



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 30, 2000**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 30, 2000.

Closed Session - City Council Chambers - Lower Level

2:00 p.m. Property acquisition

Planning Commission Interviews - City Council Chambers - Lower Level

2:30 p.m. Review of interview questions

2:45 p.m. Interviews

4:15 p.m. **Closed Session** - Deliberation on appointments

4:30 p.m. Break

Work Session - City Council Chambers - Lower Level

4:45 p.m. Council questions and comments

5:00 p.m. Review of regular meeting

- Plats
- Contracts
- Transit development plan/transit center
- Other meeting questions and comments

Regular Meeting - City Council Chambers - Lower Level

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF MARCH 2, 2000

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving the 42 ½ Ontario Canyon Road Subdivision to combine one metes and bounds parcel in Section 21, Township 2 South, Range 4 East, of the Salt Lake Base and

Meridian, into one platted lot located at 42 ½ Ontario Canyon Road, Park City, Utah

2. Ordinance approving the Walk to the Slopes Plat amendment Phase 1 to combine all of Lot 1 in Block 26 of the Snyder's Addition to the Park City Survey, with a portion of the vacated 12th Street right-of-way into a single platted lot, located at 1203 Empire Avenue, Park City, Utah
3. Ordinance approving a plat amendment request 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey into one lot for 1212 Empire Avenue, Park City, Utah
4. Ordinance approving the amendment to the Park City Survey, a plat amendment to combine 18 lots into two lots of record located in Block 63 of the Park City Survey, Park City, Utah (412 Deer Valley Drive)
5. Ordinance approving a plat amendment, to combine the north ½ lot and all of Lots 5, Block 53 of the Park City Survey, located at 220 Marsac Avenue, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving the 42 ½ Ontario Canyon Road Subdivision to combine one metes and bounds parcel in Section 21, Township 2 South, Range 4 East, of the Salt Lake Base and Meridian, into one platted lot located at 42 ½ Ontario Canyon Road, Park City, Utah
2. Ordinance approving the Walk to the Slopes Plat amendment Phase 1 to combine all of Lot 1 in Block 26 of the Snyder's Addition to the Park City Survey, with a portion of the vacated 12th Street right-of-way into a single platted lot, located at 1203 Empire Avenue, Park City, Utah
3. Ordinance approving a plat amendment request 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey into one lot for 1212 Empire Avenue, Park City, Utah
4. Ordinance approving the amendment to the Park City Survey, a plat amendment to combine 18 lots into two lots of record located in Block 63 of the Park City Survey, Park City, Utah (412 Deer Valley Drive)
5. Ordinance approving a plat amendment, to combine the north ½ lot and all of Lots 5, Block 53 of the Park City Survey, located at 220 Marsac Avenue, Park City, Utah

VII RESIGNATIONS AND APPOINTMENTS

Appointment of two members to the Historic District Commission for a term expiring February 2002

VIII PUBLIC HEARING

Continuation of hearing on outdoor music in plaza areas in Park City, Utah

IX NEW BUSINESS

1. Authorization to the Mayor to execute a contract to Herm Hughes & Sons, Inc. for transit center for construction of the Old Town Transit Center and Deer Valley Drive round-about; authorization to staff to issue a change order; authorize staff to enter into a contract with Utah Power & Light for utility work; authorize staff to enter into a contract with Cache Valley for fiber optic services
2. Ordinance approving a comprehensive and substantive re-write of the Land Management Code of Park City, Utah, specifically for:
 - Chapter 1 - General Provisions and Procedures
 - Chapter 2 - Definitions
 - Chapter 12 - Non-Conforming Uses
 - Chapter 13 - Off-Street Parkingas renumbered and included in the body of the Municipal Code as follows:
 - Chapter 1 becomes Title 15, Chapter 1
 - Chapter 2 becomes Title 15, Chapter 15
 - Chapter 12 becomes Title 15, Chapter 9
 - Chapter 13 becomes Title 15, Chapter 3
3. Resolution adopting a transit development plan for Park City, Utah

X ADJOURNMENT

A Municipal Building Authority meeting will convene

PARK CITY COUNCIL MEETING SUMMIT COUNTY, UTAH APRIL 6, 2000

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will not hold its regularly scheduled meeting on Thursday, April 6, 2000.

**PARK CITY MUNICIPAL BUILDING AUTHORITY
SUMMIT COUNTY, UTAH
MARCH 30, 2000**

PUBLIC NOTICE IS HEREBY GIVEN that the Municipal Building Authority of Park City, Utah will hold a public meeting, at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes described below on Thursday, January 6, 2000 immediately following the adjournment of the Redevelopment Agency Meeting.

A G E N D A

- I ROLL CALL**
- II PUBLIC INPUT**
- III MINUTES OF MEETING OF JANUARY 6, 2000**
- IV NEW BUSINESS**

Resolution authorizing the issuance and sale by the Municipal Building Authority of Park City, Utah of not more than \$5,000,000 aggregate principal amount of its lease revenue bonds, Series 2000; fixing the maximum aggregate principal amount of the bonds, the maximum number of years over which the bonds may mature, the maximum interest rate which the bonds may bear, and the maximum discount from par at which the bonds may be sold; providing for the publication of a notice of bonds to be issued; providing for the running of a contest period; providing for a period to submit written petitions for an election as required by law; expressing an intent to reimburse; and related matters

- V ADJOURNMENT**

Posted: 3/27/00
See parkcity2002.org



**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 30, 2000**

Present: Mayor Brad Olch; Council members Peg Bodell, Candace Erickson, Fred Jones, and Shauna Kerr

Mark Harrington, City Attorney; Derek Satchell, Planner; Pat Putt, Planning and Zoning Administrator; Kirsten Whetstone, Planner; Kent Cashell, Finance Manager; Tom Bakaly, Director of Capital Management and Budget; Jerry Gibbs, Public Works Director; Alison Kuhlow, Planner

Absent: Council member Roger Harlan

1. Planning Commission interviews. The City Council interviewed residents Jim Evans, Tom Frey, Steve Hooker, Andrew Volkman, Kurt vonPuttkammer, and Steve Schueler for Planning Commission positions. The Council deliberated on appointments in closed session at approximately 4:15 p.m. See memorandum of closed session in regular meeting minutes.

2. Council questions and comments. With regard to outdoor music in the Old Town area, Ms. Erickson asked if the Council preferred awarding a partial grant for the construction of one music shell to test a prototype rather than funding three shells in the amount of \$6,000. Ms. Kerr expressed that since each shell is different, the test may not be relevant, and suggested approving \$6,000 to build all three. The Mayor agreed as the Council has made a commitment. Ms. Bodell added that businesses could be encouraged to make a donation of materials. There was discussion about Recycle Utah's Good Wood Program. Peg Bodell relayed that she attended the Interagency Task Force and the Chamber/Bureau meetings. The Chamber is reexamining its policy for funding events, and in addition to providing funds as seed money for three years, it is interested in managing and running events. Fred Jones stated that Recycle Utah is requesting additional space from the City and he will be meeting with them with Jerry Gibbs.

3. Review of regular meeting:

Plat amendments. The Mayor asked Council if there are any questions on the plat amendments. Ms. Bodell pointed out that often exhibits and photos included with staff reports are unreadable and suggested scanning documents as these exhibits are very helpful for her. There was discussion about *boiler plate* attachments like the standard conditions of approval, and the Mayor felt it important that they be included with every plat amendment report for reference purposes at a meeting. With regard to the 1203 Empire Avenue plat amendment, Fred Jones understood that the 12th Street right-of-way is owned by the applicant. Derek Satchell indicated that it is and explained

that a portion of 12th Street was vacated and the other half is owned by the person on the other side of Empire.

Ms. Bodell asked for clarification on the traffic concern regarding the 41 ½ Ontario Avenue plat amendment. Mr. Satchell explained that the original proposal was for a duplex which would require additional curb cuts along the road, and given the heavy traffic the City is anticipating on Ontario, staff did not want to encourage additional curb cuts. Now that the applicant has revised the design to a single family house, this will be more favorable in terms of traffic.

Land Management Code. Pat Putt stated that since the last public hearing, there have been no public comments directed on this issue. He suggested additional language to distinguish legally subdivided lots from parcels. Under the parking section, there is no provision for automobile sales and rentals and this use should be listed and the parking ratio defined as one space per vehicle and one space per employee. In the non-conforming use section, it should be clarified that the Board of Adjustment hearings will employ a de novo standard of review not an error of law review. Kirsten Whetstone added that the staff report outlines revised definitions and addresses additional parking for theaters. Mr. Putt stated that adoption of this portion of the Code represents about 75% of Phase 1.

Transit development plan. Kent Cashell commented that the proposed resolution adopting a transit development plan was first presented to Council on February 24. Since that time, staff has met individually with Council members and incorporated six changes to the plan. It is suggested that the automatic vehicle location/passenger counting technology be delayed until 2004 and should not be a priority at this time. It is staff's suggestion to keep this in the plan in the event of a grant opportunity for funding. There is a stronger statement for the City's support of regional transit and designing a graphics theme for the buses will involve staff, Council and citizens. There is a policy that staff consider alternative fuels for procurement as well as vehicle designs that would enhance system efficiency and user comfort. It is recommended that the Heber City subscription service be modified to be a more regionally focused employee ride share program. This would be a three tiered program which uses demand to drive the City's level of service. It is anticipated to work with employers and develop an employee ride share program. Analyzing the data base will provide information to determine where the concentrations of employees willing to use alternative commuting methods are located. Appropriate areas could be identified for van pools or subscription service. The third level would be moving to more of a dedicated service, and the regional transit, should it take shape, may address a lot of this demand. Mr. Cashell emphasized the effort to promote City/employer relationships; staff will continue to work on this and develop a more detailed plan to bring back for review and approval. He relayed that Council member Bodell requested that language be added to the procurement section to direct staff to seek partnerships with other transit authorities to get the best price. Mr. Cashell explained that this is already part of the City's process, but it will be stated in the plan. When our Olympic plans are more concrete, a statement integrating the Olympics will be included in the transit development plan.

Ms. Kerr understood that the neighborhood shuttle can not occur this year because a vehicle is not available and Mr. Cashell explained that the City has an option on a vehicle which expires April 5. If the City doesn't proceed, it takes about a year to order another vehicle. All of the operational costs for neighborhood service is budgeted, and if there is direction to move forward, Council would have to approve a 20% matching grant for the vehicle, or about \$13,000. Ms. Bodell stated that she has questions about the validity of neighborhood service, but that is different than acquisition of the vehicle. There are other uses for the vehicle if neighborhood shuttle services don't occur. Ms. Bodell felt that defining, participating and designing regional transit are all important features. Jerry Gibbs indicated that the County will have a funding program formulated for regional transportation and understood that the smaller commercial area would be addressed first and then expanded as needs increase. The area is going to be defined by who is putting money into the program. Mr. Gibbs noted that the City will participate once the County is in a position for joint planning. Ms. Bodell felt that the program should be monitored, i.e., customer service, and there should be continual feedback.

Outdoor music. Ms. Bodell pointed out that the MFL is from June 1 to October 1, 2000 and asked if this would preclude celebrations in the fall or winter. Mark Harrington responded that she is correct and Council would have to amend the MFL for events beyond October 1. Alison Kuhlow explained that the stages are considered to be temporary and would be removed at some point.

MBA parameter bonds. Council member Jones asked why the MBA is bonding for \$5 million when it only needs \$2 million. Tom Bakaly explained that parameters are typically set high and it could be changed to \$4 million. This sets the intent of the Board to issue debt and provides a contest period of 30 days at which point the MBA can proceed with the debt. He acknowledged that this is a high number and the plan is to borrow for \$2 or \$3 million, the latter if trail improvements are desired. In order to actually issue the bonds, the MBA will have to take further action.

Prepared by Janet M. Scott



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 30, 2000**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 30, 2000. Members in attendance were Brad Olch, Peg Bodell, Candace Erickson, Fred Jones, and Shauna Kerr. Roger Harlan was excused. Staff present were Mark Harrington, City Attorney; Rick Lewis, Community Development Director; Kent Cashel, Interim Transportation Director; Derek Satchell, Planner; Eric DeHaan, City Engineer; Alison Kuhlow, Planner; Jon Weidenhamer, Planning Technician; Kirsten Whetstone, Planner; and Pat Putt, Planning and Zoning Administrator.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing no comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Peg Bodell noted that the KPCW interview with LaMar Richins of Summit County regarding trash pick-up may have lead people to believe that problems in Old Town have been solved. She acknowledged the work of Jerry Gibbs on this project which is still on-going. In response to a question from her regarding private parking signs in the Old Town residential area, Mr. Lewis responded that staff will conduct an inventory first and follow-up with Council. Ms. Erickson recognized the traffic control efforts of the Police Department on SR224.

Kent Cashel reported that a meeting will be held by the citizens advisory parking committee on April 12 where the winter parking system, Old Town Transit Center construction parking impacts, and future of the committee will be addressed.

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF MARCH 2, 2000

Hearing no corrections or omissions, the Mayor requested a motion to approve. Peg Bodell, "I so move". Shauna Kerr seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye

Shauna Kerr

Aye

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving the 42 ½ Ontario Canyon Road Subdivision to combine one metes and bounds parcel in Section 21, Township 2 South, Range 4 East, of the Salt Lake Base and Meridian, into one platted lot located at 42 ½ Ontario Canyon Road, Park City, Utah - Derek Satchell stated that staff reviewed the application according to the findings of facts, conclusions of law, and conditions of approval as outlined in the staff report. The application was forwarded by the Planning Commission on March 8, 2000 with a positive recommendation. Approval by Council would consolidate one metes and bounds parcel into one platted lot. In response to a question from Peg Bodell about the address, Eric DeHaan explained that there is already a 42 and a 44 Ontario Canyon Road; 43 would be on the other side of the street, so the address of 42 ½ must be retained.

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

2. Ordinance approving the Walk to the Slopes Plat amendment Phase 1 to combine all of Lot 1 in Block 26 of the Snyder's Addition to the Park City Survey, with a portion of the vacated 12th Street right-of-way into a single platted lot, located at 1203 Empire Avenue, Park City, Utah - Derek Satchell stated that staff reviewed the application according to the findings of facts, conclusions of law, and conditions of approval as outlined in the staff report. The application was forwarded by the Planning Commission on March 8, 2000 with a positive recommendation. The plat amendment would combine all of Lot 1 of Block 26 and the portion of the 12th Street right-of-way into a single family lot as conditioned. It was clarified that this request is separate from the 1212 Empire Avenue plat amendment, appearing later on the agenda.

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

3. Ordinance approving a plat amendment request 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey into one lot for 1212 Empire Avenue, Park City, Utah - Alison Kuhlown explained that the plat amendment would combine all of these parcels into one parcel for the construction of a condominium project. Eric DeHaan emphasized that the 12th Street right-of-way adjacent to this project has not been vacated; it contains a water line and will accommodate stairs at some point.

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

4. Ordinance approving the amendment to the Park City Survey, a plat amendment to combine 18 lots into two lots of record located in Block 63 of the Park City Survey, Park City, Utah (412 Deer Valley Drive) - Kevin LoPiccolo explained that this is an application to combine Lots 1 through 14 and Lots 18 through 21 in Block 63 into two lots of record. Lot 1 is approximately 27,000 square feet, Lot 2 is about 12,000 square feet.

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

5. Ordinance approving a plat amendment, to combine the north ½ lot and all of Lots 5, Block 53 of the Park City Survey, located at 220 Marsac Avenue, Park City, Utah - Jon Weidenhamer stated that the Planning Commission forwarded a positive recommendation on March 8, 2000 and staff recommends approval based on the findings of fact, conclusions of law and conditions of approval outlined in the staff report. In response to a question from Ms. Erickson regarding a neighborhood complaint about this project blocking views, Mr. Weidenhamer stated that there hasn't been further input at the Planning Commission meeting. The Mayor invited public comment. Staff described the location of the project for Bruce Satches, Ontario Avenue resident. With no further comments or questions from the Council or the public, the Mayor closed the public hearing.

VI CONSENT AGENDA

The Mayor requested a motion to approve the Consent Agenda. Shauna Kerr, "I so move". Peg Bodell seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

1. Ordinance approving the 42 ½ Ontario Canyon Road Subdivision to combine one metes and bounds parcel in Section 21, Township 2 South, Range 4 East, of the Salt Lake Base and Meridian, into one platted lot located at 42 ½ Ontario Canyon Road, Park City, Utah - See staff report and public hearing.

2. Ordinance approving the Walk to the Slopes Plat amendment Phase 1 to combine all of Lot 1 in Block 26 of the Snyder's Addition to the Park City Survey, with a portion of the vacated 12th Street right-of-way into a single platted lot, located at 1203 Empire Avenue, Park City, Utah - See staff report and public hearing.

3. Ordinance approving a plat amendment request 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey into one lot for 1212 Empire Avenue, Park City, Utah - See staff report and public hearing.

4. Ordinance approving the amendment to the Park City Survey, a plat amendment to combine 18 lots into two lots of record located in Block 63 of the Park City Survey, Park City, Utah (412 Deer Valley Drive) - See staff report and public hearing.

5. Ordinance approving a plat amendment, to combine the north ½ lot and all of Lots 5, Block 53 of the Park City Survey, located at 220 Marsac Avenue, Park City, Utah - See staff report and public hearing.

VII RESIGNATIONS AND APPOINTMENTS

Appointment of two members to the Historic District Commission for a term expiring February 2002 - Peg Bodell, "I move that we appoint Tom Hurd and reappoint Steve Swanson". Shauna Kerr seconded. Motion carried. Tom Hurd thanked Council for the confidence placed in him and stated that he will do the best he can to live up to Council's expectations.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

VIII PUBLIC HEARING

Continuation of hearing on outdoor music in plaza areas in Park City, Utah - Alison Kuhlow referred to the draft ordinance. She invited Council comments on the draft and added that there may modifications prompted by public input. In response to a question from Ms. Bodell, Ms. Kuhlow explained that the person selected to monitor sound will be hired by the Arts Council and the position should be consistently held. Ms. Kuhlow added that the decibel level will be monitored according to the ordinance and it is not anticipated that the Police Department will be involved measuring decibel levels. Candy Erickson pointed out with two venues close in proximity to each other at Summit Watch, that two consecutive days of performances could be scheduled, impacting the same residents. Ms. Kuhlow admitted that as written, this is something that could occur. It is proposed that amplified music be limited to five hours per venue. The Mayor invited public input.

Hank Louis, architect/designer, noted that his students are in the process of building the music shacks and continue to work with sound engineers. The shells will be tested during construction and after installation. He explained some conflicts with using sturdy materials to

mitigate sound, and at the same time, the shells should be light-weight as they are temporary. Ms. Kuhlrow discussed the band shell which is planned for City Park. The Chamber/Bureau obtains a master festival license for summer concerts and will continue doing so to program this stage in the park. There was reference to the discussion in work session about funding this project.

John Roberts, 900 block, stated that he supports the music as it is important to the ambience of Old Town and Main Street, as encourages people to gather. Understanding there are dissenters, he pointed out that Park City is a resort community.

Mike Barrows, 1025 Empire Avenue, relayed how much he enjoys the summer music on the plaza and if there is a problem with the music, it's because it stops too early. He agreed that Park City is a resort town and added his support to the project.

Hearing no further comments, the Mayor requested a motion to continue the hearing. Shauna Kerr, "I so move". Fred Jones seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

IX NEW BUSINESS

1. Authorization to the Mayor to execute a contract to Herm Hughes & Sons, Inc. for transit center for construction of the Old Town Transit Center and Deer Valley Drive round-about; authorization to staff to issue a change order; authorize staff to enter into a contract with Utah Power & Light for utility work; authorize staff to enter into a contract with Cache Valley for fiber optic services - See staff report and work session notes. Hearing no questions or comments from City Council members, the Mayor requested a motion to approve. Fred Jones, "I so move". Shauna Kerr seconded. Ms. Kerr asked if the insurance is adequate; Mark Harrington relayed that the numbers were reviewed by the City's risk manager and our insurance broker. Some additional insurance requirements were added to the standard construction contract and staff is comfortable with the amounts. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

2. Ordinance approving a comprehensive and substantive re-write of the Land Management Code of Park City, Utah - Pat Putt stated that the ordinance would formally adopt the general provisions and procedures, definitions, non-conforming uses, and off-street parking as renumbered in the Municipal Code. Staff is recommending that the ordinance be adopted. There was discussion about formulating the parking table requirements which are based on information from other cities and industry standards. There was also discussion about the expansion of Holiday Village Cinemas and its specific MPD application where both codes are being applied. Ms. Whetstone added that if a use is not described in the parking table, staff has the authority to arrive at a reasonable requirement. Ms. Bodell pointed out that Park City doesn't always compare well with the industry standard. Mr. Putt appreciated her comment and added that it is not desirable to build excessive parking sites. With no further comments, the Mayor requested to approve as presented. Shauna Kerr, "I move approval as presented with the three changes noted on Page 5 under No. 3 with respect to lot lines, Page 12, Parking, Chapter 3, non-residential ratios for auto sales and rentals of one per vehicle, per rental or sale, plus one for employee, and Page 1, Chapter 9, non-conforming uses, the status for the review is a de novo standard of review". Fred Jones seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

3. Resolution adopting a transit development plan for Park City, Utah - See staff report and work session notes. Hearing no comments from Council members, the Mayor requested a motion to approve. Peg Bodell, "I so move". Fred Jones seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

X ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and a Municipal Building Authority meeting convened.

* * * * *

MEMORANDUM OF CLOSED SESSION



The City Council met in closed session at approximately 2 p.m. Members in attendance were Mayor Brad Olch, Peg Bodell, Candace Erickson, Fred Jones, and Shauna Kerr. Roger Harlan was excused. Mark Harrington, City Attorney, was also present. Shauna Kerr, "I move to close the meeting to discuss property acquisition". Peg Bodell seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

The meeting opened at approximately 2:30 p.m. when Planning Commission interviews were conducted.

The City Council met again in closed session at approximately 4:15 p.m. Members in attendance were Mayor Brad Olch, Peg Bodell, Candace Erickson, Fred Jones, and Shauna Kerr. Roger Harlan was excused. Fred Jones, "I move to close the meeting to discuss the Planning Commission appointments". Candace Erickson seconded. Motion carried.

Peg Bodell	Aye
Roger Harlan	Absent
Candace Erickson	Aye
Fred Jones	Aye
Shauna Kerr	Aye

The meeting opened at approximately 4:30 p.m.

* * * * *

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 Janet M. Scott


Janet M. Scott, City Recorder



CITY COUNCIL REPORT

DATE: March 30, 2000
DEPARTMENT: Planning Department
AUTHOR: Derek Satchell
TITLE: 42½ Ontario Canyon - Subdivision
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Conduct a public hearing and approve the consolidation of one (1) metes and bound parcel in Section 21, Township 2 South, Range 4 East of the Salt Lake Base and Meridian into one (1) platted lot.

DESCRIPTION:**A. Topic.**

Applicant: Keith Russell
Location: 42½ Ontario Canyon Road
Zoning: Historic Residential District - HR-1
Adjacent Land Uses: Residential
Date of Application: November 10, 1999
Project Planner: Derek Satchell

B. Background.

The project site is located at 42½ Ontario Canyon Road in the Historic Residential District (HR-1) directly south of the Marsac Avenue and Ontario Canyon intersection. The project involves a request for a Subdivision to consolidate one (1) metes and bound parcel into one (1) platted lot. The lot is currently vacant and is surrounded by several large contemporary houses, as well as one historic house to the south. The applicant desires to combine the lot in order to accommodate the future construction of a single-family dwelling. Because a small interior portion of the lot has a slope of 30%, a CUP application must be approved by the Planning Commission prior to construction. The CUP and Subdivision applications were approved by the Planning Commission on March 8, 2000. The new construction must comply with the Historic District Design Guidelines prior to the issuance of any building permits.

C. Analysis

The applicant proposes to consolidate one (1) metes and bound parcel into one (1) platted lot, which will total approximately 4,674 square feet in area (See Exhibit B). The applicant proposes to create a single lot in order to accommodate a single-family dwelling. The lot is currently vacant.

Permitted Use:

The property is zoned HR-1, Historic Residential District. The construction of a single-family dwelling is permitted in this zone provided that all land issues and interior lot lines are removed through the Plat Amendment/Subdivision process. Since this lot consists of a metes and bounds parcel, the Community Development Department is requiring the applicant to combine the metes and bounds parcel into one platted lot per state law.

If the proposed plat amendment application is denied, the construction of the proposed house would not be permitted. If the plat amendment application is approved as requested by the applicant, the house would be constructed on the resulting lot.

Lot combinations which result in larger than standard lots have been allowed in the past, in areas where the ownership pattern is one of several lots. In this particular area of Old Town, the lot ownership pattern typically consists of large metes and bounds parcels and platted lots. Lots in the area range in size from 1,875 square feet to approximately 10,000 square feet.

Parking/Easement: The vacant lot has vehicular access off Ontario Canyon Road. Access would not change because of the proposed plat. However, a snow easement would be required. Staff requests that no accessory apartments or lock-out units be incorporated in the future as part of the existing dwelling, because of parking problems that would typically arise.

Utilities: The topography of the property may require sewer cleanouts for the proposed dwelling. The applicant should contact the Sewer District to determine if there are any easement requirements for the relocation of private laterals.

Setbacks: Any future development must comply with the existing setback requirements of the current LMC.

Design: Staff's review of the applicant's proposed dwelling complies with the Steep Slope Criteria in the temporary zoning requirements of the LMC, as well as with the Historic District Design Guidelines.

E. NOTICE

Notice of this hearing was sent to property owners within 300' on December 21, 1999. No formal comments have been filed at the time of this report.

F. DEPARTMENT REVIEW

The Community Development Department has reviewed this request. The City Attorney and City Engineer will review the subdivision prior to recordation. The request was discussed at a Staff Review Meeting on December 21, 1999, where representatives from local utilities and City Staff were in attendance. Other than pointing out the significant amount of vehicular traffic that will occur

on this road in the near future as a result of development south of this site, no other outstanding issues were identified.

G. RECOMMENDATION

Staff recommends that the City Council conduct a public hearing and approve the consolidation of one (1) metes and bound parcel in Section 21, Township 2 South, Range 4 East of the Salt Lake Base and Meridian into one (1) platted lot based on the following:

Findings of Fact:

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will to consolidate one (1) metes and bound parcel in Section 21, Township 2 South, Range 4 East of the Salt Lake Base and Meridian into one (1) platted lot to allow for the construction of a single-family dwelling.
3. The subdivision and CUP applications were approved and forwarded to the City Council with a positive recommendation on March 8, 2000.
4. The subdivision will not increase density on the lot.
5. The snow storage along Ontario Canyon Road is very important, as are utilities.
6. The road carries very heavy vehicular traffic and the traffic will get heavier in the future as a result of future development south of this site. Traffic is a concern in the neighborhood.

Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the subdivision for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. No remnant lot created is separately developable
3. A note shall be added to the plat stating that no accessory apartment shall be permitted. Only one (1) single-family dwelling may be constructed.
4. A ten foot (10') non-exclusive utility and snow storage easement shall be incorporated in the first ten feet off of Ontario Canyon Road.
5. Only one (1) driveway is allowed; a means of turning a car around on site is required.
6. This approval shall expire one year from the date of City Council approval, unless this Subdivision is recorded prior to that date.

H. Exhibit

Exhibit A - Location Map

Exhibit B - Existing Plat Map

Exhibit C - Proposed Subdivision

Exhibit D - Standard Conditions of Approval

42 1/2 Ontario Canyon

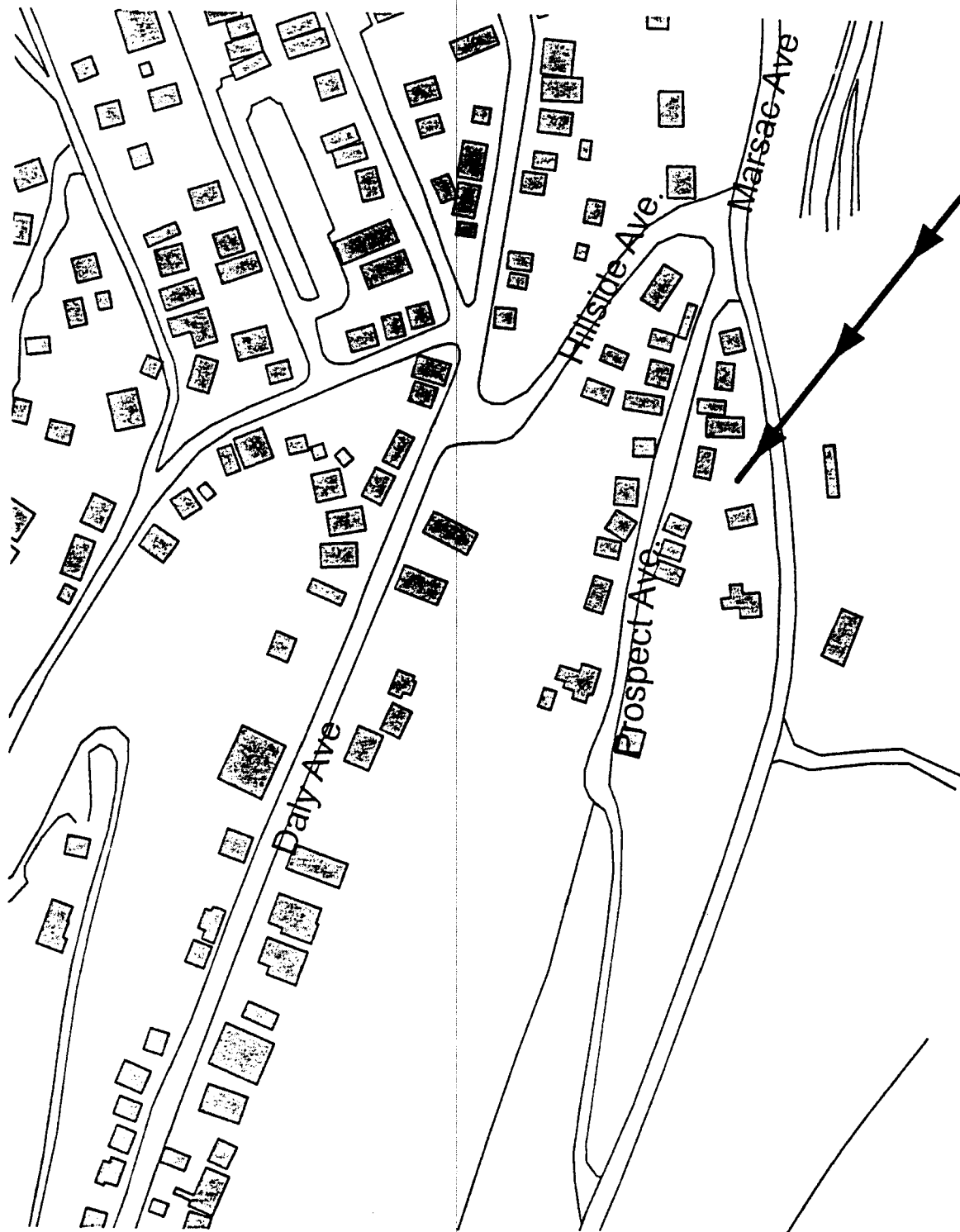
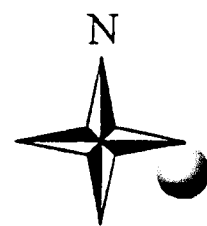
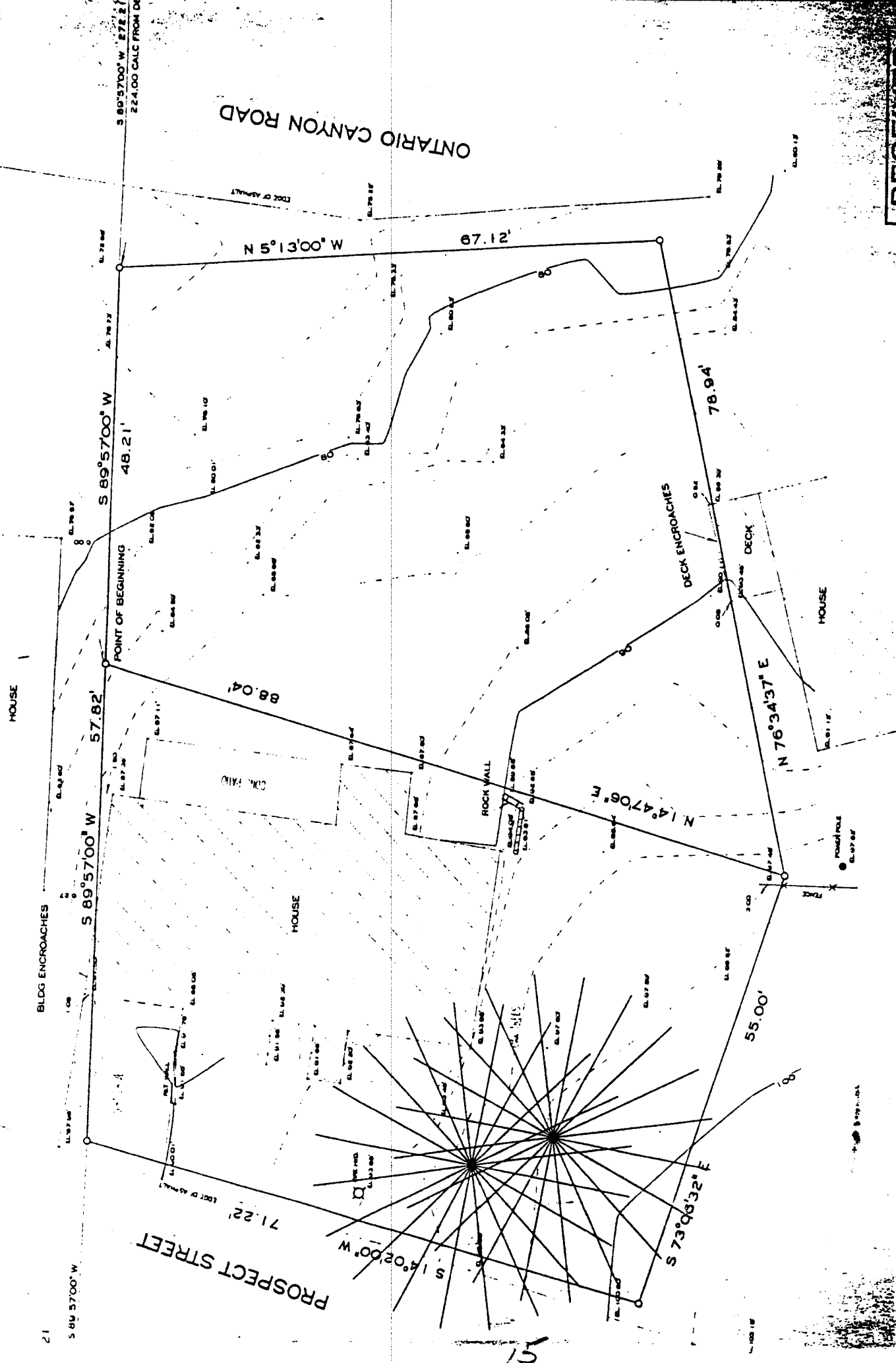


Exhibit A
Vicinity Map



**PHILADELPHIA CITY
PLANNING DEPT.**



1-20-2000



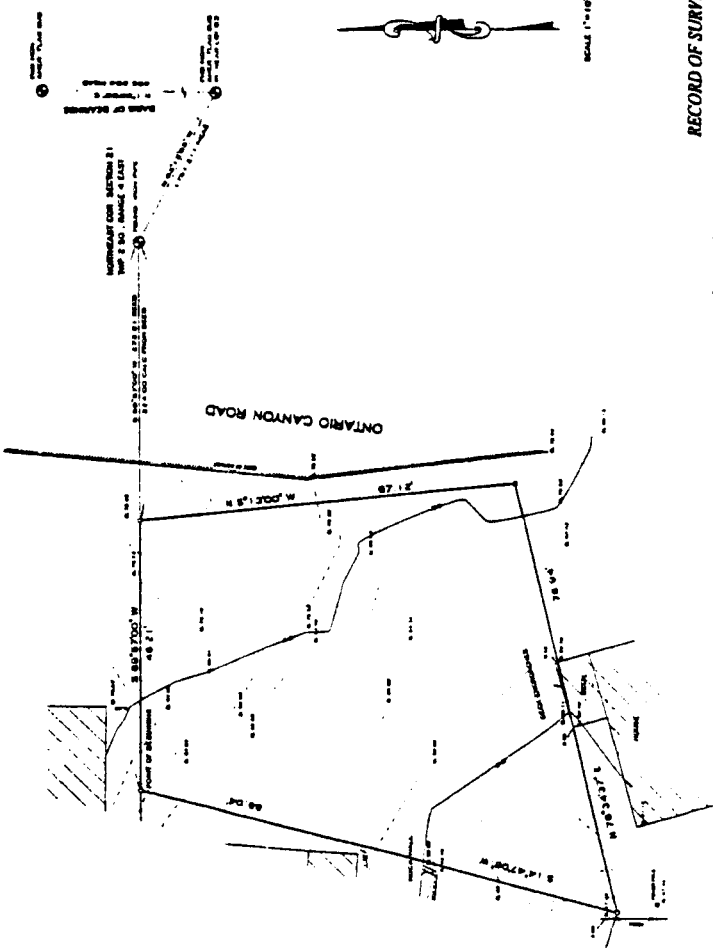
RECORDED AT A MEETING ON THE MORNING OF 1 JANUARY 1970, MEMBERS AGREE THAT THE
MEMBERS WHO REMAINED SHOULD MEET "UNDER THE TREE" AND THE NEW MEMBERS IN A
SEPARATE MEETING. MEMBERS AGREE THAT THE NEXT MEETING IS "TWO" AND NOT "THREE".
THEY ALSO AGREE THAT IT IS NOT NECESSARY TO HAVE A MEETING IN FEBRUARY SINCE THEY AGREE
THAT THE NEXT MEETING IS "TWO" AND NOT "THREE".

[illegible][illegible][illegible]

2019

**RECORD OF SURVEY OF THE:
42 1/2 ONTARIO CANYON ROAD ONE LOT SUBDIVISION**

13 1/2 ONTARIO CANYON ROAD, PARK CITY, UTAH
PART OF THE NORTHEAST 1/4 OF SECTION 21,
TOWNSHIP 2 SOUTH RANGE 4 EAST, SUBRAM

[illegible]

RECEIVED

FEB 08 2000

**PARK CITY
PLANNING DEPT.**

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

December 1, 1999

Ordinance No. 99-

AN ORDINANCE APPROVING THE 42 ½ ONTARIO CANYON ROAD SUBDIVISION TO COMBINE ONE METES AND BOUNDS PARCEL IN SECTION 21, T2S R4E, OF THE SALT LAKE BASE AND MERIDIAN, INTO ONE (1) PLATTED LOT LOCATED AT 42 ½ ONTARIO CANYON ROAD, PARK CITY, UTAH

WHEREAS, the owner of one metes and bounds parcel of the Amended Plat of the Park City Survey, Section 21, T2S R4E, of the Salt Lake Base and Meridian, have petitioned the City Council for approval of a revision to the final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 8, 2000, to receive input on the proposed subdivision;

WHEREAS, the Planning Commission, on March 8, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the record of survey and subdivision.

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will to consolidate one (1) metes and bound parcel in Section 21, Township 2 South, Range 4 East of the Salt Lake Base and Meridian into one (1) platted lot to allow for the construction of a single-family dwelling.
3. The subdivision and CUP applications were approved and forwarded to the City Council with a positive recommendation on March 8, 2000.
4. The subdivision will not increase density on the lot.
5. The snow storage along Ontario Canyon Road is very important, as are utilities.
6. The road carries very heavy vehicular traffic and the traffic will get heavier in the future as a result of future development south of this site. Traffic is a concern in the neighborhood.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision, that neither the public nor any person will be materially injured by the proposed subdivision and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. SUBDIVISION APPROVAL. The subdivision to combine one metes and bounds parcel of the Amended Plat of the Park City Survey, Section 21, T2S R4E, of the Salt Lake Base and Meridian, known as the 42 ½ Ontario Canyon Road Subdivision, is approved as shown on Exhibit B, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. No remnant lot created is separately developable
3. A note shall be added to the plat stating that no accessory apartment shall be permitted. Only one (1) single-family dwelling may be constructed.
4. A ten foot (10') non-exclusive utility and snow storage easement shall be incorporated in the first ten feet off of Ontario Canyon Road.
5. Only one (1) driveway is allowed; a means of turning a car around on site is required.
6. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).
7. This approval shall expire one year from the date of City Council approval, unless this Subdivision is recorded prior to that date.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY

1881

CITY COUNCIL REPORT

DATE: March 30, 2000
DEPARTMENT: Planning Department
AUTHOR: Derek Satchell
TITLE: Walk to Slopes Plat - Phase 1 (1203 Empire Avenue) Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Staff recommends that the City Council conduct a public hearing and approve the proposed plat amendment to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with a portion of the 12th Street right-of-way into a single lot as conditioned.

A. TOPIC

Project Name: Walk to Slopes - Phase 1 Plat Amendment
Applicant: Mike Watts
Location: 1203 Empire Avenue
Zoning: Recreational Commercial Zone (RC)
Adjacent Land Uses: Residential
Project Planner: Derek Satchell

B. BACKGROUND

The owner, Mike Watts, submitted an application to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way. The purpose of the plat amendment is to accommodate the construction of a single- or multi-family dwelling. Although no plans have been submitted for this lot, the final design is pending the outcome of this plat amendment and must comply with the Historic District Design Guidelines. The Planning Commission approved the plat amendment and forwarded a positive recommendation to the City Council on March 8, 2000.

C. ANALYSIS

The applicant is proposing to combine all of Lot 1 in Block 26 of the Snyder's Addition to

Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way. The applicant is proposing to create a single lot in order to construct either a single- or multi-family dwelling on the lot.

		Proposed	
Current Use		Vacant	
Lot Size		2,718.75 square feet	
Setbacks			
	• Front (Empire Ave.)	10 foot minimum	Front and Rear setbacks must total 20 feet
	• Front (12 th Street)	10 foot minimum	
	• Rear	10 feet minimum	
	• Side	5 feet minimum, total 10 feet	
Height		27'	
Parking		Two (2) on-site parking spaces required	
Design		Compliance with Hist. Dist. Guidelines	

The remnant lot created by the proposed plat amendment will be the south ½ of 12th Street right-of-way, which was previously incorporated into the adjacent Maske Subdivision at 1199 Empire. The proposed plat amendment complies with the RC zone regulations. This proposal will increase the density on the lot from 844 square foot maximum building footprint, to a 1,200 square foot maximum building footprint. The proposed 36.25 foot wide lot is consistent with other lot sizes in the immediate area.

After reviewing the request, the Community Development Department finds that the creation of the new lot is in compliance with the Land Management Code, and supports the plat amendment.

The Plat Amendment is being processed through the Planning Commission and City Council procedure due to the fact that State Law prohibits use of the administrative approval when the action results in the creation of a remnant lot. The Community

Development Director does not have the authority to approve a lot line adjustment that creates a remnant lot even though signatures from all adjacent properties owners have been submitted.

D. NOTICE

Notice of this hearing was sent to property owners within 300' on February 23, 2000 as part of the Plat Amendment procedure. No formal comments have been filed at the time of this report.

E. DEPARTMENT REVIEW

The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on November 2, 1999, where representatives from local utility companies and City Staff were in attendance and found it to be in conformance with all requisite City development codes of which we are currently aware.

ALTERNATIVES

- A. Approval of the proposed plat amendment to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way as conditioned. The approval of the plat would accommodate the future construction of either a single- or multi-family residence.
- B. Deny the plat amendment and retain the original Record of Survey which would limit the applicant to construction on all of Lot 1 in Block 26.
- C. Continue the item and request further evaluation from the Staff.

SIGNIFICANT IMPACTS:

The proposed amendment will result in one (1) lot which will meet the lot requirement for the RC zone. The plat amendment will increase the density of the lot from a maximum building footprint of 844 square feet, to a maximum building footprint of 1,200 square feet.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is not approved as proposed, the applicant would have to re-apply for any further proposals to increase the size of Lot 1 in Block 26.

RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing and approve the plat amendment to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way, into a single lot based on the following:

Findings of Fact:

1. The property is located in the Recreational Commercial (RC) zone.
2. The amendment will to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way, into a single lot.
3. The lot is currently vacant.
4. The plat amendment was approved by the Planning Commission and forwarded with a positive recommendation to City Council on March 8, 2000.
5. The plat amendment will increase density on Lot 1 from a maximum building footprint of 844, to 1,200 square feet.
6. The portion of the 12th Street right-of-way in question has been vacated by the City.

Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval:

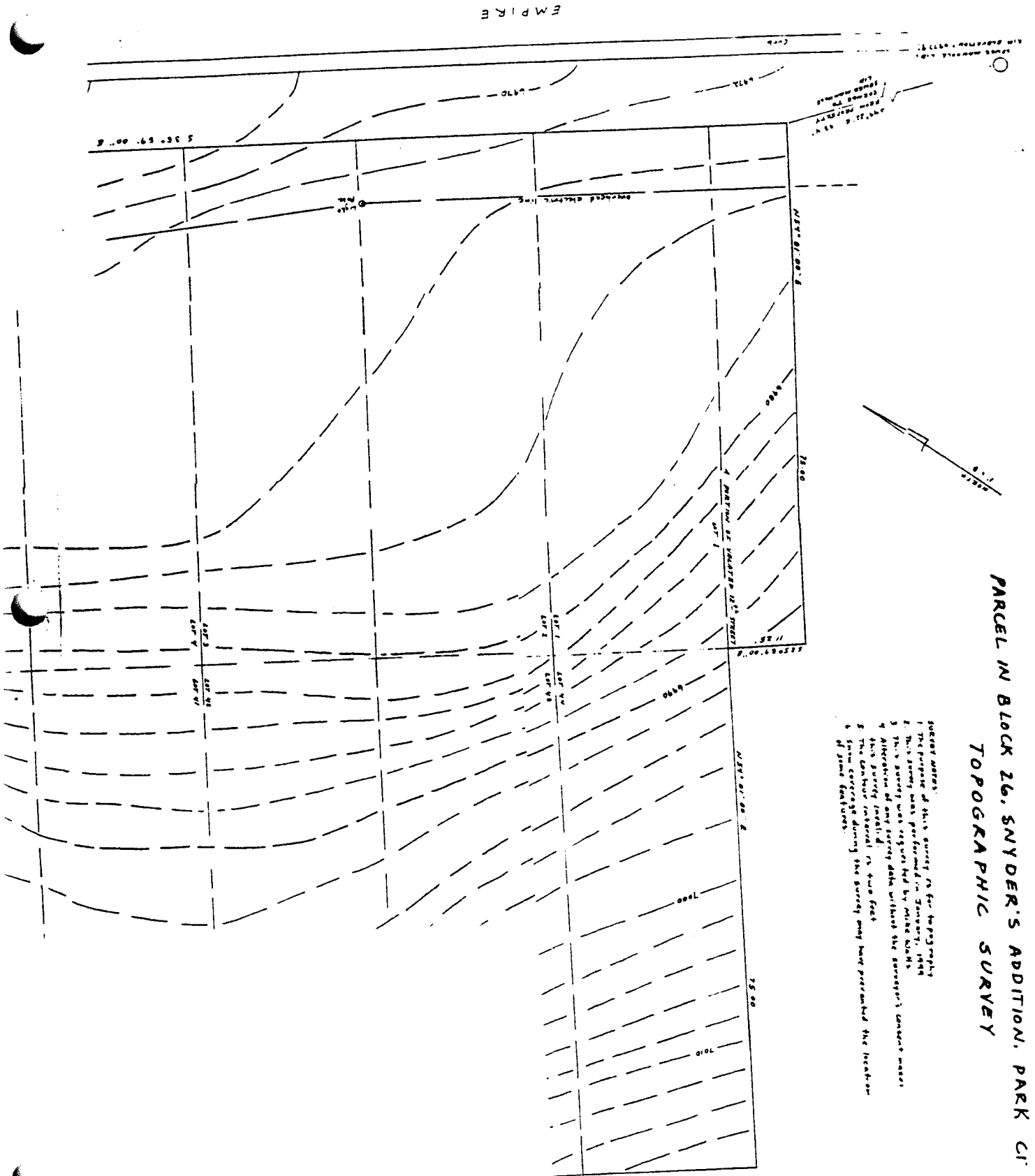
1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. This approval shall expire one year from the date of Planning Commission approval, unless this Plat Amendment is recorded prior to that date.
3. No remnant lot created is separately developable.
4. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of any new construction.
5. A ten foot (10') non-exclusive utility and snow storage easement shall be dedicated to the City in the first ten feet off of Empire Avenue.
6. The City Engineer shall review and approve the slope, configuration and drainage pattern of the proposed driveway fronting Empire Avenue.
7. This approval shall expire one year from the date of the City Council approval, unless this plat amendment is recorded prior to that date.

EXHIBITS:

- Exhibit A - Location Map
- Exhibit B - Existing Plat
- Exhibit C - Proposed Plat Amendment
- Exhibit D - Standard Conditions of Approval

PARCEL IN BLOCK 26, SNYDER'S ADDITION, PARK CI. TOPOGRAPHIC SURVEY

SURVEY NOTES:
 1. The purpose of this survey is for topography.
 2. This survey was performed in January, 1949.
 3. This survey was not used by the State.
 4. Alteration of any survey data without the surveyor's consent is prohibited.
 5. This survey is not to be used for any other purpose.
 6. The survey was performed in two parts.
 7. The survey was performed in two parts.
 8. The survey was performed in two parts.
 9. The survey was performed in two parts.
 10. The survey was performed in two parts.



PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

December 1, 1999

**AN ORDINANCE APPROVING THE WALK TO SLOPES PLAT AMENDMENT
PHASE 1 TO COMBINE ALL OF LOT 1 IN BLOCK 26 OF THE SNYDER'S
ADDITION TO THE PARK CITY SURVEY, WITH A PORTION OF THE VACATED
12TH STREET RIGHT-OF-WAY, INTO A SINGLE PLATTED LOT, LOCATED AT
1203 EMPIRE AVENUE, PARK CITY, UTAH**

WHEREAS, the owner of all of Lot 1 and 11.25 feet of the adjacent vacated 12th Street right-of-way, in Block 26 of the Snyder's Addition to Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 8, 2000, to receive input on the proposed plat;

WHEREAS, the Planning Commission, on March 8, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is located in the Recreational Commercial (RC) zone.
2. The amendment will to combine all of Lot 1 in Block 26 of the Snyder's Addition to Park City Survey, with 11.25 feet of the adjacent vacated 12th Street right-of-way, into a single lot.
3. The lot is currently vacant.
4. The plat amendment was approved by the Planning Commission and forwarded with a positive recommendation to City Council on March 8, 2000.
5. The plat amendment will increase density on Lot 1 from a maximum building footprint of 844, to 1,200 square feet.
6. The portion of the 12th Street right-of-way in question has been vacated by the City.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine all of Lot 1 and 11.25 feet of the adjacent vacated 12th Street right-of-way, in Block 26 of the Snyder's Addition to Park City Survey, known as Walk to Slopes Plat Amendment Phase 1, is approved as shown on Exhibit B, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. This approval shall expire one year from the date of Planning Commission approval, unless this Plat Amendment is recorded prior to that date.
3. No remnant lot created is separately developable.
4. A note shall be added to the plat stating that no accessory apartment shall be permitted as part of any new construction.
5. A ten foot (10') non-exclusive utility and snow storage easement shall be dedicated to the City in the first ten feet off of Empire Avenue.
6. The City Engineer shall review and approve the slope, configuration and drainage pattern of the proposed driveway fronting Empire Avenue.
7. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).
8. This approval shall expire one year from the date of City Council approval, unless this Plat Amendment is recorded prior to that date.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY

1884

CITY COUNCIL STATE REPORT

DATE: March 30, 2000
DEPARTMENT: Planning Department
AUTHOR: Alison Kuhlow, AICP
TITLE: 1212 Empire Avenue - Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Conduct a Public Hearing, consider public input and approve the Plat Amendment to combine Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey, into one (1) lot for development.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant: Hank Louis, General Partner, Foghorn Leghorn LTD.
Marty Volla
Location: 1212 Empire Avenue
Zoning: Recreation Commercial District - RC
Adjacent Land Uses: Residential
Date of Application: February 24, 1999
Project Planner: Alison Kuhlow

B. Background.

On February 23, 2000, the Planning Commission reviewed and approved a Master Planned Development for twelve (12) units at 1212 Empire Avenue. At that meeting the Commission conducted a public hearing and forward a positive recommendation for the Plat Amendment to combine twelve (12) lots into one to accommodate the proposed project.

The project site is located at 1212 Empire Avenue in the Recreation Commercial District (RC) west of the Carl Winters School. The project involves a request for a Small Scale MPD and a Plat Amendment. A Plat Amendment is necessary to combine twelve (12) lots to create one 22,500 square foot development parcel. If the Plat Amendment is approved, the applicant proposes to construct nine (9) 1,944 square foot units and three (3) 1,494 square foot units with an enclosed, partially underground parking garage for twenty four (24) automobiles, mechanical equipment and

garbage dumpster. The applicant has discussed condominiumizing the structure once construction has begun. Dividing the units into separate ownerships will require approval of a condominium plat.

At the July 20, 1999, Board of Adjustment Meeting the variance was approved stating that they found the situation was unique because the property had frontage on three streets and the side for which they were requesting the variance was not, and would not become a fully developed City street.

The Historic District Commission, at the June 19, 1999 meeting issued an approval for the Certificate of Appropriateness for Demolition for the duplex structure located at 1204 Empire Avenue. A Certificate of Appropriateness for Demolition was issued for the Innsbrook Chalets on October 1, 1997.

B. Analysis

The proposed project site is located in the Recreational Commercial District. The purpose of the RC District, as stated in the Land Management Code, is to allow for the development of hotel and convention accommodations in close proximity to the major recreation facilities. This district allows a relatively high density of transient housing with appropriate support commercial and service activities. The Park City General Plan states that the Resort Base Area, that area zoned RC, be reviewed and examined to ensure that new structures to the east of Empire Avenue provide skier bed base, while allowing for a transition of scale to Park Avenue. The proposed structure includes twelve (12) units within a common structure with shared amenities such as parking, hot tubs and decks.

The Land Management Code's section on Residential Commercial District (RC) specifies that a multi-dwelling structure with more than eight (8) dwelling units and greater than eight development credits be processed as a Master Planned Development (MPD), subject to the provisions of Chapter 10. Chapter 10 Master Planned Developments states in Section 10.15 that Master Planned Developments in the RC District are based on a gross density of one unit equivalent for each 2,000 square feet of land area on the site.

The development parameters for a one bedroom unit would be as follows:

<u>Configuration</u>	<u>Unit Equivalent</u>
One Bedroom Apartment, not exceeding 1,500 Square Feet	.75
One Bedroom Apartment, not exceeding 2,000 Square Feet	1.0

The following calculations show how Staff and the developer arrived at the allowed density for the site:

Parcel size (22,500) / 2,000 = 11.25 unit equivalents allowed (maximum)
Proposed Units 3 units <1,500 square feet/.75 unit equivalents = 2.25 unit equivalents
 9 units <2,000 square feet/1.0 unit equivalents = 9.0 unit equivalents
Total Unit Equivalents Used = 11.25 u.e.

	Code Requirements	Proposed
Setbacks	RC Zone and MPD	
• Front	20 feet	20 feet, 10 feet variance approved along 12 th Street
• Sides	10 feet	10 feet
• Rear	10 feet	N/A
Parking	24 parking spaces	24 parking spaces
Height	40 feet*	43 feet**
Open Space	60% = 13,500 square feet	>60% = 14,108 square feet
Lot Size	22,000 square feet ¹	22,500 square feet

*height compliance is determined at the time of building permit issuance

** subject to the Planning Commission height variation approval for section 10.9(f)

The proposed development meets all the criteria for the RC District except for the height. The applicant has requested an additional height of three feet (3') as part of the MPD application.

E. Department Review.

The City Attorney and City Engineer will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on March 2, 1999, where representatives from local utilities and City Staff were in attendance. Discussion focused on fire access, ADA requirements and snow shed. The Planning Department has been working with the applicant on resolving the issues.

ALTERNATIVES

- A. Conduct a Public Hearing, consider public input and approve the Plat Amendment to allow for the development of the parcel for a twelve (12) unit residential structure at 1212 Empire Avenue.
- B. Conduct a Public Hearing, consider input and deny the request for a plat amendment at 1212 Empire Avenue.
- C. The City Council may continue the hearing for more information and discussion and direct the applicant and Staff as to desired changes.

RECOMMENDATION:

Staff recommends that the City Council conduct a public hearing, consider public input and approve the Record of Survey for 1212 Empire Avenue based on the following Findings of Fact, Conclusions of Law and Conditions of approval;

¹ 22,000 square feet are necessary to develop nine (9) units less than 2,000 square feet and three (3) units less than 1,500 square feet in the RC District.

Findings of Fact

1. The property is located in the Recreation Commercial (RC) District.
2. The proposed Plat Amendment will combine twelve (12) lots into one (1) parcel in order to allow for the development of an twelve (12) unit residential structure.
3. The parcel is located on a steep infill parcel in a built out area. Snow storage opportunities are limited in this area.
4. The applicant stipulates to the conditions of approval

Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and 15 and State subdivision requirements.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Norfolk Avenue and Empire Avenue shall be dedicated to the City on the plat.
3. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).
4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
5. A Building Permit for 1212 Empire Avenue may not be issued until the Plat Amendment is recorded.

F. Exhibit

- A. Location Map
- B. Plat Amendment
- C. Site Plan
- D. Elevations
- E. Standard Project Conditions

Ordinance No. 20-

AN ORDINANCE APPROVING A PLAT AMENDMENT REQUEST 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 AND 44, BLOCK 18, SNYDERS ADDITION TO THE PARK CITY SURVEY INTO ONE (1) LOT FOR 1212 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey located at 1212 Empire Avenue have petitioned the City Council for approval of a final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 23, 2000, to receive input on the proposed subdivision plat;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the Recreation Commercial (RC) District.
2. The proposed Plat Amendment will combine twelve (12) lots into one (1) parcel in order to allow for the development of an twelve (12) unit residential structure.
3. The parcel is located on a steep infill parcel in a built out area. Snow storage opportunities are limited in this area.
4. The applicant stipulates to the conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The plat amendment to combine Lots 1, 2, 3, 4, 5, 6, 39, 40, 41, 42, 43 and 44, Block 18, Snyders Addition to the Park City Survey also known as the 1212 Empire Avenue, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along Norfolk Avenue and Empire Avenue shall be dedicated to the City on the plat.
3. All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).
4. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
5. A Building Permit for 1212 Empire Avenue may not be issued until the Plat Amendment is recorded.

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

PASSED AND ADOPTED this 30th day of March, 2000 .

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

1212 Empire Avenue



Exhibit - Location Map

CITY COUNCIL STAFF REPORT

Date: March 30, 2000
Department: Planning Department
Title: 412 Deer Valley Loop Road - Plat Amendment
Type of Item: Legislative

Summary Recommendations: Conduct a public hearing and adopt the attached Ordinance approving a plat amendment to consolidate lots 1-14 and lots 18-21 of Block 63 of the Park City Survey into two separate lots of record.

A. Project Statistics

Applicant: Tom and Paula Hurd
Location: 412 Deer Valley Loop Road
Zoning: HR-1 - Historic Residential District
Adjacent Land Uses: Residential
Project Planner: Kevin LoPiccolo
Date of Application: January 5, 2000

B. Background

On February 23, 2000, the Planning Commission voted to forward to City Council a positive recommendation to approve a plat amendment to combine a total of eighteen historic platted lots into two separate lots of record.

The proposed application requests is to combine 18 lots in Block 63 of the Park City Survey into two separate lots of record. Lot 1 would be approximately 27,007 square feet and Lot 2 would be approximately 12,196 square feet. The property is zoned HR-1. The lots are located on the northeast slope of Rossie Hill below Silver Pointe Subdivision.

The property slopes up to the south to platted Fifth Street. Lots 1-14 has a slope of approximately 40% and Lots 18-21 has a slope of approximately 30 %. Deer Valley Loop Road, a prescriptive right-of-way, bisects the northeast portion of the property. Deer Valley Loop Road was known as Olive Branch Road in the mining era.

The development pattern in the general area of Deer Valley Loop Road consists of single-family dwellings and multi-family structures.

C. Analysis

Use: Future development will need to comply with requirements for Steep Slope Development as set forth in the Land Management Code. Each lot will be reviewed separately under a conditional use permit. The design of each proposed single-family dwelling will be reviewed pursuant to the Historic Design Guidelines.

Minimum lot size and underlying zoning: As currently platted, the applicant has 18 platted HR-1 lots. Under the HR-1 zone, the minimum lot size is 1,875 square feet. The applicant is proposing to combine all lots into two lots of record. The new lots will be 27,007 and 12,196 square feet respectively.

Access

Deer Valley Loop Road, a prescribed roadway, crosses the property and an existing driveway would provide access to both parcels. An easement would be created across a portion of parcel 2 for access and utilities for the benefit of parcel 1. Deer Valley Loop Road and two small remnant parcels as part of the condition of approval will be dedicated to City as part of the Plat Amendment approval. In exchange for the road dedication, the square footage of the two small remnant parcels will be added to Lot 1 for purposes of calculating maximum building footprints. The area of the dedicated road right-of-way will not be added to the lot areas for purposes of calculating maximum building footprint.

D. Public Input

All owners within 300' of the property were noticed. As of the date of this report there have been two phone calls in support of the proposed plat amendment.

Recommendation

The Community Development Department recommends approval of the proposed Plat Amendment application to allow the creation of two lots of record, based upon the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Finding of Fact:

1. The property is in the HR-1 Zone.
2. Deer Valley Loop Road is characterized by single-family dwellings, and multi-family structures.
3. The plat amendment results in combining eighteen lots into two lots of record.
4. The proposed lot combination will create one 27,007 square foot lot and one 12,196 square foot lot. Minimum lot size for a single family dwelling is 1,875 square feet.
5. The applicant is deducting Deer Valley Loop Road through the property as public right-of-way and the remnant parcels to the north as open space.
6. The applicant stipulates to all conditions of approval.

Conclusions of Law:

1. Neither the public nor any person will be materially injured by the proposed plat revision.

2. There is good cause for the amendment.
3. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding Subdivision plats.

Conditions of Approval:

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
2. All standard Project Conditions shall apply and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.
4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.
5. The project complies with the fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.
6. A ten (10) foot non-exclusive utility and snow storage easement along Deer Valley Loop Road shall be dedicated to the City on the plat. Adherence to these provisions is required.
7. Construction for Steep Slope Development shall be reviewed by the Planning Commission as provided in the Land Management Code.
8. Design of the proposed homes on all lots require review and approval for compliance with the Historic District Design Guidelines.
9. The Deer Valley Road right-of-way may not be used for maximum building footprint calculation. The remnant lots north of Deer Valley Loop Road may be used as part of the total footprint calculation formula found in the HR-1 zone. The remnant lots north of Deer Valley Loop Road shall be designated as Open Space on the plat.
10. No remnant lot created hereby is separately developable.
11. The remnant parcels to the north shall be revised and shown on the plat public as right-of-way.

Exhibits:

- Exhibit A - Vicinity Map
- Exhibit B- Existing Plat Map
- Exhibit C - Standard Project Conditions
- Exhibit D - Minutes from February 23, 2000

Exhibit E - Draft Ordinance
Exhibit F - Letter from Applicant

M:\CDD\KL\CC00\PLATS\dilo412ph1.wpd

412 Deer Valley Loop

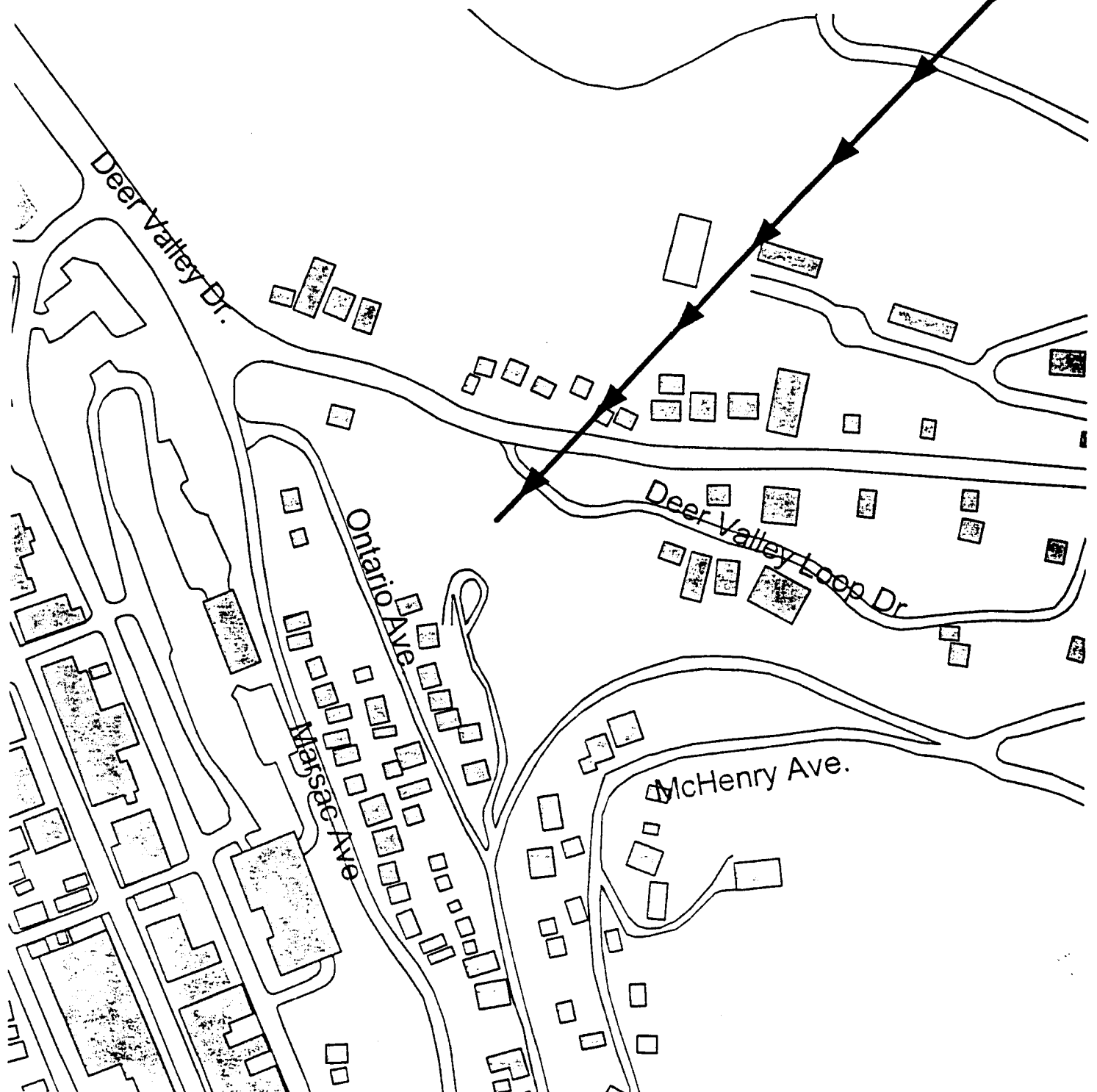
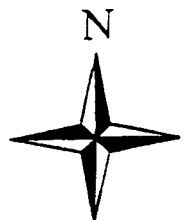
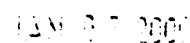


Exhibit A Vicinity Map





PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP) submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

EXHIBIT C - STANDARD PROJECT CONDITIONS

45

disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

8. 412 Deer Valley Loop Road, Gateway Estates - Plat amendment to reconfigure a group of City lots into two building lots

Planner Kevin LoPiccolo reviewed the request to combine 18 lots in Block 63 of the Park City survey into two separate lots of record. The lots are zoned HR-1, and the subject property is located on the northeast slope of Rossi Hill located off of existing Deer Valley Loop. The two lots range from 12,196 square feet to approximately 27,000 square feet. The 27,000-square-foot lot would be Lot 1, and the 12,196-square-foot lot would be Lot 2. The minimum lot size in the HR-1 zone is 1,875 square feet. Both lots are uphill lots with slopes exceeding 30%, and the applicant plans to build on the flattest portion of each lot. Deer Valley Loop cuts through approximately 8 of the 16 lots in this area. Planner LoPiccolo noted that he has not seen drawings for the future single-family dwellings, but given the slope of the lots, the area the applicant may propose for construction may exceed 30%, and future developments must comply with the requirements for steep slope development. He reported that he received two calls supporting this application. The Staff recommended forwarding a positive recommendation to the City Council with the findings of fact, conclusions of law, and conditions of approval outlined in the staff report.

Chair O'Hara noted that the Staff report states that the building footprint for each lot will be 2,050 square feet. Planner LoPiccolo stated that based on the Land Management Table, that is the prescribed footprint for the lot size.

Peter Barnes, agent for the applicant, stated that he is currently designing a house, and he believed they could meet the footprint requirements. Mr. Barnes referred to Condition 6 and stated that he believed it was sufficient to say that Land Management Code regulations at the time the application is made shall apply. He personally wanted to see the footprint become more flexible and more in accordance with the way it is designed.

Chair O'Hara opened the public hearing

There was no comment.

Chair O'Hara closed the public hearing.

Commissioner Erickson asked if it would be possible to have better definition of where the potential driveways will be. Mr. Barnes presented a model and identified an existing driveway the applicant

intends to use for access. Commissioner Erickson felt the project was good in general, and although he had concerns about details, he was comfortable putting his faith in the steep slope criteria and the ability to locate the lots. He preferred to see the driveways identified by Mr. Barnes shown on the plat.

Commissioner Larson questioned whether the building envelopes should be defined on the plat. He acknowledged that the steep slope criteria are a strong basis for future planning and may be the only tool they need.

The Commissioners discussed footprints and home sizes and determined that the size would be governed by the HR-1 District in effect at the time of subdivision approval.

MOTION: Commissioner Larson moved to forward a POSITIVE recommendation to the City Council to combine Lots 1-14 and 18-21 in Block 63 at 412 Deer Valley Loop Road with the findings of fact, conclusions of law, and conditions of approval outlined in the staff report. Commissioner Zimney seconded the motion.

Commissioner Erickson suggested a modification to include a condition of approval that home sizes will be limited by the HR-1 District in effect at the time of subdivision approval.

Commissioner Larson accepted the modification, and Commissioner Zimney accepted the modification in her second.

VOTE: The motion passed unanimously.

Findings of Fact - 412 Deer Valley Loop Road

1. The property is in the HR-1 Zone.
2. Deer Valley Loop Road is characterized by single-family dwellings and multi-family structures.
3. The plat amendment results in combining eighteen lots into two lots of record.
4. The proposed lot combination will create one 27,007-square-foot lot and one 12,196-square-foot lot. Minimum lot size for a single-family dwelling is 1,875 square feet.
5. The applicant stipulates to all conditions of approval.

Conclusions of Law - 412 Deer Valley Loop Road

1. Neither the public nor any person will be materially injured by the proposed plat revision.
2. There is good cause for the amendment.
3. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.

Conditions of Approval - 412 Deer Valley Loop Road

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
2. All standard project conditions shall apply and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, the approval and the plat shall be considered void.
4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.
5. The project complies with the fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of Code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.
6. The Planning Commission shall review and approve the construction for Steep Slope Development for each lot under a Conditional Use Permit.
7. Home sizes will be limited by the HR-1 District in effect at the time of subdivision approval.

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY,
A PLAT AMENDMENT TO COMBINE EIGHTEEN LOTS INTO TWO LOTS OF
RECORD LOCATED IN BLOCK 63 OF THE PARK CITY SURVEY, PARK CITY,
UTAH**

WHEREAS, the owners of the property known as Tom and Paula Hurd, owners of Lots 1-14 and Lots 18-21, Block 63 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 23, 2000 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is in the HR-1 Zone.
2. Deer Valley Loop Road is characterized by single-family dwellings, and multi-family structures.
3. The plat amendment results in combining eighteen lots into two lots of record.
4. The proposed lot combination will create one 27,007 square foot lot and one 12,196 square foot lot. Minimum lot size for a single family dwelling is 1,875 square feet.
5. The applicant is deducting Deer Valley Loop Road through the property as public right-of-way and the remnant parcels to the north as open space.
6. The applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 63, is approved as shown on Exhibit B, with the following conditions:

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
2. All standard Project Conditions shall apply and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.
4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.
5. The project complies with the fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.
6. A ten (10) foot non-exclusive utility and snow storage easement along Deer Valley Loop Road shall be dedicated to the City on the plat.
7. The Planning Commission shall review and approve the construction for Steep Slope Development for each lot under a Conditional Use Permit.
8. Design of the proposed homes on all lots require review and approval for compliance with the Historic District Design Guidelines.
9. The Deer Valley Road right-of-way may not be used for maximum building footprint calculation. The remnant lots north of Deer Valley Loop Road may be used as part of the total footprint calculation formula found in the HR-1 zone. The remnant lots north of Deer Valley Loop Road shall be designated as Open Space on the plat.
10. No remnant lot created hereby is separately developable.

11. The remnant parcels to the north shall be revised and shown on the plat as public right-of-way.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

THOMAS L. HURD
POB 4644, PARK CITY, UTAH 84060
(P) 435-649-7709 (F) 435-645-7135

VIA FACIMILIE
03/21/00

TO: Kevin Lopiccolo

FROM: Tom Hurd

Dear Kevin:

Re: Gateway Estates

In accordance with my conversation of today with Eric DeHaan we have agreed to the following:

- 1) The remnant lots north of the existing road will be given to the city.
- 2) The existing road as shown on the subdivision plat will be given to the city.
- 3) We will give the city a ten foot easement for snow storage and utilities on the south side of the road which will not diminish our setbacks which are measured from the edge of the existing pavement.
- 4) We retain ownership of all the land south of the edge of the existing pavement.
- 5) With regard to lot number 2: the square footage in the remnant parcel north of this lot will be included in the calculations to arrive at the total square footage in lot number 2.
- 6) Per. Eric's request we will arrive at an actual square footage calculation for each lot prior to council meeting.

I hope this meets with your approval.

Sincerely,

/s/

Thomas L. Hurd

Exhibit F - Letter from Applicant

Ordinance No. 00-

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY,
A PLAT AMENDMENT TO COMBINE EIGHTEEN LOTS INTO TWO LOTS OF
RECORD LOCATED IN BLOCK 63 OF THE PARK CITY SURVEY, PARK CITY,
UTAH**

WHEREAS, the owners of the property known as Tom and Paula Hurd, owners of Lots 1-14 and Lots 18-21, Block 63 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 23, 2000 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on February 23, 2000, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 30, 2000, the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

SECTION 1. FINDINGS. The following findings are hereby adopted.

1. The property is in the HR-1 Zone.
2. Deer Valley Loop Road is characterized by single-family dwellings, and multi-family structures.
3. The plat amendment results in combining eighteen lots into two lots of record.
4. The proposed lot combination will create one 27,007 square foot lot and one 12,196 square foot lot. Minimum lot size for a single family dwelling is 1,875 square feet.
5. The applicant is deducting Deer Valley Loop Road through the property as public right-of-way and the remnant parcels to the north as open space.
6. The applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 63, is approved as shown on Exhibit B, with the following conditions:

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.
2. All standard Project Conditions shall apply and Land Management Codes shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.
4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.
5. The project complies with the fire and emergency access requirements, by virtue of a fire protection plan which addresses alternative methods of code compliance, such as provision of type 13D fire sprinkler systems, alternative access, fire separation of structures, and non-combustible roof materials.
6. A ten (10) foot non-exclusive utility and snow storage easement along Deer Valley Loop Road shall be dedicated to the City on the plat.
7. Construction for Steep Slope Development shall be reviewed by the Planning Commission as provided in the Land Management Code.
8. Design of the proposed homes on all lots require review and approval for compliance with the Historic District Design Guidelines.
9. The Deer Valley Road right-of-way may not be used for maximum building footprint calculation. The remnant lots north of Deer Valley Loop Road may be used as part of the total footprint calculation formula found in the HR-1 zone. The remnant lots north of Deer Valley Loop Road shall be designated as Open Space on the plat.
10. No remnant lot created hereby is separately developable.

11. The remnant parcels to the north shall be revised and shown on the plat as public right-of-way.

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

PASSED AND ADOPTED this 30th day of March, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney



CITY COUNCIL STAFF REPORT

DATE: March 8, 2000
DEPARTMENT: Planning Department
AUTHOR: Jonathan Weidenhamer
TITLE: 220 Marsac Avenue - Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Staff recommends that the City Council conduct a public hearing and approve the proposed Plat Amendment to combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey, into a single lot as conditioned.

A. TOPIC

Project Name: 220 Marsac Avenue Plat Amendment (Jack's Shack)
Applicant: Jack Wilson/Jonathan DeGray (Architect)
Location: 220 Marsac Avenue Avenue
Zoning: Historic Residential District (HR-1)
Adjacent Land Uses: Residential
Project Planner: Jonathan Weidenhamer

B. BACKGROUND

The applicant has submitted an application to combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey, into a single lot. The purpose of the Plat Amendment is to combine the one and a half lots to accommodate the construction of a detached garage and carport structure fronting Ontario Avenue. The placement of the one car garage/carport will be located within the front yard setback. The Board of Adjustment approved this request to allow the applicant to reduce their front yard setback from the prescribed ten foot minimum to zero feet. This action was approved under a Variance granted on December 1, 1998. The proposed garage/carport was reviewed and approved by the Historic District Commission on February 1, 1999. The Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council at their March 8, 2000 meeting.

C. ANALYSIS

The applicant is proposing to combine one and a half lots to create one 2,843 square foot lot to allow the construction of a garage/carport fronting Ontario Avenue. The proposed Plat Amendment complies with the HR-1 District regulations. The HDC reviewed and approved

the construction of a garage/carport on this lot on February 1, 1999, at which time they found the lot to be compatible with the surrounding neighborhood. This proposal does not increase the density on the lot.

Plat Amendments require discretionary approval by the City. Pursuant to the twelve criteria in the Land Management Code, Chapter 15, section 1.3, and State Subdivision statutes, the Council must be able to conclude that there is good cause for the amendment, and neither the public nor any person will be materially injured by the proposed Plat Amendment.

D. NOTICE

Notice of this action was sent to property owners within 300' on January 4, 2000 as part of the Plat Amendment procedure. Although staff received a letter of non-consent during the Administrative Lot Line Adjustment process (See Exhibit E), no public input was given at the public hearing.

E. DEPARTMENT REVIEW

The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recordation. The request has been discussed at a Staff Review Meeting, where representatives from local utility companies and City Staff were in attendance and found it to be in conformance with all requisite City development codes of which we are currently aware.

ALTERNATIVES

- A. Approval of the proposed plat amendment to combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey, into a single lot as conditioned to accommodate the existing single-family residence and addition of a garage/carport.
- B. Deny the plat amendment and retain the original Record of Survey which would prohibit the applicant from making the proposed modifications to the existing historic structure.
- C. Continue the item and request further evaluation from the Staff.

SIGNIFICANT IMPACTS:

The proposed amendment will result in one (1) lot which will meet the lot requirement for the HR-1 District. The plat amendment will not increase the density of the lot.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is not approved as proposed, a building permit for construction of a garage/carport may not be issued.

F. RECOMMENDATION:

Staff recommends that the Planning Commission conduct a public hearing and consider Staff's recommendation to forward a positive recommendation to the City Council to combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey, into a single lot based on the following:

Findings of Fact:

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey into a single lot to allow for the construction of a garage/carport.
3. The lots are occupied by an existing historic dwelling which currently has access from stairs off Marsac Avenue. The stairs are old and in disrepair. The stairs do not serve the general public but instead serve only a limited number of homes. There is no connection of these stairs to Ontario Avenue via a public easement.
4. The plat amendment will not increase density on the lot.
5. Board of Adjustment approved a variance for reduction of front yard setback on 12/1/98.
6. Historic District Commission approved the proposed construction on 2/1/99.
7. The Applicant stipulates to all conditions of approval.

Conclusions of Law:

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.
3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All standard project conditions and Land Management Code criteria for review shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, the approval and plat shall be considered void.
4. No remnant lot created is separately developable.
5. A ten (10) foot non-exclusive snow storage easement along Ontario Avenue shall be dedicated to the City on the plat.

6. Issuance of a building permit will not be issued prior to recordation of the Plat Amendment.
7. The applicant agrees not to object to the removal of the existing stairs fronting Marsac Avenue. Nothing herein shall prohibit access of the owner to the private property, including applying for an encroachment agreement to build their own stairs. The City shall not remove the stairs until a Certificate of Occupancy is issued on the structure.

EXHIBITS:

- Exhibit A - Location Map
- Exhibit B - Existing Plat
- Exhibit C - Proposed Plat Amendment
- Exhibit D - Letter from adjacent property owner
- Exhibit E - Draft Ordinance
- Exhibit F - Standard Conditions of Approval

M:\CDD\Jon\CityCouncil\Plats\220marsac.wpd

220 W. Mac Ave.

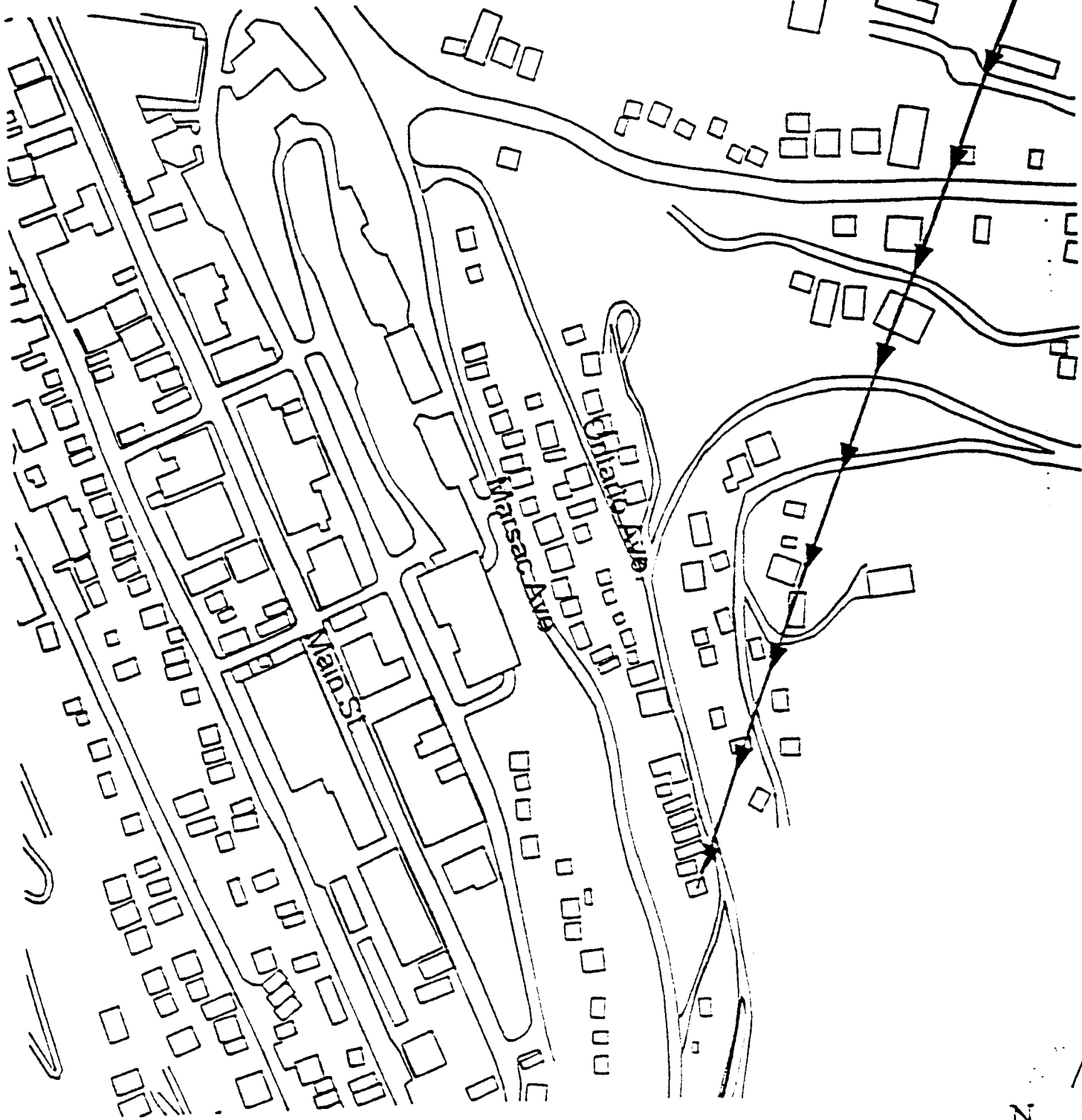
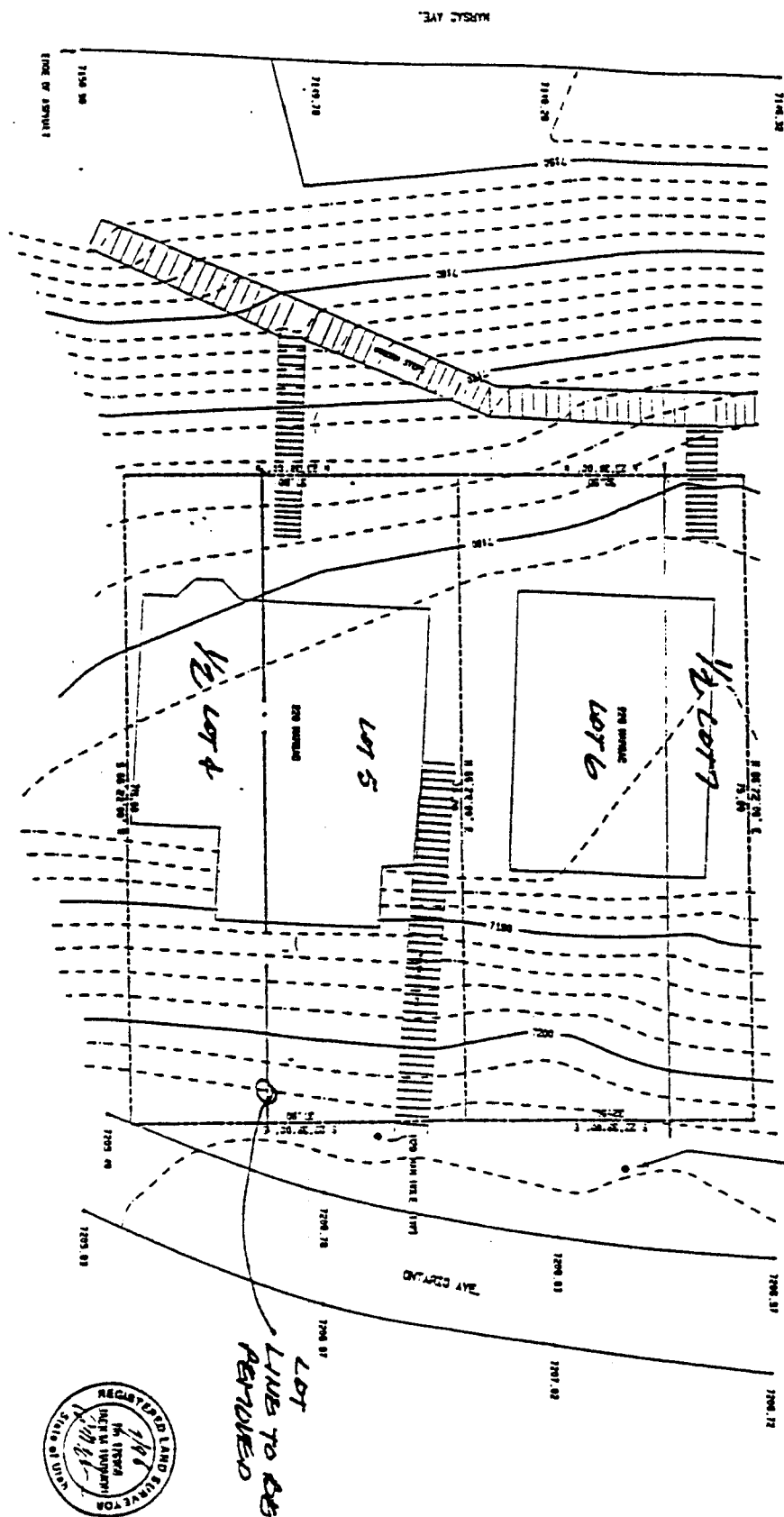


Exhibit A
Vicinity Map





62

**TOPOGRAPHIC MAPPING
PARCELS OF LAND LYING WITHIN
BLOCK 53, PARK CITY SURVEY**

[illegible]



CONSENT LETTER

This is to verify my/our consent of the proposed lot-line adjustment as described below; and which is adjacent to property I/we own:

The combination of the north half
of lot 4 and all of lot 5, block 53
of the Park City Survey

strong
I have received a scaled drawing of the proposal and have ~~no~~ objection to the proposed lot line adjustment as described above. *The proposed addition will block my view and endanger people ascending and descending Ontario. This will devalue my property value.*

Signature of property owner of Lot _____, Block _____.

Subdivision _____

Address _____

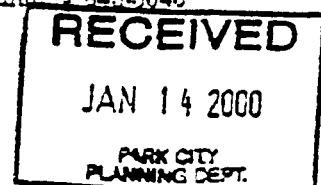
JAN 11, 2000

Date

Ben E Sutton
owner of 237 ONTARIO
adjacent owner
North 1/2 of Lot 7
Block 53 of the Park City
Survey

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (801) 645-3020 • Engineering 645-3020 • Building 645-3040
Planning 645-3021 • FAX (801) 645-3073

Exhibit E



54



Ordinance No. 00-

AN ORDINANCE APPROVING A PLAT AMENDMENT, TO COMBINE THE NORTH ½ OF LOT 4 AND ALL OF LOT 5, BLOCK 53 OF THE PARK CITY SURVEY, LOCATED AT 220 MARSAC AVENUE, PARK CITY, UTAH

WHEREAS, the owner of the north ½ of Lot 4 and all of Lot 5, Block 53 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

WHEREAS, on March 8, 2000 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 30, 2000 the City Council held a public hearing to receive input on the proposed plat amendment; and

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

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

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

Findings of Fact:

1. The property is located in the Historic Residential District (HR-1).
2. The amendment will combine the north ½ of lot 4 and all of lot 5, block 53 of the Park City Survey into a single lot to allow for the construction of a garage/carport.
3. The lots are occupied by an existing historic dwelling which currently has access from stairs off Marsac Avenue. The stairs are old and in disrepair. The stairs do not serve the general public but instead serve only a limited number of homes. There is no connection of these stairs to Ontario Avenue via a public easement.

4. The plat amendment will not increase density on the lot.
5. Board of Adjustment approved a variance for reduction of rear yard setback on 12/1/98.
6. Historic District Commission approved the proposed construction on 2/1/99.
7. The Applicant stipulates to all conditions of approval.

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

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed amendment.
3. The proposal is consistent with both the Park City Land Management Code and State Subdivision statutes.

SECTION 3. CONDITIONS OF APPROVAL. The plat amendment to combine the north ½ of Lot 4 and all of Lot 5, Block 53 of the Park City Survey, known as 220 Marsac Avenue, is approved as shown in Exhibit C is hereby adopted with the following Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. All standard project conditions and Land Management Code criteria for review shall apply.
3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, the approval and plat shall be considered void.
4. No remnant lot created is separately developable.
5. A ten (10) foot non-exclusive snow storage easement along Ontario Avenue shall be dedicated to the City on the plat.
6. Issuance of a building permit will not be issued prior to recordation of the Plat Amendment.
7. The applicant agrees not to object to the removal of the existing stairs fronting Marsac Avenue. Nothing herein shall prohibit access to the owner to the private property, including applying for an encroachment agreement to build their own stairs. The City shall not remove the stairs until a Certificate of Occupancy is issued on the structure.

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

PASSED AND ADOPTED this 30th day of March, 2000

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

1. The applicant is responsible for compliance with all conditions of project approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standard regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limiting disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lighting, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permit. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed with sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.
13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

December 1, 1

Exhibit F

68

PARK CITY

1884

CITY COUNCIL STAFF REPORT

DATE: March 30, 2000
DEPARTMENT: Planning/Facilities and Special Events/Police
AUTHOR: Staff
TITLE: Outdoor Music at Town Lift Plaza, Summit Watch Plaza and Prospector Square Plaza.
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Review Task Force proposal, conduct a public hearing and provide direction regarding an ordinance amending Title 8 of the Municipal Code to allow for regulated outdoor music events.

A. Project

Report from Outdoor Music Task Force and City staff in regards to outdoor music events.

B. Background

The Council directed a group of interested citizens and City staff to formulate an Outdoor Music Task Force in December of 1999. The Task Force has tried to formulate a plan that will allow for outdoor music events during the summertime in the city's two commercial zones on Lower Main Street and in Prospector Square. The Task Force grew out of concerns over individual permitting for outdoor music events that occurred in the summer of 1999.

The Task Force has met weekly for the month of February and has developed a plan for the Council's review. Input from the Task Force, other interested citizens, and comments from the March 2, 2000 public hearing has been incorporated and addressed in the Task Force's proposed plan.

C. Analysis

The Task Force has met for the last month and has arrived at the following program for discussion before the Council. The program is designed to mitigate the scheduled events to the best extent possible. Sound and time limitations and review mechanisms have been

put in place and a responsible party has been designated for management and compliance. The program can also be modified once events have occurred to mitigate any unanticipated concerns.

Concept/ Parent Association: Programmed musical and art events at two private locations in town on temporary sound-attenuated stages at Town Lift, and Summit Watch. Prospector Plaza is interested in participating in the program but wants to see the results of the first year before committing. The Park City Arts Council will be the sponsor of the events and will own the stages. The stages will be designed and built by Hanks Louis and graduate architectural students at the University of Utah.

The Arts Council will hire a program manager for these events. The program manager will be responsible for management of program and on-sight oversight for each event. Agreements with the individual property owners will be provided to the City by the manager.

The season will run from June 1 until October 1 (weather permitting). The stages will be erected at each location at the start of the season and removed after the last performance. Building permits for the stages will be obtained prior to construction. A fourth shack may be placed at City Park but will be run by the Chamber of Commerce for the Wednesday night concert series **as part of their existing Master Festival License**. No additional events are considered for this location.

Programming/Neighborhood Input:

A Programming Board, consisting of five members (community and arts), will schedule the selection and times of events. A neighborhood review group will be contacted after each event by the City staff and program manager to receive comments and concerns. A phone number will also be available at each venue so that individuals may phone in comments. The comments will be forwarded to the Council at the end of each month of operation.

Time: All performances, regardless of type, will start no earlier than noon (12:00 p.m.) and end no later than 8:15 p.m.

Types:

Amplified music: This type of music shall be programmed for **no more** than 2 days a week at each venue, limited to one weekend day, (Saturday or Sunday) and one weekday (Monday -Friday). Amplified music shall be limited to **no more** than 5 hours of total performance time on each of those two days (breaks are not included in total time).

Non-amplified music and events: Events such as poetry readings, dance, or other events that require no amplification shall be limited to the weekly total of four days (the combination of amplified and non-amplified events cannot exceed four events per week). Acoustic music will be strictly monitored for sound levels and the applicant would be required to follow the same process with the Park City Arts Council as any amplified performances.

Enforcement and Oversight controls: In addition to on-site management, a sound technician at each venue, and stages that have been designed to attenuate sound, each music event shall have the following controls established:

1. Sound control. A sound limiter will be placed in the sound system that maintains the sound at a designated level. (See discussion on sound levels below)
2. Power controls. A timer device will be installed that shuts the power off at 8:15 p.m.
3. The City will enforce its customary procedures in regards to complaints. If a complaint on a music venue is received the Police will contact the program manager. If a second complaint is received the police will address the complaint and cite the program manager if necessary. The program manager will be responsible for complying with the provisions set forth in the proposed ordinance.

Financing: The program manger and Art Council are responsible for raising money for the program. Donations are welcome. There will be no charge for individual events. Please note that the Arts Council submitted a grant request to the City for the construction materials cost of the stages (@\$6,000). The request will be reviewed pursuant to the grants policy.

Sound Levels:

The Ordinance proposes to mitigate the sound by the design and location of the stages. Staff is aware that the proposed mitigation efforts will not prevent the sound produced on the stages from being heard in the adjacent neighborhoods. The sound levels will also vary at the neighboring properties with changes in weather, wind and traffic. To protect the public health, safety and comfort of the residents of Park City, Staff suggests limiting the decibel levels of the performances.

To determine an appropriate decibel level, Staff researched the discussion in 1995 regarding the location of snowmaking equipment beneath the Town chair lift. In 1995 a report was submitted outlining the analysis of potential noise levels due to snowmaking equipment associated with the Town Chair Lift. For each analysis a total of four snowmaking nozzles were in operation. The analyses did not compare the proposed snowmaking levels to existing background levels. The tests conducted showed the noise impacts to the neighborhood. The maximum noise levels shown in the residential area were up to 75db. The snowmaking equipment, within the conditions of approval, required the operation only within the permitted hours for construction.

Additionally, to determine a decibel level, Staff monitored the noise levels along Park Avenue and Woodside Avenue. On March 22, 2000, Staff monitored noise levels in various neighborhoods throughout Park City. Please refer to Attachment B for the results. It was found that the continuous noise levels were between 75 - 85dbs with traffic and peaked over 90dbs when a bus would pass the location.

It has been suggested to Staff that the sounds produced on the stages be regulated and maintain a decibel level below 95, twenty five (25) feet from the stage with a C-weighted sound level adjustment. Staff has found that a C-weighting is flat over the range of

human hearing and rolls off above and below that range. C-weighted sound levels are often used for analysis of high-amplitude impulsive noise, where adverse impact is influenced by the rattle of buildings. The C-weighting would regulate the amount of bass from a band. Staff suggests including an A-weighted sound level adjustment and maximum decibel level of 90, twenty five (25) feet from the stage, to the ordinance. An A-weighted level is most commonly used when measuring community noise. The A-weighted level adjusts the frequency content of the measured sound to correspond to the frequency sensitivity of the human ear.

Process: To deal with the unique licensing of the events and the nature of the on-going monitoring relationship between the licensee, program manager and special events staff, staff recommends adopting a special section of the Master License Chapter. This new code section would provide for a legislative approval of the event plazas, based upon the special mitigation efforts and standards incorporated in the ordinance. This process would also simplify revocation of the license in the event of problems, since no vesting in an administrative permit would occur. Staff will draft the ordinance with an effective date for one year only, so the Council will need to legislatively renew or otherwise extend the license if it desires to continue with the program.

D. Department Review

The Police Department, Community Development Department, Special Events and Facilities, City Attorney's Office and City Managers's office have reviewed this report.

E. ALTERNATIVES

1. Conduct a public hearing and direct staff with any necessary changes to the proposed ordinance amending Title 8 of the Municipal Code to allow for Music Plazas in the HCB zone. Staff will return with the final ordinance for action at a subsequent meeting.
2. Conduct a public hearing and reject the proposed ordinance amending Title 8 of the Municipal Code to allow for Music Plazas in the HCB zone. Provide direction regarding future outdoor music in the HCB zone.
3. Continue the item for further information, input or discussion.

SIGNIFICANT IMPACTS:

If the proposed program is adopted the music plazas will result in additional activity and sound in the designated areas. As outlined above, mitigation measures have been implemented and additional concerns can also be addressed as the situation arises.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the proposed ordinance is not acceptable, Council should direct the Task Force to propose another alternative or abandon the idea to have public outdoor music events, except for authorized Master Festivals and the existing CUP process.

RECOMMENDATION: Review Task Force proposal, conduct a public hearing and provide direction regarding an ordinance amending Title 8 of the Municipal Code to allow for regulated outdoor music events.

ATTACHMENTS:

Attachment A - Proposed Ordinance

Attachment B -March 22, 2000 Sound levels

ATTACHMENT A

CHAPTER 8A - PUBLIC OUTDOOR MUSIC PLAZAS

4- 8A- 1. TITLE FOR CITATION.

This section shall be known and may be referred to as the Public Outdoor Music Plaza Ordinance.

4- 8A- 2. PURPOSE: REASONABLE LICENSING PROCEDURES.

It is the purpose and object of this section that the City establish reasonable and uniform regulations governing the licensing and manner of operations of Public Outdoor Music Plazas in Park City. This section shall be construed to protect the important governmental interests recognized by this Chapter in a manner consistent with constitutional protections provided by the United States and Utah Constitutions. The purpose of these regulations is to provide for the regulation and licensing of Public Outdoor Music Plazas within the City in a manner which will protect the property values of surrounding businesses and neighborhoods, and residents from the potential adverse secondary effects, while providing to those who desire to perform in and patronize Public Outdoor Music Plazas the opportunity to do so. The purpose of this Chapter is to prevent and control the adverse effects of Public Outdoor Music Plazas and thereby to protect the health, safety, and welfare of the citizens and guests of Park City, protect the citizens from increased noise, preserve the quality of life, preserve the property values and character of the surrounding neighborhoods.

4- 8A- 3. APPLICATION OF PROVISIONS.

This section imposes regulatory standards and license requirements on certain activities, which are characterized as "Public Outdoor Music Plazas." It is not the intent of this Chapter to suppress any speech activities protected by the First and Fourteenth Amendments to the United States Constitution and the Constitution of the State of Utah, but to impose content-neutral regulations which address the adverse secondary effects of Public Outdoor Music Plazas. This Chapter is intended to supersede any other related ordinances including, but not limited to, Title 6 Chapter 3, Noise, of the Municipal Code; and Title 15 Chapter 2 of the Park City Land Management Code.

4- 8A -4. DEFINITIONS.

For the purpose of this Chapter, the following words shall have the following meanings:

- (A) **AMPLIFIED MUSIC.** Music utilizing an amplifier or other input of power so as to obtain an output of greater magnitude or volume through speakers or other electronic devices.

(B) **PUBLIC OUTDOOR MUSIC PLAZA.** The following plazas used for public performances and outdoor music:

- (1) Town Lift Plaza as shown on **Exhibit A**; and
- (2) Summit Watch Marriot Plaza as shown on **Exhibit B**.

(C) **STAGES.** The raised and semi-enclosed platforms as shown on **Exhibit C** that are designed to attenuate sound, as designed and built by students of the University of Utah.

4- 8A- 5. MASTER FESTIVAL LICENSE; REVIEW PROCEDURE.

The City Council hereby grants Master Festival Licenses for each of the plazas in Section 4. The Licenses shall be subject to all regulations and conditions of this Chapter. The Licenses shall be valid as of June 1, 2000 and shall expire October 1, 2000, unless renewed by the City Council. The City Council may not renew said licenses until after a public hearing and receipt of a staff evaluation of the prior year's compliance with this Chapter. Renewal may be granted in the sole judgment of the City Council based upon compliance with the regulations herein and so long as such decision is not arbitrary and capricious. No licensee nor performer shall accrue any vested rights under this revocable license.

4- 8A- 6. PROGRAM LIMITS AND CATEGORIES.

Each Stage may be programed for not more than four days per week, and of those four days, only one program day may be a weekend day (Saturday or Sunday). The categories of programming allowed at Public Outdoor Music Plazas are:

(A) **Amplified Music:** This type of music shall be programmed for **no more** than 2 days a week at each plaza, only one of which may be a weekend day (Saturday or Sunday). Amplified Music shall be limited to **no more** than 5 hours of total performance time on each of those two days (breaks are not included in total time).

(B) **Non-amplified music and events:** Programming for music and events such as poetry readings, dance, or other events that require no amplification.

4- 8A-7. GENERAL REGULATIONS.

(A) The program manager, or his/her designee, shall provide on-site management for each event.

(B) A sound technician shall provide on-site noise monitoring for each event with music, Amplified or otherwise.

(C) For Amplified Music, a sound limiter will be placed on the sound system that maintains the sound at an A-weighted sound level adjustment and maximum decibel level of 90, as measured twenty five (25) feet from the stage. Non-amplified music shall not exceed a maximum decibel level of 90, as measured twenty five (25) feet from the stage.

(D) All events shall be open to the public and free of charge.

(E) Power controls. A timer device will be installed that shuts the power of the stage and sound system off at 8:15 p.m.

(F) Time: All performances, regardless of type, are permitted only between noon (12:00 p.m.) and 8 p.m.

(G) No event shall not exceed 250 people unless a separate Master Festival License is granted for that event.

(H) The Police Department or other proper City official shall have access at all times to all plazas licensed under this Chapter, and may make periodic inspection of said premises whether the officer or official is in uniform or plain clothes.

(I) All events shall take place only on authorized Stages and shall have clean-up services directly following each event so as to leave the plazas in a clean and litter free manner.

4- 8A-8. ALCOHOL.

It is unlawful for the licensee or any person or business to allow the sale, storage, supply, or consumption of alcoholic beverages on the Public Outdoor Music Plazas, unless licensed pursuant to Chapters 4-6 of Title 4, as applicable.

4- 8A-9. LICENSE HOLDER; PROGRAM BOARD

(A) The Park City Arts Council will be the licensee of the events and will own the Stages. The Arts Council will hire a program manager, approved by the City, said approval not to be unreasonably withheld. The program manager will be responsible for general management of each plaza and on-sight oversight for each event. Agreements with the individual property owners will be provided to the City Special Events Department by the program manager.

(B) The Arts Council will appoint an independent Programming Board, consisting of five residents of Park City (community and arts). The Programming Board will schedule the selection and times of events. Nothing herein shall allow the City to regulate the content or otherwise censor plaza productions or speech. The Arts Council shall at all times hold the City harmless and indemnify the City for all claims, actions and

liability arising from the Arts Council's use of the Public Outdoor Music Plazas. The Arts Council shall maintain its own liability insurance, with the City listed as an additional insured in a form approved by the City Attorney.

(C) Nothing in this Chapter shall be interpreted to create a contract or implied-contract between the City and any performer, or plaza owner.

4- 8A-10. ON-GOING COMPLIANCE EVALUATION.

The program manager will appoint an independent neighborhood review group of at least three area residents which will be contacted weekly by the city Special Events staff and the program manager to receive comments and concerns. A phone number will also be available at each venue so that individuals may phone in comments. Based upon such comments, the Special Events staff may issue additional conditions consistent with the intent of this Chapter to the program manager. A summary of, and recommended response to comments will be forwarded to the City Council within seven days of the end of each month of operation, or sooner if requested by the program manager to resolve any issue. At the end of the season, the Special Events staff will forward a final recommendation to the City Council, with proposed changes, if any, prior to renewal of the licenses granted herein.

4- 8A-11. TRANSFER LIMITATIONS.

The Master Festival Licenses granted under this Chapter are not transferable without the written consent of the Mayor. It is unlawful for an individual to transfer a Public Outdoor Music Plaza master festival license without City approval as provided herein. If any transfer of the controlling interest in a Public Outdoor Music Plaza license occurs without City approval, the license is immediately null and void and the Public Outdoor Music Plaza shall not operate until a separate new license has been properly issued by the City as herein provided. The City will not unreasonably withhold consent of transfer provided the proposed Licensee is a non-profit organization within Park City, meets all the criteria of this Chapter, and demonstrates experience managing special events.

4-8A-12. PLAZAS LICENSES IN LIEU OF ADMINISTRATIVE PERMITS FOR OUTDOOR MUSIC AND OUTDOOR SPEAKERS.

The Master Festival Licenses granted under this Chapter are in lieu of any Administrative Conditional Use Permit for outdoor music (including outdoor speakers) pursuant to the existing Land Management Code and pending ordinances MCPC § 15-2-6.10(B)(4) and 15-2-17.5(B)(4). The Community Development Department shall not issue any outdoor music permits in the Historic Commercial Business ("HCB") zoning district north of Heber Avenue. The City may still issue outdoor music permits in conjunction with an approved Master Festival License.

Exhibit A

- a) MINUTE RAISING
- b) ACCESS TO PARK AVE., 7TH AND 9TH STREETS
- c) AVOID ROAD SHIPING
- d) AVOID CONSTRUCTION UNDER STREET
- e) PARKING REQUIREMENT AS PER PARK CITY CODE IN EFFECT DEC. 30, 1992 FOR HRC 2
- f) VERTICAL ACCESS
- g) STAIRWAYS
- h) ELEVATORS
- i) HANDICAP
- j) VERTICAL STACKING
- k) PHASING
- l) TOWN LIFT AGREEMENTS

RESIDENCE

C/L 8TH STREET

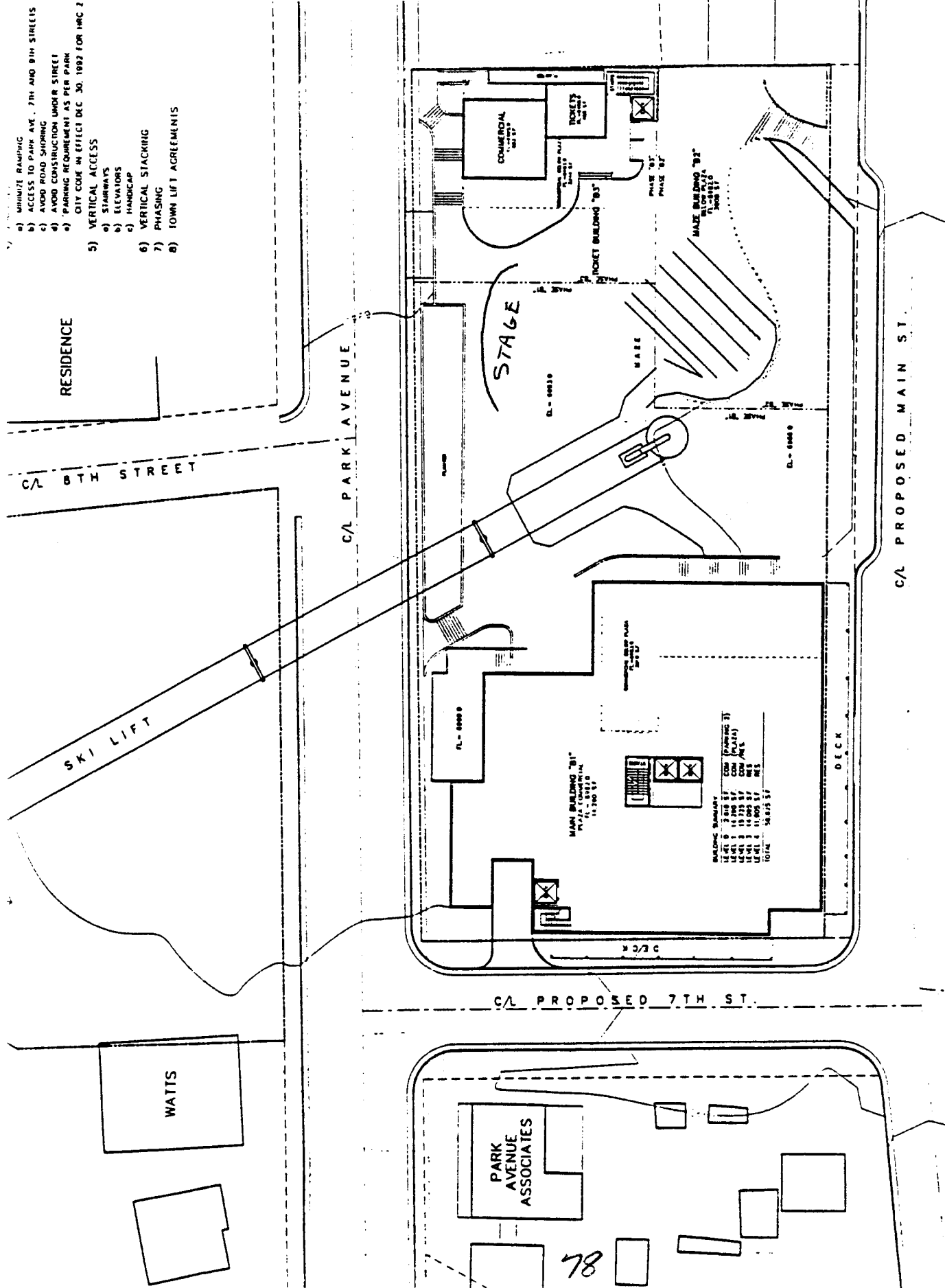
C/L PARK AVENUE

STAGE

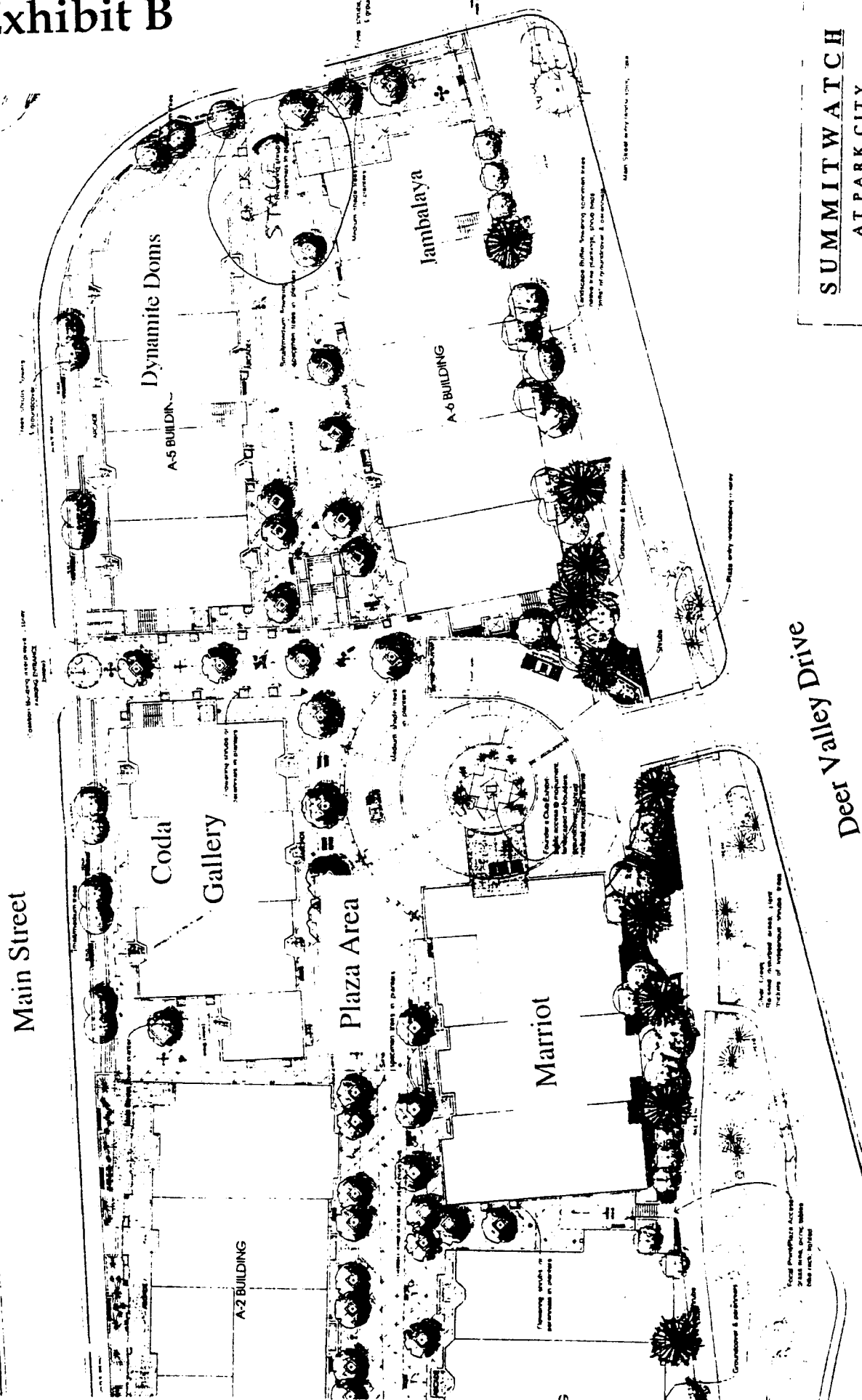
C/L PROPOSED 7TH ST.

C/L PROPOSED MAIN ST.

Town Lift Plaza



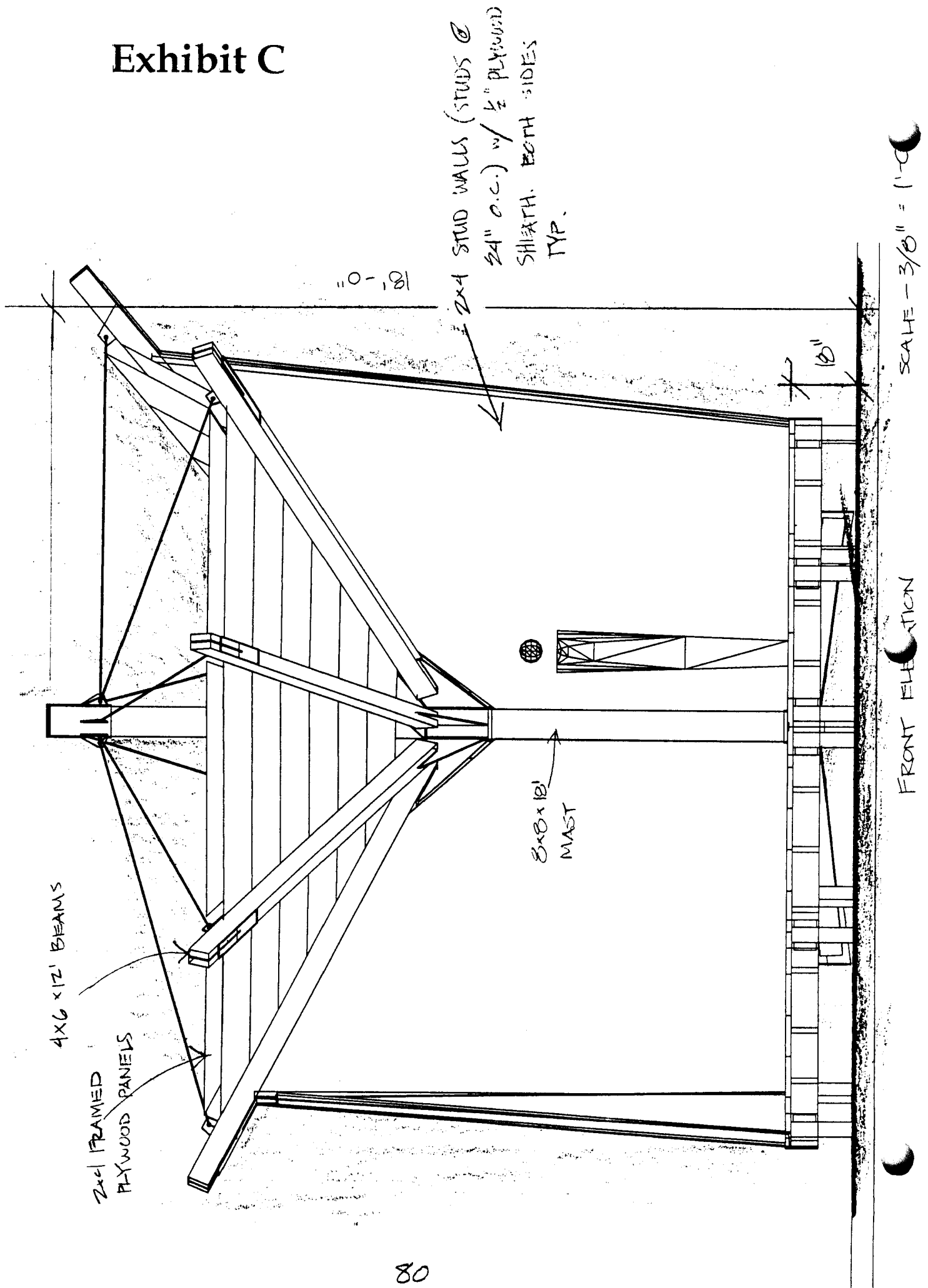
Main Street

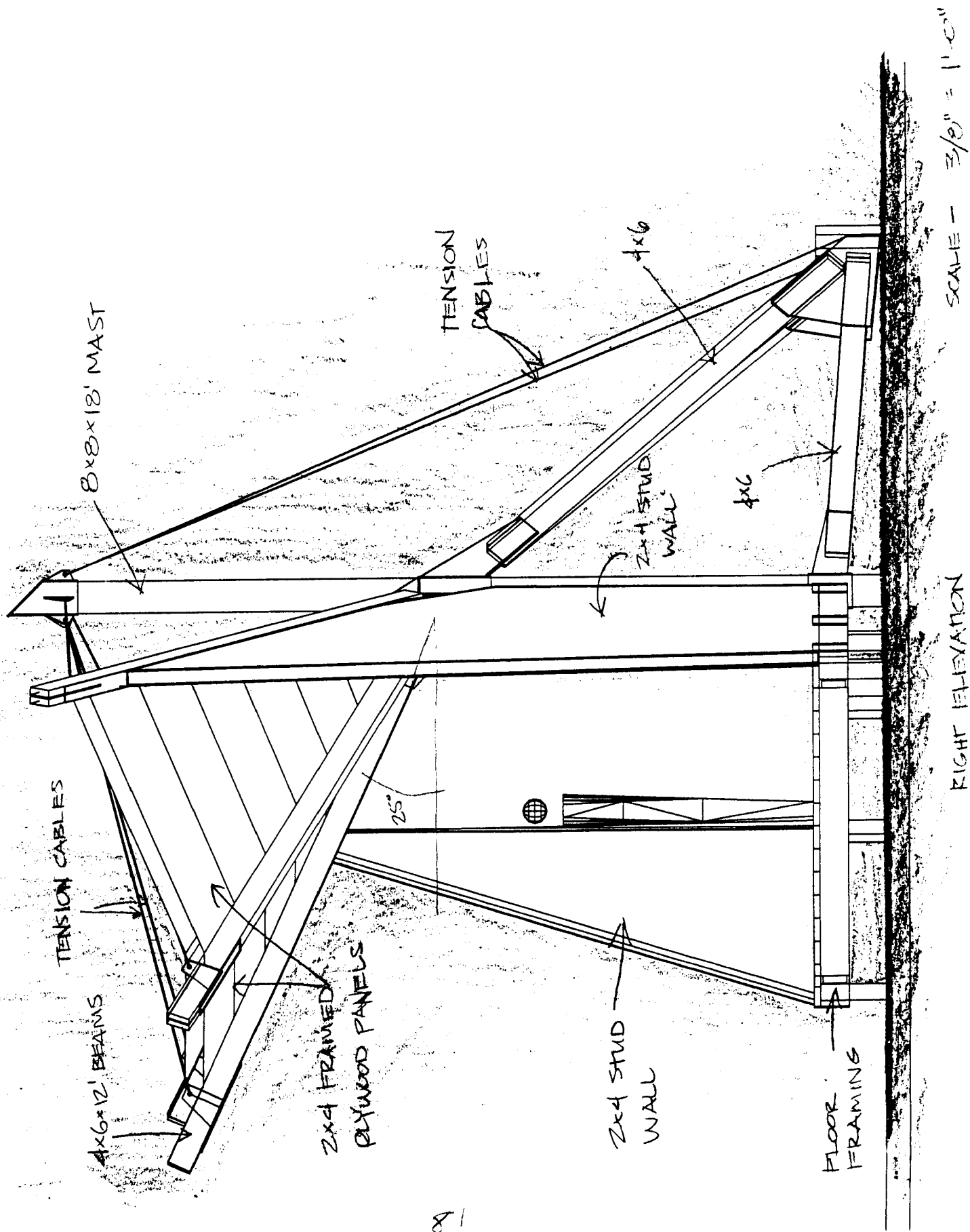


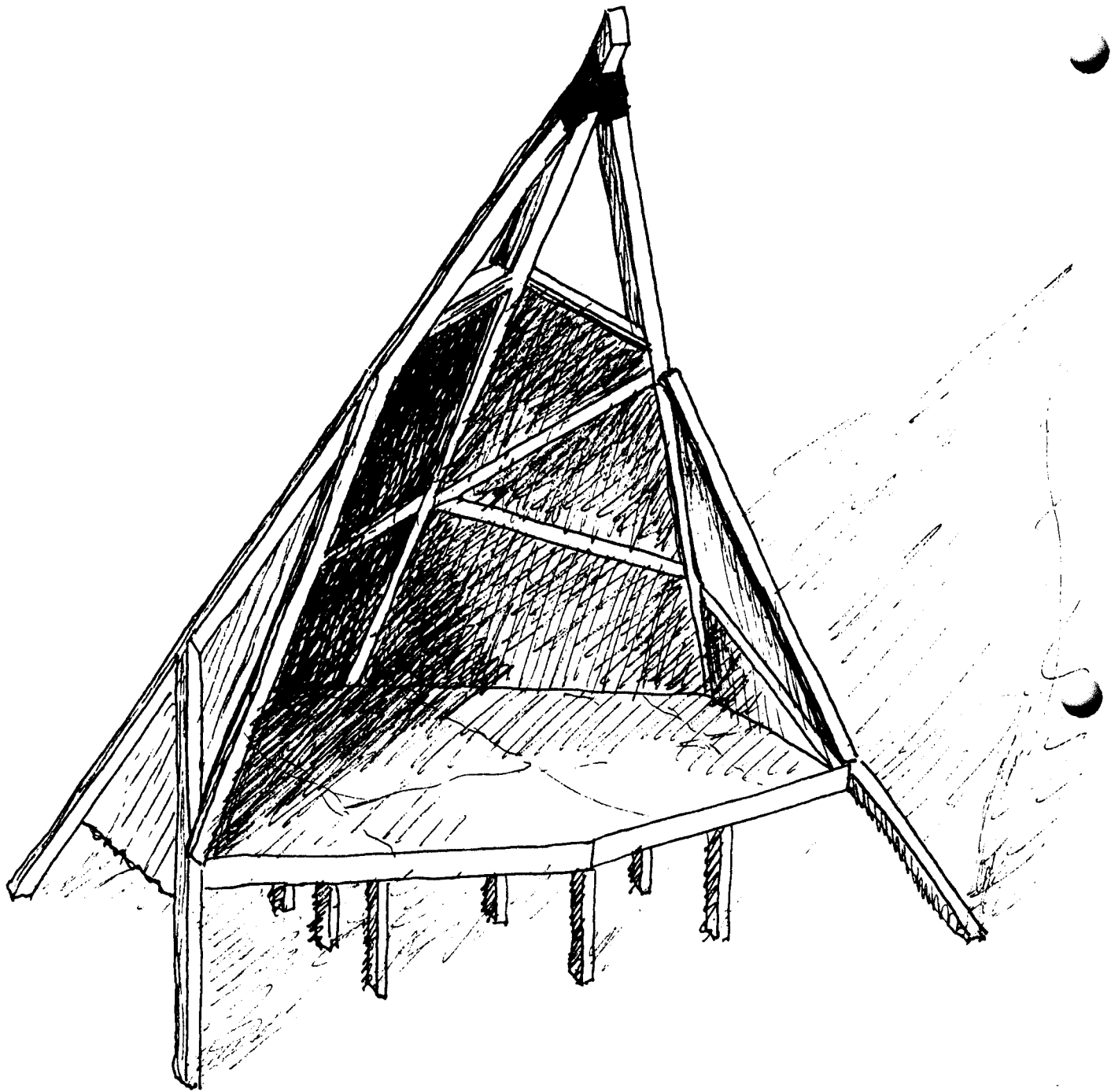
SUMMITWATCH
AT PARK CITY
Marriott Ownership Resorts, Inc.

Scale:

Exhibit C







INITIAL
BANDSTAND
PROPOSAL

DECISION 8 -

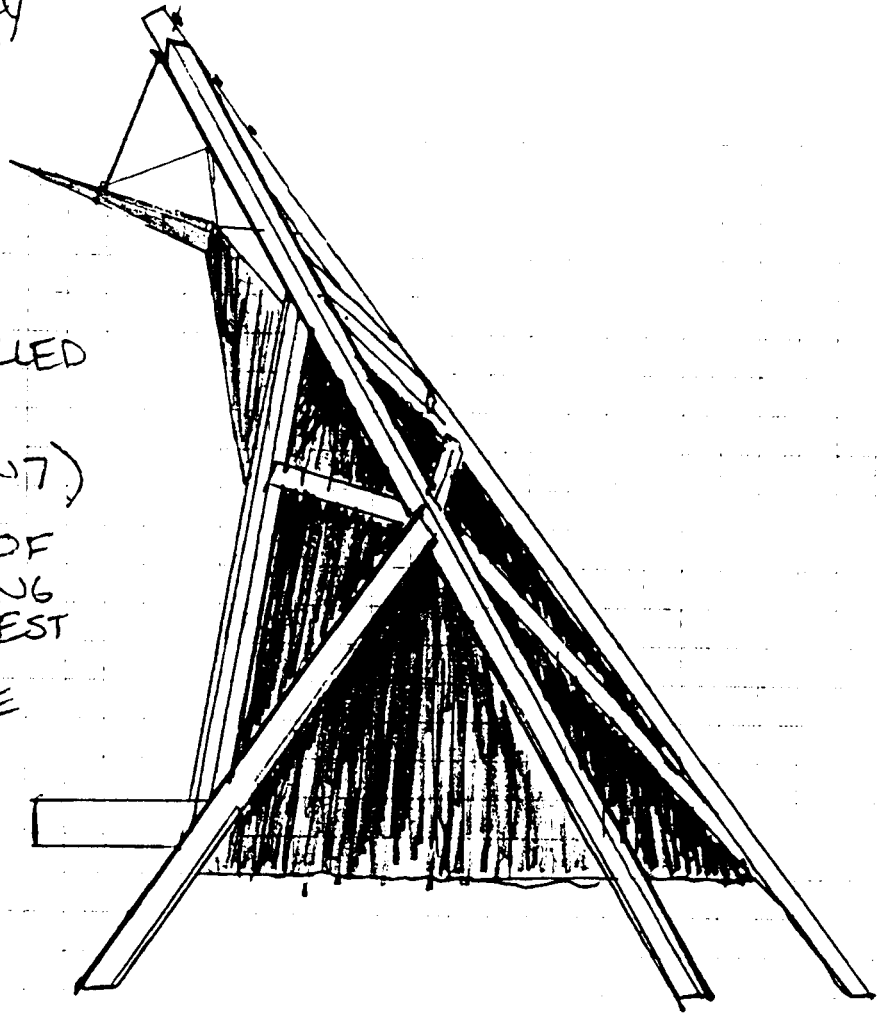
DESIGN RE-EVALUATION

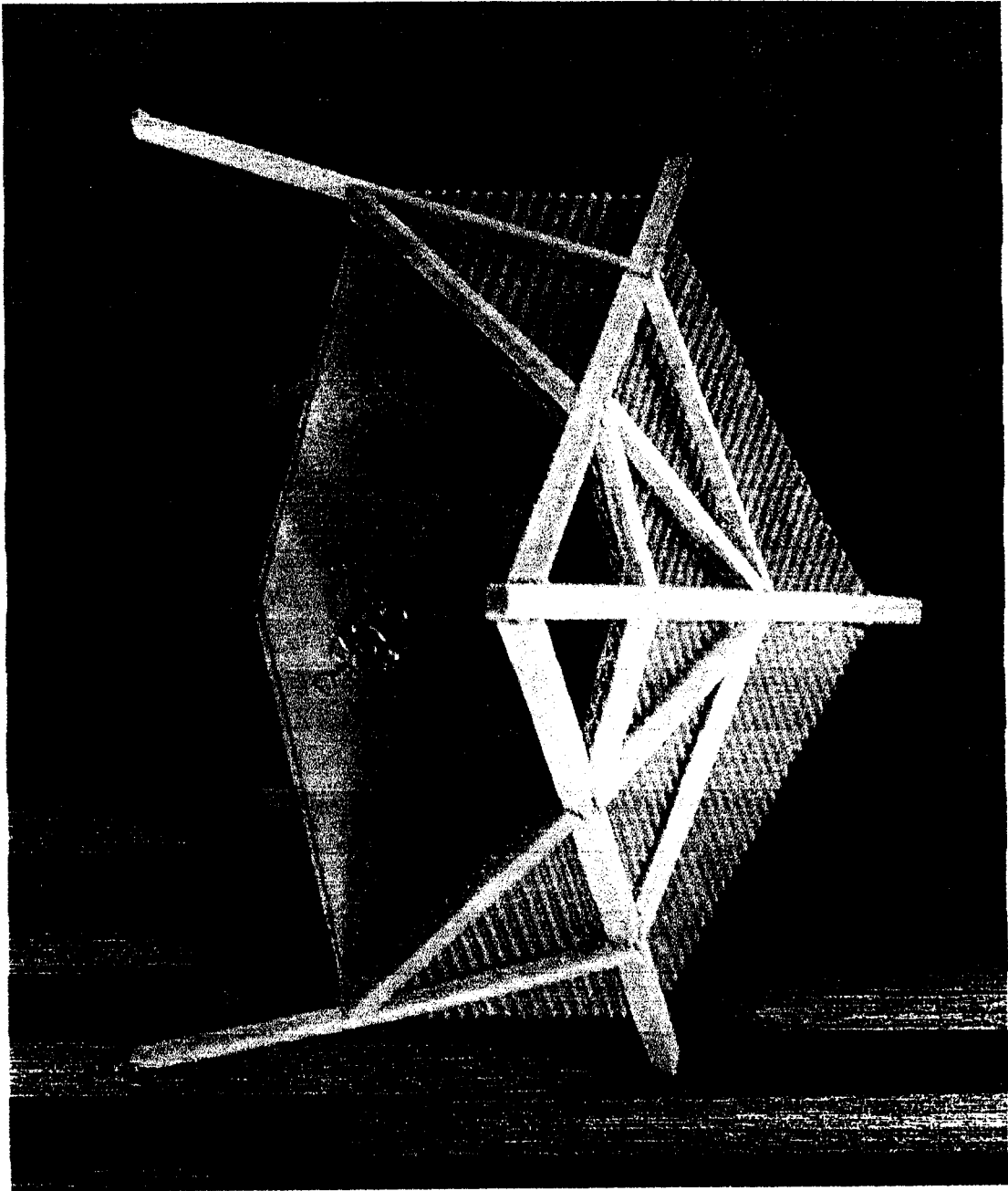
(15)

- PULL SKIN OUT AND SHAPE IN AN ACOUSTICALLY IMPROVED CONFIGURATION.

- Why?

- SKIN IS ALREADY PULLED AWAY FROM STRUCTURE (DECISION 7)
- POSSIBILITY OF MANIPULATING SKIN FOR BEST ACOUSTICAL PERFORMANCE





ATTACHMENT B

Sound Levels Monitored within Park City

March 22, 2000

Staff:

Tommy Youngblood, Tim Twardowski, Alison Kuhlow

Time:

1:25pm to 2:30pm

Weather:

48-50 degrees, light wind, sunny, no clouds

1800 Bonanza Drive, Business Commons

meter facing east approximately sixty (60) feet from the road

75db continuous

807 Park Avenue

meter facing east

70-75db continuous

60-65db with no traffic

811 Park Avenue

meter facing east

75-80db continuous

841 Park Avenue

meter facing east

75-85 continuous

60db with no traffic

627 Woodside Avenue

meter facing northeast

75-80db with breeze

85db with traffic

658 Woodside Avenue

meter facing northeast

80db with traffic

827 Woodside Avenue

meter facing east (level with Town Lift Plaza)

60-65db

City Park, south of the baseball field, empty

meter facing east

70-75db continuous

meter facing west

65-72db

Eastern side of Fairway Village

meter facing east

55-65 continuous without wind

2880 American Saddler Drive

meter facing south

62-68db continuous

80db with traffic



COUNCIL AGENDA REPORT

DATE: March 30, 2000
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Tom Bakaly, Director of Capital Programs and Budget 
TITLE: Construction Services for Old Town Transit Center and Roundabout
TYPE OF ITEM: Legislative/Administrative

SUMMARY RECOMMENDATIONS: The City Council should take the following actions as it relates to the transit center:

- 1) Authorize the Mayor to execute a contract, substantially as attached in a form approved by the City Attorney, to Herm Hughes & Sons, Inc. (Hughes), for construction services of the Old Town Transit Center and Deer Valley Drive Roundabout in a fixed price with delivery incentives in the amount of \$ 5,736,000.
- 2) Authorize staff to issue a change order in the amount of \$262,000 to Herm Hughes & Sons for additional services related to signs, fiber optics and site work.
- 3) Authorize staff to enter into a contract with Utah Power and Light (UPL) for \$93,027 (utility work) and Cache Valley Electric for \$29,473 (fiber optic work)

DESCRIPTION:

A. Topic: Construction Contract for the Old Town Transit Center & Roundabout

B. Background:

A study of the City's long-range transportation needs identified the Old Town Transit Center (OTTC) as an important component of the City's effort to enhance public transit. The Downtown Action Plan, Transportation Element of the General Plan, and Regional Transit Plan identified the OTTC in its proposed location. The City has a Conditional Use Permit to build the OTTC and Roundabout. On January 20, 2000, City Council reaffirmed its commitment to the project and directed staff to request bids for the project in such a manner so that it could be either completed in 2000 or phased over two years. City Council expressed a general preference that the project be completed in one year and perhaps use City debt to fund gaps in the project budget.

C. Analysis:

Proposal Solicitation Process: The solicitation was advertised for over 30-days and plans were available February 15, 2000. A pre-bid conference was held by the staff members to present the project and provide clarifications to particular questions or details. The City also initiated a web site for the project which functioned as a clearing house for answering questions and providing other relevant details. Bids were taken until March 8, and read aloud at that time.

Proposal Evaluation Process:

The City received 6 bids as shown below.

Contractor	1 Year Construction	Phased Construction
Herm Hughes & Sons	\$5,736,000	\$5,792,200
Weyher Construction	\$5,842,500	\$5,917,500
Wadsworth Brothers	\$5,959,825	\$6,020,209
Alder Construction	\$6,547,000	\$6,647,000
Wadman Corporation	\$6,838,931	\$6,913,931
Granville Constructors	\$5,365,000	No Bid

The apparent low bid submitted by Granville Construction was determined to be unresponsive for the following reasons and was rejected by staff by letter dated March 9, 2000:

- 1) A bid bond was submitted but it was made payable to "Summit County."
- 2) No bid was submitted for Additive Alternate #1 UDOT Project.
- 3) The Disadvantaged Business Enterprise (DBE) proposal was unresponsive. All other firms submitting bids appear to have substantially met the DBE goal, and Granville's lack of any DBE participation appears to have resulted from a lack of a good faith effort as defined by regulation and practice.
- 4) Granville's representative that registered the bid and attended the bid opening asked, after bid acceptance was closed and after at least one other bid was opened, that he be allowed to remove his bid, thus indicating possible irregularities with the bid.

Pursuant to the City's bid policy, Granville was notified it could appeal the rejection to City Council. No appeal was filed.

The Herm Hughes & Sons Team: While Hughes is the general contractor for the project, their project team consists of the subcontractors listed on the next page.

Herm Hughes & Sons. Inc.
Old Town Transit Center Sublist

Staker Paving and Construction Co., Inc.
Peck Barricades
Stensrud Masonry
Rebar Services, Inc.
Southam & Warburton Aluminum Inc.

Tabor Insulation, Inc.
HydroTech Caulking
Western States Waterproofing, Inc.
Utah Windows
ACS Specilaties
Swift Painting Inc.
Westech Tile, Inc.
Specialty Company
Pioneer Specialties, Inc.
Western States Fire Protection Co.
HPH Mechanical Inc.
Schindler Elevator Corporation
L & L Associates
SBC
CS Wood
LSI
MSE

Paving
Signs and Striping
Stone
Rebar Installation
Metal Wall Panels
Siding
Metal Roofing
Flashing
Gutters and Downspouts
Roof Specialties
Batt Insulation
Sealant Caulking
Foundation Waterproofing
Windows
Ceiling and Drywall
Painting
Tile
Toilet Partitions
Washroom Accessories
Fire Sprinklers
Plumbing, Mechanical
Elevators
Electrical
Rough Carpentry
Interior Trim
Landscaping
Environmental Work

Contract Negotiations: Hughes accepted the contract in its essentially proposed format so negotiations were brief. The contract has been signed by an authorized Hughes representative and is available for execution.

During the discussions, the City identified certain additional work/change orders and requested cost proposals from the contractor. They are: 1) Additional Fiber Optic Facilities: - \$5,000; 2) Disposal of excess clean soils material beyond that able to be handled on-site - \$252,000; 3) Added traffic signs during Construction - \$5,000. In addition, staff is requesting that City Council authorize staff to pay Utah Power and Light the costs (\$93,027) associated with utility work and Cache Valley Electric the costs (\$29,473) for fiber optic work.

Contract Scope: The detailed scope of the project is contained in the plans and specifications which are available, but are too voluminous to provide herein. A synopsis follows:

The project includes remediation of soils containing elevated levels of metals, significant improvements to the Transit Center site, construction of a 5000 SF, two-story Transit Center Building, and construction of a Modern Roundabout on SR 224 at its intersection with Marsac Avenue and Deer Valley Drive. The state highway work is located along SR 224 from just south of its intersection with Lower Main Street at the Marriott Summit Watch, then south along SR 224 to its intersection with Marsac Avenue (SR 224 continuation), then up Ontario and Marsac Avenue and Deer Valley Drive a short distance; and the Transit Center site is just north of the Marsac Building (City Hall) and bounded by Marsac and SR 224 on the East, Heber Avenue on the North, and Swede Alley on the West. An additional walkway site through undeveloped land between Swede Alley and Historic Main Street (Carr Parcel) is included. The Transit Center site is the location of the Old Marsac Mill and is listed on the USEPA CERCLIS database.

The contract scope is principally divided into the following services:

- Environmental Remediation
- Excavation and embankment
- Asphalt pavements
- Concrete retaining wall structures
- Masonry, wood frame, and heavy timber construction
- Utilities relocations and installations
- Landscaping

Trash: Please note that while trash containers along Swede Alley will be consolidated on the West side of the street, a trash compactor building will not be built as part of this project. Rather, if approved by the HDC, the trash compactor building will be built in 2001 as part of the downtown revitalization account.

<u>Construction Activity</u>	<u>Date</u>	<u>Incentive</u>	<u>Liquidated Damages</u>
West-side Road Completion	June 29, 2000	\$25,000.00	\$1,500 / day
East-side Road Completion	August 31, 2000	\$25,000.00	\$1,500 / day
Building Completion	December 15, 2000	\$25,000.00	\$1,500 / day
Landscaping Completion	June 15, 2001	na	\$ 500 / day
Total Incentive Bonus		\$75,000.00	

D. Department Review: The following departments have been involved with all aspects relating to the contract award recommendation: Office of Capital Management and Budget, Community Development, Public Works, Legal and the City Manager's Office. This process highlighted the City's "multi-discipline team approach" to project management, and it is working well.

ALTERNATIVES:

A. Approve the Contract for Project Completion in 2000: Authorize the mayor to execute a contract, with minor adjustments as needed, with Herm Hughes Contractors for construction of the Old Town Transit Center & Roundabout to be completed by December 15, 2000 in an amount of \$5,736,000. Authorize a change order in the amount of \$262,000 to Herm Hughes & Sons, approve payment to Utah Power and Light in the amount of \$93,027 and to Cache Valley Electric on the amount of \$29,473.

B. Approve the Contract for Project Completion in 2001: Authorize the mayor to execute a contract, with minor adjustments as needed, with Herm Hughes Contractors for construction the Old Town Transit Center & Roundabout to be completed by December 15, 2001 in an amount of \$5,792,200.

C. Deny the Request: This action would cause staff to renegotiate contract terms and scope of services with Herm Hughes Contractors. If an acceptable and reasonable contract could not be reached, staff would begin negotiations with the second lowest bidder, Weher Construction.

D. Continue the Item: The proposed schedule included in the attached scope of services is aggressive. Compensation of the contractor is in part tied to their ability to meet this schedule in the form of a delivery incentive (\$75,000). The schedule contemplates commencing construction on April 17, 2000 and completing construction by December 15th.

E. Do Nothing: This would have the same effect as continuing or denying the request.

SIGNIFICANT IMPACTS: Staff believes that the contract price of \$5,736,000, the lowest responsive bid, is fair and reasonable. The bid is also within original budget projections. The City currently has an approved grant with the FTA that will cover 80% of the grant eligible components of this contract as long as the entire Transit Center construction project is completed. The City's 20% share of the contract cost will be covered by the value of the land that the Transit Center will be located on and the Transportation and Parking Fund.

The alternate amount of \$5,792,200 from Herm Hughes and Sons to phase the project over two construction season is \$56,200 greater than it would be to complete the project in one season. Herm Hughes & Sons was the low bidder for completing the project in one season or phasing over two seasons.

Listed below are the tables that show the amount of the federal grants relating to this project and a breakdown of the costs associated with the project.

FTA Grant Request Detail

Federal Grant Request	\$9.5 Million
Federal Funds Received	\$5.458 Million
Funds Pledged 1/00:	\$1.743 Million
• FY 2000 Bus Money*	\$433,000
• FY 2000 FTA Olympic Grant	\$410,000
• FY 2000 UDOT Hwy. Funds*	\$410,000
• FY 2000 FTA Intermodal Grant	\$490,000
Difference Request v Pledged/Received	\$2.299 Million
*Difference w/out Bus and UDOT \$	\$3.142 Million

Project Cost Summary

	1 Season	Phased
Total Site Work	\$3,038,400	\$3,038,400
Total Building Cost	\$1,469,400	\$1,525,600
Roundabout Costs	\$851,400	\$851,400
Environmental Remediation	\$376,800	\$376,800
Subtotal Construction Contract	\$5,736,000	\$5,792,200
Environmental Remediation - Design	\$80,000	\$80,000
Additional Items and Contingencies	\$560,000	\$563,000
Soft Costs (Design, Management, etc.)	\$1,145,000	\$1,145,000
Transportation Planning	\$400,000	\$400,000
Art	\$100,000	\$100,000
Carr Parcel	\$500,000	\$500,000
Pedestrian and Trail Improvements	\$1,187,300	\$1,187,300
UPL Relocation & PCMC Fiber Optic	\$122,500	\$122,500
Subtotal Design and Other	\$4,094,800	\$4,097,800
Deer Valley Drive Retaining Wall	\$126,000	\$126,000
Grand Total	\$9,956,800	\$10,016,000

The total amount of FTA grants that the City has requested for this project is \$9,500,000 (Grand Total minus \$80,000 in environmental design and \$376,800 in construction environmental remediation). The environmental remediation amount will be funded by the Transportation Fund and those funds are budgeted. In addition, Park City Mining Company will contribute roughly \$110,000 towards City costs related to the roundabout (environmental).

The City needs roughly \$3 million in FTA grants to complete the project. These funds have been requested as part of the FY 2001 federal funding request. This figure includes roughly \$1,000,000 for pedestrian and trail improvements related to the transit center (City Park Trail) that have been requested. The contract before City Council does not include those costs. Therefore, the FTA amount needed to construct everything but the additional City Park pedestrian and trail improvements is roughly \$2 million.

On January 20, 2000 City Council indicated their desire to complete the project during one construction season. City Council indicated that they may be willing to borrow funds in order to do this. The amount of funds City Council would need to borrow at this time for the whole project would be roughly \$3 million or \$2 million for everything but the City Park Trail improvements. The city could borrow about \$1 million less in each instance if it used the bus money and UDOT funds to cover construction costs until the FTA grant was received. On March 30, 2000, City Council (through the Municipal Building Authority or MBA) will be asked to formally indicate their intent to borrow funds. City Council will need to take additional formal action to borrow the funds at a later date (May 2000). Staff recommends that Council approve the parameters resolution, but not formally borrow the funds until the City has a better indication of how much they will receive in FY 2001 funding from the FTA and whether the UDOT and bus funds are available for use in the interim.

The City currently has a Letter of No Prejudice and Grant from the federal government. This means that eligible grant expenses related to the project will be reimbursed by the FTA once funds are appropriated. The City's current Letter of No Prejudice expires September 30, 2000. The City is in the process of applying for a new letter and amending its grant with the FTA to include interest costs associated with the MBA bond. The City would obviously not borrow the funds until the new letter of no prejudice is approved by the FTA and the grant is amended. Due to a provision in the contract that limits expenditure amounts to \$4 million until approved by the City, staff is also confident that the new Letter of No Prejudice will be in place before the City expends all of the FTA grant funds already received for this construction contract.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: The project schedule for the engineering and design of the Old Town Transit Center would be significantly impacted.

RECOMMENDATION: Authorize the Mayor to execute a contract, substantially as attached in a form approved by the City Attorney, to Herm Hughes and Sons for construction services of the Old Town Transit Center and Deer Valley Drive Roundabout in a fixed price with delivery incentives of \$5,736,000. The recommended contract would cause the project, except for landscaping, to be done in 2000. Authorize a change order in the amount of \$262,000 to Herm Hughes and Sons for additional services, approve payment to Utah Power and Light in the amount of \$93,027 and approve a payment to Cache Valley Electric in the amount of \$29,473.

CITY COUNCIL STAFF REPORT

DATE: March 15, 2000 (March 30, 2000 Meeting)
DEPARTMENT: Planning and Legal Departments
AUTHOR: Kirsten Whetstone, AICP KAW
TITLE: LMC Re-Write Phase 1; General Provisions/Procedures, Definitions, Non Conforming Uses, and Off-Street Parking.
TYPE OF ITEM: Adoption of an Ordinance approving revisions to the Land Management Code.

SUMMARY RECOMMENDATIONS: Adopt an Ordinance approving revisions to the Land Management Code, specifically for Chapter 1- General Provisions and Procedures, Chapter 2- Definitions, Chapter 12- Non-Conforming Uses, and Chapter 13- Off-street Parking, as part of the comprehensive rewrite of the LMC.

A. Background. On February 23, 2000 the Planning Commission forwarded to City Council a positive recommendation on specific portions of Phase I of the Land Management Code revisions. Phase I consists of General Provisions/Procedures, Definitions, Districts and Regulations, Non Conforming Uses, and Off- Street Parking. The general philosophy of the rewrite is to:

- *reorganize the document structure;
- *clarify and resolve existing inconsistencies;
- *update regulations to be consistent with the General Plan;
- *provide self-contained (user-friendly) chapters;
- *make the document easier to read; and
- *provide graphics and illustrations.

In December 1998 the Planning Commission forwarded to City Council a positive recommendation on Phase I. Council conducted several work sessions and public hearings, including a public hearing on February 25, 1999, and remanded portions of the draft back to the Planning Commission for additional revisions. On February 23, 2000 the Planning Commission forwarded a positive recommendation on the following sections: HRL and HR-1 zoning districts, General Provisions, Definitions, Non-

Conforming Uses, and Off-Street Parking. On March 2, 2000 the City Council adopted the revised HRL and HR-1 zoning district sections. The Commission had no outstanding issues with the remainder of these forwarded sections. On March 16, 2000 the City Council held a public hearing to discuss these proposed changes. There were no public or Council comments on these revisions.

The Planning Department recommends that Council adopt the Ordinance approving revisions to the Land Management Code for the following revised sections (General Provisions and Procedures, Definitions, Non-Conforming Uses, and Off-Street Parking).

Planning Commission public hearings for the remainder of Chapter 7, Zoning Districts and Regulations, are scheduled for March 22 and April 26, 2000. Once these remaining sections have been forwarded to City Council, staff will schedule a public hearing before the City Council. Staff anticipates adoption of the remainder of Phase I of the LMC re-write by mid- May. Work has begun on Phase II and a work session with the Planning Commission is scheduled for March 29, 2000 to discuss revisions to Chapter 10, Master Planned Developments.

A summary of the general Phase I changes is attached. A draft of the revised sections was delivered to the Council with the March 2, 2000 packet. Please bring your notebooks and draft revisions to the meeting.

Please note the following revisions to the drafts handed out:

In Section 15-3-3 (I) Tandem Spaces the following language has been added to the last paragraph.... unless there is an adequate landscaped buffer between the street and parking pad, subject to review by the Community Development Department. A graphic will be added showing this scenario, which provides some flexibility for tandem parking parallel to the street for lots of adequate width and depth to accommodate additional landscaping.

In Section 15-3-6 (B) Non-Residential Uses add the word theater to "Indoor Entertainment" and the following language to the parking ratio requirement: One (1) space per 4 seats or,, depending on the type of facility.

In Chapter 15- Definitions, the following changes are proposed:

New Definitions:

Agriculture. Agriculture means crop production, orchards, flower production, honey bees, and raising and grazing of horses and livestock.

Front Facing Garages. Front facing garages means that the garage doors face or are generally parallel to the street frontage.

Parking, Residential. A Parking Area or Structure used exclusively for residential, non-commercial uses.

Outdoor Recreation Equipment. Playground equipment and accessory park related amenities, such as swing sets, slides, jungle gyms, sand boxes, picnic tables, volleyball nets, baseball backstops, basketball standards, frisbee golf holes, soccer goals, and similar amenities.

Revised Definitions

Dwelling Unit. A Building or portion thereof designed for use as the residence or sleeping place of one (1) or more persons or families and includes a Kitchen, but does not mean a Hotel, Motel, Lodge, Nursing Home, or Lock-out room.

Kitchenette. An area used or designed for the preparation of food and containing a sink, refrigerator, and an electrical outlet which may be used for a micro wave oven. No 220V outlet for a range or oven is provided. A kitchenette is not intended to be used in such a manner as to result in the establishment of an additional Dwelling Unit.

B. Recommendation. Adopt an Ordinance approving revisions to the Land Management Code, specifically relating to the following Sections: General Provisions and Procedures, Definitions, Off-Street Parking, and Non-conforming Uses.



DATE: March 30th, 2000
DEPARTMENT: Public Works
AUTHOR: Jerry Gibbs, P.E.
Kent Cashel, Interim Transportation Director
TITLE: Park City Transit Development Plan
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt the Park City Transit Development Plan with changes detailed in the analysis section below.

DESCRIPTION:

A. Topic: Park City Transit Development Plan

B. Background: The number of riders on Park City Transit has increased from 900,000 riders in 90-91 to 1,200,000 riders in 98-99. Park City Transit provides a key service enhancing the mobility of both residents and visitors. This community service will play an important role as local, regional and employee transportation needs increase.

Park City Municipal Corporation selected Leigh, Scott and Cleary, Inc. and Multisystems, Inc. to assist in developing a transit plan. The study focuses on means of improving public transit services within Park City and also considers potential connecting services to other communities. The study has been funded in part by a grant from the Federal Transit Administration.

The plan aims to aid in the expansion of the transit system over the next five years, including improvements in services, provision of the appropriate transit fleet and facilities, improvements in marketing and management practices, and provision of capital and operating funding.

The overall goals of this effort are as follows:

1. To improve the quality of life for year-round and seasonal residents of Park City by insuring convenient and easy access to a variety of local destinations.
2. To improve the quality of visitor experience by limiting the impact of traffic congestion, traffic delays, and obstacles to pedestrian travel.

3. To improve economic development and commercial opportunities within Park City, especially in districts where the available supply of parking is limited.
4. To reduce the demand for parking in key areas of Park City, especially in the Old Town section where current demand exceeds the available supply of parking spaces.
5. To improve automobile, bicycle, and pedestrian safety for Park City residents and visitors.
6. To reduce traffic congestion and to improve traffic flows on major Park City roadways.
7. To preserve the scenic beauty, natural resources, and environmental integrity of Park City.
8. To improve air quality in the region by reducing auto emissions.

The City held public meetings to gauge support for various potential service levels. The consensus supported:

- ▶ improving the core service;
- ▶ providing regional transportation with County participants paying a fair share of costs;
- ▶ providing a shuttle system to serve residential areas in town;
- ▶ trying a pilot employee shuttle to Heber and/or Kamas; and
- ▶ not offering direct public transit service to Salt Lake City.

C. Analysis: The development plan was completed based on extensive staff, City Council, Planning Commission and public input. The plan was presented to City Council on February 24th. Following this presentation staff met with each of the Council members to solicit their feedback on the plan. Based upon Council input gathered at these meetings staff is recommending that the following changes are incorporated into the plan.

1. Employee Ride-Share (Program replaces Subscription Service to Heber).

This program replaces the Heber Subscription Service identified in the original plan. The three level approach is designed to reduce the number of employee work trips into Park City. The program will focus on commuters living in areas outside of Park City that employers draw employees from (e.g., Snyderville, Pinebrook, Kamas, Heber). This program is consistent with programs used by other transit agencies, is flexible enough to adjust to shifting demographics, and matches capital outlay to identified demand. Below is an outline of this three level program.

Level 1

Research & initiate a pilot ride-share program FY 2000-01

This program will provide a clearing house for commuters who wish to ride-share or car-pool. The program will promote and facilitate ride-sharing by connecting individuals that live in the same area and have similar schedules and work locations. Interested individuals will sign up for the program through the internet or over the telephone. This program will incur some costs related to marketing, software for data gathering, and some level of staff time. Staff is confident that the cost of a ride-share program will be no more than the capital and operating costs budgeted for Heber service in the original plan.

Level 2

Initiate demand driven vanpool & subscription service. The database of ride-share participants will be continually analyzed, along with other available data, to determine where the concentration of employees willing to use alternative commuting methods are located. When a particular location reaches a critical mass sufficient to support van pool or subscription service Park City Transit will work towards servicing this demand. Capital expenditures for this program will be contingent on the availability of federal funding.

Level 3

Initiate demand driven dedicated service. When demand in areas served by van-pool or subscription service reaches a level that will support dedicated service, Park City Transit will work towards servicing this demand. This service may be provided by Park City Transit, through cooperative efforts with County governments and local businesses, or through contracts with service providers. Capital expenditures for this program will be contingent upon available state & federal funding.

2. Automatic Vehicle Location (AVL) and Passenger Count Technology (PCT) in the Transit Development Plan will be moved to year five of the plan.

Feedback from Council members indicated that this technology should not be a high priority at this time. Implementation of AVL & PCT will be moved to FY2004 and made contingent upon a cost benefit analysis and the availability of state or federal funding. Keeping this element in the plan will provide the City with the option of taking advantage of federal or state funding that may become available for such technology in the future.

3. The plan will include a clearer statement of Park City's support for regional transit.

The following statement will communicate Park City's commitment to work with Summit County on the development of a regional transit operation. As regional transit becomes more clearly defined staff will work with Council to integrate regional transit plans into the Transit Development Plan

Staff recommends the following statement for inclusion in the plan:

“Park City supports the development of a regional transit system and plans to cooperate with Summit County to develop such a system. When Summit County defines their transit service area and develops a funding mechanism to finance the service, Park City will support the regional transit effort through one of the following methods:

1. Park City Transit will provide regional transit service through a contractual agreement with Summit County.
2. Park City Transit will cooperate to integrate its routes and schedules with transit services provided by Summit County or the County's third party contractor.
3. Other methods that may be deemed appropriate and are approved by City Council.”

4. FY 2000-01 staff will develop & present a new Park City Transit graphics theme to City Council. This bus graphics theme will be developed around a recreation, mining, or some other theme that is indicative of the Park City life style and character. The theme will be developed utilizing input from citizens, Council and staff. The deadline for the development of this theme has been set to allow time for the above process and to coincide with the manufacturing of the replacement busses ordered in FY 2000.

5. Annual update & review of plan by Council. Council members expressed some concern regarding the age of the demographic data utilized in the report (this data was drawn from the most recent U.S. Census data). In response to that concern staff conducted a search for more recent data. This search included contacts with numerous federal, state and local agencies as well as transportation industry consultants. The search indicated that the only readily available data, at a level of detail required for transit planning, comes from the U.S. Census (the most recent census was conducted in 1990). The transportation consultants that were contacted verified that the use of Census data is an industry standard. Staff's conclusion is that more recent and relevant data will have to be gathered using a customized survey or other similar tool.

Staff does not feel that delaying adoption of the plan, to allow time to gather more recent data is warranted. To address this data concern staff recommends that the Transit Development Plan include a provision that requires the Transportation Director to provide City Council with an annual update of the transit plan in January of each year. This update will come in the form of an annual report that will provide sufficient current and relevant data, analysis and recommendations to allow Council to make decisions concerning appropriate adjustments to the Transit Development Plan.

These January updates coincide with the City's budget process and allow changes in the plan to be incorporated into the budget. The updates will provide Park City Transit with a dynamic financial and operations planning guide. A planning guide that continually adjusts to both the environment in which Park City Transit operates and to the needs of the riders it serves.

6. Vehicle Procurements The Transit Development plan will direct staff to research and consider, at each procurement, vehicles that utilize alternative fuels and incorporate design features (e.g., low floor designs) that enhance rider comfort and operational efficiency.

The plan, with the changes detailed above, anticipates that revenues available from the Transportation Fund will be adequate to meet anticipated operating expenditures. Capital expenditures for buses and other major expenditures are contingent upon 80% funding from the Federal Transit Administration and a 20% local match.

D. Department Review: The City Council, Planning Commission, OCMB, Planning, and other City staff have had an opportunity to participate in public meetings reviewing the alternatives.

ALTERNATIVES:

- A. Adopt the Plan with the Changes Detailed in the Analysis Section Above. Adopt the resolution adopting the Transit Development Plan with the changes detailed in this report. This is staff's recommendation.
- B. Deny The Request This action would force staff to manage their day to day operations and procurements without a coordinated plan.
- C. Continue the Item This action would result in the loss of the City's option to purchase the vehicle required to service the Neighborhood Shuttle program (This option expires on April 6th, 2000). Due to lack of availability of vehicle chassis, allowing this option to expire will push back implementation of the Neighborhood Shuttle program until Summer 2001.
- D. Do Nothing This action would have the same effect as denying the request.

SIGNIFICANT IMPACTS: Adoption of a transit development plan is necessary to request additional funding for equipment through the FTA. Requests for funding must be filed 3 years in advance of the federal appropriation. Without an adopted transit plan Park City will jeopardize its FY 2003 FTA funding. Please note that City Council will separately consider transit plan recommendations and relevant costs before implementation either through separate City Council action or the annual budget process.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: The City will lose its option to purchase the vehicle required to service the proposed Neighborhood Shuttle service. Loss of this vehicle option will delay implementation of the Neighborhood Shuttle service until Summer 2001. With the exception of this vehicle purchase all other operating costs required for the Neighborhood Shuttle program were included and were approved in the City's FY 2001 budget.

RECOMMENDATION: Adopt the resolution adopting the Transit Development Plan.



Resolution No. -00

**RESOLUTION ADOPTING THE PARK CITY TRANSIT
DEVELOPMENT PLAN FOR PARK CITY, UTAH**

WHEREAS, the Planning Commission held a presentation on April 8, 1998, Planning Commission work session meeting on April 14, 1999, a Public Hearing was held on May 12, 1999 and the City Council held a work session meeting on December 18, 1997, and

WHEREAS, good transportation planning is vital to the convenience of our residents and visitors, and good transportation is crucial to our lifestyle in our world-class mountain resort community; and

WHEREAS, the challenges involved in adequately furnishing public transportation for the present and future needs of our residents and visitors require planning and financial resources;

WHEREAS, the Transportation Element of the General Plan was adopted by City Council on June 17, 1999;

NOW, THEREFORE BE IT RESOLVED by the City Council of Park City, Utah that the Park City Transit Development Plan is hereby adopted and becomes effective upon the adoption of this Resolution

PASSED AND ADOPTED THIS 30th day of March 2000

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, Deputy City Attorney



COUNCIL & MBA AGENDA REPORT

DATE: March 30, 2000
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Tom Bakaly, Director of Capital Programs & Budget 
TITLE: Bond Parameters Resolution - Lease Revenue Bonds 2000 Series
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: The Park City Municipal Building Authority (MBA) should approve the recommended financing team and approve the attached Parameters Resolution relating to the issuance of Lease Revenue Refunding Bonds, 2000. These bonds will be used if necessary to fund the difference between the cost of the Old Town Transit Center and Roundabout and federal grant funds received prior to issuance.

DESCRIPTION:

A. Topic: Adoption of a resolution that does the following: 1) Preliminarily authorizes the sale of Municipal Building Authority of Park City Lease Revenue Bonds, Series 2000; 2) Sets parameters relating to the issuance size, length to maturity, and interest rates of the bonds and; 3) Authorizes the preparation and distribution of documents pertaining to the issuance of the bonds. The MBA should also approve the proposed financing team.

B. Background:

The City is currently building the Old Town Transit Center and Roundabout. The City does not have all of the federal funds it needs for the project. The City does have a letter of no prejudice for the entire project that states that City funds will be reimbursed by the Federal Transit Administration (FTA) for approved expenditures once the federal government appropriates all of the funds. City Council has expressed a desire to complete the construction in one year and has therefore authorized staff to explore the possibility of issuing debt for the remaining amount of the federal appropriation needed so the project can be completed in one year.

The City has researched various ways to finance the necessary funds needed for construction. The City has determined that issuing MBA debt with call features is preferable to issuing short term notes or other types of debt for this purpose.

C. Analysis: The attached resolution grants preliminary authorization to issue the MBA bonds. Before bonds are issued, the City Council and the Municipal Building Authority must approve the "Final Bond Resolution." Staff anticipates returning to City Council with the "Final Bond Resolution" during the middle part of October. The Parameters Resolution gives advance notice that the City intends to issue these bonds and starts an appeals period.

Staff recommends that the City Council and the MBA take this opportunity to finance those improvements related to the Transit center and Roundabout that are not currently funded by Congress under the City's FTA grant. The total amount of this borrowing will vary between \$2 million and \$3 million depending upon what is financed. Interest costs related to the borrowing are a reimbursable grant expense under FTA guidelines. Staff is in the process of amending its grant budget with the FTA to reflect financing costs. If funds are borrowed in May of 2000 and paid back in May of 2002, the interest cost will be roughly \$150,000.

The resolution also sets the following general parameters for the bond issue:

1) Size: The resolution sets the maximum amount of the bonds at \$5,000,000. This amount is purposely higher than the amount needed and the bond issuance costs in order to give the MBA flexibility when it comes time to actually sell the bonds.

2) Length to Maturity: The resolution states that the maximum length to maturity cannot exceed 10 years. However there are continuous one year call provision that would allow the City to pay off the bonds sooner.

3) Interest Rates of the Bond Coupons: The resolution states that no single coupon of the bond issue can exceed 8.0%. Staff anticipates that these will be variable interest rate bonds in the range of 5% to 6%.

In addition, the resolution sets the maximum amount of discount that the bonds can be sold at to pay for issuance costs. The 1% parameter is again conservative, and the discount rate should be less than that amount.

4) Financing Team: The proposed Financial Advisor (Municipal Consulting Inc.) and Bond Counsel (Ballard, Spahr, Anderson & Ingersoll) have assisted the City in the past with short-term debt issues.

D. Department Review: The Parameters Resolution has been reviewed by the City Manager's Office, the Legal Department, and the Office of Capital Management and Budget.

ALTERNATIVES:

A. Approve the Request: Adopting the resolution will allow the City to proceed with the bond issue and be able to finance the Transit center in a timely manner.

- B. **Deny the Request:** A Parameters Resolution is not required to issue bonds, but is generally recommended. If the Building Authority does not wish to issue bonds, Staff and City Council would then need to address funding and construction strategies for the Transit Center and Roundabout.
- C. **Continue the Item:** Continuing action on the resolution could delay the overall issuance of the bonds. Because there are timing and funding issues associated with the Transit Center, staff would need to elaborate further on the consequences of continuing this item. A continuance until April 13, 2000 (next meeting) probably would not present significant problems.
- D. **Do Nothing:** This would have the same effect as denying the request.

SIGNIFICANT IMPACTS: Adoption of this resolution will allow the City and the Municipal Building Authority to proceed with the issuance of the bonds in a timely and efficient manner. Swift completion of the bond issuance is needed to take advantage of favorable interest rates and meet the financing needs of the Transit Center. Staff anticipates returning in May, 2000 to actually issue the bonds. Estimated interest costs, which would be an allowed expense once the City's FTA grant is amended, would be roughly \$150,000.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: Not adopting the resolution will impact the City's ability to issue the MBA bonds and finance the remaining portion of the Transit Center project.

RECOMMENDATION: Adopt the attached Parameters Resolution relating to the issuance of Lease Revenue Bonds, 2000 Series and approve the recommended financing team.

