



**PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060**

July 27, 2023

The Council of Park City, Summit County, Utah, met in open meeting on July 27, 2023, at 3:00 p.m. in the City Council Chambers.

Council Member Gerber moved to close the meeting to discuss advice of counsel and litigation at 3:00 p.m. Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

CLOSED SESSION

Council Member Doilney moved to adjourn from Closed Meeting at 4:05 p.m. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

WORK SESSION

Discuss Options for Centralized Communication and Waste Management for the Main Street Business District:

Jenny Diersen, Sarah Pearce, and Troy Daley, along with Monte Coates and Ginger Wicks, Historic Park City Alliance (HPCA), were present for this item. Diersen indicated there were multiple waste providers on Main Street. The district was no longer called the Business Improvement District (BID), but the Main Street Business District. Because they eliminated BID, HPCA was focused on marketing. There would be centralized communication between the 280 businesses.

Regarding waste management, City staff worked with the business district daily. Diersen reviewed the City negotiated a rate for all trash and cardboard bins in the district. The billing was tracked through Business Licensing, but the payments were verified through HPCA. A business license could be withheld if trash payments had not been made.

Additional services included recycling, glass, and food waste pickup. Diersen displayed options for the Council to consider. One was to procure a service provider to negotiate a trash hauler contract and coordinate communications between the City and the businesses in the district in the amount of \$80,000, and the other was to hire a full-time staff for this position at \$105,000. Diersen noted the staff position would be more of a regulatory position.

Pearce thought there was great benefit to centralizing trash pickup with one hauler. This area had the highest concentration of businesses in the City and the service would help with maintaining the beauty of the City and the sustainability goals. Daley stated Public Works utilized the connectivity with HPCA in their work and with issues that arose in the district. He currently noted they were bidding out a trash compactor on Lower Main Street and extensive outreach with the businesses was necessary. Coates stated it was the desire of HPCA to maintain a good relationship with the City. Pearce indicated they would follow the procurement process in acquiring a service provider. Daley thought a service provider would be best.

Council Member Gerber asked if a staff position meant the City would run HPCA. Pearce stated she could go through the procurement process so HPCA could operate as they currently did to provide the communication service for the City, or the City could hire someone internally for that. Council Member Dickey asked if HPCA would have a different resource who would do the marketing portion. Wicks stated they were using a Summit County Restaurant Tax grant for marketing. Council Member Dickey asked if Wicks would do the trash and communications as well as the marketing for HPCA if HPCA was awarded the service contract. Wicks indicated that would be a board decision, but currently there were several people managing social media and public relations. Council Member Dickey thought the \$80,000 service provider contract would save the City money.

Council Member Toly asked if the \$25,000 that the business district hoped to collect in dues plus restaurant tax would all go for marketing. Wicks noted the tax could not go for a salary so they hoped the membership dues collected would help fund the marketing position. Council Member Toly asked if the board would have additional duties for this position beyond what the City identified. Diersen stated the service provider would have a contract with a defined scope of work. Coates hoped the person who handled trash would handle all the other outreach in the district.

Council Member Gerber asked how HPCA would pay for an executive director. Wicks stated HPCA would be reorganized and that position would be eliminated. Council Member Gerber asked if the primary role of HPCA was managing members, to which Wicks affirmed.

Council Member Dickey favored Option One. Council Member Gerber agreed and suggested a two-year contract to have consistency. She hoped the board could collect

more than \$25,000 in membership dues. Council Member Doilney agreed with Option One for two years after the first year. Council Member Toly favored Option One as well. Pearce stated the contract would automatically renew unless the Council opted not to renew it. The Council agreed to that method. Wicks asked that if the Council decided not to renew, HPCA would receive advanced notice so they would have time to react.

Discuss Regulations to Provide Retail Water Service Outside the Municipal Boundary:

Jason Christensen, Water Manager, presented this item and stated the City code dictated when the City could offer water to non-residents. The current code no longer met state law. The City could no longer charge different rates to non-residents. There was a recent request to provide water service to properties adjoining the City boundary. In 2018, the properties requested water service and the City determined to provide the water service without requiring annexation. He asked if annexation should be a requirement for water service, and noted annexation would bring in additional revenue, but it would require the City to provide additional services such as police service and snowplowing. Annexation would result in having non-conforming structures. Providing water would help with fire prevention and would eliminate the risk of the City being called upon to provide emergency water service to small systems. He gave options for Council to consider and noted the Council had no obligation to provide water to non-residents.

Mayor Worel asked if the petitioners were responsible for the infrastructure, to which Christensen affirmed. He indicated they would dedicate the infrastructure to the City and the City would take over the maintenance of that infrastructure.

Council Member Dickey asked how the cost of services compared to the additional revenue. Christensen thought currently police service was provided but snowplowing was not provided.

Council Member Gerber asked if these were the only units that requested the water service. Christensen stated there were other units, but they had not requested the service. Council Member Gerber indicated she did not want to see further development in those areas, but she favored annexation of these properties. Margaret Plane, City Attorney, stated they would have to file an annexation petition and it would be a lot of work for the petitioners and staff. Council Member Gerber asked for a recommendation from the Water Department on what worked best. Christensen stated it was his preference to remove the annexation requirement.

Council Member Doilney agreed he didn't want to see sprawl in the area, but noted there was no way to get to the properties without going through Park City. The roads needed to be to the City standard so emergency vehicles could access those properties. He favored requiring the properties to annex into the City.

Council Member Toly agreed with Council Member Doilney and asked what those people said about annexing into the City. Brent Rose, representing the four families requesting to be served, stated the discussion with the Water Department had leaned towards getting service without the annexation requirement. Council Member Dickey stated he favored having them annex into the City but thought it might be considered on a case-by-case basis. Council Member Doilney thought this was an opportunity to make a policy decision that would benefit the City long-term. Council Member Dickey favored annexation in general, but asked if Council wanted a way to not make it harder for people. Christensen stated there were very few properties in this situation. There were undeveloped lots, but that was a different scenario. Council Member Gerber thought it was wise to ask the properties to bring their roads up to standard. If there were only a few properties, she favored annexation prior to providing water service.

Mayor Worel asked if the property owners be able to access water service if they submitted an annexation petition and the City denied it. Margaret Plane stated annexation was a statutory process. If City code were modified to deal with the rate structure change and required the annexation, and then the petition was denied, the people would have no option for obtaining water.

The Council agreed to require an annexation petition for new water service and remove the existing reference to the water rate difference. Christensen stated he would return with a code amendment. Council Member Gerber asked for language in the ordinance that would give consideration for water to properties that that didn't meet annexation requirements.

REGULAR MEETING

I. ROLL CALL

Attendee Name	Status
Mayor Nann Worel Council Member Ryan Dickey Council Member Max Doilney Council Member Becca Gerber Council Member Tana Toly Matt Dias, City Manager Margaret Plane, City Attorney Michelle Kellogg, City Recorder	Present
Council Member Jeremy Rubell	Excused

II. APPOINTMENTS

1. Appoint Jennifer Lewis as a Member of the Board of Appeals and Rory Murphy as an Alternate Member of the Board of Appeals Effective upon Appointment:

Dave Thacker, Building Official, stated there were two vacancies on the board and the applicants who applied were very capable to carry out the duties.

Council Member Gerber moved to appoint Jennifer Lewis as a member of the Board of Appeals and Rory Murphy as an alternate member of the Board of Appeals effective upon appointment. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Toly indicated she would recuse herself from New Business Item Two for ownership interest in the property. Council Member Doilney reviewed the construction plans for the SR248 improvements when school began. He asked people to be safe on the corridor.

Mayor Worel thanked Jen McGrath and Rebecca Ward for the Bonanza Park Small Area community meetings. Over 200 people came and gave comments. She noted there was an online survey for people to voice their input. She indicated the Council would go on break and the next meeting would be on Tuesday, August 22nd.

Staff Communications Reports:

1. McPolin Farm Eco Plan:

2. May 2023 Budget Monitoring and April Sales Tax Report:

3. Park Silly Sunday Market Mid-Season Review:

4. Renaming Round Valley Trailheads:

5. Childcare Update:

IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Worel opened the meeting for any who wished to speak or submit comments on items not on the agenda.

Dell Fuller 84060, read a prepared statement regarding Lot #2 Willow Ranch subdivision that is attached to these minutes.

Mike Watts 84060 submitted maps of the wetlands of Willow Ranch which included the Limits of Disturbance. He thought the disturbance was in violation of the allowance. He listed some violations including drilling a well, moving plants, etc.

Kate Nelli lived across from Lot 2 Willow Ranch, which was the Hall's home. They planted trees in their backyard which blocked the mountain view of several neighbors. She felt the LMC was violated, but the City did nothing to stop the action. She requested the Hall's remove the perimeter trees, have a Sensitive Land Overlay analysis conducted, and have the City monitor the project to ensure the proper permits were acquired.

Stacey Sayers, 84060 lived on the adjoining property to Lot 2 Willow Ranch Subdivision and was concerned that the trees blocked her view. The master planned development (MPD) stated the view corridors would be protected and she asked that the City enforce this. She asked for a thorough review of the wetlands through a Sensitive Lands Overlay analysis. She also noted Lot 2 was very important to wildlife and many animals were on that lot. She asked the lot to remain native.

Christopher Jerry Hall via Zoom stated the dispute was over views. They bought the home three years ago and the home was 20 years old. Landscaping had been going on for three years and City staff had been to the home for inspections. He had been in compliance and City staff had no concerns. They tried negotiating with neighbors and had made some concessions, including changing the types of trees and location of trees planted.

Lane Fuller, 84060 read a prepared statement from Frode Jensen regarding the Lot 2 Willow Ranch Subdivision property. This statement is attached to the minutes.

Bob Theobald stated none of the trees were permitted on Lot 2. Just because other owners planted trees without permits didn't mean the Hall's could do it too. He thought there was sufficient evidence for an investigation. He distributed a handout and discussed a flexible ratio for square footage. He also indicated the Hall's applied for a building permit that didn't comply with the plat.

Bob Sertner stated many in the City were concerned about property tax increases and explained how people could file an appeal.

Kathi Ehlers eComment: "I strongly support the creation of an Arts and Culture District including a home for the Kimball Art Center!"

Beth Bradford eComment: "I strongly support the creation of an Arts and Culture District including a home for the Kimball Art Center! Let's make this happen for an organization that gives so much back to our community."

V. CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from June 22, 2023, and July 6 and 11, 2023:

Council Member Gerber moved to approve the City Council meeting minutes from June 22, 2023, and July 6 and 11, 2023. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

VI. OLD BUSINESS

1. Consideration to Approve the Final Action Letter for the Appeal of the Planning Commission's Denial of the Washington School House Conditional Use Permit (CUP) for a Minor Hotel, Located at 543 Park Avenue:

Lillian Zollinger, Planner, stated Council could amend the Final Action letter or action could be taken on the letter as written.

Council Member Doilney moved to approve the Final Action Letter for the appeal of the Planning Commission's denial of the Washington School House Conditional Use Permit (CUP) for a minor hotel, located at 543 Park Avenue. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

VII. NEW BUSINESS

1. Consideration to Authorize the City Manager to Execute a Design Professional Services Addendum with Horrocks Engineers, Inc., in a Form Approved by the City Attorney, Not to Exceed \$201,000 to Provide Right-of-Way Engineering Services for Homestake Roadway Reconstruction:

Gabe Shields, Transportation Engineer, stated this work was anticipated to be completed in-house, but now a contractor would help complete the project. The street was challenging with parking on one side. They were currently designing the project and there were some properties that the City would need to partially acquire for the right-of-way. This contract would do survey work, meet with some property owners and get appraisals on the properties so work could begin summer of 2024.

Mayor Worel opened the public input. No comments were given. Mayor Worel closed the public input.

Council Member Doilney thought this was a nice first step to creating better walkability in the heart of the community.

Council Member Doilney moved to authorize the City Manager to execute a design professional services addendum with Horrocks Engineers, Inc., in a form approved by the City Attorney, not to exceed \$201,000 to provide right-of-way engineering services for Homestake Roadway reconstruction. Council Member Gerber seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

2. Consideration to Approve Ordinance No. 2023-37, an Ordinance Approving an Extension of City Council's July 21, 2022 Approval of Ordinance No. 2022-26, an Ordinance Approving 949 Empire Avenue Plat Amendment, Located at 949 Empire Avenue, Park City, Utah:

Spencer Cawley, Planner II, presented this item and explained there were four conditions of approval to the plat amendment and the applicant had difficulty completing those four requirements. Therefore, a one-year extension had been requested.

Mayor Worel opened the public hearing. No comments were given. Mayor Worel closed the public hearing.

Council Member Gerber moved to approve Ordinance No. 2023-37, an ordinance approving an extension of City Council's July 21, 2022 approval of Ordinance No. 2022-26, an ordinance approving 949 Empire Avenue Plat Amendment, located at 949 Empire Avenue, Park City, Utah. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

3. Consideration to Authorize the City Manager to Execute an Agreement with Tyler Technologies, Not to Exceed \$527,200 in a Form Approved by the City Attorney, to Provide Integrated Financial Enterprise Resource Planning Software:

Mindy Finlinson, Finance Director, indicated the current financial software was sunseting in 2027. They issued an RFP for new software and awarded a contract to Tyler Technologies. She reviewed some of the features the product offered. She indicated the startup fee was \$392,853 with an annual fee of \$134,347.

Mayor Worel asked if the Finance Department needed four years to get everything transferred. Finlinson stated the transfer would take up to two years, but they wanted to get started as soon as possible. Mayor Worel asked if updates would be included in the annual fee, to which Finlinson affirmed.

Council Member Dickey asked if this would be a tool to communicate with the public. Linda Jager, Communications Manager, stated she had different communication software, but it could integrate with Tyler Technologies. Council Member Dickey asked if the software was the analytics tool the City was anticipating. Matt Dias, City Manager, stated this system would function at a higher level, was much more sophisticated and did have some customer platforms, but the City would also integrate additional analytical systems to have another level of transparency regarding power bills and how the City spent its money.

Mayor Worel opened the public input. No comments were given. Mayor Worel closed the public input.

Council Member Dickey moved to authorize the City Manager to execute an agreement with Tyler Technologies, not to exceed \$527,200 in a Form Approved by the City Attorney, to provide integrated financial enterprise resource planning software. Council Member Toly seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

4. Consideration to Authorize the City Manager to Execute an Agreement with HBME, LLC, Not to Exceed \$220,000 for a Five-Year Term, in a Form Approved by the City Attorney, to Provide Financial Audit and Single Audit Services:

Mindy Finlinson, Finance Director, presented this item and indicated the current contract with the City's outside auditors had expired. An RFP was issued and a new service provider was selected. This contract would be for a five-year term.

Mayor Worel opened the public input. No comments were given. Mayor Worel closed the public input.

Council Member Gerber moved to authorize the City Manager to execute an agreement with HBME, LLC, not to exceed \$220,000 for a five-year term, in a form approved by the City Attorney, to provide financial audit and single audit services. Council Member Dickey seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

5. Consideration to Authorize the City Manager to Acquire the Tiny Homes Located at 7700 Marsac Avenue, in the Amount of \$180,000, in a Form Approved by the City Attorney:

Browne Sebright, Affordable Housing Program Manager, presented this item and stated the Fire District had two tiny homes on the Mine Bench property while they constructed the Silver Lake Fire Station. The station would be completed by the end of the year and they offered the homes to the City at a significant discount. Sebright indicated the homes could be used by some Public Works employees and would be allotted through a lottery process. A different long-term location would be considered.

Council Member Gerber asked if four employees would be in each unit. Sebright indicated it would be one household per unit. Council Member Dickey asked who the CUP applicant would be, to which Sebright stated it would be the City. Council Member Gerber thought this was a good opportunity to get affordable units but noted this was not a great location. She asked what would happen if a better location was not found, to which Sebright stated they had a couple locations in mind, but they could sell the homes if there were no other appropriate locations. Mayor Worel asked if Sebright had feedback from the firefighters on how it was to live there. Sebright had not heard any feedback. Council Member Dickey agreed another location should be found.

Mayor Worel opened the public input.

Clive Bush eComment: "I stumbled on this agenda item for the "Purchase of Tiny Homes", then after clicking on and reading the staff report understood the real topic to be whether dwelling units (temporary or otherwise) are allowed in the Recreational Open Space District. The staff report in its analysis correctly says that the ROS District prohibits dwelling units- then submits that the Conditional Use for Essential Municipal Public Utilities, Service, or Structures would overrule that prohibition? You can't make that leap of faith without considering what the Land Management Code says the uses and purpose of the Recreation Open Space District is: 15-2.7-1 Purpose: The purpose of the Recreation and Open Space (ROS) District is to: 1. 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, 2. permit recreational Uses and preserve recreational Open Space land, 3. encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and 4. preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests. 5. encourage sustainability, conservation, and renewable energy. 15-2.7-2 Uses: Uses in the ROS District are limited to the following: ALLOWED USES. 1. Conservation Activity 2. Food Truck Locations. Adding dwellings to

ROS is a rule defying precedent not worthy of a government agency which opens the door for more misuse in the future. The third option of a rezone, one assumes, is a pre-text to the much larger development proposal coming down the pipeline soon hereafter – this requires, among many other considerations - an appreciation of why development was clustered, wide open space cherished and hard fought limits on development below POD A won over by the community after 5 years and 34 public meetings against significant pressures to do otherwise.”

Mayor Worel closed the public input.

Council Member Gerber moved to authorize the City Manager to acquire the tiny homes located at 7700 Marsac Avenue, in the amount of \$180,000, in a form approved by the City Attorney. Council Member Doilney seconded the motion.

RESULT: APPROVED

AYES: Council Members Dickey, Doilney, Gerber, and Toly

EXCUSED: Council Member Rubell

VIII. ADJOURNMENT

With no further business, the meeting was adjourned.

Michelle Kellogg, City Recorder



CENTRALIZED COMMUNICATION & WASTE MANAGEMENT

MAIN STREET BUSINESS DISTRICT



Overview

- A Business Improvement District (BID) for Main Street was created in 2007 after Summit County's decision to no longer provide commercial waste services. Despite a desire for coordinated services and communication between Main Street merchants and the City, there is no express authorization for the BID's continuation under Utah law.
- With the expiration of the BID, HPCA is moving to a member-based association focused on marketing efforts
- PCMC needs a mechanism for centralized communications and waste management.

CENTRALIZED COMMUNICATION

- Regular communication with 280 businesses
- Coordination and collaboration daily on a myriad of initiatives, including Convention Chain Business and Vibrant Commercial Storefront regulations, infrastructure projects, parking and transportation plans/DLS zones, special events and filming, construction impacts, and safety
- Seek feedback from businesses on various subjects and provide City with position papers
- 120 e-blasts annually
- 30 + committee meetings
- Manage [HPCA web portal](#) with City regulations and information



WASTE MANAGEMENT



WASTE MANAGEMENT

PCMC Negotiated contracts

Single Hauler Contract (Republic)
Negotiated rate for **all** trash and cardboard bins in
District

Individual bins

- Paid directly by business to Republic

Shared bins

- Allocated to businesses by HPCA monthly
- Ratio applied by business type volume (restaurants pay more than a gallery)
- New businesses are tracked through new business licenses from PCMC Finance Dept
- Allocation is sent to Republic who directly bills businesses

Late Payment

- If the business is not paying the Republic bill, PCMC Finance withholds business license renewal

Momentum Consulting

- 2 year contract to help understand current waste issues, and propose potential future system
- Contract sets reduced rate for food waste and glass for HPCA businesses

Additional Waste Services

Good Earth Weekly Service

- Contract managed directly by HPCA and Good Earth, thru franchise fee from Republic contract
- Handles recycling, cardboard
- Hauls off-site

Individual Business Contracts

- Many businesses pay for additional services (glass and food waste) and individually contract/manage
- Bins are often kept in city ROW



— OPTIONS TO CONSIDER —

1. PROCURE SERVICE PROVIDER

- ~\$80,000; parking revs and enhanced business license fee
- One-year contract, with the option to renew.

2. HIRE FULL-TIME STAFF POSITION

- ~\$105,000 (salary & benefits)
- FT position, more regulatory
- Need time to manage the transition of staff responsibilities.
- May be a challenge to find a person to manage both comms and waste.

- ❖ Neither option includes any funding for marketing.
- ❖ Both options consider partial funding from business license fees dependent on the outcome of the study.



PCMC 13-1-25

MODIFICATIONS



What

1. Discuss modifications to PCMC 13-1-25 which states:

“It is the policy of the City to provide culinary water within the corporate limits of Park City. Those individuals or entities desiring connection to the Park City water system must petition the Park City Council for Annexation as a condition of water service. Those individuals and entities outside the corporate limits of Park City currently connected to the water system and receiving water shall agree to abide by the terms and conditions of this Title and shall pay double the applicable rate charged for water provided inside the corporate limits of Park City. Upon annexation, they will receive water service at the normal rate.”

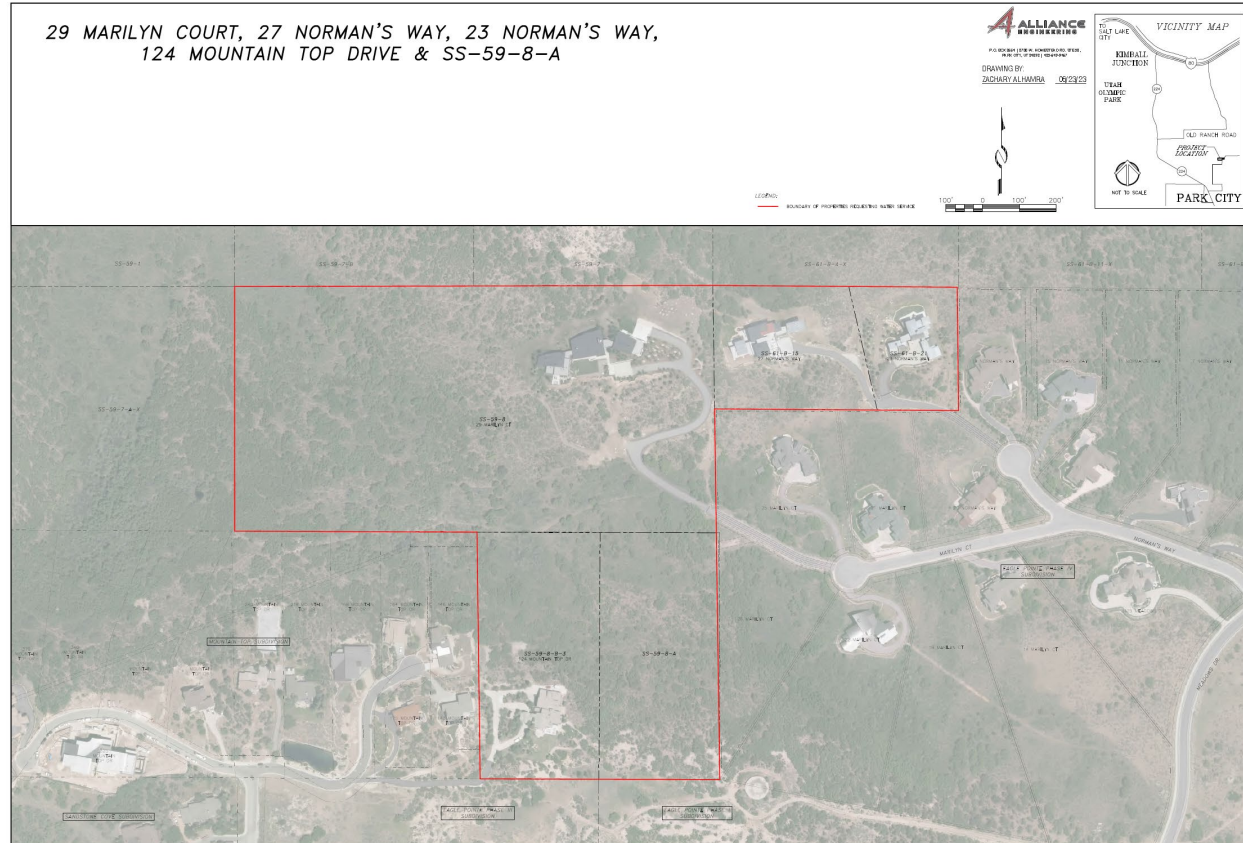


Why

1. Current Code Requirement does not meet State Law.
2. A recent request to provide water service to several lots above Park Meadows, accessible only from Park City proper roads.
3. Prior decision from 2018 to serve the majority of the Mountain Top subdivision, outside of Park City proper.

Current Request

29 MARILYN COURT, 27 NORMAN'S WAY, 23 NORMAN'S WAY,
124 MOUNTAIN TOP DRIVE & SS-59-8-A



Current Request

Today's conversation is focused on PCMC 13-1-25, and the request for water service is not directly before Council. However, the decision made will ultimately guide the outcome of the current water service request.



—— Policy Information ——

- Generally, Annexation of Existing Development
 - Brings in additional revenue.
 - Requires the City to provide additional services.
 - Results in LMC non-conforming structures.

Policy Information

- Providing Water Service without Annexation
 - Reduces barriers, making it more likely that water service is provided
- When Water Service is provided it can.
 - Improve fire fighting ability at the periphery of town.
 - Reduce risk to the aquifer from new or replacement wells.
 - Eliminate the risk of the City being called on to provide emergency water service to a small nearby system.

Policy Options

Option 1: On a case-by-case basis, allow for new Water Service outside of the municipal boundary, without annexation petition, and under the same rate structure for all users. [*Public Utilities Recommendation*]

Option 2: Require annexation petition for new Water Service and remove existing reference to water rate difference.

Option 3: Council may define additional options.



Next Steps

Public Utilities will return at a future date during Regular Session and present for Council consideration a code change that complies with state law and follows Council direction tonight.



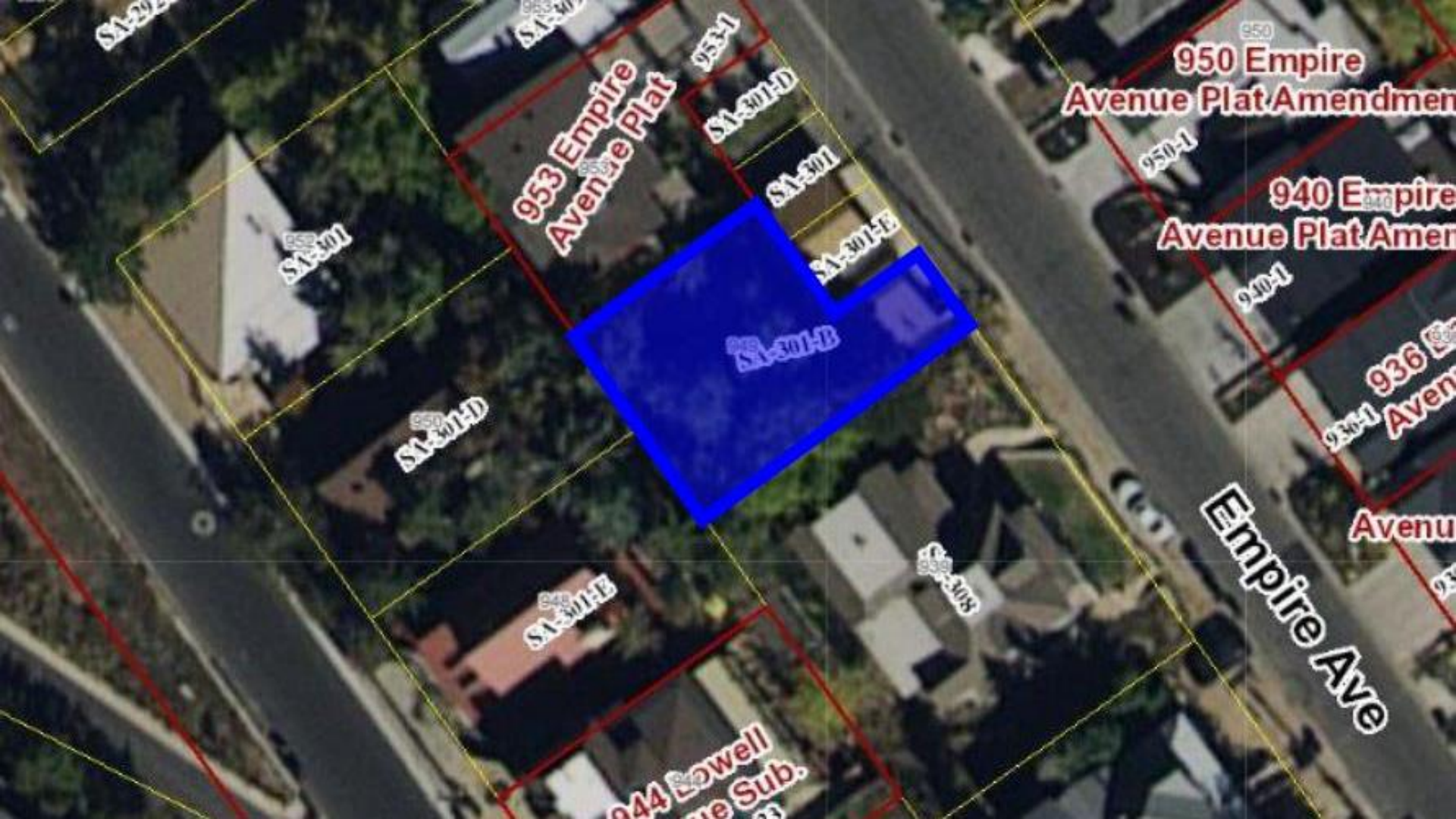


949 EMPIRE AVENUE

EXTENSION OF APPROVAL

PL-23-05712
July 25, 2023
City Council





953 Empire Avenue Plat

950 Empire Avenue Plat Amendment

940 Empire Avenue Plat Amendment

936 Empire Avenue

Empire Ave

944 Lowell Avenue Sub.

SA-301-B

SA-301

SA-301-D

SA-301-F

SA-301-G

953-1

SA-301-D

SA-301

SA-301-E

950-1

940-1

936-1

936-2



949 Empire Avenue - front - looking westerly



949 Empire Avenue - rear - looking northeasterly

SEE OTHER SHEETS FOR
NOTES IN ORDER OF
NUMBER



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4807284 as prescribed under the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the herein described property and that to the best of my knowledge this plot is a correct representation of said survey.

NOTES

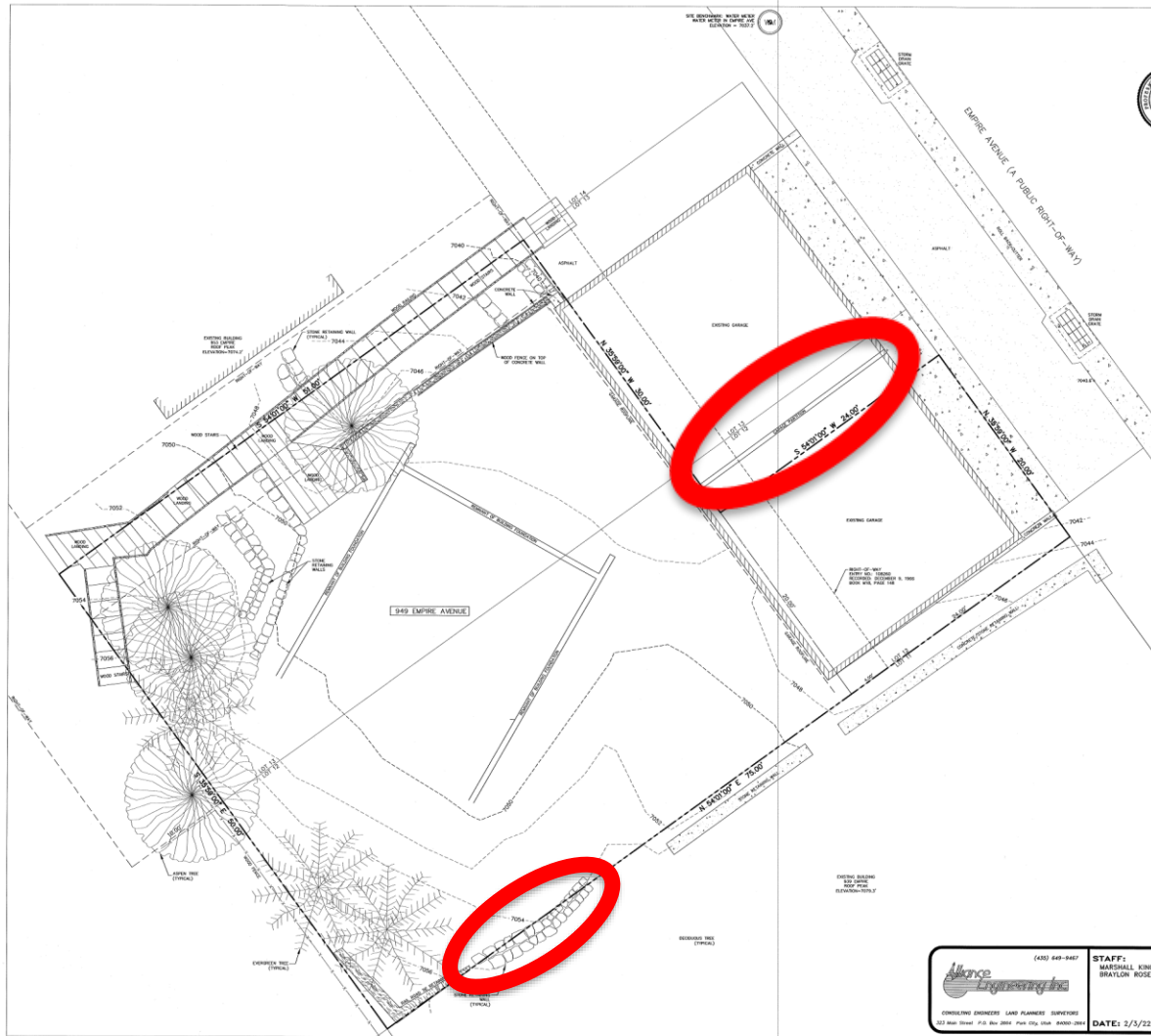
1. Site Benchmark : Water meter on Empire Avenue.
Elevation=7037.2'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on November 19, 2021.

LEGAL DESCRIPTION

Beginning at the southwestern corner of Lot 12, Block 29, Snyder's Addition to Park City, and running thence North 54°01' East 51 feet; thence North 35°59' West 50 feet; thence South 54°01' West 51 feet; thence South 35°59' East 50 feet to the point of beginning, being the westerly 51 feet of Lots 12 and 13 of said Block 29, Snyder's Addition.

Also, a grove area described as follows; beginning at the southwestern corner of Lot 12, Block 29, Snyder's Addition, and running thence North 35°59' West 20 feet to the center of a partition, thence South 54°01' West 24 feet; thence South 35°59' East 20 feet to the center of a partition; thence North 54°01' East 24 feet to the point of beginning.

Subject to and together with a right-of-way over the following for the use and benefit of the owner or owners of Lots 12, 13, 14, 15, 17, 18, 19, 20, 21, and 22, Block 29, Snyder's Addition to Park City in Summit County, Park City, Utah: Beginning at the southwestern corner of Lot 18, Block 29, Snyder's Addition to Park City, and running thence North 35°59' East 20 feet; thence North 54°01' East 19 feet; thence North 35°59' West 45 feet; thence North 54°01' East 4 feet; thence South 35°59' East 100 feet; thence South 54°01' West 4 feet; thence North 35°59' West 45 feet; thence South 54°01' West 51 feet; thence South 35°59' East 20 feet; thence South 54°01' West 10 feet; thence North 35°59' West 50 feet; thence North 54°01' East 10 feet to the point of beginning.



(435) 648-9887

STAFF:
MARSHALL KING
BRATLON ROSE

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
322 WEST 1000 SOUTH, SUITE 200, PARK CITY, UTAH 84302-8001

DATE: 2/3/22

TOPOGRAPHIC MAP
A PORTION OF LOTS 12 & 13, BLOCK 29
949 EMPIRE AVENUE

FOR: TERENCE SCHECKER

JOB NO.: 6-11-21

FILE: K:\SnyderAddition\dwg\svn\topo2021\041121.dwg

SHEET
1
OF
1



949 EMPIRE AVENUE

- Condition of Approval 5: Demolition of garage.
- Condition of Approval 9: Permission and approval from neighbor to encroach onto property for demolition.
- Condition of Approval 10: Enter into an encroachment agreement for the portion of the garage that encroaches onto the front of the lot.
- Condition of Approval 11: Enter into an encroachment agreement for the portion of the rock retaining wall that encroaches onto neighboring lot.

949 EMPIRE AVENUE

- The Applicant submitted a request for extension on June 15, 2023, and requests a one-year extension.
- The extension will allow the Applicant to complete the required Conditions of Approval.
- The Applicant is not requesting any modifications to the original proposal or seeking exceptions from the LMC.
- Amendment results in a Lot Area of 3,030 square feet – Complies with Pending Ordinance on Lot Combinations.



949 EMPIRE AVENUE

Review the proposal, hold a public hearing, and consider approving a one-year extension for the 949 Empire Avenue Plat Amendment.





Enterprise Resource Planning Software Replacement Project

PARK CITY

1881

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tyler
technologies

DATA INTEGRATION



DATA & INSIGHTS



Enterprise Data Platform

A modern, secure, cloud-based infrastructure with self-service access is key to data-driven governance. Enterprise Data Platform is an integrated solution designed to put data at the center of every government initiative, policy, and decision.



Open Data Platform

Facilitate transparency, accountability, and public-private partnerships by sharing aspects of your internal data with external constituents.



Performance Insights

Evaluate and monitor the effectiveness of your programs using the most up-to-date data while fostering public buy-in from taxpayers for your successes. Improve internal accountability by publishing shared goals while supporting efficient service delivery by making decisions based on fact.

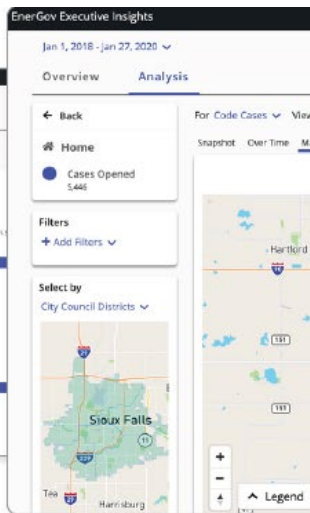
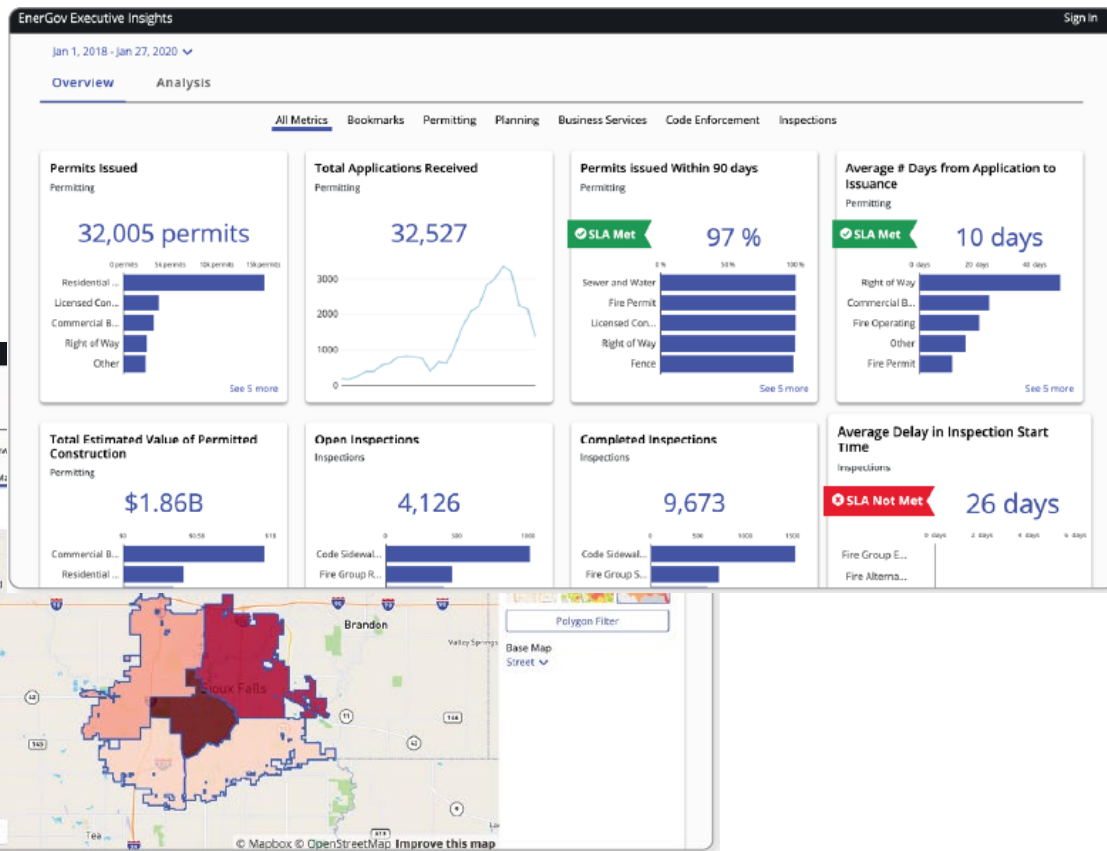


Finance Insights

Connect data silos into a single access point for authoritative and up-to-date data that can illustrate trends, improve financial oversight, reduce costs, and engage public officials.



DATA & INSIGHTS



Project-level View of Open Permit Applications & Concentration of Permit Applications Across the City



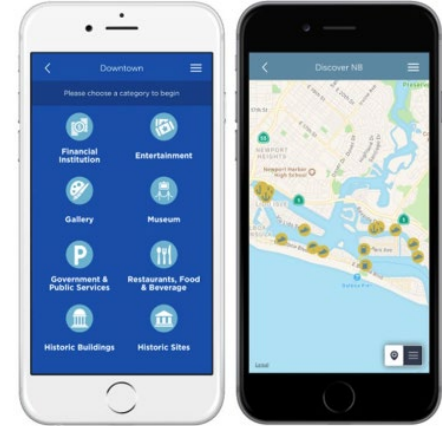
myCivic™

KEY FEATURES FOR ORGANIZATIONS

- Manage one app
- Create targeted push notifications
- Send surveys and feedback forms
- Provide interactive maps
- Develop virtual tours
- Offer two-way communication with citizens

KEY FEATURES FOR COMMUNITY MEMBERS

- Find information
- View event calendars
- Receive real-time notifications
- Find public transportation options
- Map community facilities
- Manage profile preferences
- Provide feedback and suggestions
- Make payments



PAYMENTS PORTAL



STREAMLINE PAYMENTS

A single portal for payments from a third party, Tyler, or any invoice with or without a back-end system.



UNIFY THE PAYER EXPERIENCE

A consistent shopping cart, fee handling, check-out, and receipting experience across all bills due or miscellaneous invoices paid.



SIMPLIFY RECONCILIATION

Simplify reconciliation processes and gain payment insights, regardless of where a bill was generated.



To keep track of upcoming bills, link your account

First, which type of bill do you want to link?

Utility bills

Quickly link billing accounts with the click of a button.



Let's find the account

What's the last name on the account?

What's the utility account number on the account?

Back

Search

Easily locate each billing account with key information.



That worked! We found your account.

Give this account a name that makes it easy to recognize

Cancel

Link account

Assign nicknames for each account for future tracking.

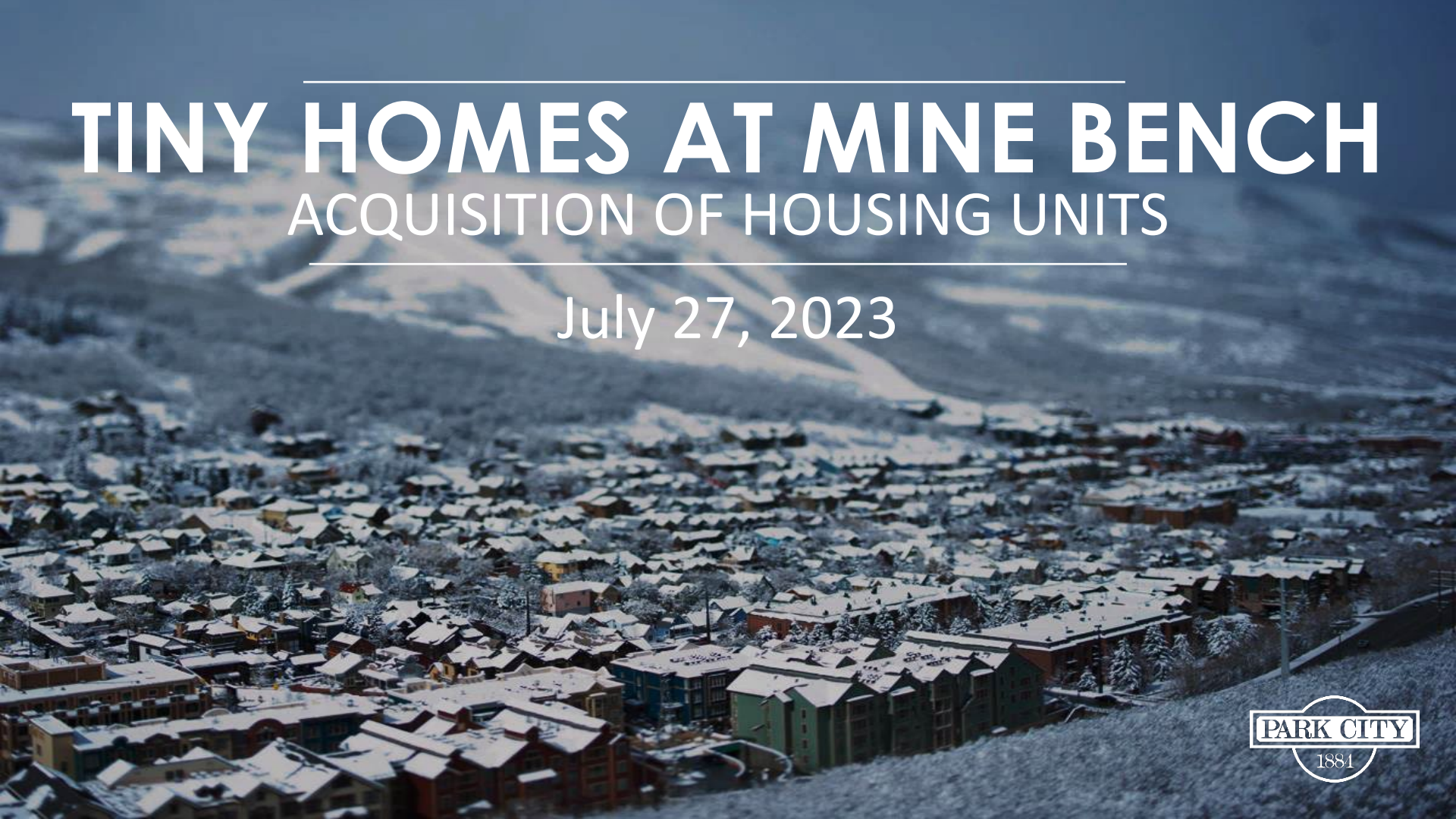
Summary

Terms:

- One-time Implementation fees of \$392,853
- Annual Software Service fee of \$134,347

Question:

Does Council support moving forward with Tyler Technologies as our Enterprise Resource Planning Software provider?

An aerial photograph of a mountain town covered in snow. The houses are densely packed, with many having snow-covered roofs. The background shows a snowy mountain slope.

TINY HOMES AT MINE BENCH

ACQUISITION OF HOUSING UNITS

July 27, 2023



— EXECUTIVE SUMMARY —

- Consider authorizing the Housing Team and Council Liaisons to negotiate with Park City Fire District to purchase the Wheelhaus tiny home units using the Affordable Housing Budget.

BACKGROUND

- The Park City Fire District began an expansion project of Fire Station 34 (Silver Lake) in February 2022
- During the expansion, PCFD requested temporary use of the Mine Bench property to provide fire services to Upper Deer Valley.
- As part of the temporary use, PCFD installed two temporary 400-square-foot Wheelhaus tiny home units to serve as living quarters for their firefighters.



BACKGROUND



ANALYSIS

- Once Fire Station 34 is complete, PCFD has no further use for the Wheelhaus units.
- As published on the Wheelhaus website, the current new purchase price is \$175,000 per unit.
- PCFD representatives have offered to sell the units to the City for a total of \$180,000 or \$90,000 per unit so they can continue their temporary use for essential seasonal employees.

ANALYSIS

- This pricing reflects the slightly used condition and is a significant discount on the new purchase price.
- Public Works has expressed a need for in-town housing options for their employees as weather-related work schedules make proximity to Park City limits crucial.
- The City submitted an application to the Planning Commission for approval of a CUP extension (PL-23-05733), tentatively scheduled for September 27, 2023.



RECOMMENDATION

- We recommend Council consider the following options:
 1. Authorize the Housing Team and the Council Liaisons to negotiate with PCFD to purchase the Wheelhaus units relying upon the Affordable Housing Budget;
 2. Continue with the Planning application to extend the Conditional Use Permit to continue the temporary installation of the Wheelhaus units;
 3. Utilize the units within the City's existing internal housing lottery to house Public Works employees (first priority) and other temporary essential City employees (second priority); and
 4. Identify a long-term location more suitable for temporary and year-round occupancy.

DELL FULLER

2857 Hackney Ct., Park City, Utah 84060 dellfuller@gmail.com 801-243-2320

26 July 2023

As adjoining property owners to Lot #2 Willow Ranch subdivision, we collectively have critical concerns about the tree planting and disturbances in the open space behind our homes. There is documented precedent validating our concerns regarding the disturbance of the Wetlands and Wildlife Corridor within the Sensitive Lands Overlay on Lot #2 Willow Ranch subdivision.

Park City has a long-documented history of valuing and protecting open space, view corridors and wildlife. Those concerns were applied to the creation of the Willow Ranch Master Plan Development in 1992/1993. At that time, the Army Corps of Engineers set forth limitations and restrictions for development in these designated Wetlands. Simultaneously, Park City Municipal took over stewardship of these Wetlands with the creation of the Sensitive Lands Overlay Ordinance to include all of Willow Ranch. The City declared at that time that "we wish to work with the developers to obtain open space of high visual and environmental value for the citizenry."

The Land Management Code, in defining the Sensitive Lands Overlay Ordinance provisions requires in section B, 1, Visual Assessment: "A visual assessment of the property from Vantage Points designated by the Planning Department, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project."

On May 26, 1999, during a Willow Ranch Lot #2 Plat Amendment review based upon application of the SLO ordinance, Planning Staff submitted the following statements to City Council. "To address the Commission's concerns regarding impacts on the neighborhood, staff visited the site to determine whether any mountain views from surrounding neighborhoods would be obstructed by the proposed amendment. Given that the houses to the north are more than 400' from the proposed building pad, and that they are higher on the hill than Lot #2, and that the view corridor for these houses looks across four 6-8 acre lots plus a 10.5-acre open space parcel, staff determined that the existing view of the mountains from the houses to the north will not be diminished as a result of the plat amendment."

Why has there been no enforcement of these ordinances regarding the visible disturbances on Lot #2 Willow Ranch?

The photographs and charts in our handout document the truth and reality of our claims.

STATEMENT
OF
FRODE JENSEN
2812 HOLIDAY RANCH LOOP RD
JULY 25 2023

I join my neighbors who live in clear sight of the estate at 2750 Meadow Creek Drive in objecting not only to the owner's plan to block our neighbors' clear views of the majestic Park City ridgeline, which they have enjoyed for decades, but also to the owners' plan to landscape the natural fields and meadows and wetlands which the City undertook to absolutely protect when development of the subdivision was approved in 1992.

This development project never should have been granted a building permit nearly two years ago and one of the owners, a lawyer and a sitting Planning Commissioner at all times since this project was conceived, should have either known this or else she doesn't know the requirements of our land management code well enough to sit on the Planning Commission.

The Planning Department should have known this too, since it has approved a project which inexplicably violates the maximum residential square footage clearly set forth in the Plat, ignores the express requirements for development of a sensitive lands area and has freely allowed for development of a sacrosanct wetland in our climate-challenged high country.

These are in addition to numerous other problems.

I would be complaining about this illegal development proposed by a sitting planning commissioner, of all people, even if it were the only development I know of in town which runs roughshod over our land use laws. But it's not. There are numerous examples over the last few years of illegal development approved by the planning department. I and others have tried to call these to the attention of the Mayor and the City Council with only limited success. Now, based on the adversarial approach the City has recently taken to objections to the commissioner's project, it seems the City doesn't agree there is a problem.

Many of us who live here disagree and I hope the City Council will closely examine our concerns.

Lot 2 Willow Ranch
2750 Meadow Creek DR
Park City, Ut 84060

Michael Watts 84060

I have lived Park City since 1964 and at 3100 Crestline Drive, which is adjacent to Lot 2 Willow Ranch since 1988. I have been involved in the public input of the Master Plan Development and all corresponding Plat amendments for this lot.

The CITY COUNCIL STAFF REPORT Dated May 26, 1999 States:
"Willow Ranch subdivision is located within the Sensitive Lands Overlay District". The 1999 Plat Amendment, allowed the LIMITS OF DISTURBANCE to go from 14,000 sq ft to 17,000. The staff recognized provisions of the LMC including the protection of wetlands and neighbor's view corridors,

I believe there has been violations to the Plat: Specifically Plat note # 3 and 21, along with the drilling of a water well. These violations are relating to excavation and tree planting without Sensitive Lands Overlay analysis, working without a MS4 storm water permit and without 404 wetland permits.

Plat note 3 states:

The total impacted area, including building footprint and additional fill shall not exceed 17,000 sq ft

Plat note 21 states:

Lot 2 Willow Ranch re plat exceeds 1 acre and shall meet the requirement of the municipal separate storm water system- MS4. A MS4 storm water permit is required to be obtained prior to any construction.

The property owners have drilled a water well, located outside the plated limits of disturbance, as depicted on the Approved Plat. In doing this, the property owners failed to prepare and the City has failed to require a Sensitive Lands Overlay analysis as required by the LMC and for all the land within the Sensitive Lands Overlay District. The City has stated to me that they do not issue a permit for drilling a well. That is only done through the State division of water Right. The State Division states: **The**

applicant is strongly cautioned that other permits may be required before any development of this application can begin and it is the responsibility of the applicant to determine the applicability of and acquisition of such permits.

The property owners have violated the Platted Limits of Disturbance, applicable to development in the Estate District. In respect of preservation of open space, undeveloped land, view corridors and the drilling of a water well.

The original Master Plan Development approval document in 1993 is clear that view corridors of neighbor shall be protected. The staff report for the 1999 Plat amendment address and reinforces the fact that neighboring view corridors are to be protected.

The City has ignored several formal complaints, which have been filed by adjacent land owners

My question to you all is: Why is this being allowed to play out in this manner ?????



#199250275
Sheet 4/4

Lot #1 House and Lot #2 House and Barn areas and driveways- crosshatched and highlighted in yellow – NWP #26 to IMPACT wetland by placing fill raising pads creating “islands” above wetlands - Restrictions are restated on 1993 Plat Note #2 and carried forward to all subsequent Plats. Other building areas are in upland areas. All building areas are platted with a LODA by survey or setbacks.

IMPACTED
HOUSE BUILDING/LANDSCAPE LIMITS AREA
110' X 110' Typical Building Pad unless shown otherwise
NATIONWIDE PERMIT #26

LEGEND



NATIONWIDE PERMIT #26



NATIONWIDE PERMIT #26



WELL



PERMITTED UNDER
NATIONWIDE #12

PARCEL "C"
4.48 ACRES

PROPOSED CITY
PROPERTY LINE

Mountain Ridge
Subdivision

PROPOSED BLADE PARCEL
2.1 ACRES

Ridgeview Subdivision

LOT 2
1.88 ACRES

LOT 1
4.38 ACRES

LOT 7
6.17 ACRES

LOT 6
6.18 ACRES

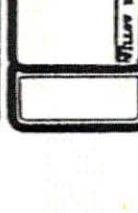
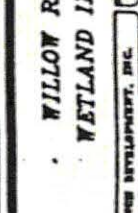
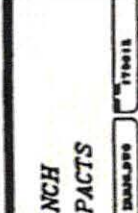
LOT 3
2.18 ACRES

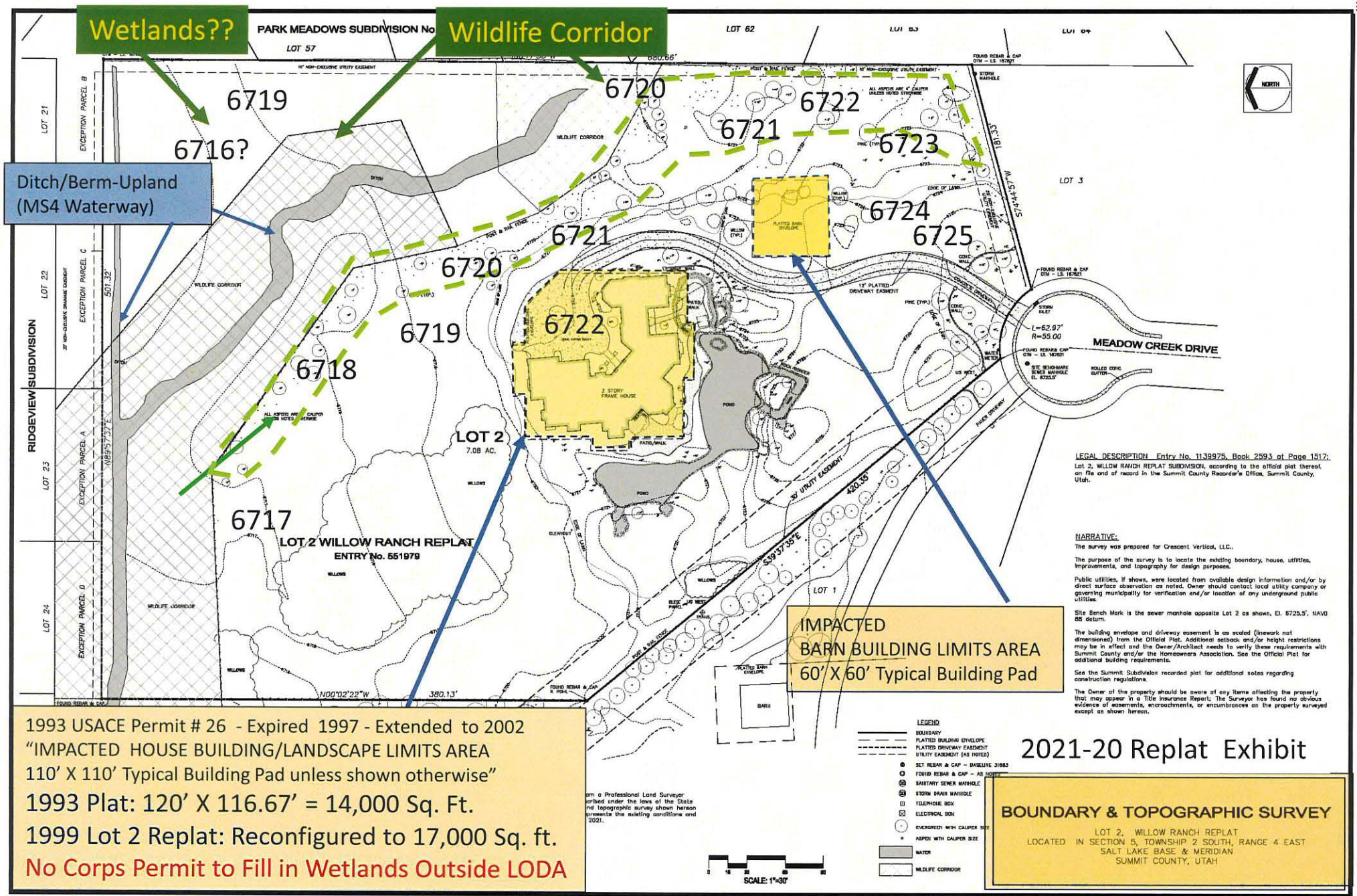
LOT 4
2.18 ACRES

LOT 5
2.18 ACRES

McLeod Creek Subdivision

199250275
Park Meadows
Subdivision No. 2
Sheet 4 of 4





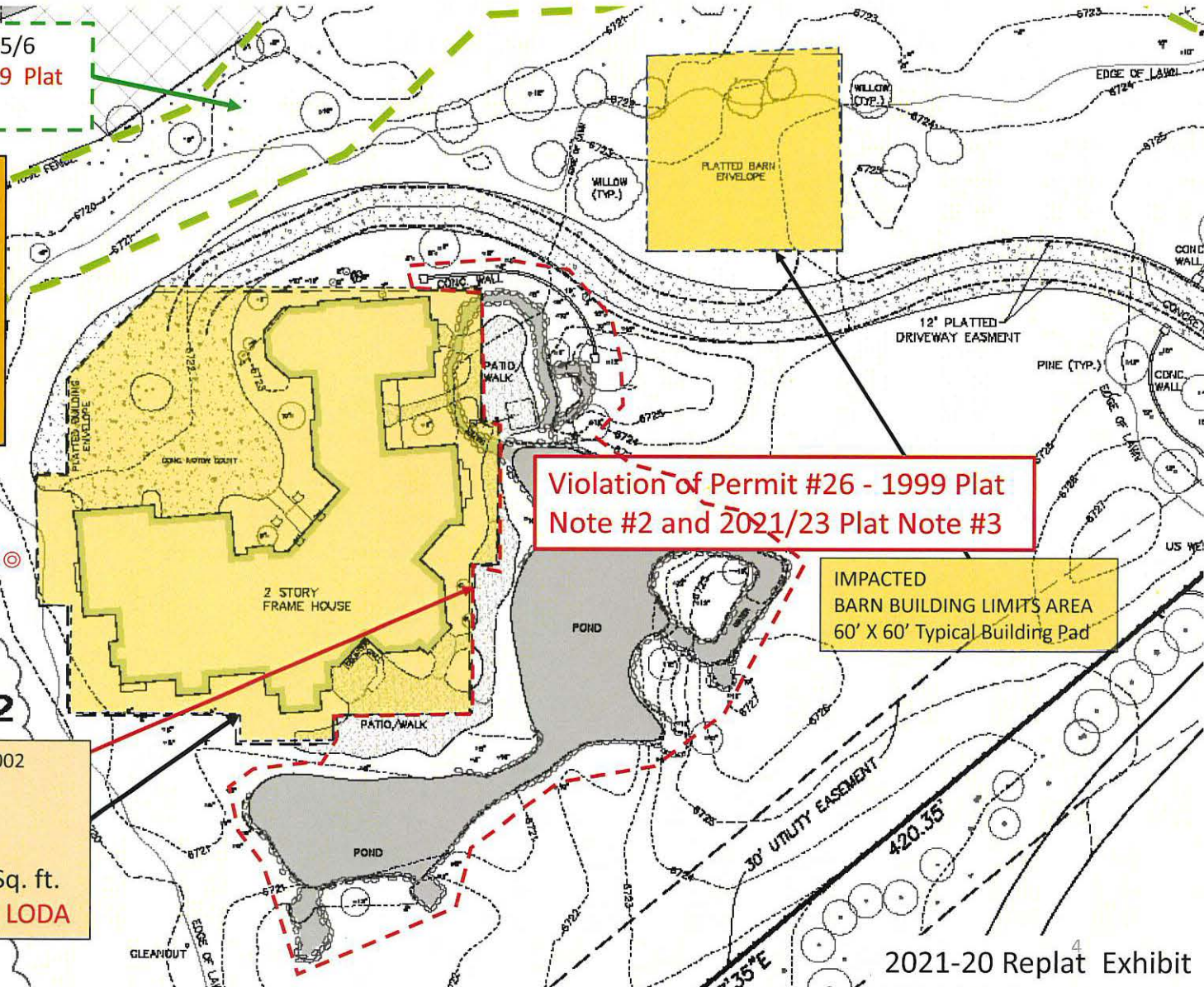
Aspens & pine trees screen views Planted - 2005/6
 No Corps Permit to Fill Wetlands Violation - 1999 Plat
 Note #2 2021 Plat Note #3

Lot #1 House and Lot #2 House and Barn areas
 and driveways- crosshatched and highlighted in
 yellow – NWP #26 to IMPACT wetland by
 placing fill raising pads creating “islands” above
 wetlands - Restrictions are restated on 1993
 Plat Note #2 and carried forward to all
 subsequent Plats. Other building areas are in
 upland areas. All building areas are platted with
 a LODA by survey or setbacks.

2023 Well – 14.47 feet → ⊙
 Outside LODA

1993 USACE Permit # 26 - Expired 1997 - Extended to 2002
 “IMPACTED HOUSE BUILDING/LANDSCAPE LIMITS AREA
 110' X 110' Typical Building Pad unless shown otherwise”
 1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.
 1999 Lot 2 Replat: Reconfigured to 17,000 Sq. ft.
 No Corps Permit to Fill in Wetlands Outside LODA

LOT 2 WILLOW RANCH REPLAT



Violation of Permit #26 - 1999 Plat
 Note #2 and 2021/23 Plat Note #3

IMPACTED
 BARN BUILDING LIMITS AREA
 60' X 60' Typical Building Pad

2021-20 Replat Exhibit

Image 5/24/2022

Aspens & pine trees screen views of residence
Planted 2005/6 **No Corps Permit to Fill Wetlands**

Lowest Elevation –Wetlands?

Perennial MS4 "Open Channel"
Waterways - Tree Planting w/o -
LODA/SLO/MS4/Corps permits
Violation - Plat Notes #3 and #21

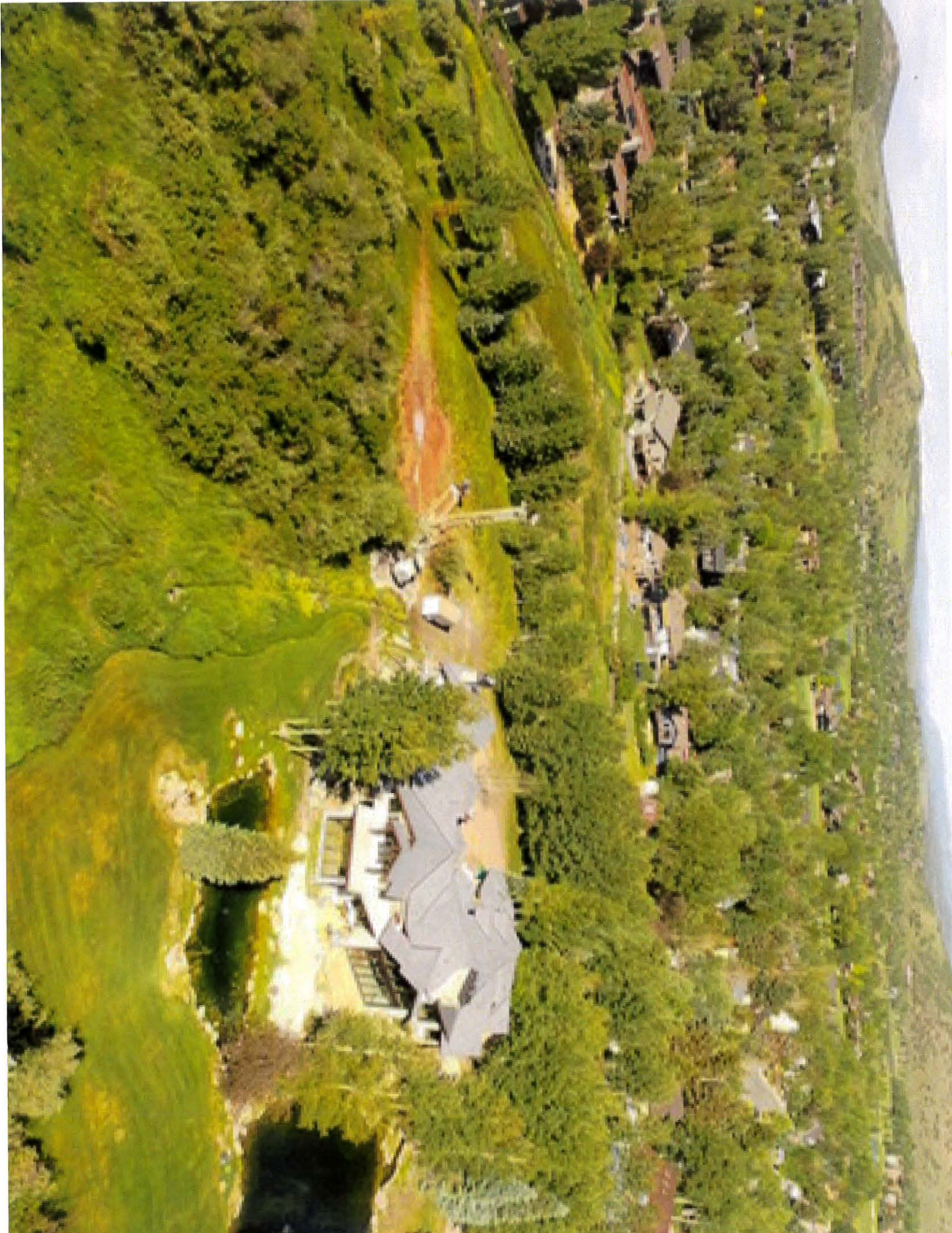
Image Landsat / Copernicus

Neighbors' Future Ground Level View
Open space, Meadow, Wetlands,
Distant Trees & Skyline Ridges

Imagery Date: 5/24/2022 40°40'27.70" N 111°30'44.81" W elev 6735.ft eye alt 7000 ft







Home Square Footage Calculations - Account Number 0289441 - 2750 Meadow Creek Dr. Park City, Utah

		Scenario #1		Scenario #2		Scenario #3		Scenario #4		Scenario #5		Scenario #6		Scenario #7	
		County Website Building		GRAMA 2021 Remodel Plan - Assessor		GRAMA 1999 Original Plan Grs.- Independent Architect		GRAMA 1999 Original Plan Adjusted Net- Independent Architect		1999 Original Plan - Applicant Architect Terry Judd		Remodel Plan Applicant Architect Terry Judd		Fee Schedule 1999 Original Plan	
		Area s.f.		Area s.f.		Area s.f.		Area s.f.		Area s.f.		Area s.f.		Area s.f.	
Living Area		11,500													
First floor		NA		5,764		5,956		5,956		5,651		5,398		-	
								Demo Area (214)		M/A/NL* (530)		M/A/NL* (1,015)		-	
								Pool Area Glass -							
								Wall 0.50 ft. (247)		-		-		-	
Net First Floor						5,956		5,495		5,121		4,383		-	
Second Floor		NA		3,447		4,482		4,482		3,770		4,036		-	
Attic (APT)		NA		925		Attic ?? (403)		Attic ?? (403)		M/A/NL* (434)		M/A/NL* (532)		-	
								Wall 0.50 ft. (206)		-		-		-	
Net Second Floor				4,372		4,079		3,873		3,336		3,504		-	
Total Living Area		11,500		10,136		10,438		9,368		8,457		7,887		Wood Framd 9,830	
Garage Total		1,461		1,461		1,328		1,328		1,440		1,270		Garage Wd Fr. 605	
Net Sq. ft.		12,961		11,597		11,766		-		9,897		9,157		Decks 335 s.f. N/A	
Garage exemption		(600)		(600)		(600)		(600)		(600)		(600)		-	
Home Square Feet	ANSI	12,361		ANSI	10,997		LMC	11,166		LMC	10,096		Net, Net	8,557	
										9,297		8,557		10,435	
Willow Ranch Subdivision CC&Rs - Article I Definitions <															

Landscaping –Trees - Well

Violations and Impacts to Neighbors

Public Comment Exhibits
to

Planning Commission

July 26, 2023

and

City Council

July 27, 2023

Concerned Neighbors

Grenney, Fuller, Jensen, Nelli, Sayers, Theobald, Watts, Zagari

WILLOW RANCH - MASTER PLAN DEVELOPMENT (MPD) APPROVAL 1992/93

Wetlands - Open Space – View Corridors

Willow Ranch Subdivision is a unique development in Park City and environs. During the annexation and MPD approval process in 1992, the Developer, the Planning Commission and City Council recognized that these sensitive lands replete with wetlands, wildlife and open space needed protections.

The Peterson Estate, approximately seventy acres, was wholly undeveloped and situated outside the city limits of Park City. A significant portion was extremely wet, characterized as swampy on an early map. The property with no less than 7 spring-fed and surface waterways was designated 81% wetlands subject to Army Corps of Engineers (Corps) jurisdiction. The property straddled the SR 224 entry corridor, encompassed a historic railroad grade, and was surrounded by three adjacent subdivisions – **Ridgeview, McCloud Creek, and Park Meadows**. It was clear (then and now) that any development would impact each of these neighborhoods. At the time, there was a fair amount of opposition to any kind of traditional single family residential development whatsoever on the site.

Peterson Estate/Willow Ranch was the first subdivision in Park City to impose/accept a 30-acre conservation easement on the property. As a result, the City took over stewardship of a significant portion of property. The developers voluntarily complied with the City's newly-adopted Sensitive Lands Overlay Ordinance.(SLO). Willow Ranch is now within the designated SLO boundaries and subject to all restrictions and review requirements.

In 1992/3, the Corps Permit #199250275 set forth several development restrictions including Nationwide 404 Permit #26 labeled: "IMPACTED HOUSE BUILDING/LANDSCAPE LIMITS AREA". The specifically-permitted Areas including driveways were surveyed to ensure avoidance of wetlands, wildlife corridors, drainages and other sensitive areas. Plat Notes carry-over the Corps' intent to limit development and protect wetlands throughout property.

MPD Considered Elements

- 1992/93 Willow Ranch Subdivision MPD - Considered elements of the approval was protection of surrounding neighbor's views of open space and mountains – Ridgeview and Park Meadows and McCleod Creek subdivisions.

City Officials - 1992:

In this case, we are asking the applicants to comply with the spirit and intent of the ordinance, rather than strictly applying the Sensitive Lands provisions. We hope we will be able to achieve compliance with the intent, but if we are unable to, we do have the option of requiring strict compliance.

The reason we are doing this is that we wish to work with the developers to obtain open space of high visual and environmental value for the citizenry while achieving the best development for them.

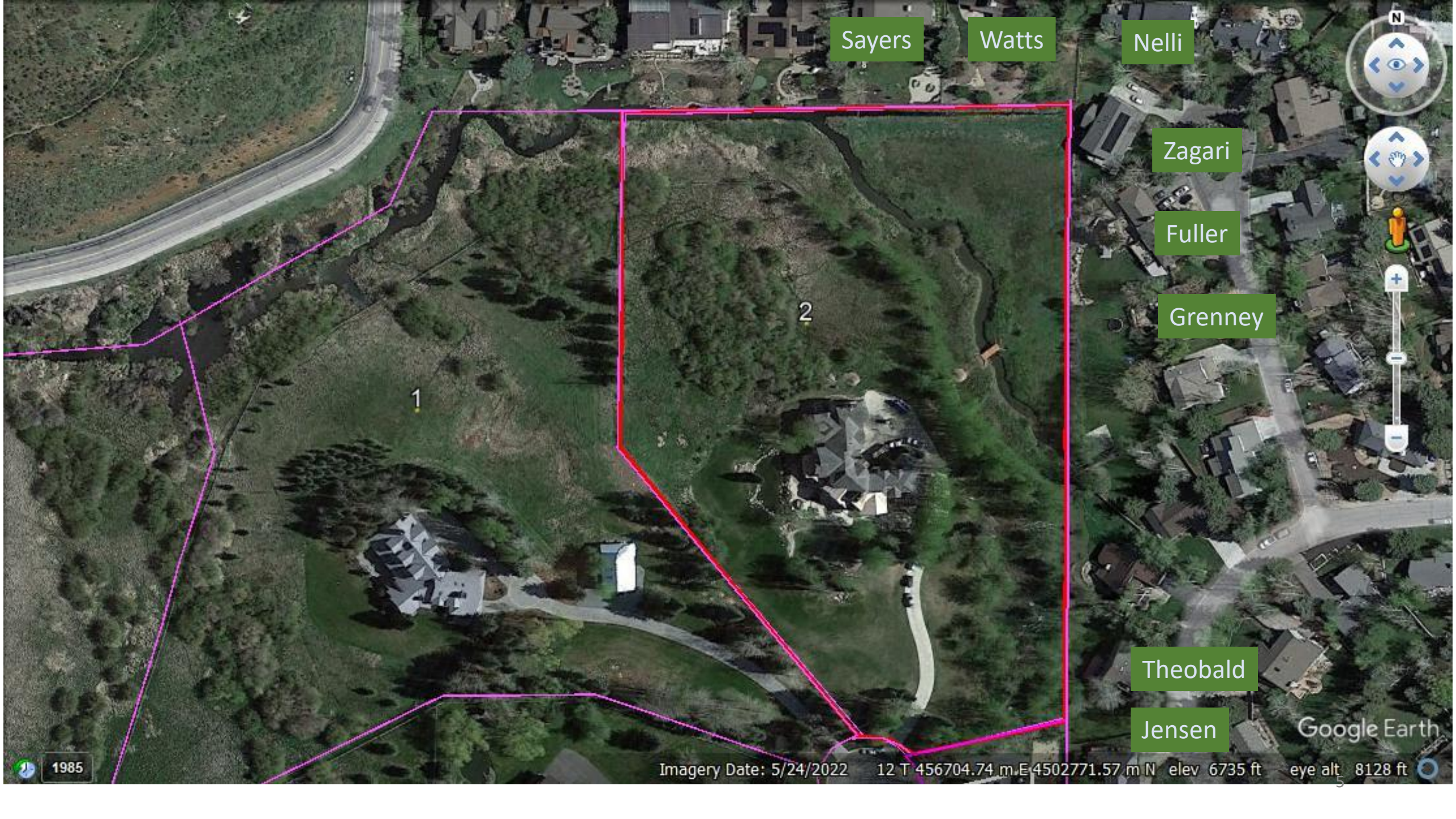
A quick analysis by the staff has shown the only area which would be allowed to be developed under the Ordinance is located in the southeast corner of the site and could accommodate perhaps 5-6 small single family lots, or 3-4 larger lots if the wetlands were included in the lot area but left untouched.

A complete set of MPD documents is available in the City archives.

Neighbor Objections – Current and MPD

Neighbor #3 - 12/2/92

I would like to go on record as opposing this development. This is THE LAST large contiguous open wetlands in the Park City area. It seems to me that this type of parcel is exactly what the sensitive lands ordinance was adopted for and strict compliance with the ordinance should be applied.



Sayers

Watts

Nelli

Zagari

Fuller

Grenney

Theobald

Jensen

1

2

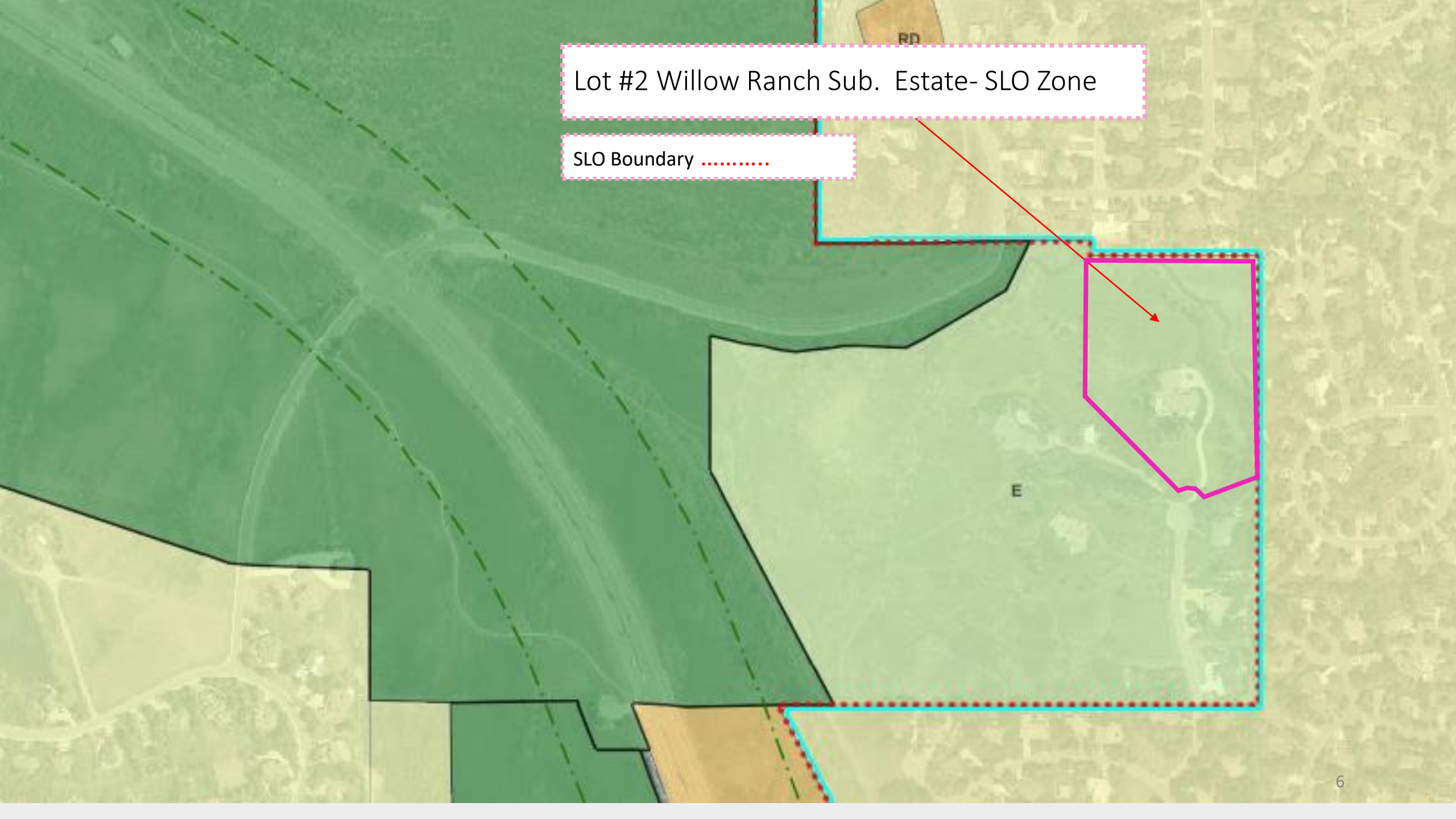
1985

Imagery Date: 5/24/2022 12 T 456704.74 m E 4502771.57 m N elev 6735 ft eye alt 8128 ft

Google Earth

Lot #2 Willow Ranch Sub. Estate- SLO Zone

SLO Boundary



15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions

A. SENSITIVE LANDS ANALYSIS. Any Applicant for Development must produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions:

1. SLOPE/TOPOGRAPHIC MAP.
2. RIDGE LINE AREAS.
3. VEGETATIVE COVER.
4. DESIGNATED ENTRY CORRIDORS AND VANTAGE POINTS
5. WETLANDS, STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES.
6. WILDLIFE HABITAT AREAS.

B. ADDITIONAL INFORMATION AND STUDY REQUIREMENTS. The Planning Department may require the Applicant to submit the following information, as applicable:

1. **VISUAL ASSESSMENT.** A visual assessment of the Property from Vantage Points designated by the Planning Department, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

1999 Plat Amendment
Limits of Disturbance
14,000 sq. ft. increase to
17,000 sq. ft.

Staff recognized SLO
provisions of the LMC
including protection of
wetlands and neighbors'
view corridors

CITY COUNCIL STAFF REPORT

DATE:	May 26, 1999 (June 3, 1999 meeting)
DEPARTMENT:	Planning Department
AUTHOR:	Kirsten A. Whetstone, AICP
TITLE:	2750 Meadow Creek Drive, Lot 2 Willow Ranch Subdivision plat amendment
TYPE OF ITEM:	Legislative

SUMMARY RECOMMENDATIONS Approve with conditions.

Applicability of Sensitive Lands Overlay and Chapter 15 of the LMC

Willow Ranch subdivision is located within the Sensitive Lands Overlay (SLO) district. Staff therefore reviewed this request against criteria in the SLO. Section 2.4.6 (SLO) requires a minimum setback of 50' from wetlands and stream corridors. All disturbance

proposed for Lot 2 will maintain a minimum setback of 50' from the designated wetland/wildlife corridor.

Section 2.4.7 (SLO) requires all projects adjacent to wetlands to provide appropriate temporary and permanent run-off control to minimize sediment and other contaminants to the maximum extent feasible. As part of the requirement for a Construction Management Plan associated with any building permit issued for this property, staff recommends that a plan be submitted to address temporary and permanent run-off control on Lot 2.

Staff has reviewed the requested plat amendments against the purposes and intents of Chapter 15, Subdivision Regulations, of the LMC. Staff finds that the plat amendment is consistent with the purposes and intents of the LMC. Given the large lot area (7.5 acres), existing height restrictions, and amount of separation between the building pad and surrounding houses, the proposed use will be compatible with the surrounding structures in use, scale, mass, and circulation. The additional house floor area can be absorbed into the existing building pad. The plat amendments are consistent with the Park City General Plan and the effects of any difference in use or scale are mitigated through additional conditions of approval.

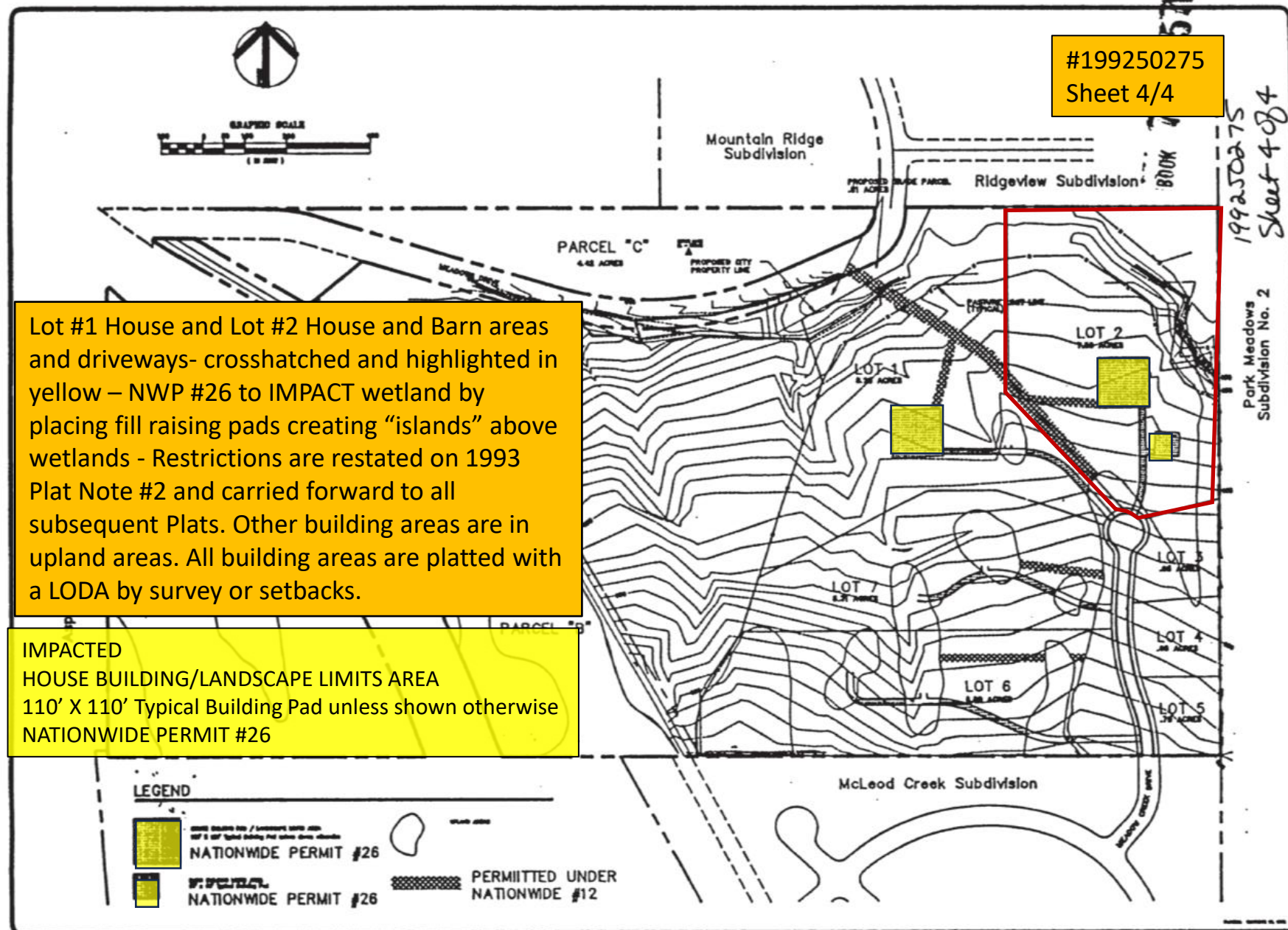
To address the Commission's concerns regarding impacts on the neighborhood, staff visited the site to determine whether any mountain views from surrounding neighborhoods would be obstructed by the proposed amendment. Given that the houses to the north are more than 400' from the proposed building pad, and that they are higher on the hill than Lot 2, and that the view corridor for these houses looks across four 6-8 acre lots plus a 10.5 acre open space parcel (approximately 39 acres with 4 homes) staff determined that the existing view of the mountains from the houses to the north will not be diminished as a result of the plat amendment. (see attached photographs as Exhibit E).

Houses to the east, in Park Meadows Subdivision, are 117' to 204' from the proposed barn. Kathy Kahn, owner of 2810 Holiday Ranch Loop, expressed to staff that a reduction in both the floor area and height of the barn are a positive benefit for her and her neighborhood. A two story, 1,800 sf barn would obscure her existing mountain views. Ms. Kahn is in favor of this plat amendment. Her neighbor, Dell Fuller, also expressed that the plat amendment is positive as it reduces the mass of the barn structure which is close to his house. Staff agrees with the neighbors that a reduction in the mass and height of the barn is a positive benefit of this plat amendment in that a 500 square foot one story structure creates less overall impact than an 1,800 sf two story structure would.

#199250275
Sheet 4/4

Lot #1 House and Lot #2 House and Barn areas and driveways- crosshatched and highlighted in yellow – NWP #26 to IMPACT wetland by placing fill raising pads creating “islands” above wetlands - Restrictions are restated on 1993 Plat Note #2 and carried forward to all subsequent Plats. Other building areas are in upland areas. All building areas are platted with a LODA by survey or setbacks.

IMPACTED
HOUSE BUILDING/LANDSCAPE LIMITS AREA
110' X 110' Typical Building Pad unless shown otherwise
NATIONWIDE PERMIT #26



LEGEND



NATIONWIDE PERMIT #26



PERMITTED UNDER
NATIONWIDE #12



PERMITTED UNDER
NATIONWIDE #12



DATE	DESCRIPTION
1993	1993 PLAT #2
1994	1994 PLAT #3
1995	1995 PLAT #4
1996	1996 PLAT #5
1997	1997 PLAT #6
1998	1998 PLAT #7
1999	1999 PLAT #8
2000	2000 PLAT #9
2001	2001 PLAT #10
2002	2002 PLAT #11
2003	2003 PLAT #12
2004	2004 PLAT #13
2005	2005 PLAT #14
2006	2006 PLAT #15
2007	2007 PLAT #16
2008	2008 PLAT #17
2009	2009 PLAT #18
2010	2010 PLAT #19
2011	2011 PLAT #20
2012	2012 PLAT #21
2013	2013 PLAT #22
2014	2014 PLAT #23
2015	2015 PLAT #24
2016	2016 PLAT #25
2017	2017 PLAT #26
2018	2018 PLAT #27
2019	2019 PLAT #28
2020	2020 PLAT #29
2021	2021 PLAT #30

WILLOW RANCH
WETLAND IMPACTS

WILLOW RANCH DEVELOPMENT, INC.

WILLOW RANCH DEVELOPMENT, INC.

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WILLOW RANCH DEVELOPMENT, INC.

Wetlands??

PARK MEADOWS SUBDIVISION No.

Wildlife Corridor

Ditch/Berm-Upland
(MS4 Waterway)

1993 USACE Permit # 26 - Expired 1997 - Extended to 2002
"IMPACTED HOUSE BUILDING/LANDSCAPE LIMITS AREA
110' X 110' Typical Building Pad unless shown otherwise"
1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.
1999 Lot 2 Replat: Reconfigured to 17,000 Sq. ft.
No Corps Permit to Fill in Wetlands Outside LODA

I am a Professional Land Surveyor
licensed under the laws of the State of
Utah. The topographic survey shown herein
represents the existing conditions and
2021.

SCALE: 1"=30'

LEGEND

- BOUNDARY
- PLATTED BUILDING ENVELOPE
- PLATTED DRIVEWAY EASEMENT
- UTILITY EASEMENT (AS NOTED)
- SET REBAR & CAP - BASELINE 31682
- FOUND REBAR & CAP - AS NOTED
- SAVITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- TELEPHONE BOX
- ELECTRICAL BOX
- EVERGREEN WITH CALIPER SIZE
- ASPEN WITH CALIPER SIZE
- WATER
- WILDLIFE CORRIDOR

2021-20 Replat Exhibit

BOUNDARY & TOPOGRAPHIC SURVEY

LOT 2, WILLOW RANCH REPLAT
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION Entry No. 1139975, Book 2593 at Page 1517:
Lot 2, WILLOW RANCH REPLAT SUBDIVISION, according to the official plat thereof,
on file and of record in the Summit County Recorder's Office, Summit County,
Utah.

NARRATIVE:

The survey was prepared for Crescent Vertical, LLC.

The purpose of the survey is to locate the existing boundary, house, utilities,
improvements, and topography for design purposes.

Public utilities, if shown, were located from available design information and/or by
direct surface observation as noted. Owner should contact local utility company or
governing municipality for verification and/or location of any underground public
utilities.

Site Bench Mark is the sewer manhole opposite Lot 2 as shown, EL. 5725.5', NAVD
88 datum.

The building envelope and driveway easement is as scaled (if network not
dimensioned) from the Official Plat. Additional setback and/or height restrictions
may be in effect and the Owner/Architect needs to verify these requirements with
Summit County and/or the Homeowners Association. See the Official Plat for
additional building requirements.

See the Summit Subdivision recorded plat for additional notes regarding
construction regulations.

The Owner of the property should be aware of any items affecting this property
that may appear in a Title Insurance Report. The Surveyor has found no obvious
evidence of easements, encroachments, or encumbrances on the property surveyed
except as shown herein.

Wetlands??

Wildlife Corridor

Aspens & pine trees screen views of residence
Planted - 2005/6 - No Corps Permit to Fill Wetlands
Violation - 1993 & 1999 PN #2 2021 PN #3



Elevation
Contour

No. 1139925, Book 2593 at Page 1517;
DIVISION, according to the official plat thereof,
Summit County Recorder's Office, Summit County.

cent Vertical, LLC.
locate the existing boundary, house, utilities,
r design purposes.
ated from available design information and/or by
ad. Owner should contact local utility company or
tion end/or location of any underground public

whole opposite Lot 2 as shown, El. 6725.5', NAVD
y easement is as scaled (firework not
at. Additional setback and/or height restrictions
Architect needs to verify these requirements with
owners Association. See the Official Plat for
ded plat for additional notes regarding

be aware of any items affecting the property
since Report. The Surveyor has found no obvious
ments, or encumbrances on the property surveyed

Lot #2 Willow Ranch MS4
Open Channel Waterways

1993 USACE Permit # 26 - Expired 1997 Extended to 2002
"IMPACTED HOUSE BUILDING/LANDSCAPE LIMITS AREA
110' X 110' Typical Building Pad unless shown otherwise"
1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.
1999 Lot 2 Replat: Reconfigured to 17,000 Sq. ft.
No Corps Permit to Fill in Wetlands Outside LODA

IMPACTED
BARN BUILDING LIMITS AREA
60' X 60' Typical Building Pad

Imagery Date: 12/31/2005 40°40'27.96" N 111°30'42.46" W elev 6739

2021-20 Replat Exhibit

ENTRY No. 374894

SURVEYOR'S CERTIFICATE:

I, Russell E. Campbell, do hereby certify that I am a Professional Land Surveyor
and that I hold Certificate No. 316933 as prescribed under the laws of the State
of Utah. I further certify that the boundary and topographic survey shown herein
was derived from direct field observation and represents the existing conditions and
contours as of the date of survey, January 26, 2021.

Russell E. Campbell

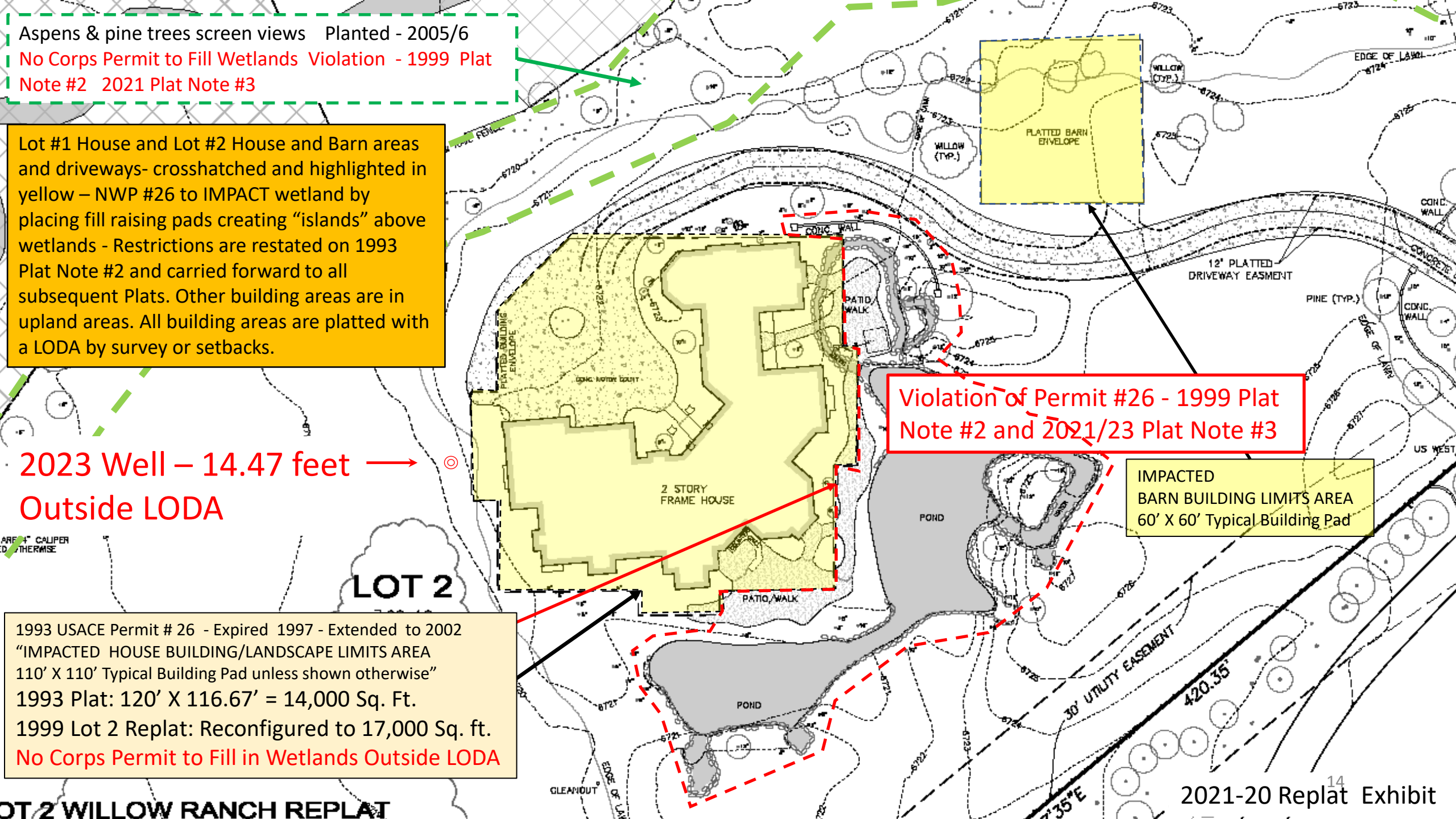
DATE



- SET REBAR & CAP - BASELINE 316833
- FOUND REBAR & CAP - AS NOTED
- ⊗ SANITARY SEWER MANHOLE
- ⊗ STORM DRAIN MANHOLE
- ⊗ TELEPHONE BOX
- ⊗ ELECTRICAL BOX
- EMBLEMED WITH CALIPER SIZE
- ASPEN WITH CALIPER SIZE
- WATER
- ▨ WILDLIFE CORRIDOR

BOUNDARY & TOPOGRAPHIC SURVEY

LOT 2, WILLOW RANCH REPLAT
LOCATED IN SECTION 6, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



Aspens & pine trees screen views Planted - 2005/6
No Corps Permit to Fill Wetlands Violation - 1999 Plat
Note #2 2021 Plat Note #3

Lot #1 House and Lot #2 House and Barn areas and driveways- crosshatched and highlighted in yellow – NWP #26 to IMPACT wetland by placing fill raising pads creating “islands” above wetlands - Restrictions are restated on 1993 Plat Note #2 and carried forward to all subsequent Plats. Other building areas are in upland areas. All building areas are platted with a LODA by survey or setbacks.

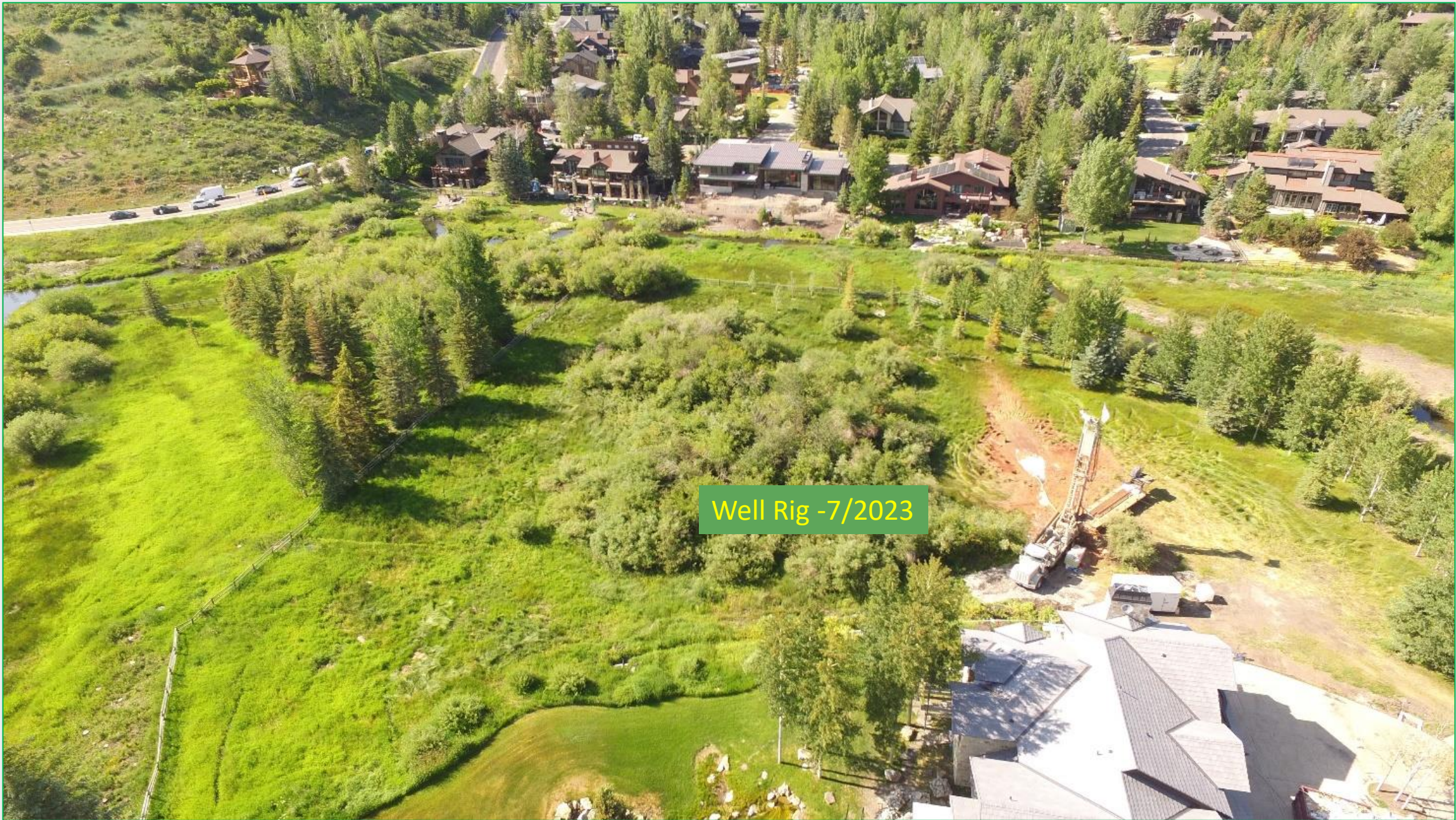
2023 Well – 14.47 feet →
Outside LODA

Violation of Permit #26 - 1999 Plat Note #2 and 2021/23 Plat Note #3

IMPACTED BARN BUILDING LIMITS AREA
60' X 60' Typical Building Pad

1993 USACE Permit # 26 - Expired 1997 - Extended to 2002
“IMPACTED HOUSE BUILDING/LANDSCAPE LIMITS AREA
110' X 110' Typical Building Pad unless shown otherwise”
1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.
1999 Lot 2 Replat: Reconfigured to 17,000 Sq. ft.
No Corps Permit to Fill in Wetlands Outside LODA





Well Rig -7/2023

Image 5/24/2022

Aspens & pine trees screen views of residence
Planted 2005/6 **No Corps Permit to Fill Wetlands**

Lowest Elevation –Wetlands?

Perennial MS4 “Open Channel”
Waterways - Tree Planting w/o -
LODA/SLO/MS4/Corps permits
Violation - Plat Notes #3 and #21

Image Landsat / Copernicus

Neighbors’ Future Ground Level View
Open space, Meadow, Wetlands,
Distant Trees & Skyline Ridges

10/9/22

Aspen & pine trees screen views of residence - 2005/6 **No Corps Permit**

10/9/22



Perennial MS4 "Open Channel"
Waterways - Tree Planting w/o -
LODA/SLO/MS4/Corps permits
Violation - Plat Notes #3 and #21

Lowest Elevation -Wetlands

Neighbors' Current View

Excavation and pine, aspen and orchard trees planted in wetlands w/o analysis & permits



Aspen & pine trees screen views of residence - 2005/6 No Corps Permit

10/01/22

Excavator

Fill Material

Perennial MS4 "Open Channel"
Waterways - Tree Planting w/o -
LODA/SLO/MS4/Corps permits
Violation - Plat Notes #3 and #21

Lowest Elevation -Wetlands

Neighbors' View of Lot 2

Excavation and pine, aspen and orchard trees planted in wetlands w/o analysis & permits





5/15/23

Excavation and Fill - Tree planting resumes wood chips placed over wetlands vegetation .



Perennial MS4 “Open Channel” waterway in foreground

5/15/23



Lot #2 Perennial MS4 "Open Channel"
Waterway - Looking Downstream to
Mitigation- Enhancement Area

Mitigation/Enhancement Area
Downstream from Lot #2 Perennial
MS4 "Open Channel" Waterway

5/15/23





Aspen & pine trees screen views of residence, open space, meadows, wetlands, mountains and skyline
Trees Planted 2005/6 - No Corps Permit

Neighbors' Future View of Lot #2
(Landscaping 2005/6)

Violations

Home Exceeds Platted Maximum 9,300 Square Feet

2750 Meadow Creek Drive

Plat Amendment - Ordinance 2021 -20

and

Building Permit # 21-1302

Coincidental Incompetence
or
Complicit Deceit?

Planning Staff Report

Subject: Lot 2 Willow Ranch Replat First Amended Project #: PL-21-04770

Author: Alexandra Ananth, Sr. Planner

Date: April 14, 2021

Type of Item: Administrative – Plat Amendment

Amendment to Plat Notes: Flexible ratio of home to barn – Max. 9,800 sq. ft. Does not change limit of 9,300 sq. ft. applicable to house.

Summary Recommendation

Staff recommends the Planning 1) review the requested Plat Amendment, 2) conduct a public hearing, and 3) consider forwarding a positive recommendation for City Council's consideration on April 29, 2021.

Description

Applicant: Crescent Vertical, LLC [Christopher and Sarah Hall¹]

Location: 2750 Meadow Creek Drive

Zoning: Estate (E)

Adjacent Land Uses: Residential

Reasons for Review: Plat Amendments require Planning review and recommendation and City Council review and action

Executive Summary

2750 Meadow Creek Drive is also known as Lot 2 of the Willow Ranch Subdivision in the Park Meadows neighborhood. The lot is just over 7-acres and is improved with a single-family residence.

The lot is considered an equestrian lot and has a maximum house and barn size as noted in the CC&R's and Plat Notes #3 and #4 of the current recorded Plat (Exhibit B). The applicant is proposing to change the current restrictions to allow for a total maximum of 9,800 square feet which may be used between the house and barn combined, **but will stay within the original maximum allowed 1,800 square foot limit on the barn and the 9,300 square foot maximum allowed for the house.** The proposed change allows the applicant to build a larger barn if the full 9,300 square feet is not used for the house. No changes are proposed to the original building envelopes shown on the plat for the barn or the house. The first 600 square feet of garage space is not included in the combined total square footage, which is consistent with the City's Land Management Code and the Willow Ranch Subdivision CC&Rs. **(emphasis added)**

¹Current Planning Commissioner Sarah Hall is an owner/member of Crescent Vertical LLC

LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

A vicinity map showing the project area's location. The map includes labels for "FINDLAY INTERSECTION", "STATE WATER CONTROL DISTRICT OFFICE", "OLD DALLAS HIGHWAY", "LITTLE CREEK JUNCTION", "DALLAS ROAD", "STEELE CITY", "HARRIS COUNTY DISTRICT OFFICE", "PARKER COUNTY", "PARKER COUNTY DISTRICT OFFICE", "SHERMAN PARKWAY", and "WATSON ROAD". A north arrow points upwards, labeled "NORTH". The project area is indicated by a shaded rectangle near the intersection of Dallas Road and Little Creek Junction.

SURVEYOR'S CERTIFICATE:

[illegible]

IN SUMMIT COUNTY, UTAH HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREON DISCLOSED TAX AS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS OF THE SUMMIT COUNTY REGISTER'S OFFICE.

R. Campbell 7/16/20
Russell E. Campbell Date

MEADOW CREEK DRIVE
(PULLEY ROOM ON WEST)

LEGAL DESCRIPTION: T-14y, S-11, 39474, Block 2593 at Page 141/142
 Lot 2, WILLSON PARK SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office, Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

I, THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND RESERVE THE STRIPS OF LAND SHOWN ON THESE MAPS AS SHOWN HEREON AND NAME SAID "TRACT"

[illegible]

DECLARATION

Date of Bill _____
County of [] _____

The foregoing was communicated before me by _____, 500' by
Sarah Hall, _____
Margie V. Long
County Clerk.
Witness my hand and seal of office at _____
this _____ day of _____.

My commission expires _____

[Signature]

CLERK OF SUPERIOR COURT
COUNTY OF []

LOT 2 WILLOW RANCH REPLAT FIRST AMENDED
LOCATED IN SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M
SUMMIT COUNTY, UTAH

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS DAY OF February, 2022

WATCO NO 1187780

DATE 1/28/2022 TIME 10:53 AM

RECORDED AND FILED AT THE REQUEST OF:

REAL ADVANTAGE TITLE

Wally Reynolds Deery

Amended/Restated Plat Notes

[illegible]

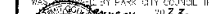
Limits of Disturbance

1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.

1999 Lot 2 AMD: Reconfigured to 17,000 Sq. ft.

BASELINE SURVEYING, Inc.

P.O. BOX 58711
Salt Lake City, UT 84158

SANDYVILLE BASIN WATER RECLAMATION DISTRICT		PUBLIC SAFETY ANSWERING UNIT - APPROVAL		PLANNING COMMISSION		CERTIFICATE OF INTEREST		ENGINEER'S CERTIFICATE		COUNCIL APPROVAL AND ACCEPTANCE		APPROVAL AS TO FORM		RECORDED		SUMMIT COUNTY, UTAH		SHEET 2 of 2	
RETURNED FOR NONCOMPLIANCE 10 SANDYVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 11th DAY OF January 2021.		APPROVED THIS 10th DAY OF January 2021.  JEFF M. WARD, CITY DIRECTOR SUTHERLAND COUNTY PUBLIC SAFETY ANSWERING UNIT		APPROVED BY THE PARK CITY PLANNING COMMISSION ON THE 17th DAY OF January 2021. 		CERTIFY THIS RECORD OF SANDYVILLE WATER RECLAMATION BY PARK CITY UTILITIES THIS 18th DAY OF January 2021.  Michelle Koenig PARK CITY RECLAMATION		I HEREBY CERTIFY THAT I HAVE HAD THIS DEED REVIEWED BY ITS OFFICE AND I CERTIFY IN ACCORDANCE WITH AVAILABLE INFORMATION ON FILE IN THE PUBLIC RECORDS. Jan 10 2021  JOHN H. PETERSON PARK CITY JACQUES		APPROVED THIS 18th DAY OF January 2021 IN UTAH OF THE PARK CITY SUMMIT.  MAYOR		APPROVED AS TO FORM ON THIS 17th DAY OF January 2021.  PARK CITY CLERK		RECORDED BOOK NO 118178D PAGE NO 1 DATE 12-20-2021 TIME 10:59 AM RECORDED AND FILED AT THE REGISTERS OFFICE REAL ADVANTAGE TITLE  JEFF REYNOLDS, DEPUTY		SUMMIT COUNTY, UTAH		SHEET 2 of 2	

PLAT NOTES: Amended and Restated – Ord. 2021-20 Replat

★Violations

1. The Street Address of Lot 2 is 2750 Meadow Creek Drive.
2. The Home and Barn shall be constructed within the designated building envelopes.
- ★ 3. The total impacted area, including build footprint and additional fill, shall not exceed 17,000 square feet.
4. A minimum 5 foot non-exclusive utility and drainage easement is hereby dedicated along both sides of all lot lines. A 10 foot non-exclusive utility easement is hereby dedicated along front lot lines. All other utility easements are hereby dedicated as shown hereon.
5. All footing and foundation designs shall be approved by Geotechnical engineers.
- ★ 6. Irrigation is by sprinkler only.
7. A maximum of three horses will be allowed and no grazing of horses in the wildlife corridors.
8. Lot line fencing is required and must be maintained in accordance with the CC&Rs and design guidelines of Willow Ranch.
9. A modified 13-D fire sprinkler system is required for the home as directed by the Park City Fire Marshal.
10. This lot is subject to an animal management plan and equestrian lot open space covenant executed with Park City Municipal Corporation.
11. No basements are allowed.
12. The Lot is allowed an accessory dwelling unit subject to the approval of Park City Municipal Corporation and restrictions as outlined in the Willow Ranch CC&Rs.
- ★ 13. The Home square footage is limited to a maximum of 9,300 square feet, excluding the first 600 square feet of the attached garage space per CC&Rs and the City's Land Management Code.
14. The building height of the home is limited to 23 feet to the midpoint of the roof and 28 feet to the peak of the roof.
15. The pitch of the barn roof shall be substantially similar to the predominant pitch of the home's roof, and under no circumstances shall the peak height of the barn exceed the Zone Height of 28 feet.
- ★ 16. None of the Exception Parcels are rendered separately buildable by virtue of this amendment.
- ★ 17. The combined total square footage of the home and barn shall not exceed 9,800 square feet, excluding the first 600 square feet of the home attached garage space per CC&Rs and the City's Land Management Code.
18. The barn square footage will be limited to a maximum of 1,800 square feet as originally allowed in the Willow Ranch Subdivision Plat and CC&Rs, with no human occupancy.
- ★ 19. Floor plans for both house and barn shall be submitted at the time of a building permit for any modification to the house and any new construction for the barn, showing that the combined maximum square footage will not exceed 9,800 square feet. Plans must be stamped and signed by a registered architect to ensure the maximum total square footage is not exceeded.
- ★ 20. No certificate of occupancy will be issued for the barn until all construction on the house has been completed.
- ★ 21. Lot 2 Willow Ranch Replat exceeds one (1) acre and shall meet the requirements of the municipal separate storm sewer system (MS4) storm water program. A MS4 storm water permit is required to be obtained prior to any construction.

The Plat is subject to P.C. Ordinance 2021-20.

Park City Board of Realtors – Multiple Listing Service (MLS) –

2750 Meadow Creek Drive - MLS Listing Activities 2009-2020

MLS Residential List View

8 Properties

	MLS #	Status	Price	Address	Type	Sub-Type	Area	Subdivision	Beds	Baths	Apx SqFt Total	Date Expire	Sold Date	List Price/ SqFt	SP/ LP Ratio	Days On Market	Building/ Unit #	Lot #
1	9978722	Expired	\$12,900,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Park Meadows	6	11	12,000			1,075		181		
2	9981301	Expired	\$11,900,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Park Meadows	6	11	12,000			991.67		403		
3	9975805	Expired	\$12,900,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Park Meadows	6	11	12,000			1,075		190		
4	9987268	Expired	\$8,995,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Willow Ranch	6	8	12,000			749.58		548		
5	9993137	Closed	\$8,000,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Willow Ranch	6	8	12,000		09/16/2013	749.58	0.889	428		
6	11702835	Expired	\$9,000,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Willow Ranch	6	8	12,000			750		545		
7	11808395	Cancelled	\$9,000,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Willow Ranch	6	8	12,000			750		417		
8	12000737	Closed	\$6,720,000	2750 Meadow Creek Drive	S	DT	09 - Park Meadows	Willow Ranch	6	8	11,500		08/25/2020	630.43	0.93	145		

Gated 7 Acres, Ponds, Waterfalls and In-Town Living.

Closed 9/16/2013

Residential

2750 Meadow Creek Drive

Park City, UT 84060

Residential Closed

MLS#: 9993137

County: Summit

DOM/CDOM: 428

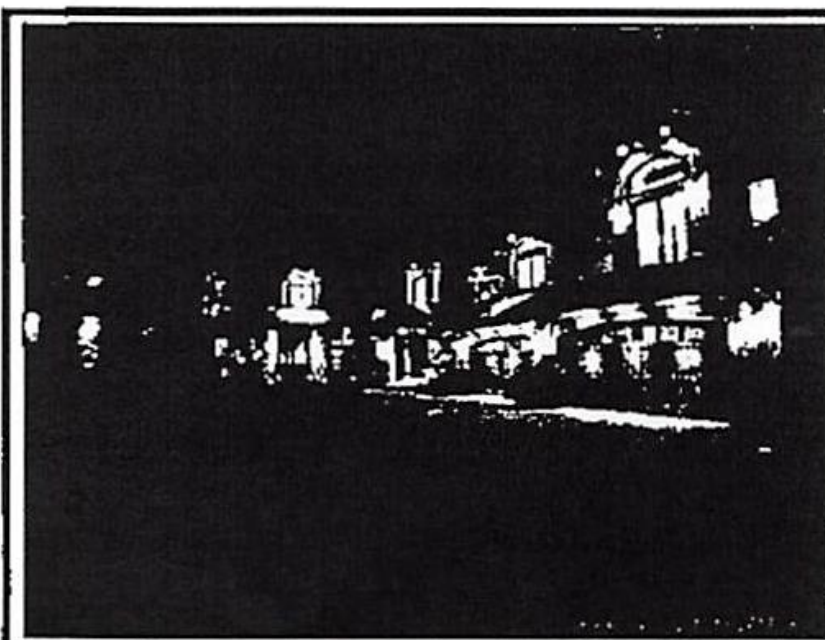
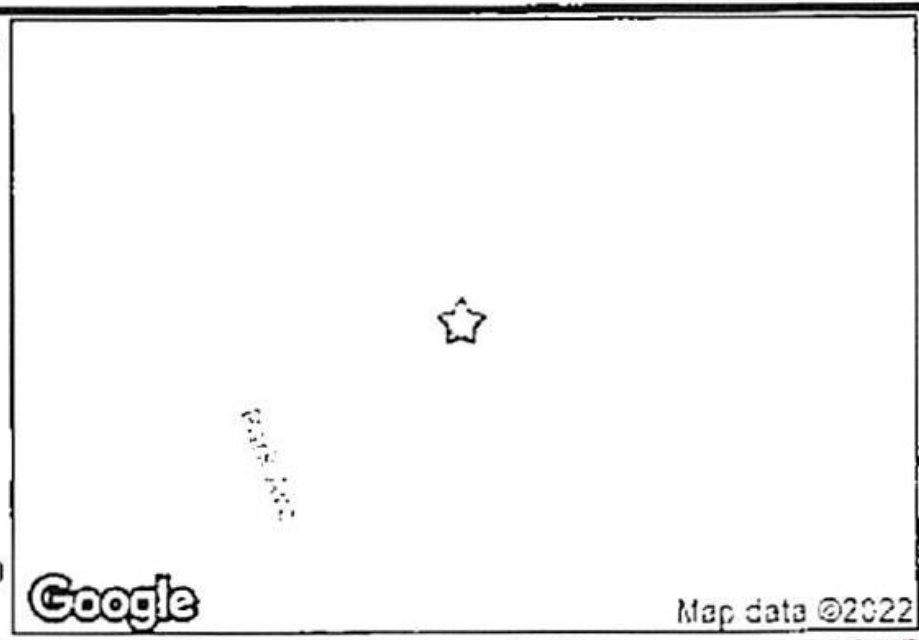
Latest Price:

\$8,000,000

Last List Price: \$8,995,000

Original List Price: \$8,995,000

Sold Price: \$8,000,000



Highlights

Type:	Single Family
Sub-Type:	Detached
Total Bedrooms:	6
Total Baths:	8
Full Baths:	6
Total Half Baths:	2
Total 3/4 Baths:	
Total Fireplaces:	5
Apx Year Built:	2003
Construction New:	No

Size and Costs

LPS/SqFt:	\$750
Apx SqFt Total:	12,000
Apx SqFt Finished:	12,000
Source of House	Other
Measurements:	
Apx Lot Size (SqFt):	308,405
Apx Acres:	7.08
Tax ID:	WLR-2-AM
Apx Taxes:	\$18,468
HOA Dues:	No

Location and Vicinity

Geographic Area:	Park City
Major Area:	Park City Limits
Area:	09 - Park Meadows
Subdivision:	Willow Ranch
School District:	Park City
Access:	Year Round
Road Frontage Type:	Private Road
Road Surface Type:	Gravel; Paved

Property Description

Source: Summit County Assessor

Building Information

Property Code RESIDENTIAL PRIMARY

Living Area 11500

Basement Area 0

No. Full Baths 2

No. Designer Bathrooms 2

Building Status % 0

Year Built 1999

Attached/Built-in Garage Area 1461

No. Half Baths 1

Living Area	11,500
Garage Net*	<u>861</u>
Total Net	12,361

Plat Max	<u>9,300</u>
----------	--------------

Excess	3,061
---------------	-------

*Net: Plat, CC&Rs and LMC
exempt 600 sf of garage
from Total Square Footage

From: Travis Lewis <tlewis@summitcounty.org>
Sent: Monday, March 13, 2023 11:03 AM
To: Bob Theobald <bob@theoski.com>
Cc: Matt Hone <mhone@summitcounty.org>
Subject: RE: Account Number 0289441

Good morning Mr. Theobald,

I have replied to your questions below in red.
Have a good day,

TRAVIS M LEWIS
CHIEF DEPUTY ASSESSOR
SUMMIT COUNTY ASSESSOR'S OFFICE
Telephone (435) 336-3245, (435) 615-3245

From: Bob Theobald <bob@theoski.com>
Sent: Friday, March 10, 2023 11:59 AM
To: Travis Lewis <tlewis@summitcounty.org>
Subject: Account Number 0289441

Hi Travis:

I received the attached drawing and MLS Listing from Maren Geary of the County records office as part of a GRAMA response last September 22, 2022. I understand you were the appraiser for this property – 2750 Meadow Creek Drive, Park City – WLR-2-AM, Account Number 0289441.

I have a few questions:

- The drawing seems to indicate IT/GIS department involvement because of a notation which was highlighted in yellow. What was the extent of the GIS involvement, if any? **GIS was used minimally, we rely heavily on the building plans.**
- When the drawing is enlarged, it shows color-coded measurements with square footage by floor which totals 11,597 sq. ft. Can you please tell me the County's standard measurement methodology - ANSI or other measurement methodology - inside or outside of exterior walls, etc? **We use ANSI Standard of measurements for single family houses and townhomes (exterior measurements).**
- The drawing shows an indoor pool measuring 15 ft. x 16 ft. How was it determined that there was a pool inside the home? **The building plans showed a pool on them.**

- Also, there is a section of the home that was to be demolished and is missing from the drawing. However, at the time of the appraisal in 2021, the demolition work had not yet begun/complete. I don't have any information in the file that can refute or confirm that.
- After analysis of the above information, It appears that this drawing may be based on, or is in fact, the floorplans submitted for a building permit as listed on the County website [21-1302 / TEMP21- 1283](#) and issued on 10/1/2021. Did the Park City building department, or the property owner provide this floorplan to the County? We were able to view the plans from the Park City building department. Which allowed us to sketch the home in our APEX program.
- The 8 different MLS Listing events from 2009-2020 and the required Seller disclosures, appear to confirm the home to be in the range of 11,500 -12,000 sq ft.

Travis, If you could find the time, I would like to review this drawing with you. What might be a good day/time? I would enjoy the drive to Coalville. FYI the drawing is based off the building plans only. No physical measurements have been made of it behind the locked gate. You are welcome to come to Coalville to talk anytime. I just wanted to let you know, I haven't been inside the gate. I have only viewed it from the street, so my knowledge of the interior is strictly based off the plans.

Thanks for your help.

Best

Bob Theobald

435-714-0301

Update: On 3/16/2023, Mr. Lewis personally reviewed and confirmed that all drawings, notations and calculations are accurate representations of his work and conclusions. Mr. Lewis expressed a willingness to discuss the issues with Park City officials and/or the owner. Upon request, Mr. Lewis will conduct a comprehensive measurement of the residence. (435) 615-3245 <tlewis@summitcounty.org>

BUILDING PERMIT
BUILDING INSPECTION DEPARTMENT

and a water meter box assembly to current City standards.

Although we hope these improvements are in place and acceptable, in the event they are missing, damaged, or substandard it is the responsibility of the owner and contractor to install them to current City standards.

The contractor shall take any and all necessary steps, up to and including the complete cessation of all work and deliveries, in order to avoid tracking mud onto the paved street or allowing mud or silt to erode into the stream channel. Please contact city Engineer Eric DeHaan at 615-5075 if there are any questions.

Cond: CON0011676

Plat has been recorded. 11.2.99

Cond: CON0011532

Permit is for house only. Barn will need separate permit. Barn limited to 500 sf. and 18' in height to peak of roof.

Cond: CON0011668

square footage verified, ok for full with attic and mechanical as shown on the plans.

Cond: FIRESPRINK

Submit plans and hydraulic calculations for the fire sprinkler system to the Building Official for review and approval PRIOR to installation.

cond: STUCCO

For any synthetic stucco system that is to be used, submit the ICBO Evaluation Report to the Building Official for review and approval PRIOR to installation. Synthetic stucco applicators must be factory authorized to apply the brand of stucco being submitted for approval. Evidence of this authorization must be submitted with the stucco materials submittal.

Cond: RADIANT

Submit plans and heat loss calculations for the hydronic heating system to the Building Official for review and approval PRIOR to installation.

Valuation Items:

occupancy	Type	Factor	Sq Feet	
Dwelling* (R-3 occ)	Type V Wood Frame	88.00	9,830	\$865,040.00
Dwellings (R-3 occ)	Garage (Wood framed)	22.10	605	\$13,370.50
Dwellings (R-3 occ)	Decks	15.00	335	\$5,025.00
Totals...			10,770	\$883,435.50*

DATE 11-3-99

2022 Planning Department Stamp of “Approval” :

*“Validity of Permit: The issuance of a permit or approval of plans, specifications and computations shall not be a permit for, or an approval of, any violation of the provisions of the Building Code, Fire Code, or any of the City’s Ordinances. Permits presuming to give authority or to violate or cancel the provisions of these Codes and Ordinances of the Park City Municipal Corporation **shall not be valid**. All plans approved are subject to field inspection and interpretation of the field inspectors or the Planning Director” (Emphasis Added)*

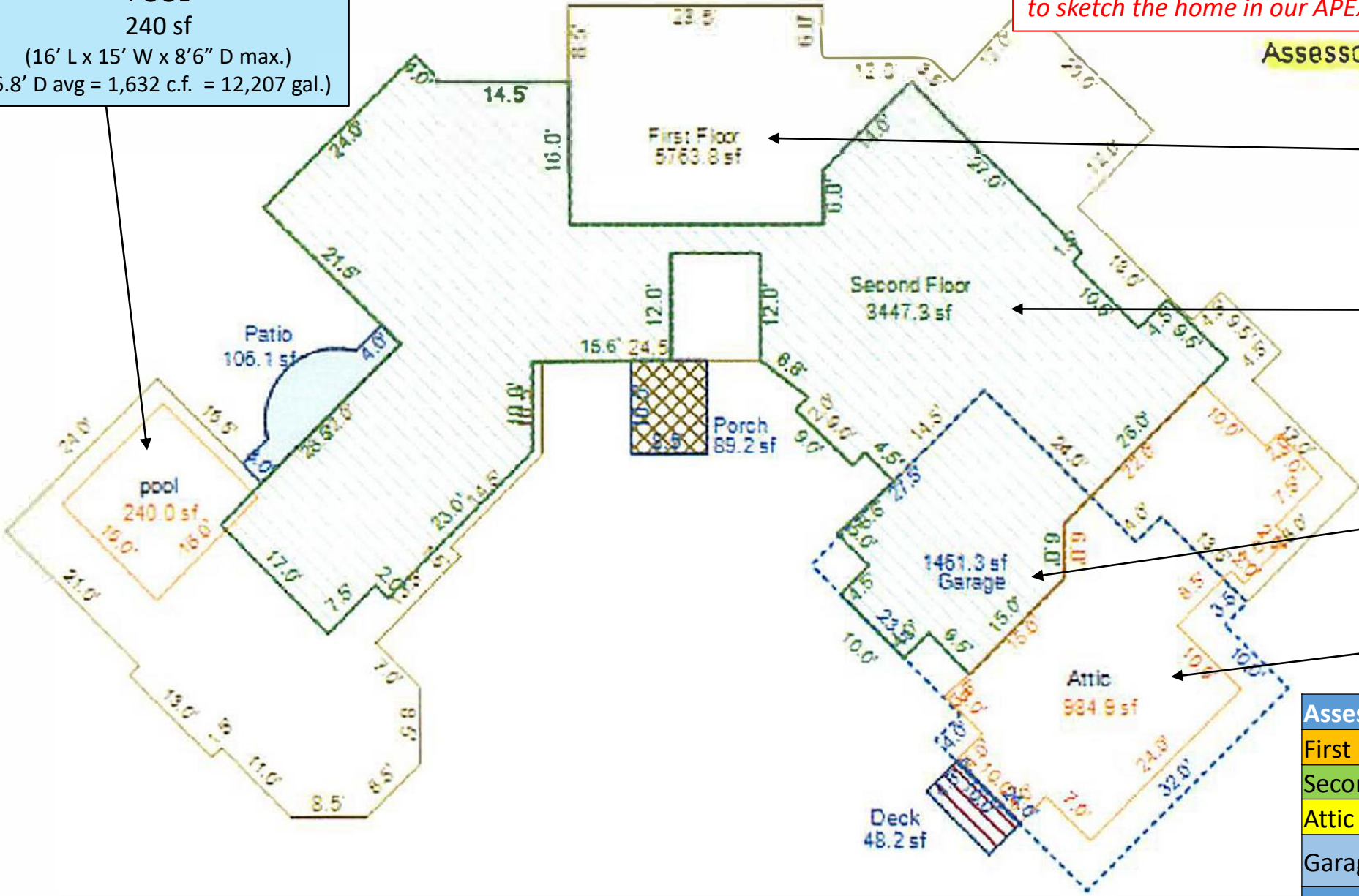
Planning Director - No authority to amend or waive Plat Notes #13, #17 and #19 - Ordinance 2021-20 restrictions despite previous owner’s or City employee’s violations.

Section Removed

GRAMA Travis Lewis/Chief Deputy Assessor: *We were able to view the plans from the Park City building department. Which allowed us to sketch the home in our APEX program. (2021 Permit Floor Plan)*

Assessors estimate using GIS Map

POOL
240 sf
(16' L x 15' W x 8'6" D max.)
(6.8' D avg = 1,632 c.f. = 12,207 gal.)



First Floor
5,763.8 sf

Second Floor
3,447.3 sf

Garage
1,461.3 sf

Attic
924.9 sf

? Attic ?

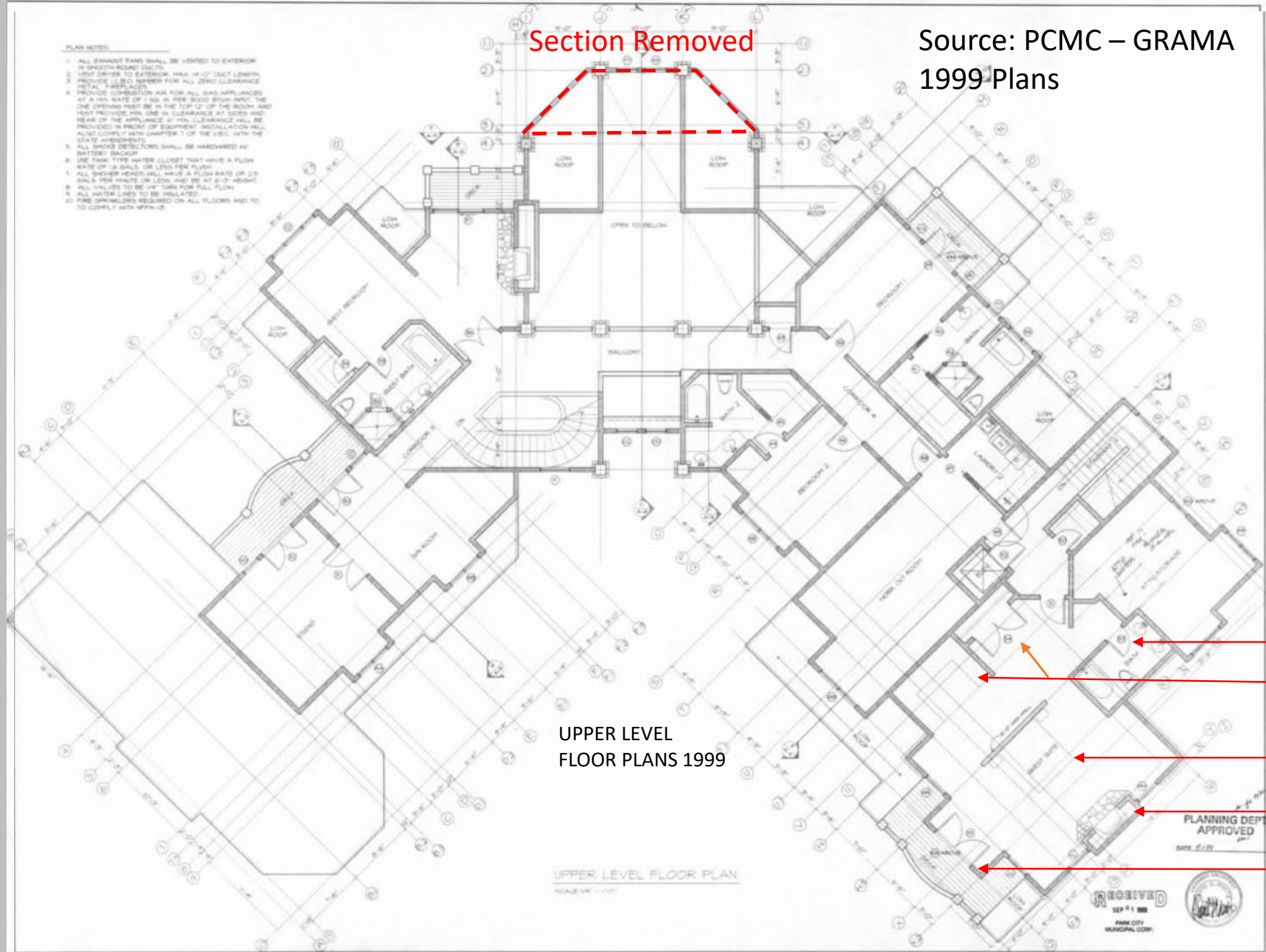
Assessor	Grs. S F	Net S F
First Floor	5,764	5,764
Second Floor	3,447	3,447
Attic (Apt.)	925	925
Garage (Net: -600)	1,461	861
Total	11,597	10,997

PLAN NOTES:

1. ALL EXHAUST FANS SHALL BE VENTED TO EXTERIOR IN SMOOTH ROUND DUCTS.
2. UNIT SHOWN TO EXTERIOR SHALL HAVE DUCT LENGTH PROVIDE U.B.C. NUMBER FOR ALL ZERO CLEARANCE METAL FANS AGES.
3. PROVIDE COMBUSTION AIR FOR ALL GAS APPLIANCES AT A MIN. RATE OF 1 SQ. IN PER 5000 BTUH INPUT THE ONE DRYING VENT BE IN THE TOP 12" OF THE ROOF AND MUST PROVIDE MIN. ONE IN CLEARANCE AT SIDES AND REAR OF THE APPLIANCE. IF MIN. CLEARANCE WILL BE PROVIDED IN FRONT OF EQUIPMENT INSTALLATION WILL ALSO COMPLY WITH CHAPTER 1 OF THE U.B.C. WITH THE STATE AMENDMENTS.
4. ALL SMOKE DETECTORS SHALL BE HARDWIRED BY BATTERY BACKUP.
5. USE TANK TYPE WATER CLOSET THAT HAVE A FLUSH RATE OF 1.6 GALS. OR LESS PER FLUSH.
6. ALL SHOWER HEADS SHALL HAVE A FLUSH RATE OF 2.5 GALS. PER MINUTE OR LESS AND BE AT 6'-0" HEIGHT. ALL VALVES TO BE 90° TURN FOR FULL FLOW.
7. ALL WATER LINES TO BE INSULATED.
8. FIRE SMOKEALERS REQUIRED ON ALL FLOORS AND TO TO COMPLY WITH NFPA-1.

Section Removed

Source: PCMC – GRAMA
1999 Plans



UPPER LEVEL
FLOOR PLANS 1999

UPPER LEVEL FLOOR PLAN
SCALE: 1/8" = 1'-0"

DAVID G. WHITE ARCHITECT
P.O. BOX 1033 - 1100 S. 1000 E. SUITE 200
PARK CITY, UTAH 84302
PHONE: 435-636-5875

UPPER FLOOR PLAN
REVISIONS: 1. EXISTING AND REMAINING TO BE DEMOLISHED
2. NEW MATERIALS, FINISHES, ETC.
PARK CITY MUNICIPAL CORP.
DATE: 8/1/99

PLANNING DEPT.
APPROVED
DATE: 8/1/99

RECEIVED
SEP 1 1999
PARK CITY MUNICIPAL CORP.



A-3

Not an Attic
Over Garage

Bathroom
Closet/Vanity

Bed

Fireplace

French Doors
Balcony/Deck

Source: PCMC – GRAMA
1999 Plans



NORTH WEST ENTRY ELEVATION
SCALE 1/4" = 1'-0"

REFERENCE NOTES

1. EXISTING SPACE SHOWN DASHED.
2. NEW FINISH GRADE.
3. SILL-LAY BEAM. SEE FRAMING PLAN. 1" CHAIRER ALL EXPOSED ENDS.
4. ALL SILL LAYS EXPOSED TO THE WEATHER SHALL BE TREATED.
5. OVERHEAD HOOD DAMAGE DOOR PILEUP. OPERATOR.
6. STONE LAP. SLOPE AWAY FROM VERTICAL SURFACE.
7. STONE HATCH. SLOPE AWAY FROM VERTICAL SURFACE.
8. 4" STONE UNDER. SEE DETAILS FOR ATTACHMENT TO CONCRETE. SILL LAY AND HOOD TRIM WALLS.
9. SYNTHETIC STUCCO IN SPECIAL FINISH.
10. SILL LAY BEAM. SEE FRAMING PLAN.
11. 2" x 4" CEDAR CORNER TRIM.
12. 1" x 8" CEDAR CORNER TRIM.
13. 1" x 8" CEDAR CORNER TRIM.
14. ROOF TO HALL SURFACE. EXTEND BRACE "BUTTERFLY".
15. HEMLOCK OVER EXISTING ROOF DECK AND UP HALL SURFACE UP BEHIND EXTERIOR Siding MATERIAL. PLUMB. SILL LAY ALSO HIDE ON SILL. HILL. PLUMBING.
16. BRACE "BUTTERFLY". HEMLOCK FROM EAVES TO 4" FRAMED HEATHER HALL AND ALL VALLEY'S HILL.
17. 4" x 8" SILL LAY. COLUMNS IN 4" STONE VENEER 4 SIDES. PLUMB. SILL LAY. SEE STRUCT. FOR HILL. FRAMED COLUMNS 24" TO 30".
18. 12" BLOWN AND BUBBLED INSULATION R-30. ROOF JOIST SPACE.
19. 12" BLOWN AND BUBBLED INSULATION R-30. ALL EXTERIOR WALLS.
20. 3/4" BLOWN AND BUBBLED INSULATION R-15. PERIMETER INSULATION 1-1/2" R-10 TO 4 FEET BELOW SLAB.
21. ALUMINUM CLAD ROOF. HOOD HATCHING AND DOORS. LOWER OR BETTER. SEE HATCHING AND DOOR SCHED. IN 36.
22. CHIMNEY CORNING. HEMLOCK SLATE.
23. CORNER PLUMBING. NAME MATERIAL AND COLOR AS CHIMNEY CAPS.
24. INTERIOR ROOF HEMLOCK ON SILL. SIZE AND SLOPE HALLS OF FOOTING AND FOUNDATION. INSTALL 8" PERFORATED DRAIN HATCHING IN FILTER FABRIC AND SET IN GRAVEL. EXTEND DRAINAGE TO DRAINAGE.
25. FLOOR JOISTS. SEE FRAMING PLAN.
26. ROOF JOISTS. SEE FRAMING PLAN.
27. 2" x 4" SILL LAY. SEE FRAMING PLAN.
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100. 2" x 4" SILL LAY. SEE FRAMING PLAN.



NORTH ELEVATION
SCALE 1/4" = 1'-0"

DAVID G. WHITE ARCHITECT
P.O. BOX 105 • 1140 SOUTHWEST DR. SUITE 200
PARK CITY, UTAH 84302
(435) 849-8888

NORTH & NORTH WEST ENTRY ELEVATIONS
REFERENCE FOR PLAN AND ELEVATION

- Fireplace Chimney
- French Doors Balcony/Deck
- GARAGE



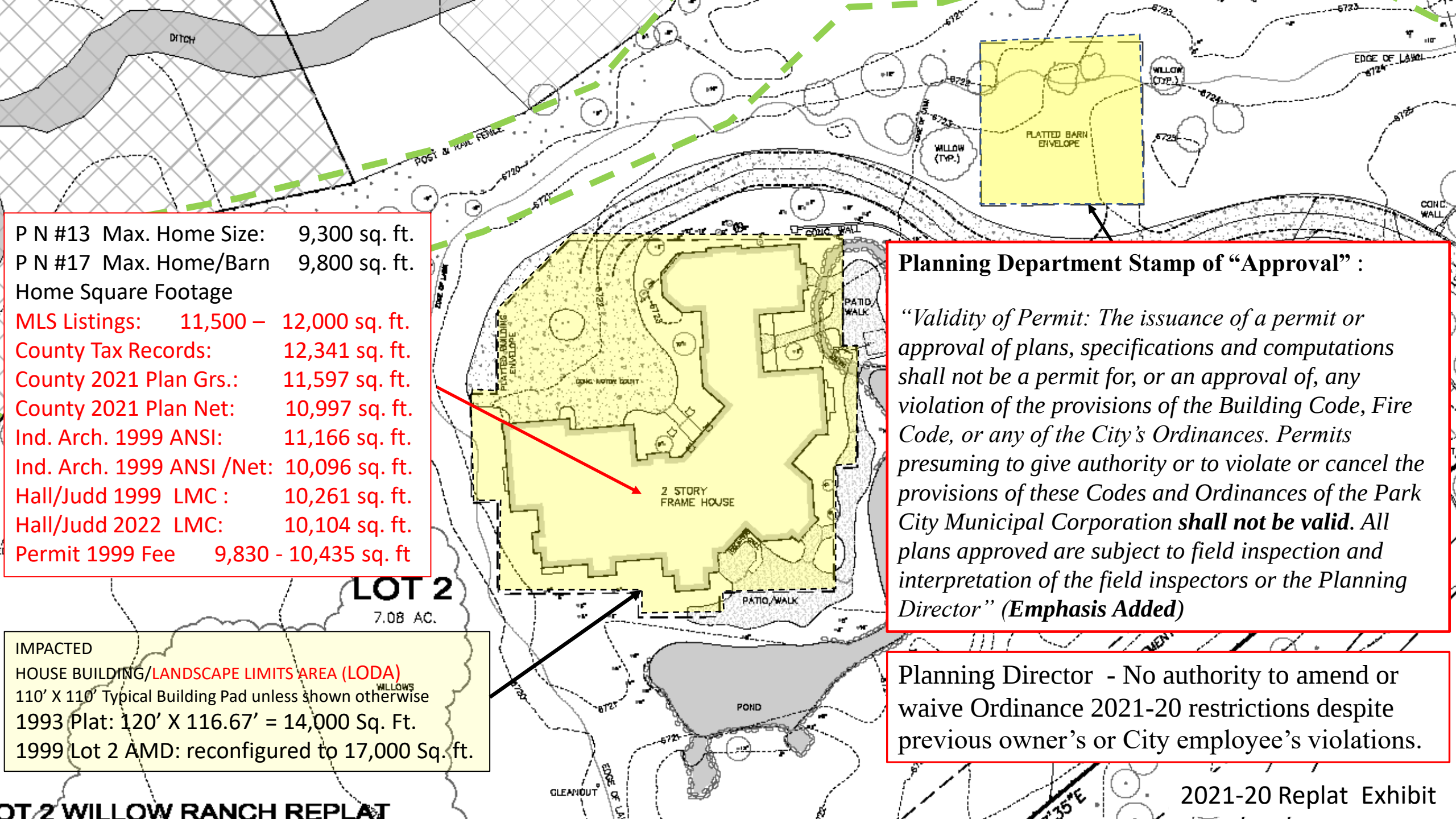
P N #13 Max. Home Size: 9,300 sq. ft.
P N #17 Max. Home/Barn 9,800 sq. ft.
Home Square Footage
MLS Listings: 11,500 – 12,000 sq. ft.
County Tax Records: 12,341 sq. ft.
County 2021 Plan Grs.: 11,597 sq. ft.
County 2021 Plan Net: 10,997 sq. ft.
Ind. Arch. 1999 ANSI: 11,166 sq. ft.
Ind. Arch. 1999 ANSI /Net: 10,096 sq. ft.
Hall/Judd 1999 LMC : 10,261 sq. ft.
Hall/Judd 2022 LMC: 10,104 sq. ft.
Permit 1999 Fee 9,830 - 10,435 sq. ft.

IMPACTED
HOUSE BUILDING/LANDSCAPE LIMITS AREA (LODA)
110' X 110' Typical Building Pad unless shown otherwise
1993 Plat: 120' X 116.67' = 14,000 Sq. Ft.
1999 Lot 2 AMD: reconfigured to 17,000 Sq. ft.

Planning Department Stamp of “Approval” :

*“Validity of Permit: The issuance of a permit or approval of plans, specifications and computations shall not be a permit for, or an approval of, any violation of the provisions of the Building Code, Fire Code, or any of the City’s Ordinances. Permits presuming to give authority or to violate or cancel the provisions of these Codes and Ordinances of the Park City Municipal Corporation **shall not be valid**. All plans approved are subject to field inspection and interpretation of the field inspectors or the Planning Director” (Emphasis Added)*

Planning Director - No authority to amend or waive Ordinance 2021-20 restrictions despite previous owner’s or City employee’s violations.



On Fri, Nov 11, 2022 at 1:30 PM David Thacker <dave.thacker@parkcity.org> wrote:
Hi Gerry,

Thanks for the follow up, and sorry for the delayed reply. The concerns we have received related to the total square footage of the home and pool are not clear in the current set of plans. Specifically, the building plans do not have the total square footage of the building noted as it is proposed to be built.

The approved plans have several areas not included in the square footage totals, and an amended page submitted (showing additional finished area) but not calculated. Additionally, the pool does not have clear dimensions on the plan. Per our previous conversation it was indicated this is not a pool but a hot tub. However, the originally submitted and updated pool plans **all note this is a pool.**

We are asking for the following to move forward:

1. A plan showing the dimensions of the pool (width, length, and depth). The pool plans indicate two areas of a pool. Please indicate what is proposed to be built
2. A CUP application for a pool will be required based on Land Management Code regulations unless the plans are updated and approved as a hot tub.
3. A licensed Utah State Architects stamped and signed set of plans showing the actual square footage of the structure including the pool area.

Is there a possibility to meet on Monday to discuss these items to clarify any questions and or clear up any confusion? I am available between 8-9:00 am or after 3:00 pm. Alternatively, I can be available on Tuesday or Wednesday if that is more convenient.

Thanks,
Dave Thacker
Chief Building Official/Fire Code Official

From: Gerry Hall <cgerardhall@gmail.com>
Sent: Thursday, December 15, 2022 12:24 PM
To: David Thacker <dave.thacker@parkcity.org>
Subject: Re: [External] 2750 Meadow Creek Trees

Hey Dave,
Just checking to see if there's any updates. We are ready to submit the stamped plans.
Thanks
Gerry
Sent from

On Dec 19, 2022, at 10:22 AM, David Thacker <dave.thacker@parkcity.org> wrote:

Hi Gerry,
Thanks for the email. We are finalizing a cursory review today and will get back with you on Tuesday. Is there a time that works for a call tomorrow?
Thanks,
Dave

On Mon, Dec 19, 2022 at 10:36 AM Gerry Hall <cgerardhall@gmail.com> wrote:

I'm available most of the day.
Sent from my iPhone

DATE: July 26, 2023
TO: Mayor Worel, Chair Suesser, City Officials, and Interested Parties
FROM: Bob Theobald
RE: Coincidental Incompetence or Complicit Deception?

I believe there is sufficient evidence supporting probable cause necessary to begin an in-depth investigation into “**Coincidental Incompetence**” and/or “**Complicit Deception**” in the submission, acceptance, and processing of Plat Amendments in April of 2021 - Ordinance 2021-20, a subsequent Building Permit on October 27, 2021, and several other consequential events.

There is significant evidence of false and undisclosed information that was known both to the applicant Crescent Vertical LLC (Commissioner Sarah Hall), and, at the same time, known (should have been known) by City planning officials (Director Milliken and Planner Alex Ananth) regarding each of the processes and activities listed below.

Is this the result of special privileges being extended to a City official? Or is it the result of the City’s repeated failure to correctly interpret the LMC and other applicable laws? Or does the City simply prioritize expedience over diligence in processing land use matters? Evidence shows these events are NOT “simple oversights” or “casual mistakes”.

I believe that both the Planning Commission and City Council have the authority and obligation to investigate whether there has been “**Coincidental Incompetence**” and/or “**Complicit Deception**”. In the event either scenario is found to be true, the continued service of Commissioner Hall and Planner Ananth should be seriously questioned.

1. **Plat Amendment - Ordinance 2021-20** – The Plat amendment was to put into effect a flexible ratio between Home and Barn Square footage. Undisclosed was the fact that the home exceeds the platted maximum 9,300 sq. ft. It should be recognized that Planner Ananth was responsible for the research and processing of the April 29, 2021 amendment to Plat Notes. Planner Ananth knew or should have known if the square footage of the existing home complied with the maximum of 9,300 sq. ft. as imposed by Plat Notes 13 and 17.

Apparently, Planner Ananth did not diligently research the subject topic – square foot ratio between home and barn. In addition to asking the Owner, there were at least three readily available sources to help ascertain the square footage of the home.

- 1) 1999 Original Building Permit Fee Schedule – 9,830 sq. ft.
- 2) Multiple Listing Service – 12,000 sq. ft.
- 3) Summit County Tax Assessor – 11,500 sq. ft. plus 841 sq. ft. of garage = **12,341 sq. ft.**

During the entire plat amendment process neither the Owner Commissioner Hall nor Planner Ananth declared or disclosed the actual square footage of the home. As provided in the link below, the Planning Commission and the City Council unwittingly granted an improper Plat Note Amendment for a home in violation of the Plat Notes.

[Agenda April 29, 2021](#) See page 4, Item 6.

The Chief Building Official, Dave Thacker, has determined the applicable square feet of the home to be 10,104 sq. ft. – the home remains in violation of the Plat.

The home, alone, has consumed all the permitted buildable square footage on Lot #2. Therefore, no barn should be permitted.

2. Improper and Invalid Building Permit for Home Remodel

- a. Conditional Use Permit – Pool requires a CUP. Why did Commissioner Hall not apply for a Conditional Use Permit? Why did Director Milliken or Planner Ananth not require a CUP?
 - b. Maximum Home Square Footage – Available from at least three sources – favoring expedience over diligence or Complicit Deceit.
3. **LMC Amendments Hearings** - Non-disclosure of conflict of interest – See letter dated February 27, 2023 - Pending LMC Amendments. The Planning Director and staff appears to have assisted in these processes by drafting favorable provisions, while having full knowledge without disclosure of the Complaint filed on 12/9/2022. The Complaint details the deficiencies of the incomplete and invalid Allowed Use Permit, the status of which was or may be significantly affected by the amendments.

- a) **Recreation Facility Amendment 2/23/22 and 3/23/23** On February 23, 2022, and March 23, 2022, the Planning Commission considered a change in the definition of Private Recreation Facility for the specific purpose of adding Outdoor Pickleball Courts. At both meetings, Commissioner Hall proposed that pools and spas be removed from the definition of Private Recreation Facility without disclosure of a pool or spa under construction without CUP.

“Commissioner Hall requested further information from Staff regarding the definition of Private Recreational Facilities on page 69 as it relates to allowed uses versus conditional uses. Commissioner Suesser agreed that those three items should be removed from that definition. Commissioner Hall asked whether a CUP was common for the installation of a pool. Commissioner Thimm presumed that this discussion centered only on pickleball courts. Director Milliken agreed but acknowledged that the confusion was that prior to making these amendments, pickleball courts fell under Private Recreational Facilities. Part of the LMC Amendments would involve amending the Private Recreational Facilities so that it would be clear that pickleball courts were no longer included in that definition.¹ It was clarified that the only change was to remove pickleball out of that category; everything else would remain as is. Commissioner Hall disagreed and referenced the removal of playgrounds, spas, and picnic areas from the definition. She assumed that every time someone installed a hot tub, they were not getting a CUP. Planner Sebright stated that they would clarify this in the next Staff Report. Commissioner Thimm expressed that this should only address pickleball courts and leave everything else unchanged.”

¹ N.B.: Planning Director Milliken was mistaken. The proposed amendment to the definition of Private Recreational Facilities did not exclude pickleball courts from the definition.

- [Planning Commission Minutes - 2-23-22 \(See page 27\)](#)
- [Planning Commission Video 2-23-22 \(See at 3:07:30 Minutes\)](#)

In connection with the Commission's meeting on March 23, 2022, Staff re-proposed the same definition of Private Recreation Facility that it had proposed in connection with the February 23, 2022, meeting of the Commission. The Commission considered the proposed definition. Commissioner Hall again proposed that pools be removed from the definition. The minutes of the Meeting state the following on p. 34:

"Commissioner Hall previously wanted to remove hot tubs and pools from the definition of Private Recreation Facility, and suggested it only include tennis courts, sports courts and outdoor pickleball courts. Acting Chair Suesser asked if pools should remain in the definition. Commissioner Thimm asked if the draft Ordinance contemplated a change to hot tubs or pools. Commissioner Hall referenced the language that previously included hot tubs, picnic areas and playgrounds as requiring a CUP. She suggested the removal of pools from this definition and that the definition only includes tennis courts, sports courts and outdoor pickleball courts. Acting Chair Suesser felt a pool was different from a hot tub or spa and should be more closely regulated. She suggested adding the word "swimming" to pools to distinguish it from a hot tub or spa. Commissioner Hall reiterated her suggestion of eliminating pools from this definition. Commissioner Thimm agreed with the addition of "swimming" in the definition. Commissioner Hall questioned whether a CUP should be or has been required for pools. Mr. Harrington stated that this has not been an issue and they have regulated the ones where there were complaints. He did not feel this should be changed but adding "swimming" might narrow it somewhat. Commissioner Thimm reiterated that the focus should be on pickleball courts rather than other changes in the Ordinance."

Thereupon, Commissioner Thimm moved that the Planning Commission forward a positive recommendation to the City Council for their consideration on April 7, 2022, concerning the Outdoor Pickleball Courts in Residential Areas Ordinance, to amend the Zoning District Use Tables to require a Conditional Use Permit for these outdoor courts, and to clarify definitions, as outlined in the draft Ordinance and as amended by the comments in tonight's record. The motion passed 5-to-1, with Commissioner Hall voting against."

- [Planning Commission Minutes 3-23-22 \(See Page 34\)](#)
- [Planning Commission Video 3-23-22 \(See Pickleball 2:24:30 min. Pool at 2:57:30 minutes\)](#)

b) LMC Amendment - 15-5-5 Architectural Design Guidelines – Landscaping. 1/11/23 Commissioner Hall did not disclosure her major landscaping program in progress without permit or SLO analysis The Amendments were scheduled for consideration and adoption by the Council in early March. They should have been reconsidered by the Planning Commission with the knowledge of Commissioner Hall’s ongoing landscaping activities.

- [Video - PC Landscaping Amendment 1-11-2023 \(See 1:29:00 - 1:47:00 minutes\)](#)
- [Minutes - PC Landscape Amendment 1-11-2023 \(See page 14\)](#)
- [Staff Report 2-8-2023 Page 3 N Landscaping - 4 Landscape Plan](#)

c) Sensitive Lands Overlay Ordinance 1/25/23 – Commissioner Hall did not properly disclose property ownership in SLO zone. Prior to discussions, Commissioner Sigg disclosed that he owned property in a SLO designated area. Please advise where in the record Commissioner Hall made any disclosures. A video link is provided to the 1/25/23 meeting.

- [Video - PC LMC Amendment SLO - 1-25-23 \(see 1:57:00 min,\)](#)

4. Landscaping without Permit, SLO analysis - See file Tree Planting Permit Failures – June-October – 2022 Emails - Letter dated March 15, 2023
5. Well Drilling - Violation of LODA, SLO and LMC See Letter to City Officials - Well Authority – Impacts 7-12-23...

See attached Exhibits.