PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 3, 2005

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, March 3, 2005.

Closed Session – Executive Conference Room

4:00 p.m. Property, personnel and litigation

Work Session – City Council Chambers

4:45 p.m. Council questions/comments
5:00 p.m. Legislative update
5:20 p.m. Review of regular meeting
MCHT special services contract
Public Use Transition District
5:45 p.m. Break

Regular Meeting – City Council Chambers
6:00 p.m.

I ROLL CALL

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

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

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF FEBRUARY 10 AND FEBRUARY 17, 2005

V CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance approving a plat amendment and vacation of right-of-way located at 713 Norfolk Avenue, Park City, Utah **(motion to continue to March 10, 2005)**

2. Ordinance approving an amendment to the record of survey plat for The Lodge, located at 2900 Deer Valley Drive, Park City, Utah **(motion to continue to a date uncertain)**

3. Use of sales tax revenue to finance a portion of the costs of construction and related infrastructure of the Quinns Junction Recreation Complex as a part of the issuance of bonds, Series 2005

4. Ordinance amending Title 15 of the Park City Municipal Code, Chapter 15, Land Management Code, establishing Section 15-2-22, Public Use Transition District

5. Ordinance approving a plat amendment for the property known as 239 Woodside Avenue, located at Lots 8 and 9 of Block 31 of the Park City survey, Park City, Utah

6. Ordinance approving the Ontario Canyon Subdivision Plat, located at 44 Chambers Street, Park City, Utah

7. Ordinance approving a plat amendment for the property known as Lot 5, Iron Canyon Subdivision, located at 2414 Iron Canyon Drive, Park City, Utah

8. Ordinance approving the street name change from Ashley Avenue to Ashley Court, Park City, Utah

9. Ordinance approving the Nolan Replat which will combine Lots 7 – 8 in Block 4 of the Park City Survey into one lot of record, 437 Park Avenue, Park City, Utah

10. Ordinance approving the Park City Recreation Complex Subdivision which will create a three lot subdivision out of a 70.5 acre metes and bounds parcel

11. Ordinance approving a record of survey plat for the North Silver Lake Lodge, located at 7101 North Silver Lake Drive, Park City, Utah

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8. Ordinance approving a record of survey plat for the North Silver Lake Lodge, located at 7101 North Silver Lake Drive, Park City, Utah

9. Amendment to Mountainlands Community Housing Trust Special Service Agreement

VII ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted.

Posted: 02/28/05
See: parkcity.org

Note: This future meeting schedule is TENTATIVE and subject to change.
PARK CITY COUNCIL TENTATIVE MEETING SCHEDULE

March 2005

10 Sound garden – work
Sidewalk Snow Removal Policy – work 30 min – KC
Debriefing of 2005 storm and snow removal services
Private snow storage - work
Ordinance approving a plat amendment and vacation of right-of-way located at 713 Norfolk Avenue, Park City, Utah
BMX bike update – work -KF
Swearing-in of police officers – 6 p.m.
Amendment to fee resolution – park fees – work/consent - KF
Climbing boulder contract – consent - KF
Ordinance accepting certain public improvements at Empire Pass Subdivision - BR

17 **No meeting**

24 Closed session - property
Public safety impact fees – work
Strategic plan for City properties with development potential – work (30 min) KC
Ordinance – 2858 Estates Drive plat amendment - AC
Ordinance – 1301 Park Avenue plat amendment – KW
Ordinance - Parking Structure and Town Plaza – Rezone JW
Ordinance - Parking Structure and Town Plaza Subdivision – JW
Ordinance - Silver Star Subdivision – KW
Ordinance – 1053 Woodside Avenue plat amendment – KW
Ordinance – 1359 park Avenue plat - JW

31 Joint meeting with Planning Commission – work

April 2005

7
14 **No meeting**
21
28

May 2005

5
12
19
26
30 Memorial Day

June 2005

2
9
16 **No meeting**
23
30

July 2005
7
14
21
25 *Pioneer Day*
28 **No meeting**

August 2005
4
11 **No meeting**
18
25

Pending Items:
Regional bus service SLC - work
Water Service District – Grant of easement from Iron Mountain Associates
Transit Center Land Match Resolution – Gary
CDBG preliminary hearing - July

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 10, 2005

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, February 10, 2005. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; Colin Hilton, Economic Development Director; Phyllis Robinson, Consultant; Brooks Robinson, Planner; Breen Hathaway, Public Affairs Coordinator; and Gary Hill, Budget Manager.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Council questions/comments – Joe Kernan relayed that several Main Street business owners have expressed concerns to him about being involved in deciding the location and adequate number of compactors in Swede Alley. Colin Hilton responded that staff has been meeting with the HMBA and the owner of Cows. Input is being solicited and all options will be considered before a final decision is made and the HMBA is assisting by providing feed-back from its membership. It is likely that there will be two compactors housed in a building.

Marianne Cone commented on the success of the dog sled event. She reported that the Historic Preservation Board will be deciding the historical significance of a 1942 building and the Public Art Advisory Board met last night on the RFP for the bus shelter project. Jim Hier reported on a Summit Land Conservancy meeting where the progress of conservation easements was discussed. The Conservancy is promoting a voluntary 1% open space donation and Deer Valley is participating by way of asking consumers to contribute an additional 1% on the purchase of lift tickets, lodging, etc. There was a COSAC meeting where pursuing another bond election was discussed. He also attended the Planning Commission meeting last night where the CUP to remove the mine tailings at the Daly Mine site was approved with conditions regarding traffic mitigation. There was also a preliminary review of the Burbidge parcel at Quinns Junction. Candace Erickson commented on the Utah League of Cities and Town's opposition to the charter school legislation and the RDA bill, as written. She added that she is very disappointed to see HB57, regarding tourism, change because the long term study on membership is a critical component. It appears as if the bills Park City opposes are consistent with the ULCT's position and this session seems less adversarial as it has been in the past. The Mayor reported on his schedule for the *State of the City* presentations.

Mayor Williams stated that he was pleased to see the new trolley on board, which is the first bio-diesel vehicle in our fleet, and plans to participate in a state bio-diesel conference next week in Salt Lake City. He and Pace Erickson attended a Mosquito Abatement Board meeting and learned that control should begin in the water, because more toxic substances are required to deal with adult mosquitoes. There is a new type of mosquito control based on pyridines which is a chrysanthemum from the Amazon and Summit County will be purchasing a fogger to eliminate the use of organic phosphates. The Health Board will be sending a letter to Alex Butler thanking her for her work on using bats as a method for mosquito abatement. There are questions about bats carrying rabies and other diseases, and the Utah Department of Health will be providing a report on this concern. Mr. Williams added that he has been invited to sit on the Uinta Water Resources Conservation Development Council, consisting of representatives from Wasatch, Summit and Utah Counties. He believes this will provide a good opportunity for inter-local understanding and funding opportunities.

2. Resolution acknowledging the extraordinary accomplishments of Triton, Park City's first graduate of the Guide Dogs for the Blind Program, and proclaiming his companion Diane Miller as an honorary Parkite – The Mayor read the resolution and presented it to Brooks and Phyllis Robinson, who fostered Triton. Phyllis Robinson stated that they will present the resolution to Triton's companion at the guide dog graduation in California on Saturday on behalf of Park City.

3. Legislative update – Breena Hathaway reported that concessions have been made on HB36, the charter school construction amendment bill, so that local jurisdictions are able to enforce "limited" planning guidelines so that the school buildings are compatible. HB57 is the tourism task force bill, formerly the alcoholic beverage control bill, is requesting $15,000 to subsidize a 12 member task force to study year-round tourism. In response to a question from Candace Erickson regarding membership of the committee, Ms. Hathaway responded that there will be seven members from the Senate and five members from the House. Gary Hill clarified that this committee is separate from the other tourism bill, SB7. Ms. Hathaway discussed HB302, regulating the construction industry, which is a major concern to cities and the building community as a whole. It proposes to transfer responsibilities of the Division of Occupations and Professional Licensing to the Division of Real Estate. It mandates that local building inspectors enforce state licensing regulations by way of issuing citations and assessing fines. However, revenues from fines would go back into a state fund rather than returning to the local building department. Jim Hier, serving as a Uniform Building Code Commissioner, added that this was discussed briefly at the last meeting and there was not much support from members. Gary Hill believed that the bill will not be successful this year. The streamline sales tax bill has not changed and it is likely that it will not proceed this year. The RDA legislation, prohibiting extensions, will likely be studied by a task force before next year's session.

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

1. Sound garden – Carol Potter, Utah Trails Foundation, relayed the Public Art Advisory Board's support of a sound garden. The location is proposed at the south end of City Park near the skate park and she discussed the success of the project in Michigan. The artist will be visiting Park City in March and will be available to answer any questions. Ms. Potter reiterated that the sound garden concept has been well received in Park City. The Mayor cautioned that his only concern is potential noise impacts to adjacent residences and Ms. Potter assured him that she will be contacting affected property owners.

2. Trash container removal – With regard to the recent discussion on an ordinance requiring owners to remove trash cans from the street, Mayor Williams acknowledged a

fax from Rich Miller suggesting that stickers be placed on containers outlining the time lines for placing and removing containers.

3. Snow removal ordinance enforcement – This discussion occurred later in the meeting, but appears here for ease of reference. Mark Sunday, resident, stated that he is slightly visually impaired and walks a lot throughout the community. He commented on the lack of snow removal from sidewalks which forces him to walk in the street or through parking lots which is dangerous. The sidewalks around Zions Bank, Prospector Square, and Kearns Boulevard are particularly unsafe for pedestrians. He urged that more be done to get information to property owners. There are federal laws regarding accommodating disabled citizens that he could pursue, but felt the City should be able to address his concerns. Joe Kernan thanked him for his comments and added that he witnessed two pedestrians fall on sidewalks and it is consistent with Council's vision to make the town more pedestrian friendly. Mr. Kernan stated that he will always support more funding for a higher level of snow removal for sidewalks and a walkway system. The City Manager stated that the Council will discuss snow removal on March 10 which will precede the budget discussion in May. Additionally, code enforcement will be advised of the locations in violation of the ordinance relayed by Mr. Sunday.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF JANUARY 27, 2005

Jim Hier, "I move approval of the work session notes and minutes". Kay Calvert seconded. Motion carried unanimously.

V PUBLIC HEARINGS

Ordinance approving the final plat for the Banner Wood Subdivision located at the Village at Empire Pass, Park City, Utah – Brooks Robinson explained that the application is for the final six lots to be platted within the entire Flagstaff annexation area, located in the southwest quadrant of Pod A. Lots range in size from .6 acre to 1.12 acres and are located on a cul-de-sac with an emergency access lane (Guardsman Pass Road). There are a variety of plat notes, which are outlined in the staff report and the Planning Commission forwarded a positive recommendation based on the findings of fact, conclusions of law, and conditions of approval outlined in the ordinance. Jim Hier asked for clarification on the trigger for affordable housing. Doug Clyde, agent for Talisker, estimated the occupancy of 150 units to occur in approximately 18 to 24 months, if sales continue at their current t pace. The employee housing units are on-site; one is constructed and the remaining three will be a part of an upcoming CUP review by the Planning Commission.

Marianne Cone stated that there was discussion last night at the Planning Commission meeting about hauling snow from Empire Pass. She felt it *silly* to remove snow from a mountain resort and the hauling trucks look unreliable. Ms. Cone suggested considering a requirement that some snow storage be provided on-site and referred to Silver Lake as an example of and area with no storage. Mr. Clyde reported that Talisker has been reducing the number of truck trips because they have been using melting techniques, but it is energy and labor intensive and may not be the solution. He added that the MPD process requires identification of snow storage areas.

VI CONSENT AGENDA

Kay Calvert, "I move approval of Consents Agenda Items 1 and 2". Jim Hier seconded. Motion unanimously carried.

1. Ordinance approving the final plat for the Banner Wood Subdivision located at the Village at Empire Pass, Park City, Utah – See staff report and public hearing.

2. Resolution acknowledging the extraordinary accomplishments of Triton, Park City's first graduate of the Guide Dogs for the Blind Program, and proclaiming his companion Diane Miller as an honorary Parkite – See communications from council and staff.

VII NEW BUSINESS

Parameters Resolution for the issuance and sale of not more than $20,000,000 aggregate principal amount of sales tax revenue and refunding bonds, Series 2005 of Park City, Utah for the purpose of refunding all or a portion of certain outstanding bonds of the Municipal Building Authority of Park City and financing all or a portion of the costs of certain capital improvements to municipal building, recreation complex and community plaza of the issuer, related infrastructure and parking improvements and other related improvements; and related matters – Gary Hill explained that this is a parameters and reimbursement resolution relating to the issuance of sales tax bonds for several projects and the final bond resolution will spell out specifics. The reimbursement portion allows reimbursement for construction costs incurred prior to the issuance of the bonds, which is not anticipated, but in place as a *safety valve*. The issuance will partially fund the police facility as well as refinance MBA debt. The annual payment of $920,000 for the downtown project is RDA increment that would repay the General Fund. The police facility is an annual payment that anticipates an increase of impact fees. The Recreation Complex is the only project committing future sales tax revenue at $96,000 annually. Approval of the parameters resolution allows the City to move forward and a public hearing will be held on March 3, 2005 which is required because of the sales tax component. In response to a question from Jim Hier, Mr. Hill explained that the bonds will not be affected if the downtown plaza, for instance is delayed a year. There are certain spend-down requirements with bonds, typically three years, but there are other related calculations with regard to interest rates and arbitrage. Because interest rates are low, staff is recommending proceeding with all projects now which will reflect a savings in issuance costs.

Jim Hier, "I move to approve the parameters resolution relating to the issuance of sales tax revenue bonds, Series 2005". Joe Kernan seconded. Motion carried unanimously.

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. to 4 p.m., adjourned to attend the dedication of the Olympic sculpture and reconvened in closed session from 5 p.m. to 6 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; and Mark Harrington, City Attorney. Candace Erickson, "I move to close the meeting to discuss property and litigation". Marianne Cone seconded. Motion carried unanimously.

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

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
FEBRUARY 17, 2005

Present: **Mayor Dana Williams; Council members, Kay Calvert; Marianne Cone, Candace Erickson; Jim Hier; and Joe Kernan**

Tom Bakaly, City Manager; Mark Harrington, City Attorney; Bret Howser, Analyst; Craig Sanchez, Director of Golf; Max Paap, Special Events and Facilities Coordinator; Gary Hill, Budget Manager; and Jerry Gibbs, Public Works Director; Ron Ivie, Chief Building Official; Colin Hilton, Economic Development Director

Rich Miller, Recreation Advisory Board

Peg Bodell, Elizabeth Swank and Joanna Charnes, Cultural Tourism Advisory Committee members

1. Council questions/comments. Candace Erickson commended the hard work of the Friends of the Farms and reminded the public of the snow shoeing event at the Farm on February 26 and discussed a program for children co-sponsored by the Museum. Kay Calvert commented that she's hearing a lot of complaints about dogs lately. There were mixed reviews about Sundance from merchants and the suggestion of closing Main Street was brought up for next year's Film Festival. Marianne Cone commended Deer Valley Resort on hosting the Freestyle Event. Joe Kernan pointed out that closing Main Street for the Festival would be a challenge, specifically deliveries, collecting trash, etc. In response to a question from Mr. Kernan, Craig Sanchez replied that review of golf fees will appear on the February 17 agenda.

Candace Erickson reported that RAB met on the redesign of the skate park expansion and the Prospector neighborhood park. The neighborhood will have an opportunity to review the final plan before proceeding with construction. There will be a public meeting on improvements to the Racquet Club on February 17 from 7 – 8 p.m. She added that the contract for the boulder feature at the Comstock Park has been executed. Ms. Erickson added that the Board also discussed the expense of fencing the temporary BMX park, which needs to be locked at night. Recycle Utah will now have to charge for the collection of electronic equipment. The regional ice committee met and discussed the budget shortfall and the difficulty of cutting back on a basic design. She also felt that the Deer Valley event was extraordinary.

Jim Hier stated that he was also pleased with the quality of the Freestyle Competition and that patrons stayed and listened to the band. There was a Citizens Technical Advisory meeting held this week where studies of water rates and performance measures were supported. The events committee met including the Chamber, City and other interested parties, but a representative from the arts community is missing from the membership and needed. Craig Sanchez explained that there are three members from the Chamber, three members from the City, one from lodging, one from the restaurant group, one from each of the three ski resorts, and one from the HMBA. Mr. Hier relayed that he attended the annual Chamber-sponsored economic forecast where it was reported that the local economy is healthy and growing.

Ms. Erickson recalled that based on neighborhood complaints last year, Sundance was required to dismantle the venue at the Racquet Club during daylight hours, which was not the case this year. Craig Sanchez stated that he will follow-up with staff. Marianne Cone asked if Council will have an opportunity to weigh-in on the event. Max Paap noted that staff met to discuss the pros and cons of approaches this year, but have not yet met with Sundance staff. The City Manager suggested that staff meet with Sundance first and return to Council for a work session to discuss policy. Mr. Paap stated that he will share staff's findings from the initial debriefing with Council.

2. Legislative update. Gary Hill explained that HB107, tax law amendments, is *falling apart* because of unresolved issues relating to hold-harmless provisions for communities who have approved a RAP Tax, for instance. It appears that the streamline sales tax bill will be put on hold indefinitely until there are clearer solutions. With regard to HB118, revisions to special service districts, the bill is proceeding well and the utility companies are supportive. There is no RDA legislation proposed at this point, and it is likely it will be studied by an interim task force. SB31, removing the definition of lot line adjustments, has been altered so that it won't affect Park City. HB36 would exempt charter schools from zoning regulations, like public schools. However, public schools have a process in place because of the elected boards of education, unlike chartered schools. Mr. Hill assured Council that staff will be lobbying against the bill.

3. Consideration of trash container removal ordinance. Jerry Gibbs explained that citizens have approached the Council about implementing an ordinance requiring owners to remove trash containers from the street after pick-up. The proposed ordinance provides that the container be placed on the street after 6 p.m. the night before and removed the day of pick-up, which is not occurring very often. He emphasized that there are a number of enforcement issues, which would affect both the Police and Building Departments.

In response to a question from Kay Calvert, Mr. Gibbs advised that there is currently no ordinance in place. It is not a health-safety issue and is a challenge because 60% of households are second homes or rentals. Jim Hier suggested that the City confiscate cans left in the street after a period of time, and didn't feel that citing would work. Marianne Cone believed that if an ordinance is in place, property management companies will find a way to comply and is willing to try the proposed ordinance. Ron Ivie urged Council to consider the situation in Old Town. He cautioned that some properties have no yards and secondly, there needs to be consideration of seniors physically unable to move the containers. As drafted, the ordinance prohibits cans from being stored in the side, front or back yard which is a concern of the enforcement staff. With regard to confiscation of cans, there needs to be a methodology by which the containers are tracked, stored and returned. Jim Hier stated that he is not in support of citing and fining violators because it is administratively onerous.

Kay Calvert agreed that moving cans can be difficult for the elderly and suggested that a structure be built to enclose the containers. Ron Ivie responded that the structures may create challenges for snow removal and suggested that when BFI's contract is negotiated to provide for extended services for residents with special needs. Jerry Gibbs advised that the contract will expire in two years, but emphasized it is with

Summit County not Park City. He agreed with Mr. Ivie about the limited areas on certain streets like Sampson and upper Norfolk where there are no yards. It will also be difficult to effectively cite out-of-state owners. There was discussion about the ordinance in effect for Main Street. Joe Kernan suggested that people who don't have a reasonable storage space be exempt from the ordinance.

Candace Erickson agreed that abandoned cans are unsightly, but asked what employee would be *stuck* enforcing the ordinance. She asked if the City would have to hire an employee to manage the program and at what cost. If fines are imposed for violations resulting in compliance, there will be no revenues from fines to support enforcement efforts. She wants the town to look nice and is interested in creating an ordinance to *scare* people into compliance, but is frustrated with the thought of funding another line item to accommodate trash when there are other priorities. Ms. Erickson felt the Council should carefully think this through and the Mayor agreed. He suggested perhaps handling the issue through volunteers like the Take Pride in America Program. An ordinance will be very difficult to manage and is he is very reluctant to add more enforcement responsibilities to staff. Tom Bakaly suggested adding this topic to Council's goal list and deciding upon a liaison. Marianne Cone felt that public service announcements would be helpful in the interim.

3. Cultural tourism strategic plan recommendation. Colin Hilton referred to the Cultural Tourism Strategic Plan, which is a product of a special services contract with the Arts Council in 2003. Elizabeth Swank, Arts Council President of the Board of Directors introduced Joanna Charnes, Interim Director, and Peg Bodell who worked closely with Brian Hess.

Peg Bodell recalled Council's commitment in making Park City a *multi-seasonal* resort, and the formation of the committee which is broadly represented, i.e., lodging, restaurants, Main Street, Heritage Foundation, County, and City. The Heritage Foundation provides a tool kit, which was helpful to the group, to focus on collaborations to make destination tourism successful. The five guiding principles are collaboration, community fit, experience, quality and authenticity, and sustain and develop. From these the committee arrived at recommendations to the City Council. She referred to the Executive Summary document, which required about six months to a year to pull this information together. The Executive Summary is divided into two phases. The first phase includes (1) education and outreach; (2) community networking; (3) funding; (4) continued assessment, monitoring of benefits, product and needs. In response to a question from Candace Erickson about (1), Ms. Bodell explained that education involves on how a business benefits from partnering with other types of businesses. Ms. Erickson felt that business owners should already be familiar with good marketing concepts and if not, probably shouldn't be in business. Peg Bodell continued that the benefits to the community in cultivating cultural tourism are immense, but all groups need to get together, which wasn't possible a couple of years ago. She added that Governor Huntsman is proactive with regard to tourism, and the City should capitalize on this opportunity. Increasing revenues is the bottom line.

Elizabeth Swank commented on the need for a central calendar for the entire County, which was addressed during the RAP discussions. It is the intent of the board to again approach the County for funding this year for a position. The Chamber's calendar is adequate but the central calendar is envisioned to be more encompassing including special and cultural events. Colin Hilton recalled when the economic development committee was formed a couple of years ago, which included various subcommittees including cultural tourism. He emphasized the great strides this group has made by way of defining cultural tourism, educating the public, and formulating a strategic plan with recommendations. The cultural tourism committee's progress far exceeded other groups. Joanna Charnes pointed out the importance of partnering activities authentic to the community when marketing destination tourism. Colin Hilton felt that there is agreement among entities to move ahead with elements of Phase 2. Marianne Cone felt it important to note that the needs of residents will also be met.

Colin Hilton stated that staff will return to Council during the budget review with regard to a recommendation for funding. In response to comments, he clarified that support is not specifically for a staff position, but rather resources to get a program initiated with the assistance of the Chamber, for instance. Ms. Cone suggested combining all three options outlined in the staff report by way of committing a staff member, entering into a service contract, and recruiting volunteers from the community. Joanna Charnes emphasized that designating a qualified administrator is critical to the success of the effort. Kay Calvert agreed and felt that the position should be jointly funded by the Chamber, County and City. Tom Bakaly relayed that this group has laid the framework for a cultural tourism plan and suggested adding events and downtown improvements under the same umbrella.

The Mayor commented on the quality of the report, but emphasized the difficulty in finding money for the program when there are funding shortfalls for the recreation complex, town plaza, etc. and he stated he is *nervous* about making more commitments. Peg Bodell explained that the special services contract provides for funding the next phase and the group feels strongly that the County and Chamber participate. Colin Hilton stated that capital projects need a plan and Jim Hier strongly agreed and reiterated that the Chamber and County should be key partners in working through this project. He commented, however, that supporting a duplicate calendar when the Chamber already produces an event calendar is not efficient. He suggested that the Chamber's calendar be supplemented with links, etc.; we should work to improve existing resources.

Prepared by Janet M. Scott, City RecorderThe group is also seeking grant money to fund a walking tour. Marianne Cone discussed a variety of programs available at the Library and commented on the new St. Regis Hotel to be built at Snow Park. Kay Calvert felt the Leadership session held this week was excellent. Mayor Williams spoke about the great response to the High School jazz band's fund-raiser, the NBC event at The Canyons, and presenting the *State of the City* address to the Shepherd of the Mountains congregation. He attended the first bio-diesel convention in SLC today and announced that the trolley is planned to be retro-fitted this spring, which will be a good test for the fleet. He congratulated Jim Hier on receiving a community service award from the Board of Realtors.

2. Golf Course analysis update. See staff report. Craig Sanchez explained that staff is looking for policy direction before amending the fee ordinance. He specifically referred to extending the resident rate of $33 to the Snyderville Basin residents; marketing small groups and lodging, reducing expenditures, implementing a contingency plan if revenues are not meeting expenditures, converting the season pass program to a lottery, and reducing resident rates. Last spring, Council was advised that revenues were not meeting expectations to fund capital costs and a $2 rate increase was adopted but not deemed very effective. He stated that revenues last year were down about 10.5% while expenses decreased by about 2% and the fund balance is currently around $270,000.

The analysis focused on (1) fee structure and revenues, (2) expenditure reductions, (3) policy changes, and (4) contingency measures. Gary Hill explained that staff analyzed who was playing the course and found that resident rounds have increased dramatically since 1998. In 1999, there was a conscious decision to market the course as local/resort facility by maintaining a low rate for citizens and increased the rates for non-residents. He pointed out the financial benefits Park City residents experience from tourism and visitors. The rate increase and the availability of other courses have driven non-resident play elsewhere. About 90% of the play is in-state play, which is uncharacteristic of resort courses, and about 30% of in-state is non-resident and over half of the in-state play is Basin. In 1997 when rates were $34 for non-residents, there were an estimated 4,000 Basin players, which decreased in 2004 to about 1,400. Assuming that there is sensitivity to price and patrons would return, he noted that in order to break even, only 2% or 600 people would have to return. Return play of 70% represents $35,000 in green fee revenues, not including Golf Pro sales, carts, etc. and Mr. Hill felt that extending the rate is a relatively safe approach.

Though a computer assisted *dynamic* presentation Mr. Hill discussed a variety of scenarios for generating annual green fee revenues by keeping the number of total resident rounds constant, by manipulating the number of Basin rounds, and adjusting green fees. Marianne Cone suggested a rate of $31 for residents and $35 for non-residents who are currently paying $43. Kay Calvert believed it important to offer the same rate to Basin residents and Craig Sanchez commented that the Racquet Club experienced a significant increase in membership when the same pricing was extended to the Snyderville Basin.

Rich Miller, Golf Committee member and player, explained that he has been a season pass holder over the years. He feels that season passes generate revenue, perhaps not as much as others for green fees, but typically these players spend more money on carts, tournaments, and in the pro shop, and often bring full-rate paying golfers. He supports increasing the cost of season passes and using a lottery system and believes the individuals who are considered grandfather because they have been purchasing them over the years, should continue to be grandfathered. Craig Sanchez reported that there are 48 grandfathered season passes. Tom Bakaly suggested honoring the 48 and holding a lottery for 27 more, for a maximum of 75 season passes, which could be opened to the Basin. Joe Kernan asked for a copy of the minutes of the meeting where Council agreed to grandfather season passes. He reviewed the statistics and felt the assertion that season pass holders play more during the week is inaccurate, but felt that anyone should be able to purchase a season pass. Sales should not limit be limited to 48, and perhaps open to the Basin. There shouldn’t be a special deal for 48 people because they purchased a pass over the past five years. Kay Calvert remarked that it could put the course *out of business*. He suggested raising the price from $990 to $1,425 so that the season pass program is fair and offset by revenue. Mayor Williams stated that grandfathering was a decision made by a prior council and Mr. Kernan felt that the passes can be honored without making the program exclusive.

Candace Erickson explained the decision a few years ago when the golf course found itself in a financial dilemma. The season pass program was identified as a problem, but there was significant opposition to discontinuing season passes. The Council decided to grandfather pass holders which should be honored. Joe Kernan felt that there is an appropriate rate for season passes, which will equate to a reasonable return per round. The taxpayers purchased the golf course property and the same program should be offered to all citizens. There was discussion about offering more passes for sale and Jim Hier suggested first opening it up to residents, and then to the Basin. Ms. Erickson asked staff to recommend the cost and number of passes for sale. Craig Sanchez pointed out that the main problem several years ago was offering a senior season pass, which was extremely affordable to the player, often averaging $3 to $4 rounds. Rich Miller pointed out that reducing green fees will affect the price of a season pass and supported Mr. Hier's suggestion of offering passes to City residents first before opening it up to Basin residents. Craig Sanchez commented that the Friends of Golf were unanimous in supporting the Basin's reduced rate.

Jim Hier stated that it is difficult to arrive at a fee resolution without providing an analysis on expenditures to Council. Mayor Williams believed consensus to be allowing up to 75 season passes and grandfathering 48 purchasers. Rich Miller felt it important to acknowledge the depreciation line item in the golf course budget for many years, and impending capital improvements which can be written off against depreciation. He asked how this $240,000 a year will be funded and felt there is a balance between reducing green fees and maintaining the course. Mr. Miller felt that the revenue from the Basin will be higher than anticipated. Gary Hill interjected that the proposed range is $32 - $33 and anything lower may jeopardize funding capital replacement. Gary Hill believed the direction on revenues is helpful and staff will bring back expenditure information, with a fee resolution draft. Jim Hier expressed his concern with implementing a reservation policy and Craig Sanchez explained that most golf courses take credit cards and a policy of charging the card for *no*-shows if the tee time is not canceled. He discussed foregone revenues and suggested perhaps requiring credit cards to make a reservation, which will prompt people to follow-up, but acknowledged that this extra step will be staff intensive. The Racquet Club charges credit cards for court rentals. Jim Hier suggested providing some type of industry-wide comparisons for the major expense categories and a breakdown of inter-departmental charges. Mr. Kernan thanked staff for their efforts on this analysis.

3. Ice and parking structure funding update:

Ice. See staff report. Colin Hilton explained that the project team has worked meticulously to "value engineer" the ice rink portion of the complex. It is staff's position that the design and subsequent cost estimates will not allow for a cost of construction to be less than $4 million for the ice rink portion. Given the need to budget $773,750 for other project soft costs, the total project budget is currently estimated at $4.8 million, leaving an $800,000 gap. In the inter-local agreement with SBSRD, this scenario was anticipated with procedures outlined to address any shortfall. Section 3.2 says:

(a) Review Period – The City and District will meet upon completion of design development drawings to review cost estimates and options given the project budget of

$4 million dollars. Discussions at this time will evaluate the ability to deliver the project within budget or whether an amendment to this Agreement is necessary.

(b) The Parties agree to address projected shortfalls prior to construction bid advertisement through reduction in scope and/or through capital campaign efforts. Amendments to this Agreement pursuant to Section 9.12 may be necessary.

(c) In the event cost estimates exceed available funds, the Parties agree to value engineer the project, which may include further reductions in scope."

Mr. Hilton went on to explain several options to address the shortfall, including:

1. Further "value-engineer" the design to introduce previously un-preferred options such as using pre-fabricated buildings or reducing the Olympic size of the ice sheet to a smaller dimension.

2, Advance the "baseline design" that has occurred through exhaustive value-engineering efforts and start construction with a phased-construction approach. In this option, the basic building facility would be constructed, but many "finishes" would be left undone until a funding source became available. Certain identified finishes left undone could include not constructing 4 of the 6 proposed locker rooms, all office areas, party rooms, spectator seats, concession areas, and most interior finishes.

3. Seek to start a fundraising campaign to bridge the $800k to $1 million dollar gap. Sources of funds could target:

- Naming rights for the building and complex
- Sponsorship or donor programs
- Grant applications to organizations like future RAP, Restaurant tax, and other granting organizations (staff is already advancing grant applications)
- Fund the gap with reallocated City funds
- Not start construction until all funds were identified.

He emphasized that staff has the following recommendation should City Council desire to proceed with construction on April 18th:

1. Advance the baseline design that targets a cost of construction for the ice rink element at $4 million – this still leaves the project budget short (given the soft costs) by $800,000.

2. Start a year long fundraising campaign that targets raising $1 million dollars. The focus of the fundraising efforts would be on building naming rights, key hardware sponsorship for items like the Zamboni and scoreboards, and tiered donor/sponsorship program. Staff suggests that a *Friends of Ice* be formed, consistent with City policies to assist with a fundraising campaign.

3. Introduce a new $800,000 CIP line item for "Ice Rink Additional Funding" for review during the spring budget season. In doing this, Council would create a safety net for "consideration only" during the budget review period where staff feels all budget decisions should be made in tandem.

4. Maintain the intent of having the City and SBSRD only utilize $2 million apiece toward ice facility construction and pushing for the naming rights and donor fundraising programs to raise the funds needed to bridge the "gap." This in effect would implement the funding gap as a "cash flow" challenge.

5. Review all options when considering a "safety net" to cover the anticipated gap should fundraising efforts not go well. They could include:

- A reallocation or "re-prioritization" of City funds from other City projects during the budget process
- A bank "draw down" or line of credit account backed by a budget appropriation to cover any cash flow gaps
- A new CIP line item as noted above
- Other

There was consensus among Council members not to decrease the size of the ice sheets or delay construction. There was support of initiating fund-raising activities to cover the $800,000 shortfall. Jim Hier expressed that he particularly supports the "safety net" recommendation of creating a bank "draw down" backed by a budget appropriation to cover any cash flow caps.

Parking structure.

Mr. Hilton advised that the project team has advanced the design of the parking structure through the "design development" phase. The current estimates are accurate and place the cost of construction at $6.25 million as designed. The budget is $5.5 million, leaving a $750,000 shortfall. In order to meet the April 12 construction start date, Mr. Hilton asked for Council direction on the following options:

- Reduce the scope of construction by reducing the amount of constructed parking spaces. "Value-engineering" options are limited due to the nature of this type of "concrete" project. Therefore, cost savings are primarily found in reducing project scope. The current design builds 329 new spaces for a net gain of 250 spaces. The net gain number assumes a loss of surface parking due to the projected long term intent to construct a Town Plaza. He asked if Council would be willing to reduce the amount of constructed car spaces. The forecasted budget gap could be minimized or reduced altogether and reducing 34 spaces in the basement level could save a projected $600,000.

- Increase the funding allocation to $6.25 or $6.4 million from the Main Street RDA. Recent fine tuning of the funding forecast from the extended Main Street RDA shows an additional $1 million dollars to bond for. That currently allocates $6.4 million toward the parking structure, and $3.2 million dollars towards the Town Plaza and Prospect Avenue street reconstruction.

Mr. Hilton discussed the following staff recommendation:

- Reduce the parking structure design by either 18 or 34 spaces and bring the forecasted cost of construction back towards the funded amount of $5.5 million.

Utilize a portion of the additional $1 million in Main Street RDA funds to cover any remaining gap and consider adding funds for improved pedestrian walkways to and from the parking structure.

- Allocate the remaining portion of the $1 million increment towards the Town Plaza budget and other improved pedestrian corridor improvements around the Town Plaza concept.

There was discussion about cutting costs in the basement level of the garage by eliminating spaces that would have required mechanical improvements. In response to a question from Marianne Cone, Mr. Hilton explained that the overall mass of the building will remain the same with or without the 34 spaces. The building is designed with the ability to add levels of parking in the future and he reiterated that staff recommends reducing the scope of the project to meet the budget. Joe Kernan stated that he supports the recommendation and RDA funding assistance. Mr. Hilton clarified that $1 million is tax increment from the extension of the RDA, which was under-estimated, and must be spent on this project. He asked Council for clarification on priorities for parking, town plaza, street reconstruction, or trash compactors.

Mayor Williams discussed a plan to realign the design for Swede Alley, slightly decreasing the plaza site, to provide 14 surface parking spaces. In response to a question from Marianne Cone about screening slab concrete, Mr. Hilton explained that there will be architectural elements and landscaping to soften the look of the structure but the scope is yet to be determined. There was unanimous consensus to remove the 34 spaces. Colin Hilton stated that the HMBA's position is to maximum the number of parking spaces in these projects. Mayor Williams acknowledged this, but advised that the City Council has an obligation to meet the $5 million budget and to meet everyone's needs. Ms. Cone pointed out that the Crossroads parking structure was privately funded by business owners. Mr. Hilton advised that the cost savings for removing the parking spaces only amounts to $500,000 and an additional $250,000 is needed. He suggested that any excess funds go to the parking structure.

Prepared by Janet M. Scott, City Recorder

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 17, 2005

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, February 17, 2005. Members in attendance were Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; and Mark Harrington, City Attorney;

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

1. Legislative update – Representative David Ure explained that HB118, the special service district bill for under-grounding utilities, is moving along well. He spoke about restoring the authority of eminent domain for chartered cities, but discussed his concerns of cities attempting to procure water outside their jurisdictions by way of condemnation and potential impacts to the Wasatch Front. He reported that Utah residents' income is 18% higher than the national average, but down per capita because of all of the children in the population. There is a bill regarding undocumented workers in the Senate, which will take away drivers licenses and replace them with another credential for driving privileges. Mr. Ure stated that revenues have increased; for a total of $70 million in annual funding and $45 million of one-time funds. This should be spent on capital projects rather than human services. The tourism bills were discussed.

2. Call-up of decision to remove mine soils from Empire Canyon – Kay Calvert, "I move to call the Planning Commission recent approval of the Empire Pass CUP to remove the mine tailings through the City". She added that she would like to hold a public hearing and explore solutions to safety issues. Joe Kernan seconded. Jim Hier requested a legal clarification. Mark Harrington stated that the call-up proceeding would re-hear the CUP application and a public hearing would be specifically noticed. It would not be limited to issues like most call-ups and appeals. Motion carried unanimously. Mr. Harrington added that staff will work with the applicant on an appropriate date; there is no date certain at this point. In response to a request from Marianne Cone, Tom Bakaly indicated that there will be back-up material available for the public to review at City Hall.

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

The Mayor invited the audience to comment on any matter of City business not scheduled on the agenda. Hearing none, the public input session was closed.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF FEBRUARY 3, 2005

Candace Erickson corrected a grammatical error in the work session notes. Kay Calvert, "I move to approve the work session notes and minutes of the meeting of February 3 (as corrected)". Marianne Cone seconded. Motion carried unanimously.

V NEW BUSINESS

1. Consideration of Park City Heights Annexation Petition – and

2. Consideration of Quinn's Junction Partnership Annexation Petition - Mark Harrington reported that the City received updated plat and application information this week, which triggers an additional two weeks, because the original submissions are now not considered complete. All parties have stipulated to the continuance date of March 10, 2005 and all affected entities have been contacted of the continuance by way of fax. Jim Hier, "I move to continue New Business Items 1 and 2 to March 10". Marianne Cone seconded. Motion carried unanimously. The City Attorney added that state statute mandates that if no action is taken within that two week period, the petitions are deemed accepted, but all parties have stipulated that this is not the case here and acceptance is pending.

VI ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:30 p.m. Members in attendance were Mayor Dana Williams, Kay Calvert, Marianne Cone, Candace Erickson, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager and Mark Harrington, City Attorney. Jim Hier, "I move to close the meeting to discuss property and personnel". Candace Erickson seconded. Motion carried unanimously. The meeting opened at approximately 3:45 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

City Council Staff Report

Author: Gary Hill
Subject: Public Hearing – Series 2005 Sales Tax Revenue Bond
Date: March 3, 2005
Type of Item: Administrative

BUDGET, DEBT, AND GRANTS

Summary Recommendations: The City Council should hold a public hearing to consider citizen input on the issuance of sales tax revenue bonds for the following projects:

- Swede Alley Parking Structure
- Town Plaza
- Prospect Avenue
- Public Safety Building
- Quinn's Recreation Complex
- Refinance of the 1996 and 1999 MBA bonds

Description:
Topic: Public Hearing for Sales Tax Bonds

Background: On February 10th, 2005 City Council approved a Parameters Resolution setting broad parameters for the issuance of sales tax revenue bonds. The bonds are intended to finance the following projects:

- Expansion of the Swede Alley Parking Structure, Town Plaza, and Prospect Avenue (collectively referred to the Downtown Projects);
- A portion of the Quinn's Recreation Complex;
- A portion of a new Public Safety facility; and
- The refinance of the 1996 and 1999 Municipal Building Authority (MBA) debt.

Sales tax revenue bonds provide an opportunity for a better interest rate than bonds backed solely by RDA tax increment, impact fees, or MBA lease revenue. Several of the projects have identified revenue sources (such as the RDA increment for Downtown Projects), which will be used to "pay back" the General Fund for sales tax revenue pledged to the bonds.

Table 1 illustrates the various projects with their respective funding sources:

Table 1 - Projects and Revenue Sources

	Project		Amount	Revenue Source		Annual Payment	
Series A	Downtown Projects	$	9,651,893	RDA Tax Increment	$	920,000	
	Police Facility	$	2,500,000	Impact Fees*	$	240,000	
	Quinn's Field Complex	$	1,004,057	Sales Tax Revenue	$	96,000	
	Project Subtotal	**$**	**13,155,950**		$	1,256,000	
	Cost of Issuance	$	154,050				
	Principal - Series A	**$**	**13,310,000**				
	Project		**Amount**	**Revenue Source**		**Annual Payment**	
Series B	MBA Debt Refinance	$	6,030,000	Existing Debt Service	$	1,500,000	**
	Principal - Series B	**$**	**6,030,000**		$	1,500,000	
Total Estimated Bond Issuance		**$**	**19,340,000**				

* Assumes an increase to Public Safety impact fees
** Debt Service to decrease to approx. $700,000 in FY 2007

Analysis: The Utah Municipal Bond and Bond Refunding Acts require that prior to issuing bonds secured by sales tax, an issuing entity must give notice of its intent to issue the bonds and hold a public hearing to receive input from the public with respect to the issuance of the bonds.

In adopting the Parameters Resolution on February 10th, the City signaled its intent to hold a public hearing on March 3, 2005. This hearing was advertised in the Park Record on February 12th and 19th.

The purpose of this public hearing is to inform residents that the City intends to issue sales tax bonds and to solicit public input. Council does not need to take any formal action on March 3rd. Staff will return to Council at future meetings for formal action including adoption of the Final Bond Resolution.

In addition, staff will return to City Council on March 10th to seek direction regarding the Public Safety building portion of the bonds. As mentioned during Council Meeting on February 10th, the issuance of $2.5 million for the construction of a Public Safety facility currently contemplates an increase to the Public Safety impact fee. The discussion on March 10th will provide City Council with impact fee information and options.

Staff intends to return to Council near the end of April to consider adopting the Final Bond Resolution.

Department Review: Budget, Debt, and Grants; City Manager; Legal; and Finance.

Alternatives:

A. Approve the Request: Council should hold a public hearing and consider public input regarding the issuance of the Series 2005 Sales Tax Revenue Bonds.

B. Continue the Item: Council could decide to continue the public hearing once it has been opened to solicit additional public input. This is not required, and there will be additional opportunities for public comment at a public hearing when council considers the final bond resolution.

C. Deny the Request or Do Nothing: Failure to hold the public hearing would require the City to abandon the sale and prevent the City from issuing this debt series at this time. This would in effect require re-adoption of the Parameters Resolution if Council decided to continue with the bond issuance.

Significant Impacts: Holding this public hearing will allow the City to proceed with the issuance of the bonds and begin construction on the projects as currently anticipated. Council will not need to take formal action at this time, and will have additional opportunities to consider the bond sale, including next week when staff will present a discussion on public safety impact fees in relation to construction of the new public safety building.

Consequences of not taking the recommended action: Not holding the public hearing will affect the City's ability to fund the Downtown Projects currently anticipated, to begin construction on the Recreation Complex and Police facility, and to refinance the 1996 and 1999 MBA bonds.

Recommendation: Pursuant to State law, the City Council should hold a public hearing to consider citizen input on the issuance of sales tax revenue bonds for the following projects:

- Swede Alley Parking Structure
- Town Plaza
- Prospect Avenue
- Public Safety Building
- Quinn's Recreation Complex
- Refinance of the 1996 and 1999 MBA bonds

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City Council
Staff Report

Author: **Patrick J. Putt**
Subject: **Land Management Code Amendment**
Creation of the Public Use Transition District
Date: **March 3, 2005**
Type of Item: **Legislative**

Planning Department

Summary Recommendations: Hold a public hearing regarding the proposed Public Use Transition District, modify the draft amendments as necessary, and approve attached ordinance creating the new zoning district.

Topic: Land Management Code Amendment. Creation of new zoning district.

Discussion and Analysis: Park City Municipal Corporation's Old Town property which includes Marsac City Hall, the China Bridge parking structure, Swede Alley parking lots, and the Old Town Transit Center are currently located in the Historic Commercial Business (HCB) and Historic Residential (HR-1) zoning districts. Marsac City Hall is a historic structure. It is also a legal non-complying structure in the underlying in the HR-1 zone as a result of its historic building height and setbacks. The City is currently in the process of developing a design plan for the creation of a municipal Swede Alley plaza; expansion of the China Bridge parking structure; and seismic upgrade/remodel of the Marsac City Hall building. The aforementioned municipal uses and structures are all conditional uses in the two current underlying residential and commercial zoning districts. The HCB District permits (or conditionally permits) a range of commercial, office, and lodging uses. The HR-1 District is primarily a residential zone.

The intent of the proposed Public Use Transition district is to create a zone specifically limited to municipal/public related uses. The proposed zone is a primarily a hybrid of the current HCB zone with a substantially reduced number of allowed and conditional uses.

The Planning Commission reviewed these amendments in a work session on November 10, 2004 and a public hearing on December 8, 2004. No public comment was received. At the conclusion of the December 8th public hearing, the Planning Commission forwarded a positive recommendation to Council.

Recommendation:
Staff recommends that Council hold a public hearing, direct staff to make any final modifications to the amendments, and approve the attached ordinance creating the new zoning district.

Ordinance No.

AN ORDINANCE AMENDING TITLE 15 OF THE PARK CITY MUNICIPAL CODE, CHAPTER 15, LAND MANAGEMENT CODE, ESTABLISHEMENT OF SECTION 15-2-22: PUBLIC USE TRANSITION DISTRICT

WHEREAS, it is in the public interest to create a zoning district in the Main Street/Town Core area specifically limited to municipal/public related uses and limited commercial uses; and

WHEREAS, the proposed amendments were properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a work session on November 10, 2004 and a public hearing on December 8, 2004 2004 to receive public input on the establishment of the proposed zoning district; and

WHEREAS, the Planning Commission, on December 8, 2004, forwarded a positive recommendation on the proposed zoning district to the City Council; and

WHEREAS, on March 3, 2005 the City Council held public hearings to receive input on the proposed zoning district; and

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

SECTION 1. LAND MANAGEMENT CODE AMENDMENT. Title 15 of the Park City Municipal Code, Land Management Code is amended as described in Exhibit A to create Section 15-2-22: Public Use Transition District.

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

PASSED AND ADOPTED this 3rd day of March 2005.

PARK CITY MUNICIPAL CORPORATION

____

Dana Williams, MAYOR

ATTEST:

Janet M. Scott, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington, City Attorney

TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.22 - PUBLIC USE TRANSITION (PUT) DISTRICT

Chapter adopted by Ordinance No. ___

15-2.22-1. PURPOSE.

The purpose of the Public Use Transition (PUT) District is to:

(A) preserve the cultural heritage of the City's original Business, governmental and residential center,

(B) allow the Use of land for recreational, and institutional purposes with limited support commercial to enhance and foster the economic and cultural vitality of the City,

(C) facilitate the continuation of the visual character, scale, and Streetscape of the original Park City town core,

(D) encourage the preservation of Historic Structures within the district,

(E) encourage pedestrian-oriented, pedestrian-scale Development,

(F) minimize the impacts of new Development on parking constraints of Old Town,

(G) minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and

(H) support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.

(I) To allow for community input on development design within the District through the public conditional use permit review process.

(J) To provide a transition between the HCB and the HR-1 Districts for the purpose of providing Municipal uses and public gathering and activity areas.

15-2.22-2. USES.

Uses in the Public Use Transitional District are limited to the following:

(A) **ALLOWED USES**.

(1) Municipal/Institutional Accessory Building and Use 600 sf or less
(2) Conservation Activity
(3) Parking Lot, Public or Private with four (4) or fewer spaces
(4) Public Utility or Essential Services
(5) Public Assembly Uses
(6) Outdoor Events

(B) **CONDITIONAL USES**.

(1) Public and Quasi-Public Institution, Church, School, Post Office
(2) Entertainment Facility, Outdoor
(3) Essential Municipal Public Utility Use, Facility, or Service Structure
(4) Parking Area or Structure for five (5) or more cars
(5) Liquor Store
(6) Commercial Retail and Service, Minor
(7) Outdoor Recreation Equipment
(8) Outdoor Grills/Beverage Service Stations
(9) Restaurant, Outdoor Dining[1]
(10) Restaurant, Cafe or Deli
(11) Accessory Building or Use greater than 600 sf
(12) Telecommunication Antenna[2]
(13) Satellite Dish, greater than thirty-nine inches (39") in diameter[3]
(14) Temporary Improvement/Outdoor Use
(15) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays[4]
(16) Master Planned Developments
(17) Passenger Tramways, ski towers, and ski lift facilities.

(C) **PROHIBITED USES**. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. No. 02-38; 04-39)

15-2.22-3. LOT AND SITE REQUIREMENTS.
Except as may otherwise be provided in this Code, no Building Permit will be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development must comply with the following:

(A) **LOT SIZE**. There is no minimum lot size in the PUT District.

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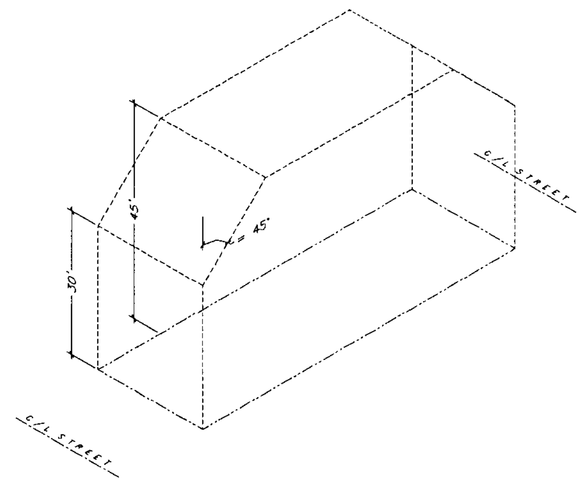
[1] Required Administrative Conditional Use permit
[2] See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities
[3] See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas
[4] Olympic Legacy Displays limited to those specific Structures approved under the SLOC/ Park City Municipal Corporation Olympic Services Agreement and/or Olympic Master Festival License and placed in an Area other than the original location set forth in the services agreement and/or Master Festival License.

(B) **<u>FRONT, REAR AND SIDE YARDS</u>**. There are no minimum required Front, Rear, or Side Yard dimensions in the PUT District; however, where new construction abuts a residential zone, the new construction shall meet the required minimumsetback of the abutting zone.

(C) **<u>CLEAR VIEW OF INTERSECTION</u>**. No visual obstruction in excess of two feet (2') in height above road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

15-2.22-4. MAXIMUM BUILDING HEIGHT.

(A) The maximum Building volume for each Lot is defined by a plane that rises vertically at the Front Lot Line to a height of thirty feet (30') measured above the average Natural Grade and then proceeds at a forty-five degree (45°) angle toward the rear of the Property until it intersects with a point forty-five feet (45') above the Natural Grade and connects with the rear portion of the bulk plane. The maximum building height shall be 45 feet from as measured from Existing Grade.



(B) **<u>MAXIMUM BUILDING VOLUME AND BUILDING HEIGHT EXCEPTIONS</u>**. To allow for pitched roofs and to provide usable space within the Structure, the following exceptions apply:

(1) A gable, hip, gambrel or similarly pitched roof may extend up to five feet (5') above the Zone Height.

(2) An antenna, chimney, flue, vent, or similar Structure may extend up to five feet (5') above the highest point of the Building to comply with Uniform Building Code (UBC) requirements.

(3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.

(4) A church spire, bell tower, and like architectural features may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning and Building Departments.

(5) An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

(6) Salt Lake City 2002 Winter Olympic Games Olympic Legacy Displays, including Olympic way-finding towers, are permitted to a height of sixty-five feet (65').

(Amended by Ord. No. 03-38)

15-2.22-5. ARCHITECTURAL REVIEW.

(A) **REVIEW**. Prior to issuance of a Building Permit for any Conditional or Allowed Use, Planning Department must review the proposed plans for compliance with the Architectural Review standards, Chapter 15-9. Restorations, rehabilitations, adaptive reuses, and additions to Historic Structures within the PUT shall be reviewed by the Planning Department for compliance with the Historic District Design Guidelines.

(B) **NOTICE TO ADJACENT PROPERTY OWNERS.** When the Planning Department determines that proposed Development plans comply with all LMC and/or Historic District Design Guidelines, the Staff shall post the Property and provide written notice to Owners immediately adjacent to the Property, directly abutting the Property and across Public Streets and/or Rights-of-Way.

The notice shall state that the Planning Department staff has made a preliminary determination finding that the proposed plans comply with the LMC and/or Historic District Design Guidelines.

(C) **APPEALS**. The posting and notice shall include the location and description of the proposed Development project and shall establish a ten (10) day period to appeal Staff's determination of compliance to the Planning Commission. Appeals must be written and shall contain the name, address, and telephone number of the petitioner, his or her relationship to the project and the Code provisions violated by the Staff determination.

15-2.22-7. PARKING REGULATIONS.

Off street parking shall be provided per the LMC Parking Standards set forth in Chapter 15-3. The parking must be on-Site or paid by fee in lieu of on-Site parking set by Resolution equal to the parking obligation multiplied by the per space parking fee/in-lieu fee.

15-2.22-8. MECHANICAL SERVICE.

All exterior mechanical equipment must be Screened to minimize noise infiltration to adjoining Properties and to eliminate visual impacts on nearby Properties, including those Properties located above the roof tops of Structures in the HCB District.

All mechanical equipment must be shown on the plans prepared for architectural review by the Planning and Building Departments. The Planning Department will approve or reject the location, Screening and painting of such equipment as part of the architectural review process.

15-2.22-9. ACCESS, SERVICE AND DELIVERY.

All Structures must provide a means of storing refuse generated by the Structure's occupants. The refuse storage must be on-Site and accessible from a public street. Refuse storage must be fully enclosed and properly ventilated. Public trash receptacles set in the Right-of-Way by the City for Use by the public are exempt from this regulation.

15-2.22-0. GOODS AND USES TO BE WITHIN ENCLOSED BUILDING.

(A) **OUTDOOR DISPLAY OF GOODS PROHIBITED**. Unless expressly allowed as an Allowed or Conditional Use, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration, which exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.6-12(B)(3) for outdoor display of bicycles, kayaks, and canoes.

(B) **OUTDOOR USES PROHIBITED/EXCEPTIONS**. The following outdoor Uses may be allowed by the City upon the issuance of an Administrative Permit. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

(1) **OUTDOOR DINING.** Outdoor dining is subject to the following criteria:

(a) The proposed seating Area is located on private Property or leased public Property and does not diminish parking or landscaping.

(b) The proposed seating Area does not impede pedestrian circulation.

(c) The proposed seating Area does not impede emergency Access or circulation.

(d) The proposed furniture is Compatible with the Streetscape.

(e) No music or noise is in excess of the City Noise Ordinance, Title 6.

(f) No Use after 10:00 p.m.

(g) No net increases in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.

(2) **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS**. Outdoor grills and/or beverage service stations are subject to the following criteria:

(a) The Use is on private Property or leased public Property, and does not diminish parking or landscaping.

(b) The Use is only for the sale of food or beverages in a form suited for immediate consumption.

(c) The Use is Compatible with the neighborhood.

(d) The proposed service station does not impede pedestrian circulation.

(e) The proposed service station does not impede emergency Access or circulation.

(f) Design of the service station is Compatible with the adjacent Buildings and Streetscape.

(g) No violation of the City Noise Ordinance, Title 6.

(h) Compliance with the City Sign Code, Title 12.

(3) **OUTDOOR EVENTS AND MUSIC**. Outdoor events and music require an Administrative Use Permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

(a) Notification of adjacent Property Owners.

(b) No violation of the City Noise Ordinance, Title 6.

(c) Impacts on adjacent residential Uses.

(d) Proposed plans for music, lighting, structures, electrical signs, etc.

(e) Parking demand and impacts on neighboring Properties.

(f) Duration and hours of operation.

(h) Impacts on emergency Access and circulation.

15-2.22-11. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4 ½ ') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning, Building, and Engineering Departments shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with landscape criteria in LMC Chapter 15-3-3(D) and Title 14.

15-2.22-15. SIGNS.
Signs are allowed in the PUT District as provided in the Park City Sign Code, Title 12.

15-2.22-16. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4-7.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Parking. LMC Chapter 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D).
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Park City Sign Code. Title 12.
- Architectural Design. LMC Chapter 15-5.
- Snow Storage. LMC Chapter 15-3-3(E).
- Parking Ratio Requirements. LMC Chapter 15-3-6.

City Council
Staff Report

PARK CITY 1884

PLANNING DEPARTMENT

Planner: Amy Campbell
Subject: 239 WOODSIDE AVENUE PLAT AMENDMENT
Date: March 3, 2005
Type of Item: Administrative
Applicant: James Totora, owner
Zone: Historic Residential (HR-1)

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in this staff report.

BACKGROUND

The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. The applicant is requesting to remove the lot line between Lots 8 and 9 located at 239 Woodside Avenue in Block 31 of the amended plat of the Park City Survey (Exhibit A). The plat amendment will create one lot combining the North half of Lot 8 and South half of Lot 9 lying within Block 31 of the amended plat of the Park City Survey. There is an existing historic house located to the North on lots 10 and the North half of Lot 9. The South Half of Lot 9 and North half of Lot 8 are vacant.

On Wednesday, January 26, 2005 the plat amendment was discussed at the Planning Commission work session. The Planning Commission agreed to waive the inclusion of all contiguous holdings of the owner, LMC SECTION15-7.1-5(B) (2), providing direction to prepare findings of fact to approve the application without requiring submission of surrounding existing conditions.

ANALYSIS

The property is located in the HR-1 zone. Construction of a single family dwelling on the proposed lot 1 will be an allowed use in the zone, provided it meets the criteria in LMC SECTION 15-2.2 and the Historic District Design Guidelines. The proposed lot complies with all required LMC lot size, lot arrangement, lot dimension and access requirements. The minimum lot area is 1,875 square feet for a single family dwelling. The maximum allowed footprint for a lot of this size is 844 square feet. The lot has frontage on Woodside Avenue, a public street on the Streets Master Plan.

NOTICE

Notice of this hearing was sent to property owners within 300' on February 9, 2005. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW
The Planning Department has reviewed this request. The request was discussed at a Staff Review Meeting on December 14 and January 4, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION
Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in this staff report.

EXHIBITS
Exhibit A – Proposed Ordinance
Exhibit B - Plat amendment

Ordinance No. 05-

AN ORDINANCE APPROVING A PLAT AMENDMENT FOR THE PROPERTY KNOWN AS 239 WOODSIDE AVENUE, LOCATED AT LOTS 8 AND 9 OF BLOCK 31 OF THE PARKCITY SURVEY, PARK CITY, UTAH

WHEREAS, the owner of the property known as 239 Woodside Avenue, has petitioned the City Council for approval of a plat amendment; and

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

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

WHEREAS, the proposed plat amendment allows the property owner to combine two lots of record into one lot of record; 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:

1. The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held.
1. This plat was reviewed at the January 26, 2005 Planning Commission work session.
2. The Planning Commission provided direction to waive the requirement, from the LMC SECTION 15-7.1-5(B) (2), to submit all contiguous holdings of the owner.
3. The property is located in the Historic Residential (HR-1) zone.
4. The South half of lot 8 is owned by Paul E. Susan. The North half of lot 9 is owned by James M. Totora.
5. The HR-1 zone is a residential zone characterized by a mix of larger contemporary residences and smaller historic homes.
6. The amendment will combine the North half of Lot 8 and South half of Lot 9 lying within Block 31 of the amended plat of the Park City Survey.
7. The proposed lot size is 1,875 square feet with a maximum footprint of 844 square feet.
8. The lot has 25 feet of frontage on Woodside Avenue.

No remnant lots will be created as a result of this application.

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

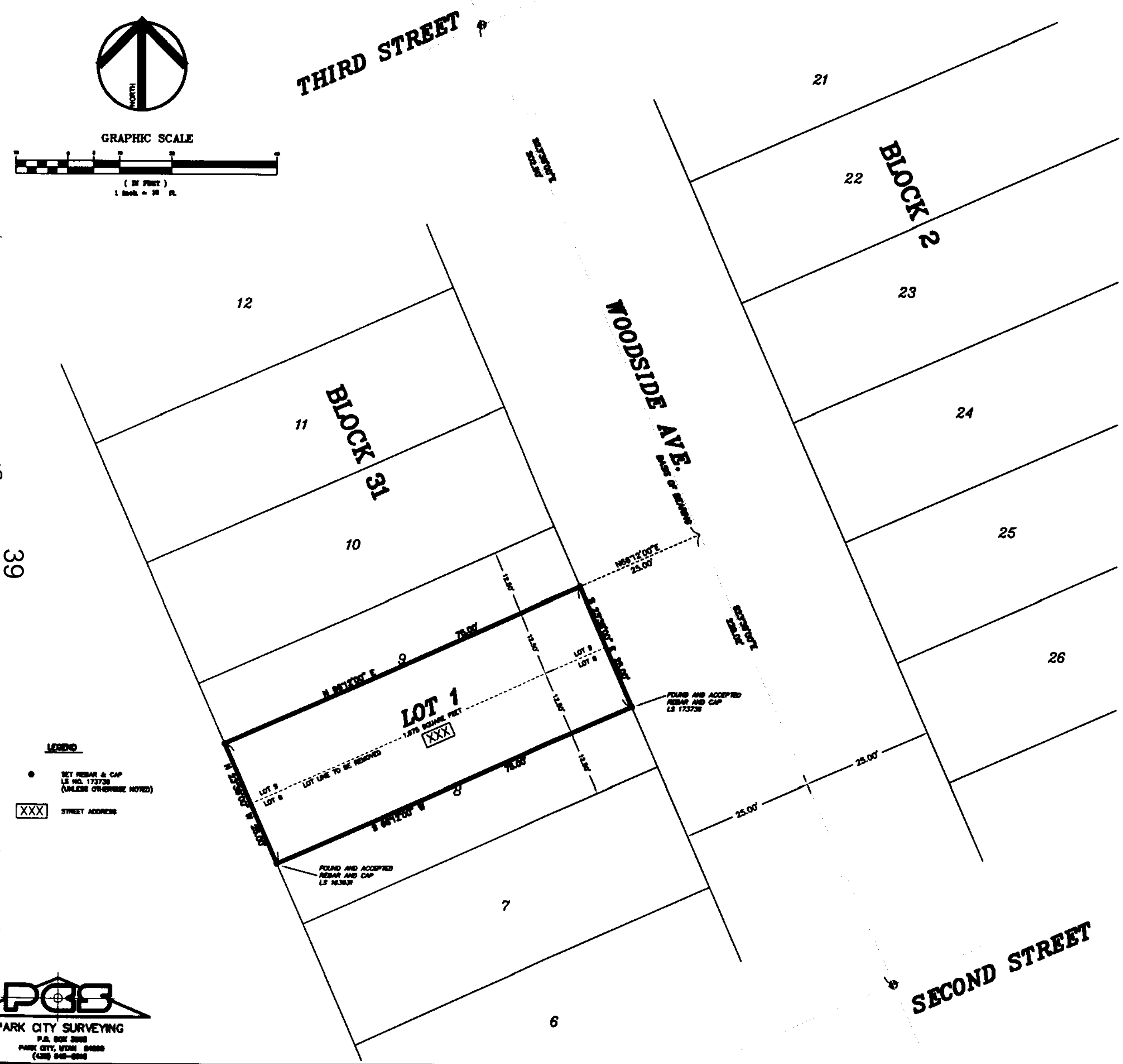
1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with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

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

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. Prior to the receipt of a building permit, the applicant shall submit an application for review for compliance with the Historic District Design Guidelines.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
4. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 3rd day of March 2005.



PARK CITY SURVEYING
P.O. BOX 2895
PARK CITY, UTAH 84060

A LOT LINE ADJUSTMENT
TOTORA REPLAT

LYING WITHIN BLOCK 31
OF THE AMENDED PLAT OF THE
PARK CITY SURVEY

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned owner(s) of the herein described tract of land, to be known hereafter as the TOTORA REPLAT, do hereby certify that I have caused this Plat to be prepared, and I/we, James M. Totora,hereby consent(s) to the recordation of this Plat.

ALSO, the owner(s), or his/her representatives, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with and irrevocable of dedication.

In witness whereof, I have hereunto set my hand this ______ day of ______________, 2005.

____
James M. Totora

ACKNOWLEDGEMENT

State of Utah:
County of Summit:

On this ______ day of ______________, 2005, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, James M. Totora the person that executed the within Instrument and known to me to be (or proved to me on the basis of satisfactory evidence) the person who executed the within Instrument on behalf of said persons, being duly sworn acknowledged to me that he is the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: ______________

____
Notary Public

DEED DESCRIPTION

NORTH HALF OF LOT 8 AND THE SOUTH HALF OF LOT 9, BLOCK 31, PARK CITY SURVEY ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 8152804, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

______________________ ______________________
Robert W.Pohl Date
PLS 8152804

RECEIVED
FEB - 2 2005

PAGE 1 of 1

PARK CITY PLANNING COMMISSION	CERTIFICATE OF ATTEST	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF ________ A.D. 20__. ________ CHAIRMAN	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ________, 2005 A.D. BY ________ PARK CITY RECORDER	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF ________, 2005 A.D. BY ________ S.B.W.R.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ________, 2005 A.D. BY ________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF ________, 2005 A.D. BY ________ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ________, 2005 A.D. BY ________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ________ DATE ____ TIME ____ BOOK ____ PAGE ____ ________ FEE ________ RECORDER

Z:\O\S\OLDTOWN\ParkCity Survey\REVISED 2 TOTORA REPLAT.dwg, 2/2/2005 9:19:32 AM, 1:31.9313

City Council Staff Report

Author: Brooks T. Robinson
Subject: Ontario Canyon Subdivision Plat
Date: March 3, 2005
Type of Item: Administrative

Summary Recommendations:
The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the Ontario Canyon two-lot Subdivision Plat.

Applicant	Joan Baron and Kenneth Fell
Location	44 Ontario Canyon Road (Chambers Street)
Zoning	HR-1
Adjacent Land Uses	Residential, State Route 224
Reason for Review	Subdivision Plats require Planning Commission review and City Council approval.

Background

The property is two metes and bounds parcels located at 44 Ontario Canyon Road (Chambers Street). A house sits on the northern end of parcel 1. On July 7, 2000, the City received an application for subdivision of these parcels into two lots of record.

At the request of the applicant, no action has been taken on this application until the City approved the Marsac Avenue and Chambers Street plat. The reason is that additional road right of way would be required to be dedicated on the parcels unless and until United Park City Mines dedicated land to the east. The Council approved the Marsac/Chambers plat on August 12, 2004. The plat has not yet been recorded as UPCM is still working out some details with UDOT.

The proposed subdivision will create two lots of record. Lot 1, to the north, is improved with a house and will be 4,389 square feet in size. Lot 2 is vacant and is proposed to be 4,292 square feet in size.

The Planning Commission held a public hearing on February 9, 2005, and forwards a positive recommendation to the City Council.

Analysis

The proposed plat creates two lots of 4,389 square feet and 4,292 square feet. The minimum lot size for a single-family house in the HR-1 zoning district is 1,875 square feet. For a duplex, the minimum lot size is 3,750 square feet. A duplex is a Conditional Use.

Setbacks for lots of this size (roughly 78 feet deep by 60 feet wide for Lot 1 and 88 feet by 35 feet for Lot 2) are:

- Front and Rear – 12 feet minimum, 25 feet total (both Lots)
- Sides – 5 feet minimum, 14 feet total (Lot 1); 3 feet minimum and 6 feet total (Lot 2)

The existing house is ten feet from the side property line to the north and has an existing deck encroaching into the setback. The proposed lot line is 17 feet from the southern corner of the building meeting the 14-foot total setback requirement. The front and rear setbacks for the existing house are consistent with the zone requirements.

The subdivision is consistent with the requirements of chapter 15-7 of the Park City Municipal Code.

Department Review

This project has gone through an interdepartmental review. No additional issues have been raised.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Alternatives

A. The City Council may approve the subdivision with the conditions stated, or modify the conditions, or

B. The City Council may deny the subdivision plat and direct staff to prepare findings supporting this recommendation, or

C. The City Council may continue the discussion to a later date.

Significant Impacts

There are no significant fiscal or environmental impacts from this Subdivision Plat.

Consequences Of Not Taking The Recommended Action

The property would remain as two metes and bounds parcels.

Recommendation

The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the Ontario Canyon Subdivision Plat based on the following findings of fact, conclusions of law and conditions of approval found in the Ordinance.

Ordinance No. 05-

AN ORDINANCE APPROVING THE ONTARIO CANYON SUBDIVISION PLAT, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the 44 Ontario Canyon Road (Chambers Street) have petitioned the City Council for approval of the Ontario Canyon subdivision 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 9, 2005, to receive input on the Ontario Canyon subdivision plat;

WHEREAS, the Planning Commission, on February 9, 2005, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 3, 2005 the City Council approved the Ontario Canyon subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Ontario Canyon subdivision plat

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

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

Findings of Fact:

1. The property is located at 44 Ontario Canyon Road, to be addressed as Chambers Street.
2. The zoning is HR-1.
3. The property is two metes and bounds parcels with an existing house on the northern parcel 1.
4. The subdivision will create two lots of record, 4,389 square feet and 4,292 square feet in size.
5. State Highway 224 is a very busy road.
6. Water and sewer service is desirable for newly subdivided lots.
7. The property currently fronts State Highway 224/Marsac Avenue.
8. The approved State Route 224/ Marsac Avenue reconstruction plans will leave this lot with access to the south end of new Chambers Street.

Conclusions of Law:

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

Conditions of Approval:

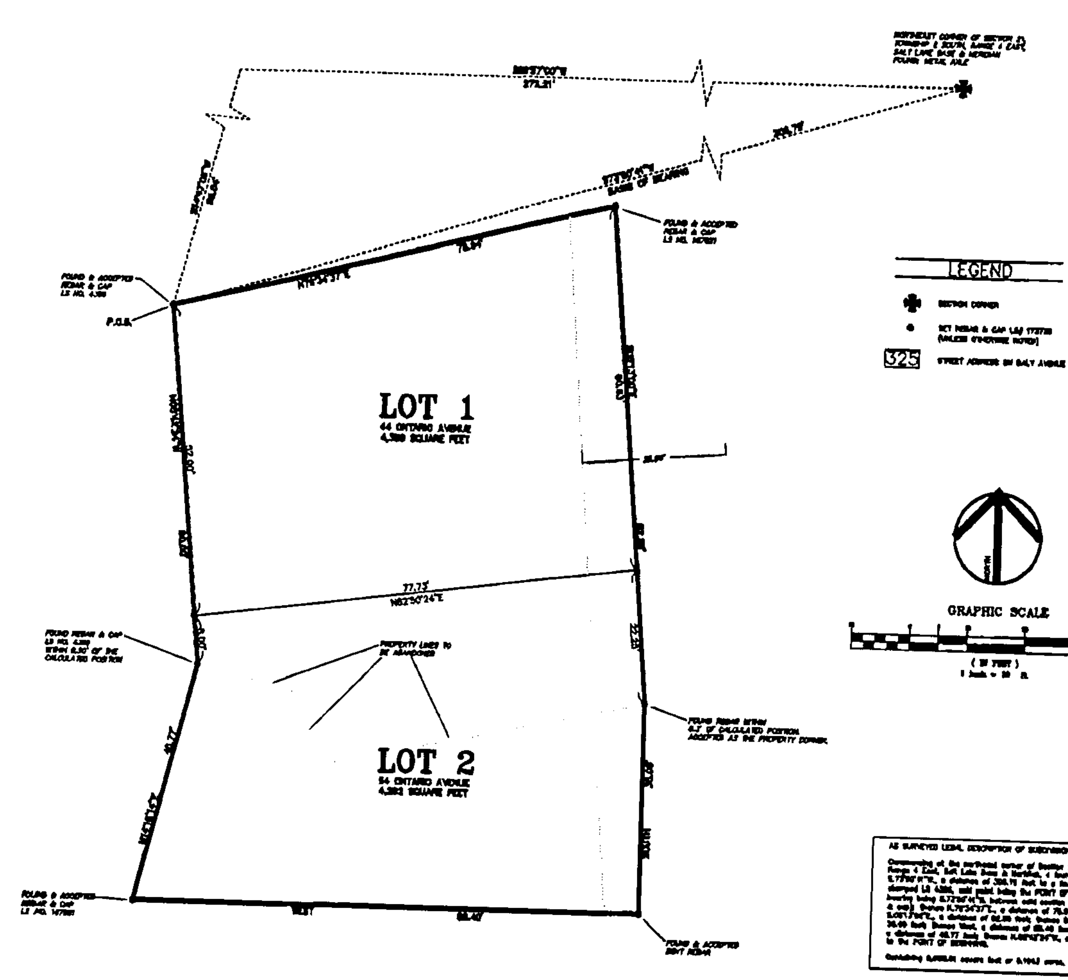
1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. The applicant will record the Subdivision Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. A note shall be added to the plat stating, "At considerable expense the owner of Lot 1 will need to extend utility services to the new lot at the time of building permit."

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

PASSED AND ADOPTED this 3rd day of March , 2005.

ONTARIO CANYON SUBDIVISION

LYING WITHIN SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH



PARK CITY SURVEYING

PARK CITY PLANNING COMMISSION	CERTIFICATE OF ATTEST	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS DAY OF ________ A.D. 20__	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF ________ 2004 A.D.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF ________ 2004 A.D.	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF ________ 2004 A.D.	APPROVED AS TO FORM THIS ____ DAY OF ________ 2004 A.D.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF ________ 2004 A.D.	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ________ DATE ____ TIME ____ BOOK ____ PAGE ____
CHAIRMAN	BY ________ PARK CITY RECORDER	BY ________ S.B.W.R.D.	BY ________ PARK CITY ENGINEER	BY ________ PARK CITY ATTORNEY	BY ________ MAYOR	FEE RECORDER

PAGE 1 of 1

CITY COUNCIL
Staff Report

PLANNING DEPARTMENT

Planner: **Ray Milliner**
Subject: **2414 IRON CANYON DRIVE**
Date: **March 3, 2005**
Type of Item: **Administrative; Plat Amendment**

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

DESCRIPTION

Project Name:	2414 Iron Canyon Drive
Project Planner:	Ray Milliner
Applicant:	Keith and Connie Barnhart
Location:	2414 Iron Canyon Drive
Zone:	Residential Density (RD)

BACKGROUND

The applicants are the owners of lot 5 of the Iron Canyon Subdivision located at 2414 Iron Canyon Drive. The applicant is requesting a plat amendment to the existing subdivision to move the existing building pad to a new location on the lot. The Planning Commission reviewed the application and forwarded a positive recommendation to the City Council on February 23, 2005.

ANALYSIS

The property is located in the RD zone. The applicant is seeking to modify the location and configuration of the existing building pad in order to preserve a number of mature trees on the property, (to take advantage of the screening that they would provide a future home from adjacent lots) and to accommodate their preferred home design. The applicant is proposing that the overall square footage of the building pad increase from the existing 4,000 square feet to 4,150 square feet. No other changes are proposed to the subdivision plat. Staff finds that the preservation of the existing stand of trees warrants the increase in the overall square footage of the building pad.

NOTICE

Notice of this hearing was sent to property owners within 300' on January 12, 2005. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on December 14, 2004, where representatives from local utilities and City Staff were in attendance. No additional issues or concerns were identified.

RECOMMENDATION
Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

EXHIBITS
Exhibit A – Proposed Ordinance
Exhibit B – Proposed Amendment
Exhibit C - Letter from the Applciant
Exhibit D – Letter from the Iron Canyon HOA

AN ORDINANCE APPROVING A PLAT AMENDMENT FOR THE PROPERTY KNOWN AS LOT 5 IRON CANYON SUBDIVISION, LOCATED AT 2414 IRON CANYON DRIVE PARK CITY, UTAH

WHEREAS, the owner of the property known as 2414 Iron Canyon Drive, has petitioned the City Council for approval of a plat amendment; and

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

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

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

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

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

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

2. The property is located in Residential Density (RD) zone.
3. The RD zone is a residential zone characterized by a mix of contemporary residences, and condominiums.
4. The applicant is requesting a modification to the location and configuration of the platted building pad for lot 5 Iron Canyon Subdivision, addressed as 2414 Iron Canyon Drive.
5. The existing platted building pad for lot 5 is 4,000 square feet in size.
6. The applicant is requesting a modified building pad of 4,150 square feet.
7. There is an existing stand of trees in the current location of the building pad.
8. If the building pad is relocated, the existing stand of trees will be preserved.
9. The proposed amendment will not result in any further changes to the Iron Canyon Subdivision plat.
10. The property has frontage on Iron Canyon Drive.
11. No remnant lots will be created as a result of this application

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

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

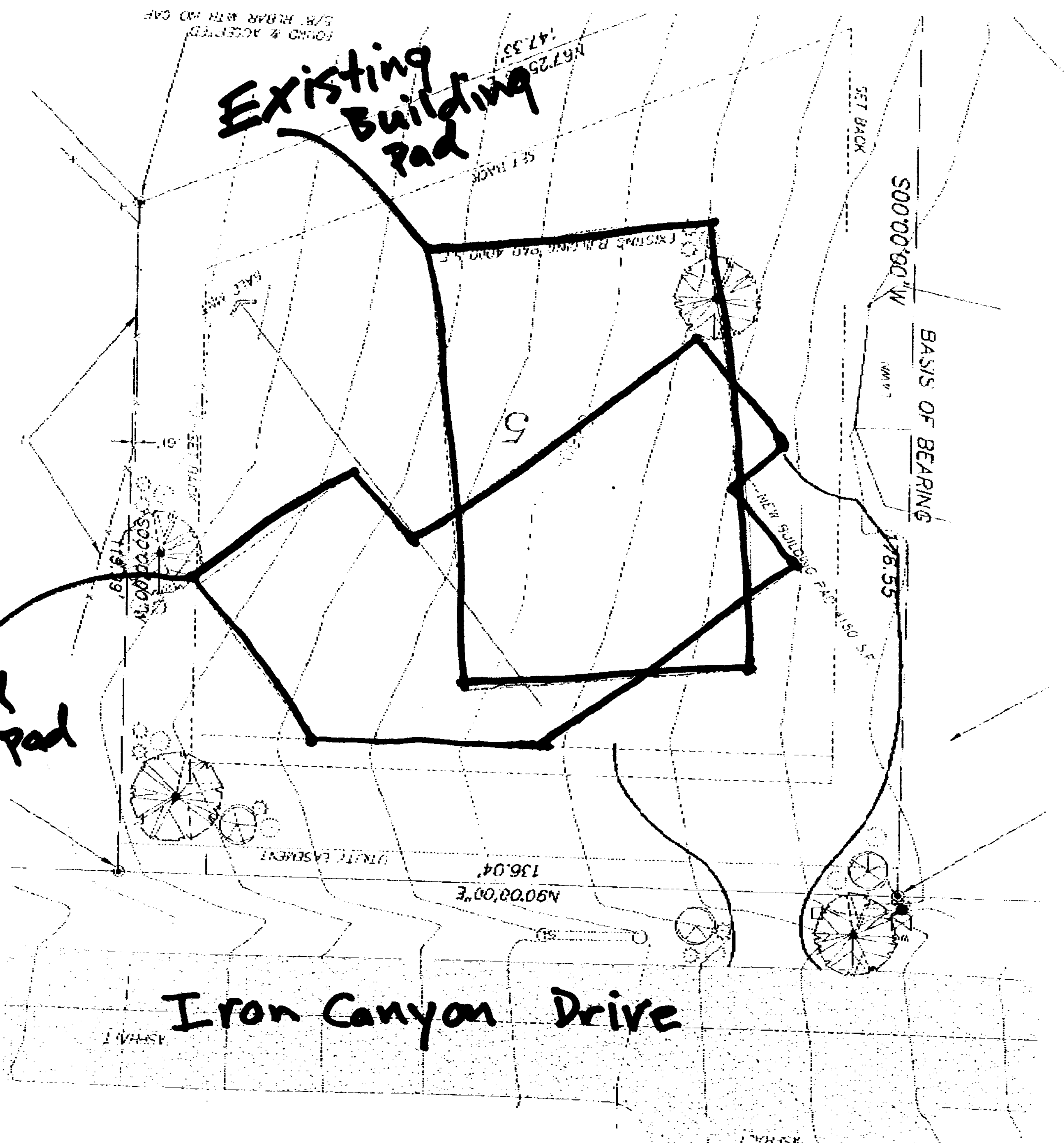
amendment.
4. As conditioned the amendment is consistent with the Park City General Plan.

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

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. All other conditions of approval an platted requirements for the Iron Canyon Subdivision will continue to apply.
3. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 3rd day of March 2005.



Lot 5
Iron Canyon

MICHAEL D. UPWALL P.C.
1025 EAST HOLLYWOOD AVENUE SALT LAKE CITY, UTAH 84105 801-485-0708 FAX 801-485-6992

January 14, 2005

Park City Building Department
445 Marsac Avenue
Park City, Utah 84060-1480
(435) 615-5060
(435) 615-5067

Ray,

Enclosed please find a letter of support from the Architectural Review Committee of Iron Canyon in regard to our request to reshape the building pad of Lot No. 5, Iron Canyon.

Again, our request for the plat amendment stems mainly from the desire to maintain the large stand of trees currently located in the pre-described building pad. We propose to protect these trees by re-locating and reshaping the required building pad to a position that differs from that shown on the plat. If we were to establish our building on that pre-described pad, the construction of the residence would most likely eliminate this large stand of mature trees, which currently provide a great sense of privacy to the existing homes that currently border the property of Lot No. 5 on three sides. My client wishes to maintain this sense of privacy, which is one of the original elements that attracted them to this lot.

Therefore we are proposing to locate our residence away from this existing stand of trees and re-shaping the pre-determined "rectangle" shape of the pad, to a shape that works with our design with the intent of maintaining as many existing mature trees as possible. We are planning to provide substantial landscaping and planting as required to buffer our new structure from the road, in order to maintain a sense of privacy for my client, as well as to "give back" to the neighborhood a pleasing, and well integrated "total" design presentation.

Ray, thank you for your consideration to our request for a plat amendment for Lot No. 5, Iron Canyon. We as well as the Architectural Review Committee of Iron Canyon, feel strongly that this proposed relocation will be an asset to the adjacent properties and the entire neighborhood.

Very Truly Yours,

Michael Upwall

Michael D. Upwall

January 13, 2005

To Whom It May Concern:

The Architectural Review Committee of Iron Canyon has reviewed the plans for a home to be built on lot 5 in Iron Canyon and approves the proposed change of building area as detailed on plans submitted in December 2004. Any changes to these plans will need to be reviewed by the A.R.C. for approval prior to any construction.

David Wiener
Chairman

beyond ideas

City Council
Staff Report

Author:	**Brooks T. Robinson**
Subject:	**Street Name Change; Ashley Avenue**
Date:	**March 3, 2005**
Type of Item:	**Legislative**

Summary Recommendations:
The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the proposed ordinance renaming Ashley Avenue to Ashley Court.

Applicant	Residents of Ashley Avenue
Location	Ashley Avenue, Risner Ridge II subdivision
Zoning	Residential Development (RD)
Adjacent Land Uses	Residential, Park Meadows Country Club
Reason for Review	Request to change street name pursuant to Utah Code Section 10-8-8.1.

Background
The Risner Ridge II subdivision was approved by the City Council on March 16, 1989. The subdivision encompasses sixteen lots on Ashley Avenue and two lots addressed on American Saddler Drive.

On December 30, 2004, the Planning Department received an application to amend the Risner Ridge II plat in order to change the name of the street from Ashley Avenue to Ashley Court. Each homeowner along Ashley Avenue has submitted a signed statement agreeing to the name change. The street numbers will remain the same and the two lots along American Saddler are not affected.

Analysis
The proposed name change is being requested to clarify to drivers unfamiliar with the area that the street in question is a cul de sac and not a through street. “Avenue” could conceivably suggest a connecting street, while “Court” may have a clearer meaning.

The residents have prepared a draft notification letter to the utility companies, city and county agencies, and the US Postal Service. The Park City Public Works Street Department has agreed to replace the one street sign from Ashley Avenue to Ashley Court.

Pursuant to Utah Code Section 10-8-8.1, the City must notify in writing and consult with the owners and operators of all underground utilities within the street, hold a public hearing before the City Council, and determine that there is good cause for the rename and that the rename will not be detrimental to the public interest.

Department Review

This project has gone through an interdepartmental review. No additional issues have been raised.

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. A phone call was received requesting information on this application.

Alternatives

A. The City Council may approve the street name change with the conditions stated, or modify the conditions, or

B. The City Council may deny the street name change and direct staff to prepare findings supporting this recommendation, or

C. The City Council may continue the discussion to a later date.

Significant Impacts
There are no significant fiscal or environmental impacts from this street name change.

Consequences Of Not Taking The Recommended Action
The street name would remain Ashley Avenue.

Recommendation
The Planning Department recommends the City Council open the public hearing, take any public comment, and consider approval of the street name change based on the findings of fact, conclusions of law and condition of approval found in the ordinance.

Ordinance No. 05-

AN ORDINANCE APPROVING THE STREET NAME CHANGE FROM ASHLEY AVENUE TO ASHLEY COURT, PARK CITY, UTAH.

WHEREAS, the sixteen owners of property addressed on Ashley Avenue have petitioned the City Council for approval of the street name change to Ashley Court; 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, Utah Code Section 10-8-8.1 the City must notify the owners and operators of all underground utilities within the street, hold a public hearing, and determine that there is good cause for the rename and that the rename will not be detrimental to the public interest; and

WHEREAS, on March 3, 2005 the City Council approved the street name change from Ashley Avenue to Ashley Court; and

WHEREAS, it is in the best interest of Park City, Utah to rename Ashley Avenue to Ashley Court.

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

SECTION 1. APPROVAL. The street name change from Ashley Avenue to Ashley Court is approved subject to the following Findings of Facts, Conclusions of Law, and Condition of Approval:

Findings of Fact:

9. The application is for a street name change within the Risner Ridge II subdivision.
10. The current name of the street is Ashley Avenue.
11. The zoning is Residential Development (RD).
12. The subdivision was approved by the City Council on March 16, 1989.
13. The application requests that Ashley Avenue be renamed to Ashley Court.
14. All 16 property owners along Ashley Avenue have agreed to the proposed name change.
15. The two lots addressed on American Saddler are unaffected.
16. The property owners have submitted a notification letter for all effected entities for compliance with Utah Code 10-8-8.1(2)(a).

Conclusions of Law:

5. There is good cause for this street name change.
6. The street name change will not be detrimental to the public interest.
7. This application complies with the requirements of Utah Code 10-8-8.1.

Condition of Approval:

4. If any of the effected governmental entities or public utilities object to this name change, this approval is void.

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

PASSED AND ADOPTED this 3rd day of March , 2005.

City Council Staff Report

PLANNING DEPARTMENT

Planner: Jonathan Weidenhamer
Subject: 437 PARK AVENUE – NOLAN REPLAT
Date: March 3, 2005
Type of Item: Administrative
Applicant: Bill and Elaine Nolan – Jonathan DeGray, Representative
Zone: Historic Residential – (HR-1)

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

BACKGROUND

The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

The applicant proposes to combine lots 7 and 8 of Block 4 of the Park City Survey into one lot of approximately 3,750 square feet (Exhibit A). The property has an existing, two- story historic structure which straddles the lot line between lots 7 and 8. The applicant intends to renovate the existing home, and put an addition onto the rear of the structure. The current home is approximately 1,200s.f. The proposed addition will add approximately 1600 s.f. to the structure and will result in a 2,800 s.f. home. The maximum allowed footprint for the combined lots is 1,519. The proposed footprint including the proposed addition is approximately 1277.

ANALYSIS

The property is zoned HR-1, Historic Residential. The proposed plat creates a 3,750 square foot lot. All development standards of the Land Management Code including: height, setbacks, parking, architectural design, building footprint, neighborhood and Historic Design Guideline compatibility, will be verified for compliance during design review. Because the existing home at 437 Park Avenue is historic, the LMC Section 15-2.2-4 exempts the addition from off-street parking requirements provided the addition does not create Lockout Unit or Accessory Apartment.

NOTICE

Notice of this hearing was sent to property owners within 300'. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on January 4, 2005, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and consider approving the amendment according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

EXHIBITS

Exhibit A – Ordinance
Exhibit B –Subdivision Plat
Exhibit C – Site Survey
Exhibit D - Site Photo

Ordinance No. 05-

AN ORDINANCE APPROVING THE NOLAN REPLAT WHICH WILL COMBINE LOTS 7-8 IN BLOCK 4 OF THE PARK CITY SURVEY INTO ONE LOT OF RECORD.

WHEREAS, the owners of Lots 7 and 8 of Block 4 of the Park City Survey, known as 437 Park Avenue, have petitioned the City Council for approval of a plat amendment; and

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

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

WHEREAS, the proposed plat amendment allows the property owner to remove one lot line and create one legal lot of record 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:

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

1. The property is located in the Historic Residential (HR-1).
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. There is an existing historic single family home on the property.
4. The existing historic single family home straddles lots 7 and 8 of block 4 the Park City Survey
5. The amendment will combine lots 7 and 8 of Block 4 of the Park City Survey into one (1) platted lot.
6. The proposed lot will combine two standard 25' x 75' old town lots. The resulting lot size will be 3,750 square feet (50' x 75')
7. The required front yard setback in the HR-1 zone for a 75' deep lot is ten feet (10’).
8. The required side yard setback in the HR-1 zone for a 25' lot is three feet (3'). The required side yard setback for a 50' wide lot is five feet (5').
9. The applicant intends to renovate the existing home, and put an addition onto the rear of the structure.
10. An existing railroad tie retaining wall exists in the existing south side yard (3’) and runs along the southern lot line of Lot 6 of the Park City Survey. The portion of the wall that exists along the lot line is approximately 7’ in length. As proposed in the submitted design review application, this retaining wall will be removed during the construction of the proposed addition.
11. The current home is approximately 1,200s.f. The proposed addition will add approximately 1600 s.f. to the structure and will result in a 2,800 s.f. home.
12. The maximum allowed footprint for the combined lots is 1,519. The proposed footprint including the addition is approximately 1277.
13. The project will be reviewed for compliance with the Historic District Design

Review Guidelines prior to the issue of a building permit for any addition or exterior remodel.

14. The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

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

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

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

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
3. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.

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

PASSED AND ADOPTED this 3rd day of March, 2005.

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

REGISTERED LAND SURVEYOR No. 4938739 MARTIN A. MORRISON State of Utah

Martin A. Morrison — Date

LEGAL DESCRIPTION

LOTS 7 AND 8, BLOCK 4, PARK CITY SURVEY according to the official plat thereof on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of the herein described tract of land, to be known hereafter as the NOLAN REPLAT, do hereby certify that we have caused this Plat Ammendment to be prepared, and we, Bill Nolan and Elaine Nolan, husband and wife as joint tenants, hereby consent to the recordation of this Plat Ammendment.

ALSO, the owners or their representative, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks, and required utilities and easements shown on the plat and construction drawings in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set their hands this ______ day of ________________, 2004.

Owner

Owner

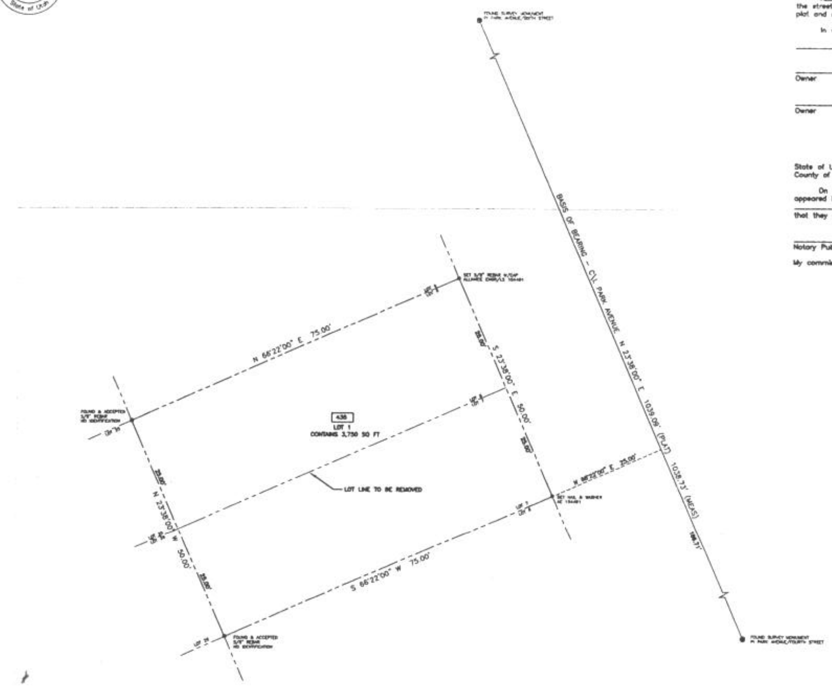
ACKNOWLEDGEMENT

State of Utah:
County of Summit:

On this ______ day of ____________________ 2004, ________________________ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, __________________ acknowledged to me that they are the owners of the herein described tract of land and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public

My commission expires:____________________



NOTE

438 Street address on Park Avenue

RECEIVED
JAN 12 2005
PARK CITY PLANNING DEPT.

10 0 10 20

A PARCEL COMBINATION PLAT

A RESUBDIVISION OF LOTS 7–8 IN BLOCK 4, PARK CITY SURVEY

NOLAN REPLAT

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

(435) 649-9467
Alliance Engineering
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______ DAY OF __________, 2004 A.D.
BY ________________ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2004 A.D.
BY ________________ CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______ DAY OF __________, 2004 A.D.
BY ________________ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______ DAY OF __________, 2004 A.D.
BY ________________ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF __________, 2004 A.D.
BY ________________ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF __________, 2004 A.D.
BY ________________ MAYOR

JOB NO.: 3-3-04 FILE: X:\PCS\DWG\SRV\PLAT04\030304.DWG

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

Exhibit B – Plat

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

Martin A. Morrison ______________ Date ______________

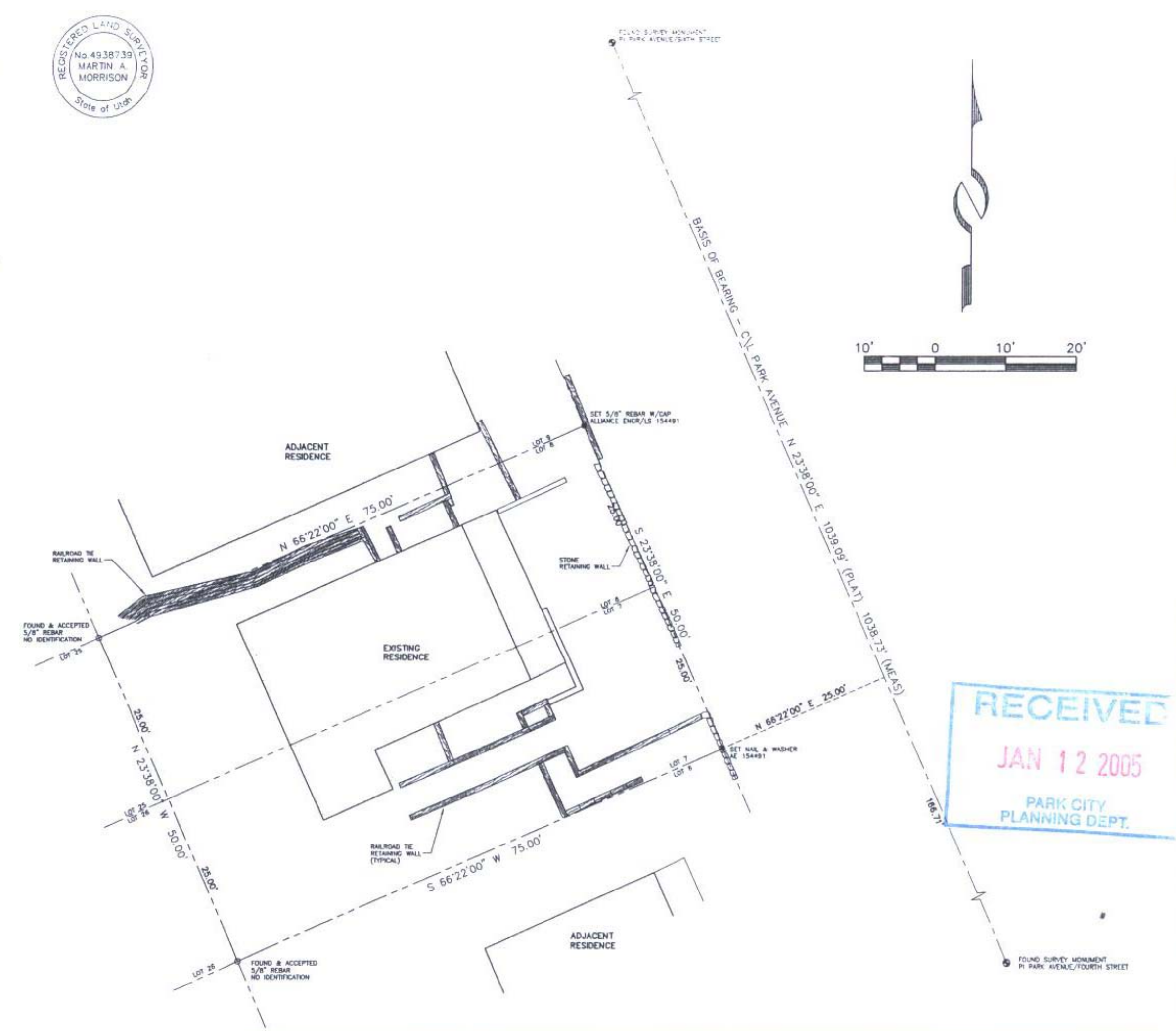
REGISTERED LAND SURVEYOR No. 4938739 MARTIN A. MORRISON State of Utah

LEGAL DESCRIPTION

LOTS 7 AND 8, BLOCK 4, PARK CITY SURVEY according to the official plat thereof on file and of record in the Summit County Recorder's Office.

NOTES

1. Basis of survey: Found survey monuments as shown.
2. Property corners were set or found as shown.
3. Date of survey: November 2, 2004
4. Property location: Section 16, T2S, R4E, SLB&M
5. Purpose of survey: Building remodel
6. Improvements on the property are as shown.
7. Snow coverage at the time of the survey was approximately 6". As a result, monuments, improvements, and/or conditions may exist which are not shown on this survey.



RECEIVED JAN 12 2005 PARK CITY PLANNING DEPT.

Alliance Engineering Inc (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: MARTY MORRISON, DAVID CONSTABLE, MARSHALL KING DATE: 12/3/04	SHEET 1 OF 1	BOUNDARY SURVEY 435 PARK AVENUE LOTS 7 & 8, BLOCK 4, PARK CITY SURVEY FOR: BILL NOLAN JOB NO.: 3-3-04 FILE: X:\ParkCitySurvey\dwg\srv\srvy04\030304.dwg

Exhibit C – Site Survey

437 PARK AVE

BLUE CHUR

Exhibit D – Site Photo

City Council Staff Report

Author:	**Jonathan Weidenhamer**
Subject:	**Final Subdivision Plat - Municipal Recreation Complex**
Date:	**March 3, 2005**
Type of Item:	**Administrative**

PARK CITY 1884

PLANNING DEPARTMENT

Recommendation:
Staff recommends that the City Council review the proposed subdivision, conduct a public hearing and consider approving the application according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

Topic

Applicant	Park City Municipal Corporation
Location	NW Quadrant of Quinn's Junction, adjacent to the National Ability Center
Zoning	Recreation Open Space with underlying Master Planned Development (ROS-MPD)
Adjacent Land Uses	Fairway Hills Estates, National Ability Center, City-purchased open space, undeveloped privately-owned property.

Background
The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

On October 21, 2004, the City Council adopted an ordinance approving annexation of the 136 acre National Ability Center and Municipal Recreation Complex Annexation. (Exhibit A - Location Map). At this time the City intends to begin development of the recreation complex. An MPD and CUP application for the design of this complex was approved on January 26, 2005. Prior to development, a lot of record must be created. This subdivision application does not consider all 3 metes and bounds parcels included in the City's recent annexation application, only the 70.5 acre Gillmor Parcel, donated to the City, and deed restricted for recreation purposes.

Analysis
The subdision of the parcel will create three lots oriented around the proposed roadway system (Exhibit B). Lot 1 is 35.3 acres and will hold the ice sheet and concessions building. It is located toward the eastern portion of the lot, along SR 248. Lot 2 is 16.3 acres and is located in the south west corner of the parcel, directly in front of the NAC. This lot will hold the recreation complex's maintenaince building. Lot 3 will be the remaining land north and west of the ice sheet, and is 8.6 acres. All lots meet minimum standards of the ROS District (Exhibit C – MPD site plan). The lot arrangement, building site, square footage, lot dimension, and access, and road design are consistent

with the Land Management Code, Section 15.7.3-3: Subdivisions—General Lot Design Requirements.

Utilities

Utilities necessary for the recreation complex are available either on site or within close proximity. Utility easements are dedicated on the plat. Each of the utility companies have expressed availability to connect existing infrastructure located in Fairway Hills or via SR 248, or both. The NAC is currently served with all necessary utilities.

Sewer- The NAC currently pumps sewer back into Fairway Hills. The City and SBWRD have agreed on a line extension agreement designed to extend service to the recreation complex from existing infrastructure near the Rail Trail. Execution of this agreement will be a condition of approval prior to issuance of building permits. The proposed sewer line will connect at SR248 adjacent to the vehicular entrance, and then split south and east to collect the NAC's system, and north and west to serve the ice facility. It will gravity feed.

Water - Water will be provided to the location using the existing water tank in Fairway Hills. This 8" line that currently extends down to serve the NAC will be upgraded to a 12" line and be extended to the recreation parcel and ice sheet. This will be adequate for all culinary water and fire protection requirements for the recreation complex and for the NAC's current configuration.

Power & all other utilities - The NAC also currently has power coming down from Fairway Hills. Utah Power has indicated a desire to connect their power loop between Park Meadows and the SR 248 and will allow extension of service to the recreation parcel. Staff and Utah Power have agreed on a plan to complete this service.

Natural Gas - The City will not pursue providing natural gas to the site at this time. The building will be heated with propane with the ability to convert to natural gas if that option becomes available in the future.

Access

Public rights-of-way are dedicated on the plat. The City Engineer finds the existing/ proposed roadway systems are adequate to support a recreation complex in this area. The City Engineer raises the question of impacts on this roadway system stemming from potential development on adjacent privately-owned lands, but recognizes that impacts on existing roadway systems from this project will be minimal. The City Engineer also recognizes that some vehicle trips will likely be mitigated by existing pedestrian and trail connections. Vehicular access from Fairway Hills is not contemplated as part of this project. This will be found as a condition of approval.

At this time, access will not be relocated from the existing access location which is via an existing curb cut from SR 248 to the frontage road located approximately 0.1 miles south of the US40 exit ramp. It is anticipated that to meet UDOT requirements, it may, in the future, because of anticipated development on adjacent private property, be necessary to create an additional access point further away from the US40 off ramp, somewhere near the south east corner of the recreation parcel (approx 0.3 miles from the US40 off ramp). Secondary/ emergency access to SR 248 is also planned at this location and is called out as “possible future access”. The project team has designed a roadway system that allows for future reconfiguration of the frontage road to meet the needs of future development by adjacent private property owners.

The City Fire Marshall and Building Official has met with the project team and is amenable to the current design and proposed emergency and secondary access plans. The roads at the ice sheet have also been designed to contemplate the possible future expansion of the City’s recreation complex to the north of the proposed ice sheet. The road and utility plans proposed have been reviewed by the City Engineer. Any substantive changes to these plans will remand the project to the Planning Commission for review.

Department Review
This project has gone through an interdepartmental review. No additional issues have been raised.

Notice
The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record. No public input has been received by the time of this report.

Recommendation
Staff recommends that the City Council review the proposed subdivision, conduct a public hearing and consider approving the application according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance

Exhibits
A Ordinance
B Vicinity Map
C Proposed Subdivision Plat
D Recreation complex site plan

Ordinance No. 05-

AN ORDINANCE APPROVING THE PARK CITY RECREATION COMPLEX SUBDIVISION WHICH WILL CREATE A THREE LOT SUBDIVISION OUT OF A 70.5 ACRE METES AND BOUNDS PARCEL.

WHEREAS, Park City Municipal Corporation, owners of the 70.5 acre parcel deeded to the city from Florence J Gillmor, have petitioned the City Council for approval of a subdivision; and

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

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

WHEREAS, the proposed subdivision allows the property owner to create a 3 lot subdivision on which a recreation complex will be built; 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:

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

1. On October 21, 2004, the City Council adopted an ordinance approving annexation of the 136 acre National Ability Center and Municipal Recreation Complex Annexation. This annexation brought 3 metes and bounds parcels into City limits: A City-owned open space parcel (approx. 39.5 acres of a 119 acre parcel), the NAC parcel (approx 26.2 acres), and an approximately 70.4 acre City-owned parcel deeded to PCMC by Florence Gillmor for recreational uses.
2. The zoning adopted for the parcel through the annexation is Recreation Open Space with underlying Master Planned Development.
3. The City intends to develop a recreation complex on the Gillmor Parcel.
4. An MPD and CUP application for the design of this complex was approved on January 26, 2005.
5. The subdivision of the parcel will create 3 lots oriented around the proposed roadway system (Exhibit B). Lot 1 is 35.3 acres and will hold the ice sheet and concessions building. It is located toward the eastern portion of the lot, along SR 248. Lot 2 is 16.3 acres and is located in the south west corner of the parcel, directly in front of the NAC. This lot will hold the recreation complex's maintenance building. Lot 3 will be the remaining land north and west of the ice sheet, and is 8.6 acres.
6. All lots meet minimum standards of the ROS District (Exhibit C – MPD site plan). The lot arrangement, building site, square footage, lot dimension, and access, and road design are consistent with the Land Management Code, Section 15.7.3-3: Subdivisions—General Lot Design Requirements.
7. Utilities necessary for the recreation complex are available either on site or within close proximity. Utility easements are dedicated on the plat.
8. Each of the utility companies has expressed an ability to connect existing infrastructure located in Fairway Hills or SR 248 or both.

9. The NAC is currently served with all necessary utilities.
10. Public rights-of-way and easements are dedicated on the plat
11. The City Engineer finds the existing and proposed roadway systems are adequate to support a recreation complex in this area.
12. The project team has designed a roadway system that allows for future reconfiguration of the frontage road to meet the needs of future development by adjacent private property owners.
13. The Planning Commission reviewed this item at the February 23, 2005 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council to approve the plat amendment.

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

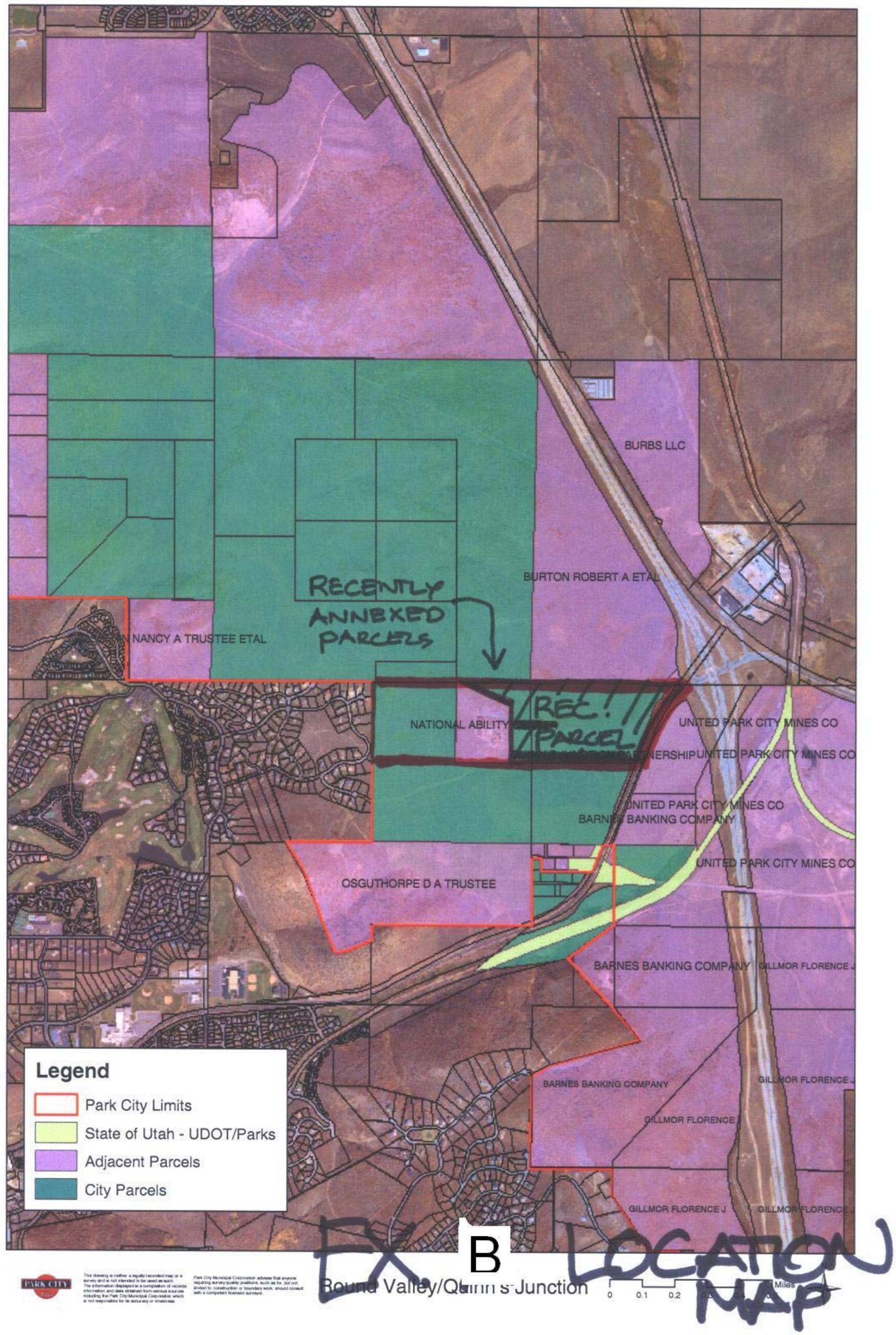
5. There is good cause for this plat amendment.
6. The plat amendment is consistent with the Park City Land Management Code and applicable State law.
7. Neither the public nor any person will be materially injured by the proposed plat amendment.
8. As conditioned the plat amendment is consistent with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

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

1. The City Attorney and City Engineer will review and approve the final form and content of the Subdivision Plat for compliance with State law, the Land Management Code, and the conditions of approval prior to recordation of the plat.
2. Execution of a line extension agreement with SBWRD to extended service to the recreation complex must be completed prior to issuance of occupancy permits.
3. A fire management plan has been submitted and will be approved prior to issuance of occupancy certificates.
4. The applicant will record the Subdivision Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
5. No vehicular access will be allowed from Fairway Hills.

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

PASSED AND ADOPTED this 3rd day of March, 2005.


RECENTLY ANNEXED PARCELS
REC! PARCEL
BURBS LLC
BURTON ROBERT A ETAL
NANCY A TRUSTEE ETAL
NATIONAL ABILITY
UNITED PARK CITY MINES CO
NERSHIP
UNITED PARK CITY MINES CO
UNITED PARK CITY MINES CO
BARNES BANKING COMPANY
UNITED PARK CITY MINES CO
OSGUTHORPE D A TRUSTEE
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GILLMOR FLORENCE J
Legend
Park City Limits
State of Utah - UDOT/Parks
Adjacent Parcels
City Parcels
EX. B LOCATION MAP
PARK CITY
This drawing is neither a legally recorded map or a survey and is not intended to be used as such. The information displayed is a compilation of records information and data obtained from various sources including the Park City Municipal Corporation which is not responsible for its accuracy or timeliness.
Park City Municipal Corporation advises that anyone requiring survey quality positions, such as for, but not limited to, construction or boundary work, should consult with a competent licensed surveyor.
Round Valley/Quinn's Junction
0 0.1 0.2
Miles

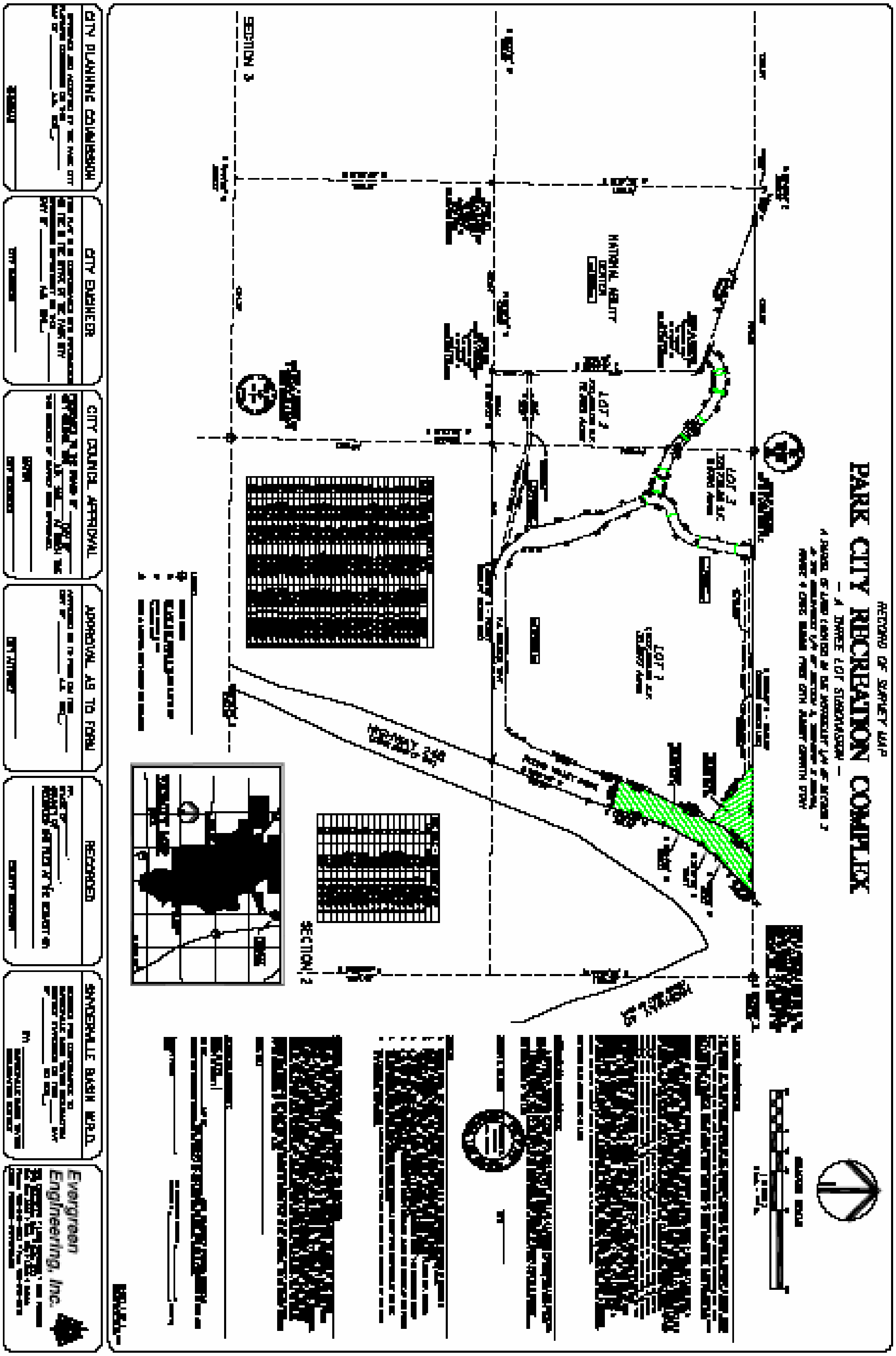


Exhibit C – Subdivision Plat

Exhibit D - Site Plan

CITY COUNCIL
Staff Report

PLANNING DEPARTMENT

Planner:	**Ray Milliner**
Subject:	**7101 NORTH SILVER LAKE DRIVE**
Date:	**March 3, 2005**
Type of Item:	**Administrative; Condominium Record of Survey Plat**

RECOMMENDATION: Staff recommends that the City Council review the proposed record of survey plat, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

TOPIC

Applicant:	North Silver Lake Lodge LLC
Location:	7101 North Silver Lake Drive
Proposal:	Total of 53 units including 6 detached units
Zoning:	RD-MPD - Residential Development
Adjacent Land uses:	Single-Family/Multi-Family; Deer Valley Ski Area
Project Planner:	Ray Milliner
Date of Application:	November 8, 2004

BACKGROUND

Under the 1993 7th amended Deer Valley Large Scale Master Planned Development Permit, Lot 2B of the North Silver Lake Development area has an approved density of 54 units. On December 12, 2001, the Planning Commission reviewed and approved a CUP application to create a development of fifty-three (53) units including six (6) detached units situated on 5.96 acres with vehicular access from the upper portion of Silver Lake Drive. The proposal included underground parking for 206 parking spaces, pool and spa, and 14,535 square feet of commercial. Subsequently, the Planning Commission granted one year extensions to the project on December 11, 2002, January 14, 2003 and again on February 9, 2005.

The applicant is now seeking approval for an expandable and convertible condominium record of survey plat from the Planning Commission for the six detached units. The Planning Commission reviewed the application and forwarded a positive recommendation to the City Council on February 23.

ANALYSIS

The proposed site plan shows the six cottage sites along the perimeter of the property. The project has access from Silver Lake Drive. The applicant is proposing that the Commission consider allowing them to move the driveway farther to the west side of the property from its original configuration coursing beneath the proposed multi-unit building (see exhibits A and B). Additionally, the applicant is requesting consideration of a "hammerhead" turnaround area for fire protection needs at the end of the proposed cul-de-sac. Although the turnaround will result in the loss of more trees (approximately 20 large trees), staff is recommending its approval to ensure fire safety on the site.

Throughout its review of the project, the Planning Commission has been consistently concerned over the protection of existing vegetation on the site, especially in the area of the six detached units, where there are a significant number of mature evergreen and deciduous trees. To enable the preservation of these trees, the Commission required that the buildings be sited in order to preserve the greatest amount of vegetation possible. Consistent with condition number 12 of the original CUP approval, staff recommends that the applicant have a tree mitigation plan prepared by a certified arborist. This plan will be reviewed by the City prior to the issue of any building permit. Staff is proposing that all pertinent conditions of approval from the December 12, 2001 CUP approval remain in effect for the condominium plat.

NOTICE
Notice of this hearing was sent to property owners within 300' on January 12, 2005. Since that time, staff has received written comments from the public (attached as Exhibit C) as well as a number of telephone calls inquiring as to the status of the project.

DEPARTMENT REVIEW
The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on February 15, 2005, where representatives from local utilities and City Staff were in attendance. There was some discussion as to whether the proposed changes were substantive enough to trigger an amendment to the CUP. The Planning Director determined that a CUP amendment is not necessary due to the pact that the building footprints do not change and original condition number 9 allows Planning Department sign off on final automobile and emergency circulation. The City Engineer also noted that a utility plan has not yet been approved.

RECOMMENDATION
Staff recommends that the City Council review the proposed record of survey plat, conduct a public hearing and consider approving it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

EXHIBITS
A – Proposed Ordinance
B - Proposed Amendment
C – December 12, 2001 Site Plan
D – Letter From Public
E – Conditions of Approval December 12, 2001

AN ORDINANCE APPROVING AN RECORD OF SURVEY PLAT FOR THE NORTH SILVER LAKE LODGE, LOCATED AT 7101 NORTH SILVER LAKE DRIVE PARK CITY, UTAH

WHEREAS, the owner of the property known as North Silver Lake Lodge , has petitioned the City Council for approval of a plat amendment; and

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

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

WHEREAS, the proposed record of survey plat allows the property owner to create six lots of record; 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:

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

1. The property is zoned RD-MPD, Residential Development Master Planned Development.
2. There is no approved utility, grading, or drainage plan for the project.
3. At their December 12, 2001 meeting, the Planning Commission approved a CUP at 7101 Silver Lake Drive consisting of a main building of 47 units, 6 detached cottages along the perimeter of the property, and 14,535 square feet of commercial area.
4. On December 11, 2002, January 14, 2004 and again on February 9, 2005 the Planning Commission granted the applicant a one year extension to the approval.
5. There is a significant amount of existing vegetation on the site.
6. The proposed plan is consistent with the approved CUP for the North Silver Lake Lodge.
7. The applicant is proposing a hammerhead turnaround at the end of the driveway for the six cottage units.
8. The hammerhead turnaround is necessary to provide adequate fire protection.
9. No changes in density are requested under this application.
10. The applicant stipulates to all conditions of approval.
11. Notice of this public hearing was sent to all property owners within 300 feet of the project on January 12, 2005.

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

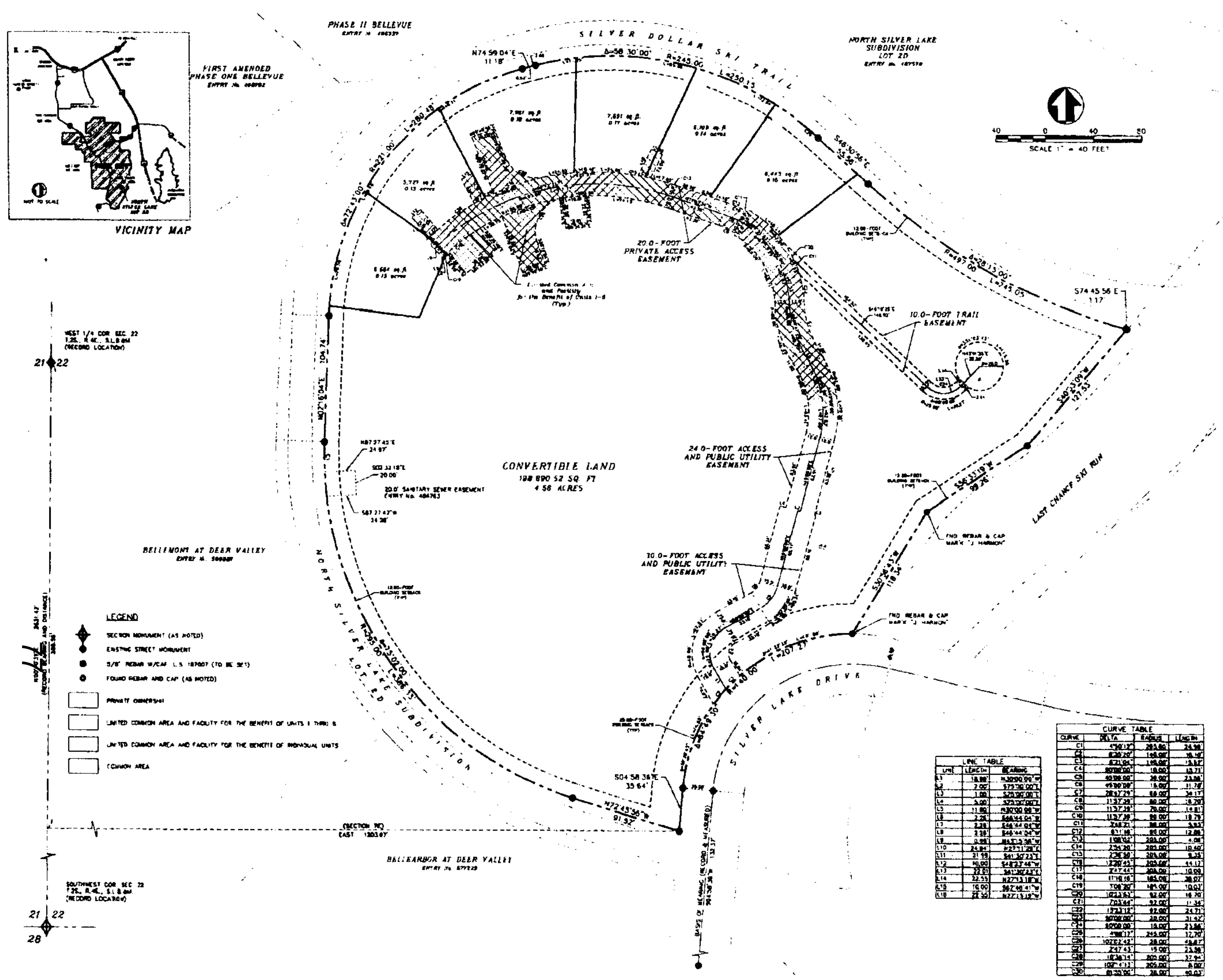
1 There is good cause for this amendment.
2 The amendment is consistent with the Park City Land Management Code and applicable State law.
3 Neither the public nor any person will be materially injured by the proposed amendment.
4 As conditioned the amendment is consistent with the Park City General Plan.

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

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. All Conditions of approval from the December 12, 2001 CUP for the North Silver Lake project approval shall apply to the units created by this plat.
3. A utility, grading and drainage plan shall be submitted to the City Engineer for review and approval prior to the issue of a building permit.
4. A note shall be added to the plat indicating that all units shall have a modified 13-D sprinkler fire protection system installed prior to the issue of a certificate of occupancy by the Building Department.
5. The applicant shall submit a tree preservation plan, identifying all of the trees that are to be saved as shown on the Revegetation Plan. The tree preservation plan shall include the method of preservation, such as fencing, pruning, spading of the site specific trees in relationship to utilities, roads grading, storage, staging and siting of the residential units.
6. This approval will expire one year from the date of approval if no building permit has been issued.

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

PASSED AND ADOPTED this 3rd day of March 2005.



LINE TABLE		
LINE	LENGTH	BEARING
L1	18.00'	N30°00'00"W
L2	7.00'	S75°30'00"E
L3	1.00'	S20°30'00"E
L4	5.00'	S75°00'00"E
L5	11.00'	N30°00'00"W
L6	2.26'	S46°44'04"E
L7	2.28'	S46°44'04"W
L8	3.38'	S46°44'04"W
L9	0.98'	N43°15'56"W
L10	24.84'	N27°21'28"E
L11	21.99'	S41°30'23"E
L12	10.00'	S48°23'46"W
L13	22.01'	S41°30'23"E
L14	22.55'	N27°13'18"W
L15	10.00'	S62°46'41"W
L16	22.55'	N27°13'19"W

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	4°50'12"	285.00'	24.06'
C2	6°20'20"	148.00'	16.16'
C3	6°21'05"	140.00'	15.52'
C4	90°00'00"	10.00'	15.71'
C5	45°00'00"	30.00'	23.56'
C6	45°00'00"	15.00'	11.78'
C7	28°37'29"	68.00'	34.17'
C8	11°37'39"	80.00'	16.20'
C9	11°37'39"	70.00'	14.81'
C10	11°37'39"	90.00'	18.79'
C11	3°48'21"	88.00'	5.85'
C12	8°11'16"	90.00'	12.86'
C13	1°08'02"	205.00'	4.06'
C14	2°54'20"	205.00'	10.40'
C15	2°36'30"	205.00'	9.35'
C16	12°20'43"	205.00'	44.17'
C17	2°47'44"	205.00'	10.00'
C18	11°19'16"	165.00'	38.07'
C19	3°08'20"	185.00'	10.01'
C20	10°23'53"	92.00'	16.70'
C21	7°03'44"	92.00'	11.34'
C22	15°23'12"	92.00'	24.71'
C23	90°00'00"	20.00'	31.42'
C24	90°00'00"	15.00'	23.56'
C25	4°08'17"	245.00'	17.70'
C26	102°02'42"	28.00'	49.87'
C27	2°47'43"	15.00'	23.56'
C28	10°36'14"	205.00'	37.94'
C29	102°14'13"	205.00'	8.00'
C30	81°30'00"	28.00'	40.03'

SURVEYOR'S CERTIFICATE

I, Brian D. Arnold, a Professional Land Surveyor residing in Salt Lake County, Utah, holding License No. 187007 as prescribed by the laws of the State of Utah, do hereby certify that I have surveyed the Salt Lake County, Utah tract of land shown hereon, the external boundaries of which are described as shown.

I further certify that the reference markers shown on this Record of Survey Map are located as indicated and are sufficient to readily retrace or reestablish this Survey; that the information shown herein is sufficient to accurately establish the lateral boundaries of the above described tract, and of the building located or to be located on said tract; that the information shown herein is sufficient to accurately establish the horizontal and vertical boundaries of each of the Units located or to be located on said tract; and that this Record of Survey Map complies with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act, Utah Code Annotated Sections 57-8-1 through 57-8-36 (Supp. 2001).

Brian D. Arnold
PSOMAS

No. 187007
BRIAN D. ARNOLD

LEGAL DESCRIPTION

All of Lot 2B, Subdivision of Lot 2, NORTH SILVER LAKE SUBDIVISION, according to the official plat thereof recorded September 18, 1997 as Entry No. 487578 of the official records in the office of the Summit County Recorder. Basis of Bearing is identical to that shown on said Subdivision of Lot 2, North Silver Lake Subdivision.

Containing 5.96 acres more or less.

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that ______________ the undersigned owner(s) of the described tract of land, do hereby consent to the recordation of this RECORD OF SURVEY of NORTH SILVER LAKE LODGE, A Utah Expandable Condominium Project, a Utah Limited Liability Company.

______________________ ______________________

______________________ ______________________

______________________ ______________________

Further, the owner does hereby irrevocably offer for dedication to the Park City Municipal Corporation, the Snyderville Basin Water Reclamation District and Park City Fire Protection District, a non-exclusive easement over the utility easements, trail easements, public and private access easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement and for trail access by the general public in accordance with an irrevocable offer of dedication. The owner further certifies all buildings will be built as shown.

In witness whereof the undersigned has set its hand on this ______ day of ______________ 2004.

NORTH SILVER LAKE LODGE, L.L.C., a Utah Limited Liability Company

Representative

ACKNOWLEDGMENT

IN WITNESS WHEREOF said ______________________
has caused this instrument to be executed by its proper officers thereunto duly authorized this ______ day of ______________ A.D. 20__.

State of ______) ______________________
Limited Liability Company
) ss
County of ______) By ______________________

On the ______ day of ______________ 2004, personally appeared before me ______________________ who being by me duly sworn, did acknowledge to me that he is the Manager of ______________________ of the Limited Liability Company, ______________ and that the within and foregoing instrument was signed in behalf of said company by authority of its Articles of Organization, and said ______________________ acknowledge to me that said company executed the same.

Notary Public
Residing at ______________________
My commission expires ______________________

NOTES

1. THE BOUNDARIES OF THE UNITS REPRESENT THE BOUNDARIES WITHIN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR. WHEN THE ACTUAL BUILDING FOOTPRINTS FOR THE UNITS ARE ESTABLISHED IN ACCORDANCE WITH THE RECORDED DECLARATION OF CONDOMINIUM AND DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PROJECT, THE PARK CITY MUNICIPAL CORPORATION LAND MANAGEMENT CODE, THE APPLICABLE DEFENSIBLE SPACE PROVISIONS OF THE WILD LAND URBAN INTERFACE MINIMUM STANDARDS AND THE PARK CITY BUILDING CODE, THE LIMITS OF CONSTRUCTION DISTURBANCE SHALL BE NO GREATER THAN 15 FEET BEYOND THE FOUNDATION WALL. THE BUILDING FOOTPRINT CAN SHIFT WITHIN THE UNIT BOUNDARY.

2. UPON COMPLETION OF THE UNITS, THE TERM UNIT OR CONDOMINIUM SHALL INCLUDE THE ENTIRE DWELLING, INCLUDING, BUT NOT LIMITED TO, THE ROOF, WALLS, FOUNDATION, BALCONIES, PORCHES AND DECKS TOGETHER WITH THOSE UTILITY SERVICE LINES THAT SERVICE ONLY THAT DWELLING, BUT SHALL NOT INCLUDE THE OWNERSHIP OF THE LAND ON WHICH THE DWELLING IS LOCATED. ALL AREAS OUTSIDE THE DWELLING SHALL BE DEEMED COMMON AREAS OR LIMITED COMMON AREAS AS THE CASE MAY BE AS DETERMINED WHEN THE BUILDING FOOTPRINTS ARE ESTABLISHED.

RECORD OF SURVEY PLAT
NORTH SILVER LAKE LODGE

A UTAH EXPANDABLE AND CONVERTIBLE CONDOMINIUM PROJECT LOCATED IN THE WEST 1/2 OF SECTION 22 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN

SHEET 1 OF 1

PSOMAS
2825 East Cottonwood Parkway, Suite 120
Salt Lake City, Utah 84121
(801) 270-5777 (801) 270-5782 (FAX)

CITY COUNCIL

PRESENTED TO THE PARK CITY COUNCIL
THIS ______ DAY OF ______________ 2004
AT WHICH TIME THIS PLAT WAS APPROVED

MAYOR

CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE
PARK CITY ENGINEERING DEPARTMENT
THIS ______ DAY OF ______________ 2004

CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE
PARK CITY PLANNING COMMISSION
THIS ______ DAY OF ______________ 2004

CHAIRMAN

SEWER DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT STANDARDS
THIS ______ DAY OF ______________ 2004

S.B.W.R.D.

APPROVAL AS TO FORM

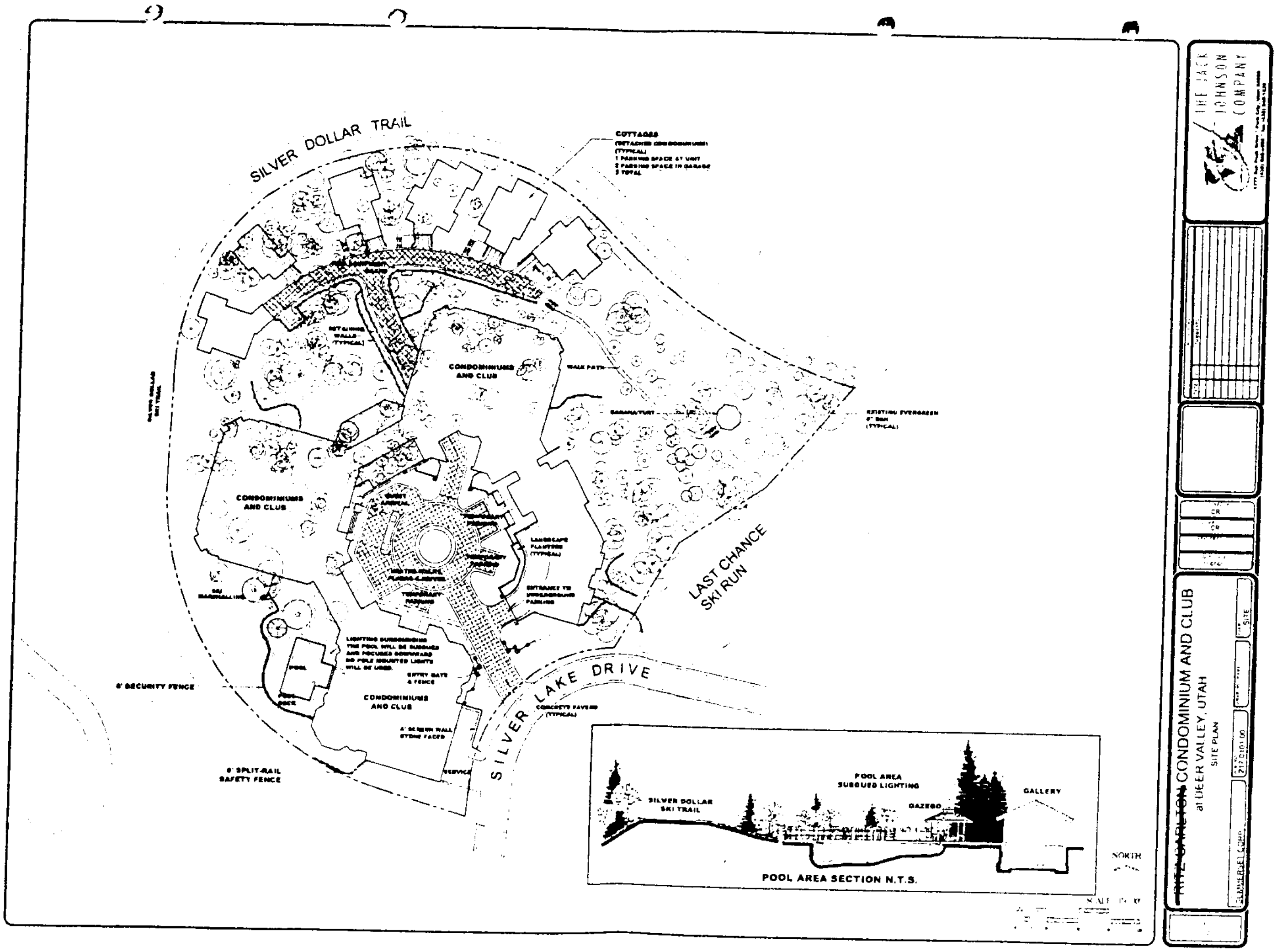
APPROVED AS TO FORM
THIS ______ DAY OF ______________ 2004

CITY ATTORNEY

RECORDED

ENTRY NO. ______ BOOK ______ PAGES ______
STATE OF ______________
COUNTY OF ______________
RECORDED AND FILED AT THE REQUEST OF ______________

COUNTY RECORDER



SILVER DOLLAR TRAIL
LAST CHANCE SKI RUN
SILVER LAKE DRIVE
CONDOMINIUMS AND CLUB
POOL AREA SECTION N.T.S.
SILVER DOLLAR SKI TRAIL
POOL AREA SUBDUED LIGHTING
GAZEBO
GALLERY
CONDOMINIUM AND CLUB
at DEER VALLEY, UTAH
SITE PLAN
THE JACK JOHNSON COMPANY

January 21, 2005

To: Park City Planning Commission
C/O J. Ray Milliner

From: Evergreen Owners; Joe Booker, Tom & Mary Frances Bailey, Jim Berkus, Bill Witz, John & Linda DesBarres, Wayne & Barbara Baumgardner, Tom & Dana Evan, Gary Goldberg, Greg Reyes.
C/O Milestone Management, PO Box 683359, Park City, UT 84068

RE: North Silver Lake Lodge at 7101 Silverlake Drive

It is our understanding that the Park City Planning Commission will be reviewing a request for a one year extension of the conditional use permit and request to approve the Record of Survey plat for 6 cottage units for the property located at 7101 Silver Lake Drive.

As adjoining property owners, we are unhappy with the unsightly and dangerous condition that this property has been left in. This condition has existed for several years, and while we have been patient with the developer, the apparent lack of concern that the developer has shown for the neighbors has worn thin. We are also surprised that the City has allowed this ugly hole in the mountain to remain in this state for such a long period of time. We have suffered through the noisy and dusty excavation of this property only to be forced to endure continued dust clouds on windy summer days. And if the project is allowed to go forward, we of course, will have to endure the noise and traffic of construction.

As property owners, we are strongly opposed to continued attempts to a development that cannot get off the ground. We ask that the Planning Commission deny an extension of the conditional use permit and require the owners to immediately restore this property to its natural state. In addition, we also oppose any request to expand or change the density of this development. The traffic condition on Silverlake Drive is already very difficult and as we have just recently experienced with the heavy snow amounts, this street quickly becomes a single lane and at times not even that.

In the regrettable event that the Planning Commission does grant an extension to the conditional use permit, we implore you to require that the subject property owners be required to take immediate action to restore the natural vegetation in order that their neighbors do not have to continue to endure this dusty eyesore.

We appreciate your consideration of our point of view and hope you will act in a positive manner regarding our requests.

TEN (10) SIGNATURE PAGES FOLLOW:

Signed:

Joe Booker, 7008 Silverlake Drive

Tom Bailey, 7013 Silverlake Drive

Jim Berkus, 6977 Silverlake Drive

Bill Witz, 6715 Silverlake Drive

John DesBarres, 6640 Silverlake Drive

Linda DesBarres, 6640 Silverlake Drive

Wayne Baumgardner, 6635 Silverlake Drive

Tom Evan, 6601 Silverlake Drive

Gary Goldberg, 4 Oak Court

Greg Reyes, 6120 Silverlake Drive

Signed:

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Joe Booker, 7008 Silverlake Drive

Tom Bailey

Tom Bailey, 7013 Silverlake Drive

Mary Francis Bailey

MARY FRANCES BAILEY

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Jim Berkus, 6977 Silverlake Drive

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Bill Witz, 6715 Silverlake Drive

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John DesBarres, 6640 Silverlake Drive

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Linda DesBarres, 6640 Silverlake Drive

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Wayne Baumgardner, 6635 Silverlake Drive

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Barbara Baumgardner, 6635 Silverlake Drive

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Tom Evan, 6601 Silverlake Drive

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Gary Goldberg, 4 Oak Court

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Greg Reyes, 6120 Silverlake Drive

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Gary Goldberg, 4 Oak Court

Greg Reyes, 6120 Silverlake Drive

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Linda DesBarres, 6640 Silverlake Drive

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Tom Bailey, 7013 Silverlake Drive

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Jim Berkus, 6977 Silverlake Drive

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Bill Witz, 6715 Silverlake Drive

John P. DesBarres
John DesBarres, 6640 Silverlake Drive

Linda G. DesBarres
Linda DesBarres, 6640 Silverlake Drive

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Wayne Baumgarner, 6635 Silverlake Drive

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Tom Evan, 6601 Silverlake Drive

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Gary Goldberg, 4 Oak Court

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Barbara Baumgardner

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Barbara Baumgardner, 6635 Silverlake Drive

Tom Evan, 6601 Silverlake Drive

Gary Goldberg, 4 Oak Court

Greg Reyes, 6120 Silverlake Drive

Jan 26 05 11:29a Tom Evan 408-867-7161 p.2

Signed:

Joe Booker, 7008 Silverlake Drive

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Barbara Baumgardner, 6635 Silverlake Drive

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Tom Evan, 6601 Silverlake Drive

____
Gary Goldberg, 4 Oak Court

Greg Reyes
____
Greg Reyes, 6120 Silverlake Drive

DECEMBER 12, 2001 North Silver Lake Conditions of Approval

Conditions of Approval:

1. All Standard Projects Conditions of Approval shall apply to this project (Attached as Exhibit E).

2. The final building plans shall reflect substantial compliance with the elevations submitted and reviewed by the Planning Department on December 3, 2001.

3. 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.

4. All modifications to plans as specified by conditions, and all final design aspects, such as architectural detailing, building materials and colors, shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits.

5. Final grading, drainage, utility, storm runoff detention, and erosion control plans shall be reviewed and approved by the City Engineer prior to commencement of construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.

6. The landscape plans shall include plans for revegetation of all areas disturbed during construction including areas for offsite utility installation.

7. All proposed public improvements including the utility plan requires a certain portion of the waterline infrastructure to be complete prior to issuance of full building permits.

8. All proposed public improvements, including the waterline loop with appropriate pressure reducing valving are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawing. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy, specifically the 10-inch ductile iron pipe waterline loop and PRV must be tested and complete prior to any framing at North Silver Lake Condominiums.

9. The applicant shall obtain approval from the Community Development Department of a final site plan detailing adequate automobile and emergency circulation.

10. Any desired modification to the approved plans, after the issuance of a building permit, must be specifically requested and approved by the Community Development Department in writing prior to execution.

11. This Conditional Use Permit shall expire if building permits are not issued within twelve (12) months from the date of this approval and the applicant must reapply for said use with the Planning Department.

12. The applicant shall submit a tree preservation plan, identifying all of the trees that are to be saved as shown on the Revegetation Plan. The tree preservation plan shall include the method of preservation, such as fencing, pruning, spading of the site specific trees in relationship to utilities, roads, grading, storage, staging and siting of the residential units.

13. The remaining unit that was part of the Deer Valley MPD is eliminated from the MPD and is not transferable.

City Council
Staff Report

PARK CITY 1884

Budget, Debt and Grants

Author: **Phyllis McDonough Robinson**
Subject: **AMENDMENT TO MOUNTAINLANDS COMMUNITY HOUSING TRUST SPECIAL SERVICE CONTRACT**
Date: **March 3, 2005**
Type of Item: **Administrative**

Summary Recommendations: Approve an amendment to the FY 2004 – 2005 Special Service Agreement for Mountainlands Community Housing Trust.

Description:

Topic:

Amendment to Special Service Contract between Park City Municipal Corporation and Mountainlands Community Housing Trust.

Background:

In July 2003, City Council approved a two-year Special Service Contract for $60,000 to Mountainlands Community Housing Trust to support its Housing Resource Center. Among the contracted services is "*provide a Tenant Outreach Program that provides case work and assistance to low income residents.* " Mountainlands further agreed to "*expand the programs and services of its Affordable Housing Resource Center to better meet the needs of the Spanish-speaking community in their search for housing a community services. Service shall include community outreach, social activities and training workshops targeted to apartment complexes with high percentages of non-native speakers."*

On January 28, Scott Loomis, Executive Director of Mountainlands Community Housing Trust requested to be released from these contracted services in order to avoid a duplication of services. (*Attachment A*) In exchange for the contract modification, Mr. Loomis has offered to forgo their final contract payment of $6,000. This request constitutes an amendment to the Special Service Contract and requires the approval of the City Council. (*Public Service Contract Policy - Attachment B)*

Analysis:

Between July 1, 2003 and June 30, 2004 the Tenant Outreach Program provided assistance and casework to 648 individuals and families ranging from assistance in finding housing or resolving tenant/landlord issues, resolving wage claims, assisting in job searches and inter-agency coordination on behalf of an individual or family. The Tenant Outreach Program was presented at the National Association of State Legislatures as well as the Utah Conference on Volunteers and was featured in "How to Survive in the United States," an education video for new immigrants. Services are provided in English and Spanish.

Mountainlands Community Housing Trust bases its request to remove its contractual obligation for tenant outreach services upon the recent departure of Shelley Weiss, who had served for several years as its Community Outreach Coordinator. Ms. Weiss, along with many other community members have been working to create the "Park City Community Outreach Center (PCCOC)." The PCCOC is under formation and without 501(c)(3) IRS determination at this time.

Staff appreciates Mountainlands Community Housing Trust desire to avoid duplication of services. Staff has determined there is no formal duplication of services at this point and that amending Mountainlands contract will create a service gap in our community.

Requiring Mountainlands Community Housing Trust to provide a service that they are unable and/or unwilling to provide, however, does not appear to be the most prudent use of our funds. Staff is recommending that Mountainlands Special Service Contract be amended to remove its requirement to provide tenant outreach services and that the total amount of Mountainlands Community Housing Trust Special Service Contract be reduced to $54,000.

Compliance with Current Public Service Contract Policy

Should Council accept staff's recommendation to accept Mountainlands Community Housing Trust request to amend its contract, staff will communicate with the Special Services Contract Subcommittee regarding the feasibility of awarding these funds for tenant outreach in the current fiscal year or carrying them forward for tenant outreach activities in July 2005. In accordance with the Public Service Contract policy, a competitive RFP process would be required to disburse the $6,000 to another entity this fiscal year. Staff anticipates another nonprofit will apply for a Special Service Contract for tenant outreach beginning in July 2005.

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

Alternatives:

A. Approve the Request:
Council could approve the request to amend Mountainlands Community Housing Trust as outlined above and direct staff to communicate with the Special Services Contract Subcommittee to address the use of the remaining funds.

B. Deny the Request:
Council could deny the request and direct staff to work with Mountainlands Community Housing Trust to develop an alternative approach to delivering these services.

C. Continue the Item:
Council could continue the item and direct Staff to return with additional information.

Significant Impacts: If the request is approved, a service gap will exist in the community. The Special Services Committee issuing an RFP for services through June 30, 2005 could mitigate this service gap.

Consequences of not taking the recommended action: MCHT would be responsible for providing these services. Staff time would be required to negotiate a satisfactory arrangement and to monitor the performance through the term of the contract.

Recommendation: Staff recommends that Mountainlands Special Service Contract be amended to remove tenant outreach services, the amount of its Special Service Contract be reduced to $54,000 and that the use of the remaining funds be evaluated with the Special Services Subcommittee.

Attachments: Communication from Mr. Loomis, Executive Director, MCHT (A)
Special Service Contract Policy (B)
Contract Amendment (C)

ATTACHMENT A

From: Scott Loomis [mailto:scott@housinghelp.org]

Sent: Friday, January 28, 2005 9:23 AM

To: Tom Bakaly

Cc: 'Zane Woolstenhulme'

Subject: Shelley Weiss

Tom,

As we have previously discussed, Shelley Weiss will be going out on her own under another entity as of the end of January. Although it is my understanding she will be doing other things in addition to tenant outreach, she will continue doing the tenant outreach that Mountainlands contracted with PCMC to provide until the end of June under its contract. It does not make sense to duplicate this service.The contract provides for a lump sum of $30,000 annually for several services which include tenant outreach. This service has been provided by MCHT from July1, 2004 through January 31, 2005 There is an additional payment of $6000 due MCHT under the contract. I don't know what, if any, arrangements PCMC has made with Shelley to continue the tenant outreach service, but from MCHT's standpoint a fair adjustment of the contract would be for PCMC to adjust the contract by not paying the remaining $6000 in consideration of MCHT not providing the tenant outreach services through the end of the contract.

Please let me know what we should do to formalize this situation.

Thanks,
Scott

ATTACHMENT B
<u>PUBLIC SERVICE CONTRACTS</u> (amended June 2004)

As part of the budget process, the City Council appropriates funds to contract with organizations offering services consistent with the needs and goals of the City. Depending upon the type of service category, payment terms of the contracts may take the form of cash payment and/or offset fees or rent relating to City property in exchange for value-in-kind services. The use of the public service contracts will typically be for specific services rendered in an amount consistent with the current fair market value of said services.

Public Service Fund Distribution Criteria: Organizations must meet the following criteria in order to be eligible for a public service contract in Fund Categories 1-3 below: (1) Accountability and Sustainability of Organization; (2) Program Need and Specific City Benefit; (3) Fiscal Stability and Other Financial Support; and (4) Fair Market Value of the Service.

> **Criterion #1** - Accountability and Sustainability of Organization: The organization must have the following: (1) Quantifiable goals and objectives; (2) Non-discrimination in providing programs or services; (3) Cooperation with existing related programs and community service; (4) Compliance with the City contract; and (5) Not-for-profit status.
>
> **Criterion #2** - Program Need and Specific City Benefit: The organization must have the following: (1) A clear demonstration of public benefit and provision of direct services to City residents; and (2) A demonstrated need for the program or activity. Special Service funds may not be used for one-time events or scholarship-type activities.
>
> **Criterion #3** - Fiscal Stability and Other Financial Support: The organization must have the following: (1) A clear description of how public funds will be used and accounted for; (2) Other funding sources that can be used to leverage resources; (3) A sound financial plan that demonstrates managerial and fiscal competence; and (4) A history of performing in a financially competent manner.
>
> **Criterion #4** - Fair Market Value of the Services: The fair market value of services included in the public service contract should equal or exceed the total amount of compensation from the City unless outweighed by demonstrated intangible benefits.

Total Public Service Fund Appropriations: The City may appropriate up to 1% of the City's total budget for public service contracts for the Special Service Contract and Rent Contribution Categories described below. In addition, the City appropriates specific dollar amounts from other funds specifically related to Historic Preservation as described below.

Fund Categories and Percentage Allocations: For the purpose of distributing Public Service Funds, public service contracts are placed into the following categories:

<u>(1) Special Service Contracts</u>, including

- Youth Programming
- Victim Advocacy Services
- Arts
- Health
- Affordable Housing
- Recycling
- History/Heritage
- Information and Tourist Services

(2) Rent Contribution; and

(3) Historic Preservation.

A percentage of the total budget (which shall not exceed 1%) is allocated for contracts in the Special Service Contract and Rent Contribution categories by the City Council. A specific dollar amount is allocated to Historic Preservation based on funds available from the various Redevelopment Agencies.

The category percentage allocation does not vary from year-to-year. However, as the City's budget fluctuates (up or down) due to economic conditions, the dollar amounts applied to each category may fluctuate proportionally. Unspent fund balances at the end of a year will not be carried forward to future years. It is the intent of the City Council to appropriate funds for specific ongoing community services and not fund one-time projects or programs.

1) Special Service Contracts: A portion of the budget will be designated for service contracts relating to services that would otherwise be provided by the City. Special services that fall into this category would include, but not be limited to the following: youth programming, victim advocacy services, arts, health, affordable housing, recycling, history/heritage, information and tourist services, and minority affairs. To the extent possible, individual special services will be delineated in the budget.

Service providers are eligible to apply for a special service contract every biannual budget process. The City will award special service contracts through a competitive bid process administered by the Service Contract Subcommittee and City Staff. The City reserves the right to accept, reject, or rebid any service contracts that are not deemed to meet the needs of the community or the contractual goals of the service contract.

Each special service provider will have a special service contract with a term of two years. Half of the total contract amount will be available each year. 80% of each annual appropriation will be available at the beginning of the fiscal year, with the remaining 20% to be distributed upon demonstration through quantifiable and qualifiable measures that the program has provided public services meeting its goals as delineated in the public service contract. The disbursement of all appropriations will be contingent upon council approval. Special service providers will be required to submit current budgets and evidence of contract compliance (as determined by the contract) by March 31st of the first contract year.

The City reserves the right to appoint a citizen's task force to assist in the competitive selection process. The task force will be selected on an ad hoc basis by the Service Contract Subcommittee.

All special service contract proposals must be consistent with the criteria listed in this policy, in particular criterion 1-4.

Youth Contracts: In addition to the above listed criteria, proposals for Youth Programming must meet the following requirements: 1) Provide a service to or enhancement of youth programs in the Park City community; and 2) Constitute a benefit to Park City area youth, community interests, and needs. Youth Programming funds must be used to benefit Park City area youth Citywide; this may be accomplished through one service contract or by dividing the funds between several contracts.

Deadlines: Beginning Fiscal Year 2004, all proposals for Special Service Contracts must be received no later than March 31st. A competitive bidding process conducted according to the bidding guidelines of the City may set forth additional application requirements.

Emergency requests received after this deadline must meet all of the following criteria to be considered before the next fiscal year:

(1) The request must meet all of the normal Public Service Fund Distribution Criteria and qualify under one of the existing Special Service Contract categories;

(2) The applicant must show that the requested funds represent an unexpected fiscal need that could not have been anticipated before the deadline; and

(3) The applicant must demonstrate that other possible funding sources have been exhausted.

2) Rent Contribution: A portion of the Special Service Contract funds will be used as a rent contribution for organizations occupying City-owned property and providing services consistent with criterion 1-4 pursuant to the needs and goals of the City. To the extent possible, individual rent contributions will be delineated in the budget. Rent contributions will usually be memorialized by a lease agreement with a term of five years or less, unless otherwise approved by City Council.

The City is required to make rent contributions to the Park City Building Authority for buildings that it occupies. Qualified Organizations may enter into a lease with the City to occupy City space at a reduced rental rate pursuant to criterion 1-4. The difference between the reduced rental rate and the rate paid to the Park City Building Authority will be funded by the rent contribution amount. Rent Contribution lease agreements will not exceed five years in length unless otherwise directed by the City Council. Please note that this policy only applies when a reduced rental rate is being offered. This policy does not apply to lease arrangements at "market" rates.

3) Historic Preservation: Each year, the City Council may appropriate a specific dollar amount relating to historic preservation. The City Council will designate the funding for these expenditures during the annual budget process. The funding source for this category is the Lower Park Avenue and Main Street RDA. The disbursement of the funds shall be administered pursuant to applications and criteria established by the Planning Department, and awarded by the City Council consistent with UCA § 17A-3-1303, as amended. In instances where another organization is involved, a contract delineating the services will be required.

Rent Contribution and Historic Preservation funds will be appropriated through processes separate from the bi-annual Special Service Contract process and when deemed necessary by City Council or its designee.

The Service Contract Sub-Committee has the discretion as to which categories individual organizations or endeavors are placed. Any percentage changes to the General Fund categories described above must be approved by the City Council. All final decisions relating to public service funding are at the discretion of the City Council.

Nothing in this policy shall create a binding contract or obligation of the City. Individual Service Contracts may vary from contract to contract at the discretion of the City Council. Any award of a service contract is valid only for the term specified therein and shall not constitute a promise of future award. The City Council reserves the right to reject any and all proposals, and to waive any technical deficiency at its sole discretion. Members of the City Council, the Service Contract Sub-Committee, and any advisory Board, Commission or special committee with the power to make recommendations regarding Public Service Contracts are ineligible to apply for such Public Service Contracts, including historic preservation funds. City Departments are also ineligible to apply for Public Service Contracts. The ineligibility of advisory Board, Commission and special committee members shall only apply to the category of Public Service Contracts that such advisory Board, Commission and special committee provides recommendations to the City Council.

ATTACHMENT C
FIRST ADDENDUM TO PARK CITY MUNICIPAL CORPORATION
SPECIAL SERVICES CONTRACT

THIS FIRST ADDENDUM is made and entered into in duplicate this ____ day of March, 2005, by and between PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation and political subdivision of the State of Utah ("City"), and MOUNTAINLANDS COMMUNITY HOUSING TRUST, ("Service Provider") to amend the Special Service Contract signed and executed by the Parties on July 1, 2003.

WITNESSETH:

WHEREAS, the parties entered into a Special Service Contract on July 1, 2003 (hereinafter "Original Agreement"); and

WHEREAS, the parties desire to amend the Original Agreement to revise the required services to be provided by Service Provider.

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

1. **CONTRACT AMOUNT**. The total contract amount provided at Article I of the Original Agreement shall be reduced to Fifty Four Thousand Dollars ($54,000.00).

2. **SERVICES TO THE COMMUNITY**. Effective upon execution of this First Addendum, Service Provider shall not be required to provide tenant outreach services, commonly referred to as the "Tenant Outreach Program" in the Original Agreement.

3. **ENTIRE AGREEMENT**. This First Addendum is a written instrument pursuant to Article VI of the Original Agreement between the parties and cannot be altered or amended except by written instrument, signed by both parties.

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