



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH,
April 3, 2014**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, April 3, 2014.

Work Session

2:25-2:35pm	Council Questions and Comments and Manager's Report	
2:35-2:50pm	Poison Creek Pathway Update	Pg. 7
2:50-3:05pm	Parking Management Update	Pg. 19
3:05-3:20pm	PC-SLC Connect Bus Service Update	Pg. 23
3:20-3:40pm	2014 Downtown Projects Update	Pg. 34
3:40-3:50pm	Break	

Study Session

3:50-4:50pm	Environmental Study Session- Energy & Anti-idling	Pg. 56
4:50-5:50pm	Joint Meeting with Library Board	Pg. 93
5:50-6:00pm	Break	

Regular Meeting

6:00 pm

I. ROLL CALL

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

IV. CONSENT AGENDA (Items that have previously been discussed or are perceived as routine and may be approved by one motion. Listed items do not imply a predisposition for approval and may be removed by motion and discussed and acted upon)

1. Consideration of approval to Authorize City Manager to Execute a Statewide Utility License Agreement with the Utah Department of Transportation Pg. 96

V. CONSIDERATION OF MINUTES FROM MARCH 27, 2014 Pg.106

VI. NEW BUSINESS

1. Consideration of a Resolution Honoring Park City Olympians and Paralympians Pg.111

2. Consideration of approval of ROS amendment at Silver Strike Trail- Belles at Empire Pass for Units 7, 8, & 17 based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

(a) Public Hearing

Pg.112

(b) Action

3. Consideration of a plat amendment located at 1138 Lowell Avenue, Park City based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

Pg.130

(a) Public Hearing

(b) Action

4. Consideration of ROS amendment at 345 Deer Valley Drive, Park City Units 5 & 6 based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

Pg.148

(a) Public Hearing

(b) Action

5. Consideration of Roundabout Subdivision ROS at 300 Deer Valley Drive, Park City based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance and in a form approved by the City Attorney

(a) Public Hearing

(b) Motion to Continue to April 24, 2014

VII. ADJOURNMENT

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. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4 p.m. to 9 p.m.

Posted: 03/31/2014 See: www.parkcity.org

Revised: 04/02/2014

TENTATIVE MASTER CALENDAR

Note: This future meeting schedule is TENTATIVE and subject to change.

April

3 **See Agenda**

10 **No Meeting- ULCT Spring Conference**

17 **STUDY**

Historic Preservation Board (1 hour)

WORK

Budget Pre Meeting (BRC, URS, Healthcare, etc.) (45 minutes)

Tour of Utah Update (15 mins)

Historic Preservation Work Session (45 mins)

Planning Project Schedule Update (20 mins)

CONSENT

Service Agreement for Stoneridge

Consideration of a contract with XXX for the Park City Heights public improvements inspections

REGULAR

Snyder's Addition to Park City Amended Lot 1, Block 15, located at 901 Norfolk Avenue
Plat Amendment PL-13-02180 – continued from March 6th

4001 Kearns Blvd- Park City Film Studio Subdivision Plat

2519 Lucky John Drive Plat amendment

Risner Ridge Subdivision 1 & 2 plat amendment

Disposition of City-Owned property

24 **STUDY**

Water Conservation: Water portal, water conservation rate structure, etc. (1 hour)

Green Building Standards study (1 hour)

WORK

Lower Park Ave Master Plan (40 mins)

Deer Valley Phase 2 Update (15 mins)

REGULAR

300 Deer Valley Loop- Roundabout Subdivision ROS-continued from April 3rd

670 Deer Valley Loop-Portico Condominiums record of survey amendment

May

1 **No Meeting**

- 8** **WORK**
Presentation of City Manager's Recommended Budget (1.5 hour)

CONSENT
Poison Creek

REGULAR
North Silver Lake Condominium Plat, located at 7101 Silver Lake Drive, Record of Survey- PL-13-02225-continued from March 6th
491 Echo Spur plat amendment- Lot 21-32, Block 58 Park City Survey
901 Norfolk Avenue Subdivision, 901 and 907 Norfolk Avenue- Plat Amendment

- 13** **Joint Meeting with Planning Commission 6:00 pm**

- 15** **WORK**
Budget: CIP Budget (1.5 hours)
Summer Events Preview (45 mins)

REGULAR

- 22** **No Meeting**

- 29** **WORK**
Budget: Operating (2 hours)

REGULAR

June

- 5** **WORK**
Budget: Adoption of the Tentative Budget (2 hours)

REGULAR

- 26** **STUDY**
Public Art Advisory Board (1 hour)

WORK
COSAC- Gamble Oak (30 mins)

REGULAR

July

- 3** **No meeting**

10 **STUDY**
Planning Commission (1 hour)

WORK

REGULAR

17 **STUDY**
Recreation Advisory Board (1 hour)

WORK

REGULAR

24 No meeting

31 **WORK**

REGULAR

August

7 **STUDY**
Board of Adjustment (1 hour)

WORK

REGULAR

14 No Meeting

21 8am Breakfast and Meeting with Park City Medical Center CEO Rob Allen

WORK

REGULAR

28 No Meeting

Pending Items:

Amendment to the housing resolution – for regular council – RS

Consideration of an Ordinance approving the McHenry Subdivision Replat Amendment located at 496 McHenry Avenue, Park City Survey, Park City, Utah

Ordinance 2519 Lucky John Drive – Plat Amendment PL-13-01980- KW

Gamble Oak Easements, new, Heinrich

Consideration of City Property Disposition Resolution-Heinrich

Ice Naming Rights



City Council Staff Report

Subject: Poison Creek Pathway Project
Author: Heinrich Deters
Department: Sustainability
Date: April 3, 2014
Type of Item: Informational

Summary Recommendations:

Staff recommends Council review the design of the Poison Creek Pathway Project. (Attachment I)

Topic/Description:

Council update on upcoming City walkability project.

Background:

In 2009, City Council approved a recommended list of 36 walking and biking capital projects that would be funded through the \$15M Walkability Bond. As of March, 2014 numerous major projects have been completed. These projects include the Bonanza and Comstock underpasses, the Little Kate and Comstock sidewalks, the Holiday Ranch Loop Pathway, traffic calming improvements in Prospector, improvements to the McLeod Creek and Farm Trails, bicycle shoulders, crosswalks and associated signage. Current projects in design are the Poison Creek Pathway, as well as, Phases I & II of the Park Avenue improvements. Project number twenty six identified the widening of existing pathways and specifically called out the Poison Creek Trail and the pathways along Kearns. The project was first identified by City Public Works staff and approved by the WALC Committee and City Council as part of the overall list.

In October 2013, staff issued an RFP for design and construction management of the project. On November 14, 2013 Council awarded a PSA to Alliance Engineering. City departments, including Parks, Recreation, Sustainability, Public Works, Engineering and Planning have met on several occasions, fine tuning the goals, scope and aspects associated with the project.

Recently Council asked to receive updates on projects that have been approved, but for which they may not have recently received an update. While City Council approved the design and construction management contract less than five months ago, some of the Council Members have changed since that time.

Analysis:

The Poison Creek Pathway, located between Main Street and the Iron Horse District and running through City Park, is utilized by several different user groups, most notably, bikers, hikers and skateboards. Staff has on several occasions, over the previous four years, taken counts which note average daily use over 500 in the summer months.

Improving the safety and experience associated with the trail is the objective of the project.

Safety/Width

The existing pathway width is between eight and nine feet, which by standard for grade and multi-directional and multi-use, is quite narrow for American Association of State Highway Officials (AASHTO) standards, which notes a fourteen foot preference. Due to property and existing infrastructure constraints, including the creek, staff wanted to provide as much width as possible moving forward, in addition, per AASHTO standards, if the recommended width is unable to be achieved, appropriate signage and striping is included as part of the improvements.

Experience

For the most part, the pathway is used to connect users to different areas and trails around town; however, many users do frequent the trail over a lunch break or early in the morning for a recreational 'experience'. With that in mind, staff is recommending that additional hiking trails be improved as part of the project, which will allow willing hikers, looking for a more private experience, to utilize existing 'trails' which parallel the pathway on the creek side where feasible and through the Boo Radley forest. Furthermore, some seating areas for users have been provided for 'rest stops' and view areas.

City Park Improvements/Public Art

Staff presented the pathway plan to the Recreation Advisory Board (RAB) to garner their thoughts and approval, in addition to, coordinate possible Park improvements. RAB was overwhelmingly supportive of the pathway design and improved trails. Moreover, the Board was interested in possibly coordinating some of their capital goals associated with City Park, such as shade structures and improvements to the basketball and volleyball court areas. Next, staff has coordinated possible public art projects with the Public Art Advisory Board (PAAB). PAAB has identified several preferable locations and hope to confirm if the implementation of a concrete pad or other art infrastructure improvement can be made during construction. Staff plans to include all the improvements noted in the design but allocate park improvement funds to those items noted as City Park improvements, outside of the pathway project. In doing so, staff foresees an economy of scale per materials and cost savings associated with incidental construction costs such as insurance, administration and mobilization.

Process/Timeline/Schedule

Staff anticipates bidding the project within the next two weeks and returning to Council in May to award the construction contract. Construction should be starting in Middle of May, with tentative completion by July 1st. Some aspects of the project, such as the park improvements, may wait to be implemented until autumn, to avoid high use time within the park.

Timeline

April	Advertise bid and award contract (will return to Council for bid award)
May-June	Construct pathway elements
October	Possibly construct Park elements if not accomplished in Spring

Operations and Maintenance

Parks staff has provided the following budgetary items for Council's consideration during the next budget cycle. The pathway already receives plowing service in the winter, thus, no financial impact associated with plowing is foreseen; however, the additional width has been calculated for maintenance noted in the matrix below.

Poison Creek Improvements	length	width	sq feet	sq yards	cost per yrd	cost	frequency	annual budget
Bike Paths Seal Coat	3900	4	15600	1733.333	1.1	1906.667	4 yrs.	\$476.67
Crack seal	3900	4	15600	1733.33	0.75	1299.998	4 yrs.	\$325.00
	length	width	depth	factor	ton	cost	frequency	
Bike Path Overlay	3900	4	1.5	0.0065	152.1	28138.5	12yrs	\$2,344.88
Crack Seal every 4 years Seal Coat ever 4 years Asphalt overlay 12 years							Annually	\$3,146.54

Department Review:

This report has been reviewed by the City Manager, Parks, Streets, Budget, Sustainability, and Legal Departments and their comments have been included.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Safe community that is walkable and bike-able + Multi-seasonal destination for recreational opportunities internationally recognized & respected brand			
Assessment of Overall Impact on Council Priority (<i>Quality of Life Impact</i>)	Positive 	Neutral 	Neutral 	Neutral 
Comments:				

Funding Source:

Funding for this project, as well as other future Walkability projects will be funded with proceeds from the 2013 Walkability General Obligation Bonds which were issued in August 2013 in the amount of \$7,170,000.

Consequences of not taking the recommended action:

This report is intended to be informational.

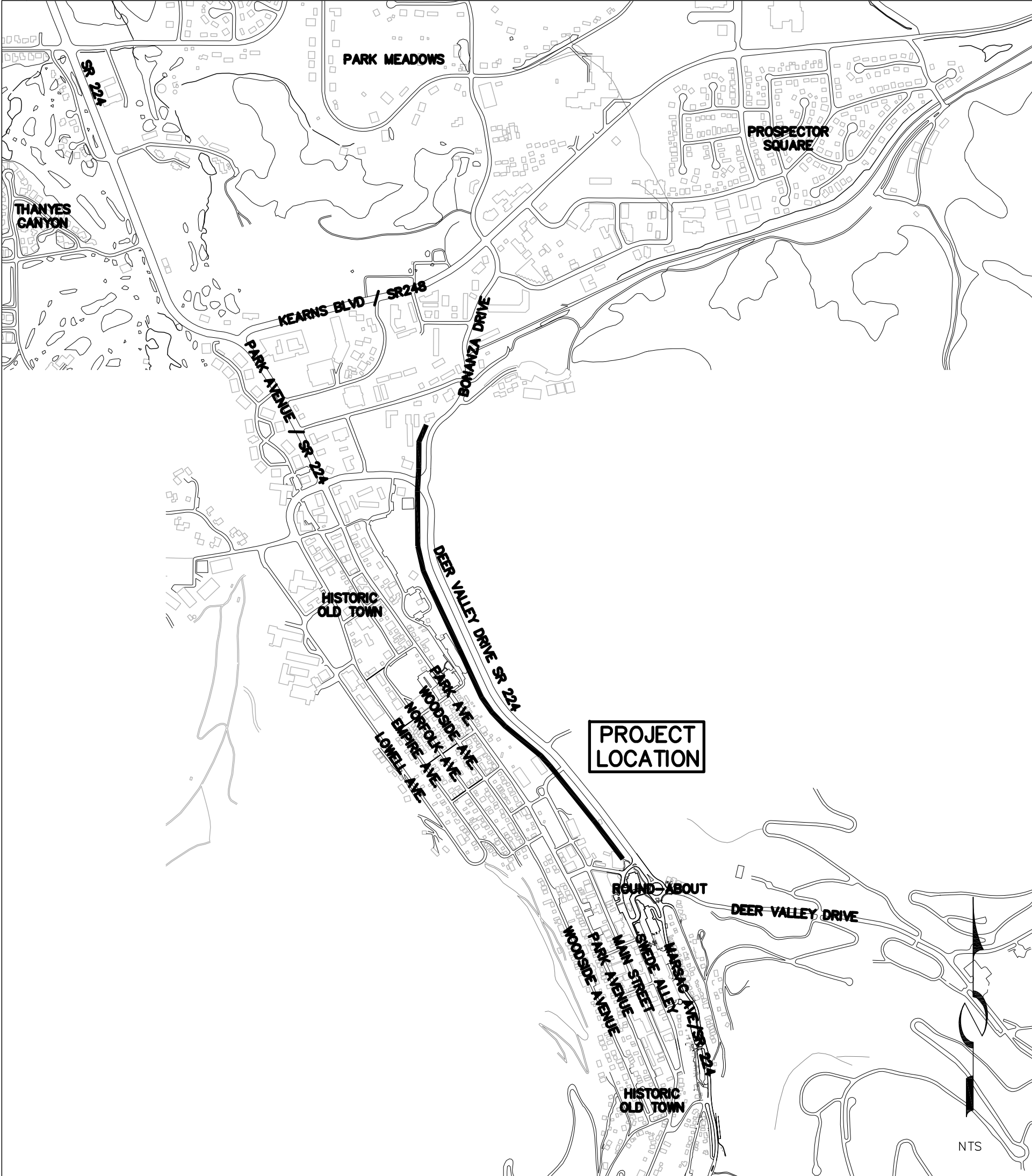
Recommendation:

Staff recommends Council review the design of the Poison Creek Pathway Project.

Attachment:

90% Complete Design Plans

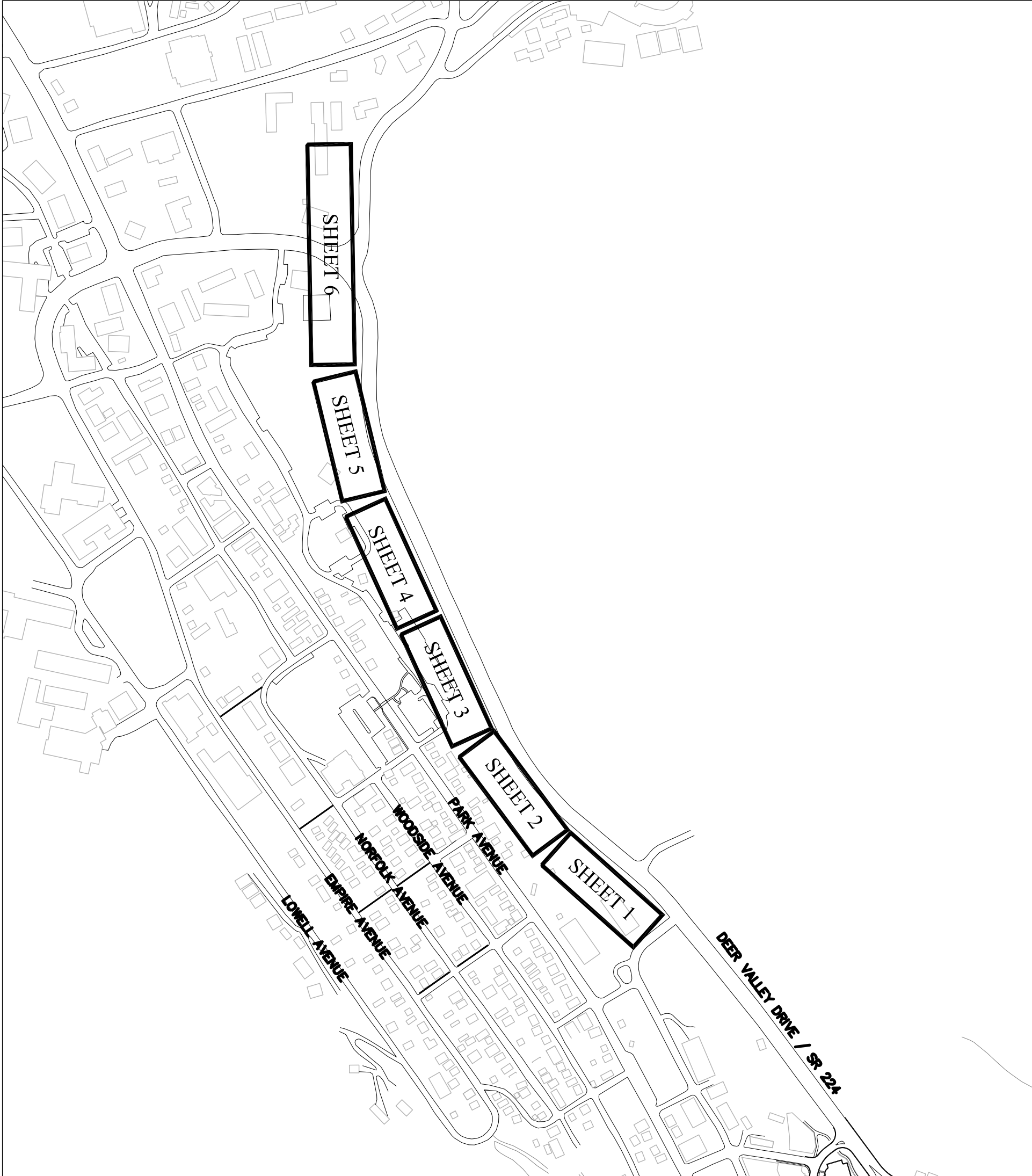
VICINITY MAP



GENERAL NOTES

- G-1** ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING PLANS & SPECIFICATIONS:
- A. Park City Design Standards, Construction Specifications, and Standard Drawings, Latest Edition.
 - B. Snyderville Basin Water Reclamation District (S.B.W.R.D.) Development Procedures, Design Standards and Construction Specifications, April 16, 2012
 - C. Manual of Uniform Traffic Control Devices 2003 Edition, Revision #1 November 2004, Revision #2 December 2007.
 - D. UDOT Standard Specifications for Road and Bridge Construction, latest edition. (for improvements in the UDOT right of way)
 - E. Special conditions of approval and/or permits as required and/or issued by regulatory bodies.
 - F. Approved construction plans and details.
 - G. Approved Traffic Control Plan.
 - H. Storm Water Pollution Prevention Plan. (SWPPP)
- G-2** Contractor/Bidder shall obtain a copy of the plans and specifications, at his/her cost. Copies of the plans and specifications shall be kept at the job site by the contractor and be available for the contractor, subcontractor, owner or his agent, design engineer, P.C.M.C. engineer, S.B.W.R.D. engineer, and their designated representatives and inspectors.
- G-3** The Contractor shall be responsible for ground and surface water control during construction. Control runoff. Provide straw wattles and silt fence. Provide fabric on all existing storm drain inlets. Prevent sediment from entering existing storm drain systems or adjacent streets.
- G-4** The contractor shall maintain accurate records of "As Built" conditions of all underground work. The "As Builts" shall be tied to easily defined monuments and/or surface improvements or as required by accuracy for the as-built conditions. The as-built information shall be given to the owner and be incorporated in the final "As Built" drawings.
- G-5** Prior to any work, the contractor shall contact Blue Stakes for location of existing utilities. The contractor shall be responsible for determining the location of utilities, whether shown on the plans or not, and protecting the utilities during construction. If existing utility lines conflict in location with new construction, the contractor shall notify the engineer in order to resolve the conflict.
- G-6** The contractor shall have a qualified representative to handle grade determination, drainage flow, and connections to existing features using proper grade setting techniques such as, but not limited to, string line, rod and level, GPS, or Surveying.
- G-7** All work performed shall be guaranteed by the contractor and/or his surety against all defects in materials and workmanship of whatever nature for a period of one (1) year from the date of final acceptance of the work by Park City.
- G-8** The contractor shall be responsible for the installation and maintenance of adequate signs, traffic devices, and warning devices to inform and protect the public during all phases of construction. Refer to section 500.7 of the Park City Specifications. Prior to construction, the contractor shall submit to the City and Design Engineer for approval, a Traffic Control plan indicating the type and location of construction signage, traffic control, traffic rerouting, and street closures, necessary during the construction of the improvements. The traffic control plan shall comply with MUTCD latest edition.
- G-9** Compaction testing shall be an integral part of the project. Compaction testing shall include, but shall not be limited to earthwork, trench back-fill, base course, and asphalt pavement. Quality control testing shall be performed by a qualified, independent testing company retained by the contractor.
- G-10** Contractor shall obtain a National Pollutant Discharge Elimination System permit and Notice of Intent from the State of Utah Division of Environmental Quality Water Quality.

SHEET INDEX



SHEET INDEX

1. STATION 0+00 TO 6+00
2. STATION 6+00 TO 12+00
3. STATION 12+00 TO 18+00
4. STATION 18+00 TO 24+25
5. STATION 24+25 TO 30+75
6. STATION 30+75 TO 32+82
& STATION 0+00 TO 6+95
7. DETAILS

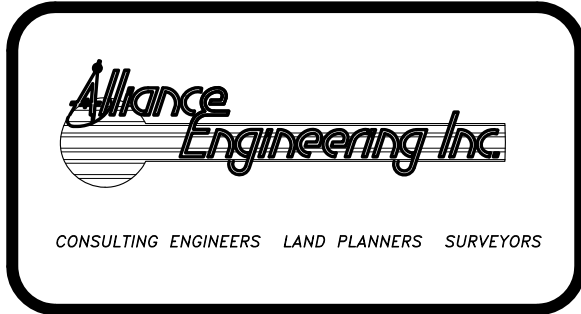
PREPARED FOR

PARK CITY MUNICIPAL CORPORATION
PO BOX 1480
PARK CITY, UTAH 84060

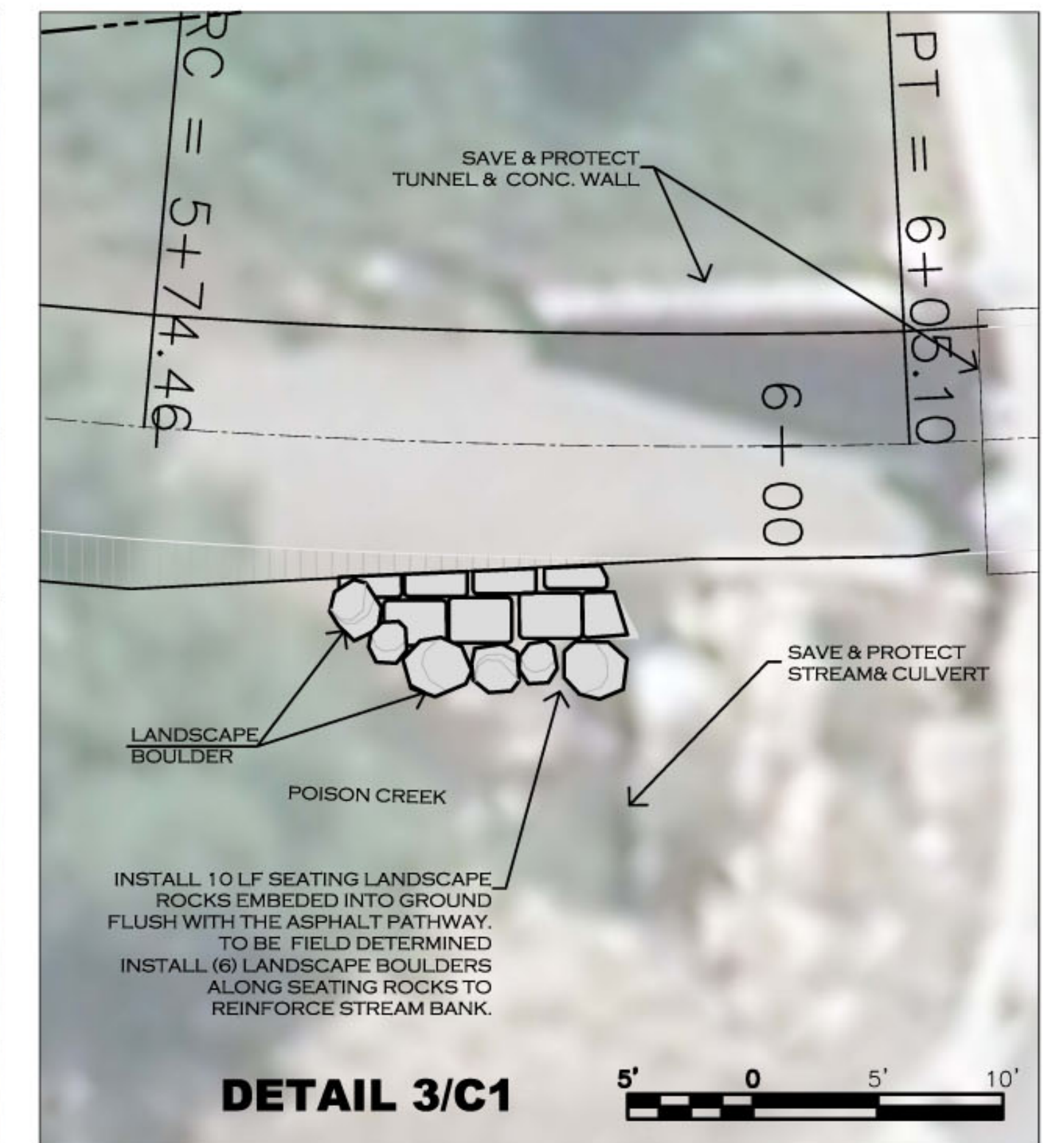
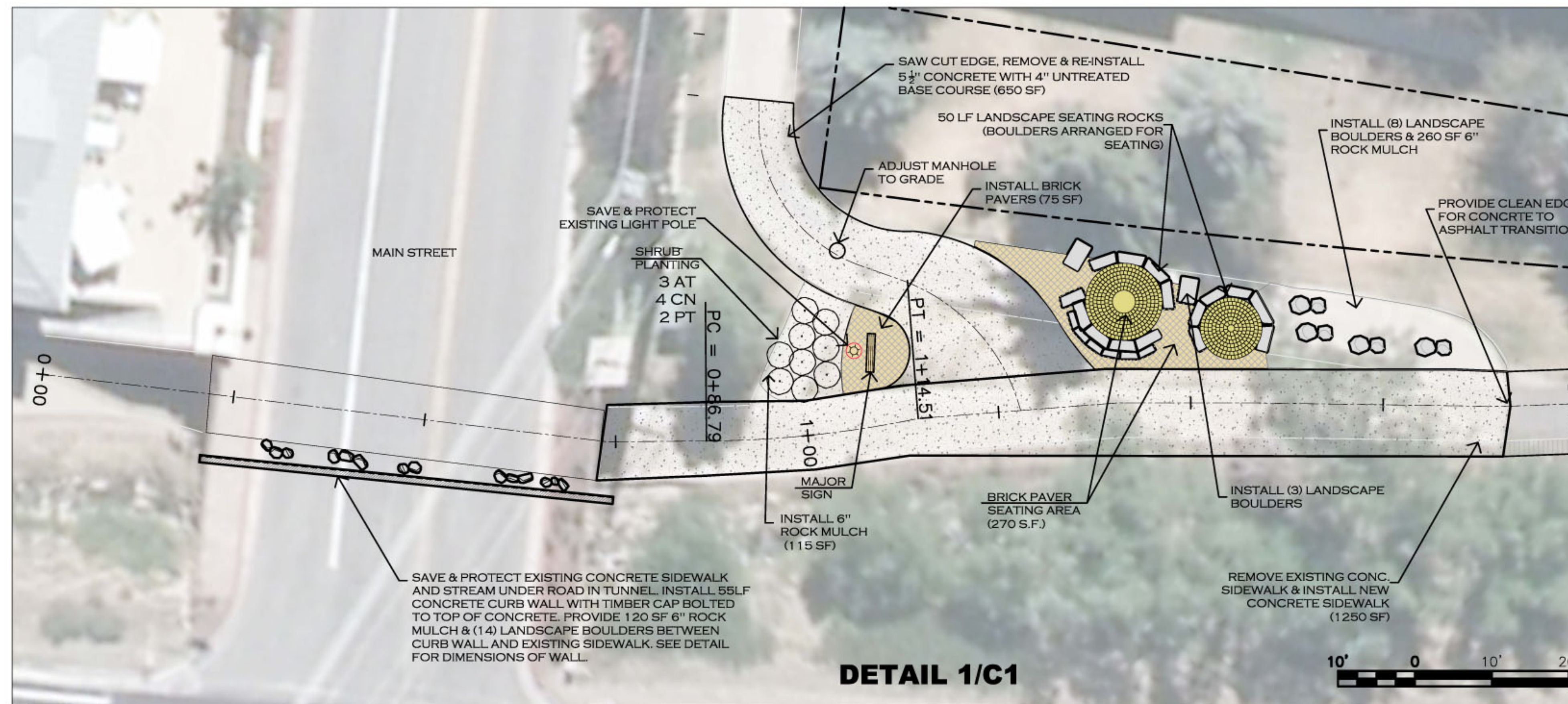
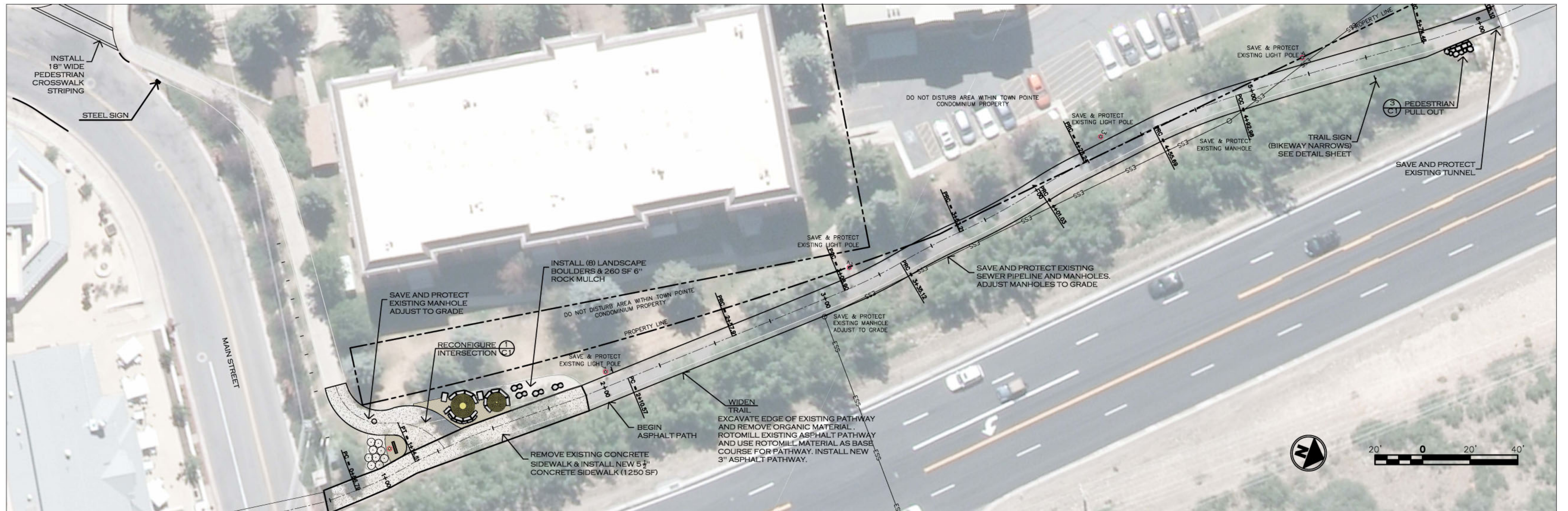


CIVIL ENGINEER

ALLIANCE ENGINEERING INC.
PO BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
PHONE: (435) 649-9467
FAX: (435) 649-9475

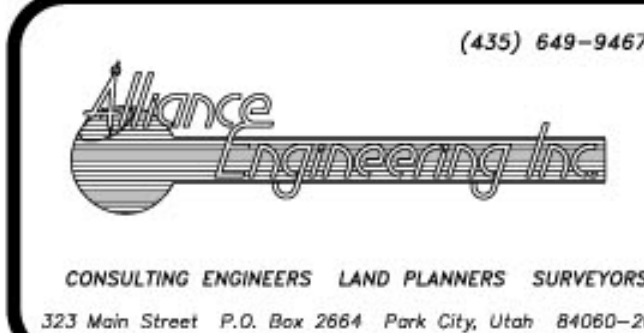


POISON CREEK TRAIL
RECONSTRUCTION 2014



NOTES:

1. ALL BOULDERS TO BE SELECTED BY THE PROJECT MANAGER OR CITY REPRESENTATIVE



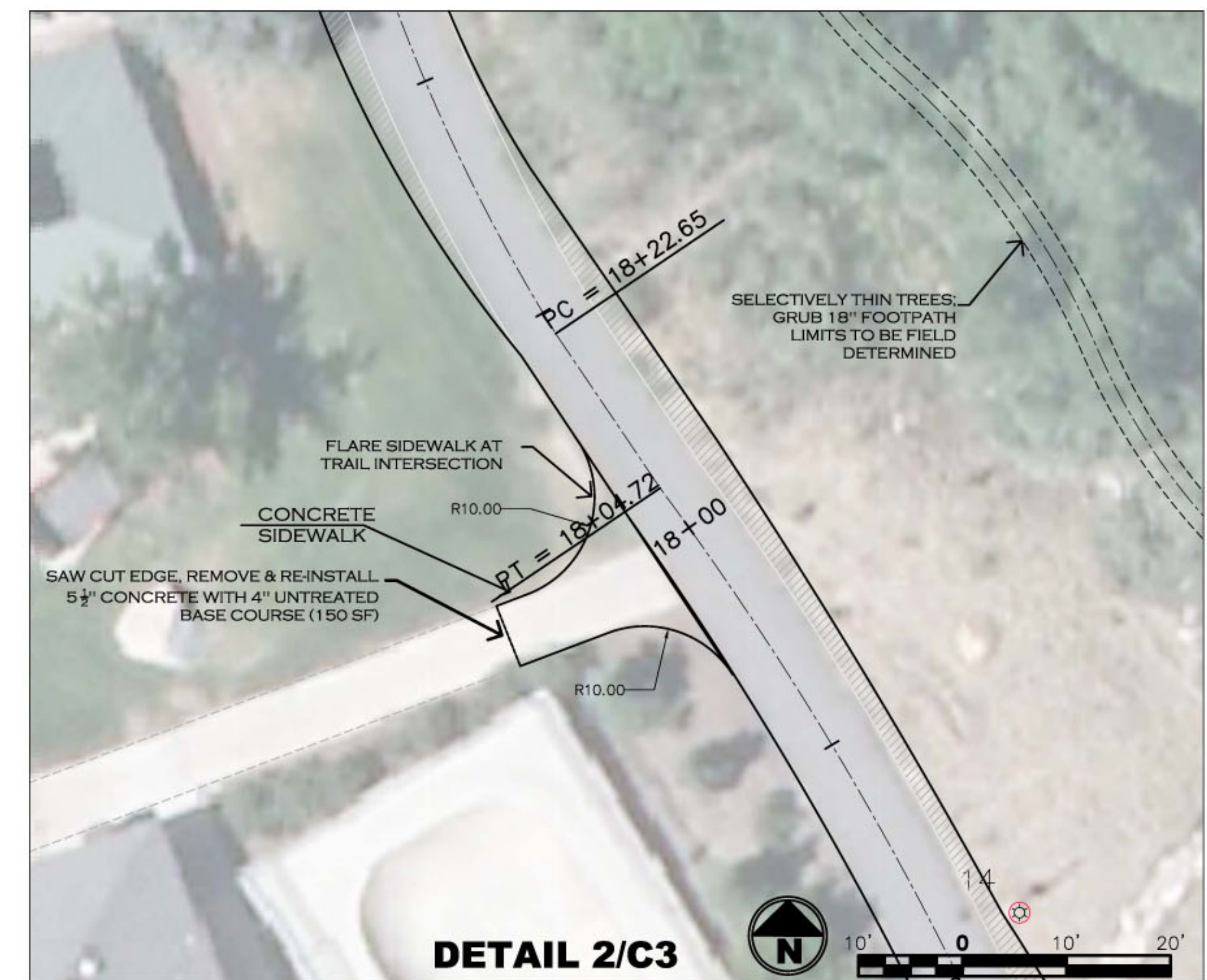
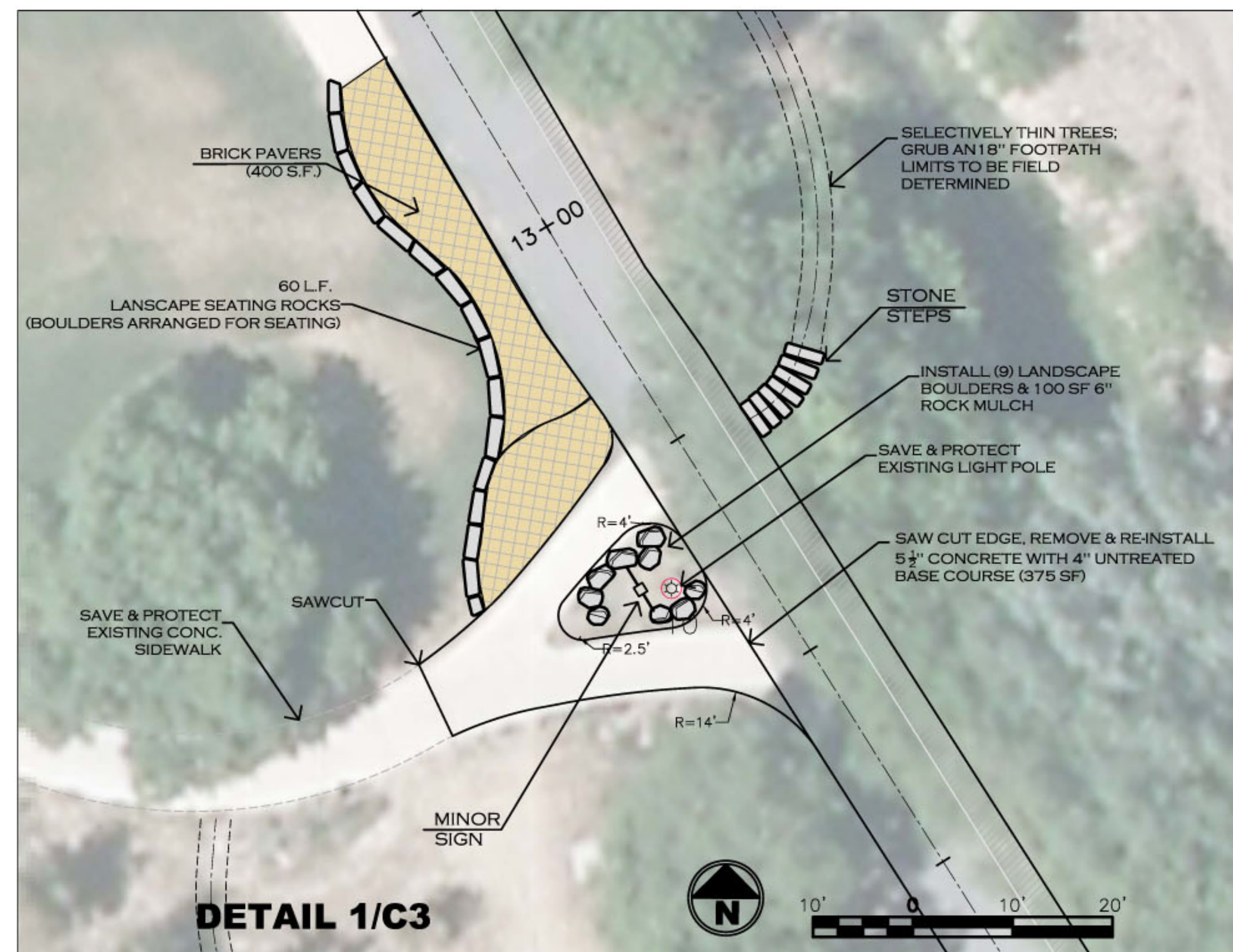
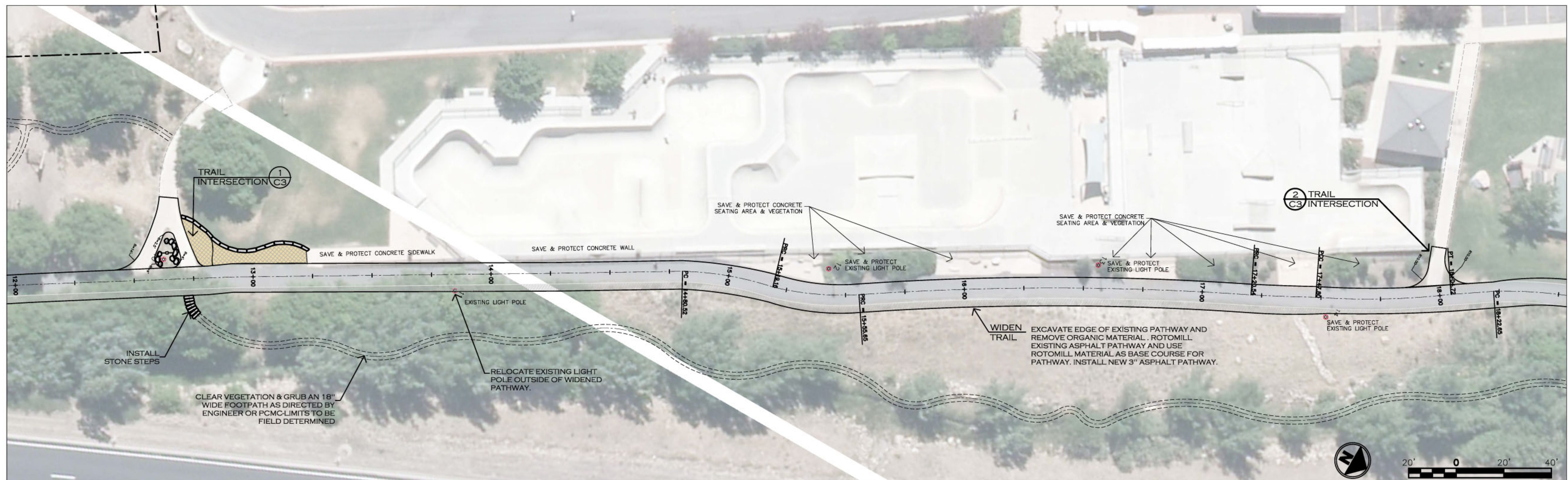
STAFF:
MICHAEL DEMKOWICZ
STEVE SCHUELER

DATE: 3/17/14

CONSTRUCTION DRAWINGS POISON CREEK TRAIL PROJECT STA 0+00 TO 6+00

FOR: PCMC
JOB NO.: 7-11-13
FILE: X:\Snyder's Addition\dwg\PCMC\ Poison Creek\ Poison Creek CD's.dwg

SHEET
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NOTES:

1. SELECTIVELY THIN TREES PER DIRECTION OF PROJECT MANAGER OR CITY REPRESENTATIVE
2. PROVIDE APPROXIMATELY ____ L.F. OF WOOD CHIP TRAIL PER FIELD LAYOUT (EXISTING LAYOUT IS CONCEPTUAL ONLY).
3. PROVIDE 5' WIDE ASPHALT SIDEWALK (237 L.F.)
4. BOULDERS TO BE SELECTED BY CITY PROJECT MANAGER OR REPRESENTATIVE.



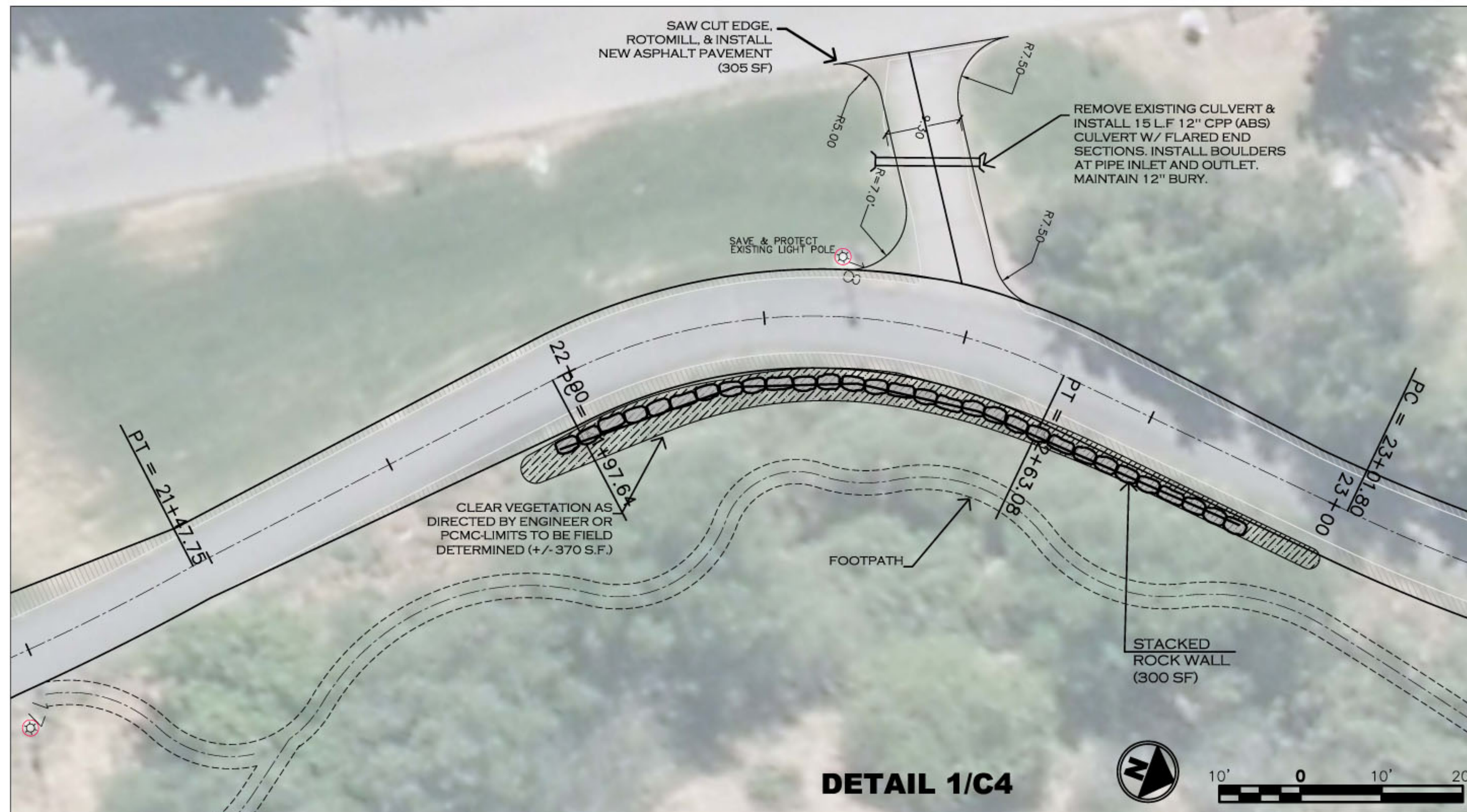
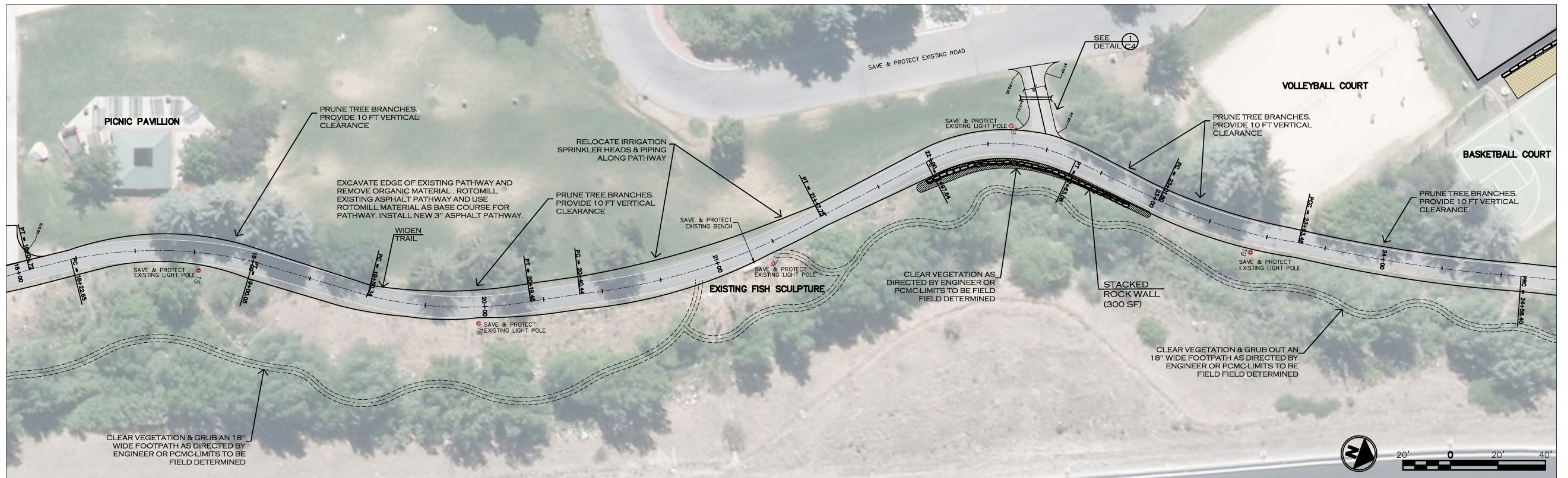
STAFF:
MICHAEL DEMKOWICZ
STEVE SCHUELER

DATE: 3/17/14

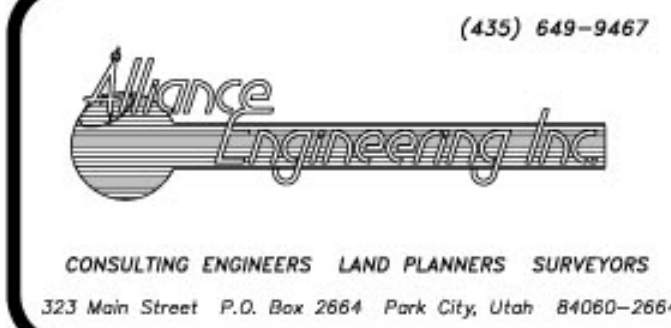
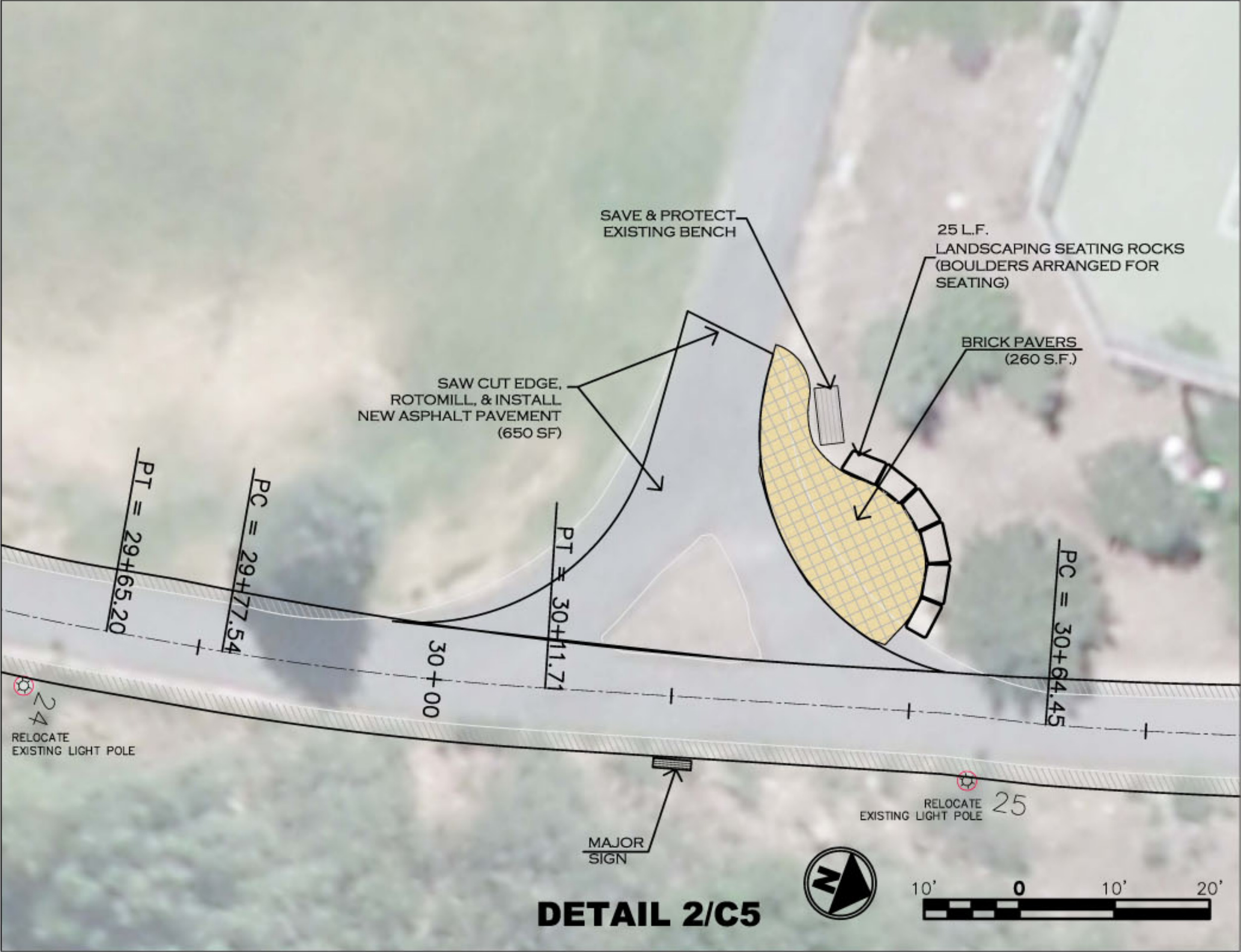
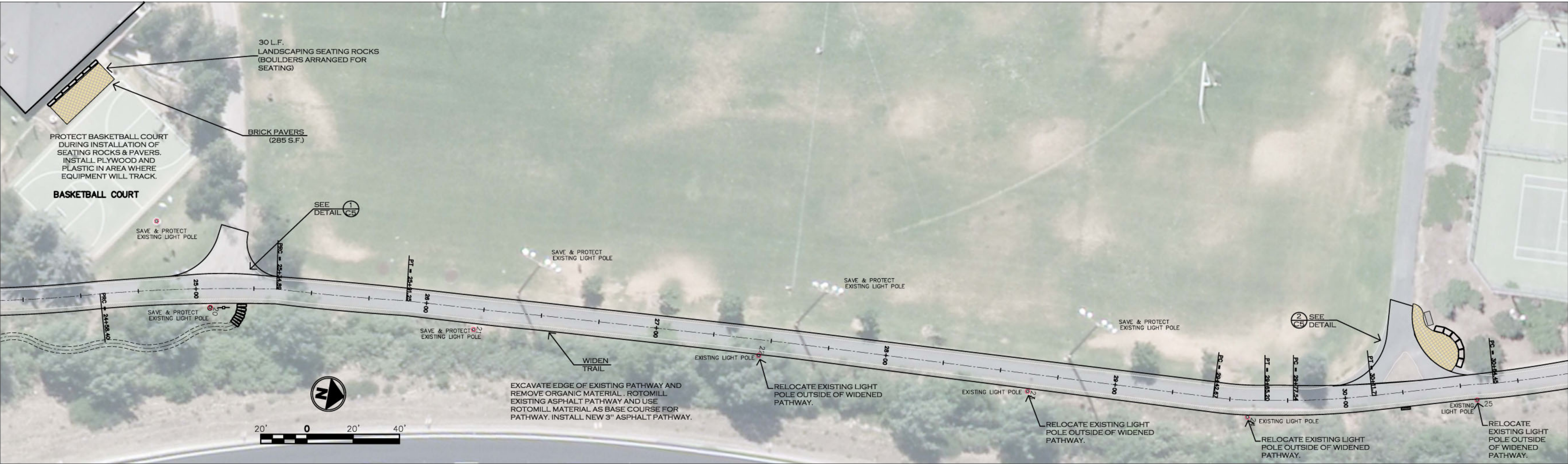
CONSTRUCTION DRAWINGS POISON CREEK TRAIL PROJECT STA 12+00 TO 18+00

FOR: PCMC
JOB NO.: 7-11-13
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 (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MICHAEL DEMKOWICZ STEVE SCHUELER	CONSTRUCTION DRAWINGS POISON CREEK TRAIL PROJECT STA 18+00 TO 24+25	SHEET 4 OF 7
	DATE: 3/17/14	FOR: PCMC JOB NO.: 7-11-13 FILE: X:\Snyder's Addition\dwg\PCMC\ Poison Creek\ Poison Creek CD's.dwg	



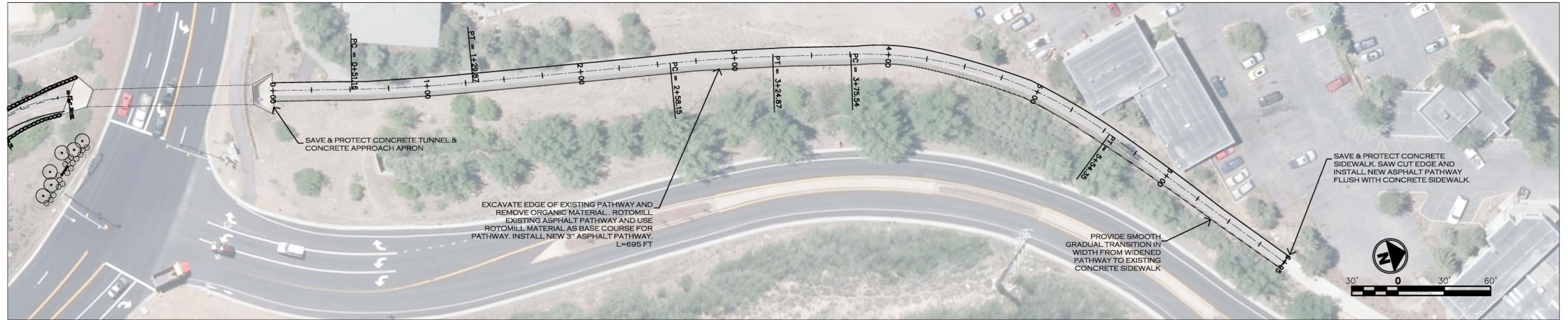
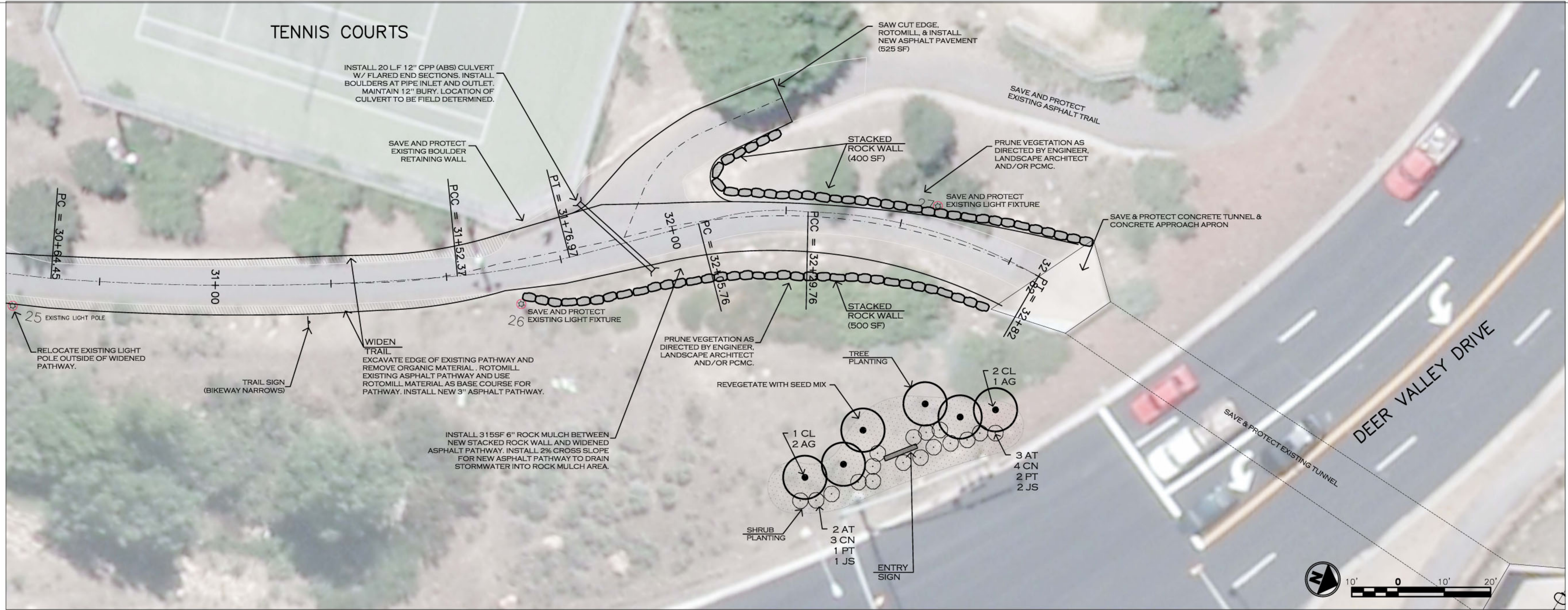
STAFF:
MICHAEL DEMKOWICZ
STEVE SCHUELER

DATE: 3/17/14

CONSTRUCTION DRAWINGS
POISON CREEK TRAIL PROJECT
24+25 TO 30+75

FOR: PCMC
JOB NO.: 7-11-13
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NOTES:

1. RESUE EXISTING DRIP IRRIGATION SYSTEM FOR IRRIGATING PROPOSED LANDSCAPING.



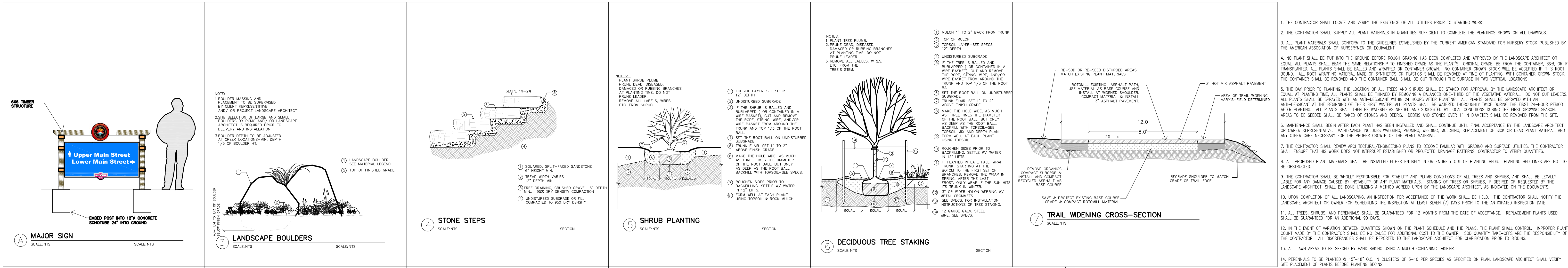
STAFF:
MICHAEL DEMKOWICZ
STEVE SCHUELER

DATE: 3/17/14

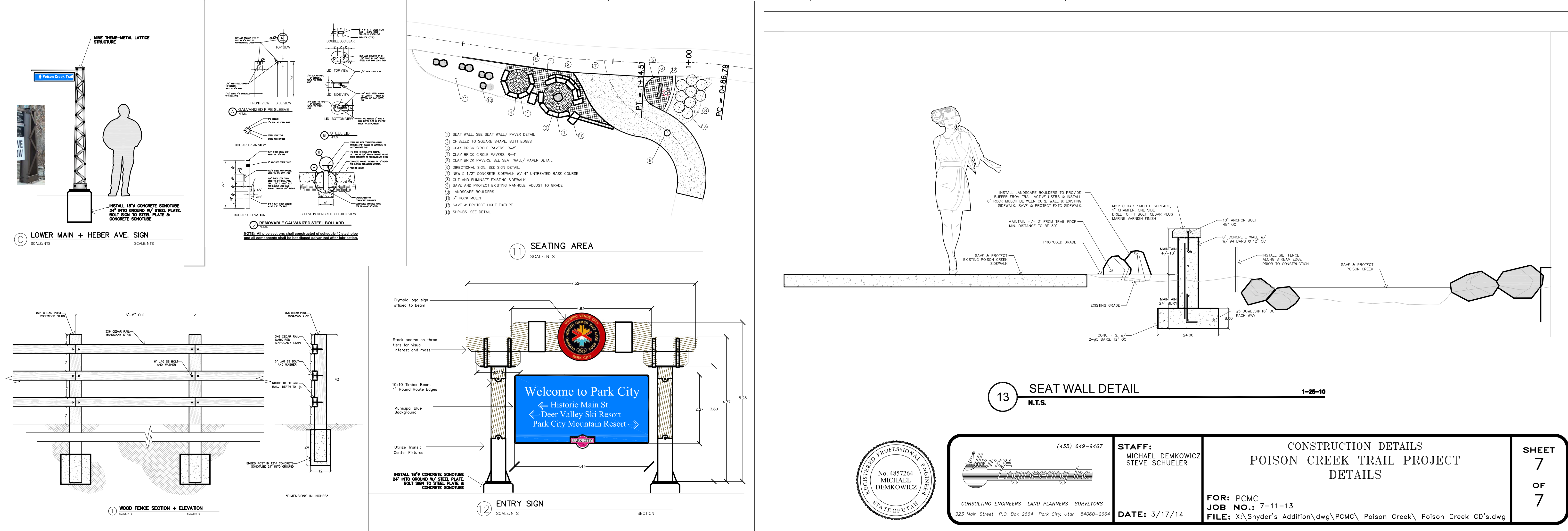
CONSTRUCTION DRAWINGS
POISON CREEK TRAIL PROJECT
STA 30+75 TO 32+82 & 0+00 TO 6+95

FOR: PCMC
JOB NO.: 7-11-13
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PLANT LIST					
QTY.	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE & CONDITION	TOPSOIL
TREES					
3	CL	<i>Cercocarpus ledifolius</i> "Curleaf"	Mtn. Mahogany	8-10'	12"
3	AG	<i>Acer glabrum</i>	Rocky Mountain Maple	9-10' Clump	12"
SHRUBS					
8	AT	<i>Artemisia tridentata</i>	Big Tooth Sagebrush	10 GAL.	12"
11	CN	<i>Chrysothamnus nauseosus</i>	Rubber Rabbitbrush	5 GAL.	12"
5	PT	<i>Purshia tridentata</i>	Bitterbrush	5 GAL.	12"
3	JS	<i>Juniperus sabina</i> "Buffalo"	Juniper	5 GAL.	12"
27					
REVEGETATION + SOD					
3,000 SF	SOD AREA	6"	Sod to be installed per manufacturer specifications. Seeded area to be hand-raked with mulch and tackifier		
7,200 SF	SEEDED AREA	6"			





City Council Staff Report

Subject: Parking Customer Service Update
Author: Brian Andersen, Parking & Fleet Admin Team Leader
Department: Parking Services
Date: April 3, 2014
Type of Item: Informational

Summary Recommendations:

This is an informational report where Staff is not seeking specific direction or policy decision but is providing an update to Council after a winter season where the Parking Department placed a heightened degree of focus on customer service improvements, including enforcement with in-house staff and incorporating the capability of online citation payments and appeals. Council may desire to take the opportunity to provide program feedback.

Topic/Description:

Parking Customer Service Update

Background:

The task of parking enforcement was conducted by the Police Department exclusively prior to 1996, with citations issued primarily for no parking violations. In 1995 the Main Street 2-hour parking was enforced with one part-time officer employed by the Police Department.

In 1996 parking hired a parking contractor to assist with parking enforcement within the Main Street area. The City opted for contracted service from fall 1996 until fall 2013.

Analysis:

In fall 2013 the enforcement contract was due to expire. During the spring of 2013 discussions took place regarding renewal of the contract. About the same time staff received a request from the HPCA supporting a preference to provide in-house services. As part of the normal contract renewal process, staff had routinely conducted a comparison of in-house costs. At that time there was support from all levels within the City to bring parking enforcement operations in-house. Resultantly as part of the fiscal year 2004 budget process staff began to work with the Human Resources department to benchmark positions for in-house operations, with the following positions approved by Council: an enforcement supervisor, two full-time officers, and two part-time positions. Posting and hiring of the positions took place in fall 2013.

Staff has consistently emphasized a renewed emphasis on training according to a mountain resort town enforcement philosophy, an approach that places a high degree of emphasis on customer service and guest accommodation. During the hiring process skill and experience in customer service were scored highly, with the outcome resulting in each officer bringing relevant experience in this critical area. This approach has

resulted in a vast reduction in complaints to Parking Services and to the City Manager and Mayor's office, especially from those motivated enough to reach out to management. Appeals that are more caustic in nature have also declined substantially. Overall, Staff deems the change to in-house as an overwhelming success. Feedback from the HPCA has been very positive, as indicated by the following comments:

"Our employees feel the city staff are better informed of policies (such as double parking hours for deliveries)."

"From what I have witnessed the city staff is certainly more caring and willing to work with deliveries and special needs on Swede Alley. This has been greatly appreciated."

"From the comments received to date, the HPCA feels confident in saying that the merchants have seen a significant positive change to parking enforcement. The officers are more caring and willing to work with patrons and merchants alike. One merchant is even stated 'they are wonderful'."

Areas of concern were also noted in the comments such as: 1) more enforcement desired in the very short-term zones (specifically the 15-30 minute parking on Main Street and at the Post Office and in the Galleria 1-hour parking) and 2) employees occupying too much parking in China Bridge and the Flagpole Lot. With regard to more enforcement in the short-term zones, staff plans to discuss those items in our weekly parking staff meeting and take appropriate action or bring appropriate recommendations to Council. Staff is currently meeting with an HPCA task force to explore, discuss and develop recommendations on employee parking in China Bridge and other lots during peak days and times.

Continuous Improvement: Staff has placed heightened focus on improving customer service over the past winter season. This effort includes discussion in weekly parking staff meetings and use of tools developed to aid in supporting our mountain town enforcement philosophy. These tools include:

- 1) a friendly smile and demeanor,
- 2) informing of the regulation and offering a chance to comply,
- 3) allowing an officer to take back a ticket written in error,
- 4) allowing officers to recommend an administrative citation review of a citation disputed on the street (which is different from a void due to error),
- 5) providing a post-appeal feedback loop in our parking staff meetings to rectify enforcement and signage issues, and
- 6) involving enforcement staff in the internal policy making process.

Staff believes tools and the efforts of our enforcement staff in ongoing customer service and problem resolution have resulted in better service overall.

Online Payments and Appeals: Patrons who receive a citation now can pay or appeal their citations online. Instructions are listed on the reverse side of each machine-printed citation, or the online payment portal is stamped on handwritten tickets. The website is very easy to navigate and use. This is evidenced by the fact that no patrons have

called in to inquire how to use the online portal but payments are regularly tendered via the website. The URL for online payments or appeals is <https://parkcity.t2hosted.com>.

Department Review:

This report has been reviewed by Public Works, Police, Legal, Human Resources and Executive.

Alternatives:

- A. Approve:** This is an informational item, and as such no specific policy decisions or direction are requested at this time. This update is provided primarily to inform Council about the results of customer service improvements made over the last winter season. Council may elect to provide specific feedback or direction to Staff regarding this topic.
- B. Modify:** Council may determine the need to make changes in the customer service approach.
- C. Continue the Item:** Council may continue the item to a later date.
- E. Do Nothing:** Since this is an informational update, Council may elect to do nothing.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Every City employee is an ambassador of first-class service + Balance between tourism and local quality of life + Internationally recognized & respected brand	+ Reduced municipal, business and community carbon footprints	+ Shared use of Main Street by locals and visitors + Entire population utilizes community amenities	+ Engaged, capable workforce
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Positive 	Positive 	Positive 
Comments: Online parking ticket appeals and payments reduces the community carbon footprint.				

Recommendation:

This is an informational report where Staff is not seeking specific direction or policy decision but is providing an update to Council after a winter season where the Parking Department placed a heightened degree of focus on customer service improvements,

including enforcement with in-house staff and incorporating the capability of online citation payments and appeals. Council may desire to take the opportunity to provide program feedback.



City Council Staff Report

Subject: PC-SLC Connect
Author: Kent Cashel, Transit & Transportation Manager
Department: Transit
Date: April 3, 2014
Type of Item: Administrative

Summary Recommendations:

Staff recommends that Council authorize continued City subsidy of up to \$235,000 for the PC-SLC Connect in the 2014-15 contract year (August 24, 2014 – August 23, 2015). Staff will return in late March/early April 2015 to provide Council an update of system performance and make a recommendation regarding continued subsidy.

Background:

In 2011, Park City and Summit County entered into a formal Interlocal Agreement (ILA) to jointly fund and operate the PC-SLC Connect bus route. In October of this year, the route will celebrate completion of its third year in operation. Staff is returning to Council with a system performance update and to seek direction on continuing City subsidization of the service.

The timeline below provides background on key milestones in development and implementation of the Park City to Salt Lake City Connect transit service.

2000 Short Range Transit Development Plan (SRTDP)

This 5 year business plan for the development of transit services included an analysis of SLC-PC service. The SRTDP's focus in 2000 was on building the Old Town Transit Center and enhancing local services. The plan did not recommend development of an SLC-PC transit route.

2003 Park City/Summit County SRTDP

The 2003 update of the SRTDP was developed in partnership with Summit County. The SRTDP's focus in 2003 was the development and integration of service along SR-224 to Kimball Junction. The plan investigated Park City-Salt Lake City commuter service but did not recommend development of this transit route.

2006 LSC Concept Plan

In early 2006, Park City transit staff conducted a survey of western Summit county residents to assess the level of demand for a Park City to Salt Lake City transit service. This survey indicated strong rider demand. Staff contracted with LSC Transportation Consultants, Inc. (LSC) to summarize survey results and to conduct concept level planning for a Park City to Salt Lake City transit service.

Begin Planning with Utah Transit Authority (UTA)

City Staff began working with Utah Transit Authority (UTA) planning staff to investigate Salt Lake City demand for a PC-SLC transit route. Surveys of SLC business commuters indicated strong demand for a Park City to Salt Lake City commuter service existed.

2007 PC-SLC Student Study

UTA and Park City engaged a team of University of Utah Urban Planning students to conduct an in-depth study of a Salt Lake City to PC transit route. This study concluded that strong demand (both up and down canyon) existed for a Park City to Salt Lake City route (2200 riders per day). This study began to address, in detail, capital and operating costs of a PC-SLC transit route. The study concluded with a recommendation that Park City\Summit County\UTA should seriously consider implementing this service. The study left several operational questions unanswered.

Park City\Summit County SRTDP

The 2007 SRTDP again investigated a Salt Lake City-Park City transit service. The focus of this SRTDP was on development\expansion of capital facilities (e.g., maintenance and storage facility, Kimball Junction transit center, passenger shelters and park and rides) required to support the regions expanding transit system. The SRTDP included a statement that Park City\Summit County\UTA should work cooperatively to complete planning for a PC-SLC bus route.

2008 Tri-Party Letter of Intent

In June of 1998, Park City\Summit County\UTA jointly executed a letter of intent to complete a transit improvement plan for a PC-SLC transit service. This transit improvement plan is to provide clarity on the transit demand and operating characteristics of a well-designed PC-SLC service. The agreement calls out 4 distinct deliverables for the first phase of the study. Those deliverables are:

- o Determine rider demand for a PC-SLC route.
- o Determine route and stops.
- o Determine necessary equipment and facilities.
- o Determine economic feasibility of service before proceeding further with study.

Joint Planning Effort

A PC-SLC study team was formed with staff from Park City, Summit County and UTA (as well as Salt Lake County, UDOT, the Wasatch Front Regional Council). Tthis study team met regularly to complete the PC-SLC study.

2010 UTA approached City\County with offer to operate service.In late October 2010, Utah Transit Authority executives discussed their interest in

establishing a commuter service between Salt Lake City and Park City. This service would serve primarily day commuters such as employees (both SLC and Park City area) and University of Utah students. The service would operate year round during peak morning and afternoon commute hours. UTA indicated the system must break even financially with fare revenue covering all costs of operation.

2011 UTA presents City\County with formal offer to operate service beginning October 3, 2011.

UTA made a formal offer to the City and Summit County to operate service.

Council reviews and approves Inter-local Agreement to jointly operate PC-SLC Connect service on June 26, 2014.

Council authorized execution of the ILA to jointly operate PC-SLC Connect service. Staff committed to update the Joint Transit Advisory Board and Council on system performance each year.

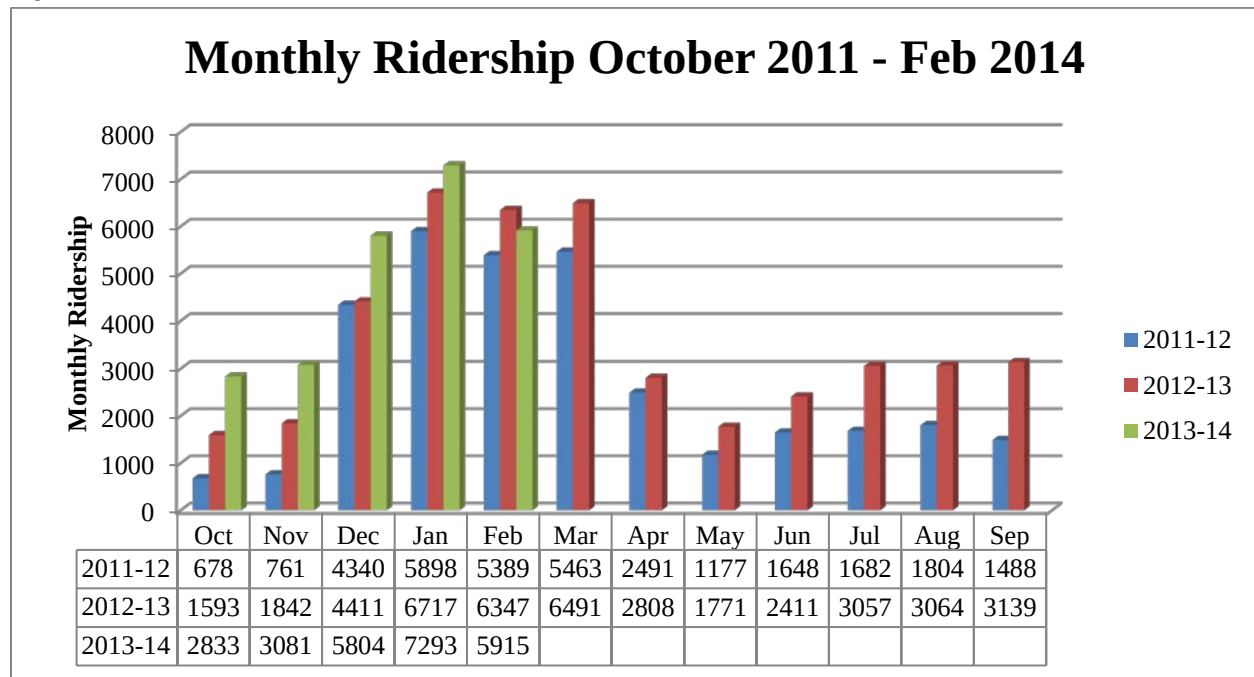
2014 October 2014 will mark the completion of 3 years of PC-SLC connect service.

Staff is returning to Council to review system operational and financial performance to date and request ongoing support of the transit service.

Analysis:

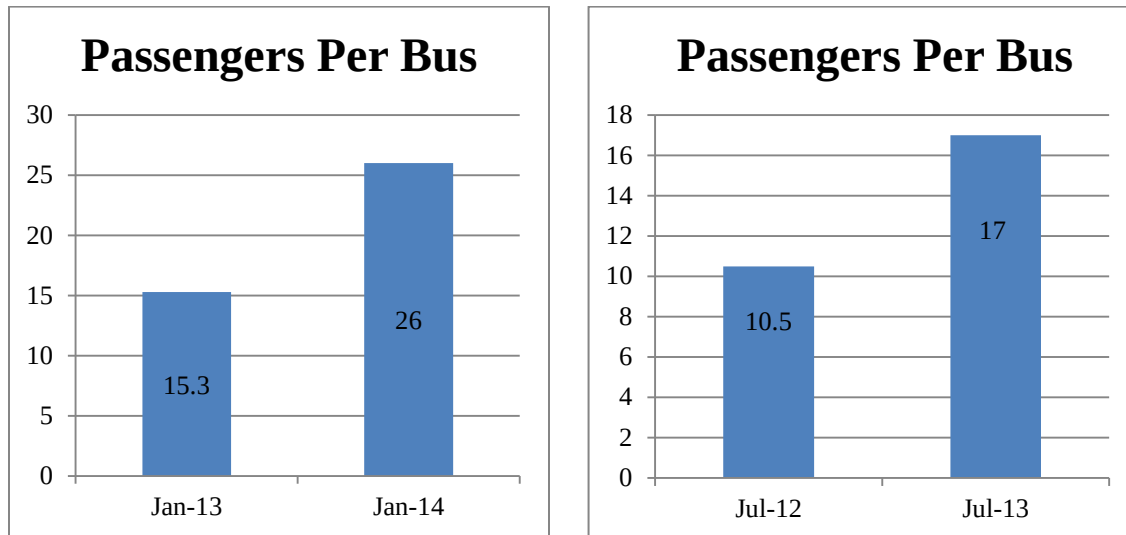
Ridership:

The chart and table below depict monthly ridership from service inception in October 2011.



The data clearly indicates strong ridership growth particularly between 2012 and present.

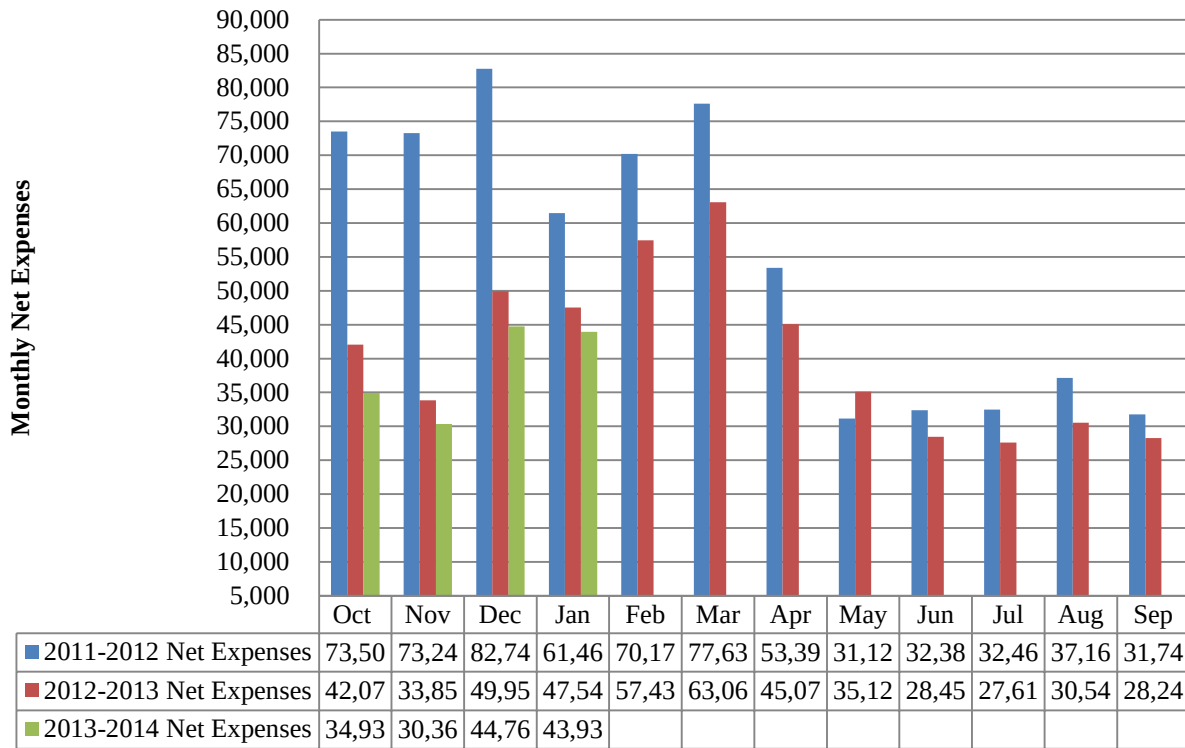
The charts below depicts average rider per bus in the months of January and July. Ridership in January, 2014, increased 70% over the same period in 2013. The July, 2013, ridership increased 62% over the same period in 2012.



There are likely many factors contributing to this strong growth, some of those factors are:

- **Learning curve** – *It takes time for transit riders to learn of a new route and to make changes to their mode choice.*
- **Marketing efforts** – City and UTA staff devoted time, energy and dollars to a 2013 marketing campaign that targeted Park City to SLC commuters. This campaign utilized local radio, targeted cable television, and local print media.
- **Fare reduction** – In fall 2013, fare for the service was reduced from \$5.50 per one way trip to \$4.25 per one way trip. Additionally, 30-day passes were reduced from \$242 to \$162. These reductions likely contributed to increased ridership.
- **Schedule alignment** - City and UTA staff worked closely with major employers in Summit County\Park City and SLC to determine shift start and end times. The data gathered was then used to better align bus schedule to start end times of these major employers. This alignment likely contributed to increased ridership.
- **Route alignment** – UTA and City staff working with the Utah State Department of Workforce services determined that a large number of Park City employees were located along 33rd South in SLC and also in the Southern end of the Salt Lake Valley. Based on this information Route 901 was created that travels to and from Downtown Salt Lake using 33rd South via the Meadowbrook light rail station. This route provided much easier access for those living along 33rd South and southern parts of the valley.

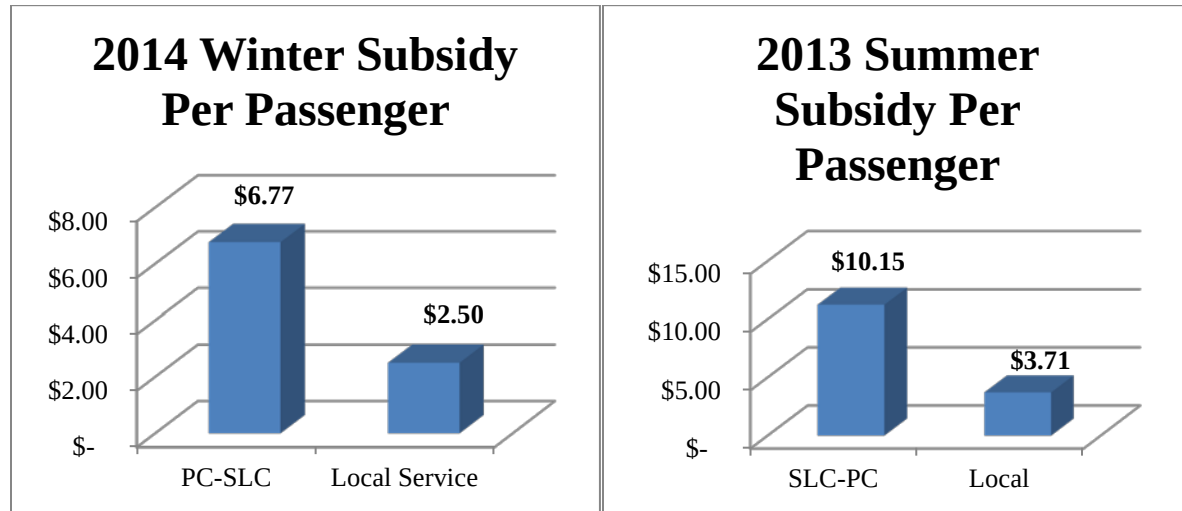
Year over Year Comparison of Monthly Net Expenses



Net Operating Expenses (expenses-revenues)

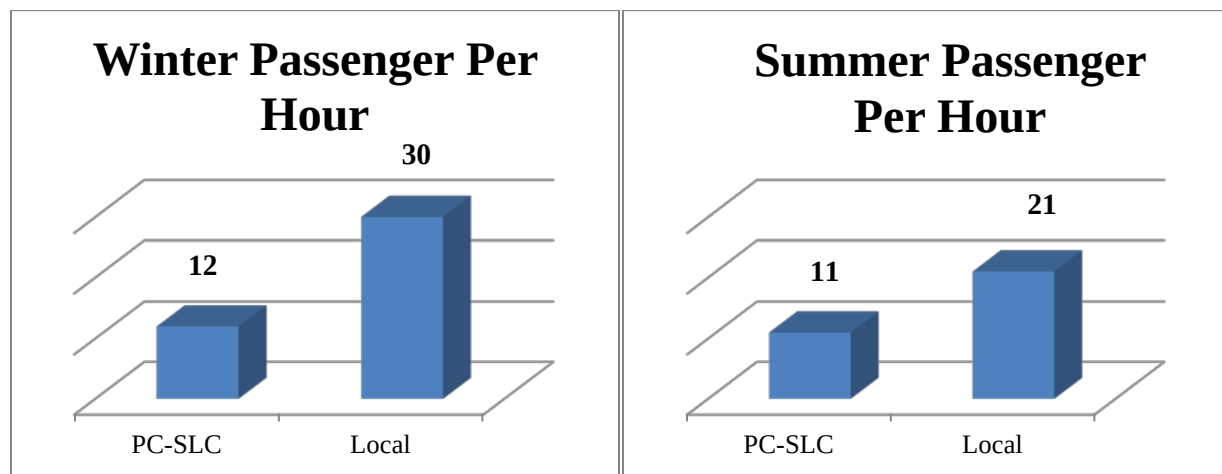
In 2012-13, the number of buses operating the service was reduced to better match service with existing demand (non-productive runs eliminated). This reduction in runs had a significant impact on net operating costs. Additionally as ridership and associated fare-box collections have increased operating expenses have dropped.

Performance Standards



The graphs above visually depict how the 2013 subsidy per passenger for the PC-SLC Connect compares with Park City Transit local service. It is important to consider that City routes are mature while PC-SLC is still young service in the early stages of building ridership. Additionally, an average trip on a local route is much shorter in time and distance than an average PC-SLC Connect trip.

The graphs below compare the number of passengers per service hour of PC-SLC Connect to Park City Transit Local service.



Undeveloped Markets

UTA and City staffs have identified four major employers that have strong potential to build system ridership. Those employers are:

- University of Utah
- Whole Foods
- Walmart
- Tanger Outlet Mall

UTA and City staff plan to aggressively pursue securing pass agreements with Whole Foods, Walmart, and the University of Utah.

Recreational Skier Market: while the current frequency of service does not fully serve the skier market, UTA and City staffs believe there is reasonable potential to develop ridership in this market sector. Staff will work with the three local ski areas to promote the service as part of their season pass program. Additionally, face to face contact with hotels along the route will begin this summer to ensure front desk staff and concierges are aware of this travel option.

Mountain Biking Market: Staff believes this market has additional development potential during late spring through fall. Efforts this spring will include the development of a mountain bike specific transit brochure. This printed material will be distributed in person to person contact with mountain bike and sporting shops along the Wasatch Front.

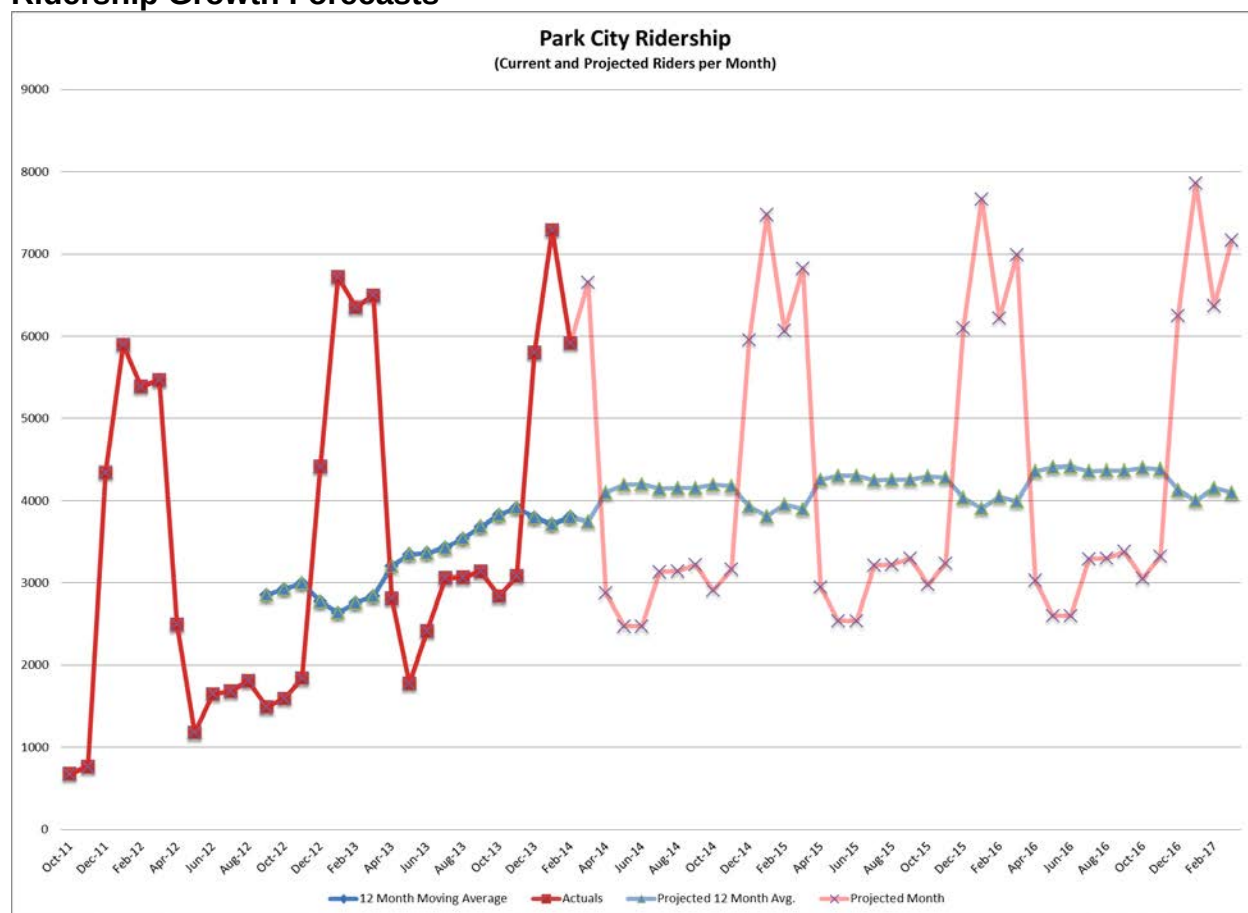
Airport to Park City Market: while the current frequency of service also provides some challenges to development of this sector both UTA and City staff believe we can capture more ridership from this group. Completion of the Airport Light Rail line makes a ride from the Airport to Park City possible (with one transfer to/from bus at Gallivan Plaza). Staff will focus on improving written and visual materials to make navigating this trip simpler and more intuitive.

Additional Marketing Efforts

Both UTA and City transit staff are planning to implement the following transit marketing action items:

1. Continued involvement with Park City Chamber and other industry groups.
2. Develop market specific printed and web based information (recreational skiing, airport and mountain biking).
3. Conduct summer and winter ridership surveys to determine who is riding and what market segments we are having success with. Utilize this information to focus ongoing marketing efforts.
4. Ongoing contacts with major employers in both SLC and Park City.

Ridership Growth Forecasts



Subsidies Going Forward:

The City & Summit County are contractually obligated to provide up to \$235,000 annually to cover net operating expenses (operating expenses less farebox revenues). In each of the first 3 years of operation the system has required payment of the full \$235,000 commitment.

The growth of ridership provides some reassurance that farebox revenues should begin reducing the amount of City and County subsidy in this operational year (October 2013 – September 2014). Staff is cautiously optimistic that ridership will continue to exceed the 3% growth rate forecast by UTA in the above graph. It is important to understand that growth cannot be guaranteed and Staff commits to return each year to Council with a performance update and recommendation regarding continued City support.

Department Review:

This report has been reviewed by City Manager, City Attorney's office, Public Works, Budget. All comments have been integrated into this report.

Alternatives:

- A. Approve:** Staff recommends that Council authorize continued City subsidy of up to \$235,000 of the PC-SLC Connect net expenses for the 2014-15 contract year (August 24, 2014 – August 23, 2015). Staff will return in late March/early April 2015 to provide Council an update of system performance and make a recommendation regarding continued subsidy.
- B. Deny:** Council could deny continued subsidy of the PC-SLC Connect service. Staff does not recommend this alternative.
- C. Modify:** Council could direct staff to seek modification of contract terms with the contracting parties. Staff does not recommend this alternative.
- D. Continue the Item:** Council could continue the item indefinitely. Any delay beyond May 23rd, could pose contractual issues with proper notice should the City determine to terminate the interlocal agreement.
- E. Do Nothing:** Council could do nothing. Doing nothing beyond May 23, 2014, could pose contractual issues with proper notice should the City determine to terminate the interlocal agreement. Doing nothing beyond August 23, 2014, shall result in automatic renewal of agreement for one more year.

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	(+/-) Accessible and world-class recreational facilities, parks and programs (+/-) Accessibility during peak seasonal times (+/-) Well-utilized regional public transit (+/-) (+/-) (+/-) (+/-)	(+/-) Reduced municipal, business and community carbon footprints (+/-) (+/-) (+/-) (+/-) (+/-)	(+/-) Diverse population (racially, socially, economically, geographically, etc.) (+/-) (+/-) (+/-) (+/-) (+/-)	(+/-) Streamlined and flexible operating processes (+/-) (+/-) (+/-) (+/-) (+/-)
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Very Positive 	Very Positive 	Positive 
Comments:				

Funding Source:

Adequate funds for this service exist in the Transit Fund.

Consequences of not taking the recommended action:

The PC-SLC inter-local agreement (executed August 24, 2011) will automatically renew each successive year for a period of 50 years unless City provides written notice of termination to UTA and Summit County. The agreement further requires the City to provide 3 months advance written notice of any desired termination date (deadline May 24, 2014, for this contract year).

Recommendation:

Staff recommends that Council authorize continued City subsidy of up to \$235,000 of the PC-SLC Connect net expenses for the 2014-15 contract year (August 24, 2014 – August 23, 2015). Staff will return in late March/early April 2015 to provide Council an update of system performance and make a recommendation regarding continued subsidy.



City Council Staff Report

Subject: 2014 Main Street Improvements Update
Author: Matthew A. Twombly
Department: Sustainability
Date: April 3, 2014
Type of Item: Work Session - Informational

Summary Recommendations:

Consider the update and direct staff to proceed with the pending 2014 downtown streetscape projects.

Topic/Description:

2014 Main Street Improvements – Design and Engineering of:

1. Continuation of Sidewalk and Streetscape improvements;
2. City Hall/ Historic Wall Project; and
3. Bear Bench Walkway.

Background:

On December 12, 2013 Council awarded the Professional Services Provider contract to MGB+A for the design and engineering of the Main Street Streetscape, City Hall Plaza and Bear Bench Walkway projects. On March 6, 2014 Council awarded the Construction Manager at Risk (CMAR) Agreement to Miller Paving for the Preconstruction Services portion of the work in the amount of \$15,320.

The 2013 project design agreement included a blueprint for the sidewalk and streetscape “design” or the look of the Main Street sidewalk improvements to be carried through the 10 year plan. The Historic District Design Review (HDDR) finalized the Main Street improvements including storm drains and inlet boxes, new water meters and lids, “Blue Sky” grey granite curb, 12”x12” “Chester” pavers, ~ 18” wide concrete bands around a rectangular field of granite pavers (alternating between square and diagonally set), new reproduction street lights, and electrical conduit. The site furnishings (trash cans, benches, etc.) will be reviewed and chosen by Parks and Planning and coordinated with the project team in an effort to keep the funk and not have all the same benches and trash cans.

The Chester or grey granite pavers with the grey concrete band was deliberately approved to downplay the paving material and focus the user on the historic fabric (buildings) of Main Street. Staff and ultimately Council agreed that the pass throughs and walkways offered an opportunity to depart from a basic paving color and material and indicate to users a pedestrian connection to other civic infrastructure (transit, parking, Miner’s park) was on the other side. All agreed that these walkways could introduce modern materials, colors and themes.

Analysis:

The Project Team consists of:

Design Team: Jay Bollwinkle - MGB+A, Greg Boudrero - MGB+A, Michael Demkowitz - Alliance Engineering

Construction Manager: Dave Harrison- Miller Paving, Superintendent: Jeff Hudson - Miller Paving

Park City Municipal: Jonathan Weidenhamer, Blake Foncesbeck, Matt Twombly, Dave Gustafson, Troy Dayley, Maria Barndt, Clint Dayley, Craig Sanchez, Anya Grahn, Thomas Eddington, Kayla Sintz

Historic Park City Alliance: Alison Butz

Other staff from Transit, Water, Engineering, Fire, Building, Environment, and others are also included on occasion. As the Main Street sidewalk materials and pattern has been predetermined, the Project Team has concentrated the efforts on the Bear Bench Walkway and the City Hall Plaza design.

The Bear Bench Walkway:

The Design Team developed a concept for the Bear Bench Project which promotes pedestrian passage between the Transit Center to Main Street and back (Exhibit A). The project scope identifies a widened passageway and also provides some small gathering spaces especially on the Swede Alley side as the property widens out. There is a center Arbor made of curved corten steel with down lighting similar to Terigo Walkway. There is also a decorative band of lights in the brick paving with a curvilinear pattern to represent ore cart tracks and help pull the visual attention from the Transit Center to Main Street. There will also be seat walls, an information (and possible story telling) kiosk, lighting, a concrete pad for art, signs, site furnishings, landscaping, trees, irrigation, news racks and of course Franz the bear and the bench will remain in its current location. The scope has been through preliminary Historic District Design Review and was met with support from the Planning Department.

City Hall/ Historic Wall Project:

The City Hall/ Historic Wall project concepts were brought before Council on February 16, 2012 and April 5, 2012.

On February 16, 2012 staff gave a preview of the 2013 Fiscal Year Capital Budget. Included was an update on the Downtown Projects including specific discussion of the Historic Wall project in Swede Alley

(Report: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8740>;
Minutes: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=8952>).

The majority of Council was supportive of expanding the historic wall project into more of a pocket park that created place and emphasized the importance the connectivity of Main Street to the institutional use of City Hall. Council also understood the sensitivity to parking supply and preliminary discussions were supportive of removal of somewhere between 6 – 11 spaces.

On April 5, 2012 Council reviewed the concept IBI plans for the downtown improvements, including the “enhanced entry to City Hall in Swede Alley” (Report: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9156>; Minutes: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=9250>). There was limited input on this improvement. The following concepts were included in the report and reemphasize the goals articulated by Council:



IBI GROUP
SALT LAKE CITY
100 East Temple, Suite 1000
Salt Lake City, UT 84111
www.ibigroup.com
801.531.1000
Fax: 801.531.1001

PARK CITY
940 Main Street, Suite 100
Park City, UT 84302
www.ibigroup.com
801.438.3131
Fax: 801.438.3132



HISTORIC WALL/CITY HALL 3D STUDY
March 2012

Historic Park City
Improvement Plan
Park City, Utah

The plans developed by the project team are attached as Exhibit A. The stated goals of this project are to enhance the pedestrian connections between China Bridge, the Transit Center and 5th Street to Main Street, City Hall steps to Main Street, and the KPCW/Liquor store to Main Street. The connection at the City Hall steps also creates a civic connection to Main Street. Additional project goals are to provide a permanent gathering place at the Historic Wall that was restored last summer as well as a flexible, larger gathering area in the lot itself while trying to minimize the loss of parking.

The project as designed also reduces the conflict between cars backing onto Swede Alley by providing short term parallel parking spaces on the East side of Swede Alley between the liquor store and the Post Office. Overall the reduction of parking is limited to 8 stalls. The plan also includes vertical elements designed to complement the forms on the Marsac Building and Stairs to help enhance the pedestrian connections. There will also be benches, seat walls, lighting, irrigation, landscaping, site furnishings and signs.

The project team has twice met with the Historic Park City Alliance (HPCA) Infrastructure Committee and also met with their entire Board on March 18, 2014. The Infrastructure Committee has been very positive on the proposed improvements rooted in the goals of creating place in Swede Alley, the civic connectivity to City Hall and in creating intuitive pedestrian connectivity; however the broader HPCA Board continues to have mixed feelings on the City Hall Plaza concept mostly due to the reduction in parking. The design team believes we have balanced the removal of 8 parking spaces by introducing easily accessible, short-term parallel supply in front of the liquor store.

Project team members presented the current plans to the Historic District Design Review (HDDR) committee at a pre-application meeting and the plans with some minor changes were well received. Staff intends to file a formal HDDR application to move forward with the project. The plans were also presented at the public open house on March 18, 2014 and received positive comments.

Project Milestones, Next Steps and Construction Timing

2014 Main Street Project Milestones	Type	Dates
Questar Gas	Identify Scope	Fall '13
5th-Heber Sidewalks, Bear Bench, City Hall Plazas	Identify Scope	Fall '13
2013 Projects Overview	Council Update	Dec 12-'13
Design Firm Selection - MGBA Contract	Procurement - Award	Oct '13 - Dec '13
Project team meetings -Design	Weekly Meetings	Dec '13 - Apr '14
HPCA Infrastructure Committee	Update	Jan 7 - '14
Contractor - Miller Preconstruction Contract	Procurement - Award	Jan '14 - Mar '14
Project team meetings -Construction	Weekly Meetings	Mar '13 - Nov '14
HPCA Infrastructure Committee	Update	Feb 25 -'14
HPCA Board Meeting	Update	Mar 18 -'14
Historic District Design Review - Sidewalks	Planning Approvals	Mar '14

7th St. Intersection 2013 project contract - Right of Way Permit - Miller	Permitting	Mar '14
Spring Construction Notification (Door - Door)	Public Outreach	Mar '14
Open House	Public Meeting	Mar-18-'14
City Council Work Session	Council Update	Apr-3-14
Main St. Sidewalks - Right of Way Permit - Miller	Permitting	Apr '14
Main St. Sidewalks - Guaranteed Maximum Price - Miller	Procurement - Award	Apr '14
Historic District Design Review - Bear/City Hall	Planning Approvals	April '14
Bear Bench Plans - Building & Engineering	Review and Permitting	Apr '14 -May '14
Bear/City Hall - Guaranteed Maximum Price - Miller	Procurement - Award	May '14
7th St. Intersection - Miller	Construction	4-7-14 to 6-1-14
Main St: 5th-Heber East - Questar	Construction	4-7-14 to 5-15-14
Main St: Heber - Claimjumper - Miller	Construction	4-21-14 to 6-15-14
Main St: 4th - 5th West	Construction	5-15-14 to 7-1-14
Main St: Heber - 5th East - Miller	Construction	6-1-14 to 8-1-14
Bear Bench Walkway - Miller	Construction	7-5-14 to 10-15-14
City Hall Plaza - Right of Way Permit - Miller	Permitting	Aug '14
City Hall Plaza	Construction	9-1-14 to 12-1-14
2015 Projects		
Questar Gas Coordination & Planning	Identify Scope	Fall '14
Main St Sidewalks, Plazas, Intersection	Identify Scope	Fall '14

The reconstruction of the Main and 7th Street intersections, which were approved as part of last year's work but delayed because of 692 Main Street Construction will begin on April 7, 2014. Questar Gas is also scheduled to start the main line replacement on Main Street between 5th Street and Heber Avenue on April 7, 2014.

Staff is planning to construct the sidewalk section of Main Street from the Claimjumper to Heber Ave on the West side and 5th Street to Heber Ave on the East side. The Main Street sidewalks portion is anticipated to begin on April 21, 2014 after staff returns to Council with the Guaranteed Maximum Price for the sidewalk portion of the 2014 projects, anticipated on April 17.

One of the other contemplated projects for 2014 was the Swede Alley sidewalk on the West side from the rear of the Post Office heading North to 4th Street. Where the Old Town Improvement Study (OTIS) contemplated a reconstruction of Swede Alley and more discussions on storefronts has yet to be had, staff is currently holding off on the design and construction of this sidewalk at this time.

The current design(s) are within preliminary budgets identified during the FY 2013 budget and funded through the Resort City Sales Tax. As the projects are bid and the Guaranteed Maximum Price (GMP) is developed by the Construction Manager, the

project team will compare the GMP to the identified budgets prior to making a recommendation to Council to approve the award.

Department Review:

This report has been reviewed by representatives of Sustainability, Legal, Budget and the City Manager's Office and their comments have been integrated into this report.

Alternatives:

A. Approve:

Review the current designs and direct staff to move forward with permitting and construction: (Staff recommendation)

B. Deny:

Council could choose to continue with the project at this time.

C. Modify:

Council could choose to modify the plans, which will likely delay the schedule of the projects.

D. Continue the Item:

Council may feel there is not enough information to make a decision and continue the item which will delay the project and the proposed schedule.

E. Do Nothing:

Same effect as continuance

Significant Impacts:

	World Class Multi-Seasonal Resort Destination (Economic Impact)	Preserving & Enhancing the Natural Environment (Environmental Impact)	An Inclusive Community of Diverse Economic & Cultural Opportunities (Social Equity Impact)	Responsive, Cutting-Edge & Effective Government
Which Desired Outcomes might the Recommended Action Impact?	+ Balance between tourism and local quality of life ~ Varied and extensive event offerings + Accessibility during peak seasonal times + Safe community that is walkable and bike-able + Internationally recognized & respected brand (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	- Managed natural resources balancing ecosystem needs ~ Enhanced water quality and high customer confidence ~ Reduced municipal, business and community carbon footprints ~ Economically and environmentally feasible soil disposal (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	~ Preserved and celebrated history; protected National Historic District + Shared use of Main Street by locals and visitors + Entire population utilizes community amenities + Community gathering spaces and places + Vibrant arts and culture offerings (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)	+ Well-maintained assets and infrastructure (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome) (+/-) (Select Desired Outcome)
Assessment of Overall Impact on Council Priority (Quality of Life Impact)	Very Positive 	Negative 	Very Positive 	Positive 
Comments: Events may have temporary negative impacts during construction, but the improvements are positive in the long term. Storm water improvements will have a neutral effect on water quality. The carbon footprint will be neutral even though more resources are used due to the maintenance and lifecycle costs of the materials we are considering for Main Street. The historic side is neutral in that we will celebrate historic sites and provide information, but many may consider the improvements less than desirable as historic.				

The project list for Main Street sidewalks was developed around and in coordination with Questar. Scheduled Events and the Dining Decks will also have impacts on the construction schedule. And of course the construction will cause daily temporary impacts to the Main Street businesses, visitors, and locals on Main Street. The construction timing of the Bear Bench Walkway and City Hall Plaza will be coordinated and communicated to the HPCA, store owners and managers.

Funding Source:

There is currently approximately \$2.15 Million estimated for the 2014 Main Street Improvement projects out of the \$15 M, 10 year project budget. Sustainability, Planning, Engineering, Budget, Public Works and on a limited basis other City staff resources will be required to complete the project.

Consequences of not taking the recommended action:

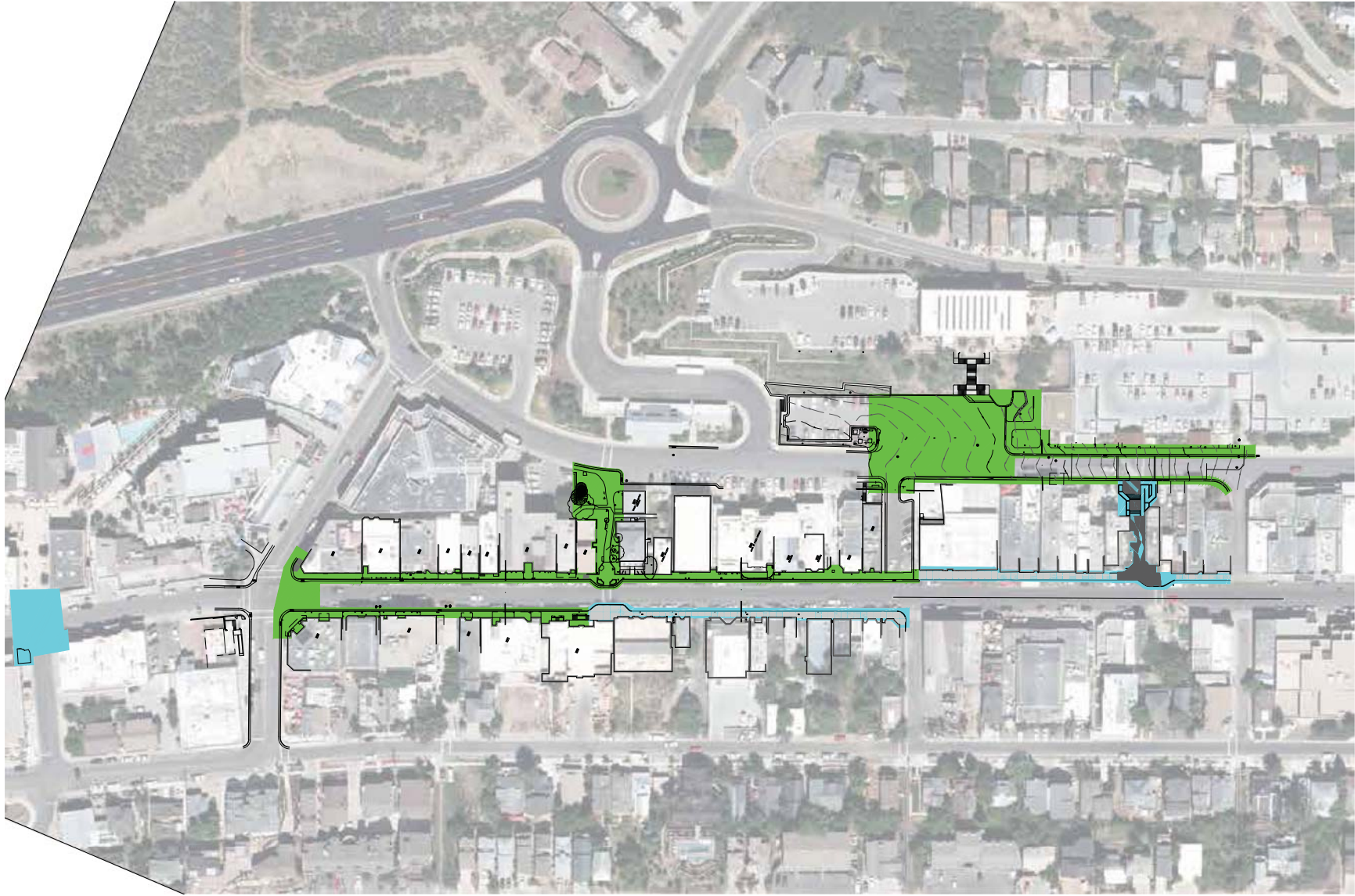
Consequences of not taking the recommended action will likely delay construction.

Recommendation:

Consider the update and direct staff to proceed with the pending 2014 downtown streetscape projects.

Attachments:

Exhibit A: Plans/Drawings for the 2014 Main Street Improvements



SCOPE OVERVIEW
PARK CITY STREETSCAPE PHASE II



BEAR BENCH PASS THRU
SITE PLAN

PARK CITY STREETSCAPE PHASE II



BEAR BENCH PASS THRU
MAIN STREET CROSSWALK

PARK CITY STREETSCAPE PHASE II



BEAR BENCH PASS THRU
MAIN STREET BULBOUT

PARK CITY STREETSCAPE PHASE II



BEAR BENCH PASS THRU
SWEDE ALLEY

PARK CITY STREETSCAPE PHASE II



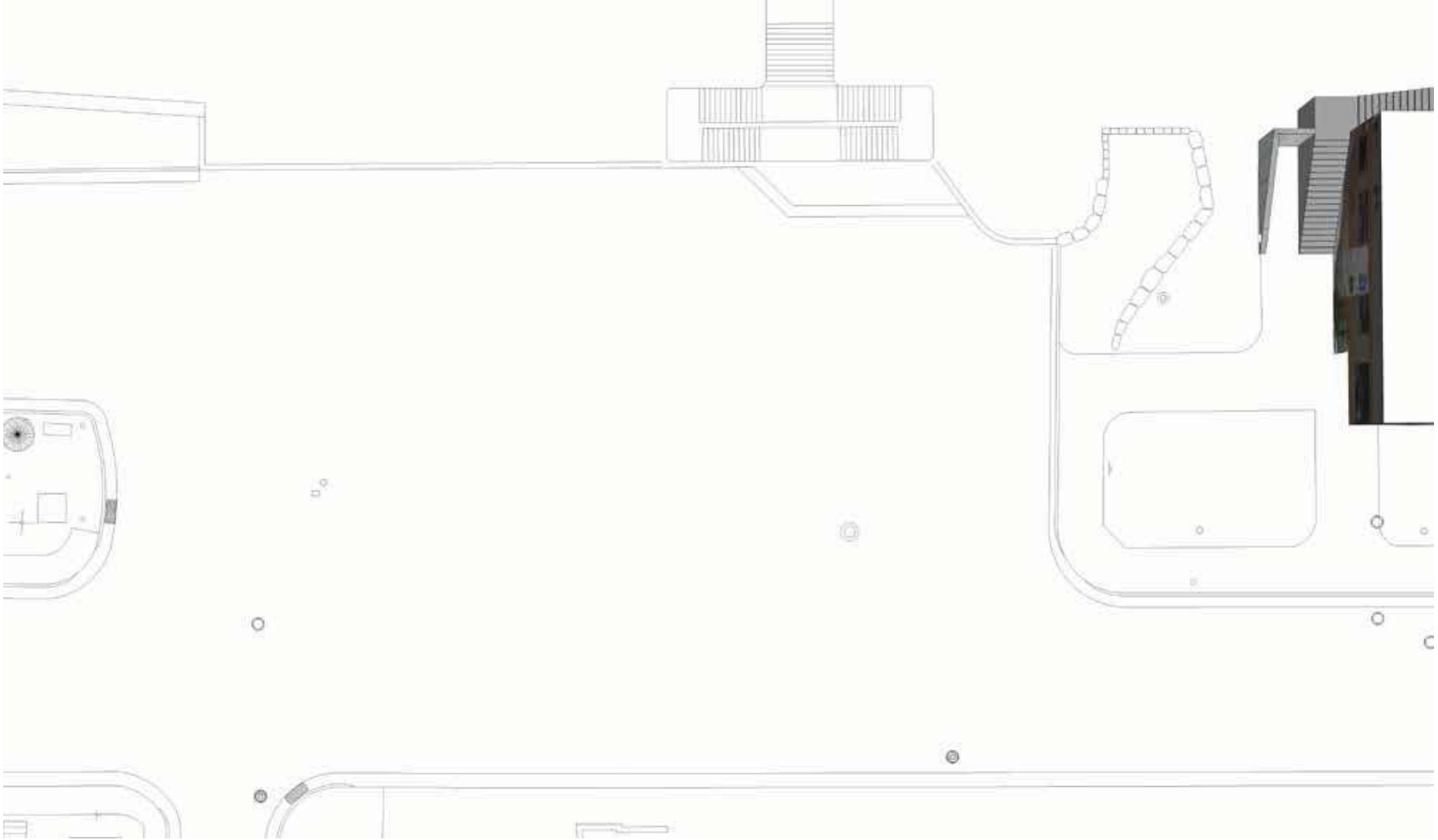
BEAR BENCH PASS THRU
SWEDE ALLEY TRANSIT CENTER

PARK CITY STREETSCAPE PHASE II



BEAR BENCH PASS THRU
ARBOR

PARK CITY STREETSCAPE PHASE II



CITY HALL PLAZA
EXISTING CONDITIONS
PARK CITY STREETSCAPE PHASE II



EXISTING PARKING STALLS: 37
 PROPOSED PARKING STALLS: 30
 PARKING STALL DIFFERENCE: -7

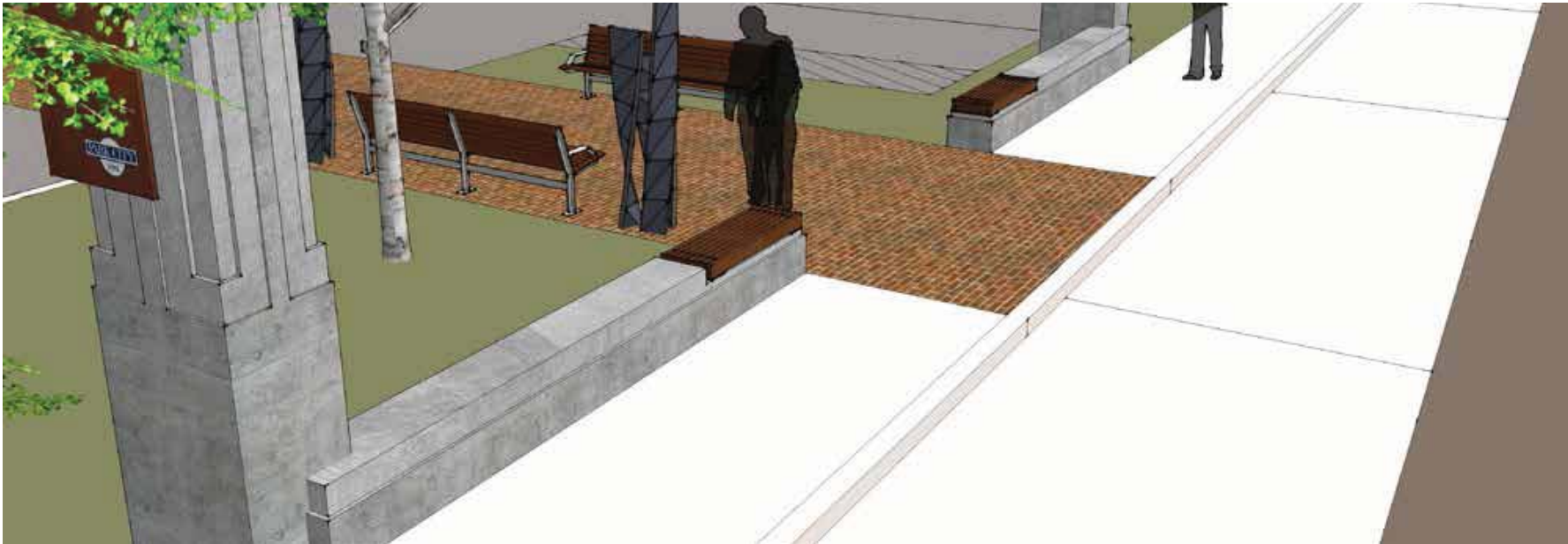
CITY HALL PLAZA
 OPTION 2.2 PLAN

PARK CITY STREETSCAPE PHASE II



CITY HALL PLAZA
OPTION 2.2 MIDBLOCK + STAIR
PARK CITY STREETSCAPE PHASE II







CITY HALL PLAZA
OPTION 2.2 CITY HALL GARAGE STAIR

PARK CITY STREETSCAPE PHASE II



- (A) INTERSTATE BRICK PAVER
COLOR: EBONY
- (B) INTERSTATE BRICK PAVER
COLOR: CAST IRON
- (C) INTERSTATE BRICK PAVER
COLOR: BRONZE CREEK
- (D) COLOR CONCRETE
BANDING: CINNAMON
- (E) LIGHT BAND
GLASS PAVER/ COR-10 RAIL
- (F) SEAT WALL - MATCH
TRANSIT CENTER WALL
- (G) GRANITE CURB
- (H) CONCRETE CURB AND
GUTTER
- (I) I-BEAM BOLLARD
- (J) BEAR BENCH
- (K) BENCH
- (L) TRASH RECEPTACLE
- (M) LANDSCAPE GREEN WALL
- (N) MOVABLE PLANTER
- (O) DIGITAL KIOSK
- (P) ART ELEMENT TBD
- (Q) PEDESTRIAN LIGHT
- (R) 3"x10" COR-10 STEEL BARS
- MINE SHAFT BEAMS
- (S) ARBOR LIGHTING
- (T) NEWSPAPER RACK
- (U) OUTDOOR DINING
- (V) TRANSIT CENTER
DIRECTIONAL SIGN
- (W) 5' CONCRETE SIDEWALK
- (X) CROSSWALK - MATCH
SWEDE ALLEY BRICK
PAVERS & CONCRETE

BEAR BENCH PASS THRU
OPTION 2.1 PLAN

PARK CITY STREETSCAPE PHASE II



- (A) ASPHALT
- (B) CONCRETE CURB & GUTTER
- (C) BRICK PAVER COLOR: DARK RED, BLACK BAND BLOCKS
- (D) PARKING LOT SIGN
- (E) VERTICAL ELEMENT TYPICAL
- (F) SEAT WALL
- (G) VEHICLE CONCRETE
- (H) CONCRETE SIDEWALK
- (I) BENCH
- (J) INTERSTATE BRICK PAVER COLOR: CAST IRON
- (K) VEHICLE CONCRETE COLOR: SMOKE
- (L) LIGHT BOLLARDS
- (M) LIGHT
- (N) CRUSHED AGGREGATE
- (O) NEW BOULDER WALL
- (P) SEAT WALL - BOARD FORM SMOOTH
- (Q) BENCH IPE

CITY HALL PLAZA
OPTION 2.2 PLAN
PARK CITY STREETSCAPE PHASE II

ANTI-IDLING: REVISITED

OFFICE OF SUSTAINABILITY

MATT ABBOTT

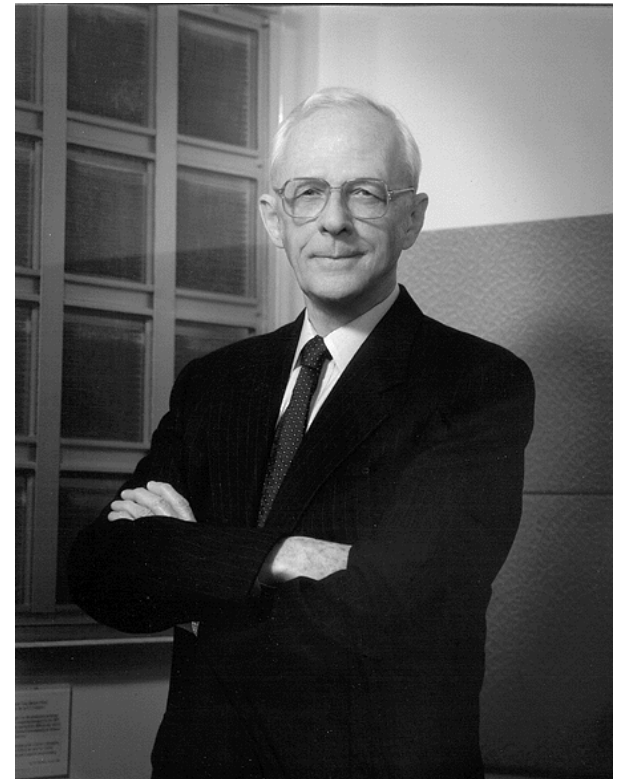
SYSTEMS THINKING

“The average manager can define the current problem very cogently, identify the system structure that leads to the problem, and guess with great accuracy where to look for leverage points.

– – more often than not they push change in the wrong direction.”

Jay Wright Forrester

MIT Sloan School of Management



2009

- **Aug. 20** – Park City Council asks staff to assess anti-idling
- **Oct. 29** – Staff Report: Anti-Idling Policy
- **Nov. 19** – Staff Report: Anti-Idling Resolution
- Signed – Resolution No. 33-09: Anti-Idling Resolution for Motorized Vehicle in Park City, Utah and Declaring Park City, Utah to be an Idle-Free City

2010

- **Dec. 2** – Staff Report: Main Street Early Deliveries and Anti-Idling Ordinance Discussion
- Anti-Idling Ordinance Proposed
- **Dec. 16** – Staff Report: Consideration of an Anti-Idling Ordinance
- Anti-Idling Ordinance approved

2011

- **Sept.** – Idle Free Awareness Month, sponsored by Park City and Utah Clean Cities

2012

- **Jan.23 to Mar. 8** – Utah State legislative session
- HB 104 introduced and passed
- **May 3** – Staff Report: Anti-Idling and For-Hire Vehicle Licensing Ordinances
- Anti-Idling Ordinance amended to meet requirements of Utah Code 41-6a-208 (HB 104)
- **May 8** – HB 104: Local Highway Authority Regulatory Powers effective date

2014

- **February** – Idling ordinance addressed during public comment
- Park City Council requests a work session
- **April 3** - Today

HB 104

The law prohibits enacting of an “anti-idling” ordinance unless the ordinance:

- i. is primarily educational;
- ii. provides that a person must be issued at least three warning citations before imposing a fine;
- iii. has the same fine structure as a parking violation;
- iv. provides for the safety of law enforcement personnel who enforce the ordinance

ENFORCEMENT

CURRENT STATUS

PCPD

- Verbal warnings
- Difficult to track enforcement

Sustainability

- Online Idling Complaint Form
- 25 permanent signs
- Assisted resorts w/ signage

OPPORTUNITIES

1. Improve Internal Municipal Idling Policies
2. Amend Existing Ordinance
3. Amend HB 104
4. Increase Enforcement
 - a) Parking Enforcement
 - b) PCPD
5. Address for-hire business community

1. INTERNAL IDLING POLICIES

- Lead by example
- Currently, no policy beyond ordinance
- Currently operating under best practices
 - This is good
- Opportunities to improve idling through technology
 - Lessons learned w/ PCPD anti-idling technology

Recommendation: Draft internal policy and assess technologies

2. AMEND EXISTING ORDINANCE

Feedback: **Parameters increase education and enforceability**

9-10-1 NO IDLING.

No driver, while operating a vehicle within Park City corporate limits, shall cause or permit a vehicle's engine to idle for **more than-one minutes**, with exceptions for the following circumstances:

2. AMEND EXISTING ORDINANCE (CONT'D)

9-10-2. IDLING ON PUBLIC AND PRIVATE PROPERTY.

Section 9-10-1 may only be enforced when the idling vehicle is found on:

- A. Public property, or
- B. Private property that is open to the public unless the private property owner:
 - I. Has a private business that has a drive-through service as a component of the private property owner's business operation and posts a sign provided by or acceptable to Park City informing its customers and the public of Park City's time limit of one minutes for idling vehicle engines; or
 - II. Adopts an idle reduction education policy approved by Park City and posts signage.**

3. INCREASE ANTI-IDLING ENFORCEMENT

Parking Enforcement

- Currently 2-hours budgeted to weekly anti-idling
- Could increase to 4-hours w/ no budget impact

Recommendation: Increase enforcement 2-hours

PCPD

- Direction to pursue Idle-Free education could target problem locations
 - Grocery Stores
 - Fire Lanes
 - Parking lot

Recommendation: Increased enforcement/education

4. AMEND HB 104

HB 104 specifically targeted PC's efforts

Salt Lake Valley Air Quality

- 2014 – Most bills introduced of any legislative session
- No game changers, but bills were passed

Recommendation: Strategically support other municipalities, organizations, or legislators amend HB 104



5. FOR-HIRE COMMUNITY

Highly visible community

High potential

IN THE WORKS

- Meeting w/ SLC (April)
- Meeting w/ airport (April)
- Meeting w/ for-hire community (April)

PARK CITY: RENEWABLES

OFFICE OF SUSTAINABILITY

MATT ABBOTT

SCOPE

IN SCOPE TODAY

Municipal Renewables

- Solar
- Micro-hydro
- Large Offsite

Community Renewables

Georgetown University Energy Prize

UPCOMING CONVERSATIONS

Green Building

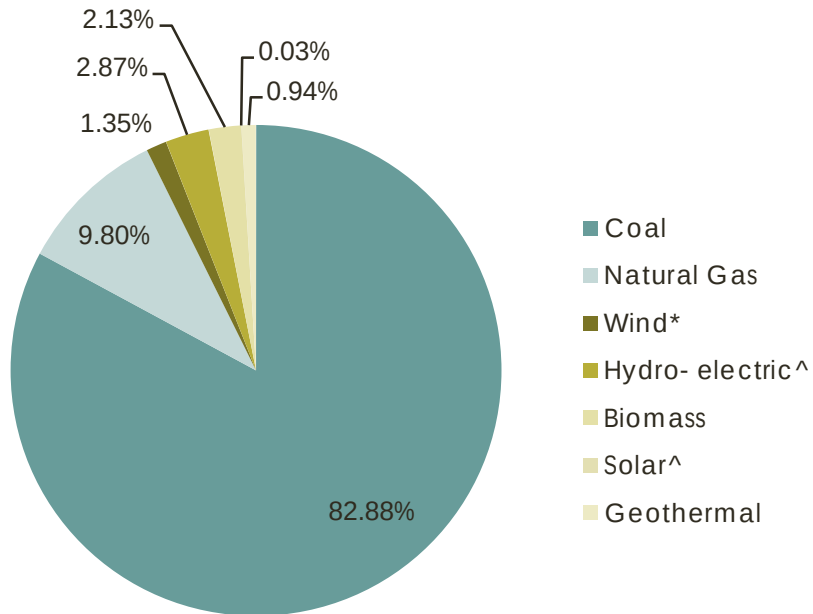
- Municipal
- Commercial
- Residential

Energy Conservation

- PCMC Facilities & Operations
- Commercial PACE
- Residential
 - Weatherization

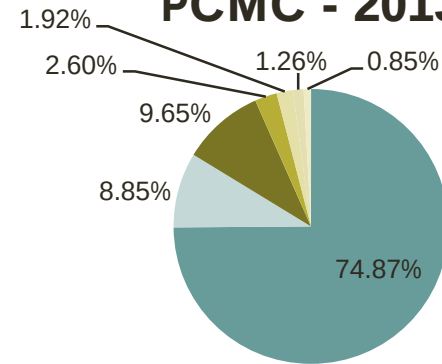
OUR GRID

RMP Grid - 2011

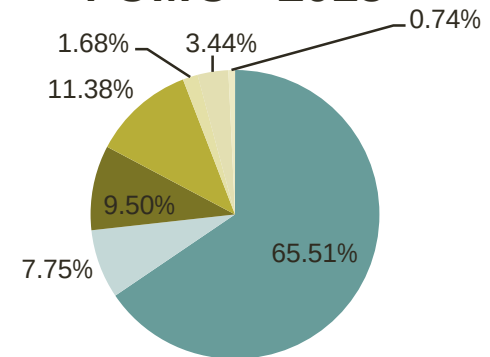


*RMP BlueSky
^ PCMC Renewables

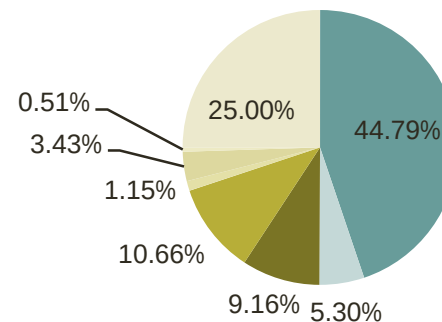
PCMC - 2013



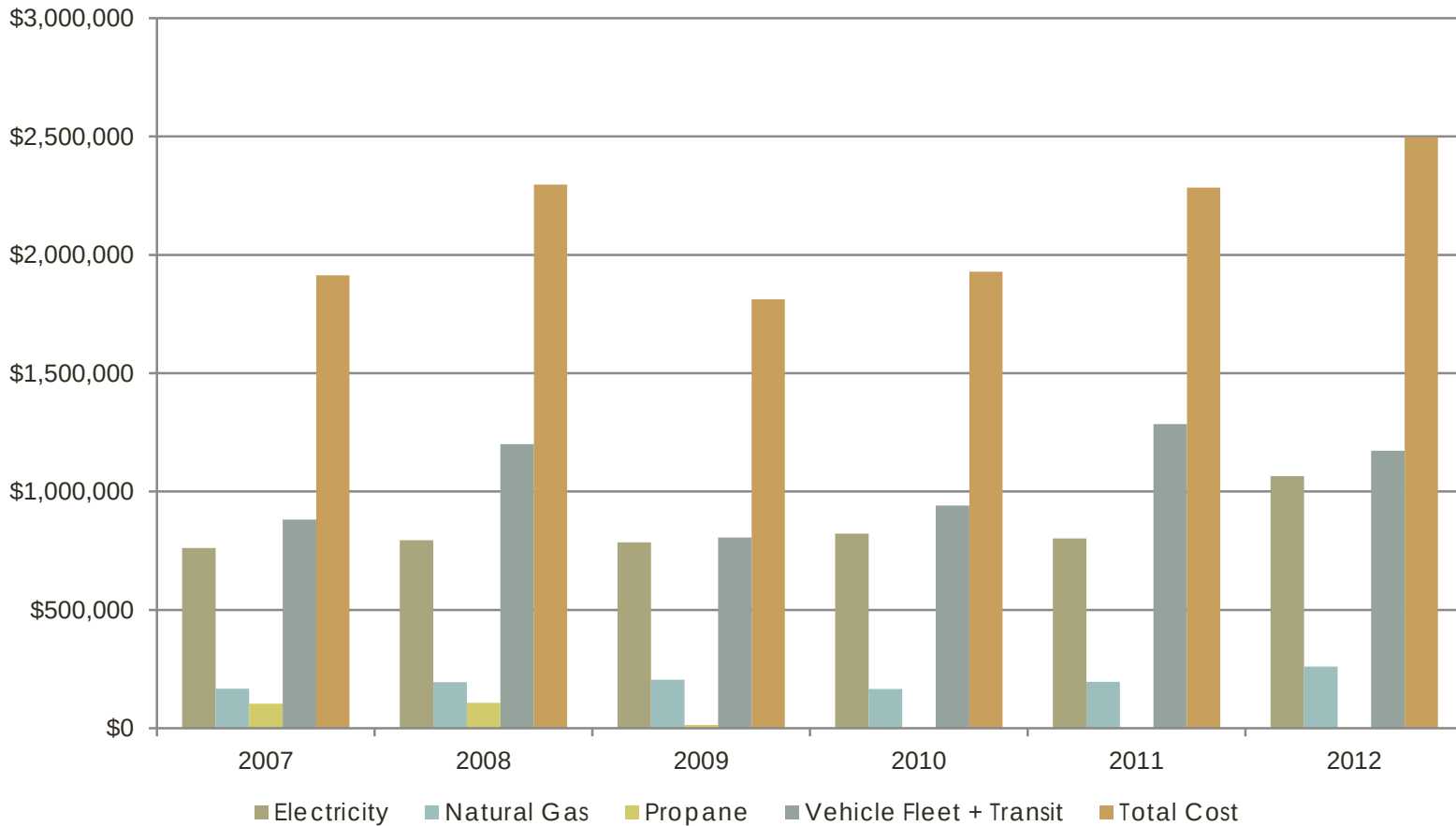
PCMC - 2015



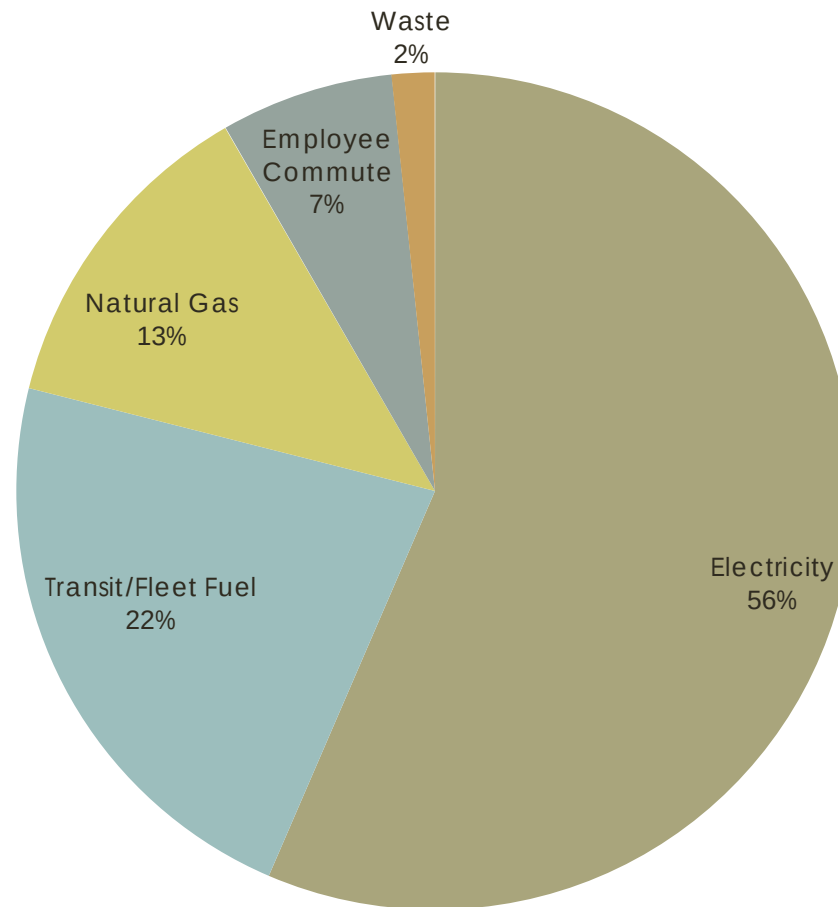
PCMC Projected w/ Offsite



PCMC: ENERGY SPEND

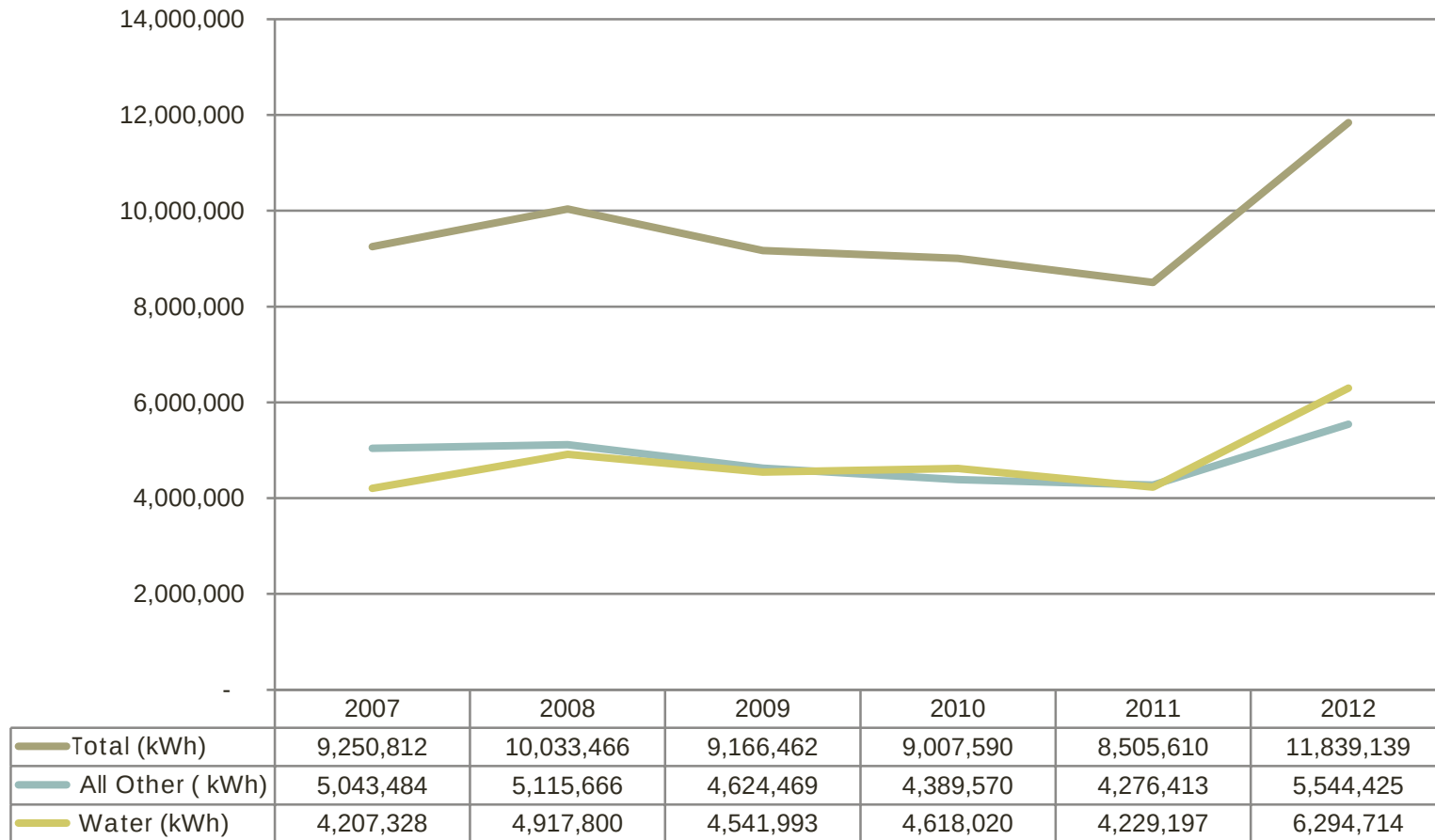


PCMC'S CARBON FOOTPRINT (CO₂e)



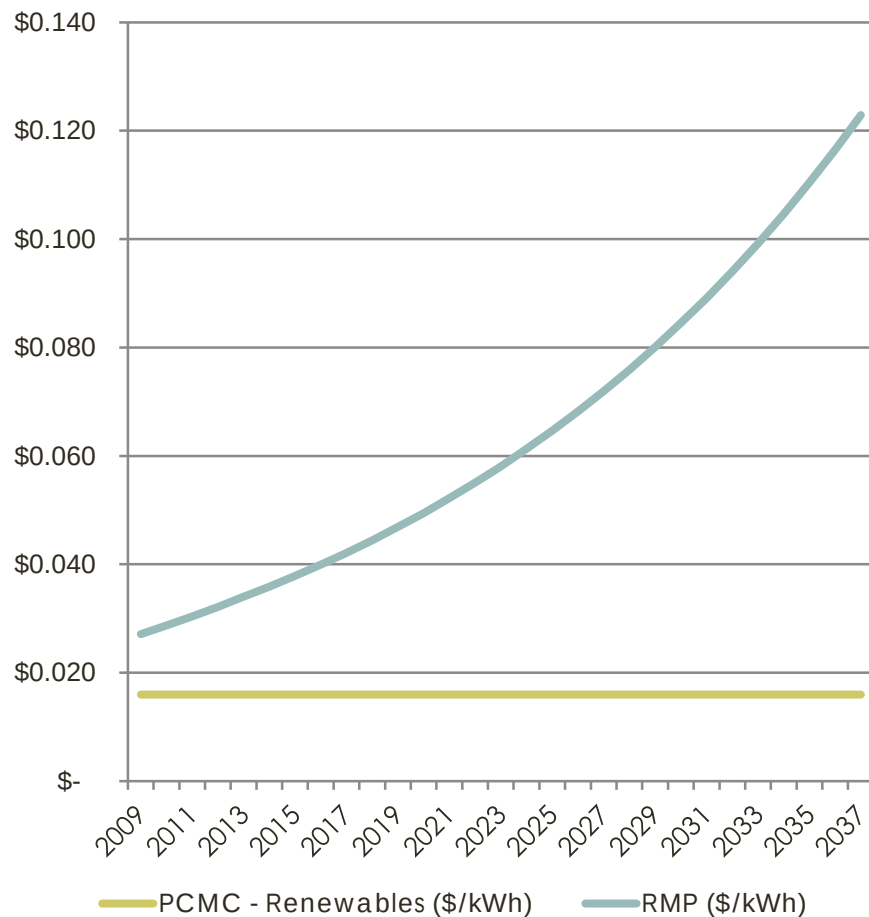


ELECTRICITY USE OVER TIME



PCMC: RENEWABLES PORTFOLIO

RENEWABLES PORTFOLIO



- We pay **\$0.016 per kWh** for renewable energy
- RMP – \$0.034 – \$0.068 (per kWh)
- We save **53% – 76%** w/ our renewable energy portfolio
- RMP prices projected to increase by at least 70%

	Install Date	PV panels (#)	Capacity (kW)	Panel Efficiency (kW/panel)	\$/kW	Performance
Ice Arena	6/1/2009	24	5.4	0.225	\$ 11.11	Unknown
Creekside Park	1/15/2010	24	5.5	0.229	\$ 6.62	Unknown
City Hall	12/1/2010	80	20.0	0.250	\$ 5.40	+9%
Police Facility	8/8/2012	88	22.0	0.250	\$ 5.16	+13%
Park City Transit Campus	10/15/2012	214	54.6	0.255	\$ 4.38	+1%
Park City Transit Bus Driver Housing	12/1/2013	8	2.0	0.255	\$ 5.21	N/A
Totals		438	109.5			



	Total Cost	Grant Funding	PCMC	Savings Generated	Savings Projected
Ice Arena	\$ 60,000	\$ 60,000	\$ -	\$ 520.50	\$ 12,548.13
Creekside Park	\$ 36,400	\$ 36,400	\$ -	\$ 425.17	\$ 12,624.79
City Hall	\$ 108,095	\$ 108,095	\$ -	\$ 1,546.06	\$ 45,908.34
Police Facility	\$ 113,500	\$ 113,500	\$ -	\$ 854.60	\$ 49,109.88
Park City Transit Campus	\$ 238,986	\$ 191,189	\$ 47,797	\$ 2,120.95	\$ 121,881.79
Park City Transit Bus Driver Housing	\$ 10,624	\$ -	\$ 10,624	\$ 39.72	\$ 4,482.20
Totals	\$ 567,605	\$ 509,184	\$ 58,421	\$ 5,507	\$ 246,555
		90%	10%		\$ 188,134

	Cost	NPV	IRR	ROI	Simple Payback (yrs)
Ice Arena	\$ -	\$11,381.53	N/A	N/A	0
Creekside Park	\$ -	\$11,451.06	N/A	N/A	0
City Hall	\$ -	\$41,640.22	N/A	N/A	0
Police Facility	\$ -	\$44,544.11	N/A	N/A	0
Park City Transit Campus	\$ 47,797	\$156,071.45	7%	255%	14
Park City Transit Bus Driver Housing	\$ 10,624	\$14,183.59	-5%	42%	77
Portfolio	\$ 58,421	\$222,865.25	9%	422%	17 (2026)

PROJECTED RENEWABLES PORTFOLIO

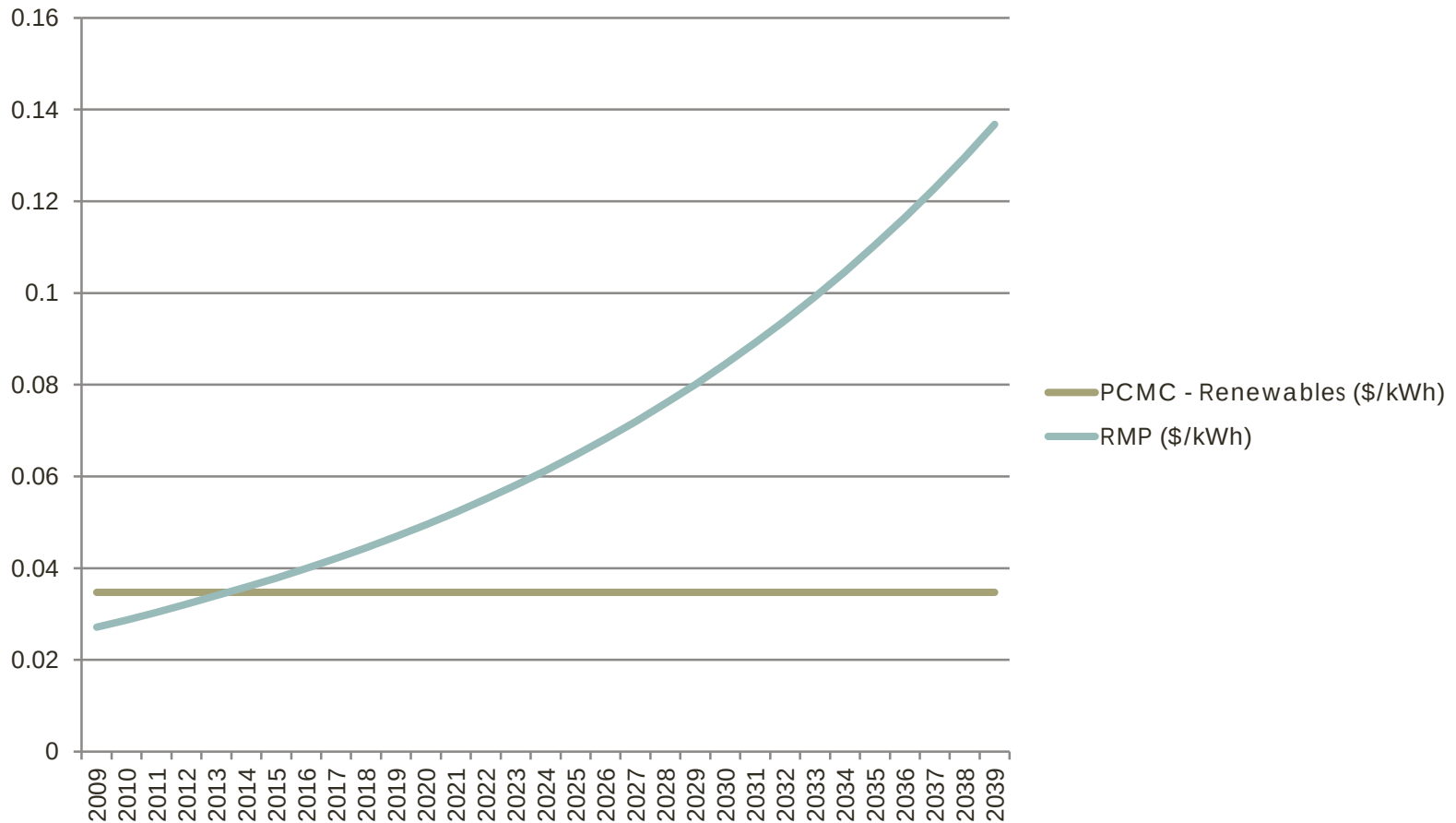
We would pay \$0.035 per kWh for renewable energy through 2039

- RMP is projected to exceed \$0.035 in 2015
- RMP is projected to charge \$0.137 per kWh by 2039

Includes projections for:

- Micro-hydro at Quinn's Water Treatment Plant
- Micro-hydro at Judge Tunnel
- 194kW Solar PV array at MARC

PROJECTED RENEWABLES PORTFOLIO



	Total Cost	Grant Funding	PCMC	Savings Generated	Savings Projected
Ice Arena	\$ 60,000	\$ 60,000	\$ -	\$ 520.50	\$ 12,548
Creekside Park	\$ 36,400	\$ 36,400	\$ -	\$ 425.17	\$ 12,625
City Hall	\$ 108,095	\$ 108,095	\$ -	\$ 1,546.06	\$ 45,908
Police Facility	\$ 113,500	\$ 113,500	\$ -	\$ 854.60	\$ 49,110
Park City Transit Campus	\$ 238,986	\$ 191,189	\$ 47,797	\$ 2,120.95	\$ 121,882
Park City Transit Bus Driver Housing	\$ 10,624	\$ -	\$ 10,624	\$ 39.72	\$ 4,482
QWTP - Microhydro	\$ 300,000	\$ -	\$ 300,000	\$ -	\$ 293,800
Judge Tunnel - Microhydro	\$ 400,000	\$ -	\$ 400,000	\$ -	\$ 1,432,273
MARC Solar	\$ 582,000	\$ 155,200	\$ 426,800	\$ -	\$ 394,080
Totals	\$ 1,849,605	\$ 664,384	\$ 1,185,221	\$ 5,507	\$ 2,366,708
		36%	64%		\$ 1,181,487

	Cost	NPV	IRR	ROI	Simple Payback
Ice Arena	\$ -	\$11,382	N/A	N/A	0
Creekside Park	\$ -	\$11,451	N/A	N/A	0
City Hall	\$ -	\$41,640	N/A	N/A	0
Police Facility	\$ -	\$44,544	N/A	N/A	0
Park City Transit Campus	\$ 47,797	\$156,071	7%	255%	14
Park City Transit Bus Driver Housing	\$ 10,624	\$14,184	-5%	42%	77
QWTP - Microhydro	\$ 300,000	\$552,200	1%	98%	24
Judge Tunnel - Microhydro	\$ 400,000	\$1,680,066	12%	358%	10
MARC Solar	\$ 426,800	\$763,918	1%	92%	24
Portfolio	\$ 1,185,221	\$2,717,860	4%	200%	21 (2030)

LARGE OFFSITE

Project X

- Develop Project (PCMC, Private, or Partnership)
 - Wind
 - Solar
 - Other



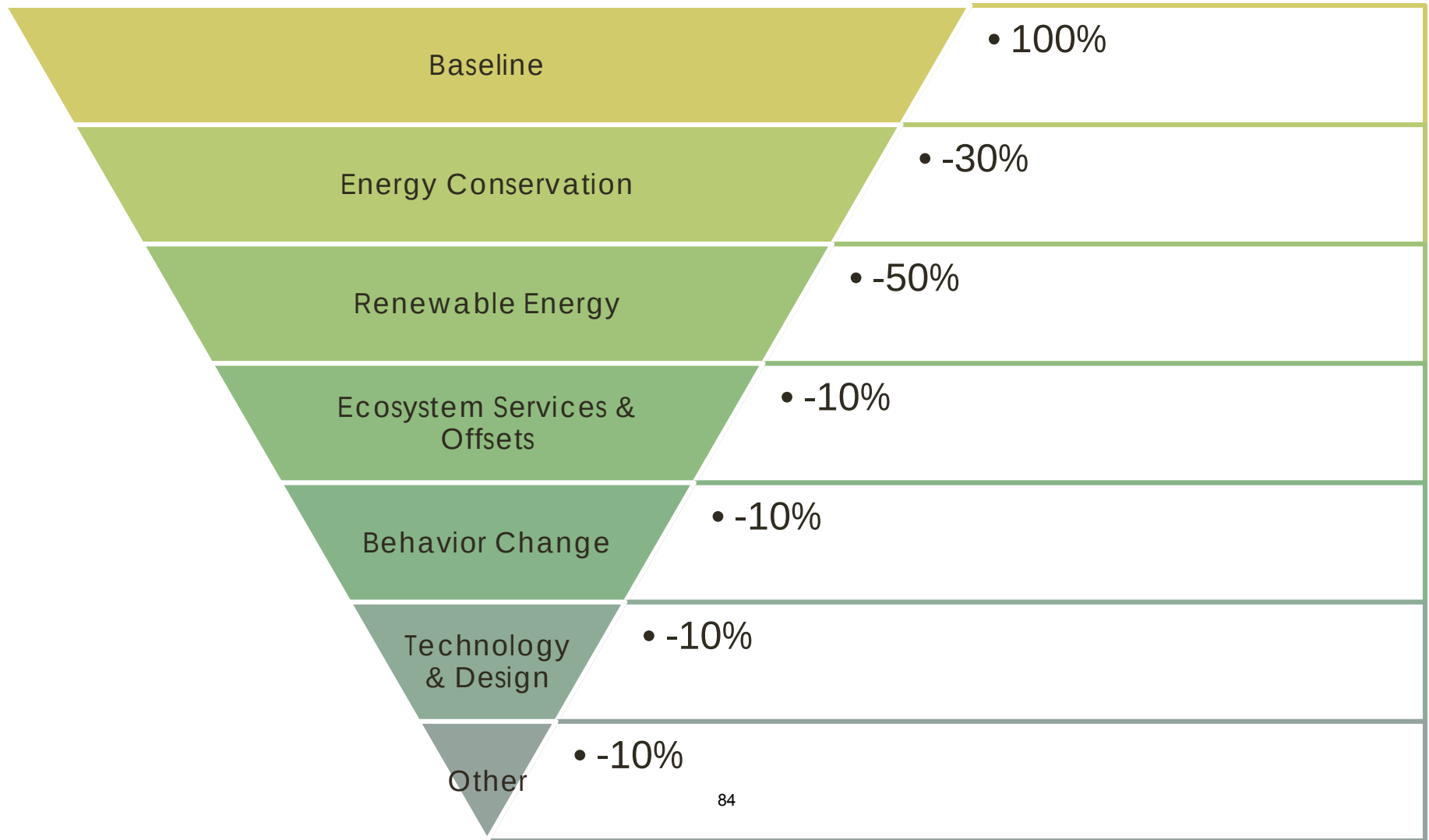
BHAG: NET ZERO ENERGY 2025

Big Hairy Audacious Goal

Jim Collins

- **Reduce energy related carbon emissions to zero by 2025**
 - Electricity
 - Natural Gas
 - Fuel
 - Employee Commute
 - Waste
- Combination of conservation, generation, and offsets

THE ROAD TO NET ZERO



COMMUNITY RENEWABLES

COMMUNITY RENEWABLES

Countywide – **1MW**

330kW (33%) from SCS

- 551kW in 2013 (55%)
- PCMC – 110kW (11%)

SCS Program Details

- \$15k, grant funded effort
- Revenue neutral for PCMC
- \$1.15M in new economic activity
- 6 permanent jobs created



SUPPORTING COMMUNITY RENEWABLES

Renew Fee Waiver

- Recommend changing language
 - From: \$1,000 max
 - To: 25kW max
 - Recommendation from building department
 - Recommendation from solar installers

Pursue Solar Friendly Community Certification

- Reduces the soft costs of solar

SCS II – 2015

GEORGETOWN UNIVERSITY ENERGY PRIZE

GUEP



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WHO CAN COMPETE?

RULES & TIMELINE

RESOURCES FOR COMPETITORS

FAQS

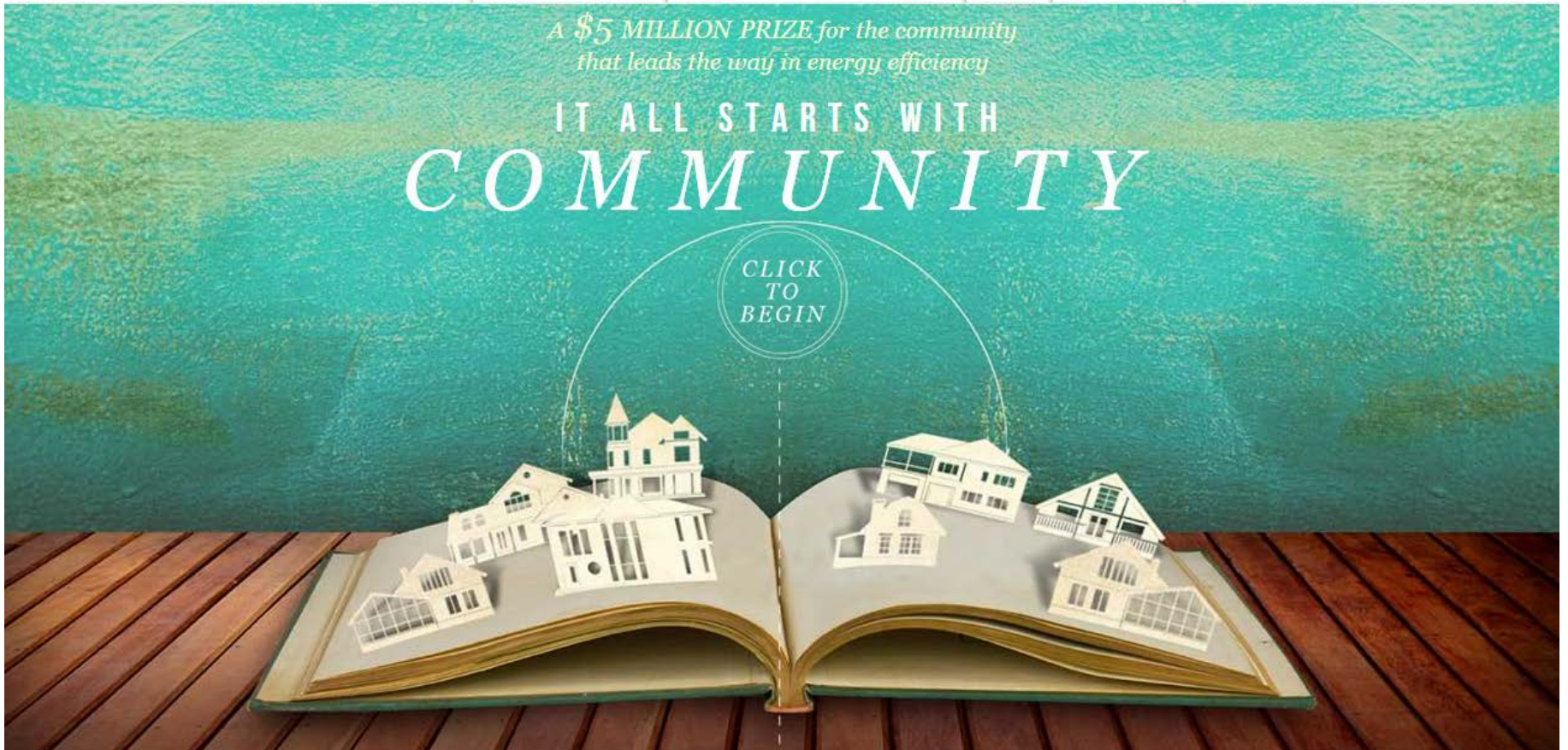
SPONSORS

ABOUT US

A **\$5 MILLION PRIZE** for the community
that leads the way in energy efficiency

IT ALL STARTS WITH COMMUNITY

CLICK
TO
BEGIN



GUEP

PARAMETERS

Communities of 5,000 – 250,000

- Aspen is competing

Timeline: Now → Dec. 2016

Objectives:

1. Foster innovative approaches to energy efficiency
2. Educate the public and engage students in energy issues
3. Grow markets for products and services that facilitate energy efficiency.

Judging will be based on:

- Reductions in residential energy use
- Innovation of approach
- Quality of community outreach
- Sustainability
- Replicability

PRIZE

- \$5mm
- National Media Attention
- Intangibles

GUEP: RESOURCES & TEAM

RESOURCES

~~Funder's Network—
Local Sustainability
Matching Fund~~

Georgetown
University

- Seed Funding
- Deloitte

PCMC

- Existing budget

PARTNERS

Summit County

Summit Community Power Works

- Citizens

Utah Clean Energy

- Clean Energy Business Coalition

Rocky Mountain Power

Questar

501(c)3's

WHAT WOULD WE DO WITH \$5M?

- **District Heat**
- **Anaerobic Digester**
- **Endowment**
- **???**

**CITY COUNCIL
STAFF REPORT**



To: City Council
Author: Adriane Herrick Juarez
Department: Library
Subject: Library Board Joint Meeting with City Council
Date: March 20, 2014
Type of Item: Joint Meeting

The Park City Library Director and the Park City Library Board would like to thank Mayor Thomas and City Council for the opportunity to share in a joint meeting and update. Particular acknowledgement is made of Cindy Matsumoto, who is the City Council Liaison to the Library Board. Ann Whitworth currently serves as Friends of the Library Representative.

Park City Library Trustees

Suzette Robarge – Board Chair

Appointed	Term	Exp. Date
7/2010	1 yr.	7/2011
7/2011	3 yr.	7/2014

Suzette moved to Park City permanently in 2006 but purchased her first property in 1988. As a side note, she was skiing at the Park City Ski Resort when the Alpha Beta grocery store burned. She became involved with the library first and foremost because her father played high school basketball in this building while attending Judge Memorial. She worked for 17 years as a reading literacy specialist for the Los Angeles schools. She has a 13 year old son who is currently skiing in the top 5 in his age group in Slopestyle. She manages her home, her online school skier son and her family's real estate investments.

Alison Butz - Vice Chair

Appointed	Term	Exp. Date
7/2012	3 yr.	7/2015

Alison moved to Park City in the fall of 1996 and obtained a Park City Library card shortly after her arrival. Alison was fortunate to work for Park City Municipal until 2008 and has held various positions within the community since that time. Alison and her two school-aged children visit the Library often for books, movies, and puzzles.

Pat Ball

Appointed	Term	Exp. Date
7/2008	3 yr.	7/2011
7/2011	3 yr.	7/2014

Pat is an 18 year resident of Park City and has worked for the Park City Chamber/Bureau for 15 years. She would like City Council to know she is a huge fan of the library—its excellent staff, collection and programs.

Jerry Brewer

Appointed	Term	Exp. Date
7/2012	3 yr.	7/2015

Jerry grew up in Manhattan Beach, CA and graduated from UCLA with a major in English Literature. He was a carrier based A-7 pilot; a TA-4 instructor pilot in the Navy and a pilot for Western Airlines and Delta Air Lines. He retired ten years ago. Jerry and his wife Susan have lived in Park City for 15 years and have two married daughters and 3-1/2 granddaughters.

Marlene Ligare O'Hara

Appointed	Term	Exp. Date
7/1985	1985-1990	7/1990
Guest	1990-1991	7/1991
7/1992	3 yr.	7/1995
7/2007	3 yr.	7/2010
7/2011	3 yr.	7/2014

Marlene Ligare O'Hara has been on the library board off and on since 1985. She was the first president of the Friends of the Library when the Miner's Hospital was being renovated for the library. She was on the Board when the library moved to Carl Winters. She is presently working with the Library Foundation.

Faye Malnar

Appointed	Term	Exp. Date
7/2012	1 yr.	7/2013
7/2013	3 yr.	7/2016

Faye has lived in Park City since 1982. She was Director of Human Resources and Administration for the United States Ski and Snowboard Association for 20 years. She retired in January of 2009. In addition to the Library Board, she serves on the board of directors of the National Kidney Foundation of Utah & Idaho and is a member of the Volunteer Council at the Park City Medical Center.

Bobbie Pyron

Appointed	Term	Exp. Date
7/2002	3 yr.	7/2005
7/2005	3 yr.	7/2008
7/2009	3 yr.	7/2012
7/2012	1 yr.	7/2013
7/2013	3 yr.	7/2016

Bobbie worked for the Salt Lake County Library System for 25 years as a branch manager and youth services librarian before retiring to write full time. Bobbie is the author of several novels for children including the award-winning A DOG'S WAY HOME.

Membership

Members of the Park City Library Board are appointed by the Park City Council and chosen from the citizens of Park City at large. It consists of not less than five voting members and not more than nine voting members. Trustees serve without compensation. They are appointed for three year terms, or until their successors are appointed. The Park City Council, before the first day of July of each year, appoints

trustees to take the place of retiring trustees. Trustees serve no more than two successive full terms.

The Library Board of Trustees

- Maintains and cares for the library.
- Establishes policies for the library's operations in concert with its mission statement.
- Makes, amends, and revokes rules and regulations consistent with the law for the governing of the library.
- Submits an annual report to the Park City Council on the condition and operation of the library, including a financial report.
- Participates in the selection of a competent person or persons meeting the criteria and qualifications set forth in the ordinances and personnel regulations of the Park City Municipal Corporation, as candidates for the position of Library Director when a vacancy occurs in the position.
- Ensures the library is free to the use of the residents, property owners and business owners of the city of Park City, subject to the rules and regulations adopted by the Board of Trustees.
- With the consent of the Park City Council, extends the full patron privileges and use of the library to persons residing outside of the city of Park City upon such terms and conditions as it may prescribe by its rules and regulations.
- Identifies and carries out all other actions necessary for the orderly and efficient management of the library.

City Council Staff Report



Subject: Statewide Utility License Agreement
Author: Brooks T. Robinson, Senior Transportation Planner
Department: Public Works
Date: April 3, 2014
Type of Item: Administrative

Summary Recommendations:

The Council should consider adopting the Resolution authorizing the City Manager to execute the Statewide Utility License Agreement (referred to as "Agreement") between Park City and the Utah Department of Transportation (UDOT).

Topic/Description:

The Utah Department of Transportation (UDOT) notified the City that it is exercising its rights under the existing Agreement to terminate the Agreement and replace it with another Agreement in conformance with current rules and form. The existing Agreement was executed in May of 2006. The current Agreement will expire on April 7, 2014. A copy of the amended Agreement is attached as Exhibit A.

Background:

On May 18, 2006, the City Council approved a Statewide Utility License Agreement with UDOT. The City Manager signed the Agreement on May 22, 2006 and the signed it shortly thereafter.

The Agreement stipulates that UDOT desires to expedite approval of permits requested by the City for storm drains, overhead and underground utilities and related facilities within State Highway rights of way. The City agrees to abide by the standard conditions and specifications of the Agreement and UDOT agrees to expedite approval of any permits submitted in accordance with the Agreement.

In a letter dated March 7, 2014 (Exhibit B), UDOT notified the City Manager that they were terminating and replacing all such Agreements that were over 5 years old. UDOT desires to bring all such Agreements up to date and in conformance with current rules and form.

Analysis:

Park City staff has reviewed the proposed Agreement and finds it both beneficial to the City with regards to accessing and permitting City utilities with State rights of way and nearly identical to the previous Agreement. No substantive issues are identified in reviewing this Agreement.

It is important to note that all other improvements, such as pedestrian tunnels, City street lights, bus shelters, signs, etc. in the UDOT rights of way would be addressed in separate Maintenance Agreements.

Department Review:

This report has been reviewed by Public Works, Engineering, Legal, and the City Manager. Any and all comments received have been integrated or addressed in this report.

Alternatives:**A. Approve the Request:**

This is the staff's recommendation.

B. Deny the Request:

If the amended Agreement is not signed by the City Manager, new terms and conditions should be specified. Whether UDOT would be amenable to changing the language of the Agreement is not known. It is a boilerplate Agreement used with other governmental jurisdictions. Keep in mind that the existing Agreement expires on April 7, 2014, and further permits from UDOT may be denied or take substantially longer.

C. Continue the Item:

If the Council needs more information the item can be continued. The Agreement will expire prior to the next Council meeting.

D. Do Nothing:

This option is the same as denying the request.

Significant Impacts and consequences of not taking the recommended action:

It is unknown what the ramifications would be if the City does not sign the Agreement. The existing Agreement will expire on April 7, 2014. The City's ability to quickly and efficiently install or repair storm drains, water lines and other City utility lines may be impaired. UDOT permit applications would have to go through normal timelines and processes potentially causing significant disruptions to service.

Recommendation:

The Council should consider adopting the Resolution authorizing the City Manager to execute the Statewide Utility License Agreement (referred to as "Agreement") between Park City and the Utah Department of Transportation (UDOT).

Exhibits:

- A. Draft Resolution
- B. Statewide Utility License Agreement
- C. Notice of Termination and Replacement

Exhibit A- Draft Ordinance

Resolution No. xx-14

**RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A STATEWIDE UTILITY
LICENSE AGREEMENT**

WHEREAS, it is in the public interest to expeditiously install, maintain, and repair City utilities located within the State of Utah Highways within the Park City limits; and

WHEREAS, SR-224 and SR-248 are key transportation and utility corridors serving Park City's residents, businesses and visitors; and

WHEREAS, utility improvements and maintenance over time will benefit Park City residents, businesses and visitors; and

WHEREAS, Park City and the Utah Department of Transportation (UDOT) cooperatively and jointly agreed to a Statewide Utility License Agreement in 2006; and

WHEREAS, UDOT notified the City that it was exercising its rights under the 2006 Agreement and gave notice to terminate the 2006 Agreement and prepared a replacement Agreement in conformance with UDOT's current rules and form; and

NOW, THEREFORE BE IT RESOLVED, that the Park City Municipal Corporation of Summit County, Utah directs the City Manager to sign the revised Statewide Utility License Agreement as prepared by UDOT.

PASSED AND ADOPTED this 3rd Day of April, 2014.

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci Heil, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

**PARK CITY
PO BOX 1480
PARK CITY, UT 84060**

Federal ID No. **87-6000260**

**STATEWIDE UTILITY LICENSE AGREEMENT
NONINTERSTATE**

THIS AGREEMENT, made and entered into this ____ day of _____, 2014, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as “**UDOT**” and **PARK CITY**, a Political Subdivision in the State of Utah hereinafter referred to as the “**CITY**”.

WITNESSETH:

WHEREAS, **UDOT** desires to assist in expediting the approval of permits issued by **UDOT** for locating, constructing and maintaining utility lines and related facilities (“facilities”) within state highway rights of way; and excluding longitudinal installations within the interstate highway rights of way; and

WHEREAS, it is the desire of the parties hereto that the terms of this agreement shall apply to all permits issued to allow access onto state highway rights of way, hereafter approved in accordance with this agreement; and

WHEREAS, the parties desire that this agreement shall apply to approved location and construction permits on state highway rights of way in the State of Utah which are within the responsibility and jurisdiction of **UDOT**; and

WHEREAS, the parties desire that this agreement supersedes all previous agreements executed between the two parties

NOW THEREFORE, In consideration of the promises and mutual covenants and agreements contained herein, said parties hereby covenant and agree as follows:

(1) UDOT AGREEMENT TO REVIEW APPLICATIONS: This agreement is not a permit or a guarantee of a permit. However, **UDOT** agrees to review any application for a permit that **CITY** files pursuant to the procedures established in this agreement promptly. **CITY** and **UDOT** agree to work together in good faith with the intent to reach a mutually beneficial decision on any permit application.

(2) APPROVAL: Unless otherwise stated herein, or in any particular permit or agreement, all location, construction and maintenance permits executed pursuant hereto will be deemed to be

governed by the provisions of this agreement. Permit applications shall be presented to the appropriate **UDOT** Region/District Director or an authorized representative who shall have the authority to issue and approve the permit as expeditiously as possible. All permits that may be issued will be subject to the requirements of Utah Admin. Code R930-7, Utility Accommodation. **UDOT** may apply special limitations to the permitted work. The issuance and approval of a permit will enable the **CITY** to proceed with the work and use under the permit in accordance with the terms thereof.

(3) **RESERVATION AND SPECIAL PROVISIONS:** Each party hereto reserves the right to require an agreement or specific permit for any particular location and construction. Special provisions, as particular circumstances may dictate and as agreed upon by the parties, may be incorporated into any permit issued hereunder.

(4) **INSPECTION:** **UDOT** may perform routine inspection of utility construction work to monitor compliance with the license agreement, encroachment permit and with state and federal regulations. Costs associated with the inspection are the responsibility of the **CITY**.

(5) **COSTS:** The entire cost of installation of the facilities shall be paid for by the **CITY**.

(6) **BEGINNING CONSTRUCTION:** The **CITY** shall not begin any work on **UDOT** right of way until the permit is issued and notice to proceed is given to the **CITY** by **UDOT**. After notice to proceed is received, the **CITY** shall complete construction in accordance with **UDOT** requirements.

(7) **TRAFFIC CONTROL:** The **CITY** shall conduct their operation so that traffic control for utility construction and maintenance operations conforms to **UDOT's** current Utah MUTCD or **UDOT** Traffic Control Plans, whichever is more restrictive. All utility construction and maintenance operations shall be planned to keep interference with traffic to an absolute minimum. On heavily traveled highways, utility operations interfering with traffic shall not be conducted during periods of peak traffic flow. This work shall be planned so that closures of intersecting streets, road approaches, or other access points are held to a minimum. The **CITY** shall submit traffic control plans showing detours and signing operations in advance, allowing **UDOT** reasonable time for review. No full or partial lane closure shall be made without prior approval of **UDOT** Region/District Director or authorized representative. The **CITY** shall conform to **UDOT** approved traffic control plan and such instructions of **UDOT** Region/District Director or an authorized representative as may be given.

(8) **EXCAVATION, BACKFILL, COMPACTION, AND SITE RESTORATION:** The **CITY** shall perform all work on **UDOT** right-of-way in compliance with Utah Admin. Code R930-7, Utility Accommodation, current **UDOT** Standard Specifications for Highway and Bridge Construction, **UDOT** Permit Excavation Handbook, and all applicable state and federal environmental laws and regulations.

(9) EMERGENCY WORK: Emergency work may be done without prior permit if there is imminent danger of loss of life or significant damage to property. In all emergency work situations, the **CITY** or its representative shall contact **UDOT** immediately and on the first business day shall contact **UDOT** and complete a formal permit application. Failure to contact **UDOT** for an emergency work situation and obtain an encroachment permit within the stated time period is considered to be a violation of the terms and conditions of this agreement. At the discretion of the **CITY**, emergency work may be performed by a bonded contractor, public agency, or a utility company. In all cases the **CITY** shall comply with the State Law requiring notification of all utility owners prior to excavation. None of the provisions of this agreement are waived for emergency work except for the requirement of a prior permit.

(10) RESTORATION OF TRAFFIC SIGNAL EQUIPMENT: Any traffic signal equipment or facilities which are disturbed or relocated as a result of the **CITY's** work must be restored in accordance with plans approved by **UDOT**. Restoration of traffic signal equipment must be done at the **CITY's** expense by a qualified electrical contractor experienced in signal installation, retained by the **CITY** and approved in advance by **UDOT**. Work shall be scheduled to ensure that disruption of any traffic signal operation is kept to a minimum.

(11) MAINTENANCE: The facilities shall at all times be maintained, repaired, renewed and operated by and at the expense of the **CITY**. The facilities will be serviced without access from any interstate highway or ramp. If the **CITY** fails to maintain the facilities, **UDOT** may notify the **CITY** of any maintenance needs. If the **CITY** fails to comply with **UDOT's** notification and complete the needed maintenance, then **UDOT** reserves the right, without relieving the **CITY** of their obligation hereunder, to reconstruct or make repairs to the facilities, as it may consider necessary, and the **CITY** shall reimburse **UDOT** its cost.

(12) LIABILITY: Pursuant to R930-7-6(2)(c), the **CITY** is not required to post a continuous bond. **CITY** shall maintain continuous commercial general liability (CGL) insurance with the Utah Department of Transportation as an additional insured, in the minimum amount of \$1,000,000 per occurrence with a \$2,000,000 general aggregate and \$2,000,000 products and completed operations aggregate. The liability of the **CITY** shall not be limited to the amount of the insurance policy. The policy shall protect **CITY**, the Utah Department of Transportation, **CITY's** contractors and subcontractors from claims for damages for personal injury, including accidental death, and from claims for property damage that may arise from the **CITY's** operations under this Permit, whether performed by themselves, a contractor, subcontractor, or anyone directly or indirectly employed by any of them. Such insurance shall provide coverage for premises operations, acts of independent contractors, products and completed operations. This insurance coverage shall be maintained for a continuous period until the **CITY's** facilities are removed from **UDOT's** right of way. The **CITY** shall notify **UDOT** immediately in writing at the following address if this insurance is planned to be terminated or is terminated:

Statewide Utilities Engineer
Utah Department of Transportation
4501 South 2700 West
PO Box 148380
Salt Lake City, Utah 84114-8380

Failure to maintain the required insurance is cause for termination of this agreement and cancellation of any permits.

Pursuant to R930-7-6(6)(b) **UDOT** may require a bond from the **CITY** for permits issued under this agreement. The amount of the bond will be set according to the scope of work permitted but not less than \$10,000. If a bond is required, **UDOT** may proceed against the bond to recover all expenses incurred by **UDOT**, their employees or representatives to restore to **UDOT** standards the sections of roadway interfered with by the **CITY**. These expenses refer to all expenses incurred in the repairing of portions of the state highway rights of way determined by **UDOT** inspectors to be inadequately restored or maintained by the **CITY**. The liability of the **CITY** shall not be limited to the amount of the bond.

The **CITY** will indemnify and hold harmless **UDOT**, its employees, and the State of Utah from responsibility for any damage or liability arising from their construction, maintenance, repair, or any other related operation during the work or as a result of the work pursuant to permits issued under this agreement.

(13) FUTURE HIGHWAY CONSTRUCTION: It is understood and agreed to by the parties and as part of the consideration for this agreement that **UDOT** has the right to cross said facilities line at any point necessary in future construction, expansion or improvement of the State Highway System provided that **UDOT** uses due care in the protection of the facilities line in making the crossing.

(14) CANCELLATION OF PERMITS: Any failure on the part of **CITY** to comply with the terms and conditions set forth in the license agreement or the encroachment permit may result in cancellation of the permit. Failure to pay any sum of money for costs incurred by **UDOT** in association with installation or construction review, inspection, reconstruction, repair, or maintenance of the utility facilities may also result in cancellation of the permit. **UDOT** also may remove the facilities and restore the highway and right of way at the sole expense of the **CITY**. Prior to any cancellation, **UDOT** shall notify the **CITY** in writing, setting forth the violations, and will provide the utility company a reasonable time to correct the violations to the satisfaction of **UDOT**.

(15) ASSIGNMENT: Permits shall not be assigned without the prior written consent of **UDOT**. All assignees shall be required to file a new permit application.

(16) SUCCESSORS AND ASSIGNS: All covenants and agreements herein contained shall be binding upon the parties, their successors and assigns.

(17) UDOT MAINTENANCE OPERATIONS: Underground facilities must be buried to the proper depth to avoid conflict with **UDOT's** normal and routine maintenance activities. In entering into this agreement with **UDOT** and obtaining a permit for the work, the **CITY** acknowledges this requirement and agrees to avoid such conflicts by placing its facilities to the required horizontal clearance and minimum depth of bury. Normal maintenance operations are those not requiring excavations in excess of the minimum horizontal clearance and depth of bury.

In all cases the **CITY** shall protect, indemnify and hold harmless **UDOT**, its employees, and the State of Utah for damages to lines within the horizontal or vertical clearances. Any

noncompliance to the above may result in cancellation of the **CITY's** permit. If the **CITY** is found to be in violation of its permit with respect to vertical or horizontal location, such violation may also result in cancellation of its permit.

(18) TERMINATION OF LICENSE AGREEMENT: This agreement may be terminated at any time by either party upon 30 days advance written notice to the other. Active permits previously issued and approved under a terminated agreement are not affected and remain in effect on the same terms and conditions set forth in the agreement and permits. The obligation to maintain the continuous commercial general liability (CGL) insurance as described in paragraph (12) above continues until **CITY's** facilities are removed from **UDOT's** right-of-way.



Approved by **PARK CITY**, an ENTITY in the State of Utah

Notary: SUBSCRIBED AND SWORN TO BEFORE ME THIS ____ DAY OF _____, _____,

BY _____

NOTARY PUBLIC

By: _____
Signature

Date

Name (printed)

Title

FOR THE UTAH DEPARTMENT OF TRANSPORTATION

By: _____
Richard Manser, P.E.
UDOT Statewide Utilities Engineer

Date

COMPTROLLER'S OFFICE

By: _____
Cherise Young
UDOT Contract Administrator

Date

APPROVED AS TO FORM: This Form Agreement has been previously approved as to form by the office of the Legal Counsel for the Utah Department of Transportation.



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

CARLOS M. BRACERAS, P.E.
Executive Director

SHANE M. MARSHALL, P.E.
Deputy Director

March 7, 2014

Ms. Diane Foster
Park City
PO Box 1480
Park City, UT 84060

Notice of Termination and Replacement – Statewide Utility License Agreement

Dear Ms. Foster,

The Department has on file a Statewide Utility License Agreement with Park City dated May 30, 2006. The Department is updating and replacing all license agreements more than 5 years old to bring them into conformance with current rules and form. This letter is UDOT's 30-day written Notice of Termination, as required by paragraph 24 of the agreement. This old agreement will be terminated on April 7, 2014.

As stated in paragraph 24 of the above agreement, this Notice of Termination does not affect any permits issued and approved under the terms of the agreement.

Attached is a copy of the above agreement and a replacement agreement. Please review the company's information on the replacement agreement for accuracy and completeness and notify me of any corrections. Upon receipt of any needed corrections, my office will prepare and send you a replacement agreement for signatures. The replacement agreement needs to be signed by April 7, 2014.

If you have any questions or concerns please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Richard Manser".

Richard Manser
Statewide Utilities Engineer
(801) 965-4083
rmanser@utah.gov



PARK CITY COUNCIL MEETING MINUTES DRAFT
SUMMIT COUNTY, UTAH,
March 27, 2014

Work Session

Council Questions and Comments and Manager's Report

Council member Henney commented about the communication protocol that was decided last meeting stating he was very pleased with the responses from staff. Attended a joint meeting at the Richins building carpooling with Mayor Thomas who ended up leaving him there and thanked Phyllis Robinson for the ride back. He also attempted to ride the bus to the meeting tonight and ended up on the wrong route, had to ask to get off the bus and was running up the road attempting to make the meeting when he was picked up by a visiting family who stated they have had a great experience in town and found Park City to have very friendly residents. He found that comment ironic. ☺

Council member Simpson passed as there was no way to top Council member Henney's experiences.

Council member Beerman stated that he had better luck than Council member Henney regarding public transportation. He had 5 of his nieces & nephews in town and was able to live as a tourist this past week and had a fantastic experience riding the public transportation system. He also reported the he received a letter complimenting the new parking attendants and the customer service that is being displayed. Attended a COSAC meeting and took an Open space tour with Heinrich, Jim and Council member Peek.

Mayor Thomas attended the Planning Commission meeting where they approved the Park City Film Studio subdivision. Kudos to the planning staff.

Foster stated there may be public input regarding the reusable bags manager's report. Mayor Thomas invited Insa from Recycle Utah up to speak. Insa thanked the Council for the push of the use of reusable bags. She stated they have a ton of reusable bags ready for use and would love to see the Council ban plastic bags. She spoke to other Cities who have banned plastic bags. She feels that Park City could do better than these other cities and would be happy to work with staff for options to help move in this direction.

Council member Simpson stated she is quite pleased with the direction the City has been going and feels it is a buildable program. Council member Henney stated he is all in favor of a bag ban and would love to have that discussion. Council agreed that it could be a good discussion to have with the County Council.

UDOT Region II Director Update on 2014 UDOT projects

Kent Cashel welcomed Nathan Lee as the new Region II UDOT director. Lee stated he wanted to come meet the Council and share the UDOT vision. He went over the four strategic goals:

Infrastructure, Zero Fatalities, Optimize Mobility and Strengthening the Community. Spoke to the emphasis areas to include: challenges of integrated mobility, collaboration, education with the STEM (science, technology, engineering, and math) program, transparency, quality and operational excellence. Gave some updates regarding projects in the Park City area including a study on 224 at Kimball Junction working on congestion as well as the pedestrian wildlife underpass to begin construction in early September/October. Stated they have begun a study is regarding a climbing lane on East I-80.

Council member Henney thanked Lee for the update. Inquired about adding multi-lane roundabouts in the Kimball junction area. Lee stated he would look into the idea explaining the challenge with roundabouts is keeping the area pedestrian friendly.

Council member Simpson thanked Lee and UDOT for working with staff during Sundance on the shared shoulder lanes and feels that any opportunity to use the pavement we have is a great idea. Lee spoke about partnering with the sweeping time to keep those shared shoulders clean for bike and vehicle traffic.

Council member Peek inquired if they would be looking at West bound climbing lanes. Lee stated that the final say would come from the study involving the east bound lanes as to where climbing lanes are needed.

Council member Beerman thanked Lee for being such a great partner through these projects. He also has heard from residents that the speed limit by the Barn on 224 should be reduced and would like to know the proper channels to go through. Lee stated that they would need to complete a speed study and the findings would help determine if that would be a proper change.

Council member Henney made a pitch for the road bikers and the sharrows stating he feels that it is a great way to go he wants to send the message that Park City is a bike friendly community.

Mayor Thomas reminded Council, staff, and UDOT that the first experiences tourists have is an aesthetic experience. We want our entrances and town to be pleasing to look at and travel through. Thanked Lee for coming up and for working with Park City.

Golf Course Update

Vaughn Robinson, Interim Golf Manager, Clint Daley, Golf Course Supervisor, Denise Carey, Interim Golf Coordinator presented the Golf update. Robinson stated that they are requesting a modest price increase of 50 cents for residents and 1.50 per nonresidents. Robinson stated that they are primarily a community course and want to keep it affordable for the residents.

Council member Beerman inquired if this is enough of an increase. Robinson stated they have been working with budget to build a golf model and feel that small increases that keep us competitive are better than one large increase every few years.

Council member Peek inquired about the boundaries of the resident rate. Carey stated they are following the recreation guidelines by using the school district boundaries.

Council member Beerman expressed concerns about moving the food service in house.

Daley spoke about the CIP improvements that were completed last year including a ball dispensing machine. Spoke of the new equipment purchases and sprinkler upgrade and upcoming projects including the addition of cameras inside and outside of the pro shop as well as a new electric vehicle to be purchased with a RAP tax grant.

Council member Simpson clarified that all the mowers were hybrid. Daley stated that they have 5 hybrid mowers.

Council member Henney inquired about the efficiency of the sprinkling system. Daley spoke to the upgrades they have completed over the past few years stating they can control every sprinkler head individually. They also watch the weather system and work with the water department to keep the system performing efficiently.

Daley explained the plan for the new water line that will be installed in June up to the 15th fairway and then staff will come back in October to connect the line to the rest of the system to minimize interference with the golfers.

Carey spoke to the 50th anniversary celebration and also spoke to the food and beverage aspect of the new program. She stated that they have had to bring in drinks and snacks in due to the restaurant in the area not opening around course hours. She stated it will just be a snack cart as well as sunscreen, balls, etc. all the money made will go back into the golf course. It is a win/win situation and will increase customer service.

Council member Beerman stated that his concerns were met and requested they offer healthy snacks to the golfers.

City Manager Foster thanked Robinson, Carey, and Craig Sanchez for their hard work in developing a great business plan for the snack cart and working so well with staff.

Board of Adjustment Interviews

Council conducted two Board of Adjustment Interviews.

Council moved to adjourn into a closed meeting

Regular Meeting

6:00 pm

I. ROLL CALL- Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 20, 2014. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson and Tim Henney. Cindy Matsumoto was excused. Staff member present were Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Marci Heil, City Recorder

II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

There were no communications or disclosures from Council or Staff.

III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)

Ron Whaley- spoke to the historic district guidelines and pointed out, with slides, 4 buildings in downtown Park City that contradict those guidelines. He then addressed the library addition stating it fails on a number of issues, compatibility, materials, etc. Felt the open house was nice but there was no one there who could explain why this design has been approved. He stated he experienced a circular discussion revolving around City Council. Feels the proposed architecture guidelines do not meet those historic district guidelines. Harrington clarified that the Council is not the end all to the final say and clarified that the final design review has not been finalized.

Bob Sefire, 220 King Road stated he has two homes situated on 1.4 acres and would like to split the lots to be able to sell one home and stay in the other home. He has tried to split the lot before and has been told that his property is part of a Master Plan Development and would not be able to split the lot because of the additional density. He stated he was situated in an area where there is a one unit equivalent but two homes with a guest home on the property. He has heard that the City has unused equivalents and he would like to see if they could make a deal with him to grant him one equivalent and he would make a donation to a nonprofit. Council and staff clarified on how many hoops he would have to jump through. Harrington stated that pragmatically it does not seem to be an issue but it would functionally create a different dynamic. Harrington outlined the process.

IV. CONSIDERATION OF MINUTES FROM MARCH 6, 2014 AND MARCH 20, 2014

Council member Simpson stated she asked City Recorder Heil to add the names of the Blue Ribbon Commission members to the minutes.

**Council member Beerman moved to approve the minutes as amended
Council member Peek seconded
Approved Unanimously**

V. ADJOURNMENT

**Council member Simpson moved to adjourn the meeting
Council member Peek seconded
Approved Unanimously**

MEMORANDUM OF CLOSED SESSION

The City Council met in a closed session at approximately 2:15 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Tom Daley, Deputy City Attorney; Heinrich Deter, Trails & Open Space Manager; Jonathan Weidenhamer, Economic Development; Jason Glidden, Special Events; Jim Blankenau, Sustainability. **Council member Beerman moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Simpson seconded. Motion carried.**

Council member Peek moved to open the closed session. Council member Beerman seconded. Motion carried.

The City Council met in a second closed session at approximately 5:30 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek and Tim Henney. Cindy Matsumoto was excused. Staff members present were Diane Foster, City Manager; Mark Harrington, City Attorney; Kayla Sintz, Planning Manager. **Council member Simpson moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Henney seconded. Motion carried.**

Council member Henney moved to open the closed session. Council member Peek seconded. Motion carried.

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 Marci S. Heil, City Recorder

Marci Heil

Marci S. Heil, City Recorder



**RESOLUTION HONORING 2014 OLYMPIANS AND PARALYMPIANS
SOCHI, RUSSIA**

WHEREAS, the 2014 Olympic and Paralympic Winter Games were successfully held in Sochi, Russia; and

WHEREAS, the entire Park City, Utah, community takes great pride in supporting Olympians and Paralympians, and recognizes their hard work, dedication, and commitment; and

WHEREAS, Park City, Utah, now serves as a year-round, world-class training and competition ground for Olympic, Paralympic, and high-performance athletes from all over the world; and

WHEREAS, Park City, Utah, is proud of its enduring and lasting legacy as host of several 2002 Salt Lake City Winter Olympic Game venues, including the venues at Deer Valley Resort, Park City Mountain Resort, and Park City's Main Street Celebration Area; and

WHEREAS, Park City, Utah, is proud to be home to many organizations that promote and support athletes in their pursuit of sport and competition combined with culture and education, including the U.S. Ski and Snowboard Association, The Utah Olympic Park, The National Ability Center, The Youth Sport Alliance and our three world-class mountain resorts; and

WHEREAS, it has been exciting to witness U.S. achievements and successes grow every four years at the Winter Games; and

WHEREAS, over 50 Olympians live in or are connected with the state of Utah; and

WHEREAS, U.S. athletes won a total of 28 medals at the Winter Olympics and a total of 18 medals at the Paralympics, many by Park City, Utah, residents; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council extends its sincere congratulations for the commitment and achievements of all of our Olympic athletes, as well as the devotion of their family, friends, coaches, volunteers and others within our community who help to make the dreams of our athletes a reality and for bringing back fond memories of the 2002 Salt Lake Olympic Winter Games.

PASSED AND ADOPTED this 3rd day of April, 2014

PARK CITY MUNICIPAL CORPORATION

Mayor Jack Thomas

Attest:

Marci S. Heil, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

City Council Staff Report



Subject: Sixth Supplemental Plat for
Constructed Units – The Belles at
Empire Pass, Amending Units 7, 8, + 17
Author: Christy J. Alexander, AICP, Planner II
Project Number: PL-14-02239
Date: April 3, 2014
Type of Item: Administrative – Condominium Plat Amendment

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the Sixth Supplemental Plat for Constructed Units for the Belles at Empire Pass Condominium plat amending Units 7, 8 and 17, based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Wichita, LLP, represented by Alliance Engineering, Inc.
Location: 65, 71 and 70 Silver Strike Trail
Zoning: Residential Development (RD) as part of the Village at Empire Pass MPD
Adjacent Land Uses: Single family condominium units, multi-family condominium units, development parcels of the Village at Empire Pass MPD, ski trails and open space.
Reason for Review: Plat amendments require Planning Commission review and recommendation to City Council for final action.

Proposal

The purpose of this application is to plat as-built conditions of constructed Units 7, 8, (both within a duplex dwelling) and 17 (a single-family dwelling), and to identify common, limited common and private areas for these Units, as stipulated by the underlying Silver Strike Subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass condominium plat. A condition of approval of this underlying condominium plat requires that upon completion of the condominium units, a supplemental condominium plat identifying as-built conditions, shall be approved by the City Council and recorded at Summit County as a condition precedent to issuance of a final certificate of occupancy.

Purpose

The purpose of the Residential Development (RD) District is to:

- A. Allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. Encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- C. Allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. Minimize impacts of the automobile on architectural design,
- E. Promote pedestrian connections within Developments and between adjacent Areas; and
- F. Provide opportunities for variation in architectural design and housing types.

Background

On January 16, 2014, the City received a complete application for this plat to memorialize as-built conditions for Units 7, 8, and 17 of the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass condominium plat that was approved by City Council on March 24, 2011 and recorded at Summit County on November 28, 2011.

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" Master Planned Development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

On July 28, 2004, the Planning Commission approved an MPD for the Village at Empire Pass, aka Pod A. The MPD identified an area of Pod A as the location for eighteen (18) detached single family homes, similar to the Paintbrush units currently under construction in other parts of Empire Pass. The Development Agreement allowed a total of sixty (60) units, single detached or duplex, within the annexation area and the rest of the units being multi-family, stacked-flat or triplex or greater attached. The Belles at Empire Pass condominiums (formerly known as Christopher Homes) utilize seventeen (17) of the sixty (60) allocated PUD style units for the Flagstaff Development area.

On June 29, 2006, City Council approved the Silver Strike Subdivision creating two (2) lots of record within Pod A. Lot 1 is 4.37 acres in size while lot 2 contains 1.99 acres. The plat was recorded on December 1, 2006. The subject units, Units 7 and 8 of the Belles at Empire Pass, are located on Lot 2 and Unit 17 is located on Lot 1 of the Silver Strike Subdivision.

On March 24, 2011, the City Council approved the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass amending, consolidating, and restating the previously recorded Christopher Homes at Empire Pass condominium. Also on March 24, 2011, the City Council approved the First Supplemental Plat for Constructed Units 1, 2, and 12 of the Belles at Empire Pass Condominiums. These plats were recorded November 28, 2011. A condition of approval of the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass plat requires that upon completion of the condominium units, a supplemental condominium plat identifying as built conditions, shall be approved by the City Council and recorded at Summit County as a condition precedent to issuance of a

final certificate of occupancy.

On June 28, 2012, the City Council approved the Second Supplemental Plat for Constructed Unit 9. This plat was recorded on November 20, 2012. On May 9, 2013, the City Council approved the Third Supplemental Plat for Constructed Unit 4 and the Fourth Supplemental Plat for Constructed Units 5 and 6. This plat was recorded on October 28, 2013. On February 6, 2014, the City Council approved the Fifth Supplemental Plat for Constructed Units 10 and 11. This plat has not yet been recorded.

All conditions of the underlying approvals, namely the Village at Empire Pass MPD; Silver Strike Subdivision; and the Amended, Consolidated, and Restated Belles at Empire Pass condominium plat continue to apply and are reflected as conditions of approval and plat notes on this proposed supplemental plat (Exhibit A).

The Planning Commission voted unanimously on March 12, 2014 to forward a positive recommendation to City Council for the Sixth Supplemental plat for Constructed Units at The Belles at Empire Pass amending Units 7, 8, and 17.

Analysis

This request for a Sixth Supplemental plat for Constructed Units at The Belles at Empire Pass amends Units 7, 8, and 17 and documents the final as built conditions of these constructed units in accordance with the Utah Condominium Act. The zoning district is Residential Development (RD-MPD); subject to the Village at Empire Pass MPD.

The Silver Strike subdivision restricts each unit to a maximum house size of 5,000 square feet of Gross Floor Area as defined in the LMC, excluding 600 square feet for garage area and the basement area that is below final grade.

The Flagstaff Development Agreement requires calculation of unit equivalents (UE) for these units, in addition to maximum house size. The UE formula includes all interior square footage “calculated from the inside surfaces of the interior boundary wall of each completed unit, excluding all structural walls and components, as well as all shafts, ducts, flues, pipes, conduits and the wall enclosing such equipment. Also excluded from the UE square footage are garage space up to 600 square feet per unit and all space designated as non-habitable” (as per the MPD). Basement area is included in the UE calculations.

A total of 90,000 square feet (45 UEs) were approved for the Belles at Empire Pass area (formerly known as the Christopher Homes at Empire Pass condominiums). Within the Flagstaff Development Agreement one (1) residential unit equivalent equals two thousand (2,000) square feet of Gross Floor Area, including the basement area. Units 7, 8, (both within a duplex dwelling) and 17 (a single-family dwelling) meet the maximum house size requirement in both Gross Floor Area and Unit Equivalent calculation as noted above.

Unit 7 contains 4,585.3 sf of Gross Floor Area, (excluding 600 sf for garage area and 761 sf of basement area below final grade) and accounts for 2.393 UEs based on the Total Floor area of 4,585.3 sf (includes basement area but not garage area).

Unit 8 contains 3,922.5 sf of Gross Floor Area, (excluding 600 sf for garage area and any uninhabitable space of basement area below final grade) and accounts for 1.961 UEs

based on the Total Floor area of 3,922.5 sf (includes basement area but not garage area).

Unit 17 contains 4,926.6 sf of Gross Floor Area, (excluding 600 sf for garage area and any uninhabitable space of basement area below final grade) and accounts for 2.815 UEs based on the Total Floor area of 5,629 sf (includes basement area but not garage area). The twelve units constructed to date (Units 1, 2, 4, 5, 6, **7, 8**, 9, 10, 11, 12, and **17**) utilize a total of 31.49 Unit Equivalents (UE). Site development parameters are as follows:

	Permitted	Approved
Height	28' (+5' for pitched roof) total maximum of 33'	33' max with pitched roof. <u>Units 7, 8, and 17 comply.</u>
Front setback	Minimum of 20', 25' to front facing garage	Unit 7: 10' Unit 8: 16' Unit 17: 20' <u>Units 7, 8 and 17 comply as per setback exception per MPD.</u>
Rear setback	Per Building Code and MPD (allows zero setback to internal property line)	Unit 7: 32' Unit 8: 20' Unit 17: 22' <u>Units 7, 8 and 17 comply as per setback exception per MPD.</u>
Side setbacks	Per Building Code and MPD (allows zero setback to internal property line)	Unit 7: 18' on west side and 0' on east side with Unit 8. Unit 8: 20' on east side and 0' on west side with Unit 7. Unit 17: 20' on west side and 20' on east side. <u>Units 7, 8 and 17 comply as per setback exception per MPD.</u>
Parking	Two (2) spaces required per unit	2 per unit. <u>Units 7, 8, and 17 Comply.</u>
Maximum house size (based on the Silver Strike subdivision and defined per the Land Management Code)	5,000 sf (Gross Floor Area excludes basement area below final grade and 600 sf of garage area)	Unit 7 contains 4,585.3 sf Gross Floor Area. Unit 8 contains 3,922.5 sf Gross Floor Area. Unit 17 contains 4,926.6 sf Gross Floor Area. <u>Units 7, 8, and 17 Comply.</u>
Unit Equivalent (based on the Village at Empire Pass MPD)	Maximum of 45 UE for all of the Belles Condominiums. Gross floor area for UE calculations excludes 600 sf garage and any uninhabitable space, i.e.	Unit 7- 4,585.3 sf which is 2.393 UE. Unit 8- 3,922.5 sf which is 1.961 UE. Unit 17- 5,629 sf which is 2.815 UE.

	crawl space, attics, etc.	<u>Units 7, 8 and 17 Comply.</u> The total UE for Units 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 17 is 31.49 UE
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Good Cause

Planning Staff finds good cause for this record of survey amendment as it memorializes and documents as-built conditions and UE calculations for these units. Units 7, 8, and 17 comply with the conditions of approval of the underlying plats, namely the Silver Strike subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass. In addition the units are consistent with the development pattern envisioned in the Village at Empire Pass MPD and the 14 Technical Reports.

Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Department Review

This project has gone through interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled City Council public hearing.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the application for the Sixth Supplemental plat for Constructed Units for the Belles at Empire Pass amending Units 7, 8, and 17, as conditioned or amended, or
- The City Council may deny the application and direct staff to make Findings for this decision, or
- The City Council may continue the discussion and provide Staff and the Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. Water and sewer impact fees, and other fees associated with increased floor area, are evaluated

during the building permit process and collected prior to issuance of any building permits.

Consequences of not taking the Suggested Recommendation

No certificate of occupancy may be granted until the plat is recorded.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the Sixth Supplemental Plat for Constructed Units for the Belles at Empire Pass Condominium plat amending Units 7, 8, and 17, based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance and Proposed Supplemental Plat for Belles Units 7, 8, and 17
- Exhibit B – Aerial Photograph
- Exhibit C – Zoning Map
- Exhibit D – Existing Conditions + Topographic Survey
- Exhibit E – Site Photographs
- Exhibit F – County Plat Map – Ownership Plat

Exhibit A – Draft Ordinance and proposed Supplemental plat for Belles at Empire Pass Condominiums Units 7, 8, and 17

Ordinance No. 14-

**AN ORDINANCE APPROVING THE SIXTH SUPPLEMENTAL PLAT FOR
CONSTRUCTED UNITS AT THE BELLES AT EMPIRE PASS CONDOMINIUMS
AMENDING UNITS 7, 8, and 17, LOCATED AT 65, 71, and 70 SILVER STRIKE
TRAIL, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as The Belles at Empire Pass Condominium Units 7, 8, and 17, have petitioned the City Council for approval of the Sixth Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the supplemental plat;

WHEREAS, the Planning Commission, on March 12, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 3, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Sixth Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project to document the as-built conditions and constructed Unit Equivalents for this completed condominium unit.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Sixth Supplemental plat for Constructed Units at the Belles at Empire Pass, a Utah Condominium project, as shown in Attachment A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property, Units 7, 8, and 17 of the Amended, Consolidated, and Restated

Condominium Plat of The Belles at Empire Pass and associated common area, are located at 65, 71, and 70 Silver Strike Trail.

2. The property is located on Lots 1 and 2 of the Silver Strike subdivision and is within Pod A of the Flagstaff Mountain Development, in an area known as the Village at Empire Pass.
3. The property is located within the RD –MPD zoning district and is subject to the Flagstaff Mountain Development Agreement and Village of Empire Pass MPD.
4. The City Council approved the Flagstaff Mountain Development Agreement and Annexation Resolution 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities.
5. On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass, aka Pod A. The MPD identified the area of the proposed condominium plat as the location for 17 PUD –style detached single family homes and duplexes.
6. On June 29, 2006, the City Council approved the Silver Strike Subdivision creating two lots of record. Units 7 and 8 are located on Lot 2 and Unit 17 is located on Lot 1 of the Silver Strike Subdivision.
7. March 24, 2011, the City Council approved the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass amending, consolidating, and restating the previously recorded Christopher Homes at Empire Pass. Also on March 24, 2011, the City Council approved the First Supplemental Plat for Constructed Units 1, 2, and 12 of the Belles at Empire Pass Condominiums. These plats were recorded November 28, 2011.
8. On June 28, 2012, the City Council approved the Second Supplemental Plat for Constructed Unit 9. This plat was recorded on November 20, 2012.
9. On May 9, 2013, the City Council approved the Third Supplemental Plat for Constructed Unit 4 and the Fourth Supplemental Plat for Constructed Unit 5 and 6. These plats were recorded on October 28, 2013.
10. On February 6, 2014, the City Council approved the Fifth Supplemental Plat for Constructed Units 10 and 11.
11. On January 16, 2014, the Planning Department received a complete application for the Sixth Supplemental Plat for Constructed Units 7, 8, and 17.
12. The purpose of the supplemental plat is to describe and document the as-built conditions and the UE calculations for constructed Units 7, 8, and 17 at the Belles Condominiums prior to issuance of a certificate of occupancy and to identify private, limited common and common area for this unit.
13. The supplemental plat complies with the conditions of approval of the underlying plats, namely the Silver Strike subdivision plat and the Amended, Consolidated, and Restated Condominium plat of The Belles at Empire Pass. The plat is consistent with the development pattern envisioned by the Village at Empire Pass MPD and the 14 Technical Reports of the MPD and the Flagstaff Development Agreement.
14. Units 7 and 8 are located on Lot 2 and Unit 17 is located on Lot 1 of the Silver Strike subdivision plat.
15. The approved maximum house size is 5,000 square feet of Gross Floor Area, as defined by the LMC. Gross Floor Area exempts basement areas below final grade

and 600 square feet of garage area. Unit 7 contains 4,585.3 sf Gross Floor Area, Unit 8 contains 3,922.8 sf Gross Floor Area and Unit 17 contains 4,926.6 sf Gross Floor Area.

16. The Flagstaff Development Agreement requires calculation of unit equivalents (UE) for all Belles units, in addition to the maximum house size. The UE formula includes all interior square footage “calculated from the inside surfaces of the interior boundary wall of each completed unit, excluding all structural walls and components, as well as all shafts, ducts, flues, pipes, conduits and the wall enclosing such facilities. Unit Equivalent floor area includes all basement areas. Also excluded from the UE square footage are garage space up to 600 square feet per unit and all space designated as non-habitable on this plat.” Within the Flagstaff Development Agreement one residential unit equivalent equals 2,000 sf.
17. Unit 7 contains a total of 4,585.3 square feet and utilizes 2.393 UE. Unit 8 contains a total of 3,922.5 square feet and utilizes 1.961 UE. Unit 17 contains a total of 5,629 square feet and utilizes 2.815 UE. The total UE for Units 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 17 is 31.49 Unit Equivalents of the 45 total UE allocated for the Belles at Empire Pass.
18. As conditioned, this supplemental plat is consistent with the approved Flagstaff Development Agreement, the Village at Empire Pass MPD, and the conditions of approval of the Silver Strike Subdivision.
19. The findings in the analysis section are incorporated herein.

Conclusions of Law:

1. There is good cause for this supplemental plat as it memorializes the as-built conditions for Units 7, 8, and 17.
2. The supplemental plat 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 supplemental plat.
4. Approval of the supplemental plat, subject to the conditions of approval stated below, will 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 of the supplemental plat 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 plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year timeframe, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Village at Empire Pass Master Planned Development, the Silver Strike Subdivision plat, and the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass shall continue to apply.

4. As a condition precedent to issuance of a final certificate of occupancy for Units 7, 8, and 17, the supplemental plat shall be recorded at Summit County.
5. A note shall be added to the plat prior to recordation stating the following, "At the time of resurfacing of Silver Strike Trail, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards".
6. The Unit sizes and UEs shall be reflected on the plat as they are to reflect the actual size and UE of the Units.

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

PASSED AND ADOPTED this _____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner(s), this Fourth Supplemental Plat for constructed units of THE BELLES AT EMPIRE PASS CONDOMINIUMS, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

JOHN DEMKOWICZ, L.S. #154491

DATE

BOUNDARY DESCRIPTIONS

(PARCEL 1)

UNITS 7, 8, & 17, of the Amended, Consolidated and Restated Condominium of THE BELLES AT EMPIRE PASS, (formerly known as Christopher Homes at Empire Pass), a Utah expandable condominium project, together with an undivided interest in the common areas and facilities as described in the official plat recorded November 28, 2011, as Entry No. 934780 and the Amended and Restated Declaration of Condominium recorded November 28, 2011, as Entry No. 934781 in Book 2105 at Page 961, Summit County Recorder's Office.

(EASEMENT 1)

Together with a right-of-way and easement for public and private utilities and a private road over the Silver Strike Trail as delineated on the official plat of Banner Wood Subdivision as recorded August 12, 2005, as Entry No. 746718 in the records of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, WICHITA, LP, A UTAH LIMITED PARTNERSHIP, the owner of Units 7, 8 and 17, hereby certifies that it has caused a survey to be made and this Fourth Supplemental Plat for Constructed Units, The Belles at Empire Pass Condominiums to be prepared, and does hereby consent to the recordation of this Second Supplemental Plat for constructed units and submit to the Utah Condominium Ownership Act.

In witness whereof the undersigned has executed this certificate and dedication this ____ day of _____, 2014.

Wichita, LP
A Utah Limited Partnership
By BelleArbor, Inc.
Its Managing General Partner

By: _____
Mark H. Prothro
President

ACKNOWLEDGMENT

State of _____
County of _____

This instrument was acknowledged before me this ____ day of _____, 2014, by Mark H. Prothro, the president of Wichita, LP, a Utah Limited Partnership.

Notary Public

Printed Name

Residing in: _____

My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned President of The Belles at Empire Pass Homeowners Association, Inc., and as owner of the Common Areas described herein does hereby certify that it has caused this survey to be made and this Fourth Supplemental Plat for Constructed Units, The Belles at Empire Pass Condominiums to be prepared and hereby consents to the recordation of this Fourth Supplemental Plat for Constructed Units and submit to the Utah Condominium Ownership Act. As President, he also certifies that more than 67% of the Owners of the Units have approved this First Amended Condominium Plat.

Mark H. Prothro, President
The Belles at Empire Pass Homeowners Association, Inc.

ACKNOWLEDGMENT

State of _____
County of _____

This instrument was acknowledged before me this ____ day of _____, 2014, by Mark H. Prothro, President, The Belles at Empire Pass Homeowners Association, Inc.

Notary Public

Printed Name

Residing in: _____

My commission expires: _____

NOTES:

- All notes contained in the Amended, Consolidated and Restated Condominium plat of THE BELLES AT EMPIRE PASS, recorded November 28, 2011, Entry No. 934780 shall continue to apply.
- A Limited Common Area will extend a maximum of 30' from the rear boundary of each Completed Unit and 10' on the sides and front of the Completed Unit ("Buffer Area") for the purpose of providing unit owners with added privacy and the exclusive right to use and occupy such land surrounding their respective Unit. The use of all Common and Limited Common Areas is described in more detail in the Declaration.
- All Common Area is dedicated as a non-exclusive easement to Park City Municipal Corporation, Snyderville Basin Water Reclamation District (SBWRD), Park City Fire Protection District, Summit County and the The Belles At Empire Pass Homeowners for the purpose of providing access for utility and drainage installation, use, and maintenance and eventual replacement.
- Units 7, 8, & 17 are served by private wastewater lateral lines. The Empire Pass Master Homeowners Association, Inc. (the "Master Association") shall be responsible for the maintenance and replacement of all sanitary sewer laterals serving the The Belles At Empire Pass Units within the plot. The cost of such maintenance and replacement shall be paid by The Belles At Empire Pass Owners Association, Inc. as part of the Common Expenses.
- Lots designated as Ejector Pump (EP) lots may require privately owned wastewater ejector pumps.
- All conditions of approval of The Village at Empire Pass Master Development Plan and the Silver Strike Subdivision plat, and the Amended, Consolidated, and Restated Condominium Plat of The Belles at Empire Pass shall continue to apply.
- At the time of resurfacing of Silver Strike Trail, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District Standards.
- This plat is subject to Ordinance 13-____.
- The Gross Floor Area for Unit 7 is 4,585.3 square feet, and the Unit 7 Unit Equivalents is 2.3938, the Gross Floor Area for Unit 8 is 3,922.8 square feet and the Unit 8 Unit Equivalents is 1.961, and the Unit 17 Gross Floor Area is 5,629.0 square feet and the Unit Equivalents is 2.815.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 42°49'03" W	25.35
L2	S 68°07'49" W	40.54
L3	N 89°42'15" W	22.73
L4	N 48°08'30" W	41.77
L5	N 88°37'11" E	32.23
L6	N 72°42'57" W	9.50

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	196.63	28.67	8°21'19"
C2	209.75	123.66	33°46'43"
C3	184.75	108.92	33°46'43"
C4	221.63	32.32	28°21'19"
C5	209.75	30.88	8°26'05"
C6	219.25	27.24	7°07'10"
C7	231.13	27.78	6°53'12"

LEGEND:

- XX STREET ADDRESS ON SILVER STRIKE TRAIL
- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

SIXTH SUPPLEMENTAL PLAT FOR CONSTRUCTED UNITS

THE BELLES AT EMPIRE PASS

A UTAH EXPANDABLE CONDOMINIUM PROJECT AMENDING UNITS 7, 8, & 17

LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 OF 3

(435) 648-9487

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____

DAY OF _____, 2014 A.D.

BY _____
S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2014 A.D.

BY _____
CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2014 A.D.

BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2014 A.D.

BY _____
122 PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D.

BY _____
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

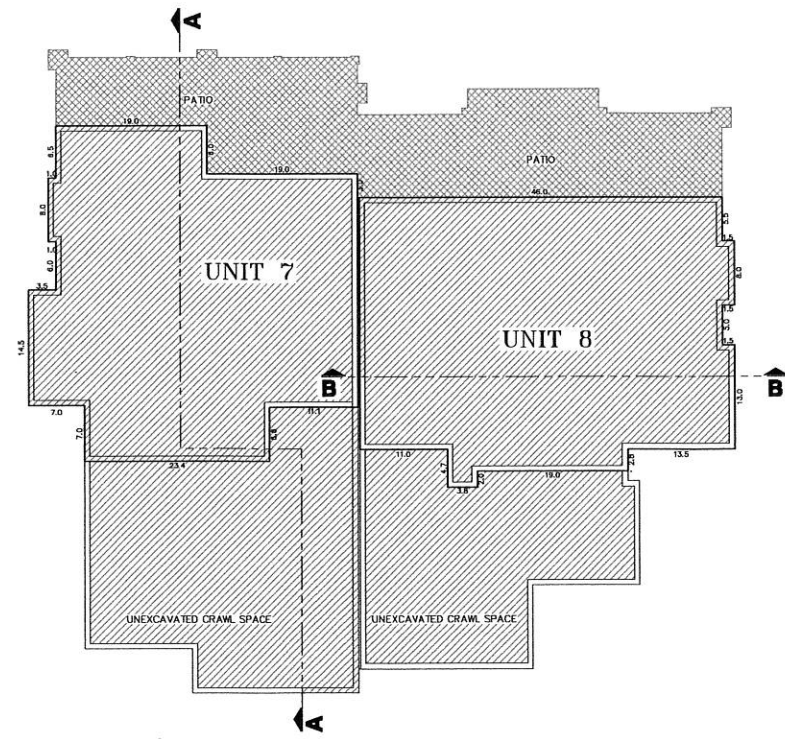
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D.

BY _____
MAYOR

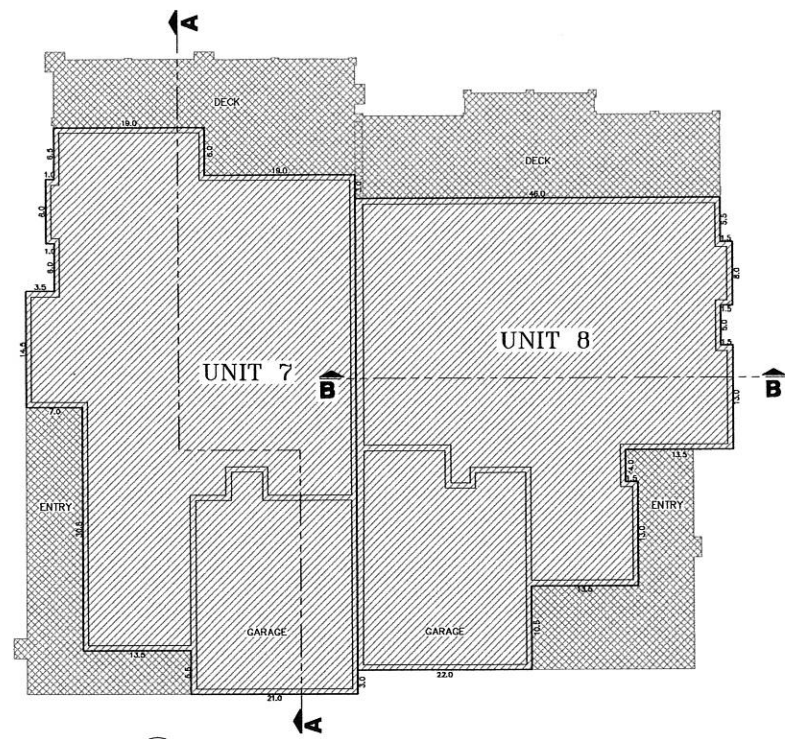
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STATE OF UTAH, COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
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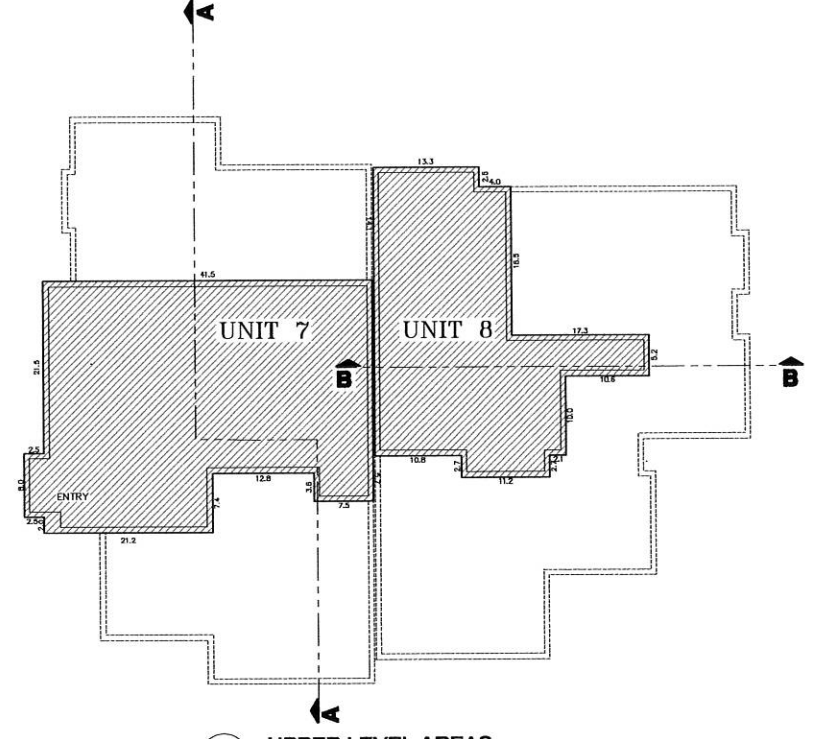
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PARK CITY
PLANNING DEPT.



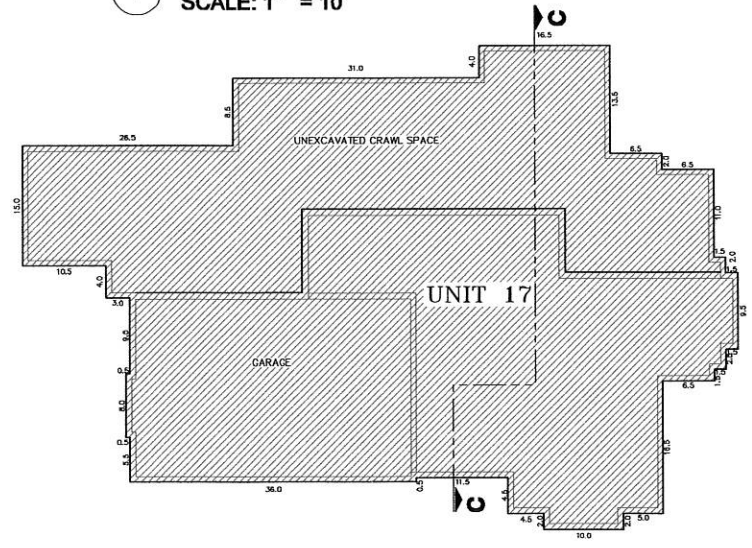
1 LOWER LEVEL AREAS
SCALE: 1" = 10'



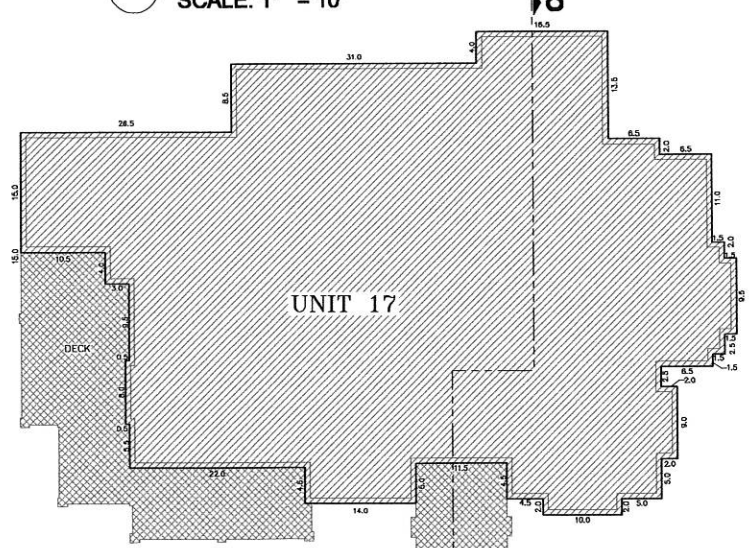
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SCALE: 1" = 10'



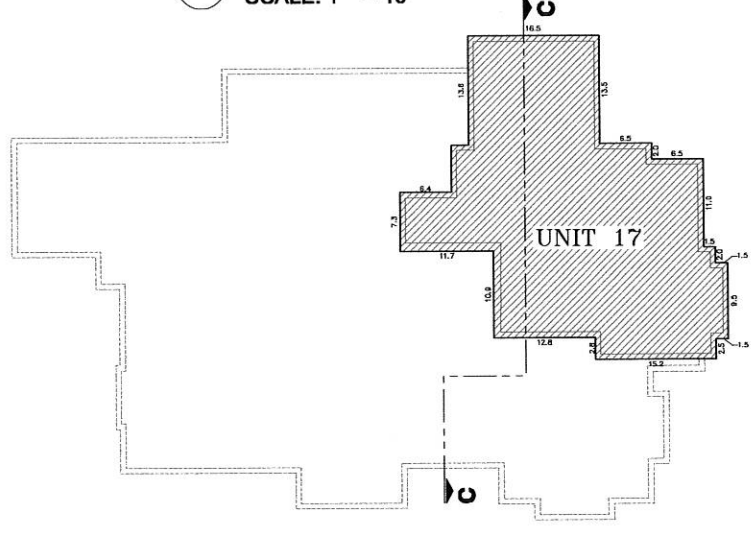
3 UPPER LEVEL AREAS
SCALE: 1" = 10'



1 LOWER LEVEL AREAS
SCALE: 1" = 10'



2 MAIN LEVEL AREAS
SCALE: 1" = 10'



3 UPPER LEVEL AREAS
SCALE: 1" = 10'

UNIT 7 SQUARE FOOTAGE TABLE*

LEVELS	US SQUARE FOOTAGE	GROSS FLOOR AREA (SF)
LOWER	1,480.3	1,480.3
MAIN	1,080.7	1,080.7
UPPER	1,180.5	1,180.5
TOTAL SF	4,880.3	4,880.3
GARAGE**	170.4	170.4

* Per Architectural Drawings

UNIT 8 SQUARE FOOTAGE TABLE*

LEVELS	US SQUARE FOOTAGE	GROSS FLOOR AREA (SF)
LOWER	1,210.8	1,210.8
MAIN	1,710.8	1,710.8
UPPER	782.7	782.7
TOTAL SF	3,822.5	3,822.5
GARAGE**	518.1	518.1

* Per Architectural Drawings

UNIT 17 SQUARE FOOTAGE TABLE*

LEVELS	US SQUARE FOOTAGE	GROSS FLOOR AREA (SF)
LOWER	438.9	1,182.9
MAIN	3,982.2	3,982.2
UPPER	774.5	774.5
TOTAL SF	4,828.8	6,220.0
GARAGE**	772.8	772.8

* Per Architectural Drawings

** Garage allowance is 600 SF, additional SF space has been added to Unit 17's SF

- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

SIXTH SUPPLEMENTAL PLAT FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
 A UTAH EXPANDABLE CONDOMINIUM PROJECT AMENDING UNITS 7, 8 & 17
 LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

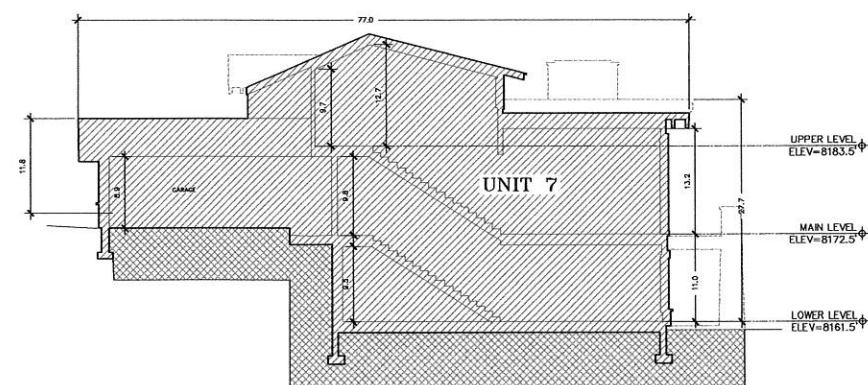
SHEET 2 OF 3

JOB NO: 6-6-10

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 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
 AT THE REQUEST OF _____
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

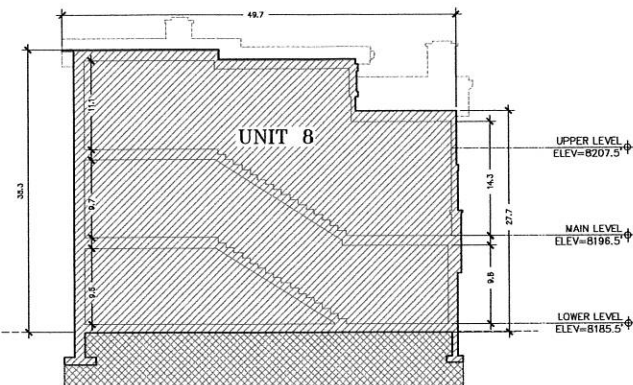
FEE _____ RECORDER _____

RECEIVED
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 PARK CITY PLANNING DEPT.

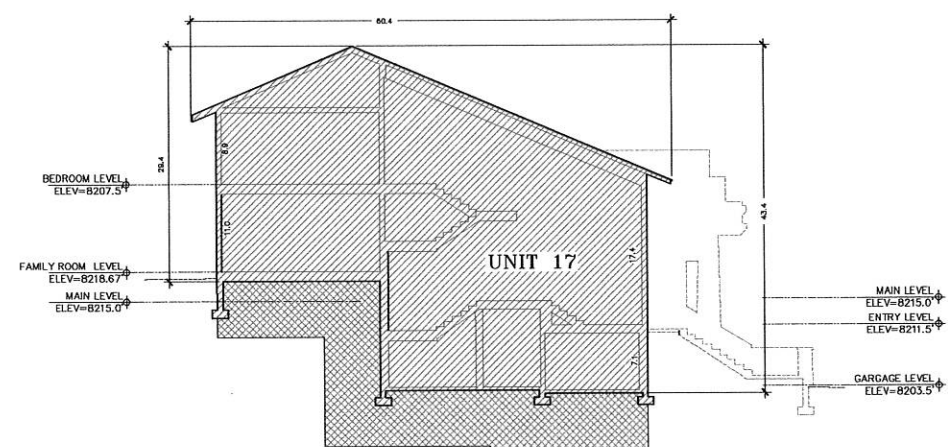


The area under the unit extending to 7 feet below the lowest finished floor is designated Limited Common.
Additional Limited Common area on the ground surface is described and shown on Sheet 1.

A BUILDING SECTION
SCALE: 1" = 10'



B BUILDING SECTION
SCALE: 1" = 10'



C BUILDING SECTION
SCALE: 1" = 10'

- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

SIXTH SUPPLEMENTAL PLAT FOR CONSTRUCTED UNITS
THE BELLES AT EMPIRE PASS
A UTAH EXPANDABLE CONDOMINIUM PROJECT AMENDING UNITS 7, 8 + 17
LOCATED IN SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SHEET 3 OF 3

JOB NO: 6-6-10

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE _____ RECORDER _____

RECEIVED
JAN 16 2014
PARK CITY
PLANNING DEPT.



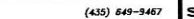
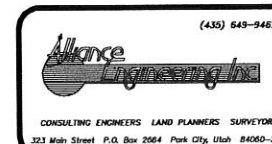
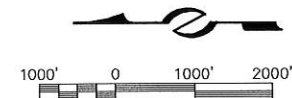
(435) 649-3467  CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2064 Park City, Utah 84060-2064	STAFF: J. DEMKOWICZ S. SCHUELER	AERIAL ORTHO PHOTOGRAPH THE BELLES AT EMPIRE PASS Units 7/8 + Unit 17 FOR: Wichita LLP JOB NO.: 6-6-10 FILE: X:\empire\dwg\sss\pfa\belles\exhibit\Unit 7-8 + 17\Aerial-ortho.dwg	SHEET 1 OF 1
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EXHIBIT C



STAFF:
S. SCHUELER
J. DEMKOWICZ

DATE: 1/5/14

ZONING MAP
THE BELES AT EMPIRE PASS
Unit 7-8 + 17 Condominium Plat

FOR: Wichita LLP
JOB NO.: 6-6-10
FILE: X:\empire\dwg\ssd\pla\belles\exhibit\Unit 7-8+17\zone map.dwg

SHEET
1
OF
1
RECEIVED
JAN 16 2014

PARK CITY
PLANNING DEPT.

SURVEYOR'S CERTIFICATE

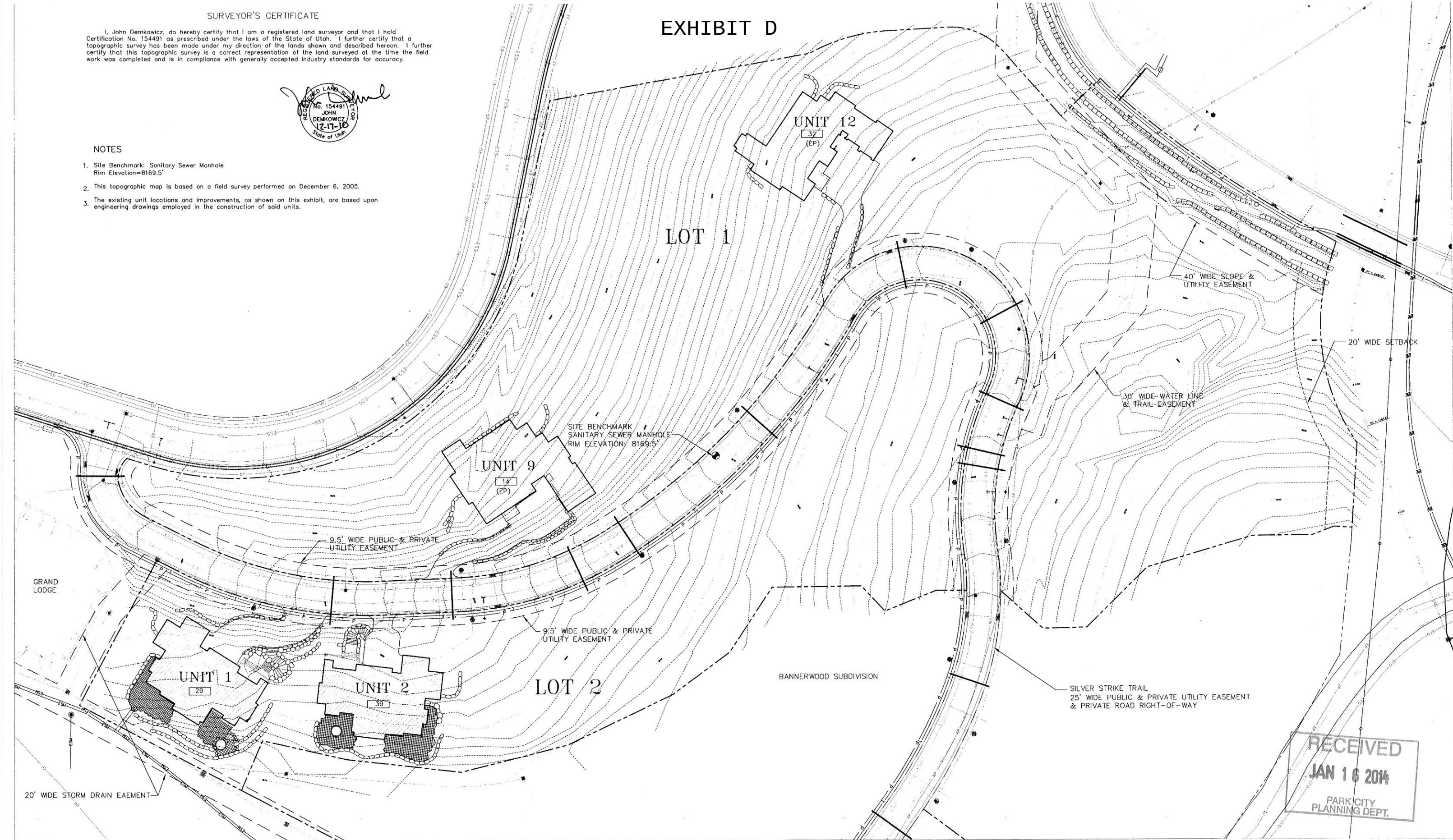
I, John Demkowicz, do hereby certify that I am a registered land surveyor and that I hold Certification No. 154491 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.



NOTES

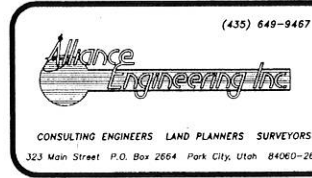
1. Site Benchmark: Sanitary Sewer Manhole
Rim Elevation=8169.5'
2. This topographic map is based on a field survey performed on December 6, 2005.
3. The existing unit locations and improvements, as shown on this exhibit, are based upon engineering drawings employed in the construction of said units.

EXHIBIT D



LEGEND

EXISTING SANITARY SEWER	ESS
EXISTING STORM DRAIN	ESD
EXISTING WATER	EW
EXISTING POWER	P
EXISTING TELEPHONE	T
EXISTING GAS	G
EXISTING FIBER OPTICS	EFO
ABANDONED WATER	AW
ABANDONED POWER	AP



STAFF:
J. DEMKOWICZ
M. KING
S. SCHUELER

DATE: 12/15/10

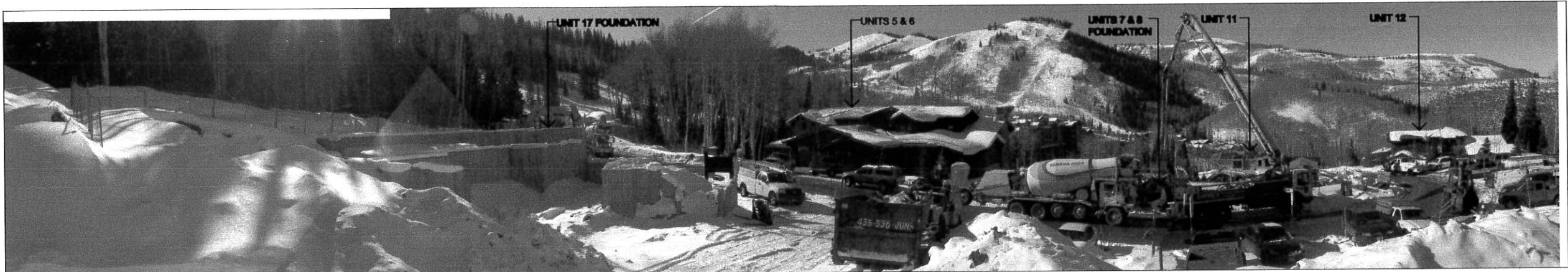
EXISTING CONDITIONS\ TOPOGRAPHIC SURVEY

THE BELLES AT EMPIRE PASS

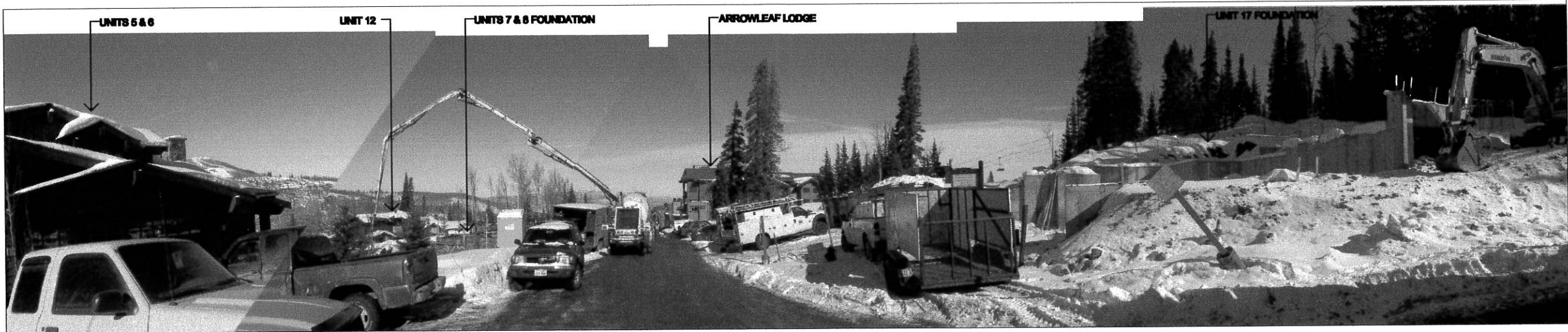
FOR: Wichita LLP
JOB NO.: 06-06-01
FILE: X:\Emp\dwg\silverstrikesub\belles\existing topo 11-3-10.dwg

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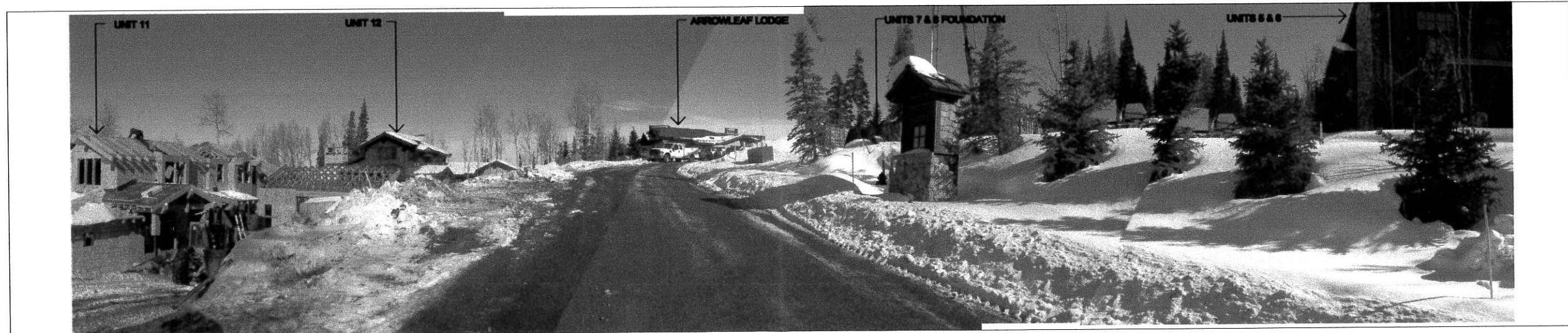
EXHIBIT E



LOOKING SOUTH AT UNIT 17 AND UNITS 7/8



LOOKING NORTH AT UNITS 7/8 AND UNIT 17

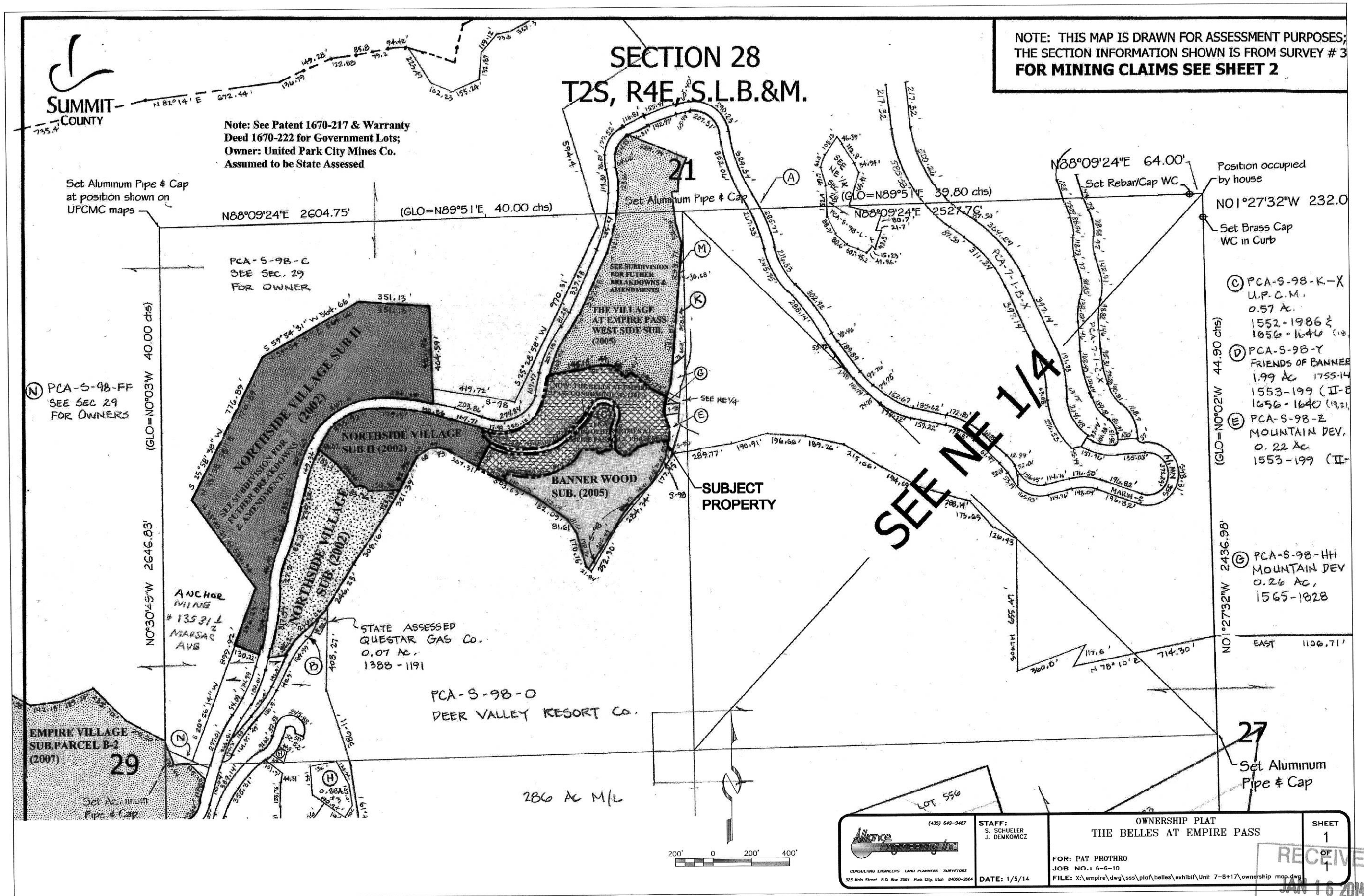


LOOKING NORTH AT UNITS 7/8

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2854 Park City, Utah 84060-2854	(435) 649-9467	STAFF: J. DEMKOWICZ S. SCHUELER	PANORAMIC PHOTOS UNIT 7-8 + 17 PLAT AMENDMENT The Belles at Emprie Pass	SHEET 1 OF 1
	DATE: 1/5/14	FOR: Wichita LLP JOB NO.: 06-06-10 FILE: X:\Emp\dwg\SSS\belles\plat\exh\U 7-8 +17\U 7-8 +17 pano photos.dwg		

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JAN 16 2014
PARK CITY
PLANNING DEPT.

EXHIBIT F



City Council Staff Report



Subject: 1138 Lowell Avenue Subdivision
Second Amended Plat
Author: Christy J. Alexander, AICP, Planner II
Project Number: PL-14-02246
Date: April 3, 2014
Type of Item: Administrative – Plat Amendment

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the 1138 Lowell Avenue Subdivision Second Amended Plat located at 1138 Lowell Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Daniel and Sherri Winarski
Location: 1138 Lowell Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Single-family and duplex residential
Reason for Review: Plat amendments require Planning Commission review and City Council action

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining two (2) existing lots (Lots 1 & 2) into one (1) lot of record located in Block 31 of the Snyder's Addition to the Park City Survey. The applicant currently owns both lots and requests to combine the lots to create one (1) new larger lot on which to build an addition to their existing single-family home at 1138 Lowell Avenue.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- (A) Preserve present land Uses and character of the Historic residential areas of Park City,
- (B) Encourage the preservation of Historic Structures,
- (C) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- (D) Encourage single family development on combinations of 25' x 75' Historic Lots,

- (E) Define development parameters that are consistent with the General Plan policies for the Historic core, and
- (F) Establish development review criteria for new development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

On January 29, 2014 the applicant submitted a complete application for the 1138 Lowell Avenue Subdivision Second Amended plat, a one (1) lot subdivision. The property is located at 1138 Lowell Avenue in the Historic Residential (HR-1) District.

The 1138 Lowell Avenue Subdivision was originally approved by City Council on May 1, 2003 and recorded on April 19, 2004. The 1138 Lowell Avenue Subdivision combined two (2) lots, Lots 25 and 26 of Block 27 of Snyder's Addition to the Park City Survey, into one (1) lot. The intent of the plat amendment in 2003 was to allow the property owner to expand the existing non-historic house sitting on Lot 26. The expansion of that house did not happen and the new owners came back in June of 2006 to request to subdivide the property back to its original configuration of two (2) separate lots. The City Council approved the 1138 Lowell Avenue Subdivision First Amended plat on August 24, 2006 and was recorded on June 4, 2007.

Currently the existing Lot 1 contains a single-family home which was custom built in 1999. The existing Lot 2 currently remains vacant of any structures. Both lots are now owned by Daniel and Sherrie Winarski. The two (2) existing lots currently meet the minimum lot area standards in the HR-1 District. The applicant states their intentions are to build an addition to their existing single-family home on the proposed combined lot and now wish to combine the lots exactly as was previously done in 2004.

The Planning Commission voted 5-1 on March 12, 2014 to forward a positive recommendation to City Council for the 1138 Lowell Avenue Subdivision Second Amended Plat.

Analysis

The proposed plat amendment creates one (1) lot of record consisting of 3,750 square feet. The minimum lot area for a single family dwelling is 1,875 square feet. The minimum lot area for a duplex is 3,750 square feet. The existing Lot 1 currently contains one single-family home which was built in 1999. The side setbacks shown on the existing conditions show the home being 2.76 feet from each side property line. When the plans received Historic District Design Review approval in 1998, the plans showed a 3 feet setback that was approved. The setback width could be due to a survey error. Any new additions to the existing home would need to meet the current code requirements of 5 feet side yard setbacks. The existing front and rear yard setbacks meet current code standards of a minimum of ten feet (10'). The existing Lot 2 remains vacant. Currently a duplex is a conditional use in this zone which could be built on the

proposed combined lot if the property owner were to demolish the single family home or add on and convert it to a duplex. A duplex could be proposed, however, separate ownership of each unit would require a condominium plat to create separate units within the duplex. The mass of scale of a possible duplex would be the same as what is allowed for a single family house on the combined lot. The proposed lots will be compatible with the existing neighborhood as the three lots directly across the street from this proposed lot are approximately each 50 feet in width as well. The houses within 200 feet to the north and south on the east side of Lowell Ave consist of typical “Old Town” single-family dwellings and vacant lots. The homes within 200 feet across the street on the west side of Lowell Ave consist of mainly duplex dwellings, larger single-family dwellings and vacant lots.

The minimum lot width allowed in the district is twenty-five feet (25’). The proposed width will be fifty (50’) feet. The proposed lot combination meets the lot and site requirements of the HR-1 District described below:

Required	Existing	Permitted
Building Footprint	808 square feet	1,519 square feet (based on the lot area of 3,750 square feet)
Front/rear yard setbacks	12.22 feet front yard and 17.65 feet rear yard	10 feet minimum, 20 feet total (based on the lot depth of 75 feet)
Side yard setbacks	2.82 feet and 2.76 feet	5 feet minimum, 10 feet total (based on the lot width of 50 feet)
Height	30.34 feet (roof peak to ground elevation)	27 feet above existing grade, maximum.
Parking	Two (2) parking spaces	Two (2) parking spaces per dwelling

The proposed plat amendment does not create any new non-conforming situations except for the existing southerly side yard setback of 2.82 feet. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats. Any future additions to the existing home must comply with current LMC requirements.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Combining the lots will allow the existing non-historic house to be added on to, remove the non-complying northerly side yard setback, and will remove the existing lot line between the two lots. The plat amendment will also utilize best planning and design practices, while

preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code, and applicable Historic District Design Guidelines requirements.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled City Council public hearing.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Any additions to the existing home may require a Steep Slope CUP and will require a Historic District Design Review. If a duplex were proposed, a CUP would be required for the use. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the 1138 Lowell Avenue Subdivision Second Amended plat as conditioned or amended; or
- The City Council may deny the plat amendment and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item. .

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and two (2) existing lots would not be adjoined and remain as is. The existing house at 1138 Lowell Avenue would remain and would have to comply with the current LMC requirements for additions on typical "Old Town" single lots.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the 1138 Lowell Avenue Subdivision Second Amended plat based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photographs

Exhibit D – Streetscape Images

Exhibit E – Approved 1138 Lowell Avenue Subdivision First Amended Plat and original
1138 Lowell Avenue Plat

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE 1138 LOWELL AVENUE SUBDIVISION SECOND AMENDED PLAT, LOCATED AT 1138 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 1138 Lowell Avenue Subdivision located at 1138 Lowell Avenue, have petitioned the City Council for approval of the 1138 Lowell Avenue Subdivision Second Amended plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014 to receive input on the proposed subdivision;

WHEREAS, on March 12, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 3, 2014 the City Council held a public hearing on the proposed Fluter Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 1138 Lowell Avenue Subdivision Second Amended plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 1138 Lowell Avenue Subdivision Second Amended 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 property is located at 1138 Lowell Avenue within the Historic Residential (HR-1) District.
2. The 1138 Lowell Avenue Subdivision was approved by City Council on May 1, 2003 and recorded on April 19, 2004 combining Lots 25 and 26 into one (1) lot of record.
3. The City Council approved the 1138 Lowell Avenue Subdivision First Amended plat on August 24, 2006 and was recorded on June 4, 2007 subdividing the combined

lots (as was historically Lots 25 and 26) into Lots 1 and 2 of the 1138 Lowell Avenue Subdivision First Amended Plat.

4. On January 29, 2014, the applicants submitted an application for a plat amendment to once again combine the two (2) lots containing a total of 3,750 square feet into one (1) lot of record.
5. The application was deemed complete on February 13, 2014.
6. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single family dwelling and 3,750 square feet for a duplex.
7. The maximum footprint allowed in the HR-1 zone is 1,519 square feet for the proposed lot based on the lot area of the lot.
8. The property has frontage on and access from Lowell Avenue.
9. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations except for the existing non-conforming southerly side yard setback of 2.82 feet.
10. The existing non-conforming northerly side yard setback of 2.76 feet will be eliminated with the approval of the proposed plat amendment.
11. The plat amendment secures public snow storage easements across the frontage of the lot.

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 regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, 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 plat amendment 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 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 for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
5. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Lowell Avenue and shall be shown on the plat.

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

PASSED AND ADOPTED this ____ day of _____, 2014

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

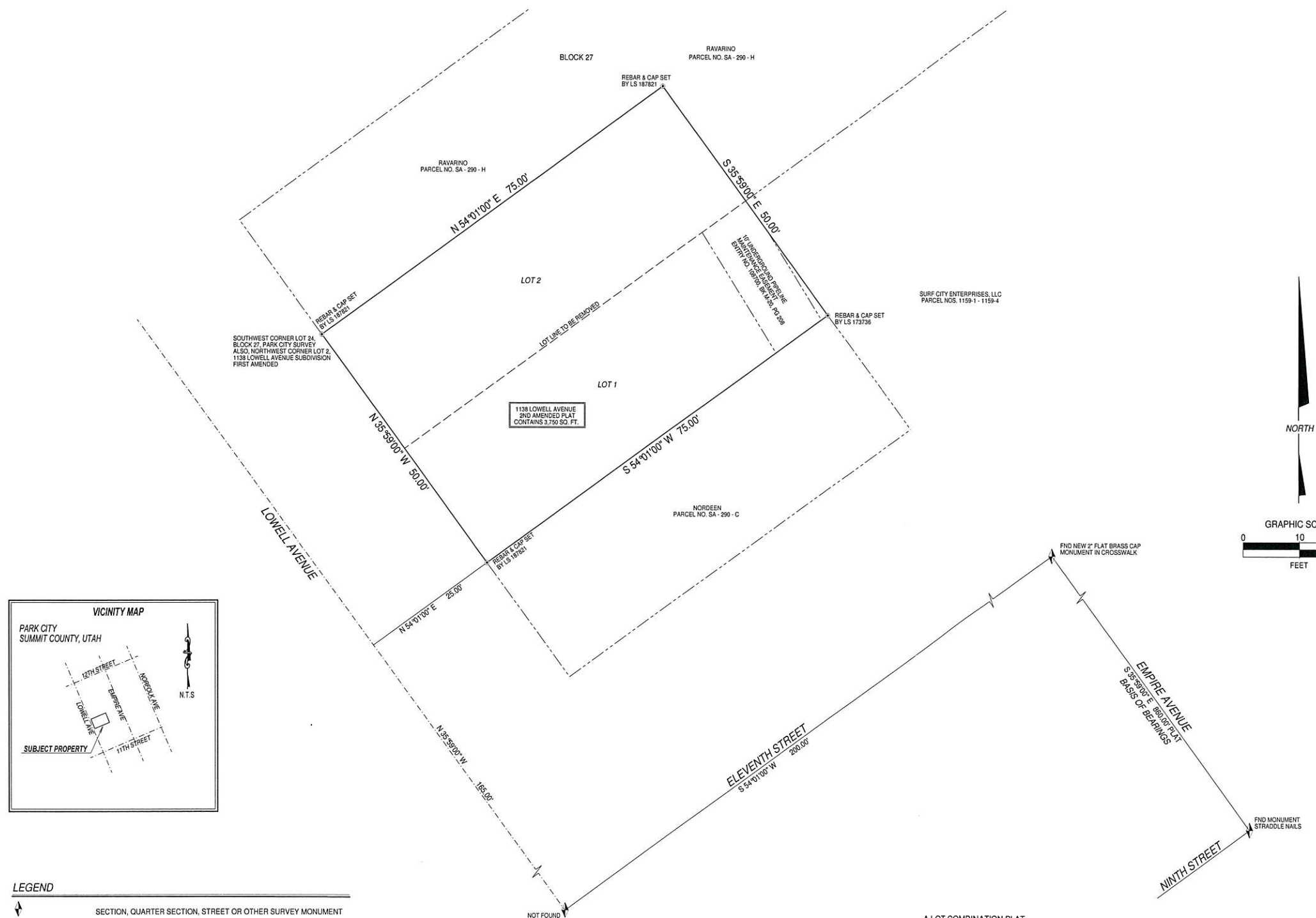
ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

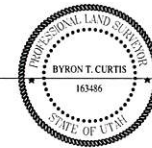
Mark Harrington, City Attorney

EXHIBIT A



SURVEYORS CERTIFICATE

I, BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 163486, AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY, THAT BY AUTHORITY OF THE OWNER, OR HIS REPRESENTATIVE, THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAT.



SIGNATURE

DATE _____

LEGAL DESCRIPTION

1138 LOWELL AVENUE SECOND AMENDED BOUNDARY DESCRIPTION (COMBINED LOTS)

BEGINNING AT THE SOUTHWEST CORNER OF LOT 24, BLOCK 27, SNYDER'S ADDITION, PARK CITY SURVEY, SAID POINT ALSO BEING THE NORTHWEST CORNER OF LOT 2, 1138 LOWELL AVENUE SUBDIVISION FIRST AMENDED, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, AND RUNNING THENCE NORTH 54°01'00" EAST 75.00 FEET; THENCE SOUTH 35°59'00" EAST 50.00 FEET; THENCE SOUTH 54°01'00" WEST 75.00 FEET; THENCE NORTH 35°59'00" WEST 50.00 FEET TO THE POINT OF BEGINNING.

SAID DESCRIBED TRACT CONTAINS 3,750 SQ. FEET, OR 0.09 ACRES, MORE OR LESS, 1 LOT.

NARRATIVE

PROPERTY SURVEYED AT THE REQUEST OF THE CLIENT FOR THE PURPOSE OF AMENDING THE PLAT TO REMOVE THE LOT LINE AND COMBINE THE TWO LOTS INTO ONE PROPERTY. BASIS OF BEARINGS AS SHOWN. CORNERS NOT SET. EASEMENTS MAY EXIST OVER THE PROPERTY, RECORD OR PRESCRIPTIVE, CONTACT PARK CITY TITLE COMPANY FOR THE LOCATION OF RECORD EASEMENTS.

OWNERS DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE 1306 LOWELL AVENUE SUBDIVISION SECOND AMENDMENT, DO HEREBY CERTIFY THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED, AND WE, DANIEL R. WINARSKI AND SHERRIE D. WINARSKI, DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT. ALSO, THE OWNERS AND OR THEIR REPRESENTATIVES, HEREBY IRREVOCABLY OFFER FOR DEDICATION TO THE CITY OF PARK CITY ALL STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THIS PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE DEDICATION.

EXECUTED THIS _____ DAY OF _____ 2014 A.D.

DANIEL R. WINARSKI (A.K.A. DANIEL WINARSKI)

SHERRIE D. WINARSKI (A.K.A. SHERRIE WINARSKI)

ACKNOWLEDGEMENT

STATE OF)
COUNTY OF) SS

ON THIS _____ DAY OF _____, 2014 A.D., DID PERSONALLY APPEAR BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID STATE AND COUNTY, DANIEL R. WINARSKI and SHERRIE D. WINARSKI, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND AND THAT AFTER BEING DULY SWORN SIGNED THE FOREGOING OWNERS CONSENT TO DEDICATE AND RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC

RESIDING AT:

MY COMMISSION EXPIRES : _____

A LOT COMBINATION PLAN
A RESUBDIVISION OF LOT 1 AND LOT 2
1138 LOWELL AVENUE SUBDIVISION FIRST AMENDED

**1138 LOWELL AVENUE SUBDIVISION
SECOND AMENDED**

PART OF BLOCK 27, SNYDER'S ADDITION TO PARK CITY
LOCATED IN THE NW 1/4 OF SECTION 16, TWP. 2 S., R. 4 E., S1B&M
SUMMIT COUNTY, UTAH

JANUARY 13, 2014
BH CURTIS

CURTIS & ASSOCIATES
LAND SURVEYORS
LAND PLANNING
9921 KRAMER CIR
SANDY, UTAH 84092
PHONE (801) 915-6003

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS

ON THIS _____ DAY OF _____, 2014 A.D.

BY _____
S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION

THIS DAY OF , 2014 A.D.

BY _____
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE
WITH INFORMATION ON FILE IN MY OFFICE,
THIS _____ DAY OF _____, 2014 A.D.

BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

THIS _____ APPROVED AS TO FORM
DAY OF _____, 2014 A.D.

BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THAT THIS RECORD OF SURVEY
WAS APPROVED BY THE PARK CITY COUNCIL
THIS DAY OF 2014 A.D.

BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL
THIS ____ DAY OF _____, 2014, A.D.

BY _____
J.E.MOR

ENTRY # _____ RECORDED _____
STATE OF UTAH, COUNTY OF SUMMIT:
RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____
BY _____
SUMMIT COUNTY RECORDER

EXHIBIT B



SURVEYORS CERTIFICATE

I, BYRON T. CURTIS, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 163486, AS PRESCRIBED BY UTAH STATE LAW. I FURTHER CERTIFY, THAT BY AUTHORITY OF THE OWNER, OR HIS REPRESENTATIVE, THAT I HAVE MADE A SURVEY ON THE GROUND OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAT.

SIGNATURE _____ DATE _____



LEGAL DESCRIPTION

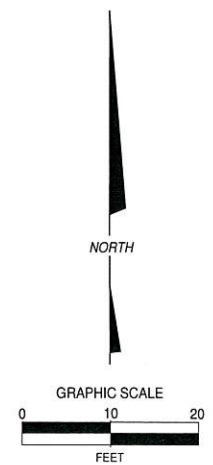
FROM TITLE REPORT PREPARED BY PARK CITY TITLE COMPANY, FILE NO: 20368

LOT 1, 1138 LOWELL AVENUE SUBDIVISION FIRST AMENDED, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SAID LOT CONTAINS 0.04 ACRES OR 1,875 SQUARE FEET, MORE OR LESS.

LOT 2, 1138 LOWELL AVENUE SUBDIVISION FIRST AMENDED, ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, SAID LOT CONTAINS 0.04 ACRES OR 1,875 SQUARE FEET, MORE OR LESS.

NARRATIVE

PROPERTY SURVEYED AT THE REQUEST OF THE CLIENT FOR THE PURPOSE OF IMPROVING THE PROPERTY. BASIS OF BEARINGS AS SHOWN. CORNERS NOT SET.

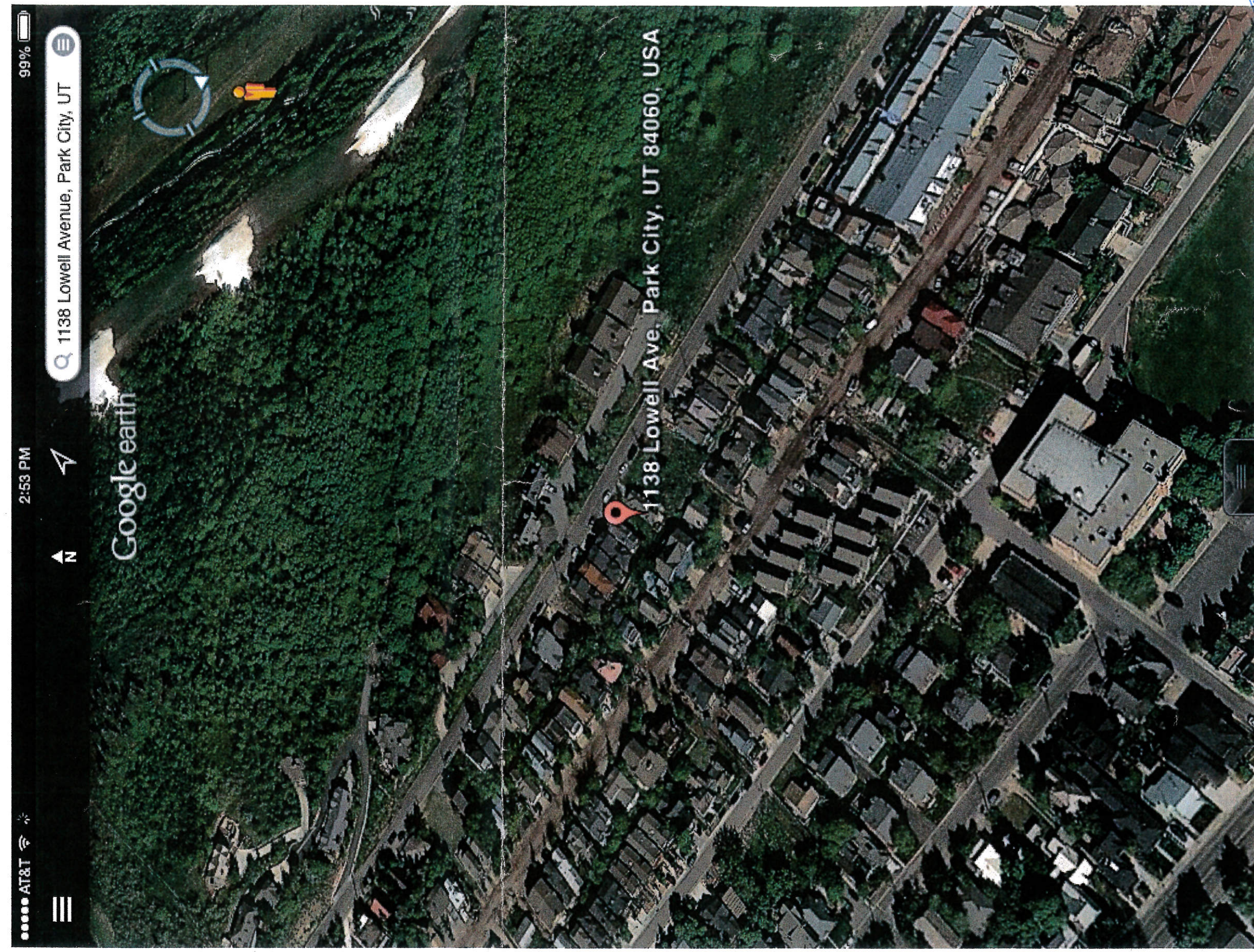


- LEGEND
-  SECTION, QUARTER SECTION, STREET OR OTHER SURVEY MONUMENT
 -  PROPERTY CORNER, NOT SET
 -  BOUNDARY OR PROPERTY LINE, WITH CORNER, FOUND OR SET
 -  RIGHT OF WAY LINE
 -  CENTERLINE
 -  FENCE LINE
 -  UTILITY LINE, TYPICAL
 -  SEWER, STORM DRAIN OR OTHER UTILITY MANHOLE
 -  SPOT ELEVATION
 -  MAJOR ELEVATION CONTOUR
 -  MINOR ELEVATION CONTOUR
 -  EDGE OF PAVEMENT, ASPHALT OR GRAVEL

TITLE			CURTIS & ASSOCIATES LAND SURVEYORS LAND PLANNING 9921 KRAMER CIR SANDY, UTAH 84092 PHONE (801)915-6003
BOUNDARY, TOPOGRAPHIC AND EXISTING CONDITIONS SURVEY			
PREPARED FOR: DANIEL AND SHERRIE WINARSKI			
LOCATION AND ADDRESS			
1138 - 1142 LOWELL AVENUE PARK CITY, UTAH LOTS 1 & 2 1138 LOWELL AVENUE SUBDIVISION, FIRST AMENDED LOCATED IN THE NW 1/4 OF SECTION 16, TWP. 2 S., R. 4 E., SLB&M			
DATE: JANUARY 9, 2014	SCALE: 1" = 10'	FILENAME: winarski.PCS	

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JAN 29 2014
PARK CITY
PLANNING DEPT.

Survey



RECEIVED
JAN 29 2014
PARK CITY DEPT.
PLANNING

Tuesday, January 21, 2014 AOL: Drwinarski



RECEIVED
JAN 29 2014
PARK CITY
PLANNING DEPT.

Subj: (no subject)
Date: 1/21/2014 4:56:35 P.M. Eastern Standard Time
From: drwinarski@aol.com
To: Drwinarski@aol.com



Sent from my iPhone





Subj: (no subject)
Date: 1/21/2014 4:54:46 P.M. Eastern Standard Time
From: drwinarski@aol.com
To: Drwinarski@aol.com



Sent from my iPhone



Subj: (no subject)
Date: 1/21/2014 4:56:19 P.M. Eastern Standard Time
From: drwinarski@aol.com
To: Drwinarski@aol.com



Sent from my iPhone



A hand-drawn diagram showing a line with a point labeled 'X'. To the right of the point, the text 'X NOT H' is written, followed by '1" = 10"' below it.

Know all men, by these present, that we, Daniel R. Winarski and Sherri D. Winarski, are the owners of the hereon described property, hereinafter to be known as 1138 Lowell Avenue, and certify that we have caused this survey to be made, and the plat to be prepared, and we do hereby consent to the registration of this survey and plat amendment.

Sherrie D. Winarski;
a.k.a. Sherrie Winarski

On this 4th day of March, 2004, personally appeared before me, the undersigned Notary Public, in and for said State and County, Daniel R. Winarski and Sherrie D. Winarski, who after being duly sworn, acknowledged to me that they are the owners of the hereon described property, and that they signed the above owners consent to record freely and voluntarily.

Barry A. Vn
Residing At

I, Joe Phoenexen, hold license number 187821 as prescribed by the laws of the State of Utah, and certify that I have made a survey of the property shown hereon and as described in the survey notes and legal description below. I further certify that this plat is an accurate representation of the surveyed property.

1. The basis of bearings is as shown.
2. This survey was requested by Daniel and Sherri Winaarski.
3. Survey monuments were found or set as shown.
4. 1138 = street address on Lowell Avenue.

All of Lots 25 and 26, Block 27, Snyder's Addition to Park City, also being located in Section 16, Township 2 South, Range 4 East, Salt Lake Baseline and Meridian, Summit County, Utah.

187821
JOSEPH
LAURENS
OFUYAH
October 28, 2007

Centerline of 11th Street Basis of Bearings
 45°40'00" E 200.00'

City Council
Approved by the Park City
Council on this 1ST day
of MAY, 2008.

City Planning Commission
Approved by the Park City
Planning Commission on
this 14th day of April,
2004

City Engineer
Found to be in accordance
with information on file at
the Park City Engineer's
Office on this 11TH day
of MARCH, 2004.

City Attorney
Approved as to form by the
Park City Attorney on this
8TH day of April, 2004.

Snyderville Basin Water Reclamation District
Reviewed for conformance to Snyderville
Basin Water Reclamation District
standards on this 26th day of
January, 2004.

Recorded
Number: 695499 Date: 4-19-2004
State of Utah. Time: 10:19 A.M.
County of Summit. Fee: 31.⁰⁰
Recorded and filed at the
request of: Coalition Title

Daniel L. Bowen, Deputy
County Recorder

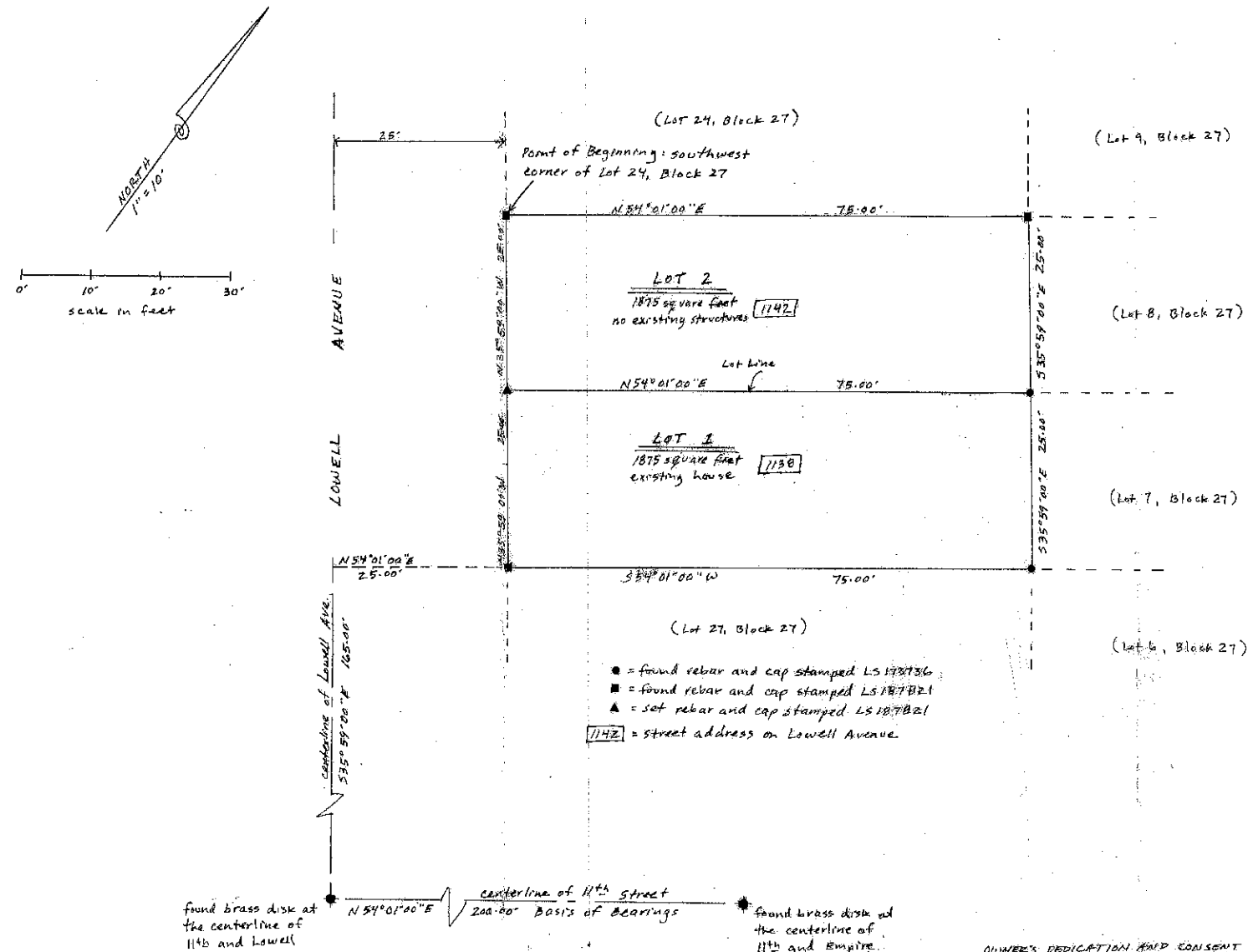
**1138 LOWELL AVENUE SUBDIVISION
FIRST AMENDED**

surveyed by: On The Map Land Surveying
P.O. Box 3864
Park City, UT 84060
ph. 435-647-9826



STATE OF UTAH
Joe Dhallam
May 4, 2006

Located in Block 27, Snyder's Addition, Park City Survey; and in section 16, Township 2 South, Range 4 East, Salt Lake Base/line and Meridian, Summit County, Utah.



SURVEYOR'S CERTIFICATION:
I, Joe Dhaensens, hold license number 187821 as prescribed by the laws of the state of Utah, and certify that I have made a survey of the lots shown herein and as described in the legal description and notes herein, and that this plat is a true representation of said survey.

NOTES:

1. This survey was requested by Daniel and Sherrie Wihariski.
2. The purpose of this survey is for the creation of a 2 lot subdivision on Lowell Avenue.
3. All bearings and distances shown were measured and are equal to the bearings and distances on recorded maps and within recorded legal descriptions.
4. The basis of bearings and the found or set survey monuments are as shown hereon.
5. This subdivision contains 2 lots.

LEGAL DESCRIPTION OF ANNEXED PLAT OF THE LOWELL AVENUE SUBDIVISION:

Located in Section 16, Township 2 South, Range 4 East, Salt Lake Base Line and Meridian, Summit County, Utah, and Beginning at the Southwest corner of Lot 24, Block 27, Snyder's Addition to the Park City Survey, thence N 54° 01' 00" E 75.00 feet, thence S 35° 59' 00" E 50.00 feet, thence S 54° 01' 00" W 75.00 feet, thence N 35° 59' 00" W 50.00 feet to the point of beginning. Said subdivision contains 3750 square feet or 0.086 acres.

OWNER'S DEDICATION AND CONSENT TO RECORD:
Know all men by these presents that the undersigned are the owners of the
herein described property, and they have caused this plat to be made, and
they do hereby consent to the recordation of this subdivision map at the
Summit County Recorder's Office, in accordance with Utah Law; and the
owners hereby irrevocably offer for dedication to the City of Park City,
all streets, land for local government uses, utilities and easements that
may be shown on this plat in accordance with an irrevocable offer
of dedication. In witness whereof, the undersigned have set their
hands on this 2nd day of September, 2006.

ACKNOWLEDGEMENT: ^{Julian}
^{Georgia}
State of ~~Utah~~ County of ~~Summit~~
On this 26 day of April, 2006, personally appeared before me, the undersigned
Notary Public, in and for said State and County, Daniel Winarski and Sherrie Winarski,
who after being duly sworn, acknowledged to me that they are the owners of the
heron described property, and that they signed the owners dedication and consent
to record freely and voluntarily.

Audrey Loo
Notary Public

12-07-2008
My Commission Expires

12355 Arnold Mill Rd
Residing At 30004
Alpharetta Ga

By: *[Signature]* Daniel Williams
a.k.a. Daniel R. Williams
[Signature]
2007
By: *[Signature]* Sherrie Williams
a.k.a. Sherrie D. Williams
[Signature]
Notary Public, Putnam County, Georgia

Notary Public, Fulton County, Georgia
My Comm. Expires: 12/31/2004

CERTIFICATE OF AFFIDAVIT
I certify this plat was approved
by Park City Council on this 2
day of AUGUST, 2006.

COUNCIL APPROVAL AND ACCEPTANCE
Approved and accepted by the Park
City Council on this 24TH day of
AUGUST, 2006.

By: Dana Williams
Park City Mayor

*8149470 RECORDED
State of Utah. County of Summit.
Filed in the Request of _____
Coalition Title
Date: 6-4-07 Book: _____
Time: 11:03 AM Page: _____
Fee: \$30.00 Philip D. Brown, Deputy

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT

Reviewed for conformance to Snyderville
Basin Water Reclamation District
standards on this 10th day of
May, 2006.

By: B. D. S.
Snyderville Basin Water Reclamation District

PLANNING COMMISSION
Approved by the Park City Planning
Commission on this 9th day of
AUGUST, 2006.
By: M. L. [Signature]
Chairperson

ENGINEER'S CERTIFICATE
I find this plat to be in accordance
with information on file in my
office 16th day of MAY,
2006 2007.

By: Eric W. Callahan PE
Park City Engineer

APPROVAL AS TO FORM
Approved as to form this 22nd day
of May, 2006. 7

By: [Signature]
City Attorney

My Commission Expires Oct 4, 2015

CERTIFICATE OF AFFIDAVIT

I certify this plat was approved
by Park City Council on this 24TH
day of AUGUST, 2006.

Mayor

Park City Recorder

COUNCIL APPROVAL AND ACCEPTANCE

Approved and accepted by the Park
City Council on this 24th day of
AUGUST, 2006.

By: Dana Williams
Park City Mayor

#819470 RECORDED

State of Utah. County of Summit.

Filed at the request of _____

Coalition Title _____

Date: 6-6-07 Book: _____

Time: 11:03 AM Page: _____

Fee: \$50.00 Deirdre D. Bowers, Deputy

City Council Staff Report



Subject: Amended Deer Valley Drive (DVD)
Condominiums Units 5 and 6
Author: Christy J. Alexander, AICP, Planner II
Project Number: PL-14-02237
Date: April 3, 2014
Type of Item: Administrative – Condominium Plat Amendment

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the City Council hold a public hearing and consider approving the Amended DVD Condominiums plat amending Units 5 and 6, based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Equity Residences and the DVD Condominiums Homeowners Association, both as represented by Mike Uzelaac with Canyon River Construction
Location: 345 Deer Valley Drive Units 5 & 6
Zoning: Residential (R-1)
Adjacent Land Uses: Single family condominium units, multi-family condominium units, single family and duplex dwellings.
Reason for Review: Plat amendments require Planning Commission review and City Council approval.

Proposal

The purpose of this application is to amend the condominium plat for Units 5 and 6 in order to record a revised plat that is consistent with the as-built conditions of the aforementioned property.

Purpose

The purpose of the Residential (R-1) District is to:

- (A) Allow continuation of land Uses and architectural scale and styles of the original Park City residential Area,
- (B) Encourage Densities that preserve the existing residential environment and that allow safe and convenient traffic circulation,
- (C) Require Building and Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile,
- (D) Require Building design that is Compatible with the topographic terrain and steps with the hillsides to minimize Grading,

- (E) Encourage Development that protects and enhances the entry corridor to the Deer Valley Resort Area,
- (F) Provide a transition in Use and scale between the Historic Districts and the Deer Valley Resort; and
- (G) Encourage designs that minimize the number of driveways accessing directly onto Deer Valley Drive.

Background

On January 30, 2014, the City received a complete application for this plat to memorialize as-built conditions for Units 5 and 6 of the DVD Condominiums plat that was approved by City Council on August 25, 2005 and recorded at Summit County on June 8, 2006 (Exhibit B). All conditions of the underlying approvals continue to apply and are reflected as conditions of approval and plat notes on this proposed supplemental plat (Exhibit A).

Recently Units 5 & 6 were purchased by Equity Resources, LLC independent from the other four units in the DVD Condominiums project. The properties had never received a certificate of final occupancy due to construction errors by the previous builder, and a shortage of funds to complete the project. The new owner filed a new building permit application with the City, and after receiving the permit, began construction. The construction work involves retrofitting the floors of the building that were sagging and making interior floor modification to allow access from the fourth level (Unit 5) to the second level (garage). There were other unfinished items required for the certificate of occupancy which are too numerous to mention. All of the items will be completed by the new owner to meet the requirements for a certificate of occupancy.

As part of this process the square footages of each unit were adjusted slightly due to the stairway access as described for Unit 5, as well as the 7th floor of Unit 5 including filling in an open loft area of roughly 100 square feet.

Unit 6 required slight modifications due to decreased square footage for the stairway access for Unit 5 that goes through the third level which is part of Unit 6. Also, the first level of Unit 6's stairway was constructed differently than shown on the original condominium plat which affects the room square footages.

The Planning Commission voted unanimously on March 12, 2014 to forward a positive recommendation to City Council for the Amended DVD Condominiums Plat amending Units 5 & 6.

Analysis

This request for an Amended DVD Condominiums Plat amending Units 5 and 6, and documents the final as built conditions of these constructed units in accordance with the Utah Condominium Act. The zoning district is Residential District (R-1). The proposed amendment is consistent with the purpose statements of the district in that the use as residential condominiums is unchanged, the change in unit square footage is proposed within the existing structure minimizing site disturbance, preserving the existing natural open space, and minimizing impacts of development. There are no exterior changes.

Unit 5 would increase by 256 square feet from 5,796 square feet to 6,052 square feet. Unit 6 would decrease by 157 square feet from 2,985 square feet to 2,828 square feet. The

extra 99 square feet unaccounted for previously comes from filling in an open loft area on the 7th floor of Unit 5. The property is subject to the following criteria:

	Permitted	Proposed
Height	28 feet (+5' for pitched roof) total maximum of 33'	33 feet max with pitched roof. Building complies.
Front setback	Minimum of 20 feet.	20 feet. Complies.
Rear setback	10 feet.	50 feet. Complies.
Side setbacks	5 feet.	10 feet. Complies.
Parking	Two (2) spaces required per unit.	2 per unit. Complies.
Unit 5 sq. ft.:		
Level	Original	Revised
1	0	31 sq. ft.
2	1160 sq. ft.	1160 sq. ft.
3	0	126 sq. ft.
4	1891 sq. ft.	1891 sq. ft.
5	1304 sq. ft.	1304 sq. ft.
6	745 sq. ft.	745 sq. ft.
7	696 sq. ft.	795 sq. ft.
Total for Unit 5:	5796 sq. ft.	6052 sq. ft.
Unit 6 sq. ft.:		
Level	Original	Revised
1	622 sq. ft.	591 sq. ft.
2	482 sq. ft.	482 sq. ft.
3	1881 sq. ft.	1755 sq. ft.
Total for Unit 6:	2985 sq. ft.	2828 sq. ft.

Conditions of Approval from previous plats that will continue to apply include: Units 5 and 6 will maintain a 50-foot limit of disturbance area from the rear yard setback; and the existing disturbed area in the rear yard setback shall not be improved with any structures, patios, decks or similar improvements.

Good Cause

Planning Staff finds good cause for this record of survey amendment as it reflects the as-built conditions for these units.

Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Department Review

This project has gone through interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet in

accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled City Council public hearing.

Process

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

Alternatives

- The City Council may approve the application for the Amended DVD Condominiums plat amending Units 5 and 6, as conditioned or amended, or
- The City Council may deny the application and direct staff to make Findings for this decision, or
- The City Council may continue the discussion and provide Staff and the Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application. Water and sewer impact fees, and other fees associated with increased floor area, are evaluated during the building permit process and collected prior to issuance of any building permits.

Consequences of not taking the Suggested Recommendation

No certificate of occupancy may be granted until the plat is recorded.

Recommendation

Staff recommends the City Council hold a public hearing and consider approving the Amended DVD Condominiums plat amending Units 5 and 6, based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance and Proposed Supplemental Plat for DVD Condominiums Units 5 & 6

Exhibit B – Original approved DVD Condominiums Plat recorded on June 8, 2006

Exhibit C – Aerial Photographs

Exhibit D – Site Photographs

Exhibit A – Draft Ordinance and proposed Supplemental plat for DVD Condominiums Units 5 + 6

Ordinance No. 14-

AN ORDINANCE APPROVING THE AMENDED DVD CONDOMINIUMS PLAT AMENDING UNITS 5 AND 6, LOCATED AT 345 DEER VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as DVD Condominiums Units 5 and 6, have petitioned the City Council for approval of the Amended DVD Condominiums plat amending Units 5 and 6, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the supplemental plat;

WHEREAS, the Planning Commission, on March 12, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on April 3, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Amended DVD Condominiums plat amending Units 5 and 6, a Utah Condominium project to document the as-built conditions for these completed condominium units.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Amended DVD Condominiums plat amending Units 5 and 6, a Utah Condominium project, as shown in Attachment A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property, Units 5 and 6 of the Amended DVD Condominiums Plat, is located at 345 Deer Valley Drive.
2. The property is located within the R-1 zoning district.

3. March 24, 2011, the City Council approved the DVD Condominiums Plat. This plat was recorded June 8, 2006.
4. On January 30, 2014, the Planning Department received a complete application for the Amended DVD Condominiums Plat amending Units 5 and 6.
5. The purpose of the supplemental plat is to describe and document the as-built conditions for constructed Units 5 and 6 at the DVD Condominiums prior to issuance of a certificate of occupancy.
6. The supplemental plat complies with the conditions of approval of the underlying plats, namely the DVD Condominiums plat.
7. Unit 5 contains a total of 6,052 square feet. Unit 6 contains a total of 2,828 square feet.
8. As conditioned, this supplemental plat is consistent with the conditions of approval of the DVD Condominiums plat.

Conclusions of Law:

1. There is good cause for this supplemental plat as it memorializes the as-built conditions for Units 5 and 6.
2. The supplemental plat 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 supplemental plat.
4. Approval of the supplemental plat, subject to the conditions of approval stated below, will 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 of the supplemental plat 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 plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year timeframe, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the DVD Condominiums plat shall continue to apply.
4. As a condition precedent to issuance of a final certificate of occupancy for Units 5 and 6, the supplemental plat shall be recorded at Summit County.
5. Units 5 and 6 will maintain a 50-foot limit of disturbance area from the rear yard setback.
6. The existing disturbed area in the rear yard setback shall not be improved with any structures, patios, decks or similar improvements.
7. The Unit sizes shall be reflected on the plat as they are to reflect the actual size of the Units.

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

PASSED AND ADOPTED this _____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A

AMENDED
DVD CONDOMINIUMS UNITS 5 AND 6

LOCATED IN WESTERLY HALF OF LOTS 12 AND 23 AND ALL OF LOTS 13
AND 22 OF BLOCK 65, PARK CITY SURVEY, LOCATED IN SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

OWNERS DEDICATION AND CERTIFICATION

KNOW TO ALL MEN BY THESE PRESENTS EQUITY VILLA FUND, LP, BEING THE OWNER OF THE TRACT OF LAND DESCRIBED HEREIN AND THE DVD CONDOMINIUMS UNITS 5 AND 6, A CONDOMINIUM PROJECT LOCATED ON SAID TRACT OF LAND, DOES HEREBY MAKE THIS CERTIFICATE THAT SAID OWNER HAD CAUSED A SURVEY TO BE MADE, AND THIS AMENDED CONDOMINIUM PLAT TO BE PREPARED AND THAT SAID OWNER HAD CONSENTED TO AND DOES HEREBY CONSENT TO THE RECORDATION OF THE AMENDED CONDOMINIUM PLAT IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT. FURTHERMORE, THE UNDERSIGNED OWNER OF SAID TRACT OF LAND DOES HEREBY SET APART, GRANT AND CONVEY TO THE COMMON OWNERSHIP THOSE CERTAIN STRIPS DESIGNATED AS COMMON AREA AND EASEMENT FOR PURPOSES INDICATED HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF SAID UTILITY LINES AND IRRIGATION SYSTEMS AS MAY BE AUTHORIZED BY THE COMMON OWNERSHIP. I CERTIFY THAT BUILDING SHOWN ON THIS PLAT, ALTHOUGH NOT COMPLETED AT THE TIME THIS PLAT IS RECORDED, WHEN COMPLETED, WILL BE SUBSTANTIALLY SHOWN ON THE PLAT.

SIGNED THIS _____ DAY OF _____, 2014.

BY:
JOHN LONG
MANAGING DIRECTOR EQUITY RESIDENCES, LLC
AS GENERAL PARTNER OF EQUITY VILLA FUND, LP.

ACKNOWLEDGMENT

STATE OF _____
COUNTY OF _____

ON THIS DAY _____ OF _____, 2014
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF _____, IN SAID STATE OF _____, THE SIGNERS OF THE ABOVE OWNERS DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

BOUNDARY DESCRIPTION

UNITS 5 AND 6 LYING WITHIN:
PARCEL 1:
THE WESTERLY HALF OF LOT 16, ALL OF LOTS 17 AND 18 AND THE WESTERLY HALF OF LOT 19, BLOCK 65, AMENDED PLAT OF PARK CITY SURVEY.
EXCEPTING THEREFROM THAT PORTION OF THE ABOVE MENTIONED PROPERTY LYING WITHIN THE BOUNDS OF ABANDONED RAILROAD RIGHTS-OF-WAY.
PARCEL 2:
LOTS A AND B, SKI DOWN SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OR RECORDED IN THE SUMMIT COUNTY RECORDER'S OFFICE.
EXCEPTING THEREFROM THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE BOUNDS OF ABANDONED RAILROAD RIGHTS-OF-WAY.
DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 217, SAID POINT BEING S23°38'00"E ALONG THE CENTER LINE OF MAIN STREET 579.65 FEET AND N66°22'00"E 805.68 FEET FROM THE FOUND PARK CITY SURVEY MONUMENT IN THE INTERSECTION OF THE CENTER LINES OF MAIN STREET AND WEBER AVENUE; THENCE N19°22'00"E ALONG THE WESTERLY LINE OF SAID LOTS 17 AND 18 150.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE S70°38'00"E ALONG THE NORTHERLY LINE OF SAID LOTS 18 AND 23 137.50 FEET; THENCE S19°22'00"W 150.00 FEET TO THE SOUTHERLY LINE OF SAID LOTS 12 AND 17; THENCE N70°38'00"W ALONG SAID SOUTHERLY LINE 137.50 FEET TO THE POINT OF BEGINNING.
CONTAINS: 0.47 ACRES

SURVEYOR'S CERTIFICATE

I, PHILLIP R. CHRISTENSEN DO HEREBY CERTIFY THAT: (i) I AM A REGISTERED LAND SURVEYOR AND HOLD CERTIFICATE NO. 319686 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH; (ii) BY AUTHORITY OF THE OWNER, I HAVE CAUSED TO BE MADE UNDER MY DIRECTION THIS AMENDED CONDOMINIUM PLAT OF DVD CONDOMINIUMS; (iii) THIS CONDOMINIUM PLAT ACCURATELY DEPICTS THE BUILDING AND PROPERTY; AND (iv) THIS CONDOMINIUM PLAT COMPLIES WITH PROVISIONS OF SECTION 57-8-13(1) OF THE UTAH CONDOMINIUM OWNERSHIP ACT.

FOR REVIEW PURPOSES ONLY. NOT VALID WITHOUT SURVEYOR'S STAMP AND SIGNATURE

NARRATIVE

EPIC ENGINEERING WAS HIRED TO VERIFY, CORRECT AND MODIFY THE SQUARE FOOTAGE AND INTERIOR WALL LOCATIONS OF UNITS 5 AND 6, "DVD CONDOMINIUMS" PLAT, ENTRY NUMBER 780287, SUMMIT COUNTY RECORDERS OFFICE. CHANGES MADE ON THIS AMENDED PLAT REFLECT CORRECTIONS TO THE SAID DVD CONDOMINIUM PLAT AND ALTERATIONS MADE TO THE EXISTING INTERIOR LAYOUT OF UNIT 5 AND 6.

INTERIOR MEASUREMENTS WERE REFERENCED FROM THE PUBLISHED ARCHITECTURAL PLANS AND VERIFIED IN THE FIELD. THE INTERIOR WALL LOCATIONS THAT ALTERED THE SQUARE FOOTAGE OF EACH RESPECTIVE UNIT OR TRANSFERRED OWNERSHIP FROM ONE UNIT TO THE OTHER ARE DIMENSIONED AND DEPICTED ON THIS AMENDED PLAT AS A DARKER LINE-TYPE. THE SQUARE FOOTAGE OF EACH UNIT HAS BEEN ADJUSTED ACCORDINGLY.

LEVEL	UNIT 5 - SQ. FT.	
	ORIGINAL	REVISED
LEVEL 1	0 SQ. FT.	31 SQ. FT.
LEVEL 2	1160 SQ. FT.	1160 SQ. FT.
LEVEL 3	0 SQ. FT.	126 SQ. FT.
LEVEL 4	1891 SQ. FT.	1891 SQ. FT.
LEVEL 5	1304 SQ. FT.	1304 SQ. FT.
LEVEL 6	745 SQ. FT.	745 SQ. FT.
LEVEL 7	696 SQ. FT.	795 SQ. FT.
TOTAL	5796 SQ. FT.	6052 SQ. FT.

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.

BY:
PARK CITY RECORDER

RECORDED

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

DATE _____ TIME _____ ENTRY NO. _____
BOOK _____ PAGE _____
BY: _____
COUNTY RECORDER

LEGEND

PRIVATE OWNERSHIP UNIT 5
PRIVATE OWNERSHIP UNIT 6
ELEVATOR/ ELEVATOR SHAFT
MEASUREMENTS TAKEN FROM RECORDED PLAT

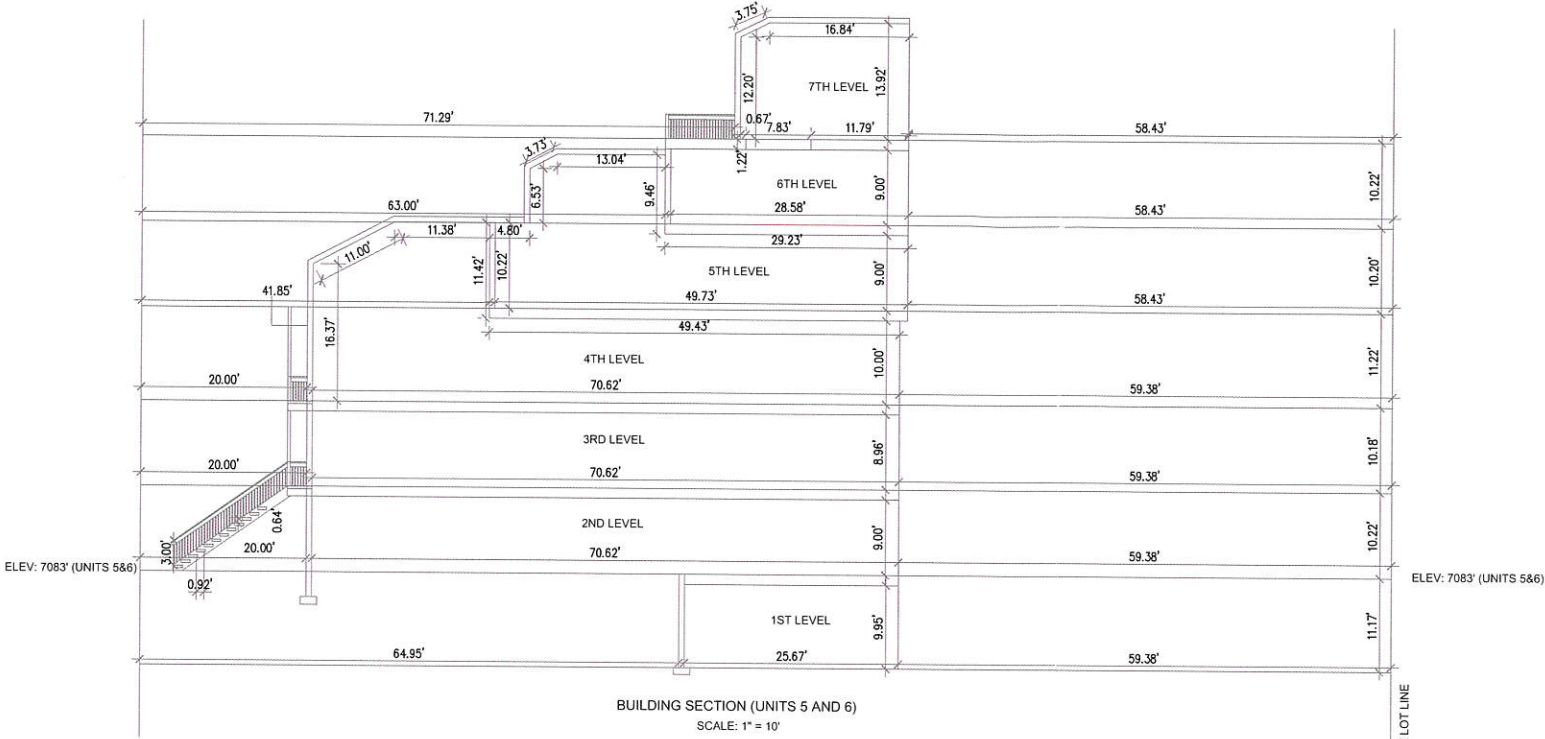
AMENDED - DVD CONDOMINIUMS
UNITS 5 AND 6

SECTION 16, T.2S., R.4E., S.L.B.&M.
PARK CITY, SUMMIT COUNTY, UTAH



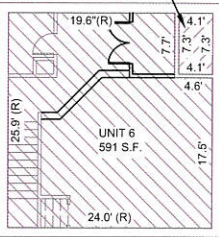
PROJECT #: 14SM1815.01
DRAWN: JD
DATE: 01-15-2014
CHECKED: TJ
SHEET NO: 1 OF 1

PLANNING DEPT.



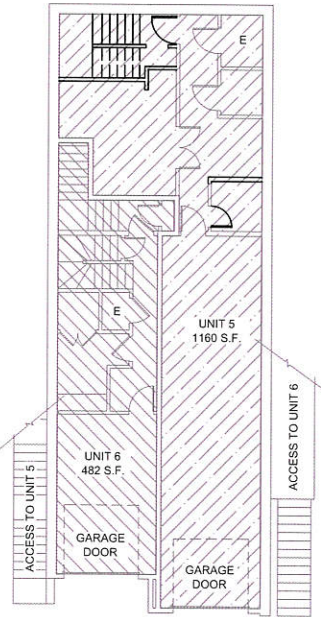
BUILDING SECTION (UNITS 5 AND 6)
SCALE: 1" = 10'

ELEVATOR SHAFT
FOR UNIT 5
30 S.F.



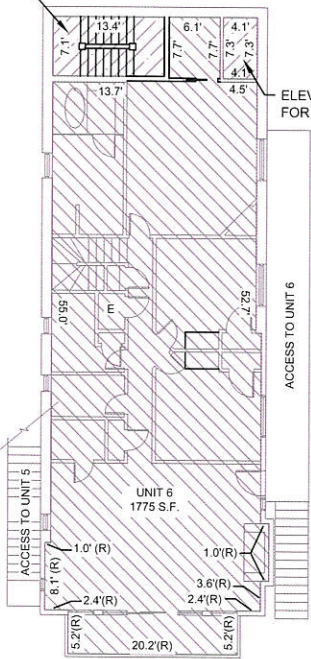
1ST LEVEL
SCALE: 1" = 10'

STAIRCASE FOR
UNIT 5 - 95 S.F.



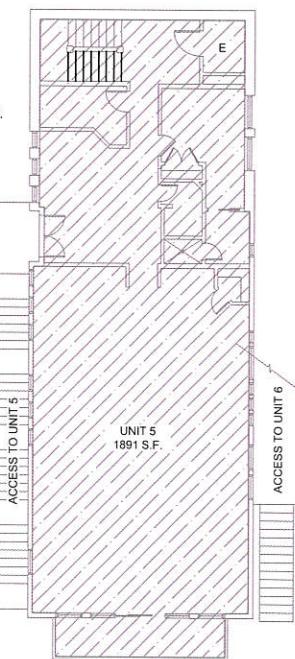
2ND LEVEL
SCALE: 1" = 10'

ELEVATOR SHAFT
FOR UNIT 5 - 30 S.F.

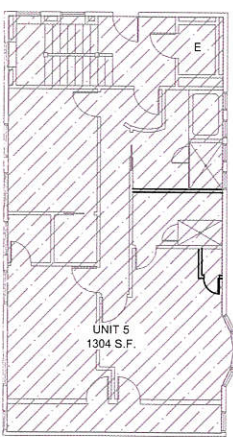


3RD LEVEL
SCALE: 1" = 10'

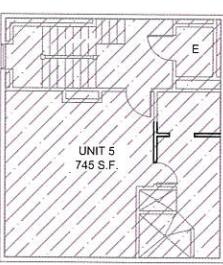
ELEVATOR SHAFT
FOR UNIT 5 - 30 S.F.



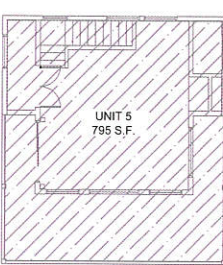
4TH LEVEL
SCALE: 1" = 10'



5TH LEVEL
SCALE: 1" = 10'



6TH LEVEL
SCALE: 1" = 10'



7TH LEVEL
SCALE: 1" = 10'

LEVEL	UNIT 6 - SQ. FT.	
	ORIGINAL	REVISED
LEVEL 1	622 SQ. FT.	591 SQ. FT.
LEVEL 2	482 SQ. FT.	482 SQ. FT.
LEVEL 3	1881 SQ. FT.	1755 SQ. FT.
TOTAL	2985 SQ. FT.	2828 SQ. FT.

SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN WATER RECLAMATION DISTRICT STANDARDS
THIS _____ DAY OF _____, 2014.

BY:
S.B.W.R.D.

PARK CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING
COMMISSION THIS _____ DAY OF _____
2014 A.D.

BY:
CHAIRPERSON PARK CITY PLANNING COMMISSION

PARK CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE
WITH INFORMATION ON FILE IN MY OFFICE

THIS _____ DAY OF _____
2014 A.D.

BY:
PARK CITY ENGINEER

PARK CITY ATTORNEY

APPROVED AS TO FORM BY THE OFFICE OF THE
CITY ATTORNEY

THIS _____ DAY OF _____
2014 A.D.

BY:
PARK CITY ATTORNEY

PARK CITY MAYOR

PRESENTED TO THE PARK CITY MAYOR THIS
DAY OF _____, 2014, AT WHICH
TIME THIS SUBDIVISION WAS ACCEPTED AND
APPROVED.

BY:
PARK CITY MAYOR
BY:
PARK CITY RECORDED

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.

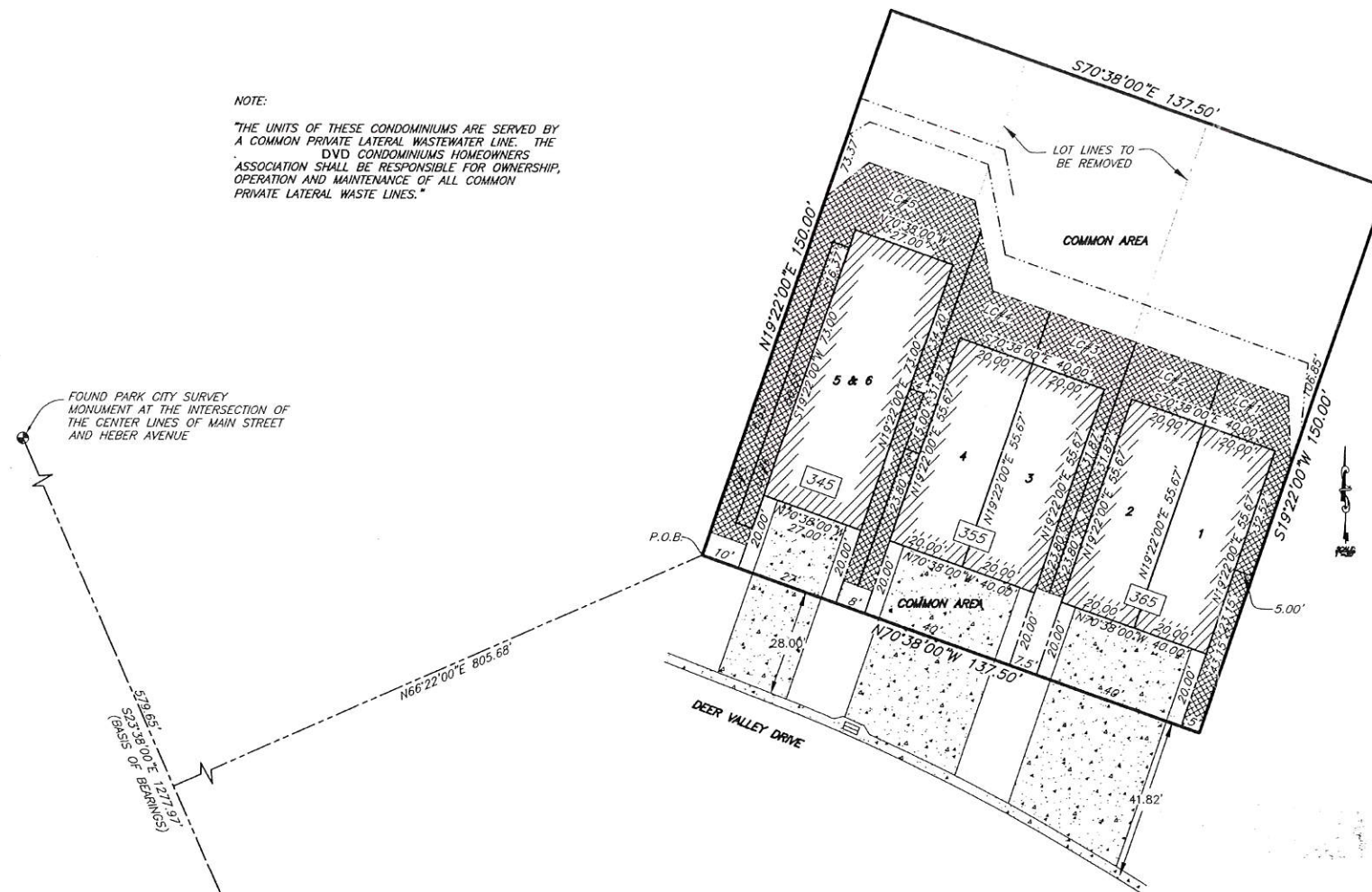
BY:
PARK CITY RECORDER

DVD CONDOMINIUMS

THE WESTERLY HALF OF LOTS 12 & 23 AND ALL OF LOTS 13 TO 22 OF BLOCK 65, PARK CITY SURVEY, LOCATED IN SECTION 16, T.2S., R.4E., S.L.B.&M., U.S. SURVEY
PARK CITY, SUMMIT COUNTY, UTAH
OCTOBER, 2005

NOTE:

"THE UNITS OF THESE CONDOMINIUMS ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE DVD CONDOMINIUMS HOMEOWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTE LINES."



Legend

- XXX = STREET ADDRESS
- [] = CONCRETE
- [] = COMMON AREA
- [] = LIMITED COMMON AREA
- [] = PRIVATE OWNERSHIP LIMITS
- [] = RETAINING WALL
- [] = PROPERTY TIE LINE
- [] = PROPERTY BOUNDARY LINE
- [] = FOUND PARK CITY SURVEY STREET MONUMENT

Boundary Description

PARCEL 1

THE WESTERLY HALF OF LOT 16, ALL OF LOTS 17 AND 18 AND THE WESTERLY HALF OF LOT 19, BLOCK 65, AMENDED PLAT OF PARK CITY SURVEY.

EXCEPTING THEREFROM THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE BOUNDS OF ABANDONED RAILROAD RIGHTS-OF-WAY.

PARCEL 2

LOTS A AND B, SKI DOWN SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND ON RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

EXCEPTING THEREFROM THAT PORTION OF THE ABOVE DESCRIBED PROPERTY LYING WITHIN THE BOUNDS OF ABANDONED RAILROAD RIGHTS OF WAY.

DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 17, SAID POINT BEING S23°38'00"E ALONG THE CENTER LINE OF MAIN STREET 579.65 FEET AND N66°22'00"E 805.68 FEET FROM THE FOUND PARK CITY SURVEY MONUMENT IN THE INTERSECTION OF THE CENTER LINES OF MAIN STREET AND HEBER AVENUE; THENCE N19°22'00"E ALONG THE WESTERLY LINE OF SAID LOTS 17 AND 18 150.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE S70°38'00"E ALONG THE NORTHERLY LINE OF SAID LOTS 18 TO 23 137.50 FEET; THENCE S19°22'00"W 150.00 FEET TO THE SOUTHERLY LINE OF SAID LOTS 12 TO 17; THENCE N70°38'00"W ALONG SAID SOUTHERLY LINE 137.50 FEET TO THE POINT OF BEGINNING.

CONTAINS: 0.47 ACRES

Narrative

THE PURPOSE OF THIS PLAT IS TO CREATE A CONDOMINIUM PLAT OF THIS PROPERTY FOR MICHAEL POSNER. THE WESTERLY LINE WAS FIXED BY THE WESTERLY LINE OF LOTS 17 AND 18 OF THE PARK CITY SURVEY. THE NORTHERLY LINE WAS FIXED BY THE NORTHERLY LINE OF LOTS 18 TO 23 OF SAID SURVEY. THE EASTERLY LINE WAS FIXED BY THE EASTERLY LINE OF THE WESTERLY HALF OF LOTS 12 AND 23. THE SOUTHERLY LINE WAS FIXED BY THE SOUTHERLY LINE OF LOTS 12 TO 17 OF SAID SURVEY. ALL BOUNDARY CORNERS WERE SET WITH A 5/8" REBAR AND RED CAP STAMPED "REEVE & ASSOCIATES". ALL CONDOMINIUM MEASUREMENTS WERE TAKEN FROM ARCHITECTURAL PLANS AND MUST BE FIELD VERIFIED FOR ACCURACY. NO BUILDING IS ALLOWED IN COMMON AREA OR LIMITED COMMON AREA.

Basis of Bearings

THE BASIS OF BEARINGS FOR THIS PLAT IS THE PARK CITY SURVEY, DETERMINED LOCALLY ALONG THE CENTER LINE OF MAIN STREET BETWEEN THE CENTER LINE MONUMENTS FOUND AT THE INTERSECTIONS OF SAID MAIN STREET AND HEBER AVENUE AND SAID MAIN STREET AND 4TH AVENUE, SHOWN HEREON AS: S23°38'00"E

Notes:

- NO BUILDING IS ALLOWED WITHIN THE COMMON OR LIMITED COMMON AREA.
- SEE PARK CITY ORDINANCE 05-54 FOR YARD RESTRICTIONS.

PARK CITY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE PARK CITY PLANNING COMMISSION.

SIGNED THIS 27 DAY OF April, 2006.

J. B. Barth
CHAIRMAN, PARK CITY PLANNING COMMISSION

PARK CITY MAYOR

PRESENTED TO THE PARK CITY MAYOR THIS 25 DAY OF April, 2006, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

Dana Williams
PARK CITY MAYOR
Jack Smith
PARK CITY RECORDER

PARK CITY ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN MY OFFICE.

SIGNED THIS 18th DAY OF April, 2006.

Eric W. O'Leary
PARK CITY ENGINEER

PARK CITY ATTORNEY

APPROVED AS TO FORM BY THE OFFICE OF THE CITY ATTORNEY.

SIGNED THIS 28th DAY OF April, 2006.

Michael D. H.
PARK CITY ATTORNEY

SURVEYOR'S CERTIFICATE

I, ROBERT D. KUNZ, A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF UTAH, DO HEREBY CERTIFY THAT THIS PLAT OF DVD CONDOMINIUMS IN PARK CITY, SUMMIT COUNTY, UTAH HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS AND BUILDINGS INCLUDED IN SAID SUBDIVISION. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF PARK CITY CONCERNING SURVEY REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH, AND THE LOTS MEET THE SITE DEVELOPMENT STANDARDS FOR THE ZONE IN WHICH THEY ARE LOCATED.

SIGNED THIS 24th DAY OF March, 2006.

150228
UTAH LICENSE NUMBER

Robert D. Kunz
ROBERT D. KUNZ



OWNERS DEDICATION AND CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS: MICHAEL POSNER, BEING THE OWNER OF THE TRACT OF LAND DESCRIBED HEREIN AND THE DVD CONDOMINIUMS A CONDOMINIUM PROJECT LOCATED ON SAID TRACT OF LAND, DOES HEREBY MAKE THIS CERTIFICATE THAT SAID OWNER HAS CAUSED A SURVEY TO BE MADE, AND THIS RECORD OF SURVEY MAP TO BE PREPARED, THAT SAID OWNER HAS CONSENTED TO AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS RECORD OF SURVEY MAP IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT. FURTHERMORE, THE UNDERSIGNED OWNER OF SAID TRACT OF LAND DOES HEREBY SET APART, GRANT AND CONVEY TO THE COMMON OWNERSHIP THOSE CERTAIN STRIPS DESIGNATED AS COMMON AREA AND EASEMENTS FOR PURPOSES INDICATED HEREON, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF SAID UTILITY LINES AND IRRIGATION SYSTEMS AS MAY BE AUTHORIZED BY THE COMMON OWNERSHIP. I CERTIFY THAT BUILDINGS SHOWN ON THIS PLAT, BUT NOT COMPLETED AT THE TIME THIS PLAT IS RECORDED, WILL, WHEN COMPLETED, BE SUBSTANTIALLY SHOWN ON THE PLAT.

SIGNED THIS 27 DAY OF March, 2006.

Michael Posner
MICHAEL C. POSNER
2006 Subdivisions by Park City
MM&G INVESTMENTS LLC

ACKNOWLEDGMENT

STATE OF UTAH, ss.
COUNTY OF Salt Lake,

ON THE 27 DAY OF March, 2006, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, *Patricia Guyman* (AND) *Patricia Guyman* SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO, BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME THEY SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

3/31/2008
COMMISSION EXPIRES
Carrie L. Klein
NOTARY PUBLIC



ACKNOWLEDGMENT

STATE OF UTAH, ss.
COUNTY OF Salt Lake,

ON THE 27 DAY OF March, 2006, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, *Patricia Guyman* (AND) *Patricia Guyman* SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO, BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE *member (many)* OF SAID CORPORATION AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED. FOR *MM&G INVESTMENTS LLC*.

3/31/2008
COMMISSION EXPIRES
Carrie L. Klein
NOTARY PUBLIC



REEVE & ASSOCIATES, INC.

Civil Engineering • Structural Engineering
Surveying • Land Planning • Landscape Architecture
EXECUTIVE BLDG., 4155 S. HARRISON BLVD. #310
OGDEN, UTAH 84403
(801) 621-3100 FAX (801) 621-2668

JOB #: 4840-02 SURVEYOR: R. KUNZ
DATE: 05-18-2005 DRAFTER: N. JOHNSON
SCALE: 1"=20' CHECKED:
REVISION: 10-04-05 (MILAP) L. MCKAY

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 27th DAY OF March, 2006.

BY: *B. D. R.*

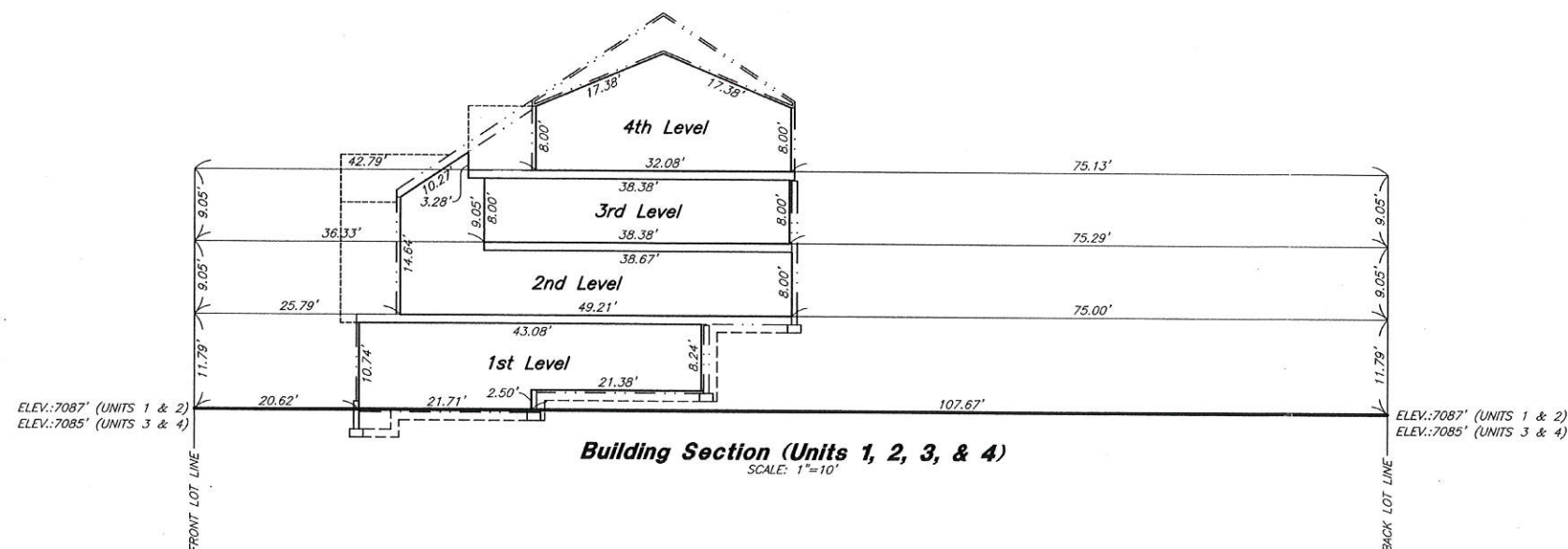
SUMMIT COUNTY RECORDER
ENTRY NO. 780287
FEE PAID \$96.00
FILED FOR RECORD AND RECORDED
10-08-06 AT 5:47 PM

IN BOOK _____ OF THE OFFICIAL RECORDS, PAGE _____
RECORDED FOR: *Founders Title*

SUMMIT COUNTY RECORDER
PLANNING DEPT.
BY: *Carrie L. Klein* DEPUTY

DVD CONDOMINIUMS

THE WESTERLY HALF OF LOTS 12 & 23 AND ALL OF LOTS 13 TO 22 OF BLOCK 65, PARK CITY SURVEY, LOCATED IN SECTION 16, T.2S., R.4E., S.L.B.&M., U.S. SURVEY
PARK CITY, SUMMIT COUNTY, UTAH
OCTOBER, 2005

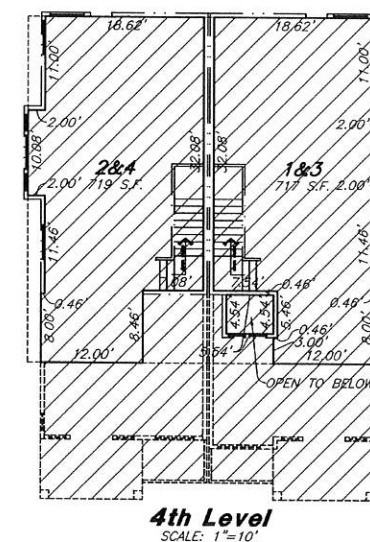
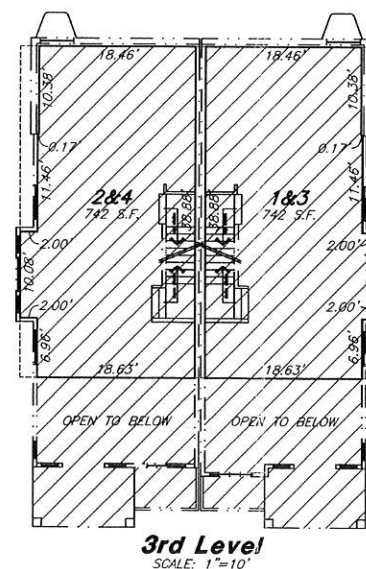
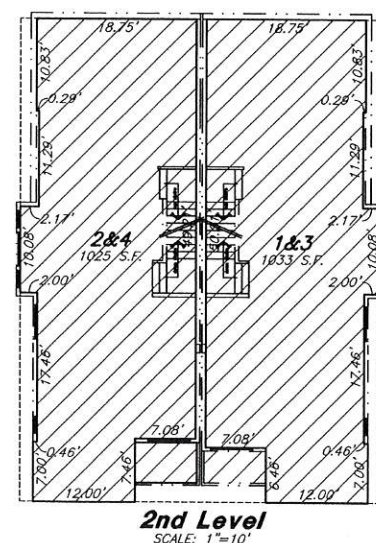
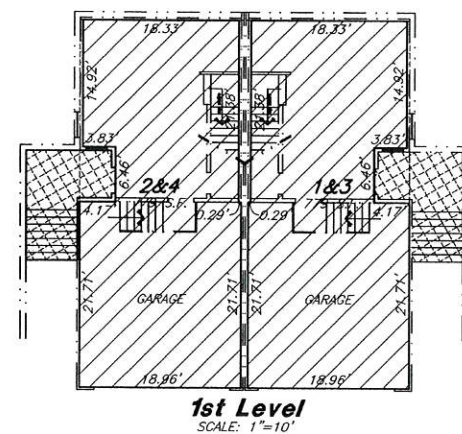


Legend

- = LIMITED COMMON AREA
- = PRIVATE OWNERSHIP LIMITS
- = COMMON AREA

NOTE: ALL STRUCTURAL WALLS ARE COMMON AREA

BUILDING	UNIT #	SQUARE FEET
365	1	3271
	2	3265
355	3	3271
	4	3265
345	5	7046
	6	1704



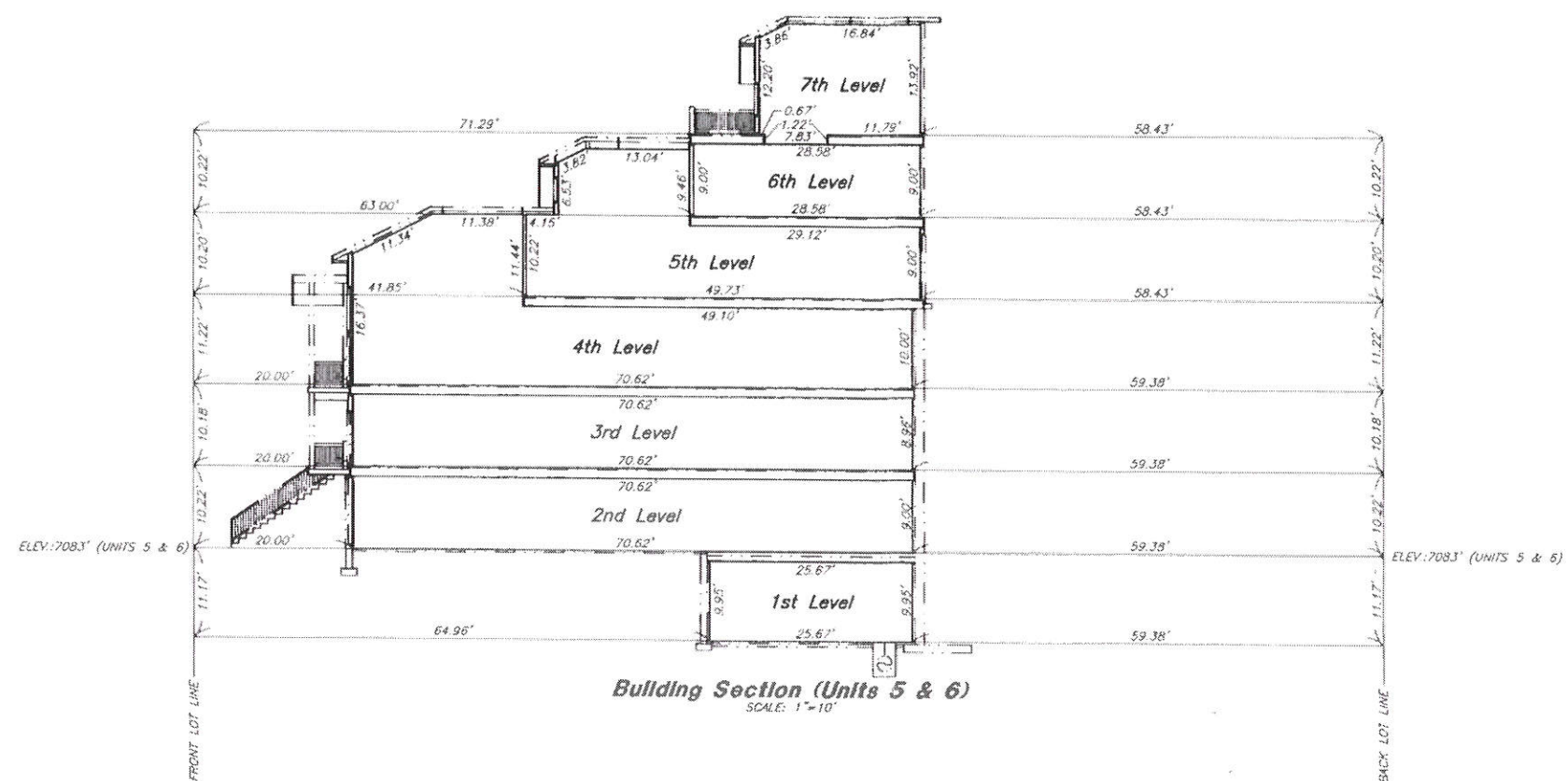
JOB #: 4840-02 SURVEYOR: R. KUNZ
DATE: 05-18-2005 DRAFTER: H. JOHNSON
SCALE: 1"=10' CHECKED:
REVISION: 10-04-05 (MAYOR) L. MCKAY

SUMMIT COUNTY RECORDER
1780287
ENTRY NO. 1780287 FEE PAID 96.00
FILED FOR RECORD AND RECORDED
10-5-2005 AT 1:47 PM
IN BOOK OF THE OFFICIAL
RECORDS, PAGE
RECORDED FOR:
JAN 15 2006
SUMMIT COUNTY RECORDER
PARK CITY
PLANNING DEPT.
BY: [Signature] DEPUTY.

REEVE & ASSOCIATES, INC.
Civil Engineering • Structural Engineering
Surveying • Land Planning • Landscape Architecture
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OGDEN, UTAH 84403
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DVD CONDOMINIUMS

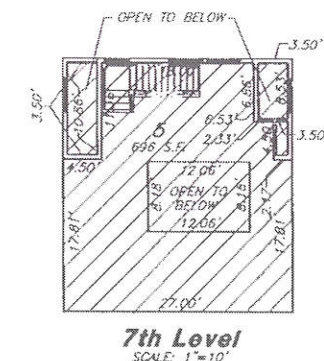
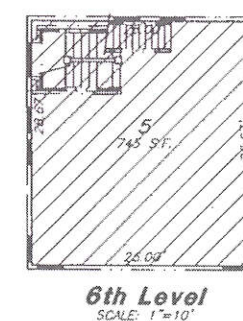
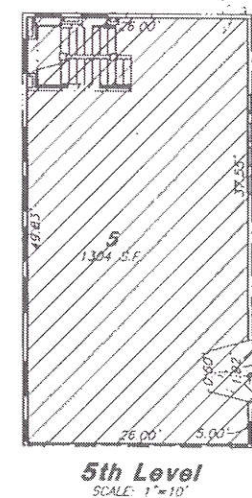
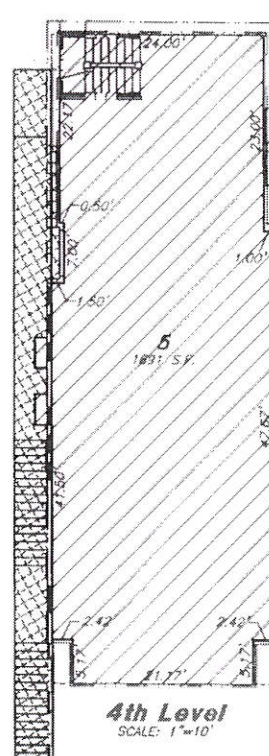
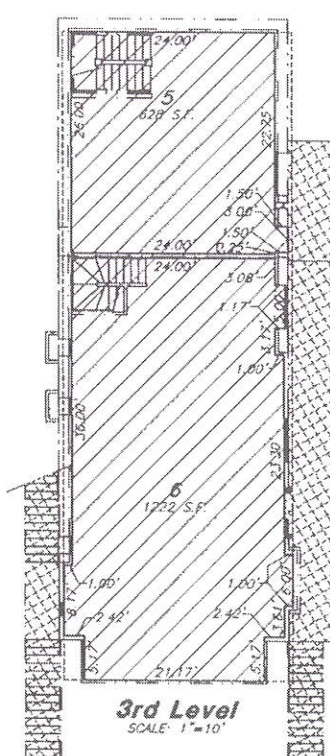
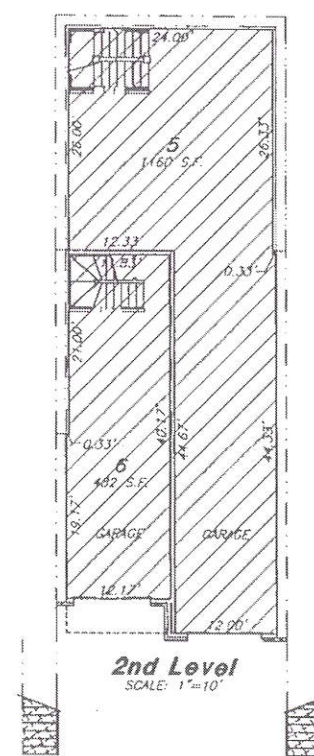
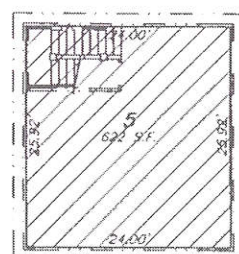
THE WESTERLY HALF OF LOTS 12 & 23 AND ALL OF LOTS 13 TO 22 OF BLOCK 65, PARK CITY SURVEY, LOCATED IN SECTION 16, T.2S., R.4E., S.L.B.&M., U.S. SURVEY
PARK CITY, SUMMIT COUNTY, UTAH
OCTOBER, 2005



Legend

- = LIMITED COMMON AREA
- = PRIVATE OWNERSHIP LIMITS
- = COMMON AREA

NOTE: ALL STRUCTURAL WALLS ARE COMMON AREA



JOB # 1840-02 SURVEYOR R. B. BALE
DATE 02-12-2005 DRAFTER N. AMARSON
SCALE 1"=10' CHECKED
REVISIONS 10-04-05 (M) LAD & M. BAY

SUMMIT COUNTY RECORDER
ENTRY NO. 180287
FILED FOR RECORD AND RECORDED
AT 15:17
IN BOOK 18-000 OF THE OFFICIAL
RECORDS, PAGE 180287



REEVE & ASSOCIATES, INC.
Civil Engineering • Structural Engineering
Surveying • Land Planning • Landscape Architecture
EXECUTIVE BLDG., 4155 S. HARRISON BLVD #310
OGDEN, UTAH 84403
(801) 621-3100 FAX (801) 621-2969

RECEIVED
Founders Title
SUMMIT COUNTY RECORDER
BY: [Signature]
PLANNING DEPT.

EXHIBIT C

DVD Condominium Photographs



Figure 4: View Looking North West Aerial



Figure 5: View Looking South East Aerial



Figure 6: View Looking South West Aerial



Figure 7: View Looking South West Aerial of Mountains

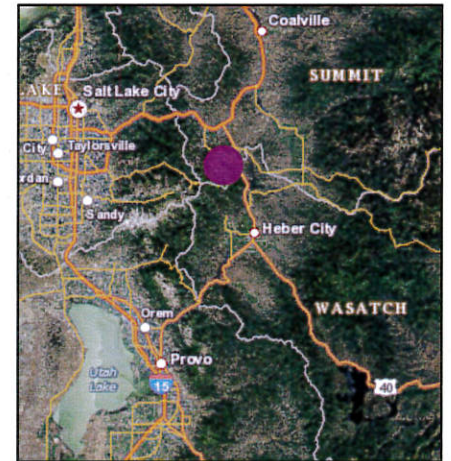


FIGURE 1
DVD CONOMINIUM
SURROUNDING PROPERTIES
SUMMIT COUNTY, UTAH

JANUARY 2014

LEGEND

-  ROADS
-  PROPERTY OF INTEREST
-  COUNTY PARCELS



0 100 200 400
 Feet



EXHIBIT D
DVD Condominium Photographs



Figure 1: View Looking North East Photo



Figure 2: View Looking North Photo



Figure 3: View Looking North West Photo