PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 10, 1998

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, December 10, 1998.

AGENDA

Work Session - City Council Chambers - Lower Level

3:30 p.m. Council questions and comments and review of regular meeting
4:05 p.m. Audit report
4:20 p.m. Review of housing program and proposed changes to the employee housing standards
Historic District Commission interviews
4:50 p.m. Review of interview questions
5:00 p.m. Interviews

Closed Session - Attorney's Room- Lower Level

5:50 p.m. HDC appointment

Regular Meeting - City Council Chambers - Lower Level

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 19, 1998

V PUBLIC HEARING

Ordinance approving a plat amendment, amending the original Hearthstone Subdivision to allow a subdivision of one parcel into two lots at 1376 Mellow Mountain Road, Park City, Utah

VI CONSENT AGENDA

1. Ordinance approving a plat amendment, amending the original Hearthstone Subdivision to allow a subdivision of one parcel into two lots at 1376 Mellow Mountain Road, Park City, Utah

2. Acceptance of audit report for fiscal year ended June 30, 1998 performed by Deloitte & Touche LLP

VII RESIGNATIONS AND APPOINTMENTS

1. Acceptance of resignation of Jim Petrie from the Historic District Commission

2. Appointment to the Historic District Commission to fill an unexpired term to February 2000

VIII NEW BUSINESS

Master Festival License for Park City Motorcycle Week to be held September 16 - 19, 1999 - applicant American Historic Racing Motorcycle Association

IX ADJOURNMENT

PARK CITY COUNCIL
COMMUNITY MEETINGS
DECEMBER 7 AND DECEMBER 14, 1998

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold a community meeting at the Park Meadows County Club, 2000 Meadows Drive, on Monday, December 7, 1998 at 6:30 p.m. Another meeting will be held at the Miners Hospital, 1354 Park Avenue on Monday, December 14, 1998 at 6:30 p.m. The purpose of these meeting is to invite public input from residents; no formal action will be taken.

Posted: 12/7/98

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
DECEMBER 10, 1998

Present: Mayor Brad Olch; Council members Hugh Daniels; Roger Harlan; Chuck Klingenstein; and Paul Sincock

Toby Ross, City Manager; Eric DeHaan, City Engineer; Bob Stephens, Administrative Services Director; Myles Rademan, Public Affairs Director; Lori Collett, Accountant; Tom Bakaly, Finance Manager; Kathy Kelly, Racquet Club Program Manager; Meg Ryan, Planner

Abe Young, Audit Manager Deloitte & Touche

Absent: Council member Shauna Kerr (work session only)

1. **Council questions and comments and review of regular meeting.** Hugh Daniels reported that the Historic Main Street Alliance continues to meet on Tuesday mornings. They will eventually make recommendations to the Council. A meeting will be held at 8:30 a.m. Tuesday at the Kimball Art Center to discuss the potential of developing a special improvement district for parking. Paul Sincock read a letter from Buzz Tarode, President of RD Resource Development of Modesto, California complimenting the World Cup event and Park City as a whole. Chuck Klingenstein announced a UDOT meeting tonight. He discussed the round-about concept and UDOT' reluctance to accept the round-about alternative. He asked if there was support among Council to pursue this issue in the way of a motion. The Mayor asked for the City Engineer's opinion. Eric DeHaan pointed out that round-abouts add about $15 to $20 million to the cost of the project, because of additional right-of-way and structural considerations, and this is the main issue. Mr. DeHaan suggested that if the motion is that if the costs are approximately equal and if a round-about concept and landscaping works, then the City would be fully supportive. There was discussion on other UDOT projects. The City Manager understood the Council to say it is interested in encouraging UDOT to look as positively as possible to alternative solutions and it supports that effort of review. Chuck Klingenstein felt that UDOT needs to be more objective and flexible and Mr. DeHaan indicated that he will relay that message tonight.

Bob Stephens announced that the Council retreat will be held on January 19 and 20 in Salt Lake. Myles Rademan reminded Council of the last community meeting at the Miners Hospital on Monday at 6:30 p.m.

2. **Audit report.** Lori Collett explained that the General Fund's ending balance on June 30, 1998 was about $5.3 million; about $4.4 million has been budgeted for this fiscal year. The

ending balance was higher than expected which is a result of conservative budgeting procedures and several staffing positions that remained unfilled. Actual revenues came in at about $1.5 million higher than expected due to higher sales and resort cities taxes, franchise taxes, and interest income. With the $4.4 million dedicated next year, an unreserved $878,000 fund balance remains which meets the Utah statutory limit range of 5% to 18%. The Water Fund continues to do well; debt service is above requirements; and the working capital increased by $500,000, leaving a balance of almost $6 million of working capital at the end of FY 1997-1998. The net income was about $772,000, including depreciation expenses. The golf course experienced a decrease in working capital which is the result of the new pro shop, golf paths, and parking lots, but the fund is stable and will continue to be a self-supporting operation. Ms. Collett added that working capital has decreased in the Recreation Fund and there was a net loss for the year which continues to be a trend. During FY 1997-98, it received a $410,000 subsidy from the General Fund as it has this year. There was discussion about the trend, and Mr. Harlan, as a Parks and Recreation Board liaison, pointed out that the fitness center program couldn't recover costs as it was put in abeyance because of the lawsuit. Tom Bakaly explained that revenues are leveling off or decreasing while some expenses due to personnel costs are increasing. There was loss of rental income from the restaurant of about $30,000. The Finance Department will be working with the Leisure Services Department on its five-year plan and this will be discussed in the upcoming budget process. Kathy Kelly, Program Manager, explained that youth sports are doing quite well and the Snyderville Basin Recreation District has been paying its share. She pointed out that this was a poor business year because of the restaurant, fitness center, and loss of swimming business which has declined because of the new Ecker Hill Middle School pool. The School's open swim and swim lesson programs are subsidized and the prices are extremely low. Chuck Klingenstein understood that Island Outpost was obliged to pay the costs for golf course improvements. The City Manager explained Island Outpost agreed to provide $88,000 and some of the work were projects the City chose to perform to enhance the area. The City also chose to install cart paths which affected working capital.

Ms. Collett relayed that the Transportation and Parking Fund is doing well although there was a decrease in working capital because of implementation of the parking and the intermodal facility project. There is still $3.8 million in working capital for expenditures. The auditors did not identify any major improvement areas or areas that involved a material weakness in the internal controls of the Finance Department. There was one minor state compliance issue regarding a quarterly report on building permit fees collected where the City was two weeks late in submitting it. Abe Young of Deloitte & Touche explained their responsibilities to report these matters as a part of governmental accounting. Mr. Young continued that his firm has rendered an unqualified or clean opinion of the financial position of the City. He pointed out a change in accounting principle and effective this year, the investments reported in the financial statement are at fair value. The agency fund relating to the employees 457 plan is not shown in the financial statement as these are assets of the employees. The inspections of the general internal control environment, and compliance with state and federal laws and regulations are clean. He continued that with regard to the internal control over compliance applicable to each major federal award program, the City is doing a good job. Mr.

Young expressed his appreciation of the professionalism of the Finance Department, and Lori Collett thanked her staff.

3. **Review of housing program and proposed changes to the employee housing standards.** Meg Ryan explained that staff is asking Council to look at clarification of the existing housing standards, adopted by resolution in 1995. The resolution currently outlines employee housing requirements for annexations and for projects requesting assistance. Staff is requesting direction to apply a housing standard to the master planned development process. Since 1995, the City has gained experience by building projects and units. Resolution 7-95, housing standards, and Resolution 8-95, creation of short and long term goals resulted from the 1994 housing advisory task force. Since 1995, Summit and Wasatch Counties have added an affordability component to its codes and Kamas has also approved a project. The City participated in projects including North Horse, Silver Meadows, Park Avenue, Aspen Villas, and Washington Mill and a resource center has been established with Mountainlands Community Housing. The employee generation model was created with Park City Mountain Resort. The employee mortgage program was also created and has been successful in acquiring units for employees. She continued that since 1994, the City performs an annual needs analysis.

Ms. Ryan explained that about 59% of the Park City population earns less than $50,000. With that income, a person can roughly afford to purchase a house priced at about $155,000. The median house price in 1997 was $457,000 and $296,000 for a multi-family unit. The median income in Park City for 1998 is $62,000. Staff's efforts are based on the mission statement adopted in 1995 which states that the City is actively committed to fostering a diverse social and economic community in a partnership with the private and public sector. The target groups were service workers, teachers, public safety workers, permanent employees, seasonal employees, long-term residents, and the senior and disabled population. She asked if the mission statement and target market still reflects the Council's goals. With regard to annexations, the standards don't currently define affordability but require the developer to provide 10%. The maximum rental rates are outlined, but there is no maximum on a purchase price, but rather a cap on the resale price. The unit type, configuration, and location are at the developer's discretion and staff has limited input, except for assisted projects. Rental rates are set high and miss a large segment of the City's population, and the current rental rates target about 70% of the median and above. She reiterated her points and requested Council direction on initiating a housing mitigation plan and to reexamine the maximum rental rates to see if they are still meeting the Council's objectives.

Staff supports refining the standards because it is believed it will produce units that will directly satisfy the demand a project has created. A housing plan would assist both the developer and the staff in producing a plan that is tailored to meet the need of that exact project. There is a lot of collected data that can be used for recommendations on how to define affordability and on purchase prices and rates. Meg Ryan addressed the master planned development option. Current residential projects with less than four units and commercial with less than 5,000 square feet are exempt from the MPD process. Through developing the Park City employee generation model, it is demonstrated that large projects generate employees.

Ms. Ryan added that if the Council wants to set a mitigation standard for MPDs, the following alternatives can be considered. There could be a percentage requirement and the developer could submit a housing mitigation plan; the Council could apply a set percentage and no mitigation plan; or the Council could require a housing mitigation plan that could be approved by the Planning Commission in concert with the MPD process. If a maximum cap is established, the Planning Commission could ascertain the actual number based on the specifics of the project.

The Mayor questioned the number of MPDs remaining and suggested that perhaps the City should be looking at smaller projects and remodels that are generating employees. Ms. Ryan felt the City will continue to review MPDs and staff can explore this further. Chuck Klingenstein stated that for many years, the City has lead by example and is encouraged that other jurisdictions are becoming involved. He subscribed to the theory that whether an area has growth management and zoning or not, if there is a hot economy and growth, there will be an affordable housing problem. If there is a comprehensive growth management plan in place, there will be an option to deal with housing, because the marketplace will not take care of the problem. Mr. Klingenstein stated that he supports looking at all of the alternatives outlined. Paul Sincock felt that 10% for annexations doesn't address the amount of commercial density and employee generation. Part-time seasonal employee requirements are different than full-time permanent residents. He hoped to arrive at a formula for both commercial and residential and suggested that rent subsidies be tied to a percentage of the median income adjusted by the CPI so that it remains current. Chuck Klingenstein suggested getting away from the median income in Park City so the process is responsive to local needs. Paul Sincock believed that the number of future MPDs and annexations is unknown and there may be more opportunities than contemplated.

Roger Harlan discussed the School District's election not to participate in the City's Park Avenue project and Deer Valley Resort's purchase of Prospector Square condominium units for employee housing which seemed to be successful. He pointed out the unintended result of the overcrowding at Aspen Villas and feared good efforts may produce unanticipated issues. Paul Sincock believed the intended effect was delivered by creating housing for large numbers of employees in the area; it wasn't anticipated that there would be eight or nine people to a unit sleeping on the floor. Mr. Harlan expressed his desire of assessing housing stock as there are many residences all over town renting on a monthly basis and it appears that housing needs are being met in different ways. He was reluctant to create a lot of work for staff if there isn't a public need. Meg Ryan expressed her willingness to meet with Mr. Harlan to substantiate housing needs. She stated she won't be starting from scratch and this project would not consume her full workload. Paul Sincock pointed out that Park City is a resort community with many service workers on a seasonal basis and it may be helpful to define that segment as a percentage. Chuck Klingenstein discussed the concept of regional fair share meaning that governments should set an example by providing housing in the community. Hugh Daniels believes the City started out in the right direction and the mission statement is still relevant. He feels the prior Council and this Council have completed some good projects and need to continue to look for opportunities. However, housing for seasonal employees has been overlooked. The MPD process may be beneficial in determining types of housing appropriate for a project. He added that he is willing to look at increasing the percentage on annexations. Council needs to have any many tools as possible to improve on what has been successful so far.

4. **Historic District Commission interviews.** The City Council interviewed David Belz, Larry Steinbach, Steven Swanson, and Bradley Mimlitz. See regular meeting minutes.

Prepared by Janet M. Scott, City Recorder

PARK CITY
1884

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
DECEMBER 10, 1998

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, December 10, 1998. Members in attendance were Brad Olch, Hugh Daniels, Roger Harlan, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Staff present were Toby Ross, City Manager; Kevin LoPiccolo, Planner; Frank Bell, Director of Olympic Planning; and Melissa Call, Special Events Manager.

II PUBLIC INPUT

Free Sundays - paid parking - Sheila Haloff-Berry, Rugged Elegance, urged City Council to reconsider free Sundays which would encourage locals and people from the Wasatch Front to shop and visit Main Street. Sundays are free at other places and it wouldn't be expensive to implement. Hugh Daniels explained that Council asked staff to explore this option and what other resorts are doing. Ms. Haloff-Berry interjected that the Main Street merchants aren't doing well and other resorts are not relevant. Mr. Klingenstein stated that he doesn't want to piecemeal changes; there should be a comprehensive effort from all sides of the table to arrive at solutions. Paul Sincock encouraged her to bring a plan where employees and employers do not park on Main Street, and he will support the City removing all meters from Main Street. He continued that he needs to know the fiscal impact before deciding on free Sundays. Ms. Haloff-Berry indicated that she did not feel that the City would be losing much revenue because Sundays are not very good for merchants. She added that she is disappointed by the City Council's response. There was discussion of employees parking on Main Street on Sundays, and Ms. Haloff-Berry pointed out that there wouldn't be office workers. Tom Bakaly estimated that free Sundays would result in $50,000 in foregone revenue. Roger Harlan pointed out that the Main Street merchants could place pressure on non-complying employees and employers, but there has been reluctance on the part of the merchants to become involved. Even though he supports free Sundays, he believes employees will park on Main Street. Paul Sincock noted that he will support free Sundays if Ms. Haloff-Berry can produce a plan of how employers and employees will not park on Main Street on Sundays. The Mayor suggested that she talk with her colleagues on Main Street and return to Council.

Steve Hooker, Historic Main Street Association, commented that he isn't sure where the information is coming from on employee parking on Main Street. There is abuse from 8 a.m. to 11 a.m. with offices, but from 11 a.m. to 9 p.m., there is not more than 10% employee parking which is less than ten cars. He stated that he polled businesses twice when parking was free and found not more than eight cars out of the entire street.

III COMMUNICATIONS FROM COUNCIL AND STAFF

None.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF NOVEMBER 19, 1998

Hearing no omissions or corrections, the Mayor requested a motion to approve. Roger Harlan, "I so move". Chuck Klingenstein seconded. Motion unanimously carried.

V PUBLIC HEARING

Ordinance approving a plat amendment, amending the original Hearthstone Subdivision to allow a subdivision of one parcel into two lots at 1376 Mellow Mountain Road, Park City, Utah - Kevin LoPiccolo explained this is a request to subdivide an existing parcel with an existing house located within the Hearthstone Subdivision. In 1993 Council approved a 12 lot subdivision under an MPD, and Mr. Korthoff withdrew his two lots from the approval because of the location of the trail, leaving ten lots. The applicant has resubmitted an application requesting that the lot be subdivided to join Hearthstone again and the trail issue is resolved. With no comments from the Council or the public, the public hearing was closed.

VI CONSENT AGENDA

The Mayor requested a motion to approve. Shauna Kerr, "I so move". Chuck Klingenstein seconded. Motion unanimously carried.

1. Ordinance approving a plat amendment, amending the original Hearthstone Subdivision to allow a subdivision of one parcel into two lots at 1376 Mellow Mountain Road, Park City, Utah - See staff report and public hearing.

2. Acceptance of audit report for fiscal year ended June 30, 1998 performed by Deloitte & Touche LLP - See staff report and work session notes.

VII RESIGNATIONS AND APPOINTMENTS

1. Acceptance of resignation of Jim Petrie from the Historic District Commission - Roger Harlan, "I move acceptance of Mr. Petrie's resignation from the Historic District Commission". Paul Sincock seconded. Motion carried unanimously.

2. Appointment to the Historic District Commission to fill an unexpired term to February 2000 - The Mayor pointed out that Ms. Kerr was excused from work session and didn't interview applicants. He felt it would be helpful to provide her the opportunity to discuss the

appointment with Council members. He requested a motion to continue. Chuck Klingenstein, "I so move". Paul Sincock seconded. Motion carried unanimously.

VIII NEW BUSINESS

Master Festival License for Park City Motorcycle Week to be held September 16 - 19, 1999 - applicant American Historic Racing Motorcycle Association - The Mayor indicated that there was a public hearing last week where there was considerable public input. This is not a public hearing tonight, but Council will consider new information.

Steve Hooker, Historic Main Street Association, believes that the impacts can be met and that the motorcycle event is a huge asset to the City and an offset for the shoulder season. This will generate fees and taxes that may not have to be passed on to the locals. He emphasized, however, that everyone has to win in this situation in order for it to work.

Gordon Cumming, All Resort Express, stated that he has attended the Steamboat races for the past four years and has talked to a variety of people there. There will be some inconveniences but it won't be worse than the Arts Festival or Sundance Film Festival. The noise will be minimal. This is a tourist town and the event will have a large financial impact to the City. This is a fun event and the people in Steamboat loved it and are going to miss it.

Patti Saccio, representing the Ski Resort Merchants Association and Restaurant Association, referred to her letter distributed to Council and indicated both Associations' support of the event.

Victor Ayres, 50 Thaynes Canyon Drive resident, stated he is in favor of the motorcycle event even though it may be inconvenient or noisy by his house. The benefits to the City far outweigh the one day of noise. If it doesn't work, don't do it again, but we certainly should give it a try.

Pat Tess, Webster Court, stated that he didn't move to Park City to have a race course next to his house and is against the event. Property values will go down, although it may help the City for some revenues.

Russ Coburn, President and CEO of Jans Mountain Outfitter, relayed that the motorcycle club approached Jans who would be considerably impacted on the corner of Park Avenue and Deer Valley Drive. He added that he supports the race and is a motorcycle enthusiast. This event is less noisy than the 4th of July parade, America's Opening Races, or the Labor Day parade. This is a wonderful event that this town needs to support. In response to a question from Shauna Kerr, Jim Colburn explained that there will be a bridge to Cole Sports, since access would be temporarily blocked.

Jerry Hanley, Thaynes Canyon resident, stated that he and his neighbors moved here because it is a quiet neighborhood and is amazed that the City is allowing a race there. He has nothing against motorcycles but this is not a good thing for Park City. He stated that he called people in Steamboat Springs including Dave Adams, a rancher, who hated the races; Bill Hansen, bartender, who said it was great except for traffic and noise, and Neal Forgerty who said it was good for business but agreed that the traffic and noise were bad.

Marc Cohen, President of Park City Motorcycle Club, referred to letters he collected from Steamboat Springs which are all positive and submitted the correspondence to Council.

Sam Leavey, corner of Webster and Thaynes Canyon Drive, stated he is new to the area and is really looking forward to this. Park City could use the excitement.

Max Miller, resident, stated that the race should be outside the City. The City Council would feel the same way if they lived in Thaynes Canyon. He read his lengthy letter to the editor into the record opposing the issuance of a license for the event.

Jeff Smith, Salt Lake City and member of Park City Motorcycle Club, stated that he has gone to Steamboat for the past seven years. This is a family-oriented event. The races are exciting but not particularly dangerous and he urged Council to approve the event.

Barbara Fontaine, Thaynes Canyon resident, stated that there are 74 citizens who signed the petition and this is new information for Council to consider. She emphasized that people are not opposed to the race but opposed to having it in a neighborhood.

Marc Cohen presented a list of 170 residents and businesses owners who support the race.

In response to a question from Hugh Daniels, Mr. Bell explained the applicants have agreed to comply with the provisions of the ordinance which provides for reimbursement of City costs, which are not specifically known at this time. The fencing and pedestrian bridges will be installed at the cost of the applicant and there was discussion about City Park being adequate to accommodate the number of attendees for the award barbecue. Mr. Daniels asked about the overnight camping allowed in the paddock areas in relation to the intent to get people in local lodging and restaurants. Melissa Call explained that camping is allowed for individuals who need to be on-site for the race and Jim Colburn noted that the motorcycle club will monitor the camping. Hugh Daniels asked about business licenses and sales taxes and Frank Bell explained that the vendors fit under an umbrella license registered with the event. In response to a question from Hugh Daniels regarding transportation, Ms. Call responded that there will be a shuttle for the race and transportation to Main Street. People will be encouraged to use SR248 because of the SR224 detour. Mr. Daniels asked what significant financial concerns are outstanding. Mr. Bell indicated that this is a complex event and this early in the planning process, it's impossible to have a complete management plan. On the other side, it doesn't make sense for the motorcycle club to continue planning this event here, unless some approval is granted. He continued that the staff is confident that this event is feasible and that the motorcycle club is responsible. No further approvals can be granted without a MFL, including the closure of SR224. The event has requested a three year commitment and the City is unwilling to do this because every event has to renew its MFL annually. This event has a large capital outlay and there are costs to be recovered, but there are strong incentives if they want to return. There was discussion about the $1,000 bond provided for in the ordinance. Shauna Kerr pointed out that the bond should be equal to the anticipated City expenses. Mr. Bell discussed collecting associated expenses and investigating histories of new events. It is uncertain how many people this event will attract.

Roger Harlan stated that he was absent last week and disclosed that he owns a motorcycle and is an active member of the club. There was a community meeting last Monday where several residents commented about this event and indicated that the town was changing and values are being compromised. In checking with the Chamber/Bureau, Mr. Harlan found that there are six large events in a year and many smaller ones. He ran on the platform of blend between maintaining a healthy resort community and meeting the needs of the full-time residents. He attended the Steamboat event which was very enjoyable as were the patrons. The City has events that are intrusive, but there are only six of them scattered throughout the year. Park City is a resort town and he wished it could be held in his Prospector neighborhood.

Paul Sincock, "I move approval of the master festival license for the Park City Motorcycle Week applied to by the Park City Motorcycle Club and AHRMA jointly, conditioned upon providing the City a $10,000 performance bond to be executed and submitted within 30 days of the event or August 1". Roger Harlan seconded. Chuck Klingenstein stated that he supports tourism that fits in and doesn't overwhelm the community and encourages commerce when it serves residents and destination visitors. He commented that he has received a lot of information over the last few days, faxes, and phone calls and agrees there is a potential for noise and there may be some pollution. The race seems to be the issue, but he believes that the racers are certified and the race will be safe. The lodging numbers plummet in the shoulder seasons and with regard to noise, the construction activity never seems to stop and is probably the most invasive thing for residents. Mr. Klingenstein is willing to give the event a try because he doesn't know what the impacts will actually be. He emphasized that even if the event is successful, that the organizers should find a place for the road race portion outside the City limits.

Shauna Kerr stated that she is going to vote to represent a portion of the community that does not favor having the race here. The test she used was how does this make Park City better. It will have a financial component, but are we giving up too much for money? The event doesn't bother her but the motorcycle road race on City streets is entirely incompatible with the vision this Council has had over the past several years of de-emphasizing the vehicle and reemphasizing the individual. This would be a great event to host in Park City if there race were out-of-town. She was disappointed to hear there was no alternative plan for the location of the race and this was an indication to her that the event is a bad fit. To invite motorcycles on to City streets in an established neighborhood is entirely wrong for the community. She wouldn't want a race in her neighborhood because of the potential liability for her in the event of an accident. It appears as if this will pass, and if it does, it is necessary to carefully track costs and make sure that any and all income is allocated appropriately, i.e., Golf Course Fund reimbursement. The City needs to be paid for every single service provided, even though these are local organizers. She thanked the applicants for trying to address all of the issues, but felt this is the wrong event for the community now.

Hugh Daniels didn't believe it's all about dollars as there are residents involved in organizing this event. He emphasized that the community lives by a tourism economy and that has to be forefront. Not everyone will be pleased and there are impacts during various events, but they help pay for the lifestyle and services in Park City. After viewing the video, there is no doubt that there is noise, but the race appears to be safe for spectators. He didn't believe the event will change the image of Park City, as expressed by some. It is absolutely important that there is complete cost recovery and the golf course has to be reimbursed at the high end not the low end or an average. He would prefer a track not on a residential loop, but is willing to support it for one year.

Paul Sincock disclosed he is a motorcyclist enthusiast and a member of the Park City Motorcycle Club. However, he does not have a financial interest and doesn't believe he has a conflict. With regard to public comments, he believes that the noise will not be any louder than the snow-making guns. There have been no spectator injuries in its 18 year history. He discussed the efforts of the organizers in looking at possibilities in the County for the race and this is the only site that meets safety standards for racers and for spectators. This is why the race was moved from Steamboat Springs. Pollution and exhaust is not a valid argument. He believes golf course concerns will be mitigated and costs will be covered. He is sympathetic to the concerns of the neighborhood and holding it on City streets might be a short-lived practice. There were a lot of faxes and calls and misinformation about the event. That is why he went to Steamboat and is convinced that it can work and benefit the community. Mr. Sincock stated that he would like to try it for one year and there is incentive for them to prove themselves.

Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Nay
Chuck Klingenstein	Aye
Paul Sincock	Aye

IX 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 5:40 p.m. Members in attendance were Mayor Brad Olch, Hugh Daniels, Roger Harlan, Chuck Klingenstein, and Paul Sincock. Shauna Kerr was excused. Derek Satchell was also present. Chuck Klingenstein, "I move to close the meeting to discuss the appointment". Paul Sincock seconded. Motion carried.

Hugh Daniels	Aye
Roger Harlan	Aye
Shauna Kerr	Absent
Chuck Klingenstein	Aye
Paul Sincock	Aye

The meeting opened at approximately 6 p.m.

STATE OF UTAH)
ss.
COUNTY OF SUMMIT)

CERTIFICATE OF CLOSED SESSION
CITY COUNCIL OF PARK CITY, UTAH

As presiding officer of the City Council of Park City, Utah, I hereby certify that the closed session meeting held by the City Council on December 10, 1998, was held pursuant to Section 52-4-5(1)(a)(I) to discuss the character, professional competence, or physical or mental health of an individual.

DATED this 19 day of January, 1999.

Bradley A. Olch
Mayor Bradley A. Olch

Subscribed and sworn before me this 19 day of January, 1999.

NOTARY PUBLIC
JANET M. SCOTT
445 Marsac Ave. P.O. Box 1480
Park City, Utah 84060
My Commission Expires
March 11, 2000
STATE OF UTAH

Janet M. Scott
Janet M. Scott, Notary Public

* * * * * * * * *

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
Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: December 10, 1998
DEPARTMENT: Administrative Services
AUTHOR: Lori Collett, Accounting Manager and Tom Bakaly, Finance Manager
TITLE: Audit Report
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: This report is for informational purposes only

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DESCRIPTION:

A. Topic:

Audit report for the Fiscal Year Ended June 30, 1998. The following is an overview of the Audit Report. The actual report will be distributed to the Mayor and City Council members this week.

B. Background:

Overview of City's Financial Position as of June 30, 1998

The City's General Fund ended the 1997-1998 fiscal year with a fund balance of $5,332,255 of which $4,453,595 has been dedicated for use in the fiscal year 1998-99 budget. The ending fund balance of $5,332,255 was larger than was projected during the budget process due to the City's policy of conservative projections and a large number of staffing vacancies that are now filled. Actual revenues came in $1,580,411 more than projected (Approximately $938,573 in sales and resort taxes, $265,569 in franchise taxes and $376,269 in other revenues such as interest) and expenses were $1,444,464 under budget. Due to the $4,453,595 of fund balance dedicated for use in the fiscal year 1998-99 budget, the City's fund balance is within the statutory limitation on the amount we may carry in our fund balance.

The Water Fund ended the year with a debt service coverage rate of 1.28 on all of its debt (1.15 required) and 1.85 on the subordinated debt (1.25 required). Working capital actually increased by $502,279 leaving a balance at year end of $5,992,621. Net income for the fund was $718,665 after depreciation expense of $772,110.

The City's Golf Course Fund ended the Fiscal Year with a decrease in working capital of ($234,030) due primarily to a decrease in cash and investment balances at fiscal year end. The cash and investment balances decreased due to cash expended on CIP projects such as the new pro shop and cart paths. Net loss, including depreciation of $116,169, was ($107,037) compared to net income from the prior year of $73,370. Despite the loss from FY 1997-98, on a whole the fund continues to be a self-supporting operation which does not require an operating subsidy from the General Fund.

With a $410,000 "capped" subsidy from the General Fund, the Recreation Fund ended the year with a decrease in working capital of ($127,403). This brings the fund's working capital balance from $291,294 to $163,891. Net loss, including depreciation of $198,179, was ($309,730) compared to the net loss from the prior year of ($161,171). The Recreation Fund is currently budgeted to receive a General Fund subsidy of $410,000 in fiscal year 1998-99. During the upcoming budget process, the financial status of the Recreation Fund will need to be discussed in detail.

The Transportation and Parking Fund experienced a ($285,481) decrease in working capital due primarily to capital expenditures associated with the implementation of paid parking and the transit center. In addition, it was necessary to book the $300,000 received from the Utah Transit Authority for assistance with the Old Town Transit Center as a liability rather than a revenue as originally anticipated. As a result, the total working capital available for future acquisition of buses and other equipment at June 30, 1998 is $3,848,098.

Comments from the City's Audit Firm of Deloitte and Touche LLP

The auditors identified no major improvement areas or areas involving material weakness in the operations or internal control structure of the City. The auditors identified one minor State Compliance issue. The City is required to remit on a quarterly basis to the State of Utah Occupational and Professional Licensing Division one percent of building fees collected. This remittance is due to the State thirty days after the end of each quarter. The remittance for the quarter ended June 30, 1998 that was due July 31, 1998 was submitted two weeks late on August 14, 1998.

PARK CITY
1884

CITY COUNCIL STAFF REPORT

DATE:	December 10,1998
DEPARTMENT:	Community Development
AUTHOR:	Megan B. Ryan
TITLE:	Proposed Amendments to Employee Housing Standards
TYPE OF ITEM:	Legislative

SUMMARY RECOMMENDATIONS: Review and provide direction to staff on proposed changes to the Employee Housing Standards. This item is scheduled for work session discussion only.

DESCRIPTION

A. Item

Proposed changes for consideration and discussion:
1) clarifying and strengthening terms and requirements for annexations; and
2) consideration of adoption of a housing requirement for Master Planned Developments

B. Background

Resolution 7-95 and 8-95 were adopted in March of 1995. Resolution 7-95 outlines standards and guidelines for the creation of employee housing within Park City. Resolution 8-95 outlines short term and long term goals. Both resolutions were adopted by the Council after recommendations were received from the Housing Advisory Task Force.

The city's efforts to provide housing are based in the Mission statement that was adopted in 1995.

> "Park City is actively committed to fostering a diverse social and economic community in keeping with its unique heritage and equitable ideals. Toward this end and within its financial means Park City will encourage, facilitate and promote a wide range of inclusive housing choices for those who have demonstrated their commitment to the community by living and/or working in it. It is understood that the means to achieve this goal must be equitably shared

across jurisdictions and embraced by a wide variety of interested stakeholders. "

The efforts were targeted to the following groups:

1. Essential Service Workers - Teachers, Fire District, Municipal
2. Permanent employees (30 per week within city limits)
3. Seasonal Employees (within Park City limits)
4. Long term Residents (two years or greater)
5. Seniors and Disabled residents

City resources currently devoted to housing include contracts with Mountainlands Community Housing for maintenance of the housing resource center, advisory assistance and maintenance of the City housing list; some money for professional services to help track the housing market and staff time as available. No one staff member is formally assigned to affordable housing programs. Since 1995 the following projects have been accomplished;

1) Units constructed at Northorse, Silver Meadows, Aspen Villas and 1465 Park Avenue.
2) Housing Resource Center established through Mountainlands
3) Housing List database created and maintained
4) Employee Generation Model created
5) Employee Salary Survey conducted
6) Employee Mortgage Program created
7) Employee Housing Allowance increased
8) Units acquired for City employees
9) Sandstone Cove in-lieu fee negotiated
10) Annual reports on market data initiated
11) Housing information packets and promotional brochures created and distributed

Given our resources our accomplishments have been great. We also have learned a great deal since 1995 and with this information have been better able to refine our goals. Another change since 1995 is the regional effort in providing housing that is unfolding. The County has added an affordability component to its Development Code. Several restricted units are being developed in the Basin, (Bear Hollow & Boyer) and at the Canyons. Wasatch County has also entered the affordable arena at the Jordanelle Village. Kamas also recently approved an affordable project.

With the construction of actual projects and quantifiable information in the form of the annual reports on market conditions, we have begun to assemble information that allows us to see at what price and for what incomes units are needed. Five years of experience has provided us with refined information and experience that can be used to better serve our targeted market. We can also provide clearer information to the development community on our desired product type and price. .

Multiple resources are required to provide affordable housing. The Council's commitment to the community has been to work with the private sector in a way that the other agencies may not be able to and to use our resources in a way that complements not duplicates the efforts of others. We also have the ability to tailor our programs directly to communities needs.

The staff would like to discuss the alternatives outlined below with the Council and get direction as to a preferred course of action in regards to the City's housing policies.

C. Analysis

The Resolution currently applies to two categories:
1) Annexations
2) Projects that request financial assistance

Direction is requested on the following issues:

1) Is the 1995 Mission Statement still reflective of the Council's goals?

2) Is the target market still reflective of the Council's goals?

The latest Needs Analysis conducted for the City shows that 52% of the population earns less than $50,000 and that a deficit of 450 units exist for people at or under this wage. Please see Figure 1 below for income data based on occupation. A substantial part of the growth expected for Park City in the near future will be new wage and salary workers who will need affordable housing. The demand for affordable units will exacerbate the existing need.

3) Clarification and Strengthening of existing standards.

a) Present Situation: Currently the standards do not define affordability and require the developer (under annexations) to provide a certain percentage of units that are restricted. Maximum rental rates are outlined but no maximum on purchase price is defined. Unit type, price, configuration and location are at the developers discretion. With assisted projects, the same parameters apply except that the Council has discretion to approve or deny.

b) Issues: The unit mix, type, and location of units required of annexations are at the developers discretion with staff input. There is no maximum purchase price defined for units. Analysis shows that the rental rates are also set too high for a large segment of the city's population. The current rental rates target those at 70% of the median and above and our purchase units have no maximum purchase prices just a capped resale price.

c) Alternatives for Discussion and Direction: Does the Council want to examine ways to:
i) Define affordability in the standards by setting a maximum purchase price for units based on a percentage of the median income on for-sale units for annexations;
ii) Describe unit types needs of seasonal vs. permanent residents
iii) Describe the type of options open for negotiation such as on site, off-site, acquisition, land lease, purchase, or in-lieu fees.
iv) Require that a housing mitigation plan for annexations be submitted for review and approval (with recommendations from Mountainlands) by the Council and/or Planning Commission;
v) Examine the maximum rental rates on annexations to determine who they serve and if

this meets the Council's objectives.

d) Staff Recommendation:

The staff supports the examination of all of the above because refined standards will help produce units that will directly satisfy the demand the project has created. The staff can return to the Council with alternatives and recommendations if directed to do so. Efforts to research some of these avenues have already been implemented.

The following table illustrates the type of data we have been able to produce in the last few years. It shows the income for categories of jobs usually generated by new developments and what prices these wage earners can afford. This data would aid the staff in making recommendations to the Council on defining Affordability for our region and on possible maximum purchase prices and rental rates. A housing plan would assist both the developer and the staff in producing a plan that is tailored to meet the exact need of that project.

Figure 1

1998 Housing Affordability by Job Type (Park City)

	Salary	Affordable Purchase Price	Affordable Rent	Max. Unit size	PCMC Rent	HUD	PC Subsi dized	PC Mkt.
Household Average Wage & Salary (1.5 FTE)	$45,142	$148,000	$970	3 bed	$825	$875	$807	$1,250
Service Worker (1.5 FTE) min. wage	19,797	63,000	340	none				
Singles 1FTE Teacher	31,388	101,000	630	1 bed	525	520	390	690
Goverment								
Office Clerk	25,354	80,000	480	Studio	425	420	NA	560
Bus Driver	34,877	114,000	720	2 bed	675	650	530	930
Snow Plow	40,058	131,000	850	3 bed	825	875	807	1,250
Emergency	46,272	151,000	1,000	4 bed	975	1,065	NA	2,100
Full-Time Seasonal Ski area/Waiter	39,602	131,000	840	4 bed	975	1,065	NA	2,100
Mid level Employee	28,183	90,000	550	2 bed	675	650	530	930

The staff is not at this time recommending changing the percentage required on annexations (10% of all units) but rather the ways in which that percentage is met. Staff supports the requirement of a housing mitigation plan.

In Resolution 8-95, the Council directed staff to examine the level of the housing exaction for projects. With the employee generation model we can assess the impact of a new project. The staff is currently working on ways to develop criteria to address this issue.

4. Employee Mitigation standards for Master Planned Developments, (MPD)

a)Present Situation: In 1995, Resolution 8-95, the Council directed the staff to research the possibility of creating a system for an Affordability standard for commercial and ski area developments.

Projects outside of vested agreements would be reviewed under the Master Planned Development process as outlined in Chapter 10 of the Land Management Code, (LMC). Currently, residential projects less than 4 units and commercial projects less than 5,000 are exempt from the MPD process.

Currently, no requirement for a employee housing mitigation exist for Master Planned Development projects.

b) Issue: We can now quantifiably say that large projects generate employees. The employee generation for Park City shows the number of employees generated by different uses per 1,000 square feet.

Retail: 2.3 employees
Restaurant: 3.6 employees
Hotel: 1.1 employees
Office: 4.4 employees

Projects such as Snow Creek Crossing, the Park City Mountain Resort are all processed as MPD's.

c) Alternatives for Discussion and Direction:
i) Does the Council want to set a mitigation standard for Master Planned Development? If yes, the following alternatives are offered up for discussion:
ii) Does the Council want to apply a set percentage requirement (like annexations, 10%); and the requirement of a housing mitigation plan (as discussed under the annexation section);or
iii) Does the Council want to apply a set percentage requirement (like annexations, 10%) and no mitigation plan; or
iii) Does the Council want to require a housing mitigation plan that is approved by the Planning Commission that is structured in concert with the MPD process. For example,

the Council could say ten percent is the maximum requirement and leave it to the Planning Commission to ascertain the actual number (which could be lower) based on defined criteria such as overall project benefits, location, configuration, target market served, etc...

d) Staff Recommendation:

The staff supports the application of an employee housing mitigation standard to MPD's. If this alternative is selected, the staff supports the process outlined in item number iii above. The staff could return to the Council with refined options on any of these alternatives.

D. Department Review

Community Development, Executive and Legal have reviewed the proposed changes.

ALTERNATIVES

A. Leave Resolution 7-95 in place.

B. Direct staff to return with implementation methods for all or selected portion of Staff's recommendations.

C. Direct staff to conduct further research on selected issues.

RECOMMENDATION:

Discuss the proposed alternatives and direct staff as to the desired course of action.

EXHIBITS:

Exhibit A -Resolution 7-95
Exhibit B -Resolution 8-95
Exhibit C - Housing Data
Median income and number of people in those categories in Park City
1997 Rent Comparison
1997 Housing Affordability by job type
Median Income Comparison

Resolution No. 7-95

RESOLUTION REPEALING RESOLUTION NO. 8-93 AND ADOPTING AFFORDABLE HOUSING GUIDELINES AND STANDARDS FOR PARK CITY, UTAH

WHEREAS, the City Council has identified affordable housing as an action target in its work program for 1995 through 1996; and

WHEREAS, the City Council adopted Resolution No. 37-91 on December 5, 1991 which establishes policies to support and increase affordable housing in Park City; and

WHEREAS, it is the determination of this Council that it is in the best interest of the community to formulate guidelines and standards so that there are consistent and established criteria for review of project applications, annexation petitions, resort or ski area expansions, and other development actions where affordable housing is an issue; and

WHEREAS, the Council has considered standards in other resort communities, housing studies conducted for Park City, Housing and Urban Development Standards, and input from the Affordable Housing Task Force;

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

SECTION 1. ADOPTED HOUSING STANDARDS AND GUIDELINES. Resolution No. No. 8-93 is hereby repealed and the adopted housing standards and guidelines shall be as follows:

These standards shall apply to all new and outstanding housing obligations as notified per Resolution No. 6-94. Prior agreements on density or configuration shall take precedence over these standards but all rental rate guidelines and time limitations as described below shall apply:

1. Minimum Unit Size Standards:

Studio	400 square feet
1 bedroom	550 square feet
2 bedroom	700 square feet
3 bedroom	850 square feet
4 bedroom	1,000 square feet

2. Maximum Rent Guidelines:

Studio	$425
1 bedroom	525
2 bedroom	675
3 bedroom	825
4 bedroom	975

Modifications to the maximum rent guidelines and minimum unit standards may be made based upon such factors as housing configuration (detached) provisions of public benefits, such as shared common living areas, or additional project amenities.

The maximum rent guidelines will be adjusted annually in consideration of the Consumer Price Index (CPI) and Park City Rental Surveys.

3. Maximum City Assistance Standard. $5,000 regardless of unit size or configuration.

4. Limitation Period. 40 years minimum regardless of unit size. First right of refusal and/or option to purchase shall be granted to the City. The City shall have 90 days to respond or assign the above-described rights.

This limitation period may be reduced based upon the provision of additional public benefits such as preservation of historic structures as negotiated by the City Council.

5. Requirements for Annexations. Ten percent (10%) of the total project unit equivalent shall be provided as a minimum affordable housing contribution. A two bedroom unit size shall be the minimum standard that will satisfy this requirement. Land donation, or acquisition of off-site, deed-restricted units that meet the minimum standard unit size. shall also satisfy this requirement. The developer may request satisfaction o this obligation through a housing payment that is equivalent to the market cost of construction of a unit.

The strategy for meeting the housing obligation must be specified prior to issuance of final plat approval. Phasing and satisfaction of this obligation shall be described in the annexation agreement for each project. The intent of this Resolution is to ensure that the affordable housing requirement is satisfied in direct proportion to the original sale of lots within the project.

6. Unit Equivalents for Affordable Housing Obligations (Land Management Code, Section 10):

Studio	.50
1 bedroom	.75

2 bedroom	1.00
3 bedroom	1.25
4 bedroom	1.50

7. Guidelines for Affordable Housing Obligations:

Studio	$ 44,000
1 bedroom	55,000
2 bedroom	71,500
3 bedroom	88,000
4 bedroom	104,500

These figures were derived from a recent estimate of the cost of providing a two bedroom unit of affordable housing. These estimates include financing and title costs, land costs, construction costs, and contingency costs. The City Council will reevaluate these figures as market changes occur.

SECTION 2. EFFECTIVE DATE. This Resolution shall take effect upon ratification by the City Council.

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

RATIFIED this 30th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Exhibit B

Resolution No. 8-95

A RESOLUTION DIRECTING STAFF TO IMPLEMENT A HOUSING ACTION PLAN FOR PARK CITY, UTAH

WHEREAS, the City Council has determined that affordable housing is an important objective of the community; and

WHEREAS, the City Council has determined to strengthen existing affordable housing programs and funding guidelines to provide and encourage the construction of a diverse range of housing units throughout the community; and

WHEREAS, the City Council acknowledges the year long work and dedication of the Housing Advisory Task Force and has incorporated its recommendations on housing strategies for Park City, and;

WHEREAS, the City Council will encourage and facilitate the production of affordable housing units throughout the community but will not directly build affordable housing; and

WHEREAS, the City Council acknowledges that various aspects of the Housing Action Plat may be modified due to fiscal or legal constraints;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Park City that the following Housing Action Plan be adopted as follows:

SECTION 1. CURRENT IMPLEMENTATION.

- CONTINUE TO OFFER UP TO $5,000 IN FEE WAIVERS AND GRANTS
- MAKE A CONTINUED COMMITMENT TO ALLOCATE AN ANNUAL BUDGET FOR HOUSING
- CONTINUE TO WORK WITH PRIVATE DEVELOPERS AND APPLY FOR STATE AND FEDERAL FUNDS
- SUPPORT SUMMIT COUNTY IN ADOPTING A HOUSING ELEMENT THAT INCLUDES A BROAD CROSS SECTION OF PARTICIPATION AND ALLOWS FOR AFFORDABLE HOUSING RESERVE ZONING DISTRICTS
- UTILIZE EXISTING HOUSING BUDGETS TO:

1. Acquire affordable units for municipal employees for rental, lease, to purchase, or acquisition.

2. Provide municipal employees with mortgage down-payment assistance in the form of low interest equity loans. Promote program to private employers as an example.

3. Develop capacity of non-profit and local low income housing consortiums. Help to create a one-stop housing resource center with rental assistance, tenants' rights and housing market information for use by the community. Possible locations at Miner's Hospital or Library and Education Center.

SECTION 2. DEFINITION. The primary goal of the Housing Action Plan (HAP) is to increase the supply of housing that is affordable to people who live or work in Park City. The HAP outlines a set of goals and describes programs that are designed to meet those goals.

The HAP sets the direction for future work and exploration in the area of affordable housing and in itself does not have any force of law. Each legislative action item will require City Council review and approval prior to its implementation.

The goals have been generally grouped by Council priority but priorities have not been established within groups. Programs will be explored in a sequence to be determined by staff or the City Council. The programs that have the highest probability of producing the greatest results with minimal impact on staff resources will receive preference in implementation.

SECTION 3. HOUSING ACTION PLAN.

NEAR-TERM

1. GOAL: Explore the creation of an Affordable Housing Standard for new commercial development in the City and the existing ski resorts.

2. GOAL: Reactivate the Housing Authority and meet quarterly to review progress and direction of programs and policies. Restructure the Housing Authority as an appointed board instead of the City council and include representation of a Summit County official. Encourage Summit County to adopt a housing element.

3. GOAL: Research and propose for Council review increasing the requirements to provide affordable housing in annexations.

4. GOAL: Consult, cooperate, or contract with non-profit organizations to provide housing services and to enhance their capacity in achieving affordable housing goals.

5. GOAL: Actively involve the other entities suggested by the Task Force (County, ski resorts, etc.) in taking responsibility for affordable housing. Assist the resorts in creating seasonal rental opportunities by encouraging off-season partnerships with the University, Chamber/Bureau, and seasonal municipal employees.

6. GOAL: Research and return to the Council with a plan that would create an affordable housing standard for master planned developments, Chapter 10 and conditional use permits (per Resolution No. 37-91).

7. GOAL: Acquire sites or dedicate City-owned sites for affordable housing projects in cooperation with private developers.

8. GOAL: Explore mechanisms for the financing the acquisition of land for affordable housing sites. Engage public in the process.

9. GOAL: Consider revision to Land Management Code Chapters 10 and 11 to allow the Planning Commission flexibility in reviewing affordable housing projects to consider reductions in open space and parking requirements for resort properties, projects in close proximity to an employment source or other such criteria as specified by the City Council.

LONG-TERM

10. GOAL: Purchase in fee, purchase an interest, or facilitate the purchase of older restricted affordable units and place a deed restriction on utilize housing inventory matrix to track expiration dates on such projects.

11. GOAL: Research and develop a program that would commit additional funds to the Historic District Grant Program earmarked to securing deed restrictions and/or affordability requirements on City assisted rehabilitated units. Expand parameters of current $5,000 per residential unit subsidy to include City-wide rehabilitation projects.

12. GOAL: Explore the creation of an affordable housing standard for all new subdivisions within the City. This standard could be an encouragement of accessory apartments, caretakers' units, deed restrictions, land donation or by producing a like product on site.

13. GOAL: Research how to include new developments that are not in a subdivision, annexation, master planned development, or commercial project into affordable housing solutions. This alternative would more equitably share the costs of providing housing across the entire community.

14. GOAL: Research, pursue, and support new dedicated funding sources for housing at the legislative level like the real estate transfer tax and the restaurant tax. Encourage the

legislature to dedicate permanent funds, not surplus, or discretionary one-time funding for affordable housing programs.

15. GOAL: Educate and disseminate information to the public by conducting an annual housing symposium or in conjunction with a community education program.

<u>SECTION 3. EFFECTIVE DATE.</u> This Resolution shall become effective upon ratification.

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

RATIFIED this 30th day of March, 1995.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

Exhibit C

Figure I

1998 Housing Affordability by Job Type *(Park City)*

	Salary	Owner Occupied	Rental					
			Affordable Rent	Max Unit Size	PCM Rent Guidelines	HUD	PC Subsidized	PC Mkt.
Household								
Average Wage and Salary (1.54 FTE)	$45,142	$148,000	$970	3 bed	$825	$875	$807	$1,250
Hospitality or Service Workers (minimum wage, 1.54 FTE)	19,797	63,000	$340	None				
Singles								
Entry Level Teacher (1 FTE)	$31,388	$101,000	$630	1 bed	$525	$520	$390	$690
City Government								
General Office Clerk (1 FTE)	25,354	80,000	$480	Studio	$425	$420	NA	$560
Bus Driver (1 FTE)	34,877	114,000	$720	2 Bed	$675	$650	$530	$930
Snow Plow Operator (1 FTE)	40,058	131,000	$850	3 Bed	$825	$875	$807	$1,250
Emergency Response Worker (1 FTE)	46,272	151,000	$1,000	4 bed	$975	$1,065	NA	$2,100
Full-time Seasonal Employee								
Experienced Ski Area/Off-Season Waitperson (1 FTE)	39,602	131,000	$840	4 bed	$975	$1,065	NA	$2,100
Mid Level Employee (1 FTE)	28,183	90,000	$550	2 bed	$675	$650	$530	$930

- Note that this uses *1998 income*, and uses the current (not the proposed) maximum rent guidelines.

Proposed maximum rents compare the current rent schedule, current subsidized rents in Park City, and other regional rents, as follows:

Figure 4

1997 Rent Comparison

	Proposed Maximum Rent Guidelines	Park City Subsidized Units	Heber Valley Market Rate Units	Salt Lake Valley	HUD (Summit County)	Current PCM Maximum Rent Guildelines	Park City Market Rate Units
Studio	$290	NA	NA	$415	$420	$425	$560
1 Bedroom	410	390	440	535	520	525	690
2 Bedroom	560	530	530	630	650	675	930
3 Bedroom	810	807	780	770	875	825	1,250
4 Bedroom	1,060	NA	925	NA	1,065	975	2,100

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- Proposed rents for 1,2, and 3 bedroom units are about the same as the current *actual* price for subsidized units in Park City.
- Proposed rents are also about the same as market rate rents in the Heber Valley, and are slightly lower than average market rate rents in the Salt Lake Valley.
- Proposed rents for 1,2 and 3 bedroom units are slightly lower than 1997 HUD maximum rent.
- Proposed rents for 1, 2, and 3 bedroom units are slightly lower than current City maximum rent guidelines. For 4 bedroom units proposed rents are slightly higher than City guidelines.

Maximum rent guidelines set similar to the current *actual* price for Park City subsidized units offer the advantage of avoiding the potential perception of an inequity. This may be the case if existing owners view current City guidelines as allowing unfair, higher rent for future properties -- a kind of "windfall". (New properties could under the existing guidelines, set rents at rates above those which now prevail in the market.)

Figure 3

1997 Income Distribution *(Park City)*

<table>
<tr><th rowspan="2">Income Category</th><th rowspan="2">Income</th><th colspan="3">Estimated Number of Households</th></tr>
<tr><th>Total</th><th>% of Total</th><th>% of Total</th></tr>
<tr><td>Less Than 30%</td><td>Less than $17,000</td><td>617</td><td>27%</td><td rowspan="3">59%</td></tr>
<tr><td>50%</td><td>$17,000 to $29,000</td><td>363</td><td>16%</td></tr>
<tr><td>80%</td><td>$29,000 to $46,000</td><td>349</td><td>15%</td></tr>
<tr><td>Greater Than 80%</td><td>More than $46,000</td><td>940</td><td>41%</td><td>41%</td></tr>
<tr><td colspan="2">Total</td><td>2,270</td><td>100%</td><td>100%</td></tr>
</table>

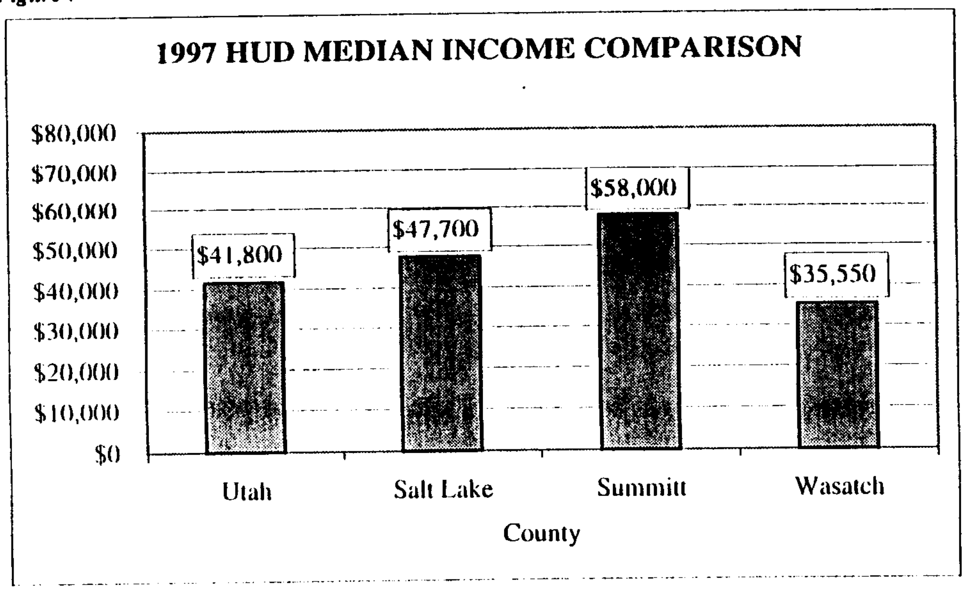
- *Income Category* is % of 1997 Summitt County HUD Area Median Income
- Estimate based on 1997 estimated population and 1996 income distribution

Figure 6

Trend in Rent Increase

	1995	1996	1997	Trend
	(average annual % increase)			
Park City & Snyderville Basin				
Market Rate Units	2.1%	8.9%	(0.2%)	3.5%
Park City Subsidized Units	1.3%	19.8%	4.0%	8.1%
HUD Allowable Rent Increase			3.7%	

Figure 7



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MEMO

To: City Council Members
From: Derek Satchell, Preservation Planner
Subject: HDC Interviews
Date: December 7, 1998

This memo is to inform you of the individuals who have applied for the current vacancy on the Historic District Commission, and of their interview schedule. The applicants are as follows:

Name	Interview time	Architect's Registration Number
Mr. David Belz	**5:00 PM to 5:10 PM**	**#921374910301**
Mr. Roger Durst	**5:10 PM to 5:20 PM**	**#221196950301**
Mr. Larry Steinbach	**5:20 PM to 5:30 PM**	**#891221950301**
Mr. Steven Swanson	**5:30 PM to 5:40 PM**	**#861278310301**
Mr. Bradley Mimlitz	**5:40 PM to 5:50 PM**	**#971350310301**

A letter was mailed to each of the applicants to inform them of their assigned interview time. Staff requests that the City Council interview each applicant separately, by asking questions from the attached list as complied by Staff and the Historic District Commission Chairperson.

1) **Other than an obvious interest for historic buildings, why do you want to serve on the Historic District Commission?**

2) What is the MOST fundamental aspect of maintaining a Historic District?

3) **Have you ever designed a building (or rehabilitated a historic building) in Old Town, and what were the tools used in your decision making? Do you think it was successful and why?**

4) **What is your opinion regarding the size of additions to typical Park City miner's cottages to make them more livable? How large is TOO LARGE??**

5) **What is your viewpoint on the demolition of typical Park City miner's cottages which may be in need of great repair? What if the owner claims ECONOMIC HARDSHIP?**

6) How often have you been involved in rehabilitation projects? Renovations or modernizations projects? Is there is a difference between them, please explain?

7) **How do you visualize new construction in Park City's Historic District? Do you favor architectural replication? Contemporary adaptation? Is one type more suitable than the other within the district?**

8) If you could make ONE change to Main Street, what would it be?

9) If you could create ONE new rule for the historic residential district, what would it be?

10) Do you have any ideas about how the HDC should address the "demolition-by-neglect" issue?

*(The questions in **BOLD** are the most frequently asked questions of the Historic District Commission.)*

END

PARK CITY
1884

CITY COUNCIL STAFF REPORT

Date: **December 10, 1998**
Department: **Planning Department**
Title: **1376 Mellow Mountain Road**
Type of Item: **Consent & Public Hearing**

Summary Recommendations

Conduct a public hearing and consider adopting the attached Ordinance approving a plat amendment as conditioned to amend the Hearthstone Subdivision.

A. Topic

Applicant:	Herb & Barbara Korthoff - Ed Klarich, Representative
Location:	1376 Mellow Mountain Road
Proposal:	Plat & Subdivision Amendment
Zoning:	Estate
Project Planner:	Kevin LoPiccolo
Adjacent Land Uses:	Single-Family, Open Space

B. Background

On November 18, 1998, the Planning Commission voted to forward to City Council a positive recommendation to approve the plat amendment to the original Hearthstone subdivision to allow the applicant to rejoin Hearthstone subdivision, as originally approved in 1993.

Hearthstone Subdivision was denied by the Planning Commission on May 26, 1993. The overlying factor in the denial was that the proposed application did not comply with the Sensitive Lands Ordinance. The applicants appealed the Commission's decision and the City Council approved the MPD on June 17, 1993. The Council approved 12 lots, deleting lot 7 that was considered highly visible and was contrary to Chapter 10 Master Planned Development criteria.

The applicant, Herb Korthoff, during the 1993 subdivision approval had an existing home on a parcel that was proposed to be lots 11 & 12 of the Hearthstone Subdivision. As part of the 12 lot subdivision, Korthoff's parcel was to be subdivided. Mr. Korthoff in 1994 requested that his property be withdrawn from the subdivision approval of the 12 lot subdivision due to opposition of the proposed trail location approved as part of the original subdivision and part of the Master Trail Plan.

That request withdrew lots 11 and 12 from the final plat approval, but the property still has the benefit of the 1993 MPD approval.

C. Analysis

The applicant is requesting an amendment to the original Hearthstone subdivision to allow Mr. Korthoff to rejoin the Hearthstone subdivision, as originally approved in 1993.

The parcel is 4.724 acres and currently has a single family home built on it. The applicant is proposing that the subdivided parcel be 1.528 acres. Under the original MPD the subdivision was required to provide 60% open space, but was not mandated under the MPD to reflect 3 acre lots for the 12 lot subdivision. The open space dedication of Blocks 2 & 4 dispersed among the lots exceeds the 3 acre minimum per lot. Mr. Korthoff is asserting that when the subdivision was recorded, 1 ½ acres of his property which falls within Block 4 was dedicated to the city. Mr. Korthoff is requesting that the 1 ½ acres of open space dedication be considered in the evaluation of the proposal to subdivide.

Trails

This issue has been resolved. The approved trails plan from the original Hearthstone Subdivision did show a trail connection from the west side of Mellow Mountain Road, across the road and across a portion of what is proposed lot 11 to an existing dirt trail which heads to the east. When the original amendment was modified in 1994 to reduce the 12 lots to a 10 lot subdivision, the trail was eliminated and the connection never occurred.

The applicant proposes to provide a public trail that adheres to the original Hearthstone Subdivision and the City's Master Trail Plan. The proposed trail is shown on Exhibit "A".

D. Public input

This project was noticed to property owners within 300' of the affected property and all property owners within the affected subdivision plat on September 22, 1998. A letter was received on September 28, 1998 opposing the proposed change. Letter is attached as Exhibit "C". Mr. Elwood Nielson, who still asserts an ownership interest in Mellow Mountain Road, contends that the applicant does have access to the road. The City views this as a private dispute to be addressed by the parties outside of the platting process.

Alternatives

A. Approve the proposed plat amendment creating two lots, one 3.196 acres for lot 11 and 1.528 acres for lot 12.

B. Deny the plat amendment & Subdivision and retain the original form of the property.

C. Continue the item and request further evaluation from the staff.

Significant Impacts

Approval of the plat amendment & Subdivision will allow the property owner to sell of 1.528 acres of his existing lot for development of one dwelling on lot 12. Approval of this request would be consistent with the original MPD that was approved for a 12 lot subdivision in 1993. The amendment & subdivision gives the city an opportunity to get a public trail connection that was lost when the applicant originally withdrew from Hearthstone Subdivision in 1994.

Consequences of not taking the recommended action

Denial of this application would prohibit the property owner from subdividing his property into two lots of record. The City would not get the final trail connection and the applicant would probably seek to reinstate the litigation against the City.

Recommendation

The Community Development Department recommends approval of the proposed Plat Amendment application to amend the Hearthstone Subdivision, based upon the following findings, conclusions and conditions of approval:

Findings of Fact:

1. The property is zoned Estate and was approved for two lots in the Hearthstone MPD on June 17, 1993.

2. The proposed plat amendment will amend the Hearthstone Subdivision to include lots 11 and 12 as originally approved.

3. Proposed lot 11 has an existing house built on it.

4. The applicant agrees to grant the City an easement for the trail as outlined in Exhibit A.

5. The applicant contributed in excess of six acres to the original MPD.

Conclusions of Law:

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed amendment.

3. The proposal is consistent with Park City LMC Chapter 15 and the MPD approved June 17, 1993.

Conditions of Approval:

1. The trail easement as shown on Exhibit A shall be dedicated to the City on the plat. The easement shall be six feet wide.

2. All conditions of approval of the MPD approved June 17, 1993 still apply.

3. The City Engineer and City Attorney's review and approval of the plat for compliance with State Law and these conditions of approval is a condition precedent to plat recordation.

4. This approval shall expire one year from the date of City Council approval unless the plat has been recorded with Summit County.

5. All Standard Project Conditions shall apply.

6. The maximum house size for lot 12 is 6,000 square feet. The maximum house size for lot 11 is "as built" at 14,000 square feet (no additions resulting in additional square footage allowed). These restrictions shall be noted on the plat.

7. A ten- foot non-exclusive snow storage and utility easement shall be dedicated on the plat to the City along Mellow Mountain Road.

8. The applicant shall quit claim to the City in a form approved by the City Attorney all interest in the open space parcel dedicated to the City as part of the original Hearthstone Subdivision.

Exhibits

A. Plat Amendment & proposed trail location
B. Vicinity Map Original
C. Letter from property owner
D. Minutes from November 18, 1998 Planning Commission
E. Standard Project Conditions
F. Proposed Ordinance

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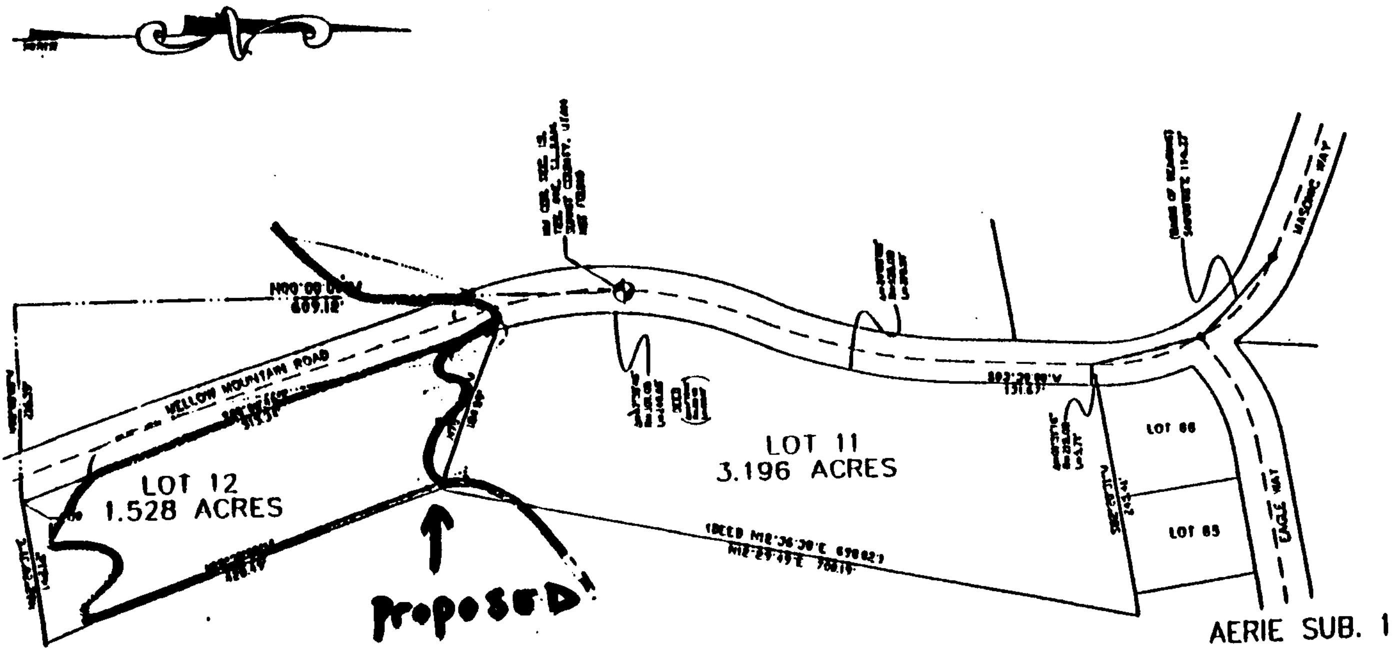
HEARTHSTONE SUBDIVISON

LOCATED IN SECTIONS 15 & 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



HEARTHSTONE SUBDIVISION
LOCATED IN SECTION 15 & 16
T. 2 S., R. 4 E., S.L.B.& M.
PARKCITY, SUMMIT COUNTY, UTAH

UTAH SURVEYS

EXHIBIT A - PLAT AMENDMENT & PROPOSED TRAIL CONNECTION

CITY PLANNING COMMISSION	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	PARK CITY COUNCIL	RECORDED #
PARK CITY PLANNING COMM.		PARK CITY ENGINEER	PARK CITY ATTORNEY	PARK CITY RECORDER	MAYOR	SUMMIT COUNTY RECORDER

1 - 1

50

1376 Mellow Mountain Rd.

PARK CITY
1884

EXHIBIT B

Vicinity Map

51

9-28-98

Park City Planning Dept.
Park City, UT 84060

Dear Planning Commission:

This letter is in response to the notice I received with regard to the 1376 Mellow Mountain Road, Hearthstone Subdivision.

I was my understanding when I purchased property in the Aerie Subdivision that the lots were already determined and that the size and and number of homes per size of the lot was set.

I have lived in the Aerie for eight years and it has always been a battle to try and prevent the Planning dept from changing the already established size of the land parcels. It is my understanding that what had been zoned would remain so. I would not have purchased property if I was told that the established size and building limatations could be changed whenever anyone with enough money could persuade the commission to do just that.

The value of the property we own in the Aerie would change dramatically should you change the one home per three acre as set forth in the Estate Zone plans which have previously been adopted.

Should the City continue to act without regard to the open space and the wishes of the residents, with their reckless policies of do whatever the developers want, I myself feel that the Aerie Homeowners Association should file suit against the City for damages as a result of over building where specific guidelines prohibit. The Estate Zone was in place long before some developer decided to try to change our neighborhood. The developer was aware when they purchased the property what the zoning was, and now they should be forced to live with those guidelines. It is about time that the city took a stand. If you approve one change in the zoning, then everyone in the rest of the Aerie will want to have changes made.

Please vote against any changes to the established zoning laws currently in place in the Aerie.

RECEIVED
SEP 28 1998
PARK CITY
PLANNING DEPT.

EXHIBIT C - LETTER FROM AERIE PROPERTY OWNER

Thank you for your time.

Sincerely,

R.J. Mullin

9. ~~This approval shall expire one year from the date of City Council approval unless this plat amendment is recorded prior to that date.~~

10. ~~All Standard Project Conditions shall apply (Please see Exhibit D - Standard Project Conditions).~~

5. <u>**1376 Mellow Mountain Road, Hearthstone Subdivision - Plat Amendment**</u>

Due to a conflict of interest, Commissioner O'Hara abstained from discussing and voting on this matter.

Planner LoPiccolo reported that the applicants, Herb and Barbara Korthoff, are requesting that Lot 11 be subdivided into two lots. The proposed subdivision is located at 1376 Mellow Mountain Road and is adjacent to the Hearthstone Subdivision. He reviewed an exhibit to better explain where the parcel is located. He noted that in 1993 the Planning Commission denied a request by the Korthoffs for a small-scale MPD, which was appealed to the City Council, and the Council approved a 12-lot subdivision. Once the subdivision was approved, Mr. Korthoff withdrew the two lots, which were lots 11 and 12 of the approved Hearthstone 12-lot subdivision, due to a trail location and other issues surrounding the subdivision. Mr. Korthoff is appearing with the same request and now wants to be included in the Hearthstone subdivision. When this application was reviewed by the Planning Commission in October, trails were an issue for discussion. The applicant has agreed to the location of the trail, and an exhibit in the staff report shows the proposed trail location compared to the trail location originally requested by the Korthoffs. Planner LoPiccolo explained that the parcel is located in the Estate Zone, but it does not meet the three-acre minimum. In the original approval, the applicants dedicated Lots 3 and 4 to the City as open space. If that open space were dispersed among the 12 lots, it would meet the three-acre minimum. This subdivision will create a 1.5-acre lot. Mr. Korthoff contends that he dedicated 1.5 acres to the City with the Hearthstone MPD and wishes to use that acreage to meet the three-acre minimum or at least explain that the lack of three acres is due to the dedication. Planner LoPiccolo noted that including this property into the Hearthstone Subdivision would add only one house.

Commissioner Erickson asked if the trail location as shown is what the applicant proposes. Planner LoPiccolo replied that the trail shown on the exhibit is correct and has been agreed to by the applicant, the Staff, and the trails people.

Commissioner Erickson remarked that he noted the letter in the staff report from a resident at The Aerie with respect to the subdivision.

Chair Larson opened the public hearing.

Bruce Manka, a resident in The Aerie subdivision, expressed concern about developers changing terms that were agreed to in the past. Mr. Manka wanted to see the three-acre minimum stand since this is Estate zoning. He noted that Mr. Korthoff made a decision to withdraw from Hearthstone because he did not want to live with the trail, but now he wants to change his mind and request a variance to the Estate Zone. Mr. Manka commented on the amount of development and density occurring and felt it would be nice if they could hold their ground at some point.

Kent Holland, representing Herb Korthoff, wished to make it clear that the 1.45 acres which was initially on the west side of Mellow Mountain Road was the property which made Lot 12 three acres to fit the Estate Zone requirement. Since the property was across the road, it was dedicated the City. The problem which resulted at that time was that the bicycle path was within three feet of the back of the houses. This became a problem in building his house and caused Mr. Korthoff to withdraw from the original subdivision. Mr. Holland did not feel that the applicant was asking for a variance to build on a small piece of property because the property originally consisted of three acres. He did not believe the Planning Commission would be setting a precedent in granting this request for one single lot.

Chair Larson closed the public hearing.

Commissioner Zimney asked if the property would have been sufficient for the Estate Zone if Mr. Korthoff had not dedicated 1.5 acres to the City. Planner LoPiccolo replied that Hearthstone Subdivision is in the Estate Zone, and the 1.5 acres plus the acreage in the current application would have comprised three acres which is sufficient to meet the Estate Zone requirement. This situation is different because Mellow Mountain Road runs through the property, and Mr. Korthoff's dedication was used for open space.

Commissioner Hays asked if Hearthstone would meet the open space requirement without the 1.5 acres. Planner LoPiccolo replied that it would because it goes back to the original MPD. Assistant City Attorney Mark Harrington explained that the City originally took the position that even though the acreage may have been sufficient without the dedication, the Hearthstone plat could not be recorded without the dedication of that open space because it was part of the original MPD approval. This is important to Mr. Korthoff because he did not dedicate it; the bankruptcy trustee did. The property was in holding at the time, and Mr. Korthoff objected to the dedication because he wanted to retain it for a future subdivision.

MOTION: Commissioner Hier moved to forward a POSITIVE recommendation for the proposed plat amendment application to amend the Hearthstone Subdivision based on the findings of fact, conclusions of law, and conditions of approval outlined in the staff report. Commissioner Zimney seconded the motion.

VOTE: The motion passed by a vote of 3 to 2, with Commissioners Larson, Zimney, and Hier voting in favor of the motion and Commissioners Erickson and Hays voting against the motion. Commissioner O'Hara abstained from the vote.

Findings of Fact - 1376 Mellow Mountain Road

1. The property is zoned Estate and was approved for two lots in the Hearthstone MPD on June 17, 1993.

2. The proposed plat amendment will amend the Hearthstone Subdivision to include lots 11 and 12 as originally approved.

3. Proposed Lot 11 has an existing house built on it.

4. The applicant agrees to grant the City an easement for the trail as outlined in Exhibit A.

5. The applicant contributed in excess of six acres to the original MPD.

Conclusions of Law - 1376 Mellow Mountain Road

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed amendment.

3. The proposal is consistent with Park City LMC Chapter 15 and the MPD approved June 17, 1993.

Conditions of Approval - 1376 Mellow Mountain Road

1. The trail easement as shown on Exhibit A shall be dedicated to the City on the plat. The easement shall be six feet wide.

2. All conditions of approval of the MPD approved June 17, 1993, still apply.

3. The City Engineer and City Attorney's review and approval of the plat for compliance with State Law and these conditions of approval is a condition precedent to plat recordation.

4. This approval shall expire one year from the date of City Council approval unless the plat has been recorded with Summit County.

5. All Standard Project Conditions shall apply.

6. The maximum house size for Lot 12 is 6,000 square feet. The maximum house size for Lot 11 is "as built" at 14,000 square

feet (no additions resulting in additional square footage allowed). These restrictions shall be noted on the plat.

7. A 10-foot, non-exclusive snow storage and utility easement shall be dedicated on the plat to the City along Mellow Mountain Road.

8. The applicant shall quit claim to the City in a form approved by the City Attorney all interest in the open space parcel dedicated to the City as part of the original Hearthstone Subdivision.

The Park City Planning Commission Meeting adjourned at 7:25 p.m.

Approved by Planning Commission______________________________

Ordinance No. 98-

AN ORDINANCE APPROVING A PLAT AMENDMENT, AMENDING THE ORIGINAL HEARTHSTONE SUBDIVISION TO ALLOW A SUBDIVISION OF ONE PARCEL INTO TWO LOTS AT 1376 MELLOW MOUNTAIN ROAD, PARK CITY, UTAH

WHEREAS, the owner, Herb & Barbara Korthoff, of the property known as 1376 Mellow Mountain Road, have petitioned the City Council for approval of an amendment to the Hearthstone 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 Novemebr 18, 1998 the Planning Commission held a public hearing to receive public input on the proposed final plat amendment and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, a financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

WHEREAS, on December 10, 1998, the City Council held a public hearing to receive input on the proposed plat amendment; and

WHEREAS, the proposed plat amendment allows the property owner to subdivide one parcel into two lots of the Hearthstone Subdivision.

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 property is zoned Estate and was approved for two lots in the Hearthstone MPD on June 17, 1993.
2. The proposed plat amendment will amend the Hearthstone Subdivision to include lots 11 and 12 as originally approved.

3. Proposed lot 11 has an existing house built on it.

4. The applicant agrees to grant the City an easement for the trail as outlined in Exhibit A.

5. The applicant contributed in excess of six acres to the original MPD.

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

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed amendment.

3. The proposal is consistent with Park City LMC Chapter 15 and the MPD approved June17, 1993.

SECTION 3. CONDITIONS OF APPROVAL. The proposed plat amendment attached as Exhibit A is hereby adopted with the following Conditions of Approval:

1. The trail easement as shown on Exhibit A shall be dedicated to the City on the plat. The easement shall be six feet wide.

2. All conditions of approval of the MPD approved June 17, 1993 still apply.

3. The City Engineer and City Attorney's review and approval of the plat for compliance with State Law and these conditions of approval is a condition precedent to plat recordation.

4. This approval shall expire one year from the date of City Council approval unless the plat has been recorded with Summit County.

5. All Standard Project Conditions shall apply.

6. The maximum house size for lot 12 is 6,000 square feet. The maximum house size for lot 11 is "as built" at 14,000 square feet (no additions resulting in additional square footage allowed). These restrictions shall be noted on the plat.

7. A ten- foot non-exclusive snow storage and utility easement shall be dedicated on the plat to the City along Mellow Mountain Road.

8. The applicant shall quit claim to the City in a form approved by the City Attorney all interest in the open space parcel dedicated to the City as part of the original Hearthstone Subdivision.

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

PASSED AND ADOPTED this 10 th day of December, 1998.

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

____

Mark D. Harrington, Deputy City Attorney