PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 30, 2000

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

Closed Session

3:00 p.m.	Personnel, property acquisition, and litigation

Work Session

4:30 p.m.	Customer service award
4:40 p.m.	Council questions/comments
5:10 p.m.	Golf Course Fund update
5:20 p.m.	Ontario Avenue - access to Block 52
5:50 p.m.	Review of regular meeting

Regular Meeting

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF NOVEMBER 9, 2000

V PUBLIC HEARING

Ordinance amending the Park City Survey to combine four lots into one lot of record in Block 65, located at 505 Deer Valley Drive, Park City, Utah

VI CONSENT AGENDA

1. Ordinance amending the Park City Survey to combine four lots into one lot of record in Block 65, located at 505 Deer Valley Drive, Park City, Utah

2. Resolution confirming the sale and authorizing the issuance of $5,915,000 General Obligation Bonds, Series 2000 of Park City, Summit County, Utah; and providing for related matters

3. Resolution recognizing the need and supporting expanded recycling programs throughout Summit County, Utah

VII ADJOURNMENT

Posted: 11/27/00
See: parkcity2002.org

PARK CITY
1884

PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 30, 2000

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

Toby Ross, City Manager; Mark Harrington, City Attorney; Alison Kuhlow, Planner; Eric DeHaan, City Engineer; Jerry Gibbs, Public Works Director; Craig Sanchez, Director of Golf; Brooks Robinson, Planner

Tony Rampton, attorney for Leslie Miller (Block 52 discussion)

1. **Customer service award.** Shauna Kerr presented Paul Jerominski, Customer Service Coordinator of the Water Department, the customer service award for his work last summer promoting water conservation among water users. She read letters of nomination.

2. **Council questions/comments.** In response to a question from the Mayor regarding the newspaper racks project, Alison Kuhlow reported that since May she has explored the costs of purchasing and installing racks and has worked with publishers on legal issues. Staff will be coming back with this issue in February with a recommendation to restrict news racks by specifying design and criteria dealing with where they can be located as well as setting a maximum number of racks. Currently, there are about 21 racks in front of the post office and staff is considering groupings of eight racks. The proposal addresses eight to ten areas in Old Town. Fred Jones added that there were discussions about including all areas of town, and Ms. Kuhlow explained that it is proposed to begin first in Old Town, which is the main problem area.

The Mayor suggested holding a special meeting on Wednesday, January 3 rather than on the regular meeting date of Thursday, January 4, 2001; Council was agreeable to the change. In response to a question from Peg Bodell about electronic signs for the Mine Road, Jerry Gibbs explained that he is working on locating a permanent sign on the top of Royal Street and to work with UDOT on a sign lower on SR224 for weight limits. With regard to a letter from Rich Miller about flood zone designations, Eric DeHaan noted that he spoke with Mr. Miller and agrees that it is not accurate, but in order to have FEMA agree to an amendment, requires the City to hire an engineering consultant to perform the flood mapping. This would be prohibitly expensive for the City to undertake. He agrees that it is frustrating for lenders but they require flood insurance, not the City. Amending the FEMA flood map would be in the interest of the property owners and could amount to $100,000 and there are few people affected by the flood designations. Shauna Kerr thanked staff on the success of America's Opening. She reported that BFI is proposing to the County Commission, to raise the commercial rates for next year to collect $17,000 of bad debt, primarily from restaurants in the Main Street area. Average bills are about $2,400 and some businesses have not paid anything. The City Manager announced that staff will be meeting with BFI who will probably request that the City adopt an ordinance that requires mandatory trash collection. Currently, BFI's recourse is limited because businesses are not required to subscribe for service, but he has not discussed spreading losses with other customers with the County. Ms. Kerr emphasized that the City should do everything it can to make sure that businesses bear their own costs of doing business, and agrees with passing an ordinance. Candy Erickson expressed that she is not inclined to support allocating BFI additional funds until the service is improved.

2. Golf Course Fund update. Craig Sanchez explained that revenues and transfers for FY2000 were $1.17 million; total expenses, including depreciation at $152,309 and transfers out of $51,400 amounted to a total of $1.22 million, resulting in a net loss of $57,888. The cash and investment balance at this time was $249,659, including the loan of $230,000. The restructuring of fees and pricing last spring, eliminating the discounted senior pass, worked well this season. As a result, season play was down about 10%, and increased about 2% across-the-board in other daily fees. He explained that their goal was met to cut costs by 10% and increase revenues by 25% and the cash balance in October was about $425,000, including the loan of $230,000. The plan is to pay half of the loan by June 30, 2001 and the balance in 2002. The Parks and Recreation Board has accepted this arrangement. Cutting back on maintenance in the future as was done this past season is not recommended and he noted that unfortunately, there has been a lack of progress on the golf course hotel project. Brooks Robinson, Planner, stated that staff met this afternoon with project representatives who are proposing a different configuration within the existing footprint. The amount of conference facility space will probably be reduced and some cottage units may be eliminated. Those density units would be credited in the building. Howe Construction is committed to getting the driving range open next spring, but it is unlikely that the pro shop will be completed by that time. Ms. Kerr felt that the decrease in maintenance of the course, because of cuts in personnel, was noticeable and urged Council to maintain adequate staffing to ensure a quality golfing experience. With regard to a comment made by Mr. Harlan regarding lodging play, Mr. Sanchez explained that it increased about 300% this summer; there were 600 lodging rounds in 1999 and this year 18,000 rounds. Pro shop sales were discussed.

3. Ontario Avenue - access to Block 52. Mark Harrington explained that Leslie Miller owns some lots adjacent to platted rights-of-way which challenges development because of access problems. Property owners in Block 52 expended a great deal of money and effort toward alternatives for access which culminated in a subdivision application a couple of years ago which was denied by the Planning Commission and appealed to the City Council. There is a request from Ms. Miller for the City to fund an extension off of Ontario Avenue. The extension was supported from a planning perspective but staff did not agree with a City contribution and as a result, the property owner has requested to speak directly with the City Council.

Tom Rampton, attorney, stated that he represents property owners Leslie Miller, United Park City Mines, and Kay Waxman in Block 52 and by illustration of a map, pointed out the location of the properties of his clients, dedicated rights-of way, and existing rights-of-way. Ms. Miller acquired six lots in 1977 and Mr. Rampton explained that at the time, there was Second Street, a dedicated right-of-way, which could access the property; Third Street providing some access; and existing Ontario Avenue which could have been extended through the Virginia Mining Claim. He continued that in 1994, the Sandridge Heights application contemplated that existing Ontario would be extended to the development, which was indicated in the *master plan.* Density was an issue in the project's review and was dropped from 18 to 13 lots which would be accessed from an extension off of existing Ontario. The Planning Commission rejected that proposal which was appealed to the City Council who upheld the decision of the Commission. He continued that from that point, various property owners made individual applications. UPCM received approval for the Flagstaff development with a condition for low income housing to be dedicated as open space which eliminated access to adjacent properties. Mark Harrington interjected that he provided Mr. Rampton with a subsequent decision declaring that Second Street could be vacated for access. Mr. Rampton stated that there are engineering difficulties. Mark Harrington clarified that Mr. Rampton is stating that the City took action that would preclude a road through that area, and he disagreed with that statement. Mr. Rampton continued that the next action taken by the City was the open space acquisition of the Virginia Mining Claim, east of the subject properties. This dedicated open space forecloses access from McHenry Avenue and dedicated Ontario Avenue. The Ivers plat amendment in early 2000 provided for an extension off of Ontario Avenue which could only be used for the development of these two lots, and this caused foreclosure of all access to Ms. Miller's property.

Mr. Rampton felt that density relates to economic viability. The Sandridge Heights proposal involved almost 20 lots which would have shared in the cost of the road extension. He alleged that economic viability was further impacted by the down-zoning of Block 52 from HR-1 to HRL and decreasing the number of developable lots from eight to four. In response to his request last February, the City Council, as a part of the Ivers plat amendment, permitted the use of the extension off of Ontario Avenue for access to other lots. His clients worked with staff and Alliance Engineering and it was determined that the cul-de-sac was not large enough to accommodate emergency vehicles. He urged Council to consider the extension of existing Ontario Avenue down to Marsac Avenue and Alliance Engineering estimated that the cost of the road would be about $325,000. If his clients are required to absorb that cost, the economic viability of their properties is non-existent and Mr. Rampton asked if the City is willing to fund construction of the road. He stated that lack of access for property owners has been created by the actions of the Planning Commission, the City Council and management over a substantial period of time. The construction of the road would solve problems the City currently has with the existing configuration and this is a solution to a problem to all concerned. If this can't be resolved, the property owners are running out of alternatives. He continued that the City Attorney suggested an exchange of properties but the lots were not comparable. Mr. Rampton suggested that the City may be interested in purchasing his clients' properties. Councilman Jones asked what the benefits would be to taxpayers if the City funded the construction of the road. Mr. Rampton stated that there was wisdom in 1984, when the City inserted a bypass road in the *master plan*. Currently, there is a dangerous public safety problem and there are benefits with regard to traffic control. In response to a question from Fred Jones, Mr. Rampton clarified that he is referring to the *streets master plan*. Mr. Jones stated that the streets master plan is not a commitment to fund improvements, but is intended to identify where improvements should be made. Mr. Rampton reiterated that by actions taken by the Planning Commission and the City Council over a substantial period of time have made it economically impossible for his clients to develop their properties. He again referred to the number of owners involved in the Sandridge Heights Subdivision proposal and the current diminished number of four lots to share that infrastructure cost. There are benefits to the public that would justify this expenditure and there is an equity question with regard to the actions of the City Council and the Planning Commission reducing density to four.

In response to a question from the Mayor about preparing a staff report on this discussion, the City Attorney explained that he wanted to give Mr. Rampton an opportunity to address Council independent of staff's perspective. Mr. Harrington explained that his clients are pressed for a decision and staff is looking for general direction if the circumstance warrants some level of City contribution, which it clearly otherwise would not. Park City codes clearly state that right-of-way extensions are paid for by the developer, but the allocation per lot for cost of the road could be better analyzed by staff in the meantime. There are several non-conforming lots, even though they were platted, and there is a large contiguous parcel to the west that is unplatted and there has never been a density determined there. To say that there was a predetermined number on which there was good faith reliance will be hard to show by the property owners in a definitive manner. Tony Rampton again addressed economic viability which relates to the number of lots through which the cost of access can be spread. If the economic viability of properties is diminished over time by the actions of the City, it is a taking. The Mayor emphasized that it was UPCM's decision not to pursue the Sandridge Heights concept and to withdraw as an applicant, not the City's decision. Mr. Rampton explained that because the Sandridge development was not approved, UPCM will proceed independently. In response to the Mayor regarding private and public roads, Mr. Harrington explained that a private extension for the Ivers project was explored but the Fire Marshall had concerns about the number of units served off of the proposed private driveway.

Fred Jones understood that Mr. Rampton is trying to make the point that access was diminished by actions taken by the City, but for whatever reason the applicants in the Sandridge Heights project were unsuccessful and many adjacent property owners opted out of the effort and proceeded independently, i.e., Ivers. That, more than anything, has impacted economic viability. He pointed out that the decrease in density from 18 to four lots was attributable to a corresponding decrease in land area. The area relating to an 18 lot configuration encompassed more lots and is not a legitimate comparison. Ms. Bodell asked what his clients expect the City to fund with regard to the $325,000 and Mr. Rampton responded that he does not have a number for the Council tonight, but will provide it as soon as possible. Mr. Bodell noted that she appreciates them looking at options, including a land trade and a possible purchase of open space by the City. Ms. Kerr stated that without a written staff report outlining options, she is uncomfortable with deliberating further, but supports exploring a land trade. Mr. Harrington suggested that Mr. Rampton come up with a number relatively quickly. Mr. Rampton interjected that the City-owned lots are not comparable properties and would not be acceptable. Ms. Kerr countered that comparable is an interesting term as the City's property has access to streets and to some people may be considered more marketable. Mr. Rampton stated that if Ms. Kerr is saying something is better than nothing, and this is giving them nothing, then he agrees. Council member Kerr pointed out that you get what you buy and the property is on the side of the hill in the same historic position it was when it was purchased.

Prepared by Janet M. Scott

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 30, 2000

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6:35 p.m. at the Marsac Municipal Building on Thursday, November 30, 2000. Members in attendance were Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Shauna Kerr. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney; Eric DeHaan, City Engineer; Kevin LoPiccolo, Planner; and Tom Bakaly, Director of Capital Management and Budget.

II PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

Jim Tortora, Nacho Mamas Restaurant, stated that he owns the building and is a member of the Prospector Square Association. He felt that there are too many people living in the low cost housing on the other side of Sidewinder, and as a result, there are too many cars. Sidewinder Drive and Poison Creek Lane have become parking lots. He suggested closing the access from the Bellemarc Building or prohibit overnight parking. The Mayor stated that staff will get in touch with him about this problem.

Rich Wyman, resident, stated that the fence at Bellemarc creates a ghetto for the low income housing community and an important aspect of affordable housing is to preserve diversity. He understood that parking may be a problem, which may be better controlled with parking signs, not by fencing them in. Mr. Wyman continued that he came to the meeting to discuss the water as he was shocked by the story aired by Fox News on Tuesday night, which lead him to believe that all water in Park City is almost 100 times above the lead content that the EPA allows. He added that he felt better about the situation after talking with Jerry Gibbs in the hall and suggested that the City communicate with the citizens about the water as the information Mr. Gibbs shared was good to hear. The flushing program was discussed and the City Manager added that information will be included the water bills. With regard to the fences, Mr. Jones recalled that when Bellemarc was approved, there was a condition for maintaining access through the area, which should be researched. There was also discussion about the lack of access through Creative Beginnings because of a fence it installed.

Kari Hays, Old Town resident, stated that she has used water filters since she had children because of discolored water. Her kids are *freaked out* about the water and think there are viruses in it. The City should do something to alleviate fear in the community. She asked if water will be delivered to residences during the flushing program. The City Manager responded that people will be notified of the flushing two days in advance and at the time of the flushing someone will personally visit the residence to make sure that water is not turned on during the 20 minute flow.

With regard to a proposal by Michael O'Hara to allow commercial dumpsters on the east side of Park Avenue, Ms. Hays stated that the neighborhood is vehemently opposed. Only residential dumpsters are allowed and commercial uses are prohibited. Park Avenue residents should not be penalized because BFI can not figure out how to collect garbage on the west side of Main Street.

Phyllis Robinson, Director of Mountainlands Community Housing, thanked Council for extending the loan to purchase Holiday Village Apartments two weeks ago. She explained Bank America's surprise that a City would do this and again thanked the Council for its support of affordable housing and Mountainlands. She discussed the status of the remodel and invited the Council to tour a finished unit.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Ms. Bodell stated that a report on America's Opening would be helpful, and thanked staff for installing the Christmas decorations on Main Street.

Eric DeHaan reported that there is enough survey information compiled to conduct a meaningful open house with residents on the conceptual design of Park Avenue, which will be held Tuesday night. He continued that UDOT is undertaking a massive earth work project on US40 to stabilize the frontage road area. Kimball Junction is on schedule for a February completion date.

IV WORK SESSION NOTES AND MINUTES OF THE MEETING OF NOVEMBER 9, 2000

Hearing no omissions or corrections, the Mayor requested a motion to approve. Peg Bodell, "I so move". Shauna Kerr seconded. Candace Erickson disclosed that she will not be voting as she was not in attendance. Motion carried

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

V PUBLIC HEARING

Ordinance amending the Park City Survey to combine four lots into one lot of record in Block 65, located at 505 Deer Valley Drive, Park City, Utah - Kevin LoPiccolo explained that this application is a request to combine four lots into one lot of record and is zoned R-1. The proposed lot combination will total approximately 7,100 square feet and the standard lot size for R-1 is 2,812 square feet. The plat amendment is required in order for the applicant to construct an addition on an existing dwelling, which complies with the standards of the R-1 zone. The Planning Commission forwards a positive recommendation. Hearing no comments or questions from the City Council or the public, the Mayor closed the public hearing.

VI CONSENT AGENDA

Tom Bakaly introduced Council to Laura Lewis, financial advisor, and reported that the bonds were priced yesterday at an interest cost of under 5%. The bonds were awarded to Solomon Smith Barney. He explained that the City participated for the first time in the *Muni-Option* which is a way of receiving the bids on line. Ms. Lewis congratulated the City on the ratings upgrade which is no small task for a community that is tourist-based and complimented the Mayor and Mr. Bakaly's presentation to the rating agencies, convincing them of Park City's excellent management practices. She stated that she was pleased with the number of bidders participating in the *Muni-Option* process, which is more competitive. The closing is slated for December 12, 2000. In response to a question from Roger Harlan, Tom Bakaly explained that in the meantime, the money will be earning interest and probably more than the City is paying which is called arbitrage. The money has to be spent within a certain time frames in order to avoid paying the arbitrage and in this case, it is three years with other trigger dates.

Fred Jones asked for a modification on the recycling resolution to indicate service in *all of Park City* and striking the language *recognizing that not all neighborhoods can be served.* With no further comments, the Mayor requested a motion to approve the Consent Agenda. Roger Harlan, "I move approval of Items 1, 2, and 3". Shauna Kerr seconded. Motion unanimously carried.

1. Ordinance amending the Park City Survey to combine four lots into one lot of record in Block 65, located at 505 Deer Valley Drive, Park City, Utah - See staff report and public hearing.

2. Resolution confirming the sale and authorizing the issuance of $5,915,000 General Obligation Bonds, Series 2000 of Park City, Summit County, Utah; and providing for related matters - See staff report and commentary above.

3. Resolution recognizing the need and supporting expanded recycling programs throughout Summit County, Utah - This resolution was amended by Fred Jones. See commentary above.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned. The City Council discussed the upcoming interview process for candidates applying for the City Council vacancy, which will be scheduled December 11 and 12, 2000.

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MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 3 p.m. Members in attendance were Mayor Brad Olch, Peg Bodell, Candace Erickson, Roger Harlan, Fred Jones, and Shauna Kerr. Staff present were Toby Ross, City Manager; Mark Harrington, City Attorney and Tom Bakaly, Director of Capital Management and Budget. Roger Harlan, "I move to close the meeting to discuss personnel, property acquisition, and litigation". Shauna Kerr seconded. Motion carried unanimously.

The meeting opened at approximately 5:20 p.m.

* * * * * * * *

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

Prepared by Janet M. Scott

Janet M. Scott

Janet M. Scott, City Recorder

PARK CITY
1884

CITY COUNCIL STAFF REPORT

Date: November 30, 2000
Department: Planning Department
Title: 505 Deer Valley Drive - Plat Amendment
Type of Item: Public Hearing

Summary Recommendations: Staff recommends that City Council adopt the attached Ordinance approving the proposed plat amendment to consolidate lots 2&3 and lots 32&33 of Block 65 of the Park City Survey into one lot of record.

A. Project Statistics

Applicant:	Preston and Allison Willingham
Location:	505 Deer Valley Drive
Zoning:	R-1 - Residential District
Adjacent Land Uses:	Residential
Project Planner:	Kevin LoPiccolo
Date of Application:	August 28, 2000

B. Background

The proposed application request is to combine lots 2&3 and lots 32&33 of Block 65 of the Park City Survey into one lot of record. The property is located on the north side of Deer Valley Drive and has an existing non-historic residence crossing two lots. The proposed addition will be located rear of the existing residence encroaching into lots 32&33. The lot combination will create one lot of record totaling approximately 7,150 square feet.

The development pattern in the general area of Deer Valley Drive consists of single-family dwellings and multi-family structures. The subject property is zone R-1.

The Planning Commission forwarded a positive recommendation to City Council on November 22, 2000 for a plat amendment to combine four lots into one lot of record.

C. Analysis

Use: The applicant's proposal to combine four lots into one lot requires a plat amendment in order to accommodate the proposed 1,700 square foot addition to the existing residence. The R-1 District is a transition zone between the single-family and duplex uses of the HR-1 District and the more intense multi-family developments of the Deer Valley area's RM District. The intent of the R-1

District is to allow the continuation of uses and architectural scale found in Old Town. Staff finds this proposal consistent with this transition area.
The R-1 zoning standards requires the following:

	Code Requirement	Proposed
• Front Setback	15 feet (existing)	15 feet
• Side Setback	5 feet	5 feet
• Rear Setback	10 feet	84 feet
• Parking	2 parking spaces	2 parking spaces
• Height	33 feet	33 feet

Staff is requesting that the applicant maintain a minimum 75 foot rear yard setback due to the steepness of the slope, and to insure that the limits of disturbance and vegetation is protected during construction. A condition of approval has been added requiring that all structures including decks in excess of 30 inches above grade, shall maintain a minimum 75 foot rear yard setback.

Minimum lot size and underlying zoning: As currently platted, the applicant has 4 platted R-1 lots. Under the R-1 zone, the minimum lot size is 2,812 square feet.

Access
The property is accessed from Deer Valley Drive. There is currently two single car garages and an existing driveway providing access to the main resident. The addition will not require any additional parking on the site.

C. **Public Input**
All owners within 300' of the property were noticed. As of the date of this report there has been two inquires, one in support and the other concerned over the potential impact that the proposed addition will have on their property since the proposed addition is adjacent to their yard. I have offered to go over the proposed building plans with the adjacent property owner and have notified them of this meeting regarding the proposed Plat Amendment.

Recommendation
Staff recommends that City Council approve the Plat Amendment request to combine lots 2&3 and lots 32&33 of Block 65 of the Park City Survey into one lot of record, based upon the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Finding of Fact:
1. The property is in the R-1 Zone.

2. Deer Valley Drive is characterized by single-family dwellings, and multi-family structures.

3. The plat amendment results in combining four lots into one lot of record.

4. The proposed lot combination will create one 7,150 square foot lot. Minimum lot size for a single family dwelling is 2,812 square feet.

5. The subject property consists of slopes greater than 30%. Construction on such slope involves extensive grading, site disturbance, and construction impacts.

6. The applicant stipulates to all conditions of approval.

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

2. There is good cause for the amendment.

3. The amended plat is consistent with the Park City Land management Code and applicable State law regarding Subdivision plats.

Conditions of Approval:
1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.

2. All standard Project Conditions shall apply and Land Management Codes shall apply (Exhibit "C").

3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.

4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.

5. All structures including decks in excess of 30 inches above grade, shall maintain a 75-foot rear yard setbacks.

Exhibits:
Exhibit A - Proposed Plat Map
Exhibit B- Vicinity Map
Exhibit C - Standard Project Conditions
Exhibit D - Draft Ordinance

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SURVEYOR'S CERTIFICATE

I, John Dombowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 163831, as prescribed by the laws of the State of Utah, and that this Lot Line Amendment Plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that this plat accurately represents the surveyed property.

______________________ John Dombowicz   ____________ Date

LEGAL DESCRIPTION

Lots 2, 3, 32, and 33, Block 65, Park City Survey, according to the official plat thereof on file and of record in the Summit County recorder's office.

LESS AND EXCEPTING THEREFROM any portion lying within the bounds of Provo Avenue.

And LESS AND EXCEPTING THEREFROM any portion lying within the bounds of Deer Valley Drive.

And also EXCEPT THEREFROM the following described parcel:

Beginning at the northwest corner of Lot 32, Block 65, Park City Survey, according to the Official Plat thereof on file and of record in the Office of the Recorder, Summit County Utah; and running thence along the northerly line of Block 65, South 70°38'00" East 37.81 feet to the northeast corner of Lot 33, Block 65, and a point on the westerly right-of-way line of Provo Avenue; thence along the right-of-way line South 4.18 feet to a point on the northerly line of a parcel as deeded to Allison J. Melville, Entry #484258, Recorded 10-1-98, Book 987, Page 442; thence along the northerly line North 70°38'00" West 38.29 feet; thence North 19°22'00" East 3.93 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned owner of the herein described tract of land, to be known hereafter as the 505 DEER VALLEY REPLAT, do hereby certify that I have caused this Lot Line Amendment Plat to be prepared, and I, Allison J. Melville, hereby consent to the recordation of this Lot Line Amendment Plat.

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

In witness whereof, the undersigned set her hand this ______ day of ________________, 2000.

____
Allison J. Melville

ACKNOWLEDGMENT

State of Utah:
County of Summit:

On this ______ day of ______________, 2000, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah, Allison J. Melville, being duly sworn, acknowledged to me that she is the owner of the herein described tract of land and she signed the above Owner's Dedication freely and voluntarily.

Notary Public: ______________________

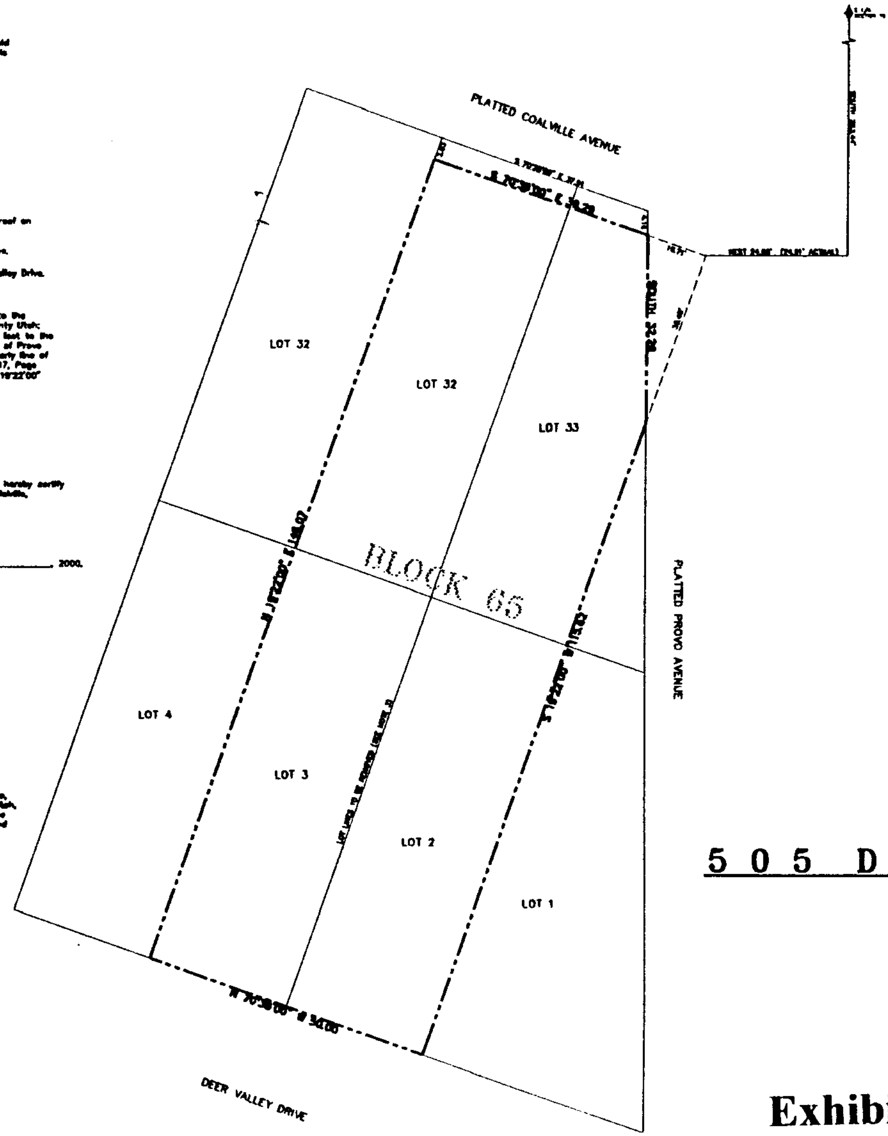
My commission expires: ________________

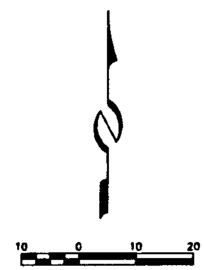
NOTES

1. The street address of the property is 505 Deer Valley Drive.
3. Only lot lines common to lots 2/3/32/33 are to be removed.
2. [505] Street address

LEGEND

◆ Section corner





LOT LINE AMENDMENT PLAT

505 DEER VALLEY DRIVE

REPLAT

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

Exhibit A - Proposed Plat Map

PAGE 1 of 1

JOB NO.: 8-2-98 FILE: Y:\Pct\dwg\srv\plat98\080298.dwg

Alliance Engineering Inc.	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
Consulting Engineers · Land Planners · Surveyors	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS ______ DAY OF __________, 2000 A.D. BY ______________ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ____ DAY OF __________, 2000 A.D. BY ______________ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS __ DAY OF __________, 2000 A.D. BY ______________ PARK CITY ENGINEER	APPROVED AS TO FORM THIS ____ DAY OF __________, 2000 A.D. BY ______________ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF __________, 2000 A.D. BY ______________ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF __________, 2000 A.D. BY ______________ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF ______________ DATE ______ TIME ____ BOOK ____ PAGE ____ ______ FEE ______ RECORDER

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of project approval.

2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 9, Architectural Review); Uniform Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.

3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.

4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.

5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Community Development Department, Planning Commission, or Historic District Commission prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit, must be specifically requested and approved by the Community Development Department, Planning Commission and/or Historic District Commission in writing prior to execution.

6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Community Development Department. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.

7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Community Development Department prior to issuance of a footing and foundation permit. This survey shall be used to assist the Community Development Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Community Development Department, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of

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

9. Any removal of existing building materials or features on historic buildings, shall be approved and coordinated by the Planning Department prior to removal.

10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.

11. Final landscape plans, when required, shall be reviewed and approved by the Community Development Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.

12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the Community Development Department, posted prior to occupancy.

13. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Sewer Improvement District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval is transferrable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.

16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.

17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Community Development Department. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

Ordinance No. 00-

AN ORDINANCE APPROVING THE AMENDMENT TO THE PARK CITY SURVEY, A PLAT AMENDMENT TO COMBINE LOTS 2&3 AND LOTS 32&33 OF BLOCK 65 INTO ONE LOT OF RECORD LOCATED AT 505 DEER VALLEY DRIVE, PARK CITY, UTAH

WHEREAS, the owners of the property known as Allison and Preston Willingham, owners of Lots 2&3 and Lots 32&33, Block 65 of the Park City Survey, have petitioned the City Council for approval of a revision to the final plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on November 22, 2000 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on November 22, 2000, forwarded a positive recommendation to the City Council; and,

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

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

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

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

1. The property is in the R-1 Zone.
2. Deer Valley Drive is characterized by single-family dwellings, and multi-family structures.
3. The plat amendment results in combining four lots into one lot of record.
4. The proposed lot combination will create one 7,150 square foot lot. Minimum lot size for a single family dwelling is 2,812 square feet.
5. The subject property consists of slopes greater than 30%. Construction on such slope involves extensive grading, site disturbance, and construction impacts.
6. The applicant stipulates to all conditions of approval.

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

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

2. There is good cause for the amendment.

3. The amended plat is consistent with the Park City Land management Code and applicable State law regarding Subdivision plats.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey Plat, a plat amendment to Block 65, is approved as shown on Exhibit "A", with the following conditions:

1. The City Attorney and City Engineer's review and approval of the final form and content of the amended plat is a condition precedent to recording the plat.

2. All standard Project Conditions shall apply and Land Management Codes shall apply (Exhibit "C").

3. The final plat shall be recorded at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year time, the approval and the plat shall be considered void.

4. A Construction Management Plan (CMP) shall be submitted to and approved by the Community Development Department prior to the issuance of any building permits. The plan shall address staging, material storage, construction time lines, special signs, parking, fencing, and any other construction related details to the satisfaction of the Community Development Department.

5. All structures including decks in excess of 30 inches above grade, shall maintain a 75-foot rear yard setbacks.

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

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

PARK CITY MUNICIPAL CORPORATION

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Mayor Bradley A. Olch

Attest:

____
Janet M. Scott, City Recorder

Approved as to form:

____
Mark D. Harrington, City Attorney

Bond resolution enclosed under separate cover

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE: November 30, 2000
DEPARTMENT: Office of Capital Management and Budget
AUTHOR: Tom Bakaly
TITLE: Final Bond Resolution - General Obligation Bonds, 2000 Series
TYPE OF ITEM: Legislative/Administrative

SUMMARY RECOMMENDATIONS: The City Council should consider and approve the attached Final Bond Resolution relating to the issuance of General Obligation Bonds, 2000. These bonds will be used to finance the purchase of undeveloped park and recreational land and amenities and will be issued in an amount of $5,915,000.

DESCRIPTION:

A. Topic: Consideration and adoption of a resolution that does the following: 1) Authorizes the issuance of $5,915,000 in General Obligation Bonds; 2) Establishes the amount, length to maturity, and interest rates of the bonds and; 3) Authorizes the City Manager and Director of Capital Programs and Budget to facilitate the closing of the purchase agreement and bond issue.

B. Background:

On November 3, 1998, Park City voters approved the issuance of $10 million in General Obligation bonds to acquire and forever preserve undeveloped park and recreation land and amenities. On September 24, 1998, the City Council passed a resolution forming the Citizens Open Space Advisory Committee (COSAC). The purpose of this committee is to investigate and recommend a strategy for the acquisition of open space. In August of 1999, the City sold $4,085,00 in Open Space General Obligation Bonds.

C. Analysis:

COSAC, Staff and the City's financial advisor determined, based upon expected expenditure of the bond proceeds, that the City should issue the remaining $5,915,000 in bonds. The City Council acted upon this recommendation by approving a parameters resolution in August of 2000 which contemplated issuing the remaining authorized Open Space General Obligation Bonds.

On June 15, 2000, the City Council authorized the Director of Capital Programs and Budget to calculate the tax rate for 2000 such that it would generate enough revenue to pay the debt services associated with a G.O. Bond issue. The tax rate has been calculated and filed with the Utah Tax Commission. Assuming current interest rates and assessed values, the $5.915 million issuance would cost a primary resident roughly $10.50 per $100,000 of assessed market value.

The attached resolution grants authorization and confirms the sale of the General Obligation Bonds. The resolution also sets the following "limits" for the bond issue:

<u>1) Size:</u> The resolution sets the maximum amount of the 2000 Series bonds at $5,915,000.

<u>2) Length to Maturity:</u> The resolution states that the maximum length to maturity cannot exceed 15 years as approved by the voters. The 15 year limit begins from the point of issuance for each series.

<u>3) Interest Rates of the Bond Coupons:</u> The actual interest rate of the bonds will not be known until the bonds are sold on December , 2000. The parameter resolution that was adopted in June states that no single coupon of the bond issue can exceed 7.0%. When the bonds are sold, they will be structured in such away that different maturities will have different interest rates. This parameter means that the coupon with the longest maturity will not have an interest rate of greater than 7%.

<u>The Financing Team:</u> Through a Request for Proposal (RFP) and selection process that involved COSAC members, the City has selected Lewis, Young, Robertson & Burningham as the financial advisor for this bond issue. Laura Lewis will be the point of contact. The City Attorney's Office has selected Richard Scott and the law firm of Chapman & Cutler as bond counsel for the transaction.

<u>Bond Rating:</u> The City received the following bond ratings from the three major rating agencies: Moody's AA3; Standard & Poors A+; and Fitch AA-. The City should be proud of these strong ratings. AA ratings are not typically given to resort communities. As an example, Moody's stated, "The rating reflects the City's conservatively managed finances, moderate level of aggressively retired debt, and growing year-round population, linked to easy accessibility to Salt Lake City, mitigating somewhat the risk due to a heavy reliance on a vulnerable tourism sector."

D. <u>Department Review</u>: The Final Bond Resolution has been reviewed by the City Manager's Office and the Legal Department.

<u>ALTERNATIVES:</u>

A. <u>Approve the Request:</u> Adopting the resolution will allow the City to proceed with the bond issue and be able to finance open space projects in a timely manner.

B. <u>Deny the Request:</u> Denying the request would cause the bonds to not be issued at this time. If the City Council does not wish to issue bonds, Staff and City Council would then need to address funding strategies for the open space purchases.

C. **Continue the Item:** Continuing action on the resolution could delay the overall issuance of the bonds. Because there are timing and funding issues associated with the purchases, staff would need to elaborate further on the consequences of continuing this item.

D. **Do Nothing:** This would have the same effect as denying the request.

SIGNIFICANT IMPACTS: Adoption of this resolution will allow the City to proceed with the issuance of the bonds in a timely and efficient manner. Swift completion of the bond issuance is needed to take advantage of favorable interest rates and meet the financing needs of the purchases.

CONSEQUENCES OF NOT TAKING RECOMMENDED ACTION: Not adopting the resolution will impact the City's ability to issue the GO bonds and finance the purchases.

RECOMMENDATION: Adopt the Final Bond Resolution relating to the issuance of General Obligation Bonds, 2000.

PARK CITY 1884

Resolution No.

RESOLUTION RECOGNIZING THE NEED AND SUPPORTING EXPANDED RECYCLING PROGRAMS THROUGHOUT SUMMIT COUNTY, UTAH

WHEREAS, the City Council recognizes the necessity of recycling programs and encourages these efforts to be developed; and

WHEREAS, the current curbside recycling is a trial program serving only a few neighborhoods of Park City, and

WHEREAS, there is a broad commitment and a feeling of responsibility among Park City residents to participate in curbside recycling; and

WHEREAS, the City Council, in consideration of the commitment to the environment by the community, requests that Summit County consider including more areas in Park City, recognizing that not all neighborhoods are well suited for this service;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and the City Council feel that it is imminent to consider the expansion of recycling services at this time and request that the Summit County Commission consider additional funding for this program in its upcoming 2001-2002 budget.

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

PARK CITY MUNICIPAL CORPORATION

____

Mayor Bradley A. Olch

Attest:

____

Janet M. Scott, City Recorder

Approved as to form:

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Mark D. Harrington, City Attorney