PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 7, 1996

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 7, 1996.

AGENDA

Closed Session

3:30 p.m. Board appointments
Property acquisition

Work Session

4:00 p.m. Field trip to Sandstone annexation site
4:55 p.m. Council questions/comments
5:15 p.m. Chamber/Bureau update
5:30 p.m. Review of regular meeting

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Flagstaff annexation - SR224 - Rich Wyman

III COMMUNICATIONS FROM COUNCIL AND STAFF

Discussion of call-up of Town Run Project

IV MINUTES AND WORK SESSION NOTES OF THE MEETINGS OF FEBRUARY 15, 1996 AND FEBRUARY 22, 1996

V CONSENT AGENDA

1. An Ordinance approving a condominium plat for Bristlecone Condominiums, Park City, Utah
2. Resolution recognizing the contributions of Ski Resort Employees in Park City, Utah
3. Resolution releasing $30,000 from the Prospector Square Property Owners' escrow fund established by the 1987 Parking Agreement

4. Authorize the Mayor to execute a quit claim deed in a form approved by the City Attorney to Orlean Turner

VI RESIGNATIONS AND APPOINTMENTS

Two appointments to the Parks, Recreation, and Beautification Advisory Board for terms beginning immediately and expiring January 1998; two appointments beginning immediately and expiring January 1999; and appointment of an alternate member

VII PUBLIC HEARING

Sandstone annexation petition, approximately 80.13 acres located east of SR224 and northwest of Ridgeview and Mountain Ridge Subdivisions - Jack Johnson Company/Black Diamond Partners

VIII ADJOURNMENT

Posted: 3/4/96

Note: It should be noted that the entries under Public Input and Communications from Council and Staff occurred during the meeting and were not posted. They appear here for ease of reference.

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 7, 1996

Present: Council members Hugh Daniels, Roger Harlan, Shauna Kerr, Paul Sincock, and Chuck Klingenstein

Toby Ross, City Manager; Jodi Hoffman, City Attorney

Joan Calder, Executive Director Chamber/Bureau

Absent: Mayor Brad Olch

1. **Council questions and comments.** Paul Sincock reported that a meeting is scheduled with high school students at 1:30 p.m. in the multi-purpose room at the high school. Mr. Sincock brought up the electrical box issue and felt that with communities burying utilities that installing boxes is contrary. Toby Ross added that staff will continue to monitor this matter. Discussion ensued regarding the committee formed for the City Manager's and City Attorney's annual reviews. Chuck Klingenstein asked the status of the response to a letter from Quentin Scott and Peter Barnes. He suggested that community meetings and the Council work space at Marsac be discussed at the Council's retreat. Hugh Daniels thanked staff for fixing the 10 o'clock whistle and suggested that the Planning and HDC packets have cartoons. He added that the financial quarterly report could be simplified for the public and that some variance reports could be added. Chuck Klingenstein noted that the Mayor asked for a Council member to attend an Olympic Committee meeting on March 14. Paul Sincock volunteered.

2. **Chamber/Bureau update.** Ms. Calder discussed the recent legislative session and the threat to the transient room tax allocation, which is currently the source of funding for destination marketing in the state. The legislation passed would allow certain counties to use these funds for general services. It did not affect Summit County this year, as it doesn't apply to third class counties, but she was quite certain that it would be back next year so that third class counties are included. She added that there was good news for the ski resorts. Resorts were imposed a sales tax on merchandise and equipment to deliver the ski product and also paying sales tax on lift tickets and that was recognized as double taxation. Ms. Calder continued that she hoped that the legislature would deal with county and city financing at a special session and complimented Toby Ross and Jodi Hoffman for their efforts on business license fees. She distributed museum visitor information which indicated a higher volume in the summer season. She also gave Council an updated economic profile which is now produced by staff at the Chamber/Bureau, and welcomed suggestions for data that would be helpful as a resource. Ms. Calder reported that the visitor counts for November and December were down about 20% as there wasn't natural snow until January 13, but January, February and March look about flat with last year's record breaker. Sales tax revenues, however, looks good. In response to a question from Roger Harlan, Ms. Calder didn't have sales tax information on the new Smith's Foods at the Junction. She thanked members of Council who have

attended the focus group meetings and expressed her amazement at the consistency of comments from visitors. She noted that people frequently use the words "friendly" and "genuine" in describing Park City. She emphasized that the complaints Council hears from locals, are different than what the Chamber/Bureau hears from the visitors. In response to a question from Shauna Kerr, Ms. Calder stated that her office has not received comments about the valet parking, but the museum office is keeping track of comments they may receive and will share that information. She felt that most of the comments from visitors were favorable. Contrary to what was anticipated because of the Olympic bid, requests for relocation packets have decreased slightly since July.

3. **Review of regular meeting.** See regular meeting.

4. **Sweeney Town Run Large Scale MPD.** Chuck Klingenstein stated that he is interested in calling up the Planning Commission approval of this project at the regular meeting. He added that there are several issues that go beyond the purview of the Commission. Roger Harlan pointed out that the previous City Council had a policy where there was a call-up only when it was felt that a breach of authority might have occurred. He explained that the prior Council was cognizant of the many hours the Planning Commission spent on projects, and was reluctant to call-up decisions and relaying a lack of confidence. Ms. Kerr explained that she was concerned about the perception when matters were called-up that the Council delegates authority for planning issues and then upsurps their authority be calling-up their decisions. She continued that the difference with Town Run is that it involves consideration of matters beyond the scope of the Planning Commission like the special improvement district, the determination of private or public improvements, vacation of public streets, and building structures within the public right-of-way. For that reason, Ms. Kerr stated that she will support a call-up, and felt that the Planning Commission would be understanding and even welcome Council's position. Paul Sincock agreed with the call-up policy, but felt that there are exceptions, and supported a call-up of the Town Run. Hugh Daniels concurred. Chuck Klingenstein encouraged the people considering an appeal to follow through with filing and Ms. Kerr discussed the benefits of appellants clarifying their issues for Council. The City Manager stated that the applicant has indicated that he would be willing to extend the 30 day time period for scheduling purposes. Discussion ensued regarding the time frame to call up or appeal. Hugh Daniels felt that the Council should commit to hearing this within 30 days and hold extra meetings if needed. Ms. Hoffman explained the criteria to have standing to file an appeal.

See regular meeting minutes.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 7, 1996

I ROLL CALL

Mayor Pro Tem Roger Harlan called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, March 7, 1996. Members in attendance were Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Mayor Brad Olch was excused. Staff present were Toby Ross, City Manager; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

Flagstaff annexation - SR224 - Rich Wyman, resident, discussed his efforts in getting people informed about the impacts of this proposal on Old Town. He noted that Telemark Park was controversial because of the road, and felt that if the City took control of Guardsman Pass (SR224), the developer couldn't take his project to the County. Mr. Wyman believed that the developer has been lobbying the state to obtain the road, but if the City had ownership, it could decide its own fate. The City Manager explained that there have been discussions with the state about the City taking over SR224, but the City has resisted because of the financial implications of owning a substandard road. He clarified that owning a public road would not free the City to make it a cul-de-sac and not provide public access. Mr. Ross added that the location of the road is not an unilateral decision of UDOT in any case, and the City would also have to approve it because of the MPD, if the City is willing to annex. If the City is not willing to annex, there is a whole range of options, but at this time that would be premature because the City is in negotiations with UDOT to improve the road. Toby Ross stressed that the developer cannot obtain the road and it would not be private. He felt that the City has adequate controls in the normal process. If the developer goes to another jurisdiction, the City would at that time, explore other options. The City Manager added that even if the City owned the road, the developer could make an application to the County, because the road is public. Mr. Wyman stated that he feels that this development would have a huge negative impact on the entire community.

With no further comments, the public input session was closed.

III COMMUNICATIONS FROM COUNCIL AND STAFF

1. Call-up of Town Run Project - As a follow-up to discussion during work session, Chuck Klingenstein asked for clarification from legal staff. The City Attorney explained that with owner and non-owner appeals, the Council's obligation is to schedule a hearing within 30 days and there is no time frame for a decision. A non-owner has standing if he lives within 300 feet of the project and/or has written comments to the Planning Commission. Appeals must be filed within 10 days of a Planning Commission decision and call-up within 15 days after a decision. However, Council must hear and take action on a call-up within 30 days or the Planning Commission action is deemed approved. The scope of the review was addressed, and the City Attorney explained that the Council has 30 days to begin an appeal hearing, but there is no limit in the Code regarding action, however, it needs to be reasonable and prudent. Chuck Klingenstein stated that he would not make a motion to call the Town Run Project up this week and will wait to see if appeals are submitted.

2. General Plan update - Growth Management - Nora Seltenrich distributed meeting information for the joint session with the Planning Commission and citizen advisory task force to be held March 14.

IV MINUTES AND WORK SESSION NOTES OF THE MEETINGS OF FEBRUARY 15, 1996 AND FEBRUARY 22, 1996

Hugh Daniels, "I move approval of the Minutes and Work Session Notes of the Meetings of February 15 and February 22, 1996". Shauna Kerr seconded. Motion carried unanimously.

V CONSENT AGENDA

Chuck Klingenstein, "I would motion approval of the Consent Agenda with four items listed including (he read each item)". Shauna Kerr seconded and requested that Mr. Klingenstein amend his motion to remove Item 2 from the Consent Agenda to New Business so that there can be discussion. Mr. Klingenstein agreed to amend his motion. Motion carried unanimously

1. An Ordinance approving a condominium plat for Bristlecone Condominiums, Park City, Utah - See attached staff report.

2. Resolution recognizing the contributions of Ski Resort Employees in Park City, Utah - See New Business.

3. Resolution releasing $30,000 from the Prospector Square Property Owners' escrow fund established by the 1987 Parking Agreement - See staff report.

4. Authorize the Mayor to execute a quit claim deed in a form approved by the City Attorney to Orlean Turner - See staff report.

VI NEW BUSINESS

Resolution recognizing the contributions of Ski Resort Employees in Park City, Utah - Shauna Kerr, "I move that we approve a resolution recognizing the contributions of Ski Resort Employees in Park City, Utah and ask that the Mayor Pro Tem read it into the record". Chuck Klingenstein seconded. Motion unanimously carried.

The Mayor Pro Tem read the resolution and presented framed copies to representatives of the Park City Ski Area and Deer Valley Resort.

VII RESIGNATIONS AND APPOINTMENTS

Two appointments to the Parks, Recreation, and Beautification Advisory Board for terms beginning immediately and expiring January 1998; two appointments beginning immediately and expiring January 1999; and appointment of an alternate member - Paul Sincock reported that the Parks, Recreation, and Beautification Board interviewed the many candidates who applied and have made recommendations to the City Council. Paul Sincock, "I move that we accept the nomination and appointment of Dell Fuller for reappointment on the Parks/Rec Board (January 1996 - 1998), Jill Schifferli (January 1996 - 1998), Mike Andrews (January 1996 - 1998), Arthur Roscoe (January 1996 - 1999) and Phil Archer as an alternate to the Parks, Recreation, and Beautification Advisory Board. Chuck Klingenstein seconded and added that because there has been such interest, that the applicants not selected be kept on a list of alternates. Paul Sincock noted that he would amend his motion to include this. Mr. Sincock added that this Board has taken a more active role and its projects are quite visible. Ms. Kerr explained that the members not selected should be considered when vacancies occur. Motion carried unanimously.

VIII PUBLIC HEARING

Sandstone annexation petition, approximately 80.13 acres located east of SR224 and northwest of Ridgeview and Mountain Ridge Subdivisions - Jack Johnson Company/Black Diamond Partners - Nora Seltenrich, Special Projects Manager, explained that the City has received a petition for annexation. The Planning Commission has approved a master plan development and has forwarded a positive recommendation for annexation. The original application was filed in July 1994 and involved 50 units; since then the Planning Commission has worked with the applicant and now 18 single family lots on 80 acres are proposed. The application includes a dedication of 30 acres to the City. The annexation would also include two pieces of property on the corner of Meadows Drive and SR224. Ms. Seltenrich referred to a letter from Bob Stockard who is concerned about utility easements running through the Mountain Top Subdivision and would prefer to have them through Eagle Point, and also some fencing issues. The preliminary CC&Rs for the project allows some fencing but not solid perimeter fencing and this could be reviewed further at the preliminary plat stage. At that point building heights, house sizes, and CC&Rs will be detailed.

Bob Richer, President of the Mountain Ridge Home Owners Association, thanked staff and the developer for incorporating its concerns into the design, but reiterated the fencing issue. He explained that the language in the draft CC&Rs about fencing is unsatisfactory and would also like to see language regarding perimeter fencing on the recorded plat or conditions of approval. Mr. Richer further explained that the applicant has responded to the concerns about the access road through Mountain Ridge and felt it important that utilities through the subdivision be limited to the easement between Lots 9 and 10. He added that there was some confusion about when Council would discuss this annexation petition in a work session, since Council has changed its scheduling.

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

IX ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3:30 p.m. Members in attendance were Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock.

Mayor Brad Olch was excused. Staff present were Toby Ross, City Manager; Mark Harrington, Assistant City Attorney; Bob Johnston, Leisure Services Director; and Jodi Hoffman, City Attorney. Chuck Klingenstein, "I move to close the meeting to discuss board appointments and property acquisition". Paul Sincock seconded. Motion carried unanimously.

The meeting opened at approximately 4 p.m.

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

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

Prepared by Janet M. Scott

Janet M. Scott

Janet M. Scott, Deputy City Recorder

PARK CITY
1884

CITY COUNCIL AGENDA REPORT

DATE: **February 29, 1996**
DEPARTMENT: **Planning Department**
AUTHOR: **Nora L. Seltenrich**
TITLE: **Bristlecone Condominium Plat**
TYPE OF ITEM: **Legislative**

SUMMARY RECOMMENDATIONS: Approve with recommended conditions.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS:

Applicant:	Kevin Ludlow for Bristlecone Development
Location:	1750-1790 Deer Valley Drive North
Zoning:	RD-MPD
Adjacent Land Uses:	Open Space, Multifamily Residential
Date of Application:	January 18, 1996
Project Planner:	Nora Seltenrich
Staff Recommendation:	Approve with conditions

B. Background.

The Planning Commission approved the Bristlecone MPD on April 26, 1995. Originally, the Bristlecone parcel was shown as expandable area for the Fawngrove Condominiums, but has been subdivided off and developed as a separate project. The project is partially complete.

The Bristlecone MPD consists of 20 units with individual garages and some common parking spaces.

The Planning Commission held a public hearing and approved the final plat on February 14, 1996 with the attached conditions. There was no public input.

C. Analysis

The staff has reviewed the plat and finds it to be consistent with the approved MPD and the approved building plans. The City Engineer and City Attorney have done a preliminary review, and some minor changes will be required prior to plat recordation.

The applicant still has to install a trail along the frontage of the property. A security will be required to be posted to ensure installation of that trail, and of approved landscaping prior to plat recordation.

RECOMMENDATION:

The staff recommends approval of the condominium plat based upon the following:

Findings of Fact:

1. The Bristlecone MPD was approved by the Planning Commission on April 27, 1994 and has been under construction.

Conclusions of Law:

1. The plat is consistent with Chapter 15 of the Land Management Code.

2. The Condominium Plat is consistent with the approved MPD.

3. The plat is not detrimental to the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer shall be required to review and approve the condominium plat and associated covenants and title report prior to plat recordation.

2. The applicant shall be required to install an 8ft hard surface, 2ft soft surface trail along the frontage of the property to match the trail which the City installed last summer. The specifications for that trail consistent with the trails master plan shall be approved by the Community Development Department prior to construction.

3. A final landscape plan shall be approved prior to certificate of occupancy being issued on the project. A security guaranteeing the installation of the trail and landscaping will be required to be posted prior to plat recordation. The landscaping and berm shall be consistent with the landscaping on the adjacent property. The berm shall be designed to undulate.

Ordinance No. 96-

AN ORDINANCE APPROVING A CONDOMINIUM PLAT FOR BRISTLECONE CONDOMINIUMS PARK CITY, UTAH

WHEREAS, Bristlecone Development has requested a final condominium plat for the Bristlecone Condominiums; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on February 14, 1996 to receive testimony on the proposed record of survey; and

WHEREAS, on February 14, 1996 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions; and

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

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

SECTION 1. **CONCLUSIONS OF LAW.**

1. The plat is consistent with Chapter 15 of the Land Management Code.

2. The Condominium Plat is consistent with the approved MPD.

3. The plat is not detrimental to the health, safety and welfare of the citizens of Park City.

SECTION 2. **EFFECTIVE DATE.** This ordinance shall become effective immediately.

SECTION 3. **PLAT APPROVAL.** The Record of Survey for the Bristlecone Condominiums as attached as exhibit A is hereby approved with the following conditions:

1. The City Attorney and City Engineer shall be required to review and approve the condominium plat and associated covenants and title report in accordance with the conditions of approval and the Land Management Code prior to plat recordation.

2. The applicant shall be required to install an 8ft hard surface, 2ft soft surface trail along the frontage of the property to match the trail which the City installed last summer. The

specifications for that trail shall be consistent with the trails master plan and shall be approved by the Community Development Department prior to construction.

3. A final landscape plan shall be approved prior to certificate of occupancy being issued on the project. A security guaranteeing the installation of the trail and landscaping will be required to be posted prior to plat recordation. The landscaping and berm shall be consistent with the landscaping on the adjacent property. The berm shall be designed to undulate.

PASSED AND ADOPTED this 7th day of March, 1996

PARK CITY MUNICIPAL CORPORATION

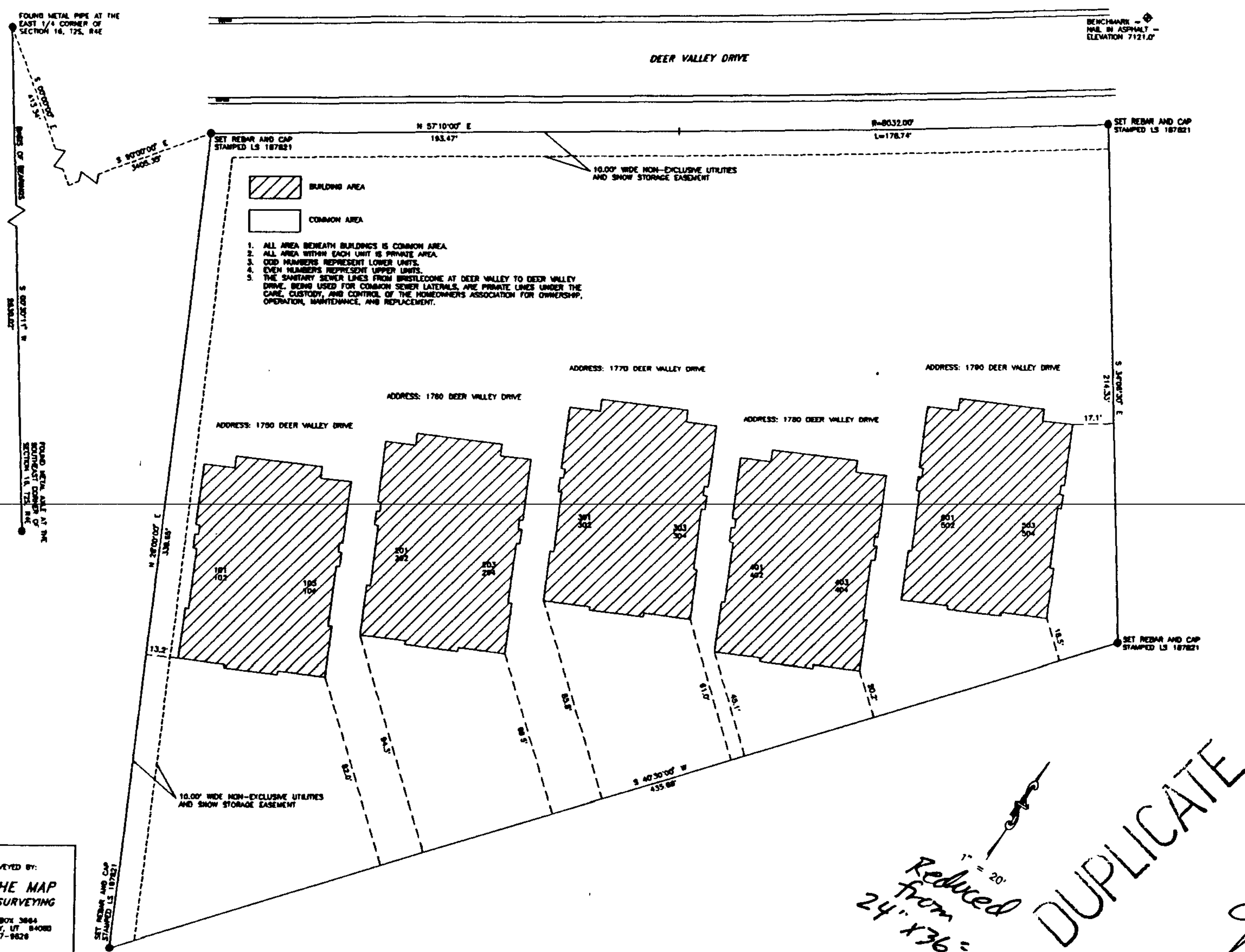
Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney



Reduced from 24" x 36"

DUPLICATE

SURVEYED BY:
ON THE MAP
LAND SURVEYING
P.O. BOX 3864
PARK CITY, UT 84060
647-9626

RECORD OF SURVEY
"BRISTLECONE at DEER VALLEY"
LOCATED IN SECTION 15, T2S, R4E, SLB&M
A UTAH CONDOMINIUM PROJECT

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT, THAT BRISTLECONE DEVELOPMENT, L.C., A UTAH LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE PARCEL OF LAND DESCRIBED HEREON, HAS CAUSED THIS SURVEY TO MADE AND THE MAP TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS RECORD OF SURVEY AT THE SUMMIT COUNTY RECORDER'S OFFICE.

____
KEVIN L. LUDLOW, MANAGER, BRISTLECONE DEVELOPMENT, L.C.

CORPORATE ACKNOWLEDGEMENT

STATE OF ______________

COUNTY OF ______________

ON THIS ______ DAY OF ____________, 1995, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, KEVIN L. LUDLOW, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE MANAGER OF BRISTLECONE DEVELOPMENT, L.C., OWNERS OF THE HEREON DESCRIBED PROPERTY, AND THAT HE SIGNED THE ABOVE OWNER'S CONSENT TO RECORD FREELY AND VOLUNTARILY.

____
NOTARY PUBLIC

MY COMMISSION EXPIRES: ______________

RESIDING AT: ______________

SURVEYOR'S CERTIFICATE

I, JOE DHAENENS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW.

NOTES

1. THE BASIS OF BEARINGS FOR THIS SURVEY IS AS SHOWN.
2. SURVEY MONUMENTS WERE FOUND OR SET AS SHOWN.
3. THE PURPOSE OF THIS SURVEY IS FOR A CONDOMINIUM SURVEY.
4. THIS SURVEY WAS REQUESTED BY KEVIN LUDLOW, FOR BRISTLECONE DEV., L.C
5. THIS SURVEY WAS PERFORMED ON MAY 8, 1995.
6. THE OWNER OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBERANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT WHERE OTHERWISE SHOWN.
8. ALTERATION OF ANY SURVEY DATA SHOWN HEREON WITHOUT THE SURVEYOR'S CONSENT MAKES THIS SURVEY INVALID.
9. THIS SURVEY REPRESENTS FIELD CONDITIONS PRIOR TO THE CONSTRUCTION OF BUILDINGS.

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 413.34 FEET AND EAST 3405.35 FEET FROM THE EAST ONE-QUARTER CORNER OF SECTION 16, SAID TOWNSHIP AND RANGE, THENCE N 57°10'00" E 193.47 FEET TO A [illegible] 8032.00 FOOT RADIUS CURVE, THENCE NORTHEASTERLY [illegible] ALONG THE ARC OF SAID CURVE, THENCE S 34°08'30" E 214.33 FEET, THENCE S 40°30'00" W 435.68 FEET, THENCE N 28°00'00" W ALONG THE EASTERLY PROPERTY LINE OF [illegible] PHASE 2 338.65 FEET TO THE POINT OF BEGINNING.
PARCEL AREA: 10748[illegible] SQUARE FEET [illegible] ACRES)

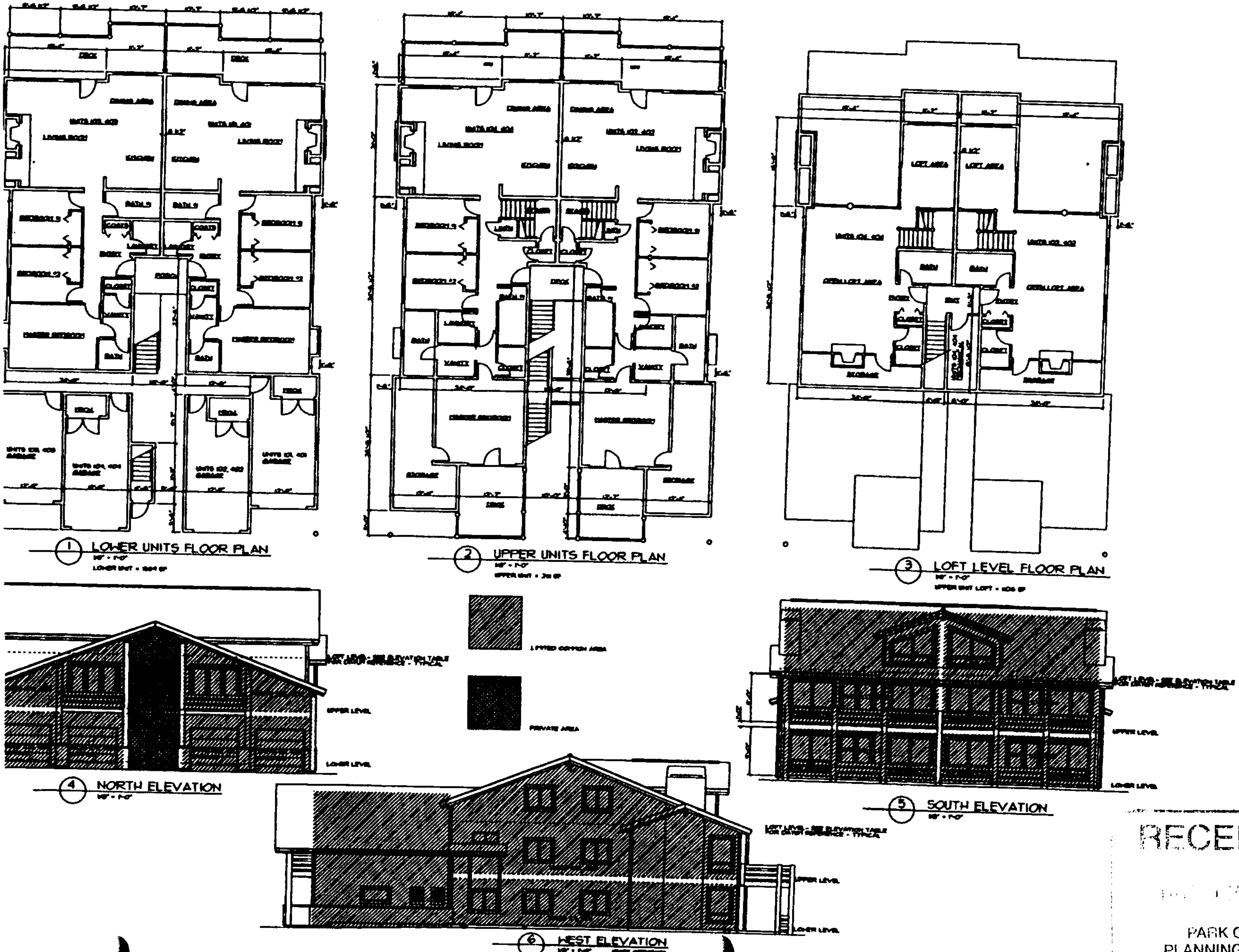
JOE DHAENENS
DATE 12-[illegible]-95

REGISTERED LAND SURVEYOR
No. 187821
JOE DHAENENS
STATE OF UTAH

CITY COUNCIL	CITY ENGINEER	CITY PLANNING COMMISSION	CITY ATTORNEY	SEWER DISTRICT APPROVAL
APPROVED BY THE PARK CITY COUNCIL ON THIS ______ DAY OF __________, 1995.	APPROVED BY THE PARK CITY ENGINEER ON THIS ______ DAY OF __________, 1995.	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS ______ DAY OF __________, 1995.	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS ______ DAY OF __________, 1995.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF __________, 1995.
MAYOR	CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	S.B.S.I.D.
CITY RECORDER				

RECORDED
NUMBER ______
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF ______
DATE ______ TIME ______ BOOK ______ PAGE ______
FEE $ ______ COUNTY RECORDER

RECEIVED
JAN 1 3 1996
PARK CITY
PLANNING DEPT.


1 LOWER UNITS FLOOR PLAN
2 UPPER UNITS FLOOR PLAN
3 LOFT LEVEL FLOOR PLAN
4 NORTH ELEVATION
5 SOUTH ELEVATION
6 WEST ELEVATION
UPPER LEVEL
LOWER LEVEL
PRIVATE AREA

31

PARK CITY
1884

RESOLUTION RECOGNIZING THE CONTRIBUTIONS OF SKI RESORT EMPLOYEES IN PARK CITY, UTAH

WHEREAS, Park City is more dependent for its recreation, fun, psychic well-being, and economy on the ski areas than it sometimes publicly acknowledges; and

WHEREAS, the City is deeply appreciative of the often unsung efforts of the many employees at the ski resorts who under sometimes adverse conditions, work long hours in relative obscurity; and

WHEREAS, given the vagaries of our weather, which teased us with virtually no early season snow, and then mercifully dumped on us in record amounts; and

WHEREAS, the snowmakers, groomers, maintenance crews, ski patrols, race departments, lift operators, administrative staffs, and all the other unnamed, unmentioned, and under-appreciated workers -- too numerous to count, contributed to opening the ski resorts and running world class competitions in the face of the aforesaid vagaries of the weather, thus saving the ski season from almost certain disaster;

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Council of Park City, Utah hereby proclaim that:

1. The citizens of Park City, Utah owe a tremendous debt of gratitude to all the employees at the ski resorts; and

2. The snowmaking crews that proudly proclaim that they have "bigger guns and longer hoses" do indeed have; and

3. Thursday, March 7, 1996, is hereby designated as a formal day of community respect and recognition for all that the ski resort employees do to insure the well-being and livelihood of the entire community.

PASSED AND ADOPTED this 7th day of March, 1996.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

City Recorder

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5000 • FAX (801) 645-5078

PARK CITY
1884

CITY COUNCIL REPORT

DATE: February 27, 1996
DEPARTMENT: Community Development
AUTHOR: Richard E. Lewis, Director of Community Development
TITLE: Release of Escrowed Parking Funds - Prospector Square Property Owners Association
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Release $30,000 of parking escrow funds to the Prospector Square Property Owners Association for parking lot improvements in the Prospector Square Area.

DESCRIPTION:

A. Topic: Release of escrowed parking funds
Applicant: Dean S. Berrett, Board Member, Prospector Square Property Owners Association

B. Background: The Prospector Square Property Owners Association submitted a formal request on February 5, 1996 for the release of up to $40,000 of escrowed parking funds. These funds would be used to pay for parking lot improvements in the Prospector Square Area.

C. Analysis: The City Council, at their work session meeting of February 22, 1996 reviewed the request and determined that $30,000 of the escrowed funds could be released at this time. The City Council further indicated that the Planning Department Staff should pursue an Overlay District for the Prospector Square Area which would limit all future development to no more than two stories in height unless parking for a third story could be provided on the same site as the structure.

RECOMMENDATION: Release $30,000 of the total escrowed parking fees to the Prospector Square Property Owners Association.

RESOLUTION NO. ________- 96

A RESOLUTION RELEASING $30,000 OF ESCROWED PARKING FUNDS TO THE PROSPECTOR SQUARE PROPERTY OWNERS ASSOCIATION TO BE USED FOR PARKING LOT IMPROVEMENTS

WHEREAS, Intermountain Mortgage Company, Inc., the owners of Lot 14C in Prospector Square, Park City, have obtained a building permit for a structure on said property which will have a third floor; and

WHEREAS, the Parking Agreement between Prospector Square Property Owners Association and Park City Municipal Corporation dated September 15, 1987, specifies that third floor uses in the Prospector Area must either provide parking on-site or pay $10,000 per required parking stall into a Parking Escrow Fund; and

WHEREAS, pursuant to the Escrow Agreement attached hereto as "Exhibit A", Intermountain Mortgage Company, Inc., has paid $40,000 into the parking fund escrow account representing the requirement for four (4) parking stalls; and

WHEREAS, Intermountain Mortgage Company, Inc., acknowledges that Park City Municipal Corporation has total discretion as to how to use the funds, and has waived any right to future repayment or to influence Park City's use of payment of the funds; and

WHEREAS, the Prospector Square Property Owners Association has requested that Park City Municipal Corporation release said funds to the Association for the purpose of parking lot improvements in the Prospector Square Area; and

WHEREAS, the City Council at their work session meeting of February 22, 1996 considered the request from the Prospector Square Property Owners Association and determined that $30,000 of the escrowed funds could be used for parking lot improvements;

NOW, THEREFORE BE IT RESOLVED by the City Council of Park City, Utah that $30,000 of the funds which have been escrowed for parking improvements shall be released to the Prospector Square Property Owners Association to be used specifically for parking lot improvements within the Prospector Square Area.

PASSED AND ADOPTED this 7th of March, 1996.

PARK CITY MUNICIPAL CORPORATION

____

Bradley A. Olch, Mayor

Attest:

____

Anita L. Sheldon, City Recorder

Approved as to form:

____

Mark Harrington, Assistant City Attorney

Receipt, Acknowledgment and Waiver

Intermountain Mortgage Company, Inc. (Intermountain Mortgage) hereby delivers to Park City, and Park City hereby acknowledges receipt of Forty Thousand Dollars ($40,000) (the Funds) as payment in lieu of on-site parking required for the construction of third floor office space at 2029 Sidewinder Drive. For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties further agree as follows:

1. Park City shall set aside the Funds to be used for parking, or parking-related enhancements, within the Prospector area.
2. Intermountain Mortgage acknowledges that Park City's use of the Funds may not ultimately or directly benefit Intermountain Mortgage.
3. Intermountain Mortgage hereby warrants that payment of the Funds fulfills a contractual obligation only, and is not a payment of impact fees.
4. Intermountain Mortgage acknowledges Park City's discretion to use the Funds and hereby waives any right to future repayment of, or to influence Park City's use or payment of, the Funds.

~~Dated this~~ 24 day of ~~December~~ January, ~~1995~~ 1996

INTERMOUNTAIN MORTGAGE

By ____________

Its President

2583

NOTARY PUBLIC
MARITA R. BEALL
3605 W. Saddle Back Rd.
Park City, Utah 84060
My Commission Expires
November 7, 1998
STATE OF UTAH

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

The foregoing was acknowledged before me on the 24 day of ~~December~~ January, ~~1995~~ 1996, by Rod Katz on behalf of Intermountain Mortgage Company, Inc., who executed the same with authority of said corporation.

____
Notary Public

APPROVED AS TO FORM:

____
Jodi Hoffman, City Attorney

PARK CITY MUNICIPAL CORPORATION

____
Richard Lewis, Director of Community Develop

35

Post-it Fax Note	
To Rod Katz	
Co./Dept.	Co. PCMC
Phone #	Phone # 645-5021
Fax # 649-6685	Fax # 655-9801

EXHIBIT 'A'

PCMC-CDD DEC 04 '95 12:35 No.002 P.01

PARK CITY 1884

DATE: 3/1/96
DEPARTMENT: Legal
AUTHOR: Mark Harrington
TITLE: Authorization of QCD to O. Turner
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Authorize the Mayor to execute a Quit Claim Deed ("QCD") in a form approved by the City Attorney to Orlean Turner for the property described in Exhibit E in exchange for $500.

DESCRIPTION:

A. Topic:

A property claim on the Colman open space parcel

B. Background:

As discussed at the last closed session, the City has developed a settlement strategy for how to help facilitate resolution of long standing property claims by owners adjacent to the Colman parcels purchased by the City in 1994. This is the first of several such anticipated claims. To facilitate the public's understanding of the City's position in regard to the claims, staff recommends that the Council moves to make the "protected" material, distributed in last week's closed session, available to the public.

Ms. Orlean Turner is the owner of lot 5 and a portion of lot 6 of Block 20 of the Park City Survey (158 Main St.). Ms. Turner has submitted a request that the City quit claim its interest in the area directly to the rear of the lots as described in her letter attached as Exhibit A and as shown on the survey reductions attached as Exhibits B and C. The area is enclosed by a fence and a garage sits on the area (.03 acres or approximately 1100 sq. ft).

C. Analysis:

Staff believes that based upon the information supplied by Ms. Turner that her claim falls in the first category of claims as discussed in closed session. Accordingly, staff recommends that the City quit claim the area to Ms. Turner for the standard administrative fee of $500, subject to the utility and drainage easement as depicted on Exhibit C and Ms. Turner's agreement to participate in a lot combination for the area and lots 5 and 6.

D. Department Review:

The Legal Department and City Engineer reviewed this claim.

ALTERNATIVES:

A. Approve the Request:

This is the recommended action.

B. Deny the Request:

See below for consequences.

C. Continue the Item:

If the Council wants more information, it should remove the item from the consent agenda and continue to a work session meeting.

SIGNIFICANT IMPACTS:

The area in question is already encumbered by a building and fence improvements owned by Ms. Turner (see Exhibit D), and it is very small in relation to the overall open space parcel. Therefore, there are no significant impacts resulting from the transfer of title. The utility and drainage easement preserve and clarify the City's ability to service the culvert passing by the rear of the property.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

Ms. Turner may likely attempt to take formal legal action. Until the matter was resolved, her title to the property would remain unclear. The City would not have the full access to the culvert for maintenance without the easement.

RECOMMENDATION:

Authorize the Mayor to execute a QCD in a form approved by the City Attorney to Orlean Turner for the property described in Exhibit E in exchange for $500.

EXHIBIT A

Aug 30, 1995
Mr Mark Harrington
Assistant City Attorney
P.O Box 8460

Regarding 158 Main Street
Block 20 - lots 5 and 6.
Tax parcel P.C. 250.
Owner: Orlean Turner Po Box 491 Park City, Ut 84060

Dear Mr. Harrington,

Thank you for meeting with me June 12, 1995
I purchased the home addressed as 158 Main St. Park City, utah on August 1, 1972
My husband J. Boyd Turner was co-owner. When he found he had a terminal illness he signed a quit claim deed signing the property over to me. (deed is enclosed)

When I bought the house there was storage sheds behind the house that had been there more than 100 years - (photo is enclosed)

I used these sheds until the Snyderville sewer district removed most of them without my permission
I managed to keep four feet of the old sheds and the fence that was attached.

38

In addition to the sheds my back ~~area~~ yard area contains my deck and has been used and fenced since 1972.

I discussed the situation with Robert Adkins, Summit County Attorney who noted that in cases like mine, the court usually awards the homeowner the property that has been adversely possessed for more than 20 years.

I've had the property surveyed and have enclosed a copy of that survey which shows my house with the property I own and the property I make claim to on another description.

It is my request that you review the status of my claim and the survey and you'll please honor my request for adverse possession of the yard and shed property and deed such to me. Thank you for meeting with me.

Sincerely

Orlean Turner

EXHIBIT B

LINE	DIRECTION	DISTANCE
L1	S23°31'00"E	74.29ft
L2	S08°54'00"W	44.37ft
L3	S83°56'00"E	89.85ft
L4	S83°56'00"E	52.73ft
L5	S23°31'00"E	72.59ft
L6	S04°36'09"E	67.52ft
L7	S30°57'00"W	280.12ft
L8	S53°24'05"W	37.75ft
L9	N32°24'20"E	40.32ft
L10	N15°15'23"E	96.54ft
L11	N81°31'00"W	29.02ft
L12	N18°04'54"E	23.98ft
L13	S81°31'00"E	25.78ft
L14	N09°36'14"E	75.01ft
L15	N81°31'00"W	22.27ft
L16	N18°16'40"E	34.50ft
L17	S81°31'00"E	15.70ft
L18	N10°52'08"E	16.43ft
L19	S81°19'02"E	19.90ft
L20	N08°54'20"E	27.21ft
L21	N81°19'02"W	28.95ft
L22	N18°16'40"E	22.68ft
L23	N23°31'00"W	29.48ft
L24	S81°31'00"E	18.82ft
L25	N05°01'12"E	28.03ft

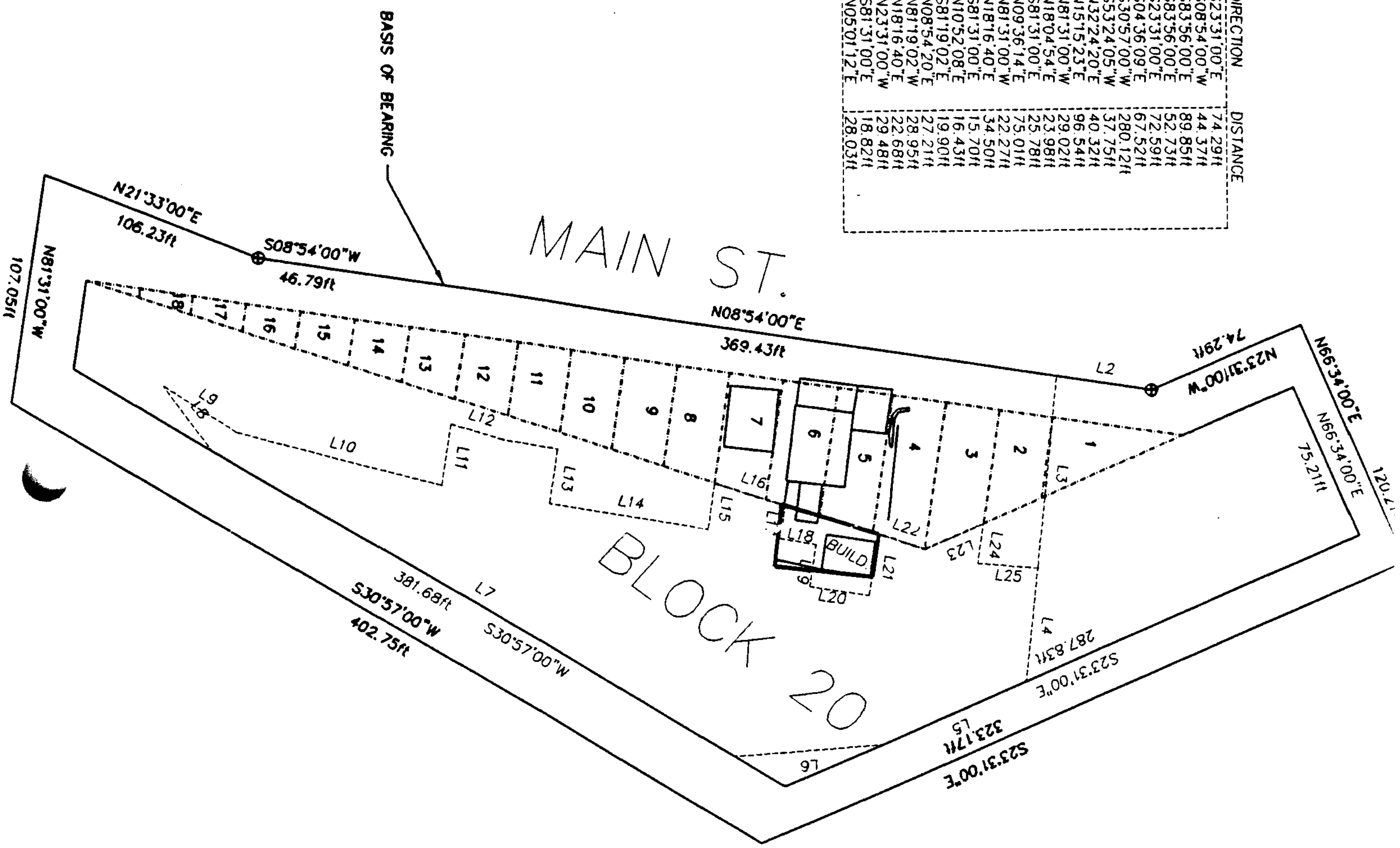


EXHIBIT C

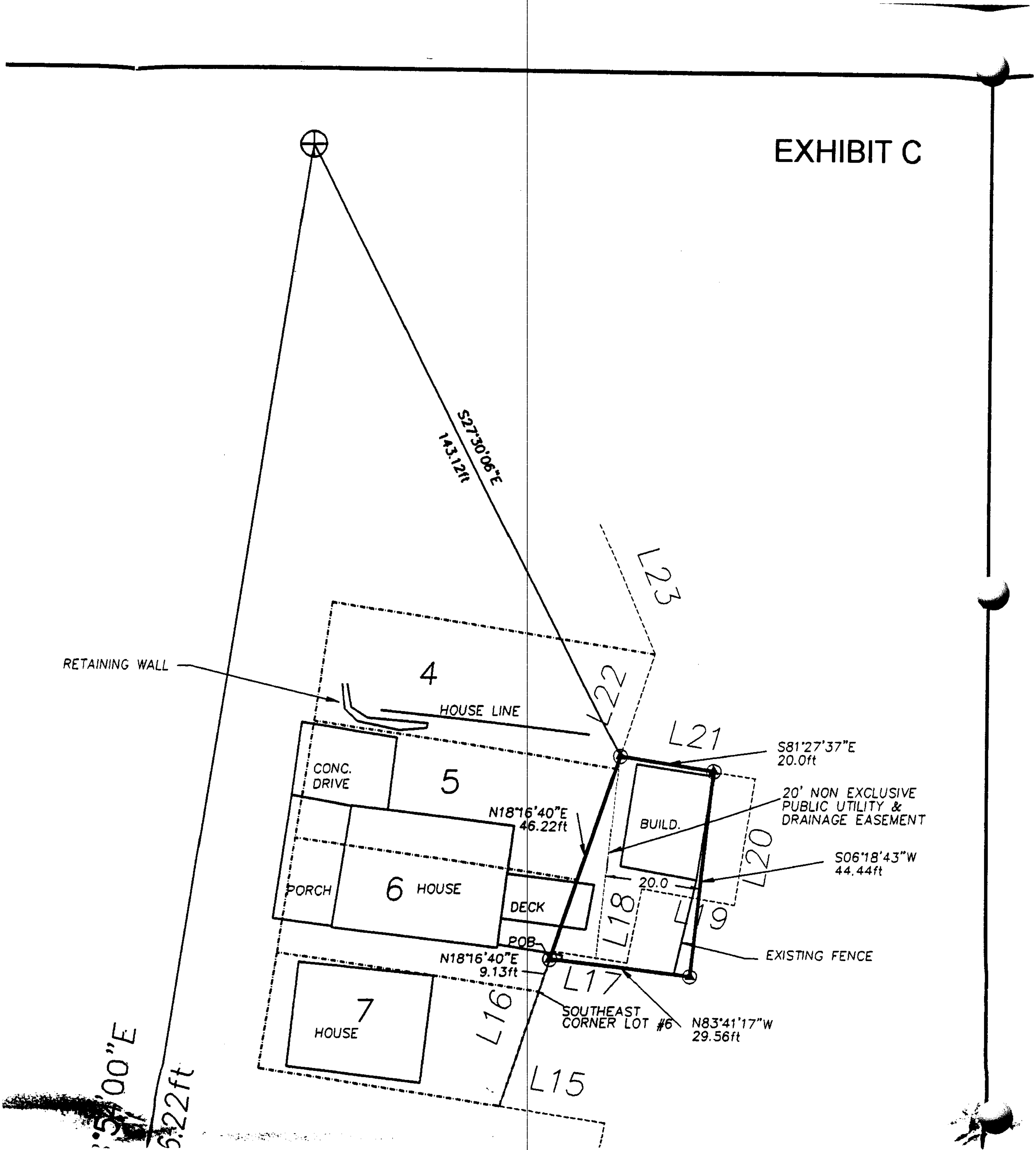

S27°30'06"E
143.12ft
L23
RETAINING WALL
4
HOUSE LINE
L22
L21
S81°27'37"E
20.0ft
CONC.
DRIVE
5
BUILD.
20' NON EXCLUSIVE
PUBLIC UTILITY &
DRAINAGE EASEMENT
N18°16'40"E
46.22ft
L20
S06°18'43"W
44.44ft
20.0
PORCH
6 HOUSE
DECK
L18
L19
POB
EXISTING FENCE
N18°16'40"E
9.13ft
L17
L16
SOUTHEAST
CORNER LOT #6
N83°41'17"W
29.56ft
7
HOUSE
L15

EXHIBIT D

EXHIBIT E

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR HOLDING CERTIFICATE NO. 145796 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT AND THAT THIS PLAT IS TRUE AND CORRECT.

BOUNDARY DESCRIPTION

BEGINNING AT A POINT THAT IS N18°16'40"E A DISTANCE OF 9.13 FEET FROM THE SOUTH EAST CORNER OF LOT 6, BLOCK 20 OF THE PARK CITY SURVEY;

THENCE N18°16'40"E A DISTANCE OF 46.22 FEET ALONG THE EASTERLY BOUNDARY LINE OF PARTS OF LOTS 4, 5, AND 6.

THENCE S81°27'37"E A DISTANCE OF 20.0 FEET PARALLEL TO AND 1.0 FOOT NORTH OF AN EXISTING BUILDING;

THENCE S06°18'43"W A DISTANCE OF 44.44 FEET;

THENCE N83°41'17"W A DISTANCE OF 29.56 FEET PARTIALLY ALONG AN EXISTING FENCELINE TO THE POINT OF BEGINNING;

CONTAINING .03 ACRES

PARCEL SUBJECT TO A 20.0 FOOT NON-EXCLUSIVE PUBLIC UTILITY AND DRAINAGE EASEMENT OVER THE EASTERLY 20.0 FEET OF THE PARCEL.

BASIS OF BEARINGS

THE BASIS OF BEARING FOR THIS SURVEY WAS ESTABLISHED BETWEEN TWO MONUMENTS ALONG MAIN STREET AS SHOWN HEREON. SAID BEARING BEING S8°54'W.

SURVEYOR'S NARRATIVE

THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF DETERMINING THE PHYSICAL LOCATION OF THE PROPERTY BOUNDARY.

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE:	**February 28, 1996**
DEPARTMENT:	**Community Development Department**
AUTHOR:	**Nora L. Seltenrich**
TITLE:	**Sandstone Cove Annexation and Zoning Map Amendment**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS: Public Hearing

DESCRIPTION:

A. **Topic.**

PROJECT STATISTICS:

Applicant:	Jack Johnson Company/Black Diamond Partners
Location:	East of Highway 224 and northwest of Ridgeview and Mountain Ridge Subdivisions
Zoning:	Not zoned in the City Zoned Critical/Sensitive Area in Summit County Proposed Zoning of ROS and Estate
Adjacent Land Uses:	Open space, single family residential
Date of Application:	July 8, 1994
Project Planner:	Nora Seltenrich

B. Background.

Since this annexation and MPD request was submitted in July 1994, the applicant and staff have worked to identify and address technical and conceptual issues. In response to input from the staff and Planning Commission, the applicant has revised the plan several times. The original application was for 50 units and included a culdesac on the west side of the property, visible from U224. At this time, the Staff recommended to the Planning Commission that the Annexation Petition be considered premature based upon the adopted Annexation Policy Declaration. On May 9, 1995, the applicant submitted a revised plan which the Planning Commission discussed in July. This plan eliminated all lots on the west side of the property, facing U224. At that time, the Planning Commission felt that the plan had merit but lacked a satisfactory secondary access. The Commission directed the applicant and staff to work on resolving the issue of emergency access prior to further discussion on the request. The applicant and Chief Building Official/Fire Marshall have agreed on a Fire Prevention and Protection Plan.

The current revised proposal includes 18 large single family lots and eliminates the culdesac on the west side of the property, facing U224. The parcels are very large. Although the original site plan indicated that the entire 80 acres would be in private ownership as part of individual parcels, the applicant is willing to dedicate the property on the west side of the property (facing U224) to the City or other appropriate entity. A site plan is attached for your review.

The staff has met many times to discuss the project and there have been several work sessions with the Planning Commission. The applicant is requesting two things; Annexation into the City and zoning consideration to increase density over what is currently allowed in the County (1 unit per 40 acres allowing 2 dwellings on the 80.13 acres). This area is currently in tier 2 and is zoned critical/sensitive area. In order for this to develop in the County, a land use amendment would have to be granted as well as a modification to the tiering system. The current Comprehensive Plan for Park City does not designate a land use for this area.

The applicant received conditional MPD and Sketch Plan approval from the Planning Commission and the Commission forwarded positive recommendation on the Annexation and Zone Change to the City Council.

The annexation should also include 2 small pieces of property on the corner of Meadows Drive and U224. One is where the Mountain Fuel gas pressure regulator is located and the other is a small parcel owned by Osguthorpe. The annexation plat shall include these parcels so that an island of unannexed land is not being created.

A draft Annexation Agreement is attached for your review.

C. Analysis

Fiscal Impact Analysis

The applicant submitted a fiscal impact analysis with the original submittal. That analysis is being revised for the 18 parcel alternative and will be distributed to you when available.

Consistency with the Park City Annexation Policy Declaration

In December 1993, the City Council approved a revised Annexation Policy Declaration. This project meets some of the criteria for consideration of annexation in that policy and has followed the process outlined. The proposal is in conflict with other criteria of the policy, however. Section 7(k) of the Annexation Policy requires a comprehensive land use analysis of the annexation property as well as the surrounding area. This is to include an analysis of adjacent property in sufficient detail for the City to determine the long term impacts of the proposed annexation on adjacent properties. That has not been done, but is being done as a part of the General Plan revision which is not yet completed.

Section 8 of the Annexation Policy Declaration states that the City will not consider annexations that prematurely extend public utilities and services. This is to include adequacy of water. This section goes on to state that:

> "The City prefers projects which
> (a) expand the resort and/or tourist economy.
> (b) provide second home or rental residential projects with more than ten percent of the units for community based affordable housing and over 65% open space.
> © provide significant public open space and/or community facilities."

The applicant believes that the project will be primarily second homes, based upon analysis of other similarly situated projects. In addition, the developer is offering to dedicate a large piece of open space (about 31 acres) which is contiguous with other City owned property. Although the individual parcels are very large, building and disturbance will be limited to areas adjacent to the roadway.

General Plan Revision Process

The City is currently in the process of amending the General Plan. Key to this amendment is an evaluation of how and where Park City should grow. Although this proposal may be consistent with adjoining properties in character of development, it is not currently within the City Limits and the City has not determined when or if to serve it. The timing and form of development should be determined in the context of broader policy decisions.

Already some 700 parcels are within the City Limits of Park City which are not built upon. Many of these parcels are large and allow large homes to be developed. The discussions to date of the General Plan revision emphasizes annexation only when open space can be achieved. The discussions have also encouraged clustering development and avoidance of more "suburban" development.

Fire Safety and Emergency Access

The applicant is proposing a mitigation plan for Fire Prevention and Protection in lieu of providing improved secondary access. In summary, the plan includes:

- Exterior building materials shall be constructed of non combustible materials
- Exterior and interior fire sprinklers required
- Wood burning devices prohibited

- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.

- Adequate fire flow will be provided for this project with added capacity to provide possible fireflow for the Mountain Top Subdivision.

The Fire Code requires two points of ingress and egress, with an exception for a culdesac of 600 feet in length or less. The existing Mountain Top dead-end road already violates Park City's length standard, as does the adjacent cul-de-sac in the Quarry Mountain MPD. The Sandstone Cove extension is therefore a unique situation.

The Chief Building Official/Fire Marshall and the Park City Fire Protection District agree to this mitigation plan. The mitigation measures proposed and the improvement of the water capacity in the vicinity offsets the requirement for an improved secondary access in this case.

Amended Design Guidelines and C,C & R's have been provided. The Design Guidelines and C,C&R's will be required to be approved as a part of the final plat for the subdivision. These guidelines are consistent with the fire mitigation measures proposed.

<u>Water and Growth Inducing Impacts</u>
The applicant is proposing to construct a 250,000 gallon tank which will be adequate to serve the culinary and fire protection needs of the Sandstone development. There is also excess capacity in the tank to provide fire protection to the Mountain Top Subdivision. The tank and appurtenances will be required to be constructed by the developer, but will be dedicated to the City. In order for Mountain Top to utilize the excess capacity, the City would have to authorize hooking up to City facilities and utilization of City water. If such an agreement is reached, it may facilitate the development of existing undeveloped parcels in the Mountain Top Subdivision (5 out of 12 parcels in the MountainTop Subdivision are undeveloped).

The applicant has agreed to donate water rights sufficient to serve the Sandstone Development. The applicant and the Public Works Director are currently discussing what that requirement is.

<u>Visual Impact</u>
During the initial review of this project, the applicant prepared a visual analysis. The parcels which were most visible from the significant vantage points have been eliminated. The site in which the building sites are to be located is a fairly flat "hollow" and is generally not visible from most locations in town.

Based upon input at the public hearing before the Planning Commission, the applicant and staff are reviewing the visual analysis to determine proposed home sizes based upon visibility of the building pads.

House Size

The applicants initially proposed the following maximum house sizes:

7500 sq ft on parcels less than one acre (8 parcels)
9000 sq ft on parcels one to three acres (4 parcels)
12000 sq ft on parcels over 3 acres (7 parcels)

The applicant has conducted a comparative analysis. That analysis results in the following revised proposal:

6000sq ft on parcels less than one acre
8000 sq ft on parcels one to two acres
10000 sq ft on parcels over 2 acres

Based upon input received from the Planning Commission at the last meeting, the staff and applicant are further reviewing the visual analysis and revised home sizes will be recommended concurrent with preliminary plat approval.

Private vs Public Road

The applicant has agreed that the road be public without gates. Snow removal will be the responsibility of the property owners until 50% of the subdivision is built out, as is the case with all new subdivisions in Park City.

Employee Housing

Since this is an annexation, there is an employee housing requirement of 1.8 units. The applicant is proposing that a fee in lieu be paid.

Sewer Alignment

The applicant is exploring aligning the sewer and other utilities to run through the Eagle Pointe Subdivision. The staff would prefer this alternative as it would likely result in less site disturbance. If this cannot be achieved, the Planning Commission will consider alternatives in a public forum.

Open Space

Since the property being offered for open space is contiguous to City Property and since it is considered critical from a visual standpoint since it is in the entry corridor, the staff would recommend that the property be conveyed to the City with appropriate restrictions on future development. In addition, a trail will be provided from an existing stub in the Mountain Ridge Subdivision.

D. Planning Commission Recommendation

The Planning Commission conditionally approved the MPD and Sketch Plat for Sandstone Cove and forwarded a positive recommendation to the City Council on the requested Annexation and Zoning Map Amendment based upon the following:

Findings of Fact:

1. A petition for annexation and application for MPD and Sketch Plat was submitted on July 8, 1994 for Sandstone Cove.

2. The subject property is within the Annexation Policy Declaration Boundary of Park City, is contiguous to the City's corporate boundary and is appropriate for development in the corporate boundary due to its proximity to and access through Park City.

3. There is net benefit to Park City in accepting this Annexation because it adds to the protection of the entry corridor by donating critical property along the entry corridor and adjacent to other City property to Park City.

4. The project proposes to build a water tank which will provide adequate water for this subdivision as well as potentially providing adequate water for fire protection for the Mountain Top Subdivision. The Mountain Top Subdivision is currently not within the City Limits, but is immediately adjacent to it and does not contain adequate water for fire protection.

5. The project proposed extraordinary fire protection measures necessary due to the inability to provide two points of access. These include:

- Exterior building materials shall be constructed of non combustible materials

- Exterior and interior fire sprinklers required

- Wood burning devices prohibited

- Defensible space required which would include a primary zone of twenty-five feet from the dwelling in which plant materials must be irrigated and a secondary zone of an additional fifty feet in which dead or unhealthy plant material must be cleared.

- Adequate fire flow will be provided for this project with added capacity to provide fireflow for the Mountain Top Subdivision.

6. The Planning Commission conducted a public hearing on December 10, 1995 and distributed written notice of the public hearing consistent with the Park City Land Management Code.

7. The site design is consistent with the Park City Land Management Code and Sensitive Lands Ordinance. The site is also consistent with the non-standard cul-de-sacs contained in Mountain Top subdivision and Quarry Mountain MPD.

8. Upon annexation, the developed portion of the property will be rezoned to Estate (E) and the portion of the property to be donated to the City shall be zoned Recreation Open

Space (ROS).

Conclusions of Law:

1. The Sandstone Cove Master Planned Development, sketch plat and Annexation are consistent with the health, safety, welfare, and provide a benefit to Park City through the dedication and preservation of Open Space, providing in lieu fees for affordable housing, providing an important trail linkage and improving the adequacy of water for fire flow in the area.

2. The Annexation proposed meets the standards set forth in the Annexation Policy Declaration and UCA (Section 10-2-417).

Conditions of Approval:

1. The MPD and sketch plat approval will not become effective unless and until the Annexation for Sandstone Cove is approved by the City Council. The expiration of the MPD shall be timed from the date of City Council approval of the Annexation request.

2. The City Council shall review and approve the Annexation Agreement which covers, at a minimum, those items in the attached outline.

3. The Planning Commission shall be required to review and approve the preliminary and final plats for Sandstone Cove. The plats shall substantially conform to the MPD and Sketch Plat approval. Specifically, the approval will include the following:

-Home sizes which are consistent with adjacent developments and which take into consideration the visual impact of the building pads.

- Exact trail locations which provide a soft surface trail connecting Mountain Ridge Subdivision to Meadows Drive in the Eagle Pointe Subdivision. This trail shall be constructed concurrent with subdivision improvements.

-Architectural Guidelines and C,C&R's which are consistent with the MPD approval which shall address fire prevention measures approved by the Chief Building Official, limits on building location, limits on irrigable area, and design guidelines consistent with City standards.

4. The sanitary sewer connection for the project shall connect to the Eagle Pointe Subdivision. The staff shall review and approve the alignment so that it complies with the Sensitive Lands Ordinance by creating the least amount of visual impact and disturbance. If this alignment is not able to be achieved due to property ownership or other issues, any new alignment will be reviewed and approved by the Planning Commission and will be a matter of public hearing. Development of the parcel is contingent upon satisfactory alignment that mitigates visual and neighborhood impact to

the satisfaction of the Staff and Planning Commission and that is acceptable to the Sewer District and City Engineer.

5. All Park City Municipal Corporation Standard Project Review Requirements shall apply.

6. The applicant shall be required to build a 250,000 gallon water tank, and all appurtenances, including but not limited to an above ground pump station, as required by and to specifications approved by the City Engineer.

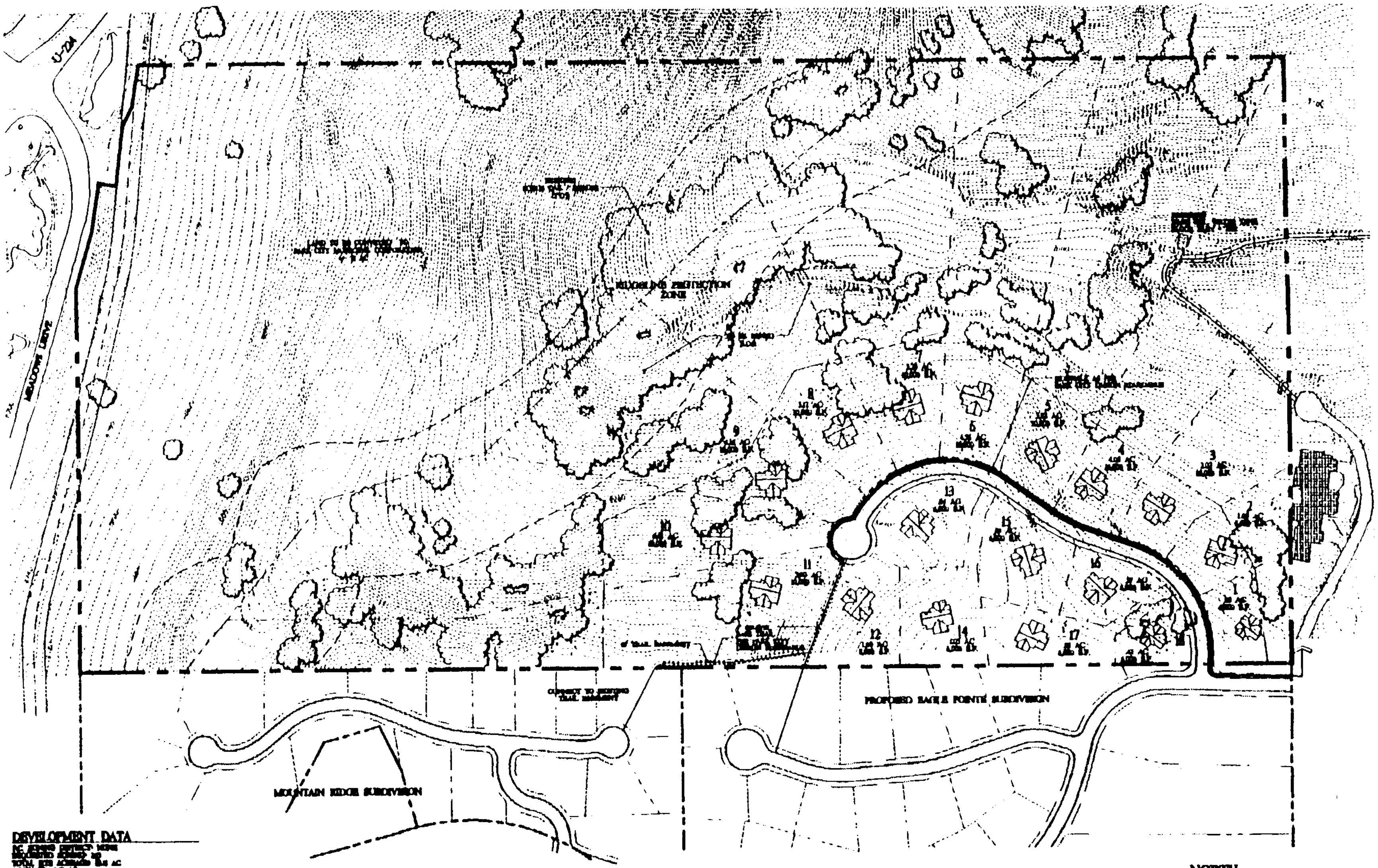
CITY COUNCIL COMMENTS

Based upon input at the City Council Work Session, the applicant has agreed to further restrict:

House Size
Amount of permitted sod or grass
Exterior lighting

These refinements will be made at the preliminary and final plat stage.

This item is scheduled for Public Hearing only at this time. Action is tentatively scheduled for March 21, 1996.



DEVELOPMENT DATA

SANDSTONE COVE M.P.D.

ILLUSTRATIVE SITE PLAN - 2

PREPARED FOR
BLACK DIAMOND PARTNERS

PREPARED BY
THE JACK JOHNSON COMPANY

NORTH

SANDSTONE COVE

February 23, 1996

Ms. Nora Seltenrich, Special Projects Manager
Park City Municipal Corp.
P.O. Box 1480
Park City, Utah 84060

Re: Sandstone Cove Annexation Proposal

Dear Nora:

Thank you for your fine presentation last night. In response to the helpful comments from the members of the City Council, we will immediately prepare and submit the following information for your review.

1. We will update our analysis of economically similar developments and extrapolate from that comparison the primary home to secondary home mix; and

2. we will prepare two updated fiscal impact analyses; one run based upon a primary home to secondary home mix of 60/40, and a second run based upon a primary home to secondary home mix of 40/60; and

3. we will revise the proposed CC&R language to more severely limit the percentage of grassy or sodded area on each lot; and

4. we will revise the CC&R language to prohibit the use of outdoor and holiday lighting outlining a dwelling or portion thereof, and to severely limit the use of general outdoor lighting and the overnight duration thereof; and

RECEIVED
1996
PARK CITY
PLANNING DEPT.

Black Diamond Partners
Post Office Box 1776 • Park City, UT 84060 • (801) 645-7300 • Fax (801) 645-7304

5. we will prepare an updated analysis of permitted home sizes within the Park Meadows area.

Please let me know if you have any comments or suggestions to add to this list. Thank you again for your courtesies.

Very truly yours,

BLACK DIAMOND PARTNERS L.C.

Gerald A. Jackson, Manager

GAJ/tb

sandst92