

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
August 27, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF August 13, 2014

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

WORK SESSION

Discussion regarding shoring and remediation bonds *Pg. 35*

900 Round Valley Drive Park City Medical Center/IHC MPD Amendment PL-14-02424 *Pg. 63*
and Conditional Use Permit for Phase two (2) & PL-13-01932
Planner Whetstone

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

St. Regis Club Conditional Use Permit – One (1) Year Review PL-11-01189 *Pg. 167*
Planning Commission Review *Planner
Whetstone*

166 Ridge Avenue – Steep Slope Conditional Use Permit PL-14-02268 *Pg. 185*
King Ridge Estates/Ridge Avenue *Planner
Alexander*
Public hearing and possible action

15 Anchor Avenue – The 15 Anchor Avenue Subdivision PL-14-02405 *Pg. 291*
Subdivision Plat Amendment *Planner
Grahm*
Public hearing and recommendation to City Council on September 18th, 2014

Round Valley Park City Annexation and Zoning Map Amendment– PL-13-01857 *Pg. 325*
Annexation of 1,368 acres located in Sections 28, 33, 34, and 35 T1SR4E and *Planner
Whetstone*
Sections 2 and 3, T2SR4E East of US 40 and North of SR 248. Park City
Municipal is the applicant. The requested zoning is Recreation Open Space
(1,262 acres) and LI, Limited Industrial (2 acres). The property is primarily City
owned open space encumbered with conservation easements, with the
exception of two 1 acre City owned, non-encumbered parcels, and includes the
120 acres Osguthorpe conservation easement area.
Public hearing and recommendation to City Council on October 23, 2014

ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
AUGUST 13, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, John Phillips, Clay Stuard

EX OFFICIO:

Planning Manager Kayla Sintz; Francisco Astorga, Planner; Christy Alexander, Planner;
Kirsten Whetstone Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except for Commissioners Strachan and Joyce who were excused.

ADOPTION OF MINUTES

July 23, 2014

MOTION: Commissioner Stuard moved to APPROVE the minutes of July 23, 2014 as written. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Manager Sintz asked the Planning Commission to consider canceling the September 10, 2014 Planning Commission meeting, since several of the Staff would be leaving for City Tour on September 11th. Chair Worel stated that she was unable to attend on September 10th and would have to miss the meeting regardless. The Planning Commission concurred with canceling the meeting. Planning Manager Sintz clarified that the Planning Commission would only have one meeting in September.

Commissioner Stuard noted from the Staff report that the Silver Bird application was being represented by Mike Johnston with Summit Engineering. He disclosed that he has

engaged the firm and Mr. Johnston on several occasions over the past fifteen years. However, he has no involvement with the Silver Bird project and he currently has no ongoing work with Summit Engineering or Mr. Johnston. Commissioner Stuard did not believe his previous association presented a conflict this evening.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 317 Ontario Avenue – Steep Slope Conditional Use Permit (Application #PL-14-02258)

Planner Francisco Astorga reviewed the application for construction on a steep slope. He noted that the site is challenging due to the steepness of the slope, as indicated in the Analysis section of the Staff report. An existing historic home currently sits on the property.

Planner Astorga commented on two encroachments; one positive and one negative. He referred to the Exhibit on page 53 of the Staff report and noted that the Exhibit was taken directly from the survey. The box in the middle showed each corner of the historic structure. He pointed out that the bubbled area in red shows an encroachment on to the adjacent property to the south. However, the historic structure on the adjacent property to the north encroaches on to the property at 317 Ontario Avenue. Both encroachments relate to historic structures that were listed on the Historic Sites Inventory.

Planner Astorga read the definition of a building footprint taken from section 1.35 of Title 15 of the LMC. “A building footprint is defined by the total area of the foundation of the structure or the furthest exterior wall of the structure projected to natural grade.” The language further indicates, “...not including exterior stairs, patios and decks, such as a front porch, etc.” The last part of the definition, which was added in 2009, states, “...and accessory buildings listed on the Park City HSI that are not expanded, enlarged or incorporated into the main building.” Planner Astorga clarified that the last part of the definition was added as an incentive for the property owners to keep those accessory structures.

Planner Astorga stated that in terms of footprint, the Staff had counted the area shown in green on the north side of 317 Ontario, but they did not count the encroachment area that was not on the applicant's property on the south side. The applicant owns the house but it is not on the same property. Planner Astorga intended to address the footprint issue later in his presentation because it relates to the proposed carport.

Planner Astorga reiterated that the site is extremely steep. He pointed out that the house faces the back of the lot and the front is located towards Ontario Avenue. However, the main door of the historic structure is opposite to Ontario Avenue. Planner Astorga stated

that the first half of the lot where the existing house sits is fairly flat. From that point, the grade increases up to and over 115%. It then decreases in grade and comes back to an approximate grade level with the street.

Planner Astorga reviewed some of the challenges. The existing house is in the middle of the site and faces Marsac Avenue. Development around the lot has a mix of four plus stories. Planner Astorga presented an Exhibit to orient the Planning Commission to the site and to identify the encroachments. He noted that the site is listed on the HSI as a Significant Site. It could not be listed as Landmark due to the various changes that have occurred over time. At one time it was eligible for the National Register but that is no longer the case, primarily because the addition to the historic home that was not in compliance with both local and national criteria for designation. Planner Astorga presented a drawing showing the existing structure. He clarified that the applicant was proposing to remove a storage area off of the first floor, as well as an existing upper deck on the rear of the house towards Ontario.

Planner Astorga focused on the addition to the home, which is called a hyphen or neck type, because the hallway is 4' wide and connects the historic structure to the addition. He reviewed an Exhibit showing the neighboring house to the north, and noted that the setbacks have been increased on the rear portion of the side yard. The typical setback is 3', but in order to keep the separation from the corner of the structure, the setback was increased to 6' feet.

Planner Astorga reviewed the levels of the home, and noted that the third level begins to go up on to the addition as mandated by the design guidelines. A fourth level has been identified on the plans as a parking platform. Planner Astorga returned to the footprint discussion. He recalled that in 2010 the applicant requested a variance for two items. The first related to the number of stories. The applicant had requested four stories and a slightly larger footprint in order to accommodate a simple garage. Planner Astorga showed the location where they drew the 27' height requirement. It is somewhat of a concern, but because the site is so steep, the design of the addition has to be broken up. The steeper it gets the steeper the height becomes. Planner Astorga believed that the applicant requested the additional building footprint because the garage could not be put directly on top of the historic structure. Pushing the garage further to the west breaks more of the height.

Planner Astorga reported that the Board of Adjustment denied the variance request based on their finding that the need for a variance was self-imposed because the City does not mandate parking for historic structures. Planner Astorga noted that the LMC was changed in 2013 to remove the provision that indicated no more than three stories. A new provision was added that indicates a 35' measurement from the lowest finished floor to the area

where the roof rafters meets the wall. He pointed out that the proposed structure was designed to have a modified truss to meet that specific restriction. Planner Astorga stated that there was an issue on one end of the garage and the Staff recommended clipping that area to comply with Code. Their recommendation was reflected in Condition of Approval #11. Planner Astorga remarked that the parking area is open where the structure has been designed to exceed the footprint. He drew a line to show where the house breaks the footprint.

The Staff requested input from the Planning Commission regarding the parking based on the definition of a footprint and where exterior steps and porches are not included in the definition of footprint. The applicant and the Staff felt that the proposed parking was more of a carport, which is similar to a porch, exterior steps or any type of uninhabitable covered structure. Planner Astorga stated that the applicant was not adding a garage door, so the structure would serve the purpose of a carport as opposed to the look and feel of a garage. He explained that the footprint definition in the LMC does not indicate that carports are excluded.

Planner Astorga commented on the bond discussion at the last meeting regarding steep slopes. He requested legal counsel on how to handle that aspect for this application. Planner Astorga emphasized that the questionable portion was only on the upper portion. There were no issues with the third story.

The Staff had reviewed the application against the criteria for development on steep slopes. They recognized the difficulty of the site and understood why the addition had to be narrowed going towards Ontario Avenue, but still meets the 10' front yard setback. Planner Astorga stated that it was a combination of the encroachment, the setbacks and the steepness of the lot that breaks up the height as it steps back as viewed from Ontario. Planner Astorga noted that the portion of the addition visible from the cross canyon view starts 15' behind the main ridge. From that angle the addition would be hidden behind the other two structures.

Aside from the footprint and the bonding issue, the Staff found that the impacts have been mitigated in terms of construction on steep slopes.

Bruce Taylor, the project architect representing the applicant, clarified that when the applicant went before the Board of Adjustment in 2010, he did not ask for the carport to be included in the footprint. He explained that they have an exterior stair on grade because the front door is one level below the garage and it was accessed from Ontario. Since the stair was on grade, the applicant wanted to put the interior stairs underneath that stair because it would not create a visible or community impact. That was their request to the

Board of Adjustment and that request was denied because the BOA found it to be enclosed space and a footprint violation.

Assistant City Attorney McLean noted that footprint is addressed in two sections of the Code. One is in the definitions, "The total area of the foundation of the structure or the furthest exterior wall of the structure projected to natural grade, not including exterior stairs, patios, decks and accessory buildings listed on the HSI." She pointed out that the last accessory building was new construction and would not apply. She clarified that the Planning Commission should look at what was proposed compared to exterior stairs, patios and decks. Ms. McLean stated that footprint was also addressed in the HR-1 Section and talks about what is excluded from the footprint. "The building pad must be open and free of any other structure except porches or decks with or without roofs, at grade patios, upper level decks with or without roofs, bay windows, chimneys, sidewalls, pathways and steps, screened hot tubs, landscaping..." She further read, "Exceptions to the building pad area, excluding bay windows, are not included in the building footprint calculations and are subject to..." Ms. McLean pointed out that the items listed in the language are not included in the footprint.

Commissioner Gross asked about carport. Ms. McLean stated that the Code does not have a definition for carport. However, the footprint definition says that it must be free of structures. The only exclusions are structures such as patios, decks, porches, etc. She noted that "structure" was broadly defined in the Code.

Commissioner Gross asked if they were able to have the carport on the top level whether fencing would be required as a safety mechanism, or if the carport would have three walls around it. Mr. Taylor stated that the applicant originally intended to have a garage until the footprint issue was raised. Since carport is not defined, they felt an adequate solution would be to remove the garage door and open up the sides back to the limit of the footprint. Commissioner Gross asked if that solution was in keeping with the other houses along the street. He recalled that aside from a few parking areas the majority of homes had garages. Commissioner Gross asked if a garage door would be a better approach visually. Planner Astorga replied that a garage door might improve the visual, but it would exceed the footprint. Assistant City Attorney McLean clarified that the Board of Adjustment had denied the variance request for additional footprint to have a garage.

Commissioner Campbell understood from Mr. Taylor that the BOA had only denied the variance to have stairs underneath the exterior staircase. Planner Astorga clarified that the denial was for a variance allowing a fourth story and an increase over the allowed building footprint in the HR-1 pursuant to specific findings. Ms. McLean recalled that in 2010 the variance request was for a fourth story and that request was denied. However, the Code in 2010 was different from the current Code. The fourth story issue meets the current Code.

However, in 2010 the applicant had also requested additional footprint to enclose the garage. Ms. McLean stated that the BOA made their decision partly on the fact that the house was historic and parking was not required. Planner Astorga read Finding of Fact #7 from the BOA denial, "The proposed expansion for an increase in living space and a garage creates an increase in allowed footprint, which is self-imposed. An alternative parking solution and a smaller addition eliminating the fourth story could be accommodated."

Chair Worel clarified that Mr. Taylor was proposing to keep the same roof and not enclose it entirely. Mr. Taylor stated that if the footprint issue was a problem, the parking could be shortened. He explained that his client lives out-of-town and his only intent was to have a place to park his car when he comes to Park City. If he cannot have a garage, the owner is willing to eliminate the garage door and open the sides and call it a carport. Mr. Taylor pointed out that it was a parking pad. He assumed that if his client could not have the extra 3' encroachment to have a 20' garage, he would be willing to shorten it by 3' to stay within the footprint and rent a subcompact car when he comes to town. Planner Astorga noted that reducing the size by 3' would allow the owner to have a 17' garage with a door without needing a variance.

Commissioner Phillips stated that in his opinion, regardless of whether it is called a carport or a garage, it appears to be a garage without a garage door.

Commissioner Stuard understood that the main foundation wall that goes down the front of the house was extended out for the parking pad. He asked if the reason was to accommodate the stairs along the side to accomplish the landing point into the entry. Mr. Taylor explained that the back of the garage pad was open for a hot tub, which can only be accessed through the garage. However, if they were to knock out the wall and eliminate the hot tub, there would still be a roof height encroachment issue. Mr. Stuard thought where the stairs started on Ontario was done for the purpose of getting down to the elevation they wanted at the entry. He asked if it was possible to slide the stairs further down the slope and enter into the great room as opposed to the area marked as the entry. Commissioner Stuard asked if the beginning point of the stairs was driving the extension of the garage out front. Mr. Taylor answered no. He remarked that they were trying to achieve garage depth. Commissioner Stuard pointed out that they could get the garage depth by encroaching into the hot tub area. However, the stairs would slide back with it and the structure would be entered into the great room rather than at the entry. He asked if Mr. Taylor had considered those alternatives. Mr. Taylor stated that he was unaware of the footprint issue until five minutes before the meeting and he had not had time to consider any alternatives. Mr. Taylor pointed out that he would not have to move the stairs because it would not count as footprint.

Chair Worel opened the public hearing.

Ruth Meintsma, a resident a 305 Woodside Avenue, asked about height variances.

Planner Astorga stated that the Staff recognized that the height does not meet the 27' height as confirmed on the roof over topo. A condition of approval was added to clip that portion of the roof.

Ms. Meintsma offered some positives to the possibility of a carport. She commented on the wall of garages on Woodside and outlined the advantages of having covered parking without a door. It would hide the vehicle more than platform parking. A covered roof reduces the need for snow removal and heating of the parking platform. It reduces the wall effect walking down Ontario. A covered carport would reduce the negative appearance of the inside of a garage when the door is left open. Ms. Meintsma noted that a similar type of carport was put in in front of the Old Miner's Lodge on Woodside. It gets the car off the street, and even though the back of the car sticks out a little it still looks good. Ms. Meintsma suggested adding a few more windows to visually open it up a little bit for people walking down the street. She thought the idea of a carport was the best solution.

Pat Carnahan, a neighbor on the north side of the subject property expressed his concern about water. His water pipes run directly under the lot, as well as the manhole that houses both water meters. His water comes across on the main level. Mr. Carnahan wanted to make sure that if his water is shut off for this project that it would be re-connected.

Chair Worel clarified that Mr. Carnahan was primarily concerned about interruption of services during the construction process.

Mr. Carnahan reiterated that he wanted to make sure that he would be reconnected at no cost to him.

Chair Worel closed the public hearing.

Assistant City Attorney McLean asked when the application was complete. Planner Astorga stated that he and Mr. Taylor had several internal discussions regarding the building footprint, and the plans were finalized and submitted on July 15th, 2014. At that point the application was deemed complete. Ms. McLean asked about the Historic District Design Review. Planner Astorga replied that the HDDR was still in process. The Staff prefers to have the initial discussion with the Planning Commission prior to approving the HDDR in the event that their input may affect the form, mass and scale of the project. Ms. McLean asked how the Design Guidelines address carports. Planner Astorga replied that the Guidelines specifically state that carports should be avoided.

Chair Worel asked whether the examples of other carports were included in the building footprint. Planner Astorga stated that due to the weather in Park City, most people do not request carports and prefer the benefits of a full garage. Those who want garages are willing to stay within the allowed footprint to have a garage. He could not recall any carports in Old Town. Commissioner Phillips knew of one carport on Woodside but he could not recall the address. Chair Worel was curious to know whether or not it was included in the footprint.

Planner Astorga asked if the Planning Commission thought a carport should be included in the definition of footprint. If not, the applicant would probably clip it 3' and have a 17' garage.

Commissioner Gross preferred to have a 17' garage rather than a 20' carport. He thought it was unfortunate that the BOA had not approved the variance for a garage.

Commissioner Stuard thought the carport felt like a structure and it needed to be counted. He concurred with Commissioner Gross that it makes more sense to add the door and have a fully functional garage.

Commissioner Phillips pointed out that the Design Guidelines specifically state that carports should be avoided. He thought it was also possible to reduce the deck area to gain another foot for the garage. They could hip the roof and have an 18' garage.

Commissioner Campbell asked Mr. Taylor if the owner would rather have a full garage with a door he could close. Mr. Taylor noted that this project was started in 2007. The owner was willing to have whatever the Planning Commission would allow. If they prefer a 17' garage with a door, that is what the owner would build. Commissioner Campbell offered design suggestions that would allow a garage to fit a car that is usable rather than forcing the owner to rent a car he may not want. Mr. Taylor believed that the alternative offered would put them in violation of the 27' height limit.

Mr. Taylor stated that if the Planning Commission would give him a clear set of parameters, he would be more than willing to work within those to design appropriate parking. Commissioner Gross recognized that this was one of the more challenging lots. Commissioner Phillips concurred. He liked the project and he appreciated what Mr. Taylor had gone through to work with such a steep slope. Commissioner Campbell liked the project and he wanted to find a way to get it approved quickly with a garage that fits a decent sized car and a door that would close. Commissioner Campbell did not believe the Planning Commission should be telling people what type of cars they have to drive.

Assistant City Attorney McLean recommended that the Planning Commission provide Mr. Taylor with the parameters he requested and let him design the garage within those guidelines. She noted that the Planning Commission had an application before them and the Board of Adjustment had already spoken on the issue of having a full garage.

Commissioner Phillips thought the BOA ruling on the garage was irrelevant because it was based on the Code that was in place in 2010. Ms. McLean clarified that the applicant had submitted a two-part application to the BOA. One was for the fourth story, which has changed with the new Code provision and it is irrelevant. However, the second part of the variance application was to increase the footprint specifically to have an enclosed garage, and the BOA ruled against it.

Commissioner Phillips favored finding a way to fit a garage as opposed to a carport, since the Design Guidelines strongly discourage carports.

Planner Astorga summarized from the comments that the Planning Commission felt that the carport would count towards footprint; and that based on the Design Guidelines, a carport should be avoided. He also understood that with a garage the project should not exceed the maximum building footprint.

Chair Worel had visited the site and she commended Mr. Taylor and his client for their creativity on this challenging lot. Chair Worel stated that at the last meeting the Planning Commission had an issue with the steepness of some slopes on Norfolk, at which time they directed the Staff to come back with research on whether or not a bond could be applied. She noted that the Planning Commission voted to Continue the project on Norfolk pending that research and information. Chair Worel felt that without that information the Planning Commission would not be consistent or fair if they approved this project tonight. Commissioner Phillips concurred. Chair Worel believed that if the Planning Commission intended to impose a bond on Norfolk for that steep slope, this project on Woodside definitely fits that category. She understood that the Planning Staff intended to present the requested information to the Planning Commission at the next meeting.

Planner Astorga recalled that Assistant City Attorney McLean was looking at the legality of whether or not the Planning Commission could require a special bond for construction on steep slopes. Assistant City Attorney McLean stated that it had to do with remediation to make sure that holes were filled and the site remediated if a project was started but not completed. Ms. McLean noted that the Planning Commission talked about the Roundabout Subdivision and that would be part of her presentation. She was compiling her research for the next meeting and was unprepared to comment this evening. However, her research showed that the Planning Commission had not required a bond for the Roundabout project. However, the applicant submitted a geo-tech report that the Planning

Commission found to be sufficient to alleviate their concerns. Ms. McLean offered to include the minutes from the Roundabout project for the next meeting so the Commissioners could review their discussion.

Planner Astorga asked if there was a current procedure to address abandoned projects. Ms. McLean did not believe the City has a set procedure. In the case of North Silver Lake, after a long period of time the applicant was required to put up a remediation bond in the event that they did not move forward with the project. Planner Astorga recalled that the remediation bond was a condition of the 2010 North Silver Lake CUP approval.

Commissioner Campbell agreed that the Planning Commission should be consistent, but he reiterated his opinion from the last meeting that it was unfair to the applicant to delay their project while the City writes policy. He recalled that the concern with the last application was the issue of rocks falling on to neighboring houses during construction. In this case, if rocks fall the only damage would be to the applicant's house. No other property owners would be affected during construction. Mr. Carnahan stated that his house could potentially be damaged during construction. Commissioner Campbell assured Mr. Carnahan that the Planning Commission also has the responsibility to protect the neighbors and he did not mean to imply anything different. However, he would like to give the applicant specific direction and allow the project to move forward.

Commissioner Stuard stated that he is generally more concerned with excavation on the downhill slope where there is no protection. He agreed that this applicant had that protection because it was his own property. Commissioner Stuard was comfortable moving forward with an approval this evening considering this particular site. Commissioner Campbell believed that was the loophole that made this application different from the last application and could allow the Planning Commission to take action without waiting for the bond decision.

Planner Astorga pointed out that the Planning Department would require a historic preservation bond on the recommendation of the Building Department to protect construction of the addition from impacting the historic structure. Mr. Taylor noted that the historic house has a pure foundation underneath it so it is stabilized.

Mr. Taylor thought it was clear that the Planning Commission did not want to increase the footprint. If they give that specific direction, he would design the garage accordingly. Mr. Taylor did not want his client to be delayed waiting for the bond because his intent was to start construction before winter. He suggested adding a condition of approval stating that if a bond comes into play before they pull their building permit, they would be subject to the bond requirement. If they pull the permit before a bond policy is in place, they would not be subject to the requirement. Mr. Taylor stated that he had not yet started the

construction documents and it would be four to six weeks before those plans are ready for submission.

Commissioner Phillips agreed with both Chair Worel and Commissioner Campbell. He did not think they should delay the applicants but he also thought they needed to be consistent with all applicants. For that reason, he favored the compromise suggested by Bruce Taylor as a fair way to address the issue. Commissioner Phillips hoped the Planning Commission would have the answers they needed before Mr. Taylor completed the construction drawings.

Planning Manager Sintz asked if Planner Astorga had any issues with the height exception for the roof form. Planner Astorga thought Mr. Taylor might be able to gain a foot or two by pushing the garage back. However, the Planning Commission could not give a height exception and the Planning Director could only consider a height exception for a tandem garage configuration. Assistant City Attorney McLean suggested that based on the criteria of the Steep Slope CUP, the Planning Commission could find that these alternatives are acceptable under the Steep Slope CUP. Making that finding would give the architect some design flexibility. Mr. Taylor stated that if he was given the parameters of no footprint increase towards Ontario and to stay within the 27' height restriction, he would follow those rules. He and his client would make the decision on whether or not increase the length of the garage.

Planning Manager Sintz suggested that the Planning Commission move to the next item on the agenda and allow Planner Astorga and Mr. Taylor time to work on revised findings and conditions. The Commissioners concurred.

Chair Worel announced that the Planning Commission would resume their discussion on 317 Ontario at the end of the regular agenda.

2. 333 Main Street – The Parkite Condominiums Condominium Record of Survey Plat for Commercial Units (Application PL-14-02302)

Planner Kirsten Whetstone reviewed the request for a record of survey for the Parkite Commercial condominiums located at 333 Main Street. The applicant was requesting a record of survey for the purpose of platting commercial condominium units on the lower level and the main level of the old Main Street Mall, which would be called the Parkite Commercial Condominiums.

Planner Whetstone reported that the plat was consistent with the approved Design Review. She noted that the residential units on the remaining floors were platted as a record of

survey for the Parkite Residential Condominiums, as recommended by the Planning Commission in June and approved by the City Council on July 10th. The plat was in the process of being recorded.

Planner Whetstone stated that the building is currently owned by a single entity. In order to sell either the residential or commercial units, the condominium units need to be created with the record of survey plat. Planner Whetstone noted that this property has an extensive history, as outlined in the Staff report. A building was built over many lot lines. A subdivision plat created one lot. There have been various design reviews and a Board of Adjustment action to do a change of non-conforming use from residential to multi-family in the HR-2 zone.

Planner Whetstone noted that this particular request plats two condominium units in the basement. Unit C-1 is on the south side. Behind the historic façade on the north side of the building is Unit C-2. On the next floor up is one convertible commercial space, which could potentially be future commercial condominiums. Planner Whetstone noted that the space could be carved up for rental tenant space or it could remain one space. She stated that the terrace along Main Street would be platted as commercial common area.

Planner Whetstone reported that this item was continued from previous meetings to allow time to resolve an issue with the ADA access to Unit C-1. The area is accessed through the tunnel from the other side of Main Street; however, the applicant did not have ADA access to utilize the space. The solution is an elevator that is accessed on the Main Street level that drops down to a corridor that would go over an easement of the residential condominiums and back to Unit C-1. Planner Whetstone reviewed the proposed plan showing the elevator and access. Planner Whetstone stated that after the residential plat is recorded, the residential HOA can grant an access easement to Commercial Unit C-1. The easement right would have to be recorded before the plat could be recorded.

The Staff had reviewed the record of survey plat for good cause and found that the condominium plat is consistent with the design, that the non-conforming use change application allows for individual ownership of commercial space, and that the condominium plat is consistent with the State Condominium law and complies with the Land Management Code. It also provides improved architectural design, building energy efficiency, and ADA access to a space that is desired to be used for community uses. The commercial spaces and the potential for individual ownership would have a positive visual and vital impact on Main Street.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law and Conditions of Approval as outlined in the draft ordinance.

Chair Worel asked about potential uses for Unit C-1. Steve Bruemmer, representing the applicant, stated that it would be commercial business space that was always intended to be accessed through the tunnel. From a design standpoint it is considered ratskeller space. He noted that the applicant has been working with a potential tenant who could use the space as black box theater space.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Gross asked about progress on the easements and access off of Swede Alley related to the residential units that were approved. Tom Bennett, representing the applicant, stated that since the approval the easement was finalized through the Aaron Hoffman property and recorded. Part of that process was also modifying the easements with the City underneath Main Street. The applicant had provided a draft document to the City Legal Department and Assistant City Attorney McLean was in the process of reviewing the document. Planner Whetstone clarified that the easements agreements are required before the residential plat could be recorded. She noted that the applicant found that the design needed to be reconfigured and the new configuration would be shown on the residential plat.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Parkite Commercial Condominium Record of Survey Plat for commercial condominium units at 333 Main Street, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Campbell seconded the motion.

Commissioner Stuard noted that the Staff recommendation in the Staff report included the commercial convertible space and the common area located in the building. He requested that Commission Phillips amend his motion to include those areas as well.

Commissioner Phillips amended the motion to include the commercial convertible space and the common area located in the building. Commissioner Campbell accepted the amendment to the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 333 Main Street

1. The property is located at 333 Main Street between Main Street and Park Avenue and consists of Lot A of the 333 Main Street plat amendment that combined lots 7-15 and 18-26, Block 11, of the Amended Park City Survey. There is an existing four story commercial building on the property.
2. The existing building, known as the Main Street Mall, was constructed in 1984 across property lines and zone lines.
3. On March 26, 2009, the City Council approved a plat amendment to create a single lot of record from the multiple underlying lots for the existing Main Street Mall building known as the 333 Main Street Subdivision. On March 8, 2010, the Council extended the approval for one year to allow the applicants additional time to finalize the plat in preparation for signatures and recordation at Summit County. The 333 Main Street one lot subdivision plat was recorded at Summit County on April 12, 2011.
4. On April 1, 2014, an application was submitted for a condominium record of survey plat for one commercial unit and commercial convertible space for the entire building consistent with the May 2, 2011, HDDR and the June 18, 2013, Board of Adjustment approval of a change of non-conforming use applications. The application was deemed complete on April 25, 2014. The application was revised by the owners on June 5, 2014 to identify two commercial units and additional commercial convertible space also consistent with the HDDR and Board of Adjustment approval.
5. The building has a single entity as owner and is currently being remodeled with an active building permit.
6. Commercial uses currently under construction within the HCB zone are allowed uses. Commercial uses within the HR2 portion are below the grade of Park Avenue and are existing non-conforming uses.
7. Residential condominium spaces within the building were platted with the concurrently submitted The Parkite Residential Condominiums record of survey plat application that was approved by the City Council on July 10, 2014.
8. The Main Street portion of the building is located in the Historic Commercial Business District (HCB) with access to Main Street and the Park Avenue portion of the building is located in the Historic Residential 2 (HR-2) zoning district with limited

access to Park Avenue. The building was constructed with non-complying side yard setbacks of 0.2' to 2.92' total within the HR2 zone and total of 30' is required.

9. Main Street is important to the economic well-being of the Historic Commercial business district and is the location of many activities important to the vitality and character of Park City. The Main Street Mall architecture is out dated and not in compliance with the 2009 Design Guidelines for Historic Sites and Districts and the owners are currently renovating and improving the building with an active building permit.

10. On February 27, 2009, a Historic District Design Review (HDDR) was approved for a complete renovation of the building. On May 2, 2011, a revised Historic District Design Review application was approved for modifications to the interior space and exterior skin of the building in compliance with the current revised 2009 Design Guidelines for Historic Districts and Sites and to reflect the proposed residential uses where the interior spaces changed the exterior elevations, windows, access, patios, etc. An additional revision to the May 2, 2011 HDDR action letter clarifying access to the building, to include language that the north and south tunnels provide access to the building in addition to Main Street and Park Avenue, was approved on July 30, 2012.

11. The property is encumbered with a recorded 99 year lease agreement to provide parking for the property at 364 Park Avenue. This lease agreement is identified on the plat because of the duration of the lease. The parking subject to the lease is currently provided within a garage in the Main Street Mall building with access to Park Avenue. The private 559 sf garage space is platted as unit 1G on the residential condominium record of survey plat for this property.

12. Five (5) easements for existing emergency and pedestrian access, utility, and parking easements as described in the title report and land title of survey for 333 Main Street were memorialized with the recorded subdivision plat.

13. On June 27, 2011, the City received a complete application for a condominium plat to create commercial condominium units (Unit A and Unit B) within the existing space of the Main Street Mall building and consistent with the May 2011, approved Historic District Design Review plans. The two unit plat was approved by Council however it was not recorded within a one year time period and it expired.

14. This property is subject to a February 28, 1986 Master Parking Agreement which was amended in 1987 to effectuate an agreement between the City and the owner with regards to providing parking for a third floor of the Main Street Mall (for office

uses proposed with the original construction). The property was assessed and paid into the Main Street Parking Improvement District for the 1.5 FAR (for commercial and retail on the main and lower floors).

15. Commercial space is located at the street along the Main Street frontage, including commercial space within the historic structures, with residential space located above and/or behind commercial space. All of the storefront units are subject to the vertical zoning ordinance as described in LMC Chapter 15-26-2 Uses.

16. Access is also contemplated via the existing north tunnel to a proposed underground parking garage with fifteen parking spaces for the residential condominium units only. The parking garage is located in the lowest level and is designated as common area for the residential uses.

17. Loading and services for the commercial uses, which are retail uses, will be from Swede alley via the south tunnel and from Main Street. No loading for commercial uses will be from Park Avenue as there is no access to Park Avenue from the commercial units, other than required emergency egress.

18. An elevator will be constructed at the Main Street level to provide ADA access to Unit C-1 on the Lower Level. A walkway from the elevator to Unit C-1 will also be constructed. Easements for the elevator and walkway will be recorded prior to recordation of this plat to provide perpetual ADA access to Commercial Unit C-1, as well as access to the south tunnel. These easements will be recorded following recordation of The Parkite Residential Condominiums plat so that the Residential HOA is granting the easements.

19. Easement agreements between the City and Property Owner regarding the south and north tunnels will need to be revised to address tunnel access, utilities, maintenance, etc., as required by the City Engineer.

Conclusions of Law – 333 Main Street

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

4. Approval of the condominium plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 333 Main Street

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium plat for compliance with State law, the Land Management Code, the recorded subdivision plat, and any conditions of approval, prior to recordation of the plat.

2. The applicant will record the condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless an extension request is made in writing prior to the expiration date and the extension is granted by the City Council.

3. All conditions of approval of the 333 Main Street Subdivision plat and approved Historic District Design Review shall continue to apply.

4. All new construction at this property shall comply with applicable building and fire codes and any current non-compliance issues for tenant spaces, such as ADA access and bathrooms, emergency access, etc. shall be addressed prior to building permit issuance.

5. Access easements for all required access to the south tunnel for commercial units and access from the Main Street level to Commercial Unit C-1, shall be recorded prior to plat recordation in order to provide perpetual ADA access to Commercial Unit C-1 from Main Street and to provide required access to the south tunnel. Recording information shall be provided on the plat prior to recordation.

6. Easement agreements between the City and the Property Owner regarding the south and north tunnels shall be reviewed and any required revisions to address tunnel access, utilities, maintenance, etc. shall be made. The amended agreements shall be recorded prior to or concurrent with the Commercial plat and recording information shall be provided on the plat.

3. 7379 Silver Bird Drive, Silver Bird Condominiums at Deer Valley First Amendment - Condominium Plat Amendment (Application PL-14-02322)

Planner Alexander reviewed the request to amend the existing Silver Bird Condominiums Plat. The purpose of the plat amendment is to convert the existing limited common area deck space into private area in order to enclose a covered patio and convert it to living

space for Units 25, 26, 27, 28, 29 and 30; and also to extend existing common area deck space into private to extend the decks on Units 27, 28, 29 and 30, as well as enclosing existing hallways and converting them from common area into private space for Units 25 and 29. The plat is subject to the 11th Amended Deer Valley Master Plan Development, which allows six units for the Silver Bird Condominiums without stipulating the unit size.

Planner Alexander noted that this same conversion of space has been done in other condominium plat amendments. The Staff found no issues with this request and recommended that Planning Commission conduct a public hearing and forward a positive recommendation to the City Council.

Michael Johnston, an engineer, stated that he was representing the HOA and all six of the owners in this condominium plat. Mr. Johnston noted that this plat amendment would clean up a number of issues that were overlooked in the past, since many of the spaces have already been filled in with private ownership and made into interior living space.

Commissioner Stuard stated that most of the condominium plat amendments that came before the Planning Commission dealt with the removal of interior walls. Since his time on the Planning Commission, this was the first time they were being asked to approve a plat amendment to convert exterior deck space and patios into living space. Commissioner Stuard asked Mr. Johnston to elaborate on the types of improvements being considered and what affect it would have on the building mass and appearance.

Mr. Johnston stated that he was called to look at a unit where the owner wanted to infill their patio. He thought it would be easy until he looked at the plat and found that the patio was limited common space. He informed the owner that if they infill the patio they would still not own it. The owner pointed to another unit and indicated that the owner of that unit had already filled in their patio. Mr. Johnston also noted on the plat that this owner, as well as other owners, had already filled in hallways that were considered common space on the original plat. The problem is that the owners do not technically own the spaces they have infilled. He noted that there are only six units in the condominium association and the six owners met to talk about this issue. Mr. Johnson stated that two other condo owners want to rebuild their decks. The decks are failing and one owner wants to add a hot tub. The decks are also considered limited common area.

Mr. Johnston explained that the six owners decided to apply for one plat amendment to clean up all the issues at one time. He remarked that numerous inconsistencies are part of this plat amendment, as well as the decks. The owners would like to make all of their decks private. It would not mean that the decks would be enclosed, and no one at this point was proposing to enclose open air decks. The owners were only enclosing the decks that are covered by other portions of the building. The Condominium Association no

longer wants the ownership or maintenance of individual decks, which is why the decks were included in this plat amendment request. Mr. Johnston reiterated that two owners want to rebuild their decks, and one of the decks already extends outside of the space delineated for the deck. The other unit has a 45 degree rounded deck and the owner wants to square it off and extend it out four feet. All the other owners agreed that it was a good idea and encouraged the owner to carry out his plans. Mr. Johnston pointed out that those types of improvements would technically not be allowed because it is considered limited common space.

Mr. Johnston emphasized that none of the owners anticipate enclosing the decks. If they wanted to enclose them in the future, they would have to submit building plans for Planning and Building Department review, and the architectural aesthetics would have to be approved by the HOA for compliance with the HOA architectural guidelines.

Commissioner Stuard appreciated the clean-up items. His concern was more with the deck enclosures and who would oversee the compatibility of the construction. Planner Alexander stated that the plan would be reviewed by the Planning and Building Departments when the owner applies for a building permit. Commissioner Stuard noted that some of the decks extend beyond the bearing line of the roof above them. If those were to be enclosed, there would still be a piece of deck sticking out into nowhere. He understood that would be addressed during the construction plans process, but he thought it should be addressed in the plat amendment.

Mr. Johnston stated that the decks are minor; however, if someone wanted to enclose a deck and it was approved through the HOA architectural review, the roof would be extended. Mr. Johnston believed that enclosing the deck would not make a difference in the massing of the building. Mr. Stuard remarked that the open decks provide articulation to the building that would be lost if the decks are enclosed. Mr. Johnston agreed.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Silver Bird Condominiums at Deer Valley First Amendment Condominium Plat for Units 25, 26, 27, 28, 29 and 30, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as stated in the draft ordinance. Commissioner Gross seconded the motion.

Commissioner Stuard asked Mr. Johnston if his clients would be opposed to a condition of approval that addressed his concern about the design if the exterior decks are enclosed. Mr. Johnston did not believe his clients would be opposed, depending on the wording of the condition. He asked if Commissioner Stuard could suggest language. Mr. Johnston stated that based on his experience with past projects, the owners are particular in making sure that any construction or improvements meet the HOA architectural guidelines in terms of form, materials and color. Mr. Stuard asked if some of the decks have already been enclosed with stucco exterior walls. Mr. Johnston answered yes. He was unsure when that occurred because he had not noticed it until it was pointed out.

Commissioner Stuard asked if the Staff knew whether the decks that were enclosed were legally permitted improvements. Planner Alexander did not have that information. Mr. Johnston believed that some of enclosures were done ten or 15 years ago.

Commissioner Stuard was aware that none of the other Commissioners appeared to share his concern or interest in adding a condition of approval.

VOTE: The motion passed 3-1. Commissioner Stuard voted against the motion.

Findings of Fact – 7379 Silver Bird Drive

1. The property is located at 7379 Silver Bird Drive within the Residential Development (RD) District and is subject to the Eleventh Amended Deer Valley MPD (DVMPD).
2. Within the DVMPD, a project can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per UE or develop the allowed number of units without a stipulated unit size.
3. A total of 6 units were constructed with allowed number of units per the Eleventh Amended Deer Valley MPD. The Silver Bird Condominiums parcels are all included in the 11th Amended Deer Valley Master plan and are developed using allowed number of units without a stipulated unit size.
4. Silver Bird Condominiums record of survey plat was approved by City Council on October 7, 1982 and recorded at Summit County on October 22, 1982.
5. On April 22, 2014, the applicants submitted an application for a condominium plat amendment to convert limited common deck space to private area for Units 25, 26, 27, 28, 29 & 30, so that they can enclose a covered patio and convert it to living space. Units 27, 28, 29, & 30 request to convert common area deck space to private so that they can extend their deck. Units 25 & 29 request to enclose existing

hallways and convert them from common area into private space.

6. The application was deemed complete on May 8, 2014.

7. The square footage of the six units being converted is as follows: Unit 25 private area: 3,310.2 sq. ft.; Unit 26 private area: 3,320.38 sq. ft.; Unit 27 private area: 3,663.39 sq. ft.; Unit 28 private area: 3,356.93 sq. ft.; Unit 29 private area: 3,453.13 sq. ft.; Unit 30 private area: 3,475.87 sq. ft.

8. The Silver Bird Condominiums parcels were developed using allowed number of units without a stipulated unit size. The amendment does not change the number of residential units.

9. The plat amendment does not increase the parking requirements for these units.

10. The HOA received 100% approval to convert these units.

11. The findings in the analysis section are incorporated herein.

Conclusions of Law – 7379 Silver Bird Drive

1. There is good cause for this condominium plat amendment.

2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.

3. The amended condominium plat is consistent with the 11th Amended and Restated Deer Valley Master Planned Development.

4. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.

5. Approval of the condominium plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 7379 Silver Bird Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land

Management Code, and the conditions of approval, prior to recordation of the condominium plat.

2. The applicant will record the amended condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the condominium plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. All conditions of approval of the Silver Bird Condominiums at Deer Valley condominium plat shall continue to apply.

**4. 692 Main Street, 692 Main Street Condominiums – Condominium Plat
(Application PL-14-02320)**

Planner Alexander reviewed the application for a condominium plat at 692 Main Street. She noted that the application was primarily to memorialize what was previously approved and built. The intent of the project was to renovate the existing non-historic structure located at 692 Main Street. The project is nearly complete and the applicant was requesting to convert the units to condominiums, along with the underground parking garage.

The building originally had two floors and it was approved for two additional floors. The new construction provides for commercial leased space on the ground floor and the basement level, and condominium residential uses for floor levels two, three, and four.

The Staff found no issues with the condominium plat and recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council.

Steve Bruemmer, representing the applicant, was available to answer any questions.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the 692 Main Street Condominiums Plat based on the Findings of Fact,

Conclusions of Law and Conditions of Approval as stated in the draft ordinance. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 692 Main Street

1. The property is located at 692 Main Street within the Historic Residential Commercial (HRC) District and is subject to the 1994 Amended Marriott Summit Watch/Town Lift Master Planned Development (MPD), as amended on July 14, 2010.
2. The Town Lift Site, Phase A Subdivision plat was approved by City Council on October 1, 1992 and recorded at Summit County on June 1, 1993. Town Lift Site, Phase A first amended plat was approved on November 30, 1995 and recorded at the County on March 19, 1997.
3. On April 21, 2014, the applicants submitted an application for a condominium plat amendment. The application was deemed complete on May 8, 2014.
4. The total square footage of the new units is proposed to be Commercial: 3,942 square feet; Unit A: 1,892 square feet; Unit B: 774 square feet; Unit C: 1,892 square feet; Unit D: 774 square feet; and the Penthouse: 2,099 square feet.
5. The existing commercial units and additional residential units are located within the existing building footprint and there is no increase in the footprint for this building except for the addition to the balcony and the enclosure under the deck facing Main Street, which were both proposed as part of the MPD Amendment and approved under the HDDR application.
6. 3.448 UEs of Commercial and 3.715 UEs of Residential are proposed which combined totals 7.163 UEs and is less than the allowed 7.2 UEs as per the Amended MPD.
7. The plat amendment does not increase the parking requirements for these units, 23 spaces were recorded as an easement within the greater Summit Watch project.
8. As conditioned, this condominium plat is consistent with the conditions of approval of the Town Lift Site, Phase A First Amended Subdivision plat as per the findings in the Analysis section.

9. The findings in the Analysis section are incorporated herein.

Conclusions of Law – 692 Main Street

1. There is good cause for this condominium plat amendment.
2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended condominium plat is consistent with the 1994 Amended Marriott Summit Watch/Town Lift Master Planned Development (MPD) as amended by the Planning Commission on July 14, 2010.
4. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
5. Approval of the condominium plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 692 Main Street

1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the condominium plat.
2. The applicant will record the amended condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the condominium plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the July 14, 2010 Amended Marriott Summit Watch/Town Lift MPD continue to apply.
4. A timeshare instrument shall be recorded prior to sale of any units as a timeshare.

5. 317 Ontario Avenue – Steep Slope CUP (Continued Discussion)

Planner Astorga stated that he had Bruce Taylor and drafted language to reflect the comments made by the Planning Commission regarding this application. Revisions were made to the following findings and conditions:

Add Condition #12 – “The front of the garage shall not encroach beyond the permissible building footprint”.

Assistant City Attorney McLean suggested removing the word “front” to say, “The garage shall not encroach beyond the permissible building footprint.”

Chair Worel clarified that by specifying a garage in the conditions would rule out a carport. Planner Astorga replied that this was correct.

Add Condition #13 - “Should the City adopt a steep slope mitigation bond prior to the owner filing a building permit for this project, the owner shall abide by the adopted ordinance”.

Assistant City Attorney suggested changing “...by the adopted ordinance” to read, “...by such requirement.”

Finding #12 - the term “parking platform” was changed to “garage”.

Finding #46 – the term “covered parking platform” was changed to “garage”.

Finding #51 – Replace “covered parking platform” with “garage”.

Finding #52 – Completely remove the Finding and renumber the remaining findings.

Planner Sintz noted that Findings 19 should also be revised to replace “covered parking platform area” with “garage.” Planner Astorga also replaced “parking level” with “street level.”

Finding 19 was revised to read, “The new street level floor plan would have a hot tub patio and a garage.”

Finding 31 was revised to replace “covered parking area” with “garage” and to replace the words “shed roof instead...” in the last sentence to “roof design...” The revised Finding reads, “The addition and existing structure contains various heights all under 27 feet, with the exception of the garage. Staff recommends adding a condition of approval to redesign the gable roof opposite to the street to place a roof design to comply with the 27-foot height restrictions”.

The Commissioners were comfortable with the revisions proposed.

MOTION: Commissioner Phillips moved to APPROVE the Steep Slope Conditional Use Permit for 317 Ontario Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Campbell seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 317 Ontario Avenue

1. The site is located at 317 Ontario Avenue.
2. The site is located in the Historic Residential (HR-1) District.
3. The property, tax identification no. PC-455, is a standard Old Town lot measuring 25 feet in width and 75 feet in depth.
4. The site is listed on Park City's Historic Site Inventory (HSI) as a Significant Site.
5. The property is known as the A.W. Webster House and was built circa 1885.
6. The site is ineligible to be listed as a Landmark site on the HSI and the National Register of Historic Places due to the extent of the building alterations which have diminished its associations with the past.
7. Approximately 86.3 square feet of the historic structure encroaches onto the neighboring property to the south.
8. A portion of the adjacent historic structure to the north, 823 Ontario Avenue encroaches on the subject property. This neighboring property is listed on the HSI as a Landmark Site. This encroachment is approximate 73.8 square feet.
9. A Historic District Design Review (HDDR) application is concurrently being reviewed by Staff for compliance with the Design Guidelines for Historic Districts and Historic Sites.
10. This application is a request for a Steep Slope Conditional Use Permit (CUP) for an addition to a historic Structure.
11. The property owner requests to build an addition towards the rear of the historic

structure, towards Ontario Avenue.

12.The applicant proposes to remove the non-historic attached storage area and deck behind the structure and construct an addition consisting of three (3) floors and a garage.

13.A single family dwelling is an allowed use in the HR-1 District.

14.The existing structure is 892 square feet. The ground level of the existing structure is 550 square feet and the second level is 342 square feet.

15.The applicant requests to remove the storage area and deck.

16.The proposed addition includes adding 404.8 square feet to the lower level.

17.The proposed addition includes adding 404.8 square feet to the mid-level.

18.The new upper addition includes adding 381 square feet.

19.The new street level floor plan would have a hot tub patio and a covered garage.

20.The maximum building footprint is 844 square feet.

21.The proposed building footprint is 843.4 square feet.

22.The minimum front and rear yard setbacks are ten feet (10').

23.The proposed front yard setback is ten feet, (Ontario Avenue).

24.The proposed addition is located opposite to the rear seatback area, towards Ontario Avenue and meets the rear yard setbacks.

25.The historic house has a 6 foot front yard setback and is considered a valid complying structure per LMC § 15-2.2-4.

26.The minimum side yard setbacks are three feet (3') minimum, 6 feet total.

27.The addition has a 7'-9" side yard setback on the north and a 3'-0" side yard setback on the south property line.

28.The historic house does not comply with the south side yard setback and is

considered a valid complying structure per LMC § 15-2.2-4.

29. LMC § 15-2.2-4 indicates that Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.

30. No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.

31. The addition and existing structure contains various heights all under 27 feet, with the exception of the garage. Staff recommends adding a condition of approval to redesign the gable roof opposite to the street to place a roof design to comply with the 27 foot height restrictions.

32. Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].

33. The addition complies with the four foot final grade restriction.

34. A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].

35. The maximum height from the lowest finish floor plane to highest wall top plate is 35 feet.

36. Vertical articulation is required in the form of a ten foot (10') minimum horizontal step in the downhill façade.

37. The proposed additions meet the vertical articulation.

38. Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

39. The roof pitch of the addition is 7:12.

40. The roof pitch of the existing historic house is 12:12.

41. Even though most of the addition takes place over the steeper slopes, the site as viewed from Ontario Avenue will simply look like the small 14 foot wide covered parking platform and will not be detrimental in terms of size and scale mainly due to the dramatic change in slope which affects the maximum building height.

42. The applicant submitted building elevations showing impacts.
43. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of a cross canyon view.
44. The site is engulfed by surrounding development; also the addition takes place fifteen feet (15') behind the roof ridge of the historic structure.
45. The cross canyon view contains a back drop of four (4) plus story buildings. The building is located in a neighborhood of similar structures and is completely surrounded by residential development.
46. The project will be accessed by a concrete slab on grade accessed off Ontario Avenue directly into the garage.
47. The pedestrian access to the house has been incorporated as an exterior staircase leading down to the upper level.
48. The design does not require any terracing as the site will be retained by the foundation of the addition.
49. The proposed addition is located towards the rear of the historic house towards the Ontario Avenue.
50. Pedestrian access is unchanged from the front of the house accessible from Shorty's Stairs. Another pedestrian access is proposed to the upper level floor from an exterior staircase accessed off Ontario Avenue.
51. The main ridge of the addition is perpendicular to Ontario Avenue located on the garage.
52. The proposed structure is vertically articulated and broken into compatible massing components due to the topography of the site which limit the maximum height.
53. The design includes setback variations and lower building heights for the historic structure.
54. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings in the area.

55. Portions of the addition are less than 27' in height.

56. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – 317 Ontario Avenue

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).

2. The CUP, as conditioned, is consistent with the Park City General Plan.

3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.

4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 317 Ontario Avenue

1. All Standard Project Conditions shall apply.

2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.

3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.

4. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.

6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.

7. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.

8. If required by the Chief Building official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.

9. This approval will expire on August 13, 2015, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.

10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes made during the Historic District Design Review.

11. The applicant shall redesign the gable roof opposite to the street to place a shed roof instead to comply with the 27 foot height restriction.

12. The garage shall not encroach beyond the permissible building footprint.

13. Should the City adopt a steep slope mitigation bond prior to the owner filing a building permit for this project, the owner shall abide by such requirement.

The Park City Planning Commission Meeting adjourned at 7:15 p.m.

Approved by Planning Commission: _____

Planning Commission Work Session Staff Report



PLANNING DEPARTMENT

Subject: Financial Guarantees for Shoring
and Remediation
Author: Thomas Eddington, Planning Director
Polly Samuels McLean, City Attorney's Office
Date: August 27, 2014
Type of Item: Work Session

Summary Recommendations

Planning Commission review prior discussions regarding financial guarantees or bonds for shoring on steep slopes or remediation of sites. The Building Department will be available to discuss their review process for shoring and geotechnical review when building on steep slopes.

Background

The issue of whether bonds or financial guarantees are needed when building on steep slopes has been brought up by the Planning Commission several times in the last few months. Staff is attaching those minutes. At the meeting, the Building Department will be available to discuss shoring and geotechnical review of buildings on steep slopes. The building department will also be available to discuss if their perspective on whether remediation bonds are needed.

Exhibits

Exhibit A – Minutes from prior Planning Commission discussions regarding shoring and remediation bonds.

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
MARCH 12, 2014**

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Planning Manager, Kayla Sintz; Kirsten Whetstone, Planner; Christy Alexander, Planner; Polly Samuels McLean, Assistant City Attorney

300 Deer Valley Loop – Roundabout Subdivision ROS
(Application PL-13-02147)

Commissioner Campbell recused himself and left the room.

Planner Alexander reviewed the application to amend the existing Roundabout Subdivision Plat that came before the Planning Commission in 2007, consisting of two duplexes on two lots. The request is to remove the lot line and create one condominium plat with a total of four units; two units in each building.

Planner Alexander noted that this proposal was a significant change from the last plat that was approved in 2007 and recorded in 2008. The applicant is proposing to build an underground parking structure which would eliminate the four garages that would have been visible along Deer Valley Drive. There would be one access and a common shared driveway coming off of Deer Valley Drive entering the parking structure. Two parking spaces per unit would be provided, as well as six additional guest parking spaces. There would be a requirement to exit the parking structure front facing on to Deer Valley Drive. The Staff and the applicant have been working with the City Engineer. The bus pull out would be moved slightly to the west in order to accommodate the driveway. The Staff thought it was too difficult and dangerous to access off of Deer Valley Loop Road. Planner Alexander stated that the architecture currently being proposed has changed significantly; however, the density is less than what is permitted within the R-1 zone. All the setbacks are met.

Planner Alexander reported on existing encroachments from 510 Ontario that would need to be resolved either through an encroachment agreement or removal of the encroachment prior to plat recordation.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council.

Blake Henderson, the applicant, stated that they worked hard to recognize the challenges in Old Town. They were not challenging height in the zone or the footprint, and the requested plat proposes less density for the land than what the zone would allowed. Mr. Henderson stated that they tried to design a project that limits congestion, traffic, parking and massing in keeping with Old Town.

Commissioner Gross had a hard time following the site plan to understand the driveway location and ingress and egress. Planner Alexander stated that the driveway entrance would to the east of the bus pullout. Cars would enter the driveway and go underground to parking below the units. There would be room to turn around in the parking structure and exit out on to Deer Valley in the same location they came in.

Commissioner Joyce thought page 142 showed the opposite. Planner Alexander stated that page 142 showed the previous proposal before the City Engineer asked them to place the entrance on the other side and move the bus pullout. She noted that the drawings needed to be updated.

Commissioner Stuard believed the proposal was a better solution than the previous proposal; however he was concerned with how it was being wedged into the slope. He thought the top of the building appeared to be several feet below the natural grade. He stated that there would need to be a 44-foot vertical cut during the excavation in order to build the back retaining wall; and then a step and another 10 feet at the very back of the building. Mr. Henderson believed the vertical cut in back was 20 feet and setback 20 feet for a total of slightly over 40 feet. Commissioner Stuard disagreed with the numbers. He noted that the parking lot elevation was 7094. In looking at the topo line in the southeast corner of the building the elevation is 7138, which is 44 feet from the garage elevation to the top floor.

Commissioner Stuard had safety concerns. He was unsure how they could safely make a 44 foot high cut and then go up another 10 feet without having the slopes collapse. In addition, it would create a large amount of dirt and the amount of hauling would be significant. He suggested the possibility of adding a condition of approval that addresses the hours and methods of hauling.

Planner Alexander stated that a construction mitigation plan would be required when the applicant applies for a building permit.

Commissioner Strachan wanted to know why this application did not require a Steep Slope CUP. Planner Alexander replied that it was not in the Historic District. Commissioner Stuard stated that if the currently LMC did not deal with steep slopes in a more comprehensive way, it should be a consideration for the LMC rewrite.

Commissioner Stuard remarked that this project would be highly visible approaching the traffic circle and beyond on Deer Valley Drive.

Chair Worel opened the public hearing.

David Constable stated that he lives at 375 Deer Valley Drive across the street from this property. A month ago when he heard that this project was coming back to the Planning Commission he went to the Planning Department and was told that a steep slope conditional use permit was not required because it was not in the Historic District. Mr. Constable thought there was a real disconnect because it was only 100 feet away from the Historic District. He pointed out that he was required to go through the steep slope process for his project and he, too, was only 100 feet away. This site is much steeper than his site. Mr. Constable could not understand why there was an arbitrary line where on one side people were held to specific restrictions, but on the other side the restrictions did not apply. Mr. Constable urged the Commissioners to visit the site and look up the hill to understand what he was talking about. It is steep and massive and it is right on Deer Valley Drive.

Bill Tink stated that he the owner of 408, 410 and 412 Deer Valley Loop, which abuts to Third Street, right behind the property at 300 Deer Valley Loop. Mr. Tink referred to some discrepancies in the plan. One was the driveway and the exhibit shown on page 142. Mr. Tink referred to the side elevation on Exhibit H. From the drawing the height above grade appeared to be 22 feet. However, on page 119 there was a proposed height of 32 feet and he questioned the difference or whether 32 feet may have been a typo.

Mr. Henderson believed it was a typo because the actual number was 22 feet above existing grade.

Assistant City Attorney McLean stated that the plans have to match the actual drawings that are being approved as part of the ordinance. Planner Alexander presented the drawings that were part of the approval. Exhibit H was not included in the documents for approval. It was part of the supplemental documents for additional information.

Mr. Tink asked if the Planning Department had standard vertical data that they use to calculate the elevation, or whether they were using multiple vertical data that does not match. Director Eddington stated that they typically use the current survey from the licensed engineer to obtain that information. The survey should reflect what is on the ground. Mr. Tink found the vertical data on all the maps, but he could not find anything that provided vertical data on this application. Director Eddington noted that the current survey by Evergreen Engineering on page 135 should reflect the current vertical data.

Mr. Tink was not satisfied with the vertical data and suggested that he could discuss his issues with the applicant rather than take the time this evening.

Mr. Tink noted that there are six significant pine trees that would probably need to come down for construction. He asked if those trees could possibly be moved and replanted on Third Street as part of the construction mitigation plan. He also wanted to make sure that there would be no parking along Deer Valley Loop because the road is narrow.

Planner Alexander stated that parking would not be allowed on Deer Valley Loop. She pointed out that typically the City requires significant trees to be replaced with a like-wise significant tree or with two trees, depending on the Arborist's recommendation.

Patricia Constable wanted to know where the construction vehicles would park. They have been contending with parking from other projects and vehicles are parked everywhere. She anticipated this project to take several years. She believed parking would be a problem and that Deer Valley Loop would have to be used. Ms. Constable stated that this was the most intensely vigorous sections of Deer Valley Drive and pulling on to the road requires extreme caution. She found the concept of building on that hill to be ludicrous. She understood that it was improved but she was personally disturbed by it.

Chair Worel closed the public hearing.

Commissioner Strachan stated that having been reminded that this would not go through the CUP process and after reading the Staff report more thoroughly, this was their only opportunity to regulate this property. He thought it should be subject to the Steep Slope Analysis. Commissioner Strachan remarked that on steep slopes the Planning Commission needs to see a detailed height analysis. There were obvious problems with the surveys and other discrepancies. The exhibits needed to be larger showing the topographical data, the existing grade, and the planned finished, as well as the heights to each floor and each setback level. Commissioner Strachan stated that this was one of the more complicated pieces of property in Park City. He advised the applicant to come back with more materials when he is asked to do so because the Planning Commission cannot approve what they do not have.

Planner Alexander stated that the larger set of plans were submitted by the applicant and they were available in the Planning Department. Commissioner Strachan requested that the plans be provided to the Planning Commission on 11 x 17 sheets so they could be read. Commissioner Strachan also requested an estimation of the amount of dirt that would be removed.

Mr. Henderson believed the requests were part of a Steep Slope Analysis which was not required in the R-1 zone. Commissioner Strachan read from LMC Section 15-7.3, "for land that due to steep slopes or other features which will reasonably be harmful to the safety, health and general welfare of the present or future inhabitants of the subdivision, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Planning Commission to solve the problems created by the unsuitable land conditions." Mr. Henderson thought the language pertained to construction mitigation. He noted that through the original approval process it was determined that there was no Steep Slope Ordinance on this property. Commissioner Strachan informed Mr. Henderson that he could build what was approved if he did not want to provide the additional information being requested. Commissioner Strachan emphasized that Mr. Henderson needed to provide an estimate

of the amount of excavation, particularly with the new proposal of an underground parking garage, and the amount that would have to be required for the grading.

Commissioner Strachan remarked that the purpose statements in the R-1 District were very clear that the project has to be stepped to the topography of the grade. He noted that the drawing provided on page 146 shows two steps and an existing grade and a front of the façade that has no stepping. He pointed out that Mr. Henderson stepped the retaining wall but not the front façade. Mr. Henderson replied that the façade steps back three times at different angles.

Commissioner Strachan asked Mr. Henderson to provide the Planning Commission with the construction mitigation plan. He agreed with the concerns regarding construction parking on Deer Valley Drive. Mr. Henderson stated that the Deer Valley Drive construction project was staged on a large, flat area of his property. He intends to stage this project on his property as well. Commissioner Strachan stated that 15-7.3 entitles the Planning Commission to review the construction mitigation plan to see how they could address the unsuitable land conditions. Mr. Henderson disagreed. Commissioner Strachan did not believe that was an unreasonable request, and noted that on other complicated projects the Planning Commission was able to see the construction mitigation plan before it was given to the Building Department.

Commissioner Strachan stated that even though the other properties have not shown any potential problems geo-technically, he would like to have a geo-tech opinion on the cumulative effect of all the homes going on this steep slope.

Commissioner Gross concurred with Commissioner Strachan's.

Commissioner Joyce stated that his struggle was with the construction mitigation. He could see this as being catastrophic.

Commissioner Stuard agreed with all the comments. He referred to the site plans on pages 133 and 145 of the Staff report, both of which had topographic lines. He stated that the outside retaining wall configuration were quite different. Page 133 showed a series of three walls behind the back of the building. They are not shown on page 145, but alternatively there are two curved linear single rock wall type retaining walls on either end of the building. He noted that the one on the southeast elevation starts at 9 feet and climbs up to 15 feet by the time it arcs back into the next element of the building. Commissioner Stuard did not believe that could be accomplished with a single rock wall type of construction. He requested an accurate site plan that accurately depicts the locations and heights of all the retaining walls on the site.

Mr. Henderson stated that if he is held to the restrictions of the R-1 zone, he could not understand why other zoning restrictions were being put on this project. He used the Steep Slope study as an example. Commissioner Strachan clarified that Mr. Henderson was not being subjected to the Steep Slope Analysis. If he were it would be much more rigorous than what they were requesting. Planner Alexander read from LMC Section

15-7.3-1(D) to help Mr. Henderson understand what the Planning Commission was asking for and why.

Commissioner Strachan remarked that LMC Section 15-7.3 applies and the language suggests that the land is unsuitable. However, unsuitable does not mean unbuildable. It only means that adequate methods must be imposed to solve the problems that are created by the unsuitable condition.

Mr. Henderson was confused by the comments because he has an approved buildable lot with an approved plat. The approved plan was a worse proposal than what he is proposing today. He has made a tremendous effort to mitigate all the issues with this new plan. Commissioner Strachan stated that Mr. Henderson needed to show the Planning Commission that it was a better plan. With adequate and detailed information the Planning Commission would probably approve it.

Commissioner Phillips commended Mr. Henderson for what he has done to this point. The Planning Commission was asking for more information because this new proposal was different from the original approval. He believed that with the proper information the Planning Commission could look favorably on the project.

MOTION: Commissioner Strachan moved to CONTINUE the plat amendment for 300 Deer Valley Loop to April 9th, 2014. Commissioner Stuard seconded the motion.

VOTE: The motion passed unanimously.

Commissioner Campbell returned to the meeting.

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
APRIL 9, 2014**

COMMISSIONERS IN ATTENDANCE:

Chair Worel, Preston Campbell, Stewart Gross, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director; Planning Manager, Kayla Sintz; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Ryan Wassum, Planner; Christy Alexander, Planner; Polly Samuels McLean, Assistant City Attorney

300 Deer Valley Loop Road, Roundabout Condominiums – Condominium Plat Amendment **(Application PL-13-02147)**

Commissioner Campbell recused himself and left the room.

Planner Christy Alexander reported that the Planning Commission reviewed this item on March 12th and after considerable discussion the Commissioners had concerns regarding the nature of development on the slope, as well as the drawings that were presented. Since then the applicant had submitted updated drawings and the Staff report was also updated since the March 12th meeting. The changes were highlighted in the Staff report for this meeting. The applicant also submitted the geo-technical report and additional information regarding the height and retaining walls. Planner Alexander presented the updated plat and the floor plans, as well as the height and setbacks.

Blake Henderson, the applicant, clarified that his request was to remove a lot line on two different lots. It is a center lot line and he owns both sides of the property. The reason for removing the lot line is to put in a fully subterranean underground garage, which would provide many benefits to the community, the City and the developer. Mr. Henderson stated that the drawings were updated to be architecturally clear on what he was trying to do, and to demonstrate the benefits of having an underground garage. Mr. Henderson presented a slide showing the proposed project, as well as what was currently approved under the developmental rights from 2007. He was not changing any of the development ideas or plans for the property. The density is one unit per every 6900 square feet. Currently approved is one unit for every 3700 square feet, which is far less than the density in the existing area. The proposed height is 22 feet, which is less than the 32' feet allowed on the site. The proposed footprint is under the 3200 square feet that was approved. One larger subterranean garage across both lots boundary lines allows for considerably more parking spaces. For four units there would be 14 underground and completely hidden parking areas for the owners and visitors. In terms of the architecture, being able to put a full story underground allows more setback and green space between Deer Valley Drive and the building. It also allows the structure to sit further up on the hill for more separation. Due to the underground garage the massing was considerably less.

Mr. Henderson stated that another benefit of the underground garage is only one driveway entering on to Deer Valley Drive to accommodate all four units. It is one driveway and one garage door. The driveway is large enough to park a full suburban completely within the property on private land. It is a flat driveway with significant visibility going up and down Deer Valley Drive. Most of the hillside would be retained by the majority of the structure. Therefore, there would be very limited exposed retaining walls along Deer Valley Drive.

Mr. Henderson stated that the current proposal versus what was already approved is a benefit to the community and the City.

Commissioner Stuard asked Mr. Henderson to walk them through the geo-technical report and the recommendations for the grading process, temporary shoring and other related issues. Mr. Henderson was not prepared to comment on the geo-technical report because it is not his area of expertise. It was a licensed geo-tech report and he intended to build to the structural demands. Mr. Henderson trusted the report because it was done by professionals.

Commissioner Stuard stated that he has read a few geo-technical reports over the years and this one read very cautious. The report recognizes that it is a very steep slope and there could potentially be sliding problems, and having to use blasting or chipping techniques which could cause sliding. The report recommends temporary shoring. Commissioner Stuard believed that if Mr. Henderson was more familiar with reading the report he would appreciate the degree of risk involved in the excavation not only to those working on the property but also to the adjacent properties around it. Commissioner Stuard strongly recommended that Mr. Henderson have a geo-tech expert on the site at all times during the excavation and during the foundation work until the retaining wall is completely backfilled and drained appropriately. He believed this was a potentially dangerous situation.

Mr. Henderson understood the concern and agreed that they were making significant cuts. He stated that the property would be temporarily shored as required by the Building Department. They would also intend to do permanent shoring for the project. The issues have been taken into consideration and they would follow whatever the Building Department requires for safety when excavating and shoring the hillside.

Planning Manager Sintz stated that Mr. Henderson would not be able to obtain a building permit without meeting all the requirements set in place by the International Building Codes

Commissioner Stuard noted that the Building Code requires a landscape bond to restore the site and re-vegetate if the developer fails to do it. In this case, it would be restoring a hillside. Planning Manager Sintz was certain that the Building Department would take that into consideration. Commissioner Stuard asked if Mr. Henderson planned to have a completion bond guarantee between himself and his general contractor. He was concerned that the excavation would occur and for unforeseen reasons the project would stop. If that happened and they encountered a rainy season where the soil gets saturated, the hillside would collapse and create a major problem. Commissioner Stuard thought it was in the best interest of the City and the developer to have some form of completion guarantee, at least until the foundation wall is completed. Ms. Sintz remarked that a completion guarantee is the purview of the Building Department and it was not relevant to the application. She was sure Mr. Henderson would meet all the requirements set forth by the Building Department.

Commissioner Gross had concerns with access and the driveway if a bus is pulled over at the bus stop. He could see problems occurring if people try to get in front of the bus to access their condo. Commissioner Gross thought a better solution would to access

off of Deer Valley Loop Road into Third Street. Planner Alexander stated that the City Engineer reviewed the access numerous times and he believed this was the best route. Deer Valley Loop is a dangerous, substandard road. Coming off of Deer Valley Road was the best compromise. Commissioner Gross thought it was the worst possible location along the entire frontage. He believed any other access would be better than what was currently shown, particularly with the bus situation.

Mr. Henderson explained the problems and safety issues of using Deer Valley Loop. He spent significant time with the City Engineer trying to determine the best access point. Mr. Henderson acknowledged that the access off Deer Valley Drive was not ideal, but it has good visibility and the driveway is flat and large enough to park a car.

Chair Worel opened the public hearing.

ReNae Rezac, City Staff, disclosed that she had received a phone call from Patricia Constable just prior to the meeting, asking about the order of this item on the agenda. Ms. Constable lives in the area and has previously given public comment on this item. Ms. Rezac informed Ms. Constable that it was the last item on the agenda and she had not yet arrived.

Assistant City Attorney McLean suggested that the Planning Commission leave the public hearing open and delay the vote until later in the meeting to see if Ms. Constable arrives.

Commissioner Strachan supported leaving the public hearing open, but he thought the Commissioners should continue their discussion while the applicant's presentation was still fresh on their minds. They would still have the opportunity to amend their comments based on public input if necessary.

Commissioner Strachan thanked Mr. Henderson for updating the plans and providing the requested information. He also thanked Planner Alexander for highlighting the changes. Commissioner Strachan stated that the plan approved in 2007 was far worse than what was proposed today. If he had been on the Planning Commission in 2007 he probably would have looked at this application differently. Commissioner Strachan was reluctant to restrict a much better plan, but he struggled with the fact that three-quarters of the building was beneath existing grade. He has never seen such dramatic excavation on a site. Commissioner Strachan read from page 5 of the geo-technical report, "We anticipate that cuts of approximately 45 feet will be needed to accommodate the construction of the proposed building." He agreed with Commissioner Stuard that a bond or something else should be required to make sure the permanent shoring is in place first. Commissioner Strachan remarked that if the hillside slides someone would get hurt.

Mr. Henderson stated that the process is to excavate and shore, excavate and shore. Commissioner Strachan clarified that it was the permanent shoring; not temporary shoring. Mr. Henderson answered yes. He explained that they may do temporary

shoring while excavating, but the permanent shoring will be placed as they excavate. He pointed out that the shoring must be done prior to the foundation. Commissioner Strachan asked how long it would take to complete the excavating and shoring process. Mr. Henderson estimated two months.

Commissioner Phillips stated that he has done this type of work as a general contractor. The process is to dig down 10 to 12 feet and then shore up the wall and continue doing that until the excavation is completed. It is a good process, it is permanent and the structure will not move. Based on his experience, Commissioner Phillips could not see any problems and he believed it was the safest way to excavate this project. He has never shored anything as large as what was proposed, but he has shored cuts that deep. He pointed out that the total cut was 45 feet but it is done in increments. It is not one 45 foot cut. Commissioner Phillips believed the geo-tech would make site visits throughout the process because he has the liability.

Aside from the excavation, Commissioner Phillips liked the project and what the developer had done with so many other things. It was a pleasure not to have everything maxed out.

Commissioner Strachan deferred to Commissioner Phillips regarding the shoring based on his knowledge and expertise.

Commissioner Gross referred to Condition #8 and wanted to know which property would be involved in the encroachment agreement. Planner Alexander replied that it would be with the owner of 510 Ontario Avenue. Mr. Henderson explained that the hot tub at 510 Ontario currently sits on his setback.

Chair Worel stated that the Planning Commission would table further discussion on 300 Deer Valley Loop Road until the end of the meeting.

Commissioner Campbell returned to the meeting.

**Continued Discussion on 300 Deer Valley Loop Road, Roundabout
Condominiums – Plat Amendment (Application PL-13092147)**

Commissioner Campbell recused himself and left the room.

Chair Worel announced that the order of the agenda had changed and this item was presented and discussed earlier in the meeting. At that time, the public hearing was left open in the event that the public had judged the time of the public hearing based on the agenda.

Commissioner Strachan noted that the Commissioners would not repeat the comments they had already made during the discussion, and he suggested that the public read the minutes from this meeting when they become available.

Chair Worel called for public comment.

David Constable had concerns with how this project would be staged. It is a tight space and he wanted to know how construction would occur without blocking the sidewalk and the street. Pedestrians had a difficult time last summer during the Deer Valley Drive construction and it was a real problem. He believed that moving the bus stop closer to the Roundabout would exacerbate the problem in terms of traffic coming around the turn. He wanted to know if there were plans to stage the project without getting in the way of the public on a busy sidewalk.

Commissioner Strachan informed Mr. Constable that a condition of approval was added stating, "The construction mitigation plan required at building permit application shall stipulate that all staging of the project must be done entirely on the applicant's property, and that the hours of hauling shall be between 8:00 a.m. and 6:00 p.m. Monday through Friday throughout the duration of the project." Commissioner Strachan believed the 8:00 a.m. to 6:00 p.m. time frame mirrors the current LMC language for when construction activity begins and ends.

Planning Manager Sintz stated that the Planning Commission could consider adding a condition of approval stating that a neighborhood meeting be held on building permit issuance to make the neighbors aware of the different conditions and how construction mitigation and other safety and welfare issues were addressed.

Patricia Constable noticed from the drawings that the steep slope appeared to be mitigated and there was more assurance that the hillside would not be sliding into the street. Chair Worel replied that she was correct. Commissioner Gross explained that permanent shoring was proposed as part of the excavation. Commissioner Strachan informed Ms. Constable that the Commissioners and the applicant had a lengthy discussion regarding the shoring process.

Assistant City Attorney McLean informed Ms. Constable that if she did not want to wait for the minutes, the recording of the meeting would be available within a day or two and she could contact the Planning Department for a copy. Blake Henderson, the applicant, offered to meet with Ms. Constable after the meeting to explain the shoring process.

Chair Worel closed the public hearing.

Commissioner Stuard noted that Finding of Fact #19 states that a geo-technical report has been reviewed and approved. He wanted to know who approved it since it is not the purview of the Planning Commission to review and approve geo-technical reports. Planning Manager Sintz revised the language to state, "A geo-technical report was provided to the Planning Commission for their review." Commissioner Stuard did not believe the brief review by the Planning Commission constitutes a full and necessary review.

Commissioner Phillips suggested revising the language to say that the geo-technical

report was presented to the Planning Commission, but it should not say it was approved. Commissioner Gross thought they could add a condition of approval stating that the geo-technical report needs to be approved.

Mr. Henderson pointed out that it was a stamped certified geo-technical report by a licensed engineer. Commissioner Strachan clarified that the report as submitted needs to be approved by the City.

Chair Worel clarified that the wording in Finding of Fact 19 should read, "A geo-technical report was presented." Commissioner Stuard preferred to say it was submitted because the applicant was not able to read the report and walk them through it. The Commissioners concurred. The Finding was changed to read, "A geo-technical report was submitted."

Commissioner Strachan noted that the sidewalk that runs in front of the project is a dual use path that is used for biking and walking. He hoped that the construction staging would not interfere because it is the only way to get up and down Deer Valley Drive.

Planner Alexander noted that Condition of Approval #12 requires that all construction of the project must be staged on the property. Commissioner Gross asked if they should add a separate condition to required screening and fencing on the south side of the sidewalk. Commissioner Strachan suggested adding separate condition of approval stating, "The sidewalk on Deer Valley Drive shall remain passable at all times." Assistant City Attorney McLean recommended that they add the language to Condition #12, as opposed to making it a separate condition.

Chair Worel asked if the Commissioners wanted to add a condition of approval regarding a neighborhood meeting with the applicant. Mr. Henderson was not opposed to meeting with the neighbors and working through the plans; however, he was unclear on whether the neighbors would have a say in the construction mitigation plan. He was concerned that different opinions from different neighbors would stall the progress.

Commissioner Gross remarked that meeting with the neighbors would be more informational so they would know what to expect. Commissioner Phillips assumed that Mr. Henderson would take into consideration any concerns voiced by the neighbors. Condition of Approval 15 was added to say, "The applicant shall conduct a neighborhood meeting that shall be held within 30 days of building permit issuance." Commissioner Stuard preferred "...within one week prior to the start of construction", rather than 30 days after the building permit.

Planning Manager Sintz suggested, "...within one week prior to the commencement of construction".

Commissioner Strachan thought they should require the applicant to make reasonable efforts to inform the neighbors. He drafted language to state, "The applicant shall make a reasonable effort to contact all the neighbors within 300 feet."

Commissioner Stuard was interested in adding language stating that the Building Department would look carefully at methods necessary to restore this site in the event that there is a cessation of construction. Planning Manager Sintz offered to schedule a work session where a representative from the Building Department could explain the current process. It would help the Commissioners understand the process for future applications. Assistant City Attorney McLean stated that the Staff would relay Commissioner Stuard's comments to the Building Department. She thought having a work session with a Building Department representative was a good idea.

Commissioner Strachan reviewed the Findings and Conditions that were revised or added during this discussion.

Finding of Fact #19 – The geo-technical report was submitted.

Condition of Approval #12 – Add a sentence at the end, "The sidewalk on Deer Valley Drive shall remain passable at all times.

Add Condition of Approval #15 – Applicant shall conduct a meeting with surrounding neighborhoods within one week prior to beginning of construction. Applicant shall make reasonable efforts to inform all neighbors within 300' of the meeting.

MOTION: Commissioner Strachan moved to forward a POSITIVE recommendation to the City Council for the Condominium Plat Amendment for 300 Deer Valley Loop Road, according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the draft ordinance and as amended. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously. Commissioner Campbell was recused.

Findings of Fact – 300 Deer Valley Loop Road

1. The property is located at 300 Deer Valley Loop Road.
2. The property is located within the Residential (R-1) District.
3. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
4. The condominium plat will create one (1) condominium lot of record containing a total of 27,779.15 square feet.
5. There are no existing structures on the property.
6. Access to the property will be from Deer Valley Drive in a single access point on a common driveway for all units to a shared underground parking structure.

7. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
8. A duplex dwelling is an allowed use in the R-1 zone.
9. The total private area of the condominiums consists of 5,230.2 square feet; the Limited Common Area consists of 306 square feet.
10. Unit A consists of 3,769.6 square feet of private area and 2,852.3 square feet of limited common area. Unit B consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit C consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit D consists of 3,076.7 square feet of private area and 2,385.8 square feet of limited common area.
11. The entire project including the parking structure contains 9,446.1 square feet of common area, 12,008.7 square feet of private area, and 9,264.1 square feet of limited common area.
12. The footprints total 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined; with a total footprint of the project being 4,899 square feet.
13. The height of the buildings will be 22 feet above existing grade
14. The front yard setback will be 20 feet, the rear yard setback will be 10 feet and the side yard setbacks will be 10 feet each.
15. The shared parking structure contains a total of 14 parking spaces, exceeding the eight (8) parking space requirement.
16. There are existing encroachments on the property from the owner of 510 Ontario Avenue.
17. The existing shared access easement will be removed with the approval of this plat.
18. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.
19. The Geo-technical report was submitted.
20. A Construction Mitigation Plan will be required upon submittal of a Building Permit application.
21. On June 14, 2007, the City Council approved the Roundabout Subdivision Plat. This plat was recorded February 21, 2008.
22. On November 13, 2013, the Planning Department received a complete application for the Roundabout Condominiums plat.

23. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. Exhibit C shows the 875 square feet that will be dedicated to the applicant and 164 square feet that will be dedicated to the City. The applicant previously dedicated 3,152.54 square feet to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements (Exhibit E). In order for this to occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW.

24. As conditioned, this condominium plat is consistent with the conditions of approval of the Roundabout Subdivision plat as per the findings in the Analysis section.

Conclusions of Law – 300 Deer Valley Loop Road

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

Conditions of Approval – 300 Deer Valley Loop Road

1. The City Attorney and City Engineer will review and approve the final form of the condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant stipulates restricting the development to two (2) condominium buildings with one (1) underground shared parking structure. This shall be noted on the plat.
4. The footprint of each condominium building will not exceed 3,200 square feet, to be noted on the plat.

5. Shared access for the four units will be a single access point for all units on a common driveway into a shared underground parking structure, accessed from Deer Valley Drive, to be noted on the plat.
6. All vehicles exiting the common driveway must pull out of the driveway onto Deer Valley Drive front-facing, to be noted on the plat.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
8. A 10 foot (10') wide public snow storage easement is required along the frontage of the lot with Deer Valley Drive and Deer Valley Loop Road and shall be shown on the plat.
9. A five foot (5') wide public utility easement is required along the rear and side lot lines.
10. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including, but not limited to, the fire hydrant, storm drain box, bus pull-out, improvements to Deer Valley Drive, and lighting, prior to plat recordation.
11. An encroachment agreement between the applicant and the owner of 510 Ontario Avenue that addresses all current encroachments (asphalt driveway, rock retaining wall and hot tub) onto the applicant's property shall be remedied prior to plat recordation.
12. The Construction Mitigation Plan required at Building Permit application shall stipulate that all staging of the project must be done entirely on the applicant's property and that the hours of hauling shall be between 8 am and 6 pm Monday through Friday throughout the duration of the project. The sidewalk on Deer Valley Drive shall remain passable at all times.
13. There shall be a tie breaker mechanism in the CCR's.
14. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. In order for this to occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW prior to plat recordation.
15. Applicant shall conduct a meeting with the surrounding neighborhoods within one week prior to beginning of construction. Applicant shall make reasonable efforts to inform all neighbors of the meeting within 300'.

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
MAY 14, 2014**

PRESENT: Nann Worel, Preston Campbell, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard, Thomas Eddington, Kayla Sintz, Kirsten Whetstone, Matt Cassel, Chad Root, Polly Samuels Mclean

Commissioner Gross was excused.

Building Department Update

Chief Building Official, Chad Root updated the Planning Commission on the recent changes that have taken place in the Building Department.

Commissioner Stuard asked about the re-vegetation of sites and asked if the bond amount was still .75/square foot as stated in the Code. Mr. Root answered yes. Commissioner Stuard noted that the Planning Commission previously dealt with the Roundabout Subdivision project which has upwards of 43 feet of vertical cut. He pointed out that .75/per square foot would not restore the site if the developer were to stop construction in the middle of excavation.

Mr. Root stated that realistically .75/square foot is not enough to re-vegetate, even on a level site. Commissioner Stuard understood that the Building Department was limited by the LMC. He asked if Mr. Root needed that tool in the LMC to provide protection to adjacent properties and/or to deal with the physical elements of a site that is partially excavated and abandoned for a long period of time. Mr. Root thought there needed to be a larger bond in place on steep slopes.

Commissioner Stuard asked if the bond increase could be part of the LMC revisions. Director Eddington thought that it would have to go back to the City Council for a fees update. Commissioner Stuard recommended going through whatever process it takes to increase the bond. Commissioner Strachan concurred.

Commissioner Joyce thought the Roundabout project was a good example to hold up to the City Council of what could happen if the project was stopped for any reason.

Chair Worel stated that the Planning Commission has seen applications on challenging sites that generate a lot of neighbor concerns related to parking and other aspects of the construction. In some cases, the Planning Commission has put strict limitations in the conditions of approval, such as where employees can park. Chair Worel wanted to know who they should call if they hear complaints that the conditions are being violated.

Mr. Root stated that they should call the Building Department. Complaints are handled by Code Enforcement and they will work with the Planning Department to find out what was stipulated for that particular project. Mr. Root remarked that the Building Department is more reactive than proactive due to the staffing numbers and the amount of construction activity. He encouraged the Commissioners to contact the Building Department any time they feel the guidelines are not being met on a project

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
JULY 23, 2014**

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Christy Alexander, Planner; Ryan Wassum, Planner; Polly Samuels McLean, Assistant City Attorney

**166 Ridge Avenue – Steep Slope Conditional Use Permit
King Ridge Estates/Ridge Avenue (Application PL-14-02268)**

Chair Worel opened the public hearing.

Karleen Riele, a resident at 84 Daly Avenue stated that she lives below and to the side of the proposed lot. She has fought all these projects for many years primarily because of the land slide that comes down. The house currently lives in was actually destroyed when a tanker came down and disturbed the land. It created enough motion to push dirt down and disturb the house. It was a City tanker and the City had to rebuild the house. Ms. Reile stated that the land is very loose and she hoped Mr. DeGray had a solution to address the problem. She stated that she was unaware of this project going on until she received her notice last week. She wanted to know what the applicant would do to ensure that loose land does not roll down. The slope is very steep and neither she nor her dog can walk it. It comes up to Anchor, which is wide in one spot and narrow in another spot. There is a lilac bush and many trees right in the area where they propose to build. Ms. Reile also had issues with Ridge Road. It is 12' feet across and two vehicles cannot pass. One vehicle has to back down Ridge Road so the other vehicle can get through, and that is a very dangerous safety hazard. The applicant has said they would widen Ridge Road but she did not see how that could be possible. After this project four other projects will be built along the road. Ms. Reile wanted to make sure that either the City or the applicant had a plan to keep the land from sliding down on those who live below. Daly Avenue has always been a different environment and she urged the Planning Commission to think about the potential problems before they make

their decision.

Ms. Reile questioned why she had not been noticed. She understood that the project had already been approved and they were only here tonight for a height exception, and this was the first time she had heard about it.

Planner Alexander informed Ms. Reile that the Steep Slope CUP had not yet been approved and it was the application being discussed this evening. Chair Worel assured Ms. Reile that this was the first time the Planning Commission had seen this project. Mr. Joyce explained that this neighborhood had a prior history that tied to the driveway, but previous approval had expired and this was a new application.

Commissioner Stuard told Ms. Reile that while the actual construction process may be frightening, sometimes constructing homes on a steep slope will actually help stabilize the slope. He noted that this particular home will have a tall retaining wall in the middle of the slope. He believed that once all three homes are built it would stabilize the slope.

Richard Eyor, a resident at 61 Daly Avenue, appreciated the smaller house and thanked Mr. DeGray for his design. He lives across the street from Ms. Reile and his breakfast view would be of this new house. He was unsure whether it would directly impact his view, but he would prefer a lower roofline and would appreciate any consideration to lower the roof. Mr. Eyor stated that his biggest concern is his children. They live on Daly and traffic is already a major problem. They have been working with the City Engineer on mitigation measures. Mr. Eyor was not bothered by one house being constructed on Ridge, but in the end there will be eight houses built in the process. That could be eight or nine years of construction vehicles going up and down his street. Mr. Eyor noted that the previous discussion was about fixing Ridge Road, but that would not occur with this house. He understood it was in the subdivision for the five houses.

Planner Alexander replied that the road would be a future project.

Mr. Eyor echoed Ms. Reile in that the road is only 12' wide. The road will not be fixed with the first three homes, but these homes will add to the traffic on the road.

Chair Worel closed the public hearing.

Commissioner Stuard commented on the access area between the garage and the house. He did not find it to be oversized for Park City and he was not bothered by that particular issue.

Commissioner Gross stated that in regards to the roads they run into this problem a lot in Old Town. He thought they either needed to be in agreement on how to improve the roads in the future, or keep the status quo. Commissioner Gross stated that if the City Engineer was comfortable with the issues regarding fire safety and access, he could not see why the Planning Commission would not approve it. Director Eddington stated that the City

Engineer has always wanted to improve Ridge Avenue and he hopes that can be accomplished as the City looks at potential changes. Director Eddington acknowledged that currently they were trying to work with what it is until improvements can be made in the future.

Commissioner Campbell thought that building more houses should increase the tax base and generate more money to improve the roads in the future. More homes would give more justification for spending the tax dollars on the roads.

Commissioner Strachan pointed out increased tax revenue was not a criteria under the CUP statute.

Commissioner Joyce was comfortable with the entry area and the height. He believed the area was small enough that the height was a reasonable exception. Commissioner Joyce stated that he would like the ability to comment on construction mitigation issues, but he understood that it was outside of their purview. He agreed that the space would be tight for that many vehicles and he was interested in how the construction mitigation plan would turn out.

Commissioner Strachan thought Commissioner Joyce made a good point about the construction mitigation plan. He remarked that the Planning Commission has looked at construction mitigation plans in the past on sensitive sites. He believed this site was one where the Planning Commission could be involved with construction mitigation. Commissioner Strachan thought the public comment about mitigating the construction traffic going up Daly Avenue was valid. He noted that in the past the Planning Commission has limited hours of construction or the hours when trucks can drive up certain streets. They have also limited the size of the trucks. Commissioner Strachan stated that Daly Avenue is a different place. The roads are narrow and the access is substandard. This is a difficult area for construction and when it is difficult, the Planning Commission should step up and delve into the issues a little deeper. Commissioner Strachan remarked that looking at the construction mitigation plan was a start, but he also thought they needed to look at what effects the retaining, the shoring and the excavation might have on the properties below it.

Commissioner Strachan believed this was a situation where a guarantee was necessary due to the steepness of the lot. However, he could not find a guarantee mentioned in the conditions of approval.

Commissioner Strachan stated that the Steep Slope CUP Statute requires all development on steep slopes to be done in an environmentally sensitive way. Usually on lots like 166 Ridge, they see some conditions of approval to address those issues. Again, he could not find conditions of approval stating that the amount of excavation will be minimized, or efforts to save as much existing vegetation as possible. Commissioner Strachan thought this CUP application would be fine for the end result, but the conditions of approval needed to be stricter. The site is very delicate and it will be the test case for the next seven lots to be developed. What the Planning Commission does

on this lot will set the precedent. He preferred to be as thorough as possible with this application, and if they miss something on this project they would know what to do differently on the next seven.

Commissioner Strachan recommended that the Planning Commission continue this item and direct the Staff to address the environmentally sensitive issues and what measures are taken to mitigate the environmental impacts; and to state those in the Findings of Fact. He recommended putting in a guarantee and he would have the Planning Commission review the construction mitigation plan.

Chair Worel agreed. This site reminded her of the one on Deer Valley Drive that was so steep. She recalled placing a number of restrictions on that project in terms of construction mitigation. Chair Worel thought they should do the same done for this project.

Commissioner Stuard asked if the Staff had considered any of the issues in Commissioner Strachan's comment. Planner Alexander stated that the Staff was currently in the process of reviewing the Historic District Design Review. The applicant is required to provide a landscape plan showing how they would restore any vegetation that is removed or disturbed. She pointed out that the construction mitigation plan is usually left to the expertise of the Building Department because they go through the mitigation plan in depth and know what to look for.

Mr. DeGray noted that in the driveway approval there is a storm water pollution preservation plan in the set of drawings showing how the cut slopes and disturbed areas will be treated to prevent erosion and instability.

Commissioner Campbell asked whether Director Eddington was interested in getting involved in construction mitigation. Director Eddington replied that the Planning Department typically works with the Building Department at the time of building permit. He reiterated that this project was going through the HDDR process and they were trying to finalize that design. He noted that this project has a non-disturbed area of 50' in the back and 50' at the bottom. The Staff will also be working with a geo-tech structural engineer, and pursuant to the City Engineer and Building Official, that will be presented as part of the construction mitigation plan. Director Eddington stated that the Staff tried to incorporate as much of that as possible in the Staff report, but most of the issues regarding vehicles, parking, etc. are addressed when an applicant applies for a building permit. Chad Root, the Building Official, has been working closely with the City Council to establish a protocol. Director Eddington stated that the Staff could try to incorporate some of the language in the conditions of approval, but it would be difficult to do until they reach the building permit stage.

Commissioner Campbell liked the idea of requiring a guarantee on these difficult sites to guarantee completion. However, he did not think it was fair to delay this applicant or any other single applicant while the City tries to establish a new policy. He suggested a work session with the City Council or simply forwarding a recommendation for a policy going

forward. Since a mechanism is currently not in place to require the guarantee, he did not think it should be passed on to this applicant. Commissioner Campbell asked how they would place a dollar value on the guarantee if they did require it. He was not opposed to a guarantee but he thought they needed time to discuss the policy and how to implement it.

Commissioner Campbell was in favor of having that discussion but he did not believe it was fair to ask this applicant to wait for them to do it. Commissioner Strachan remarked that there was already a mechanism in the Code that addresses guarantees and the Planning Commission already applied that mechanism to the project on Deer Valley Drive. He thought they could at least apply the Code provision to this project. Commissioner Strachan clarified that he was not suggesting that the Planning Commission should approve the construction mitigation plan, but it was not unprecedented for them to place restrictions in the conditions of approval regarding construction vehicles and hours in an effort to mitigate impacts specific to that neighborhood.

Mr. DeGray stated that from a construction standpoint King Road would be a more reasonable approach to the site on Ridge Avenue. Commissioner Strachan replied that if the applicant was willing to agree to only using King Road, he would consider it as a viable alternative. However, he was unsure if the applicant would want that limitation. Mr. DeGray stated that he would not want to limit the applicant, but Daly is a challenging route to reach the lot and he believed most construction workers would prefer to use King Road.

Commissioner Phillips stated that drives up King Road and he is very familiar with Ridge Avenue and Daly Avenue. He could see most construction traffic naturally using King Road because it is the shortest and easiest route. However, there is the possibility that construction vehicles would come in one way and go out the other way. He thought it would be beneficial to add a condition of approval requiring construction vehicles to use King Road.

Commissioner Strachan believed the construction vehicles would have to use both routes because Ridge Avenue is so narrow. If King Road is blocked by the first trucks, the others would have to come up Daly. Commissioner Phillips personally did not want to encourage more trucks using King Road because there is already a significant amount of construction in that neighborhood. Commissioner Strachan believed King Road was a better access point because the density of people was greater on Daly Avenue.

Commissioner Phillips commented on the issue of rocks rolling down the hill. The less trucks that use a substandard road minimizes the chance of rolling rocks.

Chair Worel asked if the Commissioners wanted to send this back to the Staff or whether they wanted to draft language this evening for a vote. Commissioner Strachan asked Assistant Attorney McLean to explain the LMC statute that allows the guarantee.

Assistant City Attorney McLean stated that the statute relates more to construction mitigation as part of the Steep Slope CUP. She agreed that the Planning Commission has added conditions of approval to projects in the past to mitigate the known impacts that would occur due to that construction. She stated that it was permissible, but it is not called out in the Land Management Code. Regarding the guarantee, Ms. McLean stated that most of the guarantees relate to plats and are specific to a specific application. She recalled that the guarantee for the Deer Valley project was discussed in terms of the excavation.

Commissioner Gross recalled that a concern with the Deer Valley project was the potential for damage to adjacent properties and wanting a guarantee in place in the event that occurred. Commissioner Strachan recalled that another reason for the guarantee was to remediate the site if the excavation was done and the project was stopped for any reason.

Assistant City Attorney McLean stated that if the Planning Commission wanted to include a guarantee they would need to make a Finding regarding the impact and direct the Staff to evaluate what the guarantee should be.

Commissioner Strachan asked about the specifics of the guarantee for Deer Valley Drive. Commissioner Stuard recalled that the guarantee was left to the Building Department and that the Building Official came to a Planning Commission and discussed the issue, but he did not believe the guarantee was every put in place. Commissioner Stuard remarked that the LMC currently requires a vegetation guarantee of 75 cents per square feet, which is insufficient to handle a failed slope. He clarified that his proposal for the Deer Valley Drive project was an amount sufficient to complete the foundation walls with the appropriate retaining walls on the wing walls to stabilize the slope. In his opinion, that amount would be large enough to be an appropriate level of guarantee.

Commissioner Strachan stated that if a guarantee was never put in place for the Deer Valley Drive project, it was a failing on the part of the Planning Commission. However, if the guarantee was put in place, he would like to know what it was because they could use that project as a benchmark to figure out what findings are necessary to determine the amount of the guarantee.

Commissioner Campbell also thought the guarantee for the Deer Valley Drive project was never put in place; but he recalled that the Planning Commissioner was going to recommend that the City Council consider a Code change to put guarantees in place going forward. Commissioner Strachan thought that was the intent in terms of guarantees for all projects and not just steep slopes. Commissioner Campbell did not disagree with the need for that, but he still felt it was unfair to ask an applicant to put their project on hold for an undetermined amount of time while the City considers a new policy.

Chair Worel asked if the Staff could research the guarantee for the Deer Valley Drive project by the next meeting so this application would not be delayed indefinitely. Director Eddington thought they could. He stated that another alternative would be to put a condition of approval on this project noting that a bond guarantee in the amount of the cost of the shoring plan and the foundation walls should be required by the Chief Building Official.

Planner Alexander confirmed that a guarantee was not placed on the Deer Valley Drive project.

Commissioner Strachan suggested that Planning Commissioner could continue this item and direct the Staff to draft findings before the next meeting that support the conditions of approval regarding prohibiting traffic up Daly Avenue and limiting hours. The Staff should do the same for the guarantee. He noted that 15-1-7 addresses internal vehicle and pedestrian circulation, noise vibration, odors, control of delivery and service vehicles. He thought those were enough to give the Planning Commission latitude to condition which streets the construction vehicles could use and the hours.

Commissioner Stuard favored a continuation for the reasons mentioned. He likes the project and the smaller homes, and he thought the architect did a great job fitting the project on a difficult site. However, he would prefer to have the issues addressed before voting on whether or not to approve the Steep Slope CUP.

Mr. DeGray stated that from the standpoint of the applicant, he wanted to make sure that the completion bond was fair across the Board, and that the City has the ability to impose that kind of constraint on a single property owner without an ordinance to support it. He felt it was unreasonable to hold this applicant to a higher standard for a single family home where the impacts were generally confined. He understood their point but he found it somewhat whimsical to set a standard for one applicant that is different from the others. He questioned where they would draw the line.

Commissioner Strachan thought Mr. DeGray had a valid point and he believed the Staff could look into it. If the Staff concludes that it is not appropriate or there is no statutory basis to make it uniform, then he would accept that. However, if there is a statutory basis, the indication from the Planning Commission is to require the bond. If there is no basis, at a minimum the Planning Commission would want to look at the shoring plan and the retaining plan the same as they did on the Deer Valley Drive project.

Commissioner Campbell believed that was the role of the Building Department and not the Planning Commission. Commissioner Strachan thought it was incumbent upon the Planning Commission in the course of the Steep Slope CUP process not to defer to the Staff on everything. When the statute allows the Planning Commission to look at these things, he could not understand why they would not.

Assistant City Attorney McLean thought there was confusion with the terms. She clarified that it would not be a completion bond. It would actually be a remediation bond.

If a hole was excavated and the project was never completed, the City would have the funds to fill in the hole and return the site to its original condition. Ms. McLean stated that a remediation bond is less expensive than a completion bond and she recommended that the Staff look at this as a remediation bond. Ms. McLean remarked that it was the same for shoring. Regarding a review of the Geo-Tech and the shoring plan to make sure the construction does not impact other properties below the site, it is possible that once the review is done by the Building Department the Planning Commission would feel comfortable and not need to see it. Commissioner Campbell noted that review of the shoring plan is standard whenever someone applies for a building permit. Ms. McLean stated that the Planning Commission could request to see that information in association with the impacts of building on a steep slope.

Commissioner Campbell clarified that the Planning Commission could approve the Steep Slope CUP with the condition that the Planning Commission could review the remediation plan approved by the Building Official. Commissioner Strachan pointed out that once the CUP is approved, there would be no reason to review the remediation plan. That was his reason for suggesting a continuance until all the reviews were done. Commissioner Campbell did not believe the Planning Commission was qualified to rule on geo-technical reports. Commissioner Phillips agreed. He recalled going through that on another project and no one on the Planning Commission understood the geo-technical report.

Commissioner Campbell stated that contractors and builders have liability insurance to address the issues of sliding rocks and damage to surrounding properties. The City also has rules and regulations. He believed there were many mechanisms in place for any construction on any type of site to protect the neighbors if their property is damaged. Commissioner Campbell was not opposed to restricting truck access to certain roads and hours. He believed there was agreement among the Commissioners for some type of remediation bond, but it was the purview of the City Council to create that law. Commissioner Joyce pointed out that the law for a remediation bond is already in place at 75 cents per square foot. Commissioner Campbell remarked that Commissioner Stuard was proposing a more suitable amount that would create a fund to return the site to its original condition if necessary. A fund for that amount is not currently in place. Commissioner Campbell agreed with that type of fund, but he did not think they had the right to hold up a specific project until that process occurs with the City Council.

Commissioner Strachan felt the Planning Commission was incumbent under the Code to find a way to mitigate the identified impacts. He personally did not believe adequate mitigation was leaving it up to the liability insurer of the builder. The Planning Commission has the responsibility to make sure the impacts can be mitigated and they should not pass it off to someone else.

Planner Alexander stated that the Analysis in the Staff report outlines the different criteria that the Staff analyzed and determined that there were no unmitigated impacts. She asked Commissioner Strachan which part of the analysis he was concerned with. Commissioner Strachan remarked that all conditional use permits go through Section

15-1-7, which requires the Staff to look at size and location, traffic considerations, internal vehicular, fencing, screening, usable open space, etc. These are basic CUP requirements that apply to all zones, and he was struggling with mitigating some of those impacts. Planner Alexander asked if the Planning Commission would like the Staff to include the remediation bond for all future steep slope CUPs. Commissioner Strachan thought they should start with this Steep Slope CUP. If they find that there is no way for the Staff to value the guarantee amount, he would accept that and move forward.

Mr. DeGray requested that the Staff also look at whether or not the Planning Commission has the ability to require the guarantee. Commissioner Strachan thought that was also a fair point. Commissioner Campbell emphasized that he agreed that the bond should be in place, but he did not believe the Planning Commission had the right to impose it.

Commissioner Joyce remarked that they had heard the arguments on both sides of the bond issue and he recommended that they let the Staff determine whether or not the Planning Commission has the ability to impose it. Commissioner Campbell noted that if the applicant wanted to build the house this year, delaying it for a full month would be a significant impact to the applicant. Commissioner Stuard suggested that the applicant could continue to work on other aspects of the site while they wait for this decision.

Commissioner Campbell stated one more time for the record that he did not think it was fair to put the entire wishes of what they hoped to accomplish on one project. He thought the Planning Commission as a body should look into it and petition the City Council to add this requirement in a timely manner so it could be applied when the other lots are developed.

Commissioner Gross pointed out that the applicant has been working on this project for seven years and he was not concerned about delaying it further with a continuance. Commissioner Joyce concurred. Mr. DeGray clarified that this was a new applicant and the previous delays were caused by the previous owner. The property was sold and the new owner has been moving through the process. Commissioner Gross noted that the City has spent a lot of time and money reviewing this project over the past seven years and they were trying to do it right as quickly as possible. He suggested that the applicant work with the Staff and recommend what they believe would be a fair and adequate bond amount.

MOTION: Commissioner Strachan moved to CONTINUE the Steep Slope Conditional Use permit for 166 Ridge Avenue to August 27, 2014. Commissioner Stuard seconded the motion.

VOTE: The motion passed 4-2. Commissioners Stuard, Strachan, Joyce and Gross voted in favor of the motion. Commissioners Phillips and Campbell voted against the motion. Planning Commission

Planning Commission Staff Report



Application #s: PL-13-01392 and PL-14-02424
Subject: Intermountain Healthcare Hospital
Author: Kirsten Whetstone, Sr. Planner
Date: August 27, 2014
Type of Item: Administrative – Master Planned Development Amendments and Conditional Use Permit for addition – Work session and update.

Summary Recommendations

Staff recommends that the Planning Commission review the proposed MPD Amendments and the CUP application for the first addition to the Park City Medical Center Intermountain Healthcare hospital building, including an amended phasing plan for future additions and full build out of the IHC MPD. Staff requests discussion and direction on various items as listed in this staff report. Staff will prepare a full analysis of the project in terms of compliance with the General Plan, Annexation Agreement, existing IHC MPD, and the LMC regarding the CT zone. A draft MPD development agreement will also be provided for Planning Commission consideration at the September 24th Planning Commission meeting. A public hearing will be scheduled for the September 24th meeting.

Description

Applicant: IHC Hospital, Inc. represented by Morgan D. Busch
Location: 900 Round Valley Drive
Zoning District: Community Transition (CT)
Adjacent Land Uses: Park City Recreation Complex, USSA training facility, US 40, open space
Reason for Review: Conditional Use Permits and Master Planned Development amendments require Planning Commission review. Final action on these items is made by the Planning Commission following a public hearing.

Summary of Proposal

Based on input received at the June 12, 2013 Planning Commission meeting and direction from the IHC Board, the applicant, IHC Hospital, Inc., submitted an application to amend the IHC Master Planned Development to amend the phasing plan and to shift density allocated to Lots 6 and 8 to Lot 1 to be incorporated into the expanded hospital building.

An application for a Conditional Use Permit for an addition to the Hospital building consisting of 82,000 square feet of new building for medical support, physician offices, an education center, an expanded wellness center, administrative space for the hospital, and shell space for future short term needs. In addition, 3,800 square feet of

new hospital space for a procedure center is proposed (1,000 square feet of new and 2,800 sf of existing shell space will be finished).

Background

On May 29, 2013, the Planning Department received a pre-Master Planned Development (MPD) application. The 2007 Intermountain Healthcare Medical Campus Phasing Plan, Exhibit K indicates that Intermountain Healthcare intends to work with the City on the timing of the additions. During the previous task force process the City indicated a strong desire to have input regarding the need and timing of the future phases. Furthermore, the phasing plan indicated that:

Intermountain Healthcare proposes that when the local hospital board determines that a future phase is needed due to the volumes at the hospital, the hospital will request a work session with the Planning Commission to present the volume data and proposed scope of the additions and receive input from the Planning Commission. After receiving that input the local hospital board will make recommendations to Intermountain Healthcare on any potential future expansions.

The Annexation Agreement and approved Master Planned Development for IHC included an Intermountain Healthcare Hospital with a total of 300,000 square feet (180 Unit Equivalents [UEs]) for hospital uses and a total of 150,000 square feet (150 UEs) of Support Medical Office space.

Exhibit A to the Annexation Agreement indicates that the City has agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area. See Exhibit A – Annexation Agreement Findings (excerpt from Annexation Agreement) and Exhibit B – May 23, 2007 MPD.

On May 23, 2007, the Planning Commission approved a Conditional Use Permit for Phase I of the IHC MPD which included a 122,000 square foot hospital building (with an additional 13,000 square feet of constructed, unfinished shell space) with 50,000 square feet of medical offices (18,000 square feet are constructed) (Exhibit K- MPD phasing plan). Two separate medical support buildings were proposed in the initial phase of development, including the Physician's Holding building on Lot 7 and the People's Health Center/ Summit County Health offices building on Lot 10 (25,000 sf each). These buildings have their own CUPs and the buildings have been constructed. See Exhibits C – May 23, 2007 CUP Staff Reports and Exhibit D – May 23, 2007, Planning Commission Minutes. (See Analysis Section below for existing conditions).

On June 12, 2013, the Planning Commission reviewed a pre-MPD application for the three options IHC was considering for the next addition, as well as future phasing options as outlined below. The Commission discussed the three options and were

comfortable with the Option A, incorporating density into the building from Lots 6 and 8, leaving the two pads as open space and screening the parking. Commissioner Hontz requested that they also reduce the parking and the lighting as much as possible. Commissioner Gross requested that they keep the connectivity with the trails (see Exhibit H- Minutes).

On June 30, 2014, applications for an MPD amendment and a Conditional Use Permit for the next phase of development at the Park City Medical Center were submitted. The applications were deemed complete on July 10, 2014 upon receipt of a current title report.

Analysis

Development subject to the Master Planned Development for IHC occurs on Lots 1, 6, 7, 8, and 10 of the Seconded Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility subdivision plat (Exhibit L). Lot 2 of the subdivision plat is dedicated as open space, Lot 3 is the location of the USSA Headquarters and Training Center, Lots 4 and 5 were transferred to the City for future recreation uses, Lot 9 contains a small Questar gas regulating facility, and Lot 11 is the one acre lot around Lot 9, owned by IHC and not designated as to use or density.

According to the records of the Park City Building Department there are three built structures containing the following gross square footage (includes square footage not counted in the Unit Equivalents allowed):

Hospital on Lot 1 (135,458 sf hospital and 18,000 sf support)	153,458 SF (gross)
Hospital parking garage on Lot 1 (92 spaces) and 327 surface spaces	33,000 SF
Medical office building (Physician's Holding) on Lot 7	24,730 SF (gross)
Summit Co. Health Services Inc. People's Health Clinic on Lot 10	24,424 SF (gross)

According to the applicant the existing constructed medical support space within the hospital is 18,000 square feet. The remaining existing constructed square footage is hospital space (122,000 square feet). The following table indicates the remaining areas to be built and the proposed changes to the MPD:

	Approved per IHC MPD	Approved per CUPs and built	Requested IHC MPD Amendment	Remaining to be built if MPD Amendment approved
Hospital Uses On Lot 1	300,000 SF	122,000 SF (with an additional 13,000 shelled) for 135,000 sf built	300,000 SF (no change)	165,000 SF

Total Support Medical office	150,000 SF	68,000 SF	150,000 SF (no change)	82,000 SF
Total SF	450,000 SF	190,000 SF	450,000 SF (no change)	260,000 SF
Support Medical office on Lot 1	50,000 SF	18,000 SF	100,000 SF (additional 50,000 sf on Lot 1 from Lots 6 and 8)	82,000 SF
Support Medical office on Lots 7 and 10	50,000 SF	Approx. 50,000 SF	Approx. 50,000 SF (no change to existing buildings)	0
Support Medical office on Lots 6 and 8	50,000 SF	No CUP approved yet	0 SF (request to move 50,000 SF from Lots 6 and 8 to Lot 1)	0
Total Support Medical office	150,000 SF	68,000 SF	150,000 SF	82,000 SF

The Annexation Agreement also included 85,000 SF for the USSA training facility which was not included in the Hospital MPD. The USSA building was built on Lot 3 and is subject to a separate MPD and CUP.

Options discussed during the pre-MPD application

Park City Medical Center was evaluating options for an addition to the existing hospital. This addition will provide for a procedure center (to expand surgical capacity), physician offices, an education center, an expanded wellness center, and administrative space for the hospital (to permit bed expansion within the hospital). The applicant identified three (3) options related to their addition to the existing Building:

- Option A: 82,000 square foot addition of medical support space attached to the hospital for medical offices, education, wellness, administrative services, and shelled space for future medical offices. In addition, the project would build 6,000 square feet of hospital space (4,000 new and completing 2,000 of existing shelled space) for a procedure center.
- Option B: 57,000 square foot addition of medical support space attached to the hospital for medical offices, education, wellness, administrative services, and some limited shelled space for future medical offices. In addition, the project would build 6,000 square feet of hospital space (4,000 new and completing 2,000 of existing shelled space) for a procedure center.
- Option C: 42,000 square foot addition of medical support space attached to the hospital for medical offices, wellness, administrative services, and some limited shelled space for future medical offices. In addition, the project would build 6,000 square feet of hospital space (4,000 new and completing 2,000 of existing shelled space) for a procedure center. A stand-alone 15,000 square foot education center would be constructed on one of the two vacant lots on the campus.

Additional information regarding density, parking, and affordable housing for the three options was provided by the applicant (see Exhibits E and F). The Planning Commission was comfortable with Option A, incorporating density into the building and preserving the two pads as open space and screening the parking.

Proposed MPD Amendments

The applicant submitted a request to amend the IHC Master Planned Development consistent with Option A, though slightly modified in terms of the amount of hospital space proposed for the next phase of construction. The applicant requests two amendments, namely, 1) move 50,000 sf of support medical office uses from Lots 6 and 8 to Lot 1 incorporating these support medical office uses and density within the expanded hospital building and 2) amend the MPD phasing plan to increase the amount of medical support for the second phase by 25,000 sf to a total of 82,000 sf (see Exhibit I – applicant's letter).

Density and Uses

No changes are proposed to the overall density for the IHC MPD. The MPD approval includes 300,000 sf of hospital uses on Lot 1 and a total of 150,000 sf of support medical office uses. The MPD approved up to 50,000 sf of the medical support office uses to be constructed as part of the hospital building on Lot 1 with the remaining 100,000 sf to be split between Lots 6, 7, 8, and 10. Approximately 50,000 sf of medical support office uses have been constructed, 25,000 sf on Lot 7 as the Physician's Holding building and 25,000 sf on Lot 10 as People's Health Clinic and Summit County Health Department. All of the density transferred is proposed to be located within the existing building, or expanded building, over existing building and parking lot footprints and existing disturbance areas (Exhibits J- CUP plans). **Staff requests discussion of these amendments to the location of 50,000 sf of medical support uses.**

Affordable Housing

No changes are proposed to the overall affordable housing obligations with these proposed MPD amendments however the change in phasing impacts phasing of the affordable units (Exhibit G). The base employee/affordable housing for the hospital is 44.78 affordable unit equivalents (AUE) based on the 300,000 sf of IHC hospital uses. An additional 34.98 AUE are required for the 150,000 sf of support medical office uses.

The 44.78 AUE were initially to be constructed on Lot 4 and have been transferred to the approved Park City Heights development as part of that MPD. Site work has begun on the Park City Heights development; however no building permits have been issued at this time.

USSA had a separate housing obligation of 10.71 AUE which was waived due to non-profit status, subject to change if the building changes ownership or use.

There is a remaining housing obligation of 29.98 AUEs for the IHC MPD for support medical uses (34.98 AUEs minus Physician's Holding obligation of 4.996 AUE) to be satisfied per the Annexation Agreement. Physician's Holding will purchase market rate

units at Park City Heights and sell them as affordable units, in accordance with their affordable housing plan. The MPD amendment should identify phasing for these remaining affordable units. With the remaining medical support being incorporated into the building, IHC will be responsible for meeting the obligation, as opposed to a private entity such as Physician's Holding, who constructed and own the other support medical offices building. The applicant is exploring opportunities to satisfy the remaining affordable housing obligation within the IHC MPD, perhaps on Lot 6 or 8. **Staff requests discussion of the affordable housing phasing.**

Affordable Housing obligation	Hospital Uses (300,000 sf)	Medical Support (125,000 sf)	USSA –non profit (85,000 sf)	People's Health and Summit Co Health as Medical Support (25,000 sf)	Total
Affordable Housing obligation (AUE)	44.78	34.98	10.71	0	90.47
Affordable Housing satisfied (AUE)	44.78 Park City Heights as 28 townhouses	4.99 for Physicians Holding (25,000 sf) to be at Park City Heights	Deferred by Annexation Agreement	waived	49.77
Affordable Housing still required	0	29.98 (If 100,000 sf built at Hospital site this obligation shall be phased with medical support construction)	0 (10.71 if use or ownership changes)	0	29.98 (40.69 if USSA ownership changes)

Parking

According to the applicant's original phasing plan as indicated on Exhibit F, the MPD phased in structured parking so that at full build out 57% of the parking will be

structured. The CT zone requires a minimum of 40% of the parking be in structured or tiered parking to limit visibility of Parking Areas as well as parking lot lighting. The applicant is requesting amendments to the parking phasing. The approved MPD identifies an additional 83 surface parking spaces with the First Addition. The amended MPD proposes an additional 328 surface parking spaces with the First Addition, due to the increase in support uses for the First Addition. Parking is proposed at 4 spaces per 1,000 to support the 82,000 sf of additional support medical office uses. Location of parking for these out patient, wellness center uses is situated around the building with additional staff parking located to the west, behind the building (see Exhibit J). **Staff requests discussion of the parking phasing.**

Proposed Conditional Use Permit

An application for a Conditional Use Permit was also submitted for the first addition to the Hospital building consisting of 82,000 square feet of new building area for physician offices, an education center, an expanded wellness center, administrative space for the hospital, and shell space for future short term needs. In addition, 3,800 square feet of new hospital space for a procedure center is proposed (1,000 square feet of new and 2,800 sf of existing shell space will be finished). The applicant submitted a site plan, parking plan, grading plan, storm drainage plan, a landscape plan, floor plans, and schematic architectural elevations (Exhibit J). More detailed plans will be available for the work session and will be presented by the architect. Pedestrian circulation throughout the parking lots and site should be given careful consideration. Connections to adjacent trails needs to be shown on the plans and additional connections should be studied. Building Height exception is requested consistent with the MPD approval for the first phase. **Staff requests the Commission review the CUP plans (Exhibit J) for the hospital expansion and following the applicant's presentation discuss the site plan, parking, landscaping, lighting, elevations (more detailed elevations and visual analysis will be presented at the meeting), building height exception request, pedestrian circulation, and trail connections to adjacent trails).**

Issues to Discuss

The purpose of this work session is to provide an update as to the status of the next phase of construction at the Park City Medical Center IHC MPD, to review the background, and to discuss proposed amendments to the MPD as well as specifics of the CUP for the next phase of construction. No new hospital or medical support square footage can be constructed without approval of a CUP for the next phase. The proposed CUP application relies on an amendment to the MPD. The applicant will present the proposed MPD changes as well as details of the CUP application at work session. Staff requests discussion on the following items:

- **MPD Amendments-** does the Commission support moving 50,000 sf of support medical office use from Lots 6 and 8 to Lot 1 and incorporating these support medical office uses and density within the expanded hospital building?

- **MPD Amendments-** does the Commission support amending the phasing plan to increase the amount of medical support uses proposed with the second phase, delaying the addition of hospital uses to later phases? The MPD phasing plan would increase the amount of medical support for the second phase by 25,000 sf to a total of 82,000 sf. No change in the overall MPD density is proposed.
- **Affordable Housing-** does the Commission concur with Staff that the MPD Amendment should identify phasing for the remaining affordable housing obligation consistent with phasing of the medical support uses? Does the Commission support construction of the remaining affordable housing obligation within the MPD, possibly on Lots 6 or 8?
- **Parking-** Staff requests discussion of amount and phasing of parking, including screening of surface parking versus structured parking, the proposed ratio of 4 spaces per 1,000 sf of support office uses, which includes clinical uses that have a higher demand for parking in close proximity to the medical offices, and parking lot lighting standards.
- **Building height-** The original MPD includes a height exception to accommodate the main entry/clerestory (15'4" over zone height with the chimney at 19'9" over height and mechanical screening at 16'7"). The applicant is requesting a similar height exception for the second phase and will provide more details at the work session.
- **Trails-** No changes are proposed to the existing trail system. Staff recommends discussion regarding pedestrian circulation through the parking lots as well as connecting from the hospital grounds to adjacent trails. The applicant will present an overview of the trail system.

Summary Recommendations

Staff recommends that the Planning Commission review the proposed MPD Amendments and the CUP application for the first addition to the Park City Medical Center Intermountain Healthcare hospital building, including an amended phasing plan for future additions and full build out of the IHC MPD. Staff requests discussion and direction on various items as listed in this staff report. Staff will prepare a full analysis of the project in terms of compliance with the General Plan, Annexation Agreement, existing IHC MPD, and the LMC regarding the CT zone. A draft MPD development agreement will also be provided for Planning Commission consideration at the September 24th Planning Commission meeting. A public hearing will be scheduled for the September 24th meeting.

Exhibits

Exhibit A- Annexation Agreement Findings
 Exhibit B- May 23, 2007 MPD Staff Report
 Exhibit C- May 23, 2007 CUP Staff Report
 Exhibit D- May 23, 2007 Planning Commission Minutes
 Exhibit E- North Building Proposal (Draft)
 Exhibit F- North Building Phasing Plan Analysis
 Exhibit G- Affordable Housing Table

Exhibit H- June 12, 2013 Planning Commission Minutes
Exhibit I - Proposed MPD Amendments –applicant letter
Exhibit J- Proposed CUP plans
Exhibit K- IHC Medical Campus Phasing Plan March 20, 2007
Exhibit L- Second Amended IHC/USSA Subdivision plat

Intermountain Healthcare/USSA/Burbs Annexation Agreement

Findings/Annexation Agreement Points⁴

1. Burbs, L.L.C. (the “Petitioner”), IHC Health Services, Inc. (“Intermountain Healthcare”), and the United States Ski and Snowboard Association (“USSA”) filed an Annexation Petition on November 3, 2004.
2. The City Council of Park City Municipal Corporation (the “City Council”) accepted the Annexation Petition on November 18, 2004.
3. The City Council established the Intermountain Healthcare/USSA/Petitioner Annexation Task Force on July 14, 2005 (Resolution No. 21-05) for purposes of formulating specific recommendations relating to the annexation’s proposed zoning, land uses, affordable housing, transportation, and community economics/fiscal impacts.
4. On October 27, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on a new zoning district to apply to the annexation area, the Community Transition District - Master Planned Development (“CT-MPD”), which includes specific provisions addressing affordable housing.
5. On November 10, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on the economic impact/fiscal analysis relating to the Annexation.
6. On December 8, 2005, the Task Force forwarded a unanimous positive recommendation to the Planning Commission on traffic and transportation impacts and mitigation.
7. The Property subject to the Annexation Petition (the “Annexation Property”) is currently vacant, 157 acres in size, and located in unincorporated Summit County, Utah, at the northwest corner of the State Road 248/Highway 40 interchange.
8. The Annexation Property currently is zoned in Summit County Developable Lands (DL), with a base density of 1 unit/20 acres and 1 unit/40 acres (depending on the extent of any environmentally sensitive lands, which need to be managed or preserved in compliance with any applicable laws, rules and regulations, including without limitation the City’s Sensitive Lands Overlay code.
9. The Annexation Property is to be zoned, as shown on the attached Annexation Plat, Community Transition District-Master Planned Development (“CT-MPD”). The CT-MPD has a base density of 1 unit/20 acres. The Community Transition District permits density bonuses up to a maximum of 3 units/acre provided specific standards are met relating to open space, Frontage Protection Zone (FPZ) setbacks, parking, affordable housing, and public land/facilities.
10. The land uses proposed on the Annexation Property include a community hospital/medical facility; support medical offices; public/quasi-public and institutional uses; United States Ski and Snowboard (USSA) headquarters and sports training complex; public recreation uses; affordable/employee housing; and open space.
11. The MPD shall substantially comply with the Annexation Plat. The proposed total density at build-out for the Annexation area is 535,000 square feet (gross), equates to 2.64 units/acre and consists of the following:

<u>Intermountain Healthcare Hospital:</u>	<u>300,000 square feet (180 Unit Equivalents)</u>
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⁴ Except as otherwise defined herein, capitalized terms shall be as defined in the Annexation Agreement.

United States Ski and Snowboard Offices
and Training Center:

85,000 square feet (85 Unit Equivalents)

Support Medical Office:

150,000 square feet (150 Unit Equivalents)

12. The City has agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City identified a public policy preference that up to 50,000 square feet of the Support Medical Office area should primarily be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area, including without limitation, athletic national governing body offices, non-profit community wellness facilities, and/or education uses. A specific allocation of such uses shall be determined and agreed to by the Petitioner (or its assigns) and the City as part of the MPD review and approval process.

13. The Petitioner has previously notified the United States Ski and Snowboard Association (USSA) that the Petitioner desires to donate five (5) acres of the Property (the "USSA Property") to USSA for the purposes of developing an 85,000 square foot athletic national governing body (NGB) and training complex. Land uses within the USSA Property are limited to USSA administrative, athlete training, and/or other national governing body uses, with deed restrictions to that effect to be recorded against such property. Subject to any such deed restrictions, the City shall have the right of first refusal to purchase the USSA Property and facilities in the event that, as an authorized assignee of the Petitioner, USSA sells and/or relocates from such property. In addition to the deed restrictions, any change of use will require approval of an amended Master Planned Development and Conditional Use Permit. Further, any uses other than athletic national governing body office/training facilities, public/quasi-public, institutional, and/or recreation uses will require employee/affordable housing mitigation conforming to the Affordable Housing Guidelines and Standards Resolution in effect at the time of application.

14. The Property is subject to the Employee/Affordable Housing requirements of the Affordable Housing Guidelines and Standards Resolution 17-99, as amended. The base employee/affordable housing requirement for development associated with the Intermountain Healthcare hospital (300,000 square feet) is 44.78 Affordable Unit Equivalents. The base employee/affordable housing requirement for development associated with USSA (85,000 square feet) is 10.71 Affordable Unit Equivalents. The base employee/affordable housing requirement for development associated with the Support Medical Office (150,000 square feet) is 34.98 Affordable Unit Equivalents. The total Affordable Unit Equivalents required for the Property is 90.47. Intermountain Healthcare, as an authorized assignee of the Petitioner, shall be entitled to, and has received, a reduction of 27.49 Affordable Unit Equivalents for the hospital portion of the development of the Intermountain Healthcare Property, in recognition of the non-commercial, non-residential nature of the hospital portion of the development. One Affordable Unit Equivalent equals 800 square feet.

15. The City agrees that a deferral of the required 10.71 Affordable Unit Equivalents of employee/affordable housing for the USSA Property will be granted to USSA in consideration of, as previously agreed to by the Petitioner, the donation by the Petitioner of five (5) acres of the Property to USSA, as a community-based nonprofit organization, upon which USSA intends to construct its facilities. This deferral is contingent upon the continued ownership and occupancy of the facility by USSA or another community-based nonprofit organization approved by the City. Any change in use to a non-community-based nonprofit organization may require USSA to meet the deferred employee/affordable housing requirements. In addition, any change in use or redevelopment of the USSA Property that creates additional presumed "employee generation" on the USSA Property (as contemplated under the Affordable Housing Guidelines and Resolution 10-06) may require an employee/affordable housing contribution to address that increment of presumed employee generation.

16. The City agrees that the 44.78 Affordable Unit Equivalent requirement associated with the Intermountain Healthcare hospital (300,000 square feet) shall be satisfied by, as previously agreed to by the Petitioner, the donation by the Petitioner of a five (5) acre parcel of the Property to the City and the other terms and conditions of Section 11 of the Annexation Agreement, in any case, shall conform to the Affordable Housing Guidelines and Standards Resolution 17-99, as amended. Further, with the City's approval, as part of the MPD review process or otherwise, additional Affordable Unit Equivalents may be included in the five (5) acre parcel and shall be applied toward the 34.98 Affordable Unit Equivalents associated with the Support Medical Office.

17. In addition to the five (5) acre donation referenced in Section 11 of the Annexation Agreement and Section 16 herein above, the Petitioner has previously notified the City that the Petitioner desires to and will donate a separate, additional fifteen (15) acres of the Annexation Property to the City for public recreation and open spaces purposes (the "City Recreation/Open Space Parcel").

18. On December 8, 2005, the Task Force forwarded a unanimous recommendation to the Planning Commission on traffic and transportation mitigation. The Task Force recommendation is based, in part, on an access study provided by the Petitioner's traffic consultants--Horrocks Engineers (dated November 6, 2005) and additional analysis prepared by the City consultant, Rosenthal and Associates (dated November 7, 2005). It was the Task Force recommendation that it is reasonable for all developers within the City Annexation boundary to pay for or otherwise offset their share of costs (to the City) of all roadway and other necessary traffic mitigation improvements. The Task Force determined that the proposed medical campus, offices, and athletic training complex require access to SR248 intersection improvements. The current design and anticipated traffic generation from the City recreation and ice rink complex does not warrant a signalized intersection.

19. Except as otherwise specified in the Annexation Agreement, the Petitioner (or, as specified in connection with any such assignment, its assigns) will be responsible for providing all necessary access to the property from SR 248 and all necessary intersection improvements including, but not limited to, one (1) signalized intersection at SR 248. The Petitioner (or, as specified in connection with any such assignment, its assigns) will be responsible for all coordination and costs associated with providing access to the Property, other than land acquisition costs for the Main Access Roadway and Secondary Access Easement (the "Roadway Access Costs"), as required in the Subdivision Chapter of the LMC Sections 15-7.2 & 15-7.3, including the Traffic Mitigation Measures, all of which shall be determined and agreed to as part of the MPD review and approval process. The total cost of the Traffic Mitigation Measures shall not exceed TEN MILLION AND NO/100 DOLLARS (\$10,000,000) and the Petitioner's (or, as specified in connection with any such assignment, its assigns) proportionate share shall be between eleven percent (11%) and twenty-one percent (21%). To the extent the Property is adjacent to a frontage road to Silver Summit, the Petitioner (or, as specified in connection with any such assignment, its assigns) shall cooperate with the City in the dedication of a nonexclusive right-of-way over and across the Property to access such frontage road.

20. The Petitioner (or, as specified in connection with any such assignment, its assigns) will proportionally share in the cost for future necessary road improvements to SR 248, as and to the extent specified and agreed by the Petitioner or any affected parties from time to time. In addition to the cost of any Traffic Mitigation Measures, the City agrees to apply the costs associated with installing the traffic signal at the future Annexation Property access/SR 248 intersection towards the proportional share of future overall SR 248 improvements.

21. The Petitioner (or, as specified in connection with any such assignment, its assigns), in addition to the other reimbursement, credit or contribution rights, reserves the right to develop a latecomers agreement or take or cause to be taken such other actions as may be necessary or appropriate to recover and/or ensure reimbursement for any costs incurred by in connection with the Traffic Mitigation Measures, the Main Access Roadway, the Secondary Access Easement, the Roadway Access Costs, as well as the cost of any

water impact fees and any water connection fees, and, further (as confirmed by the City's execution of the Annexation Agreement), any obligation of the Petitioner (or, as specified in connection with any such assignment, its assigns) in this regard shall be subject thereto.

22. The City has agreed to consider other potential cost-sharing traffic and transportation mitigation strategies which may include, but are not limited to the development of additional employee/affordable housing linked to the community transit system; physical improvements such as, but not limited to a transit hub, park and ride lot, and van/shuttle programs; and/or employee traffic/transit programs, adjusted shift times and ridesharing incentives, without any obligation, cost or otherwise, to the Petitioner (or its assigns).

23. The Petitioner, Intermountain Healthcare, USSA, and the City have agreed that, as contemplated hereunder, final approval of detailed traffic and transportation mitigation and any cost sharing for road/highway improvements shall be agreed to by the affected parties and approved through a technical report approved by the Planning Commission and the City Council as a part of the MPD review and approval process.

24. The Planning Commission held a public hearing on the Annexation Agreement on May 10, 2006.

25. The City, the Petitioner and any affected parties, including Intermountain Healthcare and USSA, shall and hereby acknowledge and agree that, except as may be otherwise specified in the Annexation Agreement with respect to the Annexation, the vested uses, densities, intensities, and general configuration of development approved in the Annexation, the Annexation Agreement and these Findings and Conditions, the Water Rights, the Main Access Roadway and the Secondary Access Easement, the Annexation, the Annexation Agreement and the obligations of the Petitioner (and its successors or assigns) hereunder are subject to, all as acceptable to the parties in their respective, reasonable discretion, confirmation, determination and agreement of the parties with respect to the Final MPD and Subdivision Plat; any necessary Development Agreements for each parcel of the Property; Construction Mitigation; Landscaping Plans; Lighting; and Related Access, Development and Use Matters.

Planning Commission Staff Report



Author: Brooks T. Robinson
Subject: Intermountain Health Care hospital
Master Planned Development
Date: May 23, 2007
Type of Item: Administrative – MPD

Summary Recommendations:

Staff recommends the Planning Commission re-open the public hearing for the Master Planned Development (MPD) for the Intermountain Health Care hospital. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Commission's consideration.

Topic:

Applicant: IHC Hospitals, Inc.
Location: 900 Round Valley Drive (Quinn's Junction near the Park City Recreation and Ice Complex)
Zoning: Community Transition (CT)
Adjacent Land Uses: Park City Recreation Complex, proposed USSA training facility, US 40, open space
Reason for Review: Master Planned Developments require Planning Commission review and approval.

Background:

The IHC MPD/CUP is part of an annexation that included the IHC Hospital, USSA (United States Ski and Snow Board Association) training complex, a possible affordable housing site, additional recreational land adjacent to the Park City Recreation Complex at Quinn's Junction, and open space. The annexation plat was approved by the Council on December 7, 2006, with an effective date of January 1, 2007. A subdivision plat was approved by the Council and recorded at Summit County on January 11, 2007. The entire annexation area is 157.243 acres and is subdivided into five lots. Lots 1 and 2 are owned by Intermountain Healthcare (IHC Hospitals, Inc) and includes 132.2 acres. The Annexation Agreement and proposed Master Planned Development for IHC includes a Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) and Support Medical Office space of 150,000 square feet (150 Unit Equivalents).

The City agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area, including without limitation: athletic national governing body offices, non-profit community

wellness facilities, and/or education uses.

Access to the site is from Highway 248 through the Park City Recreation Complex. A preliminary roadway layout within the subdivision was identified at the time of subdivision plat. An amended subdivision plat is concurrently being processed but is pending approval once the final road and utility layout is completed with UDOT and the City.

On February 28, 2007, the Planning Commission reviewed a preliminary introduction to this proposal at a work session. The Commission allowed for public input although did not receive any. The Commission found, without a formal vote, that the proposed hospital met the General Plan and is a Conditional Use within the Community Transition (CT) zone. The general layout, design and requests for exceptions were presented. The applicant is requesting an increase in Building Height pursuant to 15-6-5(F) in the CT zone.

Analysis:

The **Community Transition Zone** requirements are:

15-2.23-3. LOT AND SITE REQUIREMENTS.

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

(A) **LOT SIZE.** There is no minimum Lot size in the CT District.

Complies. *The lot is 132 acres in size.*

(B) **FRONT, REAR AND SIDE YARDS.** Unless otherwise further restricted by Frontage Protection Overlay standards and/or Master Planned Development conditions of approval, all Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

Complies. *Structures are hundreds of feet from the property lines.*

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

Complies. *A landscape plan is required with the Conditional Use Permit. Such plan will be reviewed for compliance with this requirement.*

15-2.23-4. DENSITY.

The base Density of the CT District is one (1) unit per twenty (20) acres.

(A) **DENSITY BONUS - ONE (1) UNIT/ACRE.** The base Density of the CT District may

increase up to one (1) unit per acre provided the following standards are incorporated through a Master Planned Development.

The annexation allowed for density at 2.64 units per acre utilizing the density bonus. The MPD must meet the criteria in (B) below in addition to the following eight criteria:

- (1) OPEN SPACE. The Master Planned Development shall provide seventy percent (70%) transfer of open space on the project Site.

Complies. See discussion on (B)(1) below.

- (2) FRONTAGE PROTECTION ZONE NO-BUILD SETBACK. The Master Planned Development shall include a two hundred foot (200') Frontage Protection Zone no-build Setback measured from the closest edge of the highway Right-of-Way.

Complies. See discussion on (B)(2) below.

- (3) PARKING. Parking for the Master Planned Development is subject to the requirements set forth in Section 15-3. A minimum of forty percent (40%) of the Master Planned Development's required project parking shall be in structured/tiered parking so as to limit the visibility of Parking Areas and parking lot lighting. The Planning Commission may consider reducing the forty percent (40%) minimum structured/tiered parking requirement based on existing Site topography in locating exterior surface parking to achieve maximum screening of parking from entry corridor Areas and/or to achieve optimum Site circulation and/or shared parking.

Complies. See discussion on (B)(3) below.

- (4) PUBLIC TRANSIT FACILITIES. The Master Planned Development shall include the Development of a public transit hub facility within the Development Area. The Planning Commission may consider waiving this requirement if a Developer/Applicant contributes funding for an existing or proposed transit hub that is located within a close walking distance from a proposed Development.

Complies. Two transit stops will be provided on the property; one near the USSA intersection and a second close to the hospital. A sidewalk will link the transit stop to the nearby building.

- (5) ENHANCED PUBLIC BENEFIT DEDICATION. The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional Uses reasonably related to the General Plan goals for the Area, and impacts of the Development activity.

Complies. See discussion on (B)(4) below.

- (6) PUBLIC TRAILS AND PEDESTRIAN IMPROVEMENTS. The Master Planned Development shall provide public dedicated pedestrian improvements and enhanced trail connections to adjacent open space and/or public ways.

Complies. Dedication and construction of public trails is a requirement of the Annexation Agreement. The dedication of the trails will occur with the amended subdivision concurrently being reviewed by the City. Construction and paving of the public trail between IHC and the Recreation Complex will occur with the first phase

of hospital construction. Staff recommends that the second phase trail be constructed with the resolution of the development (construction or Open space/trails) of the adjacent Property Reserve Inc. (PRI) property to the north.

- (7) SENSITIVE LANDS OVERLAY STANDARDS. The Master Planned Development shall comply with all requirements set forth in Section 15-2.21 Sensitive Lands Overlay.

Complies. The access road crosses two areas of wetlands that will be mitigated in conformance with the Army Corp of Engineers permit. No sensitive slopes or ridgelines are identified.

- (8) AFFORDABLE HOUSING. The Master Planned Development shall provide an additional five percent (5%) Affordable Housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of Application. The Planning Commission may consider alternative housing Uses for the additional five percent (5%) Affordable Housing commitment.

Complies. See discussion on (B)(5) below.

(B) DENSITY BONUS - THREE (3) UNITS/ACRE. The base Density of the CT District may increase up to three (3) units per acre provided that all Density bonus requirements set forth in Section 15-2.23(A) Density Bonus - One (1) Unit/Acre are met and the following additional standards are incorporated into the Master Planned Development.

- (1) OPEN SPACE. The Master Planned Development shall provide eighty percent (80%) open space on the project site.

Complies. *Open space for the Annexation area is in excess of 80%*

- (2) FRONTAGE PROTECTION ZONE NO-BUILD SETBACK. The Master Planned Development shall include a three hundred foot (300') Frontage Protection Zone no-build Setback measured from the closest edge of the highway Right-of-Way. The Planning Commission may consider allowing encroachments into the three hundred foot (300') Frontage Protection Zone requirement based on existing Site topography in locating roads and other infrastructure in order to achieve optimum Site circulation.

Complies. *The Hospital is nearly 2,000 feet from the Frontage Protection zone. Only the access road is within the 300 foot requirement.*

- (3) PARKING. Parking for the Master Planned Development is subject to the requirements set forth in Section 15-3. A minimum of sixty percent (60%) of the Master Planned Development's required project parking shall be in structured/tiered parking so as to limit the visibility of Parking Areas and parking lot lighting. The Planning Commission may consider reducing the sixty percent (60%) minimum structured/tiered parking requirement based on existing Site topography in locating exterior surface parking to achieve maximum screening of parking from entry corridor Areas and/or to achieve optimum Site circulation and/or shared parking.

Complies. *A parking structure is proposed in the rear of the hospital and the applicant is requesting a phased approach for compliance at full build-out. The initial phase is for 92 structured spaces and 327 surface spaces (419 total). The 92 structured is only 22 percent of the total in the first phase. The Planning Commission discussed the phase request at the March 28 meeting and found the phasing plan acceptable.*

- (4) **ADDITIONAL ENHANCED PUBLIC BENEFIT DEDICATION.** The Master Planned Development shall provide the inclusion of public recreation facilities and/or land for public and/or quasi-public institutional Uses reasonably related to the General Plan goals for the Area, and impacts of the Development beyond that provided to achieve a project Density of up to one (1) unit per acre by a factor reasonably related to the Density increase sought.

Complies. *The Annexation and initial subdivision created a lot that is dedicated to the City for additional recreation adjacent to the existing Recreation Complex. One of the Medical Support buildings (25,000 square feet) is proposed for community benefit; for the Peoples Health Clinic and/or a Summit County health facility.*

- (5) **AFFORDABLE HOUSING.** The Master Planned Development shall provide an additional five percent (5%) Affordable Housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of Application. This is in addition to that provided in Section 15-2.23(A)(8).

Complies. *The Annexation Agreement provides for the total requirement of the Affordable Housing.*

15-2.23-5. MAXIMUM BUILDING HEIGHT.

The maximum zone Building height is twenty eight feet (28') from Existing Grade.

Complies. *Please refer to MPD discussion below (15-6-5 (F)).*

All **Master Planned Developments** shall contain the following minimum requirements in accordance with Section 15-6-5 of the Land Management Code.

(A) **DENSITY.** *The type of Development, number of units and Density permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.*

Complies. *The Annexation Agreement set the density for the IHC at 300,000 square feet with an additional 150,000 square feet of Support Medical Offices, of which up to 50,000 square feet could be part of the hospital building. The applicant is proposing a phased construction of both the hospital and support medical space.*

(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 DISTRICT. (Not applicable)

(C) SETBACKS. *The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size.*

Complies. The hospital is over 200 feet at its closest point to the property lines.

(D) OPEN SPACE.

All Master Planned Developments shall contain a minimum of sixty percent (60%) open space.

Complies. The annexation identified over 80% of the entire 157 acres as open space.

(E) OFF-STREET PARKING.

(1) The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of this Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal.

Complies. The CT zoning district requires a minimum of 40% of the parking to be provided in a structured or tiered parking configuration. For density in excess of the base one unit per 20 acres, up to 3 units per acres, as with this application, 60% of the parking must be structured or tiered. The Planning Commission may consider waiving this requirement based on existing Site topography and location of exterior surface parking in such a way as to achieve maximum screening of parking from the entry corridor and/or to achieve optimum Site circulation and/or shared parking. The first phase of the construction will include structured parking to the rear of the hospital for staff. Additions to the structured parking structure will occur during successive phases. The 60% requirement will not be met in the first phase but will be met at final build-out. The applicant is requesting a phased approach for compliance at full build-out. The initial phase is for 92 structured spaces and 327 surface spaces (419 total). The 92 structured is only 22 percent of the total in the first phase.

(F) BUILDING HEIGHT. *The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination. The Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made. In order to grant Building height in addition to that which is allowed in the underlying zone, the Planning Commission is required to make the following findings:*

(1) The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for facade variation and design, but rather provides desired architectural variation;

Complies. Additional Building Height is being requested by the applicant. The main entry/clerestory is proposed at 15'-4" over the zone height with a chimney at 19'-9" over height. No floor area is increased by these architectural elements. A lobby clerestory (+10'-3") and pitched mechanical screening roof (+16'-7") also are not adding floor area. The two wings that house inpatient care and medical offices are 12'-9" and 10'-3", respectively, over zone height at the highest point. The building could meet zone height if spread out further on the site. Because of the need in a hospital for exceptional mechanical systems, particularly air handling, the floor to floor height is 14 feet, as compared to a usual 9-10 feet floor to floor construction in residential and commercial construction.

Additional changes to the building have brought the proposed facades into conformance with the façade length variations. The result provides desired architectural variation by incorporating architectural enhancements such as clerestory elements while addressing the challenges of unique medical requirements.

(2) Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss or air circulation have been mitigated to the extent possible as defined by the Planning Commission;

Complies. There are no adjacent structures that will have potential problems due to the extra height of the building. The neighboring properties (USSA, Rec Complex, and National Abilities Center) are hundreds of feet away to the south and would not be affected by shadows, solar access or air circulation.

(3) There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent projects are being proposed;

Complies. The hospital will be several hundred feet from the nearest building, far in excess of the CT zone setbacks. Although the site is currently vegetated with sagebrush and other shorter plants, the preliminary landscape plan proposes a number of native and appropriate trees for the site.

(4) The additional Building Height has resulted in more than the minimum open space required and has resulted in the open space being more usable;

Complies. The additional height is more a function of the floor-to-floor height necessary in a hospital, as previously discussed. Keeping the same floor-to-floor heights but spreading the building out would decrease the amount of usable open space available. The annexation identified 80% open space, greater than the 60% required under base zoning, but equal to the requirements for the density bonus. A trail system on the property will connect with the existing network from the Recreation Complex and Round Valley systems.

(5) MPD's which include the additional height shall be designed in a manner so as to provide a transition in roof elements in compliance with Chapter 9 Architectural Guidelines or Historic District Design Guidelines if within the Historic District; and

Complies. The applicant has provided conceptual renderings and detailed plans for the hospital. Each of the components of the building (office, patient wing, lobby) are at different elevations from each other and provide for transitions between each component.

(6) Structures within the HR-1 District which meets the standards of development on Steep Slopes, may petition the Commission for additional height per criteria found in Section 15-2.2-6.

This section is not applicable.

If and when the Planning Commission grants additional height due to a Site specific analysis and determination, that additional height shall only apply to the specific plans being reviewed and approved at the time. Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

*(G) **SITE PLANNING.** An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The following shall be addressed in the Site planning for an MPD:*

(1) Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.

Complies. The hospital is set into the toe of the low hill on the property, hundreds of feet from SR 248. The hill itself provides a backdrop to the building so it does not break the skyline.

(2) Projects shall be designed to minimize Grading and the need for large retaining Structures.

Complies. The proposed plan does not include or need large retaining structures. The natural grade is not steep (less than 30%) and grading is minimal.

(3) Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.

Complies. The proposed hospital has minimal permanent cut and fill and grading immediately surrounding it. However, the access road has fills of ten to fifteen feet in places to keep the road slope fairly consistent and to avoid hauling away too much soil material.

(4) Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.

Complies. A public trail through the property will connect with the Round Valley and Recreation Complex trails. A public trail easement will be placed on the subdivision plat. Dedication and construction of trails is a requirement of the Annexation Agreement. The dedication of the trails will occur with the amended subdivision concurrently being reviewed by the City. Construction and paving of the trail between IHC and the Recreation Complex will occur with the first phase of hospital construction. Staff recommends that the second phase trail be constructed with the resolution of the development potential (construction or Open space/trails) of the adjacent PRI property to the north.

(5) Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.

Complies. The hospital will have significant surface parking lots with sidewalks on the ends of the parking islands connecting to the entrances to the hospital. No separate bicycle paths (except the off-road trail) will be created. A sidewalk will be provided on one side of the access road. Public transit is also contemplated with several bus stops within the annexation area.

(6) The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.

Complies. There are sufficient areas adjacent to the surface parking lots to store snow. Staff recommends that the applicant comply with internal and perimeter landscaping requirements for parking lots (section 15-3-3 (D)) although the CT zone, as created with the Annexation, is not specifically identified in this chapter as currently written. The applicant stipulates to this recommendation.

(7) It is important to plan for refuse storage and collection and recycling facilities. The Site plan shall include adequate Areas for dumpsters and recycling containers. These facilities shall be Screened or enclosed. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

Complies. The site plan includes a screened refuse area.

(8) The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

Complies. A bus stop is proposed on the site at the main entrance. A second bus stop will be provided at the Medical Support Buildings.

(9) Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

Complies. Service and delivery are located to the rear of the hospital and away from the public areas.

*(H) **LANDSCAPE AND STREETSCAPE.** To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of appropriate drought tolerant species. Lawn or turf will be limited to a maximum of fifty percent (50%) of the Area not covered by Buildings and other hard surfaces and no more than seventy-five percent (75%) of the above Area may be irrigated. Landscape and Streetscape will use native rock and boulders. Lighting must meet the requirements of LMC Chapter 15-5, Architectural Review.*

Complies. Outside of the immediate area around the hospital and parking areas the existing vegetation will be undisturbed. A preliminary landscape plan includes native and drought tolerant plant materials and re-vegetation with appropriate plant materials. Parking lot lighting will be required to meet the City lighting standards. As stated above, Staff recommends that the applicant comply with internal and perimeter landscaping requirements for parking lots (section 15-3-3 (D)) although the CT zone, as created with the Annexation, is not specifically identified in this chapter as currently written.

*(I) **SENSITIVE LANDS COMPLIANCE.** All MPD Applications containing any Area within the Sensitive Areas Overlay Zone will be required to conduct a Sensitive Lands Analysis and conforms to the Sensitive Lands Provisions, as described in LMC Section 15-2.21.*

Complies. The access road crosses two areas of wetlands that are proposed to be mitigated in conformance with the Army Corp of Engineers permit. No sensitive slopes or ridgelines are identified.

*(J) **EMPLOYEE/AFFORDABLE HOUSING.** MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by the adopted housing resolution in effect at the time of Application.*

Complies. The annexation requires affordable housing that will be provided within the annexation area, or alternatively and with the consent of the City, at a location nearby. One lot of the subdivision is dedicated to the City for affordable housing.

*(K) **CHILD CARE.** A Site designated and planned for a Child Care Center may be required for all new single and multi-family housing projects if the Planning Commission determines that the project will create additional demands for Child Care.*

Complies. Staff does not recommend that a Child Care Center be provided on-site. Limited permanent Child Care demands will be generated by a hospital. The hospital may provide on-site service for its employees as it sees fit.

Department Review:

The project has been reviewed by the Planning, Building, Engineering and Legal departments as well as the utility providers. Issues raised during the review process have been adequately mitigated in the proposed plans or by conditions of approval.

Public Notice:

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record. The item was been legally continued from previous Planning Commission hearings.

Alternatives:

- The Planning Commission may approve the MPD for the Intermountain Healthcare facility as conditioned and/or amended; or
- The Planning Commission may deny the MPD and direct staff to make findings of fact to support this decision; or
- The Planning Commission may continue the discussion and request additional information on specific items.

Recommendation:

Staff recommends the Planning Commission re-open the public hearing for the Master Planned Development (MPD) for the Intermountain Health Care hospital. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The Intermountain Healthcare Master Planned Development is located on Lots 1 and 2 of the Subdivision Plat for the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility and includes 132.2 acres. The amended Subdivision Plat currently proposes lot area of 107.5 acres for the two lots.
2. The Annexation Agreement and proposed Master Planned Development for IHC includes a Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) and Support Medical Office space of 150,000 square feet (150 Unit Equivalents).
3. The City agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area.
4. The property is located in the Community Transition (CT) zoning district.
5. The MPD is being processed concurrent with a Conditional Use Permit. No additional conditional use permits are required prior to issuance of building permits for the proposed uses. A change of use, from that described by this application may require a separate conditional use permit.
6. This property is subject to the IHC/USSA/Burbidge Annexation plat approved by the Park City Council on December 7, 2006, with an effective date of January 1, 2007. An Annexation Agreement for this property was recorded on January 23, 2007.
7. The Annexation Agreement sets forth maximum building floor areas, development location, and conditions related to developer-provided amenities on the various lots of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat, such as roads, utilities, and trails.
8. A final subdivision plat known as the Subdivision Plat (Amended) for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility is currently being reviewed by the Planning Commission and City Council. The Master Planned Development and Conditional Use Permit were submitted for concurrent review and approval.
9. The maximum Building Height in the CT District is 28 feet (33 feet with a pitched roof).
10. The main entry/clerestory is proposed at 15'-4" over the zone height with a chimney at 19'-9" over height. No floor area is increased by these architectural elements. A lobby clerestory (+10'-3") and pitched mechanical screening roof (+16'-7") also are not adding floor area. The two wings that house inpatient care and medical offices are 12'-9" and 10'-3", respectively, over zone height at the highest point.
11. Additional building height, as reviewed by the Planning Commission on May 23, 2007, complies with the criteria for additional building height per LMC Section 15-6-5 (F).
12. The Planning Commission reviewed a visual analysis and discussed the additional building height and finds the proposed building is in compliance with the LMC criteria in Chapter 6 regarding additional height that can be granted for a Master Planned

Development, specifically, the façade shifts and building articulation, materials, and details create architectural interest and break the building into areas of varying height and mass. Landscaping and setbacks provide mitigation of visual impacts from adjacent properties.

13. The CT zoning district requires a minimum of 60% of the parking for an MPD to be provided in a structured or tiered parking configuration. A parking structure is proposed in the rear of the hospital and the applicant is requesting a phased approach for compliance at full build-out. The initial phase is for 92 structured spaces and 327 surface spaces (419 total). The 92 structured is only 22 percent of the total in the first phase. The Planning Commission discussed the phase request at the March 28 meeting and found the phasing plan acceptable.
14. The setbacks within the CT zone are twenty five feet (25') in the front , rear, and sides. The building complies with these setback requirements.
15. Final approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat is a condition precedent to issuance of a footing and foundation permit for this CUP.
16. Trails and linkages to trails shown on the City's Master Trail Plan shall be constructed in accordance with the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended plat and conditions of the Annexation Agreement.
17. A redundant water system is necessary for the health, safety and welfare of the development.
18. A signalized intersection with location and associated improvements to State Route 248 approved by the Utah Department of Transportation will be finalized with the amended subdivision plat. Other traffic mitigation measures and costs associated with those measures must be approved by agreement between parties in accordance with the annexation agreement.
19. The **Analysis** section of this staff report is incorporated herein.

Conclusions of Law:

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing

- requirements as adopted by the City Council at the time the Application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site.
 11. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections.
 12. The MPD has been noticed and public hearing held in accordance with this Code.

Conditions of Approval:

1. All standard conditions of approval apply to this MPD.
2. All applicable conditions of approval of the IHC/USSA Annexation shall apply to this MPD.
3. All applicable conditions of approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat shall apply.
4. A final water efficient landscape and irrigation plan that indicates snow storage areas is required prior to building permit issuance.
5. All exterior lights must conform to the City lighting ordinance and shall be in substantial conformance with the plans reviewed by the Commission on May 23, 2007. Parking lot lighting shall be on a timing system to allow for minimal lighting when the facility is not open. The timing system and building security lighting shall be approved by staff prior to issuance of a certificate of occupancy.
6. All exterior signs require a separate sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.
7. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color and material details exhibits and photos reviewed by the Planning Commission on May 23, 2007, and shall be approved by staff prior to building permit issuance.
8. The final building plans, parking lot details and landscaping, and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on May 23, 2007.
9. Utility and grading plans, including all public improvements and trails, must be approved by the City Engineer prior to Building Permit issuance. A guarantee for all public improvements, including trails and required landscaping, is required prior to issuance of a full building permit and/or prior to recordation of the final subdivision plat.
10. The Construction Mitigation Plan must be approved by staff as a condition precedent to issuance of any building permits. The Plan shall be consistent with the plan reviewed by the Planning Commission on May 23, 2007.
11. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits, to mitigate impacts on adjacent wetlands. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices.
12. Approval of a fire protection plan for the building shall have been made by the Building Official prior to any full building permit being issued. The fire protection

component of the plan shall ensure that Park City's ISO rating is not negatively affected by construction of the building.

13. A detailed review against the Uniform Building and Fire Codes in use at the time of building permit submittal is a condition precedent to issuance of full building permit.
14. The trail connections to the Park City Recreation Complex as required by the Annexation Agreement and conditions of approval of the final subdivision plat shall be constructed prior to issuance of a final certificate of occupancy for the building. The public dedication of the trails will occur with the amended subdivision concurrently being reviewed by the City. Construction and paving of the trail between IHC and the Recreation Complex will occur with the first phase of hospital construction. The second phase trail will be constructed with the resolution of the development potential (construction or Open space/trails) of the adjacent PRI property to the north.
15. IHC will pay \$16,000 per ERU to the City for water within 10 business days of this MPD approval in accordance with Section 8 of the Annexation Agreement. In addition, IHC will contribute \$800,000 for development of a second, redundant, source of water as provided in the amended water agreement pursuant to Section 8 of the Annexation Agreement.
16. IHC will bear the cost of traffic mitigation measures as provided in the Annexation Agreement in an amount to be agreed prior to the approval of the amended subdivision plat.
17. The following items are agreed to by the applicant as mitigation for the loss of the use of a planned ballfield at the Park City Recreation Complex:
 - IHC will pay Park City Municipal Corporation \$50,000 to compensate the city for actual costs the city incurred to prepare the ground for the future ball field.
 - IHC will pay Park City Municipal Corporation the actual costs incurred by the city for a way finding sign at the junction of Round Valley Drive and the road leading to the recreation complex and the National Ability Center (F. Gillmor Drive).
 - IHC will pay for and construct an 8' wide paved trail connection on the recreation complex property. This trail connection will connect: the paved trail at the south west corner of the recreation complex with the paved trail to be built by Intermountain on our property, adjacent to both USSA and the hospital
 - IHC will enter into a shared parking agreement with Park City. The hospital will share up to 300 parking spaces at full build-out on weekends for park and ride lots for city events. IHC and the City will work together to establish a Parking Management and Phasing Plan to manage the use of these 300 spaces and establish a phasing plan for use of fewer spaces prior to full build-out. Intermountain would have the ability to reduce this number through the Management Plan or if both parties agree in writing based on lack of availability through normal use or ultimate build out of the

Medical Campus. The Plan would include anticipate use schedule to allow notification of employees when certain lots would not be available for employee use on weekends.

- IHC will replace the stormwater detention basin that will be removed through the construction of the road.
- IHC will construct a temporary, paved driveway from SR 248 to existing Gillmor Drive, as it runs east to west at the south west corner of the recreation parcel, just south of the proposed signalized intersection. This will facilitate temporary access for the NAC and recreation complex while the road improvements and infrastructure are being built. Exact location and design are subject to UDOT and Park City approvals.
- It is likely that due to the new road alignment, the City will have to modify the Recreation Subdivision to locate the new Round Valley Drive road within a platted right-of-way. Should this be necessary, the City will coordinate necessary drawings and approvals, but Intermountain will be responsible for the cost of all necessary submittal documents and plats. The amended subdivision, if necessary, would be required prior to issuance of full permits for either USSA or the Hospital.
- IHC will design and construct 30 trailhead parking spaces to the reasonable satisfaction of the City Engineer on the Park City Recreation Complex. The exact location will be determined by Park City, but will be in the general vicinity of the approved plan, adjacent to the new road.

Exhibits:

A – A packet of materials was previously passed out to the Commissioners.

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Planning Commission Staff Report



Author: Brooks T. Robinson
Subject: Intermountain Health Care hospital
Conditional Use Permit
Date: May 23, 2007
Type of Item: Administrative – CUP

Summary Recommendations:

Staff recommends the Planning Commission re-open the public hearing for the Conditional Use Permit (CUP) for the Intermountain Health Care hospital. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Commission's consideration.

Topic:

Applicant: IHC Hospitals, Inc.
Location: 900 Round Valley Drive (Quinn's Junction near the Park City Recreation and Ice Complex)
Zoning: Community Transition (CT)
Adjacent Land Uses: Park City Recreation Complex, proposed USSA training facility, US 40, open space
Reason for Review: Conditional Use Permits require Planning Commission review and approval.

Background:

The IHC MPD/CUP is part of an annexation that included the IHC Hospital, USSA (United States Ski and Snow Board Association) training complex, a possible affordable housing site, additional recreational land adjacent to the Park City Recreation Complex at Quinn's Junction, and open space. The annexation plat was approved by the Council on December 7, 2006, with an effective date of January 1, 2007. A subdivision plat was approved by the Council and recorded at Summit County on January 11, 2007. The entire annexation area is 157.243 acres and is subdivided into five lots. Lots 1 and 2 are owned by Intermountain Healthcare (IHC Hospitals, Inc) and includes 132.2 acres. The Annexation Agreement and proposed Master Planned Development for IHC includes a Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) and Support Medical Office space of 150,000 square feet (150 Unit Equivalents).

The City agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area, including without limitation: athletic national governing body offices, non-profit community

wellness facilities, and/or education uses.

Access to the site is from Highway 248 through the Park City Recreation Complex. A preliminary roadway layout within the subdivision was identified at the time of subdivision plat. An amended subdivision plat will be required once the final road and utility layout is completed.

On February 28, 2007, the Planning Commission reviewed a preliminary introduction to this proposal at a work session. The Commission allowed for public input although did not receive any. The Commission held public hearings on March 28 and April 11 on the Master Planned Development and the Conditional Use Permit. At the March 28th meeting the Commission provided direction on the parking phasing plan, building height, materials, and façade variations. The applicant provided changes responding to the Commission direction on April 11th. The discussion has been CONTINUED at subsequent meetings to specific dates.

Analysis

The City shall not issue a Conditional Use permit unless the Planning Commission concludes that:

- (1) the Application complies with all requirements of this LMC;
- (2) the Use will be Compatible with surrounding Structures in Use, scale, mass and circulation;
- (3) the Use is consistent with the Park City General Plan, as amended; and
- (4) the effects of any differences in Use or scale have been mitigated through careful planning.

The Planning Department and/or Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use, as conditioned, mitigates impacts of and addresses the following items:

(1) size and location of the Site;

No unmitigated impacts.

Lots 1 and 2 of the IHC/USSA subdivision are 132 acres total. This acreage will decrease a small amount with the amended subdivision that is in process. The site is located near and accessed from State Route 248, near its intersection with US 40.

The Conditional Use Permit for Phase I of the IHC hospital includes a 122,000 building with 50,000 square feet of medical offices (41,000 square feet finished) included. A separate 25,000 square foot medical support building is proposed in the initial phase of development. This building will be a community benefit and may include the People's Health Center and/or the Summit County Health office. This building will be required to have its own CUP submitted and reviewed.

(2) traffic considerations including capacity of the existing Streets in the Area;

No unmitigated impacts.

The site is served by State Route 248 and a public road through the Park City

Recreation Complex. The Annexation Agreement limits the total cost of Traffic Mitigation Measures at \$10 Million. The applicant is required to construct road improvements to SR 248, the City streets (F. Gillmor Way and Round Valley Drive) and the signalized intersection with SR 248. Two bus shelters will be constructed on site.

(3) utility capacity;

No unmitigated impacts.

Adequate utility capacity exists to serve the project. The applicant has agreed to pay for water to serve the project and to contribute to the cost to ensure redundant water for the project.

(4) emergency vehicle Access;

No unmitigated impacts.

The site is served by State Route 248 and City streets.

(5) location and amount of off-Street parking;

No unmitigated impacts.

The initial parking construction will consist of 327 surface parking spaces and 92 structured spaces. Future additions will add 203 surface spaces and 703 structured spaces. The CT zone requires 60% of the parking to be in a structure, which will be case at full build-out. The Planning Commission has discussed and provided direction that the phasing of the structured parking is acceptable.

(6) internal vehicular and pedestrian circulation system;

No unmitigated impacts.

A public road (Round Valley Drive) from SR 248 will serve the hospital. Sidewalks and paved public trails will connect the Park City Recreation Complex, the bus shelters, and the parking lots to the hospital. Round Valley Drive will loop through the site with a second access point connecting near the Ice Rink.

(7) fencing, Screening, and landscaping to separate the Use from adjoining Uses;

No unmitigated impacts.

The existing vegetation is mostly sage brush and grass. Proposed landscaping will minimize the use of turf grass and use appropriate, drought tolerant plant materials. A water efficient irrigation system is required as a Condition of Approval. The conceptual landscape plan has significant landscaping between the buildings.

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;

No unmitigated impacts.

The hospital will be 300,000 square feet at full build-out with 50,000 square feet in addition to and within the building. The initial construction is 122,000 square feet with 50,000 square feet of medical offices (41,000 square feet finished) in a single building. Additional Building Height is being requested by the applicant. The main entry/clerestory is proposed at 15'-4" over the zone height with a chimney at 19'-9" over height. No floor area is increased by these architectural elements. A lobby clerestory (+10'-3") and

pitched mechanical screening roof (+16'-7") also are not adding floor area. The two wings that house inpatient care and medical offices are 12'-9" and 10'-3", respectively, over zone height at the highest point. The building could meet zone height if spread out further on the site. Because of the need in a hospital for exceptional mechanical systems, particularly air handling, the floor to floor height is 14 feet, as compared to a usual 9-10 feet floor to floor construction in residential and commercial construction. The nearest property line is hundreds of feet away and future buildings setback a minimum of 25 feet additionally from those property lines.

(9) usable Open Space;

No unmitigated impacts.

The annexation identified over 80% of the entire 157 acres as open space. Most of the open space will be native vegetation; however, trails are being provided through the site to adjoin with existing neighboring trails.

(10) signs and lighting;

No unmitigated impacts.

Signs and lighting will meet the Park City Land Management Code. Staff has discussed directional, building and free-standing signs with the applicant. A separate sign application will be required for any exterior sign. Parking lot lighting is proposed that meets the standards of the lighting section of the Off-Street Parking chapter of the Land Management Code (15-3-3(C)).

(11) physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

No unmitigated impacts.

The existing NAC buildings, the Park City Ice Rink and the proposed USSA building are relatively large buildings, generally two to three stories in elevation. They are a variety of styles from timber to tilt-up concrete to stucco. The hospital, although significantly larger in floor area, is similar in height and compatible in style. The use of stone, timbers, and metal wall panels are well articulated. The mass of the building is separated from its neighbors by hundreds of feet, giving it a sense of scale in proportion to the surrounding backdrop of hills.

(12) noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

No unmitigated impacts.

No disturbing mechanical factors are anticipated after construction is complete. With the size of the property, any exhaust fans or other mechanical factors will not generate noise that will be heard off-site.

(13) control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

No unmitigated impacts.

Delivery and service vehicles will access the building around the back of the hospital, away from the public entrances. Passenger pick-up and drop-off can occur at the front

entry porte cochere. The emergency entrance is separated from the main entrance and the entrance for the medical offices. The trash dumpsters are located in a screened loading area.

(14) expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities; and

No unmitigated impacts.

Intermountain Healthcare will own the hospital. Future medical support buildings may be owned by the physicians that occupy the buildings.

(15) within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site.

No unmitigated impacts.

There are no Environmentally Sensitive slopes or ridgetlands. The access road crosses wetlands that are subject to an Army Corp of Engineers permit for mitigation.

Recommendation

Staff recommends the Planning Commission re-open the public hearing for the Conditional Use Permit (CUP) for the Intermountain Health Care hospital. Staff has prepared findings of fact, conclusions of law and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The Conditional Use Permit is for Phase I of the IHC Hospital and Medical campus in the CT-MPD zoning district.
2. The annexation plat was approved by the Council on December 7, 2006, with an effective date of January 1, 2007.
3. A subdivision plat was approved by the Council and recorded at Summit County on January 11, 2007.
4. The entire annexation area is 157.243 acres and is currently subdivided into five lots. Lots 1 and 2 are owned by Intermountain Healthcare (IHC Hospitals, Inc) and includes 132.2 acres.
5. The Annexation Agreement and proposed Master Planned Development for IHC includes a Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) and Support Medical Office space of 150,000 square feet (150 Unit Equivalents).
6. The City agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area, including without limitation: athletic national governing body offices, non-profit community wellness facilities, and/or education uses.
7. Access to the site is from Highway 248 through the Park City Recreation Complex. A preliminary roadway layout within the subdivision was identified at the time of

subdivision plat. An amended subdivision plat will be required once the final road and utility layout is completed.

8. The proposed first phase of the hospital includes a 122,000 square foot hospital building with 50,000 square feet of medical offices (41,000 square feet finished). A separate 25,000 square foot medical support building is proposed in the initial phase of development. This building will be a community benefit and may include the People's Health Center and/or the Summit County Health office. This building is required to have its own CUP submitted and reviewed.
9. The proposed Conditional Use Permit is consistent with the approved Master Planned Development for IHC.
10. The maximum Building Height in the CT District is 28 feet (33 feet with a pitched roof). Additional Building Height is being requested by the applicant. The main entry/clerestory is proposed at 15'-4" over the zone height with a chimney at 19'-9" over height. No floor area is increased by these architectural elements. A lobby clerestory (+10'-3") and pitched mechanical screening roof (+16'-7") also are not adding floor area. The two wings that house inpatient care and medical offices are 12'-9" and 10'-3", respectively, over zone height at the highest point. The building could meet zone height if spread out further on the site. Because of the need in a hospital for exceptional mechanical systems, particularly air handling, the floor to floor height is 14 feet, as compared to a usual 9-10 feet floor to floor construction in residential and commercial construction. The proposed building complies with the granted height exception.
11. The Planning Commission finds the proposed building in compliance with the volumetrics approved in the MPD; specifically, the façade shifts and roof shifts create architectural interest and break the building into smaller components.
12. The setbacks within the CT zone are twenty-five feet (25') on all property lines. Setbacks are the minimum distance between the closest of the following: property line, platted street, or existing curb or edge of street. The building complies with these setback requirements.
13. The **Analysis** section of this staff report is incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the IHC Master Planned Development and the Park City Land Management Code.
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
3. All exterior lights must conform to the City lighting ordinance.
4. All exterior signs require a sign permit.

5. Materials color samples and final design details must be in substantial compliance with the samples reviewed by the Planning Commission and approved by staff prior to building permit issuance.
6. The final building plans and construction details for the project shall meet substantial compliance with the drawings as reviewed by the Planning Commission.
7. Utility and grading plans must be approved by the City Engineer prior to Building Permit issuance.
8. The amended Subdivision Plat must be approved prior to full building permit. Excavation and Footings and Foundation may proceed prior to approval of the amended subdivision plat.
9. The applicant, at its expense, will install a signalized intersection on S.R. 248 and improvements to frontage roads and connecting roads as reasonably required by the City Engineer. A temporary paved road connection road between S.R. 248 and F. J. Gillmor Drive, subject to approval by UDOT and Park City, shall be installed. Directional signs and wayfinding signs shall be part of the road improvements. During construction of the road improvements, access to the National Ability Center and the Recreation Complex shall not be interrupted. Trail and sidewalk connections as required in the Annexation Agreement and Master Planned Development approval are required.
10. All conditions of the Master Planned Development continue to apply.

Exhibits

A – A packet of materials was previously passed out to the Commissioners.

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Planning Commission Meeting
Minutes of May 23, 2007
Page 30

16. Per the Annexation agreement and subject to any such deed restrictions, the City shall have the right of first refusal to purchase the USSA property and facilities in the event that, as an authorized assignee of the Petition, USSA sells and/or relocates from such property.
17. The Planning Commission approval of the MPD/CUP shall be put into the form of a Development agreement prior to issuance of a full building permit.
18. The amended Subdivision plat must be approved prior to full building permit.
19. Any change in sue to a non-community-based nonprofit organization may require that the deferred Employee/Affordable Housing requirements be met by the owner of the USSA Property as contemplated under the Affordable Housing Guidelines and Standards Resolution 10-06.
20. Trash enclosures will be provided for all trash receptacles and adequately screened. Materials will be architecturally compatible with the building.
21. The pedestrian walkway between the bus stop and the parking lot as shown on the site plan will be provided prior to the issuance of a final certificate of occupancy.
22. IHC Conditional Use Permit and Master Planned Development

Commissioner Pettit recused herself from this item.

Planner Robinson requested that the Planning Commission review the CUP and the MPD separately and take two separate actions. He suggested that they begin with the MPD application.

Planner Robinson reported on changes to the findings of facts and conditions of approval. Finding of Fact #15 was modified to read, "The amended subdivision plat must be approved prior to full building permit. Excavation and footings and foundation may proceed prior to approval of the amended subdivision plat."

Planner Robinson noted that the applicant submitted amended building elevations after previous direction from the Planning Commission. Planner Robinson stated that IHC owns lots one and two of the current subdivision plat, which currently includes 132.2 acres. That size will be slightly reduced with the amended subdivision plat.

The Staff report provided detail on the MPD criteria for the Community Transition Zone, and outlined their findings for compliance. He believed this answered some of the questions raised during the USSA discussion. He commented on the original road layout

with a signalized intersection at Highway 248, as required by the annexation agreement. The annexation agreement required the details to be addressed with the MPD; however, the City Attorney has agreed to postpone that to the subdivision. Planner Robinson stated that the subdivision originally scheduled for this evening will be continued. He noted that one of the fields at the complex would be lost with the realignment of the intersection and the road improvements.

Planner Robinson commented on a letter from IHC that is memorialized in Condition of Approval #17, outlining mitigation for the loss of the planned ballfield at the Recreation Complex, as well as other mitigation requirements from the annexation agreement, particularly redundancy water for the hospital. Planner Robinson stated that the City will be putting in that water line with a contribution from IHC. He noted that a hard surface trail will be constructed on site by IHC with a contribution from USSA. The annexation agreement called for construction of the trail and dedication to the City as a public trail.

Planner Robinson modified Condition of Approval #9 by striking "...issuance of a full building permit and/or prior to..." from the last sentence. The revised sentence would read, "A guarantee for all public improvements, including trails and required landscaping, is required prior to recordation of the final subdivision plat."

Morgan Bush, representing the applicant, stated that the City had asked IHC to put together a site plan that includes the annexation area to be developed, as well as the recreation complex. They felt it was beneficial to have a master plan that takes in the entire Quinn's area and not just one particular piece. Mr. Bush remarked that they tried to address all the issues related to the USSA, the impacts on the fields complex, and the IHC MPD.

Mr. Bush reviewed the site plan and the intersection that UDOT has approved. He outlined the direction Round Valley Drive would take to enter into the IHC campus and access the USSA facility. He indicated the area behind the Ice Sheet that would be dedicated as City streets. Mr. Bush identified the two planned bus stops with shelters and the facilities they would serve. He commented on the trails and pointed out the proposed trail on IHC property. Mr. Bush stated that there will be paved trails from the furthest north point on the campus to the existing Rail Trail system in the City. He noted that they are still working with City Staff on the exact trail location.

Commissioner Sletten asked if the trails were memorialized in the conditions of approval. Planner Robinson replied that they were addressed as a bullet point under Condition of Approval #17.

Mr. Bush commented on the shared parking. He noted that IHC had proposed to share 110 spaces based on the initial discussion. The City wanted 310 spaces based on the full

build out. They still need to work out the agreements but their concept is to make two lots available to the City on weekends.

Commissioner Wintzer asked if the parking issue was based on final build out. Mr. Bush replied that the 300 spaces would be at final build out. He explained that they only have 397 total spaces and they intend to work out the exact numbers for phasing with the City. Mr. Bush believed it was in the best interest of everyone to maximize the appropriate use of that resource.

Chair Pro Tem Barth re-opened the public hearing.

Carol Potter, representing Mountain Trails Foundation, stated that she spoke with Michael Barille at the County about connecting trails from IHC to Trail Side. She wanted the Planning Commission to know that the County supports this idea.

Chair Pro Tem Barth asked Ms. Potter if Mountain Trails could work with the trails system as proposed. Ms. Potter answered yes. Planner Robinson remarked that a second trail, which is memorialized in Condition of Approval #14, goes from IHC to the north to the PRI church owned property. Once a development resolution is reached for that property and a plan is submitted to the County, the second phase trail will be constructed following that resolution.

Chair Pro Tem Barth closed the public hearing.

Commissioner Russack asked about a bus stop to service the fields and the ice sheet. Planner Robinson stated that currently there is no bus service to the fields, except for on demand service. He expected that transit service will be started to that area once everything is built out. City Engineer, Eric DeHaan, noted that the parking lot next to the ice sheet is designed to accommodate bus circulation and drop off at the door of the ice sheet. It takes the critical mass to justify bus service and he did not anticipate that would happen until the other facilities are on line.

Commissioner Russack asked if the existing entrance is eliminated with the new road scheme. Mr. DeHaan replied that the current entrance would be eliminated. Commissioner Russack asked Mr. Bush if zone lighting would be considered for the parking lots at IHC; similar to what was suggested for USSA. Mr. Bush replied that a condition of approval requires a parking plan that includes timing of lighting to be approved by City Staff.

Commissioner Wintzer remarked that this project has been a pleasant process and he has enjoyed working with the applicants. They always responded to the Planning

Commissions' comments and concerns and came back every time with the right information. Commissioner Sletten concurred.

MOTION: Commissioner Sletten moved to APPROVE the Intermountain Healthcare Hospital master planned development, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the Staff report and amended as follows: Finding of Fact #15, "The amended subdivision plat must be approved prior to full building permit. Excavation and footings and foundation may proceed prior to approval of the amended subdivision plat." Condition of Approval #9, the last sentence is modified to read, "A guarantee for all public improvements, including trails and required landscaping, is required prior to recordation of the final subdivision plat." Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously. Commissioner Pettit was recused.
Findings of Fact- IHC MPD

1. The Intermountain Healthcare Master Planned Development is located on Lots 1 and 2 of the Subdivision Plat for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility and includes 132.2 acres. The amended Subdivision Plat currently proposes lot area of 107.5 acres for the two lots.
2. The Annexation Agreement and proposed Master Planned Development for IHC includes an Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) and Support Medical Office space of 150,000 square feet (150 unit equivalents).
3. The City agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi public and other institutional uses reasonably related to the Support Medical Office area.
4. The property is located in the Community Transition (CT) zoning district.
5. The MPD is being processed concurrent with a Conditional Use Permit. No additional conditional use permit are required prior to issuance of building permits for the proposed uses. A change of use, from that described by this application may require a separate conditional use permit.
6. This property is subject to the IHC/USSA/Burbidge Annexation plat approved by the Park City Council on December 7, 2006, with an effective date of January 1, 2007. An Annexation Agreement for this property was recorded on January 23, 2007.

7. The Annexation Agreement sets forth maximum building floor areas, development location, and conditions related to developer-provided amenities on the various lots of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat, such as roads, utilities, and trails.
8. A final subdivision plat known as the Subdivision Plat (Amended) for the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility is currently being reviewed by the Planning Commission and City Council. The Master Planned Development and Conditional Use Permit were submitted for concurrent review and approval.
9. The maximum building height in the CT District is 28 feet (33 feet with a pitched roof).
10. The main entry/clerestory is proposed at 15'-4" over the zone height with a chimney at 19'-9" over height. No floor area is increased by these architectural elements. A lobby clerestory (+10'-3") and pitched mechanical screening roof (+16'-7") also are not adding floor area. The two wings that house inpatient care and medical offices are 12'-9" and 10'-3", respectively, over zone height at the highest point.
11. Additional building height, as reviewed by the Planning Commission on May 23, 2007, complies with the criteria for additional building height per LMC Section 15-6-5(F).
12. The Planning Commission reviewed a visual analysis and discussed the additional building height and finds the proposed building is in compliance with the LMC Criteria in Chapter 6 regarding additional height that can be granted for a Master Planned Development, specifically, the facade shifts and building articulation, materials, and details create architectural interest and break the building into areas of varying height and mass. Landscaping and setbacks provide mitigation of visual impacts from adjacent properties.
13. The CT zoning district requires a minimum of 60% of the parking for an MPD to be provided in a structured or tiered parking configuration. A parking structure is proposed in the rear of the hospital and the applicant is requesting a phased approach for compliance at full build-out. The initial phase is for 92 structured spaces and 327 surface spaces (419 total). The 92 structured is only 22 percent of the total in the first phase. The Planning Commission discussed the phase request at the March 28 meeting and found the phasing plan acceptable.
14. The setbacks within the CT zone are twenty five feet (25') in the front, rear, and sides. The building complies with these setback requirements.

15. The amended subdivision plat must be approved prior to full building permit. Excavation and footings and foundation may proceed prior to approval of the amended subdivision plat.
16. Trails and linkages to trails shown on the City's Master Trail Plan shall be constructed in accordance with the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended plat and conditions of the Annexation Agreement.
17. A redundancy water system is necessary for the health, safety and welfare of the development.
18. A signalized intersection with location and associated improvements to State Route 248 approved by the Utah Department of Transportation will be finalized with the amended subdivision plat. Other traffic mitigation measures and costs associated with those measures must be approved by agreement between parties in accordance with the annexation agreement.
19. The **Analysis** section of this staff report is incorporated herein.

Conclusions of Law - IHC MPD

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is compatible in use, scale, and mass with adjacent properties, and promotes neighborhood compatibility.

8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provision of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the site.
11. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing trail connections.
12. The MPD has been noticed and public hearing held in accordance with this Code.

Conditions of Approval - IHC MPD

1. All standard conditions of approval apply to this MPD.
2. All applicable conditions of approval of the IHC/USSA Annexation shall apply to this MPD.
3. All applicable conditions of approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat shall apply.
4. A final water efficient landscape and irrigation plan that indicates snow storage areas is required prior to building permit issuance.
5. All exterior lights must conform to the City lighting ordinance and shall be in substantial conformance with the plans reviewed by the Commission on May 23, 2007. Parking lot lighting shall be on a timing system to allow for minimal lighting when the facility is not open. The timing system and building security lighting shall be approved by Staff prior to issuance of a certificate of occupancy.
6. All exterior signs require a separate sign permit. Application for a sign permit shall be made to the Planning Department prior to installation of any temporary or permanent signs.

7. Exterior building materials and colors and final design details must be in substantial compliance with the elevations, color, and material details exhibits and photos reviewed by the Planning Commission on May 23, 2007.
8. The final building plans, parking lot details and landscaping, and construction details for the project shall meet substantial compliance with the drawings reviewed by the Planning Commission on May 23, 2007.
9. Utility and grading plans, including all public improvements and trails, must be approved by the City Engineer prior to Building Permit issuance. A guarantee for all public improvements, including trails and required landscaping, is required prior to recordation of the final subdivision plat.
10. The Construction Mitigation Plan must be approved by Staff as a condition precedent to issuance of any building permits. The plan shall be consistent with the plan reviewed by the Planning Commission on May 23, 2007.
11. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits, to mitigate impacts on adjacent wetlands. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices.
12. Approval of a fire protection plan for the building shall have been made by the Building Official prior to any full building permit being issued. The fire protection component of the plan shall ensure that Park City's ISO rating is not negatively affected by construction of the building.
13. A detailed review against the Uniform Building and Fire Codes in use at the time of building permit submittal is a condition precedent to issuance of full building permit.
14. The trail connections to the Park City Recreation Complex as required by the Annexation Agreement and conditions of approval of the final subdivision plat shall be constructed prior to issuance of a final certificate of occupancy for the building. The public dedication of the trails will occur with the amended subdivision concurrently being reviewed by the City. Construction and paving of the trail between IHC and the Recreation Complex will occur with the first phase of hospital construction. The second phase trail will be constructed with the resolution of the development potential (construction or open space/trails) of the adjacent PRI property to the north.
15. IHC will pay \$16,000 per ERU to the City for water within 10 business days of this MPD approval in accordance with Section 8 of the Annexation Agreement. In

addition, IHC will contribute \$899,000 for development of a second, redundant, source of water as provided in the amended water agreement pursuant to Section 8 of the Annexation Agreement.

16. IHC will bear the cost of traffic mitigation measures as provided in the Annexation Agreement in an amount to be agreed prior to the approval of the amended subdivision plat.
17. The following items are agreed to by the applicant as mitigation for the loss of the use of a planned ballfield at the Park City Recreation Complex:
 - IHC will pay Park City Municipal Corporation \$50,000 to compensate the City for actual costs the City incurred to prepare the ground for the future ball field.
 - IHC will pay Park City Municipal Corporation the actual costs incurred by the city for a way finding sign at the Junction of Round Valley Drive and the road leading to the recreation complex and the National Ability Center (F. Gillmor Drive).
 - IHC will pay for and construct an 8' wide paved trail connection on the recreation complex property. This trail connection will connect: the paved trail at the southwest corner of the recreation complex with the paved trail to be built by Intermountain on our property, adjacent to both USSA and the hospital.
 - IHC will enter into a shared parking agreement with Park City. The hospital will share up to 300 parking spaces at full build-out on weekends for park and ride lots for city events. IHC and the City will work together to establish a Parking Management and Phasing Plan to manage the use of these 300 spaces and establish a phasing plan for use of fewer spaces prior to full build-out. Intermountain would have the ability to reduce this number through the Management Plan or if both parties agree in writing based on lack of availability through normal use or ultimate build out of the Medical Campus. The Plan would include anticipate use schedule to allow notification of employees when certain lots would not be available for employee use on weekends.
 - IHC will replace the storm water detention basin that will be removed through the construction of the road.
 - IHC will construct a temporary, paved driveway from SR248 to existing Gillmor Drive, as it runs east to west at the south west corner of the recreation parcel, just south of the proposed signalized intersection. This will facilitate temporary access for the NAC and recreation complex while the road improvements and infrastructure

are being built. Exact location and design are subject to UDOT and Park City approvals.

- It is likely that due to the new road alignment, the City will have to modify the Recreation Subdivision to locate the new Round Valley Drive road within a platted right-of-way. Should this be necessary, the City will coordinate necessary drawings and approvals, but Intermountain will be responsible for the cost of all necessary submittal documents and plats. The amended subdivision, if necessary, would be required prior to issuance of full permits for either USSA or the Hospital.

- IHC will design and construct 30 trailhead parking spaces to the reasonable satisfaction of the City Engineer on the Park City Recreation Complex. The exact location will be determined by Park City, but will be in the general vicinity of the approved plan, adjacent to the new road.

6. IHC - Conditional Use Permit

Commissioner Pettit recused herself from this item.

Planner Robinson commented on additional findings and conditions related to Phase 1 of the building, its size and use, and the parking. He indicated one change in Condition of Approval #9 to specifically name the roads. The first sentence was modified to read, "The applicant, at its expense, will install a signalized intersection on SR 248 and improvements to SR 248, Round Valley Drive, and Florence Gilmore Way as reasonably required by the City Engineer". The remainder of Condition #9 stayed as written.

Chair Pro Tem Barth re-opened the public hearing.

There was no comments.

Chair Pro Tem Barth closed the public hearing.

MOTION: Commissioner Sletten moved to APPROVE the Intermountain Healthcare Hospital conditional use permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval contained in the Staff report with the amendment to Condition #9 as stated by Planner Robinson. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously. Commissioner Pettit was recused.

Findings of Fact - IHC - CUP

1. The Conditional Use Permit is for Phase 1 of the IHC Hospital and Medical campus in the CT-MPD zoning district.
2. The annexation plat was approved by the City Council on December 7, 2006, with an effective date of January 1, 2007.
3. A subdivision plat was approved by the Council and recorded at Summit County on January 11, 2007.
4. The entire annexation area is 157.243 acres and is currently subdivided into five lots. Lots 1 and 2 are owned by Intermountain Healthcare (IHC Hospitals, Inc.) And includes 132.22 acres.
5. The Annexation Agreement and proposed Master Planned Development for IHC includes a Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents).
6. The City agreed that up to 50,000 square feet of the total Support Medical Office area may be developed within, and in addition to, the 300,000 square foot hospital. The City also agreed that up to 50,000 square feet may be utilized for public/quasi-public and other institutional uses reasonably related to the Support Medical Office area, including without limitation: athletic national governing body offices, non-profit community wellness facilities, and/or education uses.
7. Access to the site is from Highway 248 through the Park City Recreation Complex. A preliminary roadway layout within the subdivision was identified at the time of subdivision plat. An amended subdivision plat will be required once the final road and utility layout is completed.
8. The proposed first phase of the hospital includes a 122,000 square foot hospital building with 50,000 square feet of medical offices (41,000 square feet finished). A separate 25,000 square foot medical support building is proposed in the initial phase of development. This building will be a community benefit and may include the People's Health Center and/or the Summit County Health office. This building is required to have its own CUP submitted and reviewed.
9. The proposed Conditional Use Permit is consistent with the approved Master Planned Development for IHC.
10. The Maximum Building Height in the CT District is 28 feet (33 feet with a pitched roof). Additional Building Height is being requested by the applicant. The main entry/clerestory is proposed at 15'-4" over the zone height with a chimney at 19'-9"

over height. No floor area is increased by these architectural elements. A lobby clerestory (+10'-3") and pitched mechanical screening roof (+16'-7") also are not adding floor area. The two wings that house inpatient care and medical officers are 12'-9" and 10'-3", respectively, over zone height at the highest point. The building could meet zone height if spread out further on the site. Because of the need in a hospital for exceptional mechanical systems, particularly air handling, the floor to floor height is 14 feet, as compared to a usual 9-10 feet floor to floor construction in residential and commercial construction. The proposed building complies with the granted height exception.

11. The Planning Commission finds the proposed building in compliance with the volumetrics approved in the MPD; specifically, the facade shifts and roof shifts create architectural interest and break the building into smaller components.
12. The setbacks within the CT zone are twenty-five (25') on all property lines. Setbacks are the minimum distance between the closest of the following: property line, platted street, or existing curb or edge of street. The building complies with these setback requirements.
13. The **Analysis** section of this staff report is incorporated herein.

Conclusions of Law - IHC - CUP

1. The CUP, as conditioned, is consistent with the IHC Master Planned Development and the Park City Land Management Code.
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval - IHC- CUP

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
3. All exterior lights must conform to the City lighting ordinance.

4. All exterior signs require a sign permit.
5. Materials color samples and final design details must be in substantial compliance with the samples reviewed by the Planning Commission and approved by Staff prior to building permit issuance.
6. The final building plans and construction details for the project shall meet substantial compliance with the drawings as reviewed by the Planning Commission.
7. Utility and grading plans must be approved by the City Engineer prior to building permit issuance.
8. The amended Subdivision Plat must be approved prior to full building permit. Excavation and Footings and Foundation may proceed prior to approval of the amended subdivision plat.
9. The applicant, at its expense, will install a signalized intersection on SR 248 and improvements to SR 248, Round Valley Drive, and Florence Gilmore Way as reasonably required by the City Engineer. A temporary paved road connection between SR 248 and F.J. Gilmore Drive, subject to approval by UDOT and Park City, shall be installed. Directional signs and way finding signs shall be part of the road improvements. During construction of the road improvements, access to the National Ability Center and the Recreation Complex shall not be interrupted. Trail and sidewalk connections as required in the Annexation Agreement and Master Planned Development approval are required.
10. All conditions of the Master Planned Development continue to apply.
7. 300 Deer Valley Loop, Roundabout Subdivision

The Planning Commission discussed this item during work session.

Planner Katie Cattan reported that the applicant is proposing two lots of record on a metes and bounds parcel. Each lot would be approximately 12,000 square feet. The applicant is proposing a duplex on each lot. Planner Cattan noted that the proposal decreases density from what could be approved on these lots. The proposal also adds a bus pull off area that is supported by the Park City Municipal Transportation Department.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council for this subdivision, according to the findings of fact, conclusions of law, and conditions of approval contained in the Staff report. Planner Cattan noted that

**PARK CITY MEDICAL CENTER
MEDICAL CAMPUS
NORTH BUILDING PROPOSAL**

DRAFT

MAY 20, 2013

Background

Park City Medical Center has been more successful in its first five years than was forecast by Intermountain Healthcare. The areas of the hospital that are experiencing higher growth are surgery and endoscopy, pain services, physical therapy, imaging, emergency, and medical/surgical nursing. The available physician office space on campus is fully used, except for one 1,100 square foot space in the Park City Clinic building.

Nationally, healthcare has changed significantly since the hospital opened. Healthcare reform places more emphasis on education and wellness.

Proposed Project

Park City Medical Center is evaluating options for an addition to the existing building. This addition would provide for a procedure center (to expand surgical capacity), physician offices, an education center, an expanded wellness center, and administrative space for the hospital (to permit bed expansion within the hospital).

Option A

Option A would be to build an 82,000 square foot addition of medical support space attached to the hospital for medical offices, education, wellness, administrative services, and shelled space for future medical offices. In addition, the project would build 6,000 square feet of hospital space (4,000 new and completing 2,000 of existing shelled space) for a procedure center.

Density – This option would build all of the medical support density in the MPD (82 units) and 3 units of density for hospital space. Under this option there would be 103 units of hospital density to be built in the future.

Parking – Park City Medical Center is proposing to add 246 parking spaces (3 per 1,000 square feet) to support this option. 125 of these spaces would be added surface parking, and 121 surface parking east of the new project which would be screened from the entry corridor, since this new parking would be 12-14 feet lower than the current parking lot.

Affordable Housing – The hospital estimates that current spaces at the hospital require 25.7 affordable housing units. The annexation agreement provided 44.8 units of

affordable housing through a donation of land to the city and a guarantee from the Burbidges. This option would generate an additional affordable housing requirement of 12.9 units. This could still be covered by the original affordable housing.

Option B

Option B would be to build an 57,000 square foot addition of medical support space attached to the hospital for medical offices, education, wellness, administrative services, and some limited shelled space for future medical offices. In addition, the project would build 6,000 square feet of hospital space (4,000 new and completing 2,000 of existing shelled space) for a procedure center.

Density – This option would build 57 units of the medical support density in the MPD and 3 units of density for hospital space. Under this option there would be 103 units of hospital density and 25 units of medical support density to be built in the future.

Parking – Park City Medical Center is proposing to add 171 parking spaces (3 per 1,000 square feet) to support this option. 71 of these spaces would be added surface parking, and 100 surface parking east of the new project which would be screened from the entry corridor, since this new parking would be 12-14 feet lower than the current parking lot.

Affordable Housing – The hospital estimates that current spaces at the hospital require 25.7 affordable housing units. The annexation agreement provided 44.8 units of affordable housing through a donation of land to the city and a guarantee from the Burbidges. This option would generate an additional affordable housing requirement of 7.9 units. This could still be covered by the original affordable housing.

Option C

Option C would be to build an 42,000 square foot addition of medical support space attached to the hospital for medical offices, wellness, administrative services, and some limited shelled space for future medical offices. In addition, the project would build 6,000 square feet of hospital space (4,000 new and completing 2,000 of existing shelled space) for a procedure center. A 15,000 square foot education center would be constructed on one of the two vacant lots on the campus.

Density – This option would build 57 units of the medical support density in the MPD and 3 units of density for hospital space. Under this option there would be 103 units of hospital density and 25 units of medical support density to be built in the future.

Parking – Park City Medical Center is proposing to add 126 parking spaces (3 per 1,000 square feet) at the hospital to support this option. 13 of these spaces would be added surface parking, and 113 surface parking east of the new project which would be screened from the entry corridor, since this new parking would be 12-14 feet lower than the current parking lot. The education center would have its own surface parking on its

own lot. At 3 per 1,000 this would generate 60 spaces. At 4 per 1,000 this would generate 80 spaces.

Affordable Housing – The hospital estimates that current spaces at the hospital require 25.7 affordable housing units. The annexation agreement provided 44.8 units of affordable housing through a donation of land to the city and a guarantee from the Burbidges. This option would generate an additional affordable housing requirement of 9.4 units. This could still be covered by the original affordable housing.

EXHIBIT F



Option A – Level One

27,300 sf per floor

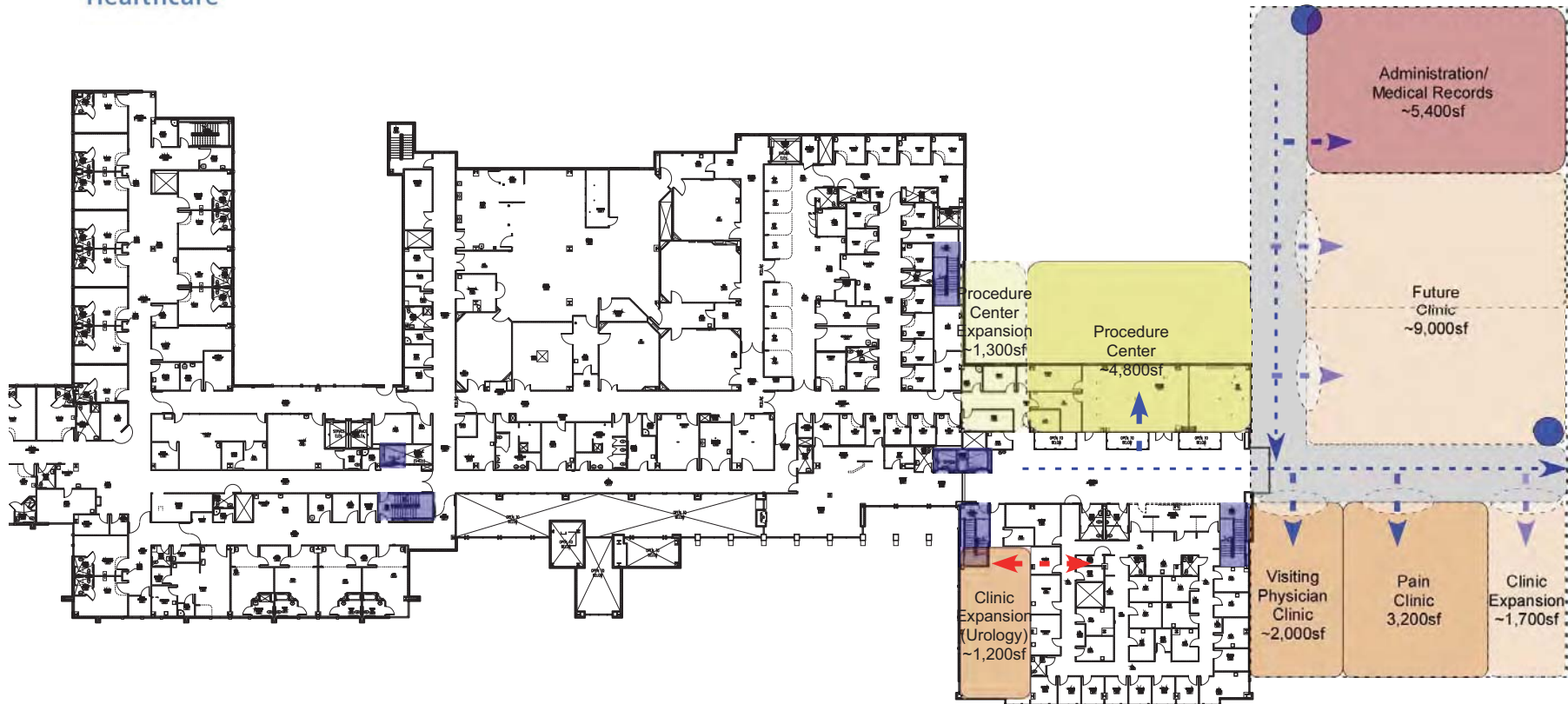
82,000 sf Total

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Option A – Level Two

27,300 sf per floor

82,000 sf Total (+4,000sf Procedure)

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13

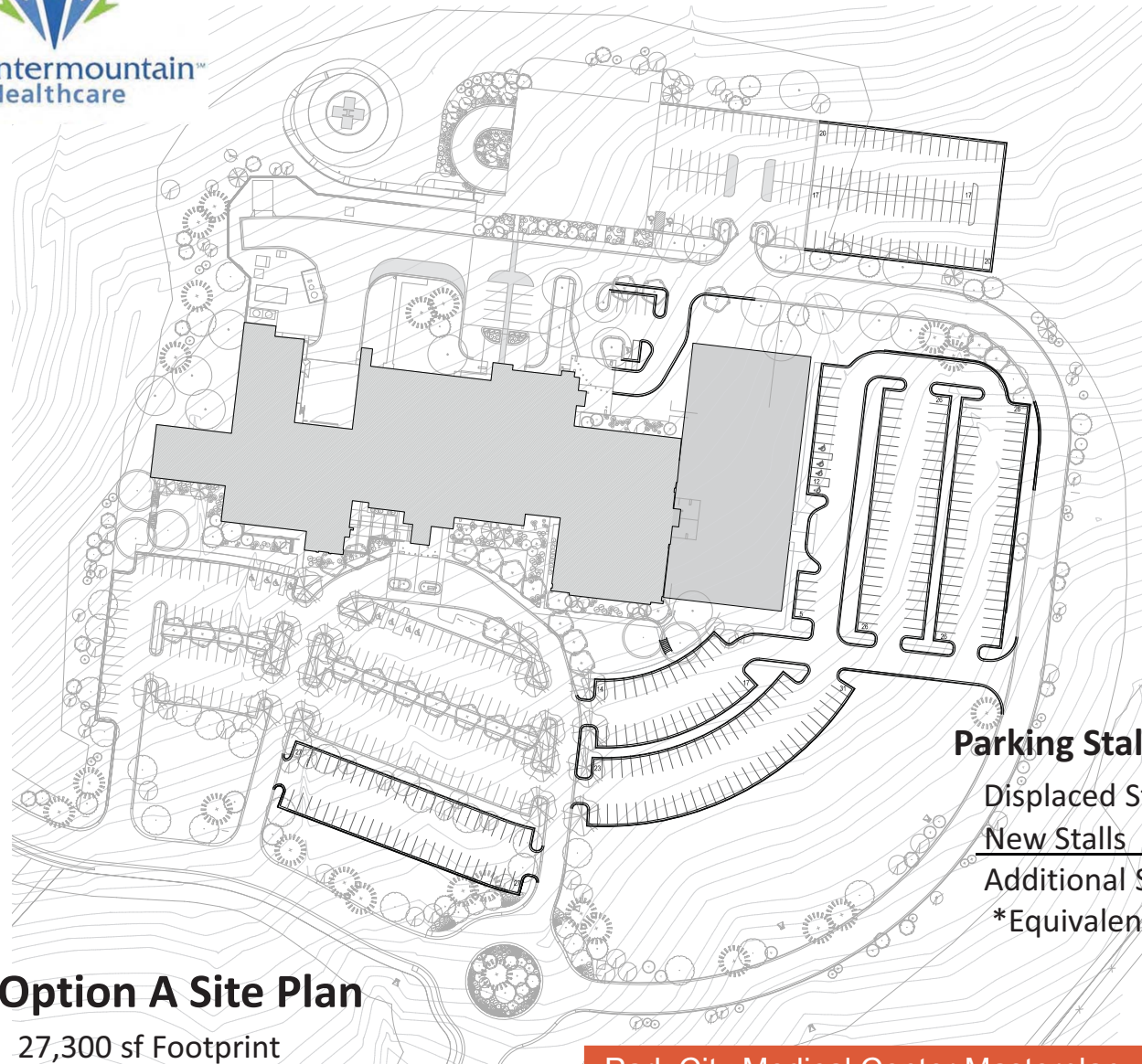


82,000 sf Total

Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Option A Site Plan

27,300 sf Footprint

82,000 sf Total

Parking Stall Calculation

Displaced Stalls	-87
New Stalls	+333
Additional Stalls (net)	246*
*Equivalent to 3 stalls/1,000 GSF Addition	

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nexus

Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Option B – Level One

16,000 sf Level One

57,000 sf Total

ARCHITECTURAL
nexus

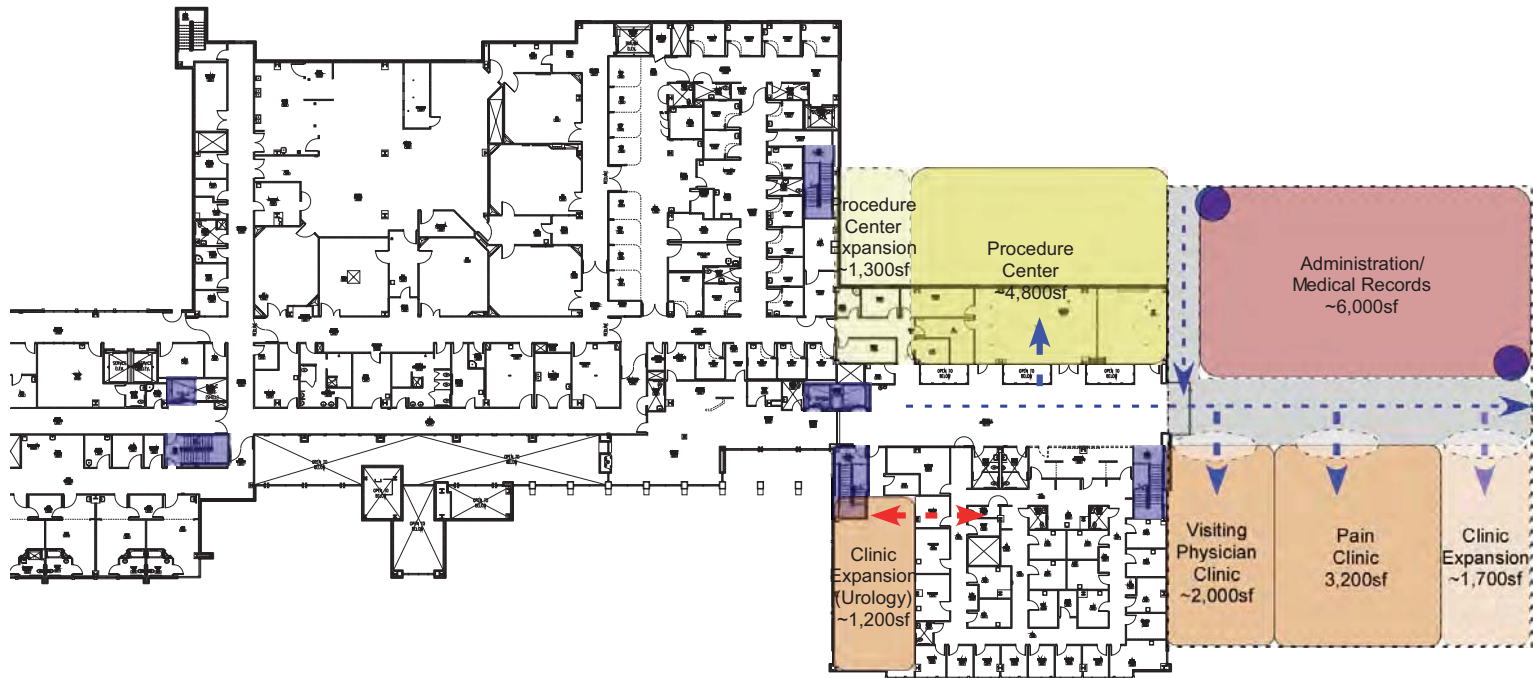
Park City Medical Center Masterplan

05.16.13



EXHIBIT F

IntermountainSM
Healthcare



Option B – Level Two

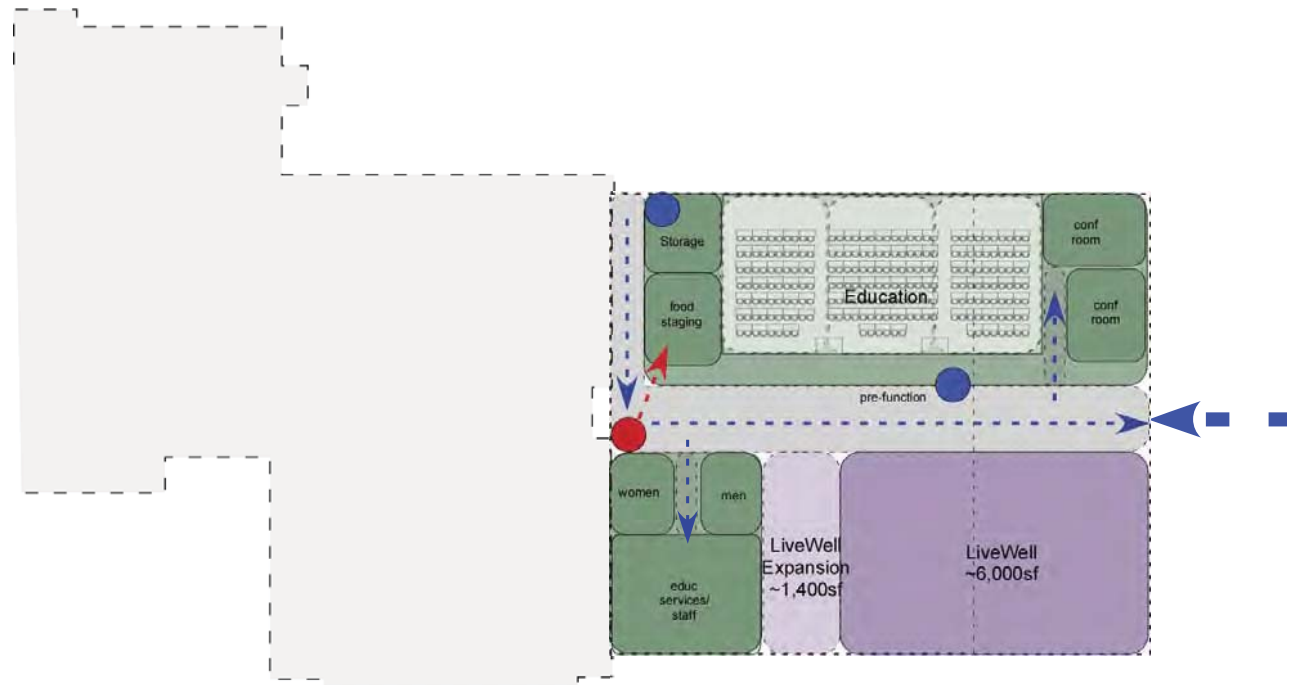
16,000 sf Level Two

57,000 sf Total (+4,000sf Procedure)

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13



Option B – Lower Level

25,000 sf Lower Level

57,000 sf Total

ARCHITECTURAL
nexus

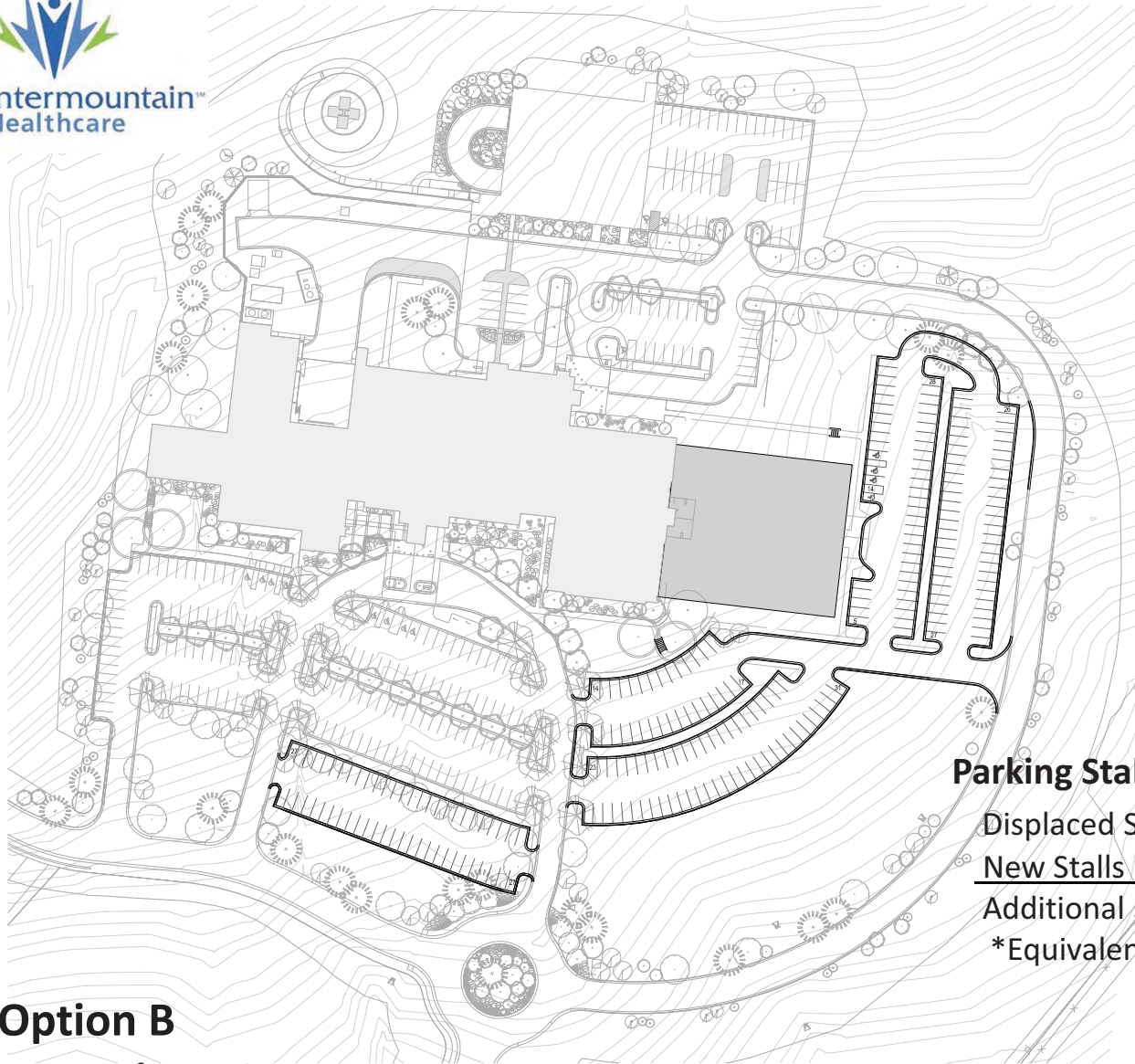
Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Intermountain[™]
Healthcare



Option B

25,000 sf Footprint

57,000 sf Total

Parking Stall Calculation

Displaced Stalls	-68
New Stalls	+239
Additional Stalls (net)	171*
*Equivalent to 3 stalls/1,000 GSF Addition	

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13



EXHIBIT F

IntermountainSM
Healthcare



Option C – Level One

14,000 sf per floor

42,000 sf Total

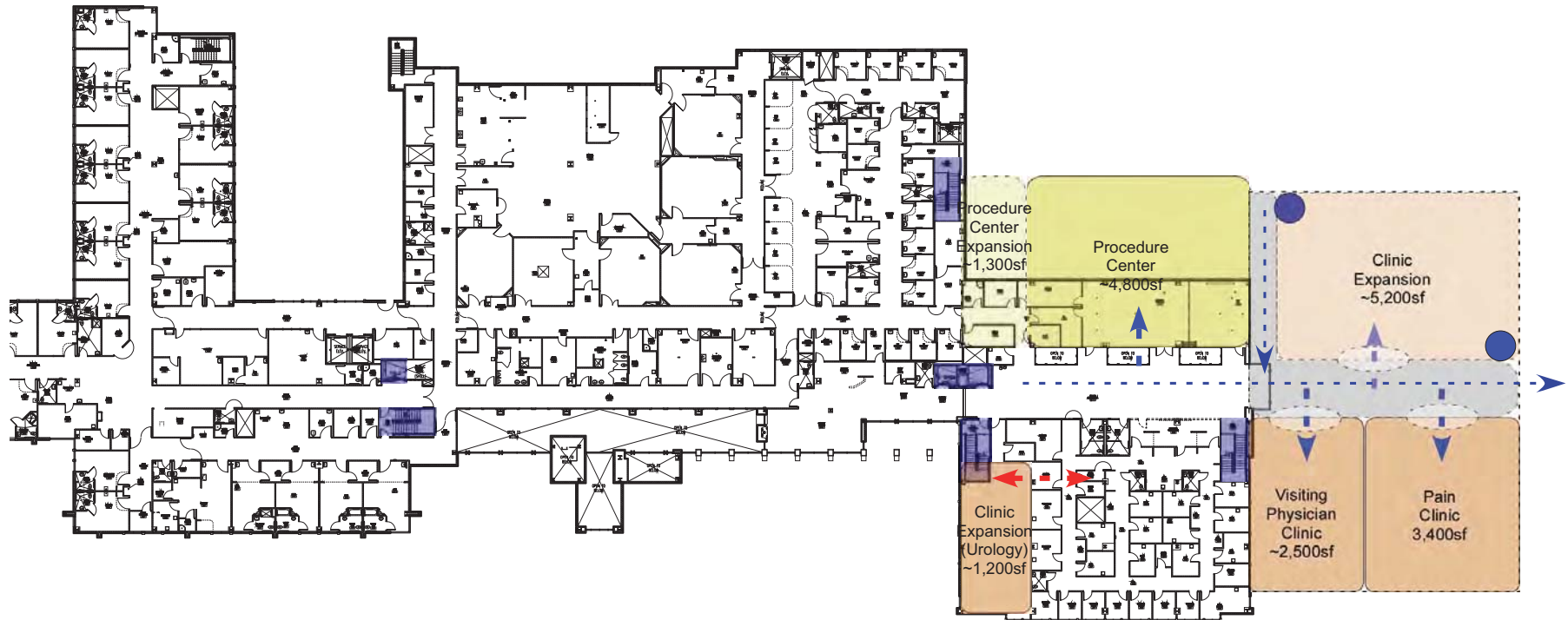
15,000 sf Education Center off-site

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Option C – Level Two

14,000 sf per floor

42,000 sf Total (+4,000sf Procedure)

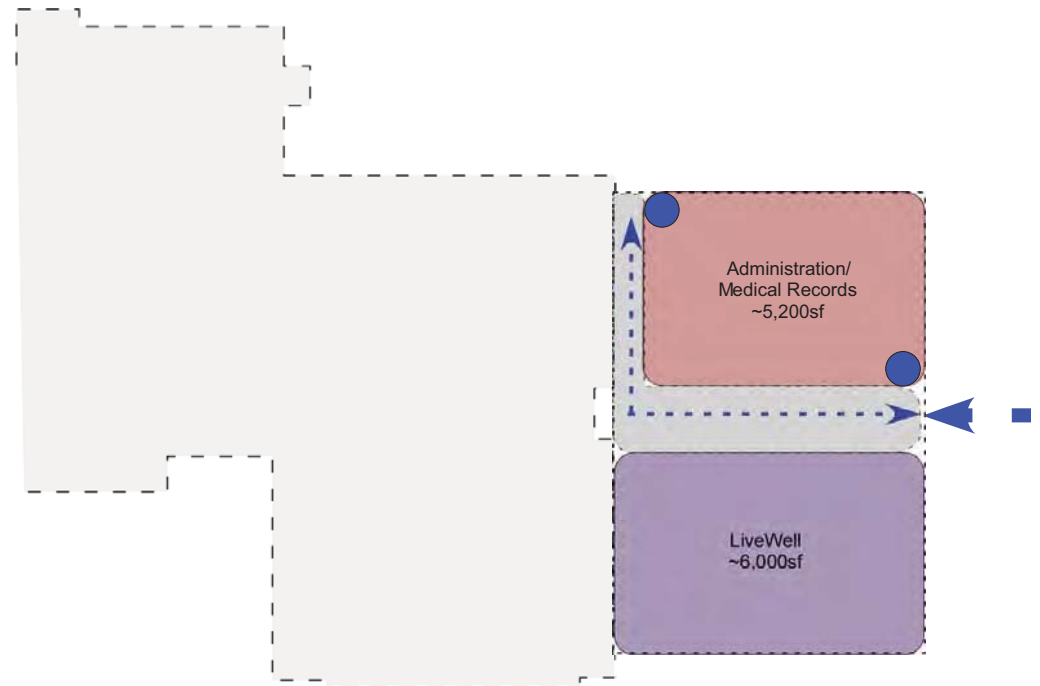
15,000 sf Education Center off-site

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Option C – Lower Level

14,000 sf per floor

42,000 sf Total

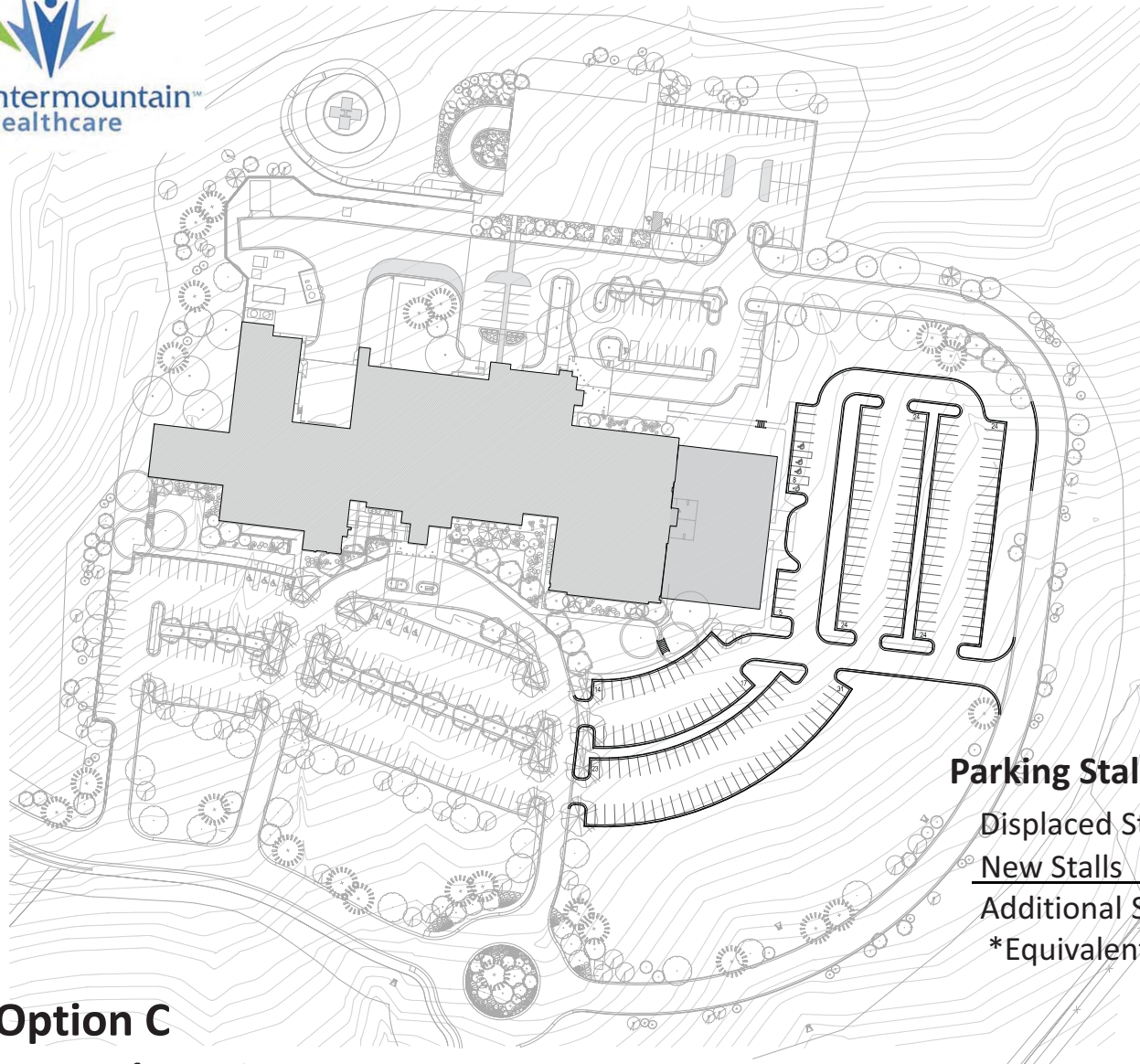
15,000 sf Education Center off-site

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13

EXHIBIT F



Option C

14,000 sf Footprint

42,000 sf Total

Parking Stall Calculation

Displaced Stalls	-68
New Stalls	+194
Additional Stalls (net)	126*
*Equivalent to 3 stalls/1,000 GSF Addition	

ARCHITECTURAL
nexus

Park City Medical Center Masterplan

05.16.13

EXHIBIT F

20-May-13

PARK CITY NORTH BUILDING PHASING PLAN ANALYSIS

	Original Phasing Plan			Option A - 82K North Building				Option B - 57K North Building				Option C - 42K North Building Separate 15 K Education Center			
	<i>Hospital</i>	<i>Medical Offices</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>
Initial Development															
Hospital Lot															
Square Feet Built	109000	18000	127000												
Square Feet Shelled	13000		13000												
Density															
Unit Equivalents	65	18	83												
Parking															
Parking Surface	327														
Parking Structured	92														
Parking Total	419														
% Structured	22%														
Affordable Housing															
Units Needed	12.7	4.8	17.5												
Units Provided	45		45												
Other Lots															
Square Feet Built		50000													
Square Feet Shelled															
Density															
Unit Equivalents	0	50	50												
Parking															
Parking Surface		172													
Parking Structured		0													
Parking Total		172													
% Structured		0%													
Affordable Housing															
Units Needed	0.0	6.7	6.7												
Units Provided			0												

Exhibit F

20-May-13

**PARK CITY NORTH BUILDING
PHASING PLAN ANALYSIS**

	Original Phasing Plan			Option A - 82K North Building				Option B - 57K North Building				Option C - 42K North Building Separate 15 K Education Center			
	<i>Hospital</i>	<i>Medical Offices</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>
1st Addition															
Hospital Lot															
Square Feet Built	13000		13000	6000	34400	15340	55740	6000	32375	14750	53125	6000	14000	15000	35000
Square Feet Shelled			0	0	0	32160	32160	0	0	9875	9875	0	0	13000	13000
Density															
Unit Equivalents	8	0	8	4	34	48	86	4	32	25	61	4	14	28	46
Parking															
Parking Surface	410			452				398				340			
Parking Surface Screened				121				100				113			
Parking Structured	92			92				92				92			
Parking Total	502			665				590				545			
% Structured	18%			14%				16%				17%			
% Structured/Screened				32%				33%				38%			
Affordable Housing															
Net Leasable SF					26400	36550			25230	11800			22400	11200	
New Employees					77	106			73	34			65	32	
20% of New Employees					15	21			15	7			13	6	
Employee Unit Equiv.					10.2	14.1			9.8	4.6			8.7	4.3	
Affordable Unit Equiv.	1.5	0.0	1.5	0.7	5.1	7.1	12.9	0.7	4.9	2.3	7.9	0.7	4.3	2.2	7.2
Units Provided			0				0				0				0
Other Lots															
Square Feet Built		25000												15000	
Square Feet Shelled															
Density															
Unit Equivalents	0	25	25									0		15	15
Parking															
Parking Surface		75												60	
Parking Structured		0												0	
Parking Total		75												60	
% Structured		0%												0%	
Affordable Housing															
Net Leasable SF		20833												11540	
New Employees		60												33	
20% of New Employees		12												7	
Employee Unit Equiv.		8.1												4.5	
Affordable Unit Equiv.	0.0	4.0	4.0									0.0		2.2	2.2
Units Provided															

Exhibit F

20-May-13

PARK CITY NORTH BUILDING
PHASING PLAN ANALYSIS

	Original Phasing Plan			Option A - 82K North Building				Option B - 57K North Building				Option C - 42K North Building Separate 15 K Education Center			
	<i>Hospital</i>	<i>Medical Offices</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>
2nd Addition															
Hospital Lot															
Square Feet Built	93000	32000	125000	87000		0	87000	87000		0	87000	87000		0	87000
Square Feet Shelled			0				0				0				0
Density															
Unit Equivalents	56	32	88	52		0	52	52		0	52	52		0	52
Parking															
Parking Surface	410			410				410				410			
Parking Structured	703			703				703				703			
Parking Total	1113			1113				1113				1113			
% Structured	63%			63%				63%				63%			
Affordable Housing															
Net Leasable SF		26667													
New Employees		77													
20% of New Employees		15													
Employee Unit Equiv.		10.3													
Units Needed	15.6	5.2	20.8	15.6			15.6	15.6			15.6	15.6			15.6
Units Provided		13	13			13	13			13	13			13	13
Other Lots															
Square Feet Built		0													
Square Feet Shelled															
Density															
Unit Equivalents	0	0	0												
Parking															
Parking Surface		0													
Parking Structured		0													
Parking Total		0													
% Structured															
Affordable Housing															
Units Needed	0.0	0.0	0.0												
Units Provided			0												

EXHIBIT F

20-May-13

PARK CITY NORTH BUILDING PHASING PLAN ANALYSIS

	Original Phasing Plan			Option A - 82K North Building				Option B - 57K North Building				Option C - 42K North Building Separate 15 K Education Center			
	<i>Hospital</i>	<i>Medical Offices</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>	<i>Hospital</i>	<i>Medical Support Hospital</i>	<i>Medical Support MOB</i>	<i>Total</i>
Full Build Out															
Hospital Lot															
Square Feet Built	85000	0	85000	85000		0	85000	85000		0	85000	85000		0	85000
Square Feet Shelled			0				0				0				0
Density															
Unit Equivalents	51	0	51	51		0	51	51		0	51	51		0	51
Parking															
Parking Surface	530			530				530				530			
Parking Structured	703			703				703				703			
Parking Total	1233			1233				1233				1233			
% Structured	57%			57%				57%				57%			
Affordable Housing															
Units Needed	9.9	0.0	9.9	9.9		0.0	9.9	9.9		0.0	9.9	9.9		0.0	9.9
Units Provided			0				0				0				0
Other Lots															
Square Feet Built		25000				0				25000				25000	
Square Feet Shelled															
Density															
Unit Equivalents	0	25	25			0	0			25	25			25	25
Parking															
Parking Surface		75				0				75				75	
Parking Structured		0				0				0				0	
Parking Total		75				0				75				75	
% Structured		0%				#DIV/0!				0%				0%	
Affordable Housing															
Net Leasable SF		20833								20833				20833	
New Employees		60								60				60	
20% of New Employees		12								12				12	
Employee Unit Equiv.		8.1								8.1				8.1	
Affordable Unit Equiv.		4.0	4.0							4.0	4.0			4.0	4.0
Units Provided			0				0				0				0
Total Density at Full Build Out			330				330				330				330
Total Affordable Housing Needed			64.4				62.5				61.6				63.1

Exhibit G – Affordable Housing Table

	Original Plan	Option A	Option B	Option C
Density				
Unit Equivalents	8	86	61	61
Housing				
Units	6	13	8	9
Option 1				
Use Hospital Units		\$0	\$0	\$0
Option 2				
Pay in lieu for other lots				\$295,610
Option 3				
Pay for all MOB		\$936,268	\$302,270	\$286,900
Option 4				
Pay for all units		\$1,705,106	\$1,041,137	\$1,248,883

Note: Could argue that education center is hospital and should be counted against original 45 units provided

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
JUNE 12, 2013**

PRESENT: Nann Worel, Brooke Hontz, Stewart Gross, Adam Strachan, Jack Thomas, Charlie Wintzer, Thomas Eddington, Francisco Astorga, Polly Samuels McLean

Commissioners Savage was excused.

WORK SESSION ITEMS

Chair Worel disclosed that she works with the People Health Clinic, which is one of the buildings in the original agreement plan with Intermountain Healthcare; however it would not affect her ability to discuss the requested Amendment to the MPD for the Intermountain Healthcare Hospital scheduled for work session this evening.

Commissioner Wintzer disclosed that his daughter works at the Hospital but it would not affect his ability to discuss the work session item.

900 Round Valley Drive, Intermountain Healthcare Hospital – Amendment to Master Planned Development (Application PL-13-01392)

Morgan Bush, the Operations Officer for Intermountain Healthcare Rural Regional, stated that he was also the project manager for the initial development of the hospital. Since he had worked with the City Council and the Planning Commission throughout the annexation agreement, the CT zone and the initial MPD, he was asked to work with the hospital administration to try to figure out the options the Hospital has now and to make sure they are consistent with the Annexation Agreement and the original MPD.

Mr. Bush stated that as part of the MPD process in 2007 they made a commitment that before they expanded the hospital they would bring their ideas or concepts back to the Planning Commission for input before the Hospital would make its decision on what they would recommend to Intermountain Healthcare. Mr. Bush remarked that Intermountain Healthcare was starting its budgeting process; therefore, the Hospital would have to submit a recommendation within the next few weeks. They applied for the MPD amendment process in an effort to have the conversation with the Planning Commission.

Mr. Bush reported that the Hospital Administration was considering three potential options. He would try to explain the implications with the CT zone and work with Staff and the Planning Commission to have a good understanding of what they need to do if they elect to pursue any of the three options proposed. Mr. Bush clarified that the purpose of the work session was to present the options and hear feedback on the design concepts. They were not requesting any approvals.

Mr. Bush stated that the hospital has been more successful in the first five years than originally forecast. The areas of greater growth are in surgery, the emergency department, imaging, and physical therapy, and the in-patient nursing floor. It all includes all of the physician office space in the Annexation Agreement, which includes the Hospital's attached MOB as well as the Physician Holding Building. That space is all used with the exception of one 1100 square foot shelf space in the Physician Holding Building. The Administration currently has requests from eight different

physicians asking for space on the Campus. Mr. Bush noted that this was one of the drivers that caused the Hospital Administration to relook at the phasing and propose adding additional office space and other support space to the Hospital.

Mr. Bush commented on three options being considered. Kennard Kingston, the project Architect, reviewed a site plan included in the Staff report to orient the Commissioners to the area of the proposed addition. Commissioner Hontz asked if the identified area was currently parking. Mr. Bush replied that it was the parking lot for the Physician Offices. The new building would be built in that parking lot and new parking would be built to the east.

Mr. Bush stated that Option A has two components. One is a three-story, 82,000 square foot addition that would be built next to the existing MOB. All three options include building out over the top of the existing physical therapy and filling in a shell area on top of physical therapy for a procedure center. Mr. Bush explained that there are two procedure rooms in the current OR. If they can move the minor cases into this area, they would be able to create an additional OR without having to expand the hospital without having to do the main surgery addition that was contemplated in Phase 2 of the phasing plan.

Mr. Bush remarked that the ground floor has two components, which would be a 15,000 square foot education center, along with a Live-Well Health Promotion and Wellness clinic and center. He noted that the wellness and the education center were not part of the original phasing plan. However, with health care reform and the need to move more towards health promotion, wellness and prevention of illnesses, the hospital needs to provide facilities and resources that were not envisioned as part of the original phasing plan. Therefore, the Hospital proposes to take some of the medical support density that was conditioned for future medical offices, and use it for these functions at this time.

Commissioner Strachan wanted to know what type of facility was needed for wellness. Mr. Bush replied that it is a physician clinic to allow health promotion and wellness testing, stress testing, body fat assessments, respiratory assessments, etc. Part of it would be like a physician office but oriented towards testing as opposed to treating sick people. Another part is an education component for people to take classes, and a gym where people are taught to do exercises properly.

These were the types of services envisioned as part of Live-Well. They believed the Hospital needs to be more pro-active in providing these services, particularly in this community. Commissioner Thomas asked if this would be similar to the facility in the USAA building where they test athletes. Mr. Bush replied that it was a similar concept but more for the general public. He noted that there is a small Live-Well center in the current MOB, but it is not adequate for future needs.

Mr. Bush stated that the second story of the new addition allows for an expansion of the current orthopedic clinic located in the hospital. They are interested in bringing in additional partners as their practice continues to grow. The concept also provides clinic space for some of the new physicians who have an expressed interest in locating on campus but there is currently no space.

Mr. Bush remarked that the third floor of the proposed new addition allows for the expansion of the Intermountain Medical Group Clinic as they bring on additional physicians to expand their practice, as well as to provide some additional future medical office space. The Hospital Administration area

would also be relocated from the third floor of the existing hospital over to the new space. The current Administration area would be remodeled and converted into patient beds for the hospital.

Mr. Bush stated that Option A would add 82,000 square feet of medical support. Currently, the Physician Holding building is basically 25,000 square feet and is built out. The People's Health and Summit Public Health Building is built out at 25,000. In the existing hospital, 18,000 of the total square footage is medical support. Mr. Bush pointed out that they were approved to build out up to 50,000 square feet for medical support attached to the hospital. The current proposal would take the additional 50,000 square feet of density that was originally scheduled for Lot 6 and 8 on the campus, and shift it to the hospital as part of this project. Mr. Bush understood that the density shift was the component that required an amendment to Annexation Agreement and the MPD.

Planner Astorga replied that Mr. Bush was correct. The MPD would need to be amended because the original MPD only allowed up to 50,000 square feet at the hospital site, and this proposal would add additional density at the hospital. Currently, the Hospital Administration does not foresee using all the density. Mr. Bush clarified that the Hospital would come back at some point in the future with a proposal to use that density as the hospital continues to grow. He noted that originally the initial development was proposed in three phases to reach full build-out. They still envision reaching full build-out, but they were proposing to change the phasing plan to build more of the medical support now as part of the first addition, and postpone most of the hospital addition until they actually need that space.

Planner Astorga noted that the proposal would definitely require a change to the MPD with either option. However, the Staff needed to consult with the Legal Department on whether or not it would require amending the Annexation Agreement.

Commissioner Strachan understood that they would only be changing the designation of use. The 150,000 square feet allocated as hospital space would remain the same, but a portion would be transferred and used for medical offices. Planner Astorga reviewed the breakdown of the square footage between the hospital, medical support and off-site facilities.

Mr. Bush clarified that Option A proposes to change the location of the density in the subdivision. They were not proposing a change in the total square footage. Commissioner Wintzer understood that Mr. Bush was talking about transferring density from the campus to the Hospital. He also understood that there were two remaining building pads of 25,000 square feet each. Mr. Bush replied that this was correct. He explained that Option A proposes to take that density from those two lots, move it off of the campus for this project and leave the two lots as open space.

Commissioner Gross asked Mr. Bush if Option A was the priority option. Mr. Bush stated that Option A is the most expensive option and the Hospital Administration does not know if Intermountain Healthcare is willing to fund it. They will want to know the implications of all the options. Mr. Bush noted that once an option is chosen, they would come back with a full proposal and go through the formal approval process.

Commissioner Thomas stated that from a massing point of view, the visual impact of Option A would be greater as they remove the two small pads, create the open space and make a bigger footprint on the hospital building, which will continue to grow. Mr. Kingston stated that his firm was the

architect on the original project and even though it is a 150,000 square foot building on the campus, it does not read that way. He pointed out that a new lower level steps down from the building, and the same thing would occur as it expands to the south. Mr. Kingston stated that the intent over time is to maintain the feeling that this is a rural hospital and not a large urban medical center. The idea is to make the additions work step and work with the same rules regarding building height, setbacks and offsets. He believed it was achievable.

Commissioner Hontz encouraged the Commissioner to pull out pages 133, 137 and 141 and look at the site plan and the parking plan and the size and location of the proposed addition. She stated that Option A would move the two building pads to the east location and keeps them as open space.

She asked if that would occur with Options B and C. Mr. Bush stated that Option B would move the density from one of those pads, but it would leave 25,000 square feet unbuilt, and in a future phase the Hospital could build one additional building. One of the lots would be designated as open space. Option C would be building the density on the hospital campus and building the education center on one of the lots. Option C would stay closer to the original MPD in terms of the allocation of square footages.

Commissioner Hontz asked about the parking shown in each option. Mr. Bush stated that the model was adding three parking spaces per 1,000 square feet. When they originally modeled the hospital, the parking was reduced from what was originally proposed based on the concern of too much surface parking. Commissioner Hontz believed there was always surplus parking. Mr. Bush agreed that there is always parking. Therefore, they were proposing the minimum amount. Commissioner Hontz understood that Option A also included adding on to the parking garage. Mr. Bush remarked that Option A adds additional surface parking pushing out to the north. It would also have the biggest impact in terms of building on to the future location of the structured parking that is part of the MPD in Phase 2 of the phasing plan.

Commissioner Wintzer recalled that Phase 2 required structured parking and Phase 1 was to berm around the parking.

Mr. Kingston pointed out that the footprint of the building would be bigger but the perceived density of the campus would be lower with the pads as open space. He remarked that there is an upside and a downside and he believed they could manage the footprint issue. The question was whether the benefit of having a lower perceived density on campus worth the change.

Commissioner Thomas suggested that the Planning Commission visit the site to understand the visual impact. Chair Worel stated that she had walked the site and with all the berming she did not believe the parking would be visual from Highway 40.

Commissioner Strachan asked if all the parking and the expansion would be east of the Silver Quinn's Trail and that the trail would not be disturbed. Mr. Bush replied that all the construction would be contained within the existing loop road at the Hospital. It would not go into any of the open space. Mr. Bush stated that the trails and the open space are part of what makes the hospital work.

Commissioner Hontz remarked that the original project turned out better than what she expected in terms of the massing of the building, how it sits on the site and the location of the parking. However,

she believed they overdid the night lighting and it is still too much. In addition, it is not pedestrian friendly to walk down to the end of the drive stall. Wherever the parking is located, she would encourage a better way to gather people and get them to a safer point instead of walking through the drive aisle.

Commissioner Thomas noted that the Planning Commission had requested the trails diagrams on the initial drawings and he would like to see those put back in the site plan. Commissioner Strachan indicated a trail that makes it easy to bike to a doctor or hospital appointments. It is in the area of the expansion and he suggested that tying a trail from Silver Quinn's down to the hospital would be a great amenity and a good selling point.

Commissioner Hontz understood Commissioner Thomas' concern about how the massing would read on the building. However, she supported the concept of moving the density from the two pads and finding a way to make the massing read better on the building. Commissioner Thomas thought Option A appeared to be the obvious solution and he questioned whether a site visit would be necessary. Commissioner Strachan suggested that the Commissioners do their own individual site visit if they felt it would be helpful.

Commissioner Wintzer assumed the expansion would have the same or similar materials. Mr. Bush answered yes. Commissioner Hontz asked if the expansion of the facility would push it into a different type of operation that no longer classifies it as rural, which could affect individual insurance policies. Mr. Bush clarified that the expansion would not change the number of beds or add new services with the exception of the Wellness and Live-Well, which does not affect the Hospital's licensure category. There would be no change in term of the community's ability to access services at the hospital. Commissioner Hontz felt that was an important issue. Mr. Bush remarked that it is up to the individual insurance companies to decide whether or not they want to contract with the Hospital.

Mr. Bush asked if the Planning Commission had a preferred option. Commissioner Strachan believed the policy direction was that the Planning Commission would support any option that moves the density from the two building pads. Commissioner Wintzer agreed.

Commissioner Wintzer stated that Intermountain Healthcare has been a great neighbor to the community. As both a Planning Commissioner and a Board member of the People's Health Clinic, he believed this was the biggest "get" for the City. They ended up with a free clinic for People's Health and a partnership with the whole community. Commissioner Wintzer remarked that it has been very successful and he wants to make sure that it stays successful. He noted that Intermountain Healthcare gave the City everything it asked for and when the project was finished, it looked better than the rendering.

Mr. Bush requested discussion on the affordable housing element since it was a major issue with the original approval. He noted that with any of the options proposed, the affordable housing with the new square footage is still under the 45 unit total. Intermountain Healthcare provided a five acre lot and the Burbidge's put up a bond to provide the 45 units that were part of the Park City Heights development. He noted that with any of the options proposed, the affordable housing obligation with the new square footage is still under the original 45 units. Additional affordable housing would be triggered by the next expansion. Mr. Bush asked for direction on the affordable housing component

to make sure he was reading the agreements correctly.

Commissioner Strachan thought affordable housing question would be a Planning Staff and Legal Department determination. Director Eddington stated that the Staff would be working with Intermountain Healthcare on the analysis and the numbers.

Commissioner Strachan thought the affordable housing question was a Planning Staff and Legal Department determination. Director Eddington stated that the Staff would be working with Intermountain Healthcare on the analysis and numbers.

Commissioner Wintzer asked for an update on the affordable housing and asked if the project was still on hold. Director Eddington stated that the project was on hold and the City was trying to work with the developer to see if they could help move it forward. Director Eddington was unsure whether that would be this year or next year.

Director Eddington clarified that the Planning Commission was most comfortable with Option A, incorporating density into the building and preserving the two pads as open space and screening the parking. Commissioner Hontz requested that they also reduce the parking and the lighting as much as possible. Commissioner Gross requested that they keep the connectivity with the trails. The Commissioners concurred.

The Work Session was adjourned.

**PARK CITY MEDICAL CENTER
MEDICAL CAMPUS**

NORTH BUILDING PROPOSAL

**MASTER PLAN DEVELOPMENT CHANGES
PARK CITY PLANNING COMMISSION**

JUNE 30, 2014

Background

Park City Medical Center has been more successful in its first five years than was forecast by Intermountain Healthcare. The areas of the hospital that are experiencing higher growth are surgery and endoscopy, pain services, physical therapy, imaging, emergency, and medical/surgical nursing. The available physician office space on campus is fully built out.

Nationally, healthcare has changed significantly since the hospital opened. Healthcare reform places more emphasis on education and wellness.

Proposed Project

Park City Medical Center is proposing an addition to the existing building. This addition would provide for a procedure center (to expand surgical capacity), physician offices, an education center, an expanded wellness center, and administrative space for the hospital (to permit bed expansion within the hospital).

The project would build an 82,000 square foot addition of medical support space attached to the hospital for medical offices, education, wellness, administrative services, and shelved space for future medical offices. In addition, the project would build 3,800 square feet of hospital space (1,000 new and completing 2,800 of existing shelved space) for a procedure center.

Master Plan Changes

The proposed project would require changes to the approved master plan for the Intermountain Healthcare hospital.

Density – The project would not change the total approved density on the Intermountain Healthcare hospital campus. The project would make two changes in location and timing of density on the campus.

1. The project would move 50,000 square feet of medical support density from lots 6 and 8 of the subdivision to lot 1 of the subdivision (the actual hospital site).

2. The proposed phasing plan had 57,000 square feet of medical support added to the campus by this time frame. This project will build 82,000 square feet of medical support, or adding the final 25,000 square feet of medical support to this phase of the MPD.

These changes allow the hospital to meet the growth of health care in Park City, yet delay a major hospital addition (74,000 square feet) projected in this part of the phasing plan.

Existing Structures on Campus

	Hospital Square Feet	Medical Support Square Feet	Total Square Feet
Approved per Annexation Agreement and MPD	300,000	150,000	450,000
Hospital	135,458	18,000	153,458
Medical Office Building		24,730	24,730
Summit County Building		24,424	24,424
Proposed Project	3,800	82,000	85,800
Total Built after Project	139,258	150,000	289,258

	Hospital Unit Eq	Medical Support Unit Eq	Total Unit Eq
Approved per Annexation Agreement and MPD	180	150	330
Hospital	81.3	18	99.3
Medical Office Building		24.7	24.7
Summit County Building		24.4	24.4
Proposed Project	2.3	82	84.3
Total Built after Project	83.6	149.1	232.7

Parking – Intermountain is proposing to adding 328 parking spaces (4 per 1,000 square feet) to support this addition. These spaces would be added surface parking.

Intermountain's proposed site plan will provide screening for 248 of the new parking spaces. The new screened parking spaces represent 63% of the new 393 parking spaces provided by the project (328 added spaces plus 62 existing spaces that are taken out by the new building). Intermountain and the architect believe that the screened surface parking will be less visual obtrusive than additional structured parking.

Height – The hospital was granted exceptions to the height restrictions of the CT zone since the hospital has functional requirements for floor to floor heights significantly greater than residential or commercial buildings and some design elements such as the main entry/clerestory and the pitched mechanical screening roof which exceeded the height requirements, yet did not add floor area to the hospital and provide a better visual impact to the building. The distance of the building from the entry corridors was also considered as an additional mitigating factor justifying the exception. The proposed project is being designed to be integrated into the existing structure and will need the same type of height exceptions.

Affordable Housing – Intermountain estimates that the current hospital services require 25.7 affordable housing units. The annexation agreement provided 44.8 units of affordable housing through a donation of land to the city and a guarantee from the Burbidges. The project would generate an additional affordable housing requirement of 12.9 units. This could still be covered by the original affordable housing.

Basement Storage – The architect has recommended that Intermountain consider adding basement storage next to the education center, rather than add future freestanding storage buildings behind the hospital. Intermountain requests that the Planning Commission consider allowing this storage, which would be completely buried under the new construction.

**PARK CITY MEDICAL CENTER
MEDICAL CAMPUS

NORTH BUILDING PROPOSAL

CONDITIONAL USE PERMIT
PARK CITY PLANNING COMMISSION**

JUNE 30, 2014

Background

Park City Medical Center has been more successful in its first five years than was forecast by Intermountain Healthcare. The areas of the hospital that are experiencing higher growth are surgery and endoscopy, pain services, physical therapy, imaging, emergency, and medical/surgical nursing. In addition, the available physician office space on campus is fully built out.

As Park City Medical Center anticipates growth and looks to the future, management is striving to keep up with national trends - the most significant being the increased emphasis on wellness and education.

Proposed Project

Park City Medical Center is proposing an 82,000 square foot addition to the existing building. This addition would provide for physician offices, an education center, an expanded wellness center, administrative space for the hospital (to permit bed expansion within the hospital), and shelled space for future needs. In addition, the project would build 3,800 square feet of hospital space (1,000 new and completing 2,800 of existing shelled space) for a procedure center.

The proposed project is located in the Community Transition (CT) Zone and as such has been designed with the following objectives in mind:

Zoning Impact

The Park City Land Management Code indicates that development in the Community Transition Zone should "cluster uses in the least visually sensitive areas and maximize open space." The proposed project extends the existing hospital floor plates directly adjacent to the existing MOB portion of the current facility. The site arrangement allows for maximum daylight exposure within the facility while creating strong direct ties to patient parking. The separated drop-off is proposed specifically for Education Center uses to separate patient and public traffic flow both on the site and within the building.

Minimize the Visual Impact of Parking

As part of the CT zone, project are encouraged to "require building and site design solutions that minimize the visual impacts of parking and parking lot lighting from entry corridor and adjacent neighborhoods and land uses." Kearns Boulevard is the established entry corridor with viewing potential from I-40 and Highway 248. The building arrangement on site maximizes surface parking shielded behind the building and restricts all new parking to areas inside the current ring road or area of disturbance.

Intermountain is proposing to add 328 parking spaces (4 per 1,000 square feet) to support this addition. These spaces would be added surface parking. Intermountain's proposed site plan will provide screening for 248 of the new parking spaces. The new screened parking spaces represent 63% of the new 393 parking spaces provided by the project (328 added spaces plus 62 existing spaces that are taken out by the new building).

Intermountain and the architect believe that the screened surface parking will provide greater patient access, be less visually obtrusive than additional structured parking, and preserve the natural setting.

Patient Access:

The bulk of the proposed addition is for medical clinic space requiring patient parking. Arrangement of parking maximizes spaces available to patients on the front side of the existing hospital and new clinic addition. Additional patient parking is provided near a rear entry for clinics requiring private access (plastics, infusion, existing physical therapy). Rear lots also serve as designated staff parking.

Visual Impact on Site:

Existing and proposed new site grading measures will screen the majority of parking spaces from the entry corridor as well as adjacent roadways. Additional layers of screening will be provided by proposed landscape interventions. It is Intermountain's belief that these screening methods will result in parking that is far less visually obtrusive than structured parking at this time. Future hospital development (Surgery & Patient Room Expansion) would trigger the need for additional structured parking, at that time.

Preserve the Natural Setting:

Development in the CT zone is charged to "preserve the natural setting to the greatest extent possible." This project has made great efforts to maximize development potential within the footprint of the existing development area, minimizing the extent of development (building or parking) outside the existing ring road.

Building Design

The new addition is intended to blend seamlessly with the existing building. The same exterior palette will be utilized including natural stone, glass and wood timber accents as follows:

- Brown's Canyon stone installed in an ashlar pattern to match the existing hospital
- Curtain wall and storefront systems to match the existing hospital
- Structural glu-laminated beams and columns, and wood decking, to match the existing hospital
- Glazing – Solarban 70, or equivalent, double glazed, clear/spandrel/frosted to match existing hospital
- Metal siding to complement the existing metal panels on the hospital
- Metal standing seam roof to complement the existing hospital
- Window and other sills to be precast concrete to match existing hospital, in select locations.
- Wood siding and accents to complement the existing hospital.

Detailed exterior elevations are being developed currently, but schematic elevations included with this submittal help to convey the general approach to the look and feel of the addition. The new addition, however, will be designed with a high performance building envelope including continuous exterior insulation and air/moisture barrier to improve thermal comfort and energy performance. A high performing, thermally broken window system will also be used at the building envelope.

EXHIBIT J

[illegible]

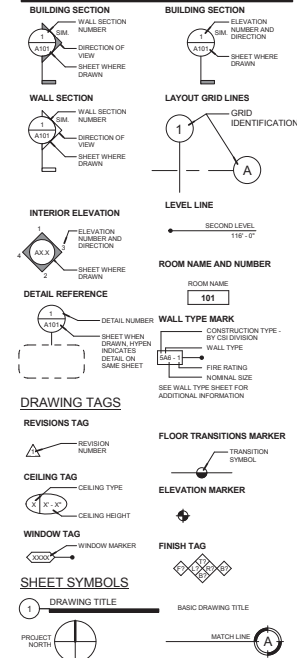
UTILITY CONTACTS

POWER Rocky Mountain Power 201 S. Main Street, Suite #2300 Salt Lake City, UT 84111 888.221.7070	WATER Snyderville Basin Water Reclamation District 2800 Homestead Road Park City, Utah 84098 phone: 435.649.7003 fax: 435.649.8040
NATURAL GAS Quintess Gas Company Park City, UT 84060 435.649.0670	TELEPHONE company name street address Park City, UT, 84 435.

VICINITY MAP



REFERENCE SYMBOL LEGEND



SHEET INDEX

SHEET NUMBER	SHEET NAME
GENERAL	
0001	GENERAL INFORMATION AND INDEX
CIVIL	
C1.0	OVERALL SITE PLAN
C1.1	SITE PLAN
C1.2	SITE PLAN
C1.11	GRADING PLAN
C1.22	GRADING PLAN
C1.23	UTILITY PLAN
C1.3	UTILITY PLAN
C4.1	DETAILS
C4.2	DETAILS
LANDSCAPING	
L1.00	OVERALL PLANTING PLAN
L1.01	PLANTING SCHEDULES & NOTES
ARCHITECTURAL	
AR01	OVERALL SITE PLAN
AR02	OVERALL PLAN - GRADING LEVEL
AR03	OVERALL PLAN - LEVEL 1
AR04	OVERALL PLAN - LEVEL 2
AR05	ELEVATION - EXTERIOR

Worksheet 17

GENERAL NOTES

- [illegible]

EXHIBIT J

Site Data

Site Area = 4,314,990 s.f. (99.059 ac.)
 New Building Area = 82,000 s.f.
 New Parking Requested = 4/1000 s.f. as previously agreed to by Park City Planning and Zoning
 82,000 s.f. @ 4/1000 s.f. = 328 stalls
 Replace Lost stalls = 62 stalls
 Total Requested = 390 stalls
 New Parking Provided = 393 stalls

ADM Note:
 Contractor shall maintain a running slope on Accessible routes no steeper than 5.0% (1:20). The cross slope of Accessible routes shall be no steeper than 2.0% (1:50). All Accessible routes shall have a minimum clear width of 36". If double or triple doors do not meet this requirement, notify Consultant immediately.
 The Client, Contractor and Subcontractor shall immediately notify the Consultant of any conditions of the project that they believe do not comply with the current state of the ADA (504/2010 4151-7) (Last Edition) and/or 2010.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS
 The Contractor agrees that he shall assume sole and complete responsibility for all site conditions during the course of construction of this project, including safety of all personnel and property from this project and shall notify continuously and not be limited to normal working hours, and that the contractor shall defend, indemnify, hold harmless and the engineer harmless from any and all liability, loss or damage, in connection with the performance of work on this project, including the liability resulting from the site negligence of the owner or the engineer.

Survey Control Note:
 The contractor or surveyor shall be responsible for obtaining the National Society of Professional Surveyors (NSPS) made standards for any survey or construction. Survey shall be completed under the supervision of the NSPS Surveyor or Assistant Surveyor and Assistant Construction Representative shall be provided with construction staking. The surveyor shall be responsible for verifying horizontal control from the survey monuments and for verifying any additional control points from an NSPS survey monument point, or an electronic data provided by the National Society of Professional Surveyors. The surveyor shall also verify the accuracy of the data shown on the plan, and verify that the data is not more than three months old. If any discrepancies are encountered, the surveyor shall immediately notify the engineer and resolve the discrepancies before proceeding with any construction staking.

Site Area = 4,314,990 s.f. (99.059 ac.)
 New Building Area = 82,000 s.f.
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 Planning and Zoning
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ADA Note:
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The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify, and hold the owner and the engineer harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the owner or the engineer.

Survey Control Note:

The contractor or surveyor shall be responsible for following the National Society of Professional Surveyors (NSPS) standards for control points as contained in NSPS Form completed using Anderson-Wöhler and Associates ALTA Surveys or Anderson-Wöhler and Associates construction improvement plan to provide for permanent control points. The surveyor shall be responsible for verifying horizontal control from the survey monuments and for verifying any additional control points shown on an ALTA survey. Any permanent plan, or an electronic data provided by Anderson-Wöhler and Associates. The surveyor shall also use the benchmarks as shown on the plan, and verify them against no less than three existing permanent benchmarks. If there are no bench marks or on electronic data provided by Anderson-Wöhler and Associates. If any discrepancies are encountered, the surveyor shall immediately notify the engineer and resolve the discrepancies before proceeding with any construction staking.

INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR, PARK CITY, UT 84060

DESIGN DEVELOPMENT - PROGRESS SET

VCBO
ARCHITECTURE
104 SOUTH 800 EAST
SALT LAKE CITY, UT 84143
ARCHITECTURE
104 SOUTH 800 EAST
SALT LAKE CITY, UT 84143

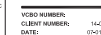
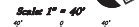
ZGF

ANA
ARCHITECTS
1000 WEST 1000 SOUTH, SUITE 200
SALT LAKE CITY, UT 84119
ARCHITECTS
1000 WEST 1000 SOUTH, SUITE 200
SALT LAKE CITY, UT 84119

REV	DATE	DESCRIPTION
VCBO NUMBER: 13630 CLIENT NUMBER: 14-012SP DATE: 07-01-2014		

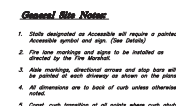
C1.0

EXHIBIT J



SITE PLAN

C1



Site Construction Notes

- | | | |
|----|--|------------------|
| 1 | Const. 24" Curb & Gutter | $\frac{2}{04.1}$ |
| 2 | Const. Asphalt Paving | $\frac{2}{04.1}$ |
| 3 | Const. Conc. Sidewalk | $\frac{2}{04.1}$ |
| 4 | Const. Conc. Retaining Wall | |
| 5 | Const. ADA Accessible Striping per MUTCD & ICOP/IND 1117.7 (Latest Editions) | $\frac{2}{04.1}$ |
| 6 | Const. ADA Accessible Ramps per MUTCD & ICOP/IND 1117.7 (Latest Editions) | $\frac{2}{04.1}$ |
| 7 | Const. ADA Accessible Signs per MUTCD & ICOP/IND 1117.7 (Latest Editions) | $\frac{2}{04.1}$ |
| 8 | Const. 4" White Paint Stripe (Typ.) | |
| 9 | Const. Conc. Paving | $\frac{2}{04.1}$ |
| 10 | Const. Conc. Slabs w/Reinrod on both sides | |
| 11 | Const. <i>Blue</i> Racks (capacity: 10 bikes) | |
| 12 | Const. Screen Wall | |
| 13 | Const. Solid Gates | |
| 14 | Const. Thickened Edge Sidewalk | $\frac{2}{04.1}$ |

ADN Note:
Contractor must maintain a running slope on Access routes no steeper than 5.0% (1:20). The cross slope for Accessible routes must be no steeper than 2.0% (1:50). At Accessible routes must have a minimum clear width of 36". If Grades on plans do not meet this requirement notify Consultant immediately.
The Client, Contractor and Subcontractor should immediately notify the Consultant of any conditions of the project that they believe do not comply with the current state of the ADA (ADA/ANSI A117.1—Latest Edition) and/or Title II.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS

The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify, and hold the owner and the engineer harmless from one and all of liability real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the owner or the engineer.

Survey Control Note:

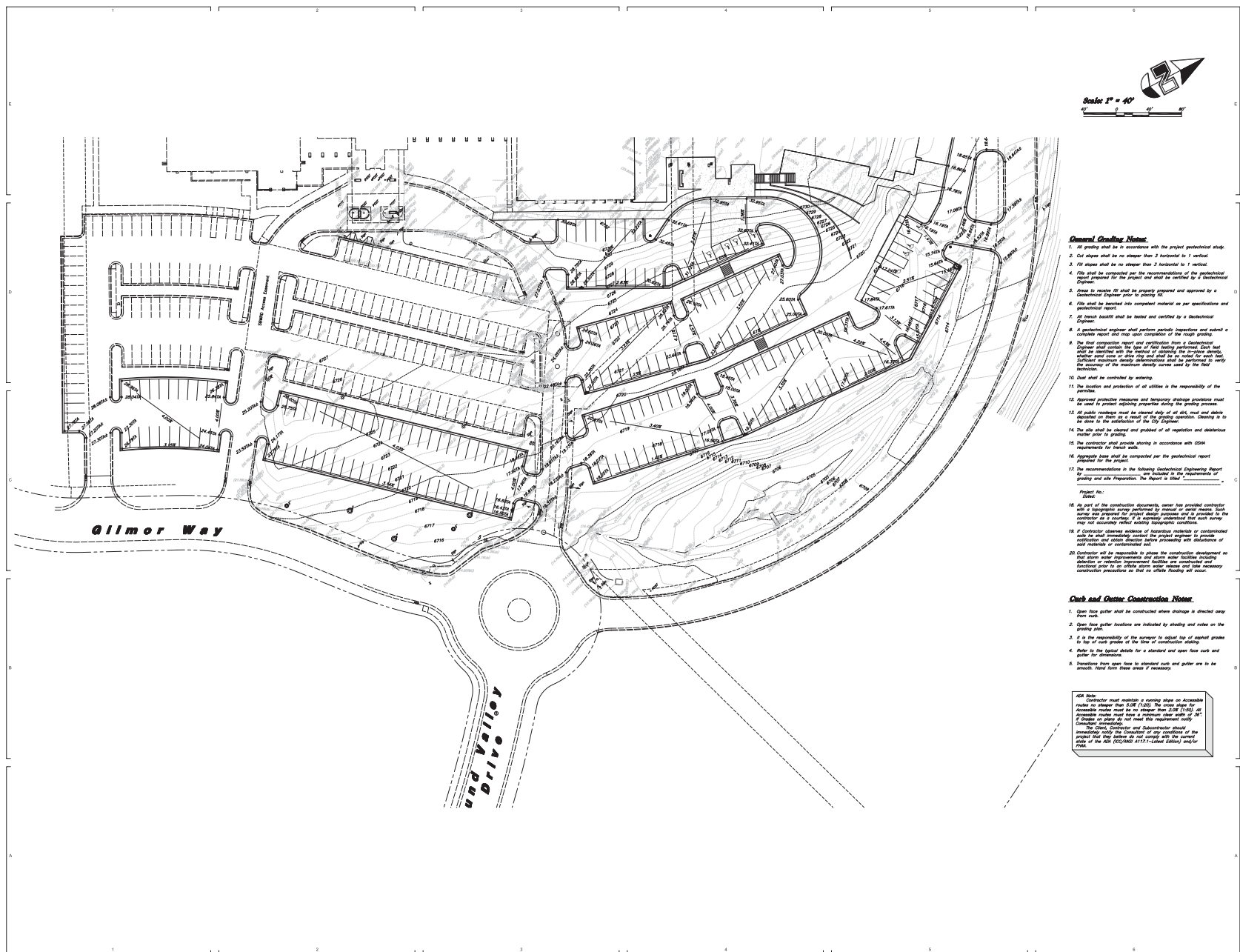
The contractor or surveyor shall be responsible for following the National Society of Professional Surveyors (NSPS) model standards for any surveying or construction layout work using electronic equipment. The contractor or surveyor or Anderson Blanton and Associates construction improvement plan. Prior to proceeding with construction staking, the surveyor shall be responsible for verifying horizontal control from the survey monuments and for verifying any additional control points shown on an ALTA survey, improvement plan or electronic data provided by Anderson Blanton and Associates. The surveyor shall also verify the coordinates as shown on the plan, and verify them against no less than existing hard improvement elevations indicated on these plans. The surveyor shall also verify the coordinates and elevations. If any discrepancies are encountered, the surveyor shall immediately notify the engineer and resolve the discrepancies.

[illegible]

REV	DATE	DESCRIPTION
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VCBO NUMBER: 138
CLIENT NUMBER: 14-012
DATE: 07-01-20

PARK CITY MEDICAL CENTER
INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR, PARK CITY, UT 84060
DESIGN DEVELOPMENT - PROGRESS SET



VCBO ARCHITECTURAL

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ANNA

ARCHITECTURAL & LANDSCAPE

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FAX: 801.466.1001

WWW.ANNAARCHITECTURAL.COM

PARK CITY MEDICAL CENTER

INTERMOUNTAIN HEALTHCARE

900 ROUND VALLEY DRIVE, PARK CITY, UT 84660

DESIGN DEVELOPMENT - PROGRESS SET

VCBO NUMBER: 13000

CLIENT NUMBER: 00000

DATE: 07/14/2014

GRADING PLAN

EXHIBIT J

[illegible]

Curb and Gutter Construction Notes

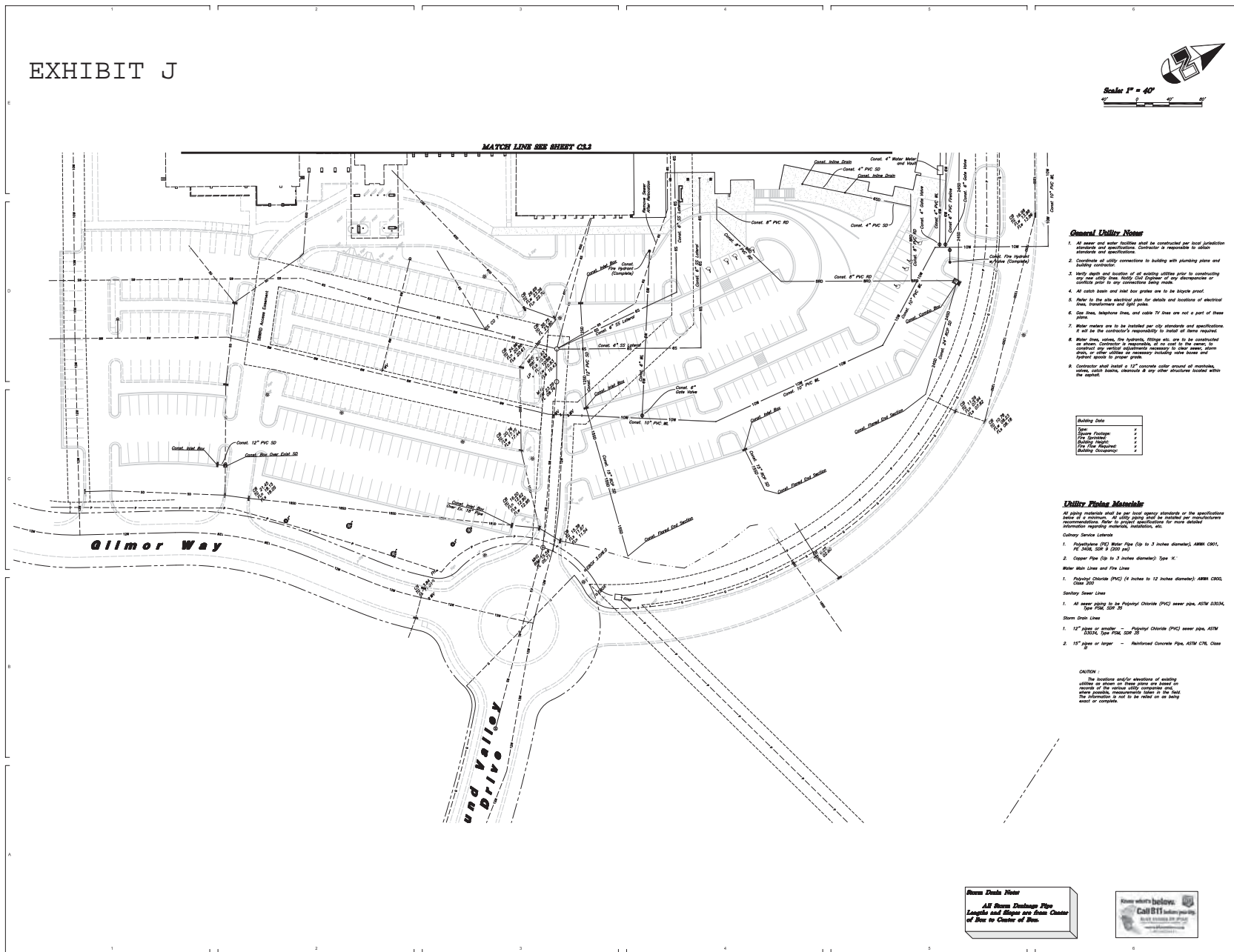
1. Open face gutter shall be constructed where drainage is directed away from curb.
2. Open face gutter locations are indicated by shading and notes on the grading plan.
3. It is the responsibility of the surveyor to adjust top of asphalt grade to top of curb grades at the time of construction staking.
4. Refer to the typical details for a standard and open face curb and gutter for dimensions.
5. Transitions from open face to standard curb and gutter are to be smooth. Hand finish these areas if necessary.

ADH Note:
Contractor must maintain a running slope on Accessible routes *no steeper than 5.0% (1:20)*. The cross slope for Accessible routes must be *no steeper than 2.0% (1:50)*. All Accessible routes must have a minimum clear width of 36". If Grades on plans do not meet this requirement notify Consultant immediately.

The Client, Contractor and Subcontractor should immediately notify the Consultant of any conditions of the project that they believe do not comply with the current state of the ADA (*ICC/ANSI A117.1-Latest Edition*) and/or FHWA.

  	PROJECT: 001108-00-01-0000 DATE: 01/26/2014	PROJECT: 001108-00-01-0000 DATE: 01/26/2014
	INTERMOUNTAIN HEALTHCARE 900 ROUND VALLEY DR. PARK CITY, UT 84060 DESIGN DEVELOPMENT - PROGRESS SET	
VIDEO NUMBER: CLIENT NUMBER: DATE:	13020 00000 01/26/2014	
REV	DATE	DESCRIPTION
PARK CITY MEDICAL CENTER		
GRADING PLAN		

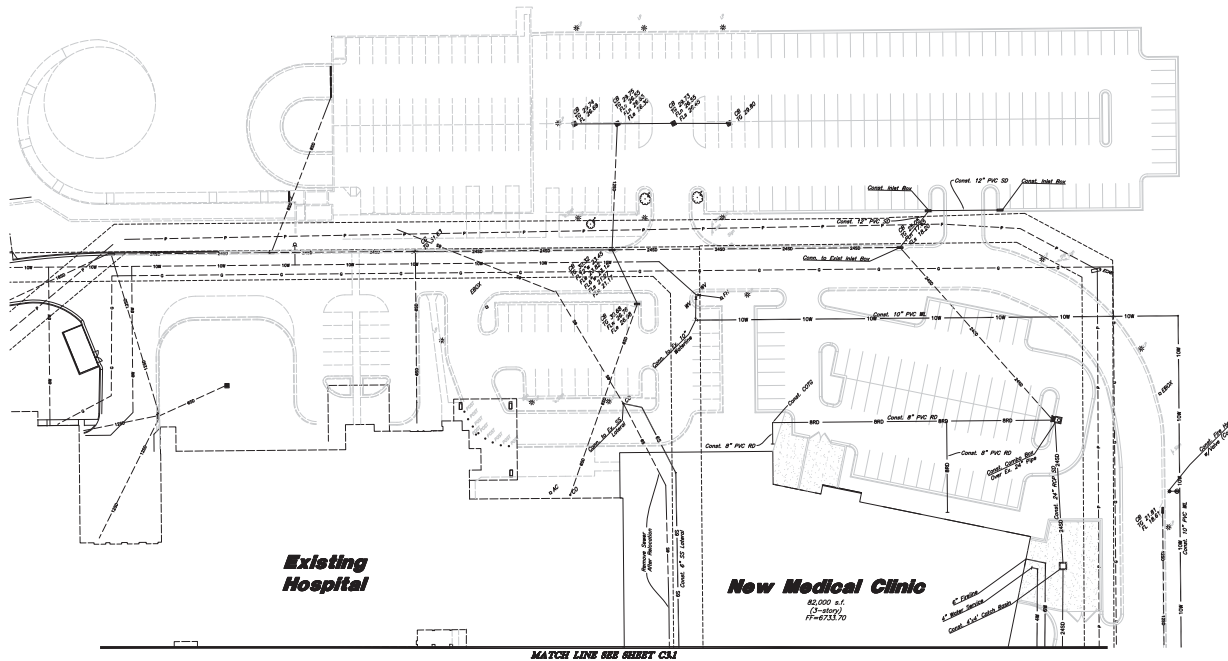
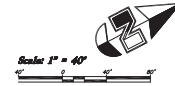
EXHIBIT J



REV	DATE	DESCRIPTION
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PARK CITY MEDICAL CENTER
INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR. PARK CITY, UT 84060
DESIGN DEVELOPMENT - PROGRESS SET

EXHIBIT J



General Utility Notes

1. All water and water facilities shall be constructed per local jurisdiction standards and specifications. Contractor is responsible to obtain electrical and specifications.
2. Coordinate all utility connections to building with plumbing plans and building contractor.
3. Verify depth and location of all existing utilities prior to constructing any new utility lines. Notify City Engineer of any discrepancies or conflicts prior to any construction being made.
4. All catch basin and inlet line grates are to be bi-phase proof.
5. Refer to the site electrical plan for details and locations of electrical lines, transformers and light poles.
6. Gas lines, telephone lines, and cable TV lines are not a part of these plans.
7. Water meters are to be installed per city standards and specifications. It will be the contractor's responsibility to install all items required.
8. Water lines, valves, fire hydrants, fittings etc. are to be constructed as shown. Contractor is responsible, at no cost to the owner, to construct all other utilities in conformity including valve boxes and hydrant apertures to proper grade.
9. Contractor shall install a 12" concrete collar around all manholes, valves, catch basins, hydrants & any other structures located within the project.

Building Data	
Type	#
Owner/Client	#
Fire Department	#
Police Department	#
Building Company	#

Utility Notes

All utility materials shall be per local agency standards or the specifications listed in a minimum. All utility plans shall be installed per manufacturer's recommendations. Refer to project specifications for more detailed information regarding materials, quantities, etc.

Culinary Service Line

1. Polyethylene (PE) Water Pipe (Up to 3 inches diameter): AWWA C901, PE 2405, 200 & C900 (20)
2. Copper Pipe (Up to 3 inches diameter): Type "K"

Water Main Lines and Fire Lines

1. Polyethylene (PE) (12 inches to 12 inches diameter): AWWA C900, Class 200

Sewer Lines

1. All sewer pipes to be Polypropylene Chloride (PPC) sewer pipe, ASTM D3034, Type F40, 200 & 24

Storm Drain Lines

1. 12" pipes or smaller — Polypropylene Chloride (PPC) sewer pipe, ASTM D3034, Class 200, 24
2. 15" pipes or larger — Reinforced Concrete Pipe, ASTM C76, Class 4

CAUTION

The locations and/or elevations of existing utilities shown on these plans are based on records of the various utility companies and, where possible, measurements taken in the field. The contractor is not to be relied on as being exact or complete.

Storm Drain Note
All Storm Drainage Pipe Lengths and Slopes are from Center of Box to Center of Box.



REV DATE DESCRIPTION

VCBO NUMBER: 1330
CLIENT NUMBER: 0000
DATE: 07-02-2014

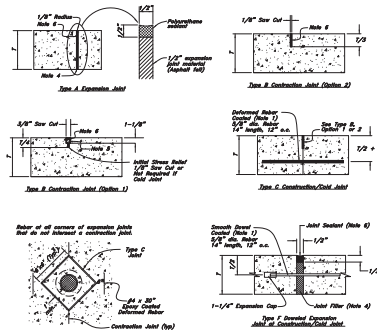
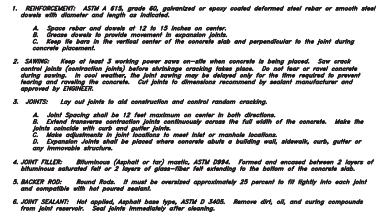
PARK CITY MEDICAL CENTER

INTERMOUNTAIN HEALTHCARE
500 ROUND VALLEY DR, PARK CITY, UT 84660

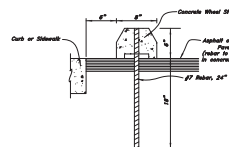
DESIGN DEVELOPMENT - PROGRESS SET



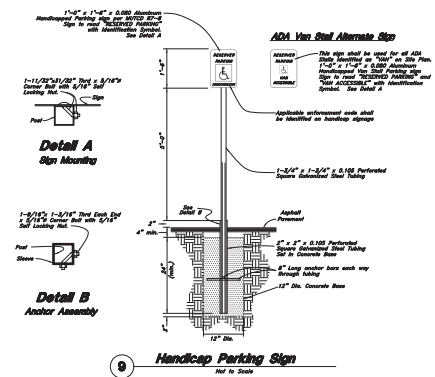
EXHIBIT J



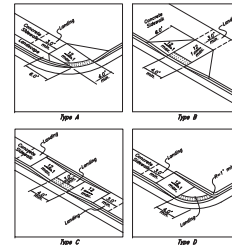
11 Concrete Joint Detail
Not to Scale



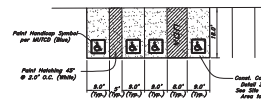
10 Typical Concrete Wheel Stop
Not to Scale



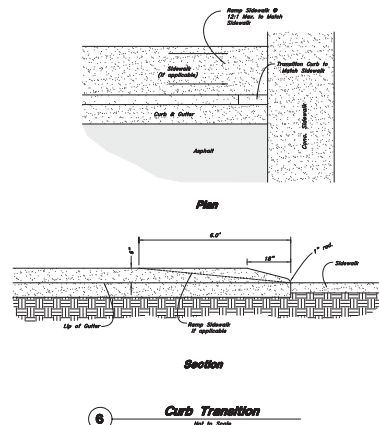
9 **Handicap Parking Sign**
Not to Scale



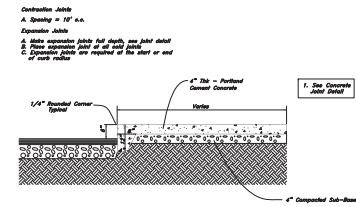
8 **Curb Ramp Detail**
Not to Scale



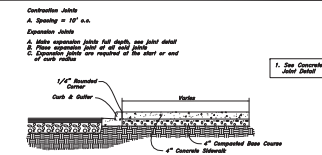
7 Typical Handicap Striping Detail
Not to Scale



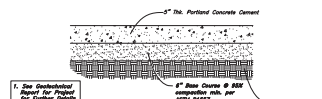
6 **Curb Transition**
Not to Scale



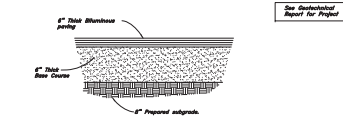
5 **Thickened Edge Walk**
Not to Scale



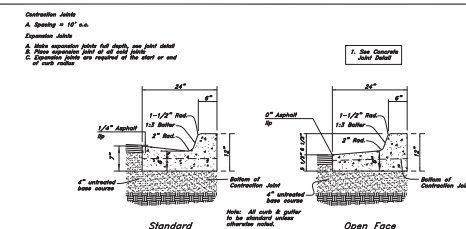
4 Typical Sidewalk Detail
Mod. No. 50010



3 Concrete Paving Section



2 **Standard Asphalt Section**



1 24" Curb And Gutter

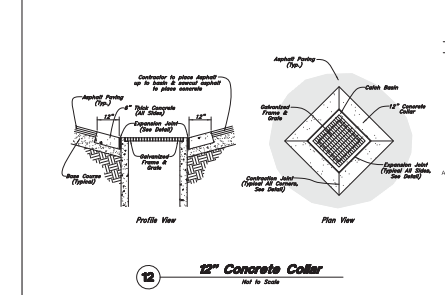
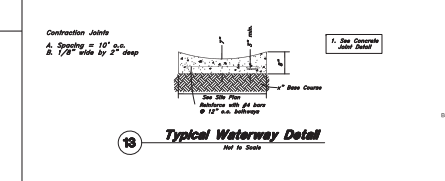
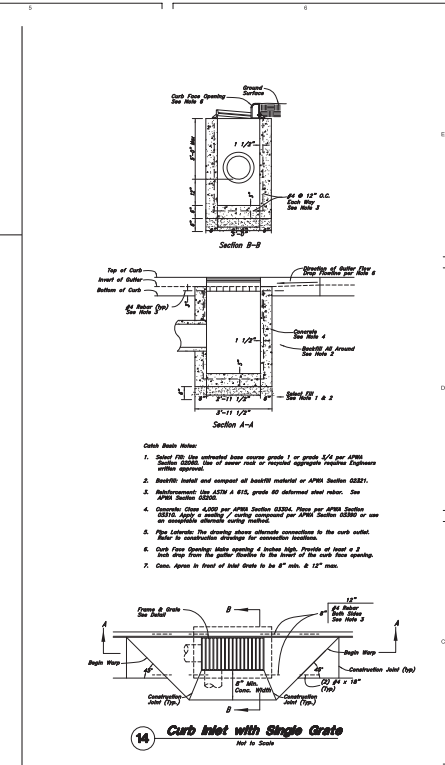
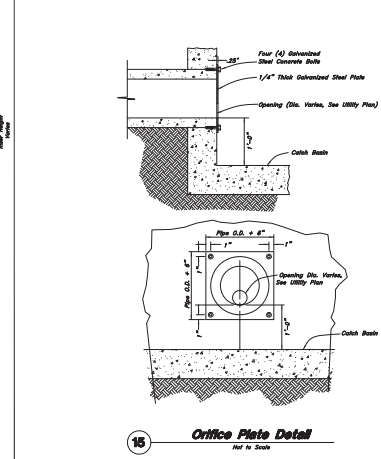
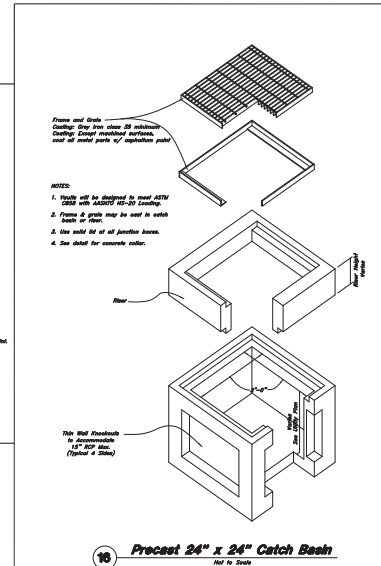
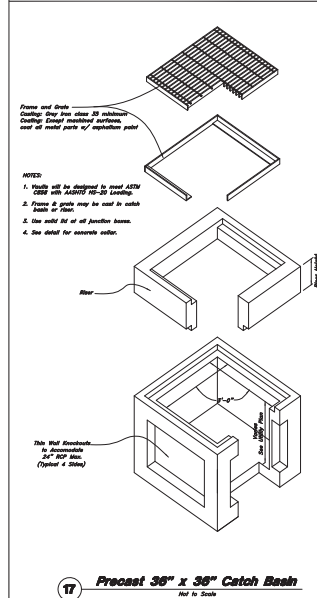
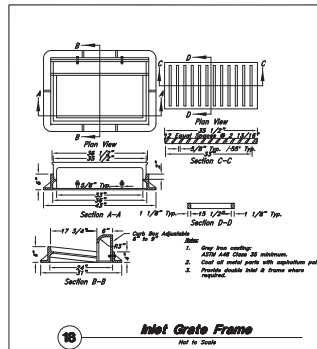
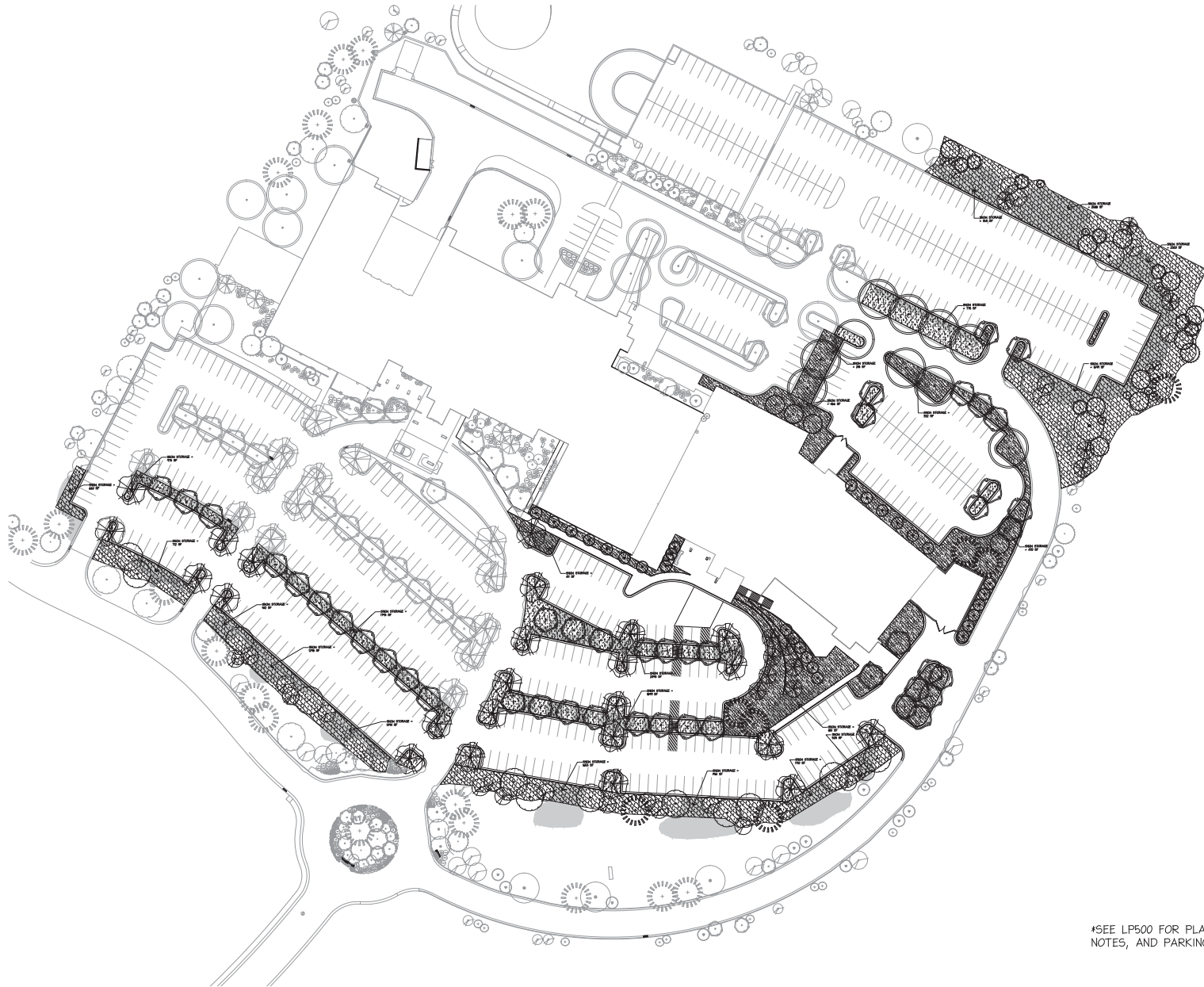
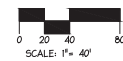


EXHIBIT J



*SEE LP500 FOR PLANTING SCHEDULES,
NOTES, AND PARKING AREA CALCS



*NOTE: PLANT VARIETIES ARE SUBJECT TO CHANGE BASED UPON PARK CITY AND IHC REVIEW

PLANT SCHEDULE

TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	
	ACE GRA	ACER GRANDIDENTATUM 'ROCKY MOUNTAIN GLOW'	BISTOOTH MAPLE	10' CLUMP	24	
	AHE GRA	AMELANCHIER GRANDIFLORA 'AUTUMN BRILLIANCE'	'AUTUMN BRILLIANCE' SERVICEBERRY	10' CLUMP	24	
	CEL OCC	CELTIS OCCIDENTALIS	COMMON HACKBERRY	2' CAL	2	
	MAL BAG	MALUS BACCATA	SIBERIAN CRABAPPLE	2' CAL	48	
	PIC GLA	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	10' TALL	18	
	PIC FUN	PICEA FUSSENS	GREEN COLORADO SPRUCE	12' TALL	7	
	PRU VIR	PRUNUS VIRGINIANA 'CANADA RED'	CANADA RED CHERRY	2' CAL	12	
	QUE GAM	QUERCUS GAMBELII	GAMBEL OAK	10 GAL	8	
	QUE MAC	QUERCUS MACROCARPA	BURR OAK	2' CAL	10	
	RHU TRI	RHUS TRILOBATA	SHUNKBUSH SUMAC	10 GAL	8	
	ROS PSE	ROBINIA PSEUDOCACAGIA 'PURPLE ROSE'	PURPLE ROSE LOCUST	2' CAL	12	
	TIL AHE	TILIA AMERICANA 'REDMOND'	REDMOND AMERICAN LINDEN	2' CAL	24	
SHRUBS	CODE	BOTANICAL NAME	COMMON NAME	SIZE	QTY	
	CER LED	CERCOCARPUS LEDIFOLIUS	CURLEAF MOUNTAIN MAHOBANY	5 GAL	8	
SHRUB AREAS	CODE	BOTANICAL NAME	COMMON NAME	CORT	SPACING	QTY
	SHR AR2	PLANT BED (SHRUBS & GROUND COVER)		VARIES		21586 SF
SOD/SEED	CODE	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY
	MIX A	SEED MIX A		SEED		42848 SF
	TUR SOD	TURF SOD	KENTUCKY BLUEGRASS	SOD		20754 SF

EXISTING VEGETATION TO REMAIN

TREES	SHRUBS

PLANTING NOTES

- ANY ALTERATIONS TO THESE DRAWINGS DURING CONSTRUCTION SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT AND RECORDED ON "AS BUILT" DRAWINGS BY THE CONTRACTOR.
- ALL PLANT MATERIAL SHALL CONFORM TO THE MINIMUM GUIDELINES ESTABLISHED BY THE AMERICAN STANDARD FOR NURSERY STOCK PUBLISHED BY THE AMERICAN NURSERY ASSOCIATION, INC.
- ALL PLANTS TO BE BALLED AND BURLAPPED OR CONTAINER GROWN, UNLESS OTHERWISE NOTED ON THE PLANT LIST.
- ANY PROPOSED SUBSTITUTIONS OF PLANT SPECIES SHALL BE MADE WITH PLANTS OF EQUIVALENT OVERALL FORM, HEIGHT, BRANCHING HABIT, FLOWER, LEAF, COLOR, FRUIT AND CULTURE ONLY AS APPROVED BY THE LANDSCAPE ARCHITECT.
- ALL PLANTS SHALL BE TAGGED AND APPROVED BY THE LANDSCAPE ARCHITECT AT THE NURSERY PRIOR TO DIGGING OR DELIVERY TO SITE.
- THE CONTRACTOR SHALL LOCATE AND VERIFY ALL EXISTING UTILITY LINES PRIOR TO PLANTING AND SHALL REPORT ANY CONFLICTS TO THE LANDSCAPE ARCHITECT.
- STAKE LOCATION OF ALL PROPOSED PLANTING FOR APPROVAL BY THE LANDSCAPE ARCHITECT PRIOR TO THE COMMENCEMENT OF PLANTING.
- ALL TURF AREAS TO RECEIVE SIX INCHES (6") AND ALL PLANT BEDS TO RECEIVE 12" OF PLANTING SOIL. THE ALL AREAS WITHIN THE LIMIT OF DISTURBANCE LINE TO BE SEEDED SHALL RECEIVE FOUR INCHES (4") OF TOPSOIL PRIOR TO SEEDING. SEE SPECIFICATION SECTION 30226-FINE GRADING & SOIL PREPARATION.
- FRAGARIA X 'LIPSTICK' AND HEDERA HELIX GROUND COVER AREAS SHALL RECEIVE TWO INCHES (2") OF FINE TEXTURED SOIL AND SOIL PEP. ALL OTHER PLANT BEDS TO RECEIVE THREE INCHES (3") OF BARK MULCH PER SPECIFICATION.
- PRUNE TREES IN ACCORDANCE WITH SPECIFICATIONS.
- LIMIT OF DISTURBANCE IS APPROPRIATE ONLY. LANDSCAPE CONTRACTOR IS RESPONSIBLE TO SEED AND PROVIDE IRRIGATION IN ALL DISTURBED AREAS.

Park City Medical Center Expansion
Parking Area/Landscape Square Footage
Prepared by: G. Brown Design, Inc.
Updated: 06/27/2014

G.B.D.

Parking Lots & All Parking Spaces	Square Feet
New Parking Square Footage (SFP)	142,548
Interior Parking Landscape Required (20%)	28,510
Total Interior Parking Landscape Provided	43,500
Excess by 10%	

Residential By Parking Area	Square Feet
South East Parking Lot	27,507
New Parking Square Footage (SFP)	4,767
Interior Parking Landscape Provided	8,875
Excess by 28%	

North West Parking Lots	Square Feet
New Parking Square Footage (SFP) - Joint North	24,760
New Parking Square Footage (SFP) - Joint West	27,507
Interior Parking Landscape Provided	11,254
Excess by 36%	

New Lots East of Building Expansion	Square Feet
New Parking Square Footage (SFP) - Upper Lot	28,444
New Parking Square Footage (SFP) - Lower Lot	33,117
Interior Parking Landscape Provided	22,897
Excess by 10%	

Park City Medical Center
Snow Storage Summary
Prepared by: G. Brown Design, Inc.
Updated: 06/27/2014

G.B.D.

South East Parking Lot	Square Feet
New Parking Square Footage (SFP)	27,507
New Snow Storage Area Required by Expansion (15%)	4,126
Snow Storage Area Provided by Expansion	4,800
Excess by 16%	
Required Snow Storage Area Lot 4 - New Required	7,380
Total Snow Storage Area Provided	7,380
Excess by 82 SF	

North Parking Lots	Square Feet
New Parking Square Footage (SFP) - Joint North of Building	27,507
New Parking Square Footage (SFP) - Joint North of Building	27,507
New Snow Storage Area Required by Expansion (15%)	4,126
Snow Storage Area Provided by Expansion	4,800
Excess by 16%	
Required Snow Storage Area Lot 4 - New Required	10,754
Total Snow Storage Area Provided	10,754
Excess by 51 SF	

New Lots East of Building Expansion	Square Feet
New Parking Square Footage (SFP) - Upper Lot	28,444
New Parking Square Footage (SFP) - Lower Lot	33,117
New Snow Storage Area Required by Expansion (15%)	8,126
Snow Storage Area Provided by Expansion	8,800
Excess by 16%	
Required Snow Storage Area Lot 4 - New Required	11,360
Total Snow Storage Area Provided	11,360
Excess by 2145 SF	

Totals	Square Feet
New Parking Square Footage (SFP)	142,548
New Snow Storage Area Required by Expansion (15%)	24,382
Snow Storage Area Provided by Expansion	17,400
Required Snow Storage Area Lot 4 - New Required	28,976
Total Snow Storage Area Provided	28,976
Excess by 1387 SF	

PARK CITY MEDICAL CENTER
EXISTING BUILDING

PARK CITY MEDICAL CENTER
ADDITION

A6 SITE PLAN - OVERALL
SCALE: 1" = 30'-0"

GENERAL SITE PLAN NOTES

1. GRADING AT THE BUILDING SHALL HAVE A 5% MINIMUM SLOPE AWAY FROM THE BUILDING FOR A MINIMUM OF 10'-0". CONCRETE SHALL BE SLOPED 2" AWAY FROM BUILDING. (BC 2012 SECTION 1804)
2. ALL CONNECTIONS FROM CITY STREETS TO THE BUILDING ARE TO BE PROVIDED UNDER THIS CONTRACT. CONTRACTOR TO VERIFY CITY STANDARDS FOR ROAD, CURB, UTILITY AND SIGNAGE REQUIREMENTS.
3. ALL EXTERIOR SIDEWALKS, STAIRS AND LANDINGS TO HAVE POSITIVE DRAINAGE BUT NO MORE THAN A MAXIMUM OF 1/4" SLOPE PER FOOT TO ALLOW POSITIVE DRAINAGE. ALL STAIRS AND LANDINGS TO HAVE A LANDING OF 48" INCHES LONG AT THE TOP AND BOTTOM WITH A MAXIMUM SLOPE OF 1/4" PER FOOT. ALL REBAR IN EXTERIOR APPLICATIONS TO BE EPOXY COATED.
4. ALL HARDSCAPE TO BE A MINIMUM OF 4" THICK AIR ENTRAINED CONCRETE. OVER 4" ROAD BASE, UNO, AND ALL SIDEWALKS SHALL BE NO LESS THAN 4" WIDE.
5. FINISH GRADE OF SOFTSCAPE SHALL BE 2" UNIFORMLY BELOW PAVING SURFACES UNLESS NOTED OTHERWISE.
6. FINISH GRADE OF SOFTSCAPE SHALL BE 2" UNIFORMLY BELOW PAVING SURFACES UNLESS NOTED OTHERWISE.
7. 12" X 4" X 8" CONTINUOUS MINIMUM CONCRETE NOW STRIP TO BE PROVIDED AROUND ENTIRE BUILDING EXCEPT WHERE CONCRETE SIDEWALKS OR PLANTERS OCCUR. TYP. SEE DETAIL A-100.
8. LIGHT POLE BASE IN ALL LANDSCAPE LOCATIONS TO BE 8" ABOVE FINISHED GRADE. BE LOCATED AT LEAST 36" FROM FACE OF POLE BASE TO BACK OF CURB AND HAVE A CONCRETE NOW STRIP PER DETAIL A-100. VERIFY LOCATION ON SITE WITH ARCHITECT PRIOR TO ANY INSTALLATION.
9. COORDINATE ORIENTATION OF FIRE HYDRANT OUTLETS WITH THE FIRE ASSEMBLY'S OFFICE PRIOR TO THE FINAL INSTALLATION OF THE HYDRANT ASSEMBLY.

TREE PRESERVATION GUIDELINES AND NOTES

1. FENCES WILL BE ERECTED TO PROTECT TREES TO BE PRESERVED. FENCES DEFINE A SPECIFIC PROTECTION ZONE FOR EACH TREE OR GROUP OF TREES. FENCE TO BE AT A MINIMUM OF 20' FROM TRUNK OR AT DRIP LINE OF TREE. FENCE IS TO REMAIN UNTIL ALL SITE WORK HAS BEEN COMPLETED. FENCES MAY NOT BE RELOCATED OR REMOVED WITHOUT THE WRITTEN PERMISSION OF THE CONSULTING ARBORIST OR THE ARCHITECT.
2. INSIDE ALL PROTECTED TREE FENCE AREAS, CONTRACTOR TO PROVIDE WOOD CHIPS, MINIMUM 4" DEEP.
3. CONSTRUCTION TRAILERS AND STORAGE AREAS MUST REMAIN OUTSIDE FENCE AREAS AT ALL TIMES.
4. ALL UNDERGROUND UTILITIES AND DRAIN OR IRRIGATION LINES SHALL BE ROUTED OUTSIDE THE TREE PROTECTION ZONE. IF LINES MUST TRANSVERSE THE PROTECTION AREA, THEY SHALL BE TUNNELED OR BORED UNDER THE TREES.
5. NO MATERIALS, EQUIPMENT, SPILL OR WASTE OR WASHOUT WATER MAY BE DEPOSITED, STORED OR PARKED WITHIN THE TREE PROTECTION ZONE (FENCED AREA).
6. ADDITIONAL TREE PRUNING REQUIRED FOR CLEARANCE OR TREE HEALTH DURING CONSTRUCTION MUST BE PERFORMED BY A QUALIFIED ARBORIST AND NOT BY CONSTRUCTION PERSONNEL.
7. ANY HERBICIDES PLACED UNDER PAVING MATERIALS MUST BE SAFE FOR USE AROUND TREES AND LABELED FOR THAT USE. ANY PESTICIDES USED ON SITE MUST BE TREE-SAFE AND NOT EASILY WASHED OFF SITE, CAUSING POLLUTION.
8. IF INJURY SHOULD OCCUR TO ANY TREE DURING CONSTRUCTION IT SHOULD BE EVALUATED AS SOON AS POSSIBLE BY THE CONSULTING ARBORIST OR LANDSCAPE ARCHITECT SO THAT APPROPRIATE TREATMENTS CAN BE APPLIED.
9. ANY GRADING, CONSTRUCTION, DEMOLITION, OR OTHER WORK THAT IS EXPECTED TO ENCOUNTER TREE ROOTS MUST BE MONITORED BY THE CONSULTING ARBORIST/LANDSCAPE ARCHITECT. ALL TREES NOT BEING REMOVED AS INDICATED ON LANDSCAPE DEMOLITION PLAN SHALL BE PROTECTED/MONITORED.
10. IRRIGATION WATER TO THE TREES AND SHRUBS TO REMAIN SHOULD BE AT LEAST 1 INCH A WEEK DURING GROWING SEASON UNTIL PROJECT COMPLETION (MAY - OCT). THIS WILL BE APPLIED WITH SPRINKLERS EVENLY OVER THE WHOLE ROOT SYSTEM TWICE A WEEK TWO DAYS APART WITH 1/2 INCH OF WATER DELIVERED EACH WATERING CYCLE. HEAVY PLANTED PLANTS THAT HAVE NOT BECOME ESTABLISHED (2 YEARS OR LESS) WILL ALSO NEED IRRIGATION TO ENSURE TREE SURVIVAL. IT IS RECOMMENDED THAT A TEMPORARY IRRIGATION SYSTEM BE DESIGNED ACCORDING TO THE VOLUME AND FLOW OF THE WATER SOURCE TO WATER THE PLANT.
11. EROSION CONTROL DEVICES SUCH AS SILT FENCING, DEBRIS BASINS, AND WATER DIVERSION STRUCTURES SHALL BE INSTALLED TO PREVENT SILTATION AND/OR EROSION WITHIN THE TREE PROTECTION ZONE.
12. ANY ROOTS DAMAGED DURING GRADING, TRENCHING OR CONSTRUCTION SHALL BE EXPOSED TO SOILING TISSUE AND CUT CLEANLY WITH A SAW. CONTRACTOR SHALL HAVE A QUALIFIED ARBORIST OR LANDSCAPE ARCHITECT OBSERVE THE WORK.
13. IF TEMPORARY WALK OR ACCESS ROADS MUST PASS OVER THE ROOT AREA OF TREES TO BE RETAINED, A ROWEDGE OF 6 INCHES OF COARSE WOOD CHIP MULCH SHALL BE CREATED TO PROTECT THE ROOTS AND ROOTS. THE ROAD BED MATERIAL SHALL BE REPLISHED AS NECESSARY TO MAINTAIN A 6 INCH DEPTH. UNDER NO CIRCUMSTANCES SHALL SUCH ACCESS ROADS BE USED ON A FREQUENT BASIS.
14. SPILL OR SUBSOIL FROM TRENCHES, BASEMENTS, OR OTHER EXCAVATIONS SHALL NOT BE PLACED WITHIN THE TREE PROTECTION ZONE, EITHER TEMPORARILY OR PERMANENTLY.
15. MONITORING ONCE A MONTH SHALL OCCUR NOW AND FOR AT LEAST ONE YEAR AFTER CONSTRUCTION IS COMPLETED. CONTRACTOR SHALL HAVE A QUALIFIED ARBORIST PERFORM THIS TASK.

SITE PLAN LEGEND

- NEW PARKING AREA
- NON SCREEN AREA
- CONSTRUCTION STAGING AREA

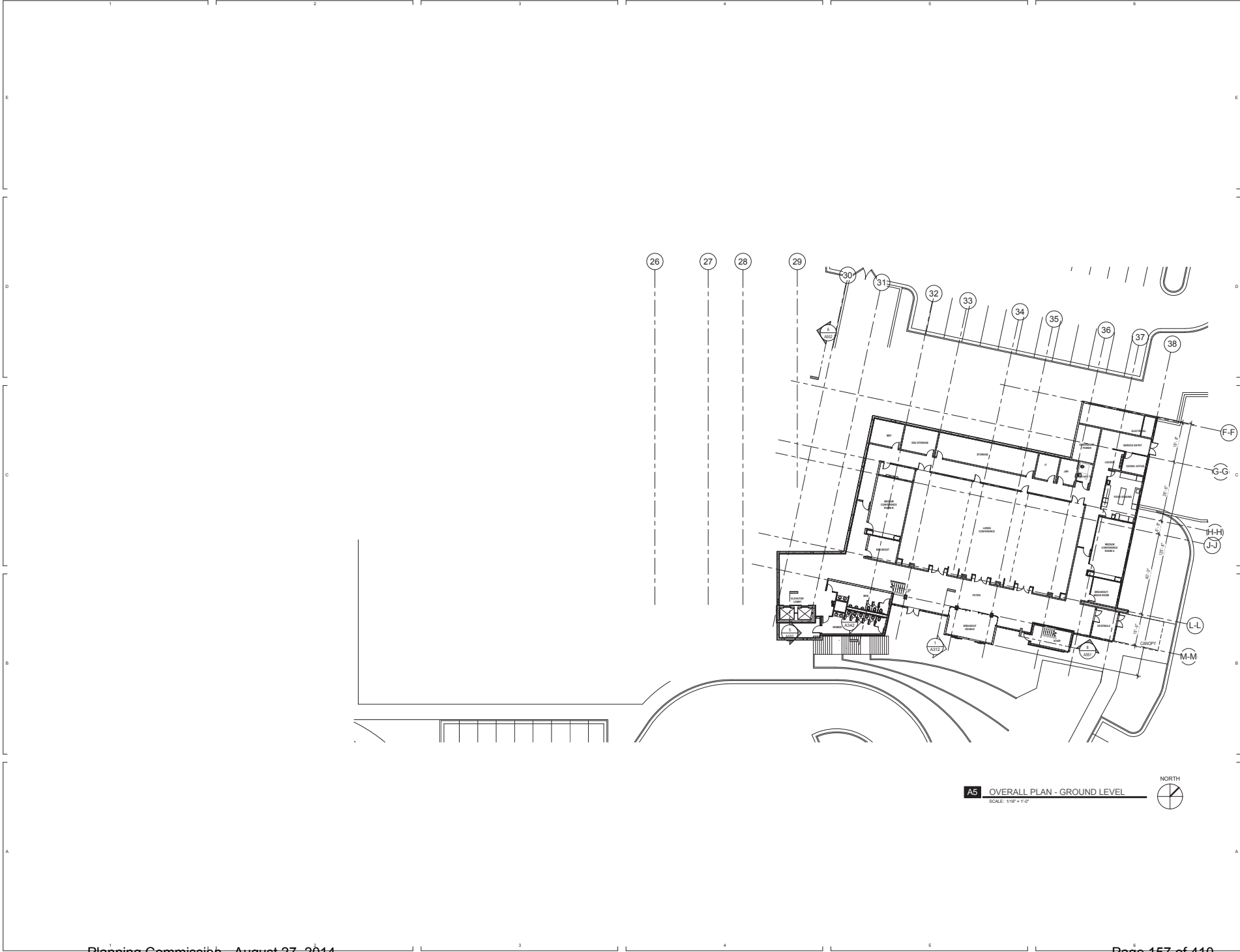


PARK CITY MEDICAL CENTER

INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR., PARK CITY, UT 84060

DESIGN DEVELOPMENT - PROGRESS SET

OVERALL SITE PLAN
AS101

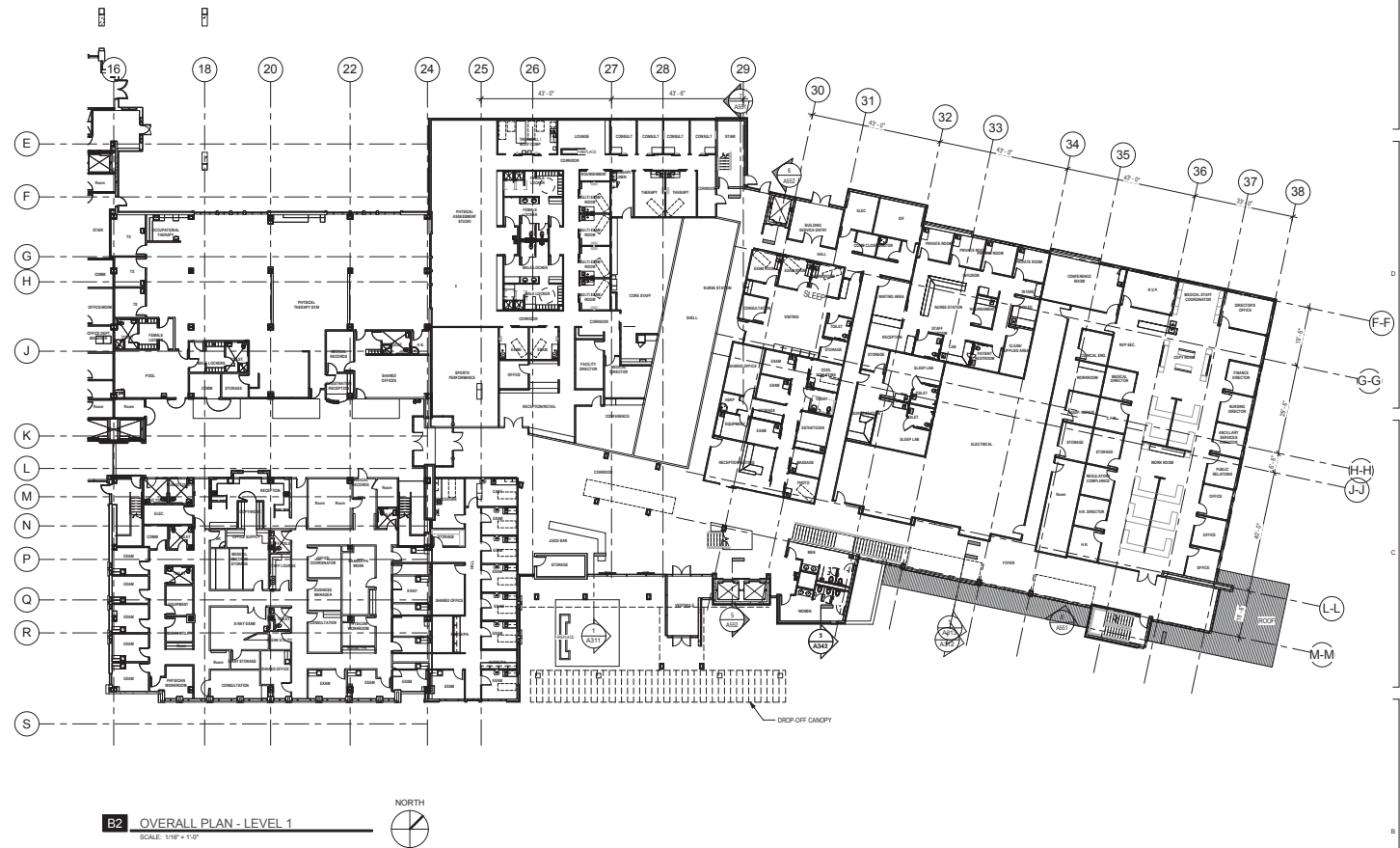


REV	DATE	DESCRIPTION

VCBO NUMBER:	13630
CLIENT NUMBER:	00000
DATE:	07-01-2014

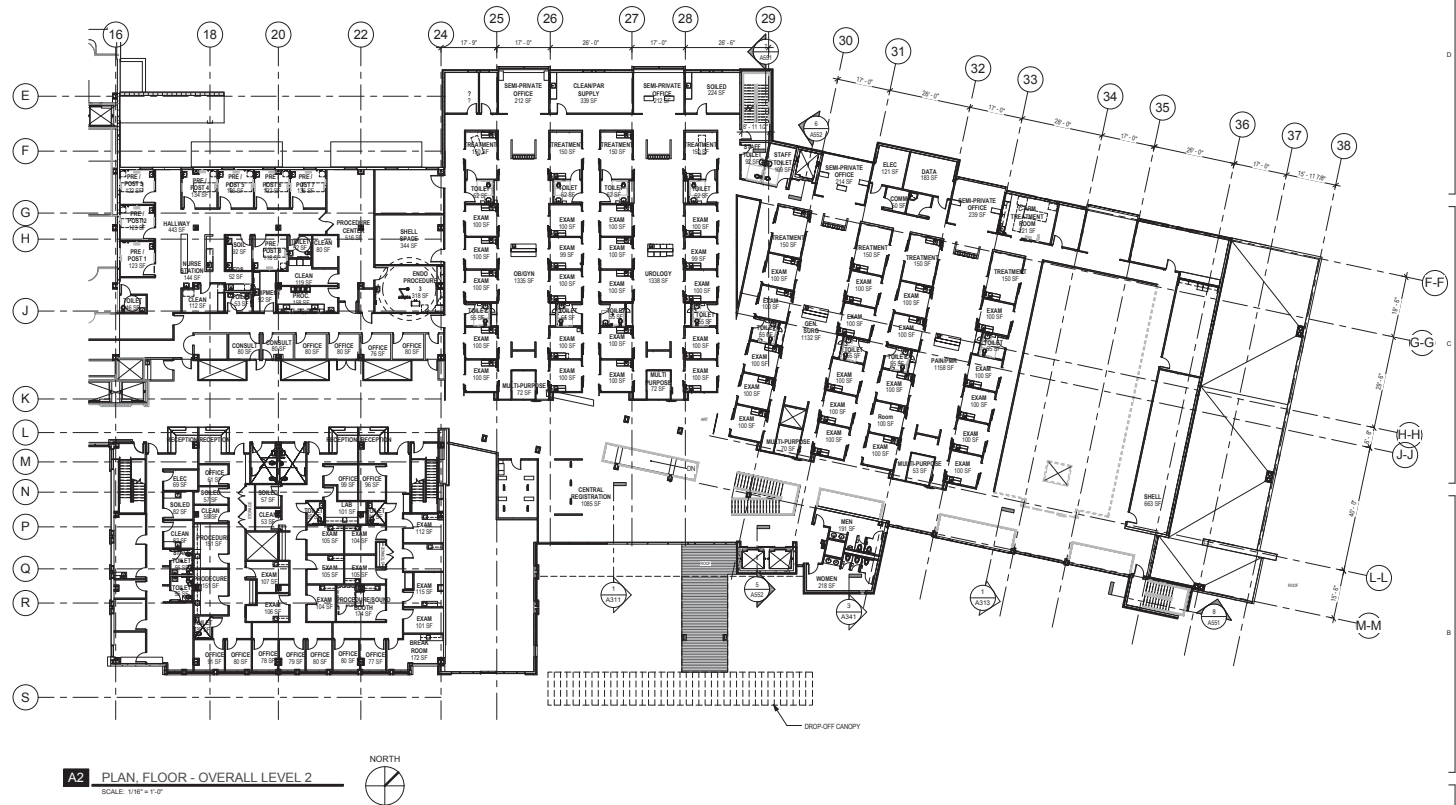
PARK CITY MEDICAL CENTER
INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR., PARK CITY, UT 84060
DESIGN DEVELOPMENT - PROGRESS SET

OVERALL PLAN - GROUND LEVEL
A000.1



REV	DATE	DESCRIPTION

VCBO NUMBER: 13630
CLIENT NUMBER: 00000
DATE: 07-21-2014

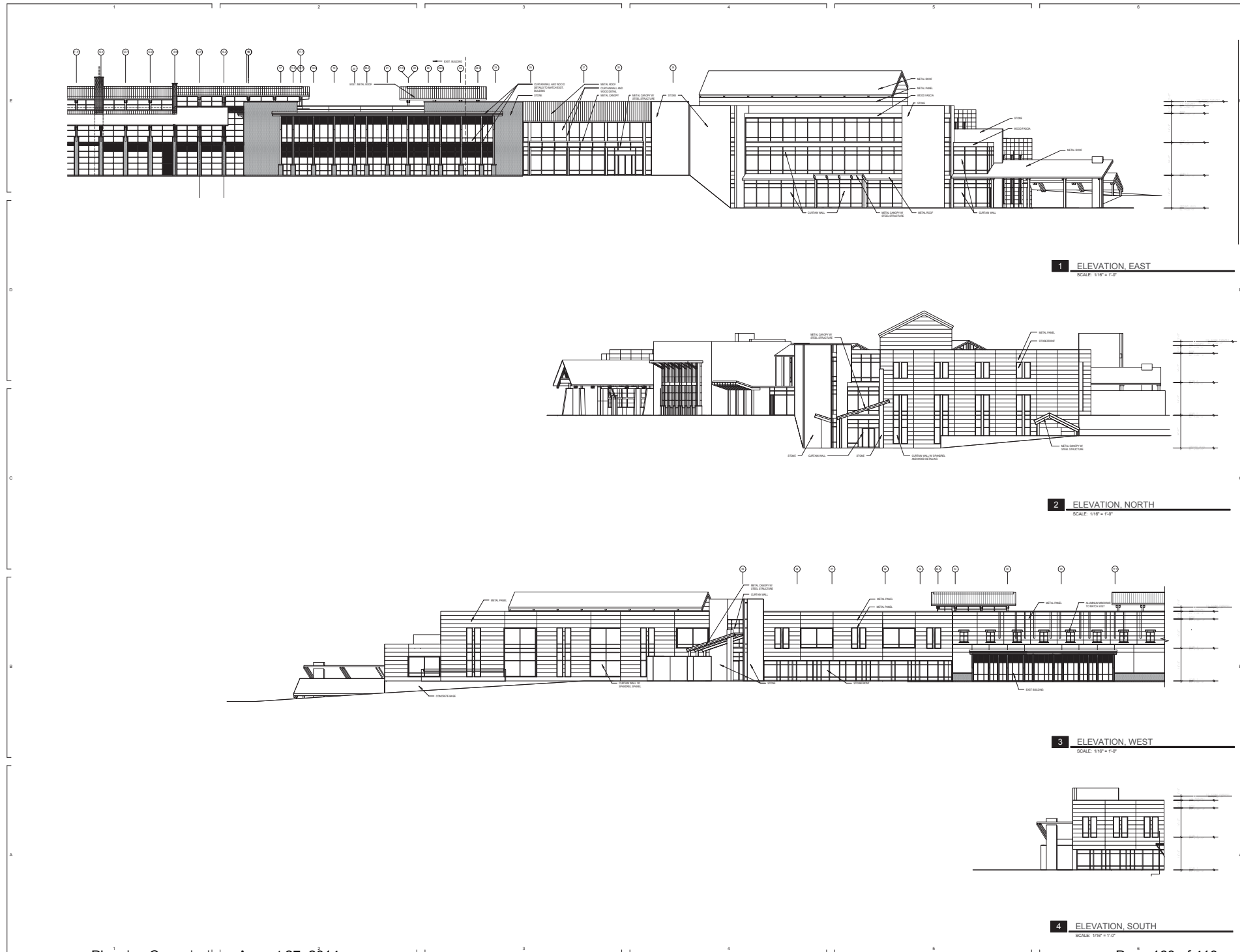


REV DATE DESCRIPTION

VCBO NUMBER: 13630
CLIENT NUMBER: 00000
DATE: 07-01-2014

PARK CITY MEDICAL CENTER
INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR., PARK CITY, UT 84060
DESIGN DEVELOPMENT - PROGRESS SET

OVERALL PLAN - LEVEL 2
A020.1



VCBO ARCHITECTURE

100 SOUTH 400 WEST
SALT LAKE CITY, UT 84143

ZGF

200 WEST 100 SOUTH
SALT LAKE CITY, UT 84143

PARK CITY MEDICAL CENTER

INTERMOUNTAIN HEALTHCARE
900 ROUND VALLEY DR., PARK CITY, UT 84060

DESIGN DEVELOPMENT - PROGRESS SET

VCBO NUMBER: 13630
CLIENT NUMBER: 00000
DATE: 07-01-2014

REV	DATE	DESCRIPTION

ELEVATIONS, EXTERIOR

A201

**INTERMOUNTAIN HEALTH CARE
MEDICAL CAMPUS
PHASING PLAN**

MARCH 20, 2007

Overall Plan Intermountain Healthcare's plans for the medical campus are to tie the development of the facilities to the demand for medical and hospital services as the population of Park City and Summit County grows over time. Therefore, the medical campus will be developed in phases.

The initial phase would start construction in 2007.

The 1st addition would be built within the first 5 years of operation.

The 2nd addition would be built between the 5th year and the 15th year of operations

The full build out is anticipated to be completed after 2025.

Coordination of phasing with Park City Intermountain Healthcare intends to work with the city on the timing of the additions. During the task force process the city indicate a strong desire to have input into the need and timing of the future phases.

Intermountain Healthcare proposes that when the local hospital board determines that a future phase is needed due to the volumes at the hospital, the hospital will request a work session with the Planning Commission to present the volume data and proposed scope of the additions and receive input from the Planning Commission. After receiving that input the local hospital board will make recommendations to Intermountain Healthcare on any potential future expansions.

Initial Development

Hospital – 122,000 square foot building (13,000 square feet shelled)

Medical Offices - 18,000 square feet in hospital building

Medical Support - One 25,000 square foot building (For community benefit)

One 25,000 square foot building for medical offices, owned by physicians

Parking - 327 surface parking spaces

92 structured/screened parking spaces

The planning of the medical support buildings has not been completed at this time. Generally, medical office buildings have 3 parking spaces per 1,000 square feet

Trails - All trails deeded

Trail paved to hospital

<i>Affordable Housing</i> -	Units Required for Hospital	12.7
	Units Required for Medical Offices	4.8
	Units Provided	45.0

Units Required for Medical Offices owned by physicians as part of the Medical Support area of the campus. These units will be the responsibility of the owner of the building.

1st Addition

<i>Hospital –</i>	Complete 13,000 square feet of shelled space
<i>Medical Offices -</i>	
<i>Medical Support -</i>	One 25,000 square foot building for medical offices

<i>Parking -</i>	83 surface parking spaces
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The planning of the medical support buildings has not been completed at this time. Generally, medical office buildings have 3 parking spaces per 1,000 square feet

<i>Trails -</i>	No changes
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<i>Affordable Housing</i> -	Units Required for Hospital	2.9
	Units Required for Medical Offices	
	Units Provided	With the initial phase
	Units Required for Medical Support	
	These units will be the responsibility of the owner of the building	

2nd Addition

<i>Hospital –</i>	93,000 square foot addition to the building
<i>Medical Offices -</i>	32,000 square foot addition to the hospital building for medical offices

<i>Medical Support -</i>	None
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<i>Parking -</i>	703 structured/screened parking spaces
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<i>Trails -</i>	No changes
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<i>Affordable Housing</i> -	Units Required for Hospital	15.6
	Units Required for Medical Offices	8.7

Units Provided	13 additional UEs
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Units Required for Medical Support	None
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Full Build Out

<i>Hospital –</i>	85,000 square foot building
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<i>Medical Offices -</i>	None
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<i>Medical Support -</i>	One 25,000 square foot building
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<i>Parking -</i>	120 surface parking spaces
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<i>Trails -</i>	Trail paved to north edge of hospital campus
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<i>Affordable Housing -</i>	Units Required for Hospital	13.7
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Units Provided	None
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Units Required for Medical Support

These units will be the responsibility of the owner of the building

***Subdivision Plat (Second Amended) for the
Intermountain Healthcare Park City Medical Campus /
USSA Headquarters and Training Facility***

Scale: 1" = 200'

Graphic Scale

SURVEYOR'S CERTIFICATE
I, Mark E. Russell, a Registered Professional Land Surveyor in the State of Utah, do hereby certify that this second amended subdivision plat of the aforementioned Subdivision, Phoenix City Medical Campus / 10554 Southwestern and Training Facility, in First PMS, is a true and correct plat that does not contain any fraud, forgery, and is, in fact, a true and correct representation of the following description of lands located in said subdivision:
Witness my hand this 17th day of October, 2004.
102424

Mark E. Russell
Surveyor No. _____

$\Delta = 0^{\circ}53'49''$
 $R = 23178.31'$
 $L = 362.82'$
 $LC = 362.82'$
 $N 25^{\circ}04'53'' W$

$S 89^{\circ}39'00'' E$
 $110.37'$

Northeast Corner of Section
 12, T4N, R3E, S18W
 (Point Shown in Concrete)

$\Delta = 0^{\circ}15'45''$
 $R = 23078.31'$
 $L = 105.70'$
 $LC = 105.70'$
 $S 24^{\circ}52'48'' E$

$32.29'$
 $334.2 - 511'$
 $139.75'$
 $S 0^{\circ}15'27'' W$

OWNER'S DEDICATION

The undersigned, by the owners of the above described tracts of land, hereby sell and convey unto the undersigned the same lots as are shown on this plat. The owners of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, hereby irrevocably dedicate to the public the Public Rights as Way and Public Easements indicated on this Second Amended Subdivision Plat. Any and all other roadways, easements or rights-if any shown on this Second Amended Subdivision Plat, unless otherwise specified, shall be, and the same shall be, granted for the sole and exclusive use of the owner of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11.

Signed this 15th day of October, 2008
J. P. Kasper
 J.P. Kasper, Inc., a 100% nonprofit corporation, as the Owner of Lots 1, 2, 6, 7, 8, 9, 10 & 11
Dick Goe
 United States Ski Association and United States Ski and Snowboard Association, as the Owner of Lot 3

Reed City Municipal Corporation, vs. RE Oyster et al. 4 and 5

State of Utah /ss
County of _____

On the 15 day of Oct., 2008, personally appeared before me, Tom Hoopes and being duly sworn and say that he is a Vice President of MC Health Services, Inc., a 501(c)(3) corporation, and that his signature was signed on behalf of said corporation.

Issued by SAC, WFO
Signature of Special Agent in Charge
Diane Ellison
History Public Commissioned, at WFO

State of Utah
County of Summit

on the 12th day of April 2008, personally and being duly sworn and that he is a member of the State of Utah and that he is a member of the United States of America and that this document was signed on behalf of said association.

Received at 1921
New York City, N.Y. 10012

Commission Expires: 11/1/93

Print Name: SUZETTE L. CANTON

Address: 1127 COUNTRYSIDE CIRCLE
JEROME CITY, ID 83453

State of Utah
County of Summit

1/52

(On the _____ day of _____, 2006, personally appeared before me, _____, who being duly sworn, did say that he is _____ of the Home Life Mortgage Corporation and _____, a duly authorized signatory, was signed on behalf of said corporation.)

A Wiley Periodicals Company, Inc.

BOUNDARY DESCRIPTION

Beginning of the Southwest Corner of said Section 33, Township 1 South, Range 4 East, 3rd
1/4 Sec. 33 and 34th, U.S. Survey.

33.770.31 foot into curve to the right a distance of 362.62 feet (Central angle equals 078.3°) and Long Street bears North 29°04'33" West 362.62 feet to the North line of Section 34, Township 1 South, Range 4 East, Salt Lake Base and Meridian, thence South 69°38'00" East 110.57 feet along said North line to the Eastern right of way line known as Utah Department of Transportation.

Project No. 18 (U.S. Highway 40); thence Southwesterly along said right of way line and the arc of a 23,078.31 foot radius curve to the left a distance of 105.70 feet (Central Angle equals 0°15'45" and Tang Chord bears South 24°52'48" East 105.70 feet) to the West line of said section 32; thence South 01°17'27" West 188.75 feet along said West line to the Westerly right of way line of said U.S. Highway 40; thence Southwesterly across (2) meadows, riparian lands, marshes, fields, etc.,

like as follows: along the arc of a 25,138.31-foot radius curve to the left a distance of 2033.02 feet (Central Angle equals 2503.75°) and Long Chord bears South 275°20' East 2075.53 feet; South 80°24'46" East 2122.71 feet; South 26°24'46" East 20.84 feet, along the arc of a 1025.92-foot radius curve to the right a distance of 326.60 feet (Central Angle equals 1821.46°) and Long Chord

Section South 17°23' East 327.38 feet; South 0°10'40" West 547.89 feet
 Slab 11°42'02" East 83.78 feet and South 43°02'39" West 361.01 feet to NW
 South line of Section 35, Meade North 39°32'38" West 2048.43 feet along old
 South line to the point of beginning.

Contains 8,842,439 sq. ft.

SUMMIT COUNTY RECORDER

WATER RECLAMATION DISTRICT

RECORDS PAGE _____ RECEIVED
FOR DATE: 11-25-08
TIME: 4:43 P.M.
STANDARD INDUSTRIAL MECHANICAL

Authorized Personnel	SEARCHED INDEXED SERIALIZED FILED FBI - NEW YORK MAR 11 1964 BY SP-5 [Signature] SP-5 [Signature]
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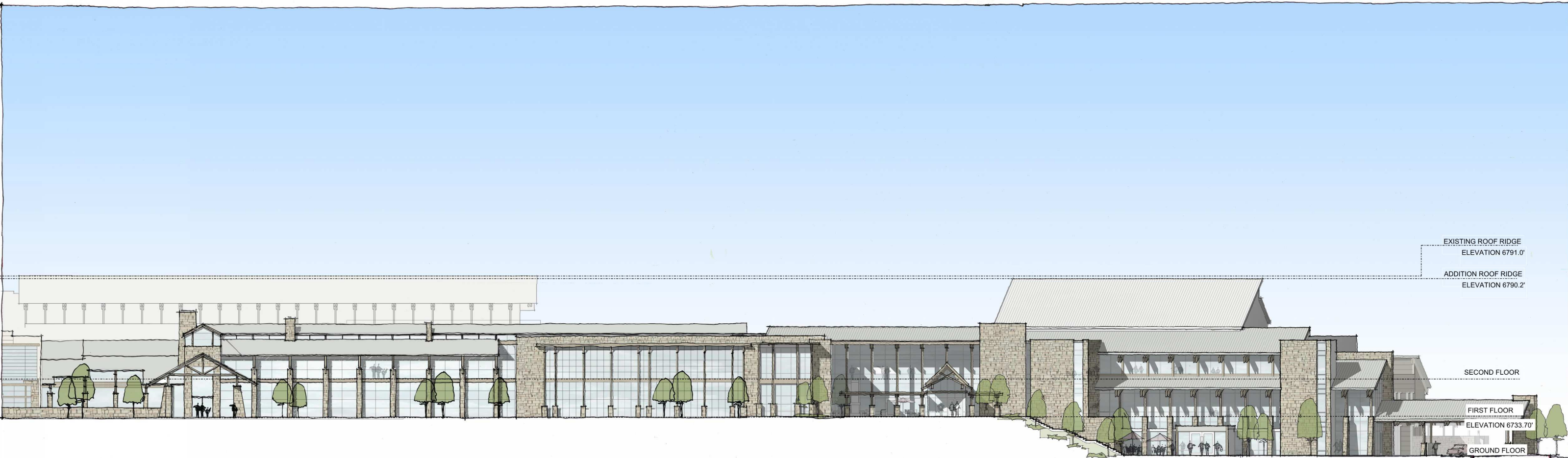
Page 164 of 440

Page 164 of 410

NARRATIVE:

This record amended plat was requested by the Summit County, Inc. for the City Municipal Ordinance and Ordinance 12000, 12100 and Ordinance 12200, 12300, 12400 and Ordinance 12500, 12600, 12700, 12800, 12900, 13000, 13100, 13200, 13300, 13400, 13500, 13600, 13700, 13800, 13900, 14000, 14100, 14200, 14300, 14400, 14500, 14600, 14700, 14800, 14900, 15000, 15100, 15200, 15300, 15400, 15500, 15600, 15700, 15800, 15900, 16000, 16100, 16200, 16300, 16400, 16500, 16600, 16700, 16800, 16900, 17000, 17100, 17200, 17300, 17400, 17500, 17600, 17700, 17800, 17900, 18000, 18100, 18200, 18300, 18400, 18500, 18600, 18700, 18800, 18900, 19000, 19100, 19200, 19300, 19400, 19500, 19600, 19700, 19800, 19900, 20000, 20100, 20200, 20300, 20400, 20500, 20600, 20700, 20800, 20900, 21000, 21100, 21200, 21300, 21400, 21500, 21600, 21700, 21800, 21900, 22000, 22100, 22200, 22300, 22400, 22500, 22600, 22700, 22800, 22900, 23000, 23100, 23200, 23300, 23400, 23500, 23600, 23700, 23800, 23900, 24000, 24100, 24200, 24300, 24400, 24500, 24600, 24700, 24800, 24900, 25000, 25100, 25200, 25300, 25400, 25500, 25600, 25700, 25800, 25900, 26000, 26100, 26200, 26300, 26400, 26500, 26600, 26700, 26800, 26900, 27000, 27100, 27200, 27300, 27400, 27500, 27600, 27700, 27800, 27900, 28000, 28100, 28200, 28300, 28400, 28500, 28600, 28700, 28800, 28900, 29000, 29100, 29200, 29300, 29400, 29500, 29600, 29700, 29800, 29900, 30000, 30100, 30200, 30300, 30400, 30500, 30600, 30700, 30800, 30900, 31000, 31100, 31200, 31300, 31400, 31500, 31600, 31700, 31800, 31900, 32000, 32100, 32200, 32300, 32400, 32500, 32600, 32700, 32800, 32900, 33000, 33100, 33200, 33300, 33400, 33500, 33600, 33700, 33800, 33900, 34000, 34100, 34200, 34300, 34400, 34500, 34600, 34700, 34800, 34900, 35000, 35100, 35200, 35300, 35400, 35500, 35600, 35700, 35800, 35900, 36000, 36100, 36200, 36300, 36400, 36500, 36600, 36700, 36800, 36900, 37000, 37100, 37200, 37300, 37400, 37500, 37600, 37700, 37800, 37900, 38000, 38100, 38200, 38300, 38400, 38500, 38600, 38700, 38800, 38900, 39000, 39100, 39200, 39300, 39400, 39500, 39600, 39700, 39800, 39900, 40000, 40100, 40200, 40300, 40400, 40500, 40600, 40700, 40800, 40900, 41000, 41100, 41200, 41300, 41400, 41500, 41600, 41700, 41800, 41900, 42000, 42100, 42200, 42300, 42400, 42500, 42600, 42700, 42800, 42900, 43000, 43100, 43200, 43300, 43400, 43500, 43600, 43700, 43800, 43900, 44000, 44100, 44200, 44300, 44400, 44500, 44600, 44700, 44800, 44900, 45000, 45100, 45200, 45300, 45400, 45500, 45600, 45700, 45800, 45900, 46000, 46100, 46200, 46300, 46400, 46500, 46600, 46700, 46800, 46900, 47000, 47100, 47200, 47300, 47400, 47500, 47600, 47700, 47800, 47900, 48000, 48100, 48200, 48300, 48400, 48500, 48600, 48700, 48800, 48900, 49000, 49100, 49200, 49300, 49400, 49500, 49600, 49700, 49800, 49900, 50000, 50100, 50200, 50300, 50400, 50500, 50600, 50700, 50800, 50900, 51000, 51100, 51200, 51300, 51400, 51500, 51600, 51700, 51800, 51900, 52000, 52100, 52200, 52300, 52400, 52500, 52600, 52700, 52800, 52900, 53000, 53100, 53200, 53300, 53400, 53500, 53600, 53700, 53800, 53900, 54000, 54100, 54200, 54300, 54400, 54500, 54600, 54700, 54800, 54900, 55000, 55100, 55200, 55300, 55400, 55500, 55600, 55700, 55800, 55900, 56000, 56100, 56200, 56300, 56400, 56500, 56600, 56700, 56800, 56900, 57000, 57100, 57200, 57300, 57400, 57500, 57600, 57700, 57800, 57900, 58000, 58100, 58200, 58300, 58400, 58500, 58600, 58700, 58800, 58900, 59000, 59100, 59200, 59300, 59400, 59500, 59600, 59700, 59800, 59900, 60000, 60100, 60200, 60300, 60400, 60500, 60600, 60700, 60800, 60900, 61000, 61100, 61200, 61300, 61400, 61500, 61600, 61700, 61800, 61900, 62000, 62100, 62200, 62300, 62400, 62500, 62600, 62700, 62800, 62900, 63000, 63100, 63200, 63300, 63400, 63500, 63600, 63700, 63800, 63900, 64000, 64100, 64200, 64300, 64400, 64500, 64600, 64700, 64800, 64900, 65000, 65100, 65200, 65300, 65400, 65500, 65600, 65700, 65800, 65900, 66000, 66100, 66200, 66300, 66400, 66500, 66600, 66700, 66800, 66900, 67000, 67100, 67200, 67300, 67400, 67500, 67600, 67700, 67800, 67900, 68000, 68100, 68200, 68300, 68400, 68500, 68600, 68700, 68800, 68900, 69000, 69100, 6

Page 164 of 410



EXTERIOR ELEVATIONS
PARK CITY MEDICAL CENTER

Planning Commission Staff Communications



Subject: Deer Crest Amenity Club at the St. Regis
Author: Kirsten Whetstone, MS, AICP
Date: August 27, 2014
Project Number: PL-11-01189
Type of Item: Administrative- one year update on approved Conditional Use Permit for the Deer Crest Amenity Club

Staff Update

Staff and the applicant provide this update and follow-up review of the Deer Crest Amenity Club and St. Regis Conditional Use Permit as conditioned by the Planning Commission at the time of approval.

Description

Project Name: Deer Crest Amenity Club at St. Regis
Applicant: Deer Crest Janna, LLC
Location: 2300 Deer Valley Drive East
Proposal: Amenities Club
Zoning: RC-MPD (subject to the 1995 Deer Crest Settlement Agreement/MPD)
Adjacent Uses: Ski resort and related uses, hotels/condominium units, open space, single-family residences and lots

Amenity Club CUP

- The Deer Crest Amenity Club is located within the existing St Regis Resort hotel and utilizes existing amenities, including the hotel restaurant, bar, spa, ski lockers, fitness center, and pool.
- The applicant proposed a limitation on the number of memberships to 195.
- The applicant agreed to the recommended conditions of approval requiring a Membership Agreement and a one year review by the Planning Commission.
- No increase in the posted occupancy limits of the amenities was proposed and no physical changes were proposed to the building or site.
- There was no increase in the residential density or total support commercial area.
- Access to the Amenity Club is restricted during peak occupancy periods based on existing occupancy limits for the hotel amenities.
- Restrictions on access to the hotel and parking are spelled out in the Membership Agreement consistent with the conditions of approval of the Deer Crest Hotel CUP.
- The applicant is responsible for management of the club and enforcement of the Membership Agreement.
- The St. Regis Resort utilizes a guest shuttle service. The shuttle service is available for Club members for transportation to and from the St. Regis.
- A parking analysis demonstrated that there is adequate parking available for the parking requirements of the Club activities. During the busiest weeks (Christmas and Sundance) when the hotel was at its maximum occupancy the parking use was at 46% of capacity.

- Planning Commission approved the CUP for the amenity club with the following conditions:

Conditions of Approval (see Attachments 1 and 2)

1. A Membership Agreement shall be reviewed and approved by the City, as to form and compliance with the conditions of approval, prior to commencing operation of the Amenity Club. Access shall be restricted during peak occupancy periods based on existing occupancy limits for the hotel amenities. The Agreement shall reiterate conditions of approval of the Deer Crest Hotel CUP regarding access to the hotel and parking requirements and restrictions.
2. The applicant is responsible for management of the club and enforcement of the Membership Agreement.
3. The applicant stipulates to a condition of approval limiting this Conditional Use Permit approval to a maximum of 195 memberships with a limit of 150 memberships allowed for members residing outside of the area bounded by the Deer Crest gates.
4. All conditions of approval of the 1995 Deer Crest Settlement Agreement continue to apply.
5. All conditions of approval of the Deer Crest Hotel CUP as amended on April 22, 2009, continue to apply.
6. The applicant shall submit to the City Planning Department, for review by the Planning Commission, a one-year review of the club including the use, operation, membership, parking and traffic impacts, and a summary of complaints received regarding impacts of the club on the hotel operations, guests, and owners of adjacent or nearby property.

One year review

Planning Staff conducted a one year review, requested information from the Park City Police Department and the St. Regis Hotel. There were no complaints filed specific to the Deer Crest Amenity Club. There were no complaints filed for the St. Regis property in general for the past year, according to Park City Police Dispatch.

The applicant provided a one year review (see Attachment 3) that includes a summary of the use, operation, membership, parking and traffic impacts, and complaints received for the Deer Crest Club from January 2013 to July 2014. The applicant also submitted a memo from the Deer Crest Master Association (Attachment 4) and a letter from the General Manager of the St. Regis Deer Valley (Attachment 5).

From the documents presented Staff finds that there are no issues regarding use, operation, membership, parking or traffic related to the Amenity Club.

Attachments

1. Minutes of February 23, 2011, Planning Commission meeting
2. Action letter of February 23, 2011 approval
3. Applicants one year review
4. Memo from Deer Crest Master Association
5. Letter from General Manager of the St. Regis Deer Valley
6. Email from applicant regarding the One Year review

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 23, 2011

COMMISSIONERS IN ATTENDANCE:

Chair Charlie Wintzer, Brooke Hontz, Richard Luskin, Dick Peek, Julia Pettit, Mick Savage, Adam Strachan

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Katie Cattan, Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING - 5:30 p.m.

I. ROLL CALL

Chair Wintzer called the meeting to order at 5:55 p.m. and noted that all Commissioners were present.

II. APPROVAL OF MINUTES - February 9, 2011

Chair Wintzer referred to page 31 of the Staff report, page 11 of the minutes, and the discussion regarding the model that was presented for the Bonanza Park area. He noted that five Commissioners had wanted to see that proceed further. Chair Wintzer wanted to make sure the Staff had enough direction to meet that request.

Director Eddington replied that the Staff had sufficient direction, and he asked if the Commissioners had specifics for taking this to the next level in terms of massing, modeling, planning, and design. The model showed what the massing could be with the General Commercial zoning for Bonanza Park. He understood from the last meeting that the Planning Commission wanted to look at better positioning the massing in Bonanza Park with lower and higher heights, open space, transportation linkages, and streetscapes.

Commissioner Savage remarked that during the visioning meeting they talked about possible uses in the Bonanza Park area, including the idea of a conference center or a meeting facility that would accommodate larger groups. He thought it would be beneficial to have someone from a community planning point of view to participate in discussions regarding large scale uses. From that point they could try to derive ideas about mass and scale in conjunction with the concept of use.

Director Eddington understood that the next level would be to see what the mass feels like and looks like, and how it can be manipulated in an MPD.

Commissioner Savage personally thought use was the primary factor. If they are going to talk about the idea of a certain density in Bonanza Park, it raises the question of how that density

Director Eddington stated that each planner keeps a project matrix with current projects, those that are ongoing, and those that have follow up. He thought they could extract the CUPs and one year approval projects, and provide the Planning Commission with that matrix.

Chair Wintzer thought it would be helpful to see how it all plays out and whether the process is working. If not, they could discuss ways to make it work better.

Commissioner Pettit asked about a second joint meeting with the Snyderville Basin Planning Commission. Director Eddington stated that the Commissioners should have received an email with the dates of March 29th and March 30th. He would ask Patricia to send a reminder. Commissioner Savage requested that Patricia send a reminder every time she sends a message to the City account because he and others do not check that account regularly.

Director Eddington stated that March 29th and 30th fall on the 5th week in March and neither Planning Commissions have scheduled meetings. The email asked the Planning Commission to respond with the best date and time.

V. CONTINUATION(S) AND PUBLIC HEARING.

573 Main Street - Plat Amendment **(Application #PL-10-01105)**

Chair Wintzer opened the public hearing. There was no comment. Chair Wintzer closed the public hearing.

MOTION: Commissioner Pettit moved to CONTINUE 573 Main Street - plat amendment to a date uncertain. Commissioner Peek seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - Discussion, public hearing and possible action.

1. 2300 Deer Valley Drive, St. Regis - Conditional Use Permit **(Application #PL-11-01189)**

Planner Kirsten Whetstone reviewed the application for a conditional use permit for an amenity club at the St. Regis Hotel. The Staff analysis was included in the Staff report, as well as the fifteen criteria for CUP review from LMC 15-1-10(E).

Planner Whetstone reported that the amenity club would be located within the existing St. Regis Hotel and would use existing amenities, including the restaurant, bar, spa, ski lockers, fitness center and pool. The applicant proposes to limit the number of memberships to 195. The applicant has also agreed to the conditions of approval recommended by Staff, one being a one

year review by the Planning Commission. Planner Whetstone stated that no physical changes are proposed to the building or the site. There would be no change in residential density or the total support commercial area.

Planner Whetstone noted that the membership agreement would be reviewed by the City for compliance with the conditions of approval and the conditions of the Deer Crest CUP.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the conditional use permit for an amenity club at the St. Regis Hotel, according to the findings of fact, conclusions of law and conditions of approval.

Tom Bennett, representing the applicant, recalled a discussion by the Planning Commission when they were considering amenity clubs as an amendment to the Land Management Code. Mr. Bennett introduced Ryan Hales, the traffic engineer, and noted that Mr. Hales had done a preliminary parking study of the project to analyze what impact the Club might have on parking at the St. Regis. Mr. Bennett pointed out that parking is the only potential impact the Club use might have on the community.

Planner Whetstone distributed copies of a letter she received from the Deer Crest Master Association indicating that they were not opposed to the Amenity Club. Commissioner Savage clarified that this application had been presented to the Homeowners Association at Deer Crest and they support the privileges entitled to members of the Club in terms of access to the Deer Crest development area. Planner Whetstone replied that this was correct.

Chair Wintzer opened the public hearing.

There was no comment.

Chair Wintzer closed the public hearing.

Chair Wintzer wanted to know how Club members living in Old Town would reach the Hotel. Mr. Bennett stated that one option is to drive their personal vehicle through Snow Park, drop off their car at valet parking, and go up the funicular. Another option is to call for the hotel shuttle, which would pick them up and take them as far as Snow Park. Chair Wintzer clarified that members from Old Town would not be adding traffic to the Deer Crest neighborhood. Mr. Bennett replied that people would not be driving through the Deer Crest neighborhood.

Commissioner Hontz referred to condition of approval #6 and felt it thoroughly addressed her concerns on paper. However, in practice she thought they could see something different. Commissioner Hontz did not believe the one year review gives the Planning Commission the ability to make changes or to discontinue the use, and she preferred to add language to Condition #6 to allow that ability.

Planner Whetstone stated that the language gives the Planning Commission the ability to require the applicant to mitigate any identified impacts, which is the basis of a conditional use permit. Commissioner Hontz did not think the language as written provided the Planning

Commission the ability to work through the CUP and either change it or deny it. She wanted to see stronger language with more teeth for authority. Planner Whetstone suggested language stating that any impacts that are identified in the one-year review shall be mitigated or the CUP is void.

Mr. Bennett noted that there is no such thing as a one-year CUP. A CUP is granted after considering all the impacts and whether those impacts were appropriately mitigated. In his opinion, the one-year review allows the applicant to meet with the Planning Commission to address any issues that need to be fixed. Mr. Bennett could see problems if the CUP was subject to termination after one-year, because at that point there would be paying members who have certain expectations. Mr. Bennett remarked that a condition of approval connected to the St. Regis Hotel requires the applicant to report back with an updated traffic and parking study after the hotel has been in operation for two seasons. That review would occur this summer and would provide another opportunity to discuss the amenity club. Mr. Bennett pointed out that if the report finds something unfavorable with the Hotel, it would not mean the Hotel could be shut down. The applicant and the City would work together to resolve the problem.

Commissioner Savage questioned the purpose of the one-year review, particularly if no unmitigated impacts are reported. Planner Whetstone explained that because an amenity club is a new use, it provides the opportunity to discuss how it works and to see if the use creates impacts that no one thought about. Commissioner Savage wanted to know what they could do if they were dissatisfied after hearing the report, since the applicant would have a valid approved CUP. Commissioner Strachan stated that the Planning Commission would review the CUP and work with the applicant to address the issues. Based on that explanation, Commissioner Savage believed that condition of approval #6 as written was sufficient to allow that process.

Commissioner Peek noted that the Planning Commission had placed a condition on the Yard for three complaints. The idea was that the complaints may result from impacts that were not reasonably anticipated. This would allow the Planning Commission to work through those issues and place additional conditions if necessary.

Commissioner Pettit suggested adding language to supplement condition of approval #6 to read, "In the event that such review reveals impacts that have not been sufficiently mitigated, the Planning Commission shall have the ability to further condition the CUP to address such unmitigated impacts." The Commissioners favored adding that language.

Chair Wintzer stated that since this was the first application for an amenity club, a one-year review would give the Planning Commission an idea of whether or not they made the right decision by amending the LMC to allow amenity clubs.

Mr. Bennett did not think the added language was unreasonable, as long as the record is clear that the CUP does not terminate at the end of one year.

Commissioner Pettit clarified that the added language would not terminate the CUP. However, it allows the Planning Commission to further condition the CUP to address unforeseen impacts

that surface during that one-year review.

Commissioner Savage understood that the Planning Commission could impose additional conditions on unmitigated issues that were not part of the original CUP approval process and the approved CUP, or they would have the right to discontinue the use. He did not believe that was fair. He was not opposed to conditioning issues that violate what has already been approved, but he was uncomfortable constraining new issues outside of the original CUP approval.

Director Eddington clarified that the Planning Commission was suggesting to add additional or new mitigation procedures to address the existing conditions. It would not be adding new conditions to the CUP. Director Eddington pointed out that the process is similar to what was done with other CUP applications. Commissioner Pettit pointed out that it is only a one-year review and that the CUP would not come back every year. Commissioner Savage was satisfied with the explanations.

Commissioner Strachan pointed out that the Planning Commission could request another one-year review at the time of the first review, if they are not satisfied that all the problems have been mitigated. Chair Wintzer agreed. If no issues were raised during the first year, he would not expect the applicant to come back. However, if problems were addressed, the Planning Commission would most likely require another review one year later to see if the mitigation measures had worked.

MOTION: Commissioner Pettit moved to APPROVE the Deer Crest Amenity Club at the St. Regis Conditional Use Permit, according to the Findings of Fact, Conclusions of Law and Conditions of Approval, and subject to the amendment of Condition of Approval #6 to read as follows: "The applicant shall submit to the City Planning Department for review by the Planning Commission, a one year review of the Club, including the use, operation, membership, parking, and traffic impacts, and a summary of complaints received regarding impacts of the Club on the hotel operations, guests, and owners of adjacent or nearby property. In the event that such review reveals impacts that have not been sufficiently mitigated, the Planning Commission shall have the ability to further condition the conditional use permit to address such unmitigated impacts." Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Deer Crest Amenity Club

1. On February 3, 2011, the City received a complete application for a conditional use permit for an amenities club to be located within the St. Regis Resort hotel and to utilize existing hotel amenities, including the restaurant, bar, spa, ski lockers, fitness center, and pool. A total of 195 memberships are requested for the initial one year review period with a limit of 150 members residing outside of the Deer Crest gates. Membership is expected to include owners of units at the St. Regis Resort, homeowners in the Deer Crest residential area, and others from the community. Membership is for singles, couples, and families.

2. This application is reviewed under Section 15-1-10(E) of the Land Management Code.
3. The property was posted and notice letters were mailed to property owners within 300' of the property. Legal notice was published in the Park Record.
4. The project has access from Deer Valley Drive and Deer Crest Estates Drive.
5. The property is located within the Recreation Commercial (RC) zoning district and is subject to the Deer Crest Settlement Agreement and the revised Deer Crest Hotel CUP as approved by the Planning Commission on April 22, 2009.
6. Amenity Clubs require a Conditional Use Permit in the RC zone.
7. No physical changes are proposed to the existing restaurant, bar, spa, fitness center or pool to increase the posted capacity limits. No exterior changes are proposed to the building or site.
8. The applicant provided a parking analysis (Exhibit B) demonstrating that there is adequate parking available for the parking requirements of the Club activities. During the busiest weeks (Christmas and Sundance) when the hotel was at its maximum occupancy, the parking use was at 46% of capacity.
9. The approved Deer Crest Hotel CUP for the St. Regis Resort allows for a total of 146 parking spaces at Roosevelt Gap (105 spaces for overnight use and 41 day use spaces) and 67 valet parking spaces at Snow Park with access to Roosevelt Gap via the funicular. There are 185 parking spaces at the Jordanelle lot serviced by the employee and guest shuttle.
10. The St. Regis Resort utilizes a guest shuttle service. The shuttle service is available for Amenity Club members for transportation to and from the St. Regis.
11. The Amenity Club will be operated and managed in accordance with provisions of the Membership Agreement. Access to the Amenity Club uses shall be restricted during peak occupancy periods based on existing occupancy limits for the hotel amenities. Restrictions on access to the Hotel and parking requirements that are consistent with the conditions of approval of the Deer Crest Hotel CUP will be spelled out in the Membership Agreement.
12. The St. Regis hotel has a total of approximately 225 pillows. One or two additional employees are anticipated for the Club.
13. No additional signs or lighting are proposed with this application.
14. The Findings in the Analysis section are incorporated herein.

Conclusions of Law - Deer Crest Amenities Club

1. The use as conditioned complies with all requirements of the Land Management Code, Section 15-1-10.
2. The use as conditioned is consistent with the Park City General Plan.
3. The use as conditioned is compatible with surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.
5. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review criteria for Conditional Use Permits.

Conditions of Approval - Deer Crest Amenities Club

1. A Membership Agreement shall be reviewed and approved by the City, as to form and compliance with the conditions of approval, prior to commencing operation of the Amenity Club. Access shall be restricted during peak occupancy periods based on existing occupancy limits for the hotel amenities. The Agreement shall reiterate conditions of approval for the Deer Crest Hotel CUP regarding access to the hotel and parking requirements and restrictions.
2. The applicant is responsible for management of the club and enforcement of the Membership Agreement.
3. The applicant stipulates to a condition of approval limiting this Conditional Use Permit approval to a maximum of 195 memberships with a limit of 150 memberships allowed for members residing outside of the area bounded by the Deer Crest gates.

4. All conditions of approval of the 1995 Deer Crest Settlement Agreement continue to apply.
5. All conditions of approval of the Deer Crest Hotel CUP as amended on April 22, 2009, continue to apply.
6. The applicant shall submit to the City Planning Department for review by the Planning Commission, a one-year review of the club, including the use, operation, membership, parking and traffic impacts, and a summary of complaints received regarding impacts of the club on the hotel operations, guests and owners of adjacent or nearby property. In the event that such review reveals impacts that have not been sufficiently mitigated, the Planning Commission shall have the ability to further condition the conditional use permit to address such unmitigated impacts.

Commissioner Pettit commented on how under parked this particular project is based on the parking study. For planning purposes, she suggested that they begin thinking about other projects. Commissioner Peek thought hotel projects in general should add that type of parking study to their format. Commissioner Pettit stated that the St. Regis has been successful in encouraging people to come in without cars and to rely on shuttle service, and she felt this was an example, with supporting statistics, of parking being utilized for a project of that size and type of use.

Planner Whetstone offered to look at the numbers in the study based on the number of units. Currently, two and three parking spaces per unit are required for larger units. Director Eddington noted that the Code currently reads off of minimums and the Staff is looking at adding maximums.



March 7, 2011

Greg Griffin
Deer Crest Janna, LLC
PO Box 4493
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Application #</u>	PL-11-01189
<u>Subject</u>	2300 Deer Valley Dr. East
<u>Address</u>	2300 Deer Valley Dr. East
<u>Description</u>	CUP for Amenity Club
<u>Action Taken</u>	Approved with Conditions
<u>Date of Action</u>	February 23, 2011

On February 23, 2011, the Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the Conditional Use Permit for an Amenity Club at the St. Regis Resort according to the findings of fact, conclusions of law and conditions of approval as follows:

Findings of Fact

1. On February 3, 2011, the City received a complete application for a conditional use permit for an amenities club to be located within the St Regis Resort hotel and to utilize existing hotel amenities, including the restaurant, bar, spa, ski lockers, fitness center, and pool. A total of 195 memberships are requested for the initial one year review period with a limit of 150 members residing outside of the Deer Crest gates. Membership is expected to include owners of units at the St. Regis Resort, homeowners in the Deer Crest residential area, and others from the community. Membership is for singles, couples, and families.
2. This application is reviewed under Section 15-1-10 (E) of the Land Management Code.
3. The property was posted and notice letters were mailed to property owners within 300' of the property. Legal notice was published in the Park Record.
4. The project has access from Deer Valley Drive and Deer Crest Estates Drive.
5. The property is located within the Recreation Commercial (RC) zoning district and is subject to the Deer Crest Settlement Agreement and the revised Deer Crest Hotel CUP as approved by the Planning Commission on April 22, 2009.
6. Amenity Clubs require a Conditional Use Permit in the RC zone.
7. No physical changes are proposed to the existing restaurant, bar, spa, fitness center or pool to increase the posted capacity limits. No exterior changes are

- proposed to the building or site.
8. The applicant provided a parking analysis (Exhibit B) demonstrating that there is adequate parking available for the parking requirements of the Club activities. During the busiest weeks (Christmas and Sundance) when the hotel was at its maximum occupancy the parking use was at 46% of capacity.
 9. The approved Deer Crest Hotel CUP for the St. Regis Resort allows for a total of 146 parking spaces at Roosevelt Gap (105 spaces for overnight use and 41 day use spaces) and 67 valet parking spaces at Snow Park with access to Roosevelt Gap via the funicular. There are 185 parking spaces at the Jordanelle lot serviced by the employee and guest shuttle.
 10. The St. Regis Resort utilizes a guest shuttle service. The shuttle service is available for Amenity Club members for transportation to and from the St. Regis.
 11. The Amenity Club will be operated and managed in accordance with provisions of the Membership Agreement. Access to the Amenity Club uses shall be restricted during peak occupancy periods based on existing occupancy limits for the hotel amenities. Restrictions on access to the Hotel and parking requirements that are consistent with the conditions of approval of the Deer Crest Hotel CUP will be spelled out in the Membership Agreement.
 12. The St Regis hotel has a total of approximately 225 pillows. One or two additional employees are anticipated for the Club.
 13. No additional signs or lighting are proposed with this application.
 14. The Findings in the Analysis Section are incorporated herein.

Conclusions of Law

1. The Use, as conditioned complies with all requirements of the Land Management Code, Section 15-1-10.
2. The Use, as conditioned is consistent with the Park City General Plan.
3. The Use, as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.
5. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15.1.10 review criteria for Conditional Use Permits.

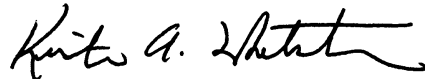
Conditions of Approval

1. A Membership Agreement shall be reviewed and approved by the City, as to form and compliance with the conditions of approval, prior to commencing operation of the Amenity Club. Access shall be restricted during peak occupancy periods based on existing occupancy limits for the hotel amenities. The Agreement shall reiterate conditions of approval of the Deer Crest Hotel CUP regarding access to the hotel and parking requirements and restrictions.
2. The applicant is responsible for management of the club and enforcement of the Membership Agreement.
3. The applicant stipulates to a condition of approval limiting this Conditional Use Permit approval to a maximum of 195 memberships with a limit of 150 memberships allowed for members residing outside of the area bounded by the Deer Crest gates.

4. All conditions of approval of the 1995 Deer Crest Settlement Agreement continue to apply.
5. All conditions of approval of the Deer Crest Hotel CUP as amended on April 22, 2009, continue to apply.
6. The applicant shall submit to the City Planning Department for review by the Planning Commission, a one-year review of the club, including the use, operation, membership, parking and traffic impacts, and a summary of complaints received regarding impacts of the club on the hotel operations, guests and owners of adjacent or nearby property. In the event that such review reveals impacts that have not been sufficiently mitigated, the Planning Commission shall have the ability to further condition the conditional use permit to address such unmitigated impacts.

If you have questions regarding your project or the action taken please don't hesitate to contact me at 435-615-5066 or kirsten@parkcity.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirsten A. Whetstone". The signature is fluid and cursive, with a long horizontal stroke at the end.

Kirsten Whetstone
Senior Planner



DEER CREST CLUB

AT THE ST. REGIS DEER VALLEY

The summary of use, operation, membership, parking and traffic impacts and complaints received for the Deer Crest Club at The St. Regis Deer Valley from January 2013 to July 2014.

Summary of Use

Average daily members and their guests attending Club Lounge:

- Ski season Dec 2013-March 2014: 22
- Off-season April 2014-July 2014: 4
- Ski season Dec 2012-March 2013: 13
- Off-season April 2013-November 2013: 2

Maximum number of members and their guests in Club Lounge at any given time:

- Ski season Dec 2013-March 2014: 48
- Off-season April 2014-July 2014: 27
- Ski season Dec 2012-March 2013: 37
- Off-season April 2013-November 2013: 23

Operation

- 2014
 - Seven staff members in season (Dec 2012-March 2013); Four present daily
 - Three staff members in off-season (April 2013-November 2013); Two present daily
- 2013
 - Four staff members in ski season (Dec 2012-March 2013); Three present daily
 - Three staff members in off-season (April 2013-November 2013); Two present daily

Membership

As of July 23, 2014, the Deer Crest Club at The St. Regis Deer Valley has 69 memberships:

- Twelve members are residence or condominium owners in The St. Regis Deer Valley
- Twenty-one members are property owners in Deer Crest
- Twenty members are property owners in Park City
- Six members are property owners in Summit County
- Eight members are property owners in Wasatch County other than Deer Crest
- Zero members are property owners in Utah other than Summit County or Wasatch County
- Two members are out of state (New York and Washington) who utilize the Club and its services when they stay as a guest of The St. Regis Deer Valley

Parking and Traffic Impacts

Average daily members driving to Club Lounge / parking at The St. Regis Deer Valley:

- Ski season Dec 2013-March 2014: 4
- Off-season April 2014-July 2014: Less than 1
- Ski season Dec 2012-March 2013: 2
- Off-season April 2013-November 2013: less than 1

Members who are from the Deer Crest community may drive their cars and park at the upper resort building of The St. Regis Deer Valley. Other members may drive their cars to the lower resort building, leave their cars with the valet and access the hotel via the funicular. The maximum number of members' cars parked at the Hotel during this past season at the same time was six. No members, other than those who reside in the Deer Crest community are permitted to access the hotel via the Queen Esther gate.

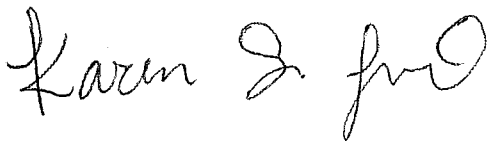
The St. Regis Deer Valley complimentary shuttle service is available to all members from 7am to 11pm daily throughout the year (The Club is open from 8am-5pm during ski season and from 9am-5pm the remainder of the year). Out of 69 memberships, 45 use the St. Regis Deer Valley shuttle service

Average daily members using The St. Regis Deer Valley's complimentary shuttle service:

- Ski season Dec 2013-March 2014: 4
- Off-season April 2014-July 2014: Less than 1
- Ski season Dec 2012-March 2013: 2
- Off-season April 2013-November 2013: Less than 1

Complaints

- The Deer Crest Club has not received any complaints of any kind from St. Regis Deer Valley hotel guests since the Club opened in 2011
- The Deer Crest Club has not received any complaints of any kind from St. Regis Deer Valley residence or condominium owners since the Club opened in 2011
- The Deer Crest Club has not received any complaints of any kind from homeowners in Deer Crest or from the Deer Crest Masters Association since the Club opened in 2011
- The Deer Crest Club has not received any complaints of any kind from area property owners outside of Deer Crest since the Club opened in 2011



Karen Lynch
Deer Crest Club Director
435.940.5810 x2
klynch@deercrestclub.com



DATE: 6/27/14

TO: Park City Planning Commission

FROM: Deer Crest Master Association

RE: St. Regis Deer Crest Club

MEMO

To Whom It May Concern,

The Deer Crest Master Association has not received complaints of any kind, including traffic concerns, from Deer Crest owners or adjacent property owners concerning the Deer Crest Club at the St. Regis. In fact the opposite has been true with many owners taking advantage of the club membership.

Sincerely,

A handwritten signature in dark ink, appearing to read "Don K. Taylor", is written over the printed name.

Don K. Taylor
General Manager

DEER CREST MASTER ASSOCIATION

3672 W. Deer Crest Estates Dr. Park City, UT • 84060 •
Phone (435) 655-8215 • Fax (435) 615-9157

Park City Planning Commission
445 Marsac Ave
PO Box 1480
Park City, UT 84060

July 23rd, 2014

To Whom it may concern,

Since its inception in December of 2011, neither Starwood, nor the St Regis Deer Valley has had any complaints regarding the operation of the Deer Crest Club from hotel guests.

Since its inception in December of 2011, neither Starwood, nor the St Regis Deer Valley has had any complaints regarding the operation of the Deer Crest Club from owners of condominiums and residences on property.

Since its inception in December of 2011, neither Starwood, nor the St Regis Deer Valley has had any complaints regarding the operation of the Deer Crest Club from the Deer Crest Masters Association.

Since its inception in December of 2011, neither Starwood, nor the St Regis Deer Valley has had any complaints regarding the operation of the Deer Crest Club from area property owners outside of Deer Crest.

Warm Regards,



Edward Shapard
General Manager
The St. Regis Deer Valley
2300 Deer Valley Drive East
Park City, Utah 94060
Edward.shapard@stregis.com

Attachment 6

From: [Bennett, Thomas \(SLC\)](#)
To: [Kirsten Whetstone](#)
Cc: [Michael Zaccaro \(MZaccaro@FalconInvestors.com\)](#)
Subject: Deer Crest Club
Date: Thursday, July 24, 2014 4:35:32 PM
Attachments: [St Regis Deer Crest.pdf](#)

Kirsten,

In connection with the upcoming report to the Planning Commission regarding the operations and impact of the Deer Crest Club, currently scheduled for the August 27 meeting of the Planning Commission, attached are the following items:

1. Deer Crest Club ("DCC") summary of membership, staff and use of the DCC facilities from January 2014-July 2014;
2. Memo from the Deer Crest Master Association, indicating it has received no complaints regarding DCC; and
3. Letter from the General Manager of the St. Regis Deer Valley, confirming that neither the hotel nor Starwood (owner of the St. Regis brand) have received any complaints regarding DCC.

As described in the operating summary, of the 69 DCC members 35 of them own condominiums at the St. Regis, homes in Deer Crest or utilize the DCC facilities only when staying at the St. Regis. Other members residing in the Park City area take advantage of the St. Regis shuttle service to access the Club. As a result, the average number of DCC members driving their vehicles to the St. Regis is only 4 per day during the ski season. The Club's impact on vehicle trips and parking is minimal. Further, there have been no complaints of any negative impacts of the DCC from the Deer Crest home owners, the St. Regis hotel guests or anyone else. In short, the DCC has provided a nice community benefit with very little community impact, and no reported negative impacts.

Should you need any additional information, or have any questions about the information submitted, please do not hesitate to call.

Best regards,

Tom

Thomas G. Bennett
Ballard Spahr LLP
One Utah Center, Suite 800
201 South Main Street
Salt Lake City, Utah 84111-2221
Direct 801.531.3060
Fax 801.531.3001
bennett@ballardspahr.com | www.ballardspahr.com

Planning Commission Staff Report



Subject: 166 Ridge Avenue
Project #: PL-14-02268
Authors: Ryan Wassum, Planner & Christy Alexander, AICP, Planner II
Date: August 27, 2014
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit for 166 Ridge Avenue, Lot 1, open a public hearing, and consider approving the CUP application as well as approving the garage height exception in accordance with the findings of fact, conclusions of law, and conditions of approval.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Owner/ Applicant: Thaynes Capital Park City LLC – Damon Navarro
Architect: Jonathan DeGray
Location: 166 Ridge Avenue
Zoning: Historic Residential (HRL)
Adjacent Land Uses: Vacant lots and residential
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for a new single family home with a proposed square footage of 2,823 square feet (sf) on a vacant 5,899 sf lot located at 166 Ridge Avenue. The total floor area exceeds 1,000 sf and the construction is proposed on a slope of 30% or greater.

Background

On February 28, 2014, the City received an application for a Conditional Use Permit (CUP) for “Construction on a Steep Slope” at 166 Ridge Avenue. The application was deemed complete on May 30, 2014. The property is located in the Historic Residential (HR-L) District.

Plat Amendment

On October 3, 2006, the City received a completed application for Subdivision No. 1 Millsite Reservation plat amendment. The Planning Commission held numerous public hearings from February to September 2007 on the proposed plat. Concern was expressed regarding the use of platted, un-built Ridge Avenue right of way for a private driveway and the height of retaining walls that would be built for this driveway.

On September 12, 2007, the Planning Commission forwarded a negative recommendation on the plat amendment, the City Council, after further staff analysis and amendments to the findings of fact and conditions of approval approved the plat on October 25, 2007. The plat (Exhibit A) was recorded on 6/13/08, Ordinance No. 07-74 (Exhibit B). The City Council included Condition of Approval #16 which states:

16. Applicant will seek a Variance or Special Exception for driveway grade in a platted un-built City Right of Way prior to proceeding with the Conditional Use Permit for driveway use of the right of way.

Special Exception

The Board of Adjustment, at a public hearing on December 18, 2007, granted a Special Exception to the LMC requirement (15-3-5 (A)) of a maximum grade of 10% within the City's right of way, in this case, the platted Ridge Avenue ROW north of the paved Ridge Avenue. Increasing the driveway slope to 14% (matching the private driveway standard) would reduce the height of the associated retaining wall another 4 feet over the 100 foot length. (Exhibit C) The final materials and design of the roadway and/or needed retaining walls must be brought back to the Planning Department and City Engineer for final review prior to sign-off by the City.

Conditional Use Permit (driveway to be put into a platted un-built City right-of-way)

At the April 25, 2007, meeting the Planning Commission directed the applicant to submit a Conditional Use Permit for construction of a driveway within un-built City ROW to address the standards of Land Management Code Section 15-3-5. The City received a completed application for the Conditional Use Permit for construction of a private driveway within a platted, un-built City street, on May 14, 2007. The application was heard on July 11 and July 25, 2007, and continued to a date uncertain.

On February 13, 2008, the Planning Commission approved the Conditional Use Permit for construction within a platted, un-built right of way (Ridge Ave) with an expiration date of one year from the date of approval. On February 12, 2009, the City received a request for a one year extension of the approval for the driveway which was approved.

Steep Slope Conditional Use Permit

On June 11, 2008, the Planning Commission opened a public hearing for a Steep Slope

Conditional Use Permit at 158, 162, and 166 Ridge Avenue to construct single-family homes on a slope greater than 30%. The Planning Commission denied the proposed Conditional Use Permit because it did not mitigate several of the criteria as outlined in Land Management Code 15-2.1-6(B).

The applicant appealed the Planning Commission's decision, and on September 18, 2008, the City Council overturned the Planning Commission and approved the Steep Slope Conditional Use Permit (CUP) based on modifying the findings to mitigate the criteria for a Steep Slope CUP.

No building permit was received and no construction occurred as required by the conditions of approval of the CUPs and the Conditional Use Permit for the Steep Slope and Conditional Use Permit for construction within a platted, un-built right of way both have expired. For this reason, the applicant is requesting the CUPs once again as his intentions are to build on Lot 1 as soon as possible. The CUP Driveway Access application that is being reviewed concurrently with this application is for Lots 1, 2, and 3 (158, 162, and 166 Ridge Avenue).

Summary of Prior Applications regarding this property:

Applications	Decision	Additional Information
Plat Amendment	Planning Commission: Negative Recommendation (9/12/07) City Council: Approved (10/25/07)	
Special Exception (driveway slope of 14%)	Board of Adjustment: Approved (12/18/07)	10% is the permitted maximum without a variance or special exception.
CUP (Driveway)	Planning Commission: Approved (2/13/08)	One year extension was granted in 2009; permit has expired and a new application will be reviewed by Planning Commission.
Steep Slope CUP	Planning Commission: Denied (6/11/08) City Council: Approved (9/18/08)	Appealed by applicant to City Council and overturned; permit is currently expired.

Because the total proposed structure is greater than 1,000 sf, and construction is proposed on an area of the lot that has a thirty percent (30%) or greater slope, the applicant is required to file a Conditional Use Permit (CUP) application. The CUP is required to be reviewed by the Planning Commission, pursuant to LMC § 15-2.3-7, prior to issuance of a building permit.

The lot is a vacant, platted lot with existing grasses and little other vegetation. The lot is located between a vacant lot and the curve of Ridge Avenue, with access off of an unconstructed public right-of-way (Ridge Avenue) that is under concurrent CUP review by the Planning Commission to construct the ROW and provide access to Lots 1, 2, & 3. There are no existing structures or foundations on the lot.

A Historic District Design Review (HDDR) application was reviewed concurrently with this application and found to be in compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. Staff reviewed the final design, included as Exhibit A.

At the July 23, 2014 Planning Commission meeting (Exhibit K), the Commission voted to continue this item and requested the applicant submit a GeoTech report along with the initial Construction Mitigation Plan. Those are enclosed for the Commission's review as Exhibits I & J. Based on AGECE's understanding of the site soils and experience with similar excavations adjacent to this site the engineer anticipates no shoring will be needed. This finding is subject to his inspection and confirmation of the soils at the onset of the excavation. The Building Department has read through the GeoTech and CMP and their initial review was that the reports appear to be fine, but the Building Department's in-depth review will occur when the applicant submits a building permit and they review the actual plans with the reports and then they can make a final determination. George Reid, from the Building Department will be in attendance at the August 27th meeting to discuss this and their process of review further in depth. The applicant has agreed to limit access during construction up either Daly Avenue to Ridge Avenue and down King Road, or vice versa, so that one single road will not be impacted with access occurring both directions. Regularly allowed construction access is allowed between 7 am and 6 pm and the Building Department usually does not restrict those hours unless development occurs along Main Street and will limit commercial access or there is a substantial safety concern such as a school bus stop being impacted, etc. Staff has also met with the Building Department and found that they do not currently impose remediation on any developer greater than the 75 cents/landscape bond. Staff feels that requiring the contractor to provide signage such as Heavy Truck Traffic, etc. is a reasonable condition to add.

Purpose

The purpose of the Historic Residential (HR-2, Subzone A) District is to:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- B. provide an Area of lower density Residential Use within the old portion of Park City,
- C. preserve the character of Historic residential Development in Park City,
- D. encourage the preservation of Historic Structures,
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and

- G. define Development parameters that are consistent with the General Plan policies for the Historic core.

Analysis

According to the Plat, the maximum floor area for the entire structure cannot exceed 3,030 square feet; the proposed house contains a total of 2,881 sf of floor area. The proposed building footprint is 1,624 sf and the 5,899 sf lot size allows a building footprint of 2,117.3 sf per the LMC building footprint calculator and as required on the Plat. The house complies with all setbacks, building footprint, and building height requirements of the HRL zone as well as all Plat Notes. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement and Plat Requirement	Proposed
Lot Size	LMC: Minimum of 3,750 sf	5,899 sf, <u>complies.</u>
Building Footprint	LMC: 2,117.3 square feet (based on lot area) <u>maximum</u> Plat: <u>2,117 square feet</u>	1,624 square feet, <u>complies.</u>
Maximum Floor Area	LMC: N/A Plat: 3,030 sf	2,881 square feet, <u>complies.</u>
Front and Rear Yard	LMC: 15 feet minimum (30 feet total) Plat: 15 feet	15 feet (front) to entry and 27 feet (front) to garage, <u>complies.</u> 30 feet (rear), <u>complies.</u>
Side Yard	LMC: 5 feet minimum Plat: 5 feet	5' on each side, <u>complies.</u>
Height	LMC: 27 feet above existing grade, <u>maximum.</u> 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval. Plat: cannot exceed eighteen feet (18') in height above the garage floor with an appropriate pitched roof (8:12 or greater). Height exception for the garage may be granted if it meets the preceding criteria.	25-27 feet, <u>complies.</u> 34.5 feet for the single car garage area (approved by Planning Director), <u>complies.</u> Does not exceed 18 feet in height above the garage floor, <u>complies.</u>
Height (continued)	LMC: A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters. Plat: N/A	32 feet, <u>complies.</u>
Final grade	LMC: Final grade must be within four (4) vertical feet of existing grade around the periphery of the	Maximum difference is 48" (4 feet) with most of the difference much less than

	structure. Plat: N/A	48", <u>complies.</u>
Vertical articulation	LMC: A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Plat: N/A	Horizontal step occurs at 22 feet, <u>complies.</u>
Roof Pitch	LMC: Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch. Plat: N/A	The main roofs have 8:12 pitches with secondary roof pitches at 4:12, <u>complies.</u>
Parking	LMC: Two (2) off-street parking spaces required. Plat: driveways into the garages cannot exceed the minimum slope necessary for drainage away from the garages.	One (1) space within a single car garage and one uncovered space on the driveway, within the lot area, compliant with required dimensions, <u>complies.</u> Driveway slopes and drainage away from garage has been addressed, <u>complies.</u>

LMC § 15-2.1-7(B) requires a Conditional Use permit for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sf) of floor area, including the garage, and stipulates that the Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of the construction on the steep slope can be mitigated:

Criteria 1: Location of Development.

Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed single family house is located in an existing platted residential subdivision, and can be characterized as Old Town infill development in a residentially zoned district. The development does not contain or abut any dedicated open space, forest, conservation easement, water body, wetland, floodplain, recreation area, or commercial establishment. The foundation is stepped with the grade and the amount of excavation is reduced. The single car garage will provide elevation proportions more in keeping with existing homes on that side of the street. The proposed footprint is less

than that allowed for the lot area, setbacks are complied with, and overall height is less than allowable.

Criteria 2: Visual Analysis.

The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.**

The applicant submitted a photographic visual analysis, including street views, to show the proposed streetscape and how the proposed house fits within the context of the slope, neighboring structures, and existing vegetation.

(a) A 3D visual analysis is included with the application. The analysis includes the proposed dwelling on lot 1, as well as conceptual dwellings on lots 2 and 3 for added context. The visual analysis shows that the proposed infill development will blend with the already developed lots that exist in the area. See (6) below for more detail.

(b) As the proposed home is in keeping with the neighborhood, screening will not be necessary. That said, existing vegetation will be preserved throughout the platted 30-foot-deep No-Disturb Area stretching across 86% of the rear boundary of the subdivision. Vegetation here is well developed, providing an appreciable natural buffer. Temporary and permanent erosion mitigation and slope stabilization will be accomplished through best management practices as follows:

Temporary measures: fabric fence sediment barriers at down gradient limits of disturbance; strategically located soil and materials stockpiles; limit work area to that which can be temporarily stabilized / controlled at the end of each work day; utilize terracing during excavation to limit stockpile height / slope length; erosion control blankets over disturbed areas where slopes are steeper than 3H:1V. East side of access at lots 2 and 3 - grade break will be supported with a temporary soil slope at 1.5H:1V, and stabilized with seed and erosion control blanket. This slope will remain in place until work begins on lots 2 and or 3;

Permanent measures: West side of access - grade break will be permanently stabilized via construction of a concrete retaining wall having an exposed-face height of 2 to 7 feet. Disturbed area west of the wall will be contained within the Ridge Avenue right-of-way, and will be revegetated with dense plantings, mulch, and riprap; East side of access at lot 1- grade break will be permanently stabilized via construction of the home itself. The building floor grades have been selected to create a code-compliant driveway while meshing with existing ground in the rear yard; North side of site (utilities to King Road) - grade break will be permanently stabilized via construction of terraced retaining structures having exposed-face heights ranging from 2 to 6 feet. Intervening terraces and transition areas will be revegetated with dense plantings, mulch, and riprap.

The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the neighborhood, smaller in scale and mass than surrounding

structures, and visual impacts are mitigated. Potential impacts of the design are mitigated with minimized excavation and the lower profile of the roof height. Additionally, the garage door is located approximately 18 feet back from the edge of the property.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged; however a side access garage is not possible on this site. **No unmitigated impacts.**

All three subdivision lots front on a dedicated but unconstructed ROW, Ridge Avenue. To serve these lots, the developer will construct a private access driveway within the Ridge Avenue public right-of-way in keeping with the existing Encroachment Agreement recorded 6.13.2008, instrument no. 847042.

The proposed design incorporates a relatively average driveway with a 10% slope from Ridge Avenue to the single car garage. Grading is minimized for both the driveway and the stepped foundation. Due to the greater than 30% slope and lot width a side access garage would not minimize grading and would require a massive retaining wall. The driveway is designed to minimize Grading of the natural topography and to reduce overall Building scale.

Criteria 4: Terracing.

The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

The project includes terraced retaining structures to regain natural grade. The lot has a steeper grade towards the front of the property with a slope of 61.9%. The average slope is 30% across the entire length of the developable lot. The foundation is terraced to regain Natural Grade without exceeding the allowed four (4') foot of difference between final and existing grade. Stepped low retaining walls are proposed on the sides at the front portion of the lot to regain Natural Grade and to create the driveway. New retaining walls will not exceed six feet (6') in height, with the majority of the walls less than four feet (4').

Criteria 5: Building Location.

Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. Both project access and the proposed home have been designed to follow the lay of the land, and the location of the ridgeline within the context of the neighborhood will not change. The more mature, dense vegetation within the dedicated no-disturb area along the rear

boundary is to be preserved. Proposed driveway length from back of gutter to the face of lot 1 garage is just under 28 feet.

Criteria 6: Building Form and Scale.

Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The proposed residence exhibits a low-profile design with only a single level presented to the access drive. The building will orient / step with the contour of the land, dropping to a private rear yard. The garage as designed is subordinate to the main building. Horizontal stepping, as required by the LMC, also decreases the perceived bulk as viewed from the street.

Staff finds that the structure complies with the Design Guidelines for Historic Districts and Historic Sites. The structure reflects the historic character of Park City's Historic Sites such as simple building forms, unadorned materials, and restrained ornamentation. The style of architecture should be selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. Exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc—are of human scale and are compatible with the neighborhood and even traditional architecture. The scale and height of the new structure follows the predominant pattern of the neighborhood.

Criteria 7: Setbacks.

The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

The proposed building will meet required setbacks. The building facade is stepped, while the access to lots 1-3 is quite short, thereby rendering any potential "wall effect" imperceptible.

Criteria 8: Dwelling Volume.

The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed massing and architectural design components are compatible with both the volume and massing of existing structures. The design minimizes the visual mass

and mitigates the differences in scale between the proposed house and existing historic structures. The building volume is not maxed out in terms of footprint and most of the heights of the structure are lower than the maximum height of 27', with some portions exactly at a height of 27'. The majority of the mass and volume of the proposed house is located behind the front façade and below Ridge Avenue. The rear of the house backs to a non-disturbed area and vacant lots.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-L District is twenty-seven feet (27') (and up to a maximum of thirty-five feet for a single car garage on a downhill lot per Planning Director approval). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure complies with the 27 feet maximum building height requirement measured from existing grade. Overall the proposed height is less than the allowed height. A 35 foot height is allowed for a garage on a downhill lot per Planning Director approval and this design proposes a maximum of 34.5 feet for the garage area. To minimize the amount of roof that is over the 27' height limit, a single car garage is proposed rather than a tandem car garage allowed by code. A ten foot (10') minimum horizontal step in the downhill façade is required below 23 feet and the proposed horizontal step takes place at 22 feet. The proposed height measurement from the lowest finish floor plane to the point of the highest wall top plate is 32 feet in height, slightly lower than the allowable maximum of 35 feet.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application was noticed separately.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time. A final utility plan, including storm water plan, will be required to be reviewed with the building permit and which shall have been approved by the City Engineer prior to issuance of a building permit. An Encroachment Agreement and Snow Shed Easement with the City Engineer are required to be executed and recorded prior to issuance of a building permit—these have already been completed.

A final Historic District Design review and approval and Steep Slope CUPs are required for each lot prior to issuance of a building permit. The landscape plan shall be reviewed with the HDDR. During the Development Review Committee meeting, the Water Department stated that the water line will need to be looped to Samson Avenue and may need to go up to King Road. SBWRD and the City Engineer were concerned how to address utilities in a private drive within the public ROW, perhaps requiring an easement to provide access. This should be resolved with the City Engineer and the SBWRD prior to the City sign-off on plans. No further issues were brought up other than standards items that have been addressed by revisions and/or conditions of approval.

Notice

On July 9, 2014, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record on July 5, 2014.

Public Input

No input has been received regarding the Steep Slope CUP other than that taken at the Planning Commission public hearing on July 31, 2014 (Exhibit H).

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 166 Ridge Avenue and garage height exception as conditioned or amended, or
- The Planning Commission may deny the Steep Slope Conditional Use Permit and provide staff with Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is an existing platted residential lot that contains native grasses and shrubs. A storm water management plan will be required to handle storm water run-off at historic release rates.

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur and the applicant would have to revise the plans.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 166 Ridge Avenue, Lot 1, open a public hearing, and consider approving the CUP application as well as approving the garage height exception in accordance with the findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The property is located at 166 Ridge Avenue.
2. The property is described as a Lot 1, King Ridge Estates, a portion of Block 75, Millsite Reservation to Park City.
3. The lot is 131.07' in length on the north side, by 99.12' in length on the south side, with a width of 50'; the lot contains 5,899 sf of area. The allowable building footprint is 2,117.3 sf for a lot of this size and the proposed building footprint is 1,624 sf.
4. The Plat states the maximum floor area cannot exceed 3,030 sf; the proposed home has a floor area of 2,881 sf (excluding a 267 sf garage as the Plat Notes state garages up to 600 sf are not included in the overall floor area).
5. The vacant site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.
6. The property is located in the HRL zoning district and is subject to all requirements of the Park City Land Management Code (LMC) and the 2009 Design Guidelines for Historic Districts and Historic Sites.
7. Access to the property is from Ridge Avenue, an unbuilt right-of-way to be built by the applicant. The lot is a downhill lot. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.
8. The neighborhood is characterized by primarily historic and non-historic single family houses and vacant lots.
9. A Historic District Design Review (HDDR) application was reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. The design was found to comply with the Guidelines.
10. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.
11. The driveway is proposed to be a maximum of 13 feet in width and 27 feet in length from the edge of the street to the garage in order to place the entire length of the second parking space entirely within the lot. The garage door complies with the maximum width and height of nine feet (9').
12. The garage does not exceed 18 feet in height above the garage floor.
13. The proposed structure complies with all setbacks.
14. The proposed structure complies with allowable height limits and height envelopes for the HR-L zoning district as the house measures less than 27 feet in height from existing grade, the structure is less than the maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters, and the design includes a 10 foot step back at a height slightly below 23 feet.
15. The proposal, as conditioned, complies with the Historic District Design Guidelines as well as the requirements of 15-5-5 of the LMC.
16. The proposed materials reflect the historic character of Park City's Historic Sites, incorporating simple forms, unadorned materials, and restrained ornamentation. The exterior elements are of human scale and the scale and height follows the predominant pattern of the neighborhood, in particular the pattern of houses on the downhill side of Park Avenue.
17. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as the foundation, roofing, materials, as well as window

and door openings. The single car attached garage and off-street parking area also complies with the Design Guidelines.

18. No lighting has been proposed at this time. Lighting will be reviewed by the Planning Department at the time of the building permit for compliance with the Land Management Code lighting standards.
19. The applicant submitted a visual analysis/ perspective, cross canyon view from the east, and a streetscape showing a contextual analysis of visual impacts on adjacent streetscape.
20. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at four feet (4') or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.
21. The site design, stepping of the building mass, articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% or greater slope areas.
22. The plans include setback variations, increased setbacks, decreased building heights and an overall decrease in building volume and massing.
23. The proposed massing, articulation, and architectural design components are compatible with the massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.
24. The garage height is 34.5 feet on a downhill lot; garage height may exceed up to 35' on a downhill lot subject to Planning Director approval.
25. The findings in the Analysis section of this report are incorporated herein.
26. The applicant stipulates to the conditions of approval.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B).
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. No Building permit shall be issued until the Plat has been recorded.
3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
4. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
5. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

6. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation, and shall mitigate the visual effects of the retaining walls. Lawn area shall be limited in area.
7. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
8. This approval will expire on July 23, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
9. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
10. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade, except that retaining walls in the front yard shall not exceed four feet (4') in height, unless an exception is granted by the City Engineer per the LMC, Chapter 4.
11. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
12. The garage door shall be a "carriage" style door made of wood.
13. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
14. Construction waste should be diverted from the landfill and recycled when possible.
15. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain.
16. Parking is only allowed on the private driveway in front of the garage for 166 Ridge Avenue; parking is prohibited on the private drive (extending from Ridge Avenue).
17. The contractor shall provide and place signage such as Heavy Truck Traffic, etc. along access routes.
18. Access during construction shall be limited to one direction, up either Daly Avenue to Ridge Avenue and down King Road, or vice versa, so that one single road will not be impacted with access occurring both directions.
19. This approval will expire on August 27, 2015, if a building permit has not been issued.

Exhibits

Exhibit A- Plans (existing conditions, survey, site plan, elevations, floor plans)

Exhibit B- Visual Analysis/ Streetscape

Exhibit C- Existing Photographs

Exhibit D- Notice of City Council Action and Staff Report (September 18, 2008)

Exhibit E- City Council Minutes (September 19, 2008)

Exhibit F- Plat Amendment and Plat Ordinance
Exhibit G- Special Exception (December 19, 2007)
Exhibit H – Planning Commission Meeting Minutes from July 23, 2014
Exhibit I – GeoTech Report
Exhibit J – Construction Mitigation Plan

NAVARRO RESIDENCE

166 RIDGE AVENUE
PARK CITY, UT 84060

HISTORIC DISTRICT DESIGN REVIEW APPLICATION SET

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LEGEND

	BRICK & STONE		OFFICE		ROOM NAME
	EARTH		ROOM NUMBER		FLOOR POINT ELEV.
	CONCRETE		CENTER LINE		ROUND DIA.
	CONCRETE MASONRY UNIT		CHANNEL		ANGLE
	STEEL (LARGE SCALE)		DETAIL		SECTION CUT, DETAIL
	RIGID INSULATION		BUILDING SECTION		KEYED NOTES
	ROUGH WOOD		WINDOW TYPE		DOOR NUMBER
	BLOCKING		REVISION		INTERIOR WALL ELEV.
	ALUMINUM (LARGE SCALE)		WALL TYPE		
	GRAVEL				
	FINISHED WOOD				
	BATT OR BLOWN INSULATION				
	PLASTER, SAND, GROUT, MORTAR				
	STEEL (SMALL SCALE)				
	BITUMINOUS PAVING				
	PLYWOOD				
	GYPSUM BOARD				

CODE ANALYSIS

APPLICABLE CODES
2012 IRC 2012 IBC
2012 IPC 2012 IMC
2011 NEC 2012 IFGC
2009 IECC 2012 IFC

OCCUPANCY: R3

CONSTRUCTION TYPE: VB

BACKFLOW PREVENTERS (3 TOTAL)

DEFERRED SUBMITTALS

AREA SQUARE FOOT CALCULATIONS				
	EXISTING	NEW	TOTAL	REMODEL
LOWER LEVEL	-	1394	1394	-
MAIN LEVEL	-	1244	1244	-
ENTRY LEVEL	-	243	243	-
TOTAL LIVING SPACE	-	2881	2881	-
ALLOWABLE LIVING SPACE	-	3030	3030	-
GARAGE	-	267	267	-
FOOTPRINT	-	1624	1624	-
ALLOWABLE FOOTPRINT	-	2117	-	-
LOT AREA	5895			
LOD FENCE				
DISTURBED AREA				

INDEX TO DRAWINGS

#	SHEET #	SHEET DESCRIPTION
1	Aa	COVER SHEET
		SURVEY
2	1 OF 1	RECORD OF SURVEY AND TOPOGRAPHIC MAP
		ARCHITECTURAL
3	A0.1	EXISTING & PROPOSED SITE PLANS
4	A0.2	LANDSCAPE PLAN
5	A1.1	LOWER LEVEL FLOOR PLAN & MAIN LEVEL FLOOR PLAN
6	A1.2	ENTRY LEVEL FLOOR PLAN & ROOF LEVEL PLAN
7	A2.0	EXTERIOR ELEVATION - NORTH & EAST
8	A2.1	EXTERIOR ELEVATION - SOUTH & WEST
9	A3.0	BUILDING SECTIONS
10	A3.1	BUILDING SECTIONS
11	A3.2	BUILDING SECTIONS
12	A6.1	DOOR, WINDOW AND ROOM SCHEDULES

ABBREVIATIONS

A/C	AIR CONDITIONING	P.D.	FLOOR DRAIN	P.F.	PAIR
ACOLST.	ACOUSTICAL	PND	FOUNDATION	R.D.	ROOF DRAIN
ADD.	ADDENDUM	FIN.	FINISH	REG.	REGULAR
ADJ.	ADJUSTABLE	FLR.	FLOOR	R.S.	ROUGH-SAWN
ALLOW.	ALLOWANCE	F.R.	FIRE RATED	RAD.	RADIUS
ALUM.	ALUMINUM	FTG.	FOOTING	REIN.	REINFORCING
APPROX.	APPROXIMATE	G.	GAS	REQD.	REQUIRED
B.D.	BOARD	GA.	GALVANIZED IRON	REV.	REVISED
B.U.	BUILT-UP	GA.	GALV.	R.O.	ROUGH OPENING
B.W.	BOTH WAYS	GRD.	GRADE	S & R	SHIELF AND ROD
B.L.G.	BUILDING	G.W.B.	GYPSUM WALL BOARD	S.C.	SOLID CORE
BLK.	BRICK	G.L.B.	GLUE-LAM BEAM	SCHED.	SCHEDULE
BRK.	BRICK	H.B.	JOIST BRD.	SIM.	SIMILAR
C.I.	EAST IRON	HD.	HEAD	SPFC	SPECIFICATION
C.I.	CONTROL JOINT	H.M.	HOLLOW METAL	STD.	STANDARD
C.M.U.	CONCRETE MASONRY UNIT	HR.	HORIZONTAL	STL.	STEEL
CLG.	CEILING	ID.	INSIDE DIAMETER	STRCT.	STRUCTURAL
COL.	COLUMN	INT.	INTERIOR	SYS.	SYSTEM
COMP.	COMPOSITE	IRRG.	IRRIGATION	T & B	TOP AND BOTTOM
CONC.	CONCRETE	INSUL.	INSULATION	T & G	TONGUE AND GROOVE
CONSTR.	CONSTRUCTION	J.	JAMB	T.O.	TOP OF
CONTR.	CONTRACTOR	JNT.	JOINT	T.O.F.	TOP OF FOOTING
CONT.	CONTINUOUS	M.F.	MOISTURE RESISTANT	T.O.W.	TOP OF WALL
D.F.	DRINKING FOUNTAIN DOUGLAS FIR	MANFR.	MANUFACTURER	TYP.	TYPICAL
DIA.	DIAMETER	MAX.	MAXIMUM	T.S.	STEEL TUBE COLUMN
DM.	DIMENSION	MCH.	MECHANICAL	UNO	UNLESS NOTED OTHERWISE
DN.	DOWN	MIN.	MINIMUM	VERT.	VERTICAL
DWG.	DRAWING	N.C.	NOT IN CONTRACT	V.T.R.	VENT THRU ROOF
DTL.	DETAIL	N.T.S.	NOT TO SCALE	W.	WOOD
EA.	EACH	NO.	NUMBER	W.	WITH
E.F.	EXHAUST FAN	ON	ON CENTER	WP.	WATERPROOF
E.F.S.	EXT. INSUL. FINISH SYSTEM	OFD.	OUTSIDE DIAMETER	W.R.	WATER RESISTANT
EJ.	EXPANSION JOINT	OPNG.	OPENING	W.L.	WATER HEATER
ELEC.	ELECTRIC ELECTRICAL	PLYWD.	PLYWOOD	W.S.	WATER SOFTENER
ELEV.	ELEVATION	PNT.	PAINT	W.W.F.	WELDED WIRE FABRIC
EQ.	EQUAL	PNTD.	PAINTED	W.W.M.	WOVEN WIRE MESH
EX.	EXISTING				
EXT.	EXTERIOR				

GENERAL NOTES

1. THIS DESIGN IS AN ORIGINAL UNPUBLISHED WORK AND MAY NOT BE DUPLICATED, PUBLISHED AND/OR USED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT/ENGINEER.
2. THESE SHEETS - LISTED BY DRAWING INDEX. ALL ACCOMPANYING SPECIFICATIONS FOR MATERIALS, WORKMANSHIP QUALITY, AND NOTES HAVE BEEN PREPARED SOLELY FOR THE CONSTRUCTION AND FINISH OF PROJECT IMPROVEMENTS, COMPLETE AND READY FOR OCCUPANCY AND USE.
3. ALL WORK IS TO BE PERFORMED IN ACCORDANCE WITH PERTINENT JURISDICTIONAL CODES, RESTRICTIONS, COVENANTS, AND/OR ORDINANCES. ANY CONFLICT BETWEEN DESIGN AND REQUIREMENT SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
4. ANY AND ALL PROPOSED CHANGE, MODIFICATIONS AND/OR SUBSTITUTION SHALL BE REPORTED TO THE ARCHITECT/ENGINEER BEFORE PROCEEDING.
5. IN THE EVENT OF CONFLICT BETWEEN THE DESIGN DOCUMENTS AND/OR JURISDICTIONAL REQUIREMENTS, THE MORE RESTRICTIVE FROM THE STANDPOINT OF SAFETY AND PHYSICAL SECURITY SHALL APPLY.
6. ANY INSTALLATION, FINISH, OR COMPONENT INTENDED TO PROVIDE ENCLOSURE, WEATHER ABILITY OR APPEARANCE QUALITY SHALL BE PROVIDED AS A REPRESENTATIVE SAMPLE PRIOR TO PROCEEDING WITH COMPLETION. WORK PERFORMED WITHOUT WRITTEN APPROVAL OF SUCH SAMPLE BY THE ARCHITECT/ENGINEER SHALL BE DONE AT THE RISK OF THE CONTRACTOR. A MINIMUM OF TWO (2) WORKING DAYS NOTICE SHALL BE GIVEN.
7. ALL WORK SHALL BE INSPECTED BY GOVERNING AGENCIES IN ACCORDANCE WITH THEIR REQUIREMENTS. JURISDICTIONAL APPROVAL SHALL BE SECURED BEFORE PROCEEDING WITH WORK.
8. BUILDING DESIGN IS GENERALLY PREDICATED UPON PROVISIONS OF THE 2012 IRC AND AMENDMENTS AS MAY HAVE BEEN LOCALLY ENACTED. ALL REQUIREMENTS OF THE JURISDICTIONAL FIRE SAFETY/PREVENTION DISTRICT SHALL BE ACCOMMODATED BY THIS DESIGN AND ANY CONSEQUENT CONSTRUCTION.
9. ALL 2 1/2 IN. GAS PIPE SYSTEM METER SETS REQUIRES PRIOR APPROVAL FROM QUESTAR GAS COMPANY. PROVIDE A LETTER FROM QUESTAR APPROVING SYSTEM.
10. ALL FIELD WELDING OR TONCH WORK, WILL REQUIRE A SEPARATE "HOT WORK" PERMIT PRIOR TO BEGINNING WORK. IFC 105.6.11

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NAVARRO RESIDENCE
166 RIDGE AVENUE
PARK CITY, UT 84060

COVER SHEET

05/12/14

05/12/14

05/12/14

Aa

A PORTION OF BLOCK 75, MILLSITE RESERVATION TO PARK CITY,
LYING WITHIN THE NORTHEAST QUARTER OF
SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

ALL LOTS WITHIN THIS SUBDIVISION ARE BUILDABLE. ANY FURTHER SUBDIVISION OF SUCH LOTS, WHETHER BY DEED, BEQUEST, DEVISE, DECREE, OR OTHER RECORDED INSTRUMENT, SHALL NOT RESULT IN A BUILDABLE LOT UNLESS THE SAME HAS BEEN APPROVED IN ACCORDANCE WITH THE FAIR PLAY ACT.

UTILITIES SHALL HAVE THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE THEIR EQUIPMENT ABOVE AND BELOW GROUND AND ALL OTHER RELATED FACILITIES WITHIN THE PUBLIC UTILITY EASEMENTS (PUE) IDENTIFIED ON THIS PLAN AS BE NECESSARY OR DESIRABLE IN PROVIDING UTILITY SERVICE WITHIN AND WITHOUT THE LOTS IDENTIFIED HEREON. SAID RIGHTS INCLUDE THE RIGHT OF ACCESS TO SUCH FACILITIES AND THE RIGHT TO REQUIRE REPAIRING OF ANY OBSTACLES TO SUCH FACILITIES. THE LOTS OWNERS SHALL HAVE THE RIGHT TO REMOVE ANY OBSTACLES TO SUCH FACILITIES WITHIN THE PUE AT THE LOT OWNERS EXPENSE, OR THE UTILITY MAY REMOVE SUCH OBSTACLES AT THE LOT OWNERS EXPENSE, AT NO TIME MAY ANY PERMANENT OBSTACLE TO SUCH FACILITIES WITHIN THE PUE BE PLACED WITHIN THE PUE WITHOUT PRIOR WRITTEN APPROVAL OF ALL THE UTILITIES WITH FACILITIES WITHIN THE AFFECTED PUE.

- LEGAL DESCRIPTION

ALL OF LOTS 35 TO 40, INCLUSIVE; LOTS 66 TO 71, INCLUSIVE, AND THE WESTERLY ONE-HALF OF LOTS 33 AND 34, BLOCK 75, MILLSITE RESERVATION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN SUMMIT COUNTY RECORDER'S OFFICE.

TOGETHER WITH ONE-HALF OF THE VACATED ANCHOR AVENUE ABUTTING SAID LOTS 66 THOUGH 71, INCLUSIVE ON THE EAST.

LESS AND EXCEPTING THEREFROM THE WESTERLY ONE-HALF OF LOT 34 ANY PORTION LYING EASTERLY OF RIDGE AVENUE WITHIN THE BOUNDS OF THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT A POINT ON THE PLATTED CENTERLINE OF ANCHOR AVENUE, SAID POINT BEING SOUTH 68°27'00" EAST 12.77 FEET FROM THE NORTHEAST CORNER OF LOT 2, BLOCK 75 OF THE MILLSITE RESERVATION TO PARK CITY; ACCORDING TO THE ORIGINAL PLAT THEREOF, ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS' OFFICE; THENCE ALONG SAID PLATTED CENTERLINE SOUTH 21°33'00" WEST 37.50 FEET; THENCE LEAVING SAID CENTERLINE NORTH 68°27'00" WEST 82.35 FEET TO THE EASTERN EDGE OF ASPHALT DRIVE AND PARKING LOT; THENCE ALONG SAID EASTERN ASPHALT EDGE THE FOLLOWING FIVE CALLS: 1) NORTH 11°25'00" EAST 0.44 FEET; 2) NORTH 08°50'00" EAST 5.47 FEET; 3) NORTH 02°14'17" EAST 10.77 FEET; 4) NORTH 09°56'22" EAST 7.94 FEET; 5) NORTH 02°25'45" WEST 5.46 FEET TO A POINT ON THE NORTHEASTLY LINE OF LOT 34 OF SAID MILLSITE RESERVATION; THENCE LEAVING SAID EASTERN EDGE OF ASPHALT AND ALONG THE NORTHERLY LINE OF LOT 34 AND OF SAID MILLSITE RESERVATION SOUTH 68°27'00" EAST 106.02 FEET TO THE POINT OF BEGINNING.

KNOW ALL MEN BY THESE PRESENTS, THAT, THE UNDERSIGNED OWNER(S) OF THE HERIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREFTER AS THE KING RIDGE ESTATES, DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED, AND I/WE, Wesley Lee Searles OF KING RIDGE RESOURCES, LLC, HEREBY CONSENT(S) TO THE RECORDATION OF THIS PLAT.

ALSO, THE OWNER(S), OR HIS/HER REPRESENTATIVES, HEREBY IRREVOCABLY OFFERS FOR DEDICATION TO THE CITY OF PARK CITY ALL THE STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS, AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 16 DAY OF MAY 2008.

ACKNOWLEDGMENT
STATE OF UTAH:
COUNTY OF SUMMIT:
ON THIS 12th DAY OF May, 2008, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF SUMMIT, IN SAID STATE OF UTAH, KING RIDGE RESOURCES, LLC, THE PERSON THAT EXECUTED THE WITHIN INSTRUMENT AND KNOWN TO ME TO BE (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) THE PERSON WHO EXECUTED THE WITHIN INSTRUMENT ON BEHALF OF SAID PERSON, BEING FULLY SWORN AND ACKNOWLEDGED TO ME THAT THEY ARE THE OWNER OF THE HEREIN DESCRIBED TRACT OF LAND AND THEY SIGN THE ABOVE OWNER'S DECLARATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.


 NOTARY PUBLIC
 MY COMMISSION EXPIRES 11/1/11



I, CHRISTOPHER R. BRAUN, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 5152604, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THIS PLAN WAS PREPARED UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF PARK CITY MUNICIPAL CORPORATION. I FURTHER CERTIFY THAT THE PROPERTY BOUNDARIES AS SHOWN ARE CORRECT.

- FOUND STREET MONUMENT
- FOUND REBAR W/ GAP OR NAIL (AS DESCRIBED)
- ⊗ SET 5/8" REBAR W/ ORANGE PLASTIC CAP STAMPED: "C.BRAUN PLS 5152604"
- ⬡ LOW PRESSURE SEE PLAT NOTE #10

CHRISTOPHER R. BRAUN
PLS 5152604

History Public:
CORINNE S. WOODWARD
* 1900 - 1901 Professor of American
Folk Arts, Ohio State
My Chronological Support
January 1, 1901
Circle of Life!

**Park City
Surveying**

MAY2001 PAGE 1 of 1

PARK CITY PLANNING COMMISSION
REVIEWED BY THE PARK CITY PLANNING
COMMISSION ON THIS 12th DAY OF SEPTEMBER,
2007 A.D.

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP
WAS APPROVED BY PARK CITY COUNCIL
THIS 25TH DAY OF OCTOBER, 2007 A.D.

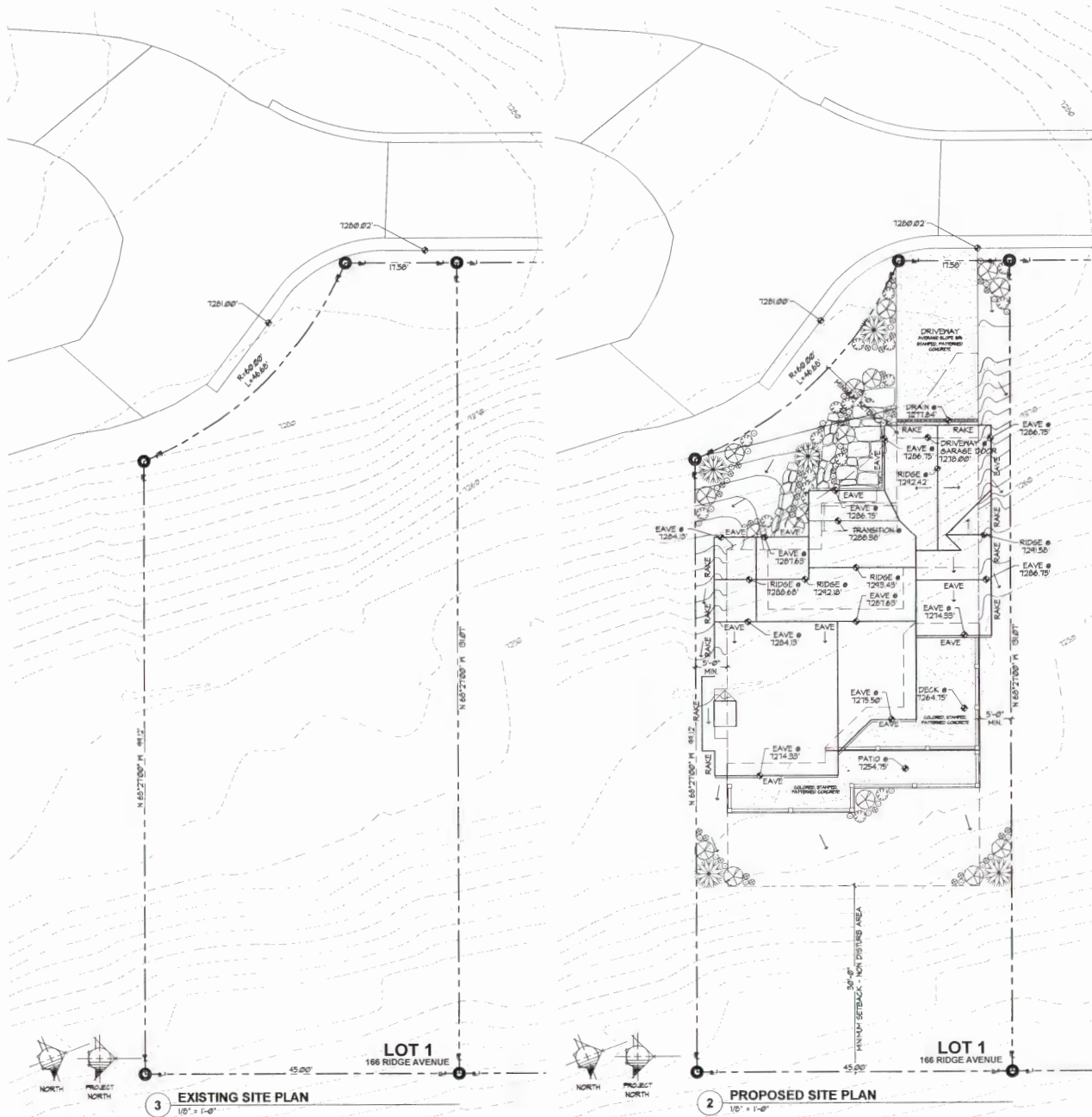
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT STANDARDS ON THIS
14th DAY OF May, 2008 A.D.

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 21st
DAY OF MAY, 2008 A.D.

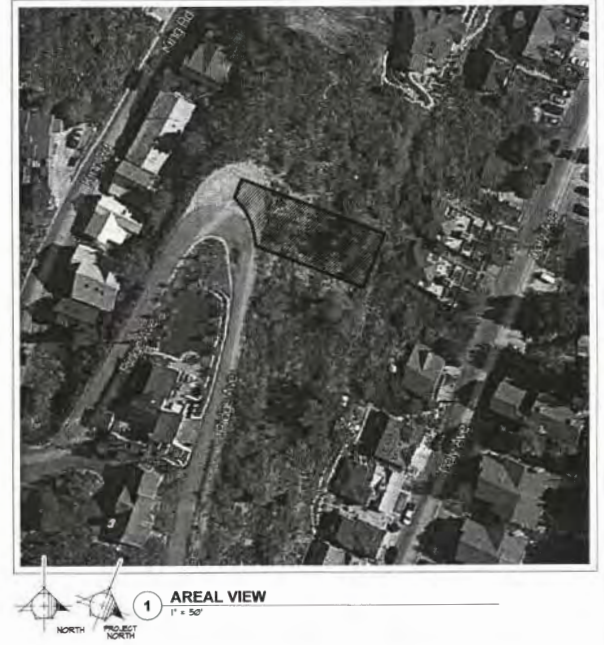
APPROVED AS TO FORM THIS
5 DAY OF June
2008 D. [Signature]

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS ____ DAY OF _____,
2007 A.D.

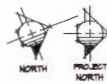
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE
REQUEST OF U.S. Title
DATE 6-13-08 TIME 2:20pm
BOOK PAGE



SYMBOL LEGEND	
	INDICATES SURFACE DRAINAGE
	EXISTING GRADE
	PROPOSED GRADE



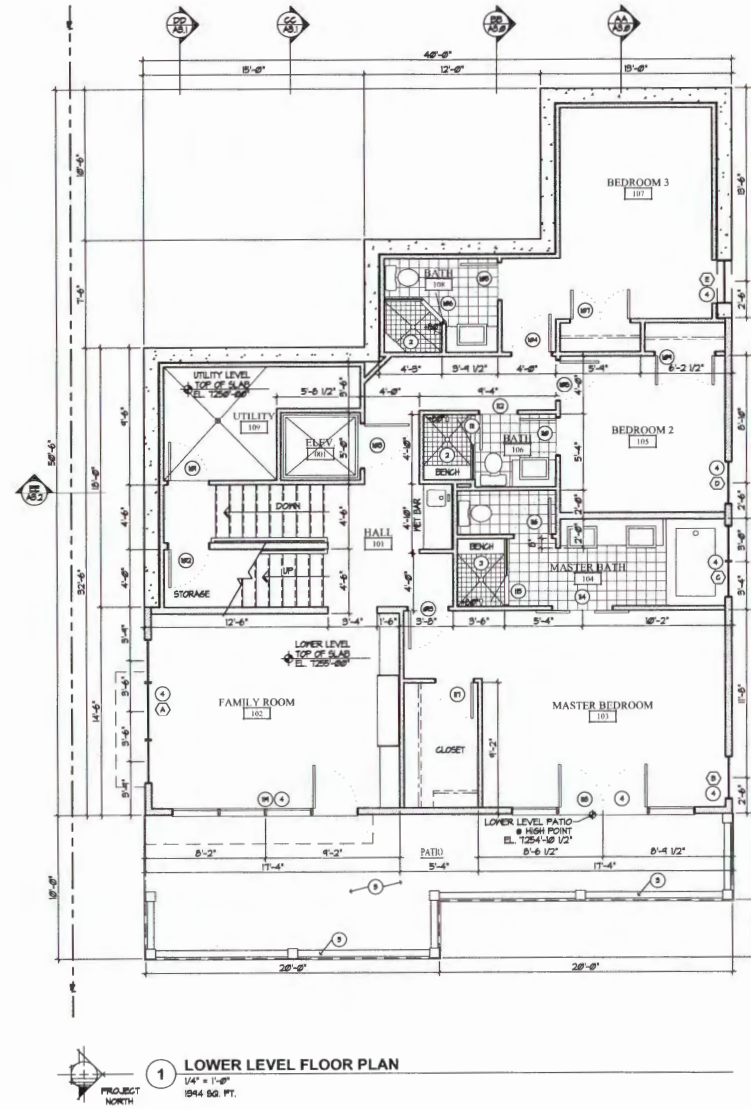
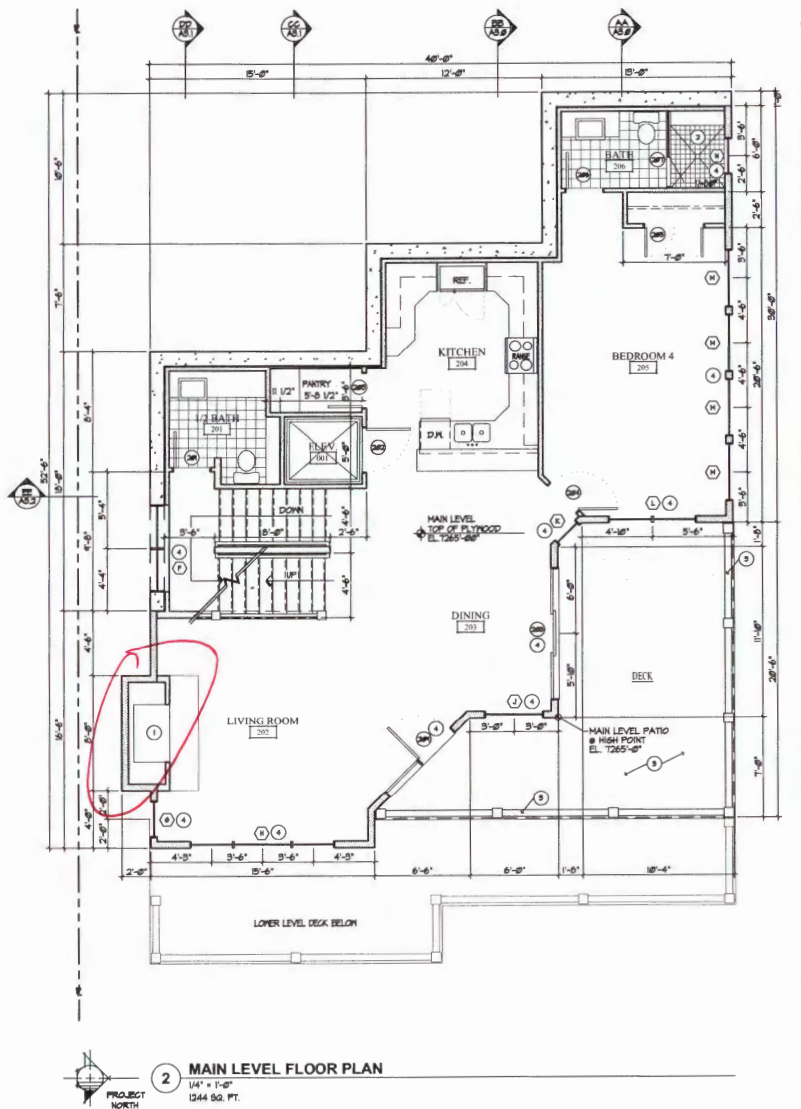
Jonathan DeGray Architect P.O. Box 8774, 814 Main Street, Suite 202, Park City, Utah 84060 Tel: 435-649-1201, E-mail: jon@jonathandegray.com	
NAVARRO RESIDENCE 166 RIDGE AVENUE PARK CITY, UT 84060	
EXISTING & PROPOSED SITE PLANS	
DATE: 04/25/14 PROJECT NUMBER: SHEET NUMBER:	
A0.1	



NATIVE GRASS SEED MIX
The seed mix shall be utilized in areas specified for native grasses. This mixture shall be applied at a sufficient rate so that germination and subsequent coverage reaches 80% in a representative 10'x10' area. If coverage does not reach 80% reseedling must occur. Apply at a rate of 80 lbs./acre on the following percentages:
20% Creted Wheatgrass, 10% Streambank Wheatgrass, 20% Pubescent Wheatgrass, 15% Perennial Ryegrass, 15% Mountain Bromegrass, 10% Indian Ryegrass, 10% Alpine Bluegrass.
* In addition, add 10 lbs./acre each of *Linum lewisii* and *Penstemon* *Eatonii* with native grass seed mixture.

PLANTING NOTES

3. CONTRACTOR TO VERIFY LOCATION OF ALL UTILITIES PRIOR TO INITIATION OF EXCAVATION OR PLANTING OPERATIONS. ANY DAMAGE TO EXISTING UTILITIES ON SITE OR ADJACENT PROPERTY SHALL BE CONTRACTORS RESPONSIBILITY.
4. AUTOMATIC IRRIGATION REQUIRED, PROVIDE SHOP DRAWINGS FOR APPROVAL.
5. ALL PLANT MATERIAL SHALL CONFORM TO CURRENT AMERICAN ASSOCIATION OF NURSERYMANS STANDARD SPECIFICATIONS.
6. ALL PLANT MATERIAL SHALL BE INSTALLED AFTER DRAWINGS, DETAILS, AND SPECIFICATIONS.
5. CONTRACTOR SHALL VERIFY ALL QUANTITIES. IN CASE OF A DISCREPANCY, THE ILLUSTRATED LOCATIONS SHALL PREVAIL OVER QUANTITIES.
6. CONTRACTOR SHALL COORDINATE ALL PLANTING WITH IRRIGATION CONTRACTOR, AS NEEDED.
7. IN THE EVENT OF A DISCREPANCY NOTIFY THE ARCHITECT OR OWNER IMMEDIATELY.
8. NO SUBSTITUTIONS SHALL BE ALLOWED WITHOUT WRITTEN PERMISSION OF THE ARCHITECT OR OWNER.
9. SHRUB BEDS SHALL RECEIVE 6" OF TOPSOIL.
10. ALL SHRUB BEDS SHALL HAVE 3" OF DECOMPOSED BARK MULCH INSTALLMENT.
11. SHRUB BED LDKING SHALL BE PRESSURE TREATED WOOD OR TREX LDKING. IT SHALL SEPARATE ALL SHRUB BEDS' NATIVE GRASS LOCATIONS.
12. ALL PLANTS AND ALL PLANT STAKES SHALL BE SET PLUMB.
13. ALL ROOF WRAPPING MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT TIME OF PLANTING AND PROPERLY DISCARDED.
14. NO BARE ROOT STOCK SHALL BE USED.
15. FOR PLANTING BACK FILL, SOIL MIX SPECIFICATIONS.



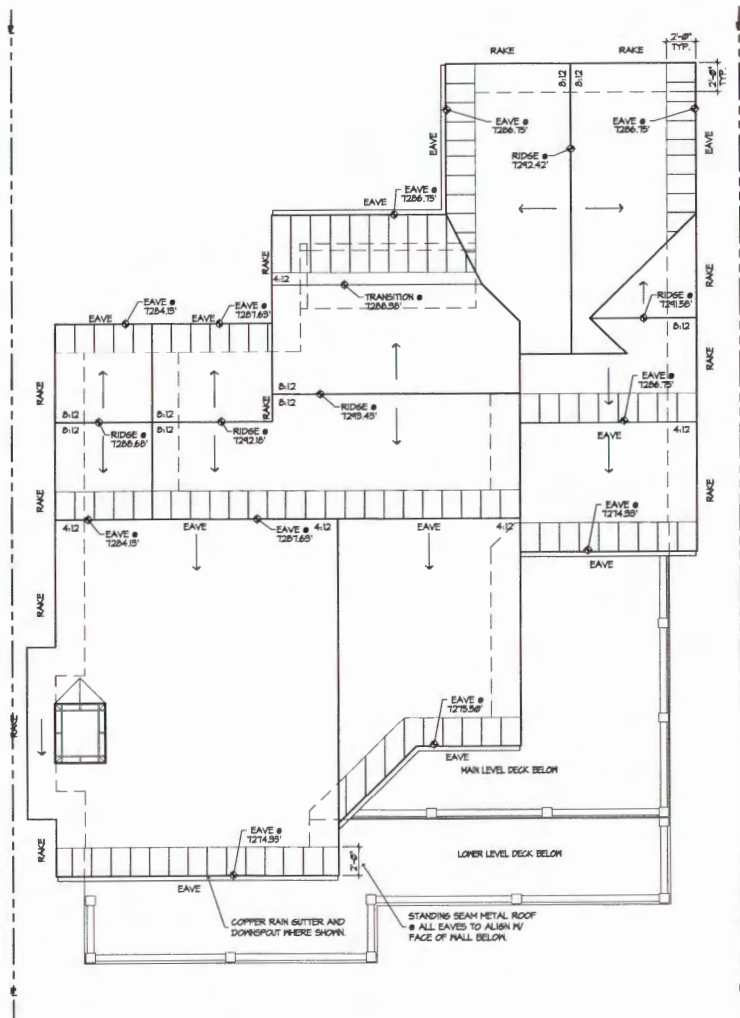
- GENERAL NOTES**
- NEW 2X FRAMED MALL
 - NEW 8" CONCRETE MALL
 - EXTERIOR WALLS TO BE 2X6 FRAMING IV R-21 INSULATION - TYP. ALL INTERIOR WALLS TO BE 2X4 FRAMING, UNCL. IV R-13 INSULATION - TYP. ALL FLOOR JOIST TO BE 11" T.J. FRAMING UNCL. IV R-42 INSULATION - TYP. ALL ROOF JOIST TO BE 11" T.J. FRAMING UNCL. IV R-42 INSULATION TYP.
- KEYED NOTES**
- 40" ENCLOSED GAS FIREPLACE, OPENING FRAMED ON 18" PLATFORM
 - TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER, GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
 - 36" HIGH RAILING: 6x6 SHAPED TOP RAIL, 2x6 SHAPED BOTTOM RAIL, 4" X 4" PICKETS IV 6X6 CEDAR POSTS - STAINED
 - ALUMINUM GLAD HOOD WINDOWS AND DOORS IV 1" INSULATED GLASS - SEE SCHEDULE
 - CONCRETE PORCH/PATIO/DRIVEWAY, BROOK FINISHED NATURAL COLOR, REINFORCED PER ENGINEER

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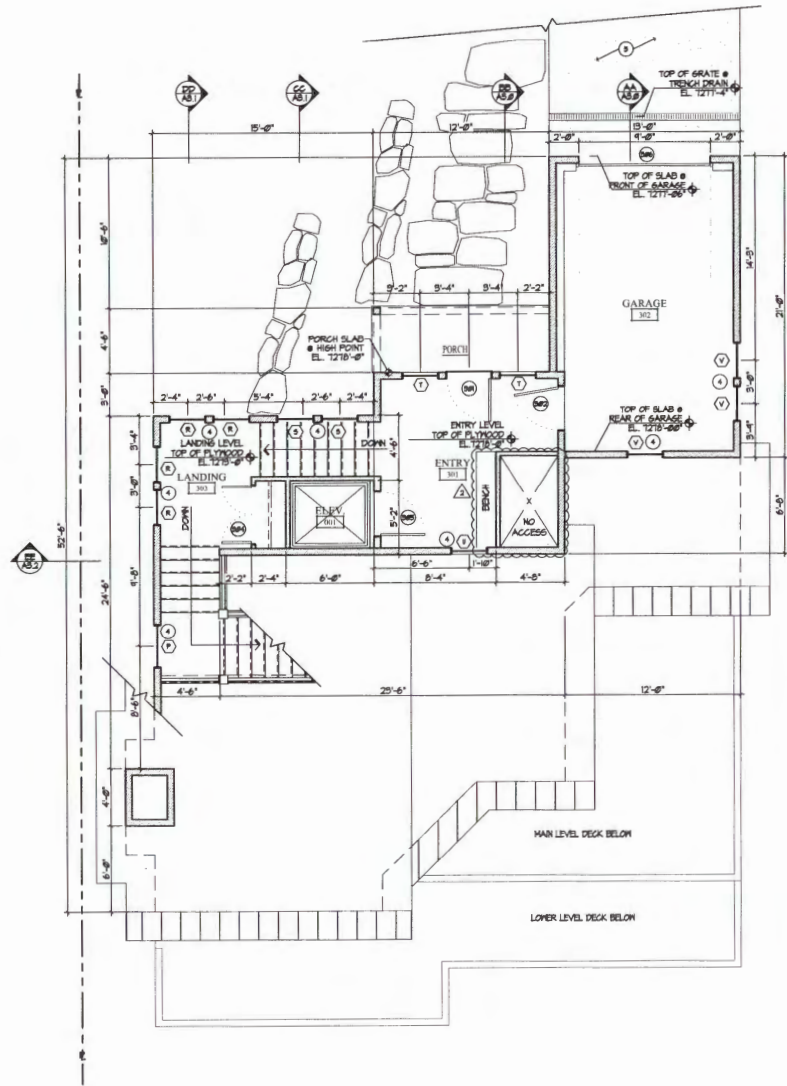
NAVARRO RESIDENCE
 166 RIDGE AVENUE
 PARK CITY, UT 84060

LOWER LEVEL FLOOR PLAN
MAIN LEVEL FLOOR PLAN

DATE: 05/12/14
 PROJECT NUMBER:
 SHEET NUMBER: A1.1



2 ROOF LEVEL PLAN
1/4" = 1'-0"



1 ENTRY LEVEL FLOOR PLAN
1/4" = 1'-0"

- GENERAL NOTES**
- NEK 2X FRAMED WALL
 - NEK 6" CONCRETE WALL
 - 1- EXTERIOR WALLS TO BE 2X6 FRAMING W/ R-21 INSULATION - TYP. ALL INTERIOR WALLS TO BE 2X4 FRAMING UNLO. W/ R-15 INSULATION - TYP. ALL FLOOR JOIST TO BE 11 7/8" T.J. FRAMING UNLO. W/ R-42 INSULATION - TYP. ALL ROOF JOIST TO BE 11 7/8" T.J. FRAMING UNLO. W/ R-42 INSULATION TYP.
- KEYED NOTES**
- 40' ENCLOSED GAS FIREPLACE. OPENING FRAMED ON 18" PLATFORM.
 - TUBS AND SHOWERS WITH TILED WALLS REQUIRE A PORTLAND CEMENT APPLICATION, FIBER-CEMENT OR GLASS MAT GYPSUM BACKER, GREEN BOARD IS NO LONGER ALLOWED IN THIS APPLICATION.
 - 36" HIGH RAILING: 8x6 SHAPED TOP RAIL, 5x6 SHAPED BOTTOM RAIL, 2X2 PICKETS W/ 8X8 CEDAR POSTS - STAINED
 - ALUMINUM GLAD HOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE
 - CONCRETE PORCH/PATIO/DRIVEWAY: BROOM FINISHED NATURAL COLOR, REINFORCED PER ENGINEER.

Jonathan DeGray
Architect

NAVARRO RESIDENCE
166 RIDGE AVENUE
PARK CITY, UT 84090

ENTRY LEVEL FLOOR PLAN
ROOF LEVEL PLAN

05/12/14

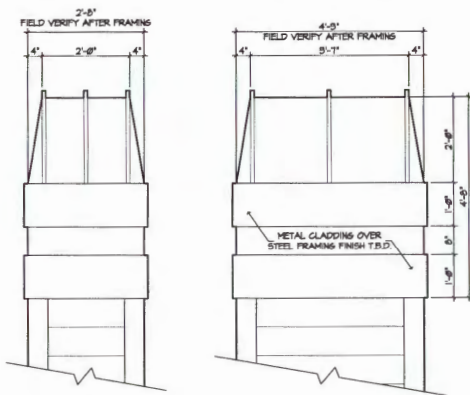
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PROJECT NUMBER

SHEET NUMBER

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MAY 15 2014



A CHIMNEY CAP DETAILS
3/4" = 1'-0"

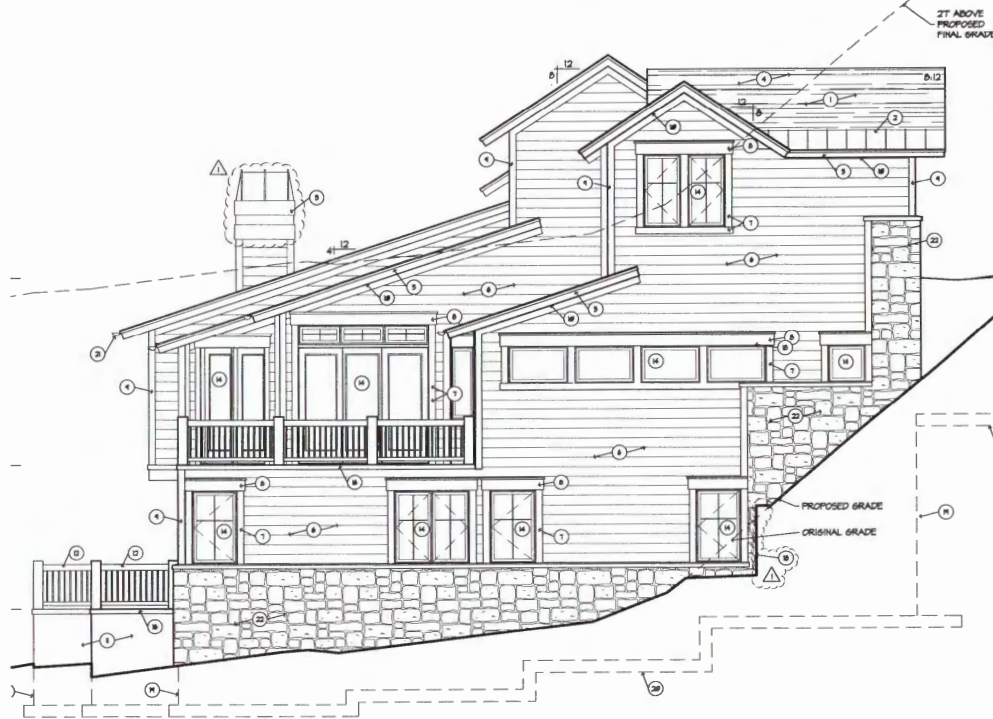


Squared Rubble
A rubble wall built of squared stones of varying sizes and coursed at every third or fourth stone.

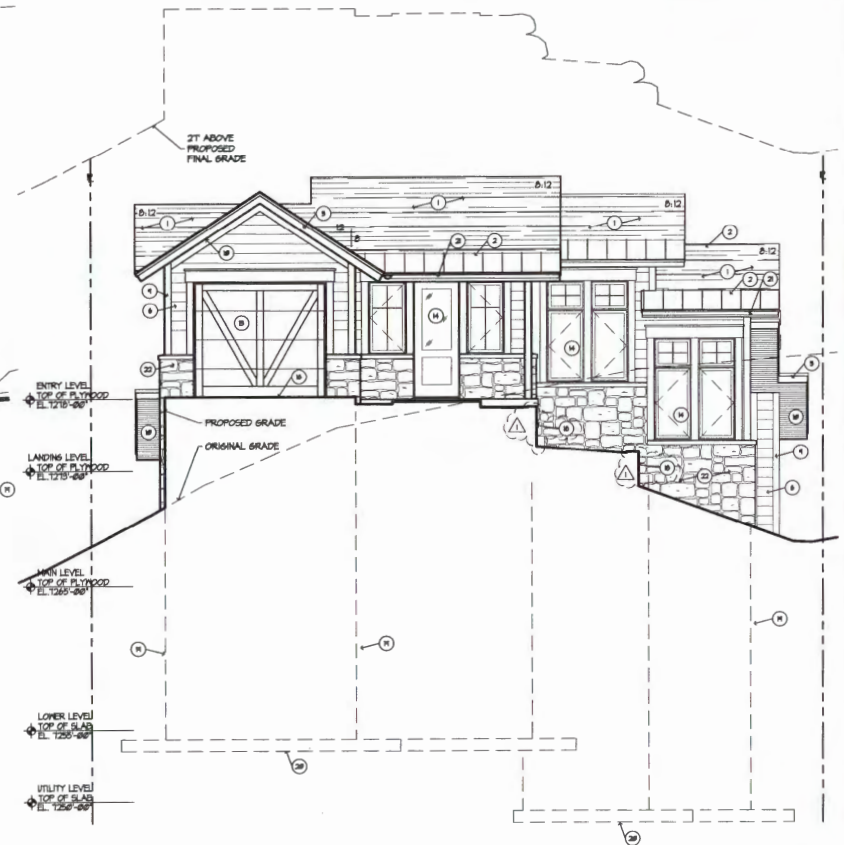
B STACKED STONE RETAINING WALL
NO SCALE

KEYED NOTES

- 1 ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL (BSP) PER SQUARE, MIN) ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE.
- 2 STANDING SEAM METAL ROOF & EAVES. ALIGN TOP W/ OUTSIDE OF WALL FRAMING BELOW FINISH T.B.D.
- 3 NEW CHIMNEY CAP STRUCTURE - SEE A/A-1.
- 4 TURTLE VENTS AS PER CODE ON REAR SLOPE OF ROOF.
- 5 5/4" X 2" ON 5/4" X 1 1/4" BUILT UP CEDAR FASCIA - STAINED
- 6 8" HORIZONTAL CEDAR LAP SIDING ON TYVEK HOMEWRAP ON 1/2" D.T. SHEATHING ON 2x6 STUDS @ 16" O.C.
- 7 5 1/2" X 1 1/2" CEDAR TRIM - STAINED
- 8 4 1/4" X 1 1/2" CEDAR HEADER TRIM WITH 1 1/2" X 2 1/2" CEDAR CAP TRIM - STAINED
- 9 5 1/2" X 1 1/2" CEDAR OUTSIDE CORNER BOARD, 1 1/2" X 1 1/2" CEDAR INSIDE CORNER BOARD - STAINED
- 10 1x6 CEDAR SOFFIT PL. CONTINUOUS SOFFIT VENT - STAINED
- 11 RAS RUBBED CONCRETE FINISH
- 12 30" HIGH RAILING, 6x6 SHAPED TOP RAIL, 2x2 SHAPED BOTTOM RAIL & 2x2 PICKETS W/ 6x6 CEDAR POSTS - STAINED
- 13 ROOF OVERHANGS @ FRONT PORCH TO BE SUPPORTED BY ROUGH SAWN BEAM AND COLUMN PER ENGINEER - STAINED
- 14 ALUMINUM GLAD WOOD WINDOWS AND DOORS W/ 1" INSULATED GLASS - SEE SCHEDULE
- 15 CARRIAGE STYLE OVERHEAD GARAGE DOORS
- 16 CONCRETE PORCH/PAVILION/DRIVEWAY, BRUSH FINISHED NATURAL COLOR, REINFORCED PER ENGINEER.
- 17 NOT USED.
- 18 STACKED STONE RETAINING WALL - SEE DETAIL B/B-2
- 19 FOUNDATION LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING.
- 20 FOOTING LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
- 21 METAL GUTTER @ DOWNSPOUT TO DRAIN TO SUB-TERRANEAN FOUNDATION DRAIN.
- 22 4" THICK NATURAL STONE VENEER ON STEEL LITTEL 48" TALL RAINGUOT W/ SLOPED NATURAL STONE CAP.



2 NORTH ELEVATION
1/4" = 1'-0"



1 WEST ELEVATION
1/4" = 1'-0"

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Architect

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EXTERIOR ELEVATIONS
NORTH & EAST

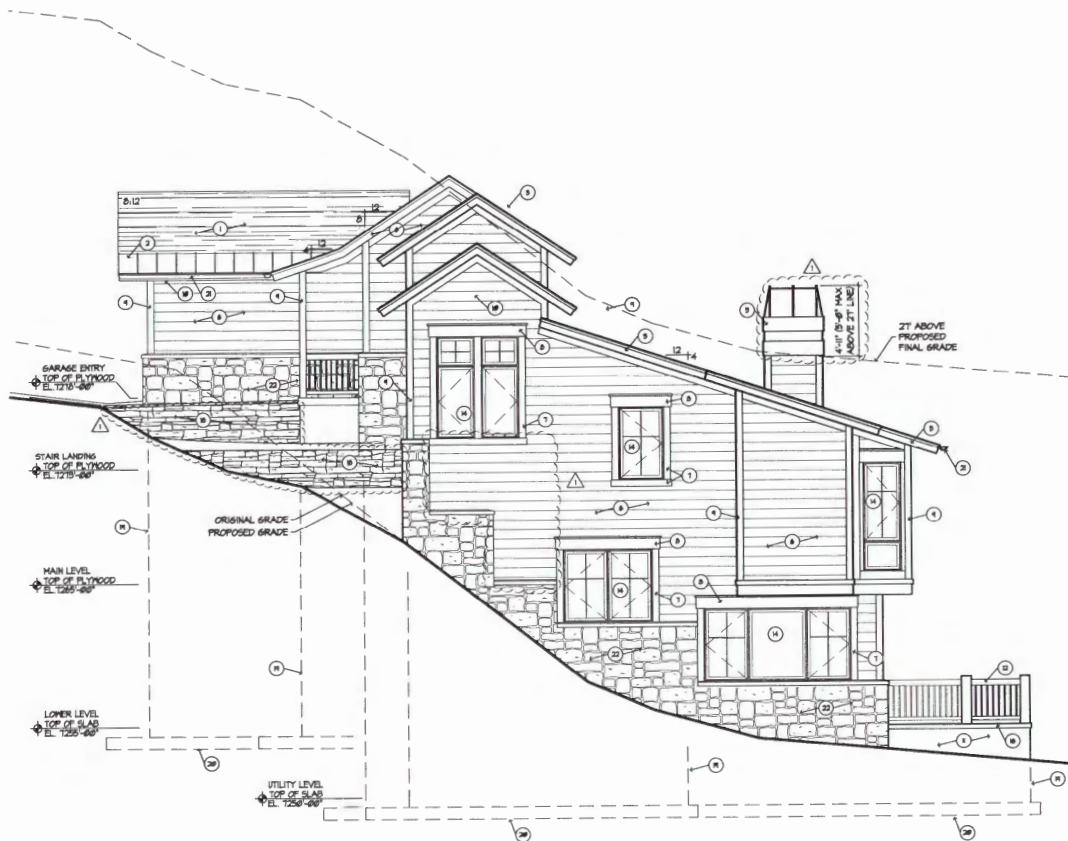
REVISION: 05/12/14

DATE: 05/12/14

PROJECT NUMBER

SHEET NUMBER

A2.0



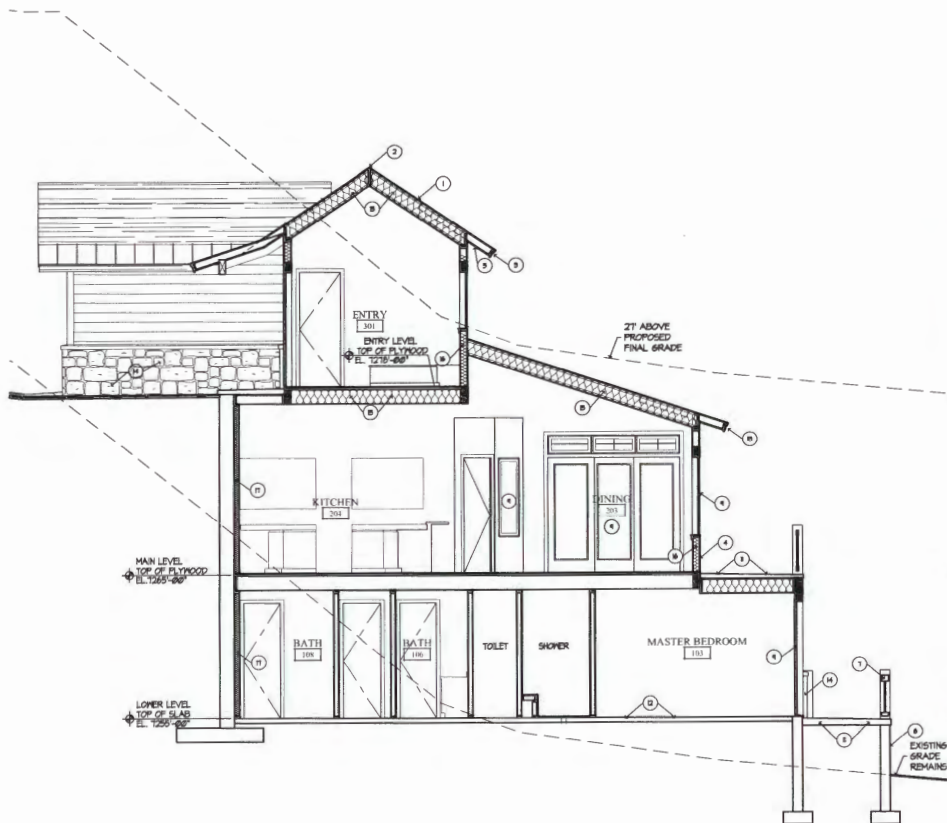
4 SOUTH ELEVATION
1/4" = 1'-0"



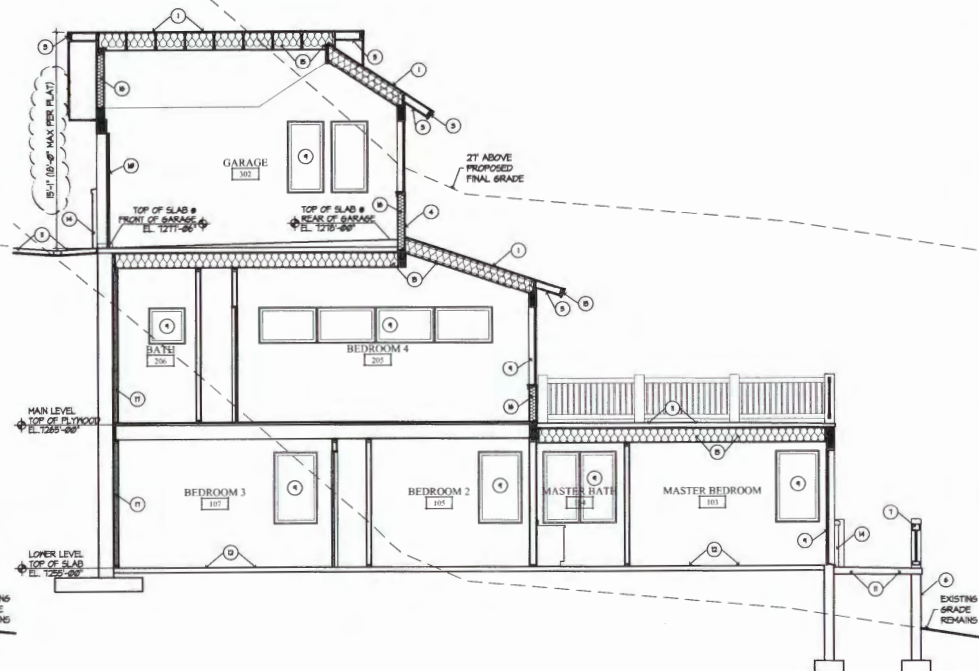
3 EAST ELEVATION
1/4" = 1'-0"

- KEYED NOTES**
- ① ARCHITECTURAL GRADE COMPOSITION: SHINGLE 50 YEAR PRESIDENTIAL TL 855H PER SQUARE MIN ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE.
 - ② STANDING SEAM METAL ROOF 8 GAUGES. ALIGN TOP RV OUTSIDE OF WALL FRAMING BELOW FINISH T.B.D.
 - ③ NEW CHIMNEY CAP STRUCTURE - SEE PLAN.
 - ④ TURTLE VENTS AS PER CODE ON REAR SLOPE OF ROOF.
 - ⑤ 5/4" X 2" ON 5/4" X 1 1/4" BUILT UP CEDAR FASCIA - STAINED
 - ⑥ 5" HORIZONTAL CEDAR LAP SIDING ON TYPICAL HOMERAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
 - ⑦ 5 1/2" X 1 1/2" CEDAR TRIM - STAINED
 - ⑧ 4 1/4" X 1 1/2" CEDAR HEADER TRIM WITH 1 1/2" X 2 1/2" CEDAR CAP TRIM - STAINED
 - ⑨ 5 1/2" X 1 1/2" CEDAR OUTSIDE CORNER BOARD, 1 1/2" X 1 1/2" CEDAR INSIDE CORNER BOARD - STAINED
 - ⑩ #16 CEDAR SPLIT IN CONTINUOUS SPLIT VENT - STAINED
 - ⑪ RAG RUBBED CONCRETE FINISH
 - ⑫ 36" HIGH RAILING: END SHAPED TOP RAIL, END SHAPED BOTTOM RAIL & 2x2 PICKETS IN 8x8 CEDAR POSTS - STAINED
 - ⑬ ROOF OVERHANGS & FRONT PORCH TO BE SUPPORTED BY ROUGH SAWN BEAM AND COLUMN PER ENGINEER - STAINED
 - ⑭ ALUMINUM CLAD FLOOD WINDOWS AND DOORS IN 7" INSULATED GLASS - SEE SCHEDULE
 - ⑮ CARRIAGE STYLE OVERHEAD GARAGE DOORS
 - ⑯ CONCRETE PORCH/PATIO/DRIVEWAY, BROOM FINISHED NATURAL COLOR, REINFORCED PER ENGINEER
 - ⑰ NOT USED
 - ⑱ STACKED STONE RETAINING WALL - SEE DETAIL B10.8
 - ⑲ FOUNDATION LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
 - ⑳ FOOTING LINE SHOWN HIDDEN - SEE STRUCTURAL FOR SIZE AND REINFORCING
 - ㉑ METAL BUTTER & DOWNSPOUT TO DRAIN TO SUB-TERRANEAN FOUNDATION DRAIN
 - ㉒ 4" THICK NATURAL STONE VENEER ON STEEL LINTIL, 40" TALL, HANGING ON SLOPED NATURAL STONE CAP.

Jonathan DeGray Architect P.O. Box 1874, 614 Main Street, Suite 302, Park City, Utah 84060 Tel. (435) 640-7303, E-mail: jgray@jonathandegray.com	
NAVARRO RESIDENCE 166 RIDGE AVENUE PARK CITY, UT 84060	
EXTERIOR ELEVATIONS SOUTH & WEST	SHEET NUMBER A2.1



BB BUILDING SECTION
1/4" = 1'-0"



AA BUILDING SECTION
1/4" = 1'-0"

KEYED NOTES

- 1 ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL 20554 PER SQUARE, MIN ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE
- 2 CONTINUOUS RIDGE VENT, TYP
- 3 5/4" X 2" ON 5/4" X 1 1/4" BUILT UP CEDAR FASCIA - STAINED
- 4 6" HORIZONTAL CEDAR LAP SIDING ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
- 5 1x6 CEDAR SOFFIT PL CONTINUOUS SOFFIT VENT - STAINED
- 6 RAS RUBBED CONCRETE FINISH
- 7 36" HIGH RAILING: 6x6 SHAPED TOP RAIL, 3x6 SHAPED BOTTOM RAIL, 4 2X2 PICKETS IV 8X8 CEDAR POSTS - STAINED
- 8 ROOF OVERHANGS & FRONT PORCH TO BE SUPPORTED BY ROUGH SAWN BEAM AND COLUMN PER ENGINEER - STAINED
- 9 ALUMINUM GLAD WOOD WINDOWS AND DOORS IV 1" INSULATED GLASS - SEE SCHEDULE
- 10 CARRIAGE STYLE OVERHEAD GARAGE DOORS
- 11 CONCRETE PORCH/PATIO/DRIVEWAY, BROOM FINISHED NATURAL COLOR, REINFORCED PER ENGINEER
- 12 4" CONCRETE FLOOR SLAB, REINFORCED PER ENGINEER
- 13 METAL GUTTER & DOWNSPOUT TO DRAIN TO SUB-TERRANEAN FOUNDATION DRAIN.
- 14 4" THICK NATURAL STONE VENEER ON STEEL LINTEL, 40" TALL HANGCOT IV SLOPED NATURAL STONE CAP.
- 15 R-42 FIBERGLASS BIB INSULATION
- 16 R-21 FIBERGLASS BIB INSULATION
- 17 R-8 FIBERGLASS BIB INSULATION

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NAVARRO RESIDENCE
166 RIDGE AVENUE
PARK CITY, UT 84060

BUILDING SECTIONS

REVISIONS

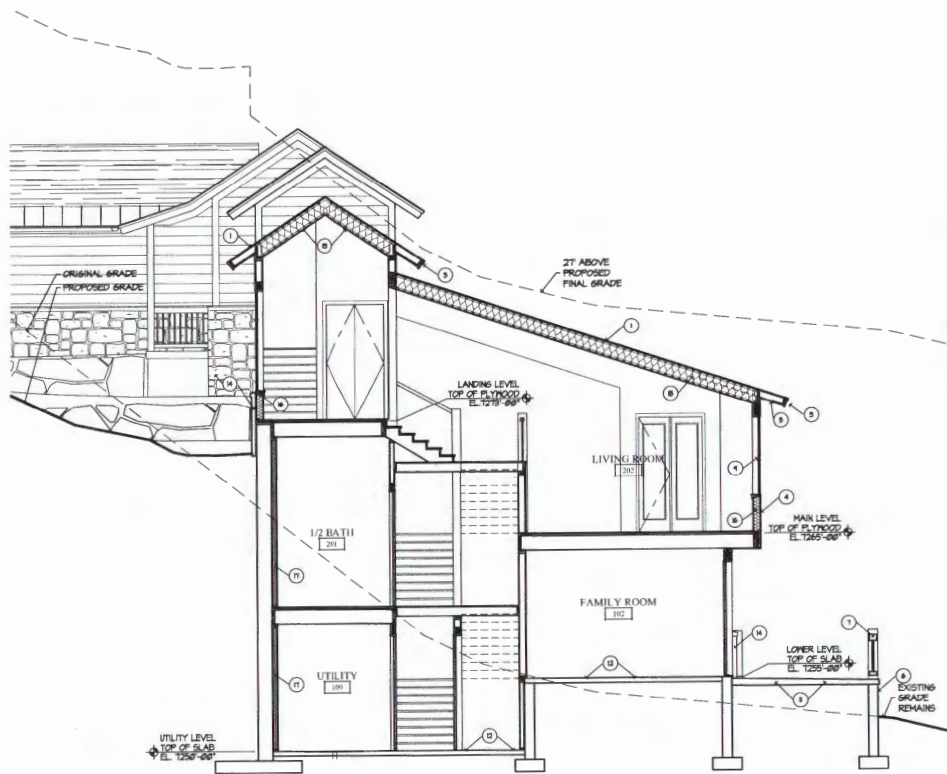
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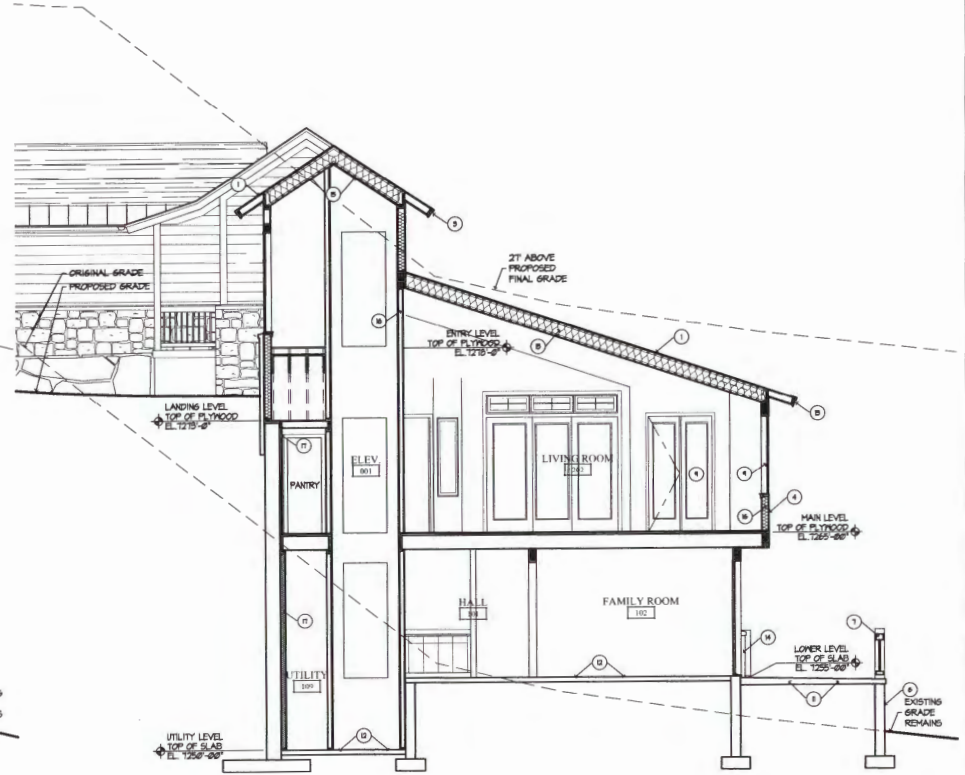
PROJECT NUMBER

001171500000

A3.0



DD BUILDING SECTION
1/4" = 1'-0"



CC BUILDING SECTION
1/4" = 1'-0"

KEYED NOTES

- 1 ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL T1, 12554 PER SQUARE, MINJ ON G2E AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE.
- 2 CONTINUOUS RIDGE VENT, TYP.
- 3 5/4" X 2" ON 5/4" X 1 1/4" BUILT UP CEDAR FASCIA - STAINED
- 4 8" HORIZONTAL CEDAR LAP SIDING ON TYVES HOMERAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
- 5 T&G CEDAR SOFFIT PL CONTINUOUS SOFFIT VENT - STAINED.
- 6 RAS RUBBED CONCRETE FINISH
- 7 36" HIGH RAILING, 6x6 SHAPED TOP RAIL, 2x6 SHAPED BOTTOM RAIL, 2x2 PICKETS IV 6x6 CEDAR POSTS - STAINED
- 8 ROOF OVERHANG & FRONT PORCH TO BE SUPPORTED BY ROUGH SAWN BEAM AND COLUMN PER ENGINEER - STAINED
- 9 ALUMINUM CLAD WOOD WINDOWS AND DOORS IV 1" INSULATED GLASS - SEE SCHEDULE
- 10 CARRIAGE STYLE OVERHEAD GARAGE DOORS
- 11 CONCRETE PORCH/PATIO/DRIVEWAY, BROOK FINISHED NATURAL COLOR, REINFORCED PER ENGINEER
- 12 4" CONCRETE FLOOR SLAB, REINFORCED PER ENGINEER
- 13 METAL BUTTER & DOWNSPOUT TO DRAIN TO SUB-TERRANEAN FOUNDATION DRAIN.
- 14 4" THICK NATURAL STONE VENEER ON STEEL LINTEL, 46" TALL MAINGCOT IV SLOPED NATURAL STONE CAP.
- 15 R-42 FIBERGLASS BIB INSULATION
- 16 R-21 FIBERGLASS BIB INSULATION
- 17 R-15 FIBERGLASS BIB INSULATION

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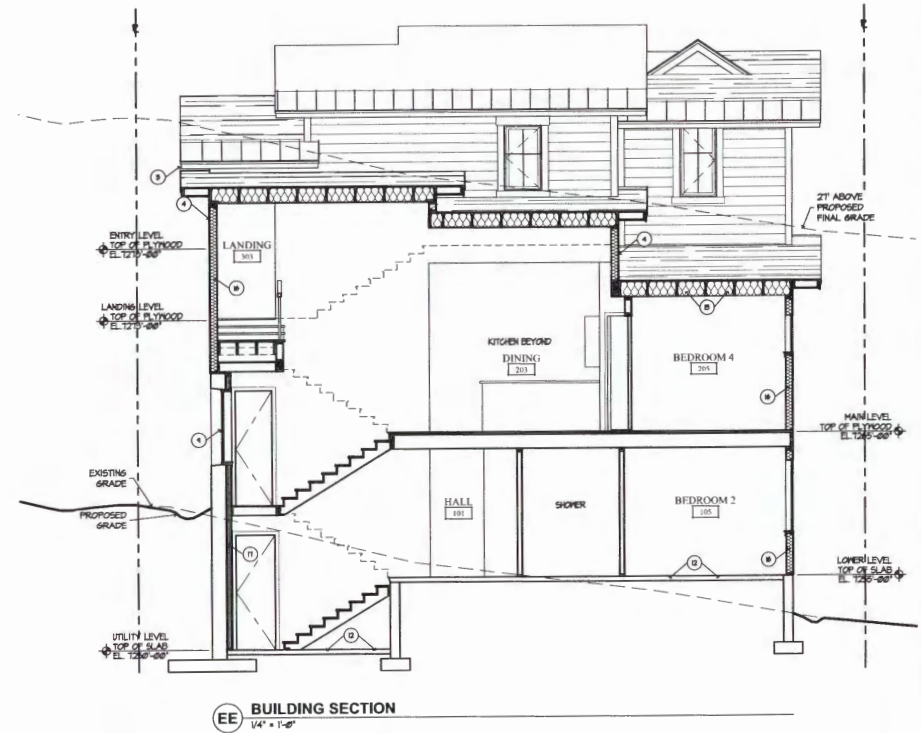
NAVARRO RESIDENCE
166 RIDGE AVENUE
PARK CITY, UT 84060

BUILDING SECTIONS

DATE: 05/12/14
PROJECT NUMBER:
SHEET NUMBER:
A3.1

KEYED NOTES

- ① ARCHITECTURAL GRADE COMPOSITION SHINGLE 50 YEAR PRESIDENTIAL TL 055# PER SQUARE VINU ON ICE AND WATER MEMBRANE OVER ENTIRE ROOF SURFACE
- ② CONTINUOUS RIDGE VENT. TYP
- ③ 5/4" X 3" ON 5/4" X 7 1/4" BUILT UP CEDAR FASCIA - STAINED
- ④ 8" HORIZONTAL CEDAR LAP SIDING ON TYVEK HOMEWRAP ON 1/2" EXT. SHEATHING ON 2x6 STUDS @ 16" O.C.
- ⑤ T&G CEDAR SOFFIT PL CONTINUOUS SOFFIT VENT - STAINED
- ⑥ RAS RUBBED CONCRETE FINISH
- ⑦ 36" HIGH RAILINGS: 6x6 SHAPED TOP RAIL, 3x6 SHAPED BOTTOM RAIL & 2x2 PICKETS IV 6x6 CEDAR POSTS - STAINED
- ⑧ ROOF OVERHANGS @ FRONT PORCH TO BE SUPPORTED BY ROUGH SAWN BEAM AND COLUMN PER ENGINEER - STAINED
- ⑨ ALUMINUM GLAD WOOD WINDOWS AND DOORS IV 1" INSULATED GLASS - SEE SCHEDULE
- ⑩ CARRIAGE STYLE OVERHEAD GARAGE DOORS
- ⑪ CONCRETE PORCH/PATIO/DRIVEWAY. BROOM FINISHED NATURAL COLOR. REINFORCED PER ENGINEER
- ⑫ 4" CONCRETE FLOOR SLAB, REINFORCED PER ENGINEER
- ⑬ METAL GUTTER & DOWNSPOUT TO DRAIN TO SUB-TERRANEAN FOUNDATION DRAIN.
- ⑭ 4" THICK NATURAL STONE VENEER ON STEEL LINTEL 48" TALL MANSICOT IV SLOPED NATURAL STONE CAP.
- ⑮ R-42 FIBERGLASS BIB INSULATION
- ⑯ R-21 FIBERGLASS BIB INSULATION
- ⑰ R-15 FIBERGLASS BIB INSULATION



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NAVARRO RESIDENCE
166 RIDGE AVENUE
PARK CITY, UT 84060

BUILDING SECTIONS

DATE: 05/12/14

PROJECT NUMBER

A3.2











05/13/2013



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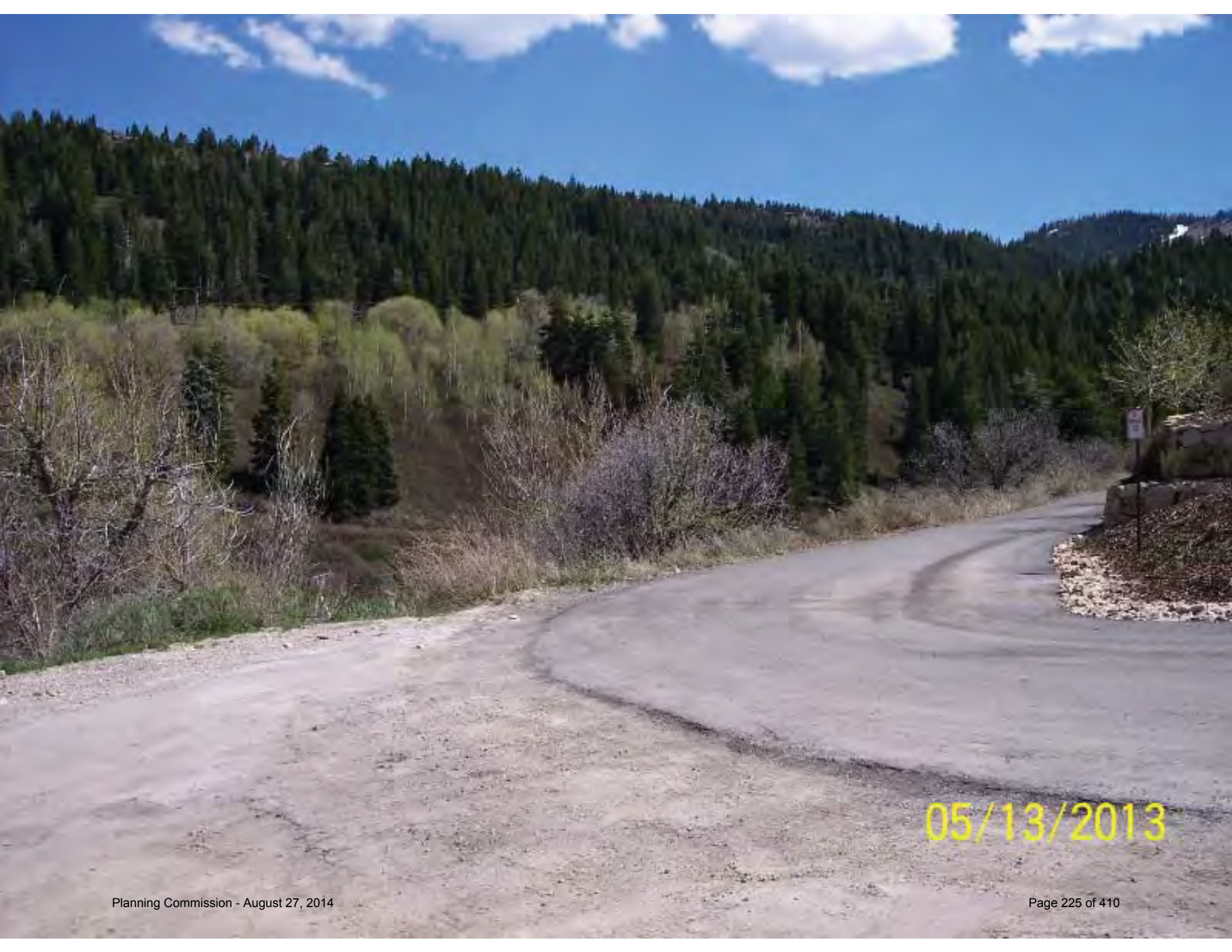
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05/13/2013

September 18, 2008

Mr. Dwayne Seiter
Via email

NOTICE OF CITY COUNCIL ACTION

<u>Project Name</u>	King Ridge Estates
<u>Project Description</u>	Appeal of Planning Commission denial of three Conditional Use Permits for Construction on Steep Slopes, located at 158, 162 and 166 Ridge Avenue.

<u>Date of Meeting</u>	September 18, 2008
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Action Taken By City Council: The City Council OVERTURNED the Planning Commission action and APPROVED the three Steep Slope Conditional Use Permits based on the following:

Lot 3, 158 Ridge

Findings of Fact:

1. The property is located at 158 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
8. The minimum rear yard setback is 15 feet. The applicant proposes 53.8 feet. The plat approval required substantial compliance to conceptual plans showing a 58 foot rear setback.

9. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and ten feet on the north side.
10. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
11. The applicant is proposing two on-site parking spaces within a minimum sized garage.
12. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The proposed above-grade Floor Area is 3,030 square feet.
14. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
15. The proposed footprint is 2,120 square feet.
16. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor.
17. A height exception is requested.
18. Four stories are not prohibited by the Land Management Code.
19. A snowmelt system requiring an Encroachment Agreement is proposed within the Ridge Avenue right of way.
20. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. An Encroachment Agreement for the snowmelt system is required.
5. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design of the house is reviewed and approved by the Planning Department staff for compliance with the Historic District Design Guidelines.
7. The garage door shall be a "carriage" style door made of wood.

8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
9. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that have been prepared, stamped, and signed by a licensed structural engineer.
10. This approval will expire on September 18, 2009, if a building permit has not been issued.
11. Lot 3 must have an eastern setback of 58 feet from the eastern property line to be in strict compliance with the condition of approval for the plat amendment.

Lot 2, 162 Ridge

Findings of Fact:

1. The property is located at 162 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
8. The minimum rear yard setback is 15 feet. The applicant proposes 53 feet. The plat approval required substantial compliance to conceptual plans showing a 53 foot rear setback.
9. The minimum side yard setback is five feet. The applicant proposes five feet on the south side and five feet on the north side.
10. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
11. The applicant is proposing two on-site parking spaces within a minimum sized garage.
12. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The proposed above-grade Floor Area is 3,030 square feet.
14. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
15. The proposed footprint is 2,120 square feet.
16. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and

~~that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor.~~

17. A height exception is requested.
18. Four stories are not prohibited by the Land Management Code.
19. A snowmelt system requiring an Encroachment Agreement is proposed within the Ridge Avenue right of way.
20. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. An Encroachment Agreement for the snowmelt system is required.
5. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design of the house is reviewed and approved by the Planning Department staff for compliance with the Historic District Design Guidelines.
7. The garage door shall be a "carriage" style door made of wood.
8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
9. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that have been prepared, stamped, and signed by a licensed structural engineer.
10. The garage depth on Lot 2 is corrected to measure 20 feet interior depth, 21 feet exterior depth.
11. This approval will expire on September 18, 2009, if a building permit has not been issued.

Lot 1, 166 Ridge

Findings of Fact:

1. The property is located at 166 Ridge Avenue (formerly 255 Ridge).

2. The zoning is Historic Residential Low-density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
8. The minimum rear yard setback is 15 feet. The applicant proposes 37.7 feet. The plat approval required substantial compliance to conceptual plans showing a 37 foot rear setback.
9. The minimum side yard setback is five feet. The applicant proposes five feet on the south side and five feet on the north side.
10. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
11. The applicant is proposing two on-site parking spaces within a minimum sized garage.
12. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The proposed above-grade Floor Area is 3,016 square feet.
14. The maximum footprint for this lot based on the plat approval is 2,117 square feet.
15. The proposed footprint is 2,117 square feet.
16. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor.
17. A height exception is requested.
18. Four stories are not prohibited by the Land Management Code.
19. A snowmelt system requiring an Encroachment Agreement is proposed within the Ridge Avenue right of way.
20. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. An Encroachment Agreement for the snowmelt system is required.
5. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design of the house is reviewed and approved by the Planning Department staff for compliance with the Historic District Design Guidelines.
7. The garage door shall be a "carriage" style door made of wood.
8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
9. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that is prepared, stamped, and signed by a licensed structural engineer.
10. This approval will expire on September 18, 2009, if a building permit has not been issued.

Sincerely,

Brooks T. Robinson
Principal Planner

City Council Staff Report



PLANNING DEPARTMENT

Subject: 158, 162, and 166 Ridge Avenue
Author: Brooks T. Robinson
Date: September 18, 2008
Type of Item: Quasi Judicial – Appeal of Planning
Commission denial of Steep Slope Conditional Use Permits

Summary Recommendations

Staff recommends that the City Council review the record and the requested information and hear the appeal of the Planning Commission's denial of the proposed steep slope Conditional Use Permits. Staff has provided findings of fact and conclusions of law to support the denial of the application; however, if the Council wishes to grant the appeal, staff has provided two suggested conditions of approval and can return with additional findings if so directed.

For the purpose of paper conservation and brevity, the appeal of each of the three properties has been consolidated into one report. However, Council must take a separate action on each of the properties.

On August 21, the Council requested two items of information:

- The concept cross-sections from the plat amendment, and
- A survey of the neighborhood of other buildings and the number of stories in each.

The applicant has prepared a presentation incorporating the requested information.

Topic

Applicant: Silver King Resources, LLC
Location: 158, 162, 166 Ridge Avenue, Lots 1-3 King Ridge Estates
Subdivision
Zoning: Historic Residential Low Density (HRL)
Adjacent Land Uses: Residential
Reason for Review: Appeal of Planning Commission actions are heard by the
City Council pursuant to Section 15-1-18 (C)

Background

On August 21st, the City Council heard an appeal of the Planning Commission's denial of three Steep Slope Conditional Use Permits (please refer to Staff Report for Aug 21st Council meeting for substantial background information). At that time, the Council continued the items and requested additional information. The Council, in reviewing neighborhood compatibility, requested that the appellant provide analysis on the number of stories of houses in the area. In addition, the Council requested copies of the

concept cross sections that were presented during the plat amendment. The appellant has prepared a presentation incorporating both requests (attached as Exhibit B).

Several of the Council members commented on the Land Management Code definitions that are being referenced. The plat amendment intentionally conditioned the maximum house size based on Gross Floor Area. Gross Floor Area is defined as:

15-15-1.94. Floor Area.

(A) Floor Area, Gross. The Area of a Building, including all enclosed Areas designed for human occupation. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Floor Area. Garages, up to a maximum Area of 600 square feet, 400 sq. ft. in Historic District, are not considered Floor Area. **Basement Areas below Final Grade are not considered Floor Area** (emphasis added).

During the plat amendment process, the City Council directed staff and the applicant to research the surrounding HRL zoning district. The analysis presented then found that the lot sizes are consistent with lot sizes in the neighboring HRL zone. The average lot size in the HRL zone in the area is 5,677 square feet. The average footprint in the HRL zone around the property is 1,917 square feet with an average house size, excluding basements and garages, 2,748 square feet or 143% of the footprint. The Code maximum footprints for the proposed lots are 2,118 square feet, 2,117 square feet and 2,404 square feet. The Council found that the lot 3 footprint at 2,404 square feet is not compatible with neighboring HRL zone properties because the footprint is 25% larger than the average for the area. Therefore, the Council required a plat note that restricted Lot 3 to a footprint of 2,120 square feet. Lots 1 and 2 footprints are to be noted as 2,117 and 2,118 square feet. In addition, the Council limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.

The Council also placed several other restrictions on the lots, each of which were agreed to by the applicant. A plat note was added requiring 30 feet non-disturbance zone in the rear (east) of the three lots. In addition, the east side of any future houses must substantially conform to the exhibit shown to the City that placed the houses 37, 55, and 58 feet from the eastern property line. Also, the garage element must be at the front setback, cannot exceed the minimum depth as allowed by Code, and cannot exceed eighteen feet (18') in height above the garage floor with an appropriate pitched roof (8:12 or greater). A height exception for the garage only may be granted if it meets the preceding criteria. No other portion of the house is eligible for a height exception.

Staff found that the proposed houses met the restrictions placed on the plat with two exceptions. These two items were also discussed by the Planning Commission. The first was the depth of the garage on lot 2 which was shown as 23 feet on the exterior, 22 feet on the interior. The Historic District Design Review plans show this dimension being corrected to the 20 foot minimum depth on the interior, 21 feet on the exterior. The

second issue was the substantial conformance with the exhibit showing the east side of the buildings at 37, 55, and 58 feet from the eastern property line. Lot 3 was shown at 53+ feet and the Planning Commission found that that was not substantial conformance. The applicant is willing to reduce the lot 3 building to comply with the specific 58 foot setback.

At the August 21 Council meeting, the City Attorney suggested that the cross section exhibit from the plat amendment discussion be compared with the actual plans. The cross section of Lot 2 is attached as Exhibit A. The cross section shows three stories with the lowest story approximately eight feet in the air at its furthest extent. This is roughly equivalent to another story (a basement) to tie the building to the ground. The last graphic in the PowerPoint presentation prepared by the appellant shows the comparison.

In evaluating neighborhood compatibility, staff and the Planning Commission review the Steep Slope CUP criteria and the definition of compatibility. The LMC defines compatibility as:

15-15-1.52. Compatible or Compatibility. Characteristics of different Uses or designs that integrate with and relate to one another to maintain and/or enhance the context of a surrounding Area or neighborhood. Elements affecting Compatibility include, but are not limited to, Height, scale, mass and bulk of Buildings, pedestrian and vehicular circulation, parking, landscaping and architecture, topography, environmentally sensitive Areas, and Building patterns.

Scale, mass and bulk are the crux of the issue. The third issue of non-compliance found by the Planning Commission was mostly related to the four story façade and basement retaining walls, and their relation to visual impacts from below and to the east. The plat restrictions limit the height, footprint, above ground floor area and setbacks. It is the visible portion of the building that is important in evaluating scale, mass and bulk. Staff differed from the Planning Commission by finding that the lowest level buried below final grade, while perceived from the east with the basement wall as the only portion that is exposed, does not add to the scale, mass and bulk of the buildings. The questions to ask are: Does Council find that the basement wall integrates with the neighborhood and maintains the context of the surrounding area, or is it incompatible? Otherwise, do the buildings step back in relation to the grade? Is there sufficient articulation in the horizontal and vertical forms in the buildings? Are the buildings broken into smaller components that are in scale with the Historic District? Specifically, does the Council agree with Findings No. 7-14?

Alternatives

- The City Council may deny the appeal and uphold the Planning Commission decision in whole or in part; or
- The City Council may grant the appeal and overturn the Planning Commission decision in whole or in part; or
- The City Council may remand the matter back to the Planning Commission with specific direction to evaluate additional information; or

- The City Council may continue the item, requesting additional information for review.

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Recommendation

Staff has included the previous findings of fact and conclusions of law from the denial of the Steep Slope CUPs from the Planning Commission. If the direction of the Council is to grant the appeal in part, staff suggests the two following conditions of approval relative to two of the Planning Commission's concerns. Staff would also recommend that a full set of findings be returned to the Council for ratification.

Conditions of Approval

1. The garage depth on Lot 2 is corrected to measure 20 feet interior depth, 21 feet exterior depth.
2. Lot 3 must have a eastern setback of 58 feet from the eastern property line to be in strict compliance with the condition of approval for the plat amendment.

158 Ridge Ave

Findings of Fact:

1. The property is located at 158 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The Planning Commission found that visual and environmental impact of the home is not mitigated in compliance with Criteria 1: Location of Development. The house is not compatible with the Historic District in size and scale. The scale of the building is of a four story building when viewed from the east. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house.
8. The Planning Commission found that visual impact of the home is not mitigated in compliance with Criteria 2: Visual Analysis. The visual impact from the east is of a four story building.
9. The Planning Commission found that the impacts of the retaining structures are not mitigated in compliance with Criteria 4: Terrace. The retaining structures on the side of the home are not to retain existing grade, but are a manipulation of grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area.
10. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 5: Building Location. The natural topography of the site is

very steep on the western third and flatter in the middle. The building does not correspond to this topography and manipulates grade for a bigger house.

11. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 6: Building Form and Scale. The scale of the building is not in keeping with the Historic District. Four stories are achieved only with a manipulation of exterior grade with extraneous retaining walls.
12. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 7: Setbacks. Although there is an increased setback on the east based on the subdivision plat approval, no further reductions in side or rear setbacks was designed. The scale of the building is such that increased setbacks would help mitigate the impacts.
13. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 8: Dwelling Volume. The visual mass when viewed from the east is of a four story building which is not in keeping with the character of the historic district.
14. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 10: Height Exceptions. More specifically, the design and articulation of the building mass does not mitigate the visual impacts and differences in scale between the proposed building and nearby residential structures.
15. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
16. The minimum rear yard setback is 15 feet. The applicant proposes 53.8 feet. The plat approval required substantial compliance to conceptual plans showing a 58 foot rear setback. The Planning Commission found non-compliance with this plat requirement.
17. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and ten feet on the north side.
18. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
19. The applicant is proposing two on-site parking spaces within a minimum sized garage.
20. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
21. The proposed above final grade Floor Area is 3,030 square feet.
22. The proposed total Floor Area, including basement, is 5,148 square feet.
23. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
24. The proposed footprint is 2,120 square feet.
25. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor. The interior dimensions for the two garages are 12 feet wide by 20 feet deep. The roof element is 18 feet above the garage floor and has an 8:12 pitch.

Conclusions of Law:

1. The CUP is not consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The proposed use will not be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have not been mitigated through careful planning.
4. The Planning Commission did not err its application of the Land Management Code.

Order

1. The Planning Commission decision to deny the Steep Slope CUP for 158 Ridge Avenue is upheld and the appeal for the 158 Ridge Avenue Steep Slope Conditional Use Permit is denied.

162 Ridge Ave

Findings of Fact:

1. The property is located at 162 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The Planning Commission found that visual and environmental impact of the home is not mitigated in compliance with Criteria 1: Location of Development. The house is not compatible with the Historic District in size and scale. The scale of the building is of a four story building when viewed from the east. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house.
8. The Planning Commission found that visual impact of the home is not mitigated in compliance with Criteria 2: Visual Analysis. The visual impact from the east is of a four story building.
9. The Planning Commission found that the impacts of the retaining structures are not mitigated in compliance with Criteria 4: Terrace. The retaining structures on the side of the home are not to retain existing grade, but are a manipulation of grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area.
10. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 5: Building Location. The natural topography of the site is very steep on the western third and flatter in the middle. The building does not correspond to this topography and manipulates grade for a bigger house.

11. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 6: Building Form and Scale. The scale of the building is not in keeping with the Historic District. Four stories are achieved only with a manipulation of exterior grade with extraneous retaining walls.
12. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 7: Setbacks. Although there is an increased setback on the east based on the subdivision plat approval, no further reductions in side or rear setbacks was designed. The scale of the building is such that increased setbacks would help mitigate the impacts.
13. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 8: Dwelling Volume. The visual mass when viewed from the east is of a four story building which is not in keeping with the character of the historic district.
14. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 10: Height Exceptions. More specifically, the design and articulation of the building mass does not mitigate the visual impacts and differences in scale between the proposed building and nearby residential structures.
15. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
16. The minimum rear yard setback is 15 feet. The applicant proposes 53 feet. The plat approval required substantial compliance to conceptual plans showing a 53 foot rear setback.
17. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and 5 feet on the north side.
18. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
19. The applicant is proposing two on-site parking spaces within a minimum sized garage.
20. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
21. The proposed above final grade Floor Area is 3,030 square feet.
22. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
23. The proposed footprint is 2,120 square feet.
24. The proposed total Floor Area, including basement, is 5,148 square feet.
25. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor. The interior dimensions for the garage is the Code minimum 20 feet wide by 20 feet deep. The roof element is 18 feet above the garage floor and has an 8:12 pitch.

Conclusions of Law:

1. The CUP is not consistent with the Park City Land Management Code, specifically

2. The proposed use will not be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have not been mitigated through careful planning.
4. The Planning Commission did not err its application of the Land Management Code.

Order

1. The Planning Commission decision to deny the Steep Slope Cup for 162 Ridge Avenue is upheld and the appeal for the 162 Ridge Avenue Steep Slope Conditional Use Permit is denied.

166 Ridge Ave

Findings of Fact:

1. The property is located at 166 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The Planning Commission found that visual and environmental impact of the home is not mitigated in compliance with Criteria 1: Location of Development. The house is not compatible with the Historic District in size and scale. The scale of the building is of a four story building when viewed from the east. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house.
8. The Planning Commission found that visual impact of the home is not mitigated in compliance with Criteria 2: Visual Analysis. The visual impact from the east is of a four story building.
9. The Planning Commission found that the impacts of the retaining structures are not mitigated in compliance with Criteria 4: Terrace. The retaining structures on the side of the home are not to retain existing grade, but are a manipulation of grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area.
10. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 5: Building Location. The natural topography of the site is very steep on the western third and flatter in the middle. The building does not correspond to this topography and manipulates grade for a bigger house.
11. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 6: Building Form and Scale. The scale of the building is not keeping with the Historic District. Four stories are achieved only with a manipulation of exterior grade with extraneous retaining walls.

12. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 7: Setbacks. Although there is an increased setback on the east based on the subdivision plat approval, no further reductions in side or rear setbacks was designed. The scale of the building is such that increased setbacks would help mitigate the impacts.
13. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 8: Dwelling Volume. The visual mass when viewed from the east is of a four story building which is not in keeping with the character of the historic district.
14. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 10: Height Exceptions. More specifically, the design and articulation of the building mass does not mitigate the visual impacts and differences in scale between the proposed building and nearby residential structures.
15. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
16. The minimum rear yard setback is 15 feet. The applicant proposes 37 feet. The plat approval required substantial compliance to conceptual plans showing a 37 foot rear setback.
17. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and 5 feet on the north side.
18. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
19. The applicant is proposing two on-site parking spaces within a minimum sized garage.
20. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
21. The proposed above final grade Floor Area is 3,016 square feet.
22. The maximum footprint for this lot based on the plat approval is 2,117 square feet.
23. The proposed footprint is 2,117 square feet.
24. The proposed total Floor Area, including basement, is 5,133 square feet.
25. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor. The interior dimensions for the two garages is the Code minimum 20 feet wide by 20 feet deep. The roof element is 18 feet above the garage floor and has an 8:12 pitch.

Conclusions of Law:

1. The CUP is not consistent with the Park City Land Management Code, specifically
2. The proposed use will not be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have not been mitigated through careful planning.
4. The Planning Commission did not err its application of the Land Management Code.

Order

1. The Planning Commission decision to deny the Steep Slope CUP for 166 Ridge Avenue is upheld and the appeal for the 166 Ridge Avenue Steep Slope Conditional Use Permit is denied.

Exhibits

- A – Cross section of concept plan from plat amendment
- B – Appellants presentation

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Lot 3, 158 Ridge

Findings of Fact:

1. The property is located at 158 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
8. The minimum rear yard setback is 15 feet. The applicant proposes 53.8 feet. The plat approval required substantial compliance to conceptual plans showing a 58 foot rear setback.
9. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and ten feet on the north side.
10. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
11. The applicant is proposing two on-site parking spaces within a minimum sized garage.
12. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The proposed above-grade Floor Area is 3,030 square feet.
14. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
15. The proposed footprint is 2,120 square feet.
16. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor.
17. A height exception is requested.
18. Four stories are not prohibited by the Land Management Code.
19. A snowmelt system requiring an Encroachment Agreement is proposed within the Ridge Avenue right of way.
20. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.

3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. An Encroachment Agreement for the snowmelt system is required.
5. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design of the house is reviewed and approved by the Planning Department staff for compliance with the Historic District Design Guidelines.
7. The garage door shall be a "carriage" style door made of wood.
8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
9. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that have been prepared, stamped, and signed by a licensed structural engineer.
10. This approval will expire on September 18, 2009, if a building permit has not been issued.
11. Lot 3 must have an eastern setback of 58 feet from the eastern property line to be in strict compliance with the condition of approval for the plat amendment.

Lot 2, 162 Ridge

Findings of Fact:

1. The property is located at 162 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.

8. The minimum rear yard setback is 15 feet. The applicant proposes 53 feet. The plat approval required substantial compliance to conceptual plans showing a 53 foot rear setback.
9. The minimum side yard setback is five feet. The applicant proposes five feet on the south side and five feet on the north side.
10. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
11. The applicant is proposing two on-site parking spaces within a minimum sized garage.
12. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The proposed above-grade Floor Area is 3,030 square feet.
14. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
15. The proposed footprint is 2,120 square feet.
16. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor.
17. A height exception is requested.
18. Four stories are not prohibited by the Land Management Code.
19. A snowmelt system requiring an Encroachment Agreement is proposed within the Ridge Avenue right of way.
20. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. An Encroachment Agreement for the snowmelt system is required.
5. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.

6. No building permits shall be issued for this project unless and until the design of the house is reviewed and approved by the Planning Department staff for compliance with the Historic District Design Guidelines.
7. The garage door shall be a "carriage" style door made of wood.
8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
9. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that have been prepared, stamped, and signed by a licensed structural engineer.
10. The garage depth on Lot 2 is corrected to measure 20 feet interior depth, 21 feet exterior depth.
11. This approval will expire on September 18, 2009, if a building permit has not been issued.

Lot 1, 166 Ridge

Findings of Fact:

1. The property is located at 166 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
8. The minimum rear yard setback is 15 feet. The applicant proposes 37.7 feet. The plat approval required substantial compliance to conceptual plans showing a 37 foot rear setback.
9. The minimum side yard setback is five feet. The applicant proposes five feet on the south side and five feet on the north side.
10. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
11. The applicant is proposing two on-site parking spaces within a minimum sized garage.
12. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The proposed above-grade Floor Area is 3,016 square feet.
14. The maximum footprint for this lot based on the plat approval is 2,117 square feet.
15. The proposed footprint is 2,117 square feet.

16. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor.
17. A height exception is requested.
18. Four stories are not prohibited by the Land Management Code.
19. A snowmelt system requiring an Encroachment Agreement is proposed within the Ridge Avenue right of way.
20. The staff findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.1-6(B)
2. The CUP, as conditioned, is consistent with the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. An Encroachment Agreement for the snowmelt system is required.
5. A final landscape plan shall be submitted for review and approval by the City Landscape Architect, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design of the house is reviewed and approved by the Planning Department staff for compliance with the Historic District Design Guidelines.
7. The garage door shall be a "carriage" style door made of wood.
8. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges.
9. Prior to the issue of a building permit the applicant shall submit a detailed shoring plan with calculations that is prepared, stamped, and signed by a licensed structural engineer.
10. This approval will expire on September 18, 2009, if a building permit has not been issued.

City Council Staff Report



Subject: 158, 162, and 166 Ridge Avenue
Author: Brooks T. Robinson
Date: August 21, 2008
Type of Item: Quasi Judicial – Appeal of Planning
Commission denial of Steep Slope Conditional Use Permits

PLANNING DEPARTMENT

Summary Recommendations

Staff recommends that the City Council review the record and hear the appeal of the Planning Commission's denial of the proposed steep slope Conditional Use Permits. Staff recommends that the City Council uphold the Planning Commission's denial of the proposed steep slope Conditional Use Permits and has provided findings of fact and conclusions of law to support this recommendation.

For the purpose of paper conservation and brevity, the appeal of each of the three properties has been consolidated into one report. However, Council must take a separate action on each of the properties.

Topic

Applicant: Silver King Resources, LLC
Location: 158, 162, 166 Ridge Avenue, Lots 1-3 King Ridge Estates
Subdivision
Zoning: Historic Residential Low Density (HRL)
Adjacent Land Uses: Residential
Reason for Review: Appeal of Planning Commission actions are heard by the City Council pursuant to Section 15-1-18 (C)

Background

On December 12, 2007, the City received an application for a steep slope Conditional Use Permit (CUP). After further revisions, up to and including May 5, 2008, the application was deemed complete. Each application is a request for approval of a single-family home. On lot 1 (166 Ridge) the house proposed is approximately 5,133 square feet on a 5,902 square foot lot. On lot 2 (162 Ridge) the house proposed is approximately 5,148 square feet on a 5,898 square foot lot. On lot 3 (158 Ridge) the house proposed is approximately 5,148 square feet on a 6,550 square foot lot. Because each of the proposed dwellings have square footage greater than 1,000 square feet, and would be constructed on a slope greater than 30%, the applicant was required to file a Conditional Use Application for review by the Planning Commission, pursuant to Section 15-2.1-6 of the LMC.

Plat

The property is located on Ridge Avenue north of the switchback, in the Historic Residential Low Density (HRL) zoning district. The Planning Commission held

numerous public hearings from February to September 2007 on the proposed plat.

Although the Planning Commission forwarded a negative recommendation on the plat, the City Council, after further staff analysis and amendments to the findings of fact and conditions of approval, approved the plat on October 25, 2007. The proposed plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City. The three lots are 5,902 square feet, 5,898 square feet, and 7,208 square feet in area. The parcel is 2,110 square feet in area.

The Council found that the lot sizes were consistent with the surrounding HRL zone lots in that the average lot size in the HRL zone in the area is 5,677 square feet. The Code maximum footprints for the lots based lot size would be 2,118 square feet, 2,117 square feet and 2,404 square feet. The average footprint in the HRL zone around the property is 1,917 square feet with an average house size, excluding basements and garages, 2,748 square feet. The Council found that the lot 3 footprint at 2,404 at square feet is not compatible with neighboring HRL zone properties because the footprint is 25% larger than the average for the area. The Council also found that built houses sizes in the HRL district around the subject property have an average square footage of 143% of the footprint.

With these findings, the Council placed the following restrictions on the plat. The applicant consented to these restrictions.. A plat note was added to restrict Lot 3 to a footprint of 2,120 square feet. Lots 1 and 2 footprints are 2,117 and 2,118 square feet. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3. The garage element must be at the front setback, cannot exceed the minimum depth as allowed by Code, and cannot exceed eighteen feet (18') in height above the garage floor with an appropriate pitched roof (8:12 or greater). A height exception for the garage only may be granted if it meets the preceding criteria. No other portion of the house is eligible for a height exception. Finally, in addition to the 30-foot no-build area on the eastern portion of each of the lots, the buildings were required to be in substantial compliance with the conceptual footprints shown which are up to 58 feet from the eastern property line.

Driveway grade, use of platted unbuilt Ridge Avenue Right of Way

The City Council, in approving the plat amendment included Condition of Approval #16 which states:

16. Applicant will seek a Variance or Special Exception for driveway grade in a platted unbuilt City Right of Way prior to proceeding with the Conditional Use Permit for driveway use of the right of way.

The Board of Adjustment, at a public hearing on December 18, 2007, granted a Special

Exception to the LMC requirement (15-3-5 (A)) of a maximum grade of 10% within the City's right of way, in this case, the platted Ridge Avenue ROW north of the paved Ridge Avenue. Increasing the driveway slope to 14% (the maximum private driveway slope allowable per City standards) would reduce the eight foot height of the associated retaining walls another 4 feet over the 100 foot length.

On February 13, 2008, the Planning Commission re-opened the public hearing on the Conditional Use Permit for construction of a private driveway in the platted, unbuilt Ridge Avenue right of way. The Planning Commission approved the CUP with conditions that a landscape plan to mitigate the retaining walls and a snow removal plan be submitted with the Steep Slope Conditional Use Permit. A landscape plan was attached to the Steep Slope CUP and met the required conditions and an Encroachment Agreement for a snowmelt system is was reviewed and approved by the City Engineer.

Steep Slope CUPs

On June 11, 2008, Planning Commission considered three Conditional Use Permits for Development on Steep Slopes for the properties located at 158, 162, and 166 Ridge Avenue. In reviewing the project against the CUP criteria, the Staff found no unmitigated impacts and recommended approval of each of the CUPs (See Exhibits B-1, B-2, and B-3).

At the June 11th meeting, the Planning Commission by unanimous vote removed this item from the Consent Agenda and held a public hearing. Development on Steep Slope Conditional Use Permits are reviewed by the Planning. Also by unanimous decision, the Planning Commission, after discussion, voted to direct staff to prepare findings for denial. On June 25th, the Planning Commission ratified the Findings of Fact and Conclusions of Law (See Exhibits A - 1, A - 2, and A - 3).

Appeal

The Planning Commission found that the three proposed houses did not comply with the Steep Slope CUP criteria numbers 1, 2, 4, 5, 6, 7, 8, and 10 (See Minutes, Exhibit C). The Commission also found that 158 Ridge (lot 3) did not meet the "substantial compliance" requirement of the plat by having the eastern edge of the building 53 feet and not 58 feet from the eastern property line. In summary, the Commission found that the houses were not compatible with the neighboring houses in the Historic District in size and scale. The buildings present a four story element when viewed from the east and the visual impact of the lowest story, although technically meeting the LMC definitions and not counting towards Gross Floor Area, was found to be contributory to the finding of incompatibility. The lowest story on each building is approximately 1850 square feet, or roughly 36% of the total area of each house. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house. The retaining structures on the side of the home are present not to retain existing grade, but exist to manipulate grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area. Finally, although the proposed houses do meet the restrictions on height, footprint, and Gross Floor Area as set forth in

the subdivision approval, the Planning Commission found that the proposed houses maximize each condition without enough articulation or increased setbacks to mitigate the visual impacts.

On July 7, 2008, the City received a written appeal of the Planning Commission's actions and three supplemental letters, one for each house (Exhibit D). Appeals of Planning Commission actions are heard by the City Council and follow the procedure detailed in Land Management Code section 15-1-18. The appeal was timely received and contained the necessary information and fees. Under 15-1-18(G), the burden of proof is on the appellant to prove the Planning Commission erred in making its findings. The City Council reviews factual matters *de novo* and shall determine the correctness of the decision in interpretation and application of the Land Management Code.

The appellant disagrees with the Planning Commission findings as unsupported by the facts and that the conclusions are arbitrary and capricious. On the major points, visual analysis, mass and scale, and incompatibility with the Historic District, the appellant argues that there are few objective criteria with which to measure. The buildings are not visible from the LMC defined Vantage Points. The Commission's findings of visual incompatibility are solely based on the eastern elevation which is only visible from the higher vantage point of Prospect Avenue. The buildings are not visible from Daly Avenue. The appellant argues that the plat requirement for the 30-foot no build zone and substantial compliance with the conceptual footprint placing the buildings up to 58 feet from the eastern property line provide adequate mitigation to any visual impact. Further, the appellant argues that each story of the buildings steps back from nine to nineteen feet from the lower story and that the roof elements step similarly. Finally, the appellant argues that the plat requirements limiting footprint, Gross Floor Area, and height were based on objective data relative to the surrounding area and that the Commission's findings are not.

Recommendation on 158 Ridge Ave

Staff requests the City Council review the following findings of fact and conclusions of law, amend as deemed necessary, and uphold the Planning Commission decision:

Findings of Fact:

1. The property is located at 158 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.

7. The Planning Commission found that visual and environmental impact of the home is not mitigated in compliance with Criteria 1: Location of Development. The house is not compatible with the Historic District in size and scale. The scale of the building is of a four story building when viewed from the east. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house.
8. The Planning Commission found that visual impact of the home is not mitigated in compliance with Criteria 2: Visual Analysis. The visual impact from the east is of a four story building.
9. The Planning Commission found that the impacts of the retaining structures are not mitigated in compliance with Criteria 4: Terrace. The retaining structures on the side of the home are not to retain existing grade, but are a manipulation of grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area.
10. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 5: Building Location. The natural topography of the site is very steep on the western third and flatter in the middle. The building does not correspond to this topography and manipulates grade for a bigger house.
11. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 6: Building Form and Scale. The scale of the building is not is keeping with the Historic District. Four stories are achieved only with a manipulation of exterior grade with extraneous retaining walls.
12. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 7: Setbacks. Although there is an increased setback on the east based on the subdivision plat approval, no further reductions in side or rear setbacks was designed. The scale of the building is such that increased setbacks would help mitigate the impacts.
13. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 8: Dwelling Volume. The visual mass when viewed from the east is of a four story building which is not in keeping with the character of the historic district.
14. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 10: Height Exceptions. More specifically, the design and articulation of the building mass does not mitigate the visual impacts and differences in scale between the proposed building and nearby residential structures.
15. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
16. The minimum rear yard setback is 15 feet. The applicant proposes 53.8 feet. The plat approval required substantial compliance to conceptual plans showing a 58 foot rear setback. The Planning Commission found non-compliance with this plat requirement.
17. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and ten feet on the north side.
18. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
19. The applicant is proposing two on-site parking spaces within a minimum sized garage.

20. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
21. The proposed above final grade Floor Area is 3,030 square feet.
22. The proposed total Floor Area, including basement, is 5,148 square feet.
23. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
24. The proposed footprint is 2,120 square feet.
25. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor. The interior dimensions for the two garages are 12 feet wide by 20 feet deep. The roof element is 18 feet above the garage floor and has an 8:12 pitch.

Conclusions of Law:

1. The CUP is not consistent with the Park City Land Management Code, specifically section 15-2.1-6(B).
2. The proposed use will not be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have not been mitigated through careful planning.
4. The Planning Commission did not err its application of the Land Management Code.

Order

1. The Planning Commission decision to deny the Steep Slope CUP for 158 Ridge Avenue is upheld and the appeal for the 158 Ridge Avenue Steep Slope Conditional Use Permit is denied.

Recommendation on 162 Ridge Ave

Staff requests the City Council review the following findings of fact and conclusions of law, amend as deemed necessary, and uphold the Planning Commission decision:

Findings of Fact:

1. The property is located at 162 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.

7. The Planning Commission found that visual and environmental impact of the home is not mitigated in compliance with Criteria 1: Location of Development. The house is not compatible with the Historic District in size and scale. The scale of the building is of a four story building when viewed from the east. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house.
8. The Planning Commission found that visual impact of the home is not mitigated in compliance with Criteria 2: Visual Analysis. The visual impact from the east is of a four story building.
9. The Planning Commission found that the impacts of the retaining structures are not mitigated in compliance with Criteria 4: Terrace. The retaining structures on the side of the home are not to retain existing grade, but are a manipulation of grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area.
10. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 5: Building Location. The natural topography of the site is very steep on the western third and flatter in the middle. The building does not correspond to this topography and manipulates grade for a bigger house.
11. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 6: Building Form and Scale. The scale of the building is not in keeping with the Historic District. Four stories are achieved only with a manipulation of exterior grade with extraneous retaining walls.
12. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 7: Setbacks. Although there is an increased setback on the east based on the subdivision plat approval, no further reductions in side or rear setbacks was designed. The scale of the building is such that increased setbacks would help mitigate the impacts.
13. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 8: Dwelling Volume. The visual mass when viewed from the east is of a four story building which is not in keeping with the character of the historic district.
14. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 10: Height Exceptions. More specifically, the design and articulation of the building mass does not mitigate the visual impacts and differences in scale between the proposed building and nearby residential structures.
15. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
16. The minimum rear yard setback is 15 feet. The applicant proposes 53 feet. The plat approval required substantial compliance to conceptual plans showing a 53 foot rear setback.
17. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and 5 feet on the north side.
18. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
19. The applicant is proposing two on-site parking spaces within a minimum sized garage.

20. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
21. The proposed above final grade Floor Area is 3,030 square feet.
22. The maximum footprint for this lot based on the plat approval is 2,120 square feet.
23. The proposed footprint is 2,120 square feet.
24. The proposed total Floor Area, including basement, is 5,148 square feet.
25. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor. The interior dimensions for the garage is the Code minimum 20 feet wide by 20 feet deep. The roof element is 18 feet above the garage floor and has an 8:12 pitch.

Conclusions of Law:

1. The CUP is not consistent with the Park City Land Management Code, specifically
2. The proposed use will not be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have not been mitigated through careful planning.
4. The Planning Commission did not err its application of the Land Management Code.

Order

1. The Planning Commission decision to deny the Steep Slope Cup for 162 Ridge Avenue is upheld and the appeal for the 162 Ridge Avenue Steep Slope Conditional Use Permit is denied.

Recommendation on 166 Ridge Ave

Staff requests the City Council review the following findings of fact and conclusions of law, amend as deemed necessary, and uphold the Planning Commission decision:

Findings of Fact:

1. The property is located at 166 Ridge Avenue (formerly 255 Ridge).
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combined lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. Access to the lots is via a private driveway in platted, but unbuilt Ridge Avenue north of the switchback.
5. A variance was granted by the Board of Adjustment for a 14% driveway slope within the unbuilt Ridge Avenue right of way.
6. The Planning Commission previously approved a CUP for a driveway in a platted, unbuilt City right of way.
7. The Planning Commission found that visual and environmental impact of the home is not mitigated in compliance with Criteria 1: Location of Development. The house is

not compatible with the Historic District in size and scale. The scale of the building is of a four story building when viewed from the east. Grade is manipulated with extraneous retaining walls that do not mitigate the volume of the house.

8. The Planning Commission found that visual impact of the home is not mitigated in compliance with Criteria 2: Visual Analysis. The visual impact from the east is of a four story building.
9. The Planning Commission found that the impacts of the retaining structures are not mitigated in compliance with Criteria 4: Terrace. The retaining structures on the side of the home are not to retain existing grade, but are a manipulation of grade in order to bury the north and south walls of the lowest story so that the lowest story would not count as Gross Floor Area.
10. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 5: Building Location. The natural topography of the site is very steep on the western third and flatter in the middle. The building does not correspond to this topography and manipulates grade for a bigger house.
11. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 6: Building Form and Scale. The scale of the building is not is keeping with the Historic District. Four stories are achieved only with a manipulation of exterior grade with extraneous retaining walls.
12. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 7: Setbacks. Although there is an increased setback on the east based on the subdivision plat approval, no further reductions in side or rear setbacks was designed. The scale of the building is such that increased setbacks would help mitigate the impacts.
13. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 8: Dwelling Volume. The visual mass when viewed from the east is of a four story building which is not in keeping with the character of the historic district.
14. The Planning Commission found that the impact of the home is not mitigated in compliance with Criteria 10: Height Exceptions. More specifically, the design and articulation of the building mass does not mitigate the visual impacts and differences in scale between the proposed building and nearby residential structures.
15. The minimum front yard setback for a lot of this size is 15 feet. The applicant proposes a 15 foot front yard setback.
16. The minimum rear yard setback is 15 feet. The applicant proposes 37 feet. The plat approval required substantial compliance to conceptual plans showing a 37 foot rear setback.
17. The minimum side yard setback is 5 feet. The applicant proposes 5 feet on the south side and 5 feet on the north side.
18. The minimum number of on-site parking spaces required for a single-family home in the HRL zone is two.
19. The applicant is proposing two on-site parking spaces within a minimum sized garage.
20. A plat note limited the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.

21. The proposed above final grade Floor Area is 3,016 square feet.
22. The maximum footprint for this lot based on the plat approval is 2,117 square feet.
23. The proposed footprint is 2,117 square feet.
24. The proposed total Floor Area, including basement, is 5,133 square feet.
25. The Maximum height for a single-family home in the HR-1 zone is 27 feet above existing grade, unless the Planning Commission grants an exception. The plat approval stipulated that only the garage/entry could be granted an exception and that is for a minimum depth garage and a compatible roof pitch with a ridge elevation no greater than 18 feet above the garage floor. The interior dimensions for the two garages is the Code minimum 20 feet wide by 20 feet deep. The roof element is 18 feet above the garage floor and has an 8:12 pitch.

Conclusions of Law:

1. The CUP is not consistent with the Park City Land Management Code, specifically
2. The proposed use will not be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have not been mitigated through careful planning.
4. The Planning Commission did not err its application of the Land Management Code.

Order

1. The Planning Commission decision to deny the Steep Slope CUP for 166 Ridge Avenue is upheld and the appeal for the 166 Ridge Avenue Steep Slope Conditional Use Permit is denied.

Exhibits

- A – Staff Reports (A -1, 2, and 3) for Planning Commission Findings for denial (June 25, 2008)
- B – Staff Reports and one set of Floor Plans and Elevations (B – 1, 2, 3, and 4) for 158, 162 and 166 Steep Slope CUP (June 11, 008)
- C – Minutes from June 11, 2008 Planning Commission hearing.
- D – Appeal for each of the three houses

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Exhibit E

Page 3
City Council Meeting
September 18, 2008

Consideration of a Resolution declaring September 21-28, 2008 as “Bag the Bag” Week in Park City, Utah and promoting the use of reusable shopping bags – Diane Foster introduced David Gerber and Megan Fernandez from the Leadership Class. Ms. Fernandez on behalf of the Leadership Class, thanked Recycle Utah, Park City High School Environmental Club, Sustainability Team and all of the residents who have supported the Resolution. The goal of the Class project is to promote the use of reusable shopping bags which could have a huge positive impact on the landfill. She introduced the Bag Monster, wearing close to 500 bags, which is the number used by the average American citizen every year and ends up in the landfill polluting the environment. She discussed Leadership researching sustainable practices in other communities and concluding that the best strategy for Park City is a voluntary approach to change and they would like to revisit it in a year to evaluate its success.

David Gerber discussed Bag to Bag Week where the Bag Monster will make special appearances. A local business donated 4,700 reusable bags that will be distributed throughout the week. He discussed programs targeted for elementary school kids and a media push. The group will have a table at the Park City Film Festival over the weekend with informational pieces and the High School Environmental Club will be passing out reusable bags on Saturday, September 27. Mr. Gerber asked that the Council waive the fee for temporary special use signs; all members agreed.

Liza Simpson, “I move we adopt a Resolution declaring September 21-28, 2008 as “Bag the Bag” Week and promoting the use of reusable shopping bags within Park City”. The Mayor expressed his appreciation of the Leadership’s Class efforts. Jim Hier seconded. Motion unanimously carried.

VI OLD BUSINESS (*Continued public hearings*)

1. Consideration of an Ordinance annexing approximately 286.64 acres of property located at the southwest corner of the SR248 and US40 interchange in the Quinn’s Junction area, known as the Park City Heights Annexation, into the corporate limits of Park City, Utah, and approving a Water Agreement, and amending the Official Zoning Map of Park city to zone the property in the Community Transition Zoning District (CT) – The City Attorney stated that the petitioners requested a motion to continue to October 2, 2008. The Mayor opened the public hearing and with no comments from the audience requested a motion to continue to October 2, 2008. Candace Erickson, “I so move”. Roger Harlan seconded. Motion carried unanimously.

2. Consideration of an appeal of the Planning Commission’s denial on June 25, 2008 of a Steep Slope Conditional Use Permit for 158 Ridge Avenue, 162 Ridge Avenue and 166 Ridge Avenue – Brooks Robinson explained that a hearing on these properties was conducted on August 21, 2008. The appellant must prove the Planning

Commission erred in its decision. At the meeting, Council requested information regarding the visuals presented at the plat amendment stage last October and a survey of heights of the surrounding buildings because it was critical in the Planning Commission's decision and relevant to some discussions on compatibility in the Historic District. He referred to the PowerPoint presentation in the meeting packet prepared by the appellants and the plat amendment meeting information prepared in October.

Mr. Robison referred to a concern expressed by Commissioner Peek at the last meeting regarding one of the garages measuring 23 feet, but it actually met the plat requirement at 21 feet. The Planning Commission found non-compliance with the setback shown at the plat stage and the applicant has expressed willingness to correct that to 58 feet consistent with the plat. If the Council decides to overturn the Planning Commission's decision, staff asks that the findings be prepared and ratified by the City Council. Final findings to deny for all three properties have been prepared and are available.

Spencer Viernes, Ray Quinney & Nebeker attorney for Silver King Resources LLC, referred to their presentation made on August 21 and asked for an opportunity to rebuke any comments or analysis tonight with respect to the Code, if needed.

Jonathan DeGray, architect, presented information through a PowerPoint presentation about building types in the neighborhood which was requested from Council last meeting. A variety of vantage points were photographed from Ridge Avenue, King Road, Sampson Avenue, Woodside Avenue, Prospect Avenue, and Ontario Avenue and Mr. DeGray pointed out a number of three and four storied buildings which were identified on the graphic by a marker. He also displayed newer three and four level construction at the end of Ridge Avenue as it meets Daly Avenue.

Mr. DeGray illustrated a slide of the building section presented during the plat process for this project. He stated that he did not produce the drawing; it was prepared by Gus Sherry. The rendering shows the building hanging out above the grade line about eight feet and four levels although the bottom level is elevated about a half flight and the building does not meet the ground. In comparison to the actual architectural section, the building falls within the height limit and the multi-storied section is further up the hill. Another difference is his building is two feet lower in grade than the plat section shows. He explained that a number of levels result in the significant vertical change. The CUP for the driveway, serving all three structures, was approved in February 2008. Additional building sections were provided to the Planning Commission at that time showing four stories on all of the plans which were displayed. The overall site plan also shows four stories for the three properties.

Mr. DeGray emphasized that he relayed to the Planning Commission that if the additional setback of five feet on Lot #3 is an issue, they are willing to increase it from

53 feet to 58 feet. The dimension of the garage on Lot #2 was an oversight on the steep slope CUP information as 23 feet but will be 21 feet and has been corrected. The incorrect drawing seems to continue to be circulated.

Joe Kernan pointed out references to four story buildings throughout the findings and the retaining structures on the side of the buildings which are not at natural grade but are a manipulation of grade in order to bury the lowest story which is not counted toward gross floor area. He asked if the use of retaining walls is typical and acceptable. Mr. DeGray responded that the Code defines stories and basements and what is allowed for the manipulation of grade. The project has taken advantage of the allowance in the LMC to bring the grade up and around those lower levels to pull them out from the building. The retaining walls allow the buildings to step back rather than result in a vertical façade and he relayed that the Code requires stepping to tie into the natural topography. The plat was approved with constraints on square footage and footprint which resulted in this design with the basement. Brooks Robinson interjected that over the past 15 years, maximum house sizes have been noted on plats and it has been more common to see the retaining wall to accommodate the basement design to acquire the maximum square footage, since the basement is not counted. He suggested that this be addressed in future amendments to the Code, if desired by Council. Roger Harlan expressed concern if this practice encourages large four story construction accomplished with changing grade with an artificial retaining wall. Jim Hier acknowledged that the basement square footage is not counted but there could still be a four story building on the site with less square footage, but it would still look like a four story building. The fact that some of the square footage is buried underground wouldn't change the above-ground impact. He did not believe that any of the arguments in the findings for denial indicate that the square footage is too high; the focus is that the buildings are four stories. Mayor Williams asked if the intent was to include the basement square footage in the maximum 3,030 square foot maximum and Brooks Robinson responded, no and added that it was never pertinent to the Planning Commission. The staff tried to be very clear, especially in compiling neighborhood house size information, that basement square footage was excluded so that comparisons were effective and compatibility was based on the same criteria.

Jim Hier believed that at the meetings of September 27 and October 26, 2007, Lot #2 was presented as three floors with a step-down area; the floors changed from a four foot separation to a ten foot separation. Jonathan DeGray explained that the graphic of the building above-grade shows that it's hanging out in space. It needs to touch ground or the grade needs to be artificially built up. He reminded members that Mr. Sherry developed the sections based on the footprint requirements and the elevation changes between his road work and the existing grade on the lower part of the site. He couldn't explain the graphic but pointed out that even if it was a three story structure, it would have the same volume above ground. Jim Hier recalled that the other two buildings

were always shown as four stories. Liza Simpson agreed that following the changing plans was confusing and pointed out that the engineer's drawing showed the buildings exceeding height limitations. Mr. DeGray interjected that this occurred prior to the restriction on the plat. Ms. Simpson continued that she contemplated the design dropping down so the height was compliant.

Sean Marquardt, agent for appellant, explained that he worked with the engineer, Gus Sherry, and discussed the definition of floor area which became a focus at the time. Because the building was hanging out, they assumed there would be a basement. He stated that they looked at Anchor Development which has a maximum above-ground square footage of about 3,025. The lot allows for a 2,200 square footprint and access off of Kind Road. Mr. Marquardt pointed out that the formula will yield over 5,000 square feet and other undeveloped properties around them will likely be in excess of 5,000 square feet as well because of the plat notes.

Jim Hier stated that Findings Nos. 7, 8, 11, and 13 all address an issue four stories, but there isn't a finding that explains the problems and why they should be prohibited which should have been the basis for other findings regarding four stories. He finds it difficult to support those findings for denial. Finding No. 9 deals with the terrace, Finding No. 10 with building location, Finding No. 12 with setbacks, and Finding No. 14 is not specific. He understood that Finding No. 16 relating to the garage dimension issue has been remedied.

With regard to Finding No. 9, Mr. Viernes explained that the Planning Commission argued that the retaining structures were a manipulation of grade. His analysis of the LMC is that the finding is not relevant to the criteria in the LMC. Section 15-2.1-6(b) (4) provides that terrace retaining structures are allowed to retain natural grade. The June 11, 2006 staff report indicates that the retaining structures maintain natural grade. The Planning Commission finding is not supported by any factual evidence provided to them. Finding No. 10 regarding the natural topography of the site where the criteria in the Code indicates that the buildings act as infrastructure must be located to minimize cut and fill that would alter the perceived topography. There is no language in the finding of fact that indicates the natural topography has been altered, in fact the previous Finding No. 9 from the original June 11, 2006 staff report indicates that natural grade is maintained similar to the topography. Criteria No. 5 goes on to indicate that the site design and the building footprint have to coordinate with adjacent properties to maximum opportunities for open areas, preservation of natural vegetation, and minimize driveway and parking areas. Extensive discussions with the planning staff in preparing the design of the site planning for the original plat approval were lengthy and focused on site design, lot size, building footprint size, maximum square footage, inclusion of a non-disturbance area to preserve natural vegetation and the design of the driveway CUP in order to minimize the driveway and parking areas. Spencer Viernes explained that the

discussions with the planning staff in preparing the designs and site planning for the original plat approval were lengthy, including the design of the driveway CUP. The Planning Commission's finding that the natural topography is very steep and the building does not correspond to the natural topography is not tied to the LMC.

Sean Marquardt commented that the Planning Commission's Finding No. 11 again states that the scale of the building is not in keeping with the Historic District, indicating that four stories are achieved only through the manipulation of exterior grade. There's no mention whether four stories is appropriate or inappropriate in the LMC nor is there any mention of number of stories in the Historic District Guidelines and is therefore irrelevant. Jonathan DeGray also pointed out that the presentation documents a multitude of existing four storied buildings within the neighborhood.

With regard to setbacks, Mr. Viernes expressed that the applicant has demonstrated a willingness to comply. The setbacks are intended to minimize a wall effect along the street and the rear property line and the size and architecture of the structure is largely a function of the restrictions placed from the plat approval process. Jonathan DeGray added that with the setbacks of 37 feet on Lot 1, 55 feet on Lot 2 and 58 feet on Lot 3 significantly exceed the normal setbacks for the zone.

Liza Simpson expressed that she is not in agreement with the appellant's argument about findings relating to four stories. She believes that the Planning Commission found that the project does not fit within the neighborhood and the findings are still valid when omitting the words "four story". Although she appreciates the visuals, examples exist that support incompatibility and she agrees with the findings.

Mr. Viernes pointed out that under the LMC, the factual findings are actually for de novo review so there's no reason to rely solely on findings. In response to a comment from Joe Kernan, Mr. Viernes felt there needs to be an objective standard that can be applied uniformly to each new development because without uniformity, actions lead toward ad hoc legislation and the general public doesn't know what to expect. He felt that compatibility should be measurable criteria so proposals can be evaluated. Jonathan DeGray added that they moved forward with discussions with staff based on the criteria of the LMC.

Mayor Dana Williams expressed that his concern dealt with compatibility acknowledging that this finding is difficult to defend through the LMC. He recognized the Council's philosophical beliefs about compatibility in the Historic District but felt that this is another discussion for another night. Candace Erickson agreed stating that she does not like the project and felt there is a *loophole* in the Code that needs to be changed. Discussion continued regarding the belief that the design of the structure without manipulation of grade would look similar above-ground because there is no height limit.

Mr. Hier also noted that the Planning Commission did not seem concerned about square footage but compatibility in the neighborhood. Brooks Robinson agreed with Mr. Hier's comments about above-ground square footage. He explained that philosophically, the square footage that is buried is not an issue because it doesn't affect the visual mass and scale of the above-ground building.

Mark Harrington explained that in consideration of the previous comments and if the manipulation of grade doesn't violate the standard to minimize cut and fill that would alter the perception of natural grade it is not material to Council and therefore, the Planning Commission finding can not be supported for denial. He emphasized that this is not a *loophole* in the LMC, but a deliberate amendment to the Code.

Liza Simpson stated that she does not accept the statement that compatibility has to be completely quantifiable because it is visual. Mark Harrington agreed that it does not have to be as quantifiable as expressed by legal counsel, because the result is *cookie-cutter* designs. However, at the same time, the Code must articulate incompatibility or describe the adverse impact that can not be mitigated. The finding must be objective and if it is visual, members need to distinguish between the appellant's presentation on existing three and four storied buildings from the facts of this case. Through use of a project model, Jonathan DeGray explained the look of the structure if it were pushed back into the hillside with no terrace or retaining wall and he described a building with less square footage but a more vertical look because of no stepping. There could still be a basement.

Brooks Robinson noted that if the far north end was kept close to existing grade, then some square footage would have been counted on the lowest level (200 to 300 square feet). The Mayor invited public input.

Carlene Riley, 84 Daly, stated that this development is too big and allowing three and four storied structures on Ridge Avenue will set a precedent for the Historic District. Steep slopes should be analyzed and she wished that a smaller scale would have been determined early in the process.

With no further comments, the Mayor closed public input.

Roger Harlan brought up measuring compatibility objectively and Mark Harrington added that the compatibility analysis was submitted at the subdivision level which focused on above-ground mass. He felt providing this study is fairly objective and part of the staff's practice when faced with these questions. The problem in this instance is that the basement exception allows approximately 1,200 to 800 additional square feet depending on the application, of buried area. In terms of the finding of compatibility and how it compares to the presentation is the crux of the issue. Finding No. 1 was clarified

as being the criteria in the Code for a steep slope CUP and there was discussion about the intent of terracing to avoid steep flat building facades. Brooks Robinson pointed out that steep slope criteria encourage that the building be broken up into smaller components. Jim Hier stated that in his opinion, four stories are allowed by the footprints dictated on the plat with no restriction on total height. If it is not compatible with the neighborhood it can't be because of total square footage and it's not because of manipulation of natural grade because the resulting structure would be similar. Liza Simpson did not believe that the project follows the natural topography. The presentation photos show houses on hillsides while the Ridge Avenue structures are on a bench area. The Mayor emphasized that if the design followed natural topography, the look and visual impact of the resulting buildings would not be very different.

Jim Hier, "I move that we direct staff to prepare findings for approval of the CUP for 158, 162, and 166 Ridge Avenue based on modifying the findings based on the initial findings prepared for approval in a prior packet". Joe Kernan seconded. Roger Harlan believed that the project will be most visible from Prospect Avenue but not other viewpoints. Motion carried.

Candace Erickson	Nay
Roger Harlan	Aye
Jim Hier	Aye
Joe Kernan	Aye
Liza Simpson	Nay

VII ADDITIONAL DISCUSSION – AGENDA ITEMS

VIII ADJOURNMENT

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

MEMORANDUM OF CLOSED SESSION

The City Council met in closed session at approximately 2:30 p.m. Members in attendance were Mayor Dana Williams, Candace Erickson, Roger Harlan, Jim Hier, Joe Kernan, and Liza Simpson. Staff present was Tom Bakaly, City Manager; Jerry Gibbs, Public Works Director; Kathy Lundborg, Water Manager; Tom Daley, Deputy City Attorney; and Mark Harrington, City Attorney. Joe Kernan, "I move to close the meeting to discuss property, litigation and personnel". Jim Hier seconded. Motion carried unanimously. The meeting opened at approximately 4 p.m. Jim Hier, "I move to open the meeting". Candace Erickson seconded. Motion unanimously carried.

Page 10
City Council Meeting
September 18, 2008

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, City Recorder

[illegible]

BOOK PAGE Page 265 of 410
\$34.00

Ordinance No. 07-74

AN ORDINANCE APPROVING THE SUBDIVISION NO. 1 MILLSITE RESERVATION PLAT AMENDMENT LOCATED AT 255 RIDGE AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property located at 255 Ridge Avenue have petitioned the City Council for approval of the Subdivision No. 1 Millsite Reservation plat amendment; 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 public hearings on February 14, March 14, April 25, July 11 and July 25, 2007, and conducted a site visit on February 28, 2007, to receive input on the Subdivision No. 1 Millsite Reservation plat amendment;

WHEREAS, on September 12, 2007, the Planning Commission forwarded a negative recommendation for Subdivision No. 1 Millsite Reservation plat amendment; and

WHEREAS, on September 20, October 11 and October 25, 2007, the City Council held public hearings, scheduled a site visit for October 4, and directed staff to return with additional information; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Subdivision No. 1 Millsite Reservation plat amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Subdivision No. 1 Millsite Reservation plat amendment as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 255 Ridge Avenue.
2. The zoning is Historic Residential Low density (HRL).
3. The proposed plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. The three lots will be 5,902 square feet, 5,898 square feet, and 7,208 square feet in area. The parcel will be 2,110 sf in area.

5. The lot sizes are consistent with lot sizes in the neighboring HRL zone.
6. Code maximum footprints for the proposed lots are 2,118 square feet, 2,117 square feet and 2,404 square feet.
7. The average lot size in the HRL zone in the area is 5,677 square feet. The average footprint in the HRL zone around the property is 1,917 square feet with an average house size, excluding basements and garages, 2,748 square feet.
8. The lot 3 footprint at 2,404 at square feet is not compatible with neighboring HRL zone properties because the footprint is 25% larger than the average for the area.
9. Built houses sizes in the HRL district around the subject property have an average square footage of 143% of the footprint.
10. Existing Ridge Avenue crosses the property and will be dedicated to the City in the parcel as Parcel A. Ridge Avenue is a substandard street that generally does not exist within its platted right of way.
11. The lots have slopes greater than 30% and a Steep Slope Conditional Use Permit will be required for each of the proposed homes.
12. All homes within the HRL zoning district require Historic District Design Review.
13. A 30-foot no-disturb area is proposed on the eastern property line of the three lots.
14. The applicant proposes houses set 37, 55, and 58 feet from the eastern property line.
15. The maximum grade of the driveway in platted Ridge Avenue is 10%. Due to the unique nature and the fact that the City has vacated Anchor to the north of the subject property, the City supports a variance or special exception to a maximum driveway grade of 14%.
16. Adequate snow storage is provided along the east, west and north sides of the driveway.
17. A two tiered retaining wall along the west and north sides will be a maximum of eight feet high (total). A Variance or Special Exception to a maximum of 14% would lower the wall another 4 feet over the 100 foot length.
18. The closest house to the west, 85 King Road, has a setback of ten feet to its rear property line. This house has a +/- 8 foot rock retaining wall being constructed at the rear property line. The proposed wall for the 255 Ridge driveway would step from this wall with a horizontal distance of 4 feet before the first 3 to 4 foot high poured concrete wall. Another four foot horizontal landscaping area separates the two walls within the right of way.
19. The right-of-way is 35 feet wide with 14 feet from the edge of curb to the west edge of the right-of-way, adjacent to 85 King Road.
20. Utilities will be in the Ridge Avenue right of way.
21. The Ridge Avenue right of way has been vacated both to the immediate north and south of the site, but the right of way is the legal access for 255 Ridge. This configuration is unique in the Park City Survey and the Snyder's Addition to the Park City Survey.
22. Walls, driveways, stairs, a tunnel and other structures are found in existing rights of way in the Historic District.

Conclusions of Law:

1. There is good cause for this plat amendment because, as conditioned, twelve lots will be combined to create three lots of record and a parcel consisting of a portion of Ridge Avenue will be dedicated to the public.
2. The plat amendment, as conditioned, is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public interest nor any person will be materially injured by the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

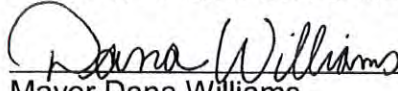
1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. A final utility plan is required to be approved by the City Engineer prior to plat recordation.
4. A financial security for public improvements, in an amount approved by the City Engineer and in a form approved by the City Attorney, is required prior to plat recordation.
5. An Encroachment Agreement with the City, for the private driveway within the platted Ridge Avenue, is a condition precedent to plat recordation. Said Agreement shall be approved by the City Engineer as to content and by the City Attorney as to form.
6. The driveway construction requires a Conditional Use Permit that may be reviewed concurrent with a Steep Slope Conditional Use Permit. The current application shall be amended to incorporate the grade change to existing Ridge Avenue to be approved by the City Engineer, in such case the retaining wall will not exceed eight feet (8') in total height at the northwest corner.
7. A snow shed easement or roof design acceptable to the Chief Building Official will be required at the time of a Steep Slope CUP.
8. A note will be added to the plat that requires the installation of Modified 13-D sprinklers in each house.
9. A note will be added requiring 30 feet non-disturbance zone in the rear (east) of the three lots. In addition, the east side of any future houses must substantially conform to the exhibit shown to the City that placed the houses 37, 55, and 58 feet from the eastern property line.
10. Construction mitigation plan, which will include controlling loose rocks, must be approved prior to granting building permits.
11. A plat note will be added to restrict Lot 3 to a footprint of 2,120 square feet. Lots 1 and 2 footprints are to be noted as 2,117 and 2,118 square feet.

12. A plat note will limit the maximum house Floor Area, as defined by the Land Management Code, to approximately 143% of the maximum footprint area or 3,030 square feet on Lots 1, 2, and 3.
13. The garage element must be at the front setback, cannot exceed the minimum depth as allowed by Code, and cannot exceed eighteen feet (18') in height above the garage floor with an appropriate pitched roof (8:12 or greater). A height exception for the garage only may be granted if it meets the preceding criteria.
14. No other portion of the house is eligible for a height exception.
15. Except for Condition of Approval #14, nothing herein limits the scope of review by the Planning Commission during their review of a Steep Slope Conditional Use Permit and the Driveway Conditional Use Permit.
16. Applicant will seek a Variance or Special Exception for driveway grade in a platted unbuilt City Right of Way prior to proceeding with the Conditional Use Permit for driveway use of the right of way.
17. Driveways into the garages cannot exceed the minimum slope necessary for drainage away from the garages.

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

PASSED AND ADOPTED this 25th day of October, 2007.

PARK CITY MUNICIPAL CORPORATION



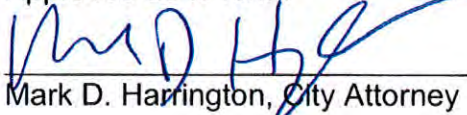
Mayor Dana Williams

Attest:



Janet M. Scott, City Recorder

Approved as to form:



Mark D. Harrington, City Attorney



FILE COPY

Exhibit G

December 19, 2007

Mr. Dwayne Seiter
Via email: dwayneseiter@yahoo.com

NOTICE OF BOARD OF ADJUSTMENT ACTION

<u>Project Name</u>	King Ridge Estates
<u>Project Description</u>	Special Exception for Driveway Grade in a platted, unbuilt City right of way.

<u>Date of Meeting</u>	December 18, 2007
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Action Taken By Board of Adjustment: The Board of Adjustment APPROVED the proposed Special Exception based on the following:

Findings of Fact

1. The property is located at 255 Ridge Avenue.
2. The zoning is Historic Residential Low density (HRL).
3. The approved plat combines lots 35-40 and 66-71, portions of lots 33 and 34 Block 75 of the Millsite Reservation to Park City, and the vacated half of Anchor Avenue adjacent to these lots into three lots of record and a parcel dedicated to Park City.
4. The maximum slope of the driveway in platted Ridge Avenue is 10%. There is a unique nature and the City has vacated Ridge Avenue to the north of the subject property. The City Council added a Condition of Approval to the plat directing the applicant to seek a variance or special exception to a maximum driveway slope of 14%.
5. Adequate snow storage is provided along the east, west and north sides of the driveway.
6. A two tiered retaining wall along the west and north sides will be a maximum of eight feet high (total). A Variance or Special Exception to a maximum of 14% would lower the wall another 4 feet over the 100 foot length to a maximum height of 4 feet.

Conclusions of Law

1. The proposed Use and Development will be in harmony with the general and specific purposes for which the Land Management Code was enacted and for which the regulations of the district were established.

2. The proposed Use and Development will not substantially diminish or impair the value of the Property within the neighborhood in which it is located.
3. The proposed Use and Development will not have a material adverse effect upon the character of the Area or the public health, safety, and general welfare.
4. The proposed special exception will be constructed, arranged and operated so as to be Compatible with the Use and Development of neighboring Property in accordance with the applicable district regulations.
5. The proposed Use and Development will not result in the destruction, loss or damage of natural, scenic or Historic features of Significance.

Order

1. The request for a Special Exception to Land Management Code 15-3-5 (A) is approved to allow a driveway slope of no more than 14%.

Sincerely,

Brooks T. Robinson
Principal Planner

EXHIBIT H

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JULY 23, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Christy Alexander, Planner; Ryan Wassum, Planner; Polly Samuels McLean, Assistant City Attorney

REGULAR MEETING

ROLL CALL

Chair Worel called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

July 9, 2014

MOTION: Commissioner Gross moved to APPROVE the minutes of July 9, 2014 as written. Commissioner Joyce seconded the motion.

VOTE: The motion passed. Commissioners Worel and Strachan abstained since they were absent from the July 9th meeting.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Eddington announced that the Planning Department was hosting a Webinar entitled The Economics of Urbanism on August 7th, from noon to 1:30 p.m. He would send the Planning Commission an email with all the details. If more than three Commissioners were interested in attending it would present a quorum and the Webinar would have to be

7. A final utility plan is required to be approved by the City Engineer prior to issuance of a building permit.

8. A Historic District Design application shall be submitted prior to submittal of a building permit application for Lots 1, 2, & 3.

9. A building permit will be required to build the road and retaining walls.

10. The City Engineer will review the final construction documents and confirm that all existing utilities will not be impacted and anticipated utilities will be located in accordance with the plans as submitted.

11. A final landscape plan shall be submitted with a Steep Slope Conditional Use Permit or Historic District Design Review for approval by the Planning Department prior to issuance of a building permit for the lots and driveway. The landscaping shall be complete prior to issuance of a final certificate of occupancy for the lots. The landscape plan shall provide mitigation of the visual impacts of the driveway and any retaining walls and mitigation for removal of any existing Significant Vegetation. Prior to removal of any trees, an arborist report shall be provided to the Planning Department for review. The arborist report shall include a recommendation regarding any Significant Vegetation proposed to be removed and appropriate mitigation for replacement vegetation.

12. Parking is restricted to on the driveway.

13. All conditions of approval of the Subdivision No. 1 Millsite Reservation Plat (Ordinance No. 07-74) and the findings of the December 18, 2007 Special Exception approval must be adhered to.

14. The Conditional Use Permit will expire on July 23, 2015, if a building permit has not been granted.

15. The Planning Department and City Engineer will review any proposed guardrail and lighting considerations at time of final design.

**3. 166 Ridge Avenue – Steep Slope Conditional Use Permit
King Ridge Estates/Ridge Avenue (Application PL-14-02268)**

Planner Alexander handed out an email she received from a nearby property owner who was unable to attend this evening.

Planner Wassum reviewed the application requesting a Steep Slope CUP for a new single family home with a proposed square footage of 2,823 square feet on a vacant, 5,899 square foot lot located at 166 Ridge Avenue. Since the total floor area exceeds 1,000 square feet and the construction is proposed on a slope 30% or greater, Planning Commission approval is required for a Steep Slope CUP.

Planner Wassum provided a brief history of the property regarding the Steep Slope. On June 11, 2008 the Planning Commission held a public hearing on a Steep Slope for 158, 162, and 166 Ridge Avenue to construct single family homes. The Planning Commission denied the CUP as proposed because it did not mitigate the criteria outlined in the LMC. The applicant appealed that decision to the City Council and the Council overturned the Planning Commission and approved the Steep Slope CUP based on modifying the Findings to mitigate the criteria. The CUP eventually expired because a building permit was never obtained.

Planner Wassum reviewed the Analysis contained in the Staff report and noted that the Staff found no unmitigated impacts. However, the Planning Director was requesting that the Planning Commission discuss Criteria 9 relative to the building height. Planner Wassum noted that for tandem garages, the height is allowed to exceed 27' up to 35' on a downhill lot. The applicant was proposing a 34 feet exception for the garage and the circulation attached to the garage. The Planning Commission was asked to review the circulation area and provide input. Planner Alexander explained that the Planning Director can normally approve the height to 35' for circulation only. The applicant has a large area that was initially designed as a storage area; but because they could not have additional living space, the storage was removed and the area was enclosed completely. The Staff felt it was a large area to have at the 35' height. Typically, access is only allowed from the garage door to the elevator or the stairway to go downstairs.

Planner Wassum reviewed the plans showing the entrance to the house and the circulation area.

Jonathan DeGray, the project architect, stated that the plat restriction is 18' of total height for the garage floor to the ridge. They comply with that requirement. Under the current Code a maximum of 35' is allowed and they were proposing 34'. Mr. DeGray stated that the problem with reducing the area is that it has a roof over it. Looking at the building in its entire context, to reduce the area and reduce the roof would create a truncated form connecting to the garage. As an alternative they created attic space and abandoned it as usable space, but allowed the roof to remain so it blends well into the form of the garage and the elevator element, and then steps down into the staircase. Mr. DeGray thought it

made sense from an elevation standpoint. They were not asking for additional living space but it was a way to resolve the roof form and still keep the flow of the building.

Mr. DeGray noted that 7:12 was a maximum pitch in the zone; however, the plat dictates 8:12. They were dealing with steeper roof forms due to the plat requirement. If they were permitted to go to a 7:12 pitch he could bring the roof down approximately 18" inches.

Commissioner Joyce referred to the drawings on pages 120 and 121 of the Staff report and asked Mr. DeGray for clarification. Mr. DeGray identified the different elements, including the closed off area.

Commissioner Stuard asked why an 8:12 pitch was required on the plat. Mr. DeGray replied that it was a criteria that the Planning Staff wrote in 2008. Commissioner Gross asked if 8:12 was the City standard at the time. Mr. DeGray did not believe it was. Commissioner Stuard could understand if for historic context, but the proposed structure was not historic architecture.

Assistant City Attorney McLean stated that the pitch was a condition of approval from the plat. A condition also says that the garage entry must be at the front setback. She asked if that condition had been met. Mr. DeGray believed it was as far forward as possible and still maintain its single car garage door width. He noted that page 116 of the Staff report showed the width of the building as far forward towards the street as possible before it comes to a triangular point.

The Staff requested that the Planning Commission conduct a public hearing and consider approving the conditional use permit for the Steep Slope, as well as the special exception for the height from 27' to 35'.

Commissioner Campbell thought this was the same type of exception that the Planning Commission recently approved for the Rio Grande regarding the elevator. Director Eddington clarified that the exception for the Rio Grande was for non-habitable space that was above a certain height. He believed this scenario was slightly different. Commissioner Campbell understood that the space at 166 Ridge would also be uninhabitable. Director Eddington replied that it would be habitable. Assistant City Attorney McLean remarked that the Steep Slope CUP was subject to different criteria within the Code and they were talking about two different exceptions.

Mr. DeGray commented on the question of whether the space was excessive. He stated that in looking at the entry area, the door swing of the front door, the door swing of the garage, the door swing of the elevator, and the bench provided as a mud room type space, he would be hard pressed to say that it was excessive. He did not believe the entry could

be any smaller given the door swings and the circulation required to move from the staircase to the garage.

Commissioner Campbell asked if the applicant would prefer an exception to lower the roof pitch or if it was better to leave it at 8:12. He wanted to know which way would achieve the best architecture. Mr. DeGray stated that it was about form and he would be comfortable with a lower pitch if it was what the Planning Commission wanted. Assistant City Attorney McLean clarified that the roof pitch was a condition of approval of the plat and it could not be changed without going through a plat amendment.

Mr. DeGray remarked that it was a minor area, but from an aesthetic standpoint the continuation of the ridge makes it a simpler roof form. Commissioner Campbell stated that in his opinion, they give the Planning Director the ability to consider exceptions to encourage good architecture. He encouraged Director Eddington to use the exceptions whenever he finds it appropriate. Director Eddington stated that he wanted Planning Commission input on this particular application because it is the first of three lots that would be requesting a Steep Slope CUP along Ridge. He noted that the Staff prefers steeper pitches in general, and he believed the steeper pitch works better on this particular site.

Mr. DeGray stated that these were big lots. The lot for 166 Ridge Avenue is 5,800 square feet and the plat allows 3,000 square feet of living. They were proposing 2,800 square feet. The footprint allowed for that lot size is 2,117 square feet. They were proposing 1,625. The project meets all the Code criteria in terms of height and setbacks. The plat as laid out provides 30 feet of open space on all three lots for a total of 4,500 square feet open space. There is significant buffer on the downhill side of these lots between the adjacent properties on Daly Avenue going down the hill. The vegetation looking from Daly on to the hillside is all within the 30' of open space on the lot, plus an additional 15 feet further up the hill into the lots. The vegetation will shield the construction from below.

Mr. DeGray noted that part of the history of the property is that the houses proposed in 2008 were very large structures. The current application proposes much smaller homes at a more appropriate scale with single-car garages.

Chair Worel opened the public hearing.

Karleen Riele, a resident at 84 Daly Avenue stated that she lives below and to the side of the proposed lot. She has fought all these projects for many years primarily because of the land slide that comes down. The house currently lives in was actually destroyed when a tanker came down and disturbed the land. It created enough motion to push dirt down and disturb the house. It was a City tanker and the City had to rebuild the house. Ms. Reile

stated that the land is very loose and she hoped Mr. DeGray had a solution to address the problem. She stated that she was unaware of this project going on until she received her notice last week. She wanted to know what the applicant would do to ensure that loose land does not roll down. The slope is very steep and neither she nor her dog can walk it. It comes up to Anchor, which is wide in one spot and narrow in another spot. There is a lilac bush and many trees right in the area where they propose to build. Ms. Reile also had issues with Ridge Road. It is 12' feet across and two vehicles cannot pass. One vehicle has to back down Ridge Road so the other vehicle can get through, and that is a very dangerous safety hazard. The applicant has said they would widen Ridge Road but she did not see how that could be possible. After this project four other projects will be built along the road. Ms. Reile wanted to make sure that either the City or the applicant had a plan to keep the land from sliding down on those who live below. Daly Avenue has always been a different environment and she urged the Planning Commission to think about the potential problems before they make their decision.

Ms. Reile questioned why she had not been noticed. She understood that the project had already been approved and they were only here tonight for a height exception, and this was the first time she had heard about it.

Planner Alexander informed Ms. Reile that the Steep Slope CUP had not yet been approved and it was the application being discussed this evening. Chair Worel assured Ms. Reile that this was the first time the Planning Commission had seen this project. Mr. Joyce explained that this neighborhood had a prior history that tied to the driveway, but previous approval had expired and this was a new application.

Commissioner Stuard told Ms. Reile that while the actual construction process may be frightening, sometimes constructing homes on a steep slope will actually help stabilize the slope. He noted that this particular home will have a tall retaining wall in the middle of the slope. He believed that once all three homes are built it would stabilize the slope.

Richard Eyor, a resident at 61 Daly Avenue, appreciated the smaller house and thanked Mr. DeGray for his design. He lives across the street from Ms. Reile and his breakfast view would be of this new house. He was unsure whether it would directly impact his view, but he would prefer a lower roofline and would appreciate any consideration to lower the roof. Mr. Eyor stated that his biggest concern is his children. They live on Daly and traffic is already a major problem. They have been working with the City Engineer on mitigation measures. Mr. Eyor was not bothered by one house being constructed on Ridge, but in the end there will be eight houses built in the process. That could be eight or nine years of construction vehicles going up and down his street. Mr. Eyor noted that the previous discussion was about fixing Ridge Road, but that would not occur with this house. He understood it was in the subdivision for the five houses.

Planner Alexander replied that the road would be a future project.

Mr. Eyor echoed Ms. Reile in that the road is only 12' wide. The road will not be fixed with the first three homes, but these homes will add to the traffic on the road.

Chair Worel closed the public hearing.

Commissioner Stuard commented on the access area between the garage and the house. He did not find it to be oversized for Park City and he was not bothered by that particular issue.

Commissioner Gross stated that in regards to the roads they run into this problem a lot in Old Town. He thought they either needed to be in agreement on how to improve the roads in the future, or keep the status quo. Commissioner Gross stated that if the City Engineer was comfortable with the issues regarding fire safety and access, he could not see why the Planning Commission would not approve it. Director Eddington stated that the City Engineer has always wanted to improve Ridge Avenue and he hopes that can be accomplished as the City looks at potential changes. Director Eddington acknowledged that currently they were trying to work with what it is until improvements can be made in the future.

Commissioner Campbell thought that building more houses should increase the tax base and generate more money to improve the roads in the future. More homes would give more justification for spending the tax dollars on the roads.

Commissioner Strachan pointed out increased tax revenue was not a criteria under the CUP statute.

Commissioner Joyce was comfortable with the entry area and the height. He believed the area was small enough that the height was a reasonable exception. Commissioner Joyce stated that he would like the ability to comment on construction mitigation issues, but he understood that it was outside of their purview. He agreed that the space would be tight for that many vehicles and he was interested in how the construction mitigation plan would turn out.

Commissioner Strachan thought Commission Joyce made a good point about the construction mitigation plan. He remarked that the Planning Commission has looked at construction mitigation plans in the past on sensitive sites. He believed this site was one where the Planning Commission could be involved with construction mitigation. Commissioner Strachan thought the public comment about mitigating the construction

traffic going up Daly Avenue was valid. He noted that in the past the Planning Commission has limited hours of construction or the hours when trucks can drive up certain streets. They have also limited the size of the trucks. Commissioner Strachan stated that Daly Avenue is a different place. The roads are narrow and the access is substandard. This is a difficult area for construction and when it is difficult, the Planning Commission should step up and delve into the issues a little deeper. Commissioner Strachan remarked that looking at the construction mitigation plan was a start, but he also thought they needed to look at what effects the retaining, the shoring and the excavation might have on the properties below it.

Commissioner Strachan believed this was a situation where a guarantee was necessary due to the steepness of the lot. However, he could not find a guarantee mentioned in the conditions of approval.

Commissioner Strachan stated that the Steep Slope CUP Statute requires all development on steep slopes to be done in an environmentally sensitive way. Usually on lots like 166 Ridge, they see some conditions of approval to address those issues. Again, he could not find conditions of approval stating that the amount of excavation will be minimized, or efforts to save as much existing vegetation as possible. Commissioner Strachan thought this CUP application would be fine for the end result, but the conditions of approval needed to be stricter. The site is very delicate and it will be the test case for the next seven lots to be developed. What the Planning Commission does on this lot will set the precedent. He preferred to be as thorough as possible with this application, and if they miss something on this project they would know what to do differently on the next seven.

Commissioner Strachan recommended that the Planning Commission continue this item and direct the Staff to address the environmentally sensitive issues and what measures are taken to mitigate the environmental impacts; and to state those in the Findings of Fact. He recommended putting in a guarantee and he would have the Planning Commission review the construction mitigation plan.

Chair Worel agreed. This site reminded her of the one on Deer Valley Drive that was so steep. She recalled placing a number of restrictions on that project in terms of construction mitigation. Chair Worel thought they should do the same done for this project.

Commissioner Stuard asked if the Staff had considered any of the issues in Commissioner Strachan's comment. Planner Alexander stated that the Staff was currently in the process of reviewing the Historic District Design Review. The applicant is required to provide a landscape plan showing how they would restore any vegetation that is removed or disturbed. She pointed out that the construction mitigation plan is usually left to the

expertise of the Building Department because they go through the mitigation plan in depth and know what to look for.

Mr. DeGray noted that in the driveway approval there is a storm water pollution preservation plan in the set of drawings showing how the cut slopes and disturbed areas will be treated to prevent erosion and instability.

Commissioner Campbell asked whether Director Eddington was interested in getting involved in construction mitigation. Director Eddington replied that the Planning Department typically works with the Building Department at the time of building permit. He reiterated that this project was going through the HDDR process and they were trying to finalize that design. He noted that this project has a non-disturbed area of 50' in the back and 50' at the bottom. The Staff will also be working with a geo-tech structural engineer, and pursuant to the City Engineer and Building Official, that will be presented as part of the construction mitigation plan. Director Eddington stated that the Staff tried to incorporate as much of that as possible in the Staff report, but most of the issues regarding vehicles, parking, etc. are addressed when an applicant applies for a building permit. Chad Root, the Building Official, has been working closely with the City Council to establish a protocol. Director Eddington stated that the Staff could try to incorporate some of the language in the conditions of approval, but it would be difficult to do until they reach the building permit stage.

Commissioner Campbell liked the idea of requiring a guarantee on these difficult sites to guarantee completion. However, he did not think it was fair to delay this applicant or any other single applicant while the City tries to establish a new policy. He suggested a work session with the City Council or simply forwarding a recommendation for a policy going forward. Since a mechanism is currently not in place to require the guarantee, he did not think it should be passed on to this applicant. Commissioner Campbell asked how they would place a dollar value on the guarantee if they did require it. He was not opposed to a guarantee but he thought they needed time to discuss the policy and how to implement it. Commissioner Campbell was in favor of having that discussion but he did not believe it was fair to ask this applicant to wait for them to do it.

Commissioner Strachan remarked that there was already a mechanism in the Code that addresses guarantees and the Planning Commission already applied that mechanism to the project on Deer Valley Drive. He thought they could at least apply the Code provision to this project. Commissioner Strachan clarified that he was not suggesting that the Planning Commission should approve the construction mitigation plan, but it was not unprecedented for them to place restrictions in the conditions of approval regarding construction vehicles and hours in an effort to mitigate impacts specific to that neighborhood.

Mr. DeGray stated that from a construction standpoint King Road would be a more reasonable approach to the site on Ridge Avenue. Commissioner Strachan replied that if the applicant was willing to agree to only using King Road, he would consider it as a viable alternative. However, he was unsure if the applicant would want that limitation. Mr. DeGray stated that he would not want to limit the applicant, but Daly is a challenging route to reach the lot and he believed most construction workers would prefer to use King Road.

Commissioner Phillips stated that drives up King Road and he is very familiar with Ridge Avenue and Daly Avenue. He could see most construction traffic naturally using King Road because it is the shortest and easiest route. However, there is the possibility that construction vehicles would come in one way and go out the other way. He thought it would be beneficial to add a condition of approval requiring construction vehicles to use King Road.

Commissioner Strachan believed the construction vehicles would have to use both routes because Ridge Avenue is so narrow. If King Road is blocked by the first trucks, the others would have to come up Daly. Commissioner Phillips personally did not want to encourage more trucks using King Road because there is already a significant amount of construction in that neighborhood. Commissioner Strachan believed King Road was a better access point because the density of people was greater on Daly Avenue.

Commissioner Phillips commented on the issue of rocks rolling down the hill. The less trucks that use a substandard road minimizes the chance of rolling rocks.

Chair Worel asked if the Commissioners wanted to send this back to the Staff or whether they wanted to draft language this evening for a vote. Commissioner Strachan asked Assistant Attorney McLean to explain the LMC statute that allows the guarantee.

Assistant City Attorney McLean stated that the statute relates more to construction mitigation as part of the Steep Slope CUP. She agreed that the Planning Commission has added conditions of approval to projects in the past to mitigate the known impacts that would occur due to that construction. She stated that it was permissible, but it is not called out in the Land Management Code. Regarding the guarantee, Ms. McLean stated that most of the guarantees relate to plats and are specific to a specific application. She recalled that the guarantee for the Deer Valley project was discussed in terms of the excavation.

Commissioner Gross recalled that a concern with the Deer Valley project was the potential for damage to adjacent properties and wanting a guarantee in place in the event that occurred. Commissioner Strachan recalled that another reason for the guarantee was to

remediate the site if the excavation was done and the project was stopped for any reason.

Assistant City Attorney McLean stated that if the Planning Commission wanted to include a guarantee they would need to make a Finding regarding the impact and direct the Staff to evaluate what the guarantee should be.

Commissioner Strachan asked about the specifics of the guarantee for Deer Valley Drive. Commissioner Stuard recalled that the guarantee was left to the Building Department and that the Building Official came to a Planning Commission and discussed the issue, but he did not believe the guarantee was every put in place. Commissioner Stuard remarked that the LMC currently requires a vegetation guarantee of 75 cents per square feet, which is insufficient to handle a failed slope. He clarified that his proposal for the Deer Valley Drive project was an amount sufficient to complete the foundation walls with the appropriate retaining walls on the wing walls to stabilize the slope. In his opinion, that amount would be large enough to be an appropriate level of guarantee.

Commissioner Strachan stated that if a guarantee was never put in place for the Deer Valley Drive project, it was a failing on the part of the Planning Commission. However, if the guarantee was put in place, he would like to know what it was because they could use that project as a benchmark to figure out what findings are necessary to determine the amount of the guarantee.

Commissioner Campbell also thought the guarantee for the Deer Valley Drive project was never put in place; but he recalled that the Planning Commissioner was going to recommend that the City Council consider a Code change to put guarantees in place going forward. Commissioner Strachan thought that was the intent in terms of guarantees for all projects and not just steep slopes. Commissioner Campbell did not disagree with the need for that, but he still felt it was unfair to ask an applicant to put their project on hold for an undetermined amount of time while the City considers a new policy.

Chair Worel asked if the Staff could research the guarantee for the Deer Valley Drive project by the next meeting so this application would not be delayed indefinitely. Director Eddington thought they could. He stated that another alternative would be to put a condition of approval on this project noting that a bond guarantee in the amount of the cost of the shoring plan and the foundation walls should be required by the Chief Building Official.

Planner Alexander confirmed that a guarantee was not placed on the Deer Valley Drive project.

Commissioner Strachan suggested that Planning Commissioner could continue this item and direct the Staff to draft findings before the next meeting that support the conditions of approval regarding prohibiting traffic up Daly Avenue and limiting hours. The Staff should do the same for the guarantee. He noted that 15-1-7 addresses internal vehicle and pedestrian circulation, noise vibration, odors, control of delivery and service vehicles. He thought those were enough to give the Planning Commission latitude to condition which streets the construction vehicles could use and the hours.

Commissioner Stuard favored a continuation for the reasons mentioned. He likes the project and the smaller homes, and he thought the architect did a great job fitting the project on a difficult site. However, he would prefer to have the issues addressed before voting on whether or not to approve the Steep Slope CUP.

Mr. DeGray stated that from the standpoint of the applicant, he wanted to make sure that the completion bond was fair across the Board, and that the City has the ability to impose that kind of constraint on a single property owner without an ordinance to support it. He felt it was unreasonable to hold this applicant to a higher standard for a single family home where the impacts were generally confined. He understood their point but he found it somewhat whimsical to set a standard for one applicant that is different from the others. He questioned where they would draw the line.

Commissioner Strachan thought Mr. DeGray had a valid point and he believed the Staff could look into it. If the Staff concludes that it is not appropriate or there is no statutory basis to make it uniform, then he would accept that. However, if there is a statutory basis, the indication from the Planning Commission is to require the bond. If there is no basis, at a minimum the Planning Commission would want to look at the shoring plan and the retaining plan the same as they did on the Deer Valley Drive project.

Commissioner Campbell believed that was the role of the Building Department and not the Planning Commission. Commissioner Strachan thought it was incumbent upon the Planning Commission in the course of the Steep Slope CUP process not to defer to the Staff on everything. When the statute allows the Planning Commission to look at these things, he could not understand why they would not.

Assistant City Attorney McLean thought there was confusion with the terms. She clarified that it would not be a completion bond. It would actually be a remediation bond. If a hole was excavated and the project was never completed, the City would have the funds to fill in the hole and return the site to its original condition. Ms. McLean stated that a remediation bond is less expensive than a completion bond and she recommended that the Staff look at this as a remediation bond. Ms. McLean remarked that it was the same for shoring. Regarding a review of the Geo-Tech and the shoring plan to make sure the construction

does not impact other properties below the site, it is possible that once the review is done by the Building Department the Planning Commission would feel comfortable and not need to see it. Commissioner Campbell noted that review of the shoring plan is standard whenever someone applies for a building permit. Ms. McLean stated that the Planning Commission could request to see that information in association with the impacts of building on a steep slope.

Commissioner Campbell clarified that the Planning Commission could approve the Steep Slope CUP with the condition that the Planning Commission could review the remediation plan approved by the Building Official. Commissioner Strachan pointed out that once the CUP is approved, there would be no reason to review the remediation plan. That was his reason for suggesting a continuance until all the reviews were done. Commissioner Campbell did not believe the Planning Commission was qualified to rule on geo-technical reports. Commissioner Phillips agreed. He recalled going through that on another project and no one on the Planning Commission understood the geo-technical report.

Commissioner Campbell stated that contractors and builders have liability insurance to address the issues of sliding rocks and damage to surrounding properties. The City also has rules and regulations. He believed there were many mechanisms in place for any construction on any type of site to protect the neighbors if their property is damaged. Commissioner Campbell was not opposed to restricting truck access to certain roads and hours. He believed there was agreement among the Commissioners for some type of remediation bond, but it was the purview of the City Council to create that law. Commissioner Joyce pointed out that the law for a remediation bond is already in place at 75 cents per square foot. Commissioner Campbell remarked that Commissioner Stuard was proposing a more suitable amount that would create a fund to return the site to its original condition if necessary. A fund for that amount is not currently in place. Commissioner Campbell agreed with that type of fund, but he did not think they had the right to hold up a specific project until that process occurs with the City Council.

Commissioner Strachan felt the Planning Commission was incumbent under the Code to find a way to mitigate the identified impacts. He personally did not believe adequate mitigation was leaving it up to the liability insurer of the builder. The Planning Commission has the responsibility to make sure the impacts can be mitigated and they should not pass it off to someone else.

Planner Alexander stated that the Analysis in the Staff report outlines the different criteria that the Staff analyzed and determined that there were no unmitigated impacts. She asked Commissioner Strachan which part of the analysis he was concerned with. Commissioner Strachan remarked that all conditional use permits go through Section 15-1-7, which requires the Staff to look at size and location, traffic considerations, internal vehicular,

fencing, screening, usable open space, etc. These are basic CUP requirements that apply to all zones, and he was struggling with mitigating some of those impacts. Planner Alexander asked if the Planning Commission would like the Staff to include the remediation bond for all future steep slope CUPs. Commissioner Strachan thought they should start with this Steep Slope CUP. If they find that there is no way for the Staff to value the guarantee amount, he would accept that and move forward.

Mr. DeGray requested that the Staff also look at whether or not the Planning Commission has the ability to require the guarantee. Commissioner Strachan thought that was also a fair point. Commissioner Campbell emphasized that he agreed that the bond should be in place, but he did not believe the Planning Commission had the right to impose it.

Commissioner Joyce remarked that they had heard the arguments on both sides of the bond issue and he recommended that they let the Staff determine whether or not the Planning Commission has the ability to impose it. Commissioner Campbell noted that if the applicant wanted to build the house this year, delaying it for a full month would be a significant impact to the applicant. Commissioner Stuard suggested that the applicant could continue to work on other aspects of the site while they wait for this decision.

Commissioner Campbell stated one more time for the record that he did not think it was fair to put the entire wishes of what they hoped to accomplish on one project. He thought the Planning Commission as a body should look into it and petition the City Council to add this requirement in a timely manner so it could be applied when the other lots are developed.

Commissioner Gross pointed out that the applicant has been working on this project for seven years and he was not concerned about delaying it further with a continuance. Commissioner Joyce concurred. Mr. DeGray clarified that this was a new applicant and the previous delays were caused by the previous owner. The property was sold and the new owner has been moving through the process. Commissioner Gross noted that the City has spent a lot of time and money reviewing this project over the past seven years and they were trying to do it right as quickly as possible. He suggested that the applicant work with the Staff and recommend what they believe would be a fair and adequate bond amount.

MOTION: Commissioner Strachan moved to CONTINUE the Steep Slope Conditional Use permit for 166 Ridge Avenue to August 27, 2014. Commissioner Stuard seconded the motion.

VOTE: The motion passed 4-2. Commissioners Stuard, Strachan, Joyce and Gross voted in favor of the motion. Commissioners Phillips and Campbell voted against the motion.



July 31, 2014

Jonathan DeGray Architect
PO Box 1674
Park City, Utah 84060

EMAIL: degrayarch@qwestoffice.net

Subject: Temporary Excavation Slope
Navarro Residence
166 Ridge Avenue
Park City, Utah
Project No. 1140674

Gentlemen:

Applied Geotechnical Engineering Consultants, Inc. (AGEC) was requested to provide geotechnical consultation with regards to temporary excavation slopes for the Navarro Residence to be constructed at 166 Ridge Avenue in Park City, Utah.

PROPOSED CONSTRUCTION

The property consists of a vacant residential building lot on the southeast side of a curve in Ridge Avenue. Available construction plans indicate the Navarro residence is planned to consist of a multi-level concrete and wood-frame structure. The lower level of the residence is planned to be constructed at an elevation of 7,255 feet.

SUBSURFACE CONDITIONS

IGES performed a geotechnical investigation for a three-lot subdivision in which the proposed residence is located. They presented their findings and recommendations in a report dated November 22, 2006 under Job No. 00920-001. The subsurface conditions encountered included gravel and clay layers.

AGEC previously provided geotechnical engineering services for the Wood residence across the street from the site. The soil encountered in the foundation excavation consisted of dense clayey gravel with cobbles and sand.

TEMPORARY EXCAVATION SLOPE

The existing ground surface elevation along the edge of Ridge Avenue is at an elevation of approximately 7,282 feet. There is a horizontal distance of approximately 16 to 20 feet between the closest portions of the proposed residence and the edge of Ridge Avenue. It appears that a temporary excavation slope up to 28 feet in height could be constructed at a slope of approximately $\frac{2}{3}$ horizontal to 1 vertical.

CONCLUSIONS AND RECOMMENDATIONS

Based on the proposed construction and available information regarding the subsurface soil in the area, the following conclusions and recommendations are given:

1. In our professional opinion, a temporary unretained excavation slope could potentially be constructed to accommodate construction of the residence. Additional subsurface investigation should be conducted prior to construction of the excavation slope. The subsurface investigation could be conducted at the start of construction of the residence.
2. If soil conditions are encountered that would not allow construction of the temporary unretained excavation slope, shoring will be needed.
3. No subsurface water was encountered in the borings drilled near the property or in the foundation excavation for the nearby residence. Subsurface water in the area can occur in a perched condition during the early spring and summer as snow melt occurs. If perched water is encountered in the excavation for the proposed residence, flatter excavation slopes and/or shoring may be needed.
4. The temporary excavation slope, if constructed, should be covered with chain-link fencing to reduce the potential for material to fall off the face of the slope.
5. An engineer from AGECE should perform the additional subsurface investigation described above and visit the site periodically during excavation to observe the temporary excavation slope.

LIMITATIONS

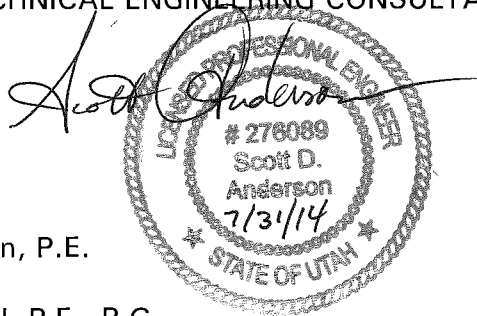
This letter has been prepared in accordance with generally accepted geotechnical engineering practices in the area for the use of the client. The conclusions and recommendations included in the letter are based on our experience in the area, information provided by others and our understanding of the proposed construction. Variations in the subsurface conditions may not become evident until additional exploration or excavation is conducted. If the subsurface conditions or proposed construction is significantly different from what is described in this letter, we should be notified to reevaluate the recommendations given.

Jonathan DeGray Architect
July 31, 2014
Page 3

If you have any questions or if we can be of further service, please call.

Sincerely,

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Scott D. Anderson, P.E.

Reviewed by DRH, P.E., P.G.
SDA/rs



CONSTRUCTION MITIGATION PLAN

PERMIT #: TBD

ADDRESS: 166 RIDGE AVE., PARK CITY, UT

CONTRACTOR: RW WOLFF CONSTRUCTION, 1998 Kidd Cir., Park City, UT 84098
Rob Wolff 435-640-2448

Name, Address, Contact Person, Phone Numbers

1. Hours of Operation are 7:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sundays. Comments: Specified hours will be adhered to
2. Parking will not block reasonable public and safety vehicle access, will remain on same side of street and on pavement only. Within paid and permit only areas, an approved parking plan will be obtained from the Public Works Department. Comments: Once approval is obtained and a Reference Permit acquired, a plan will be submitted to Public Works for approval. Parking will occur on subdivision driveway off Ridge Ave.
3. Deliveries will be during hours of operation only. Comments: Deliveries will be during approved hrs and at approved location on site- see item 4
4. Stockpiling & Staging will be on site and within the approved limits of disturbance fence. Comments: Stockpiling & staging will occur off Ridge Ave. and on the driveway area of the subdivision.
5. Construction Phasing if necessary, may be required and will be authorized by the Building Official. Comments: Not applicable
6. Trash Management & Recycling - Construction site will provide adequate storage and program for trash removal and will keep site clean daily. Recycling is encouraged. Comments: Construction waste will be sorted for recyclables. All construction waste containers will be held in the staging area on subdivision driveway
7. Control of Dust & Mud will be controlled daily. Gravel will be placed in the egress and ingress areas to prevent mud and dirt from being tracked on streets. Water will be on site to prevent dust. Comments: Gravel will be used on subdivision driveway during construction. Dust will be controlled with watering, as needed, and Ridge Ave will be cleaned as needed to control mud & dirt from going into the public way.

8. Noise will not be above 65 decibels which violates the noise ordinance and will not be made outside the hours of operation. Comments: Construction activity is limited to the hours of operation. All efforts will be made to keep noise levels within reason.

9. Grading & Excavation will be during hours of operation and trucking routes may be restricted to prevent adverse impacts.

Cubic Yards to be removed: _____ Destination: Browns Canyon, Summit County

Comments: _____

10. Temporary Lighting if used, will be approved by the Planning Department. Comments: _____
Not Applicable

11. Construction Sign will be posted on site and in a location that is readable from the street. The sign will not exceed 12 square feet in size and 6 feet in height. The lettering will not exceed 4 inches in height and will include the following information: Contractor name, address, phone number and emergency contact information. Comments: Prior to construction starting, a compliant sign will be erected with the stipulated information provided.

12. Other Issues: Dogs will be prohibited from construction sites. Information will be provided to neighboring property owners to help them be aware of project and to keep the lines of communication open. Comments: No dogs are allowed on this site during construction. Neighbors will be notified of any issue that may create an inconvenience prior to the occurrence; such as road closures, etc.

13. Soils Ordinance: All properties located within the soils ordinance boundary shall comply with PCMC Title 11, Chapter 15, including but not limited to dust control, soil cover and approved soil disposal Comments: Not applicable to this site

14. Erosion Control: Storm Water Management Plan - Attachment A - will be reviewed, signed and attached to this construction mitigation plan. Comments: An erosion control plan has been approved as part of the drive way C.U.P.

When signing this form, the responsible party(ies) acknowledge understanding of the above conditions and hereby agree to comply. This form shall serve as a notice that failure to comply with the above conditions will result in enforcement action.

Contractor Signature: Rob Waff Date: August 5, 2014

Approved By: _____ Date: _____

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 15 Anchor Avenue Subdivision
Author: Anya Grahn, Historic Preservation Planner
Project Number: PL-14-02405
Date: August 27, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 15 Anchor Avenue Subdivision plat amendment, located at the same address, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the Planning Department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Judy Scipione, represented by Architect David White
Location: 15 Anchor Avenue (also known as 55 Anchor Avenue)
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Unbuilt Anchor Avenue, single family residential, multi-unit dwellings, private driveway
Reason for Review: Planning Commission review and recommendation to City Council

Proposal

The applicant is requesting a Plat Amendment for the purpose of combining portions of Lots 48, 49, 50, 51, 54, 55, 56, 57, 58, 59, and 60 of the Amended Plat of the Park City Survey. The site was designated as "Landmark" on the City's Historic Sites Inventory (HSI). The applicant wishes to subdivide the property into two (2) lots of record in order to move forward with the renovation of the historic structure on the new Lot 1 as well as a new single-family dwelling on Lot 2.

Purpose

The purpose of the Historic Residential (HR-1) District is to:

- (A) preserve present land Uses and character of the Historic residential Areas of Park City,
- (B) encourage the preservation of Historic Structures,
- (C) encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,

- (D) encourage single family Development on combinations of 25' x 75' Historic Lots,
- (E) define Development parameters that are consistent with the General Plan policies for the Historic core, and
- (F) establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

Current Application

15 Anchor is designated as a “Landmark” site on the City’s Historic Sites Inventory (HSI). The 2009 Historic Structure Form documents the historic house as hall-parlor cottage. Though the informal landscaped setting, original workmanship, and historic character of the site have been preserved, the HSI form notes that the house was in poor, deteriorated condition already in 2009. The property is identified as 15 Anchor Avenue by Summit County; however, it also appears as 55 Anchor Avenue on historic Sanborn Fire Insurance Maps.

The applicant submitted a pre-Historic District Design Review (HDDR) application and met with staff to discuss renovation options in April 2014. The existing historic house straddles the interior property lines formed by Lots 48, 49, 57, and 58. A historic shed at the front (east) of the lot encroaches over Lots 56 and 57, and encroaches slightly over the rear property line to the east. The applicant does not propose, at this time, to relocate the structure; however, any proposal to do so would be required to meet LMC 15-11-13(A) which requires that the relocation abates demotion and the Chief Building Official and Planning Director determine unique conditions exist that warrant the proposed relocation. Any new construction, such as an addition, would be required to meet the required setbacks. Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.

The historic structure is in dilapidated condition. As no HDDR application has yet been submitted, no determination has been made as to the treatment of the historic house during the renovation. Any proposals to panelize or reconstruct the house would require approval by the Planning Director and Chief Building Official as outlined in LMC 15-11-14.

In June 2014, the applicant applied for a plat amendment in order to subdivide the property into two (2) legal lots of record. The applicant intends to renovate the historic house on Lot 1 and construct a new single-family dwelling on Lot 2 of the 15 Anchor Avenue Subdivision. The new single-family construction would be required to meet the required setbacks, footprint allowance, and height requirements of the LMC.

Past Applications

15 Anchor Avenue is only accessible to existing City streets by means of an easement. In 1985, the previous owners of the properties at 15 Anchor and 55 and 57 King Road entered into an agreement to create a private drive accessing these three (3) properties

from King Road. The length of the drive is approximately 185 feet from the north property line of 55 King Road to the built King Road. The easement measures sixteen feet (16') in width, though the paved road within the easement is only twelve feet (12') wide (see Exhibit D). The private drive was constructed immediately to the west of 15 Anchor Avenue. This easement was replaced by a new easement agreement between the applicant and Anchor Development in 2008 (Exhibit E).

The 1996 re-plat of the Millsite Reservation Subdivision No.1, Block 75, Lots 43-47 and Lots 60-65 to create 55 and 57 King Road included provisions to regulate house size, mitigate potential impacts to the historic property at 15 Anchor Avenue, and negate any future development that may increase parking demands on the private drive (Exhibit F). The approval included a plat amendment specifying that further subdivision and/or the development of additional units beyond the two single-family units at 55 and 57 King Road were prohibited. The new single-family home at 55 King Road was completed in 2008 and the new single-family home at 57 King Road was completed in 2014.

City Council approved an ordinance to vacate Anchor Avenue and a part of Seventh Street on May 25, 1965. Remnants of these streets have since been incorporated into neighboring properties such as 15 Anchor Avenue. As no part of Anchor Avenue is constructed as a thoroughfare, 15 Anchor Avenue will be required to complete a legal address change. The City Engineer will assign the two (2) new lots of the 15 Anchor Avenue Subdivision King Road addresses.

Analysis

The following chart outlines the existing conditions with the house in its historic location. The plat is necessary in order for the applicant to move forward with a Historic District Design Review (HDDR) application to reconstruct the existing house.

	HR-1 Zone Designation		Existing Conditions
	Lot 1	Lot 2	
<i>Lot Size (as proposed)</i>	5,367.5 SF	4,435.8 SF	9,803.3 SF
<i>Setbacks</i>			
Front (East)	0 ft. (Historic shed is valid complying structure)	13 ft.	0 ft. (Historic shed encroaches over rear property line)
Rear (West)	0 ft. (Historic Shed is valid complying structure)	12 ft.	0 ft. (Historic shed encroached over the east property line)
Side (North)	5 ft.	5 ft.	37 ft.
Side (South)	4 ft. (Historic shed is valid complying structure)	5 ft.	4 ft. (Historic Shed)
<i>Allowed Footprint</i>	1,985.0 sf.	1,728.6 sf	845 sf. House*

			Total allowed footprint: 2,825.55 SF
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**Per the Building Footprint definition, accessory buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged, or incorporated into the Main Building are not included in footprint.*

As seen in the following chart, the allowed footprint of 15 Anchor Avenue is similar in size to other historic sites and new development in the vicinity. The following chart shows the approximate house size for adjacent developments. Please note that some adjacent properties along King Road are in the HRL zone while 15 Anchor Avenue is in the HR-1 Zone.

Address:	Zone:	Year Built:	Lot Size (+/-)	Existing SF	Max Footprint	Historical Significance
5 King Rd (5 Daly Ave)	HR-1	1904	2,178 SF	1,188 SF	963.5 SF	Significant
14 King Rd	HR-1	1995	2,448 SF	1,712 SF	1,066.7 SF	Not Historic
15 King Rd	HR-1	2007	4,304 SF	1,768 SF	1,689.6 SF	Not Historic
33 King Rd	HR-1	1901	5,735 SF	899 SF	2,077.5 SF	Landmark
39 King Rd	HR-1	1901	4,356 SF	674 SF	1,705.11 SF	Landmark
52 King Rd	HR-1	2005	5,760 SF	3,112 SF	2,083 SF	Not Historic
55 King Rd	HR-L	2005	11,963 SF	2,318 SF	3,400 SF above ground per plat notes	Not Historic
57 King Rd	HR-L	2012	7,305 SF	2,400 SF above ground per plat notes	2,400 SF above ground per plat notes	Not Historic
64 King Rd	HR-1	1993	1,965 SF	1,554 SF	879	Not Historic
68 King Rd	HR-1	1990	3,049 SF	2,183 SF	1,284.46 SF	Not Historic
69 King Rd	HR-L	1901	6,098 SF	819 SF	2,164.42 SF	Landmark
81 King Rd	HR-L	1906	4,643 SF	1,382 SF	1,787 SF	Significant
83 King Rd	HR-L	N/A	6,251 SF	Undeveloped	2,199.7 SF	Not Historic
41 Seventh St	HR-1	1900	3,485 SF	1,925 SF	1,432.53 SF	Significant
10 Daly Ave	HR-1	1901	5,519 SF	2,218 SF	2,023.6 SF	Significant
24 Daly Ave	HR-1	1901	3,049 SF	1,022 SF	1,284.5 SF	Significant
32 Daly Ave	HR-1	1982	Multi-unit condo	Multi-unit condo	Multi-unit condo	Not Historic
40 Daly Ave	HR-1	1982	Multi-unit condo	Multi-unit condo	Multi-unit condo	Not Historic
48 Daly Ave	HR-1	1982	Multi-unit condo	Multi-unit condo	Multi-unit condo	Not Historic
56 Daly Ave	HR-1	1982	Multi-unit condo	Multi-unit condo	Multi-unit condo	Not Historic
62 Daly	HR-1	1997	2,687.2	1,339 SF	1,155.3 SF	Not Historic

Ave			SF			
64 Daly Ave	HR-1	1997	2,687.2 SF	1,339 SF	1,155.3 SF	Not Historic
68 Daly Ave	HR-1	1983	2,178 SF	1,521 SF	963.6 SF	Not Historic
80 Daly Ave	HR-1	N/A	3,485 SF	Undeveloped	1,432.6 SF	Not Historic
84 Daly Ave	HR-1	1900	3,485 SF	635 SF	1,432.6 SF	Not Historic
15 (55) Anchor Ave	HR-1	1901	10,454 SF	790 SF	2,904.9 SF	Landmark

As shown in the chart above, the subdivision of 15 Anchor Avenue into two (2) lots measuring 5,367.5 sf (Lot 1) and 4,435.8 sf (Lot 2) creates lots that are slightly larger than average, but still comparable in size to surrounding properties in the HR-1 zone. The average lot size of surrounding properties in the HR-1 Zone, not including the Empire Canyon Condos at 32, 40, 48, and 56 Daly, is 3,930 sf. Further, these two (2) new lot sizes will yield developments more in scale with the historic district overall than the neighboring properties at 55 and 57 King Road.

As seen in the Existing Conditions Survey (Exhibit B), there is an access easement that provides access to the site from King Road. This easement is sixteen feet (16') in width and intersects King Road to the north; the total paved driveway within the easement is twelve feet (12') in width. As the historic shed cannot be moved without meeting the criteria outlined in LMC 15-11-13(A) and the shed encroaches over the east property line, it is recommended that the property owner enter into an encroachment agreement with the neighboring property for this encroachment.

Aside from the HDDR and Building Permit, the applicant will be required to submit a Steep Slope Conditional Use Permit (SS CUP) should the structure be located upon an existing slope of thirty percent (30%) or greater and exceed a total square footage of one thousand square feet (1,000 sf). Portions of Lots 1 and 2 exceed thirty percent (30%) slope along the east and west edges of the property.

In 1985, Park City Municipal entered into an emergency access agreement with the property owners (Exhibit D). As previously noted, there is also an existing easement agreement between the property owners of 15 Anchor and 55 and 57 King Road in order to access these properties from King Road via a private driveway (Exhibit E).

In 1996, City Council approved the 55-57 King Road Plat Amendment which created the adjacent lots at 55 and 57 King Road (Exhibit F). These properties are both located in the HR-L district which permits larger development due to a larger minimum lot size of 3,750 sf compared to 1,875 sf in the HR-1 district. Further, conditions of approval were added to the plat amendment to ensure that the resulting lot size was compatible with the scale of historic structures in the neighborhood; the maximum gross floor area for Lot 1 cannot exceed 2,400 sf (not including the garage), and Lot 2 cannot exceed 3,400 sf (not including garage). As shown on the previous page, the allowable footprints of

Lots 1 and 2 of the 15 Anchor Avenue Subdivision will be 1,985.0 sf and 1,728.6 sf, which is comparable to the overall above ground square footage of the adjacent properties.

The plat amendment for 55 and 57 King Road also included provisions negating the further subdivision and/or the development of additional units beyond the two (2) units for that subdivision. Staff recommends that a similar provision be added to the 15 Anchor Avenue plat amendment to ensure that the private driveway is not further burdened by increased development. At this time, the applicant proposes only to renovate the existing historic structure with a new addition as well as construct a new single-family home on the vacant Lot 2. Moreover, duplex dwellings, accessory apartments, and guest houses are conditional uses in the HR-1 District where the 15 Anchor Avenue Subdivision is located.

In reviewing this application internally, a number of concerns were brought up by other City departments. Utilities will need to be upgraded and run to both Lots 1 and 2 of the 15 Anchor Avenue Subdivision, and soil mitigation will be required due to the property's proximity to historic mine sites, though the property itself is not in the Soils District. These issues have been addressed as necessary in the Conditions of Approval.

Good Cause

Planning Staff believes there is good cause for the application. Combining the lots will allow the property owner to move forward with site improvements, which include renovating the historic house with an addition as well as creating a second buildable lot. If left un-platted, the property will remain as-is. The plat amendment will permit the renovated historic house and shed to no longer straddle interior lot lines. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm on any adjacent property owner because the proposal meets the requirements of the Land Management Code (LMC) and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. The applicant cannot move forward with the HDDR addition until the plat amendment has been recorded.

Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. No additional issues were raised regarding the subdivision.

Notice

The property was posted and notice was mailed to property owners within 300 feet on August 13, 2014. Legal notice was published in the Park Record on August 9, 2014.

Public Input

No public input has been received at the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 15 Anchor Avenue Subdivision as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 15 Anchor Avenue Subdivision and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 15 Anchor Avenue Subdivision to a date certain.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and eleven (11) partial existing lots would not be adjoined. Any additions to the historic house would not be permitted because the new construction would be required to meet the setbacks from the interior lot lines.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the 15 Anchor Avenue Subdivision plat amendment, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with proposed plat

Exhibit B – Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photograph and streetscape photos

Exhibit D – Fire Access Agreement

Exhibit E – Easement agreement for private drive access

Exhibit F – Ordinance No. 96-44 for the 55-57 King Road Plat Amendment

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE 15 ANCHOR AVENUE SUBDIVISION PLAT LOCATED AT 15 ANCHOR AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 15 Anchor Avenue (also known as 55 Anchor Avenue), has petitioned the City Council for approval of the plat amendment; 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 August 27, 2014, to receive input on the proposed subdivision;

WHEREAS, on August 27, 2014, the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on September 18, 2014 the City Council held a public hearing on the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 15 Anchor Avenue Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 15 Anchor Avenue Subdivision as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 15 Anchor Avenue within the Historic Residential (HR-1) Zoning District.

2. The applicants are requesting combine Lots 47, 48, 49, 50, 51, 54, 55, 56, 57, 58, 59, and 60 of the Amended Plat of the Park City Survey into two (2) legal lots of record.
3. The plat amendment is necessary in order for the applicant to move forward with a Historic District Design Review (HDDR) application for the purpose of renovating the historic house and adding an addition.
4. The amended plat will create two (2) new lots that measure 5,367.5 sf (Lot 1) and 4,435.8 sf (Lot 2) in size. Minimum lot size in the HR-1 zone is 1,870 sf.
5. The site is identified as "Landmark" on the City's Historic Sites Inventory (HSI). The existing house was in poor, deteriorated condition as documented on the 2009 Historic Sites Inventory.
6. The historic shed structure encroached over the east property line and into the neighboring property. The structure would not be permitted to be relocated on the property unless the relocation meets the criteria outlined in LMC 15-11-13.
7. The renovation of the house will require a review under the adopted 2009 Design Guidelines for Historic Districts and Historic Sites through the HDDR process. At this time, no HDDR application has been submitted to the Planning Department in order to renovate the house and add a small addition.
8. The maximum allowed building footprint allowed on Lot 1 is 1,985.0 square feet and on Lot 2 is 1,728.6 square feet. The applicant intends to construct a new rear addition and renovate the historic structure on Lot 1. A new single family house will be constructed on Lot 2.
9. This plat amendment will create two (2) legal lots of record that are slightly larger than adjacent properties in the HR-1 District, but remain comparable in size to the neighborhood overall.
10. The historic house and shed have a front and rear yard setback of 0 feet, a north side yard setback of 5 feet, and a south side yard setback of 4 feet. Historic structures that do not comply with building setbacks are valid complying structures.
11. New additions to the rear of the historic home require adherence to current setbacks as required in the HR-1 District, as well as be subordinate to the main dwelling in terms of size, setback, etc., per the requirements of the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
12. Any new development on Lot 2 of the 15 Anchor Avenue Subdivision will be required to meet the current setbacks, footprint, and height restrictions as required by the HR-1 District.
13. On June 16, 2014, the applicant applied for a plat amendment. The application was deemed complete on June 19, 2014.
14. In 1985, Park City Municipal Corporation entered into an Agreement to Provide Emergency Access with the owners of lots in Block 75 of the Park City Survey. The agreement stipulated that the property owners would widen the width of the access easement agreement to sixteen feet (16') and pave an area at least twelve feet (12') in width within the easement in order to accommodate emergency vehicles.
15. There is an existing easement between the applicant and Anchor Development allowing the applicant to access her property via a private driveway extending approximately 185 feet from the north property line of 55 King Road to the built King

Road and measuring sixteen feet (16') in width. The paved driveway built within the easement is twelve feet (12') in width.

16. In 1996, City Council approved the 55-57 King Road Plat Amendment which created the adjacent lots at 55 and 57 King Road. This plat amendment included provisions negating the further subdivision and/or the development of additional units beyond the two (2) units for that subdivision to ensure that the private driveway and limited access were not further burdened by increased development
17. The applicant has reviewed and agreed to the Conditions of Approval.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work that expands the footprint of the home, or would first require the approval of an HDDR, shall be granted until the plat amendment is recorded with the Summit County Recorder's office.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. The addition of a plat note specifying that further subdivision and/or the development of additional units beyond the two (2) single family houses on Lots 1 and 2 shall be prohibited.
6. The plat shall contain a note referencing the 2008 access agreement for the private driveway.
7. The applicant shall change the addresses of Lots 1 and 2 of the 15 Anchor Avenue Subdivision to the satisfaction of the City Engineer and the addresses shall be identified on the plat prior to plat recordation.
8. An encroachment agreement for the historic shed is recommended.

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

PASSED AND ADOPTED this ____day of September, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

[illegible]

I, J.D. Coffey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

Date _____ J.D. Galley RLS4359005

now all men by these presents that Judy Scipione, the undersigned owner of the heron described 15 Anchor Avenue Subdivision, Block 75, Herby City survey, having caused this Plat Amendment to be made, does hereby certify to the recordation of this Record of Survey Plat in the office of the County Recorder of Summit County, Utah, in accordance with the provisions of the alluvial land for local government uses statute and the City of Park on the plat in accordance with an irrevocable offer of dedication, in witness whereof, the undersigned has set her hand this _____ day of _____, 2014.

On this ____ day of _____, 2014, Judy Scipione personally appeared before me, the undersigned Notary Public in and for said State and County, before me, after being duly sworn, acknowledged to me that she is the owner of the herein dated 15 Andover Avenue Condominium, that she has assigned the above described Condominium to Rudi K. Scipione, and that she has executed this document for the purposes set forth herein.

My commission expires: _____

NOTARY PUBLIC
RESIDING IN _____ COUNTY



Alpine Survey, Inc.
19 Prosperity Drive
Park City, Utah 84080
(435) 655-8016

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
REVIEWED FOR COMPLIANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT FACILITIES
ON YEAR _____ DAY OF _____ 2014.

BY PARK CITY ENGINEER

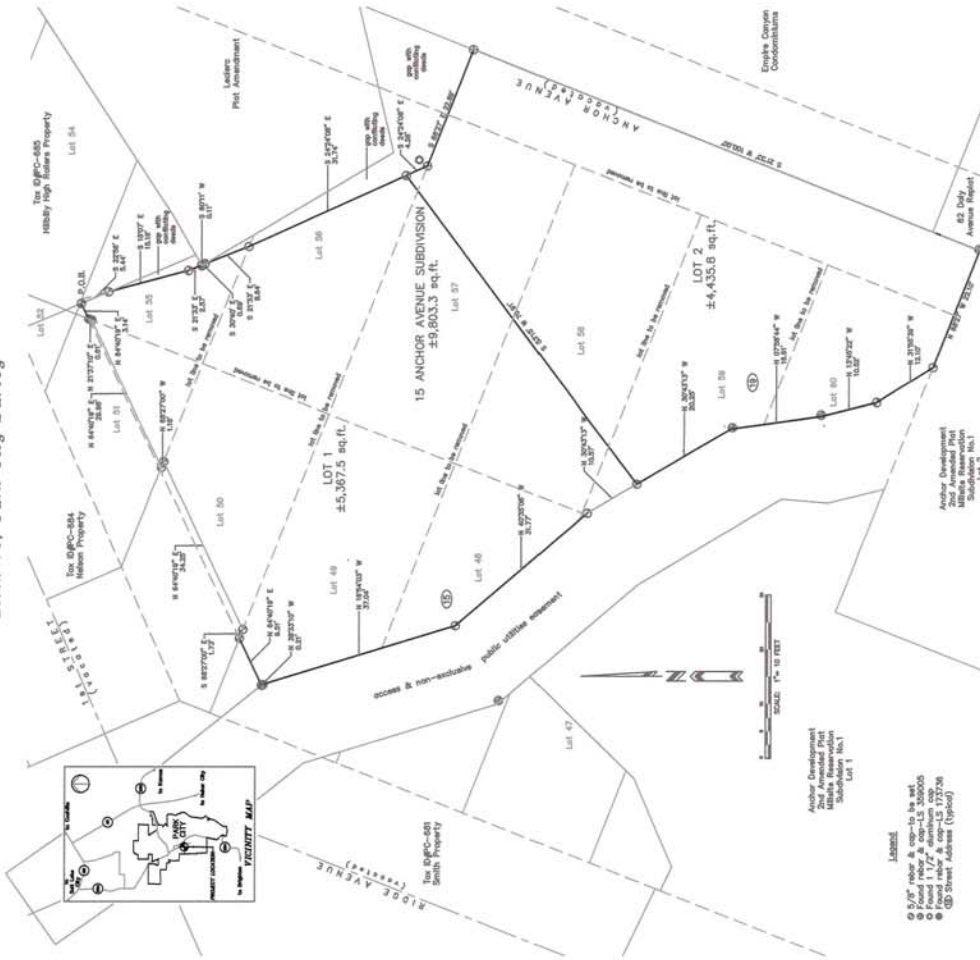
10

BY PARK CITY RECORDS

BY _____ MAYOR

STATE OF UTAH, COUNTY OF SALT LAKE
AT THE REQUEST OF

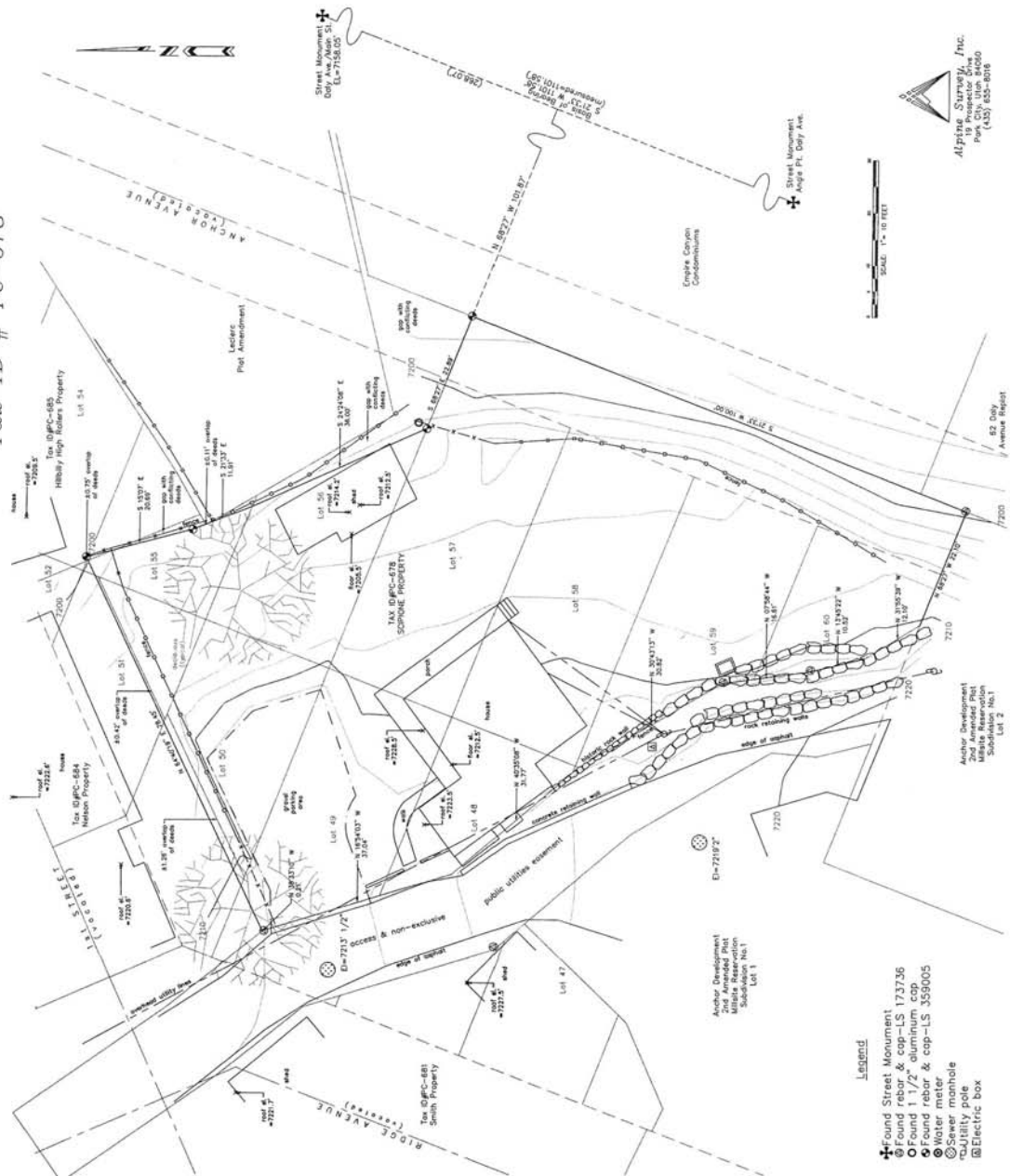
DATE _____ TIME _____ BOOK _____ PAGE _____
PARK CITY, UTAH
PARK CITY, UTAH



LOT 1

LOT 2

[illegible][illegible]



1. Survey requested by Judy Scipione.
2. Purpose of survey: locate the improvements and topographic relief.
3. Basis of survey: found property monuments as shown; Park City Monument Control Map by Bush & Gudgein, Inc. on file and of record.
4. Office of the Summit County Recorder. The breakdown of Block 75 is as shown on the City by 1927 Goldwell & Richards Engineers, traced from the Original Map, July 1927.
5. Date of survey: December 14, 2005; updated June 5, 2014.
6. Property monuments found as shown.
7. Located in the Northeast Quarter of Section 21, Township 2 South, Range 12 East, T2S, R12E, S21.
8. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
9. See the Lederer Plat, Amendment, the Empire Canyon Condominiums, 62 Day Avenue Subdivision and the Anchor Development, 2nd Amendment Plat, Millrite Residence Subdivision No. 1, along with the Official Summit County Recorder's Book 1942, Page 883 and Summit County Recorder's Book 1942, Page 886 all in the office of the Summit County Recorder.
10. An elevation of 7153.05 feet, from the Park City Monument Control Map, was assigned to the Street Monument at the intersection of 11th St. Street and Day Avenue, as shown.
11. The property owners are legally pursued to "clean up" the ground line overlaps along the various property lines, as shown herein.

Those portions of Lots 47, 48, 49, 50, 51, 54, 55, 56, 57, 58, 59, and 60 of Block 75, and a portion of Acreage Avenue, Park City Survey Amended, more particularly described as follows:

Beginning at a point on a fence, said point being S 68°27' E, 2.36 feet
to Q corner more or less, from the Southwesterly
Corner of said Lot 5; thence N 81°30' W, 3.37 foot;
then along a fence line following three courses: 1) S 150°7' W,
20.69 feet; hence 2) S 21°33' E, 11.91 feet; hence 3) S 24°24'08" E,
36.00 feet to a point on the Northerly line of Lot 57 of said Block 75;
then along said Northerly line of Lot 57, S 83°27' E, 22.89 feet to the
centerline of vacated Acreage Avenue, 100.00 feet to the along side
of said vacant Acreage Avenue and the extension of the Southerly line
of Lot 60 of said Block 75; thence along said extension of the Southerly
line of Lot 60 and said Southerly line of Lot 60, N 68°27' W, 22.10 feet
to the intersection of the above-mentioned public utility right-of-way easement^{as}, as described by Record No. 342494, of the First
MileSale Subdivision NO. recorded as Entry No. 524943, at the office
of the Summit County Recorder; thence along said Easterly line the
following seven courses: 1) N 31°55' 39" E, 12.70 feet; hence 2)
S 10°15' 39" E, 10.36 feet; hence 3) S 73°38' 44" W, 16.61 feet; hence 4)
N 4° 20' 53" W, 20.88 feet; hence 5) S 68°27' E, 22.10 feet; hence 6)
N 6° 15' 40" E, 37.04 feet; hence 7) N 38°13' 07" W, 0.21
feet; hence N 6°40' 19" E, 78.45 feet to the point of beginning.

I, J.D. Colley, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

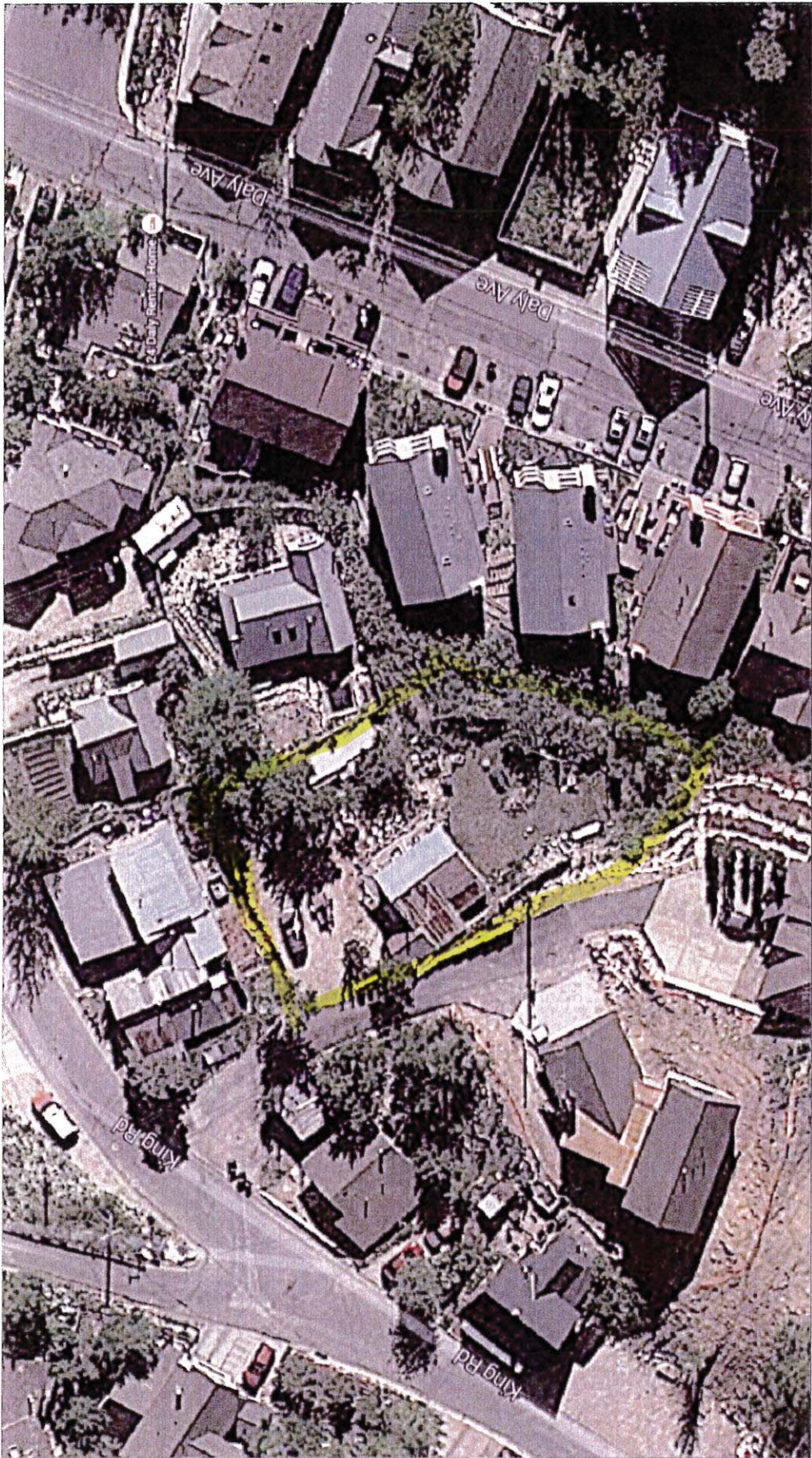
Date June 15, 14



10. 10/10/10 10/10/10 10/10/10

JUN 16 2014

PARK CITY
PLANNING DEPT.



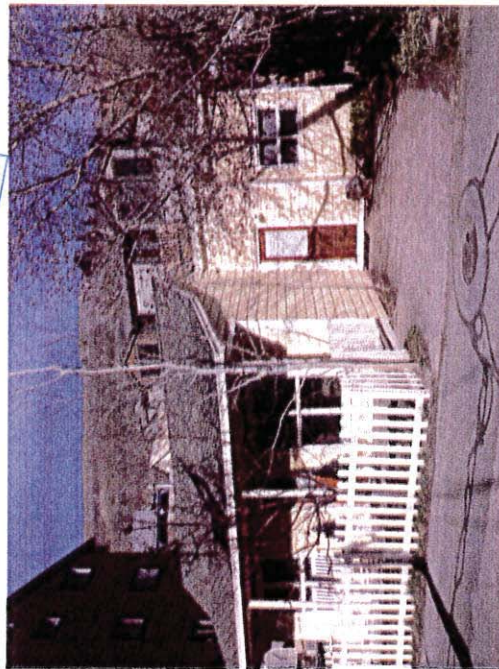
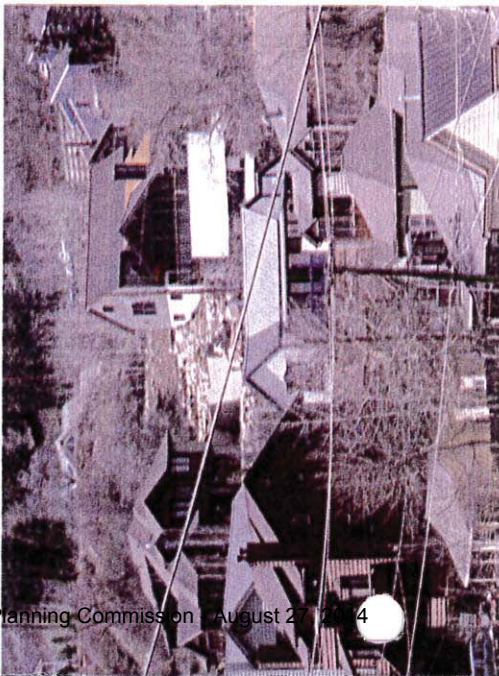
Google

Imagery ©2014 State of Utah, Map data ©2014 Google, 20 ft



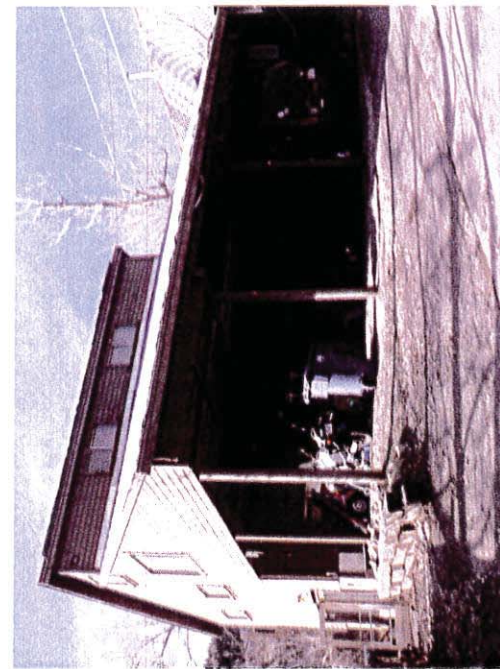
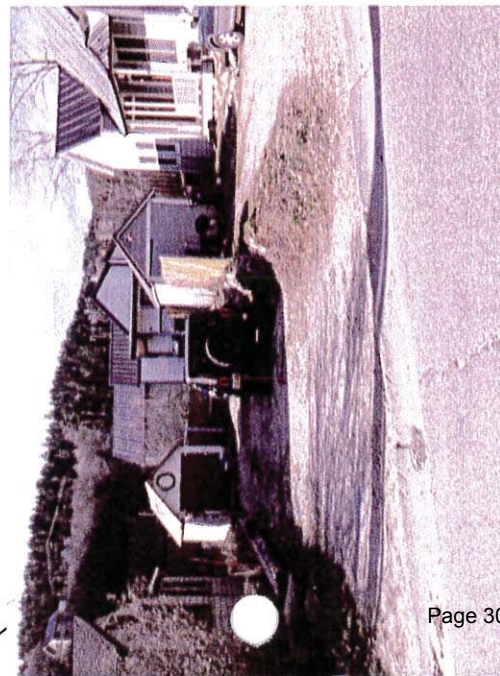
SURROUNDING HOMES

RECEIVED
JUN 16 2014
PARK CITY
PLANNING DEPT.



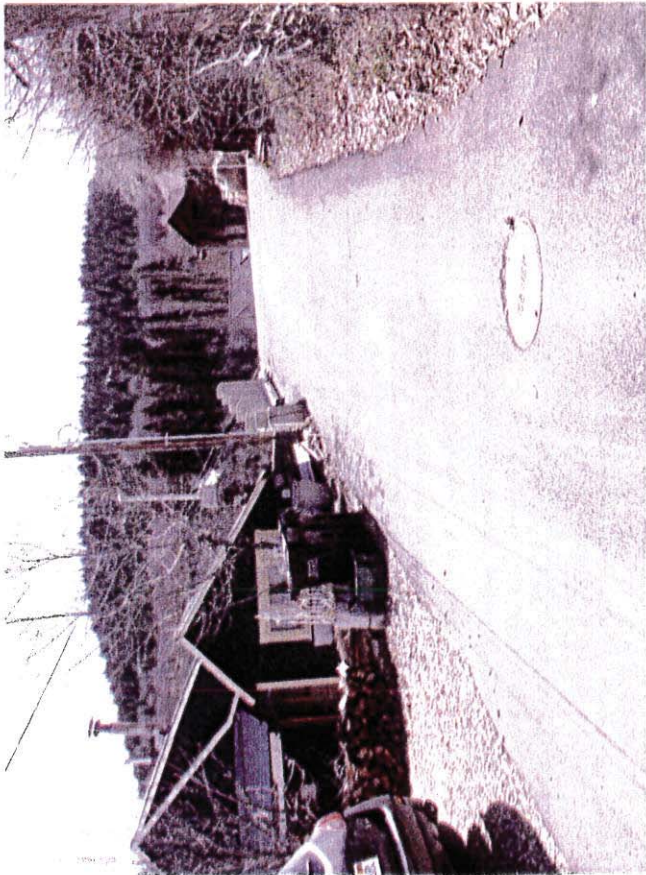
SITE VIEWED FROM HILLSIDE

HOMES BELOW SITE ON DALY



HOMES ON KING ROAD

HOMES ON ENTRY DRIVE



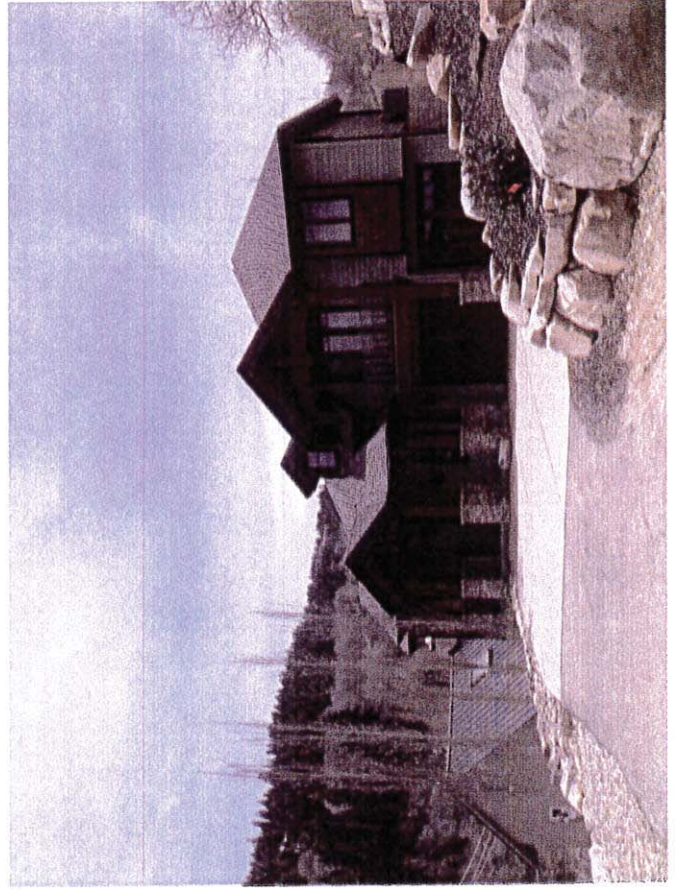
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JUN 16 2014
PARK CITY



ENTRY FROM KING ROAD



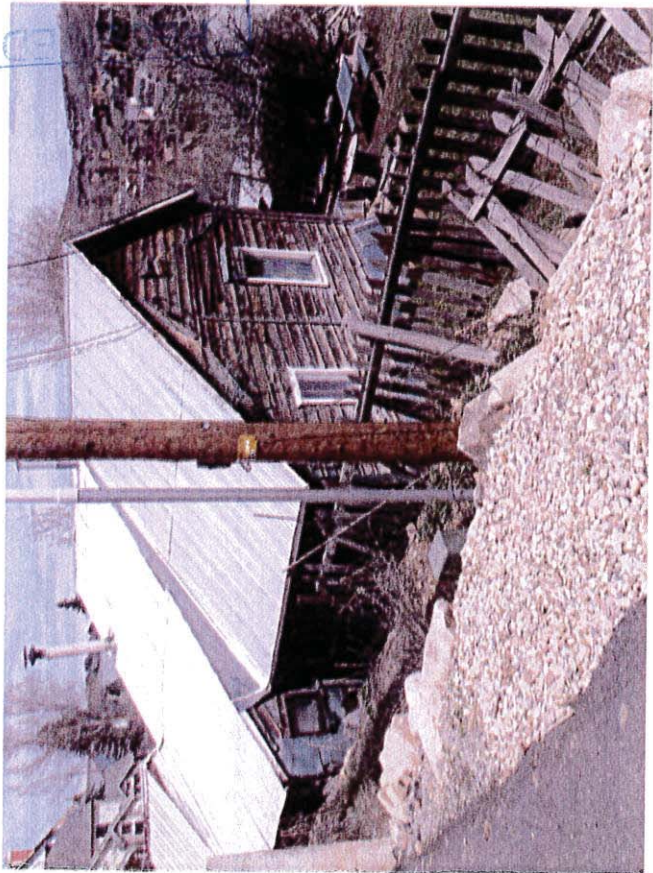
VIEW OF ADJACENT HOMES FROM LOT



HISTORIC HOME



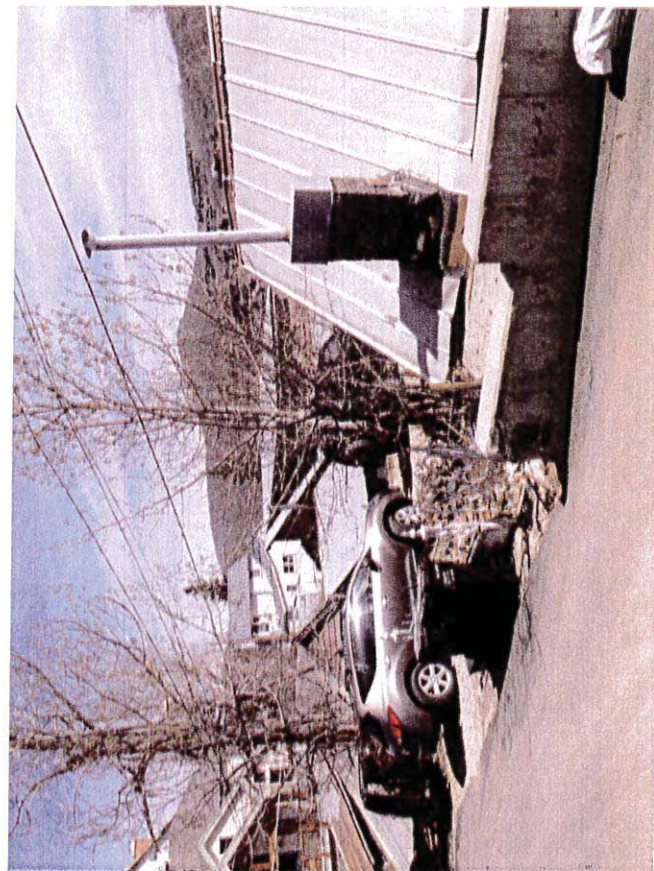
FRONT ENTRY



VIEW OF HOME FROM DRIVEWAY

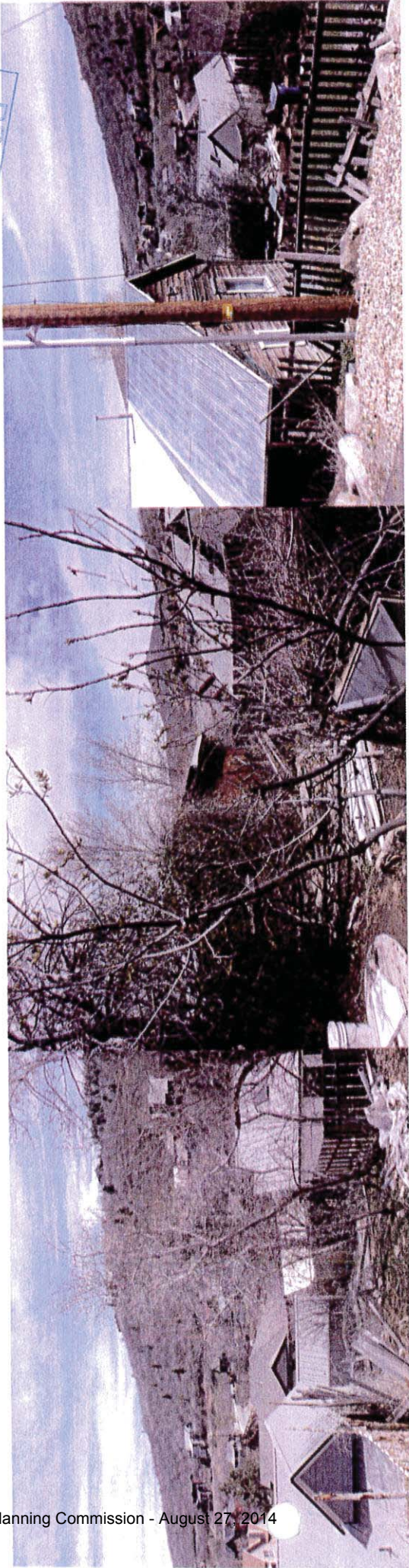


BACK AND SIDE VIEW & RETAINING WALL



DRIVEWAY RETAINING WALL

VIEW FROM SITE



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JUN 16 2014
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FROM HISTORIC HOME



UP TOWARD EMPIRE

FROM LOT ON LEFT OF HOME



OVER CONDOS ON DALY

*sprinkling
agreement.*

*2 houses
Blk 75*

AGREEMENT TO PROVIDE EMERGENCY ACCESS
AT BLOCK 75, PARK CITY SURVEY
(OBERHANSLEY-PETERSON PROPERTIES)

AGREEMENT made by and between PARK CITY MUNICIPAL CORPORATION (hereinafter referred to as "City") and CURTIS K. OBERHANSLEY, GLENN F. and GEORGIA PETERSON (hereinafter referred to as "Property Owners"), to set forth terms and conditions under which the Property Owners agree to make certain improvements to a private lane as a condition precedent to the issue of building permits for additional structures on the Property Owners' land.

Consideration is based upon the City's vacation of streets adjoining the subject parcel, and the issuance of permits that would not otherwise be issued in absence of this Agreement. The parties agree as follows:

1. The lots in Block 75 of the Park City Survey are not accessible from existing City streets, and the City has, at the request of the Property Owners, vacated portions of the rights-of-way for City streets that would serve lots in Block 75. Access to right-of-way that crosses more or less diagonally across Block 75. This right-of-way is a private easement for and in favor of the Property Owners, and is not a City street, and is not suitable for dedication to the City.

2. Prior to the construction of any new structures upon the Property Owners' respective lots in Block 75 that are accessed by means of the private easement, the Property Owners, at their sole expense, agree to widen and pave the easement to at least twelve (12) feet in width. This is a condition precedent to the issuance of a building permit for any new structure on the Oberhansley or Peterson properties in Block 75.

3. Further and prior to the issuance of any building permit for a structure on the Oberhansley or Peterson properties in Block 75, the Property Owners agree to install a fire hydrant, which meets City specifications, within or near the junction of the access easement with the City street known as King Road. The Property Owners shall grant the City a suitable easement for the water line serving the hydrant, as well as the right to maintain the hydrant and line. This grant of easement shall not, however, be construed as a dedication of the access easement for public maintenance purposes. The hydrant and necessary water lines shall be installed by and at the expense of the Property Owners, according to the approved specifications hereinafter set forth.

RECEIVED

AUG 23 1995

PARK CITY
PLANNING DEPT.

The property Owners shall also make necessary arrangements with the Snyderville Basin Sewer District to provide sewer utility facilities and service to the structures built upon Block 75.

4. Prior to the issuance of a building permit for a second new structure (not counting accessory buildings), the Property Owners agree to widen the easement to sixteen (16) feet in width and to pave that additional width, at the Property Owner's expense.

5. Plans governing the construction of any new structures that are accessed by means of the private easement shall provide the following fire protection features:

- (a) An automatic fire protection sprinkling system in each residential structure, with a minimum of four (4) heads flowing per unit.
- (b) Provision that all interior spaces in each residential unit, including garages and closets, be protected; and that any exterior structure on a building which has an overlap in excess of four (4) feet, such as a deck, shall also be protected.
- (c) Provision that a standard "Siamese" fire connection be installed on the exterior of each residential structure, to be compatible with and available to fire protection or suppression equipment.
- (d) Water service to the structures shall be as follows: The connection shall be made to the existing twelve inch (12") main in Sampson Avenue that serves as the transmission line from the Woodside Tank to the resort area. The service connection for Block 75 shall be three inch (3") ductile iron pipe from the main connection to the individual service meters. The three inch (3") pipe will be a part of the City water system. Individual services from the three inch (3") line will with at least one and one half inch (1 1/2") inside diameter pipe, with at least one and one half inch (1 1/2") sprinkler systems installed within the houses. The design of the internal sprinkler system for each structure will be reviewed by the City, and must comply with ISO and NPFA 13D standards for fire protection systems.
- (e) That the provisions for automatic fire sprinkling systems be described within and have effect as a restrictive covenant in all instruments of title as the Property Owners may hereafter execute in

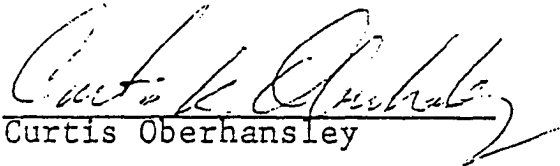
connection with conveyance of all or a portion of their respective lots within Block 75.

6. Compliance with the provisions of this Agreement in any such design or construction plan as may be submitted to the City by the Property Owners or their successors in interest shall constitute satisfactory compliance for any new structure to be built in Block 75, to the extent of obtaining fire safety protection approval from the Park City Planning and Building Departments.

7. This Agreement shall be binding upon the successors and assigns of all of the parties named herein. A memorandum of this Agreement shall be recorded in the Office of the Summit County Recorder. When this Agreement has been fulfilled, the City will execute a suitable release of the Agreement, so that the same will no longer appear in the records of title concerning the Property Owners' lots in Block 75.

DATED this _____ day of April, 1985.

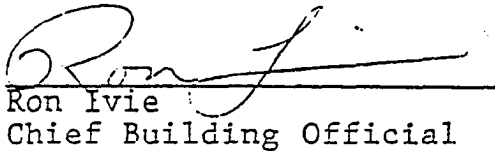
PROPERTY OWNERS:


Curtis Oberhansley


Glenn F. Peterson


Georgia Peterson

PARK CITY MUNICIPAL CORPORATION:


Ron Ivie
Chief Building Official

00851284 B: 1942 P: 0888
Page 1 of 7
Alan Spriggs, Summit County Utah Recorder
07/29/2008 03:10:03 PM Fee \$25.00
By PARK CITY TITLE COMPANY
Electronically Recorded by Simplifile

180655
When recorded mail to:

Thomas T. Billings, Esq.
Van Cott, Bagley, Cornwall & McCarthy
36 South State Street, Ste. 1900
Salt Lake City, UT 84111

AGREEMENT

This AGREEMENT (the "Agreement"), is made and entered into this 29th day of July, 2008, by and among JUDY SCIPIONE ("Scipione"), the owner of property located in Park City, Utah, with a tax identification number of PC-678 and BRADLEY J. BOOZIER, WILLIAM J. KRANSTOVER, and KEITH NELSON (collectively "Anchor Development"), the owners of All of Lot 2, Anchor Development Amended Plat MILLSITE RESERVATION SUBDIVISION No. 1, according to the official plat thereof on file and of record in the Summit County Recorder's Office. ANCH-2-2AM

RECITALS

WHEREAS, on or about April 11, 1985, a grant of easement was executed by Kurt Oberhansley, Glen Peterson and Georgia Peterson regarding properties located in the northern portion of Block 75, Park City Survey (the "Easement"), which Easement was recorded on July 31, 1985 and attached to this Agreement as Exhibit "A"; and

WHEREAS, Anchor Development and Scipione are beneficiaries of the Easement; and

WHEREAS, Anchor Development, as consideration for certain accommodations made to it by Scipione, agreed to make certain improvements regarding the easement; and

WHEREAS, Scipione has agreed that those improvements need not be made provided the parties agree as set forth herein.

NOW THEREFORE, for good and valuable consideration, the parties agree as follows:

1. Anchor Development and Scipione agree that the non-exclusive Easement as attached hereto as "Exhibit A" remains in full force and effect; and
2. Anchor Development and Scipione agree that both parties may have unfettered use of the Easement pursuant to the terms therein; and
3. That Anchor Development and its successors or assigns agree that Scipione or her successors and assigns may make such improvements and alterations to the Easement, which are in Scipione's sole discretion, necessary for her benefit, provided that such alterations or improvements do not permanently interfere with other parties' use of the Easement; and

057:388049v1



4. This Agreement shall run with the land and shall bind all successors and assigns.

THIS AGREEMENT shall be effective the date this Agreement is executed.

By: _____

JUDY SCIPIONE

STATE OF UTAH)

ss:

COUNTY OF SUMMIT)

On the 19 day of July, 2008, personally appeared before me JUDY SCIPIONE, the signer(s) of the foregoing instrument, who duly acknowledged to me that she executed the same.

Commission expires: 1/6/2012

Residing at: WALLS, UT



Notary Public

By: _____

BRADLEY J. BOOZIER

STATE OF UTAH)

ss:

COUNTY OF SUMMIT)

On the ____ day of July, 2008, personally appeared before me BRADLEY J. BOOZIER, the signer(s) of the foregoing instrument, who duly acknowledged to me that he executed the same.

Commission expires:

Residing at:

Notary Public

see attached

057-388019-v1

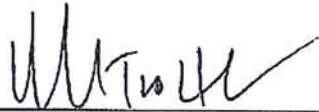
00851284 Page 2 of 7 Summit County



STATE OF UTAH)
SS:
COUNTY OF SUMMIT)

On the 29th day of July, 2008, personally appeared before me, WILLIAM J. KRANSTOVER, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same as Attorney-in-Fact for BRADLEY J. BOOZIER by authority of his Power-of-Attorney to execute the same.

Commission expires: 1/6/2012
Residing at: Wallingford, UT



NOTARY PUBLIC



00851284 Page 3 of 7 Summit County



By: _____

WILLIAM J. KRANSTOVER

STATE OF UTAH)

ss:

COUNTY OF SUMMIT)

On the 29th day of July, 2008, personally appeared before me WILLIAM J. KRANSTOVER, the signer(s) of the foregoing instrument, who duly acknowledged to me that he executed the same.

Commission expires: 1/6/2012

Residing at: Waltensburg, UT



By: _____

Keith Nelson

STATE OF UTAH)

ss:

COUNTY OF SUMMIT)

On the 29 day of July, 2008, personally appeared before me KEITH NELSON, the signer(s) of the foregoing instrument, who duly acknowledged to me that he executed the same.

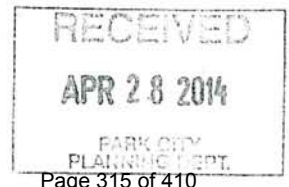
Commission expires: 1/6/2012

Residing at: Waltensburg, UT



057:388049v1

00851284 Page 4 of 7 Summit County



When recorded, mail to:
Scott C. Welling, Attorney at Law
P. O. Box 712
Park City, Utah 84060

Entry No.	237041
REQUEST OF	WESTERN STATES TITLE
FEE	9.00
By	ALAN SPRIGGS, SUMMIT CO. RECORDER
RECORDED	7-31-85 at 12:04 M

GRANT OF EASEMENT

Whereas Curtis Oberhansly, Glenn F. Peterson and Georgia Peterson are owners of properties located in and about the northern portion of Block 75, Park City Survey, Park City, Utah, which properties include the land over which these grantors wish to establish an easement, and whereas the aforementioned parties, considering that it will be beneficial to themselves, their heirs and assigns to establish a private roadway across certain properties owned by the parties to service their various real estate holdings in the area, and in consideration of the mutual grants and promises contained in the various mutual conveyances executed by these parties contemporaneously herewith:

NOW THEREFORE, CURTIS OBERHANSLY, GLENN F. PETERSON and GEORGIA PETERSON, on behalf of themselves, their several heirs, executors, administrators and assigns, do covenant, agree and grant each to the other, and reserve unto themselves, an easement in perpetuity for the common passage, use and enjoyment of themselves, their heirs, assigns, servants and invitees and for the installation of utility, water and sewer transmission lines in and to the following real property located in portions of Lots 47, 48, 49, 59 and 60, Block 75, and part of the now vacated portions of the Rights-of-Way of Ridge Avenue, Norfolk Avenue and First Street, Park City Survey as amended:

Beginning at a point S 69°25'20" W 367.43 feet from a monument located at the intersection of Main Street, Daly Avenue, and First Street in Park City, Utah as shown on the amendment of sheet 3, Park City Monument Control Map and recorded in the Offices of Summit County, Utah as Entry No. 199887 (December 30, 1982); and running thence S 34°59'27" E 4.00 feet; thence S 34°59'27" E 30.79 feet along a fence line; thence S 38°33'10" E 23.64 feet along a fence line; thence S 16°54'03" E 37.04 feet; thence S 40°35'08" E 31.77 feet; thence S 30°43'13" E 37.18 feet; thence S 4°55'22" W 11.02 feet along a fence line; thence S 13°45'22" E 10.52 feet along a fence line; thence S 31°55'39" E 12.10 feet along a fence line to a point on the southerly line of Lot 60; thence along said lot line N 68°27'00" W 24.23 feet; thence N 13°45'22" W 10.64 feet; thence N 4°55'22" E 8.51 feet; thence N 30°43'13" W 30.66 feet; thence N 40°35'08" W 33.74 feet; thence N 16°54'03" W 37.34 feet; thence N 38°33'10" W 21.08 feet; thence N 34°59'27" W 35.29 feet; thence N 55°00'33" E 16.00 feet to the point of beginning.

APPURTENANT TO CERTAIN LOTS

In addition, the parties agree that this easement is appurtenant to the following described properties and that the transferees of all or any portion of these properties shall enjoy the same rights and privileges to this private easement as the parties hereto. The easement is appurtenant to:

Lots 47, 48, 49, 59, 60 and 61 of Block 75, Park City Survey as amended and of record in the Office of the County Recorder of Summit County, Utah.

IN WITNESS WHEREOF, we have set our hands and seals this 11th day of

April, 1985.

Curtis Oberhansly
CURTIS OBERHANSLY

Glenn F. Peterson
GLENN F. PETERSON

Georgia Peterson
GEORGIA PETERSON

350-283-284

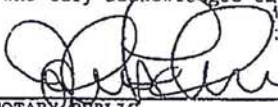


STATE OF UTAH

)
: ss.

COUNTY OF SUMMIT

On the 11th day of April, 1985, personally
appeared before me Curtis Oberhansly, Glenn F. Peterson and George Peterson, the
signers of the within Grant of Easement, who duly acknowledged that they
executed the same.


NOTARY PUBLIC

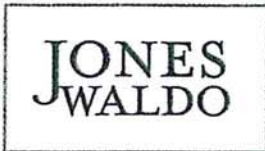
My Comm. expires: 10/6/85

Residing at: Park City, Utah

BOOK 350 PAGE 284

-2-





Attorneys Est. 1875

TEL: 435-200-0085
FAX: 435-200-0084

1441 WEST UTE BLVD, SUITE 330
PARK CITY, UTAH 84098

WWW.JONESWALDO.COM

AFFILIATED FIRM
LEAR & LEAR LLP

May 1, 2014

VIA E-MAIL

Rob Harris
3376 Big Spruce Way
Park City, UT 84098
Rob@YouInParkCity.com

Re: *Opinion – Scope of Easement*

Dear Rob:

As requested, I reviewed the materials you provided during our meeting on April 28, 2014, including the Historic District Design Review Pre-Application materials submitted by David White on behalf of Judy Scipione, various plats, surveys and photos of the subject property, the July 29, 2008 Agreement between Ms. Scipione and the principals of Anchor Development (the "2008 Agreement"), and the April 11, 1985 Grant of Easement (the "1985 Grant") pertaining to the property. Based on that review, and the information you supplied, my opinion is that the access easement Ms. Scipione shares with the owners of the other properties on Anchor Avenue may be used to access the two additional lots you are planning to develop.

Before expanding on that opinion, it is important you understand that it is based on the following assumptions:

1. The 1985 Grant creates an easement (the "Easement") that is appurtenant to Ms. Scipione's property and to the property of the Anchor Development principals.
2. Ms. Scipione and the Anchor Development principals are successors in interest to the parties to the 1985 Grant.
3. No parties other than Ms. Scipione and the Anchor Development principals have rights under the 1985 Grant or the 2008 Agreement.

If any of these assumptions are incorrect, please let me know; the correct information may have a bearing on the opinions expressed in this letter.

JONES WALDO HOLBROOK & M. DONOUGH PC
SALT LAKE CITY • ST. GEORGE • PARK CITY • CHICAGO METRO

1156767.1

Rob Harris
May 1, 2014
Page 2

Easements are generally limited by the terms and conditions of the instruments that create them. However, as expressed by the Utah Supreme Court, "a change in the manner, frequency, and intensity of use of the easement within the physical boundaries of the existing easement is permitted without the consent of the other party, so long as the change is not so substantial as to cause unreasonable damage to the servient estate or unreasonably interfere with its enjoyment." *Stern v. Metropolitan Water Dist.*, 2012 UT 16, ¶ 69.

The 1985 Grant created in the parties to the document a perpetual right of passage over the Easement, which is described in the 1985 Grant by metes and bounds. The 1985 Grant expressly extends the Easement rights to "assigns" and includes this key language:

[T]he parties agree that this easement is appurtenant to the following described properties and that the transferees of all or any portion of these properties shall enjoy the same rights and privileges to this private easement as the parties hereto.

I read this language as expressing an intent to extend rights under the 1985 Grant to transferees who acquire only a "portion" of any of the properties described in the document. In other words, dividing Ms. Scipione's property into three lots and accessing those three lots using the Easement appears consistent with the intent of the 1985 Grant.

The 2008 Agreement identifies Ms. Scipione and the Anchor Development principals as the "beneficiaries of the Easement" and reaffirms that these parties "may have unfettered use of the Easement pursuant to the terms ..." of the 1985 Grant. The 2008 Agreement includes this language:

Anchor Development and its successors or assigns agree that Scipione or her successors and assigns may make such improvements and alterations to the Easement, which are in Scipione's sole discretion, necessary for her benefit, provided that such alterations or improvements do not permanently interfere with other parties' use of the Easement.

I do not know if the parties to the 2008 Agreement had specific "improvements and alterations" in mind when agreeing to this language. If so, and assuming someone challenges your development efforts, the "improvements and alterations" intended by the parties may have some bearing on a court's interpretation of this language. As written, however, I interpret this language as giving Ms. Scipione (or you as her successor in interest) the right to modify the Easement property as needed. The only limitation on that right is the requirement that modifications "not permanently interfere with other parties' use of the Easement."

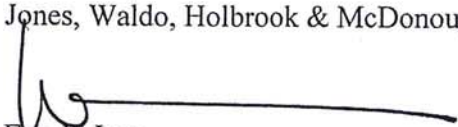
Rob Harris
May 1, 2014
Page 3

Note that the 2008 Agreement does not appear to reflect an intent to expand the scope of the Easement to allow access to the two additional lots you are now planning. Instead, the right to use the Easement for additional lots is implicit in the 1985 Grant language discussed above, and is found in general pronouncements of Utah law like the one quoted above. In each case, however, the right is limited by the prohibition against interfering with the rights of others to use the Easement.

Note also that other recorded documents may bear on the rights at issue. A review of any such document is beyond the scope of this engagement. But such a review may result in an opinion different from that expressed above. For that reason, you may want to secure a title report for further information regarding whether the rights at issue are impacted by any other recorded documents.

Finally, the best way to assure no conflict with the other easement beneficiaries is to secure their permission to proceed with the development as planned. This can be done with a simple agreement that clarifies the operative language in the 1985 Grant and the 2008 Agreement. Let me know if you want assistance putting together such an agreement. Go to sleep-

Yours truly,
Jones, Waldo, Holbrook & McDonough, PC



Eric P. Lee

Ordinance No. 96-44

**AN ORDINANCE APPROVING AN AMENDMENT TO THE MILLSITE
RESERVATION SUBDIVISION NO.1, BLOCK 75, LOTS 43-47 AND LOTS 60-65,
LOCATED AT 55-57 KING ROAD TO BE KNOWN AS THE 55-57 KING ROAD PLAT
AMENDMENT, PARK CITY, UTAH**

WHEREAS, the owners of the property known as the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65 have petitioned the City Council for approval of an amendment to the amended Park City Survey; and

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

WHEREAS, the City Council held a public hearing on August 22, 1996 to receive input on the proposed amendment; and

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

WHEREAS, the AGREEMENT TO PROVIDE EMERGENCY ACCESS AT BLOCK 75, PARK CITY SURVEY, dated April 1985, allows access for the development of two houses on applicants' property subject to certain driveway and fire mitigation improvements;

WHEREAS, The proposed plat amendment will limit the development of the property to two (2) single-family lots;

WHEREAS, the proposed lots sizes meet the minimum standards for buildable lots in the HR-1 District;

WHEREAS, the proposed lots are substantially larger than the standard 25 ft. x 75 ft. platted lots in the HR-1 District. Due to the large lot sizes and existing HR-1 District floor area ratios, the maximum permitted house sizes on the proposed lots would be substantially larger than residences constructed on standard platted HR-1 lots;

WHEREAS, the Planning Department has evaluated the neighborhood and finds that building sizes in the immediate vicinity of the property ranging from approximately 1000 square feet in the case of historic residences and over 4000 square feet in the case larger, non-conforming structures. To insure development of the property that is compatible with the scale of historic structures within the neighborhood and consistent with the inherent constraints of the property's hillside topography and driveway access, Staff recommends that above-ground square footage limitations be established for the proposed lots;

WHEREAS, the root cellar of an adjacent historic residence extends under the applicants' proposed driveway. Without proper the consideration of a methodology to mitigate construction impacts, the structural integrity of the historic structure may be jeopardized. It is in the public interest to preserve historic residences in the Historic District; and

WHEREAS, an historic shed is located in close proximity to the applicants' property line which may be impacted as a result of the proposed driveway construction.

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

SECTION 1. FINDING. The above recitals are hereby incorporated as Finding of Fact.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 3. PLAT APPROVAL. The amendment of the Millsite Reservation Subdivision No. 1, Block 75, Lots 43-47 and Lots 60-65 is approved as shown on the attached Exhibit A with the following conditions:

1. The City Engineer and City Attorney's approval of the form and substance of the amended plat is a condition precedent prior to recording the plat.
2. All Standard Project Conditions shall apply.
3. The addition of a plat note specifying that further subdivision and/or the development of additional units beyond the two units shall be prohibited is a condition precedent to recording the plat.
4. The addition of a plat note specifying that:

the maximum above-ground square footage for Lot 1 not exceed 2400 square feet (*not including garage*) and 3400 square feet (not including garage) for Lot 2 . In recognition of sloping lots, above-ground square footages are considered to be the floor area of the building that is 80% or more above finished grade. Above-ground square footage does not include the floor area associated with a true basement or crawl space.

The addition of the plat note is a condition precedent to the recording of the plat.

5. City approval of an Engineer's plan or similar methodology intended to insure that the structural integrity of the Scipione residence and shed are protected during any construction

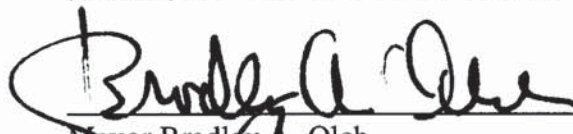
on the applicants' property or improvements to the driveway is a condition precedent to the issuance of a building permit.

6. Approval of a Certificate of Appropriateness of Demolition for the shed located directly west of the applicants' driveway is a condition precedent to any demolition, damage or relocation of the shed in conjunction with the construction of the driveway.
7. City approval of a plan for, and construction of, a 16 foot wide paved driveway constructed to the front property line of the Lot 2 is a condition precedent to the issuance of any building permit on the property.
8. Installation and City approval of fire sprinklers using the modified 13D standard on any residence constructed on the property is a condition precedent to any issuance of a Certificate of Occupancy.
9. The City Engineer's review and approval of a subdivision utility plan is a condition precedent to recording the plat.
10. Submittal of an up-to-date title report for the property is a condition precedent to recording the plat.
11. The plat shall contain a note referencing the 1985 Agreement To Provide Emergency Access.

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

PASSED AND ADOPTED this 5th day of September, 1996.

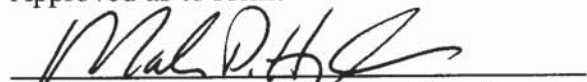
PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:


Mark D. Harrington, Assistant City Attorney

NOTE: UTILITIES IN THIS SECTION NEED TO BE UPDATED TO THE 1995 KING RD. CO. SECTION

AS PER PCDS STANDARD DRAWING 706-A

TO SECTION 4705.3

EXISTING RING=7. INV.EL.=

PAVED ROAD

CENTER LINE PLATTED KING

APPROXIMATE LOCATION OF 4 FOOT STORM DRAIN

EXISTING RING=71 INV.EL.=

CENTER LINE PLATTED ANCHOR

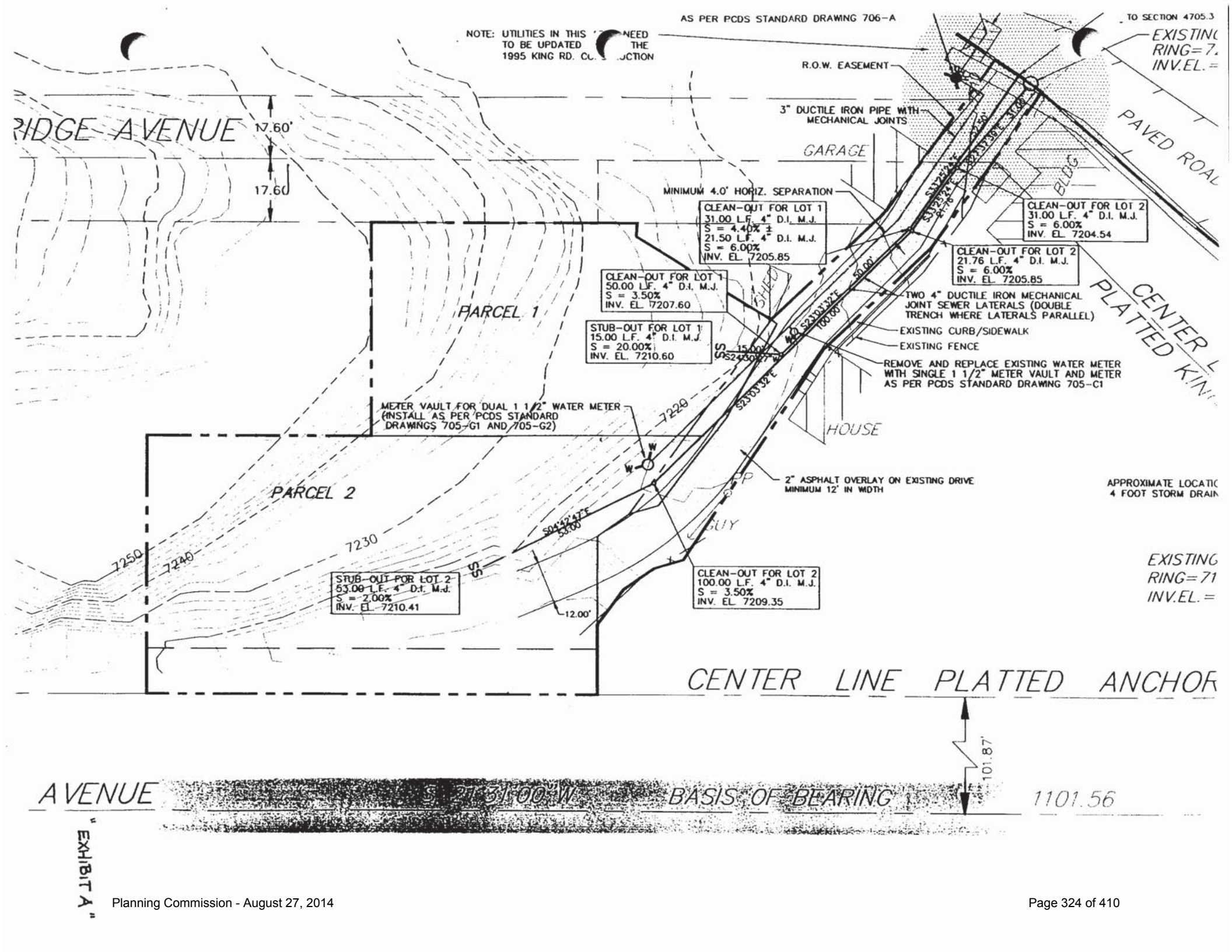
AVENUE

S 21°31'00"W

BASIS OF BEARING

1101.56

EXHIBIT A



Planning Commission Staff Report



Subject: Round Valley Park City Annexation and Zoning
Date: August 27, 2014
Project #: PL-13- 01857
Type of Item: Legislative- Annexation and Zoning Map amendment

SUMMARY RECOMMENDATION

Staff recommends the Planning Commission review the annexation and zoning petition and this report for the Round Valley Park City Annexation and Zoning, conduct a public hearing, and consider forwarding a positive recommendation to City Council in accordance with the draft Ordinance.

DESCRIPTION

Project Name: Round Valley Park City Annexation
Project Planner: Kirsten A Whetstone, Senior Planner
Applicants (Petitioners): Park City Municipal Corporation (Sponsor), Afton Stephen Osguthorpe, and Utah Department of Transportation (UDOT)
Location: Round Valley Open Space north and south of the Quinn's Sports Complex on the west side of SR 248, west of US 40 and east of Old Ranch Road, including the Osguthorpe fields and Gordo parcels north of SR 248 at Richardson Flat Road.
Proposed Zoning: Recreation Open Space (ROS) is proposed for all open space and deed restricted properties. Applicants propose Light Industrial (LI) for the lower four parcels located across SR 248 from the Quinn's Water Treatment Plant. Frontage Protection Zone (FPZ) is proposed for the 250' of frontage on SR 248.
Adjacent Land Uses: Quinn's Sport's Complex, Open Space, Park City Ice Arena, National Ability Center, IHC Hospital, USSA Building, Summit County Health Department, Park City Clinic, Highway 248, and single family subdivisions to the west and north. Adjacent zoning includes Community Transition (CT), Residential Development (RD), Recreation Open Space (ROS), Protected Open Space (POS), Single Family (SF) and Hillside Stewardship (HS) in Summit County.
Proposed Uses: Recreation open space uses are proposed for all open space areas, subject to existing easements and deed restrictions. Agricultural uses are proposed to continue on the Osguthorpe parcel per existing deed restrictions and conservation easements. No future uses have been identified for four (4) lower non-deed restricted "Gordo" parcels located across SR 248 from the Quinn's Water Treatment Plant (2 owned by Park City Municipal and 2 are UDOT owned). The 4 upper "Gordo"

parcels are deed restricted as open space, owned by Park City.

PROPOSAL

The proposal is a request to annex approximately 1,368 acres into the Park City municipal boundary and to amend the official zoning map to include the properties in the Recreation Open Space (ROS) zoning district. Approximately five (5) acres are petitioned to be zoned Limited Industrial (LI), however staff recommends ROS zoning for all of the property (see Discussion section below). No development or subdivision of the land is proposed with this annexation. Existing uses of the property are consistent with the proposed zoning. The City and UDOT parcels, known as the “Gordo” parcels maybe developed in the future with essential municipal uses permitted as allowed or conditional within the ROS zone.

BACKGROUND

On March 11, 2013, the petitioners (Park City Municipal, Afton Stephen Osguthorpe, and Utah Department of Transportation (UDOT)) filed a completed annexation petition with the City Recorder for annexation of 1,368 acres into the Park City Municipal boundary including necessary notification of the intent to file the petition with the County Clerk and Recorder and the County Planning Commission. Staff presented the Annexation petition to City Council on March 21, 2013. Following Council acceptance, the petition was certified by the City Recorder on April 22, 2013 and Council was provided notice of the certification, indicating that the petition met requirements of State Code for Annexation Petitions.

On May 3, 2013, notice of petition acceptance was mailed to all Affected Entities beginning a thirty (30) day protest period. Beginning on May 8, 2013, the City Recorder published notices of petition acceptance in the Park Record for three consecutive weeks. No protests were filed with the County Clerk regarding the Round Valley Annexation petition, allowing Staff to continue review of the Annexation according to the City's Annexation Policy Plan.

Staff's review was put on hold while the applicants considered inclusion of an adjacent small parcel, owned by a third party, located at the northwest corner of Quinn's Junction. The property owner of the parcel ultimately decided not to be included in this annexation.

On February 26, 2014 the annexation petition and proposed zoning were presented to the Planning Commission and an initial public hearing was conducted (see Exhibit L Meeting minutes). The Planning Commission requested a site visit as well as staff analysis comparing the various zones (POS, ROS, and LI). Due to Planning Department workload Staff had to set this application aside to focus on higher priority permits, applications, General Plan re-write, and LMC Amendments. The applicant agreed to the continuation until later in the summer.

On June 25, 2014, Staff and the Planning Commission conducted a site visit and circumnavigated the annexation area by van. At the Gordo parcels, staff oriented the Commission as to which were conservation/deed restricted encumbered parcels and which were parcels the petitioner (the City) is requesting Light Industrial (LI) zoning. The UDOT parcels, also included on the petition as LI zoning, were also examined. Staff provided a summary of site and lot requirements, as well as language from the LMC comparing the uses allowed in these zones.

DESCRIPTION OF ANNEXATION AREA

The annexation area consists of two related areas including 1) the 1,104 acre north Round Valley Open Space area and 2) the 264 acre south Round Valley Open Space area consisting of City owned open space south of the National Ability Center and south of the Quinn's Sports Complex, the Osguthorpe owned agricultural fields, and the "Gordo parcels"- eight small parcels (total of 8.42 acres) located off of SR 248 across from the Quinn's Water Treatment Plant at the intersection of SR 248 and Richardson Flats Road as depicted on the proposed Annexation Plat (Exhibit A).

The north area is undeveloped open space consisting of rolling hills, ridges, draws, and a main central valley (Round Valley). Vegetation is primarily sage brush, oak, grasses and other native trees and shrubs. Numerous non-motorized trails have been constructed in the area, utilized by hikers, bikers, runners, snowshoers and skiers (Exhibit B).

Agricultural uses are permitted on the Osguthorpe parcel in the south area (subject to the conservation easement), with the remaining parcels consisting of sage brush hills with other native shrubs and grasses. The southern area also contains a network of non-motorized trails accessed from a trailhead located south of the Quinn's Field Complex. The south area includes the "Gordo" parcels located along SR 248. Two of the eight "Gordo parcels" are owned by UDOT with the remaining parcels owned by Park City. Four of the City parcels are encumbered with conservation easements limiting use to recreation open space.

With the exception of the UDOT parcels and two of the Gordo parcels, the annexation property is currently subject to conservation easements and various deed restrictions. Most of the property has been purchased by Park City as open space with open space funds and is permanently restricted for open space uses as spelled out in each deed restriction and conservation easement (Exhibit C). The annexation would not change or remove any of these restrictions or easements.

Current underlying Summit County zoning for the property is 1) Rural Residential with an allowable density of 1 unit per 20 acres for Developable Lands (DL) and 1 unit per 40 acres for Sensitive Lands (SL) and 2) Hillside Stewardship (HS) with an allowable density of 1 unit per 30 acres for Developable Lands and 1 unit per 40 for Sensitive Lands (Exhibit D).

Requested zoning is Recreation Open Space (ROS) for nearly all of the annexation area, including all of the existing open space and conservation easement areas (Exhibit D). Light Industrial (LI) is proposed for the four (4) lower “Gordo” parcels. Two of these four parcels are UDOT parcels (2.06 acres) and two are PCMC parcels (3 acres). These lower parcels are not deed restricted, were not purchased with open space funds, and the current zoning is Rural Residential (RR) (see Exhibit M). The lower City owned parcels have been used in the past for storage of various materials. **Staff recommends that all of the parcels be zoned ROS and requests discussion from the Planning Commission regarding this recommendation (see Discussion Section below).**

Additionally, Frontage Protection Overlay Zone (FPZ) is recommended for the annexation area along the property frontage with SR 248. The LMC identifies this area for Entry Corridor Protection Overlay (ECPO), as a subzone of the FPZ. ECPO includes specific regulations, such as no-build zones, height restrictions, and increased setbacks for the area within 250’ of the Highway ROW (Exhibit K). FPZ zoning is consistent with past annexations along entry corridors. The non-deed restricted Gordo parcels are not within the FPZ, however the UDOT parcels are.

The portion of SR 248 (the actual road and right-of-way area) not currently within the City boundary is also included in this annexation. The SR-248 right-of-way will not be dedicated to the City and will remain UDOT controlled as it is in the rest of the City. It will be within the City boundaries.

No subdivision plats or master planned development plans were submitted with this annexation petition because the immediate development of the property is not contemplated, other than as would be permitted within the ROS zone and/or as allowed by the existing deed restrictions and conservation easements. At this time no uses of the “Gordo” parcels have been identified. The City has contemplated the two non-deed restricted parcels . Prior to development of any uses on the “Gordo” parcels a subdivision plat will be required to create legal platted lots from the metes and bounds parcels.

The applicants have submitted an annexation plat (Exhibit A), prepared by a licensed surveyor and additional annexation petition materials and a report (Exhibits C, D, E, F, G, H, I and J) addressing items required by the City’s Annexation Policy Plan and Utah State Code.

PROCESS

Municipal annexation is a legislative act governed procedurally by Utah state law and the Park City Land Management Code. When an annexation petition is filed with the City Recorder, the petition for annexation is first presented to the municipal legislative body for acceptance or rejection. Because annexation is a legislative act, the Council has broad discretion to accept or reject the petition.

The City Council reviewed and accepted this petition on March 21, 2013 and the petition was certified by the City Recorder on April 22, 2013. Mailed notice to affected

entities was sent on May 8, 2013 and legal notice was published in the Park Record for three consecutive weeks. No protests were filed with the County Clerk, as allowed by the State Code; therefore the annexation may proceed.

City code requires the creation of a Staff Review Team which includes the following or their designees: Planning Director, City Engineer, Public Works, Fire Marshall, Police Chief, representatives from applicable utility providers and the Park City School District Superintendent. This annexation proposal has been reviewed by the Staff Review Team at the Development Review Committee meetings and comments received have been incorporated into the application and/or draft Ordinance.

In addition, the Planning Department has prepared this staff report which evaluates the annexation proposal and includes a review of applicable criteria per the Annexation Policy Plan (LMC 15-8-5).

In evaluating the annexation and zoning map amendment, the Planning Commission and City Council review the proposal in accordance with the City's Annexation Policy Plan (LMC 15-8-5) and the Utah Code. This process includes a public hearing, Commission review and recommendation to Council, with City Council making the final decision and taking final action.

This report is required by the Municipal Code regarding Annexations to review and explain the implications of the annexation to the City in terms of zoning, use, access, city services and utilities, impacts on surrounding properties, and whether the annexation is consistent with the Park City General Plan. The Applicant provided a comprehensive report as well (Exhibit J).

ANALYSIS

Utah Code Annotated (UCA) Section 10-2-401, 10-2-402 and 10-2-403

The annexation petition has been reviewed pursuant to the Utah Code Annotated (UCA) Sections 10-2-401, 10-2-402 and 10-2-403. The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.

Review pursuant to the City's Annexation Policy Plan

The annexation petition has been reviewed pursuant to the City's Annexation Policy Plan. The annexation consists of a 1,104 acre north parcel and a 264 acre south parcel that are separated by property that is already within the Park City Municipal boundary. The total annexation area is approximately 1,368 acres. The property is contiguous to the Park City Municipal boundary and the proposed annexation area is located within the Park City Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The annexation of this area will eliminate an existing peninsula within the City's boundary. Annexation of this area will bring into the City land that was purchased by the City for the purpose of open space and recreational uses.

Review pursuant to the Annexation Policy Plan- purpose

Chapter 8 of the Land Management Code is considered Park City's annexation policy plan and declaration. In Section 15-8-1 the Code states the following:

The annexation requirements specified in this Chapter are intended to protect the general interests and character of the community; assure orderly growth and development of the Park City community in terms of utilities and public services; preserve open space, enhance parks and trails; ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; preserve Historic and cultural resources; create buffer areas; protect public health, safety, and welfare; and ensure that annexations are approved consistent with the Park City General Plan and Utah State Law.

In addition the Annexation Policy Plan states:

If practical and feasible, boundaries of an Area proposed for annexation shall be drawn:

- (A) Along the boundaries of existing special districts for sewer, water, fire, and other services, along the boundaries of school districts whose boundaries follow City boundaries... and along the boundaries of other taxing entities;*
- (B) To eliminate islands and peninsulas of territory that is not receiving municipal type services;*
- (C) To facilitate the consolidation of overlapping functions of local government;*
- (D) To promote the efficient delivery of services; and*
- (E) To encourage the equitable distribution of community resources and obligations.*

It is the intent of this Chapter to ensure that Property annexed to the City will contribute to the attractiveness of the community and will enhance the resort image which is critical for economic viability, and that the potential deficit of revenue against expense to the City is not unreasonable.

Staff finds that the proposed annexation is consistent with the purpose statements of the Annexation Policy Plan and that as conditioned will protect the general interests and character of the community; preserve open space, ensure environmental quality; protect entry corridors, view sheds and environmentally Sensitive Lands; enhance pedestrian connectivity, create buffer areas; and protect the general public health, safety, and welfare.

As conditioned, and subject to all existing conservation easements and deed restrictions already in place, the property will be maintained as open space for the community and visitors. Any future development on the four “Gordo” parcels, if zoned ROS, will be consistent with the purposes of the ROS zone while providing some opportunity for essential municipal service uses compatible with uses on surrounding properties that enhance the rural and resort image of Park City.

No City roads are contemplated. Existing ROWs will remain under their current jurisdiction. Extension of utility services, including sewer and water, is not contemplated.

Review pursuant to the Annexation Policy Plan- requirements

The Annexation Policy Plan (see Section 15-8-5 (B)) requires an annexation evaluation and staff report to be presented that contains the following items:

1. General Requirements of Section 15-8-2

See below for detailed analysis of the annexation as it relates to Section 15-8-2.

2. Map and natural features

The property is contiguous with the Park City Municipal boundary and is located within the Annexation Expansion Area, as described by the adopted Annexation Policy Plan. The property consists of two related areas including 1) the 1,104 acre north Round Valley Open Space area and 2) the 264 acre south Round Valley Open Space area that consists of City owned open space south of the National Ability Center and south of the Quinn’s Sports Complex, the Osguthorpe owned agricultural fields, and the “Gordo parcels”- eight small parcels (total of 8.42 acres) located off of SR 248 across from the Quinn’s Water Treatment Plant at the intersection of SR 248 and Richardson Flats Road as depicted on the proposed Annexation Plat (Exhibit A).

The property is characterized by the expanses of open, rolling terrain with high mountain desert vegetation consisting of sage brush, oak brush, grasses, wildflowers, and other plants and shrubs typical of this ecosystem. A large central valley (Round Valley), located on the northern portion, is surrounded by higher ridges and rounded hills. The lowest point of the valley appears to contain a small wetlands area, based on type of vegetation and moist soils visible at the surface. Numerous non-motorized trails have been constructed in the area, utilized by hikers, bikers, runners, snowshoers and skiers.

3. Density

The City (PCMC), as applicant of this annexation, is not requesting any density allocation for the annexation properties currently subject to conservation easements or deed restrictions. The City contemplates possible future essential municipal services uses for the Gordo parcels owned by the City. UDOT has not indicated possible future uses for their parcels. State owned land is not subject to

the City's LMC unless the property was sold to the City or another private entity. The ROS zoning does not permit density, in terms of residential or commercial unit equivalents but does allow for Essential Municipal facilities as a conditional use. No residential or commercial unit equivalents are requested as part of this annexation.

4. Land Uses-existing and proposed

Wildlife - The applicant provided wildlife information from the Utah Division of Wildlife. Deer, elk, and moose along with a variety of smaller mammals and birds are found on the property. Preservation of the property as open space preserves wildlife habitat, including habitat for sage grouse, a species of special interest in Utah.

Environmental Issues

The annexation is outside the City's Soils Ordinance District. The property contains areas of Steep or Very Steep Slopes and prominent ridges. There is little surface water, in streams or ponds, located on the property.

Utility & Access

There are no plans to extend utilities or create additional access routes into the annexation property. The Gordo parcels already have and un-improved access so additional access routes are not going to be provided for these properties.

5. Character and Development of adjacent property

The area is bounded on three sides by highways and a county road. Development along the annexation boundary is primarily rural and low density residential, recreation and open space, and institutional/medical.

6. Zoning- existing and proposed

Current underlying Summit County zoning for the property is 1) Rural Residential with an allowable density of 1 unit per 20 acres for Developable Lands (DL) and 1 unit per 40 acres for Sensitive Lands (SL) and 2) Hillside Stewardship (HS) with an allowable density of 1 unit per 30 acres for Developable Lands and 1 unit per 40 for Sensitive Lands.

Requested zoning is Recreation Open Space (ROS) for nearly all of the annexation area, including all of the existing open space and conservation easement areas. Light Industrial (LI) is proposed for the four (4) lower "Gordo" parcels. Two of these four parcels are UDOT parcels (2.06 acres) and two are PCMC parcels (3 acres). These lower parcels are not deed restricted and were not purchased with open space funds (see Exhibit M). The lower City owned parcels have been used in the past for storage of various materials. **Staff recommends that all of the parcels be zoned ROS and requests discussion from the Planning Commission regarding this recommendation.**

The ROS zone allows only conservation activities as an Allowed use. Trails and Trailhead improvements; Outdoor recreation equipment; Essential municipal public

utility uses, service, or structures less than 600 sf; Accessory structures less than 600 sf, Parking areas with four or fewer spaces, Temporary construction improvements, Raising and grazing of horses and livestock, and Anemometers are permitted with an Administrative Conditional Use. All other listed uses (see Exhibit K) require a Conditional Use Permit with a public hearing and approval by the Planning Commission.

Frontage Protection Overlay Zone (FPZ) is recommended for the annexation area along the property frontage with SR 248. The LMC identifies this area for Entry Corridor Protection Overlay (ECPO), as a subzone of the FPZ. ECPO includes specific regulations, such as no-build zones, height restrictions, and increased setbacks for the area within 250' of the Highway ROW (Exhibit K). FPZ zoning is consistent with past annexations along entry corridors.

7. Goals and Policies of the Park City General Plan

(See (B) below.)

8. Assessed valuation

Annexation of the property will have a neutral impact on the property's assessed valuation as all properties have tax exempt status.

9. Demand for municipal services

If annexed, the following are providers of municipal services in this area: Park City Police, Park City Fire District, Park City Water, and Snyderville Basin Water Reclamation District (SBWRD - sewer), and Park City School District. Questar gas, Rocky Mountain Power- power, Comcast - cable, and Qwest – gas provide utility services to portions of this property.

Additional demand for services is not expected for a majority of the property, with the exception of the Gordo parcels. County Sheriff provides law enforcement services at this time. County Planning, Engineering, and Building provide community development services at this time. County Health Department provides health related services and will continue upon annexation. Recreation services (trails and trail head maintenance, signs, mapping, event management, etc.) are provided jointly by the City, Mountain Trails, and Basin Recreation and this arrangement is anticipated to continue upon annexation. City Planning, Engineering and Building would provide community development services upon annexation.

Annexation of these properties changes the provision of law enforcement from County Sheriff to Park City Police, however services related to animal control and health will continue to be provided by Summit County, as they provide such services within the Municipal boundaries. Zoning enforcement and development review (trails, trailheads, etc.) would change from Snyderville Basin Planning Code and Commission/Summit County Council to Park City Land Management Code and Park City Planning Commission/City Council. For instance, in the event a new trail or trailhead is proposed on this property, the planning application and any

necessary building permits would be reviewed by the City's Planning, Building, and Engineering Departments rather than by Summit County.

10. Effect on City boundaries

This annexation does not create an island, peninsula, or other irregular shaped City boundary, but rather eliminates an existing peninsula. This annexation provides contiguity to the City Limits along all boundaries. The property is within the City's Annexation Expansion Area boundary and the City has expectations that this Property will be part of the City.

11. Timetable for extending services

Extension of extending services to the annexation area is not contemplated as the majority of the land is recreation open space. The existing conservation easements and deed restrictions limit future development and the need for these services.

12. Revenue versus costs

There is no revenue associated with this property due to its open space, tax exempt status. There are no residential or commercial uses associated with the property. There are costs associated with maintaining the open space lands.

13. Tax consequences

There are no tax consequences as a result of this annexation as the parcels are all tax exempt status currently.

14. Impact on Summit County

As there is no residential or commercial component to this annexation there is no impact on Summit County in terms of loss of sales tax revenue, taxes, etc. Park City not Summit County will be responsible for providing municipal services, including processing of applications related to the LMC and law enforcement.

15. Historic and cultural resources

There are no known historic structures or known cultural resources identified on the property according to information on record at the State, County, and City historic resources. The property is for the most part undeveloped land used for agricultural, mining (quarry), and recreational purposes. A detailed historic and cultural resource study has not been conducted for the property due to the fact that the proposed uses are not changing and remain as agricultural and recreational. The City may entertain such a study in the future.

Review pursuant to the Annexation Policy Plan- Section 15-8-2- General Requirements

City Staff has reviewed the proposed annexation against the following general requirements established for annexation to Park City as presented in LMC Section 15-8-2, as follows:

- (A) Property under consideration of annexation must be considered a logical extension of the City boundaries.

The property is contiguous to the Park City Municipal boundaries. It is a logical extension of the City boundaries to annex these properties, and the southern portion is considered a peninsula of County jurisdiction mostly surrounded by the City. The property is within the Park City Annexation Expansion Area boundary.

- (B) Annexation of Property to the City must be consistent with the intent and purposes of this Chapter and the Park City General Plan.

This annexation proposal has been submitted and processed consistent with the intent and purposes of LMC Chapter 8, the Annexation Policy Plan. The annexation petition has been accepted by the City Council and the petition certified by the City Recorder. The applicant submitted all required documents and information, per LMC Section 15-8-3 (A)-(J). Affected entities have been noticed of the petition acceptance by the City Council.

The southern portion is an infill property within existing Park City municipal boundaries and is within the Quinn's Junction neighborhood area of the prior General Plan, the Plan in effect at the time of the annexation petition. The northern portion is not within a specific neighborhood, but bounds the Quinn's Junction and Park Meadows neighborhoods. Applicable goals and objectives of these areas include:

- ***Preserve wetlands, drainage ways, and intermittent streams and incorporate them into developments as amenities, rather than as simply undeveloped land.***
- ***Preserve as many large cohesive, unbroken areas of open space and undeveloped land as possible through design, dedication, and acquisition, as development occurs.***
- ***Protect the views along the City's entry corridors by establishing design, setback, and landscape requirements***
- ***Decrease fire risk. Keep development out of certain sensitive areas, such as wildland interface zones and carefully control development where wildfire occurs.***
- ***Incorporate pedestrian trails and open space to allow movement between and through neighborhoods. Trails should link to other recreational and community facilities and provide viable alternatives to vehicular transportation. Trails should be consistent with the Master***

Trails plans.

Additionally, the General Plan established goals designed to address foreseeable problems and express community aspirations (Prior General Plan p. 5-10). The applicable key goals include:

- ***Preserve the mountain resort and historic (agricultural too) character of Park City.***
- ***Preserve environmental quality, open space, and outdoor recreational opportunities.***
- ***Maintain the high quality of public services and facilities.***
- ***Maintain the unique identity and character of an historic community.***
- ***Involve the community in decision making.***

Staff finds, as conditioned, that the proposed annexation complies with these established goals.

(C) Every annexation shall include the greatest amount of Property possible that is a contiguous Area and that is contiguous to the City's municipal boundaries.

The annexation includes all of the Property possible that is contiguous to Park City's boundaries and within the Park City Annexation Expansion Area.

(D) Piecemeal annexation of individual small Properties shall be discouraged if larger contiguous Parcels are available for annexation within a reasonable time frame in order to avoid repetitious annexations.

The annexation area constitutes the largest area possible owned by the applicants (see above) and is not a piecemeal annexation of individual small Properties.

(E) Islands of county jurisdiction shall not be left or created as a result of the annexation and peninsulas and irregular boundaries shall be avoided.

The annexation does not create an island. The proposed annexation does not create an irregular boundary.

(F) In addition to services provided by existing districts, such as sewer, fire protection, and public schools, the following urban level services, consistent with those normally provided in the rest of the incorporated boundaries will be provided to the annexed Areas:

- Police protection - ***City Police protection will be provided if annexed.***
- Snow removal and maintenance of Public Streets- ***the City will provide snow removal from any future Public Streets within the property. None are planned at this time.***
- Planning, zoning, and Code enforcement- ***Currently Summit County Planning and Building Department and would transfer to the City departments of planning, building, and engineering.***

- Availability of municipal sponsored parks and recreational activities and cultural events and facilities. **Open Space areas and parks are public and open to County and City residents and visitors.**
- Water services as the Area is developed. Existing water treatment and storage facilities may currently be inadequate to provide services to the annexed Area. Developers of annexed Area are required to pay for the cost of improvements related to the extension of and connection with the City lines and systems as well as participate in additional improvements such as storage capacity and distribution as necessary for safe, reliable, and efficient water flows. **Minimal to no additional water services are anticipated for the annexation property due to uses remaining as recreational and agricultural. Agricultural uses will maintain current irrigation water. Development of ROS uses on the City's Gordo parcels will require subdivision and utility plans, along with any required Conditional Use Permits.**

(G) If feasible and practical, water and sewer lines shall be extended to the Area proposed for annexation. Expenses associated with such extension shall be the responsibility of the developer of the property. The City shall determine timing and capacity of extending water to the proposed annexation area. The Water Reclamation district shall determine timing and capacity of extending sewer service to the proposed annexation area. **Minimal to no additional water or sewer lines are anticipated for the annexation property due to uses remaining as recreational and agricultural. Development of ROS uses on the City's Gordo parcels will require subdivision and utility plans, along with any required Conditional Use Permits.**

(H) Before considering requests for annexation the City shall carefully analyze the impacts of annexation of an Area, taking into consideration whether the Area will create negative impacts on the City and considering whether the City can economically provide services to the annexed Area. Community issues such as location and adequacy of schools and community facilities, traffic, fire protection, particularly in Wildfire/Wildland Interface Zones, useable open space and recreation Areas, protection of Sensitive Lands, conservation of natural resources, protection of view corridors, protection and preservation of Historic resources, affordable housing, balance of housing types and ownership, adequate water and sewer capacity to serve the future needs of the proposed annexation Areas shall also be considered. **Impacts of this annexation have been carefully analyzed and due to the fact that the majority of the property will remain as deed restricted Open Space this annexation has positive impacts on the City and surrounding property. If development of the City's Gordo parcels is desired in the future, any development that requires a building permit will require approval of a subdivision plat and utility plans. Protection of the entry corridor and Sensitive Areas; fencing, lighting, and landscaping; architectural character and compatibility of any structures; will be important items of**

review and the development will need to address and mitigate negative impacts as outlined in LMC Section 15-1-10- Conditional Use Permits.

- (I) Situations may exist where it is in the public interest to preserve certain lands from Development where there exist Geologic Hazards, excessive Slopes, flood plains or where the need for preservation of community open space and/or agricultural lands is consistent with the General Plan. In such circumstances, annexation may occur as a means of retaining those lands in a natural state. ***The property is for the most part open space lands and it is in the public interest to preserve this land as open space. This annexation does not change the use of the majority of the area, which is deed restricted as recreation open space. The irrigated agricultural fields will also remain subject to a conservation easement. The Gordo parcels are vacant, disturbed parcels that are not on excessive slopes or within, flood plains, and are not currently agricultural land or designated open space.***
- (J) The City shall consider annexation of unincorporated Areas of Summit County that are within the annexation expansion Area. ***The property is within the annexation expansion Area.***
- (K) In general, the City does not favor annexation of territory, which should be located within another municipality, nor does it favor the annexation of unincorporated territory solely for the purpose of acquiring municipal revenues, or for retarding the capacity of another municipality to annex. ***The property is not within another municipality and the annexation is not solely for the purpose of acquiring municipal revenues or for retarding the capacity of another municipality to annex this property.***
- (L) Annexations that expand the resort and/or tourist economy provide second home or rental residential Properties, preserve environmentally Sensitive Lands, and provide significant public open space and community facilities are preferred.
The purpose of this annexation is to bring the City's open space into the City limits and jurisdiction to preserve the environmentally Sensitive lands and to maintain this significant open space as a community amenity and benefit.

Annexation Agreement

The Annexation Policy Plan establishes a requirement for an Annexation Agreement to be approved by the City Council to address standard conditions that must be met prior to completion of the annexation. The LMC requires the Planning Commission review the Annexation Agreement. A draft Annexation Agreement is provided for Planning Commission review (Exhibit N).

DISCUSSION REQUESTED

Staff requests discussion of the following item:

- **Proposed Zoning.** The petitioner is requesting ROS zoning for most of the annexation area. Light Industrial (LI) zoning is requested for two City owned parcels and two UDOT parcels along SR 248 in anticipation of future uses for essential municipal uses and/or facilities. FPZ Overlay zoning is proposed for the area within 250' of SR 248 to extend the existing Frontage Protection Overlay zone on this stretch of SR 248 (See Exhibit K for ROS and LI Allowed and Conditional Uses).

The ROS zone allows only conservation activities as an Allowed use. Trails and Trailhead improvements; Outdoor recreation equipment; Essential municipal public utility uses, service, or structures less than 600 sf; Accessory structures less than 600 sf, Parking areas with four or fewer spaces, Temporary construction improvements, Raising and grazing of horses and livestock, and Anemometers are permitted with an Administrative Conditional Use. All other listed uses (see Exhibit K) require a Conditional Use Permit with a public hearing and approval by the Planning Commission. **Staff recommends discussion.**

Does the Commission find that LI zoning is appropriate in this area given the types of uses that could be proposed as either allowed or conditional or would a different zone, such as ROS, be more appropriate given the location within the City's entry corridor given that most of the listed uses within the ROS zone would be a Conditional Use rather than an Allowed use, as is the case of the LI Zone, and many LI zoned uses include commercial, retail, auto related, housing, etc. types of uses that are not contemplated for this area in the General Plan?

Consider that if the parcels are ever sold to a private entity there are many LI uses that may not be appropriate in this location.

Consider that the re-development of BOPA may reduce the total square footage of LI zone in the community.

There have been discussions regarding relocation of the Recycling Center to the Gordo parcels, or other public works types of uses, such as snow storage or a public works facility. Essential Municipal Public Utility Use, Facility, Service, and Structure are allowed as a Conditional Use in the ROS zone.

The non-deed restricted Gordo parcels contain approximately 2.0 acres (1 acre each).

DEPARTMENT REVIEW

The application was reviewed in detail by the Development Review Committee on July 9, 2013. Staff provided the entire petition and submittal report with all exhibits. The Committee provided comments which have been incorporated in this report and Ordinance.

NOTICE AND PUBLIC INPUT

On February 11, 2014 and again on August 13, 2014, the property was posted, notices were sent to surrounding property owners, and legal notice was published in the Park Record according to requirements of the Land Management Code.

Staff received several phone calls from neighboring residents and property owners requesting additional information regarding the location of the property to be annexed, proposed zoning, whether the property would remain as open space, who would maintain the trails, whether trails would continue to be public trails, questions about hunting regulations and enforcement, trail use, and whether regulations of dogs and leash laws would change.

FUTURE PROCESS

Annexations require Planning Commission recommendation and City Council adoption and become pending upon publication of an ordinance and compliance with state code filing procedures. City Council action may be appealed to a court of competent jurisdiction per LMC Section 15-1-18.

RECOMMENDATION

Staff recommends the Planning Commission review the annexation and zoning petition and this report for the Round Valley Park City Annexation and Zoning, conduct a public hearing, and consider forwarding a positive recommendation to City Council in accordance with the draft Ordinance.

EXHIBITS

Ordinance

Exhibit A- Annexation Plat

Exhibit B- Vicinity Map and Existing Conditions

Exhibit C- Map of Conservation Easements and Deed Restrictions

Exhibit D- Existing and Proposed Zoning

Exhibit E- View shed Corridors, site photos, typical vegetation

Exhibit F- Surrounding property map

Exhibit G- Sensitive Lands Analysis

Exhibit H- Wildlife Habitat

Exhibit I- County Zoning

Exhibit J- Annexation Petition Report

Exhibit K- ROS and LI Uses from LMC

Exhibit L- Minutes of the February 26th Planning Commission meeting

Exhibit M- Gordo parcel exhibit

Exhibit N- Annexation Agreement draft (under separate cover)

**AN ORDINANCE APPROVING THE ROUND VALLEY PARK CITY
ANNEXATION AND ZONING MAP AMENDMENT
ANNEXING INTO THE PARK CITY MUNICIPAL BOUNDARY AND ZONING AS
RECREATION OPEN SPACE (ROS), THE ROUND VALLEY OPEN SPACE
AREA, OSGUTHORPE FIELDS, AND GORDO PARCELS GENERALLY
LOCATED NORTH OF STATE ROAD 248, WEST OF HIGHWAY US 40, AND
EAST OF OLD RANCH ROAD LOCATED IN SECTIONS 28, 33, 34 AND 35
TOWNSHIP 1 SOUTH, RANGE 4 EAST, AND IN SECTIONS 2 AND 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST OF THE SALT LAKE BASE AND
MERIDIAN, SUMMIT COUNTY, UTAH**

WHEREAS, on March 11, 2013, the owners of the property known as the Round Valley Open Space, including the Osguthorpe Fields and the Gordo Parcels, namely Park City Municipal Corporation and Afton Stephen Osguthorpe Family Trust, petitioned the City Council for approval of an annexation of land into the Park City limits as shown on the attached Annexation Plat (Exhibit A), the "Property"; and

WHEREAS, the property is approximately 1,368 acres in area and is located generally north of State Road 248, west of US 40, and east of Old Ranch Road within, as described in the attached Legal Description and Vicinity Map (Exhibit B); and

WHEREAS, the Property will be zoned Recreation Open Space (ROS); and

WHEREAS, the Property is included within the Park City Annexation Expansion Area, and is not included within any other municipal jurisdiction; and

WHEREAS, the Park City Council accepted the Round Valley Park City Annexation petition on March 21, 2013; and

WHEREAS, the City reviewed the petition against the criteria stated in Sections 10-2-403 (2), (3), and (4) of the Utah Code, annotated 1953 as amended, and found the petition complied with all applicable criteria of the Utah Code; and

WHEREAS, On April 22, 2013, the City Recorder certified the annexation petition and delivered notice letters to the "affected entities" required by Utah Code, Section 10-2-405, and published notice in the Park Record for three consecutive weeks, giving notice, that the petition had been certified and the required 30-day protest period had begun; and

WHEREAS, no protests were filed by any "affected entities" or other jurisdictions within the 30-day protest period and the petition was considered accepted on June 2, 2013; and

WHEREAS, on February 11th and August 12, 2014, written notice was sent to surrounding property owners, the property was posted, and legal notice was published in the Park Record providing legal notice of Planning Commission and City Council hearing dates; and

WHEREAS, the Planning Commission held public hearings on February 26, 2014 and August 27, 2014, to receive public input on the proposed annexation and zoning; and

WHEREAS, on June 26, 2014, the Planning Commission and Staff circumnavigated the annexation area by van and conducted a site visit to the Gordo parcel area; and

WHEREAS, on August 27, 2014, the Planning Commission forwarded to City Council a recommendation on the proposed annexation and zoning of the Round Valley Park City Annexation; and

WHEREAS, on October 9, 2014, the City Council held a public hearing to receive input on the proposed annexation and zoning; and

WHEREAS, the City Council finds that the requested zoning map amendment is consistent with the Park City General Plan; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Annexation and Park City Zoning Map amendment, as this annexation will bring the City Owned open space property known as Round Valley Open Space, as well as the deed restricted Osguthorpe fields and the City and UDOT owned parcels, known as the Gordo parcels, into the City Limits.

WHEREAS, an Annexation Agreement, between the City and Petitioners pursuant to the Land Management Code, Section 15-8-5 (C), setting forth further terms and conditions of the Annexation, is herein included as Exhibit C.

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

SECTION 1. ANNEXATION APPROVAL. The Property is hereby annexed into the corporate limits of Park City, Utah according to the Annexation Plat executed in substantially the same form as is attached hereto as Exhibit A and according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated below.

The Property so annexed shall enjoy the privileges of Park City as described in the Annexation Agreement attached as Exhibit C and shall be subject to all City levies and assessments, conditions, and restrictions as described in the terms of said Annexation Agreement.

The Property shall be subject to all City laws, rules and regulations upon the effective date of this Ordinance.

SECTION 2. ANNEXATION AGREEMENT. Council hereby authorizes the Mayor to execute the Annexation Agreement in substantially the same form as is attached hereto as Exhibit C and as approved by the City Attorney.

SECTION 3. COMPLIANCE WITH STATE LAW, GENERAL PLAN, AND ANNEXATION POLICY PLAN. This annexation and the proposed zoning meets the standards for annexation set forth in Title 10, Chapter 2 of the Utah Code, the Park City General Plan, and The Annexation Policy Plan - Land Management Code Chapter 8, Annexation.

SECTION 4. OFFICIAL PARK CITY ZONING MAP AMENDMENT. The Official Park City Zoning Map is hereby amended to include said Round Valley Park City Annexation area in the Recreation Open Space (ROS) zoning district, as shown in Exhibit B.

SECTION 5. FINDINGS OF FACT, CONCLUSIONS OF LAW, AND CONDITIONS OF APPROVAL.

Findings of Fact:

1. The annexation petition is a request to annex approximately 1,368 acres into the Park City municipal boundary and to amend the official zoning map to include the property in the Recreation Open Space (ROS) zoning district. Approximately five (5) acres are petitioned to be zoned Limited Industrial (LI).
2. The Round Valley Park City annexation area is currently located in unincorporated Summit County.
3. The non-deed restricted "Gordo" parcels, both UDOT and City owned, are within the Quinn's Junction neighborhood and along the main 248 entry corridor to Park City.
4. The proposed land uses are consistent with the purpose statements of the ROS zoning district and the Planning Staff recommends that the entire annexation area be zoned ROS.
5. The proposed annexation meets the purposes stated in the Annexation Policy Plan, in that this annexation contributes to the achievement of the goals and policies of the Park City General Plan and further protects the general interests and character of Park City.
6. The annexation will bring City owned open space land into the Park City Municipal boundary and enable services to be provided to the Property, such as police and community development services, which are more easily accessible from the City than the County.
7. The annexation does not change or remove any existing deed restrictions or conservation easements from the Property and only the

- four lower “Gordo” parcels are not restricted from development due to deed restrictions and conservation easements.
8. Annexation of this parcel will not create an island, peninsula, or irregular city boundary. The annexation is a logical extension of the City Boundary.
 9. This property is located within the Park City Annexation Expansion Area, adopted by the City Council in 2003.
 10. Provision of municipal services, such as police, water, and community development, for this property is more efficiently provided by Park City than by Summit County, in particular for non-deed restricted “Gordo” parcels.
 11. The annexation petition has been reviewed pursuant to Utah Code Annotated (UCA) Sections 10-2-401, 402, and 403. The annexation petition requirements set forth in these sections of the UCA have been met; including issues of 1) contiguity and municipal annexation expansion area, 2) boundaries drawn along existing local districts, special districts and other taxing entities, and 3) for the content of the petition.
 12. The proposed annexation is consistent with the purpose statements of the Annexation Policy Plan and will protect the general interests and character of the community, assure orderly growth and development of the Park City community in terms of utilities and public services; will preserve open space and ensure environmental quality, will protect a prominent entry corridor, view sheds, and environmentally Sensitive Lands; enhance pedestrian connectivity, create buffer areas; and protect the general public health, safety, and welfare.
 13. The City Staff and Review Team have reviewed the proposed annexation against the general requirements established for annexation to Park City as presented in LMC Section 15-8-2 and as further described in the Analysis section of this report.
 14. No development or subdivision of the land is proposed at this time.

Conclusions of Law:

1. The Annexation and Zoning Map amendment are consistent with Annexation Policy Plan and the Park City General Plan.
2. Approval of the Annexation and Zoning Map amendment does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The Official Zoning Map shall be amended to include the Round Valley Park City Annexation parcels with the Recreation Open Space (ROS) Zone with the Entry Corridor Overlay Zone along the property frontage with State Road 248.
2. The annexation agreement shall be fully executed and recorded with the Annexation Plat.

3. All current ROWs will remain under their respective jurisdiction

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect upon publication of this Ordinance, recordation of the Annexation Plat and Annexation Agreement, and compliance with state annexation filing requirements, pursuant to the Utah Code Annotated Section 10-2-425.

PASSED AND ADOPTED this ____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark D. Harrington, City Attorney

EXHIBIT A

ROUND VALLEY PARK CITY ANNEXATION PLAT

LOCATED IN SECTIONS 28, 33, 34 & 35,
TOWNSHIP 1 SOUTH, RANGE 4 EAST,
AND IN SECTIONS 2 & 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN,
SUMMIT COUNTY, UTAH



GRAPHIC SCALE

0 200 400 600 800 1000 1200 1400 1600 1800 2000
(IN FEET)
1 inch = 800 ft.

Line No.	Bearing	Distance
L1	N 22° 01' 00" E	527.41'
L2	N 17° 42' 46" E	399.75'
L3	N 28° 04' 06" E	200.00'
L4	N 37° 37' 06" E	115.81'
L5	N 42° 52' 13" E	57.93'
L6	S 46° 13' 24" W	339.56'
L7	N 27° 45' 07" W	360.10'
L8	N 63° 51' 50" E	13.75'
L9	N 34° 07' 11" E	544.70'
L10	S 22° 00' 39" W	1005.18'
L11	S 21° 58' 40" W	273.27'
L12	N 22° 02' 06" E	602.76'

Line No.	Bearing	Distance
L13	S 89° 47' 17" W	199.82'
L14	S 26° 17' 01" W	477.04'
L15	N 89° 47' 52" W	732.08'
L16	N 00° 03' 08" E	200.00'
L17	N 89° 47' 52" W	153.20'
L18	S 00° 03' 33" W	310.33'
L19	S 66° 33' 26" W	402.55'
L20	S 75° 13' 12" W	211.20'
L21	N 21° 57' 05" W	593.43'
L22	N 20° 37' 22" W	811.06'
L23	N 29° 33' 29" W	581.91'
L24	N 23° 04' 37" E	33.39'

PARCEL IDENTIFICATION

SEE SHEET 2 OF 2

BOUNDARY DESCRIPTION (COMBINED PARCELS)

SEE SHEET 2 OF 2

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED ARE THE OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, AND, BEING MAYOR OF THE PARK CITY MUNICIPAL CORPORATION, HAVE CAUSED THIS ANNEXATION PLAT TO BE PREPARED, I/WE DO HEREBY CONSENT TO THE RECORDATION OF THIS ANNEXATION PLAT.

JACK THOMAS, MAYOR

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH) JACK THOMAS, MAYOR
COUNTY OF SUMMIT)

ON THE _____ DAY OF _____, 2012, PERSONALLY APPEARED BEFORE ME JACK THOMAS, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS MAYOR OF PARK CITY MUNICIPAL CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF SAID CORPORATION AND FURTHER ACKNOWLEDGED TO ME THAT SAID CORPORATION EXCLUDED THE SAME, BY ACTION OF THE CITY COUNCIL.

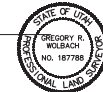
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

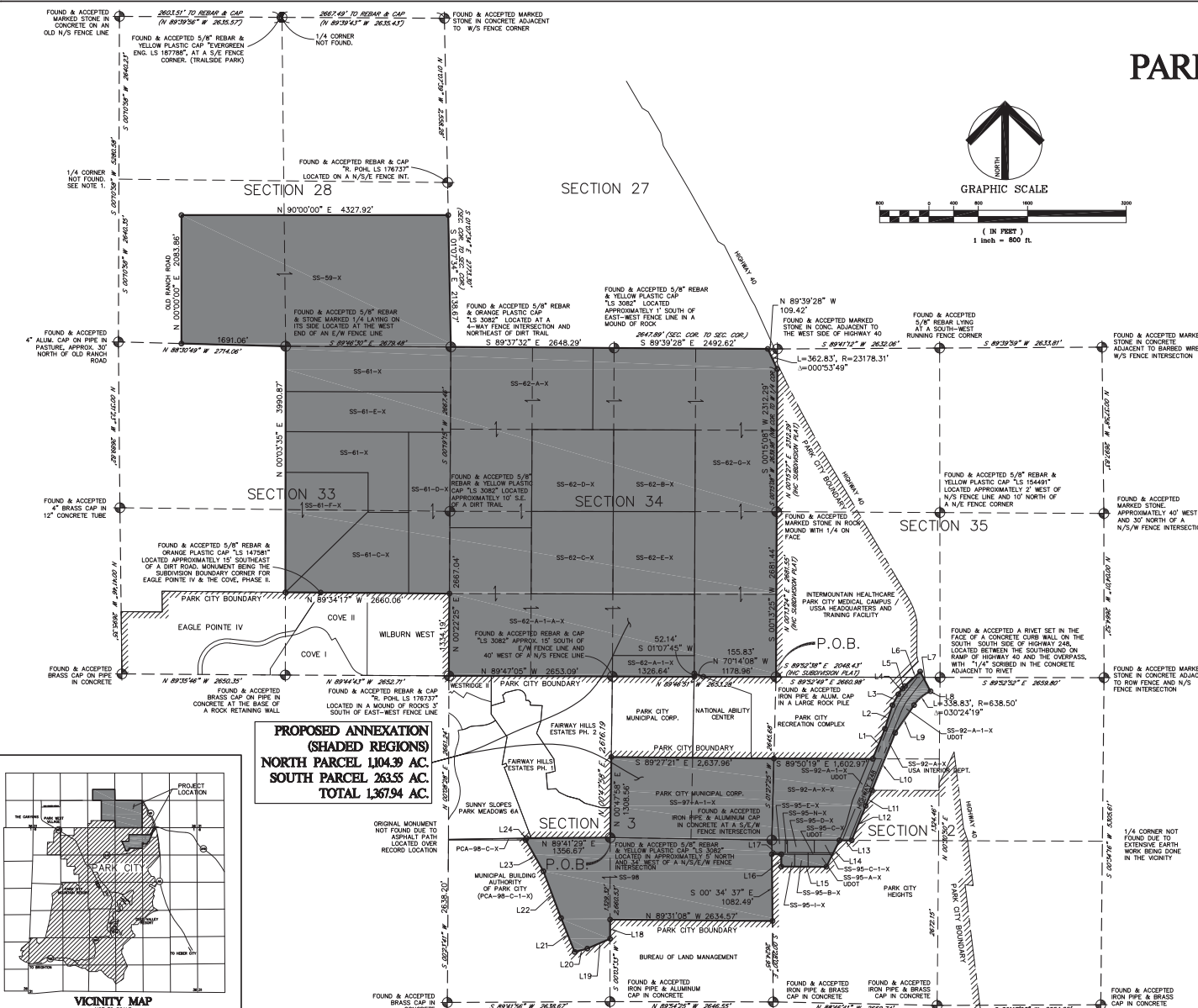
SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT I HAVE PREPARED THIS PLAT BASED UPON OWNERSHIP INFORMATION ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER. I FURTHER CERTIFY THAT THIS PLAT ACCURATELY REPRESENTS THE AREA OF WHICH PARK CITY MUNICIPAL CORPORATION HAS PETITIONED TO ANNEX TO ITS CORPORATE LIMITS. THIS PLAT AND THE DESCRIPTION HEREON HAVE BEEN PREPARED FOR ANNEXATION PURPOSES ONLY AND DO NOT PURPORT TO REPRESENT OR ESTABLISH ACTUAL PROPERTY BOUNDARY LINES. I FURTHER CERTIFY THAT THIS ANNEXATION PLAT HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW.

GREGORY R. WOLBACH



DATE: _____



CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 20____

CHAIRMAN

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF _____ DAY OF _____ A.D. 20____ AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

CITY RECORDER

CITY ENGINEER

THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 20____

CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20____

CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20____

MAYOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ A.D. 2014.

BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

Evergreen Engineering, Inc.

Civil Engineering • Land Surveying • Land Planning
1670 Business Drive • Suite 104
P.O. Box 2861 • Park City • Utah • 84060
Phone: (435) 648-4667 • Fax: (435) 648-9219
E-mail: office@evergreen-eng.com



ROUND VALLEY PARK CITY ANNEXATION PLAT

LOCATED IN SECTIONS 28, 33, 34 & 35,
TOWNSHIP 1 SOUTH, RANGE 4 EAST,
AND IN SECTIONS 2 & 3,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN,
SUMMIT COUNTY, UTAH

BOUNDARY DESCRIPTION

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, (BASIS OF BEARING NORTH 89°46'51" WEST A DISTANCE OF 2,653.28 FEET BETWEEN THE SOUTHEAST CORNER OF SAID SECTION 34 (A FOUND ALUMINUM CAP IN A ROCK PILE) AND THE SOUTH QUARTER CORNER OF SAID SECTION 34 (A FOUND REBAR WITH YELLOW CAP MARKED "LS #3082"); SAID POINT OF BEGINNING ALSO BEING ON THE NORTHERLY BOUNDARY LINE OF THE "PARK CITY RECREATION COMPLEX" SUBDIVISION AND THE SOUTHWEST CORNER OF THE "INTERMOUNTAIN HEALTHCARE PARK CITY MEDICAL CAMPUS / USSA HEADQUARTERS AND TRAINING FACILITY" SUBDIVISION; THENCE ALONG SAID NORTHERLY SUBDIVISION BOUNDARY LINE AND SAID SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, NORTH 89°46'51" WEST A DISTANCE OF 1,178.96 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF THE NATIONAL ABILITY CENTER; THENCE LEAVING SAID SECTION LINE AND CONTINUING ALONG SAID NATIONAL ABILITY CENTER BOUNDARY THE FOLLOWING TWO CALLS: (1) NORTH 70°14'08" WEST A DISTANCE OF 155.83 FEET; (2) SOUTH 01°07'45" WEST A DISTANCE OF 52.14 FEET TO A POINT ON THE SOUTHERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34; THENCE ALONG SAID SOUTHERLY QUARTER SECTION LINE, NORTH 89°46'51" WEST A DISTANCE OF 1,326.64 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 34, SAID POINT ALSO BEING THE NORTHEAST BOUNDARY CORNER OF THE "FAIRWAY HILLS ESTATES PHASE 2" SUBDIVISION; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 (ALSO BEING THE NORTHERLY BOUNDARY LINES OF THE SAID FAIRWAY HILLS ESTATES PHASE 2 AND WESTRIDGE II SUBDIVISION) NORTH 89°47'05" WEST A DISTANCE OF 2,653.09 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 34 (A FOUND REBAR WITH YELLOW CAP MARKED "R. POHL LS 1783737"); THENCE ALONG THE WESTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34, NORTH 02°22'25" EAST A DISTANCE OF 1,334.19 FEET; THENCE LEAVING SAID WESTERLY QUARTER SECTION LINE, NORTH 89°34'17" WEST A DISTANCE OF 2,660.06 FEET TO A POINT ON THE NORTH-SOUTH CENTER SECTION LINE OF SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, SAID POINT ALSO BEING ON THE NORTHERLY BOUNDARY LINE OF "EAGLE POINTE IV" SUBDIVISION; THENCE LEAVING SAID NORTHERLY BOUNDARY LINE AND CONTINUING ALONG SAID NORTH-SOUTH CENTER SECTION LINE NORTH 00°03'35" EAST A DISTANCE OF 3,990.87 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 33 (A FOUND REBAR & STONE MARKED 1/4) SAID POINT ALSO BEING THE SOUTH QUARTER CORNER OF SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE SOUTHERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, NORTH 88°30'49" WEST A DISTANCE OF 1,691.06 FEET; THENCE LEAVING SAID SOUTHERLY QUARTER SECTION LINE, NORTH 00°00'00" EAST A DISTANCE OF 2,083.86 FEET; THENCE NORTH 90°00'00" EAST 4,327.92 FEET TO A POINT ON THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 28; THENCE ALONG SAID EASTERLY QUARTER SECTION LINE, SOUTH 01°07'34" EAST A DISTANCE OF 2,138.67 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 28 (A FOUND REBAR WITH ORANGE PLASTIC CAP MARKED "LS #3082"); THENCE ALONG THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SECTION 34 SOUTH 89°37'32" EAST A DISTANCE OF 2,648.29 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 34 (A FOUND REBAR WITH YELLOW PLASTIC CAP MARKED "LS #3082"); THENCE ALONG THE NORTHERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34 SOUTH 89°39'28" EAST A DISTANCE OF 2,492.62 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE "INTERMOUNTAIN HEALTHCARE PARK CITY MEDICAL CAMPUS / USSA HEADQUARTERS AND TRAINING FACILITY" SUBDIVISION, SAID POINT BEING ON A 23,178.31 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID WESTERLY BOUNDARY LINE THE FOLLOWING THREE (3) CALLS: (1) THENCE 362.82 FEET ALONG THE ARC OF SAID 23,178.31 FOOT RADIUS CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0°53'49" TO A POINT ON THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34; (2) THENCE ALONG SAID EASTERLY QUARTER SECTION LINE, SOUTH 00°15'08" WEST A DISTANCE OF 2,312.29 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 34 (A FOUND STONE MARKED 1/4 IN A ROCK MOUND); (3) THENCE ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, SOUTH 00°13'25" WEST A DISTANCE OF 2,681.44 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 34, ALSO BEING THE POINT OF BEGINNING.

BOUNDARY DESCRIPTION (CONTINUED)

ALSO INCLUDING THE FOLLOWING:

BEGINNING AT THE CENTER OF SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH, (BASIS OF BEARING NORTH 00°47'58" EAST A DISTANCE OF 2,616.19 FEET BETWEEN THE CENTER OF SAID SECTION 3 (A FOUND REBAR WITH YELLOW CAP MARKED "LS #3082") AND THE NORTH QUARTER CORNER OF SAID SECTION 3 (A FOUND REBAR WITH YELLOW CAP MARKED "LS #3082"); THENCE ALONG THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 3, NORTH 00°47'58" EAST A DISTANCE OF 1,308.56 FEET; THENCE LEAVING SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 89°27'21" EAST A DISTANCE OF 2,637.96 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 3, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY OF PARK CITY RECREATION COMPLEX SUBDIVISION; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE SOUTH 89°50'19" EAST A DISTANCE OF 1,602.87 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY OF STATE ROUTE 248; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY AND EASTERLY BOUNDARY OF SAID PARK CITY RECREATION COMPLEX SUBDIVISION THE FOLLOWING SIX (6) CALLS: (1) THENCE NORTH 22°07'00" EAST A DISTANCE OF 527.41 FEET; (2) THENCE NORTH 17°42'46" EAST A DISTANCE OF 399.75 FEET; (3) NORTH 28°04'06" EAST A DISTANCE OF 200.00 FEET; (4) THENCE NORTH 37°37'06" EAST A DISTANCE OF 115.81 FEET; (5) THENCE NORTH 42°52'13" EAST A DISTANCE OF 57.93 FEET; (6) THENCE NORTH 46°13'24" EAST A DISTANCE OF 339.56 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 40; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY SOUTH 27°45'07" EAST A DISTANCE OF 360.10 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT-OF-WAY OF STATE ROUTE 248; THENCE ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) CALLS: (1) THENCE SOUTH 63°51'50" WEST A DISTANCE OF 13.75 FEET TO A POINT ON A 638.50 FOOT RADIUS CURVE TO THE LEFT; (2) THENCE ALONG THE ARC OF SAID CURVE 338.83 FEET THROUGH A CENTRAL ANGLE OF 30°24'19"; (3) THENCE SOUTH 34°07'11" WEST A DISTANCE OF 544.70 FEET; (4) THENCE SOUTH 22°00'39" WEST 1,005.18 FEET; (5) THENCE SOUTH 21°58'40" WEST A DISTANCE OF 273.27 FEET; (6) THENCE SOUTH 22°02'04" WEST 602.76 FEET TO A POINT ON THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 2; THENCE LEAVING SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND CONTINUING ALONG SAID EAST-WEST CENTER SECTION LINE SOUTH 89°47'17" WEST A DISTANCE OF 199.82 FEET TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF SAID STATE ROUTE 248; THENCE ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 26°17'01" WEST A DISTANCE OF 477.04 FEET; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE NORTH 89°47'52" WEST A DISTANCE OF 732.08 FEET; THENCE NORTH 00°03'08" EAST A DISTANCE OF 200.00 FEET; THENCE NORTH 89°47'52" WEST A DISTANCE OF 153.20 FEET TO THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE ALONG SAID EASTERLY QUARTER SECTION LINE SOUTH 00°34'37" EAST A DISTANCE OF 1,082.49 FEET TO THE EAST-WEST 1/16TH LINE OF SAID SECTION 3; THENCE ALONG SAID EAST-WEST 1/16TH LINE NORTH 89°31'08" WEST A DISTANCE OF 2,634.57 FEET TO THE NORTH-SOUTH CENTER SECTION LINE OF SAID SECTION 3; THENCE ALONG SAID NORTH-SOUTH CENTER SECTION LINE SOUTH 00°03'33" WEST A DISTANCE OF 310.33 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF TAX PARCEL PCA-98-C-1-X; THENCE ALONG SAID NORTHERLY BOUNDARY LINE THE FOLLOWING FIVE (5) CALLS: (1) THENCE SOUTH 66°33'26" WEST A DISTANCE OF 402.55 FEET; (2) THENCE SOUTH 75°13'12" WEST A DISTANCE OF 211.20 FEET; (3) THENCE NORTH 21°57'05" WEST A DISTANCE OF 593.43 FEET; (4) THENCE NORTH 20°37'22" WEST A DISTANCE OF 611.08 FEET; (5) THENCE NORTH 29°33'29" WEST A DISTANCE OF 581.91 FEET TO A POINT ON THE EASTERLY LINE OF TAX PARCEL PCA-98-C-X; THENCE ALONG SAID EASTERLY LINE NORTH 23°04'37" EAST A DISTANCE OF 33.39 FEET TO THE SOUTHERLY LINE OF "SUNNY SLOPES PARK MEADOWS SUBDIVISION NO. 6A"; THENCE ALONG SAID SOUTHERLY LINE OF "SUNNY SLOPES PARK MEADOWS SUBDIVISION NO. 6A" AND ALONG THE SOUTHERLY LINE OF "FAIRWAY HILLS ESTATES PHASE 1" SUBDIVISION NORTH 89°41'29" EAST A DISTANCE OF 1,356.67 FEET TO THE CENTER OF SAID SECTION 3, ALSO BEING THE POINT OF BEGINNING.

CONTAINING APPROXIMATELY 1,367.16 ACRES.

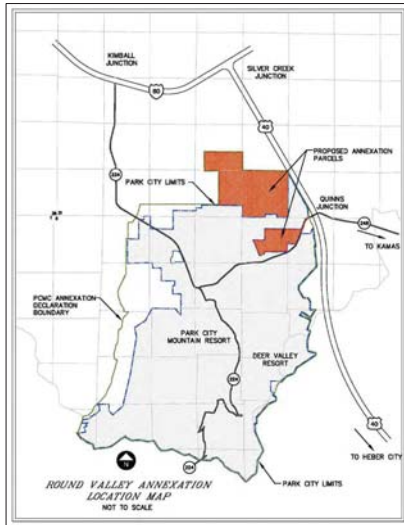
PARCEL IDENTIFICATION

PARK CITY MUNICIPAL CORPORATION LAND, AS FOLLOWS:

- SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-59-X (PCMC)
- SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-C-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-D-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-E-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-61-F-X (PCMC)
- SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-A-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-B-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-C-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-D-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-E-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-G-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-A-1-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-62-A-1-A-X (PCMC)
- SECTION 2, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-92-A-X (U.S.A., INTERIOR DEPT.)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-92-A-1-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-92-A-1-X (UDOT)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-A-X (UDOT)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-B-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-C-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-C-X (UDOT)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-D-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-E-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-95-N-X (PCMC)
- SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:
 - * SUMMIT COUNTY TAX SERIAL NO. SS-97-A-1-X (PCMC)
 - * SUMMIT COUNTY TAX SERIAL NO. SS-98 (STEPHEN A. OSOUTHORPE, TRUSTEE)

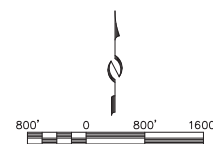
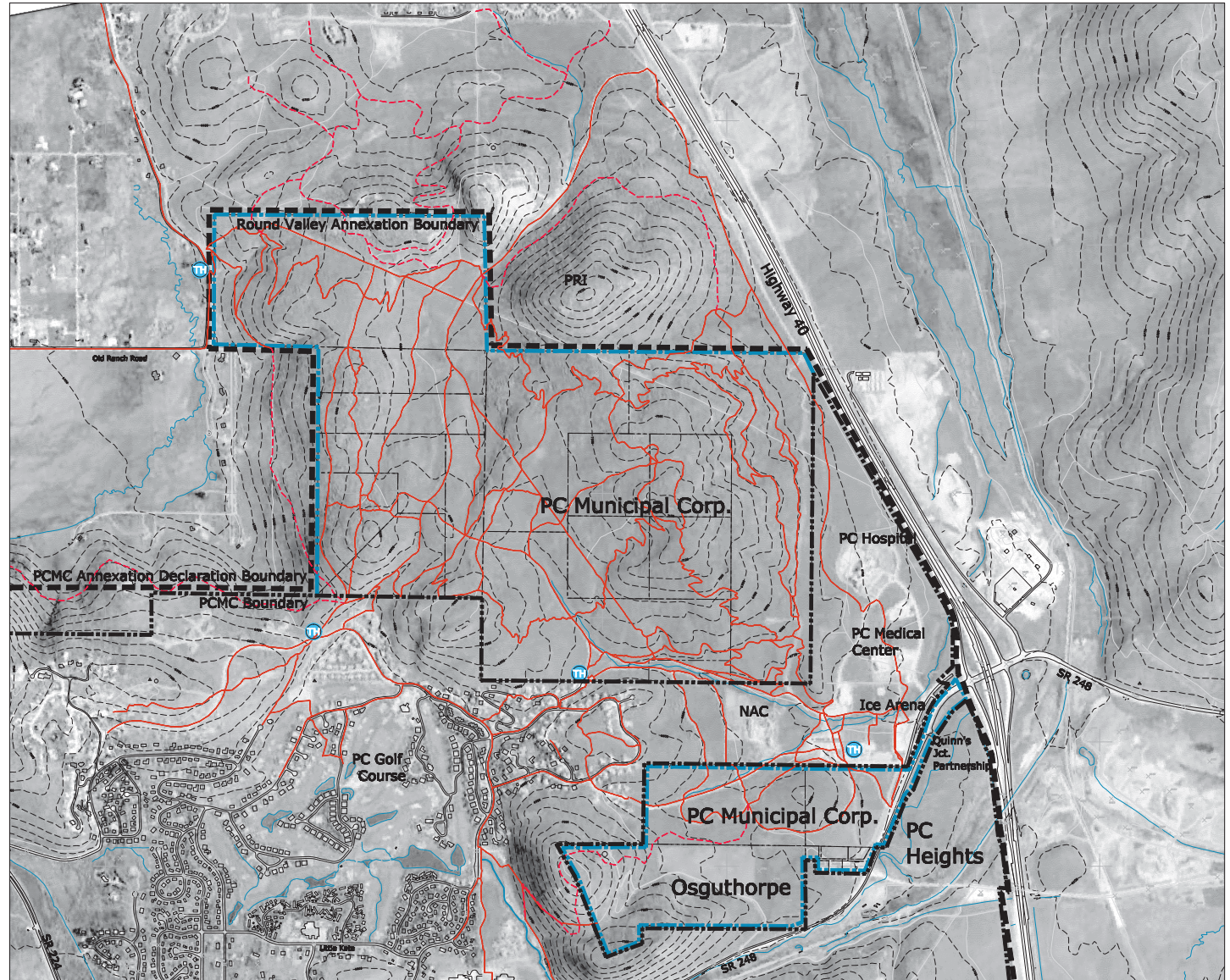


EXHIBIT B



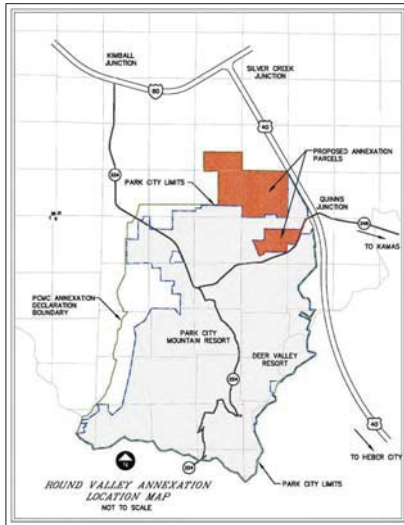
LEGEND

- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary
- Existing Round Valley trails and jeep roads
- Proposed Round Valley trails
- TH Existing trailheads



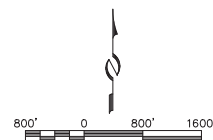
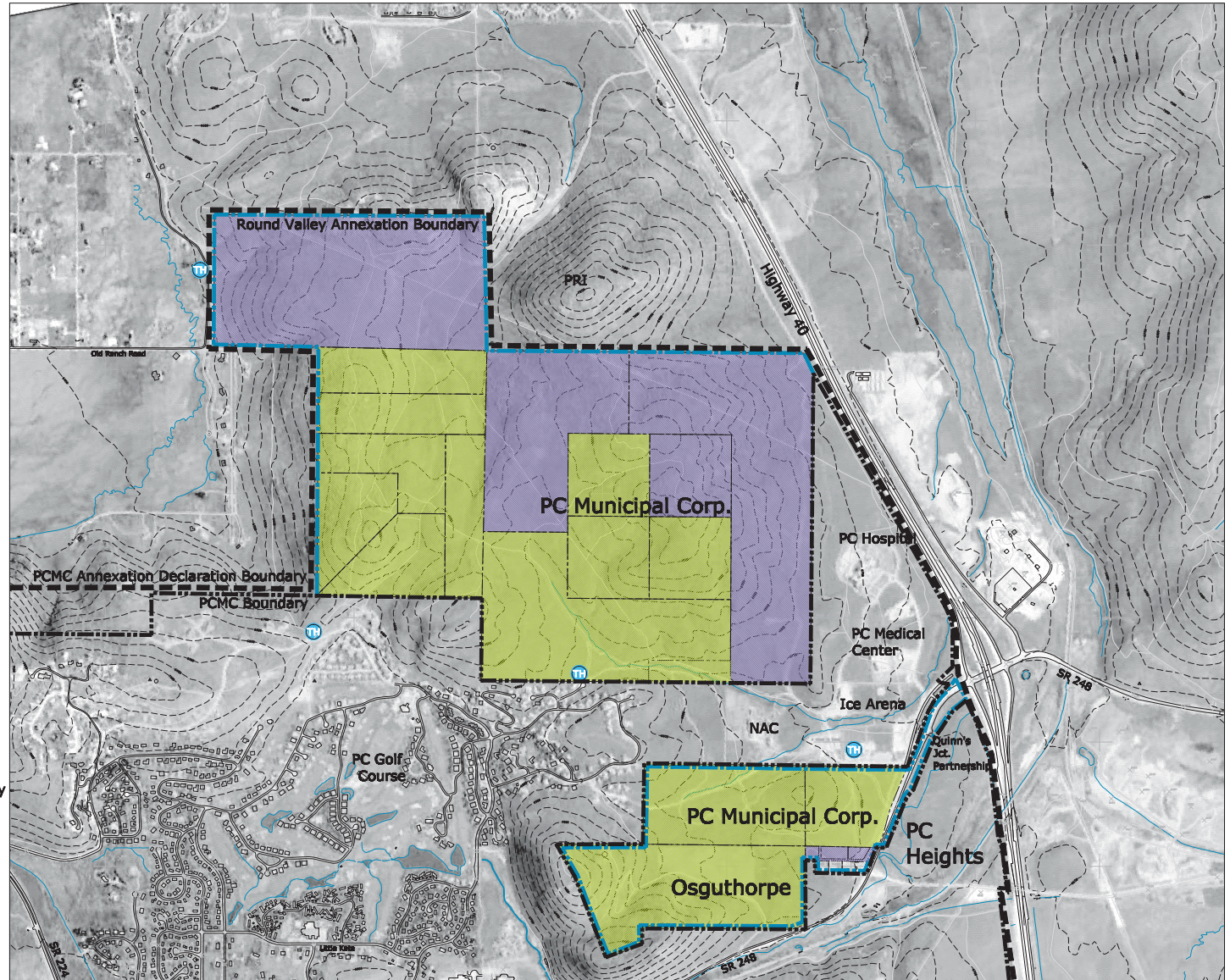
STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION Existing Conditions + Ortho-Photo PARK CITY MUNICIPAL CORPORATION	SHEET 1 OF 1
DATE: 6/16/13	FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Existing Conditions map no ortho.dwg	

EXHIBIT C

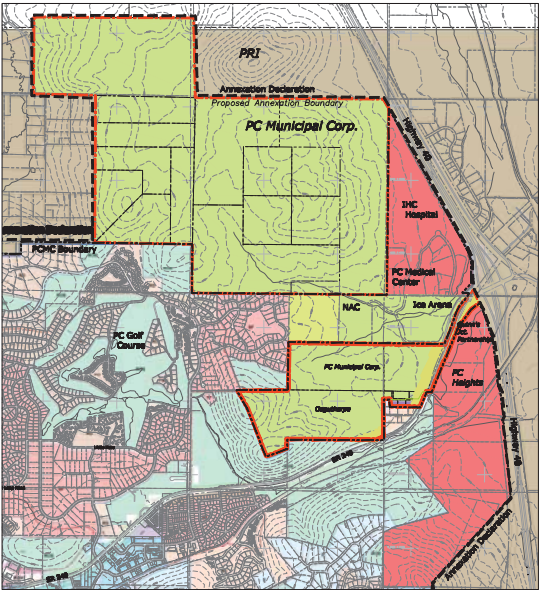


LEGEND

- Annexation lands with existing Conservation Easements
- Annexation lands with existing Deed Restrictions
- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street P.O. Box 2654 Park City, Utah 84060-2654	(435) 648-9467 STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION Conservation Easements+Deed Restrictions PARK CITY MUNICIPAL CORPORATION FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Existing Conditions map no ortho.dwg	SHEET 1 OF 1
DATE: 6/16/13			



Overall Annexation Area
Not to scale

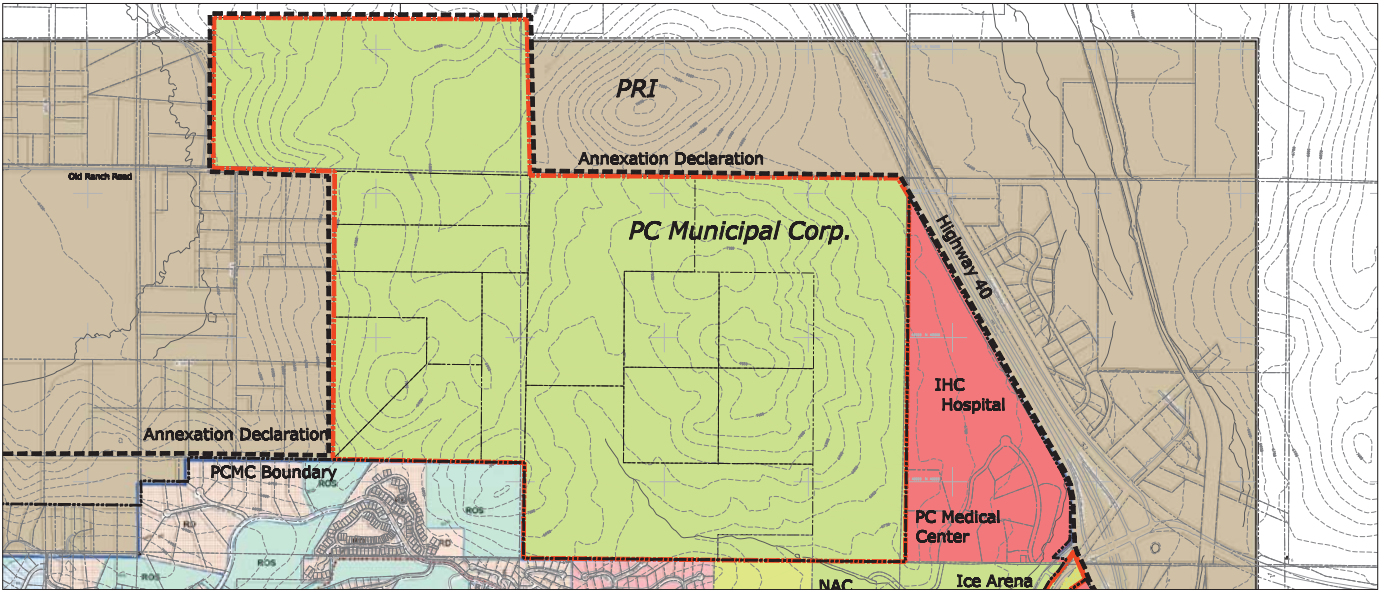
Proposed Zoning

- Recreation Open Space (ROS)
- Light Industrial (LI)
- Frontage Protection Zone (FPZ)

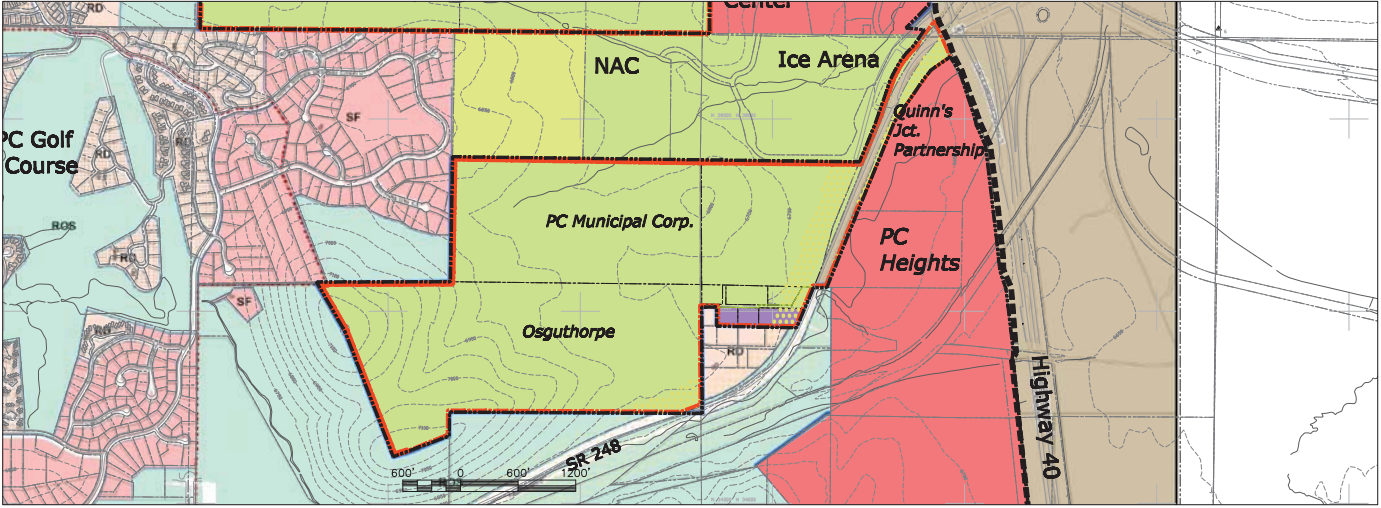
Existing Zoning-Surrounding Areas

- Community Transition (CT)
- Recreation Open Space (ROS)
- Preservation Open Space (POS)
- Estate (E)
- Single Family (SF)
- Residential Development (RD)
- Light Industrial (LI)

- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary



North Parcel



South Parcel

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City, Utah 84050-2654 (435) 640-9467	STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION PROPOSED ZONING PARK CITY MUNICIPAL CORPORATION	SHEET 1 OF 1
	DATE: 5/30/14	FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Zoning Map.dwg	



A View of South RV from Park Meadows



B View from West RV/ Matt's Flat Trail



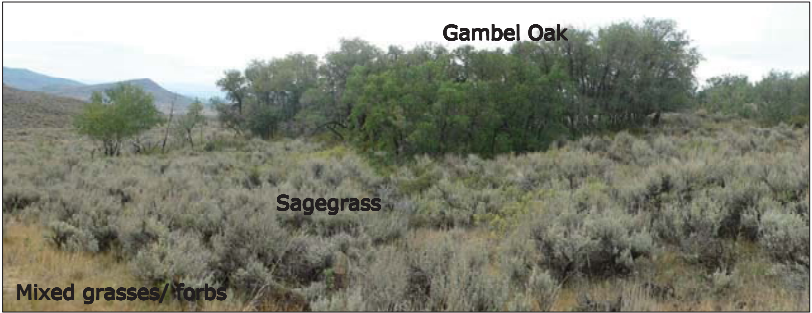
C View from SR 248 looking West



D View from Hwy. 40 looking West

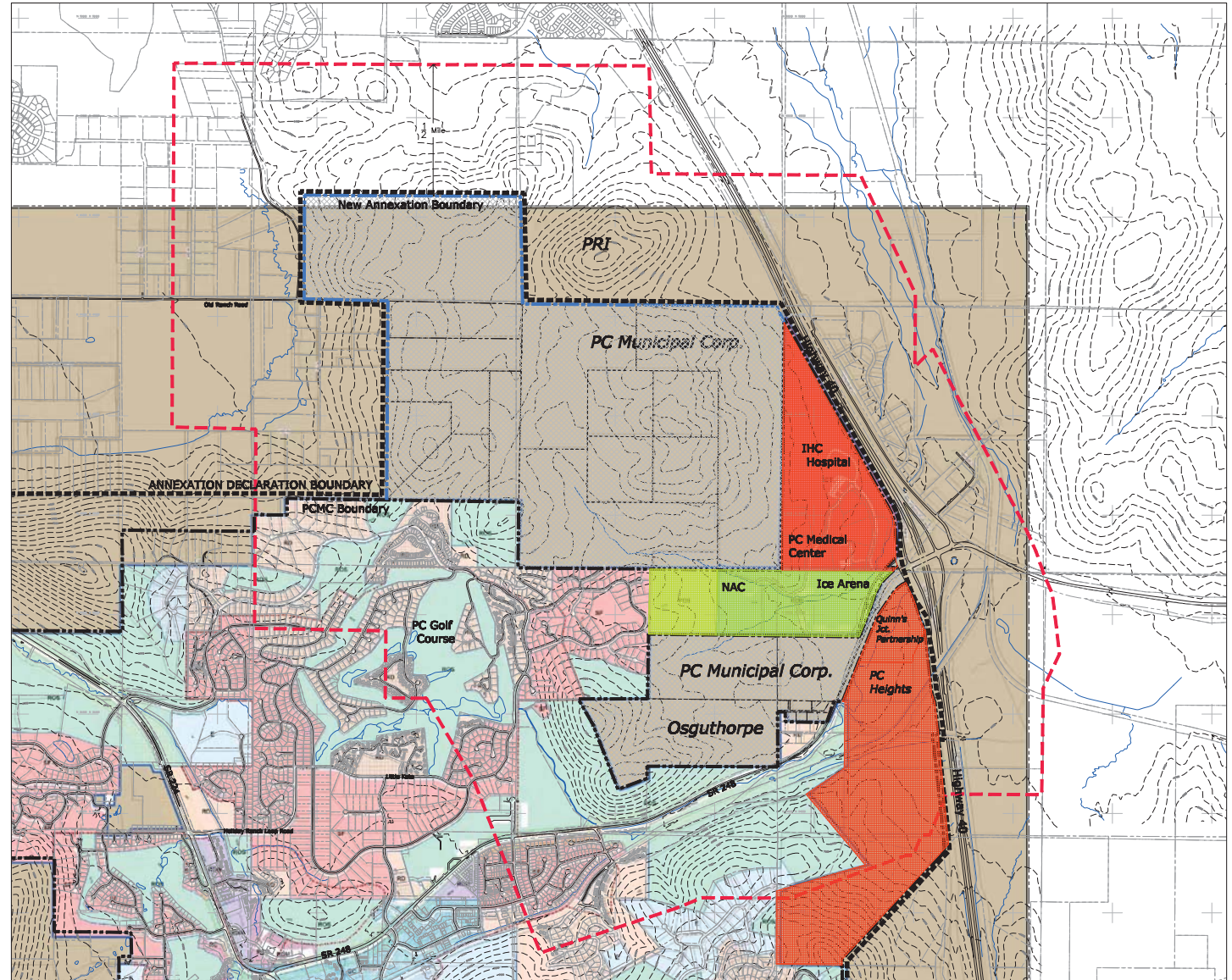
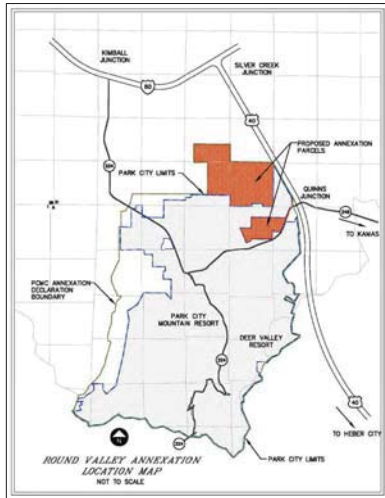


Viewpoint Legend (NTS)



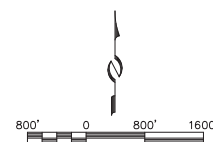
Prototypical vegetation patterns

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2654 Park City, Utah 84050-2654	(435) 649-9457	STAFF:	VIEWSHED CORRIDORS + SITE IMAGES	SHEET	
		STEVE SCHUELER	ROUNDVALLEY ANNEXATION		1
					FOR: PCMC
			JOB NO.: 7-1-12	1	
		DATE: 2/19/13	FILE: X:\Quinn's Junction\Annex 2012\view corridors.dwg		

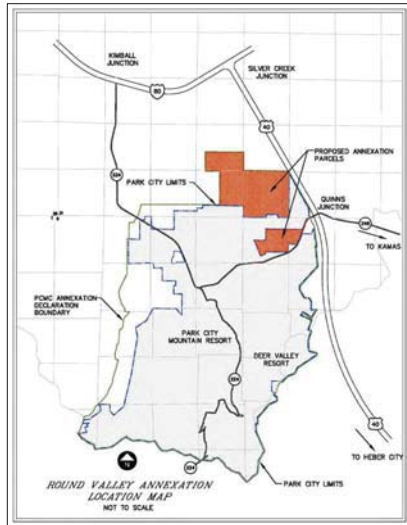


LEGEND

- — — — — Round Valley Annexation Boundary
- - - - - PCMC Annexation Declaration Boundary
- - - - - Existing PCMC Boundary
- - - - - 1/2 Mile Boundary



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street P.O. Box 2654 Park City, Utah 84060-2654	(435) 640-9457 STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION 1/2 MILE PROPERTY LAND USE PARK CITY MUNICIPAL CORPORATION FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Exhibits.dwg	SHEET 1 OF 1
DATE: 6/16/13			



Slope Analysis

Color	Layer	Percent	Acres
Light Yellow	0-15%	55.0	752
Yellow	15-40%	44.0	602
Orange	40+%	2.0	27
			1,368

Ridgelines

Prominent Ridges

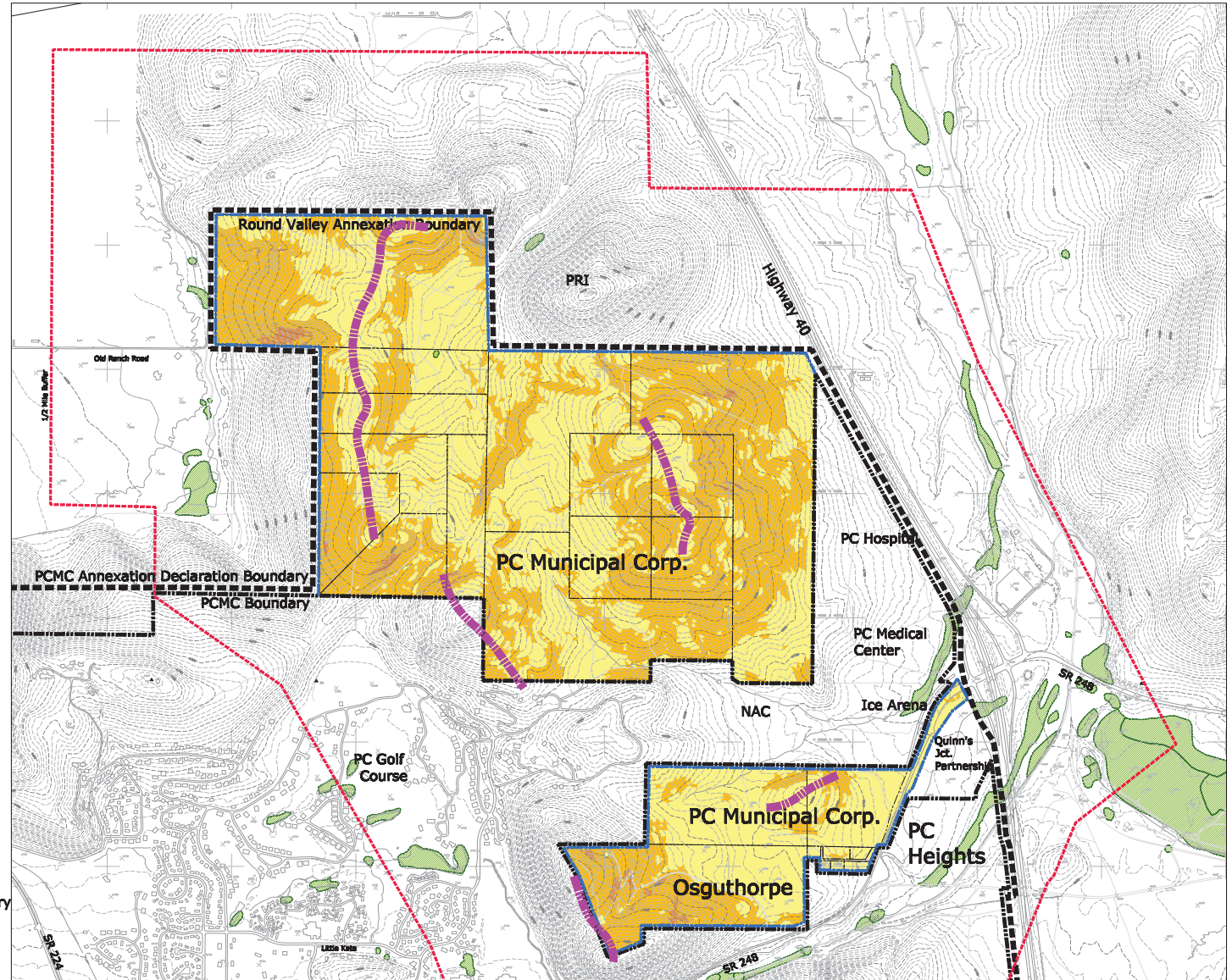
Wetlands*

Mapped Wetlands

Round Valley Annexation Boundary

PCMC Annexation Declaration Boundary

Existing PCMC Boundary

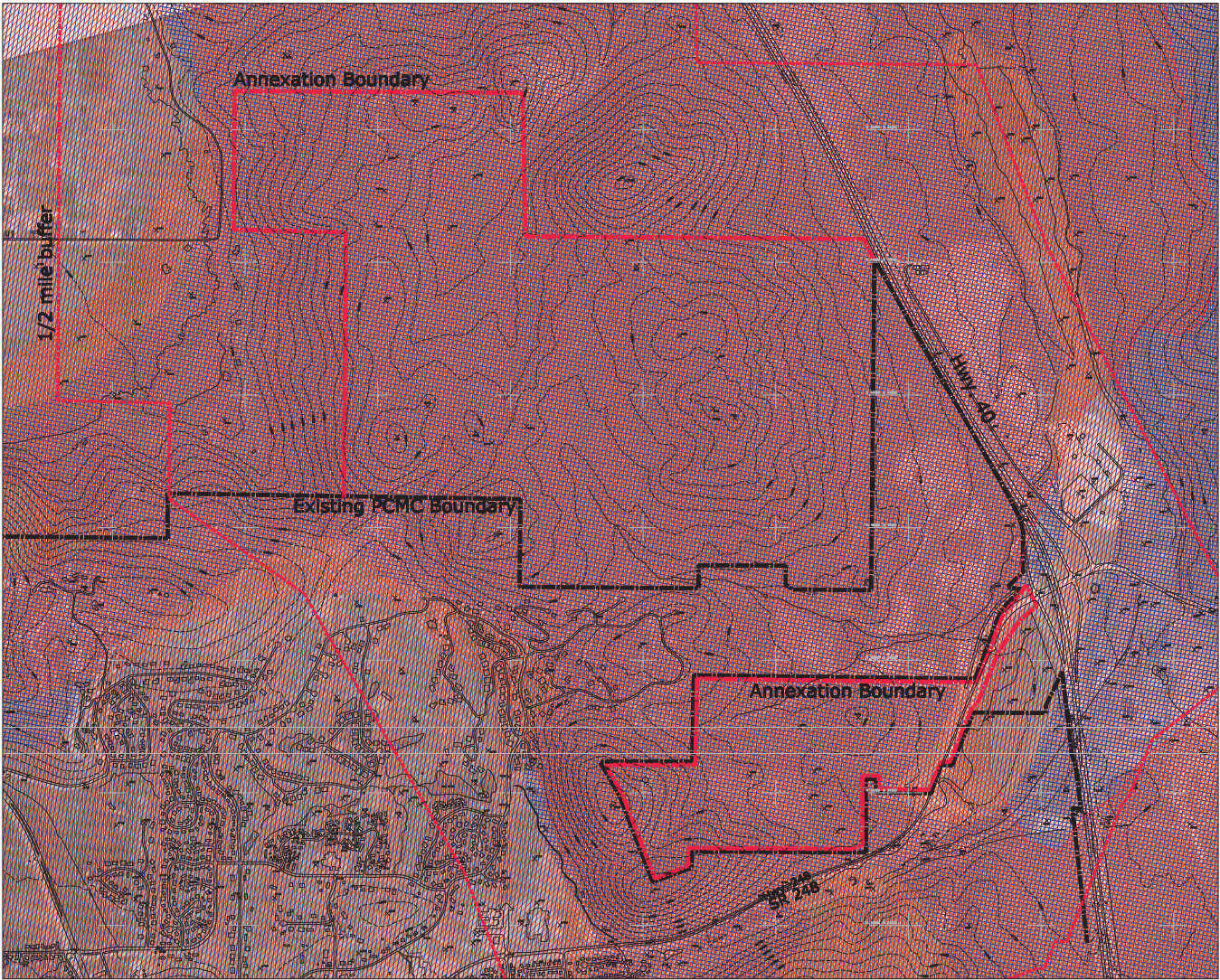


* Wetlands data provided by the State of Utah GIS website

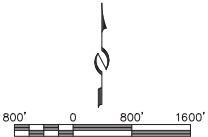
 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street P.O. Box 2054 Park City, Utah 84060-2054	(435) 648-9467 STAFF: STEVE SCHUELER	ROUND VALLEY ANNEXATION PETITION SENSITIVE LANDS ANALYSIS PARK CITY MUNICIPAL CORPORATION	SHEET 1 OF 1
	DATE: 6/16/13	FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn's Junction\dwg\Existing Conditions.dwg	

Wildlife Habitat Legend*

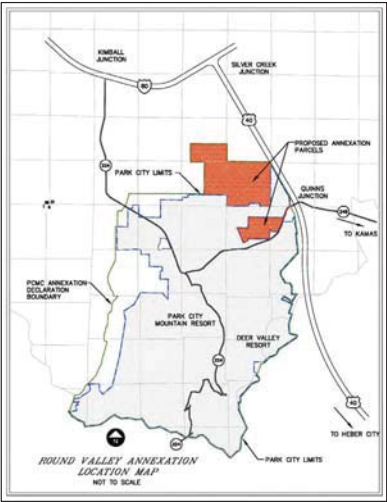
- Mule Deer Habitat
- Black Bear Habitat
- Sage grouse-100% of project area
- Ruffed grouse
- Blue grouse



* Mapping data downloaded from the State of Utah GIS Portal website

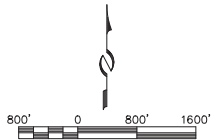
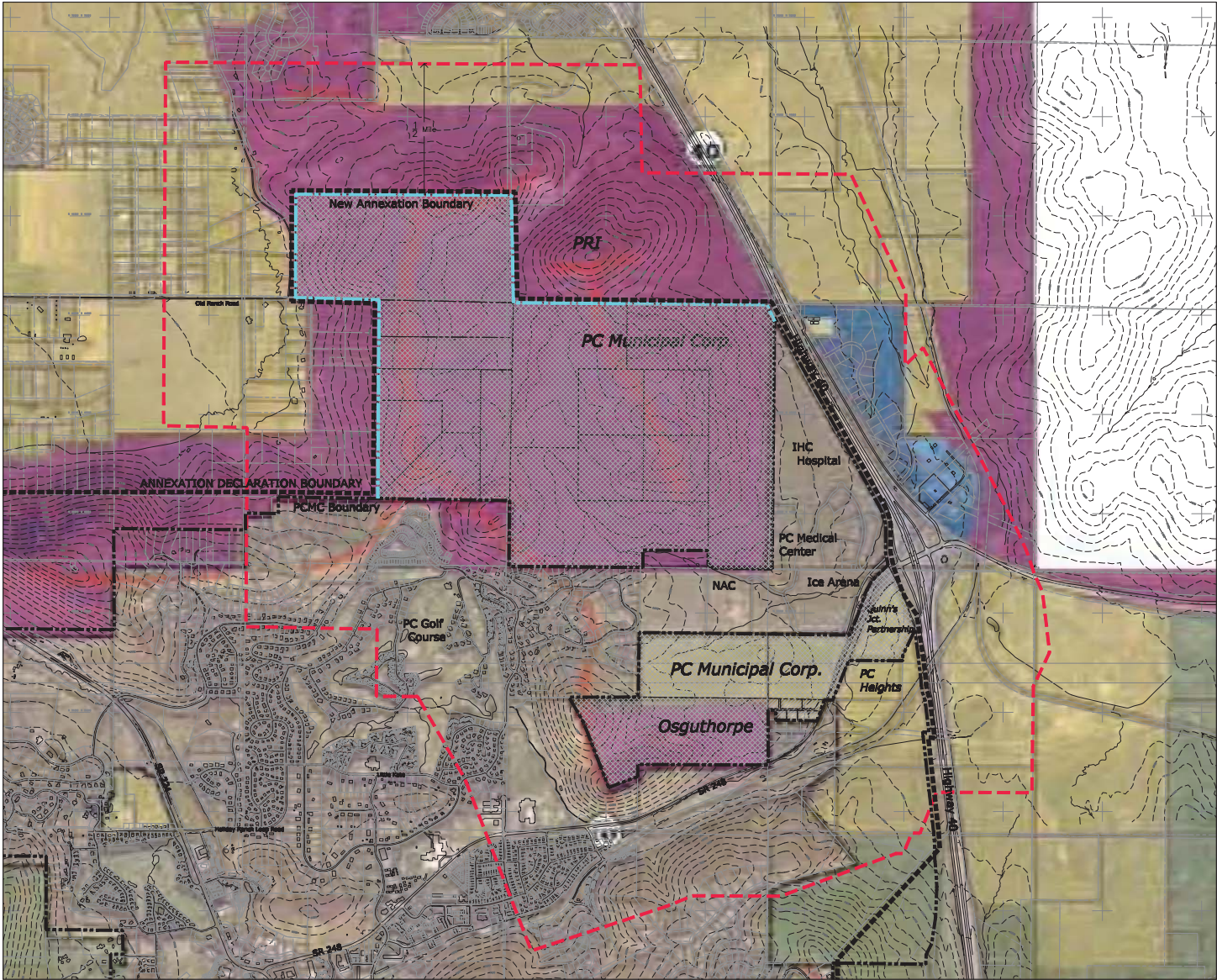


 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2664 Park City, Utah 84060-2664	(435) 649-8467 STAFF: STEVE SCHUELER DATE: 6/16/13	WILDLIFE HABITAT ROUND VALLEY ANNEXATION PARCEL FOR: PCMC JOB NO.: 7-1-12 FILE: X:\Quinn Junction\Annexation 2012\wildlife sheet.dwg	SHEET 1
			OF 1



LEGEND

- Round Valley Annexation Boundary
- PCMC Annexation Declaration Boundary
- Existing PCMC Boundary
- 1/2 Mile Boundary



STAFF:
STEVE SCHUELER
DATE: 2/18/13

ROUND VALLEY ANNEXATION PETITION
EXISTING SUMMIT COUNTY ZONING
PARK CITY MUNICIPAL CORPORATION
FOR: PCMC
JOB NO.: 7-1-12
FILE: X:\Quinn's Junction\dwg\Existing Conditions.dwg

SHEET
1
OF
1



Round Valley Annexation Petition

Introduction

Park City Municipal Corporation (PCMC) is petitioning to have the area generally known as Round Valley (RV), annexed into Park City. The bulk of the parcels contained within the proposed annexation area are either owned outright by PCMC or PCMC retains conservation easements or deed restrictions. The project is located in the Quinn's Junction area. See attached Existing Conditions map. The purpose of this report is to provide a review and analysis of the existing and proposed land uses associated with the annexation of the Round Valley property. The property exists within Park City's annexation declaration boundary, as shown on the attached Annexation Boundary Declaration exhibit. The annexation petition is consistent with the Purpose and General Requirements of Chapter 8-Annexation of the Park City Land Management Code. An Annexation Plat is attached.

Existing Conditions

The annexation area consists of properties within two larger parcels (North Parcel and South Parcel) which are separated from each other by properties within the boundaries of PCMC. Both of these parcels consist of lands purchased over 20 of years by PCMC specifically for open space protection and for use as a recreation amenity by residents and visitors (see Existing Conditions map) through taxpayer-funded Open Space bonds. The total area of the proposed annexation area is 1,367.16 acres. Existing natural conditions have been identified, in some cases mapped, and then subsequently analyzed to address the requirements of the Annexation Petition and are noted below.

The North parcel lands present as undeveloped open space with topography consisting of rolling hills surrounding a central valley (Round Valley). The lowest point of the valley area appears to contain a small jurisdictional wetlands habitat. Numerous trails used by hikers, bikers, and winter user's crisscross the Round Valley area.

The South parcel is similar in character to the North parcel. Topography consists of gently rolling terrain and flat fields. Most of this parcel exists as undeveloped open space with multi-use trails. A portion is farmed for hay, and several small parcels have been utilized for vehicle storage, road salt storage and related uses. Individual ownership parcels of the entire annexation area are found at the end of this document.

a. Slopes:

A slope analysis has been conducted with the following results:

Slopes 0 – 15%	55%
Slopes 15-40%	44%
Slopes 40%+	1%

See the attached slope analysis. Ridgelines have also been identified as part of this analysis.

Round Valley Annexation Petition

b. Wetlands and Hydrology:

Wetlands in the annexation area, and surrounding lands, have been mapped by the Environmental Protection Agency as part of a nationwide wetlands inventory and the mapping, available in a digital format, was downloaded from the State of Utah GIS portal website for use in mapping wetlands. This mapping would not be considered to be detailed enough for a site-specific wetlands identification, but is useful in generally determining where wetlands are likely located. The digital mapping shows a very small wetland area in Round Valley itself. An on-site delineation will be required in the event that activities are proposed in this wetlands area. These mapped wetlands are shown on the Sensitive Lands Map.

c. Vegetative Cover:

Vegetation consists of mountain mahogany, shrub oak, sagebrush, mixed native grasses and various perennials. Invasive weed species are found throughout the parcel (See attached character image of the vegetation patterns).

d. View Corridors:

Important view corridors exist along Route 248 and 40 and comprise portions of the RV Annexation area. The parcels within the annexation area were purchased or controlled by PCMC, in part, to protect the visual character of the entry in Park City. Visually, the Round Valley Annexation area presents as undeveloped foothills between the State Route 40 corridor and the Snyderville Basin. See the attached Viewshed Analysis.

e. Wildlife:

Wildlife habitat information for important species has been downloaded and mapped from the State of Utah GIS Portal website. As shown on the wildlife mapping, black bear, blue grouse, sage grouse, ruffed grouse and mule deer habitat are found within the annexation area and on nearby open space lands.

Threatened and Endangered Species-As shown on the following table, Summit County animal and plant species has been listed as one or more of the following: Federally-listed or candidate species under the Endangered Species Act (S-ESA), Wildlife species of concern (SPC), and Species receiving special management under a Conservation Agreement in order to preclude the need for Federal listing (CS). The animals and plants listed below are found in Summit County or Wasatch Counties but are not be specific to the annexation parcels.

Round Valley Annexation Petition

Table 1-Animal Species in Summit County of S-ESA, SPC, or CS Status

<i>Common Name</i>	<i>Scientific Name</i>	<i>State Status</i>
Bald Eagle	Haliaeetus Leucocephalus	S-ESA
Blue-Headed Sucker	Catostomus Discobolus	CS
Bobolink	Dolichonyx Oryzivorus	SPC
Bonneville Cutthroat Trout	Oncorhynchus Clarkii Utah	CS
Brown (Grizzly) Bear	Ursus Arctos	S-ESA
Canada Lynx	Lynx Canadensis	S-ESA
Colorado River Cutthroat Trout	Onchorhynchus Clark II pleuriticus	CS
Columbia Spotted Frog	Rana Luteiventris	CS
Deseret Mountain Snail	Oreohelix Peripherica	SPC
Greater Sage Grouse	Centrocercus Urophasianus	SPC
Leatherside Chub	Gila Copei	SPC
Lewis Woodpecker	Melanerpes Lewis	SPC
Long-billed Curlew	Numenius Americanus	SPC
Northern Goshawk	Accipiter Gentilis	CS
Smooth Greensnake	Opheodrys Vernalis	SPC
Three-Toed Woodpecker	Picoides Tridactylis	SPC
Western Pearlshell	Margaritifera Falcata	SPC
Western Toad	Bufo Boreas	SPC

An inquiry to the State of Utah, Division of Wildlife Resources, Department of Natural Resources (DWR) regarding any species of concern has been made. No species of concern have been identified by DWR as noted on the attached response.

f. Cultural Resources:

Historically, the annexation area has been, for the most part, undeveloped. There are no historic structures found on the annexation parcels in question. Historic land uses include agriculture, which has been an on-going activity on the Osguthorpe parcel for many years.

g. Geological Features

The RV annexation area contains no significant geological features identified in the State of Utah GIS databases including debris flows, fault lines, landslide areas, liquefaction areas and related phenomena. Several mapped small earthquake epicenters are found on the annexation area as are found throughout the greater Park City area. A review of the databases indicated no known geologic hazards. No known mine hazards were discovered in the area, per PCMC compliance with the mine hazard ordinance.

Round Valley Annexation Petition

The annexation area is outside of the Park City's soils ordinance boundaries.

Existing and Proposed Streets and Roads

No new roads or streets are currently proposed as part of this annexation.

Existing Public and Proposed Utilities

Utility services exist along road R-O-W's which surrounds the annexation parcels. A (Chevron) natural gas main line passes through the North Parcel and the Lost Canyon Water Line passes through the South Parcel. Numerous easements for additional utility corridors, ROW's, access and other uses exist throughout the annexation area and are set forth in the title report. No new utilities are proposed as part of this annexation application.

Location of Proposed Open Space

See discussion of Existing and Proposed Land Uses.

Existing and Proposed Land Uses

Existing land uses in the annexation area, for the most part, are protected open space and passive recreational uses. Agriculture, as noted in the Cultural Resources section, exists and would likely continue in the event of an annexation. Several small parcels, adjacent to Hwy 248, have, historically been utilized for vehicle storage, and related light industrial uses. County zoning in the annexation area consists of "Hillside Stewardship," and "Rural Residential."

The RV annexation area provides a significant recreational amenity to the Park City community. In addition to approximately 30 miles of mixed-use trails in the annexation area, support facilities, outside of the annexation area, including parking lots and trailheads are located at Round Valley Way and Gillmor Way in Quinn's Junction, on Meadows Drive in Park Meadows, and on Old Ranch Road. Deed-restricted open space easements exist on approximately 600 acres of the North Parcel. See Conservation Easement exhibit.

As shown on the attached 1/2-Mile Analysis exhibit, for a ½ mile radius surrounding the RV annexation area, land uses consist of open space, residential uses, resort residential, commercial and light industrial uses. About 1/3 of all lands within ½ mile of the annexation parcels are PCMC incorporated lands and consist of various residential uses (Park Meadows and Prospector), the Park City Golf Course, National Ability Center, Park City Ice Arena, the IHC Hospital and related medical offices, along with undeveloped open space. Zoning consists of SF, POS, ROS, RD, and CT. See attached Zoning Map.

The remaining 2/3 of the lands within ½ mile are located in un-incorporated Summit County. Land uses include the Highway 40 ROW, a small industrial park (Zoned as "Neighborhood Commercial") on the

Round Valley Annexation Petition

east side of Highway 40, low density residential in the Old Ranch Road area, portions of Richardson Flats, and other undeveloped parcels.

Proposed land uses would be consistent with historic and current uses including protected open space with associated recreational uses, agriculture, and light industrial uses. Proposed zoning is ROS and LI, with the FPZ (Frontage Protection Zone) overlay as shown on the attached proposed zone map.

Existing and Proposed Locations of Community Facilities

Existing community facilities in the annexation area consist of the aforementioned trail system and related recreation infrastructure. No community facilities, beyond what currently exists in Round Valley are anticipated as part of this annexation. The Weber Water Conservation District, with input from Park City Water Department and other entities, has analyzed future water demand. As a result of that analysis, a small reservoir or lake may be proposed on a portion of the annexation area with suitable topography. This use is consistent with the proposed ROS zone in which this water body would be proposed to be located. As noted on the Zoning Map, the LI zone within the annexation area could allow for uses, consistent with current community services, including road maintenance and storage facilities or new uses such as relocation of the recycling center.

Consistency with General Plan

The Round Valley Annexation area falls within Park City's Annexation Declaration Boundary and is consistent with objectives set forth in the current General Plan.

Anticipated Timetable for Development

No development is proposed as part of this annexation. Improvements and limited expansion of the trail system and trail system support infrastructure is anticipated on an as-needed basis.

Affordable Housing

No development is proposed as part of this annexation and so no affordable housing component is anticipated.

Public Utilities and Essential Services Analysis

- a. This annexation does not propose any development which would increase the number of school-aged children to the Park City School District.
- b. Capacity of sanitary sewer services-No increase in sanitary sewer services are proposed as part of this annexation.
- c. Other Services-The annexation area abuts existing boundaries of Park City Municipal Corporation. It is surrounded by mixed land use development. Service routes exist for solid waste pick up (private contractor) which is currently afforded to adjacent property owners. All existing municipal and county services are afforded to the proposed annexation property by virtue of its location adjacent

Round Valley Annexation Petition

to Park City Municipal Corporation boundaries and would require no change in the provision of these services as a result of this annexation.

- d. Water disclosure statement: Known water rights associated with the proposed annexation area are limited to the Osguthorpe Parcel (SS-98-X) with 102 acre feet with an 1878 priority. The parcel was placed in a conservation easement in 2010, removing development rights and ensuring agricultural use of the property. Park City Municipal has a first right of refusal for purchase or lease of the property to ensure water associated with the parcel remains.

Fiscal Impact Analysis

The annexation is not anticipated to alter any existing or projected demographic or economic conditions in the Park City area (or in the annexation area itself) as there is no population or economic base within the annexation area. The area surrounding the annexation area consists of commercial development, undeveloped open space, UDOT rights of way and limited industrial/ commercial uses, as shown on the Existing Conditions map. Prior annexation agreements in the surrounding areas include the Park City Heights project (an unconstructed mixed residential project directly to the south of this annexation petition) and Quinn's Junction Partnership project (a proposed movie studio complex, to the southeast) as noted on the Existing Conditions map. To the east is State Route 40 and beyond that is an existing commercial/ industrial complex.

Projected revenue as a result of this annexation would be negligible as no revenue generating activities are proposed.

The projected impact to taxpayers as a result of this annexation would be unchanged from the current conditions. The bulk of the lands are already owned outright or development rights are retained subsequent to this annexation petition by PCMC. Park City municipal services are already afforded to the annexation area resulting from the existing recreational uses of the property.

Tax revenues generated from parcel ownership within the annexation area are minimal. All publicly held lands, including PCMC, The United States of America, and UDOT are tax-exempt. The Osguthorpe parcel pays property taxes, but at a very low rate, as a result of a prior agreement with PCMC to transfer the development rights and its status as a greenbelt property. Property tax revenues are not anticipated to increase as a result of this annexation as the proposed land uses would, largely, remain unchanged from current conditions.

Cost of government services, via open space management funds, to the annexation area consist of trail maintenance and expansion and associated infrastructure improvements, noxious weed control, and wildfire control and related management activities. Estimated costs are approximately \$100,000 per annum. These costs are expected to remain, relatively, unchanged as a result of this annexation.

Round Valley Annexation Petition

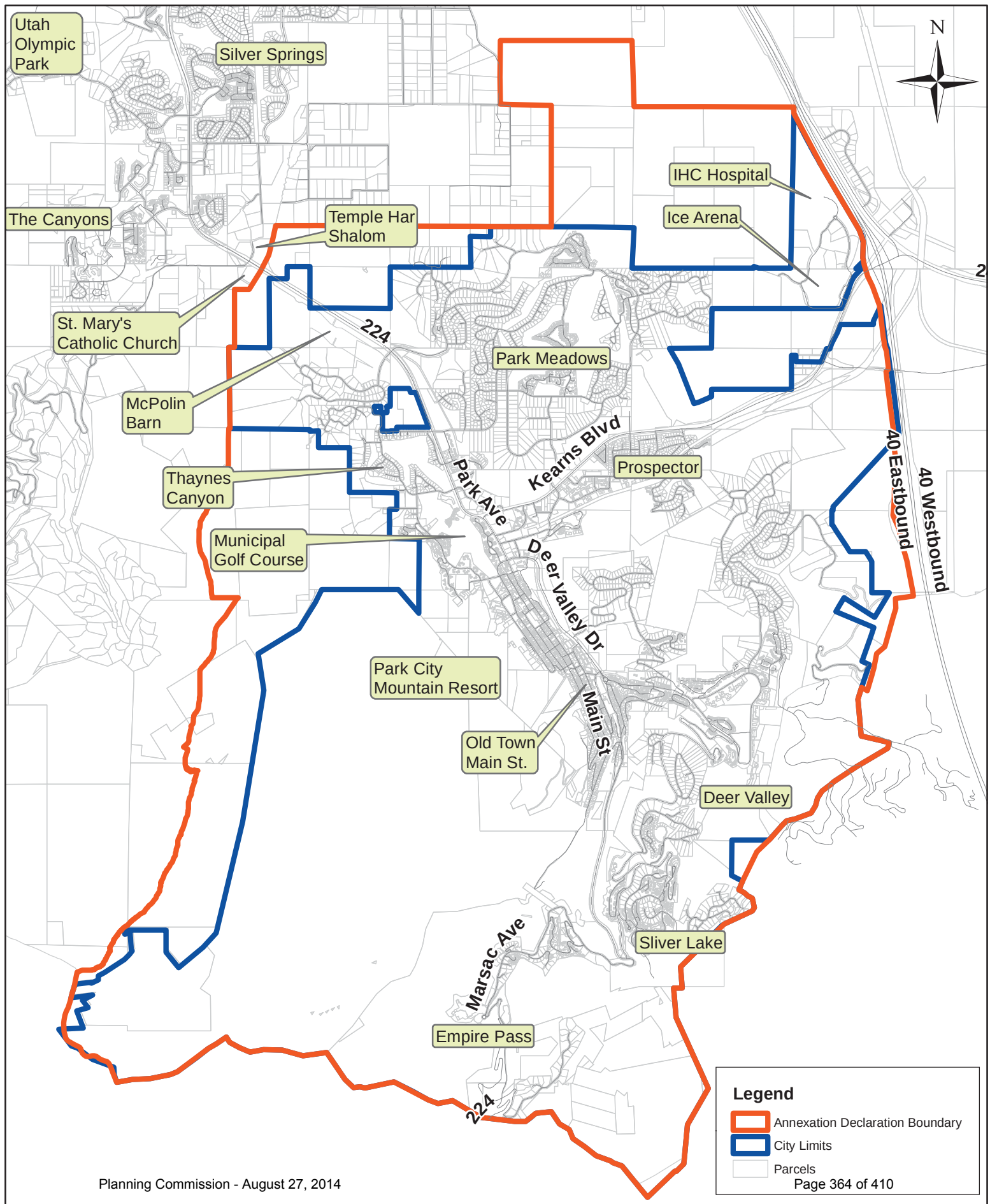
Parcel ownership and acreage are noted on the following table.

Property Ownership	Acres	Owner
NORTH PARCEL		
Section 27, T1S, R4E, SLB&M:		
Tax No. SS-57-A-X	368.01	PCMC
Tax No. SS-57-2-A-X	29.00	PCMC
Section 28, T1S, R4E, SLB&M:		
Tax No. SS-59-X	203.65	PCMC
Section 33, T1S, R4E, SLB&M:		
Tax No. SS-61-X	40.00	PCMC
Tax No. SS-61-C-X	40.00	PCMC
Tax No. SS-61-D-X	40.00	PCMC
Tax No. SS-61-E-X	40.00	PCMC
Tax No. SS-61-F-X	40.00	PCMC
Section 34, T1S, R4E, SLB&M:		
Tax No. SS-62-A-X	117.73	PCMC
Tax No. SS-62-B-X	40.00	PCMC
Tax No. SS-62-C-X	40.00	PCMC
Tax No. SS-62-D-X	40.00	PCMC
Tax No. SS-62-E-X	40.00	PCMC
Tax No. SS-62-G-X	209.62	PCMC
Tax No. SS-62-A-1-X	10.33	PCMC
Tax No. SS-62-A-1-A-X	143.66	PCMC
SOUTH PARCEL		
Section 2, T2S, R4E, SLB&M:		
Tax No. SS-92-A-X		USA
Tax No. SS-92-A-X-X	39.92	PCMC
Tax No. 92-A-1-X	3.38	UDOT
Tax No. SS-95-A-X	2.00	UDOT
Tax No. SS-95-B-X	1.00	PCMC
Tax No. SS-95-C-X	0.06	UDOT
Tax No. SS-95-D-X	2.00	PCMC
Tax No. SS-95-E-X	1.00	PCMC
Tax No. SS-95-I-X	1.00	PCMC
Tax No. SS-95-N-X		
Tax No. SS-95-C-1-X	1.36	PCMC
Section 3, T2S, R4E, SLB&M:		
Tax No. SS-97-A-1-X	80.00	PCMC
Tax No. SS-98-X	121.05	Osguthorpe

Round Valley Annexation Petition

Exhibits

Annexation Plat
Existing Conditions Map
Zoning Map
Conservation Easements Map
Annexation Declaration Map
Slope Map
View Corridors Exhibit
Wildlife Habitat Map
DWR Species response letter
Title Report
Half Mile Land Uses
Existing County Zoning





GARY R. HERBERT
Governor

GREGORY S. BELL
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Wildlife Resources

JAMES F. KARPOWITZ
Division Director

September 12, 2012

Steve Schueler
Alliance Engineering
323 Main Street
Park City, UT 84060

Subject: Species of Concern Near the Park City Annexation Area, Summit County, Utah

Dear Steve Schueler:

I am writing in response to your email dated August 29, 2012 regarding information on species of special concern proximal to the proposed Park City Annexation Area located in Sections 27, 28, 33 and 34 of Township 1 South, Range 4 East, and Sections 2 and 3 of Township 2 South, Range 4 East, SLB&M, in Summit County, Utah.

The Utah Division of Wildlife Resources (UDWR) does not have records of occurrence for any threatened, endangered, or sensitive species within the project area noted above. However, within a two-mile radius there are recent records of occurrence for bobolink, Columbia spotted frog, greater sage-grouse, northern goshawk and short-eared owl, and historical records of occurrence for ferruginous hawk, long-billed curlew and western toad. All of the aforementioned species are included on the *Utah Sensitive Species List*.

The information provided in this letter is based on data existing in the Utah Division of Wildlife Resources' central database at the time of the request. It should not be regarded as a final statement on the occurrence of any species on or near the designated site, nor should it be considered a substitute for on-the-ground biological surveys. Moreover, because the Utah Division of Wildlife Resources' central database is continually updated, and because data requests are evaluated for the specific type of proposed action, any given response is only appropriate for its respective request.

In addition to the information you requested, other significant wildlife values might also be present on the designated site. Please contact UDWR's habitat manager for the central region, Mark Farmer, at (801) 491-5653 if you have any questions.

Please contact our office at (801) 538-4759 if you require further assistance.

Sincerely,

Sarah Lindsey
Information Manager
Utah Natural Heritage Program

cc: Mark Farmer





TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.7 - RECREATION AND OPEN SPACE (ROS) DISTRICT

Chapter adopted by Ordinance No. 00-15

15-2.7-1. PURPOSE.

The purpose of the Recreation and Open Space (ROS) District is to:

- (A) establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
- (B) permit recreational Uses and preserve recreational Open Space land,
- (C) encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- (D) preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
- (E) encourage sustainability, conservation, and renewable energy.

(Amended by Ord. No. 09-10)

15-2.7-2. USES.

Uses in the ROS District are limited to the following:

(A) **ALLOWED USES.**

- (1) Conservation Activity

(B) **ADMINISTRATIVE
CONDITIONAL USES.**¹

- (1) Trail and Trailhead Improvement
- (2) Outdoor Recreation Equipment
- (3) Essential Municipal Public Utility Use, Service, or Structure, less than 600 sq. ft.
- (4) Accessory Building, less than 600 sq. ft.
- (5) Ski-related Accessory Building, less than 600 sq. ft.
- (6) Parking Area or Structure with four (4) or fewer spaces

¹Subject to an Administrative Conditional Use permit and/or Master Festival license review process. Master Festivals are temporary in nature. All related temporary Structures are restricted to specific time frames and shall be removed at the expiration of the Master Festival permit.

- (7) Outdoor Event, Outdoor
- (8) Temporary Construction Improvement
- (9) Raising, grazing of horses
- (10) Raising, grazing of livestock
- (11) Anemometer and Anemometer Towers

(C) **CONDITIONAL USES.**

- (1) Agriculture
- (2) Recreational Outdoor and Trail Lighting
- (3) Recreation Facility, Private
- (4) Recreation Facility, Public
- (5) Recreation Facility, Commercial
- (6) Golf Course
- (7) Passenger Tramway Station and Ski Base Facility
- (8) Ski Tow Rope, Ski Lift, Ski Run and Ski Bridge
- (9) Recreational Sports Field
- (10) Skating Rink
- (11) Skateboard Park
- (12) Public and Quasi-Public Institution, Church, and School, Park, Plaza, Structure for Public Assembly, greater than 600 sq. ft.
- (13) Essential Municipal Public Utility Use, Facility, Service, and Structure, greater than 600 sq. ft.
- (14) Accessory Building, greater than 600 sq. ft.
- (15) Ski-Related Accessory Building, greater than 600 sq. ft.
- (16) Child Care Center
- (17) Commercial Stable, Riding Academy

- Music
- (18) Vehicle Control Gates²
- (19) Resort Support, Commercial
- (20) Cemetery
- (21) Parking Area or Structure with five (5) or more spaces
- (22) Telecommunications Antenna³
- (23) Mines and Mine Exploration
- (24) Plant and Nursery stock products and sales
- (25) Fences greater than six feet (6') in height from Final Grade.
- (26) Small Wind Energy Systems

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

(Amended by Ord. Nos. 04-08; 09-10)

15-2.7-3. LOT AND SITE REQUIREMENTS.

All Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

(A) **FRONT, SIDE, AND REAR YARD EXCEPTIONS.** Fences, walls, stairs, paths, trails, sidewalks, patios, driveways, Ancillary Structures, approved Parking Areas, and Screened mechanical and utility equipment are allowed as

²See Section 15-4-19 for specific review criteria for gates

³Subject to LMC Chapter 15-4-14, Telecommunications



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.8 - PROTECTED OPEN SPACE (POS) DISTRICT

Chapter adopted by Ordinance No. 00-15

15-2.8-1. PURPOSE.

The purpose of the Protected Open Space (POS) District is to:

- (A) promote useable, public, non-improved, non-commercial, connected and contiguous Open Space for community benefit,
- (B) promote open lands that remain fundamentally undisturbed,
- (C) prohibit construction on ridge lines and Steep Slopes, or in wetlands, watersheds, and view sheds,
- (D) promote the preservation of Historic Sites,
- (E) preserve the vegetation and habitat of natural Areas,
- (F) provide incentives to protect Open Space and conservation resources through voluntary conservation easements and/or deed restrictions, and
- (G) provide for careful review of low-intensity recreational Uses and

environmentally-sensitive, non-motorized trails.

15-2.8-2. USES.

Uses in the POS District are limited to the following:

(A) **ALLOWED USES.**

- (1) Conservation Activity

(B) **ADMINISTRATIVE
CONDITIONAL USE PERMIT (CUP).**

- (1) Parking Area or Structure for four (4) or fewer spaces.
- (2) Fences greater than six feet (6') in height from existing Grade.

(C) **CONDITIONAL USES.**

- (1) Trail and Trailhead Improvement
- (2) Essential Municipal Public Utility Use, Service, or Structure
- (3) Accessory Building, less than 600 sq. ft.
- (4) Ski-related Accessory Building, less than 600 sq. ft.

- (5) Parking Area or Structure, for five (5) or more spaces
- (6) Recreation Facility, Public
- (7) Mines and Mine Exploration
- (8) Ski Tow Rope, Ski Lift, Ski Run, Ski Bridge¹

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

(Amended by Ord. No. 06-69)

15-2.8-3. LOT AND SITE REQUIREMENTS.

All Structures must be no less than twenty-five feet (25') from the boundary line of the Lot, district or public Right-of-Way.

(A) **FRONT, SIDE, AND REAR YARD EXCEPTIONS.** Fences, walls, stairs, paths, trails, sidewalks, at Grade patios, driveways, Ancillary Structures, approved Parking Areas and Screened mechanical and utility equipment are allowed in the Front, Side, and Rear Yards.

(Amended by Ord. No. 09-10)

15-2.8-4. BUILDING HEIGHT.

No Structure may be erected to a height greater than twenty-eight feet (28') from existing Grade. This is the Zone Height.

¹Subject to a City approved Ski Area Master Planned Development and LMC Section 15-4-18.

(A) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

(1) Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

(2) Antennas, chimneys, flues, vents and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC) requirements.

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

(Amended by Ord. Nos. 06-69; 07-25)

15-2.8-5. ARCHITECTURAL REVIEW.

Prior to the issuance of a Building Permit for any Conditional or Allowed Use, the Planning Department shall review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

(Amended by Ord. No. 06-69)

15-2.8-6. VEGETATION PROTECTION.



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.19 - LIGHT INDUSTRIAL (LI) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.19-1. PURPOSE.

The purpose of the Light Industrial (LI) District is to:

- (A) allow light industrial and manufacturing Uses that will not create traffic hazard, noise, dust, fumes, odors, smoke, vapor, vibration, glare, or industrial waste disposal problems,
- (B) allow Conditional Uses to mitigate potential impacts,
- (C) accommodate complementary and supporting Uses such as parking, child care, retail, offices, group care, and recreation facilities, and
- (D) allow new light industrial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural design and details, color range, massing, lighting, landscaping, and the relationship to Streets and pedestrian ways.

15-2.19-2. USES.

Uses in the LI District are limited to the following:

(A) **ALLOWED USES.**

- (1) Secondary Living Quarters
- (2) Accessory Apartment¹
- (3) Nightly Rental
- (4) Home Occupation
- (5) Child Care, In-Home Babysitting²
- (6) Child Care, Family²
- (7) Child Care, Family Group²
- (8) Child Care Center²
- (9) Agriculture
- (10) Plant and Nursery Stock
- (11) Office, General
- (12) Office, Moderate Intensive
- (13) Office, Intensive
- (14) Financial Institution without drive-up window
- (15) Retail and Service Commercial, Minor

¹See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

²See LMC Chapter 15-4-9 Child Care Regulations

(16)	Retail and Service Commercial, Personal Improvement	(15)	Financial Institutions with Drive-Up Window ⁵
(17)	Retail and Service Commercial, Major	(16)	Retail and Service Commercial with Outdoor Storage
(18)	Commercial, Resort Support	(17)	Retail and Service Commercial, Auto-Related
(19)	Hospital, Limited Care	(18)	Transportation Services
(20)	Parking Area or Structure with four (4) or fewer spaces	(19)	Retail Drive-Up Window ⁵
(21)	Recreation Facility, Private	(20)	Gasoline Service Station
(B) <u>CONDITIONAL USES.</u>		(21)	Café or Deli
(1)	Multi-Unit Dwelling	(22)	Restaurant, General
(2)	Group Care Facility	(23)	Restaurant, Outdoor Dining
(3)	Child Care Center ²	(24)	Restaurant, Drive-Up Window ⁵
(4)	Public and Quasi-Public Institution, Church, and School	(25)	Outdoor Event ⁶
(5)	Essential Municipal Public Utility Use, Facility, Service, and Structure	(26)	Bar
(6)	Telecommunication Antenna ³	(27)	Hospital, General
(7)	Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter ⁴	(28)	Light Industrial Manufacturing and Assembly Facility
(8)	Accessory Building and Use	(29)	Parking Area or Structure with five (5) or more spaces
(9)	Raising, grazing of horses	(30)	Temporary Improvement ⁶
(10)	Bed and Breakfast Inn	(31)	Passenger Tramway Station and Ski Base Facility
(11)	Boarding House, Hostel	(32)	Ski Tow Rope, Ski Lift, Ski Run, and Ski Bridge
(12)	Hotel, Minor	(33)	Recreation Facility, Public
(13)	Private Residence Club Project and Conversion ⁶	(34)	Recreation Facility, Commercial
(14)	Office and Clinic, Medical	(35)	Entertainment Facility, Indoor
		(36)	Commercial Stables, Riding Academy

³See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁴See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

⁵See Section 2.19-8 for Drive-Up Window review criteria

⁶Subject to an administrative Conditional Use permit.

- (37) Master Planned Developments⁷
- (38) Heliports
- (39) Commercial Parking Lot or Structure
- (40) Temporary Sales Office, in conjunction with an active Building permit.
- (41) Fences and Walls greater than six feet (6') in height from Final Grade⁶

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

(Amended by Ord. Nos. 04-39; 06-76)

15-2.19-3. COMMUNITY REQUIREMENTS.

Applicants must demonstrate the following:

- (A) The Industrial Use will not create glare, heat, odor, dust, smoke, noise, or physical vibrations perceptible outside of the Building.
- (B) Open yards used for storage or parking may not adjoin any public Right-of-Way and must be fully Screened from public Rights-of-Way and adjoining Properties.
- (C) Underground Utilities are provided.

15-2.19-4. REVIEW CRITERIA FOR RESIDENTIAL USES.

⁷Subject to provisions of LMC Chapter 15-6, Master Planned Development.

A landscaped buffer Area is required to separate Residential Uses from existing or potential industrial Uses. This buffer Area must be a minimum of fifty feet (50') wide to provide adequate Screening, buffering, and separation of these Uses. The fifty foot (50') requirement may be divided between two adjoining Properties. In the case where one Property is already Developed, the adjoining Property must provide a buffer Area sufficient to meet the fifty foot (50') requirement. A detailed landscape plan must be submitted by the Applicant and approved by the Planning Commission and Staff prior to Conditional Use approval. The landscape plan must demonstrate that the fifty foot (50') buffer Area effectively Screens and buffers the existing and future Residential Uses from existing or future industrial Uses. In some cases additional Off-Site landscaping may be necessary to adequately mitigate impacts of these incompatible Uses.

15-2.19-5. LOT AND SITE REQUIREMENTS.

Except as may otherwise be provided in this Code, no Building permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan.

Minimum Lot and Site requirements are as follows:

PARK CITY MUNICIPAL CODE

TABLE OF CONTENTS

TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.23

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.23. - COMMUNITY TRANSITION (CT) DISTRICT

15-2.23-1.	PURPOSE	1
15-2.23-2.	USES	2
15-2.23-3.	LOT AND SIZE REQUIREMENTS.....	2
15-2.23-4.	DENSITY	3
15-2.23-5.	MAXIMUM BUILDING HEIGHT	6
15-2.23-6.	ARCHITECTURAL REVIEW	7
15-2.23-7.	PARKING REGULATIONS	7
15-2.23-8.	MECHANICAL SERVICE	7
15-2.23-9.	ACCESS, SERVICE AND DELIVERY	7
15-2.23-10.	GOODS AND USES TO BE WITHIN ENCLOSED BUILDING..	7
15-2.23-11.	ANEMOMETERS AND ANEMOMETER TOWERS	9
15-2.23-12.	SMALL WIND ENERGY SYSTEMS	10
15-2.23-13.	VEGETATION PROTECTION	12
15-2.23-14.	CRITERIA FOR RAISING AND GRAZING OF HORSES	12
15-2.23-15.	SIGNS	12
15-2.23-16.	RELATED PROVISIONS.....	12

**PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS**

TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.20

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.20 - FRONTAGE PROTECTION ZONE (FPZ)

15-2.20-1.	PURPOSE.....	1
15-2.20-2.	FRONTAGE PROTECTION OVERLAY ZONE.....	1
15-2.20-3.	USES.....	1
15-2.20-4.	LOT AND SITE REQUIREMENTS	2
15-2.20-5.	ENTRY CORRIDOR PROTECTION OVERLAY (ECPO).....	3



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.20 - FRONTAGE PROTECTION ZONE (FPZ)

Chapter adopted by Ordinance No. 00-51

15-2.20-1. PURPOSE.

The purpose of the Frontage Protection Zone (FPZ) is to:

- (A) preserve Park City's scenic view corridors,
- (B) preserve and enhance the rural resort character of Park City's entry corridor,
- (C) provide a significant landscaped buffer between Development and highway Uses,
- (D) minimize curb cuts, driveways and Access points to highways,
- (E) allow for future pedestrian and vehicular improvements along the highway corridors.

15-2.20-2. FRONTAGE PROTECTION OVERLAY ZONE.

The Frontage Protection Zone (FPZ) is an overlay zone, as shown on the Official Zoning Map. The FPZ includes those Properties with frontage on, and within one

hundred feet (100') of the Right-of Way line of the following Streets:

- (A) Park Avenue, SR 224, from 15th Street north to the City Limits,
- (B) Marsac Avenue, SR 224, from its upper intersection with Prospect Avenue to the south City limits,
- (C) Kearns Boulevard, SR 248, from Park Avenue east to the east City limits, and
- (D) Deer Valley Drive from Park Avenue to Heber Avenue, the SR 224 Belt Route.

15-2.20-3. USES.

All Uses, including Allowed and Conditional Uses, must be consistent with the underlying Zoning District. Any Structure or Use within the FPZ is also subject to specific review criteria, including Conditional Use permit review, as stated in this section, and Entry Corridor Protection criteria as stated in Sections 15-2.20-4 and 15-2.20-5.

15-2.20-4. LOT AND SITE REQUIREMENTS.

Lot and Site Requirements and Building Heights for all Development Activities and uses within the Frontage Protection Zone must be consistent with the underlying Zoning District and are subject to the following additional requirements:

(A) Regardless of the zone Setback and Yard requirements, except as otherwise provided herein, no Structure shall be allowed within thirty feet (30') of the nearest highway Right-of-Way. An exception to this requirement shall be granted for two (2) municipal identification signs, one within the Utah State Highway 224 entry corridor, and the other within the Utah State Highway 248 entry corridor, provided that Park City Municipal Corporation is the Applicant and subject to approval pursuant to Municipal Code Section 12-9-1(L).

(B) All Construction Activity, including permanent signs, in the Setback Area between thirty feet (30') and one hundred feet (100') from the nearest Right-of-Way line requires a Conditional Use permit and is subject to all applicable review criteria as stated in Section 15-1-10. Review of projects within the FPZ shall include design review criteria as stated in LMC Chapter 15-5.

(C) **EXCEPTIONS.** Minor remodels and facade improvements for existing Structures within the FPZ, including free standing signs shall require an Administrative Permit with approval by the Planning, Engineering, and Building

Departments. Construction of at Grade sidewalks, trails, public plazas, and temporary signs in the FPZ Setback Area requires an Administrative Permit with approval by the Planning, Engineering, and Building Departments.

(D) Essential public facilities such as bus shelters, bus lanes, highways, directional signs, and utility installations within the FPZ may require an administrative Conditional Use permit with approval by the Planning, Engineering, and Building Departments.

(E) To minimize curb cuts, driveways, and Access to Park City's primary highways and Streets, Access to Property in the FPZ shall be from existing City Streets when possible, rather than direct highway Access. Common driveways between adjoining projects shall be used when possible. Driveways must be placed where they create the least interference with through traffic on highways.

(F) The Planning Department shall review all proposals for pedestrian and bicycling pathways and trails through the FPZ. Trails and sidewalks may occupy Setback Areas. Open Space, preservation of view corridors, protection and enhancement of Sensitive Lands such as wetlands and meadows, and buffer Areas shall be considered in the review.

All Fences in the FPZ must be one of the following styles:

(1) Wooden rail,

- (2) Architecturally Compatible solid wood and natural stone,
- (3) Stock Fences,
- (4) Various forms of steel Fencing as determined and approved by the Planning Department, not including chain link Fencing.

(Amended by Ord. Nos. 01-25; 06-76; 09-10)

15-2.20-5. ENTRY CORRIDOR PROTECTION OVERLAY (ECPO).

(A) **INTENT.** To maintain the visual character of Park City as a mountain community with sweeping, attractive vistas, all Development within the designated entry corridors into Park City shall comply with the requirements of this section. The Entry Corridor Protection Overlay (ECPO) is a sub-zone within the FPZ.

(B) **APPLICABILITY TO PROPERTY WITHIN EXISTING PARK CITY LIMITS.** The regulations contained in this sub-zone shall apply to all Structures on Lots adjacent to or within two hundred and fifty feet (250') of the nearest Right-of-Way of entry corridor highways within existing Park City limits including:

- (1) Utah State Highway 224 north of Holiday Ranch Loop Road and Payday Drive,
- (2) Utah State Highway 224 south of Prospect Street, and

- (3) Utah Highway 248 east of Wyatt Earp Way.

(C) **APPLICABILITY TO FUTURE ANNEXED PROPERTIES.** Upon submission of an annexation petition, the Planning Department shall identify relevant entry corridors for designation by the City Council. Open vistas and meadows shall be identified and maintained to the maximum extent feasible.

(D) **ACCESS/TRAFFIC.** Access points and driveways connecting directly to the entry corridor roadways shall be minimized. Access shall be from existing City Streets that join with the corridor roadways rather than direct roadway Access. Common driveways between adjoining Properties shall be encouraged. Whenever direct driveway Access is necessary, it shall be located in such a manner to minimize interference with through traffic on the corridor roadway.

(E) **SETBACKS.**

- (1) A Setback in the Entry Corridor Protection Overlay shall be established by the Planning Department based upon a visual assessment of the Property. However, in no case shall the Setback be less than one hundred feet (100') from the nearest entry roadway Right-of-Way. In Areas where open meadow vistas are considered important, the required Setback may be increased significantly. The one hundred foot (100') standard is intended to be

more appropriate for Properties currently within the City limits. Upon annexation request, the appropriate Setback will be determined based upon a Site specific visual analysis.

(2) Building Setbacks in the Entry Corridor Protection Overlay shall vary from Structure to Structure with any one Lot or Development. Setbacks shall also vary from those on adjoining roadway-oriented Property to avoid creating a walled effect. Buildings shall be located in such a manner to enhance and frame important views as determined in the visual assessment.

(3) Agricultural or stock Fences shall be allowed in the Setback subject to approval by the Planning Department. See Fencing, Section 15-2.20-5(H).

(F) **PARKING LOTS.** Parking Lots must be located to the rear or sides of Buildings to the maximum extent feasible.

(G) **BERMS/EARTHWORK SCREENING.** All earthen berms and earthwork Screening must be Graded and planted in such a manner so as to permit views of primary uses on the Site from the adjacent entry corridor roadway. Additionally, berm crests shall be contoured and varied in height to avoid a straight-line barrier effect.

(H) **FENCING.** All Fences in the ECPO must be of one of the following styles:

- (1) Wooden rail,
- (2) Architecturally Compatible solid wood and natural stone,
- (3) Stock Fences,
- (4) Various forms of steel Fencing as determined by the Planning Department, not including chain link Fencing.

(I) **BUILDING HEIGHT.** No Building within the ECPO shall exceed the following height limits, as defined in Chapter 15 of this Title:

- (1) Twenty feet (20') if the entry corridor Setback is less than one hundred fifty feet (150').
- (2) Twenty-five feet (25') if the entry corridor Setback is greater than one hundred fifty feet (150') but less than two hundred feet (200').
- (3) Up to the maximum height allowed by the underlying zone if the Setback is two hundred feet (200') or greater.

In addition, Buildings may be required to be stepped back to preserve and enhance important views.

(J) **PEDESTRIAN FACILITIES.** Trails and sidewalks shall be provided in all ECPO Developments in accordance with the

Park City Trails Master Plan. Trails and sidewalks may occupy Setback Areas.

(K) **LANDSCAPING/VEGETATION PROTECTION.** A landscaping plan shall be required for all ECPO Developments, and all Significant Vegetation protection shall be undertaken pursuant to LMC Chapter 15-5.

(L) **DESIGN STANDARDS.** All Development within the ECPO shall comply with the design standards contained in LMC Chapter 15-5.

(M) **TRAILHEAD PARKING.** Trailhead parking of less than twenty-five (25) spaces is allowed within the Setback Area but at least thirty feet (30') outside of the UDOT Right-of-Way. Parking must be adequately Screened with berms and/or landscaping to a height of at least three feet (3') above the surface of the Lot unless said landscaping/berming is discouraged by UDOT for sight/safety reasons. Vehicular Access to trailhead parking Lots is to be by City Streets if possible or by permission of UDOT if from a State Highway. Any Structure, way finding sign or Use is subject to the Conditional Use permit review.

(N) **OUTDOOR DISPLAY OF ART.** The permanent installation of an outdoor display of art that requires a fixed, impervious location on or above the ground (a Structure) is allowed as an administrative Conditional Use within the Setback Area but at least thirty feet (30') outside of the Utah Department of Transportation (UDOT) Right-of-Way. Outdoor displays of art are subject to the provisions of Title 15-4-15.

(O) **PUBLIC PARK FACILITIES.**

(1) The permanent installation of outdoor recreational equipment that requires a fixed, impervious location on or above the ground (a Structure) is allowed as an administrative Conditional Use within the Setback Area but at least thirty feet (30') outside of the Utah Department of Transportation (UDOT) Right-of-Way.

(B) Public park Accessory Buildings less than eighteen feet (18') in height and six hundred square feet (600 sq. ft.) in size are allowed as a Conditional Use within the Setback Area but at least thirty feet (30') outside of the Utah Department of Transportation (UDOT) Right-of-Way.

(Amended by Ord. Nos. 04-17; 04-31; 06-76)

EXHIBIT L

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 26, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Director, Thomas Eddington; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Anya Grahn, Planner; Polly Samuels McLean, Assistant City Attorney

=====

REGULAR MEETING

....

3. **Round Valley Park City Annexation – Annexation of 1,368 acres located in Sections 28, 33, 34 and 35 T1SR43 and Sections 2 and 3, T2SR4E east of US40 and north of SR248 requested zoning is ROS, Recreation Open Space (1,363 acres) and LI, Limited Industrial (5 acres.) (Application PL-13-01893)**

Planner Kirsten Whetstone reviewed the request for annexation and zoning for the Round Valley Park City Annexation and Zoning petition, to annex 1,368 acres. The petition is Park City Municipal and the request is for the Recreational Open Space Zoning (ROS). The petition also requests Light Industrial Zoning (LI) for approximately 5 acres. Planner Whetstone presented a color coded area map. The purple showed the annexation lands with deed restrictions. The green represented annexation lands with conservation easements. She indicated that area requested to be zoned LI, which were border parcels off of SR248.

Planner Whetstone explained that annexations require legislative action. The Planning Commission makes a recommendation to the City Council on both the annexation and the zoning. The City Council takes the recommendation into consideration and also conducts their own review before taking final action on the annexation.

Planner Whetstone noted that this was the initial public hearing on the proposed annexation. She stated that after the petition was submitted there was a question on whether a specific parcel would be part of the annexation. After some discussion the owners decided not to come in with the City and that delayed the process. Planner

Whetstone remarked that the City Council accepted the petition in 2013 and the Annexation Petition was certified by the City Clerk. Notices were sent to the Affected Entities informing them that Park City was entertaining an annexation petition. The process requires a 30 day protest period and it must be noticed in the newspaper for three consecutive weeks. No protests were filed with Summit County. The public hearings can now move forward beginning with the Planning Commission.

Planner Whetstone stated that the agenda requests that the Planning Commission continue this item to March 12, 2014. However, she recommended that the Commissioners hold a site visit on March 12th and actually continue the item to April 9th, at which time the Staff report will be more detailed and address all the requirements of the annexation policy plan.

Heinrich Deters, the Trails and Open Space Project Manager with the Sustainability Department, stated that he oversees open space and trails maintenance. He also works on the property side as the City representative, which was his reason for attending this evening. He was available to answer questions.

Mr. Deters presented a color-coded map. The orange dotted line was the annexation declaration boundary. The yellow was city-owned property. The green identified the current City limits. He indicated an island piece and a larger area shown in yellow that leads out to the recreation areas. Mr. Deters stated that the proposed annexation area is primarily City-owned open space that did not come in with the Park City Heights or Quinn's Junction annexations.

Mr. Deters commented on some of the items for discussion outlined in the Staff report. He noted that the areas proposed for Light Industrial are parcels that were purchased by the City in 2005 specifically for future Public Works. It was a land acquisition recognizing that something like Park City Heights or the movie studio would occur in the near future. Mr. Deters noted that there has been a lot of discussion about how Public Works was being pushed out of town and the maintenance costs associated with it. He explained that the purpose for the City to utilize that property in an area where there would be a signalized light and Park City Heights across the street was good planning for public services and the level of service the constituents have requested.

Mr. Deters presented a slide showing the conservation easements, which was Exhibit C in the Staff report. He noted that most of the conservation easements in Round Valley were exactly the same. In 2005 several conservation easements were granted to Summit Lands Conservancy, and they were basically recreational and open space easements. Mr. Deters presented the purpose statement from one of the easements to show the language. When the easements were granted in 2005 it mirrored the bond language so the voter approved bond and the funds that were used to purchase those parcels mirror one another.

Mr. Deters remarked that the deed restricted parcels came about in different ways; however, most were bonded. He reviewed the different parcels and explained the terms of the deed restriction.

Mr. Deters noted that when the notices were sent, Planner Whetstone received questions from the public asking which ordinances would change if this area were annexed. Mr. Deters stated that since it was mostly Round Valley it was recreational area. He stated that with this annexation the City has an Animal Control Ordinance, Title VII, which was drafted to mirror the County ordinance. Mr. Deters commented on past concerns associated with hunting in the area. The annexation would bring into the City the Discharge Ordinance which would help strengthen hunting enforcement. To address questions about special events, Mr. Deters stated that special event and trail events are already managed by the Special Events Department. The City also has a specific Trail Event Policy already in place. Summit County Health would still oversee events that have food or other items related to the health code. Mr. Deters reiterated that the trails are existing and the City has a service contract with Mountain Trails Foundation to provide trail maintenance and trail construction. They also provide green services for the City. The City provides the land and the groomer and Mountain Trails provides the grooming services.

Mr. Deters commented on a reference to Old Ranch Road in the Staff report. He noted that a trailhead is located on Old Ranch Road and the City has an agreement with Basin Recreation to help with maintenance because their facilities are so close.

Commissioner Joyce recalled previous discussions about possibly using a portion of Round Valley as water storage. He asked Mr. Deters if that was part of this annexation or where it fits in. Mr. Deters identified the area on the map referred to as Round Valley. He noted that the discussion came about as part of a Weber Basin Water group. It is a multi-party regional agreement and the City is a participant. They talked about water storage and that area was identified as a potential location. Mr. Deters remarked that at this point it was only in a study that the City was a participant. He was not prepared to say whether it would actually take place, but if it did, it would go through all the appropriate planning and permitting processes.

Diane Foster, the City Manager, provided clarification on the water issue. She explained that Mr. Deters was not involved in the Western Summit County Water Basin agreement, which was an agreement between Mountain Regional Water, Summit Water, Weber Basin Water Conservancy District, and Park City. Ms. Foster stated that there was a lot of debate during that process that if it ever needed to happen, they would have water storage in a place such as a reservoir, which is significantly different from building storage facilities. The question was who would be the decider. Ms. Foster remarked that at one point it was Weber Basin who makes the decision or a combination of Summit County and Park City. The City Council was very firm in the agreement, that should it ever need to occur in the future it would be a City Council decision, in conjunction with working with the Lands Conservancy. There were

questions on whether or not interpretation of the deed restriction would allow a reservoir.

Commissioner Joyce understood that the the storage would be in the annexed land. He asked if annexing would have any effect on how the City would make that decision or how much control they would have. Ms. Foster replied that the City has the power of eminent domain, which is one of the powers available to a City on the issue of reservoirs.

Assistant City Attorney McLean explained that the City owns the land. The only difference is that annexation would not only give the City control as the owner, but also as the regulator. Therefore, it would have to meet the requirements of the LMC and other regulations.

Commissioner Stuard noticed in the Staff report the discussion about whether ROS or POS was the appropriate pre-zoning for this area. He believed that the POS definition fit closer to the reason why the property was acquired. He asked if there were any shortcoming for using POS instead of ROS. Mr. Deters answered no because the two zones were very similar. The restrictive covenants would not allow for most of the things identified in POS or ROS.

Commissioner Stuard stated that he had spoken with Planner Whetstone about the "Gordo" parcels and where they were. He also visited the site to get a better idea. Commissioner Stuard thought it appeared that at least one of the UDOT parcels was bifurcated by the access road straight across from Richardson Flats. The two City parcels are on the left-hand side of the access road and are currently being used for temporary storage of construction materials. He felt it was important to point out for those who were not familiar with the location of those parcels. Commissioner Stuard stated the remaining UDOT parcel appears to be bifurcated by an existing bike/walk path that does not have a lot of usable area. Planner Whetstone agreed. She noted that there is a thin UDOT parcel that runs to the north of the LI parcels. Commissioner Stuard noted that the Staff report talks about the appropriate pre-zoning being CT rather than LI. In looking at the allowed and conditional uses under the CT Zone, he believed it fit all the potential uses being talked about. Commissioner Stuard pointed out that the LI zoning allowed a much broader range of uses and he questioned whether they would be appropriate in that location.

Commissioner Joyce stated that he came to the same conclusion that the POS zone fit the existing deed restrictions. If there was no downside, he preferred POS because it was consistent with how it was already deeded and protected. Commissioner Joyce had the same concerns with the Light Industrial parcels. He did not believe the allowed uses for the LI zone would be appropriate for such an important entry corridor.

Mr. Deters stated that he works with Public Works and he would like the opportunity to make sure they were comfortable with the POS zoning being proposed by the Commissioners.

Chair Worel stated that she was also uncomfortable with zoning those parcel Light Industrial. She asked if the City needed that space. Mr. Deters replied that snow storage is always an issue and when the water treatment plan went in they found a landowner who allowed the City to store snow at no cost. He explained that the further out of town, the cost of providing those types of services increases. This proposal would provide the opportunity for the City to meet the goal of maintaining the desired level of service without increasing taxes.

Commissioner Joyce understood the intent; however, as much as they were trying to protect the entry corridors, he thought they should start with a more conservative approach. He used the example of UDOT or someone else parking 40 industrial-sized vehicles on the property, which would be very inappropriate for the entry corridor and inconsistent with everything else they were trying to accomplish. Commissioner Joyce understood costs and needs, but he thought the City should live by the same rules as everyone else.

Assistant City Attorney McLean asked Planner Whetstone to point out where the Frontage Protection Zone overlays the parcels. Mr. Deters stated that it was not a factor. Ms. McLean clarified that the LI parcels were not part of the Frontage Protection Zone. She was told that this was correct.

Director Eddington explained that the POS allows for a conditional use for an essential municipal utility. As a conditional use it would have to come back to the Planning Commission without allowing it as a by-right use. Planner Whetstone stated that per the LMC, there is a 250 foot setback requirement within the Entry Corridor Protection Zone. She noted that there were allowances in the CT zone for municipal institutional buildings and uses. The conditional uses have further lot and size requirements that do not exist in the Light Industrial Zone. She stated that the Staff had the same concerns and they would like input and direction from the Planning Commission. Planner Whetstone offered to provide a comparison matrix for discussion at the next meeting.

Commissioner Joyce stated that as long as the more conservative approach works it should be their default. If they encounter issues or problems by being too conservative, they could specifically address the issues at that time.

Commissioner Strachan clarified that there was no consensus among the Commissioners for CT or LI zoning. He believed the comments only related to POS versus ROS. Commissioner Joyce agreed that there was no consensus, but he personally thought the same concerns applied to the CT versus LI zones. He did not favor having light industrial zoning right up to the street on a magnificent view corridor. Commissioner Strachan concurred. He assumed the decision for POS versus ROS also applied to the Gordo parcels. Commissioner Joyce stated that his comments did not consider the Gordo parcels and he was concerned that they would end up with problems if they applied it to the Gordo parcel.

Director Eddington stated that a conditional use for a municipal facility would have to come before the Planning Commission. Commissioner Strachan pointed out that if it was zoned ROS, municipal facilities 600 square feet or less are allowed, and it would not be required to come before the Planning Commission. Commissioner Strachan did not believe there was any debate over the non-Gordo parcel. They would either stay ROS or POS. He thought the discussion should be focused on the Gordo parcels and how those parcels should be zoned. He personally thought it should be uniform. If the adjacent contiguous and non-contiguous parcels were all zoned ROS or POS, he believed the Gordo parcels should be zoned the same. Commissioner Strachan pointed out that if the City wants the parcels zoned Light Industrial so it can be used as snow storage, that would not be prohibited in the ROS. Anything over 600 square feet would require Planning Commission review.

Assistant City Attorney McLean suggested that the Staff prepare a chart comparing ROS POS, CT and LI zones for the Planning Commission to use at the next meeting when trying to determine the appropriate zones. She also recommended that the Staff talk with Public Works to inventory their needs and understand their intentions for the parcels. Commissioner Strachan requested that the comparison matrix also show the base density allowed under each zone.

Ms. Foster stated that the City paid a premium for the Gordo parcels and they would not have spent that amount of money if they thought it was going to remain open space. She pointed out that the contemplated use may be a future recycle center. Ms. Foster suggested that the Commissioners visit the site before deciding on the zoning. She assumed they were not aware of the number of buses Gordo used to store there because it cannot be seen from the road. It is currently used as a staging site for recycling building materials.

Commissioner Campbell remarked that if Light Industrial could be a non-municipal use, he wanted to know if Burt Brothers could go in that location. He was told that it was a possibility. Commissioner Campbell felt that was a good reason to tighten the zoning now to preclude that from occurring in the future. He was willing to look at whatever use the City would like to put in, but he would like to make it more difficult for a non-municipal business, regardless of whether it would be seen from the road.

Commissioner Strachan thought Commissioner Campbell made a great point because as Park City Heights and the movie studio get built out, the demand for commercial and office space would be significant.

Chair Worel opened the public hearing.

Mary Wintzer, 320 McHenry, appreciated the concerns in wanting to keep the zoning tightened up, and she understood Ms. Foster's point. However, in reference to helping the City save money, she believed the more important point was helping the taxpayers save money. Ms. Wintzer thought most of the taxpayers would want the Planning Commission to go in the direction of protecting the entry corridor. Ms. Wintzer stated

that if an individual was making this application they would have to follow all the requirements, and she felt the City, as the applicant, should be held to the same restrictions. Ms. Wintzer remarked that another reason for holding the zoning tighter is to give more control and input. She used the salt shed as an example where more control would have produced a better result. The CUP process provides a better chance of avoiding these mistakes. Ms. Wintzer stated that when the extension was made to the City Shop, all of the equipment was parked along the front on the road. She would not want to see the same thing inadvertently occur on the entry corridor. Ms. Wintzer thanked the Planning Commission for thinking ahead.

Chair Worel closed the public hearing.

Commissioner Campbell noted that that skiers, bikers and hikers use that area. If the annexation occurs, He would like to see some type of administrative mechanism put in place to address any problems and ensure that the various groups get along. Commissioner Strachan thought it was a broader issue because the same thing was starting to happen on all of the trails and not just Round Valley.

Assistant City Attorney McLean did not believe that annexation would change the administration unless they change the laws throughout Park City. However, it was a good point that the Staff should take into account.

Mr. Deters stated that it was an etiquette issue and they have tried to address it through trails education. He noted that Commissioner Campbell's point was well taken.

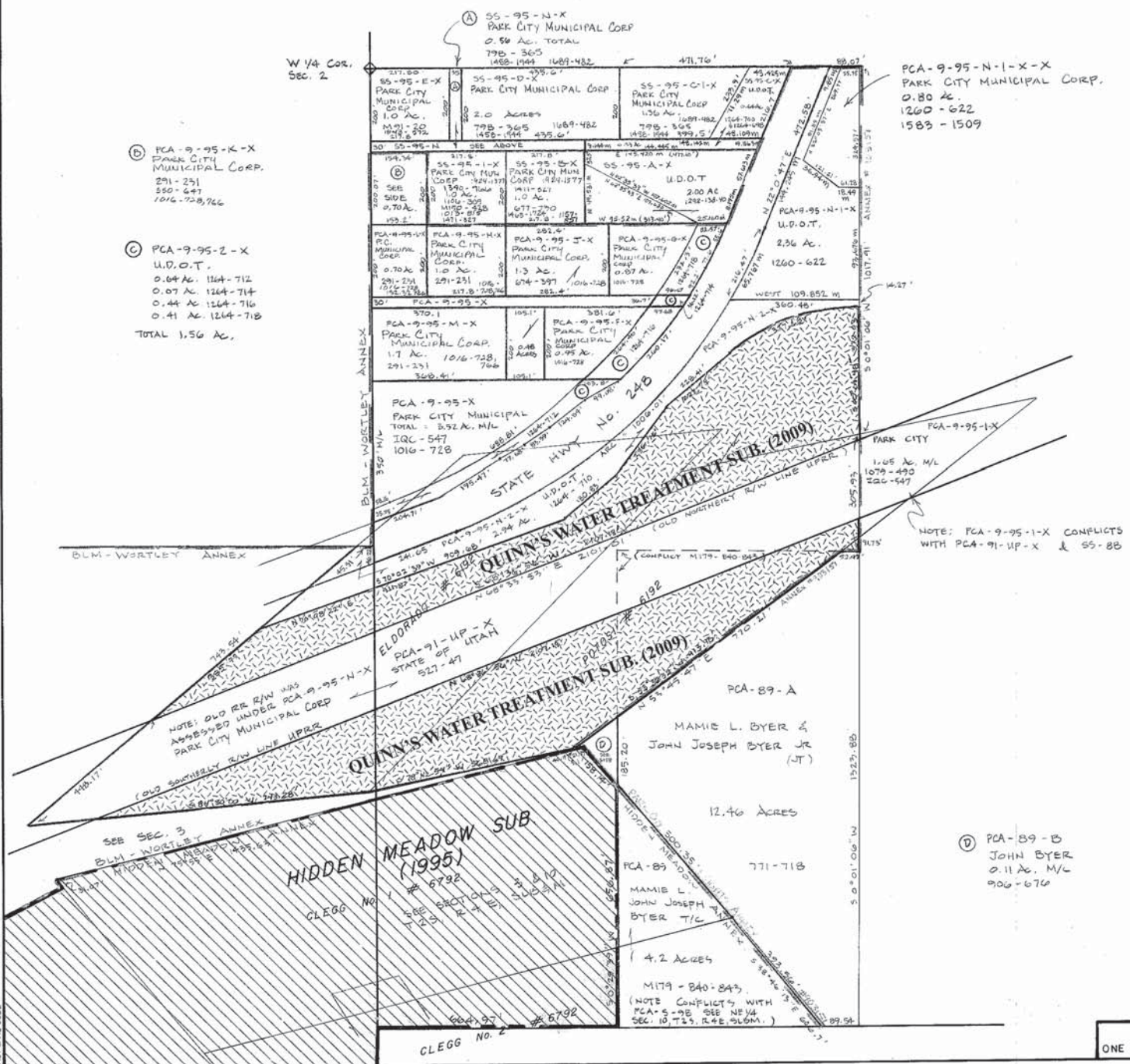
Planner Whetstone remarked that the Staff would organize a site visit to the Gordo parcels on March 12th. The Planning Commission should continue this item to April 9th for continued discussion and public hearing.

MOTION: Commissioner Strachan moved to CONTINUE the public hearing on the Round Valley Annexation to April 9, 2014. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

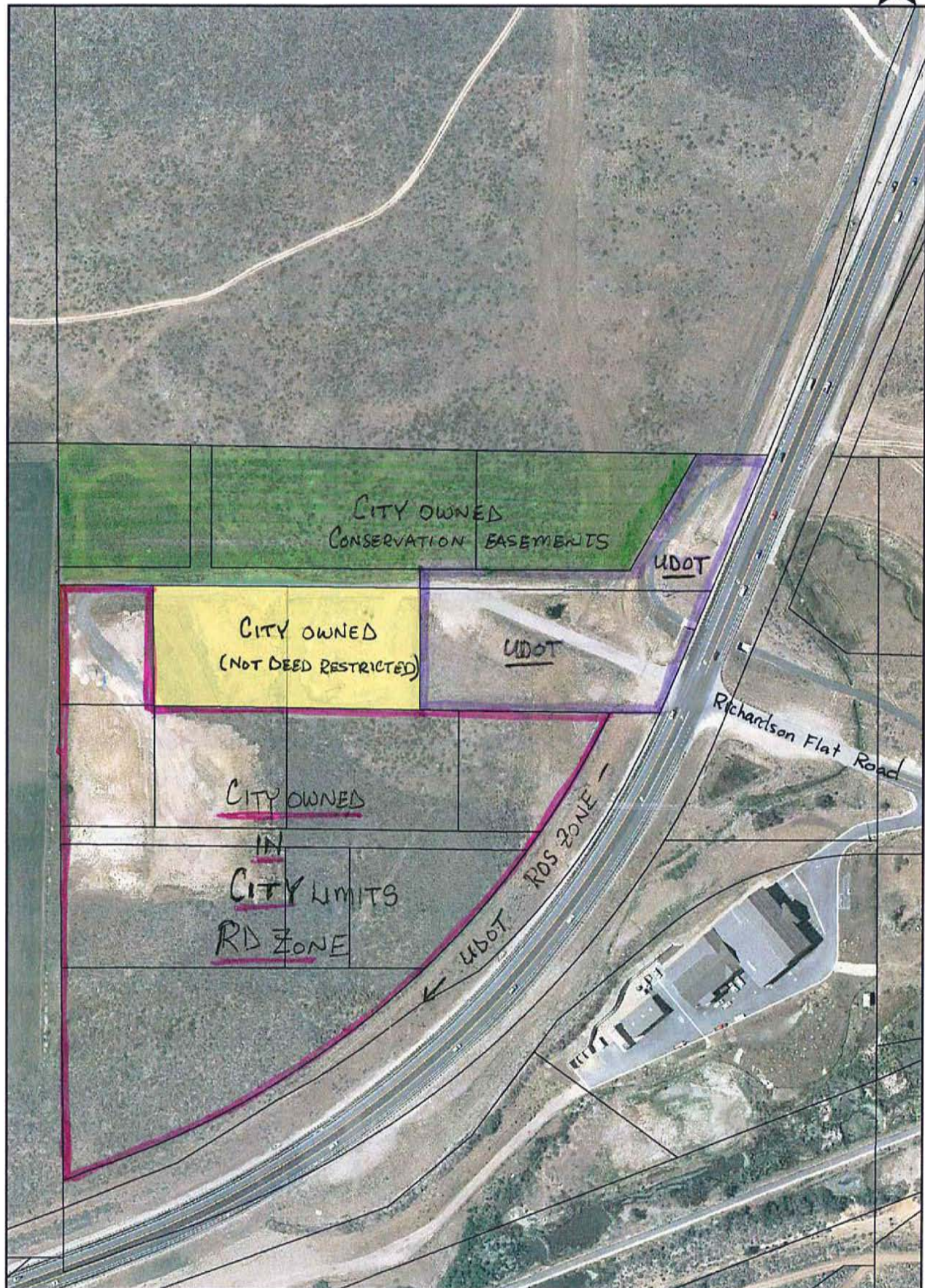
EXHIBIT M

W 1/2 of SW 1/4 SECTION 2
T 2 S - R 4 E, SLB & M



Gordo Parcels

N



DRAFT

When recorded, please return to:

PARK CITY MUNICIPAL CORPORATION

City Recorder

P O Box 1480

Park City UT 84060

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (this “**Agreement**”) is made by and between Park City Municipal Corporation (hereinafter, “**PCMC**” or the “**City**”) and Park City Municipal Corporation (Sponsor), Afton Stephen Osguthorpe, and Utah Department of Transportation (UDOT) (hereinafter, “**Petitioners**”) to set forth the terms and conditions under which Park City will annex certain land owned by Petitioners (hereinafter, “**Round Valley Park City**” or “**Petitioner’s Properties**” or “**Annexation Properties**”), consisting of approximately 1,368 acres and located in unincorporated Summit County, Utah, north of State Road 248, east of Old Ranch Road, west of US 40, and south of the Trailside Neighborhood in unincorporated Summit County. The Round Valley Park City Annexation Properties consist of multiple parcels grouped into a north area and a south area. Both areas are proposed to be annexed into Park City’s municipal boundaries. The north area includes the 1,104 acre north Round Valley Open Space parcels. The south area includes the 264 acre south Round Valley Open Space parcels, the Osguthorpe owned agricultural fields, and the “Gordo parcels”- eight small parcels (total of 8.42 acres) located off of SR 248 across from the Quinn’s Water Treatment Plant at the intersection of SR 248 and Richardson Flats Road as depicted on the proposed Annexation Plat (**Exhibit A- annexation plat**).

The north parcels are undeveloped open space consisting of rolling hills, ridges, draws, and a main central valley (Round Valley). Vegetation is primarily sage brush, oak, grasses and other native trees and shrubs. Numerous non-motorized trails have been constructed in the area, utilized by hikers, bikers, runners, snowshoers and skiers. Agricultural uses are permitted on the Osguthorpe parcel in the south area (subject to the conservation easement), with the remaining parcels consisting of sage brush hills with other native shrubs and grasses. The south parcels also contain a network of non-motorized trails accessed from a trailhead located south of the Quinn’s Field Complex (**Exhibit B- existing conditions**). Two of the eight “Gordo parcels”, located within the south parcel area, are owned by UDOT, with the remaining six parcels owned by Park City. Four of the City “Gordo parcels” parcels are encumbered with conservation easements limiting use to recreation open space, as described below. Two of the City “Gordo parcels” are not encumbered with deed restrictions.

With the exception of the UDOT parcels and two of the Gordo parcels, the entire of the Annexation Properties are currently subject to conservation easements and various deed restrictions, as described below. Most of the property has been purchased by Park City as open space with open space funds and is permanently restricted for open space uses as spelled out in each deed restriction and conservation easement (**Exhibit C- conservation easement and deed restricted property**). The annexation does not change or remove any of these existing restrictions or easements.

Together, the annexation of these parcels shall be referred to as the Round Valley Park City Annexation; the petition to annex these parcels shall be referred to as the “Annexation Petition;” and both the north and south areas shall be referred to as the “Annexation Property” or “Annexation Properties.” The Round Valley Park City Annexation Petition requests annexation into the corporate limits of Park City and extension of municipal services to the Annexation Property as needed for anticipated future uses. The City and Petitioner are sometimes collectively referred to in this Agreement as the “Parties” or individually as a “Party”. This Agreement is made under authority of §§ 10-2-401 et. Seq. of the Utah Code, Annotated 1953, as amended “MLUDMA”).

WHEREAS, the Round Valley Park City Annexation includes the following parcels:

PARK CITY MUNICIPAL CORPORATION LAND, AS FOLLOWS:

SECTION 28, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:

* SUMMIT COUNTY TAX SERIAL NO. SS-59-X (PCMC)

SECTION 33, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:

* SUMMIT COUNTY TAX SERIAL NO. SS-61-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-61-C-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-61-D-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-61-E-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-61-F-X (PCMC)

SECTION 34, TOWNSHIP 1 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:

* SUMMIT COUNTY TAX SERIAL NO. SS-62-A-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-B-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-C-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-D-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-E-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-G-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-A-1-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-62-A-1-A-X (PCMC)

SECTION 2, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:

* SUMMIT COUNTY TAX SERIAL NO. SS-92-A-X (U.S.A., INTERIOR DEPT.)

* SUMMIT COUNTY TAX SERIAL NO. SS-92-A-X-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-92-A-1-X (UDOT)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-A-X (UDOT)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-B-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-C-1-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-C-X (UDOT)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-D-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-E-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-1-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-95-N-X (PCMC)

- SECTION 3, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN:

* SUMMIT COUNTY TAX SERIAL NO. SS-97-A-1-X (PCMC)

* SUMMIT COUNTY TAX SERIAL NO. SS-98 (STEPHEN A. OSGUTHORPE, TRUSTEE)

WHEREAS, in furtherance of the foregoing, the Petitioners desire to annex the Round Valley Park City property into the corporate limits of the City and, to that end, a complete Annexation Petition for the Annexation Property was filed with the City on March 11, 2013. The Annexation Petition was accepted by the City Council on March 21, 2013, and certified by the City Recorder on April 22, 2013. The first public hearing was conducted by the Planning Commission on February 26, 2014. A subsequent public hearing was conducted by the Planning Commission on August 24, 2014 and a recommendation was forwarded to the City Council.

WHEREAS, in connection with the Round Valley Park City Annexation, the entire Annexation Property is proposed to be zoned Recreation Open Space (ROS). The purpose of the ROS zone is to establish and preserve open space areas, covered with vegetation and substantially free from structures, streets, and parking lots. The ROS zone permits as allowed, and as conditional, recreational uses, such as trails and trailheads; outdoor recreation equipment; essential municipal public utility use, service or structures; accessory buildings; agricultural and conservation activities; raising and grazing of horses and livestock; and a wide variety of recreation facilities. The ROS zoning district is more fully described in the City's Land Management Code, Section 15-2.7.

NOW, THEREFORE, in furtherance of the Annexation Petition, in consideration of City's action to annex Petitioner's property, and in consideration of the mutual promises contained herein, as well as the mutual benefits to be derived here from, the Parties agree that the terms and conditions of the Round Valley Park City Annexation shall be as follows:

1. **Property.** The Round Valley Park City Annexation Properties to be annexed consist of approximately 1,368 acres in area, as depicted on the annexation plat attached as **Exhibit A** (the "**Annexation Plat**") and as more fully described in the legal descriptions on Sheet Two.

2. **Zoning.** Upon Annexation, the Round Valley Park City parcels will be zoned Recreation Open Space (ROS). The official zoning map of Park City shall be amended to include these properties and zoning designations (see **Exhibit D- Zoning Map amendment**).

3. **Subdivision; Density and Phasing.** No preliminary Subdivision Plat was submitted with the Annexation Petition as no residential or commercial density is proposed. Future development of the "Gordo parcels" may require a separate Subdivision Plat depending on the uses proposed and whether future building permits require legally platted lots. With the exception of the lower "Gordo parcels" the Property is subject to various deed restrictions and/or Conservation Easements described below. Uses of the Park City Round Valley Annexation Properties must comply with the ROS zoning and the Deed of Conservation Easements entered into by and between Park City Municipal Corporation recorded at Summit County on _____, Book__ and Page__, on _____, Book__ and Page__, and on _____, Book__ and Page ____, in favor of the Summit Land Conservancy, a Utah non-profit corporation and _____.

The land use development of the Property shall be governed by all existing and recorded deed restrictions and conservation easements described herein, the ROS zoning designation provided herein and by any required Subdivision Plat conditions of approval for the “Gordo parcels”.

Construction and alignment of any required sanitary sewer line extensions and any required storm water detention facilities shall be established as part of any required Subdivision Plat for the Property (to be as accepted by the City and filed in the official real estate records of Summit County, Utah, the “**Subdivision Plat**”). The preferred alignment of any required sanitary sewer and/or on-site storm water detention facilities, or alternatives, as approved by the Park City Engineer, shall be that alignment and/or location which results in the least visual impact and site disturbance while meeting the site design and construction requirements of the Snyderville Basin Water Reclamation District and City Engineer. The timing for construction of storm water detention facilities shall be determined by the City Engineer, (the “**Storm Detention Facilities**”). Maintenance of on-site storm water detention facilities will be the responsibility of the Property Owner.

Subject to fulfillment of all the conditions of the Subdivision Ordinance and, further, Park City’s final approval of the construction of any such public improvements, those water facilities, utilities, fire hydrants, and easements as may be agreed by Parties in connection with the Subdivision Plat review and approval process (the “Public Improvements”), shall be conveyed and dedicated to the City, for public purposes.

4. **Trails and Sidewalks.** Any obligations or guarantees with respect to the construction of trails and sidewalks on the Property shall be consistent with the City’s Trails Master Plan.

5. **Fire Prevention Measures.** Because of potential wild land interface issues on the Petitioner’s Property, the Petitioner (or, as specified in connection with any such assignment, its assigns) agrees to implement a fire protection and emergency access plan, to be submitted prior to the issuance of any building permits, to be reviewed and approved by the Fire Marshall and Chief Building Official for compliance with applicable building and fire codes. Such plan may include a requirement for fire sprinkler systems for all structures. Fire and emergency access and fire hydrants shall be installed as required by the fire protection plan prior to issuance of any full building permits on the Property.

6. **Roads and Road Design.** No public streets are proposed to be constructed on any of the Petitioner’s Property. All current right-of-way (ROS) shall remain under their respective jurisdiction.

7. **Water Rights.** Pursuant to the Annexation Petition Report (**Exhibit E- annexation petition report**) known water rights associated with the Annexation Properties are limited to the Osguthorpe Parcel (SS-98-X) with 102 acre feet within an 1878 priority. The Osguthorpe Parcel was placed in a conservation easement in 2010, removing development rights and ensuring agricultural use of the property. Park City Municipal Corporation has first right of refusal for purchase or lease of the property.

8. **Affordable Housing Requirement.** Affordable/employee housing shall be provided in a manner consistent with the City's Affordable Housing Resolution 20-07 to be determined at the time any required Subdivision Plat is approved by the City Council depending on uses proposed.

9. **Sustainable Development requirements.** All construction within any required **Subdivision** shall utilize sustainable site design, development and building practices and otherwise comply with requirements of the ROS Zone. Unless otherwise approved in the Subdivision Plat, in compliance with the current Environmental/ Sustainability Element of the General Plan, each structure or use must receive National Association of Home Builders National Green Building Standards Silver (or higher) Certification (or other Green Building certification as approved by the Planning Commission at the time of the Subdivision Plat approval).

In order to achieve water conservation goals, any future development must also either:

- Achieve at a minimum, the Silver Performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR
- Achieve a minimum combined 10 points within the 1) Sustainable Sites (SS 2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist; OR
- Achieve an equivalent water conservation standard applicable at the time of the building permit application.

Points achieved in these resource conservation categories will count towards the overall score. Application for the award certification and plaque commemorating LEED for Homes Silver (or higher) is at the discretion and expense of the Petitioner or individual Lot owner.

10. **Planning Review Fees.** Property Owners within the Annexation Property shall be responsible for all standard and customary fees, including generally-applicable planning, building, subdivision and construction inspection fees imposed by the City in accordance with the Park City Land Management Code and the Park City Municipal Code.

11. **Impact and Building Fees.** Lot owners of lots within any future subdivision shall be responsible for all standard and customary, and generally-applicable, fees, such as development, impact, park and recreation land acquisition, building permit and plan check fees due and payable for construction on the Property at the time of application for any building permits. Ownership of water rights shall not change the application of the Impact Fee Ordinance to the Property.

12. **Snow Removal and Storage.** Snow removal from private roads shall be the responsibility of the Property Owners. Park City shall not be obligated to remove snow from private sidewalks or trails unless such sidewalks or trails are classified as part of a community trail system and incorporated into the City wide snow removal program.

13. **Fiscal Impact Analysis.** The revised Annexation Report, prepared by Alliance Engineering for the Petitioners, dated June 17, 2013, included a Fiscal Impact Analysis that has been reviewed by the Planning Staff and Planning Commission. The Fiscal Impact Analysis concludes that

the Annexation will not alter any existing or projected demographic or economic conditions in the Park City area, or within the Annexation Properties, as there is no population or economic base within the Annexation Properties at the time of this annexation. Projected revenue as a result of this annexation is negligible as no revenue generating activities are proposed. The annexation will not result in an overall negative impact on the City or School District.

14. **Effective Date.** This Annexation Agreement is effective upon recordation of the annexation plat and the filing and recordation of the annexation ordinance, and further, the City provides notice of the recordation to the parties of this Annexation Agreement.

15. **Governing Law; Jurisdiction and Venue.** The laws of the State of Utah shall govern this Annexation Agreement. The City and Petitioners agree that jurisdiction and venue are proper in Summit County.

16. **Real Covenant, Equitable Servitude.** This Annexation Agreement constitutes a real covenant and an equitable servitude on the Properties. The terms of this Agreement touch and concern and both benefit and burden the Property. The benefits and burdens of this Agreement run with the land, and are intended to bind all successors in interest to any portion of the Property. This Agreement, a certified copy of the ordinance approving the Annexation (**the “Annexation Ordinance”**), and the Annexation Plat shall be recorded in the County Recorder’s Office of Summit County, Utah.

17. **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof may be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed. Any such request for assignment may be made by letter addressed to the City and the prior written consent of the City may also be evidenced by letter from the City to Petitioners or its successors or assigns; provided that, notwithstanding the foregoing, the City hereby consents to the assignment of the rights and responsibilities, and the benefits, of this Agreement, in whole or in part, upon written notice to the City; and provided that, in connection with and to the extent of any such assignment, Petitioners shall not have any further rights or responsibilities under this Agreement as and to the extent accruing from and after the date of any such assignment. Moreover, any substantive amendments to this Annexation Agreement shall be processed in accordance with the Park City Land Management Code and MLUDMA in effect at the time an application for amendment is filed with the City Planning Department.

18. **Compliance with City Code.** Notwithstanding Paragraph 19 of this Agreement, from the time the Park City Council (the “**City Council**”) approves of this Agreement and upon completion of the Annexation by recordation of the annexation plat with the County Recorder’s Office of Summit County, Utah, the Property shall be subject to compliance with any and all City Codes and Regulations pertaining to the Property.

19. **Full Agreement.** This Agreement, together with the recitals and exhibits attached to this Agreement (which are incorporated in and made a part of this Agreement by this reference), and the written agreements expressly referenced herein, contain the full and complete agreement of the Parties regarding the Annexation of the Annexation Properties into the City. Only a written instrument signed by all Parties, or their successors or assigns, may amend this Annexation Agreement.

20. **No Joint Venture, Partnership or Third Party Rights.** This Agreement does not create any joint venture, partnership, undertaking or business arrangement among the Parties. Except as otherwise specified herein, this Agreement, the rights and benefits under this Agreement, and the terms or conditions hereof, shall not inure to the benefit of any third party.

21. **Vested Rights.** Subject to the provisions of this Agreement, Petitioners (or their assigns) shall have the right to propose future uses, whether allowed or conditions uses, in accordance with this Annexation Agreement, all existing or future deed restrictions and conservation easements as described herein, the ROS Zoning Regulations in effect at the time any proposal for future use is submitted to the City, and any conditions of approval of a Subdivision Plat, if such plat is required, subject to and in compliance with other applicable ordinances and regulations of Park City.

22. **Nature of Obligations of Petitioners.** Petitioners are liable for performance of the obligations imposed under this Agreement only with respect to the portion of property which it owns and shall not have any liability with respect to the portion of the property owned by the City.

23. **Severability.** If any part or provision of this Annexation Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Annexation Agreement except that specific provision determined to be unconstitutional, invalid, or enforceable. If any condition, covenant or other provision of the Annexation Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by the law.

IN WITNESS WHEREOF, the parties hereto have executed this Annexation Agreement as of the _____ day of _____, 2014.

(Signatures begin on following page)

PARK CITY MUNICIPAL CORPORATION,
A political subdivision of the State of Utah

By: _____
Jack Thomas, Mayor

Dated this _____ day of _____, 2014.

ATTEST: City Clerk

By: _____
Marci Heil, City Recorder

Dated this _____ day of _____, 2014.

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Dated this _____ day of _____, 2014.

Park City Municipal Corporation, Petitioner

By: _____

Name: _____

Dated this _____ day of _____, 2014

Acknowledgement (notary)

Afton Stephen Osguthorpe Family Trust, Petitioner

By: _____

Name: _____

Dated this _____ day of _____, 2014

Acknowledgement (notary)

UDOT, Petitioner

By: _____

Name: _____

Dated this____ day of _____, 2014

Acknowledgement (notary)

Exhibits (see staff report for these exhibits- will be attached to Ordinance for publication)

- A. Annexation Plat and Legal Descriptions
- B. Existing Conditions Map
- C. Conservation Easement and Deed Restricted Property Map and List
- D. Zoning Map Amendment
- E. Annexation Petition Report

EXHIBIT A
TO
ANNEXATION AGREEMENT
[Attach Annexation Plat and Legal Descriptions]

EXHIBIT B
TO
ANNEXATION AGREEMENT
[Attach Existing Conditions Map]

EXHIBIT C
TO
ANNEXATION AGREEMENT
[Conservation Easement and Deed Restricted Property Map and List]

EXHIBIT D
TO
ANNEXATION AGREEMENT
[Attach Zoning Map Amendment]

EXHIBIT E
TO
ANNEXATION AGREEMENT
[Attach Annexation Petition Report]

City Council Staff Report



Authors: Tom Bakaly
Subject: Potential Purchase of 2 acres of Land from Gordon Cummins
Date: March 27, 2008
Type of Item: Potential Purchase of Property

Summary Recommendation - Request authorization for City Manager to sign a REPC with Gordon Cummins to purchase 2.0 acres of land, located to the north of Hwy 248 across from the entrance to the old dump and for a two-year lease with Mr. Cummins for use of the land.

Topic: Potential purchase property.

Background:

The City and Gordon Cummins have discussed the potential purchase of his 2.0 acres as open space in the past, but never got to a point ordering an appraisal or approaching COSAC. Gordon recently approached the City and discussed a price of \$500,000 for the purchase of the 2.0 acres.

He stated that he is not interested in seeing an appraisal nor negotiating a different price. At about the same time staff heard from Mark Fisher (NOMA) that he was looking to purchase the 2.0 acres and offer it as a trade for the land that Recycle Utah occupies. The City has looked at selling and/or trading land in the Park/Bonanza District with Mark Fisher to assist in filling the City's property needs as well as keeping a Recycle Utah presence in town or including them within a larger Public Works facility outside of town. During discussions with Recycle Utah of potential relocation they have strongly expressed that they wish to only move once.

Analysis:

The 2.0 acres owned by Gordon Cummins is within Summit County. It was platted in 1997 and can accommodate one single-family residence each. The City purchased the adjacent 1.0 acre Sanchez property in 2006 for \$120,000. Summit County provided the City with a preliminary analysis of the lots and development potential and the information is attached as Exhibit B. When the City began purchasing Round Valley 40 acre properties the price increased as each parcel was purchased. As time progressed and more properties were purchased we saw the prices increase from \$325,000 to \$1,000,000 and acre.

The location of Gordon's 2.0 acres lines up with the old dump road. There is a plan for a signaled intersection with the ongoing review of Park City Heights. The light would not be operational until 2010 and design of the light could move it east or west depending on UDOT's specifications and not be directly across from the driveway accessing these 2.0 acres. The 2.0 acres are surrounded by City-owned open space, and the specific

site is lower than the grade of the surrounding land which screens the current operations on the site. Staff believes that the City retains the best potential for the land by purchasing it.

Purchasing and land banking the land allows time for Council to discuss the best potential for the land from open space, affordable housing or for additional area needed for current operations on City land.

Department Review: This report was reviewed by representatives of the Sustainability, Budget, Legal and City Manager's Office.

Alternatives:

- A. Approve the Requests:** Staff recommends approving the purchase and lease of the property allowing potential future use of the property or preservation.
- B. Deny the Request:** Deny the request and halt the purchase of the property.
- C. Continue the Item:** Request additional information from Staff.

Staff Recommendations:

Staff recommends purchasing and land banking the property for future discussions of open space, affordable housing, or for additional area needed for current operations on City land.

Attachments:

Attachment A – Draft Lease Agreement

**Gordon Cummins
Park City Municipal Corporation
2008 Property Lease**

THIS AGREEMENT is made by and between Park City Municipal Corporation (hereinafter referred to as "Landlord") and Gordon Cummins (hereinafter referred to as "Tenant") to set forth the terms and conditions under which Landlord will lease parcels SS-95-B and SS-95-1 along Hwy 248, Summit County, Utah (hereinafter referred to as the "Property") to Tenant. The parties agree as follows:

1. Property. The property leased is as shown in Exhibit A (attached and hereafter referred to as Property).
2. Term. The Lease term shall commence on April 15, 2008, and shall run for two (2) years through April 15, 2010.
3. Rent. The rent for the leased space shall be as follows:
 - a. Rate: Tenant's annual rental obligation shall be Twenty-Four Thousand Dollars (\$24,000) for the leased property.
 - b. Payments: Rent shall be paid in equal monthly installments of Two Thousand Dollars (\$2,000). Beginning May 1, 2008, rent shall be due on the first of each month, and past due if not paid by the tenth of the month.
 - c. Deposit: No Deposit is required.
4. Utility Service. Landlord shall be responsible for natural gas, electricity, sewer, refuse collection and water for the leased space. Tenant will be responsible for all utilities at the site and shall establish an account with each of these utilities in its own name.
5. Use of the Property. The Property shall be used only for vehicle parking and storage. All other uses shall be prohibited.
6. Telephone, Cable and Microwave. The Tenant will install its own telephone, television, computer and other communication equipment in the leased space. Any specialized communication facilities, equipment, wiring, cables or installations will be the Tenant's responsibility.
7. Insurance. The Tenant will provide insurance at its expense covering its contents against loss through theft, fire, vandalism or similar casualties. The Landlord will maintain insurance on the structure for the replacement of the building itself, and the contents of the building owned by Landlord. The Landlord also carries a public liability policy insuring it against claims of personal injury on Landlord's property. The Landlord's policy does not cover the Tenant's employees or patrons who are on Landlord's property exclusively for the purpose of doing business with the Tenant. The Tenant agrees to maintain a comprehensive property liability policy written on an occurrence basis with limits no less than two million dollars (\$2,000,000) combined single limit per occurrence and four million dollars (\$4,000,000) aggregate for personal injury, bodily injury and property

damage and to obtain a certificate of insurance naming Park City Municipal Corporation and the Municipal Building Authority of Park City as additional insured and evidencing coverage as to any person on the Property as a result of Tenant's programs or activities. The Landlord is protected by the Utah Governmental Immunity Act, and nothing herein is intended to waive or limit the protection of the Act on behalf of either entity, but to the extent it is consistent with this intent, it is the purpose of this provision to protect the Landlord for liability or allegations arising out of the Tenant's use of Landlord's property.

8. Payment of Taxes and Other Assessments. As tax exempt entities, neither the Landlord nor Tenant expects to be assessed real estate and personal property taxes and other related assessments or taxes on the Property. However should the Tenant change the tax status or should other circumstances cause taxes or assessments to be imposed on the Property, then Tenant shall pay real estate and personal property taxes and other related assessments or taxes on the Tenant's Property during the term of this lease.
9. Liens. Tenant shall not permit any liens to attach to the property for work done at Tenant's request or for Tenant's benefit. If Landlord received notice of any such against the property, Tenant shall promptly discharge the lien at Landlord's request, or post fund sufficient to satisfy the lien during any period of good faith contest of the lien by Tenant. In the event Landlord reasonably feels its title to the property is in jeopardy because of any lien Tenant has elected to attach to the property, Landlord may discharge the lien and collect the amount paid from the Tenant. The Tenant agrees to pay all reasonable costs incurred by the Landlord in the defense or discharge of any liens on the property.
10. Tenant Improvements. The Property are being leased to Tenant in as-is condition. Any additional improvements desired by the Tenant must be approved in advance by the Landlord in writing and are the responsibility of the Tenant, with no allowance made for the costs of the Tenant improvements unless agreed to by Landlord in writing. At the expiration or termination of the Lease, all Tenant improvements become property of the Landlord unless specifically exempted in writing prior to installation.
11. Signs. Landlord reserves the right to specifically review and approve or reject proposed signs on the property. Landlord's approval for signs will not be unreasonably withheld, so long as the sign is directional rather than promotional, meets the requirements of the Summit County Sign Code. Signs shall be removed and any damage resulting from removal shall be repaired at the termination of the Lease.
12. Assignment/Sublease. The Lease may not be assigned.
13. Remedies. In the event the Tenant fails to pay monthly installment payments when due, or violates or reaches any other term or condition of the Lease, Landlord shall have the right to exercise the following remedies, and any other remedies available at law or equity:
 - a. Landlord may, by written notice to Tenant, demand that Tenant either pay rental installments due within ten (10) days, or quit the Property within fifteen (15) days;
 - b. Landlord may permit the Tenant to remain in possession and sue for the

- installments that are past due;
- c. Landlord may re-let the Property for Tenant's account at the rate and on such terms as are commercially reasonable at the time and under the circumstances, and charge Tenant for any difference in the rental received and the rental agreed to herein, provided that any re-letting shall be done in good faith under the circumstances;
 - d. Landlord may agree to a payment of damages in such amount as the parties then agree, and release the Tenant from obligations under this Lease entirely. Unless Landlord has released Tenant's continued performance under this Lease, Tenant is deemed to be in possession of the Property, and any re-letting by Landlord is on Tenant's account. Tenant is responsible for all payments and obligations under the Lease until Landlord releases Tenant.
14. Covenant of Quiet Possession. Landlord covenants with Tenant that Landlord owns or controls the Property and that Tenant's possession will not be disturbed by acts or omissions of the Landlord so long as Tenant faithfully performs the obligations of this Lease.
15. Maintenance. Maintenance of the site and snow removal shall be Tenant's responsibility.
16. Force Majeure. This Lease Agreement shall automatically terminate upon any holding, interpretation, or determination by a court, legislative, or administrative body that Landlord may not lease to a private educational entity or similar establishment or that the Landlord may not lease to a private entity either under existing state and federal law regulation or future state and federal law regulation.
17. Increased Insurance Risk. Tenant will not permit said Property to be used for any purpose which would render the fire insurance on the building or the Property void or cause cancellation thereof or increase the insurance risk or increase the insurance premium in effect at the time of the terms of this Lease. Tenant will not keep, use or sell, or allow to be kept, used or sold in or about the Property any article or materials which are prohibited by law or by standard fire insurance policies of the kind customarily in force with respect to the Property of the same general type as those covered by this Agreement.
18. Care and Repair of Property by Tenant. Tenant will inspect and accept the Property for the purposes of this agreement prior to taking occupancy. Tenant will not commit any waste on Property nor shall it use or permit the use of the Property in violation of any state law or county or municipal ordinance or regulation applicable thereto. Tenant may, with the prior written consent of the Landlord, but at its own cost and expense, in a good workmanlike manner, make such alterations and repairs to the leased space as Tenant may require for the conduct of its business without, however, materially altering the basic character for the building or improvements or weakening the structure on the leased Property. Any permanent alterations or improvements to the Property shall become the property of the Landlord upon expiration or termination of this Lease unless specifically exempted in writing prior to commencing work.

19. Damage or Destruction. If the Property or any part thereof shall be damaged or destroyed by fire or other casualty, the Property shall revert back to the Landlord and the lease shall terminate.
20. Surrender of Premise. Tenant agrees to surrender the Property at the expiration or sooner termination of this Agreement or any extension thereof in the same condition or as altered pursuant to the provisions of this Agreement. Ordinary wear, tear and damage by the elements or other acts of God excepted.
21. Hold Over. Should Tenant hold over the Property or any part thereof after the expiration of the term of this Lease unless otherwise agreed in writing, such holding over shall constitute a tenancy from month to month only, and Tenant shall pay as monthly rental the same monthly rental provided for herein.
22. Indemnity.
 - a. The Tenant shall indemnify and hold the City and its agents, employees, and officers, harmless from and shall process and defend at its own expense any and all claims, demands, suits, at law or equity, actions, penalties, losses, damages, or costs, of whatsoever kind or nature, brought against the City arising out of, in connection with, or incident to the execution of this Agreement and/or the Tenant's defective performance or failure to perform any aspect of this Agreement; provided, however, that if such claims are caused by or result from the concurrent negligence of the City, its agents, employees, and officers, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Tenant; and provided further, that nothing herein shall require the Tenant to hold harmless or defend the City, its agents, employees and/or officers from any claims arising from the sole negligence of the City, its agents, employees, and/or officers. The Tenant expressly agrees that the indemnification provided herein constitutes the Tenant's limited waiver of immunity as an employer under Utah Code Section 34A-2-105; provided, however, this waiver shall apply only to the extent an employee of Tenant claims or recovers compensation from the City for a loss or injury that Tenant would be obligated to indemnify the City for under this Agreement. This limited waiver has been mutually negotiated by the parties, and is expressly made effective only for the purposes of this Agreement. The provisions of this section shall survive the expiration or termination of this Agreement.
 - b. No liability shall attach to the City by reason of entering into this Agreement except as expressly provided herein.
23. Landlord Liable only for Negligence. Except where caused by Landlord's negligence, Landlord shall not be liable for any failure of water supply, natural gas supply or electrical supply; or for any injury or damage to persons or property caused by gasoline, oil, steam, gas or electricity; or hurricane, tornado, flood, wind or similar storms or disturbances; or water, rain or snow which may leak or flow from the street, sewer, gas mains or any subsurface area or from any part of the building or buildings or for an interference with light.

24. Nondiscrimination. Tenant agrees not to discriminate against anyone on the basis of race, color, national origin, age, sex or handicap in its hiring practices, services or operation of its business hereunder.
25. Waiver of Covenants. It is agreed that the waiver of any of the covenants of this Lease Agreement by either party shall be limited to the particular instance and shall not be deemed to waive any other breaches of such covenant or any provisions herein.
26. Rights of Successors and Assigns. The covenants and agreements contained within the Lease shall apply to the benefit of and the binding upon the parties hereto and upon their respective successors in interest and legal representatives, except as expressly otherwise hereinbefore provided.
27. Notice Provision. Any and all notices required by this Lease Agreement shall be in writing and delivered personally to the party to whom the notice is to be given, or mailed by certified mail, postage prepaid, and addressed as follows:
If to Landlord:
Park City Municipal Corporation
P.O. Box 1480
Park City, Utah 84060

If to Tenant:
Gordon Cummins
PO BOX 681780
PARK CITY, UT 84068-1780
28. Entire Agreement. This agreement constitutes the entire and only agreement between parties and it cannot be altered or amended except by written instrument, signed by both parties.

DATED this _____ day of February 2008.

PARK CITY MUNICIPAL CORPORATION

Tom Bakaly, City Manager

Attest:

Janet M. Scott, City Recorder

Approved as to form:

City Attorney's Office

GORDON CUMMINS

Gordon Cummins

ACKNOWLEDGMENT

STATE OF UTAH)

: SS.

COUNTY OF SUMMIT)

On this _____ day of February, 2007, personally appeared before me Gordon Cummins, and acknowledged to me that the preceding Agreement was signed on behalf of said company, and he acknowledged that the company did execute the same for its stated purpose.

Planning Commission - August 27, 2014