



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 6, 1997**

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, November 6, 1997.

A G E N D A

Work Session - City Council Chambers - Lower Level

4:45 p.m. Tour of remodeled Council Chambers
5:15 p.m. Council questions and comments
5:45 p.m. Review of regular meeting

Regular Meeting - City Council Chambers - Lower Level

I ROLL CALL

II PUBLIC INPUT

III COMMUNICATIONS FROM COUNCIL AND STAFF

IV WORK SESSION NOTES OF MEETING OF OCTOBER 16, 1997

V PUBLIC HEARING

An Ordinance approving the Henney Replat, a plat amendment to the Park City Survey, Lot 16 and Lot 17 of Block 77, of the Millsite Reservation located at 80 King Road, Park City, Utah

VI CONSENT AGENDA

1. Ordinance accepting the public improvements at The Trees, a planned unit development in Park City, Utah

2. Ordinance accepting the public improvements at Snow Creek Subdivision in Park City, Utah
3. Ordinance accepting the public improvements at Summit Watch at Park City, a Utah condominium project
4. An Ordinance approving the Henney Replat, a plat amendment to the Park City Survey, Lot 16 and Lot 17 of Block 77, of the Millsite Reservation located at 80 King Road, Park City, Utah
5. Ordinance for Record of Survey Plat for Phase 1 of the condominium project at 2900 Deer Valley Drive known as The Lodges

VII NEW BUSINESS

1. Authorization to staff to enter into a contract with Employee Leasing and Management, Inc. for seasonal staffing for the Public Works Department
2. Resolution accepting the Official Canvass of the November 4, 1997 General Election in Park City, Utah

VIII ADJOURNMENT

Posted: 11/03/97



**PARK CITY WORK SESSION NOTES
SUMMIT COUNTY, UTAH
NOVEMBER 6, 1997**

Present: Mayor Brad Olch; Council members Hugh Daniels, Chuck Klingenstein; Shauna Kerr; and Paul Sincock

Toby Ross, City Manager; Jodi Hoffman; Mark Harrington, Assistant City Attorney; Rick Lewis, Community Development Director; Myles Rademan, Public Affairs Director; Eric DeHaan, City Engineer

Absent: Roger Harlan

1. Council questions and comments. Hugh Daniels reported that he has just returned from Marina del Ray and there is no free parking. He reported that he attended the Board of Health meeting last night. He discussed the problems local governments are experiencing in California. Mr. Daniels stated that if Council is in agreement, he will support the appointment of Ken Bullock, but suggested also recommending an elected official like Brad Olch which would make sense. Ms. Kerr thanked Jan Scott and the election judges for running the election and congratulated Brad Olch and Roger Harlan. She added that the Health South Corporation, the parent company for the new surgical center, will be hosting a dinner at Alex Restaurant at 7 p.m. on November 12, and encouraged Council to RSVP to Dr. Mark Hopkins. Ms. Kerr recommended that there be a debriefing scheduled on the issues candidates heard from the citizens while campaigning. She thanked Mike Andrews for running for City Council and raising issues. Ms. Kerr encouraged the Council to meet and participate in the wildflower seeding project; Council decided on Tuesday at 11 a.m. at City Park. She again mentioned that the Seniors would like a driver for Christmas shopping in December and Paul Sincock explained the van pool available from the state.

With regard to the Salt Lake Council meeting on Tuesday, November 11, it was decided that Shauna Kerr and Hugh Daniels would attend with staff. The City Manager explained that this meeting will determine future agendas. Chuck Klingenstein suggested that there be a discussion on a program for maintenance for Old Town streets. The City Manager recommended that this be done in conjunction with the coordination of the Capital Improvements Budget in January. Mr. Klingenstein expressed his concern that January may be too late to allow for projects to proceed in early spring. The Mayor suggested discussion at the retreat. Ms. Kerr noted that undergrounding utilities is a larger priority than the surface. Jodi Hoffman added that there is a telecommunications ordinance that will come before Council which addresses allocation of costs for relocating utilities. There was discussion about the replacement of street lights in Park Meadows at the intersections. Chuck Klingenstein added that the Historical Society has expressed concern about a longer term than two years. Mark Harrington guessed that the two year term was determined in tandem with the grant terms and Jodi Hoffman believed a longer lease could be arranged. Mayor

Brad Olch thanked Jan Scott for her efforts on the election and thanked the staff for putting up with the stressful situation over the past few months. He expressed that he is looking forward to continuing to work with the Council and will continue to work to represent all of the people. Paul Sincok congratulated Ms. Scott for running a great election. He reported that he attended the Recycle Utah annual meeting which was well attended and new officers were appointed. The recycling operations and programs have grown substantially over the years, and curbside recycling will be implemented in the near future. Mr. Sincok asked if the LMC amendments are on time. Rick Lewis responded that the Planning Department's comments have been rendered to the Legal Department and believed it to be on track. Chuck Klingenstein suggested that Council could prioritize this project by resolution. Mr. Lewis didn't believe that necessary at this time and asked that this be evaluated for 30 more days. Mr. Sincok reported that an all day seminar is scheduled on December 13 with the Hispanic community where there will be 30 simultaneous translator headsets so the technology is limiting participation. Fr. Bussen and Shelley Weiss have invited Latinos and Mr. Sincok will be inviting Anglo community members. The purpose of the meeting is to learn about each other's culture; there is no other goal.

Toby Ross reported that SLOC will be hosting a reception on December 8. Myles Rademan reported that there will be a Tourism Symposium on Wednesday, sponsored by the Chamber/Bureau, and the Mayor from Aspen will be speaking at the luncheon. Mr. Rademan discussed rescheduling the December 1 town meeting. It was the consensus of Council to reschedule the Old Town meeting on December 10. It was decided to schedule the Council retreat on January 5 and 6. Paul Sincok suggested that since the membership of the Council will be remaining the same, having consultant Lyle Sumak for one day, leaving a full day available for interaction between the Council. Ms. Kerr agreed. Toby Ross suggested that since Mr. Sumak may be helpful in setting priorities to have him scheduled on the second day.

2. Review of regular meeting. Chuck Klingenstein asked the status of the landscaping at Snow Creek. Eric DeHaan clarified that the ordinance is for acceptance of public improvements and there is still a bond in place for landscaping. Bob Stephens discussed the leasing contract with ELM, and that returning employees may have the choice of working for the contractor or the City in the future. Meg Ryan answered questions about The Lodges plat in Deer Valley. See regular meeting minutes.

Prepared by Janet M. Scott



**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
NOVEMBER 6, 1997**

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, November 6, 1997. Members in attendance were Brad Olch, Hugh Daniels, Shauna Kerr, Chuck Klingenstein, and Paul Sincock. Roger Harlan was excused. Staff present were Toby Ross, City Manager; Planner Meg Ryan; Mark Harrington, Assistant City Attorney; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

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

1997 Campaign - Mike Andrews, noted that after being a part of the campaign process, that he knows a lot more about Park City and its residents, and expressed his appreciation for that opportunity. He urged Council to widen the circle of involvement. Mr. Andrews stated that he will make himself available on issues and would like to follow-up on UTA services.

Video-taping meetings - Frank Normile asked the status of his suggestion of video-taping City Council and Planning Commission meetings. The Mayor indicated that at this time, it is not being contemplated, but wouldn't object if the Channel 8 wanted to broadcast meetings. Chuck Klingenstein added that the television station wanted to charge an exorbitant fee, but the new owner may be interested in providing a public service. Mr. Normile countered that the City has a staff person and equipment for video taping, and these videos could be kept at the Library as a record of the meeting. Chuck Klingenstein pointed out that it would entail staff time and the Mayor noted that Council would look into it. Paul Sincock commented that some of the presentations may be missed on tape and filming would have to be planned so that it is meaningful. In response to a question from Frank Normile with regard to the Ampco contract, the City Manager stated that it will be on the November 13 meeting.

Schildhouse claim - Larry Schildhouse reported that he is from Winter Park which encountered problems with the parking meters. He reported that he has had an issue with the City

that the Council may act on in a few days dealing with a lawsuit which arose in January. Assistant City Attorney Tom Daley explained that on January 25 Mr. Schildhouse hit a bus on SR224 and he has been dealing with his attorney. Mr. Daley emphasized that there has been no lawsuit filed and added that there is an effort to settle the claim. Council will ultimately make a decision to settle or go to trial. Jodi Hoffman interjected that the claim is for \$250,000.

III COMMUNICATIONS FROM COUNCIL AND STAFF

Hugh Daniels congratulated the successful candidates and for all who decided to run. He added that the first time he ran, he lost and can commiserate with them. He thanked Jan Scott and her judges for their work on the election. Paul Sincock commended the staff for being as neutral as possible during the campaign.

IV WORK SESSION NOTES OF MEETING OF OCTOBER 16, 1997

Shauna Kerr and Chuck Klingenstein corrected Pages 1 and 6 of the Work Session Notes. Hugh Daniels, "I move approval of the Work Session Notes of the Meeting of October 16, 1997 as amended." Chuck Klingenstein seconded. Motion carried.

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

V PUBLIC HEARING

An Ordinance approving the Henney Replat, a plat amendment to the Park City Survey, Lot 16 and Lot 17 of Block 77, of the Millsite Reservation located at 80 King Road, Park City, Utah - Planner Meg Ryan explained that the Planning Commission held a public hearing and has forwarded a positive recommendation to Council. There has been no public input since the Planning Commission meeting. The encroachment has been addressed and is noted on the plat. With no further questions or comments, the public hearing was closed.

VI CONSENT AGENDA

Hugh Daniels pointed out that under Item 5, the dates should be made current on the exhibits. Shauna Kerr, "I move approval of Consent Agenda Items 1 through 5". Paul Sincock seconded. Motion carried unanimously.

Hugh Daniels	Aye
--------------	-----

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

1. Ordinance accepting the public improvements at The Trees, a planned unit development in Park City, Utah - See staff report.
2. Ordinance accepting the public improvements at Snow Creek Subdivision in Park City, Utah - See staff report.
3. Ordinance accepting the public improvements at Summit Watch at Park City, a Utah condominium project - See staff report.
4. An Ordinance approving the Henney Replat, a plat amendment to the Park City Survey, Lot 16 and Lot 17 of Block 77, of the Millsite Reservation located at 80 King Road, Park City, Utah - See public hearing and staff report.
5. Ordinance for Record of Survey Plat for Phase 1 of the condominium project at 2900 Deer Valley Drive known as The Lodges - See staff report.

VII NEW BUSINESS

1. Authorization to staff to enter into a contract with Employee Leasing and Management, Inc. for seasonal staffing for the Public Works Department - See staff report. Paul Sincock, "I move approval of staff's recommendation to authorize a contract with Employee Leasing and Management, Inc. for seasonal staffing of the Public Works Department". Chuck Klingenstein seconded. Ms. Kerr asked if this contract was not to exceed \$30,000. The City Manager explained that that is an estimate but if there are more employees, the cost would increase. Ms. Kerr stated that without having the written contract or having a cap on the amount, she is uncomfortable with going forward. The City Manager suggested the Council set a limited amount, and if more is needed, then an additional request would come before Council. Paul Sincock amended his motion, "not to exceed \$30,000". Chuck Klingenstein accepted the amendment and seconded. Motion carried.

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

2. Resolution accepting the Official Canvass of the November 4, 1997 General Election in Park City, Utah - Chuck Klingenstein, "I move that we adopt the Resolution accepting the Official Canvass of the November 4, 1997 General Election in Park City, Utah". Hugh Daniels seconded. Motion carried.

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

For the record, the canvass is as follows:

**CERTIFICATE OF CANVASS OF THE NOVEMBER 4, 1997
MUNICIPAL GENERAL ELECTION
PARK CITY, UTAH**

Mayoral Candidates	Consolidated District 1 - (Old Town - Deer Valley	Consolidated District 2 - (Prospector - Thaynes Canyon)	Consolidated District 3 - Park Meadows - Quarry Mountain	Total Votes Received Per Candidate
Nikki L. Lowry	193	144	183	520
Bradley A. Olch	283	275	528	1,086

Write-in Candidates:

<u>Mayor</u>	<u>No. Of Votes</u>	<u>Consolidated District</u>
Ray Johnson	1	1
Frank Normile	1	1
O. D. McGee	1	1
Jim Petrie	1	2
Ira Sachs	1	1
Mary Wintzer	1	1
Bless Young	1	1

City Council Candidates	Consolidated District 1 - (Old Town - Deer Valley)	Consolidated District 2 - (Prospector - Thaynes Canyon)	Consolidated District 3 - Park Meadows - Quarry Mountain	Total Votes Received Per Candidate
Mike Andrews	189	130	182	501
Roger Harlan	251	267	526	1,044
Eric Hoffman	132	100	124	356
Shauna L. Kerr	333	284		1,121

Write-in Candidate:

City Council

No. Of Votes



Rich Wyman

1

Percentage of Votes

Nikki L. Lowry	32.38%
Bradley A. Olch	67.62
Mike Andrews	16.58
Roger Harlan	34.55
Eric Hoffman	11.78
Shauna L. Kerr	37.09

The total number of registered voters in Park City, Utah is 5,085 and the percentage of voter turn-out per consolidated district is calculated as follows:

Consolidated 1 - 27.01%		Consolidated 2 - 28.54%		Consolidated 3 - 41.97%		% Total Turn-out
Total Registered Voters	Number Voting	Total Registered Voters	Number Voting	Total Registered Voters	Number Voting	32.61%
1,840	497	1,496	427	1,749	734	

VIII ADJOURNMENT

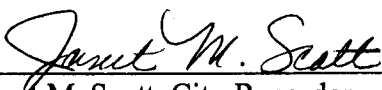
With no further business, the regular meeting of the City Council was adjourned.

* * * * *

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

Prepared by Janet M. Scott





Janet M. Scott, City Recorder

PARK CITY

CITY COUNCIL MEETING

DATE: November 6, 1997
DEPARTMENT: Planning Department
AUTHOR: Alison Kuhlow ✕
TITLE: 80 King Road - Plat Amendment
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt the attached Ordinance approving the Henney Replat which combines Lot 16 and Lot 17 of Block 77 of the Millsite Reservation into one (1) lot.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Project Name: 80 King Road - Plat Amendment
Owner: Tim B. Henney
Location: 80 King Road
Zoning: Historic Residential Development Low-Density (HRL)
Adjacent Land Uses: Residential
Project Planner: Alison Kuhlow

B. Background.

The owner, Tim Henney, submitted an application to combine Lot 16 and Lot 17 of Block 77 Millsite Reservation into one (1) lot to accommodate a single family structure. Lot 16 and 17 are each a standard 25' x 75' old town lot. The Lots are currently vacant with the exception of a structure currently being used as a shed. Staff is processing a Determination of Significance Application on the structure to determine its contribution to the neighborhood and Historic District. Please note that King Road is built within platted Sampson Avenue. (In the 1880s Sampson Avenue was built in platted Utah Avenue)

On October 22, 1997, the Planning Commission voted to forward to City Council a positive recommendation to approve the proposed Plat Amendment.

MACDD\AEK\1997\CC\KING80.PLT

C. Analysis

This request is to formally combine two lots to create one 3750 square foot parcel for a single family residence. The size of the structure located on the parcel will be limited by the current setback, and height requirements of the Land Management Code for the HRL District.

Each of the applicant's lots are originally platted lots, which allows him the option of developing each lot with a single family home. The applicant wishes to combine the two lots to accommodate one single family home, which would comply with the HRL District regulations which state that the minimum lot size for a single family home to be 3750 square feet. This proposal reduces the potential density of the development that could occur on the lots.

A stairway encroaches into the northeast portion of the lot that allows access to a attic in the neighboring house. Staff is requiring, as a condition of approval, that the applicant provide a seven (7) foot easement along the northeast edge of the property to insure adequate ingress and egress to the neighboring house will be maintained with any development of the proposed lot. The applicant has agreed to this condition.

D. Notice

Notice of the Planning Commission hearing was sent to property owners within 300' on October 4, 1997. Staff received a letter from the Sletta's, adjacent neighbor to the west, regarding their concern with the proximity of the adjacent historic structure in relation to the north lot line. Robbie Sletta attended the public hearing and voiced his concern to the Commissioners regarding the setback between the existing structure and any future structures on the proposed lot.

E. Department Review.

The Community Development Department has reviewed this request. The City Attorney's Office will review the plat prior to recordation. The request was discussed at a Staff Review Meeting on September 30, 1997, where representatives from one local utility and City Staff were in attendance and found it to be in conformance with all requisite City development codes of which we are currently aware. The owner will need to dig up King Road for some routine utility work, at his expense.

ALTERNATIVES

- A. Approval of the proposed subdivision plat amendment combining Lot 16 and Lot 17, Block 77, Millsite Reservation and thereby removing the common lot lines between the lots and allowing for the parcel to accommodate one single family home.
- B. Deny the subdivision plat amendment and retain the original Record of Survey which may allow for the individual development of each lot.
- C. Continue the item and request further evaluation from the Staff.

SIGNIFICANT IMPACTS:

The proposed amendment will result in one (1) lot which will meet the minimum lot requirement for the HRL District. The plat amendment will reduce the potential density of the developed units on the lots. Given the required setbacks, the historic district height restrictions, and the predominant ownership pattern and house size in the area, the lot combination results in proposed structures which are compatible in mass and scale with the immediate neighborhood.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat amendment is not approved as proposed, the two lots could be developed separately which would increase the residential density on King Road.

RECOMMENDATION:

Staff recommends that the City Council approve the Henney Replat based on the following findings with the following conditions;

Findings of Fact:

1. The property is located in the HRL District.
2. A structure exists on the site.
3. The proposed Plat Amendment will combine two (2) lots to allow for the construction of a single family residence.
4. The proposed plat amendment reduces the potential density on King Road by creating one lot for a single family home instead of allowing the development of a single family home on each lot.
5. Dedication of a ten (10) foot non-exclusive snow storage easement along King Road is necessary to provide adequate snow removal services.
6. A retaining wall encroaches into the City right-of-way.
7. A retaining wall and stairway encroaches into the northern end of Lot 17.
8. Adequate ingress and egress needs to be provided for the adjacent structure on Lot 18.
9. The applicant agrees with the conditions of approval

Conclusions of Law:

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

3. The proposal is consistent with both the Park City Land Management Code Chapter 7 and Chapter 15 and State subdivision requirements.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along King Road shall be dedicated to the City on the plat.
3. A seven (7) foot easement, for the benefit of Lot 18 shall be added to the north east side of the plat allowing for proper egress from the adjacent structure.
4. The execution of an encroachment permit is needed prior to the issuance of a building permit, for the retaining wall which encroaches into the City's right-of-way.
5. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
6. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
7. A Building Permit for 80 King Road may not be issued until the Plat Amendment is recorded.
8. Only one (1) single-family home is permitted on the newly-created lot.

EXHIBITS:

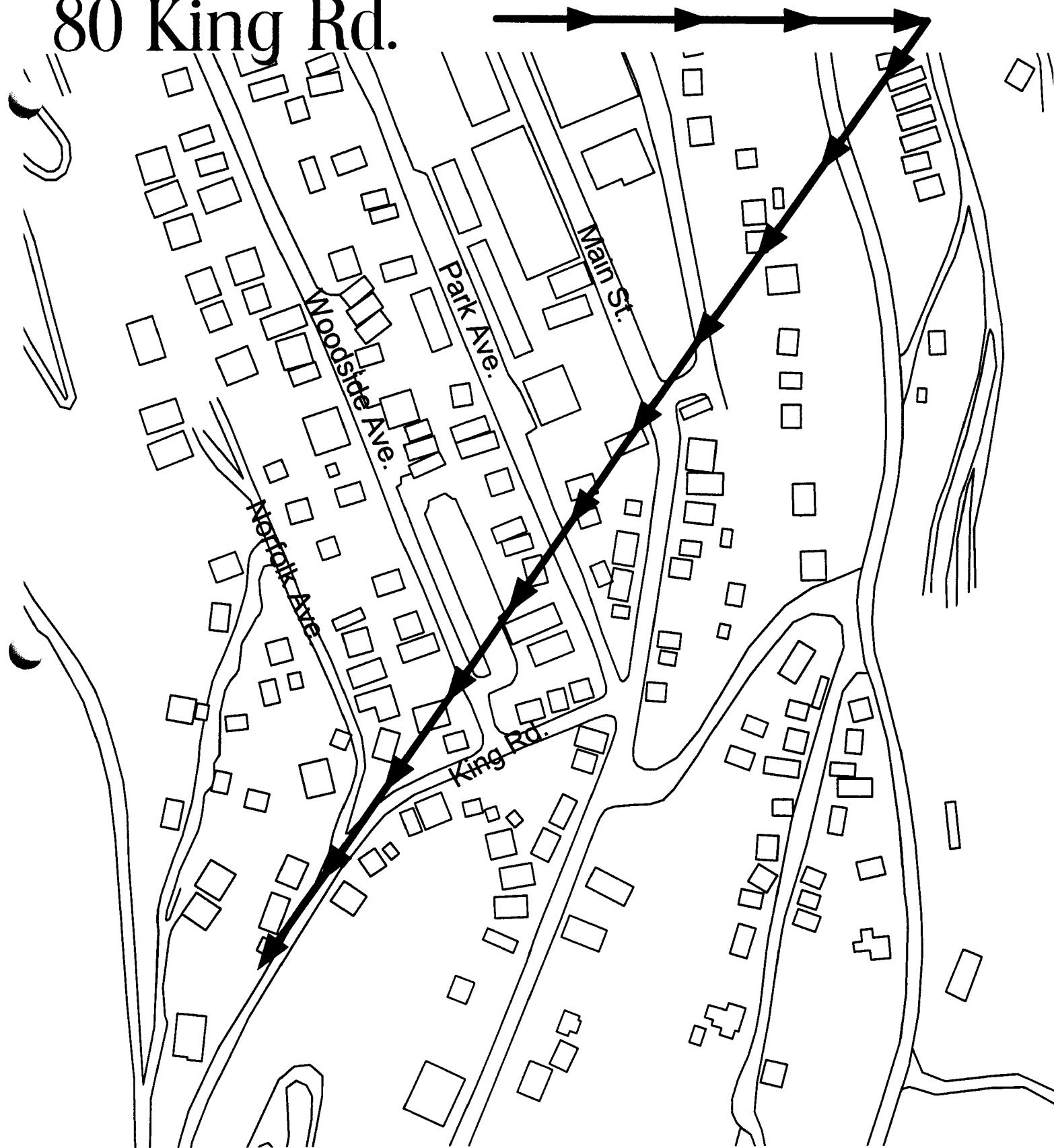
Attachment A - Vicinity Map

Attachment B - Ordinance

Exhibit A - Henney Replat

Exhibit B - Standard Project Conditions

80 King Rd.

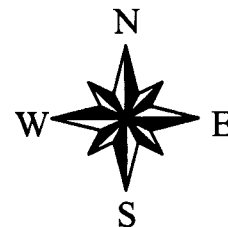


PARK CITY

1884

Vicinity Map
Exhibit "A"

18



Ordinance No. 97-

**AN ORDINANCE APPROVING THE HENNEY REPLAT, A PLAT AMENDMENT THE
PARK CITY SURVEY LOT 16 AND LOT 17 OF BLOCK 77 OF THE MILLSITE
RESERVATION LOCATED AT 80 KING ROAD, PARK CITY, UTAH**

WHEREAS, the owners of the property known as Park City Survey Lot 16 and Lot 17 of Block 77 of the Millsite Reservation 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 October 22, 1997, to receive input on the proposed condominium plat;

WHEREAS, the Planning Commission, on October 22, 1997, forwarded a positive recommendation to the City Council; and,

WHEREAS, on November 6, 1997, 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 located in the HRL District.
2. A structure exists on the site.
3. The proposed Plat Amendment will combine two (2) lots to allow for the construction of a single family residence.
4. The proposed plat amendment reduces the potential density on King Road by creating one lot for a single family home instead of allowing the development of a single family home on each lot.
5. Dedication of a ten (10) foot non-exclusive snow storage easement along King Road is necessary to provide adequate snow removal services.
6. A retaining wall encroaches into the City right-of-way.

7. A retaining wall and stairway encroaches into the northern end of Lot 17.
8. Adequate ingress and egress needs to be provided for the adjacent structure on Lot 18.
9. The applicant agrees with the conditions of approval

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment, that neither the public nor any person will be materially injured by the proposed amendment and that the proposal is consistent with both the Park City Land Management Code and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The amendment to the Park City Survey for Lot 16 and Lot 17 of Block 77 of the Millsite Reservation, to be known as the Henney Replat, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the plat amendment for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.
2. A ten (10) foot non-exclusive snow storage easement along King Road shall be dedicated to the City on the plat.
3. A seven (7) foot easement, for the benefit of Lot 18 shall be added to the north east side of the plat allowing for proper egress from the adjacent structure.
4. The execution of an encroachment permit is needed prior to the issuance of a building permit, for the retaining wall which encroaches into the City's right-of-way.
5. All Standard Project Conditions shall apply (Please see Exhibit B - Standard Project Conditions).
6. This approval shall expire one year from the date of City Council approval, unless this plat amendment is recorded prior to that date.
7. A Building Permit for 80 King Road may not be issued until the Plat Amendment is recorded.
8. Only one (1) single-family home is permitted on the newly-created lot.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.
PASSED AND ADOPTED this 6th day of November, 1997 .

PARK CITY MUNICIPAL CORPORATION

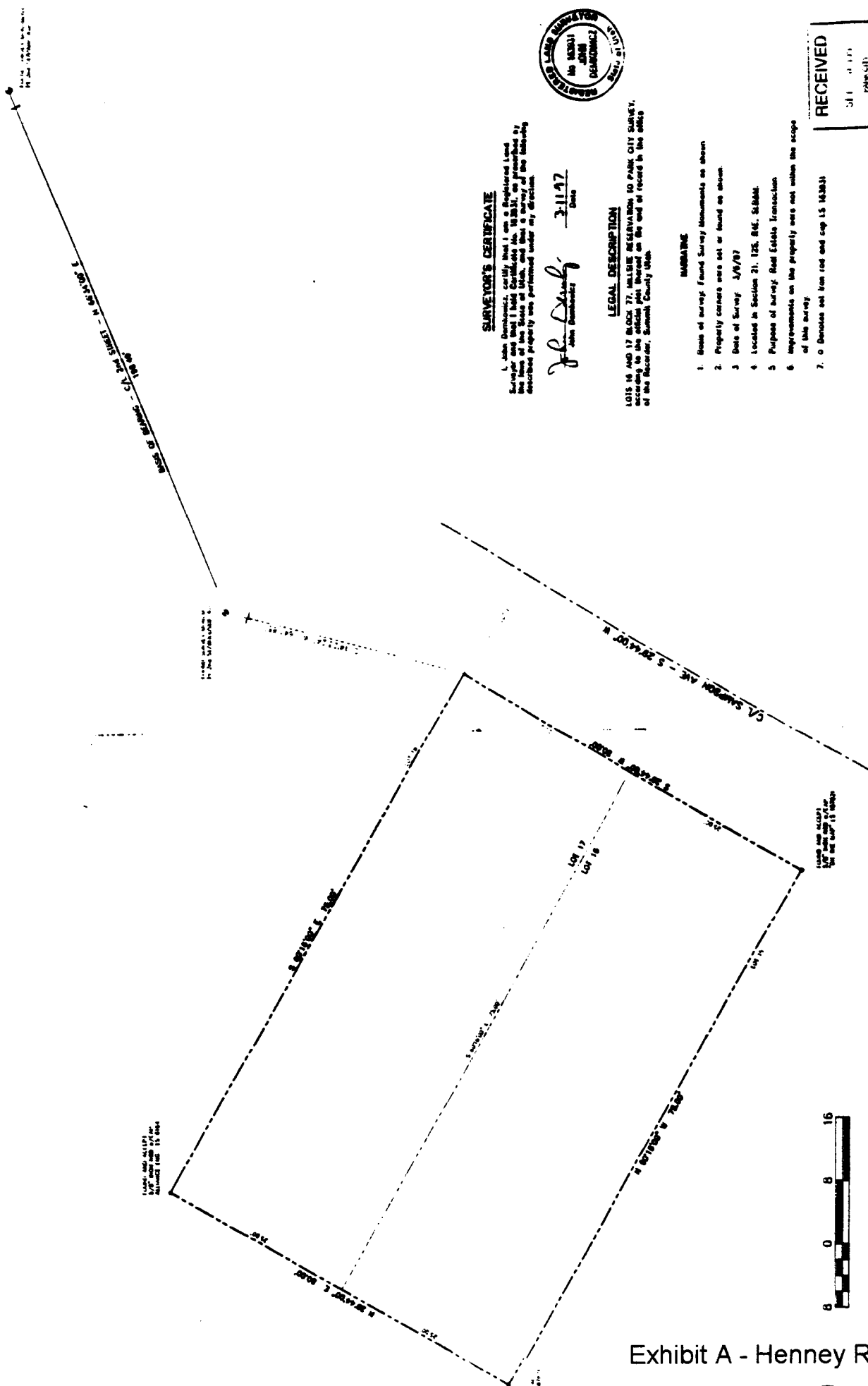
Bradley A. Olch, MAYOR

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, Deputy City Attorney



SURVEYOR'S CERTIFICATE

I, John D. Henney, certify that I am a Registered Land Surveyor and that I hold Certificate No. 10,231, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction.

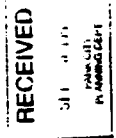
J. D. Henney
John D. Henney
Date: 3-11-17



LEGAL DESCRIPTION

LOTS 16 AND 17 BLOCK 77, MILLSITE RESERVATION TO PARK CITY SURVEY, according to the official plat thereof on file and of record in the office of the Recorder, Summit County Utah.

- REMARKS**
1. Bound of survey found Survey Monuments as shown
 2. Property corners were set or found as shown
 3. Date of Survey 3/9/17
 4. Located in Section 21, 12E, 8N, S. 88M
 5. Purpose of survey Real Estate Transaction
 6. Improvements on the property were not within the scope of this survey
 7. 0 Denotes set iron rod and cap LS 143833



801-610-1447

Henney

CONSULTING ENGINEER (LAND PLANNING) SURVEYORS

217 Main Street, Park City, UT 84301

REVISED:

STAFF:
D. CONSTABLE
M. MORRISON

PAGE 1
OF 1

DATE: 3-10-17

LOTS 16 & 17, BLOCK 77
MILLSITE RESERVATION
PARK CITY SURVEY
FOR: TIM HENNEY
JOB NO.: 11-2-87
FILE: Y:\SRV\SRV87\PCS\110287

Exhibit A - Henney Replat

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. 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; the Park City Design Standards, Construction Specifications, and Standard Drawings; and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
2. All modifications to plans as specified by conditions, and all final design details, such as material and color samples, shall be submitted to and approved by the Community Development Department prior to issuance of any building permits.
3. The applicant is responsible for compliance with all conditions of project approval.
4. 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.
5. 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.
6. Construction staging areas shall also be clearly defined and approved by the Community Development Department, and shall be placed so as to minimize site disturbance. The landscape plans shall include plans for revegetation of all areas disturbed during construction.
7. Final grading, drainage, utility, erosion control and revegetation 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.
8. 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.
9. All construction shall be completed according to the approved plans on which building permits are issued. The approved plans include all site improvements shown on the site plan. "Site improvements" shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grades, walls, landscaping, lighting, planting, paving, paths, and trails, and similar improvements, as shown on the set of plans on which final approval and building permits are based.
10. Any desired modifications to approved plans, after the issuance of a building permit, must be specifically requested and approved in writing prior to execution.
11. Plans shall conform to all design standards for persons with disabilities as required by any applicable federal, state and local laws.
12. 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.
13. The required utility easements along street frontages shall include language to allow for these areas to be used for snow storage. Typically, a 10-foot snow storage easement is required above Deer Valley Drive (approximate elevation of 7,200 feet). A five feet easement is necessary below this elevation.
14. Lockout units are not permitted unless specifically approved.
15. The 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.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or termination of the permit as specifically conditioned.



CITY COUNCIL REPORT

DATE: November 6, 1997
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer *Eric DeHaan*
TITLE: Acceptance of Public Improvements at "In The Trees" Planned Unit Development
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Approve the ordinance accepting the public improvements at In The Trees.

DESCRIPTION:

A. Topic: In The Trees is a 14-unit Planned Unit Development just off Deer Valley Drive on a private road named Potter Lane. A Planned Unit Development (PUD) is a subdivision with commonly-owned open space. A sketch of In The Trees is attached to this report.

B. Background: In The Trees has been under construction for about two years and is now nearing completion. All 14 homes are nearly complete. The developer installed a sidewalk along Deer Valley Drive which will become a public sidewalk if this ordinance is passed. The PUD also includes a water line with fire hydrants and water meter box assemblies. The private road, Potter Lane, will not become a public street. Potter Lane is distinctive because it intersects Deer Valley Drive at a point where Deer Valley Drive has a landscaped island. This means In The Trees traffic which wants to turn west (left) onto Deer Valley Drive must actually turn right and then make a u-turn at the intersection of Deer Valley Drive and Royal Street. Fortunately, the 14 units at In The Trees generate little traffic, in part because the City transit buses are so convenient.

C. Analysis: Acceptance of the public improvements at In The Trees will start a one-year guarantee period. We are not aware of any problems with the construction since the general contractor and his subcontractor have already made the necessary repairs. Because the PUD is very shaded in the wintertime, freezing of the water line was a concern for the past two winters, but now that the units are occupied the water usage should finally be adequate to help prevent freezing.

D. Department Review: This action has been coordinated with the Community Development Department. No outstanding concerns have been identified involving other departments or the project's neighbors.

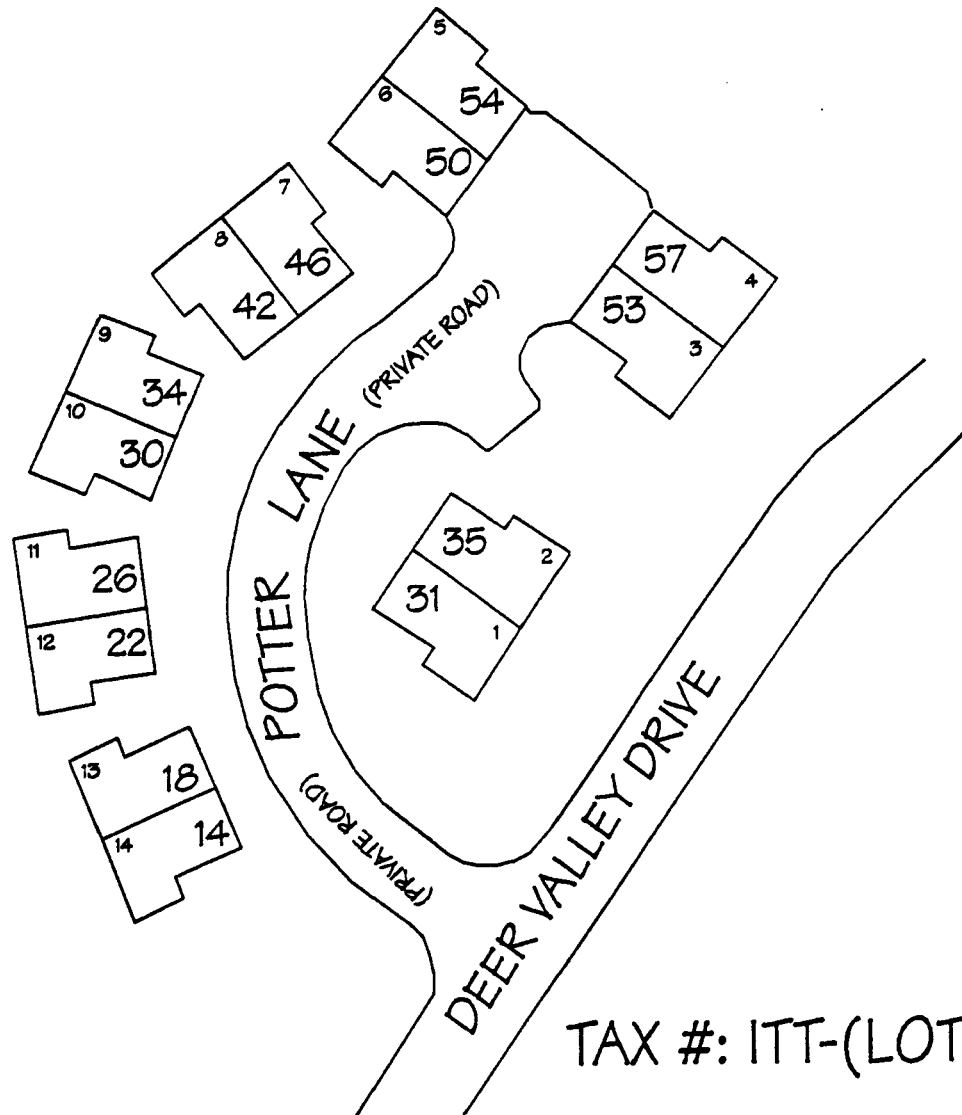
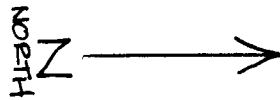
ALTERNATIVES:

A. Approve the Request: Approve the request to accept the public improvements at In The Trees. This action will transfer ownership of the sidewalk and water system to Park City in an orderly fashion.

B. Continue the Request: In the event there are concerns on the part of the Council, the item can be continued for additional research or information.

SIGNIFICANT IMPACTS: There is no significant fiscal impact on Park City from accepting the public improvements at In The Trees, although the burden on most City departments increases somewhat whenever new growth occurs. The project is nearly completely built out, so property tax revenues are significant, offsetting the demand for services to a large degree.

RECOMMENDATION: Approve the ordinance accepting the public improvements at In The Trees.



IN THE TREES
AT DEER VALLEY

ASAY 1/97

RD-MPD

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

ORDINANCE NO. 97-_____

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT "IN THE TREES" PLANNED UNIT DEVELOPMENT

WHEREAS, In The Trees planned unit development was approved by the Park City City Council on October 26, 1995; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including a sidewalk along Deer Valley Drive and a water distribution system under Potter Lane, the private road within In The Trees; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within In The Trees planned unit development were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at In the Trees planned unit development which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. PRIVATE ROAD. Potter Lane, the private driveway within In the Trees, is not affected by his ordinance and shall remain privately owned and maintained.

SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1997.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

ATTEST:

Janet M. Scott, City Recorder

Approved as to Form:

Mark D. Harrington, Deputy City Attorney



CITY COUNCIL REPORT

DATE: November 6, 1997
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, P.E., City Engineer *Eric DeHaan*
TITLE: Acceptance of Public Improvements at Snow Creek Crossing Subdivision
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Approve the ordinance accepting the public improvements at Snow Creek Crossing subdivision.

DESCRIPTION:

A. Topic: Snow Creek crossing is the subdivision where Dan's is located. Eight buildable parcels and four open space parcels were platted in September of 1995; the plat also created Snow Creek Drive, a heavily used public street which links Highway 224 with Highway 248. The ordinance under consideration today will accept the public improvements, including Snow Creek Drive, within the Snow Creek Crossing subdivision. A copy of the plat, which was modified slightly after this 1995 copy was made, is attached.

B. Background: Snow Creek Crossing is now largely built out, with a Zions Bank under construction next to the Park City Cemetery, and only the restaurant parcel north of Mt. Aire Cafe and the residential parcel north of Top Stop still without building permits. Please note that the newly remodeled Jess Reid Building and the old car wash are not within Snow Creek. A location map is attached.

Snow Creek has been proposed for development since the early 1980s. The current Snow Creek MPD was a complicated and controversial item on many Planning Commission and City Council meeting agendas in 1993 and 1994. Although some controversy may still exist on what form the residential development between Top Stop and the Saddle View Office Park should take, the question of accepting the public improvements can now be resolved if the Council approves the ordinance. The City Engineer's staff has inspected the construction.

C. Analysis: Acceptance of the public improvements at Snow Creek Crossing will start a one-year guarantee period. We are not aware of any problems with the construction since the general contractor and his subcontractor have already made all necessary repairs. The public improvements include Snow Creek Drive, the water system, various trails and sidewalks, and the

bridge over McLeod Creek. [There is no actual stream named Snow Creek in Park City.] Please note the bridge only received stone veneer on the outside walls, not the inside of the parapet walls, in accordance with the Planning Commission's approved plans. People on foot therefore can see the stone, while automobile drivers and passengers typically do not.

D. Department Review: This action has been coordinated with the Community Development Department. No outstanding concerns have been identified involving other departments or the project's neighbors. Public Works has been plowing snow on Snow Creek Drive for two winters to facilitate transit traffic and remote parking in the Dan's lots.

ALTERNATIVES:

A. Approve the Request: Approve the request to accept the public improvements at Snow Creek Crossing. This action will transfer ownership of the public improvements as described above to Park City in an orderly fashion.

B. Continue the Request: In the event there are concerns on the part of the Council, the item can be continued for additional research or information.

SIGNIFICANT IMPACTS: There is no significant fiscal impact on Park City from accepting the public improvements at Snow Creek Crossing, although the burden on most City departments increases somewhat whenever new growth occurs. The project is nearly built out, so property tax revenues and sales tax receipts are significant, offsetting the demand for services to a large degree.

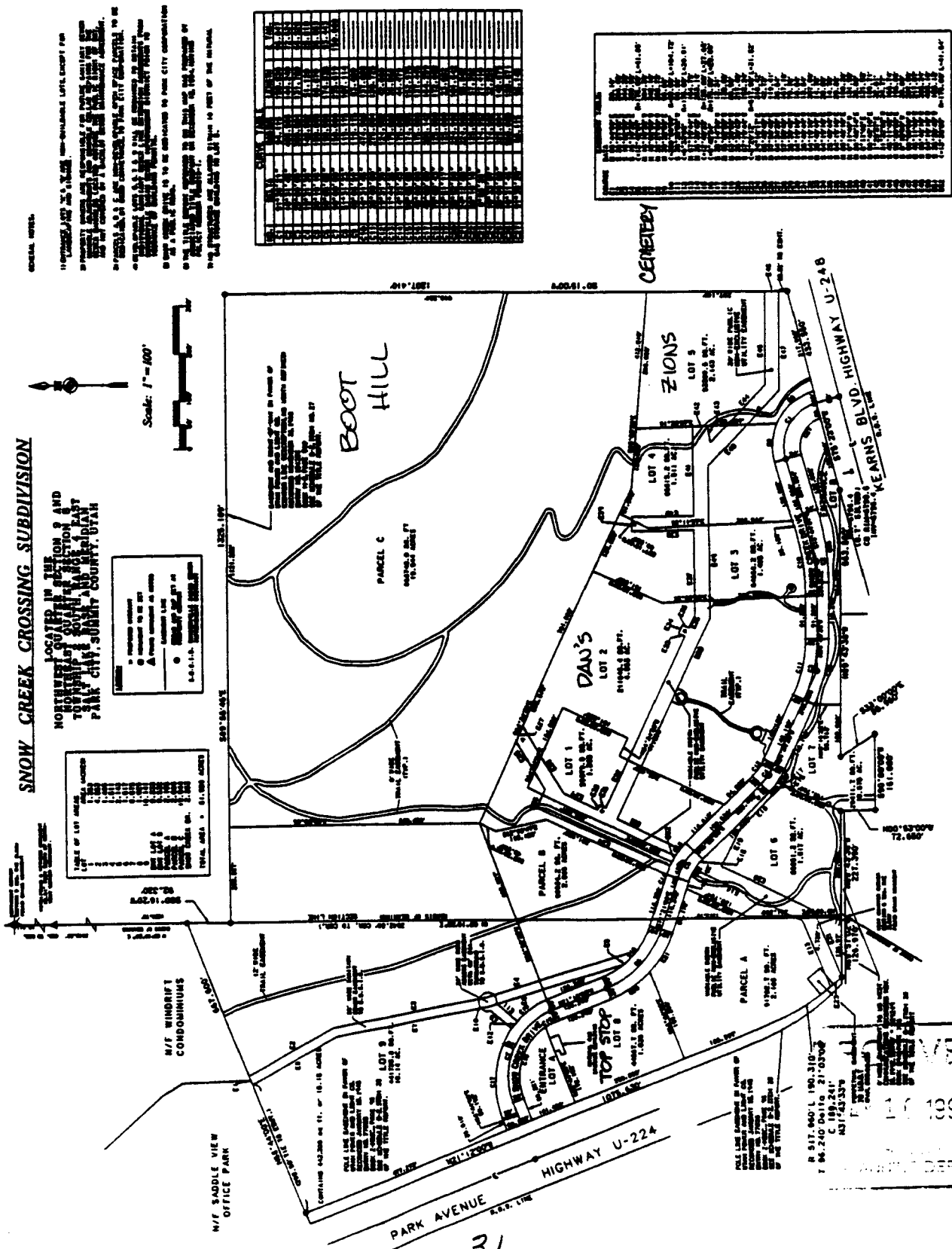
RECOMMENDATION: Approve the ordinance accepting the public improvements at Snow Creek Crossing.

SNOW CREEK CROSSING SUBDIVISION

LOCATED IN THE
NORTHWEST QUARTER SECTION 9 AND
EAST HALF SECTION 10, TOWNSHIP 2 NORTH, RANGE 4 EAST,
SALINE COUNTY, ILLINOIS



Scale: 1" = 100'



SNOW CREEK CROSSING SUBDIVISION
 NORTHWEST QUARTER SECTION 9 AND
 EAST HALF SECTION 10, TOWNSHIP 2 NORTH, RANGE 4 EAST,
 SALINE COUNTY, ILLINOIS

PREPARED BY: [Name]
DATE: [Date]

RECORDS: [Information regarding recording and filing]

THE HARBOR GROUP
 1000 N. 10th St., Suite 100, Lincoln, NE 68502
 (402) 441-1111

NEVER DISTRICT APPROVAL
 REQUIRED FOR CONFORMANCE TO
 SUBDIVISION MAP ACT, CHAPTER 100, ILL. REV. STAT. 1962

CITY COUNCIL APPROVAL
 PRESENTED TO THE PARK CITY COUNCIL
 ON [Date] AND ADOPTED BY RESOLUTION NO. [Number]

CITY ENGINEER
 APPROVED AND ACCEPTED BY THE PARK CITY ENGINEER
 [Signature] [Date]

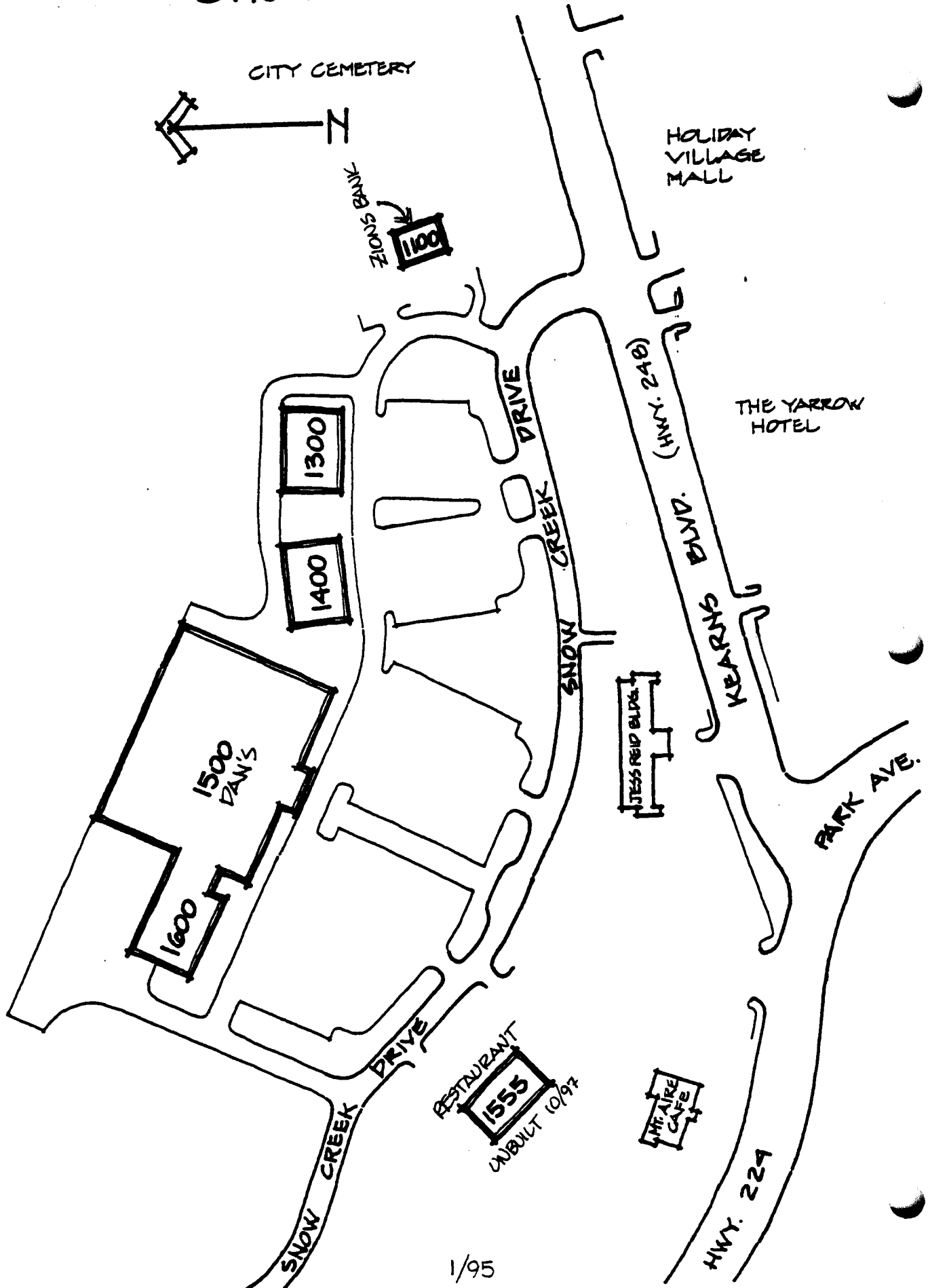
CITY PLANNING COMMISSION
 APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION
 [Signature] [Date]

APPROVAL AS TO FORM
 APPROVED AS TO FORM BY THE
 [Signature] [Date]

STATE OF ILL. COUNTY OF SALINE, RECORDED AND FILED AT THE
 DATE [Date] PAGE [Page]

RECORDED
 BOOK [Number] PAGE [Page]

SNOW CREEK CROSSING



1/95

When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

ORDINANCE NO. 97-_____

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT SNOW CREEK CROSSING SUBDIVISION

WHEREAS, Snow Creek Crossing subdivision was approved by the Park City City Council on September 7, 1995; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including Snow Creek Drive, trails (both paved and soft-surface), storm drains, and a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Snow Creek Crossing subdivision were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Snow Creek Crossing Subdivision which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance.

SECTION 2. SNOWPLOWING. Snow Creek Drive is hereby accepted for purposes of snowplowing because over 50% of the buildable lots within Snow Creek Crossing are built out or are in progress.

SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1997.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

ATTEST:

Janet M. Scott, City Recorder

Approved as to Form:

Mark D. Harrington, Deputy City Attorney



CITY COUNCIL REPORT

DATE: November 6, 1997
DEPARTMENT: Community Development
AUTHOR: Eric DeHaan, City Engineer *Eric DeHaan*
TITLE: Acceptance of Public Improvements at Summit Watch at Park City
TYPE OF ITEM: Administrative

SUMMARY RECOMMENDATIONS: Approve the ordinance accepting the public improvements at Summit Watch at Park City Condominiums.

DESCRIPTION:

A. Topic: Summit Watch at Park City includes all of the even-numbered buildings between 702 Main Street and 900 Main Street as shown on the attached sketch. 692 Main Street and all the buildings west of Main are excluded. The project includes the Main Street extension from the Trolley Turnaround to Deer Valley Drive, but not the rest of Main Street, which was dedicated in previous actions between 1878 and 1995. Please note there is a temporary U.S. West asphalt patch angling through the subject portion of Main Street where undergrounding of phone lines occurred; U.S. West will reconstruct that failing patch in 1998, and that patch is not the responsibility of Marriott's Summit Watch.

B. Background: The subject portion of Main Street was dedicated to Park City in an action approved by the City Council on May 16, 1996. That action required Main Street to be opened to traffic by October 15, 1997, which deadline was met. The Summit Watch approval process was marked by discussions and agreements concerning a myriad of issues, including affordable housing and the disposition of the former Gary Avise landlocked parcel. A maintenance agreement was signed limiting the City's liability for repairs of the decorative concrete plaza paving in the event the City's water lines under the plaza need repairs. Financial securities have been in place, but with the successful completion of landscaping the securities have been reduced to \$32,200.00, which will remain in place for one year following this action. The Marriott construction trailer at 875 Main Street will be moved soon, and its constellation of debris will be cleared up soon if not by the November 6 Council meeting.

C. Analysis: Acceptance of the public improvements at Summit Watch at Park City Condominiums will start a one-year guarantee period. We are not aware of any problems with the construction since the general contractor and his subcontractor have already made all

necessary repairs and Park City will hold a \$32,200 financial security for the one-year-guarantee period in case failures occur. The public improvements include the segment of Main Street from the Trolley Turnaround to Deer Valley Drive, the water system, various trails and sidewalks, including the bike path along Silver Creek, and the Main Street bridge over Silver Creek. The traffic-calming tightly-dimensioned intersections faithfully follow the Planning Commission's approved master plan.

D. Department Review: This action has been coordinated with the Community Development Department. The original design and construction of the Main Street Bridge was coordinated with the Public Works Department. No outstanding concerns have been identified involving other departments or the project's neighbors. There is some concern within Leisure Services about how to string the holiday lights down the new Lower Main Street because the traditional zig-zag pattern between street lights is interrupted by the Trolley Turnaround and the vacant lot south of 9th Street.

ALTERNATIVES:

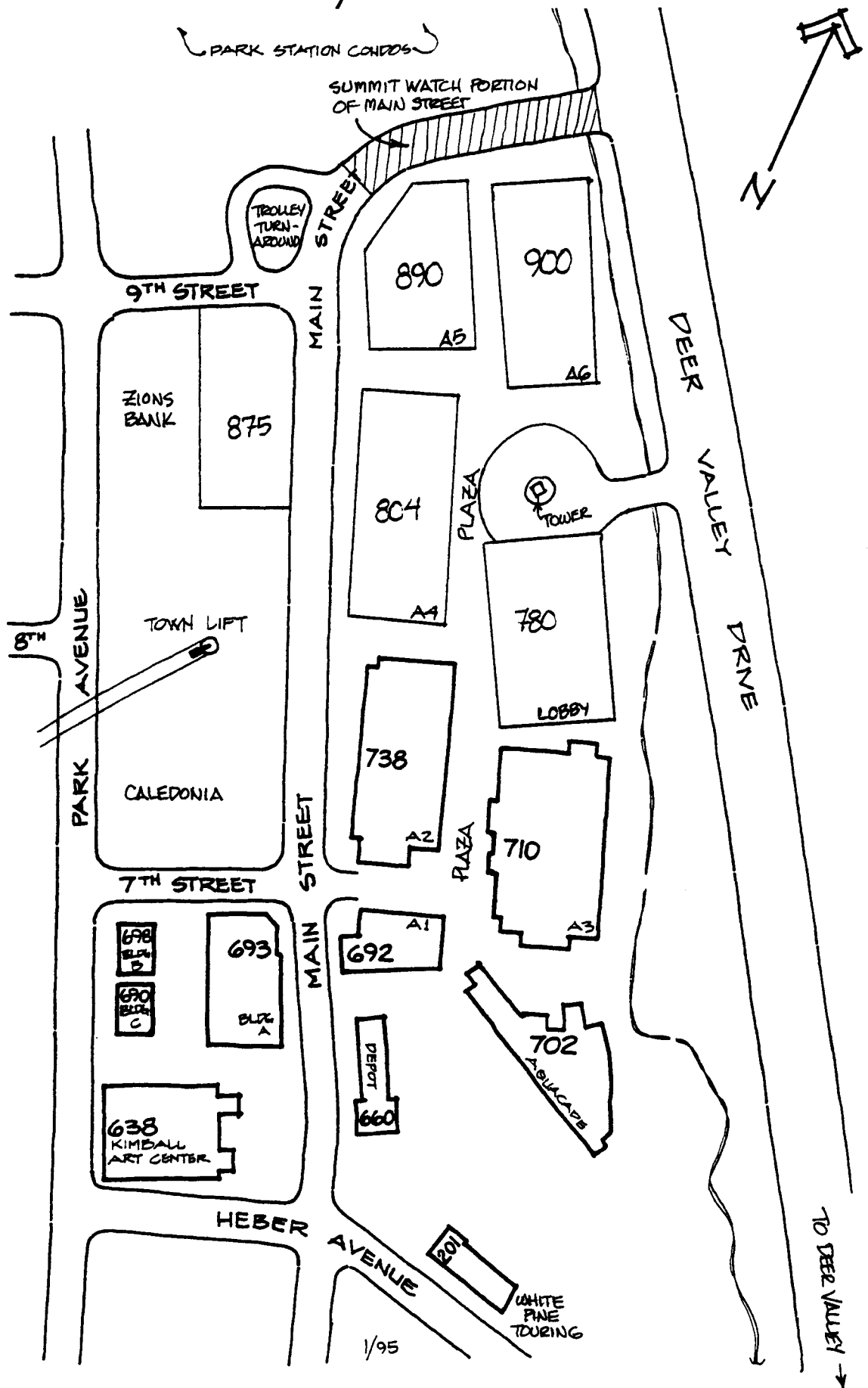
A. Approve the Request: Approve the request to accept the public improvements at Summit Watch. This action will transfer ownership of the public improvements as described above to Park City in an orderly fashion.

B. Continue the Request: In the event there are concerns on the part of the Council, the item can be continued for additional research or information.

SIGNIFICANT IMPACTS: There is no significant fiscal impact on Park City from accepting the public improvements at Summit Watch, although the burden on most City departments increases somewhat whenever new growth occurs. The project is built out, so property tax revenues and sales tax receipts are significant, offsetting the demand for services to a large degree.

RECOMMENDATION: Approve the ordinance accepting the public improvements at Summit Watch at Park City Condominiums.

TOWN LIFT/SUMMIT WATCH



When recorded return to:
PCMC
Attn: City Recorder
PO Box 1480
Park City UT 84060

ORDINANCE NO. 97-_____

AN ORDINANCE ACCEPTING THE PUBLIC IMPROVEMENTS
AT SUMMIT WATCH AT PARK CITY CONDOMINIUMS

WHEREAS, Summit Watch at Park City Condominiums was approved by the Park City City Council on May 16, 1996; and

WHEREAS, construction of the public improvements has been accomplished by the developer, including a portion of Main Street, trails (both paved and soft-surface), storm drains, and a water distribution system; and

WHEREAS, Park City has adopted LMC Section 15.3.1(g), which provides for the City Council to accept (by Ordinance) those public improvements which are dedicated and built in accordance with the requirements of Chapter 15 of the Land Management Code; and

WHEREAS, the public improvements within Summit Watch at Park City Condominiums were installed in accordance with the ordinances in effect at the time of plat recordation and have been duly inspected by the City Engineer.

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

SECTION 1. PUBLIC IMPROVEMENTS. The City hereby accepts from the developer all public improvements at Summit Watch at Park City Condominiums which were intended for City ownership, subject to the developer's warranty of these improvements for one year following the adoption of this ordinance. Stabilization of all disturbed soil areas with revegetation shall have been achieved by the end of the one-year period commencing with the adoption of this ordinance. A financial guarantee of \$32,200 will be held for a one-year period.

SECTION 2. SNOWPLOWING. Main Street is hereby accepted for purposes of snowplowing because over 50% of the buildable lots within Summit Watch are built out.

SECTION 3. EFFECTIVE DATE This ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS _____ DAY OF _____, 1997.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

ATTEST:

Janet M. Scott, City Recorder

Approved as to Form:

Mark D. Harrington, Deputy City Attorney

PARK CITY

CITY COUNCIL STAFF REPORT

DATE: August 29, 1997
DEPARTMENT: Planning Department
AUTHOR: Megan B. Ryan
TITLE: 2900 Deer Valley Lodge
TYPE OF ITEM: Record of Survey Plat – Phase I, Buildings B, C and D.

SUMMARY RECOMMENDATIONS: Consider the Planning Commission's recommendation to approve an ordinance that would adopt a Record of Survey plat for fifty-three units in Phase I of the Lodge at 2900 Deer Valley Drive.

DESCRIPTION:

A. Topic.

Applicant: Kevin Monson for Aspen Construction
Location: 2900 Deer Valley Drive – The Lodge
Zoning: Residential Medium Development (RD-MPD)
Adjacent Land Uses: Residential, Hillside
Date of Application: June 5, 1997

B. Background.

The Planning Commission held a public hearing on August 27, 1997 on the proposed Record of Survey plat and forwarded a positive recommendation to the City Council.

The 125 unit equivalent project was approved under a Conditional Use Permit that was issued by the Planning Commission on April 10, 1996. The CUP had several conditions of approval in regards to height, design, staging and wetland mitigation. The project is currently under construction. The underground parking structure has been completed. Buildings C and D and B are currently under construction above the garage platform.

C. Analysis

The applicant is requesting to record the first phase of 53 units in Buildings B, C and D as condominiums. All of the conditions as outlined in the CUP process are still in full force and effect. The applicant in general has complied and worked with staff to adhere to the CUP conditions.

D. Department Review

This project was reviewed by the City wide staff team in July. The Community Development Department and City Attorney's office have also reviewed this application for compliance with the Land Management and Utah State Codes. As conditioned all departments are satisfied that the project is in compliance.

PUBLIC INPUT

The project was posted and noticed on August 11, 1997 to all property owners within 300. Frances Brown, of the Queen Esther project, called to ensure that all the prior conditions of approval were being adhered to. Tom Ellison, representing Mr. Brown also called on August 27 to confirm that the 140' no-build buffer would be reflected on the Record of Survey plat and that the restaurant in Building D would remain non-commercial. No input was given at the public hearing held by the Planning Commission on August 27, 1997.

ALTERNATIVES

- A. Adopt the Record of Survey as proposed or with modifications.
- B. Deny the proposed Record of Survey.
- C. Continue the item for further discussion and/or additional input from Staff.

SIGNIFICANT IMPACTS:

The plat will affect the ownership status of the units.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the plat was not approved the structure would remain under single ownership.

RECOMMENDATION:

Staff recommends that the City Council approve the Record of Survey plat at 2900 Deer Valley Drive for Phase I, based on the following:

Findings:

1. The property is located in the RD-MPD zoning district.
2. The project received an approval for a Conditional Use Permit on April 10, 1997 for the construction of 125 unit equivalents on this site.
3. The Record of Survey plat amendment will create 53 individually owned units and designated common area and amenities.
4. The restaurant in Building D was approved under the Conditional Use Permit as a non-commercial facility for use of the Lodge owners only.

Conclusions of Law:

1. There is good cause for the creation of a Record of Survey plat at this location.
2. Neither the public nor any person will be materially injured by the proposed plat.
3. The proposed plat complies with the Utah Condominium Ownership Act.

Conditions:

1. The City Attorney and City Engineer's approval of the Record of Survey and CC&R's for compliance with State law, the Land Management Code and these conditions of approval, is a condition precedent to plat recordation.

2. All Conditions of Approval, dated April 10, 1996 are in full force and effect. A note to this effect shall be added to the plat.
3. The restaurant in Building D shall be non-commercial and for the sole use of the Lodge owners only. This shall be reflected in the CC&R's for the project.
4. The Record of Survey plat must be recorded within one year of this approval or this approval is null and void.

EXHIBITS

Location Map

EXHIBIT A – Ordinance

EXHIBIT B - Record of Survey Plat

EXHIBIT C – CUP - Final Conditions of Approval 4/10/96

Exhibit A

ORDINANCE NO. 97-__

AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT FOR THE LODGES AT DEER VALLEY, PHASE I, AT 2900 DEER VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 2900 Deer Valley Drive petitioned the City Council for approval of a amendment to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed amendment on August 27, 1997; and

WHEREAS, it is in the best interest of Park City to approve the Record of Survey, and

WHEREAS, there is good cause for the revision as the reconfiguration does not adversely affect the development parameters for site; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

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

SECTION 1.

Findings:

1. The property is located in the RD-MPD zoning district.
2. The project received an approval for a Conditional Use Permit on April 10, 1997 for the construction of 125 unit equivalents on this site.
3. The Record of Survey plat amendment will create 53 individually owned units and designated common area and amenities.
4. The restaurant in Building D was approved under the Conditional Use Permit as a non-commercial facility for use of the Lodge owners only.

Conclusions of Law:

1. There is good cause for the creation of a Record of Survey plat at this location.
2. Neither the public nor any person will be materially injured by the proposed plat.
3. The proposed plat complies with the Utah Condominium Ownership Act.

Conditions:

1. The City Attorney and City Engineer's approval of the Record of Survey and CC&R's for compliance with State law, the Land Management Code and these conditions of approval, is a condition precedent to plat recordation.
2. All Conditions of Approval, dated April 10, 1996 are in full force and effect. A note to this effect shall be added to the plat.
3. The restaurant in Building D shall be non-commercial and for the sole use of the Lodge owners only. This shall be reflected in the CC&R's for the project.

4. The Record of Survey plat must be recorded within one year of this approval or this approval is null and void.

SECTION 2. This ordinance shall take effect upon publication.

DATED this the 18th day September of 1997.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

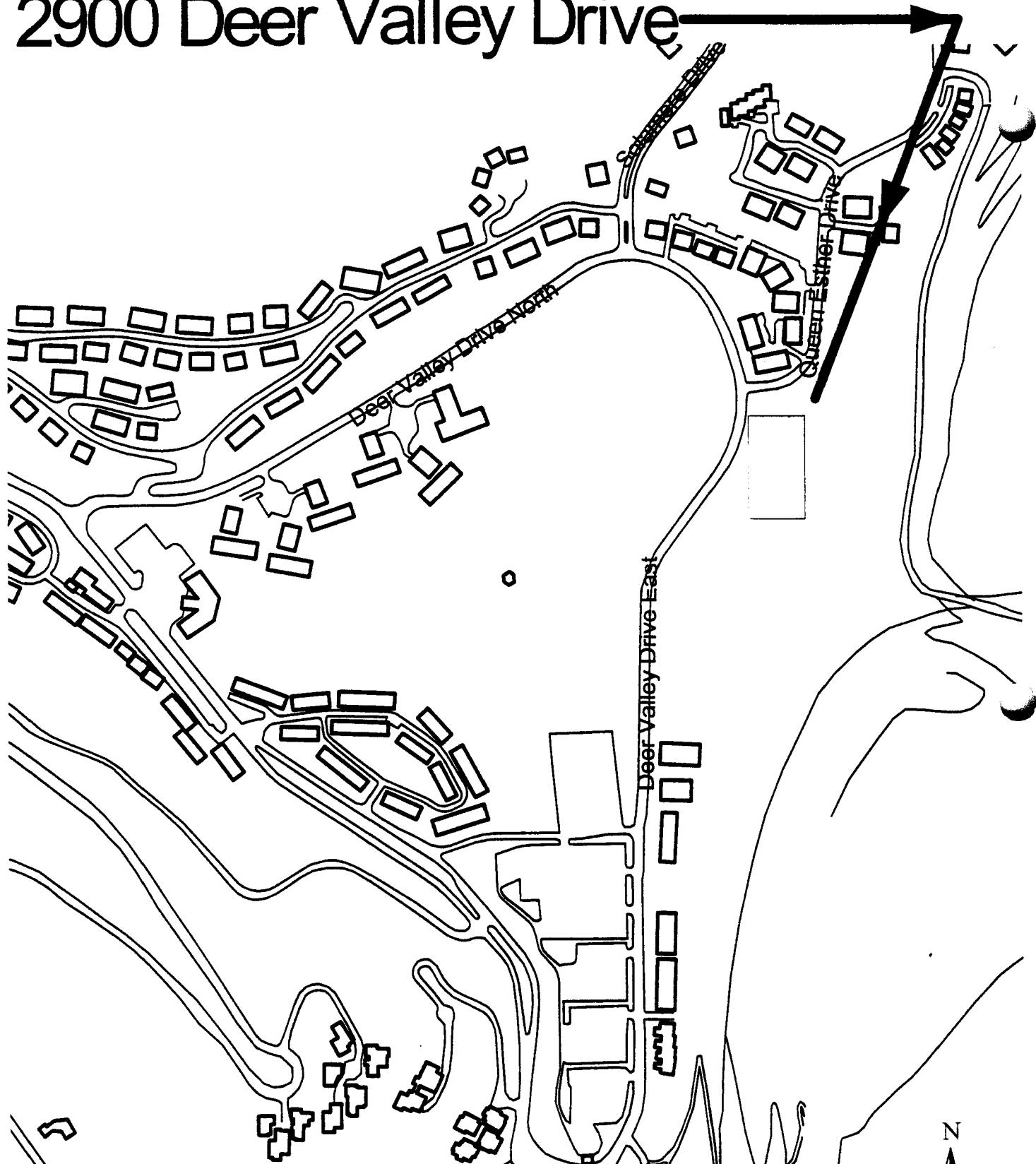
ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

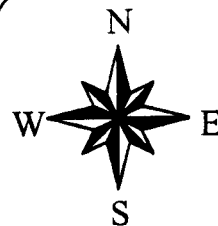
Mark Harrington, Deputy City Attorney

2900 Deer Valley Drive



PARK CITY

1384



VICINITY MAP

Exhibit A

ORDINANCE NO. 97-___

AN ORDINANCE APPROVING A RECORD OF SURVEY PLAT FOR THE LODGES AT DEER VALLEY, PHASE I, AT 2900 DEER VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 2900 Deer Valley Drive petitioned the City Council for approval of a amendment to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed amendment on August 27, 1997; and

WHEREAS, it is in the best interest of Park City to approve the Record of Survey, and

WHEREAS, there is good cause for the revision as the reconfiguration does not adversely affect the development parameters for site; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

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

SECTION 1.

Findings:

1. The property is located in the RD-MPD zoning district.
2. The project received an approval for a Conditional Use Permit on April 10, 1997 for the construction of 125 unit equivalents on this site.
3. The Record of Survey plat amendment will create 53 individually owned units and designated common area and amenities.
4. The restaurant in Building D was approved under the Conditional Use Permit as a non-commercial facility for use of the Lodge owners only.

Conclusions of Law:

1. There is good cause for the creation of a Record of Survey plat at this location.
2. Neither the public nor any person will be materially injured by the proposed plat.
3. The proposed plat complies with the Utah Condominium Ownership Act.

Conditions:

1. The City Attorney and City Engineer's approval of the Record of Survey and CC&R's for compliance with State law, the Land Management Code and these conditions of approval, is a condition precedent to plat recordation.
2. All Conditions of Approval, dated April 10, 1996 are in full force and effect. A note to this effect shall be added to the plat.
3. The restaurant in Building D shall be non-commercial and for the sole use of the Lodge owners only. This shall be reflected in the CC&R's for the project.

4. The Record of Survey plat must be recorded within one year of this approval or this approval is null and void.

SECTION 2. This ordinance shall take effect upon publication.

DATED this the 18th day September of 1997.

PARK CITY MUNICIPAL CORPORATION

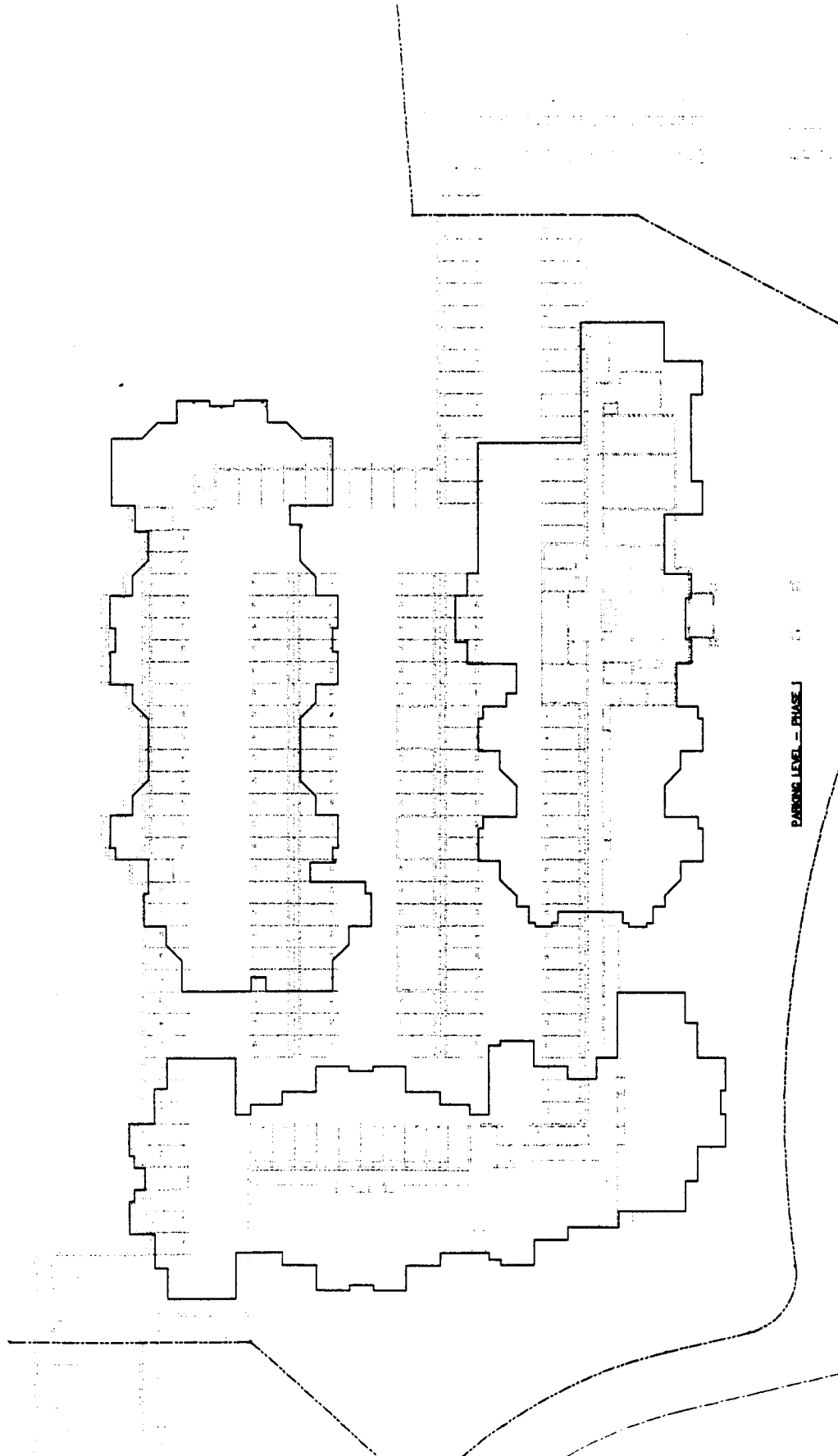
Bradley A. Olch, Mayor

ATTEST:

Jan Scott, City Recorder

APPROVED AS TO FORM:

Mark Harrington, Deputy City Attorney



RECORD OF SURVEY MAP THE LODGE AT DEER VALLEY PHASE ONE

A UTAH EXPANDABLE CONDOMINIUM PROJECT

LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASIN AND MOUNTAIN PLAIN, SALT LAKE COUNTY, UTAH
 Recorded concurrently herewith is an Amendment to the Declaration of Condominium, Conditions, and Restrictions of
 The Lodge at Deer Valley, An Expandable Condominium Project, as set forth in the Declaration of Condominium, Conditions, and Restrictions of
 The Lodge at Deer Valley, An Expandable Condominium Project, as set forth in the Declaration of Condominium, Conditions, and Restrictions of

RECEIVED

PAGE 2 OF 14

RECORDED
 JUN 06 2006
 STATE OF UTAH
 COUNTY OF SALT LAKE
 DEED
 PLANNING DEPT.

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

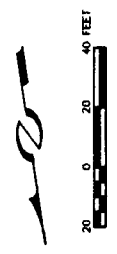


EXHIBIT C - Final conditions of approval 4/10/96

Planning Commission Meeting
Minutes of April 10, 1996
Page 12

Chair Erickson asked that the recommendation by Commissioner O'Hara be included in the Standard Conditions of Approval.

VOTE: The motion passed 5 to 1, with Commissioner Zimney abstaining from the vote.

Conditions of Approval - Wintergreen Lodge

1. Once construction has commenced on one lot, no construction shall commence on the other until the two lots currently used to form the overall development parcel are combined by plat amendment/lot combination or a condominium plat. Notwithstanding, the lot combination shall occur no later than four months after issuance of the full building permit for the project.
2. All open space areas identified as above 30% slope on the approved site plans dated April 1, 1996 and all wetlands, after mitigation, shall be identified as Open Space (OS) and shall be recorded as such during the platting stage. The approximately 140' landscape buffer, as depicted on the site plan between the northernmost property line and Building A shall be designated and platted as unbuildable at the time the platting for the project occurs.
3. The developer shall submit conditions, covenants and restrictions for the entire project to the City Attorney's office for review and approval in accordance with these conditions of approval and the Land Management Code at the time of the platting stage.
4. All residential units shall use gas burning fireplaces, and the project will be limited to wood burning devices as an allowed use only in the two separate lobby areas.
5. The project is limited to two project identification signs, one at each entry as specified and outlined in the City's Municipal Sign Code. These signs shall be submitted for approval under a separate permit in accordance with the Sign Code.
6. Lighting plans shall be reviewed and approved by the Community Development Department with respect to location, light type, fixtures, wattage, light distribution, purpose, and other features of lighting that may be appropriate with each phase of the project.
7. The developer shall dedicate a 10-foot easement and construct an eight-foot concrete trail with a minimum 10' separation

- from the street, constructed along Deer Valley Drive from the south property line to the applicant's property line along Queen Esther Drive, with the first phase of the project. A four-foot back country trail easement will be designed and negotiated at the time of platting for this project.
8. All units platted and approved using the unit equivalency multiplier, and respective unit size commitment, shall be constructed within the respective size constraint and shall not be subdivided into smaller units as a further application of the unit equivalency multiplier.
 9. All on-site recreational rooms, meeting rooms, athletic equipment, gymnasiums, or other similar common features are to be used only by the owners or renters and their guests and are not to be used in any commercial or retail way. Further, no private units may be used in any commercial or retail way except for nightly suite rental.
 10. Finished garage floor elevations shall not be lower than the back of existing gutters and adjacent City streets.
 11. The Developer shall provide a detailed Construction Management Plan (CMP) prior to the issuance of any building permits that address at a minimum:
 - a. Each phase of the project shall be designed in order to construct those portions of the on-site circulation system necessary to provide adequate automobile and emergency equipment circulation to the extent required by the Community Development Department.
 - b. All underground pumping systems that would be proposed to be used by the applicants for any underground structures shall be reviewed and approved by the City Engineer and Building Inspector. Pumped water may not be discharged onto public rights-of-way without approval by the Park City Engineer.
 - c. The developer shall instruct the respective contractors that there is to be no wash out of concrete trucks on on-site landscape areas or off site with the construction of this project. Further, the developer shall identify any off-site dirt storage site with the respective phase, obtain written permission by the owner, and post a financial surety to the satisfaction of the City that will provide for the rehabilitation of the storage site.
 - d. Landscaping, particularly along the northernmost section of the property, shall be installed and addressed prior to or in conjunction with any construction.
 - e. Any parking signage, subject to the Public Works Director approval, shall be addressed in the CMP.

- f. The applicant shall comply with Utah Air Quality standards regarding dust mitigation and Utah Water Quality Standards and shall provide permits or evidence of compliance prior to issuance of building permit.
 - g. The Construction Management Plan shall be reviewed in accordance with these Conditions of Approval and all applicable City Codes and approved by the Chief Building Official and City Engineer prior to building permit issuance.
12. All Park City Municipal Corporation Standard Project Review Requirements shall apply.
13. The site plans, elevations, and survey submitted on April 5 and dated April 1, 1996, are the approved site plans referred to in these Conditions of Approval for the Wintergreen Condominium project. An existing conditions survey that identifies and determines the existing grade shall be conducted by the applicant and submitted prior to issuance of a footing and foundation permit. This existing conditions survey shall become part of the final site plans for this project and shall assist the Community Development Department in determining the grade for measurement of height of this project as defined in the Land Management Code.

5. Municipal Sign Code Revisions

The revisions were presented in detail to the Planning Commission during the work session.

Chair Jones opened the public hearing.

Bill Coleman expressed appreciation of the work involved to reach the final stage of the sign ordinance, but he had concerns with some of the issues. He felt that the biggest problem was that the ordinance is written to cover the entire City in one ordinance. When the original ordinance was written in 1970, it was written for Main Street, because that was all that existed at the time. There was no consideration for larger properties, properties in different speed zones, or properties with other kinds of requirements to draw attention for directional or advertising purposes. He felt they were ignored in the re-write, and he asked the Planning Commission to relook at the plan in general and take care of several items. He did not favor a reduction in sign size and did not think the City could expect full compliance without major problems. He felt the greatest problem was the requirement for everyone to replace their signs within two years. He felt the sign ordinance had a larger impact on small businesses than the sprinkler ordinance has on Main Street. He could see the reason for sprinklers, but not a



DATE: November 6, 1997
DEPARTMENT: Administrative Services Department
AUTHOR: Bob Stephens
TITLE: Administrative Services Director
TYPE OF ITEM: Award of Professional Services Contract

SUMMARY RECOMMENDATIONS: Authorize staff to enter into a professional services contract with Employee Leasing and Management (ELM) for the provision of winter seasonal staff for the Public Works Department.

DESCRIPTION:

A. Topic: The ability of Park City Municipal Corporation to recruit winter seasonal staff for the bus driver and snow removal positions has been increasing in difficulty over the past three seasons. The Transportation and Streets Divisions in conjunction with the Human Resource Division have been exploring and testing several strategies to address this manpower shortage. Contracts have been developed to extend two summer seasonal employees from six month to twelve month employment durations. Contracts are being used to provide a partial set of benefits (primarily single health insurance, but also some leave benefits) to study whether this is an appropriate strategy to stabilizing some of our winter seasonal job openings.

The second approach is to use an employee leasing firm to supply and administer the needed employees. Under this scenario, the employees are hired by the leasing firm and leased to PCMC for which we reimburse the leasing firm for actual payroll costs plus an administrative fee. The leasing firm handles payroll, workers compensation, and unemployment costs for these employees.

B. Background: In the Fall of 1996 the City's Transit operation was experiencing a significant shortfall when the bus operation training program commenced in October. Approximately 50% of the positions were still unfilled. Staff went to the City Council and received permission to upgrade the salaries one grade in the City's pay plan. Simultaneous to this action, the City negotiated with an employee leasing firm in Orem, Utah called ELM. ELM was able to supply one full time seasonal driver. While this did not significantly solve the bus driver shortage, it did help and the driver provided was one of our best. It also gave the City an opportunity to see how the administration of such a program could work. Difficulties in the billing and the time

reporting processes surfaced and have been resolved in the new contract that is before the Council today.

The concept of employee leasing to address our seasonal manpower needs is one that deserves serious consideration by the City Council. An employee leasing firm has the advantage of being able to supply employee benefits such as insurance and retirement without it impacting the benefits plans currently in place for full time regular PCMC employees. ELM currently has in excess of 6,000 employees statewide and can therefore negotiate favorable pricing on insurance premiums including health, life, disability, and workers comp. PCMC can then decide which if any benefits we would be willing to pay for. In the contract being proposed, PCMC would be paying for a catastrophic (\$300 deductible) employee only health insurance policy for each leased employee at a cost of \$39.00 per month. Employees provided by ELM would have the option of choosing additional benefits that the employee would pay for through payroll deduction. For example, the employee could choose a family health insurance policy and pay the difference between the \$39 the City is paying and the premium of the family coverage. This difference would be withheld from the employee's paycheck.

Because we have been pursuing this option much earlier in the season this year than we did last year, we are anticipating much better results. Our expectation would be to get approximately 12 to 15 bus drivers and 2 to 4 snow plow drivers through the recruitment efforts of ELM. It is anticipated that the additional perk of single health insurance will assist greatly in the recruitment and retention of qualified employees.

C. Analysis: As City Council is aware there is an increased difficulty in hiring winter seasonal employees throughout the Park City community. The Park City Chamber/Bureau commissioned a consulting firm in 1996 to analyze the severity of the problem. They concluded that there is a shortage of seasonal employees and that most employers feel the quality of the employees is declining. As stated earlier, PCMC is experimenting with several staffing strategies to address the shortfall of seasonal employees. The employee leasing option is a potentially significant one. A formal Request for Proposals (RFP) was not developed to solicit bids or quotes from the four to six employee leasing firms with a presence in Utah. The contract before Council is one that would last only through the current winter season. Assuming that it works out as a viable option, I would recommend issuing a Request for Quotes (RFQ) next year for the continuance of the leasing concept. This contract is required to come before City Council because it exceeds \$20,000.

Contractual language including addressing issues of billing, drug testing, liability, and discipline/termination has been negotiated.

D. Department Review: Tom Dayley (Legal), Tom Bakaly (Finance), Rob Christensen and Hope Bleecker (Transportation) and Bob Stephens (ASD) have been involved in various aspects of the policies and procedures to make this work. The contract would be in the form of the standard "PCMC Service Provider/Professional Services Agreement" with an addendum outlining the "Scope of Services."

ALTERNATIVES:

A. Approve the Request: Accept the staff's recommendation.

B. Deny the Request: Staff would need to continue an all out effort to locate the required number of bus drivers and snow plow drivers. Could result in a shortage of drivers causing a change in service levels.

C. Continue the Item: Because of the tight time frames, this action would have a similar effect to denying the request as far as the upcoming winter season is concerned.

D. Do Nothing: Because of the tight time frames, this action would have a similar effect to denying the request as far as the upcoming winter season is concerned.

SIGNIFICANT IMPACTS: The cost of the ELM services would be the sum of the actual salary, the mandatory benefits (FICA, SUI, FUI, & Workers Comp), the single health insurance premium, and an administrative fee. In essence the additional costs to be incurred by PCMC would be \$105 per month per employee (\$65 administrative fee and \$40 for insurance). After reviewing the budget, staff believes that no additional budget requests are necessary to make this happen in the current fiscal year due to temporary positions and contract services currently in the budget. Staff anticipates spending a total of between \$20,000 - \$30,000 this fiscal year on the contract.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: Could result in a shortage of drivers causing a change in service levels. The Transit Operation would not be fully staffed by the beginning of the winter bus season. Continued recruitment efforts would be made to bring us up to full staffing levels by the Christmas holidays.

RECOMMENDATION: Authorize staff to enter into a contract with ELM to provide seasonal staff to the Public Works Department for the 1997-98 winter season.



DATE: November 6, 1997
DEPARTMENT: City Manager
AUTHOR: Jan Scott
TITLE: Canvass of General Election
TYPE OF ITEM: Legislative

SUMMARY RECOMMENDATIONS: Adopt a resolution canvassing the November 4 General Election.

DESCRIPTION:

A. Topic: Canvass of General Election.

B. Background: Within seven days of an election, the Utah Code requires the Board of Canvassers (the Mayor and the municipal legislative body) to meet and canvass the results of the election. The City Recorder is to prepare a certification of the canvass for the board to sign, which lists the candidates, the number of votes, the number of votes received in each district, and the total of all votes casted. Absentee ballots, postmarked by November 5, 1997 and received by noon the day of the canvass, will be added to the total if not counted on election day. The City Recorder will transit the vote totals to the Lieutenant Governor.

C. Analysis: The election results are not considered "official" until they are canvassed by the Board of Canvassers.

D. Department Review: N/A.

ALTERNATIVES:

A. Approve the Request: Recommended action.

B. Deny the Request: The Board of Canvassers can not reject election returns unless it determines that procedures have not been properly completed, or that clerical mistakes exist which result in not being able to determine the number of votes cast for each candidate. Even then, it can only transit the returns back to the judges for correction and canvass when the corrections are completed. The County Clerk and City Recorder will witness the counting of the votes. The ballots are available in the City Recorder's Office if the Council wishes to inspect them.

C. **Continue the Item:** N/A.

D. **Do Nothing:** N/A.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: See B above.

RECOMMENDATION: Canvass and certify the results of the November 4 General Election by adopting a resolution to be presented at Thursday's meeting.



Resolution No. -97

**RESOLUTION ACCEPTING THE OFFICIAL CANVASS
OF THE NOVEMBER 4, 1997 MUNICIPAL GENERAL ELECTION
HELD IN PARK CITY, UTAH**

WHEREAS, UCA 20A-4-301(a)(b), provides that the mayor and the municipal body are the Board of Canvassers for the municipality and shall meet to canvass the returns at the usual place of meeting of the municipal legislative body no later than seven days after the election; and

WHEREAS, the Board of Canvassers has been informed of its right to inspect all election materials and has determined that election procedures have been properly conducted, that no clerical mistakes exist, and accept the Certificate of Canvass as follows:

**CERTIFICATE OF CANVASS OF THE NOVEMBER 4, 1997
MUNICIPAL GENERAL ELECTION
PARK CITY, UTAH**

Mayoral Candidates	Consolidated District 1 - (Old Town - Deer Valley	Consolidated District 2 - (Prospector - Thaynes Canyon)	Consolidated District 3 - Park Meadows - Quarry Mountain	Total Votes Received Per Candidate
Nikki L. Lowry				
Bradley A. Olch				

City Council Candidates	Consolidated District 1 - (Old Town - Deer Valley	Consolidated District 2 - (Prospector - Thaynes Canyon)	Consolidated District 3 - Park Meadows - Quarry Mountain	Total Votes Received Per Candidate
Mike Andrews				
Roger Harlan				
Eric Hoffman				
Shauna L. Kerr				

Percentage of Votes

Nikki L. Lowry
Bradley A. Olch
Mike Andrews
Roger Halan
Eric Hoffman
Shauna L. Kerr

The total number of registered voters in Park City, Utah is _____ and the percentage of voter turn-out per consolidated district is calculated as follows:

Consolidated 1 - _____ %		Consolidated 2 - _____ %		Consolidated 3 - _____ %		% Total Turn-out
Total Registered Voters	Number Voting	Total Registered Voters	Number Voting	Total Registered Voters	Number Voting	

PASSED AND ADOPTED this 6th day of November, 1997.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, Asst. City Attorney

