

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 16, 1995**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, February 16, 1995.

A G E N D A

Closed Session

4:00 p.m. Property acquisition

Work Session

4:45 p.m. Council questions and comments

5:00 p.m. Review of regular meeting

5:15 p.m. Housing action plan recommendations

Regular Meeting - To be held in Work Session Room

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

Resolution of acknowledgement and appreciation of the accomplishments of the Park City High School Swim Teams

III MINUTES OF MEETING OF FEBRUARY 2, 1995

IV PUBLIC HEARING

1. Ordinance approving 429 Woodside plat amendment
2. Ordinance approving amendment to Belleterre Subdivision, Lot 10, 6160 Silver Lake Drive to adjust placement of a driveway
3. Ordinance approving condominium conversion, 1920 Prospector Avenue (Prospector Professional Building)

V CONSENT AGENDA

1. Ordinance approving 429 Woodside plat amendment
2. Ordinance approving amendment to Belleterre Subdivision, Lot 10, 6160 Silver Lake Drive to adjust placement of a driveway
3. Ordinance approving condominium conversion, 1920 Prospector Avenue (Prospector Professional Building)

4. Acceptance of City Council disclosure statements in the Official Minute Book

VI REPORTS FROM COMMISSIONS AND BOARDS

VII COMMUNICATIONS FROM COUNCIL AND STAFF

VIII ADJOURNMENT

Posted: 1/14/95 noon

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
FEBRUARY 16, 1995**

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, February 16, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Roger Harlan, Lou Hudson, Shauna Kerr, and Leslie Miller. Staff present were Toby Ross, City Manager; Janice Lew, Planner; Jennifer Duane, Planning Intern; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

Resolution of acknowledgement and appreciation of the accomplishments of the Park City High School Swim Team - The Mayor congratulated Coach Meakins and members of the Swim Team and read the resolution.

III MINUTES OF MEETING OF FEBRUARY 2, 1995

Ruth Gezelius, "I move to approve the Minutes of the meeting of February 2, 1995 as corrected (correction to spelling of 'Sacco')". Lou Hudson seconded. Motion carried unanimously.

IV PUBLIC HEARING

1. Ordinance approving 429 Woodside plat amendment - See attached staff report. For the benefit of Shauna Kerr, Ms. Lew explained the reason for using a developed parcel in the calculation of the floor area ratio. A setback error was made when the lot line was adjusted administratively. The applicant is willing to adjust the setback and an easement will be provided. With regard to the findings in the staff report, Ms. Miller asked what is the standard for buildable lots. Ms. Lew explained that "standard" is at least 1,875 square feet. Ms. Miller felt that this should be clarified; Ms. Lew explained that it is specified in the Land Management Code. Shauna Kerr recommended that the ordinance include language that the newly created lot exceeds the minimum square footage of 1,875 square feet.

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

2. Ordinance approving amendment to Belleterre Subdivision, Lot 10, 6160 Silver Lake Drive to adjust placement of a driveway - See attached staff report. Jennifer Duane, Planning Intern, explained the reason for the relocation of the driveway which would save significant trees and provide an utility easement. There

would be some disturbance with regard to the utility easement but it will be temporary and minimal.

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

3. Ordinance approving condominium conversion, 1920 Prospector Avenue (Prospector Professional Building) - See attached staff report. Jennifer Duane clarified that this is a condominiumization action; staff recommends approval.

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

V CONSENT AGENDA

Ruth Gezelius, "I move approval of Consent Agenda Items 1 through 4". Shauna Kerr seconded. Motion unanimously carried.

1. Ordinance approving 429 Woodside plat amendment - See public hearing and attached staff report.

2. Ordinance approving amendment to Belleterre Subdivision, Lot 10, 6160 Silver Lake Drive to adjust placement of a driveway - See public hearing and staff report.

3. Ordinance approving condominium conversion, 1920 Prospector Avenue (Prospector Professional Building) - See public hearing and staff report.

4. Acceptance of City Council disclosure statements in the Official Minute Book - The City Council submits annual disclosure statements in accordance with state law. These are officially accepted in the official Minute Book as a matter of public record.

VI REPORTS FROM COMMISSIONS AND BOARDS

Historic District Commission Meeting of February 13, 1994 - Janice Lew reported on this meeting. There are concerns regarding adequate parking requirements on new construction on Main Street and it is requested that the Council review the "in lieu" fee to realistically cover the cost of providing parking stalls. She discussed the Burnis Watts demolition application which was denied; this will probably be appealed to the City Council. The Commission is recommending that the City Council consider acquisition garage structure.

VII COMMUNICATIONS FROM COUNCIL AND STAFF

Page 3
City Council Meeting
February 16, 1995

General Plan Update - Rick Lewis reported on the status of the Citizen Committee's progress and discussed a meeting with the County on the Snyderville Basin.

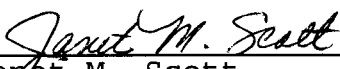
VIII ADJOURNMENT

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

* * * * *

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

Prepared by Janet M. Scott



Janet M. Scott
Deputy City Recorder



**PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
FEBRUARY 16, 1995**

Present: Brad Olch, Roger Harlan, Shauna Kerr, Leslie Miller, Ruth Gezelius, Lou Hudson, Toby Ross, Jodi Hoffman, Myles Rademan

1. Council questions and comments. Leslie Miller referred to a letter to the Council from Tom Hurd regarding plat amendments and felt that this should be discussed again in a work session. Ms. Miller also asked that the grant process be discussed in a work session. Toby Ross responded that it was his impression from the retreat that the Council didn't want to explore this in detail but rather make the application process more systematic but not implement an elaborate evaluation. This was going to be addressed in a manager's report but will be scheduled on a work session. Toby Ross stated that he will write a schedule of action target items resulting from the retreat. Ms. Miller indicated that she was contacted by Rebecca Champion regarding the landscaping of the Payday buffer strip on SR224. Mr. Ross explained that about \$150,000 is budgeted for landscaping of the City's buffer strips and Ms. Champion is requesting that additional funding be dedicated to her buffer strip. This request will be before Council during budget time. A meeting with staff, Rebecca Champion and the Thaynes Homeowners Association will be scheduled to coordinate interests and efforts.

With regard to the Holiday Village Apartments, Toby Ross reported that staff has not heard back from the Farmers Home Administration but expects to shortly. Lou Hudson reported that he received calls about the use for the Osguthorpe property and questions regarding horse trail easements at Holiday Ranch.

With regard to proposed impact fee legislation, the City Manager explained that there are about six features that are unworkable. These concerns have been communicated to the Layton City Attorney who is working with Senator Taylor who is trying to amend the proposed bill. Rather than simply joining the Utah League and opposing the bill, Mr. Ross explained that our strategy is to change the bill. The Mayor emphasized that every community is against the bill because it takes away the mechanism for development paying its own way and will result in higher property taxes. This is in conflict with the legislators' goal in reducing property taxes. Jodi Hoffman explained the substitute bills and the upcoming meetings scheduled next week, including Senator Mansell who introduced the bill. Shauna Kerr feels that Senator Mansell's motivation should be publicly discussed. Ms. Kerr felt that attention should be given to the fact that this effort is undermining what the courts have found is legal and there are motivating factors (i.e., real estate community and home builders associations) driving the support of this bill. The Mayor

indicated that Senator Alarik Myrin and Representative David Ure are not supportive of Park City's position.

2. Housing action plan recommendations. Myles Rademan explained that there will be no action today, but a public hearing will be held on March 2. These recommendations come from the Affordable Housing Committee who have worked very hard over the year. Through illustration of slides, Mr. Rademan discussed the following:

- **Significant impacts of action program**

Broaden level of inquiry involvement and responsibility in addressing a serious and persistent community problem

City will have a more active and central role in organizing, monitoring and potentially funding affordable housing

Task Force will require staff time and resources

Potential of shifting housing costs from individuals to developers, builders, businesses; makes costs in Park City higher

Intent to subject future development to new standards might prove contentious

Potential of refinancing City debt and allocating to affordable housing might be in competition with other public desires

Drafting model lease should not be problematic

- **Conclusions**

The future level of Park City's community diversity will be directly proportional to:

the private sector building substantially more lower end market rate units which will saturate the market and suppress prices in older units making them more affordable;

the government intervening more aggressively in the housing market through policy, subsidy, or both;

a combination of public and private actions

Four-legged strategy is needed

Long term funding sources
Public commitments
Developer incentives and exactions
Regional Housing Authority

- **Winning Strategies**

- Institutionalize and long term funding
 - Landbanking
 - Require actual building rather than "in lieu"
 - Dedications high enough to insure diversity
 - Across the board impact fees
 - Deed restricting in perpetuity
 - No net loss

- **Current Implementation**

- \$5,000 fee waivers and grants
 - Annual budget allocation (continue)
 - acquire units for municipal employees
 - provide mortgage assistance to municipal employees
 - develop non-profit capacities
 - Devote considerable staff time
 - Support adoption of County Housing Element
 - Deed restrict affordability controls

- **Short Term (6-12 Months)**

- Administrative

- Pursue new dedicated funding sources
 - Conduct annual housing symposium
 - More aggressively involve other entities
 - Reactivate housing authority and meet quarterly

- Legislative

- Consider revising LMC to give Planning Commission flexibility to reduce open space and parking provisions so as to encourage affordable housing near resort and employment sources

- Consider dedicating public land to private developers

- Commit additional funds to Historic District Grant Program to purchase affordable housing deed restrictions

- Change condo conversion ordinance

- Adopt higher annexation affordable housing dedication requirement from 10% to 15% and require definitive timeline to build affordable units

Create an inclusionary standard for all new subdivisions in Park City

- **Long Term (12-24 Months)**

- Administrative

- Create a development primer

- Legislative

- Bond for or set aside percentage of development fees for land acquisition

- Create an inclusionary standard for commercial development based on employee generation study

- Institute a flat housing fee for all new development not in a subdivision, annexation, MPD or commercial zone

- Restructure Housing Authority with private board and include County

Roger Harlan discussed the merits of the condo conversion limitation proposal. Lou Hudson feared that there would be lawsuits over affordable housing exactions and that there is no land left in Park City for affordable housing. Myles Rademan responded that there will always be the threat of lawsuits and the Council would have to be committed; also there are subdivisions in the City limits that are not yet platted. Meg Ryan added that staff is looking for direction on the short term actions, specifically amendments to the LMC giving the Planning Commission flexibility on applications. The City Manager pointed out that there are two current projects that would benefit from a Code amendment and landbanking. Ms. Gezelius stressed that she did not want to compromise the quality of life for affordable housing. High density without enough parking or open space does not contribute to a standard of living that is acceptable. She can not support relaxing parking restrictions. Ms. Ryan explained that this recommendation does not mean a flat reduction in parking but rather flexibility to allow shared parking or other options. Ms. Gezelius pointed out that if an affordable housing project is substandard, there will be neighborhood opposition. Ms. Ryan explained that with regard to open space, there would be a range of considerations rather than a set reduction. Shauna Kerr agreed with Ms. Gezelius' comments and emphasized the importance of creating an environment that is liveable. Lou Hudson felt that attaching more fees will increase the cost of affordable housing. Ms. Gezelius feared that affordable housing projects will compete with current stock and there may be a net loss to nightly rentals.

Ms. Miller stated that she would like to see the inclusionary housing standard for commercial development removed as a long-term goal and described as short-term. Meg Ryan explained that this was delayed because of current projects and the demand on staff resources. Discussion ensued regarding Aspen's implementation of this standard which dramatically reduced commercial development. Ms. Kerr supported moving this up as it is legally defensible and deserves a higher priority. The Historic District Grant Program was discussed and Ms. Miller suggested that there be an affordable housing incentive attached to grant awards.

Mayor Olch encouraged Council to again review the material and contact staff if there are other concerns that need to be addressed on March 2. He invited the public to attend that public hearing.

Prepared by Janet M. Scott

**RESOLUTION OF ACKNOWLEDGEMENT AND APPRECIATION
OF THE ACCOMPLISHMENTS OF THE PARK CITY HIGH SCHOOL
SWIM TEAM**

WHEREAS, the Park City High School Swim Team, in only its third year of competition, has had an impressive year and has proved to be a serious and tough contender by winning seven out of nine dual meet records for both the Girls and Boys Teams; and

WHEREAS, the Team took first place at the Tooele Invitational, first place at the Region X Championships for the Boys and Girls Teams, and second place for the Boys and Girls Teams at the 3-A State Championships; and

WHEREAS, it is appropriate to acknowledge the accomplishments and dedication of our fine young athletes as follows:

1994-95 PARK CITY HIGH SCHOOL SWIM TEAM

BOYS

Josh Chin, Captain
Brandon Crosby
Scott Cunningham
Matt Grant
John Hoffmeister
Brian Lambert
Billy Lea
Lyle Salmi, Captain
Nick Turner
Seth Williams
Kyle Witt

GIRLS

Tracy Backman, Captain
Cami Bird
Donielle Chittenden
Brittany Christison
Jonna Christison
Carley Dahl
Bianca Dellapenta
Rebecca Gerber
Trisha Graham
Rebecca Fogarty
J. J. Krieger
Jordan Krieger
Lauren Langford
Valerie Mason
Katherine Matsumoto
Jenni Manwarring
Johanna Manwarring
Emily Sammons

WHEREAS, it is equally important to recognize the exceptional talents of Gail Meakins, who was voted the 3-A State Boys and Girls Coach of the Year;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council are pleased to extend their grateful appreciation of the contributions of the Coach and each individual on the Swim Team as these accomplishments are a great honor for our community. These successes did not come easily, but are the result of commitment, self-discipline, and team-building; all fine attributes that ensure sound leadership for tommorrow.

PASSED AND ADOPTED this 16th day of February, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

COUNCIL AGENDA REPORT

DATE: February 16, 1995
DEPARTMENT: Community Development Department
AUTHOR: Janice Lew JL
TITLE: Amendment to Park City Survey - 429 Woodside Avenue
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt the ordinance approving the plat amendment for 428 Woodside Avenue, for a lot line adjustment.

DESCRIPTION:

A. Topic: This request is for a lot line adjustment of four contiguous Old Town lots (25' X 75') on the west side of Woodside Avenue. A structure is located on approximately two and a half lots just south of the Quitting Time Condominiums. The applicant would like to rearrange the lot lines to create two separate parcels so the remaining property can be developed for a single family structure.

B. Background: The City Council held a work session and public forum on January 19, 1995 to discuss procedures for lot combinations in Old Town. Based upon the Council's discussion, the City revised the administrative process for lot line adjustments and adopted a temporary policy for those applicants who request a straightforward lot combination. This streamlined procedure provides, upon staff recommendation, a one step review process by the City Council.

C. Analysis: The staff has reviewed the proposed plat and finds it to be consistent with Land Management Code requirements for the zone and the subdivision ordinance. Conditions of approval are recommended to resolve any outstanding issues.

The applicant went through an administrative process to reconfigure his lots in June of 1994 and proceeded to design a new structure based upon the new configuration. Following design review of the new home, an error was found in establishing the setbacks for the existing structure. In an

effort to rectify the error, the applicant has reconfigured the lot lines such that the existing structure now meets the setback requirements of the Code. However, the City and the applicant have been working on a side yard Easement Agreement which allows the applicant to use a portion of the area of the developed lot to calculate the Floor Area Ratio for the undeveloped lot.

PUBLIC INPUT

Public noticing for the City Council hearing occurred on February 6, 1995 and no public comment has been received. The Planning Commission held a public hearing on February 8, 1995 and there was no public input.

D. Department Review: This request has been reviewed by the Community Development Department and City Attorney's Office.

ALTERNATIVES:

- A. Approve the proposed amendment thereby allowing the lot line adjustment.
- B. Deny the proposed amendment and retain the current lot configuration.
- C. Continue the item for further information and discussion.

SIGNIFICANT IMPACTS: Approval of this lot line adjustment will allow the applicant to further develop his property without construction occurring across platted lot lines.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: If the Council decides not to approve the proposed lot line adjustment, the applicant retains the right to develop the property on the originally approved and platted lots.

RECOMMENDATION: The staff recommends the City Council approve the request for a lot line adjustment of the property at 429 Woodside Avenue based upon the following:

FINDINGS

- 1. The lot line adjustment would not result in any additional parcels being created.
- 2. The newly created parcels meet the standard for buildable lots in the HR-1 district.
- 3. There is no increase of parking demand due to the lot line adjustment.
- 4. The applicant has agreed to dedicate an easement on the north side of the developed lot. It is intended that the square footage of the easement is to be used solely in the calculation of the Floor Area Ratio for the undeveloped lot.
- 5. The lot line adjustment resolves any discrepancy between existing conditions and current setback requirements.

CONCLUSIONS OF LAW

1. There is good cause for the amendment.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

CONDITIONS

1. The location of the existing structure in relation to the new lot lines shall be verified prior to final plat recordation and minor adjustments to the plat shall be made, if necessary, to remedy any discrepancy between existing conditions and current setback requirements.
2. The City and applicant shall execute the required easement agreements to determine floor area prior to final plat recordation.
3. All Standard Project Conditions shall apply.

Ordinance No. 95-

**AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY
PLAT REGARDING 429 WOODSIDE AVENUE
PARK CITY, UTAH**

WHEREAS, the owners of the property indicated above, William Elder, petitioned the City Council for approval of the amendment to the Park City Survey Plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on February 8, 1995 and the City Council conducted a public hearing on February 16, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, the plat is consistent with the Land Management Code and subdivision ordinance; and

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

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

SECTION 1. CONCLUSIONS OF LAW The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

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

SECTION 3. PLAT APPROVAL The amendment of the Park City Survey Plat of 429 Woodside Avenue is approved as shown on the attached Exhibit A with the following conditions:

1. The location of the existing structure in relation to the new lot lines shall be verified prior to final plat recordation and minor adjustments to the plat shall be made, if necessary, to remedy any discrepancy between existing conditions and current setback requirements.
2. The City and applicant shall execute the required easement agreements to determine floor area for the undeveloped parcel prior to final plat recordation.
3. All Standard Project Conditions shall apply.

4/10

PASSED AND ADOPTED this 16th day of February, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

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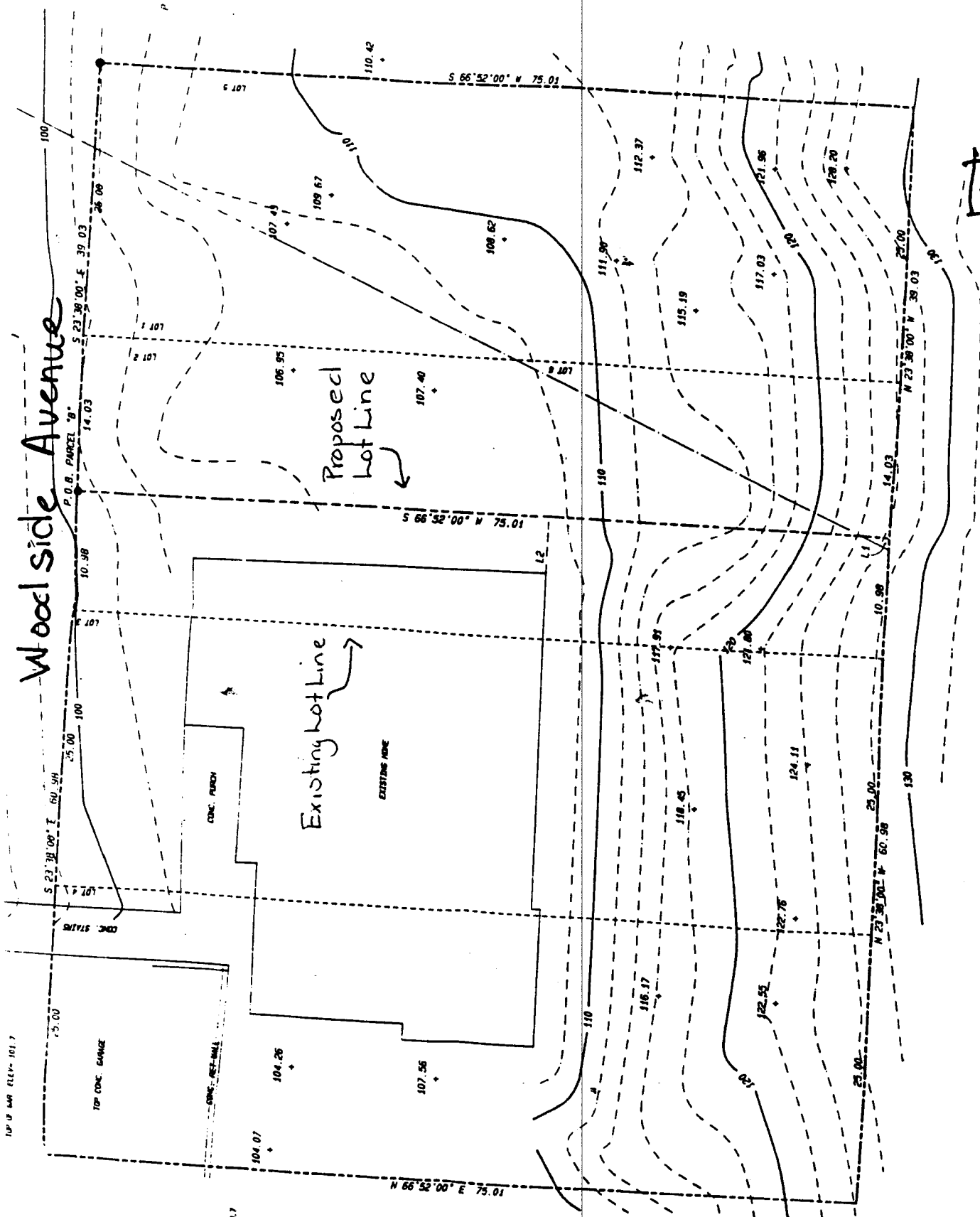


Exhibit A

DATE: February 16, 1995
DEPARTMENT: Community Development Department
AUTHOR: Jennifer Duane
TITLE: Amendment to Belleterre Final Plat on Lot 10 - 6160 Silver Lake Drive
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt an ordinance amending the plat for Lot 10 Belleterre Subdivision, in order to modify placement of the driveway from its platted designation at the southwest corner of the lot to an area further to the southeast to preserve several significant trees. New limits of disturbance are proposed to include the new driveway location.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant: William P. Mammen
Proposal: Plat Amendment at Lot 10 Belleterre - 6160 Silver Lake Drive
Zoning: Residential Development District - MPD
Adjacent Land Uses: Residential
Date of Application: January 5, 1995
Project Planner: Jennifer Duane
Staff Recommendation: Approve with Conditions

B. Background.

The Community Development Department has reviewed this proposal and has determined that the project does not require Planning Commission review and recommendation. As per the City

Attorney, proposals such as this, can be directly forwarded to the City Council for action. Property owners within 300' of the property and all property owners within Belleterre Subdivision have been noticed. Mark Prothro, the Developer of the Belleterre Subdivision, has contacted the Planning Department representing the Architectural Committee for the Subdivision supporting the revision to the driveway as long as no trees are removed. No other public input has been received at this time. This project is scheduled for public hearing and action.

C. Analysis:

The applicant is requesting this plat amendment to allow relocation of the proposed driveway from its platted location at the southwest corner of the lot to an area further to the southeast, (see exhibit B). The location of the current platted area for a driveway is on a steep slope. In order to build this driveway as platted, significant grading would occur and many existing trees would be removed. Location of the proposed driveway would come in at a more natural grade resulting in a garage on the residential building which is less visible from the street. Few trees would be disturbed with the new driveway location.

The proposal will change the limits of disturbance area to allow disturbance in the area of the driveway. Vegetation in this area is minimal. The current platted limits of disturbance area for the driveway also serves as a utility easement and shall remain as platted. The Staff recommends as a condition of plat amendment approval, that prior to issuance of a building permit for this lot, significant trees within this utility easement in the old driveway location, be identified and fenced to protect them from disturbance.

Determination of Findings. The Staff recommendation for the project includes several conditions. These conditions are based on the following findings and conclusions:

1. Preservation of significant trees and natural vegetation is possible by relocating the proposed driveway.
2. Identification and fencing existing trees within the utility easement will further preserve existing natural vegetation on the site.

Conclusions of Law:

1. There is good cause for the amendment as the reconfiguration of the new driveway will minimize significant disturbance of the natural vegetation.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

D. Department Review:

The Community Development Department and City Attorney's office have reviewed this

The Community Development Department and City Attorney's office have reviewed this application.

ALTERNATIVES:

- A. Approve the plat amendment changing the location of the driveway from its platted designation.
- B. Deny the Plat Amendment
- C. Continue the item for further discussion and input

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is denied the applicant can build the driveway in the platted location, removing several significant trees.

RECOMMENDATION:

Staff recommends approval of the plat amendment for Lot 10 Belleterre Subdivision, with the following conditions:

- 1. Prior to plat recordation, the City Council, City Attorney, and the City Engineer shall have reviewed and approved the final plat.
- 2. All other notes and dedications from the recorded Belleterre Subdivision Plat, Recorded #323586 are in full force and effect.
- 3. Prior to issuance of a building permit on Lot 10 Belleterre Subdivision, significant trees in the utility easement shall be identified and fenced to protect them from disturbance.

EXHIBITS:

- Exhibit A: Proposed Plat Amendment
- Exhibit B: Project Location
- Exhibit C: Letter Received from Mark Prothro

ORDINANCE NO. 95-__

**AN ORDINANCE APPROVING THE AMENDMENT TO LOT 10 OF THE
AMENDED FINAL PLAT OF THE BELLETERRE SUBDIVISION, RECORDED
ON JANUARY 26 1990 AT SUMMIT COUNTY, RECORDED # 323583, AND
LOCATED AT 6160 SILVER LAKE DRIVE, PARK CITY, UTAH**

WHEREAS, the City Council held a public hearing on this matter on February 16, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

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

SECTION 1. Findings. Neither the public nor any person will be materially injured by the proposed plat amendment and there is good cause for the amendment.

SECTION 2. Plat Amendment. The plat amendment to Lot 10 Belleterre Subdivision, 6160 Silver Lake Drive, is approved as shown on the attached Exhibit A with the following condition:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have reviewed and approved the final plat.
2. All other notes and dedications from the recorded Belleterre Subdivision Plat Recorded #323586, are in full force and effect.
3. Prior to issuance of a building permit on Lot 10 Belleterre Subdivision, significant trees in the utility easement be identified and fenced to protect them from disturbance.

SECTION 3. This ordinance shall take effect immediately.

DATED this 16th day of January, 1995.

PARK CITY MUNICIPAL CORPORATION

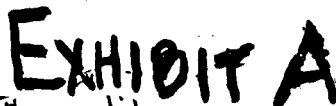
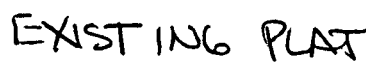
BRADLEY A. OLCH, MAYOR

ATTEST:

ANITA L. SHELDON, CITY RECORDER

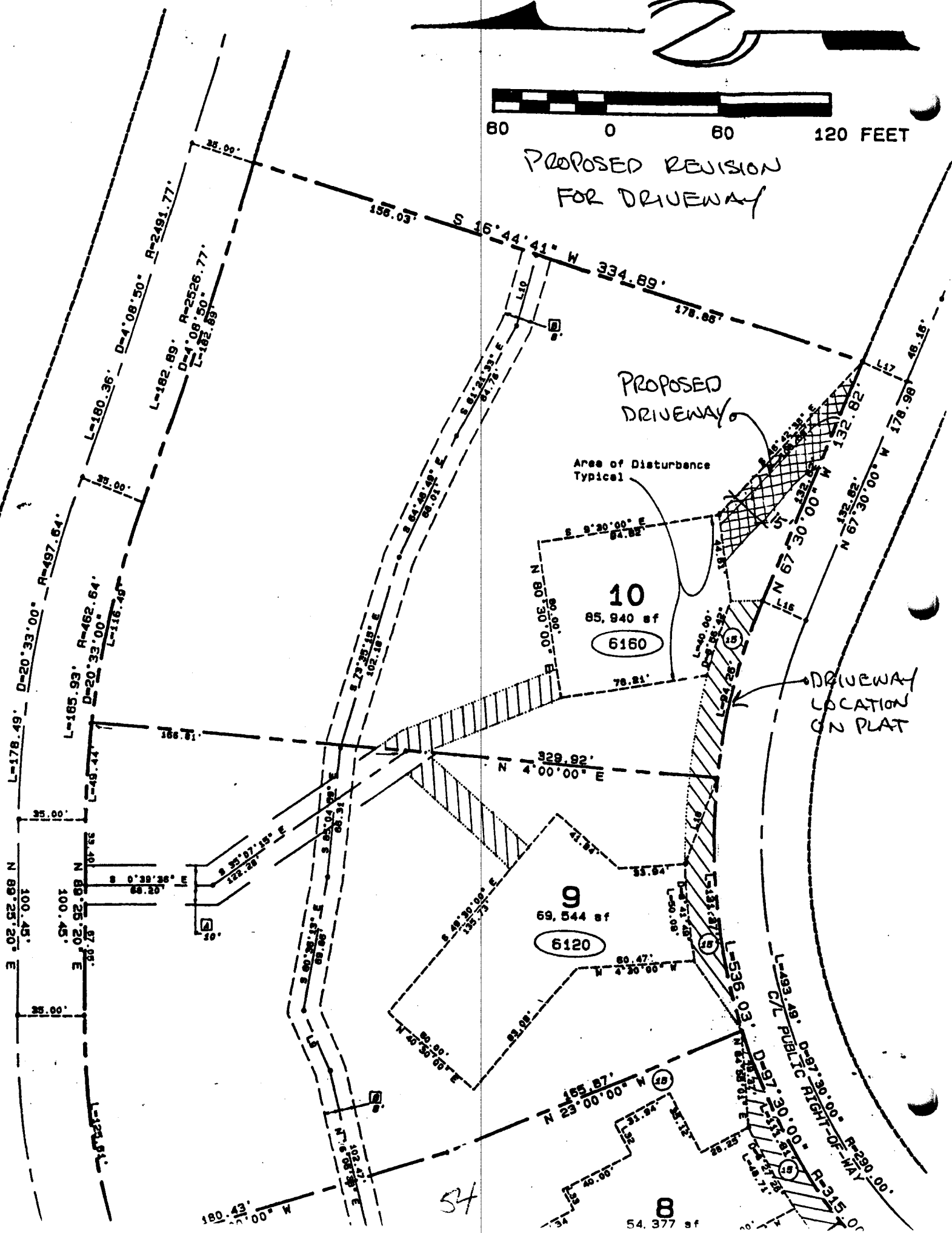
APPROVED AS TO FORM:

MARK D. HARRINGTON, ASST. CITY ATTORNEY

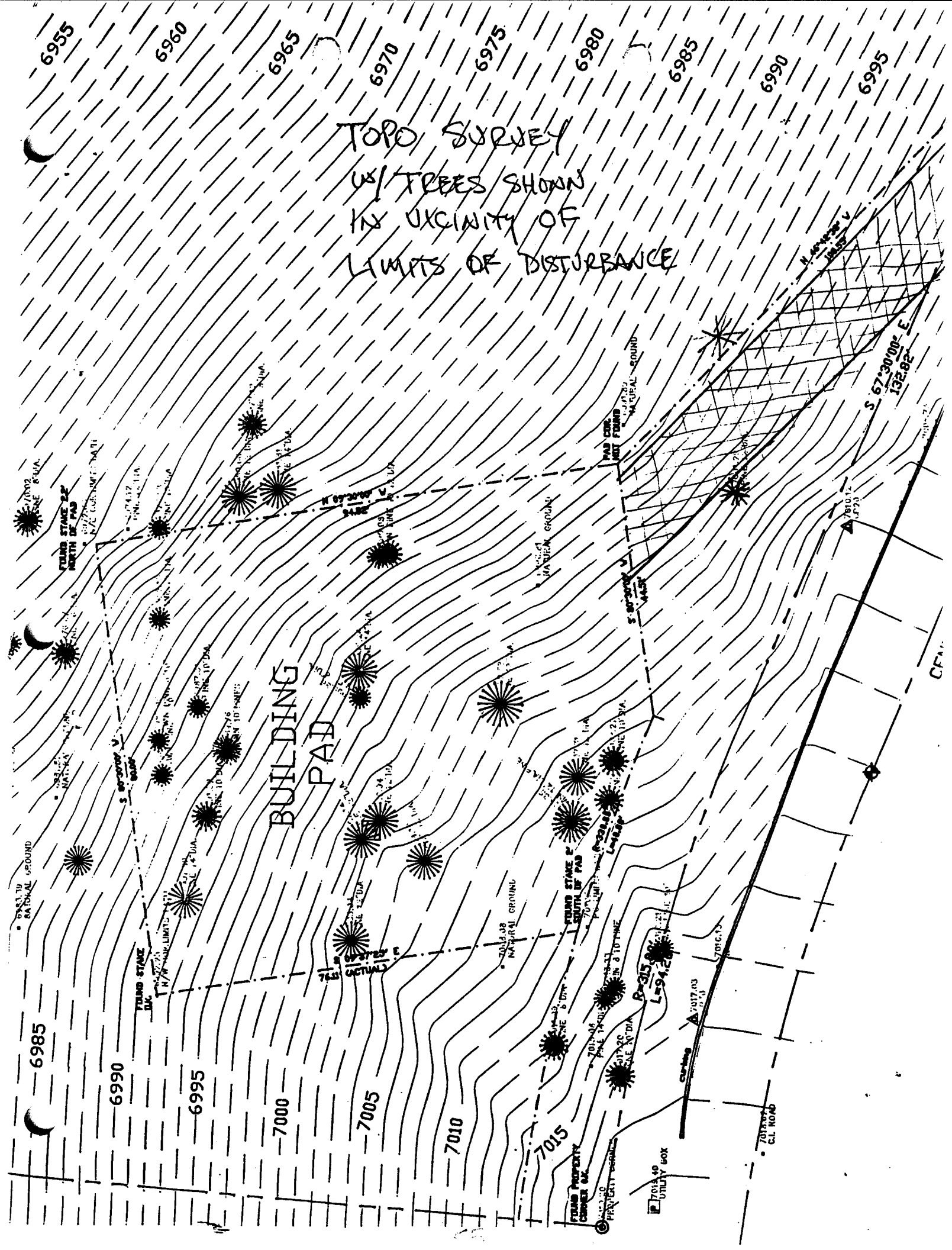


8
54,377 sf

PROPOSED REVISION
FOR DRIVEWAY



TOPO SURVEY
w/ TREES SHOWN
IN VICINITY OF
LIMITS OF DISTURBANCE



PARK CITY ZONING MAP

The map displays the following zoning districts and features:

- Zoning Districts:** E-MPD, HR-2, MPD, HTO & HR-2, HR-1 - MPD, RM-MPD, RD, RD-MPD, ROS, E.
- Project Location:** Indicated by a star and labeled "PROJECT LOCATION".
- Geographic Features:** American Flag, Snowpark Day Center, Lake Powell, Lake Umbagog, Lake Minner.
- Boundaries:** Park City Boundary, Township Boundary.
- Other Labels:** 15, 22, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

EXHIBIT B

EXHIBIT B

PARK CITY BC

PERKINS-TIMBERLAKE CO.

P.O. BOX 360

WICHITA FALLS, TEXAS 76307

February 12, 1995

Ms. Jennifer L. Duane
Planning Assistant
Park City Municipal Corporation
P. O. Box 1480
Park City, UT 84060

Via Fax 801-645-3078

RE: Belleterre Lot 10

Dear Jennifer:

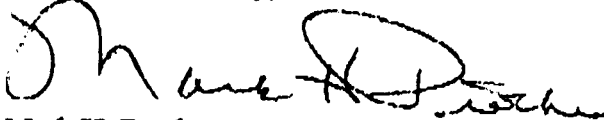
I am responding to your notice regarding the proposed re-alignment of the driveway access for Belleterre 10 in my role as the original developer of Belleterre and as a current member of the Belleterre Architectural Committee.

When Belleterre was originally developed, special attention went into the planning of the building sites within the property in order to minimize the loss of trees. Planning of the driveway access was of secondary importance to the building envelope; however, saving trees was our primary goal.

Belleterre does not have a homeowners association, only an Architectural Committee. The owner's architect has approached the Architectural Committee seeking our approval. The committee's unanimous opinion is to approve the change and write this letter to the planning Department endorsing such change. However, our approval is conditional on the assumption that no additional trees will be removed.

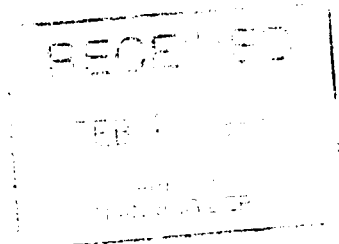
if you have further questions, you may reach me at 649-5787.

Yours very sincerely,



Mark H. Prothro

Exhibit C.



DATE: February 16, 1995
DEPARTMENT: Community Development Department
AUTHOR: Jennifer Duane
TITLE: Amendment to Prospector Square Final Plat on Lot 22C
1920 Prospector Avenue
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS:

Adopt the ordinance amending the plat on Lot 22C Prospector Square in order to condominiumize the building to allow for the separate ownership of the three individual office units.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	Terry L. Christiansen
Proposal:	Plat Amendment at Lot 22C -1920 Prospector Avenue
Zoning:	General Commercial
Adjacent Land Uses:	Commercial, Residential
Date of Application:	October 11, 1994
Project Planner:	Jennifer Duane
<u>Staff Recommendation:</u>	Approve with Conditions

B. Background.

Because of the straightforward nature of the request, the Planning Staff, in concurrence with the City Attorney's Office, has determined that the proposal does not require Planning Commission review or recommendation and can be streamlined to the City Council for action. Property owners within 300' as well as property owners within the Prospector Square Amended Plat were all noticed. No public input has been received at this time. This project is scheduled for a public hearing and action.

C. Analysis.

The building at 1920 Prospector Avenue is currently completing construction. There are three individual condominium units in the building. The building is supplied with electricity, water, gas and sewage services. Each condominium unit will have individual heating and air conditioning systems.

Building Statistics:

Commercial Area:	4,109.62	gross floor area
Net Leasable Space:	3,356.46	square feet
Unit #1:	1,394.35	square feet (41.5% of the building)
Unit #2:	933.36	square feet (27.81% of the building)
Unit #3:	1,028.75	square feet (30.65% of the building)

Parking Requirement:

Parking spaces are provided by the Prospector Square Property Owners Association.

It should be noted that due to the high demand for parking in the Prospector area, the Property Owners Association has agreed to create a parking lot on Lot K of the Amended Prospector Square Subdivision Plat parking lot.

Pedestrian Access:

The owner has agreed to construct a sidewalk along the westerly and southerly sides of the building within the platted 20-foot common area. This sidewalk would connect with the existing sidewalks and provide pedestrian access to and from Parking Lot E and the proposed Parking Lot K.

Building Approval:

The project has been reviewed and approved by the Building and Planning Departments and has received a final building permit.

Determination of Findings. The Staff recommendation for the project is based on the following findings:

1. There are no additional impacts such as parking or density created by this proposal.

Conclusions of Law:

1. There is good cause for the amendment as it allows the owner to sell each office unit separately.
2. Neither the public nor any person will be materially injured by the proposed plat amendment

D. Department Review.

The Community Development Department and City Attorney's office have reviewed this project.

ALTERNATIVES:

- A. Deny the amendment to the final plat to condominiumize the building.
- B. Approve the plat amendment to allow the condominium conversion.
- C. Continue the item for further discussion and input from staff.

SIGNIFICANT IMPACTS:

The approval of this proposal will allow individual ownership of each unit and will not significantly impact the Prospector Square property owners or the original intention of the recorded plat.

Denying this proposal would result in sole ownership of the building. This result would not impact the City, but only the financial concerns of the existing owner.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the City Council does not approve the condominium conversion the owner will not be able to sell each of the individual units separately.

RECOMMENDATION:

The Staff recommends the Council select alternative B and approve the proposed plat amendment to the Final Plat of Prospector Square at Lot 22C subject to the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have

reviewed and approved the final plat.

2. All other notes and dedications from the recorded Prospector Square plat, Recorded # 125443, and the Supplemental Amended Plat, recorded #397064, are in full force and effect.

EXHIBITS:

EXHIBIT A: PROPOSED PLAT AMENDMENT

EXHIBIT B: PROJECT LOCATION

ORDINANCE NO. 95-__

**AN ORDINANCE APPROVING THE AMENDMENT TO THE AMENDED
FINAL PLAT OF PROSPECTOR SQUARE, RECORDED ON DECEMBER 26, 1974
AT SUMMIT COUNTY, RECORDED # 125443, ON LOT 22C LOCATED AT 1920
PROSPECTOR AVENUE, PARK CITY, UTAH**

WHEREAS, the City Council held a public hearing on this matter on February 16, 1995; and

WHEREAS, it is in the best interest of Park City to approve the final plat; and

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

SECTION 1. Findings. Neither the public nor any person will be materially injured by the proposed plat amendment,

SECTION 2. Plat Amendment. The amendment of the final plat of Lot 22C at 1920 Prospector Avenue, is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall have reviewed and approved the final plat.
2. All other notes and dedications from the recorded Prospector Square plat, Recorded #125443, and the Supplemental Amended Plat, recorded #397064, are in full force and effect.

SECTION 3. This ordinance shall take effect immediately.

DATED this 16th day of January, 1995.

PARK CITY MUNICIPAL CORPORATION

BRADLEY A. OLCH, MAYOR

ATTEST:

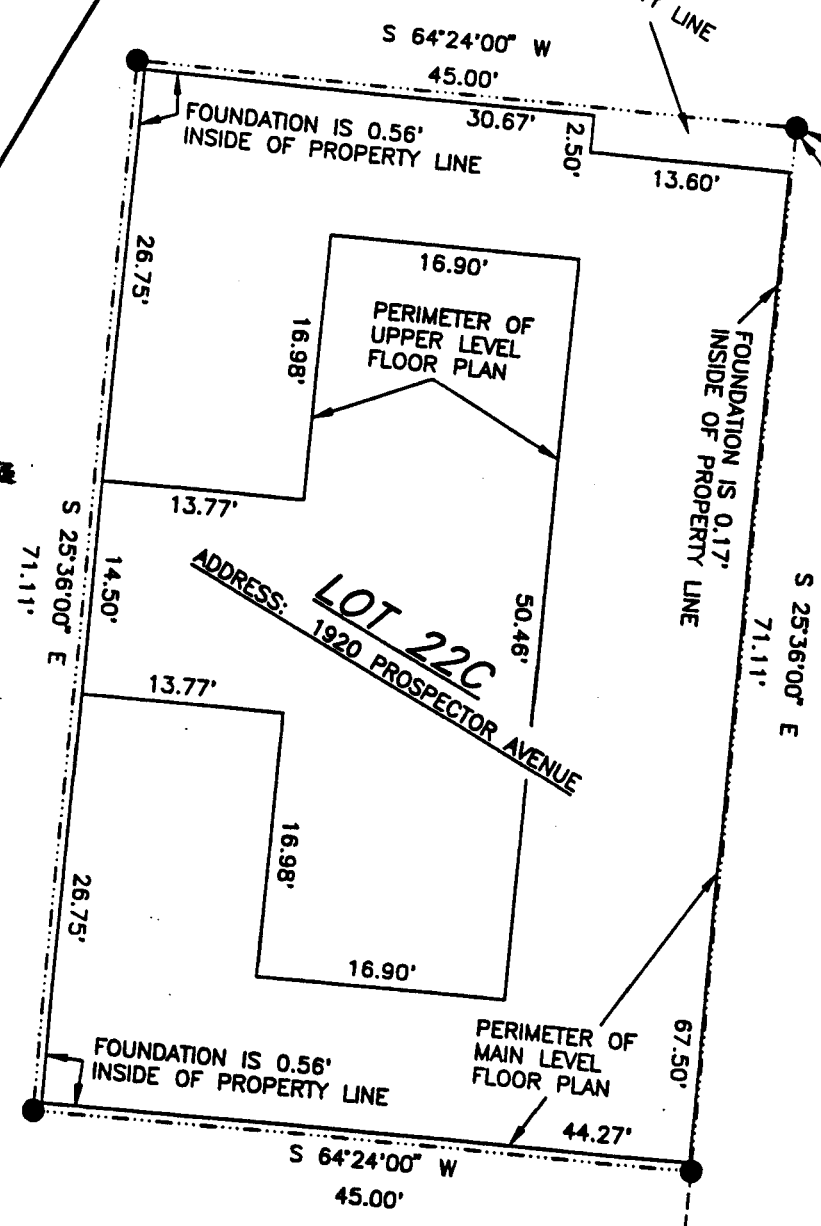
ANITA L. SHELDON, CITY RECORDER

APPROVED AS TO FORM:

MARK D. HARRINGTON, ASST. CITY ATTORNEY

MINIUM RECORD OF SURVEY
SHEET 1

COMMON AREA C
135.05 SQUARE FEET
11.40% OF COMMON AREA
INCLUDES ALL AREA BETWEEN
FOUNDATION AND PROPERTY LINE



SET REBAR AND CAP
STAMPED LS 187821 AT
4 CORNERS OF LOT 22C
BENCHMARK = REBAR AND
CAP AT PROPERTY CORNER
= LOCAL ELEVATION 99.7'

LEGAL
ALL OF LOT
PLAT, AS R.
397064, SAIL
RANGE 4 EAS.
UTAH.

Joe Dhaenens
JOE DHAENENS

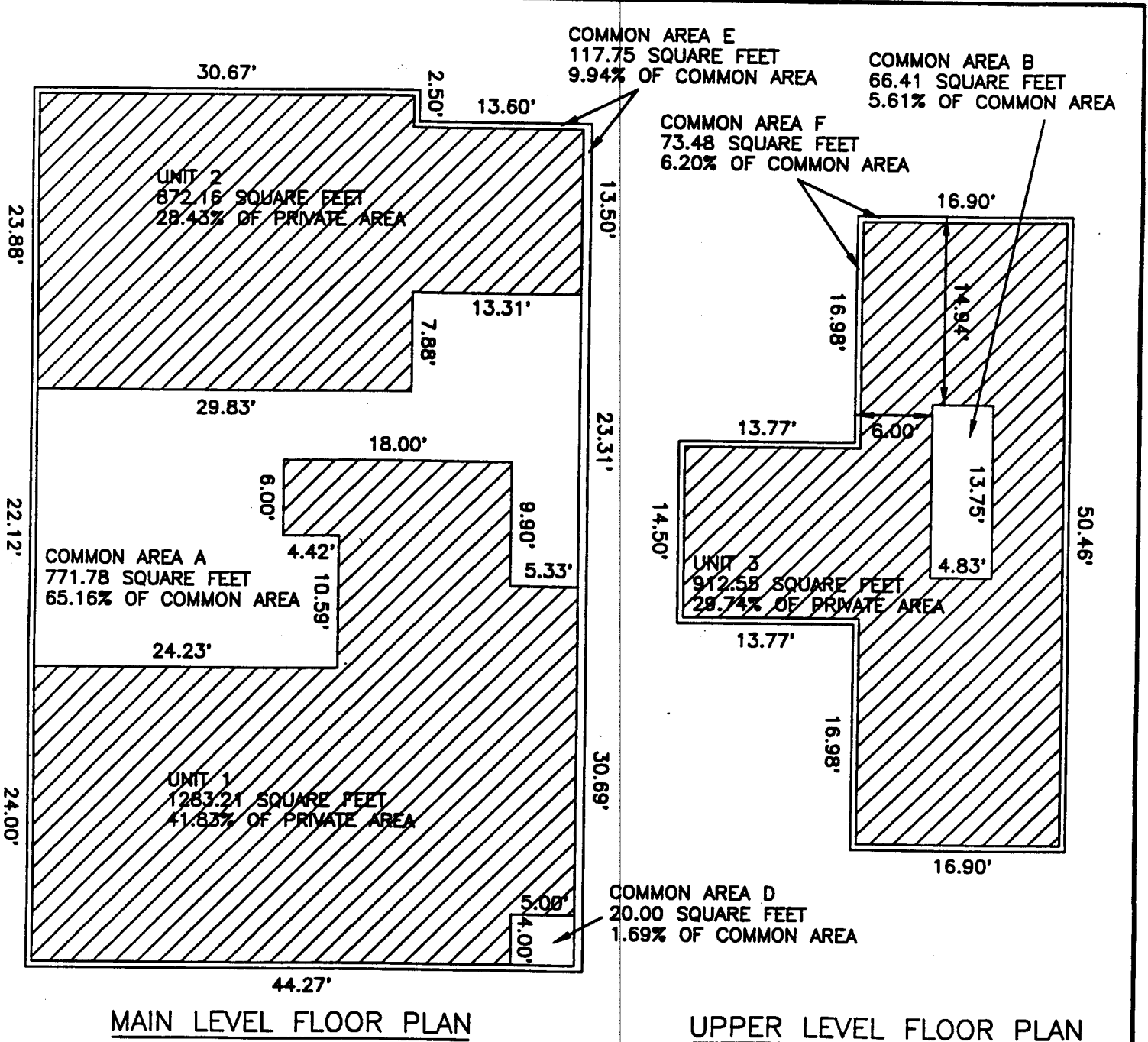
Exhibit A.

RECEIVED

FEB 10 1995

FF
100.0'

WEST ELEVATION



1" = 10'

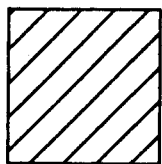
CITY ENGINEER

CITY PLANNING COMMISSION

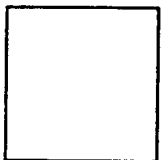
THE PARK CITY ENGINEER ON

APPROVED BY THE PARK CITY PLANNING COMMISSION

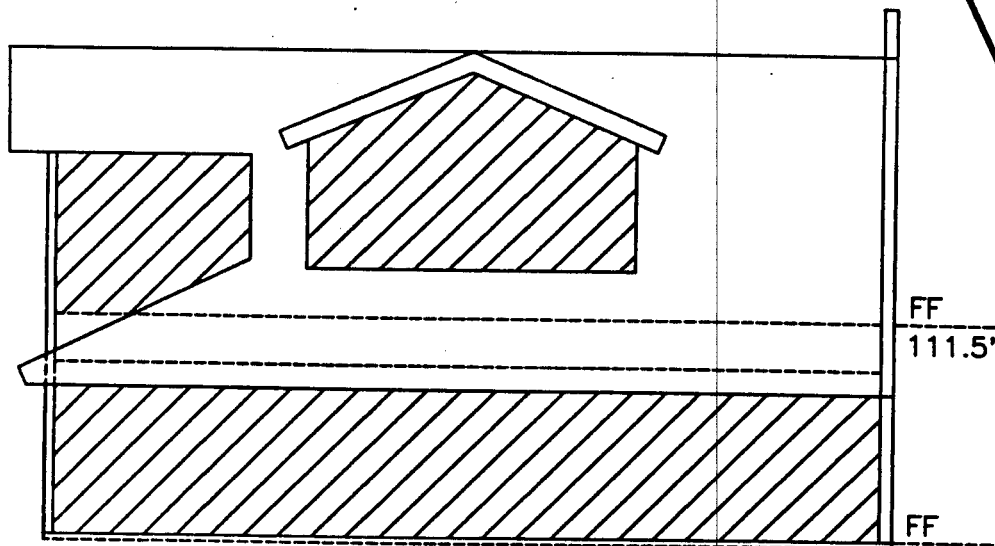
1" = 10'



PRIVATE AREA,
TYPICAL



COMMON AREA,
TYPICAL



SOUTH ELEVATION

66

16.90'

PERIM
MAIN LEVEL
FLOOR PLAN

44.27'

26.75'

FOUNDATION IS 0.56'
INSIDE OF PROPERTY LINE

S 64°24'00" W
45.00'

N 64°24'
57'

FOUND BRAS
STREET MONI

67

STATE OF UTAH)
COUNTY OF SUMMIT)

ss

AFFIDAVIT

Comes now Bradley A. Olch and having been first duly sworn, deposes and says as follows:

1. That he is currently an elected officer of Park City Municipal Corporation serving in the capacity of Mayor.

2. That he resides at:

2571 Lucky John Drive, Park City, Utah

3. That he is an officer, director, agent, employee or his spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

None

4. That he has the following investments and personal interest which could cause a conflict of interest:

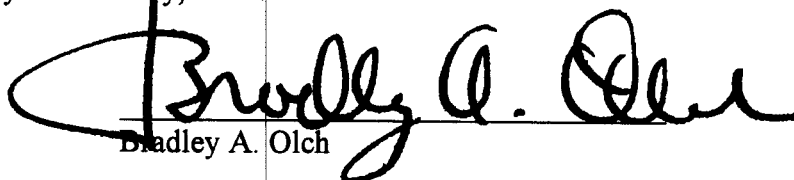
25% Interest - Peregrine Travel

5. That he intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. He will receive compensation for this representation or assistance:

None

FURTHER Affiant sayeth naught.

DATED this 16th day of February, 1995.


Bradley A. Olch

Subscribed and sworn before me this 16th day of February, 1995.

Notary Public

STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

AFFIDAVIT

Comes now Leslie Miller, and having been first duly sworn, deposes and says as follows:

1. That she is currently an elected officer of Park City Municipal Corporation serving in the capacity of City Council member.

2. That she resides at:

1493 Park Avenue
Park City, Utah

3. That she is an officer, director, agent, employee or her spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

Printworks 1493 Park Avenue - Owner

4. That she has the following investments and personal interest which could cause a conflict of interest:

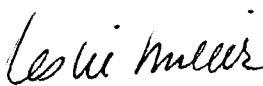
Ownership of Lots 1-5, Block 52, Park City, Utah

5. That she intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. She will receive compensation for this representation or assistance:

None

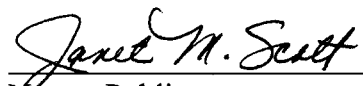
FURTHER Affiant sayeth naught.

DATED this 13th day of February, 1995

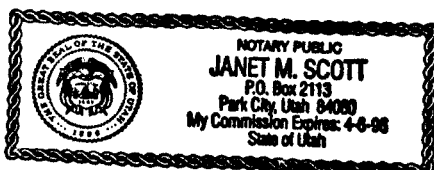


Leslie Miller

Subscribed and sworn before me this 13th day of February, 1995



Notary Public



STATE OF UTAH)
 ss
COUNTY OF SUMMIT)

AFFIDAVIT

Comes now Louis C. Hudson, and having been first duly sworn, deposes and says as follows:

1. That he is currently an elected officer of Park City Municipal Corporation serving in the capacity of City Council member.

2. That he resides at:

1589 Little Kate Road

3. That he is an officer, director, agent, employee or her/his spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

N/A

4. That (s)he has the following investments and personal interest which could cause a conflict of interest:

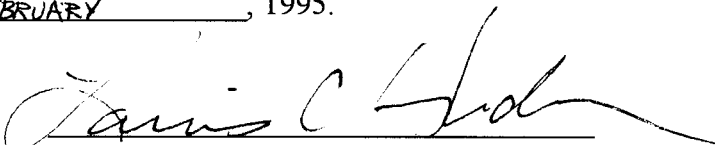
N/A

5. That (s)he intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. (S)he will receive compensation for this representation or assistance:

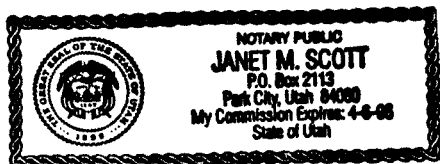
N/A

FURTHER Affiant sayeth naught.

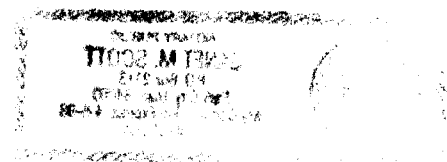
DATED this 16 of FEBRUARY, 1995.


Louis C. Hudson

Subscribed and sworn before me this 16 day of FEBRUARY, 1995.




Notary Public



STATE OF UTAH

)

ss

COUNTY OF SUMMIT

)

AFFIDAVIT

Comes now Bradley A. Olch and having been first duly sworn, deposes and says as follows:

1. That he is currently an elected officer of Park City Municipal Corporation serving in the capacity of Mayor.

2. That he resides at:

2571 Lucky John Drive, Park City, Utah

3. That he is an officer, director, agent, employee or his spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

None

4. That he has the following investments and personal interest which could cause a conflict of interest:

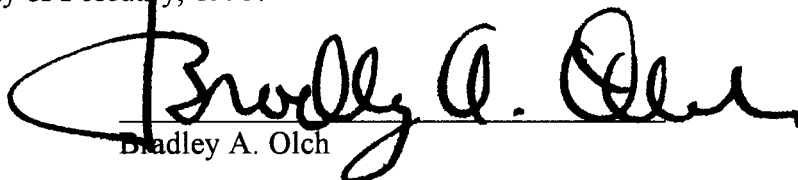
25% Interest - Peregrine Travel

5. That he intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. He will receive compensation for this representation or assistance:

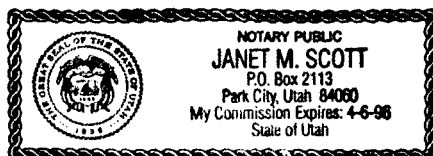
None

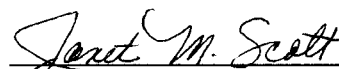
FURTHER Affiant sayeth naught.

DATED this 16th day of February, 1995.


Bradley A. Olch

Subscribed and sworn before me this 16th day of February, 1995.




Notary Public

STATE OF UTAH)
)
) ss
COUNTY OF SUMMIT)

AFFIDAVIT

Comes now Shauna L. Kerr, and having been first duly sworn, deposes and says as follows:

1. That she is currently an elected officer of Park City Municipal Corporation serving in the capacity of City Council member.

2. That she resides at:

3130 American Saddler Drive
Park City, Utah

3. That she is an officer, director, agent, employee or her spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

Husband Lewis G. Dragolovich, President/Owner
Wasatch Employee Benefit Service, Inc.
102 West Fifth South, Suite 205
Salt Lake City, Utah 84101

ShaunaKerr - Ski Host
part-time, seasonal employee Deer Valley Nov, 1994 - April, 2, 1995

4. That she has the following investments and personal interest which could cause a conflict of interest:

Wasatch Employee Benefit Service, Inc., has contract for benefit services with Royal Street Land Company (Deer Valley)

Own home at 3130 American Saddler Drive

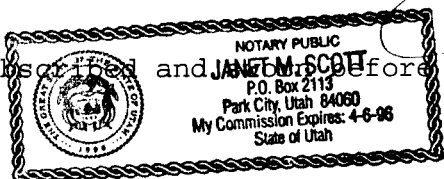
5. That she intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. She will receive compensation for this representation or assistance:

None

FURTHER Affiant sayeth naught.

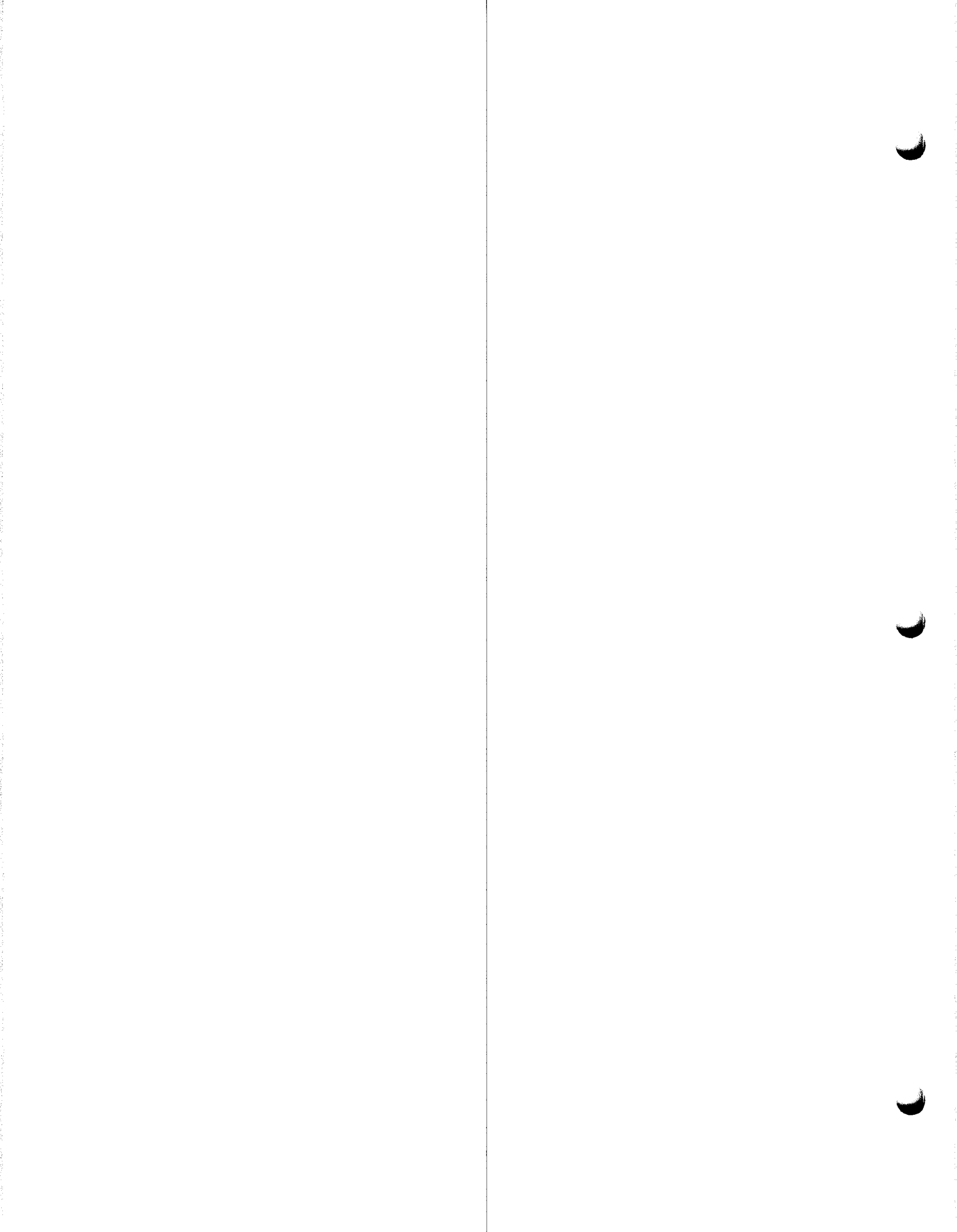
DATED this 13th day of February, 1995.

Shauna L. Kerr



Subscribed and **JANET M. SCOTT** before me this 13th day of February, 1995

~~Notary~~ Public



STATE OF UTAH)
)
)
COUNTY OF SUMMIT)

AFFIDAVIT

Comes now Roger Harlan and having been first duly sworn, deposes and says as follows:

1. That (s)he is currently an elected officer of Park City Municipal Corporation serving in the capacity of City Council member.

2. That (s)he resides at:

2558 Geronimo Court

3. That (s)he is an officer, director, agent, employee or her/his spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

Young Life, Inc.	State Director
Counseling Institute, Park City	Board of Directors
Mountain Life Evangelical Free Church	"leadership team" member

4. That (s)he has the following investments and personal interest which could cause a conflict of interest:

Incorporator and trustee of a new organization: Sports Life (similar to Young Life but focused on elementary age children)
Home at 2558 Geronimo Court, Park City
Employee of Young Life, Inc., which has had two fund raisers, each directed to adults residing in Summit and Salt Lake counties.

5. That (s)he intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. (S)he will receive compensation for this representation or assistance:

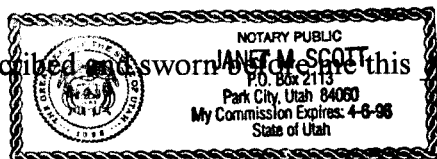
N/A

FURTHER Affiant sayeth naught.

DATED this 16 day of February, 1995.

Roger E. Harlan

Subscribed and sworn to before me this 16 day of February, 1995.



Janet M. Scott
Notary Public

STATE OF UTAH)
)
COUNTY OF SUMMIT)

AFFIDAVIT

Comes now Ruth Gezelius, and having been first duly sworn, deposes and says as follows:

1. That she is currently an elected officer of Park City Municipal Corporation serving in the capacity of City Council member.

2. That she resides at:

#51 Prospect
Park City, Utah

3. That she is an officer, director, agent, employee or her spouse or minor children are owners of substantial interest in any entity which is subject to regulation by Park City Municipal Corporation (or does, or intends to do business with Park City Municipal Corporation:

Berman & Associates - Agent

4. That she has the following investments and personal interest which could cause a conflict of interest:

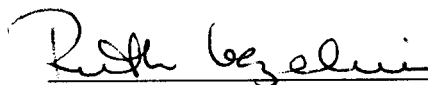
Ownership of condominium 16A Treasure Mountain Inn
Park City Board of Realtors

5. That she intends to represent or assist the following persons and business entities in a transaction which involves Park City Municipal Corporation. She will receive compensation for this representation or assistance:

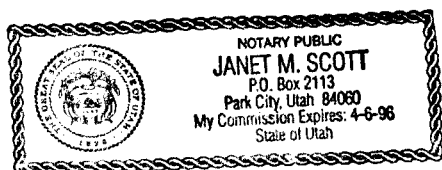
None

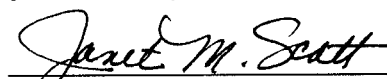
FURTHER Affiant sayeth naught.

DATED this 13th day of February, 1995


Ruth Gezelius

Subscribed and sworn before me this 13th day of February, 1995




Notary Public

