PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
APRIL 7, 2005

I ROLL CALL

Mayor ProTem Kay Calvert called the meeting to order at 6:00 p.m. at the Marsac Municipal building on Thursday, April 7, 2005. Members in attendance were Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier and Joe Kernan. Mayor Dana Williams was excused. Staff present were Tom Bakaly, City Manager; Mark Harrington, City Attorney; Chief Lloyd Evans; Colin Hilton, Capital Projects/Economic Development; Patrick Putt, Planning Director; Brooks Robinson, Planner; Ray Milliner, Planner; and Eric DeHaan, City Engineer.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Marianne Cone reported that the bus shelter art project was proceeding and the Historic Preservation Board was starting an inventory of historic buildings. She received a message from a resident of Chambers who had witnessed a dump truck whose brakes were burning. She wondered if there was interest in having random brake inspections.

Manager Bakaly reported that he would work with Chief Evans. They have confirmed that the City is not hauling snow and the construction at Empire Pass in not permitted to haul snow. The Building Department is contacting other construction companies to ask them to not haul snow, even though it was not prohibited in their construction mitigation plans. Jim Hier reported following trucks that entered the Empire Pass area and he encouraged Staff to investigate it. Council members felt it was a good time to start the brake check program. They also mentioned the runaway truck ramp was blocked again by snow.

Candace Erickson reported that numerous applications had been received for the special service contracts and a committee was in the process of reviewing them.

Joe Kernan received a repeat comment from a Woodside resident regarding garbage cans. Also a Main Street merchant had complained about cans sitting out in the mornings.

Kay Calvert presented preliminary statistics from the 2005 Sundance Film Festival: there were 20,000 first-time attendees, and a total of 47,000 people in attendance; visitor stays averaged 5.33 nights; 70% came from outside of Utah; 96% indicated they planned to return to Park City for reasons other than attending the festival. Also, the average patron skied for four days during the festival, which is double last year. This information will be presented to the State to be incorporated into a marketing initiative.

Jim Hier, "I move to appoint Marianne Cone as Mayor ProTem until the Mayor or Mayor ProTem return this week-end." Candace Erickson seconded. Motion unanimously carried.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MARCH 24, 2005

Marianne Cone, "I move to approve the work session notes and minutes of March 24, 2005 as written". Jim Hier seconded. Motion unanimously carried.

V CONSENT AGENDA PUBLIC HEARINGS

1. Continuation of hearing on Ordinance approving a plat amendment and vacation of right-of-way located at 713 Norfolk Avenue, Park City, Utah (continue to April 28, 2005) – Marianne Cone, "I move to continue to April 28, 2005". Candace Erickson seconded. Motion carried unanimously.

2. Ordinance approving an amendment to the record of survey plat for The Lodge, located at 2900 Deer Valley Drive, Park City, Utah – Brooks Robinson reviewed the Staff Report and noted technical changes that affected the title and expandable area. The applicant has requested a name and address change. It will be called Silver Baron Lodge and the address will be 2800 Deer Valley Drive. In addition, they requested that areas south and east of the building be changed from common area to expandable area. All requests were acceptable to the Staff. The Planning Commission forwarded a positive recommendation to City Council. Planner Robinson clarified for Jim Hier that this building, and any future buildings associated with this record of survey, could be a residency club subject to approval of conditional use permits. The Mayor ProTem opened the public hearing. Hearing no input, the hearing was closed.

3. Ordinance approving a plat amendment for 9 Hillside Avenue
A letter dated April 7, 2005 from Joanna M. Heath, was accepted into the record as part of the public hearing.

Administrator Patrick Putt explained that Steve Stanton, the owner of this parcel, had previously received approval for this plat amendment but it had expired. He is again seeking approval to create one lot of record from Lots 2, 3, 4, 16, 17, & 18 of Block 19 of the Park City Survey that would allow him to remodel the existing historic house and historic barn and to construct an addition. Mr. Putt noted that the Planning Commission forwarded a positive recommendation.

Mr. Putt noted there were two existing encroachments on portions of Mr. Stanton's property from a deck at 14 Prospect, and a stone wall. Both are addressed by separate easements shown on the plat. He noted the house was undergoing a separate historic design review process and Staff had received a letter appealing the preliminary determination of compliance with Historic District Guidelines.

Mr. Putt clarified for Mayor ProTem Calvert that the letter accepted into the record tonight pertained to the work being proposed for the historic house and barn. Staff believes the plat amendment remedies the encroachment situations.

Paula McGee, 14 Prospect, stated she was generally in favor in plat amendment. However, she expressed concern about easements included on the plat regarding the encroachment of her desk and asked whether she, as the party in question, would receive any notification. City Attorney Mark Harrington clarified that the easements are dedicated on the plat, and what Ms. McGee sees on the plat will be the only language. The note language dedicates the easement in perpetuity. Mayor ProTem Calvert felt there should be consideration give to notifying people in writing when something like this occurs. Hearing no additional input, the hearing was closed.

4. Ordinance approving a condo conversion for 2180-2186 Monarch Drive
Planner Ray Milliner reviewed the staff report and explained that two existing duplexes would be converted into a condominium project, totaling four units. Mayor ProTem Calvert opened the hearing. With no input, the hearing was closed.

VI CONSENT AGENDA

Jim Hier, "I move to continue Consent Agenda Items 1 and 3." Candace Erickson seconded. Motion carried unanimously.

Jim Hier, "I moved to approve Consent Agenda Items 2, 4, and 5". Joe Kernan seconded. Motion carried unanimously.

1. Continuation of hearing on Ordinance approving a plat amendment and vacation of of right-of-way located at 713 Norfolk Avenue, Park City, Utah (continue to April 28, 2005)
2. Ordinance approving an amendment to the record of survey plat for The Lodge, located at 2900 Deer Valley Drive, Park City, Utah – see staff report and public hearing
3. Ordinance accepting certain public improvements at Empire Pass Subdivision (continue to April 28, 2005)
4. Ordinance approving a plat amendment for 9 Hillside Avenue - see staff report and public hearing.

5. Ordinance approving a condo conversion for 2180-2186 Monarch Drive – see staff report and public hearing.

VII NEW BUSINESS

1. Historical Society Lease – Mayor ProTem Calvert announced that Jim Taddison requested that the item be moved to 21st of April.
Jim Hier, "I move to continue the Historical Society Lease to April 21, 2005." Candace Erickson seconded. Motion carried unanimously.

2. Contract for Quinn's Recreation Complex - Hogan Construction, Addendum
Capital Projects Manager Colin Hilton explained that Staff was seeking approval of an Addendum to the existing Hogan & Associates Construction Agreement in the amount of $1,304,703. This would be the first construction contract expenditure for the Quinn's Recreation Complex project. This will allow mobilization and set up on the site and Staff will return to Council on April 28· 2005, for approval of the Guaranteed Maximum Price. The facility has been designed so construction can be phased based on available funding, and Staff is confident that additional funding will be raised for the design level we are ultimately seeking. Critical path items outlined in this first addendum relate to general conditions, rink earthwork and concrete, CM fees, bond money and contingency fees totaling $1,304,703. Staff recommends moving into the first phase of the contract award.

Joe Kernan, "I move approval of the addendum for Quinn's Recreation Complex contract with Hogan Construction." Jim Hier seconded. Motion carried unanimously.

3. Contract for Downtown Parking Structure – Jacobsen Construction, Addendum
Mr. Hilton noted this request for the Downtown Projects was similar to the previous item for Quinn's. Staff anticipates mobilization within two weeks, and will return to Council on April 21, 2005 with the overall Guaranteed Maximum Price. Approval of this addendum will authorize $127,024.

Mayor ProTem Calvert referred to the selection committee members for these contracts, and wondered about citizen involvement. Mr. Hilton explained that Charlie Wintzer and Rex Dabbling, who both have extensive construction experience, served on the committee.

Mayor ProTem Calvert explained that at the State level, every selection committee included an architect and a construction industry representative. These members were able to share their expertise, while gaining knowledge about the State's process.

Mr. Hilton explained that Staff would communicate impacts to the public through an aggressive communications campaign.

Candace Erickson, "I move approval of an Addendum to the Jacobson Construction Inc. Agreement in a form to be approved by the legal department for work related to the downtown parking structure in the amount of $127,024." Jim Hier seconded. Motion carried unanimously.

IX ADJOURNMENT

With no further business, the regular meeting of the City Council adjourned at 6:55 p.m. A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted.

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

Prepared by Sharon Bauman

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Sharon Bauman

City Council Staff Report

Author:	**Brooks T. Robinson**
Subject:	**Lodges Club at Deer Valley Condominium Conversion**
Date:	**April 7, 2005**
Type of Item:	**Administrative**

PLANNING DEPARTMENT

Summary Recommendations:
The Planning Department recommends the City Council open the public hearing, consider any public input and discuss the item. Staff has prepared findings of fact, conclusions of law and conditions of approval for approval of the Condominium Conversion for the City Council's consideration.

Topic:

Applicant	**Silver Baron Partners**
Location	**2800/2900 Deer Valley Drive East**
Zoning	**Residential Development (RD) as part of the Deer Valley Master Planned Development (MPD)**
Adjacent Land Uses	**Courchevel and Queen Esther residential, Open Space.**

Background:
On April 5, 1996, the Planning Commission approved a Conditional Use Permit for 125 residential condominium units utilizing 108 Unit Equivalents. This project is called The Lodges at Deer Valley. It is part of the Deer Valley Master Plan.

Buildings B, C, D, and E have been completed and occupied and now Building F is completed. In 2001 the Planning Commission approved a CUP amendment and Deer Valley MPD amendment to transfer of 7 UEs from neighboring Courchevel. With the completion of building F, there will be 109 units utilizing 94.41 Unit Equivalents (UEs). A total of 20.59 UEs are remaining for what would be Building A.

This application amends the current Record of Survey and plats the condominium record of survey for The Lodges Club. The proposal would create a separate project that would include Building F with the remaining 20.59 Unit Equivalents from Building A and Courcheval. The previous location of Building A on the north (Queen Esther) side of The Lodges project will be included in The Lodges Club condominium plat and is proposed to remain as open space.

The Planning Commission held a public hearing on March 23, 2005, and forwards a positive recommendation on this condominium Record of Survey. At the same time, the Planning Commission amended the Conditional Use Permit for The Lodges to create a

separate project, The Lodges Club, and granted the Side Yard Exception under section **15-2.13-3(H) Other Exceptions.**

Analysis:
The project is located within the RD zoning district. The Lodges Club will be addressed as 2800 Deer Valley Drive East. The Record of Survey will create a separate lot for The Lodges Club with 24 residential units utilizing 21.25 Unit Equivalents. Commercial spaces as shown are for support to the Lodges Club only. No off-site traffic is to be generated from these commercial spaces.

Setbacks in the RD zone are as follows:

- Front: 20 feet
- Rear: 15 feet
- Side: 12 feet

The Lodges Club building meets the minimum setback requirements with the grant of exception noted above. This application meets the requisite subdivision requirements of Title 15-7 of the Park City Municipal Code and the amended Conditional Use Permit approval for The Lodges and Lodges Club.

Department Review
This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. Several owners or their agents of units in Building E have called for further information on the request.

Alternatives for The Lodges Club Condominium Conversion

- The City Council may approve The Lodges Club condominium plat as conditioned or amended, or
- The City Council may deny The Lodges Club condominium plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on The Lodges Club condominium plat.

Significant Impacts
There are no significant fiscal or environmental impacts from this application.

Recommendation on The Lodges Club Condominium Conversion
The Planning Department recommends the City Council open the public hearing, consider any public input and discuss the item. Staff has prepared findings of fact, conclusions of law and conditions of approval for approval of the Condominium Conversion for the City Council's consideration as found in the Ordinance.

Ordinance No. 05-

AN ORDINANCE APPROVING THE LODGES CLUB RECORD OF SURVEY PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as The Lodges Club have petitioned the City Council for approval of The Lodges Club Record of Survey; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 23, 2005, to receive input on The Lodges Club Record of Survey plat; and

WHEREAS, the Planning Commission, on March 23, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 7, 2005 the City Council approved The Lodges Club Record of Survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve The Lodges Club Record of Survey plat.

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

SECTION 1. APPROVAL. The Lodges Club Record of Survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Lodges Club at Deer Valley is located at 2800 Deer Valley Drive East in the RD-MPD zoning district.
2. On April 5, 1996, the Planning Commission approved a Conditional Use Permit for The Lodges at Deer Valley encompassing 125 residential condominium units utilizing 108 Unit Equivalents.
3. In 2001 the Planning Commission approved an amendment to The Lodges CUP and the Deer Valley MPD to transfer 7 UEs from neighboring Courchevel.
4. Building F was approved for 20.75 Unit Equivalents but the construction of the building produced 21.25 UEs.
5. The Lodges Club (Building F) has 24 units requiring 48 parking spaces. Currently 35 spaces are in the underground parking lot. The Planning Commission finds that these 35 spaces are sufficient to park The Lodges Club until such time that the future building is constructed.

6. The Planning Commission may vary the Side Yard in subdivisions and MPDs pursuant to section 15-2.13-3(H) as long as there is ten feet between structures. Building F is separated from Building E by at least eighty (80) feet.
7. The proposed is consistent with the approved Deer Valley Master Planned Development and the Conditional Use Permit for The Lodges at Deer Valley.
8. The Planning Commission held a public hearing on March 23, 2005, and forwards a positive recommendation on this condominium Record of Survey.

Conclusions of Law:
1. There is good cause for this Record of Survey.
2. The Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey.
4. Approval of the Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:
1. The City Attorney and City Engineer will review and approve the final form and content of the Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All conditions of approval of the Deer Valley Master Planned Development, and The Lodges Conditional Use Permit, as amended, shall continue to apply.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 7th day of April, 2005.

PARK CITY MUNICIPAL CORPORATION

_____
Dana Williams, MAYOR

ATTEST:

_____
Jan Scott, City Recorder

APPROVED AS TO FORM:

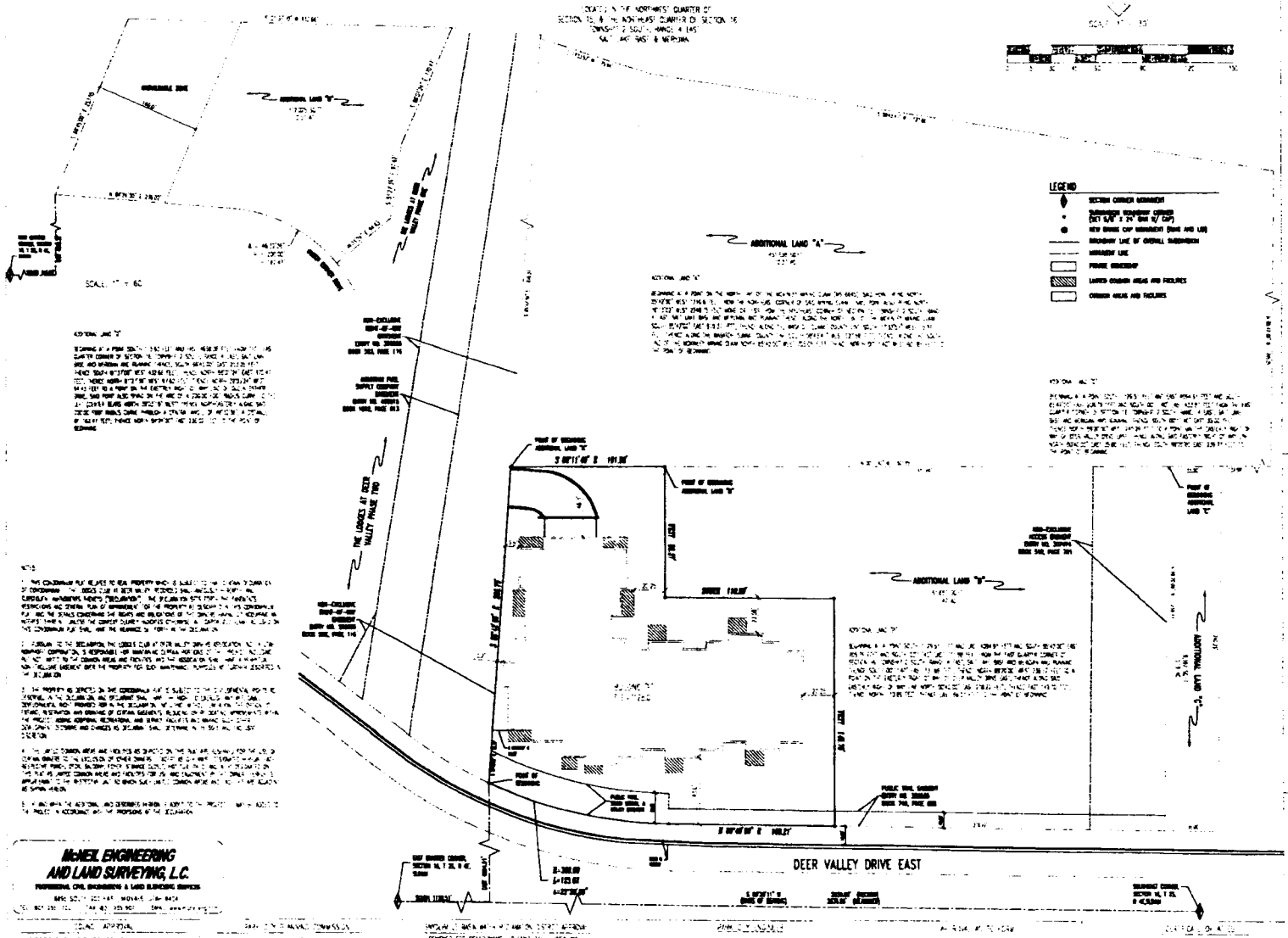
_____

Mark Harrington, City Attorney

THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, & IN THE NORTHEAST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN



SURVEYOR'S CERTIFICATE

BOUNDARY DESCRIPTION

OWNER'S DEDICATION

Know all men by these presents that ... the undersigned owner(s) of the above described tract of land, having caused same to be subdivided into units, common areas and facilities, limited common areas and facilities and easements to be hereafter known as the

THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS

do hereby offer for dedication to Park City and S.L.B.M.P. for perpetual use of the public all parcels of land shown on the plat as intended for public use. In consideration with all reasonable offer of dedication ... hereby for building sites of this plat is substantially as shown on this plat. In witness whereof ... have hereunto set ... day of ... A.D. 20 ...

SILVER BARON PARTNERS, L.C. a Utah limited liability company
by: ... PASAN
its Manager

CONSENT TO RECORD AND SUBORDINATION

The undersigned U.S. Bank National Association is the beneficiary of a Deed of Trust dated December 27, 2002, and recorded December 24, 2002 as Entry No. 565815, in Book 1560 beginning at Page 743 of the official records of Summit County, Utah, together with related loan documents (collectively "Loan Documents") which constitute a lien of record against the property to this Record of Survey Map. U.S. Bank National Association hereby subordinates the lien and encumbrances of the Loan Documents to this Record of Survey Map only to the extent, if at all, necessary to be consistent with the Declaration of Condominium for THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS and consents to the recordation of this Record of Survey Map.

U.S. Bank National Association

By: ...
Its: ...

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } S.S.
County of Summit

On the ... day of ... 20..., personally appeared before me the undersigned Notary Public in and for said County of Summit, State of Utah, who being duly sworn, did acknowledge to me that he signed the foregoing document as ... of ...

My Commission Expires: ...

McNEIL ENGINEERING AND LAND SURVEYING, L.C.
PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES

RECORD OF SURVEY MAP
THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS
AN EXPANDABLE UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16, & IN THE NORTHEAST QUARTER OF SECTION 16 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN

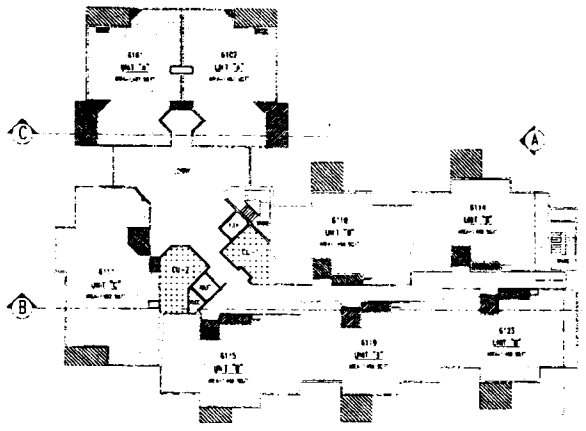
SHEET 1 OF 4

THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS

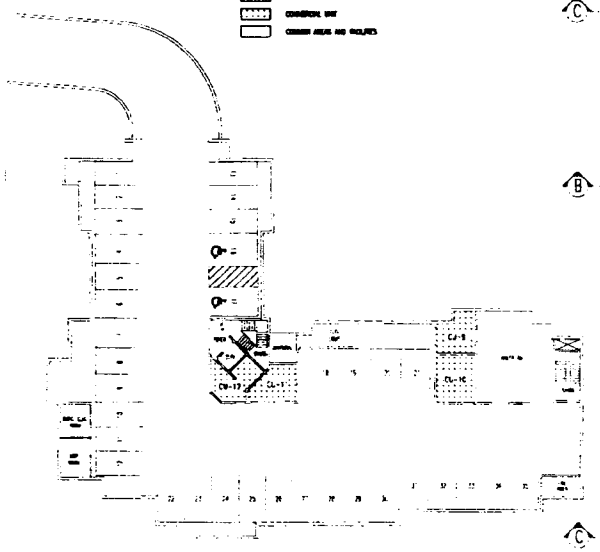
AN EXPANDABLE UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 15 & THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN

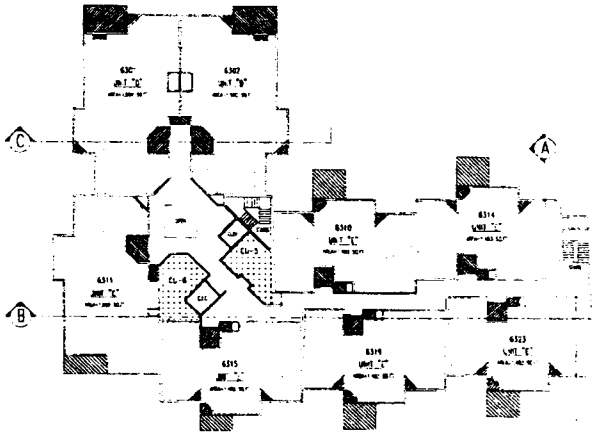
LEGEND



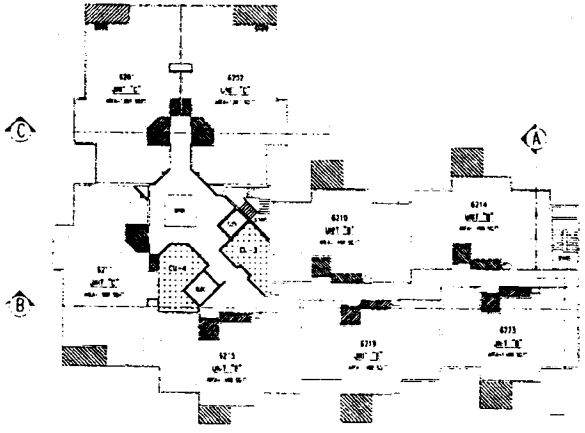
LEVEL ONE FLOOR PLAN



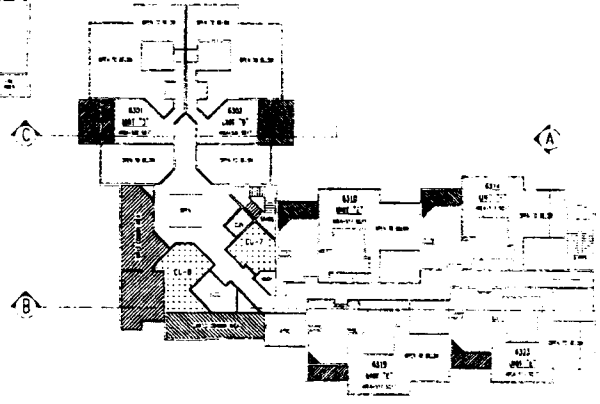
PARKING GARAGE FLOOR PLAN



LEVEL THREE FLOOR PLAN



LEVEL TWO FLOOR PLAN



LOFT FLOOR PLAN

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AND LAND SURVEYING, L.C.
PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES

SHEET 2 OF 4

THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

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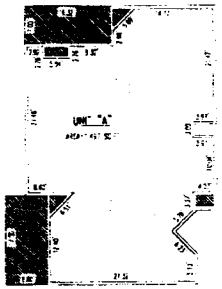
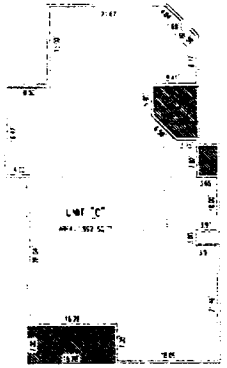
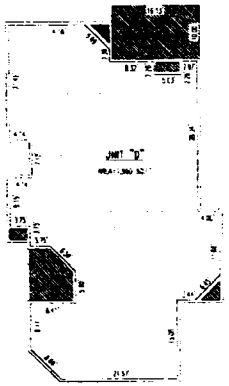


UNIT "A" FLOOR PLAN (TYP.)

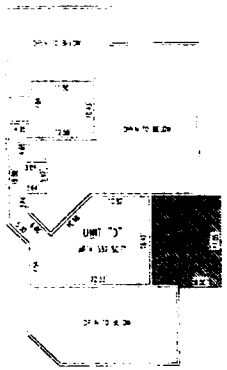
UNIT "B" FLOOR PLAN (TYP.)



UNIT "C" FLOOR PLAN

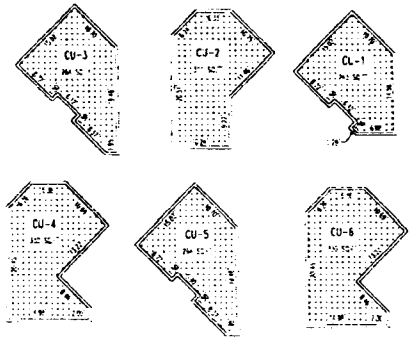


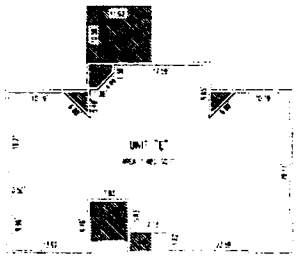
MAIN LEVEL FLOOR PLAN



UPPER LOFT LEVEL FLOOR PLAN

UNIT "D" FLOOR PLAN

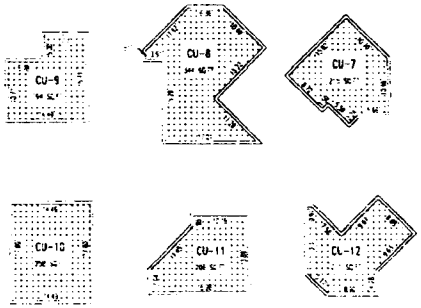


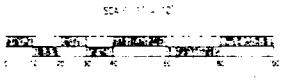


MAIN LEVEL FLOOR PLAN

UPPER LOFT LEVEL FLOOR PLAN

UNIT "E" FLOOR PLAN





LEGEND

- PRIVATE OWNERSHIP
- LIMITED COMMON AREAS AND FACILITIES
- COMMERCIAL UNIT
- COMMON AREAS AND FACILITIES

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PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES

SHEET 3 OF 4

THE LODGES CLUB AT DEER VALLEY CONDOMINIUMS

AN EXPANDABLE UTAH CONDOMINIUM PROJECT

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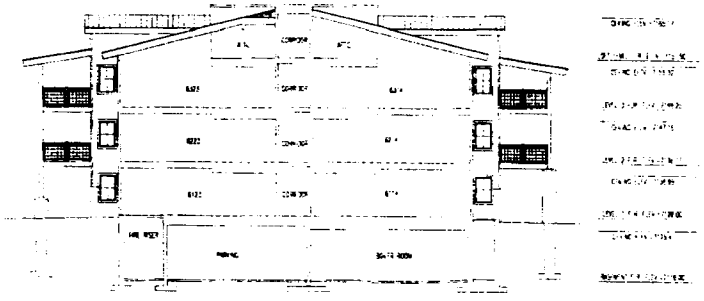
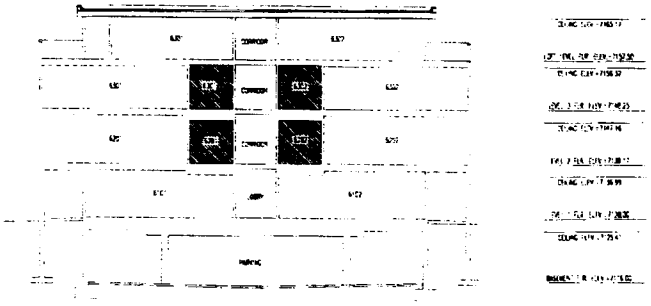
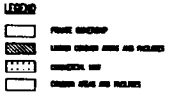


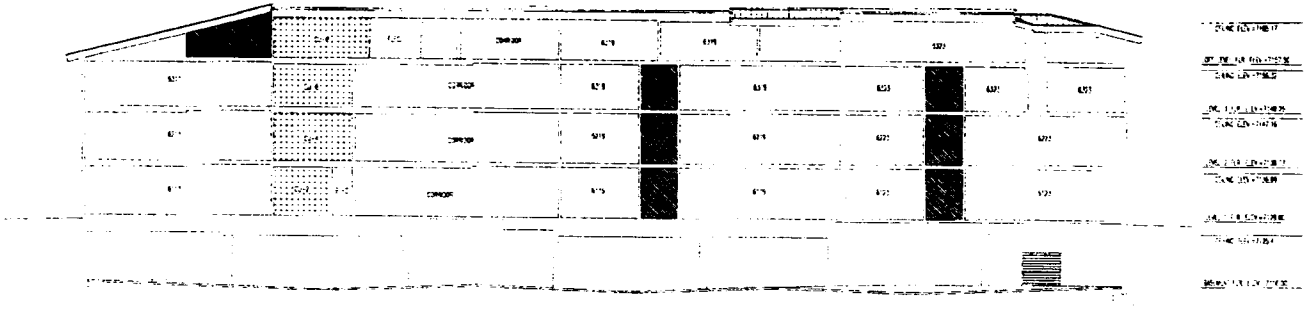
SECTION "A"



SECTION "C"

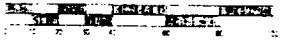
LEGEND





SECTION "B"

SCALE: 1" = 10'



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AND LAND SURVEYING, L.C.
PROFESSIONAL CIVIL ENGINEERING & LAND SURVEYING SERVICES

SHEET 4 OF 4

City Council Staff Report

PARK CITY 1881

PLANNING DEPARTMENT

Author: Kirsten Whetstone
Subject: 9 Hillside Avenue
Date: April 7, 2005
Type of Item: Administrative

RECOMMENDATION: Staff recommends the City Council conduct a public hearing, discuss the proposed plat amendment, consider any input, and approved the plat amendment according to the findings of fact, conclusions of law and conditions of approval outlined in the Ordinance.

DESCRIPTION

Project Name:	9 Hillside Avenue plat amendment
Applicant:	Steve Stanton
Location:	9 Hillside Avenue
Zone:	Historic Residential (HR-1)

BACKGROUND

The applicant is requesting a plat amendment to combine all of Lots 2, 3, 4, 16, 17, and 18 Block 19 of the Park City Survey into one lot of record. An existing historic house straddles the lot lines. The owner of the lots has submitted plans to remodel the existing house and a plat amendment is required to address the underlying property lines. The plat amendment would create a single 8,207 sf lot. The Planning Commission approved this plat amendment on June 25, 2003 and the City Council approved the plat amendment on July 10, 2003 but the plat was not recorded and has since expired. On February 2, 2005 the owner resubmitted the same plat and is requesting approval in order to begin construction on the remodel. On March 23, 2005 the Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council.

ANALYSIS

The property is located in the HR-1 zone. The proposed remodel of the house is an allowed use in the HR-1 zone provided it meets the criteria in LMC Chapter 15-2.2, and the Historic District Design Guidelines. The property has access from platted Hillside Avenue. The proposed lot complies with the LMC regarding lot size, arrangement, general dimensions, and access requirements.

There are existing encroachments onto Lots 4 and 16, consisting of a deck and a stone wall. The proposed plat includes two separate easements to accommodate these encroachments. These easements address concerns voiced by the adjoining property owners regarding the accuracy of the existing survey. The deck encroaches from 14 Prospect Avenue, but the stone wall is located completely on the subject property, but ownership of said wall is disputed, hence the easement.

The plat amendment combines 6 lots of varying sizes into one new lot, Lot 1, which contains 8,207 sf of lot area. Lot 1 will have frontage along platted Prospect Avenue, Marsac Avenue, as well as Hillside Avenue. Setbacks for Lot 1, as identified by the Planning Director, and measured from the property lines, would be as follows:

10' front yard setback from Prospect Avenue
10' front yard setback from Hillside and Prospect

12' side yard setback from adjacent properties to the south

The existing historic shed is a non-complying structure and is not required to comply with the required setbacks, provided it remains in the current location. Any new construction will be required to meet applicable code requirements.

No remnant lots are created by this proposal and the plat complies with applicable HR-1 District regulations.

NOTICE
Notice of this hearing was sent to property owners within 300' on March 9, 2005. Staff received a call from the property owner of the condominiums at 17 and 19 Daly who had questions about which lots were being combined but stated that she had no concerns regarding the plat amendment. A public hearing was conducted by the Planning Commission on March 23, 2005. There was no public input given at that hearing.

DEPARTMENT REVIEW
The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on March 1, 2005, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION
Staff recommends that the City Council conduct a public hearing and consider approving the plat amendment to combine all of Lots 2, 3, 4, 16, 17, and 18 Block 19 of the Park City Survey, according to the findings of fact, conclusions of law and conditions of approval as stated in the attached Ordinance.

EXHIBITS
Exhibit A – Proposed Plat Amendment
Exhibit B – Site Survey

Ordinance.

AN ORDINANCE APPROVING A PLAT AMENDMENT TO COMBINE ALL OF LOTS 2, 3, 4, 16, 17, and 18 of BLOCK 19 of the PARK CITY SURVEY, LOCATED AT 9 HILLSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of Lots 2, 3, 4, 16, 17,and 18 of Block 19 of the Park City Survey, located at 9 Hillside Avenue have petitioned the City Council for approval of plat amendment to combine these lots into one 8,207 sf platted lot of record; and

WHEREAS, there is an historic structure at 9 Hillside that straddles the existing lot lines; and

WHEREAS, the property owner wishes to remodel and construct an addition on to the existing historic structure; and

WHEREAS, there are existing encroachments onto existing Lots 4 and 16, consisting of a deck and stone wall and the amended plat includes two separate encroachment easements to accommodate said encroachments; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 23, 2005, to receive input on the proposed plat amendment; and

WHEREAS, the Planning Commission, on March 23, 2005, forwarded a positive recommendation to the City Council; and

WHEREAS, on April 7, 2005, the City Council held a public hearing and approved the proposed plat amendment; and

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

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

SECTION 1. APPROVAL. The plat amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will combine all of Lots 2, 3, 4, 16, 17, and 18 of Block 19 of the Park City Survey into one lot of record.
4. The proposed lot would consist of 8,207 square feet.
5. The plat amendment will not increase density on the lot.
6. The proposed lot has frontage along platted Prospect Avenue, Marsac Avenue, as well as Hillside Avenue.
7. No remnant lots will be created as a result of this application.

8. An historic single family residence is located on the property and straddles the existing property lines. The existing house would comply with the required setbacks for the new Lot 1.
9. There is an existing shed structure on existing Lots 3 and 4. This structure does not maintain the required setbacks and is considered a legal non-conforming structure.
10. An existing non-historic deck belonging to an adjacent property owner at 14 Prospect Avenue encroaches onto the subject property, specifically onto existing Lots 4 and 16.
11. An existing masonry retaining wall is located along the west side of the entire property as well as on existing Lot 16 between the houses at 9 Hillside and 27 Hillside.
12. The applicant is proposing to record two (2) separate easements as part of this plat amendment to accommodate the encroaching deck and the masonry retaining wall.
13. Required setbacks are 10' front yard setbacks from Prospect, Hillside, and Marsac Avenues and a 12' side yard setback along the side lot line adjacent to the properties to the south.
14. Parking, snow storage and construction staging is problematic in this neighborhood.
15. The property is within the Historic District and any new construction requires Historic Design review and approval.
16. On March 23, 2005, the Planning Commission conducted a public hearing. No public input was given at that hearing.

Conclusions of Law:

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable Historic District Design Guidelines.
3. All new construction shall comply with the HR-1 District Lot and Site Requirements in LMC Section 15-2.2-3, which may include a Conditional Use Permit for development on steep slopes if such new construction involves areas of 30% or greater slope.
4. Encroachment easements to resolve the encroaching deck and retaining walls are shown on the proposed plat.
5. No building permits, with the exception of interior remodels, shall be issued prior to final recordation of the plat at the County Recorder's Office.
6. Ten (10) foot non-exclusive snow storage easements shall be dedicated to the City on the plat along the property lines fronting Prospect, Hillside, and Marsac Avenues.
7. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's

time, this approval and the plat will be void.

8. The City Engineer shall review the slope, configuration and drainage pattern of any proposed driveway, as well as the utility plan for the property. No construction, grading, or construction staging is permitted within the Hillside Avenue, Prospect Avenue, or Marsac Avenue rights-of-way without prior approval from the City Engineer.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 7th day of April, 2005.

PARK CITY MUNICIPAL CORPORATION

_____

Dana Williams, MAYOR

ATTEST:

_____

Janet M. Scott, City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney

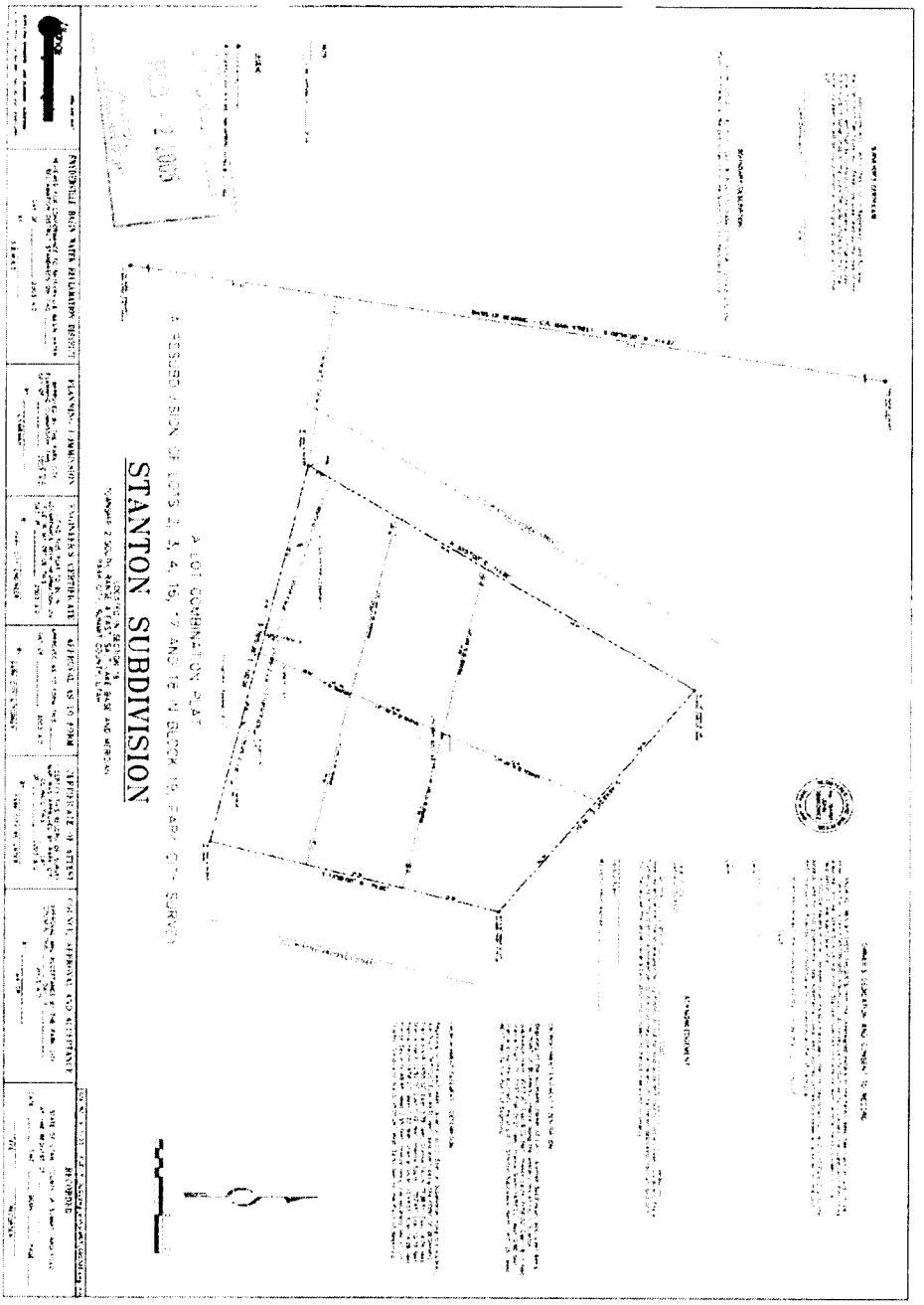


Exhibit A- 9 Hillside plat

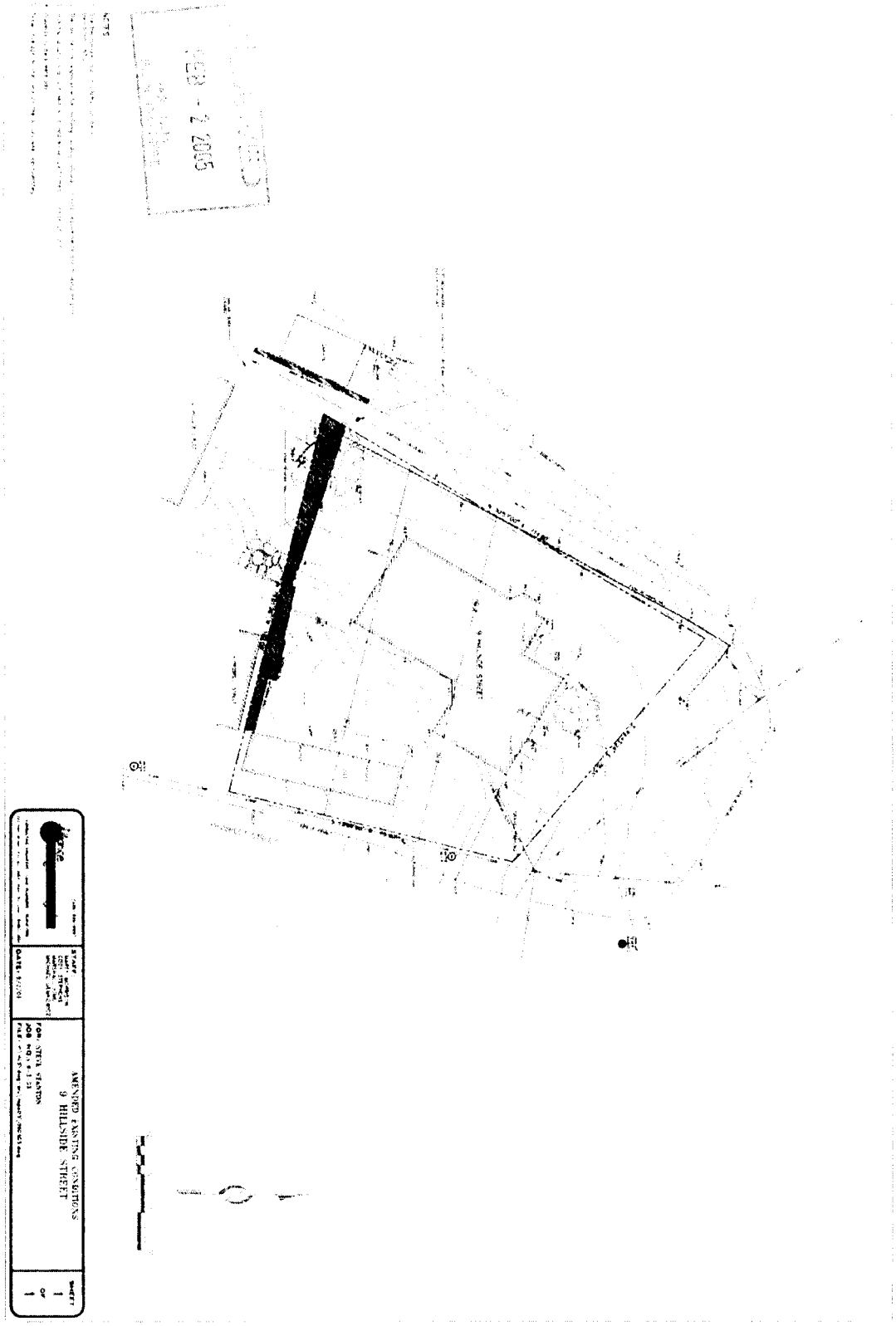


Exhibit B- 9 Hillside Existing Conditions

Planning Commission
Staff Report

PARK CITY 1884

PLANNING DEPARTMENT

Subject: **2180 / 2186 MONARCH DRIVE**
Date: **April 7, 2005**
Type of Item: **Condominium Conversion**

Summary Recommendation: Staff recommends that the City Council review the proposed condominium conversion, conduct a public hearing, take public input, and consider approving it according to the findings of fact, conclusions of law and conditions of approval attached to this staff report.

Description

Owner:	Steven Tourkin and Mike Gross
Location:	2180 / 2186 Monarch Drive
Proposal:	Condominium Conversion
Zoning:	Single Family (SF) zone
Adjacent Land Uses:	Residential
Planner:	Ray Milliner

Background
The applicants are the owners of two existing duplexes at 2180 and 2186 Monarch Drive. Each of the lots was platted as a duplex lot on the Prospector Village plat and constructed as such. The applicant is proposing to remove the lot line separating the two structures and create a four unit condominium project that would then enable the applicants to sell each unit separately. This application was reviewed by the Planning Commission on March 23, 2005 and a positive recommendation was forwarded to the City Council.

Analysis
This request is to create a four unit condominium from two existing duplexes. Staff has evaluated the overall project against the Land Management Code regulations for the SF District, and determined the proposed application complies as presented with requisite City codes, including setbacks, which are 10' in the front (for a garage) 15' in the rear and 5' on the sides; height, the buildings as built are approximately 33' above existing grade, the maximum height for a structure in the SF zone; and parking, two on site spaces are required for each unit, 8 are provided in a two car garage for each unit. No additional construction for the buildings is proposed at this time.

Notice
Notice of this hearing was sent to property owners within 300' on March 9, 2005. No formal comments have been filed at the time of this report.

Department Review
The Planning, Building and Planning Departments have reviewed this request. The City Engineer and City Attorney's Office will review the plat prior to recording. The request was discussed at a Staff Review Meeting on March 1, 2005, where representatives from City Staff were in attendance.

Recommendation
Staff recommends that the City Council review the proposed condominium conversion, conduct a public hearing, take public input, and consider approving it according to the findings of fact, conclusions of law and conditions of approval attached to this staff report.

EXHIBITS
A – Proposed Ordinance
B - Proposed Plat

Ordinance No. 05-

AN ORDINANCE APPROVING A PLAT AMENDMENT FOR THE PROPERTY AT 2180 AND 2182 MONARCH DRIVE, PROSPECTOR VILLAGE SUBDIVISION, PARK CITY, UTAH

WHEREAS, the owner of the property known as 2180 and 2182 Monarch Drive, has petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 23, 2005 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, the proposed plat amendment allows the property owner to modify the existing building pad; and

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

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

Findings of Fact

1. The property is located in the Single Family (SF) zone at 2180 and 2186 Monarch Drive.
2. The property is located on Lots 75 and 76 of the Prospector Village Subdivision.
3. There is an existing duplex on both lot 75 and lot 76.
4. Each of the lots was platted as a duplex lot on the Prospector Village Subdivision.
5. The Land Management Code requires setbacks of ten feet in the front, 15 in the rear and five feet on the sides for a structure of this size.
6. The structure meets the setback requirements.
7. There is no maximum square footage requirement for buildings in the Prospector Village Subdivision.
8. The project complies with the LMC requirements for maximum, height, and lot setbacks.
9. There are 8 parking spaces provided on site. Two for each unit.
10. The condominium conversion creates a 4 unit condominium project.
11. No additions or other structural changes are proposed as part of this plat.
12. No remnant lots are created as part of this application.
13. The condominium plat will allow the applicant to sell each unit separately.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this condominium plat.
2. This approval as conditioned is consistent with the Park City Land Management Code and applicable state law governing condominium plats.
3. This approval as conditioned does not adversely affect the health, safety, or welfare of the citizens of Park City.
4. Neither the public nor any person will be materially injured by this plat amendment.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the condominium plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recording
2. This approval shall expire one year from the date of City Council approval, unless this condominium plat amendment is recorded at the Summit County Recorder's office prior to that date.
3. All standard conditions of approval shall apply.
4. No utility reconstruction is approved. The CC&RS shall address utility billing for any shared utility services.

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

PASSED AND ADOPTED this 7th day of April 2005.

PARK CITY MUNICIPAL CORPORATION

_____

Dana Williams, Mayor

Attest:

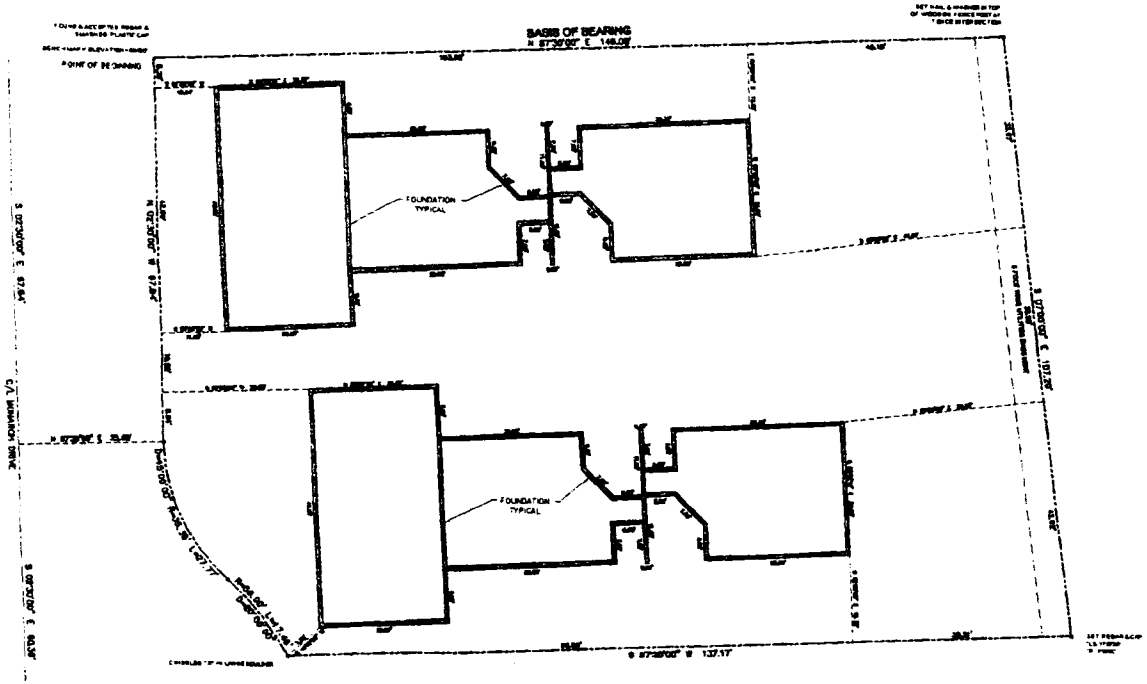
_____

Janet M. Scott, City Recorder

Approved as to form:

_____

Mark D. Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, Christopher R. Brown, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate no. 315284 as prescribed by the laws of the State of Utah, and that I have caused to be made a boundary retracement and by the authority of the owners, this Record of Survey Map of MONARCH CONDOMINIUMS OF PARK CITY, a Utah Condominium Project in accordance with the provisions of Section 57-8-13 of the Utah Condominium Ownership Act. I further certify the buildings and projects as shown conform

Christopher R. Brown L.S. 315284 Date

BOUNDARY DESCRIPTION

A.1 of Lot 75 and 76 of the Prospector Village Subdivision lying within the northeast quarter of Section 8, Township 2 South, Range 4 East, S.L.B.&M. Park City, Summit County, Utah, more particularly described as follows:

Beginning at the southwest corner of Lot 74 of said Prospector Village Subdivision, said point being the POINT OF BEGINNING; thence S 00°30'00" E, a distance of 148.88 feet; thence S 87°30'00" E, a distance of 107.30 feet; thence S 00°30'00" W, a distance of 137.17 feet to the point of curve of a non tangent curve to the left, of which the radial point bears South 82°30'32" West; a radial distance of 55.00 feet; thence northwesterly along the arc of said curve, through a central angle of 28°32'28", a distance of 17.46 feet to a point of reverse curve to the right having a radius of 35.00 feet and a central angle of 48°00'00"; thence northwesterly along the arc of said curve, a distance of 27.77 feet; thence north 62°30'00" West, a distance of 67.94 feet to the POINT OF BEGINNING. Containing 16,875 Sq. Feet or 0.388 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: that the undersigned, Brian C. Taustin and Mark A. Gross with resident to sit unitized 50 % interest each as tenant in common, owners of the tract of land described hereon as the MONARCH CONDOMINIUMS OF PARK CITY, a Utah Condominium Project, located on said tract of land, have caused a survey to be made and this Record of Survey Map to be prepared, do hereby give it their consent to the recordation of this Record of Survey Map and submit the property to the Utah Condominium Ownership Act. Further, the owners do hereby irrevocably offer for dedication to Park City Municipal Corporation, the Snyderville Basin Water Reclamation District, the Park City Fire Protection District, a non-exclusive easement over the utility easements, public trail easements, and snow storage easement shown on this plat for the purposes of providing access for utility installation, maintenance, use and eventual replacement, and for trail use by the general public, in accordance with an approved offer of dedication. The owners further certify all buildings are built as shown.

In witness whereof, the undersigned have hereunto set their hands on this _____ day of _____, 2005.

By _____
Brian C. Taustin

By _____
Mark A. Gross

ACKNOWLEDGMENT

State of _____)
) ss
County _____)

On this _____ day of _____, 2005, personally appeared before me the undersigned Notary Public, in and for the said State and County, Brian C. Taustin, who after being duly sworn, acknowledged to me that he is an owner of the herein described tract of land, and that he has personally signed the day and year above set forth.

_____
Notary Public
My Commission expires _____

ACKNOWLEDGMENT

State of _____)
) ss
County _____)

On this _____ day of _____, 2005, personally appeared before me the undersigned Notary Public, in and for the said State and County, Mark A. Gross, who after being duly sworn, acknowledged to me that he is an owner of the herein described tract of land, and that he has personally signed the day and year above set forth.

_____
Notary Public
My Commission expires _____

NOTES

1. FLOOR PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWING PROVIDED BY HEALH SORENSEN DESIGNER, AND FIELD VERIFIED.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL FOUNDATION WALLS MEASURE 6.67 FEET AND ALL EXTERIOR WALLS MEASURE 0.50 FEET UNLESS OTHERWISE INDICATED.
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
6. BENCHMARK: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
7. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERPENDICULAR.
7. ALL UNITS MAY ADD AN AIR CONDITIONING CONDENSOR TO THE COMMON OWNERSHIP AREA.

LEGEND

S.F. REPRESENTS SQUARE FEET
FP REPRESENTS FIREPLACE
● SET REBAR & CAP LS# 173736 (UNLESS OTHERWISE NOTED)

COMMON OWNERSHIP
PRIVATE OWNERSHIP
EXPANDABLE PRIVATE OWNERSHIP
LIMITED COMMON OWNERSHIP

10 0 10 20 FEET

RECORD OF SURVEY MAP

MONARCH CONDOMINIUMS OF PARK CITY

A UTAH CONDOMINIUM PROJECT

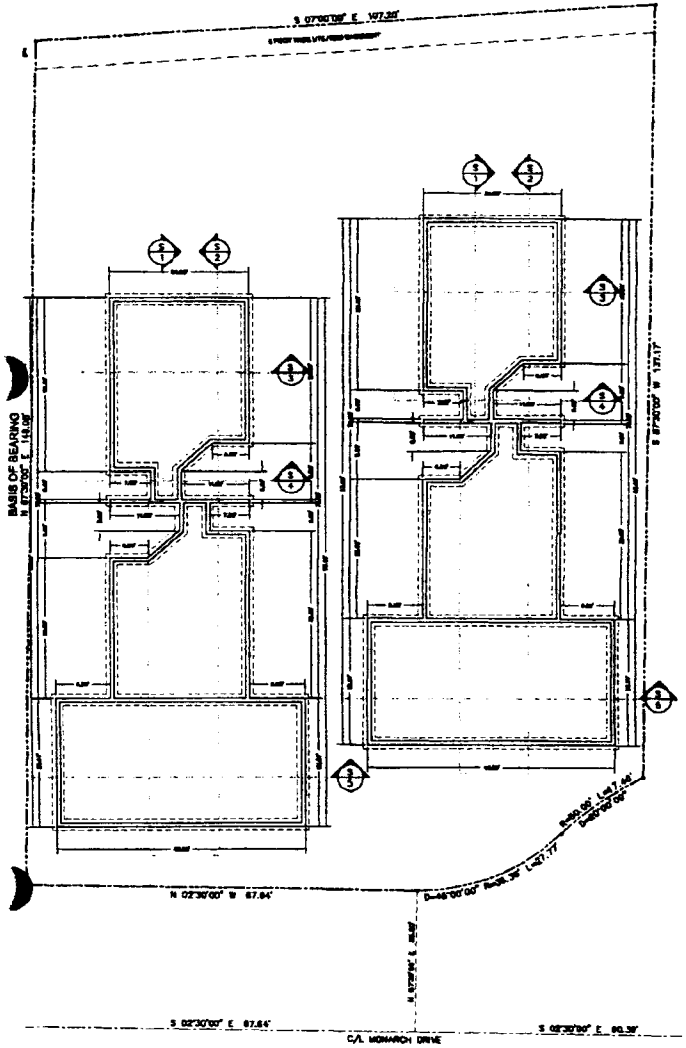
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Recorded concurrently herewith is the Declaration of Homeowners of Monarch Condominiums of Park City

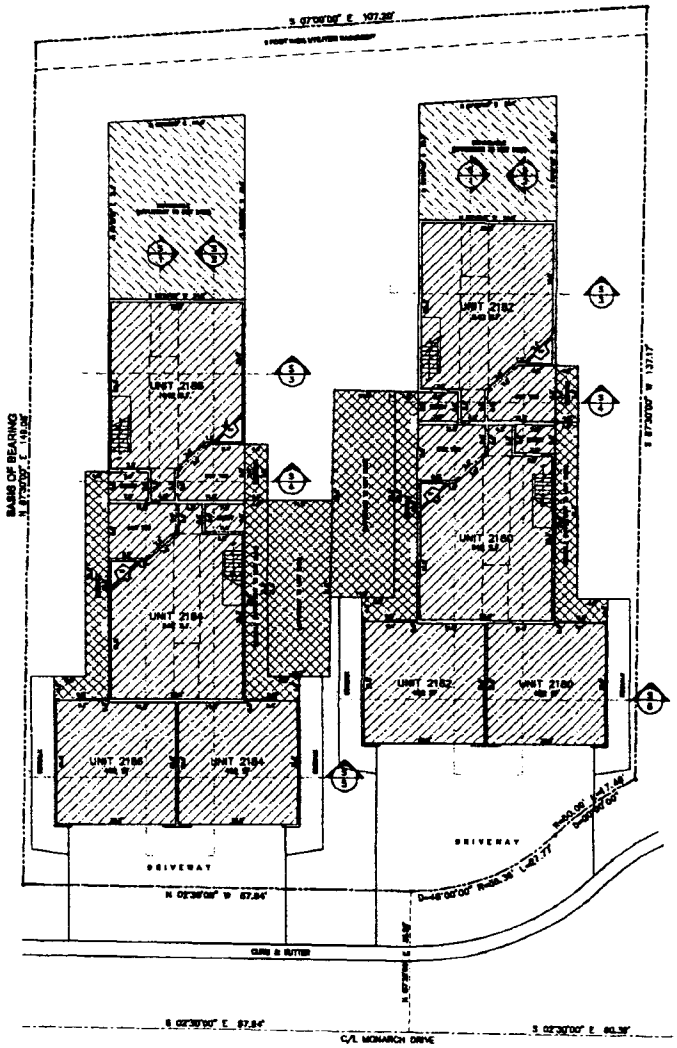
Job No: 2-12-04 File: Taustin-P1

PAGE 1 OF 3

PARK CITY SURVEYING, INC	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
2541 SIDEWINDER DRIVE SUITE I P.O. BOX 3033 PARK CITY, UTAH 84060 (435) 649-2919	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____ 2005 A.D. BY: _____ SBWRD	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF _____ 2005 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____ 2005 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF _____ 2005 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____ 2005 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____ 2005 A.D. BY _____ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER



FOUNDATION PLAN



MAIN LEVEL PLAN

LEGEND

S.F. REPRESENTS SQUARE FEET

FP REPRESENTS FIREPLACE

SET REBAR & CAP (unless otherwise noted)

SQUARE FOOTAGE TABLE

UNIT NUMBER	LEVEL 1	LEVEL 2	TOTAL	EXPANDABLE
UNIT 2160	1232	753	1985	
UNIT 2162	1232	753	1985	506
UNIT 2164	1232	753	1985	
UNIT 2166	1232	753	1985	753

COMMON OWNERSHIP

PRIVATE OWNERSHIP

EXPANDABLE PRIVATE OWNERSHIP

LIMITED COMMON OWNERSHIP

NOTES:

1. FLOOR PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWING PROVIDED BY NEIL H. SORENSEN DESIGNER AND FIELD VERIFIED
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES
3. ALL FOUNDATION WALLS MEASURE 0.67 FEET AND ALL EXTERIOR WALLS MEASURE 0.50 FEET, UNLESS OTHERWISE INDICATED
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS
5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP
6. BENCHMARK: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL
7. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERPENDICULAR
7. ALL UNITS MAY ADD AN AIR CONDITIONING CONDENSOR TO THE COMMON OWNERSHIP AREA

RECORD OF SURVEY MAP

MONARCH CONDOMINIUMS OF PARK CITY

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

Pursuant and subsequently recorded to the Declaration of Condominium of Monarch Condominiums of Park City.

SHEET 2 OF 3

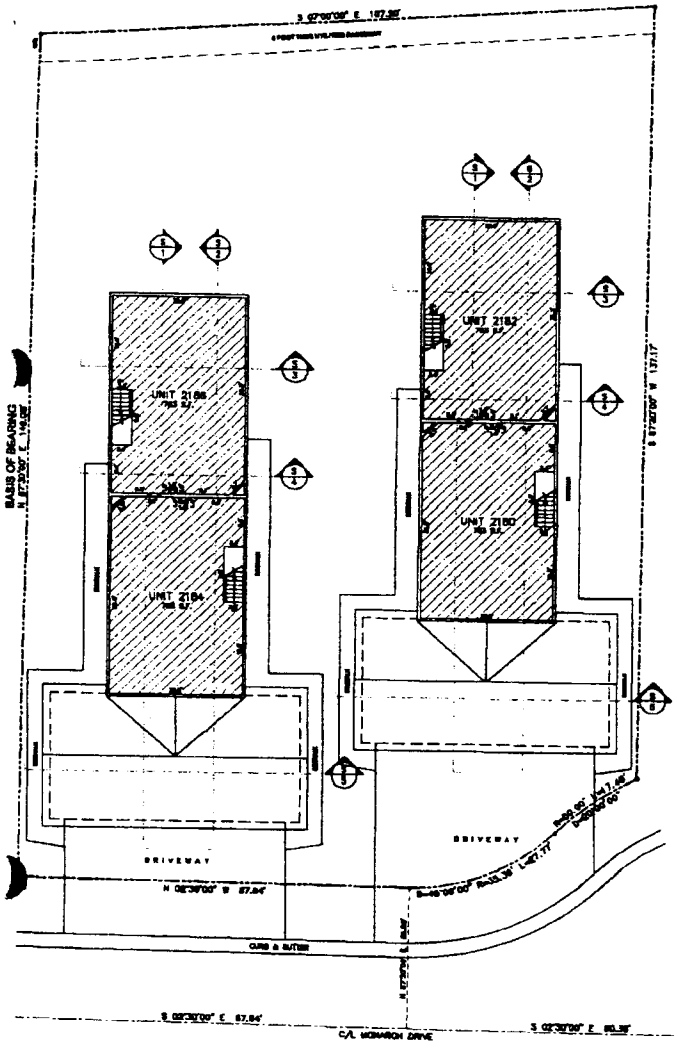
Job No: 2-12-04 File: Tourkin-p2

RECORDED

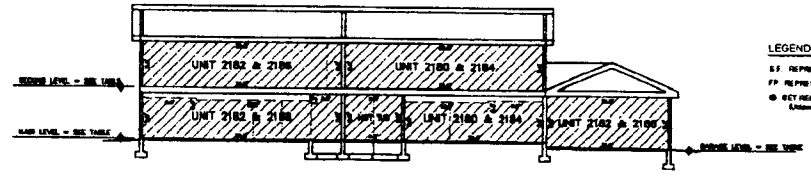
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

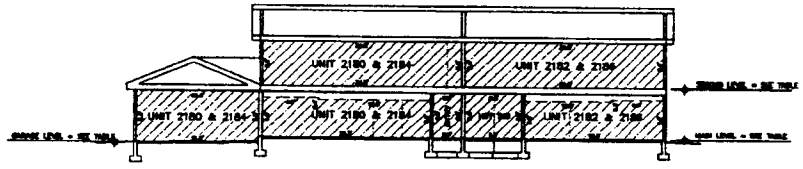
FEE _____ RECORDER _____



SECOND LEVEL PLAN



SECTION "1"



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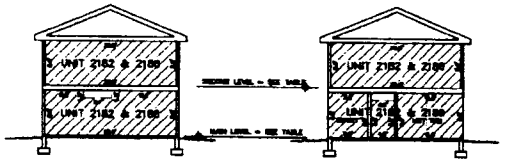

SECTION "3" SECTION "4"

SECTION "5"

LEGEND

S.F. REPRESENTS SQUARE FEET
FP REPRESENTS FIREPLACE
● SET REBAR & CAP LS#173736 (Unless otherwise noted)

FLOOR ELEVATION TABLE

UNIT NUMBER	MAIN LEVEL	SECOND LEVEL	GARAGE LEVEL
UNIT 2180	6642.5	6951.6	6641.5
UNIT 2182	6642.5	6951.6	6641.5
UNIT 2184	6642.5	6951.5	6641.5
UNIT 2186	6642.5	6951.5	6641.5

SQUARE FOOTAGE TABLE

UNIT NUMBER	LEVEL 1	LEVEL 2	TOTAL	EXPANDABLE
UNIT 2180	1232	763	1995	
UNIT 2182	1232	763	1995	763
UNIT 2184	1232	763	1995	
UNIT 2186	1232	763	1995	763

COMMON OWNERSHIP
PRIVATE OWNERSHIP
EXPANDABLE PRIVATE OWNERSHIP
LIMITED COMMON OWNERSHIP

NOTES

1. FLOOR PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWING PROVIDED BY NEIL H. SORENSEN, DESIGNER, AND FIELD VERIFIED.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL FOUNDATION WALLS MEASURE 8.67 FEET AND ALL EXTERIOR WALLS MEASURE 8.58 FEET, UNLESS OTHERWISE INDICATED.
4. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
5. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
6. BENCHMARK: SEE SHEET 1 OF 3 FOR LOCATION AND ELEVATION. ALL FLOOR ELEVATIONS ARE ABOVE SEA LEVEL.
7. UNLESS OTHERWISE INDICATED, ALL BUILDING TIES TO PROPERTY LINE ARE PERPENDICULAR.
7. ALL UNITS MAY ADD AN AIR CONDITIONING CONDENSOR TO THE COMMON OWNERSHIP AREA.

RECORD OF SURVEY MAP

MONARCH CONDOMINIUMS OF PARK CITY

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SHEET 3 OF 3

Job No: 2-12-04 File: Tourtin-p3

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

City Council Staff Report

Budget, Debt and Grants

Author: Phyllis McDonough Robinson
Subject: Historical Society Lease Amendment
Date: April 7, 2005
Type of Item: Administrative

Summary Recommendations:
Review and approve the lease amendment for additional space within the Old City Hall Building located at 528 Main Street to the Park City Historical Society.

Description:

A. Topic:
Lease amendment for additional rental space Old City Hall Building to the Park City Historical Society.

B. Background:
The Park City Historical Society has a 99 year lease with the City for certain space located at 528 Main Street. The lease includes terms allowing the Historical Society to acquire additional space within the building at the time it becomes available for lease. The lease for the 2nd Floor space occupied by Strachan and Strachan Law Offices expires on March 31, 2005. Park City Historical Society wishes to exercise its right-of-first refusal for this additional space, which will add approximately 870 square feet to the Historical Society's current lease.

C. Analysis:
The Historical Society has been working on a long-term plan to increase their presence in the community and increase private funding support. The increase in rental space for museum expansion is a key component of this strategy. The current Special Service Contract between Park City Municipal Corporation and the Park City Historical Society outlines milestones that must be met in order for the Park City Historical Society to exercise its right-of-first refusal. The organization has exceeded its fund raising milestone.

Performance goals related to submittal of plans to the building department have been modified to reflect a more comprehensive planning process. Initial performance goals indicated a submission date of 2004. More recently, the Park City Historical Society has taken a step back from the development of building or renovation plans in order to more fully analyze its exhibit, programming, education and administrative space needs prior to developing building renovation and/or expansion plans. It is anticipated that this milestone will be met in summer 2005. This will be reflected in any future Special Service Contracts

The proposed lease amendment will further Council's goal of economic development and cultural tourism by preserving and expanding the museum's role on Main Street.

D. Department Review:
Legal, City Manager, Planning and Budget, Debt and Grants have reviewed this staff report.

Alternatives:

A. Approve the Request:
Approve the lease amendment and allow the Historical Society to expand into the 2nd floor space at 528 Main.

B. Modify the Request:
Modify the terms and approve the lease, allowing the Historical Society to lease the space at 528 Main Street.

C. Deny the Request:
Deny the lease, thereby requiring the Historical Society to relocate the museum.

D. Continue the Item:
The City Council may continue the item for more information and discussion.

Significant Impacts:
The proposed First Amendment to the Lease binds future Councils in leasing the additional space to the Historical Society. This would prevent future municipal use of the additional space until the lease expired or until the lease is otherwise lawfully terminated.

All discussions regarding the Special Service Contract and the City's contribution contemplated forgone rent. No capital improvement costs will be contributed by the City for the improvement of the additional space.

Consequences of not taking the recommended action:
The Historical Society would need to either abandon/delay their planned expansion or relocate the museum, which could mean that the museum would no longer be located on Main Street.

Recommendation: Approve the First Amendment to the Lease allowing the Park City Historical Society to occupy additional space within the Old City Hall Building located at 528 Main Street.

Exhibits:
Exhibit A – First Amendment to Lease Agreement

EXHIBIT A

FIRST ADDENDUM TO PARK CITY MUNICIPAL CORPORATION AND PARK CITY HISTORICAL SOCIETY LEASE AGREEMENT

THIS FIRST ADDENDUM is made and entered into in duplicate this ____ day of March, 2005, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation and political subdivision of the State of Utah ("Landlord"), and PARK CITY HISTORICAL SOCIETY, ("Tenant") to amend the Lease Agreement executed by both Parties on September 11, 2003.

WITNESSETH:

WHEREAS, the parties entered into a long term Lease Agreement on September 11, 2003 (hereinafter "Original Agreement") for certain property located within the Old City Hall Building, 528 Main Street, Park City, Utah; and

WHEREAS, the parties desire to amend the Original Agreement to include additional leased space on the second floor of the same building,

NOW, THEREFORE, in consideration of the mutual promises made herein and other valuable consideration, the parties hereto now amend the Original Agreement as follows:

1. **PROPERTY**. The additional space leased is on the second floor of the Old City Hall, having a street address of 528 Main Street, Park City, Utah (hereinafter "Additional Space"). The Additional Space contains approximately 480 square feet of office area and 390 square feet of common area for a total of approximately eight hundred and seventy (870) gross square feet with access through the first floor and stairs.

2. **TERM**. The Lease term, for the Additional Space shall commence upon execution and shall run concurrently with the Term of the Original Agreement unless sooner terminated under the provisions of the Original Agreement or by joint agreement of the parties.

3. **RENT**. The base rent for the Additional Space shall be Fourteen Thousand Two Hundred Eighty-Seven Dollars and Ninety-One Cents ($14,287.91) per year. Rent payments shall be waived until July 1, 2005. Payment of the rental fees after July 1, 2005 may be waived subject to the annual approval of a Special Service Contract by the City Council of Park City. The annual rent for the space shall increase 3% on July 1st of each year with the increase beginning on July 1, 2006. Rent payments shall be due by the first of the month.

4. **TENANT IMPROVEMENTS.** The Tenant agrees to install, at its own expense, all specialized equipment and displays needed for the operation of its museum and future exhibitions, offices and other facilities it may require. This includes any additional partitioning, specialized or additional electrical and mechanical equipment, air conditioning, internal heating, and any other tenant improvements that are necessary for the Tenant's intended use of the space. Any tenant

improvement items that can be removed at the end of the lease without causing substantial damage to the remaining walls, ceilings, or other finishes may be removed by the Tenant at the termination or expiration of the lease. All work done by the Tenant must comply with the applicable building codes including but not limited to the Park City Land Management Code, International Building Code, applicable ADA requirements, Historic District Guidelines, use of a competitive and open selection process, although price need not be the sole determining factor; use of standard public contract protections including: payment and performance bonds, insurance, payment retention, liquidated damage and construction mitigation plans.

5. **OTHER TERMS**. All other terms and conditions of the Original Agreement shall continue to apply generally and specifically to the Additional Space.

6. **ENTIRE AGREEMENT**. This First Addendum is a written instrument pursuant to Paragraph 25 of the Original Agreement cannot be altered or amended except by written instrument, signed by both parties.

IN WITNESS WHEREOF the parties hereto have caused this First Addendum to be executed the day and year first herein above written.

PARK CITY MUNICIPAL CORPORATION

_____
Dana Williams, Mayor

Attest:

_____
Janet M. Scott, City Recorder

Approved as to form:

_____
City Attorney's Office

PARK CITY HISTORICAL SOCIETY, INC.

_____
Linda McReynolds, Board President

ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this ___ day of _____, 2005, personally appeared before me Linda McReynolds, who being duly sworn, did say that she is the Board President for the Park City Historical Society, Inc., and acknowledged to me that the preceding First Addendum was signed on behalf of said Park City Historical Society, Inc, and she acknowledged that the Park City Historical Society did execute the same for its stated purpose.

_____
Notary Public

City Council
Staff Report

Author: Colin Hilton
Subject: Quinn's Recreation Complex
Hogan Construction Contract Addendum
Early Mobilization prior to GMP establishment
Date: 3-24-05
Type of Item: Award of Contract

Summary Recommendation - Staff recommends approval of an Addendum to the existing Hogan & Associates Construction Agreement in a form to be approved by the Legal Department in the amount of $ 1,304,703.

Description:

A. Topic: Quinn's Rec. Complex – Hogan Construction Contract Addendum

B. Background:

At a November 18, 2004 meeting, City Council approved:

1. A modification to the City's Contracting and Purchasing Policy to allow the "CMGC – (Construction Manager / General Contractor)" form of construction contract
2. A CMGC Construction Agreement with Hogan & Associates for work associated with the Quinn's Recreation Complex

The CMGC Construction Agreement with Hogan & Associates allowed the City to involve the Construction Manager/General Contractor (Hogan) in the design stage of the project that directly led to modifications to the design based on "constructability reviews, construction market knowledge, and value engineering efforts to get the most out the funds targeted for the project. This has worked very well, especially given our tight budget and escalating construction costs.

<u>The process Staff followed to choose Hogan & Associates is summarized below:</u>

A selection committee comprised of eight people (Charlie Wintzer, Rex Dabling, Grant Thomas, Ron Ivie/Roger Evans, Matt Twombly, Bonnie Park, and Colin Hilton) met to review proposals and interview short-listed forms for the designation of the Construction Manager / General Contractor for the Quinn's Recreation project. Our rigorous process selected Hogan & Associates Construction, Inc. as the most qualified firm to oversee the construction of this project.

The following summarizes the process to choose the Quinn's Recreation Complex CMGC:

1. A 14-page RFQ-RFP was made available starting September 15, 2004 and was advertised in two successive printings of both the Salt Lake Tribune and the Park Record. The RFQ-RFP Advertisement Dates were between September 11 – September 15, 2004.

2. Downloadable copies were available at the City's website starting on September 15th. Additionally, instructions for faxed copies, emailed copies, or hard copies for pick-up were outlined in the notice.

3. A non-mandatory pre-submittal meeting was held on Thursday, September 23, 2004, 9:00 am, at City Hall, Council Chambers, 445 Marsac Avenue, Park City, UT 84060. This allowed prospective firms to better understand the proposed project and requested services.

4. Nine (9) Proposals were submitted by our due date of Tuesday, October 5, 2004, 3:00 pm. They included the following firms: Big-D Construction, Heil Construction, Sahara Construction, Hogan & Associates Construction, Inc., Okland Construction, Layton Construction, Inter-West Construction, Cal Wadsworth Construction, and Jacobsen Construction.

5. Copies of the proposals, evaluation sheets, and instructions were circulated to the Selection Committee for review prior to our first meeting. The first selection committee meeting took place on Friday, October 8, 2004, 9:00 am at City Hall.

The selection committee discussed the proposals and provided their top three picks based on their individual interpretation of the selection criteria outlined in the RFQ-RFP and instructions provided in how to complete the evaluation sheet.

The selection committee short-listed the top four (4) ranked firms; Sahara, Hogan, Layton, and Jacobsen based on the committee's collective votes tallies.

6. Notice was sent to all firms on Friday afternoon, October 8th. The faxed letter stated whether a firm was short-listed and moved into the second phase of selection or whether the firm had been eliminated from the selection process.
7. By Wednesday, October 20, 2004 - 2:00pm, all short listed firms (Sahara, Hogan, Layton, and Jacobsen) had submitted a requested Preconstruction Services and Construction Services Fee Proposal Work Plan to City Hall. Copies were distributed to selection committee members the following day.
8. Short-listed firms came into City Hall for oral interviews on Friday, October 22, 2004. Interviews were held as follows: 8:00am-Layton, 9:00am Sahara, 10:00am Hogan, 11:00am Jacobsen.
9. Discussion and evaluation following the interviews produced two clear "leading candidates" for the desired selection. They were Hogan & Layton. Each had excellent presentations and qualifications to do the job well. The selection committee reviewed pricing and fee proposal data as an additional selection criteria category.
10. Further discussion amongst the selection committee honed in on dissecting the last selection criteria outlined in the RFQ-RFP, that being the Preconstruction &

Construction Services Work Plan. The distinguishing factors within that criteria of the Preconstruction & Construction Services Work Plan included:

a. Pricing & Proposed fees
b. Proposed Staff Quality
c. Proposed Staff Experience

After careful review and discussion, the selection committee overwhelmingly chose Hogan Construction as the choice to be the City's CMGC for the Quinn's Recreation Complex project. Also note that Hogan submitted the lowest proposed fee.

A copy of the original Agreement is available upon request.

Services Outlined in the original Agreement:

Preconstruction services, in the amount of $22,080 covered costs associated with:

1. Reviewing the schematic design documents for constructability, construction logic, clarity, scope and logistics. Attendance at weekly design meetings and input on schedule, budget, and constructability.
2. Creating and updating a "project schedule."
3. Providing cost estimates on a "as needed basis," along with a required full estimate after the Design Development set of drawings.
4. Preparation of bid package announcements and the process to pre-qualify subcontractors and administer the bid process.

C. Analysis

The City Council's approval of the Hogan & Associates CMGC Contract in November of 2004 only committed funds associated with the "Pre-construction services" as outlined above.

The Contract Agreement outlined a process to provide a Guaranteed Maximum Price (or GMP) at a time later in the design process. As we have now completed the project design and are receiving subcontractor bids for work, an overall GMP is currently being developed.

Through a future contract "Amendment #1," approved by the City Council, PCMC and Hogan Construction will negotiate and come to agreement on fees associated with work designed by the Architect of Record (Sports Design Alliance).

The ideal scenario is that Staff brings forth to City Council, one overall Amendment to the Agreement that has the entire GMP outlined. In this approach, all questions about pricing are addressed in one City Council review. An alternative to this, as Staff is requesting, is to approve an initial Addendum for work related to getting the General Contractor mobilized and started with early construction efforts. For the Quinn's Recreation Complex project, Staff is targeting a rink opening as early in the Winter'05-'06 as possible to take advantage of the typical spike in ice rink interest during an

Olympic year. This translates to higher revenue collections and better probabilities of getting the community interested in using the ice facility.

The following is a summary of the current proposed Activity / Construction schedule:

April 7th - Council review of proposed Addendum (Mobilization, Earthwork, and Building concrete)
April 14th – CMGC receipt of subcontractor bids necessary to complete a GMP
April 15th – Target date – Notice to Proceed (NTP) for Addendum work
April 18th - Target construction start date
April 28th - Council review of proposed Amendment #1 (GMP with available funds)
Fall 2005 - Possible Council review of Amendment #2 ("Finishes" and phased construction work that was not previously funded)
Feb 1, 2006 – Target completion date
Feb 10, 2006 - Rink Grand Opening – (tied to opening of the 2006 Winter Olympics, Turin, Italy)
July 15, 2006 - Target completion and opening of outdoor fields (Triple Crown)

Hogan construction, acting as the selected CMGC for the City, posted advertisements for subcontractor bids in the March 9th and 12th Park Record editions, the March 10th Deseret News/Salt Lake Tribune, and March 14th Intermountain Contractor media outlets. Pre-Qualification criteria were required for certain trades. Per our Agreement with Hogan & Associates Construction, they followed our City Policies and requirements for soliciting subcontractor bids.

The "critical path" cost items of Contractor General Conditions/Mobilization, Rink Earthwork, and Rink Building Concrete were assembled and reviewed by the City Staff and GTCI consultant Grant Thomas the week of March 28th. The following details the pricing outlined for the proposed Addendum:

General Conditions (pro-rata portion)	$ 41,640
Rink Earthwork Bid	$ 80,147
Rink Concrete Bid	$ 1,113,093
CM Fee	$ 11,932
Total Bond (perf. & payment)	$ 42,975
Contingency (pro-rata portion)	$ 14,916
Total =	$ 1,304,703

The total amount for the Addendum, as outlined above, is for work related only to the rink facility. When Staff returns on April 28th, costs associated with the Fields and other buildings in the complex will be covered in those numbers. Total estimated construction costs (funded) for the entire project is $6.9 million dollars.

D. Department Input & Review: This report has input and comments from the following departments: Economic Development & Capital Projects, Legal Department, Budget Manager, City Engineer, and City Manager's Office.

E. Alternatives:

A. **Approve the Proposed Addendum to the Hogan Construction Contract: (Staff recommendation)**
B. **Modify the Requested Actions:**
C. **Deny the Request:**
D. **Continue the Item:**
E. **Do Nothing:**

F. Significant Impacts / Consequences of not taking the recommended actions:
A delayed action would negatively impact the project schedule.

Staff Recommendation: Staff recommends approval of an Addendum to the existing Hogan & Associates Construction Agreement in a form to be approved by the Legal Department in the amount of $ 1,304,703.

Attached Exhibit: Hogan & Associates Contract Addendum

ADDENDUM – AUTHORIZATION FOR EARLY MOBILIZATION
TO STANDARD FORM OF AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER

Pursuant to Terms of the Agreement between Owner (Park City Municipal Corporation) and Construction Manager (Hogan & Associates Construction) dated December 22, 2004, for construction of the Quinn's Recreation Complex, the Owner and the Construction Manager establish a not to exceed price for the Work as set forth below:

ARTICLE I
SCOPE OF WORK - NOT TO EXCEED PRICE

The Construction Manager will perform the following Work with a Not-to-Exceed fee of One Million Three hundred and four thousand seven hundred and three Dollars ($1,304,703).

General Conditions (pro-rata portion)	$ 41,640
Rink Earthwork Bid	$ 80,147
Rink Concrete Bid	$ 1,113,093
CM Fee	$ 11,932
Total Bond (perf. & payment)	$ 42,975
Contingency (pro-rata portion)	$ 14,916
Total =	$ 1,304,703

This Price is for the performance of the Work in accordance with the "Addendum Proposal" dated April 4, 2005, from Hogan & Associates Construction and incorporated herein by this reference as "Addendum – April 4, 2005").

ARTICLE II
CONTRACT TIME

The Construction Manager acknowledges that the Substantial Completion Date is January 30, 2006 and the Final Completion Date is February 24, 2006.

OWNER:

By:_____

Date:_____

Attest: _____

CONSTRUCTION MANAGER

By: _____

Date:_____

Attest: _____

City Council
Staff Report

Author: Colin Hilton
Subject: Downtown Improvements, Parking Structure
Jacobsen Construction, Inc. Contract Addendum
Early Mobilization prior to GMP establishment
Date: 3-24-05
Type of Item: Award of Contract

Summary Recommendation - Staff recommends approval of an Addendum to the existing Jacobsen Construction, Inc. Agreement, in a form to be approved by the Legal Department, for work related to the Downtown Parking Structure in the amount of $127,024.

Description:

A. Topic: Downtown Improvements, Jacobsen Contract Addendum

B. Background:

At a December 2, 2004 meeting, City Council approved:

1. A CMGC Construction Agreement with Jacobsen Construction, Inc. for work related to our City Downtown Improvements.

The CMGC Construction Agreement with Jacobsen allowed the City to involve the Construction Manager/General Contractor (Jacobsen) in the design stage of the project that directly led to modifications to the design based on "constructability reviews, construction market knowledge, and value engineering efforts to get the most out the funds targeted for the project. This has worked very well, especially given our tight budget, complex work area in Swede Alley and escalating construction costs.

<u>The process Staff followed to choose Jacobsen Construction is summarized below:</u>

A selection committee comprised of eight people (Charlie Wintzer, Rex Dabling, Grant Thomas, Ron Ivie/Roger Evans, Jonathan Weidenhamer, and Colin Hilton) met to review proposals and interview short-listed forms for the designation of the Construction Manager / General Contractor for the Downtown Projects. Our rigorous process selected Jacobsen Construction, Inc. as the most qualified firm to oversee the construction of this project.

The following summarizes the process to choose the Downtown Projects CMGC:

1. A 14-page RFQ-RFP was made available starting September 15, 2004 and was advertised in two successive printings of both the Salt Lake Tribune and the Park Record. The RFQ-RFP Advertisement Dates were between September 11 – September 15, 2004.

2. Downloadable copies were available at the City's website starting on September 15th. Additionally, instructions for faxed copies, emailed copies, or hard copies for pick-up were outlined in the notice.

3. A non-mandatory pre-submittal meeting was held on Thursday, September 23, 2004, 10:00 am, at City Hall, Council Chambers, 445 Marsac Avenue, Park City, UT 84060. This allowed prospective firms to better understand the proposed project and requested services.

4. Nine (9) Proposals were submitted by our due date of Tuesday, October 5, 2004, 3:00 pm. They included the following firms: Layton, Sahara, Okland, Wadman, Big-D, Cal Wadsworth, Gramoll, Hogan, and Jacobsen.

5. Copies of the proposals, evaluation sheets, and instructions were circulated to the Selection Committee for review prior to our first meeting. The first selection committee meeting took place on Friday, October 8, 2004, 9:00 am at City Hall.

The selection committee discussed the proposals and provided their top three picks based on their individual interpretation of the selection criteria outlined in the RFQ-RFP and instructions provided in how to complete the evaluation sheet.

The selection committee short-listed the top four (4) ranked firms; Okland, Big-D, Hogan, and Jacobsen based on the committee's collective votes tallies.

6. Notice was sent to all firms on Friday afternoon, October 8th. The faxed letter stated whether a firm was short-listed and moved into the second phase of selection or whether the firm had been eliminated from the selection process.
7. By Wednesday, October 20, 2004 - 2:00pm, three of the four short listed firms (Okland, Hogan, and Jacobsen) had submitted a requested Preconstruction Services and Construction Services Fee Proposal Work Plan to City Hall. Big-D notified the City that they were pulling out of the selection process due to too much workload. Copies of the three remaining firms work plans were distributed to selection committee members the following day.
8. Short-listed firms came into City Hall for oral interviews on Friday, October 22, 2004. Interviews were held as follows: 1:00pm-Hogan, 2:00pm Jacobsen, 3:00pm Okland.
9. Discussion and evaluation following the interviews produced two clear "leading candidates" for the desired selection. They were Jacobsen and Okland. Each had excellent presentations and qualifications to do the job well. The selection committee reviewed pricing and fee proposal data as an additional selection criteria category.
10. Further discussion amongst the selection committee honed in on dissecting the last selection criteria outlined in the RFQ-RFP, that being the Preconstruction & Construction Services Work Plan. The distinguishing factors within that criteria of the Preconstruction & Construction Services Work Plan included:
    a. Pricing & Proposed fees
    b. Proposed Staff Quality
    c. Proposed Staff Experience

After careful review and discussion, the selection committee overwhelmingly chose Jacobsen Construction as the choice to be the City's CMGC for the Downtown Projects. Also note that Jacobsen submitted the lowest proposed fee.

A copy of the original Agreement is available upon request.

Services Outlined in the original Agreement:

Preconstruction services, in the amount of $9,500 covered costs associated with:

1. Cost Estimating and cost model development
2. Schedule development
3. Value comparisons
4. Life cycle cost analysis
5. Constructability analysis
6. Value engineering
7. Drawing specification review
8. Procurement planning
9. Bid process management

C. Analysis

The City Council's approval of the Jacobsen CMGC Contract in December of 2004 only committed funds associated with the "Pre-construction services" as outlined above.

The Contract Agreement outlined a process to provide a Guaranteed Maximum Price (or GMP) at a time later in the design process. As we have now completed the project design and are receiving subcontractor bids for work, an overall GMP is currently being developed.

Through a future contract "Amendment #1," approved by the City Council, PCMC and Jacobsen Construction will negotiate and come to agreement on fees associated with work designed by the Architect of Record (FFKR Architects).

The ideal scenario is that Staff brings forth to City Council, one overall Amendment to the Agreement that has the entire GMP outlined. In this approach, all questions about pricing are addressed in one City Council review. An alternative to this, as Staff is requesting, is to approve an initial Addendum for work related to getting the General Contractor mobilized and started with early construction efforts. For the Downtown Parking Structure project, Staff is targeting a parking structure opening by December 15th, 2005 in order to clear the way for the holiday tourist season.

The following is a summary of the current proposed Activity / Construction schedule:

April 7th - Council review of proposed Contract Addendum (Mobilization and Earthwork)
April 12th – CMGC receipt of subcontractor bids necessary to complete a GMP

April 15th – Target date – Notice to Proceed (NTP) for Addendum work
April 18th - Target construction start date
April 21st - Council review of proposed Amendment #1 (GMP)
Dec 15 – Target completion date

Jacobsen Construction, acting as the selected CMGC for the City, posted advertisements for subcontractor bids in the March 16th and 19th Park Record editions, the Deseret News/Salt Lake Tribune, and Intermountain Contractor media outlets. Pre-Qualification criteria were required for certain trades. Per our Agreement with Jacobsen Construction, they followed our City Policies and requirements for soliciting subcontractor bids.

The "critical path" cost items of Contractor General Conditions/Mobilization and early earthwork were assembled and reviewed by the City Staff and GTCI consultant Grant Thomas. The following details the pricing outlined for the proposed Addendum:

General Conditions (1-month)	$	15,444
Temporary Fencing, Site demo, barricades, traffic control, Erosion control, clear & grub, waterline relocation	$	108,000
CM Fee	$	3,580
Total =	$	127,024

The total amount for the proposed Addendum, as outlined above, is for work related early mobilization, temporary fencing, barricades, site demolition, traffic control, erosion control, clearing and grubbing, and a waterline relocation. Staff will return on April 21st to review the overall proposed GMP. Total estimated construction costs for the parking structure is $5.75 million plus costs relating to utility relocations (number still pending).

D. Department Input & Review: This report has input and comments from the following departments: Economic Development & Capital Projects, Legal Department, Budget Manager, City Engineer, and City Manager's Office.

E. Alternatives:

A. Approve the proposed Addendum to the Jacobsen Construction Contract: (Staff recommendation)
B. Modify the Requested Actions:
C. Deny the Request:
D. Continue the Item:
E. Do Nothing:

F. Significant Impacts / Consequences of not taking the recommended actions:
A delayed action would negatively impact the project schedule.

Staff Recommendation: Staff recommends approval of an Addendum to the existing Jacobsen Construction, Inc. Agreement, in a form to be approved by the Legal Department, for work related to the Downtown Parking Structure in the amount of $127,024.

Attached Exhibit: Jacobsen Construction, Inc. Contract Addendum

ADDENDUM – AUTHORIZATION FOR EARLY MOBILIZATION
TO STANDARD FORM OF AGREEMENT
BETWEEN OWNER AND CONSTRUCTION MANAGER

Pursuant to Terms of the Agreement between Owner (Park City Municipal Corporation) and Construction Manager (Jacobsen Construction, Inc.), dated April 4, 2005, for construction of the new Downtown Parking Structure and related Utility Work, the Owner and the Construction Manager establish a not to exceed price for the Work as set forth below:

ARTICLE I
SCOPE OF WORK - NOT TO EXCEED PRICE

The Construction Manager will perform the following Work with a Not-to-Exceed fee of one hundred twenty seven thousand and twenty four dollars ($127,024)

General Conditions (1-month)	$ 15,444
Temporary Fencing, Site demo, barricades, traffic control, Erosion control, clear & grub, waterline relocation	$ 108,000
CM Fee	$ 3,580
Total =	$ 127,024

This Price is for the performance of the Work in accordance with the "Addendum Proposal" dated April 4, 2005, from Jacobsen Construction, Inc. and incorporated herein by this reference as "Addendum – April 4, 2005").

ARTICLE II
CONTRACT TIME

The Construction Manager acknowledges that the Substantial Completion Date is December 15, 2005 and the Final Completion Date is January 15, 2006.

OWNER:	**CONSTRUCTION MANAGER**
By:_____	By: _____
Date:_____	Date:_____
Attest: _____	Attest: _____