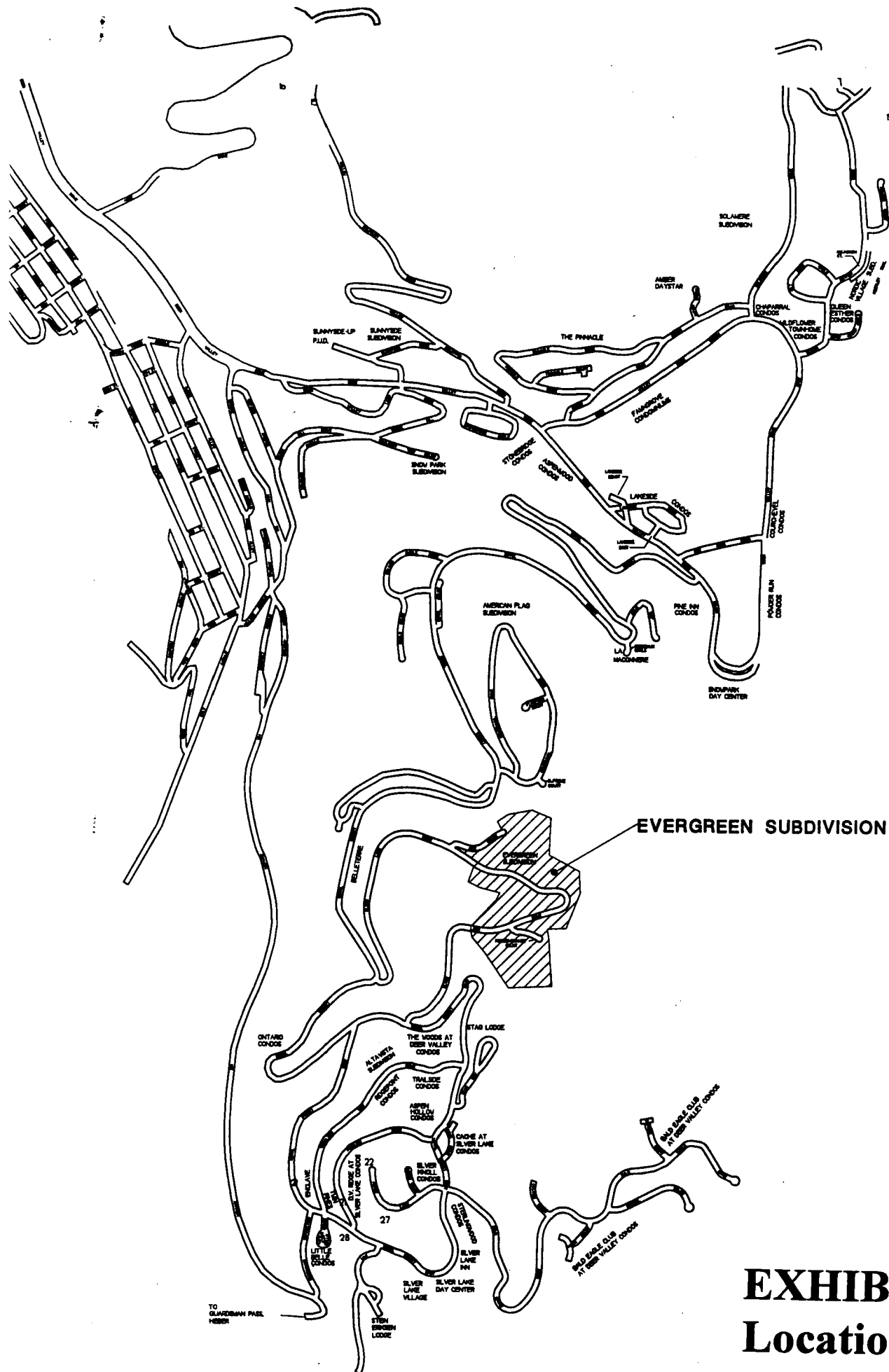


EXHIBIT A

Location Map

EXHIBIT B
Plat

NOTE:

THE AREA OF DISTURBANCE REPRESENTS THE BOUNDARY IN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR. WHEN THE ACTUAL BUILDING FOOTPRINT IS ESTABLISHED, THE LIMITS OF CONSTRUCTION DISTURBANCE SHALL BE NO GREATER THAN 15 FEET BEYOND THE FOUNDATION WALL. THE BUILDING FOOTPRINT CAN SHIFT WITHIN THE AREA OF DISTURBANCE. DRIVEWAY ACCESS TO THE AREA OF DISTURBANCE SHALL BE NO WIDER THAN 20 FEET. DEVIATIONS FROM THE AREA OF DISTURBANCE MAY AND MUST BE APPROVED BY THE EVERGREEN ARCHITECTURAL COMMITTEE.

AN AMENDMENT TO THE AMENDED PLAT
OF

EVERGREEN

A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15 AND THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ACCORDING TO THE AMENDED PLAT RECORDED ON 5/17/88 AS ENTRY NO. 290308 IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

CITY COUNCIL APPROVAL
PRESENTED TO THE PARK CITY COUNCIL THIS _____ DAY OF _____ 1985. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.
AYOR _____
CITY RECORDER _____

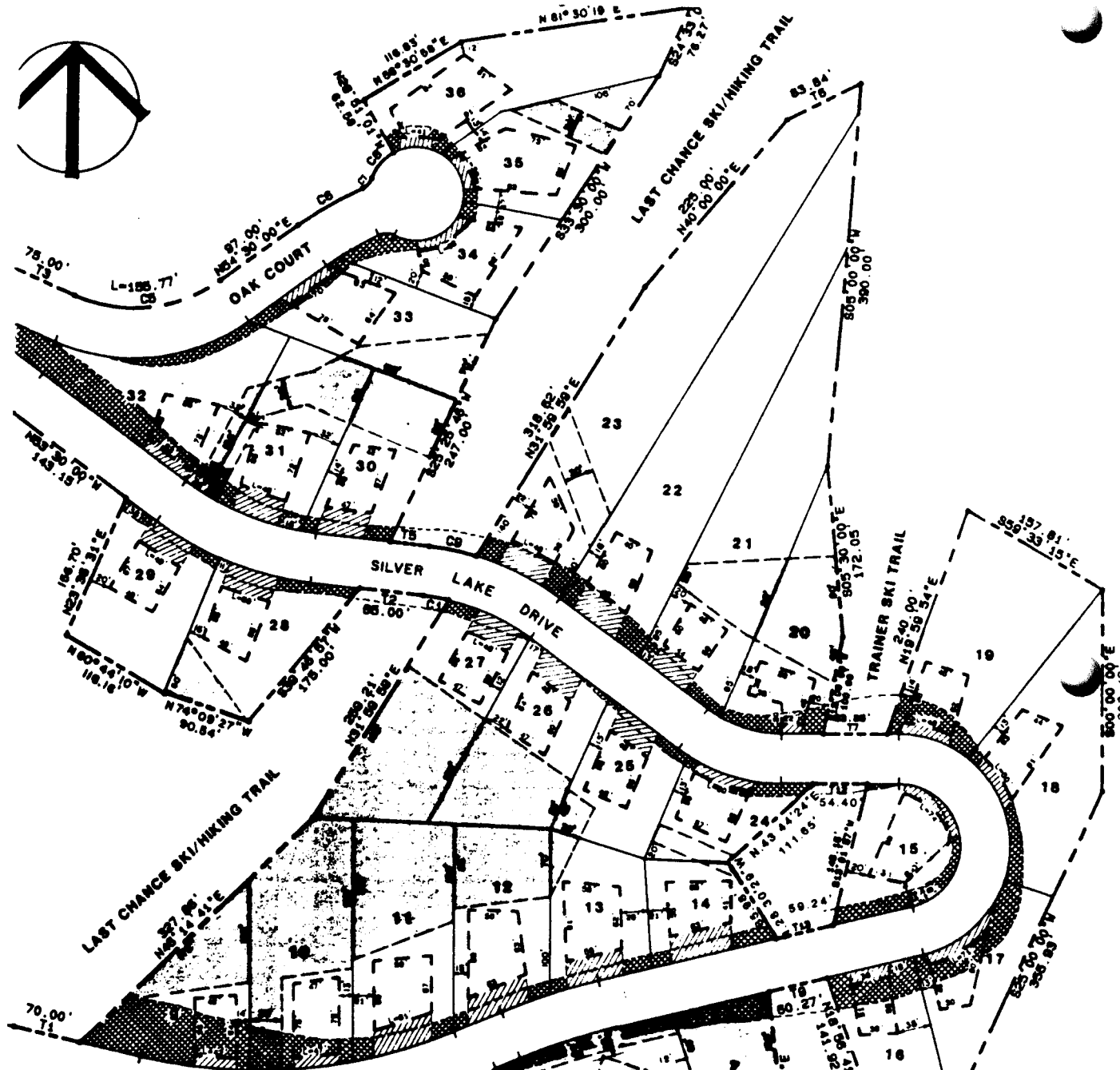
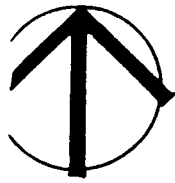
CITY ENGINEER
APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 1985.
CITY ENGINEER _____

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 1985.
CHAIRMAN _____

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS DAY OF _____ A.D. 1985
CITY ATTORNEY _____

RECORDED
NO. _____ OF _____ PAGE _____ COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF _____
FEES _____
COUNTY RECORDER _____

--



75.00'
75.00'

LEGEND

- 5/8 IRON ROD SET
- LOT LINE
- ROAD CONSTRUCTION SLOPE EASEMENT
- AREA OF DISTURBANCE WITHIN SETBACK.
- SKI EASEMENT
- AREA OF DISTURBANCE

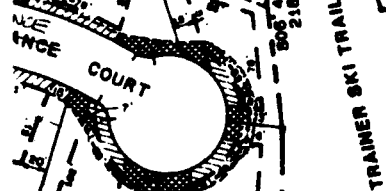


EXHIBIT C
Sample - excerpt
from Evergreen plat

**AN ORDINANCE APPROVING A PLAT AMENDMENT TO THE
EVERGREEN SUBDIVISION AREA OF DISTURBANCE
IN PARK CITY, UTAH**

WHEREAS, Park City, in cooperation with the Evergreen Subdivision Architectural Committee, petitioned the Planning Commission for approval of a plat amendment to the Evergreen Subdivision Area of Disturbance; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed plat on March 22, 1995; and

WHEREAS, on March 22, 1995, the Planning Commission approved the plat amendment described below;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council concludes that it is in the best interest of Park City to approve the plat amendment and neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT AMENDMENT APPROVAL. The Evergreen Subdivision Plat Area of Disturbance is hereby amended by adding the following language:

Note: The Area of Disturbance represents the boundary in which all building and associated construction disturbance shall occur. When the actual building footprint is established, the limits of construction disturbance shall be no greater than 15 feet beyond the foundation wall. The building footprint can shift within the Area of Disturbance. Driveway access to the Area of Disturbance shall be no wider than 20 feet. Deviations from the Area of Disturbance may and must be approved by the Evergreen Architectural Committee.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 27th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY

1884

COUNCIL AGENDA REPORT

DATE: April 27, 1995
DEPARTMENT: Community Development Department
AUTHOR: Kirsten Whetstone
TITLE: Plat Amendment to Lots 8 and 9, Block 3, of the amended Park City Survey
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Adopt the ordinance amending the plat at 331 Park Avenue, Lots 8 and 9, Block 3 of the amended Park City Survey in order to combine a portion of one lot with the adjacent lot to create a new lot and to document, by a legal subdivision plat, the lot combination which currently exists by deed.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	Dean Berrett
Proposal:	Plat amendment for Lots 8 and 9, Block 3, amended Park City Survey
Zoning:	Historic Residential 1- HR1
Adjacent Land Uses:	Residential
Date of Application:	February 27, 1995
Project Planner:	Kirsten A. Whetstone
Staff Recommendation:	Approve with condition

B. Background.

The applicant, Dean Berrett, owns Lot 9 and the northern half of Lot 8, located at 331 Park Avenue (see Exhibit A). By existing deed, Lot 8 is currently divided. One half owned is by Dean Berrett, owner of Lot 9, adjacent to the north, and one half belongs to the owner of Lot 7, adjacent to the south. All three lots currently have dimensions of 25.03' in width and 75' in length. There is an existing single family dwelling located on Lot 7 which encroaches onto Lot 8. There is an existing shed on the southern portion of Lot 8. Lot 9 is currently vacant (see Exhibits B and C).

If the proposed plat amendment is approved, the shed on Lot 8 will encroach by 1.44' onto the newly created Lot 1 of the Berrett Subdivision. There is an easement agreement on record between these two property owners which allows this encroachment (see Exhibit D).

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

C. Analysis.

If this subdivision amendment is approved, one single family house or duplex could be constructed on the newly created lot. The size of the structure (floor area ratio) and setbacks are determined from the size of the lot, according to requirements of the HR-1 zone. If this amendment is approved, Lot 8 will be reduced in size, to a width of approximately 12.5', and will not meet requirements of the zone as a legal building lot. A house could not be built on the new Lot 8. Staff recommends that prior to any new construction on Lot 7 and the southern half of Lot 8, that a similar lot combination plat be submitted for approval.

This current request for a plat amendment is a request to formally combine, by a legal subdivision plat, two lots that are currently technically combined already by a separate deed.

Findings:

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

Conclusions of Law:

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

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

D. Department Review.

The Community Development Department and City Attorney's Office have reviewed this proposal. There is a recommendation that Lot 7 and the remaining portion of Lot 8 be formally combined by a legal subdivision plat prior to any future construction on Lot 7.

ALTERNATIVES:

- A. Deny the amendment to the amended Park City Survey plat thereby retaining the original configuration of Lots 7, 8 and 9.
- B. Approve the amendment to the amended Park City Survey plat and allow the new configuration of lots, with the northern half of Lot 8 combined with Lot 9 to create one lot.
- C. Continue the item and request evaluation and recommendations from Staff.

SIGNIFICANT IMPACTS:

This proposed amendment to the existing amended Park City Survey plat will result in one lot larger than the standard "old town" lot. Because house size, floor area ratios, and setbacks are determined by the size of the lot, a larger home could be constructed on the new lot than could be constructed on Lot 9 as it is. This amendment will also result in one lot, Lot 8, smaller than the standard lot. Staff recommends that Lot 8 be formally combined with Lot 7, prior to any future construction on Lot 7.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the Council chooses not to approve the plat amendment as proposed, the applicant will retain the right to construct a house on Lot 9, according to the requirements of the zone. A house could also be constructed on Lot 8, provided it meets requirements of the zone.

RECOMMENDATION:

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

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

EXHIBITS

EXHIBIT A- LOCATION MAP

EXHIBIT B- PROPERTY SURVEY

EXHIBIT C- PROPOSED PLAT AMENDMENT

EXHIBIT D - EASEMENT AGREEMENT

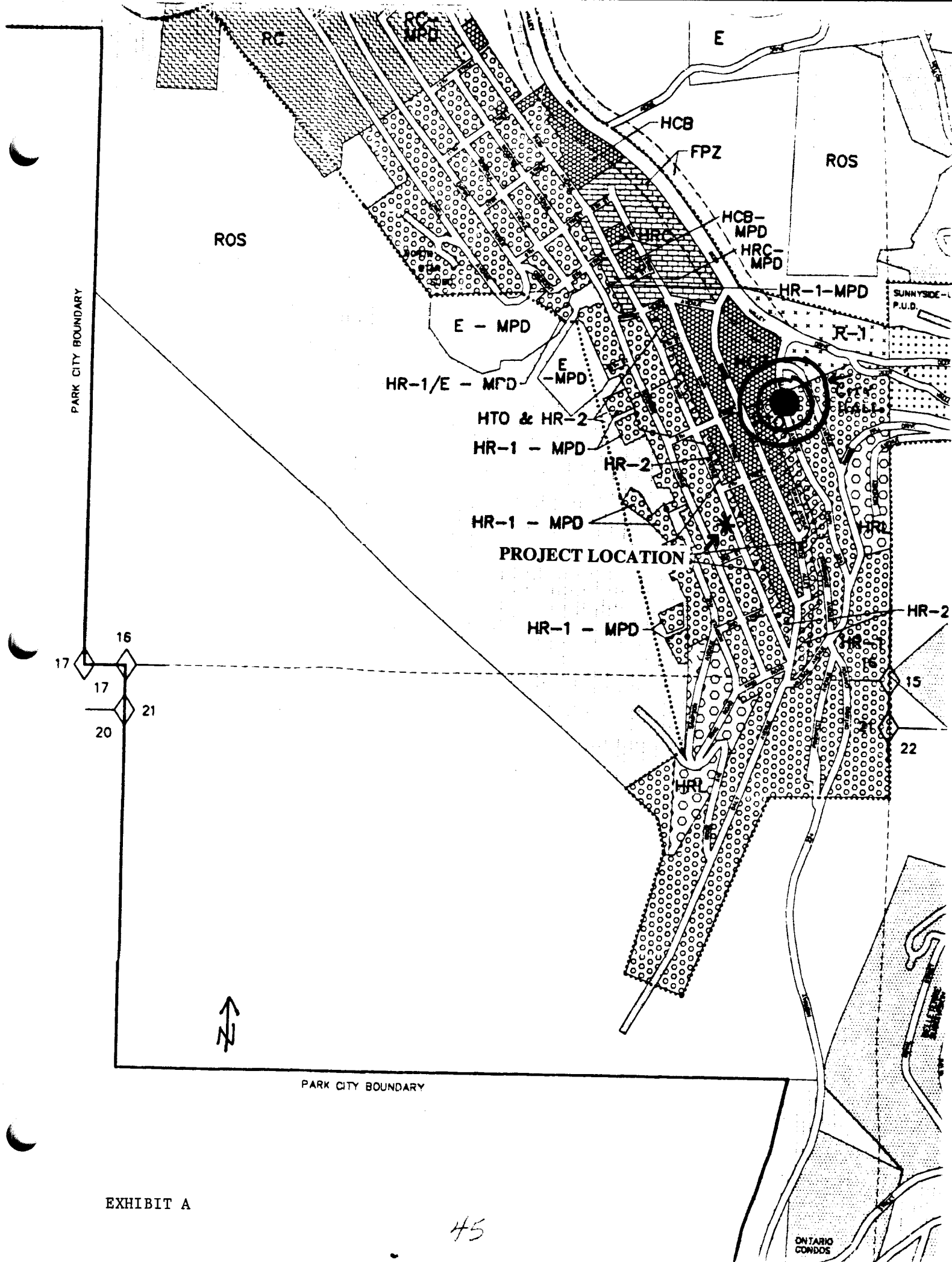
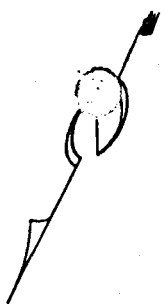


EXHIBIT A



Surveyor's Certificate

I, John Demasick, certify that I am a Registered Land Surveyor and that I hold Certificate No. 162931, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

LEGAL DESCRIPTION

LOTS 7, 8 and 9, BLOCK 3, PARK CITY SURVEY, according to the official plat thereof and on file and of record in the office of the Summit County Recorder.

NARRATIVE

- 1. Basis of survey, found Survey monuments as shown.
- 2. Date of Survey, 3/18/94
- 3. Located in Section 16, T2S, R4E, S4M.
- 4. Purpose of survey: Real Estate Transaction.
- 5. Significant improvements on the property are as shown on this survey.
- 6. Property Corners were set or found as shown.
- 7. All building lines are perpendicular to lot lines.
- 8. $\odot$ = Set Iron rod w/plastic cap #6184.

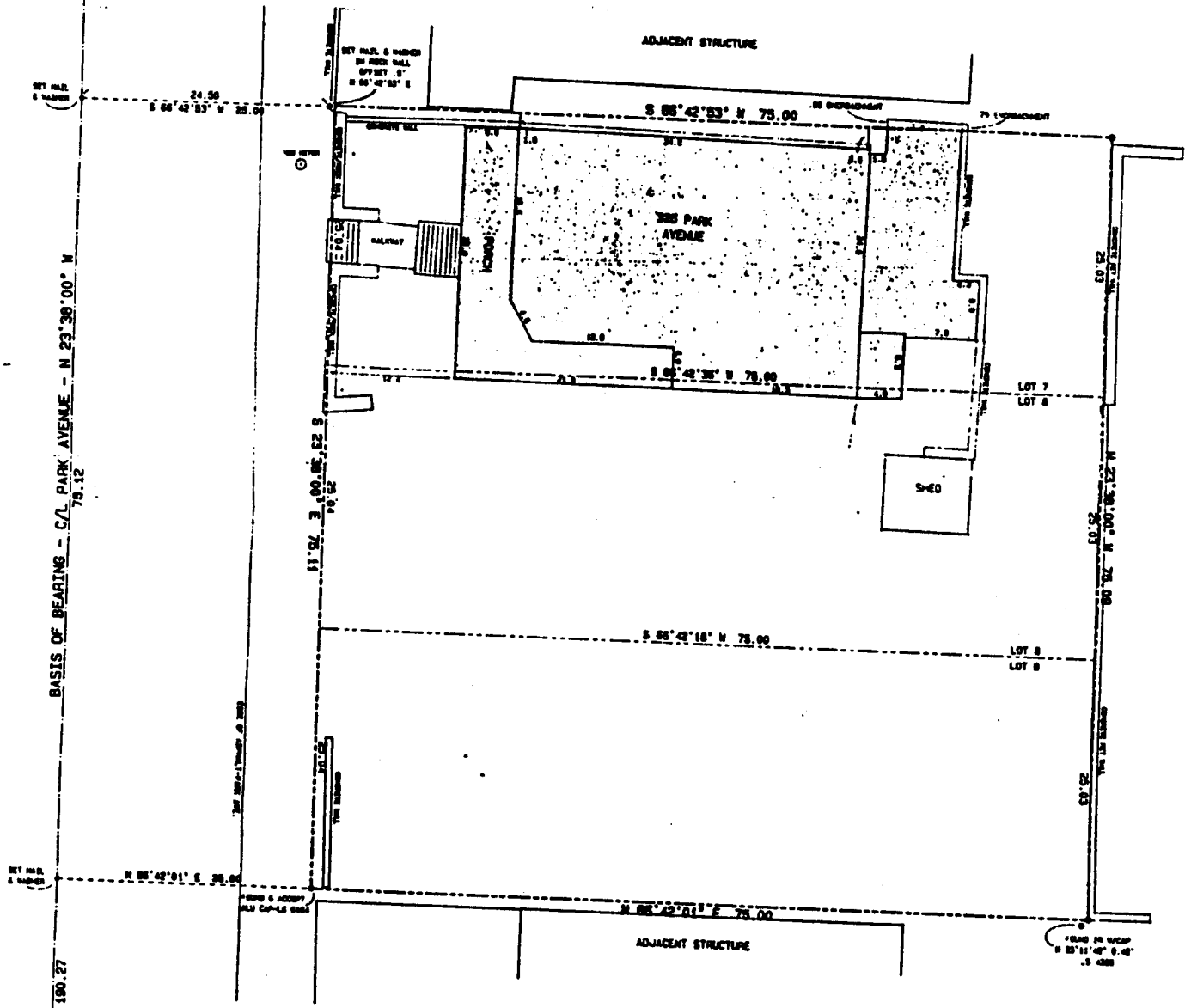


EXHIBIT B

Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 121 Main Street • P.O. Box 2664 • Park City, Utah 84060	Y: VPCS/PCSP	STAFF: D. CONSTABLE N. MORRISON H6	PAGE 1 OF 1	LOTS 7, 8, 9 BLOCK 3 PARK CITY SURVEY FOR: DEAN BERRETT
		DATE: 4-1-94	JOB NO: 20-2-94	

EASEMENT AGREEMENT

This Easement Agreement (the "Agreement") is made this 27th day of June, 1994 by and between Dean S. Berrett, a resident of Park City, Utah ("Berrett") and Lynn S. Oswald, a resident of Park City, Utah ("Oswald").

RECITALS

A. Berrett, Grantor, is the owner of certain property located in Park City, Summit County, Utah, described as Northern One Half of Lot 8, Block 3, Park City Survey, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

B. Oswald, Grantee, is the owner of property located in Park City, Summit County, Utah, known as 325 Park Avenue, more particularly described as Lot 7 and Southerly One Half of Lot 8, Block 3, Park City Survey, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

C. A structure on the Oswald property encroaches upon the adjoining Berrett property.

D. The parties desire to provide for an easement to accommodate the encroachment above described.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Grant of Easement from Berrett. Berrett hereby grants to Oswald a perpetual exclusive easement over the Northerly lot line of Southern One Half of Lot 8 as depicted as shed on the survey of Alliance Engineering Inc, dated April 1, 1994, filed in the Summit County Recorder's Office on April 26, 1994. A copy of that survey dividing Lot 8 in half and demonstrating shed encroachment is attached hereto and marked as Exhibit "A."

2. Scope of Oswald Easement. The Oswald Easement shall be limited to the right of Oswald to exclusively occupy the encroaching structure, including the right of Oswald to maintain, protect, repair, replace and improve the structure as may be reasonably required.

3. Term. The easement granted herein shall run with the land and shall be effective and binding on the parties upon the execution of this Agreement and shall be effective for as long as existing encroachment exists.

4. Liens. Oswald agrees that he will not permit any mechanics's materialmen's, or other similar liens to stand against the easement parcel on which such labor or material has been furnished in connection with any work performed by or on behalf of Oswald.

5. Severability. If any clause, sentence, or other portion of the terms, conditions, covenants, and restrictions of this Agreement become illegal, null, or void for any reason, or is held by any court of competent jurisdiction to be so, the remaining portions will remain in full force and effect.

6. Attorney Fees. If any action, proceeding or claim made by either party to enforce the provisions hereof, the defaulting party shall pay all costs incurred by the non-defaulting party therein, including attorney fees and court costs, whether or not suit is filed, or judgment is rendered thereon.

7. Successors and Assigns. This Agreement shall run with the Berrett property, and shall inure to the benefit of and be binding upon the parties hereto and their respective transferees, successors, assigns, heirs and all persons claiming by, through or under them. Any reference made herein to Berrett or Oswald is intended to refer also to any of their respective transferees, successors and assigns, and all persons claiming by, through or under them.

Executed this 27th day of June, 1994.

GRANTOR:

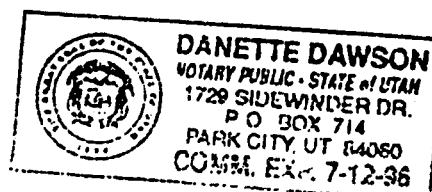
Dean S. Berrett
DEAN S. BERRETT

STATE OF UTAH)
 : ss.
County of Summit)

On the 27th day of June, 1994, DEAN S. BERRETT personally appeared before me, the undersigned notary, who is personally known by me, duly acknowledged to me that he executed the foregoing document for its stated purpose.

[Signature]
Notary Public

My Commission Expires 7-12-96
Residing at: Heber City, UT



Executed this 27th day of June, 1994.

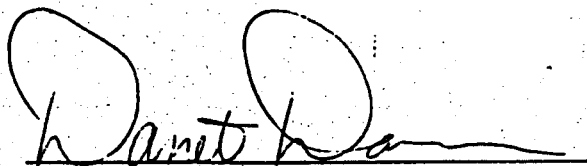
GRANTEE:



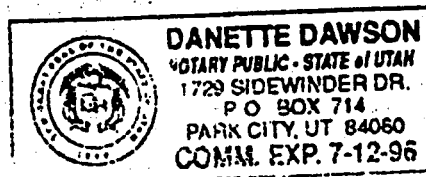
LYNN S. OSWALD

STATE OF UTAH)
 : ss.
County of Summit)

On the 27th day of June, 1994, LYNN S. OSWALD personally appeared before me, the undersigned notary, who is personally known by me, duly acknowledged to me that he executed the foregoing documents for its stated purpose.


Notary Public

My Commission Expires: 7-12-96
Residing at: Hale City, UT



00408226 940815 P508396

Ordinance No. 95-

**AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED PARK
CITY SURVEY, LOTS 8 AND 9, BLOCK 3
LOCATED AT 331 PARK AVENUE, PARK CITY, UTAH**

WHEREAS, the owners of the property known as Lots 8 and 9, Block 3 of the amended Park City Survey, have petitioned the City Council for approval of an amendment to the amended Park City Survey plat to be known as the Berrett Subdivision; and

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

WHEREAS, the City Council held a public hearing on April 27, 1995 to receive input on the proposed amendment; and

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

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

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

SECTION 2. PLAT APPROVAL. The amendment of the amended Park City Survey plat, Lots 8 and 9, Block 3, is approved as shown on the attached Exhibit A with the following condition:

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

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

PASSED AND ADOPTED this 27th day of April, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

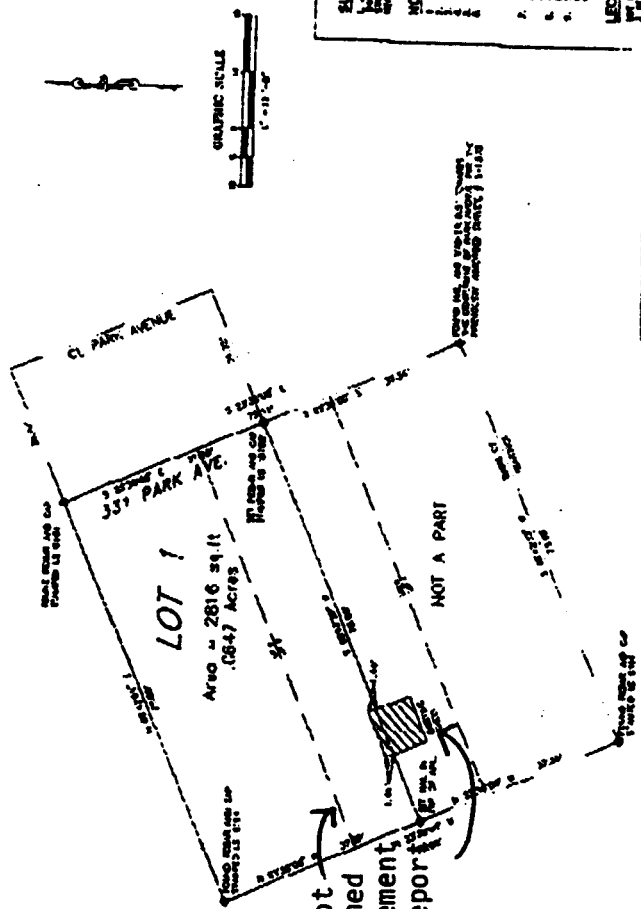
Approved as to form:

Mark D. Harrington, Assistant City Attorney

331
PARK AVE

BERRETT SUBDIVISION

RECEIVED
APR 17 1995
PARK CITY
PLANNING DEPT



NOTE: Final plat will remove old lot line & refer to shed encroachment agreement listed in title report.

SURROUNDING CORRELATION
This plat was prepared from a survey conducted by the Surveyor General of the State of Utah, and is subject to the rules and regulations of the Surveyor General.

NOTES
1. The area shown on this plat is subject to the rules and regulations of the Surveyor General.
2. The area shown on this plat is subject to the rules and regulations of the Surveyor General.

LEGAL DESCRIPTION
This plat is subject to the rules and regulations of the Surveyor General.

ON THE MAP
LAND SURVEYING
PLAT 11-1-1995

CITY COUNCIL APPROVED BY THE CITY COUNCIL ON DATE _____ BY _____	CITY ENGINEER APPROVED BY THE CITY ENGINEER ON DATE _____ BY _____	CITY ATTORNEY APPROVED BY THE CITY ATTORNEY ON DATE _____ BY _____	RECORDED RECORDED BY _____ DATE _____
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MAK 16 1995
PARK CITY
PLANNING DEPT



COUNCIL AGENDA REPORT

DATE: April 20, 1995
DEPARTMENT: Public Affairs
AUTHOR: Jennifer Harrington
TOPIC: 1995 Restaurant Tax, Non-motorized Trails/Riverways Grant Applications
TYPE OF ACTION: Legislative - Grant Application Authorizations

SUMMARY RECOMMENDATIONS:

Authorize two grant applications for improvements located in the Olympic Parkway entry corridor: \$70,000 grant request to the Summit County Restaurant Tax Grant Program, and \$100,000 joint grant request to the Utah Riverways and Non-Motorized Trails Programs that are administered by Utah Division of Parks and Recreation.

DESCRIPTION:

A. Topic

Application to Summit County and Utah Parks and Recreation for grant funds to construct facilities on the former Osguthorpe property. Facilities include: orientation/interpretive/warming and restroom facilities located at the Farm complex, parking (10 cars) and trailhead located on the east side of U-224 near the existing pedestrian/bicycle underpass, maintenance access road and gate from U-224 to service the Farm complex, trail planning and design funds for the main trail between the Farm and White Pine Canyon Road.

B. Background

Park City has been successful at obtaining nearly \$1,000,000 to date in funds for the improvement and installation of facilities along the Olympic Parkway corridor. Conceptual plans for the proposed facilities have been reviewed by the Staff Review Team; Community Development Department staff; Parks, Recreation and Beautification Advisory Board; and City Council. This project relates to several of the City Council's adopted long term goals including: a vital healthy resort community; well planned community with managed growth; preservation of open space; and leisure and recreation opportunities for families and individuals. City Council has approved grant applications prior to this and other grant programs for the implementation of Olympic Park improvements.

C. Analysis

While all of the proposed improvements are included in the current draft of the 1995-2001 Capital Improvement Budget, these requests, if awarded, would lessen the City's financial responsibility to fund these improvements entirely with City funds. Obtaining these funds may speed up the completion of improvements proposed. The Utah Parks and Recreation request requires a 50% match. While the match could be made with non-city funds such as the Restaurant Tax Grant, if awarded, the total project cost is estimated at \$283,000, \$88,000 of which is proposed to come from City funds. Some portion of the City funds could be contributed by the cross-country ski concessionaire.

D. Department Review:

The overall concept plan has been reviewed by the Staff Review team; Community Development Department staff; Parks, Recreation and Beautification Advisory Board; Planning Commission and City Council. Specific previous grant applications have been reviewed and approved by the City Council. All have been supportive of the proposed plans. The Capital Improvements Staff Committee is currently reviewing a comprehensive CIP project description for this project. The draft Olympic Parkway Entryway Corridor Master Plan is currently being publicly reviewed and is tentatively scheduled for a City Council Public Hearing on May 11th. The Parks, Recreation and Beautification Advisory Board reviewed these applications at their April 19th meeting and unanimously supported their adoption.

ALTERNATIVES:

A. Authorize the Requests: (Recommended action)

This alternative broadens the base of financial support for the project. It allows us to complete the project more quickly than if we provide all of the funds. These particular funding sources have few stipulations involved that would raise project costs.

B. Deny the Request:

This alternative would lengthen the time required to complete the project.

C. Continue the Item.

This alternative would essentially delay these requests until next year unless you specifically directed staff to submit the applications without your approval. The Utah Parks and Recreation application requires official action approving the request. We would have to ask them for an extension for this element of the application.

SIGNIFICANT IMPACTS:

A. Consequences of Taking Recommended Action:

After speaking with members of the Restaurant Tax Committee and the State Parks staff, I believe they are more inclined to award funds for constructed visitor facilities over improvements such as the fire sprinkler system for the barn. The project as a whole has long term operation and maintenance implications that should be analyzed as plans and work proceed.

B. Consequences of Not Taking Recommended Action:

Applications are due April 20th and May 1st. Not acting would essentially delay the project

another year. You could change the recommendation and direct the staff to prepare a different project proposal. You could also request funds for some other portion of the Olympic Parkway improvements. No findings are required for a denial.

RECOMMENDATION:

Authorize two grant applications for improvements located in the Olympic Parkway entry corridor: \$70,000 grant request to the Summit County Restaurant Tax Grant Program, and \$100,000 joint grant request to the Utah Riverways and Non-Motorized Trails Programs that are administered by Utah Division of Parks and Recreation.

COUNCIL AGENDA REPORT

DATE: April 19, 1995
DEPARTMENT: Leisure Services
AUTHOR: Pace Erickson
TITLE: Award Of Contract
ACTION: Administrative

SUMMARY RECOMMENDATIONS:

Authorize staff to enter into an agreement with Sutherland Landscaping for the construction of a Cemetery Gazebo/Burial Information Center not to exceed \$25,000.00.

DESCRIPTION:**A. Topic.**

Construction of Cemetery Gazebo/Burial Information Center and demolition of old cemetery shed.

B. Background.

This is a part of the long range cemetery improvements plan begun in 1992. To date the cemetery has been expanded to accommodate an additional 1060 burial sites. A paved road and block markers were installed in 1994. Most of the work has been done in-house using existing staff.

C. Analysis.

Many requests have been made to clean up the existing cemetery shed, provide a shelter for grave side services during inclement weather and have available a set of records in the cemetery. The plan is as follows:

1. Construct a twenty foot covered structure.
2. Install a map of the cemetery blocks and location.
3. Have available a list of names as well as block-lot-plot numbers of deceased.

We received two (2) bids from qualified bidders. Sutherland Landscaping is the lowest qualified bidder at \$23,856.00. Bids are as follows:

Kohler Construction	\$29,400.00
P.O. Box 215	
Midway, UT 84049	

Sutherland Landscaping	\$23,856.00
P.O. Box 520862	
Salt Lake City, UT 84152	

D. Department Review.

Leisure Services, Planning, Building and Engineering.

ALTERNATIVES:

- A. Approve the construction of the Cemetery/Gazebo Information Center.
- B. Deny construction of the Cemetery/Gazebo Information Center

SIGNIFICANT IMPACTS:

The project with suggested changes would cost up to \$25,000.00. However, the funding for the Gazebo is in the current capital improvements budget.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION:

None, but the visitors would continue to deal with the frustration of not being able to locate a grave on weekends or after hours. This would also not allow a covered area during inclement weather.

BEFORE THE CITY COUNCIL OF PARK CITY, UTAH

BURNIS AND BETTY WATTS,

APPELLANTS

vs.

HISTORIC DISTRICT COMM.,

RESPONDENT

FINDINGS, CONCLUSIONS OF
LAW AND ORDER

This matter having come before the City Council as an appeal of the Historic District Commission's ("HDC") denial of a Certificate of Appropriateness for Demolition ("CAD") for Burnis and Betty Watts ("Appellants"), and whereas the City Council did on March 16, 1995, March 30, 1995 and April 20, 1995 hold hearings to obtain full disclosure of relevant facts and afford all parties a reasonable opportunity to present their positions; and whereas the appellant Burnis Watts appeared personally, the City Council hereby adopts the following FINDINGS OF FACT:

- 1) Appellants argued for highest and best use of the property, which is not the standard for economic hardship; and
- 2) Appellants called no witnesses and submitted no additional evidence to Council for review regarding adaptive commercial use of the structures; and
- 3) Appellants own appraisal put a value of the property "as is" at approximately \$495,000 while the property was purchased for a total of \$44,000; and
- 4) The burden of proof was clearly on the Appellants; and
- 5) A site visit conducted by the Council on March 30, 1995, showed that the HDC mistakenly concluded that there was no evidence that the National Garage at 703 Park Avenue and the residence at 664 Woodside Avenue could not be moved, and that home at 703 Park Avenue is in excellent condition. In fact, it is probably infeasible to move the garage at 703 Park Avenue and

residence at 664 Woodside Avenue, and the home at 703 Park Avenue is in fair condition; and

6) Although the Appellants presented evidence that the neighborhood has changed because of the adjacent and surrounding commercial uses, the appraisal shows that such uses have increased the economic value of the Appellants' property. The renovations across the street illustrate that it is possible to perform commercial renovations in that area and the Appellants presented no evidence showing that such a renovation was infeasible on their property;

NOW THEREFORE, the City Council hereby adopts the following **CONCLUSION OF LAW**:

The HDC did not misapply the standards of the Preservation Ordinance in denying the CAD application by the Appellants for 664 Woodside and 703 Park Avenue, including the garage.

NOW THEREFORE, IT IS HEREBY ORDERED, that the appeal is **DENIED**. However, the Appellants, or their successors in interest may re-apply for a CAD if they present meritorious plans for renovation or adaptive re-use of the part or all of any of the structures; and **IT IS FURTHER ORDERED** that the Findings and Conclusions adopted by the HDC on February 13, 1995 are hereby amended to read as follows:

Findings

664 Woodside Avenue

1. The structure is listed as "contributory" in Park City's Historic Survey.
2. The structure contributes to the district because of its vernacular style.
3. The structure is located on a 2,622 square foot lot fronting on Woodside Avenue.
4. The property is zoned HR-1.
5. The property is in fair condition and was awarded a 1988 Historic District Grant to replace the roof, install new wiring, and repaint the structure.

6. The property has been used as a rental property since 1977 and the applicant has shown income from the property on his tax returns for the past two years.
7. The historic structure adds to the overall value of the property ~~which the appraiser concluded to be approximately \$495,000.~~
8. The appraiser concluded the highest and best use is for a continuation of use of the existing house.
9. ~~No information has been submitted to demonstrate that the structure cannot be feasibly moved or relocated.~~

703 Park Avenue House

1. The house is architecturally significant as one of four extant two story box houses in Park City and is individually listed in Park City's Thematic Nomination on the National Register.
2. The structure is well maintained and in ~~excellent~~ ~~fair~~ condition.
3. The structure is located on a 8,171 square foot lot fronting on Park Avenue.
4. The property is zoned HRC.
5. The historic structure adds to the overall value of the property ~~which the appraiser concluded to be approximately \$495,000.~~
6. The appraiser concluded the highest and best use is to maintain the structure, however, under the highest density permitted within the HRC district.
7. No information has been submitted to demonstrate that the structure cannot be feasibly moved or relocated.
8. The building is currently occupied as a residential dwelling.
9. The applicant participated in the 1989 Historic District Grant Program and received

funds to replace the roof.

703 Park Avenue Garage

1. The garage is included as an outbuilding for 703 Park Avenue's listing in Park City's Thematic Nomination on the National Register.
2. The building is a good example of a commercial vernacular building and maintains much of its original character, ~~despite being in poor condition.~~
3. Historic District Grant funds were allocated to this property in 1987 for renovation work.
4. ~~No information has been submitted to demonstrate that the structure cannot be feasibly moved or relocated.~~
4. Although, the highest and best use may be to demolish the structure because of the underlying commercial zoning, the structure currently functions as an accessory building and provides off-street parking for the residential dwelling.
5. ~~No information has been submitted to demonstrate that the structure cannot be feasibly adapted to another use while maintaining some or all of the original structure.~~

Conclusions of Law for All Structures

1. For 664 Woodside Avenue, the building, structure or site can be feasibly used or rented at a reasonable rate of return in its present condition or if rehabilitated. Denial of the application would not deprive the owner of all reasonable use of the property.
2. For 703 Park Avenue including the garage, the building, structure or site has beneficial use as a residential dwelling ~~or for an institutional use~~ in its present condition or if rehabilitated. Denial of the application would not deprive the owner of all reasonable use of the

property.

3. ~~There is no evidence in the record to demonstrate that the structures cannot be feasibly moved or relocated.~~

DATED this _____ day of April, 1995.

BY THE CITY COUNCIL

MAYOR BRADLEY A. OLCH

APPROVED AS TO FORM:

MARK D. HARRINGTON
ASST. CITY ATTORNEY

K:\LEGAL\MH\COUNCIL\WATTS.ORD



COUNCIL AGENDA REPORT

DATE: April 21, 1995
DEPARTMENT: Public Works Department
AUTHOR: John Lind
TITLE: 1995 Pavement Management Program
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Approve the bid for asphalt overlays, slurry seals and utility adjustments.

DESCRIPTION:

A. Topic. The 1995 Pavement Management program including asphalt overlays, slurry seals, and bike path from Stonebridge to Queen Esther.

B. Background. Our pavement management program identified a number of streets for overlays and slurry seals. The streets identified for asphalt overlays and slurry seals are attached.

Morgan Asphalt has corrective work on Three Kings and Thaynes Canyon Drive remaining from last season but they have assured us that this corrective work will be completed. We are holding final payment for \$11,448.88 until this work is finished. Todd Morgan's letter is attached. Morgan Asphalt will be required to warranty the corrective work on Three Kings and Thaynes Canyon Drive for an additional year.

If the corrective work is not completed to our satisfaction, the proposed contract will not be awarded. In addition, Morgan Asphalt will be precluded from future slurry bid opportunities.

C. Analysis.

There were three bids received for street overlays.

1. Miller Paving in the amount of \$295,421.50
2. Staker Paving in the amount of \$296,317.20
3. Gibbons and Reed in the amount of \$301,514.10

The estimated project cost was \$318,270.68.

There were two bids received for Type III Slurry.

1. Morgan Asphalt in the amount of \$77,413.44
2. Intermountain Slurry in the amount of \$80,856.79

The estimated project cost was \$75,875.25.

Rivas Construction provided the only bid of \$72,900.00 for utility adjustments. Our cost estimate was \$50,000.00. Rivas has agreed to lower their bid price to \$56,550.00 due to misinterpretation of the work required.

There were no bids received for the bike path construction. The estimated project cost was \$50,431.00.00. Contractors were willing to provide overlays but not the needed excavation or sub-base.

D. Department Review. The Public Works Department has received the bids along with the required bid bonds.

ALTERNATIVES:

A. Approve the contract to the lowest responsive bidders: Miller Paving, Morgan Asphalt and Rivas Construction. The award to Morgan Asphalt is conditional that the work on Three Kings to Thaynes Canyon Drive must be completed to our satisfaction.

B. Approve only the asphalt overlays and reject the bid from Morgan Asphalt for slurry seal work.

C. Reject all bids.

SIGNIFICANT IMPACTS: To maximize our street maintenance it would be beneficial to Park City to award the contract work for asphalt overlays and slurry seal work based on contingent requirements and utility adjustments.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: It is important that we continue our program of street maintenance with asphalt overlays and seals to maximize the use of available dollars and minimize the potential deterioration of our streets network thus requiring expensive reconstruction.

RECOMMENDATION:

Approve the 1995 asphalt overlay contract to Miller Paving in the amount of \$295,241.50.

Approve the Type III slurry contract to Morgan Asphalt in the amount of \$77,413.44, contingent on satisfactory completion and our approval of corrective work on Three Kings and Thaynes Canyon Drive.

Approve the utility adjustment to Rivas Construction in the amount of \$56,550.00

Authorize Public Works to negotiate the bike path work with Miller Paving.



310 North 650 West, Kaysville, UT 84037 801 544-5947

April 21, 1995

Park City Public Works
Attn: John Lind
645-5720
645-5177(F)

RE: City Streets - Three Kings and Thaynes

Dear John,

After talking to several of my sources in the industry, we have concluded that the most probable cause for the roughness on the slurry surface on Three Kings and Thaynes is due to an over application or a "too thick" application of the slurry.

Several of our sources in the industry have had this happen to them in the past. The best solution they have found to correct the roughness is to apply a Type II or heavy Type I slurry in a cross coat pattern on the affected areas. This would need to be done on sections of the street and applied by hand. This will smooth out the "washboard" roughness and create a smooth driving surface in addition to increasing the wearing surface.

I believe this would be the best solution to correct the problem and would also cause the least inconvenience to homeowners in the areas. If you feel comfortable with this solution, we would like to complete this as soon as weather would permit.

We appreciate your business and thank you for your patience.

Todd Morgan

Street Overlays - Work Description - SCHEDULE A

Street Description	Depth of Asphalt in Inches	Number of Lifts	6' Edge Grinding Required	Fabric Installation	Number of Sq. Yds.	Number of Tons
Aerie Dr from E end to Golden Way	1.5	1	yes	no	6,211	545
Aerie Dr from Golden Way to Deer Valley Drive	1.5	1	yes			
Ashley Ave to 3120 Amer Saddler	1.5	1	yes	no	14,353	1,280
Eagle Ct from Golden Eagle Dr to South end of CDS	2.0	1	yes	no	4,209	389
Annie Oakley Dr from Sidewinder East to Sidewinder West	2.5	1	yes	no	1,625	190
Centennial Drive from Royal St around Centennial Loop	2.5	1	yes	no	3,865	565
Ironhorse Drive from Park Ave to Bonanza Dr	3.0	2	yes	no	9,722	1,422
Queen Esther Dr. from Telemark Drive to Gilt Edge Circle	3.0	2	yes	no	4,790	841
Coalition Way from Rossie Hill Drive to East end of CDS	3.0	2	yes	yes	5,300	930
Amer Saddler Drive from Lucky John to Meadows Drive	3.0	2	yes	no	1,887	293
Munchkin Road from Woodbine Way to Bonanza Drive	3.0	2	yes	no	12,473	2,028
Heber Ave from beltway West to Park Ave including intersection area and South up Swede Alley 100'	2.0	1	yes	no	1,350	203
TOTALS					2,774	325
					68,339 sq.yd.	8,971

Slurry Seal Streets - Type Three - SCHEDULE B

Street Description	Number of Sq. Yds.
Homestake Rd. from Kearns Blvd. to Park Ave	4,878
Thistle St. from Ridge Dr. to Telemark Drive	3,547
Royal St. from Deer Valley Dr. to East/West intersection	43,987
Lower Deer Valley Drive from Stonebridge intersection around entire loop	24,522
Evening Star Dr. from Lucky John Dr. to Little Kate Drive	12,331
TOTAL	89,265



COUNCIL AGENDA REPORT

DATE: April 21, 1995
DEPARTMENT: Public Affairs
AUTHOR: Myles C. Rademan, Director
TITLE: Main Street Enhancement District Formation
ACTION: Legislative

SUMMARY RECOMMENDATION: Authorize the formation of the Main Street Enhancement District and levy a surcharge on the Main Street business licensees beginning in 1996 to partially fund the district.

DESCRIPTION:

A. Topic: Formation of a Main Street Enhancement District

B. Background: This project is part a continuing effort by the City to enhance and upgrade the aesthetic environment for our guests and residents. Past efforts have included the pocket parks and plazas, sponsoring public art, signage, kiosks, lighting along Empire Avenue, entryway treatments, beautification of Swede Alley, and stairway replacements. These and other projects have been funded through a variety of techniques, including RDA, capital improvements budget, and public-private partnerships.

The Main Street Enhancement District concept is an outgrowth of several realizations:

- The City Council's continuing vision of Park City as a 'vital, healthy resort community' needs to be implemented through projects that achieve this goal;
- Main Street is one of the central focuses of the City's tourism oriented economy; it is Park City 'signature' shopping locale setting the visual image in the minds of guests and residents;
- It is important to constantly improve, upgrade, renew and enhance Park City's aesthetic image. This process adds vitality and excitement and translates into both competitive advantage and a more pleasing living environment;
- Recent SummerTours, in addition to private trips, to other resort areas have convinced many

- that Main Street needs additional enhancements in its physical appearance if it is to remain competitive in attracting the 'upscale' visitors that are desired.
- Enhancing Main Street should be an ongoing process with yearly planning and its own dedicated source of equitably shared funding.

These core ideas form the underpinnings of the enhancement district concept. They have been presented to the Main Street Merchant's Association, to the public at input sessions, to the Historic District Commission, to all business licensees on Main Street through a survey instrument, and on several occasions to the City Council. A special sub-committee of the Main Street Merchants Association and other interested parties was convened to make recommendations to the City Council, and the present proposal is an outgrowth of this effort.

C. Analysis: The recent Main Street Survey shows that approximately **80%** of the respondents think that Main Street **should be improved either significantly or a little**. Respondents were more divided on how these enhancements should be funded. Almost **60%** agree that a **public-private enhancement district with the private funds coming from surcharging business licensees is worthwhile**, while **40%** do not support the formation of such a district. The rationale for the business license fee surcharge in conjunction with City matching funding is to equitably share the costs and benefits. A variety of other financing techniques have been explored and not recommended for technical and/or practical reasons:

- voluntary contributions
- forming a special improvement district which taxes property owners
- sole funding from the City's budget

- **Legality**

The legality of the recommended business license fee surcharge has been questioned by at least one affected party. Both the City's legal staff and outside legal counsel retained specifically to review this funding mechanism have concurred that a business license surcharge restricted to a defined benefit area is legally defensible for the purposes proposed.

- **Timing**

The City Council expressed concern over the timing of the enhancement district and the possible disruption that might be caused if Main Street business licensees are surcharged in the middle of the year through a separate mailing. This is a valid concern. The staff therefore recommends that it is best to **implement a small demonstration project this summer funded entirely by the City**. The demonstration project will include hanging flower baskets placed on several street lights.

The enhancement district can however be authorized and formed by the City Council immediately, and a citizens advisory task force set up to begin planning for future enhancements. Under this plan **business licensees will not be surcharged until the next business license cycle in 1996**. This will give all business licensees ample notice of the impending surcharge which ranges between \$100 and \$250 depending on the fees they are now assessed (attachment).

- **Grants**

The City will apply for a \$50,000 Restaurant Tax Grant to help pay for some of the capital costs to enhance Main Street. The rationale for the grant is that Main Street is a major tourist draw and that many fine restaurants are located in the area and have been collecting restaurant tax

revenues for the past several years. The enhancements will improve the tourist climate and should lead to higher tax collections in the future. This grant application if successful is not a substitute for an enhancement district, which also covers maintenance and operations costs as

well as capital costs, but a grant if awarded will help jump start the enhancement program with a major capital infusion.

- **Parking Issues**

The lack of adequate parking in the Main Street area is an obvious problem and has been raised on many occasions. In the Main Street survey 68% of those responding designated 'more parking for shoppers' as a priority, while 50% thought having flower baskets was a priority. It is tempting to commingle the enhancement and parking issues, but they should really be functionally and financially separated. **Both issues need to be addressed.** The City is in the process of mailing out RFP's (request for proposals) to address parking and transportation issues to professional consultants around the country. We anticipate hiring a consulting firm to comprehensively address these issues beginning in July.

D. Department Review: Public Affairs, Leisure Services (Parks & Recreation Department), Legal, Administrative (City Manager, Finance). A special staff task force comprised of parks and recreation and the City's senior landscape architect and support staff have met several times to work on preliminary design plans and concepts. In addition, several prototypes of brackets and hanging flower baskets have been constructed for demonstration purposes.

ALTERNATIVES:

A. Approve the Request: Pass a resolution forming the enhancement district and begin collecting the business license surcharge as part of the 1996 business license cycle.

B. Deny the Request

C. Continue or Modify Action: Evaluate the demonstration project and hold additional meetings and/or recommend other funding strategies.

SIGNIFICANT IMPACTS: A comprehensive and ongoing enhancement plan for Main Street will be developed in conjunction with an advisory task force comprised of affected members of the Main 'Street community. Ongoing enhancements will be scheduled yearly. The costs are approximately \$25,000 in private funding and an additional \$25,000 in City monies yearly.

A. CONSEQUENCES OF TAKING RECOMMENDED ACTION. An ongoing effort to enhance the City's 'signature' street, funded in an equitably shared fashion, and implementing the City Council's goal of bolstering Park City as a vital, healthy resort community.

B. CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION. Main Street is changing. The City will loose the majority of the vestpocket parks over the next several years. Other amenities in addition to retail and commercial uses must be planned for. The enhancement district is only one of many strategies that can and should be pursued. There is no doubt that additional parking strategies must be implemented, and perhaps in the future the possibility of

reclaiming some public pedestrian space from the street itself should be considered. The danger of not taking action at this time is that the City and its business community will end up doing too little too late to maintain the charm that presently characterizes Main Street.

It is difficult to quantify the economic value of aesthetic amenities, and foolhardy to predict that without them Main Street will suffer a decline in sales revenues. It is however realistic to point out that following past amenity investments on Main Street sales revenues and investment opportunities soared.

Not forming an enhancement district might have the chilly effect of signaling that the City's commitment to reinvest in amenities has run out of steam. It is conjecturable whether this will negatively impact private spending and investment decisions. But viewed more broadly forming an enhancement district is but one of several decisions that the community will confront as it grapples with growth and change. The political and economic costs of forming an enhancement district are relatively minuscule compared to other decisions the City will confront like: paying for parking garages; or installing parking meters on Main Street; or downzoning portions of Park Avenue; or building satellite parking lots for employees. Consequently, if a relatively small step like equitably funding the planting of flowers on Main Street creates paralysis, then the City's resolve to tackle larger and thornier issues might be clouded.

RECOMMENDATION. Authorize the formation of the Main Street Enhancement District. Fund it through a public- private partnership of business license surcharges and public general funds, and set up an Advisory Task Force to help develop a comprehensive enhancement plan.

PARK CITY MUNICIPAL CORPORATION

MEMORANDUM

TO: Historic Enhancement Advisory Comm.
FROM: Myles C. Rademan, Director of Public Affairs
DATE: December 5, 1994
RE: Establishing Historic Enhancement District

To further the idea of an Historic Main Street Enhancement District please consider the following:

1. Establishing the Historic Main Street Enhancement District
 - setting boundaries
 - include all of Main Street, both upper and lower and businesses on Park Ave and Heber Ave that access off of Main Street near 7th Street
 - Council resolution and ordinance required
 - Structure
 - City appoints advisory board
 - Main Street Merchants suggest slate
 - other members chosen from district at large
 - Purposes
 - Budget
 - Funding Mechanisms
2. Enhancement Purposes
 - planting
 - street furniture
 - Christmas lighting
 - maintenance
 - additional snowplowing on sidewalks
 - sidewalk cleaning
 - matching grants to businesses
 - technical support on planting
 - other? joint advertising & marketing (doesn't help all the people paying into the district)

2

3. Budget

- enhancement master plan
\$300,000, not including yearly maintenance
- yearly maintenance must be factored in
- other needs

4. Funding

- surcharge on business licenses (separately billed or delineated on the business license and put into a special account to be used only for the specified enhancement purposes authorized)
less than \$100 = \$50
\$100 - \$200 = \$100
\$200 - \$500 = \$150
\$500 + = \$250
(expected revenue of approximately \$20,000 - \$25,000)
- City gives a 3 year commitment to match up to \$25,000 per year (put in budget request in April, but have City Council approve concept in January). This general fund appropriation covers the property owners equitable portion of contributing to the Enhancement District. The City will pledge to maintain the same current level of service and all additional monies will be used for further enhancements.

5. Gathering Support

- Main Street Merchant Association endorses and carries the concept forward
- Publicize the work program and budget
- Survey all affected business license owners
- Public Hearing on District concept, plans & budgets
- Council formalizes District at request of Main Street Merchants

6. Critical Path

- Sub-Committee meeting 12/1/94
- Main Street Merchants Endorsement 12/6/94 *unanimous*
- Council Preliminary Endorsement of Concept & Funding 1/95
- Information Campaign 1/95

- Public Informational Meeting 1/95
- Survey & Public Hearing 2/95
- Council Ordinance Establishing District & Appoint
Advisory Board 3/95
- Adopt Formal Work Program for Summer '95 3/95
- Surcharge Business Owners 4/95
- Preliminary Budget City Contribution 4/95
- Adopt City Budget 6/95
- Begin Enhancement Work 6/95

