



**PARK CITY ADMINISTRATIVE PUBLIC HEARING
SUMMIT COUNTY, UTAH
December 21, 2023**

The Planning Department of Park City, Utah, will hold a Public Hearing with an anchor location for public participation at the Marsac Municipal Building, Planning Department Conference Room, at 445 Marsac Avenue, Park City, Utah. Meetings will also be available online with options to listen, watch, or participate virtually.

1. REGULAR AGENDA - 12:00PM

- 1.A. **1825 Three Kings Drive - Administrative Conditional Use Permit** - The Applicant seeks an Administrative Conditional Use Permit to install a temporary yurt in the Residential Development Zoning District to allow for the use of their outdoor dining during winter (PL-23-05953)
(A) Public Input; (B) Action
- 1.B. **341 Ontario Avenue - Modification to an Administrative Conditional Use Permit** - The Applicant Proposes to Modify Several Retaining Walls in the Front and Side Setbacks. PL-23-05980
(A)Public Hearing; (B)Action

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for meeting attendees who park in the China Bridge parking structure.**

Planning Department Staff Report



Subject: Silver Star Café
Application: PL-23-05953
Author: Jason Berntson, Planning Technician
Date: December 21, 2023
Type of Item: Administrative Conditional Use Permit

Recommendation

(I) Review the proposed Administrative Conditional Use Permit (ACUP) to install a Temporary Structure for the approved year-round Outdoor Dining Use for Silver Star Café from December 2023 through April 2024, (II) hold a public hearing, and (III) consider approving the ACUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter.

Description

Applicant: Jeff Ward
Location: 1825 Three Kings Drive
Zoning District: Residential Development
Adjacent Land Uses: Resort; Multi-Unit Dwellings; Open Space
Reason for Review: Planning staff reviews and takes Final Action on Administrative Conditional Use Permits¹

CUP	Conditional Use Permit
DRC	Design Review Committee
LMC	Land Management Code
MCPC	Municipal Code of Park City
MPD	Master Planned Development
RD	Residential Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

The Silver Star Café (1825 Three Kings Drive) is part of the Spiro Tunnel Master Planned Development (MPD) in the Residential Development (RD) Zoning District.

Previous Land Use approvals for Silver Star Café include:

- October 2004: The Planning Commission approved the Spiro Tunnel MPD and CUP for a Mixed-Use Development.
- July 2009: The Planning Department approved an ACUP for year-round Outdoor Dining at Silver Star Café (Exhibit B, Final Action Letter). The Outdoor Dining permit allows seating for 56 people in their Outdoor Dining area.

¹ LMC [§ 15-1-8\(E\)](#)

- December 2009: The Planning Department approved an ACUP for the Use of a 25-foot by 25-foot Temporary Structure for Winter Outdoor Dining to be installed from January to March 2010.
- The City Council waived ACUPs for the 2020-2021 season to support local businesses with social distancing during the COVID-19 pandemic. Rather than requiring ACUP review and approval, business owners could apply through the Building Department for a permit.
- On December 2, 2021, prior to the City Council waiving ACUPs for Temporary Structures for Outdoor Dining during the 2021-2022 season, the Applicant submitted an ACUP application for a Temporary Structure and the Planning Department approved the ACUP for a yurt to be installed from December 1, 2021, through April 30, 2022.
- On November 28, 2022, the Applicant submitted an ACUP application to install the yurt again during the 2022-2023 winter season. On December 16, 2022, the Planning Department approved an ACUP for a yurt to accommodate Outdoor Dining to be installed from December 2022 through April 2023.

On November 13, 2023, the Applicant submitted an ACUP application to install a Temporary Structure (yurt) from December 2023 through April 2024 for Outdoor Dining during the winter season. The Outdoor Dining Area is approximately 2,200 square feet. The proposed temporary Structure is 24' in diameter (452 square feet) and approximately 13' tall.

Any changes in Use, or any Uses not specifically proposed or approved with the 2009 Outdoor Dining ACUP approval requires submittal of a Modification of Approval application.

Analysis

(I) The proposal complies with the Residential Development (RD) Zoning District Requirements.²

One of the purposes of the RD Zoning District is to allow commercial and recreational activities that are in harmony with residential neighborhoods.³ Outdoor Dining is a Conditional Use in the RD Zoning District and requires an ACUP per LMC [§ 15-2.13-2\(B\)\(25\)](#). The yurt will allow the compatible commercial use to operate closer to its normal summer capacity during the winter season, and will not add additional impacts beyond what is already existing. Therefore, staff determines that the proposal complies with the RD Zoning District requirements.

(II) The proposal complies with the Temporary Improvement Requirements.

A Temporary Improvement is defined as “A Structure built, or installed, and maintained during construction of a Development, or during a Special Event or activity and then removed prior to release of the performance Guarantee.” The proposal will allow for the

² LMC [Chapter 15-2.13](#)

³ LMC [§ 15-2.13-1\(C\)](#)

usage of the approved year-round Outdoor Dining Conditional Use Permit during the winter season, allowing for the continuation of an approved activity. The Temporary Improvement is approved for use through April 30, 2024, and . Therefore staff determines that the proposal complies with the Temporary Improvement requirements.

(III) The proposal, as conditioned, complies with the approved Administrative Conditional Use Permit (ACUP) for Outdoor Dining

In July 2009, the Silver Star Café received approval for an ACUP for Outdoor Dining . The approval allows the following:

- 14 tables
- 56 chairs
- Hours of operation from 8 A.M. to 10 P.M.

Because the 2009 approval establishes the allowance for Outdoor Dining, staff recommends a Condition of Approval that the Applicant is limited to the approved number of seats as per the 2009 ACUP. Any increases to the amount of outdoor seating will require the Applicant to submit a Modification of Approval to the Outdoor Dining ACUP (**Condition of Approval 8**).

(IV) The proposal meets the standards of the LMC § 15-4-16 Temporary Structures, Tents, and Vendors.⁴

Review Criteria	Analysis of Proposal
The Applicant shall provide written notice of the Property Owner's permission.	Complies. The yurt is proposed for temporary installation within the Silver Star Plaza. The location of the yurt is in a private dining area, and will encompass an existing outdoor seating area. Per the Silver Star General Manager, the Silver Star Plaza HOA support and documentation is attached as Exhibit G.
The proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.	Condition of Approval 8 The proposed Use is contained to the Silver Star Plaza. While the yurt will not increase parking demand, as it replaces existing outdoor seating, the Applicant will be required to adhere to the approved 56 outdoor seats. Any increase in the outdoor seating capacity will require a Modification of Approval to the existing outdoor dining ACUP. Existing parking will be retained.

⁴ LMC [§ 15-4-16](#)

The proposed Use shall not impede pedestrian circulation, emergency Access, or any other public safety measure.	Complies. The temporary Structure will not impede any existing pedestrian circulation, emergency access or other public safety measure. The temporary Structure has two doors, one for primary ingress/egress and the second for emergency egress. On December, 5, 2023, the Park City Fire District reviewed the Application and requires the Applicant obtain a fire inspection as part of the Building Permit process.
The Use shall not violate the Noise Ordinance, Municipal Code Chapter 6-3.	Condition of Approval 5. The Use is limited to the hours of operation for the Silver Star Café. The outdoor use shall comply with Municipal Code Chapter 6-3 <i>Noise</i>.
The Use shall comply with the LMC, the signage shall comply with the Sign Code, Title 12, and the lighting shall comply with Illumination Section 12-4-9.	Complies. The Use is consistent with the LMC and Conditions of Approval are outlined in the attached Draft Final Action Letter. No Signs are proposed or approved with this ACUP. No exterior lighting is proposed or approved with this ACUP. Exterior lighting must be reviewed and approved by the Planning Department prior to installation, and must be down-directed, Fully Shielded, with bulbs that are 3,000 degrees Kelvin or less.
The Use shall not violate the Summit County Health Code, the Fire Code, or State Regulations on mass gathering.	Condition of Approval 6. The DRC met on December 5, 2023, and requires the Applicant to obtain an Operational (Fire) Permit prior to installation of the yurt.
The Use shall not violate the International Building Code.	Conditions of Approval 7 and 10. The Applicant shall obtain the proper building permits and schedule the necessary inspections with the Building Department. The Applicant shall

	remove the yurt by April 30, 2024, not to exceed 180 days, whichever is earlier.
The Applicant shall adhere to all applicable City and State licensing ordinances.	Complies. The Applicant has an active Business License and Liquor License.

(III) The proposal complies with the Conditional Use criteria outlined in LMC [§ 15-1-10\(E\)](#).

There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Department will evaluate all proposed Conditional Uses and may recommend conditions of approval to preserve the character of the zone, and to mitigate potential adverse effects of the Conditional Use.

A Conditional Use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.

If the reasonably anticipated detrimental effects of a proposed Conditional Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, the Conditional Use may be denied.

CUP Review Criteria	Analysis of Proposal
Size and Location	Condition of Approval 8 The proposed temporary Structure is in the Outdoor Dining Area which has previous ACUP approval for 56 seats. Any increase in the amount of outdoor seating will require the Applicant to submit a Modification of Approval to the Outdoor Dining ACUP.
Traffic	No unmitigated impacts. The proposed temporary Structure will not have an adverse impact on traffic, as it will replace existing Outdoor Dining space. It does not meet the threshold to trigger a Transportation Impact Study.

Utility Capacity	No unmitigated impacts. The temporary Structure does not impact the Utility Capacity of the Silver Star Café.
Emergency Vehicle Access	No unmitigated impacts. On December 5, 2023, the Fire District reviewed the proposed temporary Structure and determines that it will not interfere with existing access routes for emergency vehicles. Temporary Structures over 200 square feet in size require a Building Permit. Emergency Access is reviewed at the time of inspection.
Off-street Parking	Condition of Approval 8 All parking is on site. The Applicant will be required to adhere to the 56 seats approved in the Outdoor Dining ACUP. Any increase in seating capacity will require a Modification of Approval to the ACUP. Any additional seating capacity may require a review of parking requirements.
Internal Vehicular and Pedestrian Circulation	No unmitigated impacts. Location of the proposed Temporary Structure does not impede vehicular or pedestrian circulation. The Temporary Structure will be placed in the same location as the outdoor seating during warmer months and is within a private plaza area.
Fencing, Screening, and landscaping	No unmitigated impacts. The Temporary Structure shall occupy the plaza area adjacent to the Silver Star Café. No fencing, screening, or landscaping is proposed.
Building mass, bulk, and orientation	No unmitigated impacts. Per the applicant, the proposed Structure is an extension of the existing indoor café seating. The structure is 452 square feet and approximately 13' tall.

Usable Open Space	No unmitigated impacts The proposed location will not impact designated usable Open Space.
Signs and Lighting	Condition of Approval 8. All exterior lights must comply with the outdoor lighting code. The Applicant proposes using LED String Lights. This type of lighting is exempt from the Fully Shielded requirement and may be used year-round to illuminate decks, porches, and patios, but is prohibited from illuminating landscaping or outlining Structures.⁵ Any additional signage requires a Sign Permit application and must be reviewed for compliance by the Planning Department.
Physical Design and Compatibility with Surrounding Structures	No unmitigated impacts The structure is compatible with the surrounding structures. See Exhibit F for the proposed plans.
Noise, vibration, odors, steam, or other mechanical factors	Condition of Approval 9. Outdoor Uses must comply with the Park City Noise Ordinance, Municipal Code Chapter 6-3.
Control of delivery and service vehicles, loading and unloading zones, and the Screening of trash and recycling pickup Areas	No unmitigated impacts The proposed temporary structure does not interfere with existing delivery and service vehicles or loading and unloading zones.
Expected ownership and management	No unmitigated impacts The property is owned by Silver Star and the specific property is managed by Jeff Ward, co-owner of Silver Star Café.

⁵ LMC [§ 15-5-5\(J\)\(13\)\(c\)\(2\)](#)

Within and adjoining Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, Steep Slopes	No unmitigated impacts The location of the proposed structure is to be used by the Café and is restricted to the plaza area.
Reviewed for Consistency with the Park City General Plan	No Required Mitigation <i>Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.</i> The Temporary Structure is a Conditional Use with administrative review in the RD Zoning District and does not include permanent development on the site.

Department Review

The Planning Department reviewed this application. The DRC met on December 5, 2023. The Fire District noted that an Operations Permit and a Building Permit would be required.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on December 6, 2022. Staff mailed courtesy notice to adjacent property owners on December 6, 2022. LMC [§ 15-1-21](#).

Public Input

No Public Input was received for this Application.

Alternatives

- The Planning Director may approve the Administrative Conditional Use Permit;
- The Planning Director may deny the Administrative Conditional Use Permit and direct staff to make Findings for the denial; or
- The Planning Director may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Applicant's Statement
Exhibit B: July 2009 Year-Round Outdoor Dining Final Action Letter
Exhibit C: Outdoor Dining Permit
Exhibit D: 2009 Temporary Tent ACUP
Exhibit E: 2022 Temporary Tent ACUP
Exhibit F: Site Plan of Temporary Tent

Exhibit G: HOA Letter of Consent

December 21, 2023

Silver Star Café
1825 Three Kings Drive
(435) 901-3318

CC: Jeff Ward

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	1825 Three Kings Drive
Zoning District:	Residential Development
Application:	Administrative Conditional Use Permit
Project Number:	PL-23-05953
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	December 21, 2023
Project Summary:	The Applicant requests to install a Temporary Structure from December 2023 through April 2024 for winter use of an approved Outdoor Dining area.

Action Taken

On December 21, 2023, the Planning Director conducted a public hearing and approved an Administrative Conditional Use Permit according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 1825 Three Kings Drive in the Residential Development (RD) Zoning District.
2. The Applicant proposes erecting a Temporary Structure from December 2023 through April 2024.
3. Temporary Structures are a Conditional Use in the RD Zoning District.
4. The existing outdoor Area is approximately 2,200 square feet.
5. The Temporary Structure is 24' in diameter (452 square feet) and approximately 13' tall.
6. The Planning Department approved a Conditional Use Permit for year-round Outdoor Dining at the Silver Star Café in July 2009. Seating for 56 people was approved as part of the Outdoor Dining permit.

7. The Planning Department approved a Conditional Use Permit for the Use of a Temporary Structure for Winter Outdoor Dining in December 2009.
8. In 2020, the Planning Department issued special approval for the Use of Temporary Structures in conjunction with Outdoor Dining to accommodate restrictions to COVID-19. The Applicant obtained special approval in 2020 and 2021 for this same Temporary Structure.
9. The Planning Department approved an Administrative Conditional Use Permit for the Use of a Temporary Structure for Winter Outdoor Dining in December 2022-when?.

Conclusions of Law

1. The Application, as permitted, is consistent with LMC § 15-1-10, *Conditional Use Review Process*, LMC Chapter 15-2.13, *Residential Development (RD) District*, and LMC § 15-4-16, *Temporary Structures, Tents, and Vendors*.
2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The effects of any difference in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. The proposed project shall comply with all adopted codes and ordinances; including, but not limited to the Land Management Code, International Building Code, Fire Code, ADA Compliance, and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of Park City.
2. The Applicant shall adhere to all applicable City and State licensing ordinances.
3. The Use shall not impede vehicular circulation, pedestrian circulation, emergency Access, or any other public safety measure.
4. No signs or lighting are approved with this Permit.
5. The Use is limited to the hours of operation for the Silver Star Café.
6. The Applicant shall comply with any City, County, and State health licensing requirements. The Use shall not violate the Summit County Health Code or State Regulations on mass gatherings. The Applicant shall ensure adherence to all Fire Codes.
7. The Applicant shall obtain the proper building permits and schedule the necessary inspections with the Building Department.
8. The Applicant shall adhere to the 56 seats in the Outdoor Dining area approved as part of the Conditional Use Permit for Outdoor Dining from 2009. Any increase in the amount of outdoor seating will require the Applicant to submit a Modification of Approval.

9. Outdoor Uses must comply with the Park City Noise Ordinance (Municipal Code 6-3. If the applicant receives a complaint regarding noise generated from the Outdoor Use, the Applicant shall notify the Park City Planning Department. Upon three complaints the Planning Director will review approval of the Administrative CUP and reserves the right to modify the operations, add additional restrictions and/or Conditions of Approval, or revoke the Administrative CUP to mitigate impacts to the community.
10. This Permit expires on April 30, 2024. The Applicant shall remove all Temporary Structures by the date of expiration.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5065 or email your name @parkcity.org.

Sincerely,

Rebecca Ward
Planning Director

CC: Jason Berntson

Silver Star Café: Seasonal Yurt installation, December 2023 through April 2024

Silver Star Condominiums, Spiro HOA, 1825 Three Kings Dr., Park City UT 84060

Contact: Jeff Ward, jeff@thesilverstarcafe.com, 435.901.3318

General Description:

We are installing the yurt this winter to gain some additional indoor seating capacity for dining guests. Our intention is to use the yurt as an extension of the existing indoor café seating. So, the same food, beverage and alcohol offerings will be available, the same seating and reservation policies will apply. We anticipate seating of about twenty-five people. No changes to existing parking are needed.

The yurt, made by Colorado Yurt company, is 24' in diameter (452 sq ft) and approximately 13' tall. It has two doors, one used for primary ingress/egress, and the second used for emergency egress. Heat will be provided by a "mini-split" heat pump installed by our HVAC vendor, Atlas Sheetmetal. Lighting and ambiance will be provided by LED string lights, and a self-contained electric "fireplace".

The yurt was installed and used in this same location the last three winter seasons without any issues.

Please let me know if you have any additional questions.

Best regards,

Jeff Ward
Co-owner, Silver Star Cafe



Building • Engineering • Planning

July 16, 2009

Mr. Rory Murphy
P.O. Box 4223
Park City, UT 84060

NOTICE OF STAFF ACTION

<u>Project Name</u>	Silver Star, Spiro Master Planned Development
<u>Project Description</u>	Outdoor Dining Conditional Use Permit
<u>Date</u>	July 16, 2009

Action Taken By Planning Staff: The Planning Staff APPROVED the Outdoor Dining Conditional Use Permit for Silver Star at 1825 Three Kings Drive based on the following:

Findings of Fact:

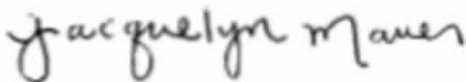
1. This application has been reviewed under Section 15-1-10 of the Land Management Code and criteria 1-15 as found above.
2. The site of the proposed outdoor dining is located in the Silver Star plaza and Silver Star Café area within the Spiro master plan development.
3. The subject property is located within the Residential Development Medium Density (RDM) District subject to the Spiro Tunnel Master Planned Development.
4. The application, as conditioned, complies with all requirements of the Land Management Code, Section 15-1-10.
5. A separate permit is required for any signage or lighting.
6. Use of the outdoor dining area will be allowed from 8:00 am until 10:00 pm.
7. The outdoor dining will occur year round.
8. The materials used for the outdoor dining furniture and umbrellas will be metal, wood, and cloth and is compatible with the streetscape.
9. There are no additional utilities associated with this proposal.
10. Tables and chairs must not encroach on areas that are shown on site plan as pedestrian walk ways and access. Each walk way and pedestrian access must be at least 42 inches wide.
11. The space is designed to be a gathering space for Silver Star owners, guests, and the general public.
12. The proposed seating Area is located in the common area of private Property.
13. The proposed seating Area does not impede pedestrian circulation or emergency Access or circulation.

14. The proposed use is not in violation of the City Noise Ordinance, Title 6.
15. The outdoor dining area does not increase the Restaurant's seating capacity without adequately mitigating the increased parking demand.

Conditions of Approval:

1. Nothing herein shall allow any violation to the International Fire Code, International Building Code, or Park City Municipal Code, including any violation of the Municipal Noise Ordinance. Please find specifics as they pertain to this approval attached (Sections 6-3-8 and 6-3-9 attached).
2. If at any time this outdoor dining area is not in compliance with this approval, approval may be terminated.
3. Any language or logos on outdoor dining umbrellas must be included in a Master Sign plan approved by the Planning department.

Sincerely,



Jacquelyn Mauer
City Planner

OUTDOOR DINING

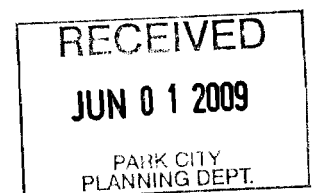
Administrative Conditional Use Permit

CITY STAFF
Approved _____
Denied _____JM 7/16/09APPLICATION # _____
RECEIPT # _____
DATE RECEIVED _____PL-09-00719
6/1/09Bldg. dept. approval KAS**I. PROJECT INFORMATION**Name: SILVER STAR AT PARK CITY - RORY MURPHYAddress/Location: 1825 THREE KINGS DR.
PC, UT 84060

Legal Description:

Tax ID SS-1, SS-2, SS-3
Subdivision & Lot #, or Survey, Lot & Block # SILVER STAR**II. APPLICANT**Please check one of the following: ☐ owner ☐ optionee ☐ buyer ☐ agent ☐ otherName: RORY MURPHYMailing Address: P.O. BOX 4223
PC, UT 84060Phone #: 640-5068 Fax #: 647-5701 E-mail paladinparkcity@aol.com

If you have any questions regarding the requirements on this application, please contact a member of the Park City Planning staff (435) 615-5060.



III. SUBMITTAL REQUIREMENTS:

1. Completed and signed application form
2. Review fees - Administrative CUP \$100.00
3. Two (2) complete sets of 8 ½ x 11" site plans showing:
 - site plan
 - proposed layout, circulation and location
 - parking layout, if applicable
 - lighting and signs
 - furniture to be used, umbrellas, and photos
4. Written description of proposal, including hours and months of proposed operation.
5. Stamped, addressed #10 size business **envelopes** for property owners within 300 feet.
 - a. Envelopes (addressed to property owners as described above) with mailing labels and stamps affixed (we do not accept metered envelopes). ***Please do not use self-adhesive style envelopes and do not include a return address on the envelope.***
 - b. List of property owners, names and addresses as described above. The distance is measured from the property line, not the location of the request. Please provide the Summit County Assessor's Parcel Number for each property owner if possible

Sample Envelope

No return address	##
JOHN DOE PO BOX 2002 PARK CITY UT 84060	

IV. OUTDOOR DINING
ADMINISTRATIVE CONDITIONAL USE PERMIT FACT SHEET

PROJECT DESCRIPTION

1. On a separate sheet of paper, give a general description of the proposal and attach it to the application. Provide a general description of the proposal and provide a written statement describing the request and any other information pertaining to the proposed application, and attach it to the application.
2. Existing Zoning RDM
3. Current use of the property Resort Commercial / Residential
4. Total Existing Dining Area: 1,400 square feet
5. Total Outdoor Dining Area: 2,200 square feet
6. Dates and hours of operation outdoor dining will be in use:
Starting: June 1st Ending: Sept. 15th
Hours of operation: 8:30 - 5:00
7. Materials used for furniture and umbrellas, etc.: Metal, wood, cloth
8. Is additional lighting proposed? ☒ no ☐ yes, provide details
9. Ownership/occupancy:
☒ owner occupied ☐ lease
10. Other applications under review: _____

NOTE: No additional signs, including umbrella signs, are permitted without review of existing signs. Banners are prohibited under the Park City Municipal Code.

talked to Rory Murphy on 7/9/09 & would like the dates & hours of operation to be less restrictive. 8:00am - 10:00 pm year round.
j.m.

V. ACKNOWLEDGMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review the week prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: _____

Name of Applicant (please print) _____

Mailing Address _____

Phone _____

E-mail _____

Type of Application _____

R.M.
RORY MURPHY
P.O. Box 4223, PC, UT 84060
435-670-5068 Fax 647-5704
Paladinparkcity@aol.com
out door dining

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of Applicant (please print) _____

Mailing Address _____

Street Address/Legal Description of Subject Property: _____

Signature _____

Date _____

1. If you are not the fee owner, attach another copy of this form that has been completed by the fee owner, or a copy of your authorization to pursue this action.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing this action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Please Note: This affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to final action.



Building • Engineering • Planning

June 17, 2009

**NOTICE OF REVIEW OF ADMINISTRATIVE CONDITIONAL USE PERMIT
TO ADJOINING PROPERTY OWNERS**

Dear Property Owner:

The Park City Planning Department has received an application for a project to be located in your neighborhood as described below. The application is for an administrative Conditional Use Permit, with review and approval by the Planning Staff.

Project Location: 1825 and 1835 Three Kings Drive

Applicant: Paladin Partners, Silver Star

Project Description: Request for an outdoor dining and outdoor music conditional use permit to be located at the Silver Star plaza.

Staff has determined that the proposal complies with requirements of the Land Management Code regarding administrative Conditional Use Permits. As a courtesy, we are sending this notice to surrounding property owners. If you have any questions or comments regarding the proposal, please contact me at (435) 615-5066 or Kirsten@parkcity.org during normal business hours prior to June 29, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Kirsten A. Whetstone".

Kirsten A. Whetstone, MS, AICP
Senior Planner



May 29, 2009

Ms. Kirsten Whetstone
Senior Planner
Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060

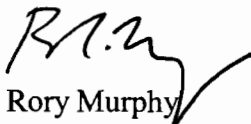
RE: Outdoor Dining at Silver Star

Dear Kirsten,

The Silver Star Market is respectfully submitting a request to allow for outdoor dining at its location in the Silver Star plaza. Please reference the attached seating plan for the actual seating proposal. We are open to any thoughts or conditions you may have regarding this proposal. There will be no impact to public spaces or public ROW's as a result of this proposal. All parking is on site. Silver Star has 120 surface spaces and 154 underground spaces, so we are confident that we can accommodate any parking requirements that may be needed.

The hours of the restaurant are from 8:30 am until 5:00 pm except for special events such as the proposed outdoor music program that we are concurrently proposing with this request. Otherwise, we have no plans to serve dinner at this time. The space is designed to be a gathering space for our owners, guests and the general public. As always we welcome your comments and suggestions. Please let me know if you have concerns or issues regarding this request.

Sincerely,


Rory Murphy

CC: James Dumas, Chris Conabee

COMMITMENT FOR TITLE INSURANCE
SCHEDULE A

File No.: 15376

Effective Date: May 12, 2009 at 8:00 AM

- 1. Policy or Policies To Be Issued:**
(a) 2008 A.L.T.A. HomeOwner's Policy

Amount of Insurance

Premium
TBD

Amount of Insurance

- (b) A.L.T.A. (2006) Loan Policy**

Premium
TBD

Premium

Endorsements:

- 2. The estate or interest in the land described or referred to in this Commitment and covered herein is:**

Fee Simple

- 3. The estate or interest in the land described or referred to in this commitment herein is**
Fee Simple in the surface estate and title thereto is at the effective date hereof vested in:

PALADIN DEVELOPMENT PARTNERS, LLC, A UTAH LIMITED LIABILITY COMPANY

- 4. The land referred to in this Commitment is described as follows:**

See Attached Legal Description

For Information Only:

Property Address: 1835 THREE KINGS DRIVE 70
PARK CITY, Utah 84060

PLEASE DIRECT ANY INQUIRIES OR COMMENTS RELATIVE TO CONTENTS OF THIS FILE TO:

CATHY DALYAI, Escrow Officer
Austin Dalyai, Escrow Assistant
875 Iron Horse Drive #B
Park City, Utah 84060
PH# 435-200-0003 FX# 435-200-0059

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part I

File No.: 15376

The following are the requirements to be complied with:

1. The following are the requirements that must be met:
 - (a) Pay the agreed amounts for interest in the land and/or the mortgage or deed of trust to be insured.
 - (b) Pay us the premiums, fees and charges for the policy. In the event the transaction for which this Commitment is furnished cancels, the minimum cancellation fee will be \$100.00.
 - (c) Provide us with releases, reconveyances or other instruments, acceptable to us, including payment of any amount due, removing the encumbrances shown in Schedule B-2 that are objectionable to the proposed insured.
 - (d) Provide us with copies of appropriate agreements, resolutions, certificates, or other evidence needed to identify the parties authorized to execute the documents creating the interest to be insured.
 - (e) The documents creating the interest to be insured must be signed, delivered and recorded.
 - (f) You must tell us, in writing, the name of anyone not referred to in this Commitment who will receive an interest in, or who will make a loan secured by a deed of trust or mortgage secured by, the land described in the Commitment.
 - (g) After we have received the information requested in these requirements, together with any other information about the transaction, we will have the right to add requirements to this Schedule B-1 or special exceptions to Schedule B-2.
 - (h) Provide us with any information regarding personal property taxes which may have been assessed or are due and payable which could become a lien on the real property.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

File No.: 15376

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
3. Any facts, rights, interests, or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
4. Easements, liens, or encumbrances, or claims thereof, which are not shown by the Public Records.
5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
 - (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims, or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. General Property Taxes for the year 2009 are accruing as a lien, not yet due.
General Property Taxes for the year 2008 have been paid in the amount of \$2,334.40
(Serial No. SPIRO-A-70-AM)
8. Said property is located within the boundaries of Park City, Park City Fire Service District, Summit County Service District No. 1, Weber Basin Water Conservancy District and is subject to the charges and assessments levied thereunder.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

9. Resolution providing for an election to establish a transit sales and use tax within the Snyderville Basin Public Transit District, as recorded in the Office of the Summit County Recorder as Entry Number 664146 in Book 1548 at Page 1320 of Official Records
10. Ordinance annexing approximately 12.32 acres of property into the corporate limits of Park City, Recorded September 10, 2004, as Entry No. 710472 in Book 1645 at Page 1356, Summit County Records Office.
11. Right of way form Alice H. Thiriot to the California Mining Company, Dated February 6, 1902, Recorded March 3, 1902 as Entry No. 10521 in Book L, at Page 236, Summit County Records Office.
12. Pole Line Easement from Silver King Coalition Mines Company and Utah Power and Light Company Dated October 17, 1929, Recorded October 6, 1930 as Entry No. 45394 in Book T at Page 130, Summit County Records Office.
13. Pole Line Easement from United Park city Mines company to Utah Power and Light, dated August 13, 1963, Recorded January 30, 1964 as Entry No. 98187 in Book 5A at Page 512, Summit County Records Office.
14. Easement in favor of Utah Power and Light Company to construct, reconstruct, operate, maintain and repair electric transmission and other equipment over under and across a portion of the subject property. Said Easement recorded October 6, 1930 as Entry No. 45394
15. Right of way Easement Grant, in favor of Mountain Fuel Supply Company, a Utah Corporation, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through the across a portion of the subject land. Said Right of Way Easement Grant Recorded October 12, 1971, Book 33, Page 519, Entry No. 114176.
16. Grant of Easement by and between United Park City Mines and Park City Ventures to Greater Park City Company for an easement for a 20 foot pipe line easement, Recorded November 25, 1974 as Entry No. 125113 in Book 61 at Page 658, Summit County Records Office

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

17. Grant of Easement for Spiro Drain Line dated September 1, 2005 by Paladin Development Partners LLC in Favor of Park City Municipal Corporation, Recorded September 14, 2005, as Entry No. 750725 in Book 1733, at Page 1404, Summit County Records Office.
 18. Grant of Easement for an existing water line dated September 1, 2005 by Paladin Development Partners LLC in Favor of Park City Municipal Corporation, Recorded September 14, 2005 as Entry No. 750726 in Book 1733 at Page 1406, Summit County Records Office.
 19. Grant of Easement for a strip of land thirty (30) feet wide dated September 12, 2005 by Paladin Development Partners LLC in Favor of Park City Municipal Corporation, Recorded September 15, 2005 as Entry No. 750850 in Book 1733 at Page 1940, Summit County Records Office.
 20. Easement Agreement dated September 23, 2005 for a strip of land thirty (30) feet wide between Paladin Development Partners LLC and Park City Municipal Corporation, Recorded September 28, 2005 as Entry No. 752246 in Book 1737 at Page 887, Summit County Records Office.
 21. Easement Agreement Dated September 23, 2005 by and between Paladin Development Partners LLC, and Park City Municipal Corporation for a strip of land thirty (30) feet wide, Recorded September 28, 2005, as Entry No. 752247, in Book 1737 at Page 891, Summit County Records Office.
 22. Grant of Easement dated August 22, 2005 by Paladin Development Partners LLC in Favor of Park City Municipal Corporation, Recorded August 25, 2005 as Entry No. 748308 in Book 1727 at Page 1167, Summit County Records Office.
 23. Grant of Easement and Access easement for construction and maintenance of wastewater collection and transportation pipelines, Recorded September 7, 2005 as Entry No. 749903 in Book 1731 at Page 1422, Summit County Records Office.
- Encroachment Agreement, Trash enclosure in a wastewater system easement, Recorded November 9, 2007, as Entry No. 830286 in Book 1898 at Page 1681, Summit County Records Office.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

24. Grant of Easement dated November 8, 2005 by and between Paladin Development Partners LLC and Park City Municipal Corporation Recorded December 27, 2005, as Entry No. 762729 in Book 1760 at Page 1198, Summit County Recorders Office
25. Right of Way and Easement Grant in favor of Questar, to lay, maintain, operate, repair, inspect, protect, remove and replace pipe lines, valves, valve boxes and other gas transmission and distribution facilities, through and across a portion of the subject property. Said Right of Way and Easement Grant recorded June 12, 2006, as Entry No. 780495, in Book 1796 at Page 1490, Summit County Recorders Office.
26. Access and Utility Easement agreement, Recorded December 17, 2007 as Entry No. 832682 in Book 1904, at Page 1239, Summit County Recorders Office.
27. Grant of Easement dated November 15, 2007, Recorded December 17, 2007, as Entry No. 832683 in Book 1904 at Page 1244, Summit County Recorders Office.
28. Ten (10) foot Snow Storage Easement along Three Kings Drive as shown on the official recorded plat of said subdivision.
29. Thirty (30) foot Non-exclusive Utility Easement (Spiro Water Line) and (Spiro Drain Line), as shown on the official recorded plat of said subdivision.
30. Twenty (20) foot Sanitary Sewer Easement, as shown on the official recorded plat of said subdivision
31. Sanitary Sewer Access, and Turn around easement, as shown on the official recorded plat of said subdivision.
32. Thirty (30) foot Non-exclusive Waterline easement, as shown on the official recorded plat of said subdivision
33. Thirty (30) foot Non-exclusive Thaynes Tank Water Line Easement, as shown on the official recorded plat of said subdivision.
34. Lot 3 Access Easement, as shown on the official recorded plat of said subdivision.
35. Building Set Back Lines as shown on the recorded plat of said subdivision

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

36. Subject to all rights of way, easements, restrictions, and notes as shown on the recorded plat map of said subdivision.
37. Subject to association charges, maintenance charges and all other assessments levied by the Homeowners Association.
38. Covenants, Conditions and Restrictions recorded September 14, 2005 as Entry no. 750782 in Book 1733 at Page 1631 but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42 Section 3607 of the United States Code or (b) related to handicap but does not discriminate against handicapped persons.

Supplemental Declaration and Amendment No. 1, Recorded January 4, 2006, as Entry No. 764116, in Book 1762 at Page 1540, Summit County Records Office.

39. Covenants, Conditions and Restrictions recorded September 26, 2005 as Entry No. 752109 in Book 1737 at Page 15 but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42 Section 3607 of the United States Code or (b) related to handicap but does not discriminate against handicapped persons.
40. Covenants, Conditions and Restrictions recorded February 24, 2006 as Entry No. 769664 in Book 1772 at Page 1869, but omitting any covenant or restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (a) is exempt under Chapter 42 Section 3607 of the United States Code or (b) related to handicap but does not discriminate against handicapped persons
41. Subject to the effects, if any of a Special Warranty Deed, by and between United Park City Mines as Grantor and Paladin Development Partners LLC, as Grantee. Said document was recorded October 3, 2003 as Entry No. 675216, in Book 1573 at Page 1613, Summit County Records Office.
42. Annexation Agreement for The Spiro Tunnel Property, Recorded September 10, 2004, as Entry No. 710471 in Book 1645 at Page 1347, Summit County Records Office.
43. Development Agreement for The Spiro Tunnel Master Planned Development dated February 23, 2005, Recorded September 15, 2005, as Entry No. 750851, in Book 1733 at Page 1942, Summit County Records Office.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

44. TRUST DEED

AMOUNT: \$5,050,000.00
BENEFICIARY: Frontier Bank FSB
TRUSTEE: Frontier Bank FSB
TRUSTOR: Paladin Development Partners LLC
DATED: August 29, 2006
RECORDED: September 13, 2006
BOOK/PAGE: 1816/1390
ENTRY NO.: 790814

Assignment of Promissory Note Recorded March 6, 2009 as Entry No. 866755 in Book 1970 at Page 1937 in the Summit County Records Office.

Amended and Restated Deed of Trust, Assignment of Rents Recorded March 6, 2009 as Entry No. 866761 in Book 1970 at Page 1969 in the Summit County Records Office.

Assignment of Leases and Rents Recorded March 6, 2009 as Entry No. 866762 in Book 1970 at Page 1994 in the Summit County Records Office.

45. NOTE: According to the public record there have been no deeds conveying the land described herein within a period of 24 months prior to the date of this report except as follows: None.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B

Part II

NOTE: *Exceptions 1-6 on Schedule B Part 2 are not included on ALTA Loan Policy (2006).*

NOTE: A search of the Federal and State judgment records revealed no unpaid judgments, tax liens or open bankruptcies against PALADIN DEVELOPMENT PARTNERS, LLC, for the past eight years. (Except as noted)

NOTE: ANY MATTER IN DISPUTE BETWEEN YOU AND THE COMPANY MAY BE SUBJECT TO ARBITRATION AS AN ALTERNATIVE TO COURT ACTION PURSUANT TO THE RULES OF THE AMERICAN ARBITRATION ASSOCIATION OR OTHER RECOGNIZED ARBITRATOR, A COPY IF WHICH IS AVAILABLE ON REQUEST FROM THE COMPANY. ANY DECISION REACHED BY ARBITRATION SHALL BE BINDING UPON BOTH YOU AND THE COMPANY. THE ARBITRATION AWARD MAY INCLUDE ATTORNEY'S FEES IF ALLOWED BY STATE LAW AND MAY BE ENTERED AS A JUDGMENT IN ANY COURT OF PROPER JURISDICTION.

NOTICE TO APPLICANT AND/OR PROPOSED INSURED: If you require copies of any documents identified in this Commitment for Title Insurance, the Company will furnish the same upon specific request, either free of charge or for the actual cost of duplication for those copies requiring payment by the Company to obtain.

NOTICE TO APPLICANT AND/OR PROPOSED INSURED: The land described in this Commitment may be serviced by services provided by cities, towns, public utility companies and other firms providing municipal type services which do not constitute liens upon the land and for which no notice of the existence of such service charges is evidenced in the Public Records. The applicant and/or proposed insured should directly contact all entities providing such services and make the necessary arrangements to insure payment for such services and continuation of services to the land.

Exhibit 'A'

Legal Description

File No: 15376

UNIT 70, CONTAINED WITHIN THE SPIRO CONDOMINIUMS BUILDING "A" AMENDED AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED IN SUMMIT COUNTY, UTAH, AS ENTRY NO. 753627 (AS SAID MAP MAY HAVE HERETOFORE BEEN AMENDED OR SUPPLEMENTED)

TOGETHER WITH: (A) THE UNDIVIDED INTERES IN SAID CONDOMINIUM PROJECTS COMMON AREAS AND FACILITIES WHICH IS APPURTENANT TO SAID UNIT (B) THE EXCLUSIVE RIGHT TO USE AND ENJOY EACH OF THE LIMITED COMMON AREAS WHICH IS APPURTENANT TO SAID UNIT AND (C) THE NON-EXCLUSIVE RIGHT TO USE AND ENJOY THE COMMON AREAS AND FACILITIES INCLUDED IN SAID CONDOMINIUM PROJECT (AS SAID PROJECT MAY HEREAFTER BE EXPANDED) IN ACCORDANCE WITH THE AFORESAID DECLARATION AND SURVEY MAP (AS SAID DECLARATION AND MAP MAY HEREAFTER BE AMENDED OR SUPPLEMENTED) AND THE UTAH CONDOMINIUM ACT.

TAX PARCEL NO. SPIRO-A-70-AM

Situated in Summit County

Parcel Identification Number: SPIRO-A-70-AM

ALTA Commitment Form

COMMITMENT FOR TITLE INSURANCE
Issued by

Stewart Title Guaranty Company, a Texas Corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A.

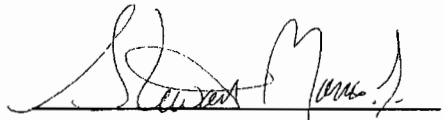
Countersigned by:

Authorized Countersignature

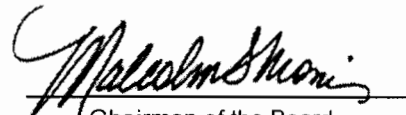
Highland Title Agency, Inc.
Company

Salt Lake City, Utah
City, State



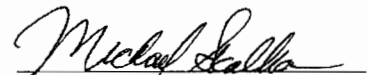


Senior Chairman of the Board



Chairman of the Board





President

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at < <http://www.alta.org/>>.*



All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252.

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

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PARK CITY UT 84060-4223

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PO BOX 4223
PARK CITY UT 84060-4223

PATTILLO ENTERPRISES LLC

ARTHUR BERNARD MAYO
1391 SETTLEMENT DR
PARK CITY UT 84098-6566

FIELD ENT
113 WOODLAKE DR
GAINESVILLE GA 30506-1701

JOHN KELLEY
111 W JACKSON BLVD #1500
CHICAGO IL 60604-3865

EXTREME HOLDINGS LLC
1605 VICTORIA POINTE LN
WESTON FL 33327-1313

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

CHRISTOPHER M H & COLLEEN M
POWERS
2351 OXFORD RD
COLUMBUS OH 43221-4036

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

TIGER & TIDE LLC
15120 DENDINGER DR
COVINGTON LA 70433-6866

RED SAND REAL ESTATE DEVELOPEM
1426 E 750 N
OREM UT 84097-5474

CHRISTOPHER TOLK
44681 HIGHWAY 82
ASPEN CO 81611-2373

JAMIE GRAHAM & KATHLEEN WITHAM
THOMAS
PO BOX 2275
PARK CITY UT 84060-2275

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

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PO BOX 4223
PARK CITY UT 84060-4223

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PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

JAMES & VIOLET R RILEY
2 VACATION WAY
MC HENRY MD 21541-1383

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

SILVERSTAR 4101 LLC
1825 THREE KINGS DR #4101
PARK CITY UT 84060-7284

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

JOHANSEN PAUL J TRUST OF 2009
3080 FABIAN WAY
TAHOE CITY CA 96145

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

SILSTAR LTD LLC
2398 E CAMELBACK RD #550
PHOENIX AZ 85016-9043

JOHNNY L & MARY A JERNIGAN
11070 HWY 99
LILLIAN AL 36549

DAVID A & SUSAN GOLDBERG
9511 E CHINO DR
SCOTTSDALE AZ 85255-9198



See Instruction Sheet
for Easy Peel Feature



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Easy Peel Labels

CRAIG & SUSAN MILLER
1803 BRIDGEWATER DR
HEATHROW FL 32746-6910

GARTMAN JOHN & JILL TRUST

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

JAMES A WRIGLEY
2124 GOLF CLUB LN
NASHVILLE TN 37215-1224

MEMPHIS PARK CITY PARTNERS LLC
4436 CHICKASAW RD
MEMPHIS TN 38117-1706

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

ACKERS POWDER HOUSE LLC
27 W 162 COVE LN
WARRENVILLE IL 60555

BRIAN W & JENNIFER BRODERICK
PO BOX 610
CORONADO CA 92118

JEFFREY T & DONNA A TURNER
9 MATSON CT
WILMINGTON DE 19803-3971

SORRENTO BUSINESS & SCIENCE CE
1400 MAIDEN LN
DEL MAR CA 92014-2500

THEODORE J & LYNN M KEENAN
2953 CORTE LA BELLA
ENCINITAS CA 92024-7273

SILVER STAR PROPERTIES LLC
3319 AMERICAN SADDLER DR
PARK CITY UT 84060-6819

THOMAS C & JUDY F FIELD
113 WOODLAKE DR
GAINESVILLE GA 30506-1701

JEFFREY T & DONNA A TURNER
9 MATSON CT
WILMINGTON DE 19803-3971

SORRENTO BUSINESS & SCIENCE CE
1400 MAIDEN LN
DEL MAR CA 92014-2500

THEODORE J & LYNN M KEENAN
2953 CORTE LA BELLA
ENCINITAS CA 92024-7273

SILVER STAR PROPERTIES LLC
3319 AMERICAN SADDLER DR
PARK CITY UT 84060-6819

FIELD ENT
113 WOODLAKE DR
GAINESVILLE GA 30506-1701

KURT B LARSEN
PO BOX 683130
PARK CITY UT 84068-3130

FOTIOS & GEORGIA VRIONIS
4309 W AZEELE ST
TAMPA FL 33609-3823

DAVID & HELEN MCCLUSKEY

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

CROWSON CANTRELL REAL ESTATE H
3431 MEADOWCREST DR
MURFREESBORO TN 37129-0836

DAB REAL ESTATE LLC
142 SAINT ANDREWS DR
JACKSON MS 39211-2517

REX & LAURIE ELSASS

ALBERT BERTHA

ED & LINDA GATLIN
4555 WALNUT GROVE RD
MEMPHIS TN 38117-2441

ALBERT F & SANDRA M BERTHA
3220 GREY HAWK CT
CARLSBAD CA 92010-6651

KURT B LARSEN
PO BOX 683130
PARK CITY UT 84068-3130

FOTIOS & GEORGIA VRIONIS
4309 W AZEELE ST
TAMPA FL 33609-3823

VINCENT J & SUSAN W GIOVINAZZO
25402 COACH SPRINGS LN
LAGUNA HILLS CA 92653-5861

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

CROWSON CANTRELL REAL ESTATE H
3431 MEADOWCREST DR
MURFREESBORO TN 37129-0836

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

DAB REAL ESTATE LLC
142 SAINT ANDREWS DR
JACKSON MS 39211-2517

REX & LAURIE ELSASS

ALBERT F & SANDRA M BERTHA
3220 GREY HAWK CT
CARLSBAD CA 92010-6651

ED & LINDA GATLIN
4555 WALNUT GROVE RD
MEMPHIS TN 38117-2441

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

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PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

HUGH & HALLIE EHRLICHER SIMONTON
355 SAINT ANDREWS FWY
MEMPHIS TN 38111-7718

SUN H & KELLY K CHOE
52 ROYAL SAINT GEORGE RD
NEWPORT BEACH CA 92660-5222

RAYMOND & VALERIE VAN DAM
KELLEHER
100 SPALDING RIDGE WAY
ATLANTA GA 30350-4700

BASQUO LTD
2393 BRIARCREEK DR
SALT LAKE CITY UT 84117-4572

MICHAEL & SHERRY URBAN
5801 NW 23RD AVE
BOCA RATON FL 33496-3466

WHITE TED TRUST
107 N MEWS WOOD CT
SPRING TX 77381-4554

JAMES A INGRAM
7722 YAMINI DR
DALLAS TX 75230-3231

OSCAR THOMAS & LISANNE D
MARSHALL
334 RIVER OAKS RD
MEMPHIS TN 38120-2543

KEVIN NOEL & CHERYL KEMP
4800 N A1A #513
VERO BEACH FL 32963

JAMES & BONNIE QUIGLEY
92 VALLEY RD
NEW CANAAN CT 06840-3808

ROBERT A & KATHLEEN A EBERLE
7 ROCKRIMMON RD
NORTH HAMPTON NH 03862-2338

KARL E STIEN

ALTON C HALE

SANFORD A KASSEL

MEMPHIS PARK CITY PARTNERS
4436 CHICKASAW RD
MEMPHIS TN 38117-1706

SSC ASSOCIATES LLC
306 GRAND KEY TER
PALM BEACH GARDENS FL 33418-4628

SSC ASSOCIATES LLC
306 GRAND KEY TER
PALM BEACH GARDENS FL 33418-4628

GEORGE & CYNTHIA TSATSOS
1111 S WABASH AVE #3101
CHICAGO IL 60605-2642

IRA B & DOROTHY KOVEL
720 MILTON RD #F4
RYE NY 10580-3269

CURTIS C MAGLEBY
1447 10TH ST
MANHATTAN BEACH CA 90266-6101

THICK MONEY LLC
PO BOX 1280
TUPELO MS 38802-1280

TERESA C HYATT
6601 MALTA LN
MC LEAN VA 22101-2232

R J GULLO PROPERTIES INC
3001 COUNTY CLARE RD
GREENSBORO NC 27407-7365

J RANDALL OKLAND
1825 THREE KINGS DR #G-101
PARK CITY UT 84060-7284

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

PATTILLO ENTS LLC

ARTHUR B MAYO
1391 SETTLEMENT DR
PARK CITY UT 84098-6566

THOMAS C & JUDY F FIELD
113 WOODLAKE DR
GAINESVILLE GA 30506-1701

JOHN KELLEY
111 W JACKSON BLVD #1500
CHICAGO IL 60604-3865

EXTREME HOLDINGS LLC
1605 VICTORIA POINTE LN
WESTON FL 33327-1313

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

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PO BOX 4223
PARK CITY UT 84060-4223

GREGORY T BIGLER
1905 REDBIRD DR
LAS VEGAS NV 89134-6140

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

JAMES A WRIGLEY
2124 GOLF CLUB LN
NASHVILLE TN 37215-1224

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

ROGER K & DENISE C HOBBS
3823 E MILLERS BRIDGE RD
TALLAHASSEE FL 32312-1061

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

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PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

BRIANNA T HENNINGS
2587 MORNING SKY CT
PARK CITY UT 84060-7065

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

STEVIE HARRISON
PO BOX 683681
PARK CITY UT 84068-3681

WENDY ASHTON
2353 E 3225 S
SALT LAKE CITY UT 84109-2719

CATHERINE M MULLALY
PO BOX 4361
PARK CITY UT 84060-4361

PATRICIA ABDULLAH
900 BITNER RD #F13
PARK CITY UT 84098-5435

ANNE M EDWARDS
PO BOX 683801
PARK CITY UT 84068-3801

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

HOWARD L SCHATZ
PO BOX 2144
PARK CITY UT 84060-2144

SILVER STAR HOLDINGS LLC
1825 THREE KINGS DR
PARK CITY UT 84060-7284

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223



Building • Engineering • Planning

July 16, 2009

Mr. Rory Murphy
P.O. Box 4223
Park City, UT 84060

NOTICE OF STAFF ACTION

<u>Project Name</u>	Silver Star, Spiro Master Planned Development
<u>Project Description</u>	Outdoor Dining Conditional Use Permit
<u>Date</u>	July 16, 2009

Action Taken By Planning Staff: The Planning Staff APPROVED the Outdoor Dining Conditional Use Permit for Silver Star at 1825 Three Kings Drive based on the following:

Findings of Fact:

1. This application has been reviewed under Section 15-1-10 of the Land Management Code and criteria 1-15 as found above.
2. The site of the proposed outdoor dining is located in the Silver Star plaza and Silver Star Café area within the Spiro master plan development.
3. The subject property is located within the Residential Development Medium Density (RDM) District subject to the Spiro Tunnel Master Planned Development.
4. The application, as conditioned, complies with all requirements of the Land Management Code, Section 15-1-10.
5. A separate permit is required for any signage or lighting.
6. Use of the outdoor dining area will be allowed from 8:00 am until 10:00 pm.
7. The outdoor dining will occur year round.
8. The materials used for the outdoor dining furniture and umbrellas will be metal, wood, and cloth and is compatible with the streetscape.
9. There are no additional utilities associated with this proposal.
10. Tables and chairs must not encroach on areas that are shown on site plan as pedestrian walk ways and access. Each walk way and pedestrian access must be at least 42 inches wide.
11. The space is designed to be a gathering space for Silver Star owners, guests, and the general public.
12. The proposed seating Area is located in the common area of private Property.
13. The proposed seating Area does not impede pedestrian circulation or emergency Access or circulation.

14. The proposed use is not in violation of the City Noise Ordinance, Title 6.
15. The outdoor dining area does not increase the Restaurant's seating capacity without adequately mitigating the increased parking demand.

Conditions of Approval:

1. Nothing herein shall allow any violation to the International Fire Code, International Building Code, or Park City Municipal Code, including any violation of the Municipal Noise Ordinance. Please find specifics as they pertain to this approval attached (Sections 6-3-8 and 6-3-9 attached).
2. If at any time this outdoor dining area is not in compliance with this approval, approval may be terminated.
3. Any language or logos on outdoor dining umbrellas must be included in a Master Sign plan approved by the Planning department.

Sincerely,

A handwritten signature in black ink that reads "Jacquelyn Mauer". The script is cursive and fluid, with the first letters of each name being capitalized and prominent.

Jacquelyn Mauer
City Planner

Administrative Staff Report



Subject: 1825 Three Kings Dr – Outdoor Dining Conditional Use Permit
Author: Jacquelyn Mauier
Date: July 8, 2009
Type of Item: Staff Approval – Administrative Conditional Use Permit

Summary

Staff reviewed the application for outdoor dining at 1825 Three Kings Drive for compliance with Section 15-1-10(E) of the Land Management Code and approved the application according to the Findings of Fact, Conclusions of Law and Conditions of Approval incorporated herein.

Description

Project Name: Silver Star – Outdoor Dining Conditional Use Permit
Applicant: Rory Murphy, Silver Star Board of Trustees
Location: 1825 Three Kings Drive
Zoning: Residential Development Medium Density (RDM-MPD)
Adjacent Land Uses: Park City Mountain Resort, Silver Star Condominiums, and Silver Star Cottages, Ski Lift and Ski Runs, Golf Course
Reason for Review: Outdoor Dining is an Administrative (staff) review

Background

On June 1, 2009, the City received a complete application for an Administrative Conditional Use Permit for Outdoor Dining at 1825 Three Kings Drive. The applicant is requesting an Administrative Conditional Use Permit to allow outdoor dining at Silver Star Café and plaza within the Spiro Tunnel MPD.

The total existing dining area is 1400 square feet. The total outdoor dining area is 2200 square feet. The plaza may be used throughout the year between the hours of 8:00 am and 10:00 pm. A separate application has been submitted for music at this location. No additional lighting or signage is proposed.

The site of the proposed outdoor dining is located in the Silver Star Café and Silver Star plaza area within the Spiro Master Plan Development. There will be no direct impact to public spaces or public right-of-ways as a result of this proposal. All parking is on site. Silver Star has 120 surface spaces and 154 underground spaces.

Within the outdoor dining area, there are fourteen tables and 56 chairs. Ten of the tables and 40 chairs are located in the area labeled on the site plan as Outdoor Café.

Four tables with four chairs each are to be located in the designated plaza area. The materials used for the outdoor dining furniture are metal, wood, and cloth. Any signage on table umbrellas must be included in a Master Sign Plan approved by the Planning Department.

A Conditional Use Permit is required for the proposed use as a condition of the Spiro Tunnel Master Planned Development. Uses not specifically proposed at the time of MPD approval or change of uses requires additional CUP review due to possible parking and traffic increases.

On October 27, 2004, the Planning Commission approved the Spiro Tunnel Master Planned Development and Conditional Use Permit for a mixed use development consisting of 97 residential unit equivalents (townhouses, cottages, and single family house), an artist-in-residence campus with up to 14,500 square feet of artist-in-residence studios, offices, and gallery retail; parking; support commercial uses and meeting spaces; and 15 Unit Equivalents of affordable housing. Support commercial and meeting space was specifically allowed during the MPD approval for the Silver Star Condominiums as the project is considered a nightly rental condominium project, consistent with LMC 15-6-8 (C).

Analysis

The applicant is requesting an Administrative Conditional Use Permit for outdoor dining at 1825 Three Kings Drive. The site is within the RDM zoning district, which permits outdoor dining, subject to the following criteria set forth in the LMC 15-1-10(E) and 15-2.17-8(B)(1);

1) **Size and location of the Site;**

No unmitigated impacts.

The proposed outdoor dining is located in a 2200 square foot area within the Spiro Tunnel Master Plan Development.

2) **Traffic considerations including capacity of the existing streets in the area;**

No unmitigated impacts.

There will not be an impact to public spaces or public right-of-ways as a result of this proposal.

3) **Utility capacity;**

No unmitigated impacts.

There is no increase in utility capacity required for this use.

4) **Emergency vehicle access;**

No unmitigated impacts.

Emergency Vehicle access is from Three Kings Drive. The proposed use will not interfere with existing access routes for emergency vehicles.

5) **Location and amount of off-street parking;**

No unmitigated impacts.

All parking is on site. Silver Star has 120 surface spaces and 154 underground spaces.

6) Internal vehicular and pedestrian circulation system;

No unmitigated impacts.

The outdoor furniture will be situated in a way that leaves adequate room for pedestrian circulation. All areas designated as pedestrian walkway on the site plan must be at least 42 inches wide and remain free of any outdoor furniture or other obstruction. The internal vehicular traffic of the area will not be impacted by the proposed.

7) Fencing, screening, and landscaping to separate the use from adjoining uses;

No unmitigated impacts.

The outdoor dining area will be located within the Spiro Master Plan Development. No screening is necessary.

8) Building mass, bulk, orientation, and the location of buildings on the site; including orientation to buildings on adjoining lots;

No unmitigated impacts.

There are no proposed additions or alterations of structures.

9) Usable open space;

No unmitigated impacts.

The Spiro Tunnel MPD includes both Natural and Landscaped Open Space at approximately 75% of the site. This is in excess of the MPD requirement of 60%. The Outdoor Dining application does not alter the designated Open Space.

10) Signs and lighting;

No unmitigated impacts.

There are no signs or lighting proposed with this outdoor dining application. Any new signs or lighting must be approved by the Planning Department prior to installation. Language or logos on outdoor dining umbrellas must be included on the site's Master Sign Plan and approved by the Planning Department.

11) Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing;

No unmitigated impacts.

There will be four tables and sixteen chairs located on the Silver Star plaza that may be used for outdoor dining. On the Silver Star Café Outdoor Dining area, there will be ten tables and 40 chairs. The materials for the outdoor furniture are metal, wood, and cloth. They are compatible with the existing surrounding structure.

12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site;

No unmitigated impacts.

No additional noise, vibration, odors, steam, or other mechanical factors will

affect people and property off-site from the outdoor dining.

13) Control of delivery and service vehicles, loading and unloading zones, and screening of trash pickup areas;

No unmitigated impacts.

Delivery and service vehicles, loading and unloading zones, and screening of trash pickup areas will not be altered by the outdoor dining.

14) Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities;

No unmitigated impacts.

The outdoor dining area is located on common area within the condominium plat. The area will be owned and maintained by the HOA.

15) Within and adjoining the site, impacts on environmentally sensitive lands, slope retention, and appropriateness of the proposed structure to the topography of the site.

No unmitigated impacts.

The project is not located within the SLO overlay zone. The proposed site is not a wetland, ridgeline, critical habitat, stream corridor, Very Steep Slope, sensitive hillside, or on the Entry Corridor.

Process

The approval of this application constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

All owners of properties within 300 feet of the proposed project were sent proper notice regarding the project. No feedback was received at the time of this report.

Public Input

No public input has been received by the time of this report.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Staff Approval

Staff has approved the Outdoor Dining Conditional Use Permit for the Silver Star Café and plaza located at 1825 Three Kings Drive.

Findings of Fact:

1. This application has been reviewed under Section 15-1-10 of the Land Management Code and criteria 1-15 as found above.
2. The site of the proposed outdoor dining is located in the Silver Star plaza and Silver Star Café area within the Spiro master plan development.
3. The subject property is located within the Residential Development Medium Density (RDM) District subject to the Spiro Tunnel Master Planned Development.
4. The application, as conditioned, complies with all requirements of the Land Management Code, Section 15-1-10.
5. A separate permit is required for any signage or lighting.
6. Use of the outdoor dining area will be allowed from 8:00 am until 10:00 pm.
7. The outdoor dining will occur year round.
8. The materials used for the outdoor dining furniture and umbrellas will be metal, wood, and cloth and is compatible with the streetscape.
9. There are no additional utilities associated with this proposal.
10. Tables and chairs must not encroach on areas that are shown on site plan as pedestrian walk ways and access. Each walk way and pedestrian access must be at least 42 inches wide.
11. The space is designed to be a gathering space for Silver Star owners, guests, and the general public.
12. The proposed seating Area is located in the common area of private Property.
13. The proposed seating Area does not impede pedestrian circulation or emergency Access or circulation.
14. The proposed use is not in violation of the City Noise Ordinance, Title 6.
15. The outdoor dining area does not increase the Restaurant's seating capacity without adequately mitigating the increased parking demand.

Conditions of Approval:

1. Nothing herein shall allow any violation to the International Fire Code, International Building Code, or Park City Municipal Code, including any violation of the Municipal Noise Ordinance. Please find specifics as they pertain to this approval attached (Sections 6-3-8 and 6-3-9 attached).
2. If at any time this outdoor dining area is not in compliance with this approval, approval may be terminated.
3. Any language or logos on outdoor dining umbrellas must be included in a Master Sign plan approved by the Planning department.

Exhibits

Exhibit A – Proposed Site Plan

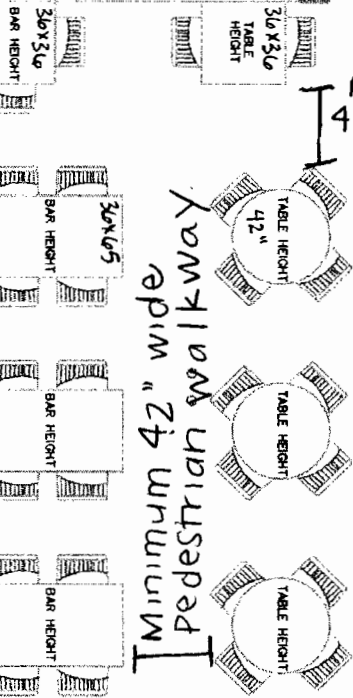
5' COUNTER SPACE FOR GRILL

TOTAL SEATS FOR OUTDOOR CAFE: 56
TOTAL TABLES FOR OUTDOOR CAFE: 14 > Inc. 4 tables/16 chairs on plaza

Minimum 42" wide pedestrian walkway

Minimum 42" wide pedestrian walkway

Minimum 42" wide pedestrian walkway



SILVER STAR CAFE - SEATING

Date: 05.06.2009
Scale: N/A

PLANNING DEPT.
APPROVED

DATE *for approval* 09/10/09

RECEIVED
JUN 01 2009
PARK CITY
PLANNING DEPT.

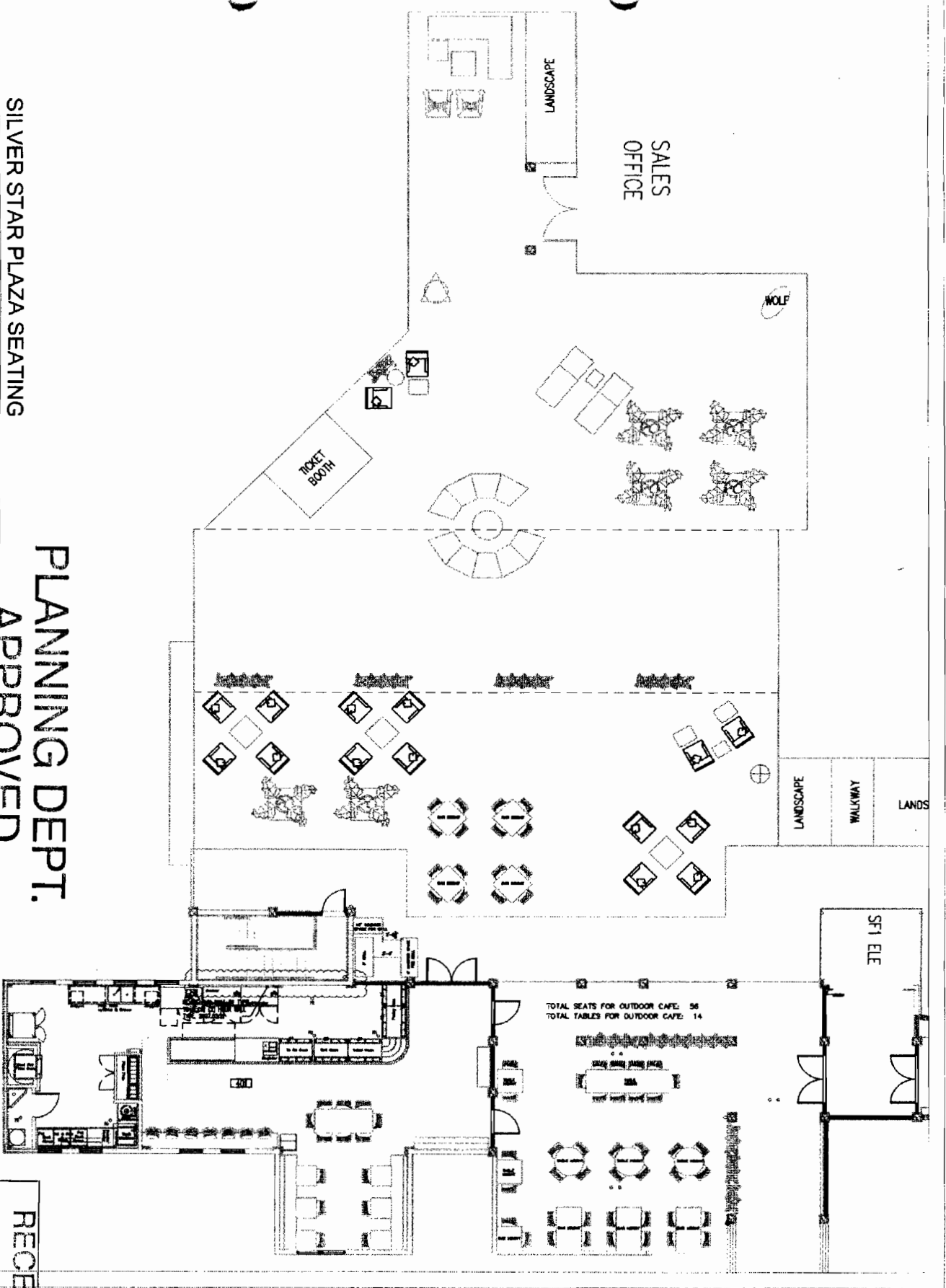
Date: 05.06.2009

Scale: N/A

SILVER STAR PLAZA SEATING

PLANNING DEPT.
APPROVED

DATE *Jacquelynne Jones* 9/10/09



RECEIVED
JUN 01 2009

PARK CITY
PLANNING DEPT.

Jacquelyn Mauer - used not an open license

From: Kirsten Whetstone
Sent: Wednesday, July 08, 2009 6:13 PM
To: cconabee@aol.com
Cc: Jacquelyn Mauer - used not an open license
Subject: Outdoor dining and outdoor music

Hi Chris,
Please pass along to Rory- I no longer have his email in my directory.

I have reviewed the Outdoor Dining permit and the Outdoor Music permit applications.
The letters were sent out and the notices were posted around June 17th for a 14 day period.

Jacquey Mauer is back!! And she is going to write up the staff reports and if she has any questions she will contact you.

If everything is good, you should be getting an action letter in about a week (hopefully by July 17th).

I'll be in Philly and New Jersey until Friday July 17.

When you get your master sign plan put together, be sure to include the lettering and logos on your umbrellas. Because they are located on a private plaza it is not that much of an issue- but they do need to be included in the sign plan as sign area.
So figure out how much area the letter takes up x number of umbrellas and add that as umbrella sign area.

Thanks so much! Sandwiches are delicious at Silver Star Café!!!

Sincerely,

Kirsten

Kirsten A. Whetstone, AICP
Senior Planner
Park City Municipal Corporation
PO 1480
Park City, UT 84060

435-615-5066 (p) 435-615-4906 (f)
kirsten@parkcity.org



7/9/2009

CONDITIONAL USE PERMIT**Admin**

CITY STAFF

Approved

Denied

12/30/09

APPLICATION #

RECEIPT #

DATE RECEIVED

PLD9-0083211/20/09

PLANNING COMMISSION

Approved

Denied

I. PROJECT INFORMATIONName: SILVER STAR CAFEAddress/Location: 1825 THREE KINGS DR. #70
PARK CITY, UT 84060

Legal Description:

Tax ID SS1, SS2, SS3

Subdivision & Lot #, or Survey, Lot & Block # _____

II. APPLICANTPlease check one of the following: ☒ owner ☐ optionee ☐ buyer ☐ agent ☐ otherName: RORY MURPHYMailing Address: P.O. Box 4223
PARK CITY, UT 84060Phone #: 640-5068 Fax #: 647-5704 E-mail paladinparkcity@aol.com

If you have any questions regarding the requirements on this application, please contact a member of the Park City Planning staff (435) 615-5060.

III. SUBMITTAL REQUIREMENTS:

1. Completed and signed application form
2. Application and review fees -

Discretionary	\$720.00
Steep Slope Review	\$350.00
Administrative	\$100.00 ✓
Extension/Modification	\$250.00
3. Three (3) complete sets of all plans submitted.
4. 8½" x 11" reductions of plans.
5. Current Title Report (not older than 30 days). ✓
6. Stamped, addressed **envelopes** for property owners within 300 feet.
 - a. Envelopes (addressed to property owners as described above) with mailing labels and stamps affixed (we do not accept metered envelopes). Please do not include a return address on the envelope.
 - b. List of property owners, names and addresses as described above. The distance is measured from the property line, not the location of the request. Please provide the Summit County Assessor's Parcel Number for each property owner if possible

Sample Envelope

No return address	##
JOHN DOE PO BOX 2002 PARK CITY UT 84060	

IV. CONDITIONAL USE FACT SHEET

PROJECT DESCRIPTION

1. On a separate sheet of paper, give a general description of the proposal and attach it to the application. Provide a written statement addressing any variance requested, proposed construction phasing schedule, rezoning or annexation required, and a general description of the project.
2. Existing Zoning SF-RDM-RC
3. Is project within the Sensitive Lands Overlay? yes no
4. Current use of the property Resort/offices
5. Total project area Acres 20 Square feet _____
6. Number of residential units: 120 (incl. affordable + ADA)
Average unit size: 2,000 (square feet)
7. Commercial area: 18,000 (gross floor area)
15,000 (net leasable area)
8. Types of business activity: Resort / office
9. Number of parking spaces required: 318 Proposed: 318
(per Title 15 LMC, Chapter 3, Off-Street parking, 15-3)
10. Project accessed by:
public road private road private driveway
11. Ownership/occupancy:
owner occupied lease nightly rental condominium timeshare
12. Water service availability:
existing requires extension of city services
13. Other applications under review: None right now.

V. ACKNOWLEDGMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has review the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review the week prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant:

Name of Applicant (please print)

Mailing Address

Phone

E-mail

Type of Application

R. Murphy
RORY C. MURPHY
P.O. Box 4223, PC, UT 84060
640-5068 Fax 647-5704
paladinparkcity@aol.com
Admin. CUP

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of Applicant (please print)

Mailing Address

Street Address/Legal Description of Subject Property:

Signature

Date

RORY MURPHY
P.O. Box 4223, PC, UT 84060
1825 Three Knys Dr. # 70
PC, UT 84060
R. Murphy 11/17/09

1. If you are not the fee owner, attach another copy of this form that has been completed by the fee owner, or a copy of your authorization to pursue this action.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing this action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

Please Note: This affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to final action.



Building • Engineering • Planning

December 8, 2009

**NOTICE OF REVIEW OF ADMINISTRATIVE CONDITIONAL USE PERMIT
TO ADJOINING PROPERTY OWNERS**

Dear Property Owner:

The Park City Planning Department has received an application for a project to be located in your neighborhood as described below. The application is for an administrative Conditional Use Permit, with review and approval by the Planning Staff.

Project Location: 1825 Three Kings Dr

Applicant: Rory Murphy, Silver Star Homeowner's Association

Project Description: Request for a temporary tent structure for the Silver Star Café to be located on the Silver Star Plaza adjacent to the Silver Star Café.

Staff has determined that the proposal complies with requirements of the Land Management Code regarding administrative Conditional Use Permits. As a courtesy, we are sending this notice to surrounding property owners. If you have any questions or comments regarding the proposal, please contact me at (435) 615-5066 or Kirsten@parkcity.org during normal business hours prior to December 18, 2009.

Sincerely,

A handwritten signature in black ink, reading "Kirsten A. Whetstone".

Kirsten A. Whetstone, MS, AICP
Senior Planner



November 18, 2009

Kirsten Whetstone, Senior Planner
Park City Community Development Department
Park City Municipal Corp.
PO Box 1480
Park City, Utah 84068

RE: Conditional Use Permit Application for Seasonal Tent at Silver Star Café

Dear Kirsten,

Please find enclosed the information required to apply for a Conditional Use Permit for a seasonal, temporary tent adjacent to the café. The tent is proposed to be 25 feet by 25 feet and located directly adjacent to the Silver Star Café to serve as additional seating for the Café during the four main winter months. The tent is proposed to be in place from December 30th, 2009 until ~~April 1st~~, 2010. The tent will comply with all necessary fire and safety rules that any City Department may consider necessary.

The Silver Star Café opened on March 1st, 2009 and has been very well received by the community, particularly the surrounding neighborhoods. When the weather is nice, the Café can easily accommodate a large crowd with the deck furniture that is placed around the plaza. However, the Café, which currently has 32 indoor seats, was overwhelmed by diners this summer during inclement weather. We are concerned that the winter will place even greater demands on the Café during cold days. For that reason, we are proposing a tent to accommodate additional seating while the lift is open.

The proposed tent will be removed promptly on April 1st, 2010. The snow load on the proposed tent is 15 pounds per square foot and the wind-rating is a 90 mph C-rating. The tent would be leased month-to-month with Diamond Rental (Jim

office: 435.647.5701 facsimile: 435.647.5704

Paladin Development Partners PO Box 4223, Park City, UT 84060

LeClaire 801-262-2080). Diamond Rental has worked extensively with Park City in the past and we anticipate that they will promptly work through any logistical issues the City may have.

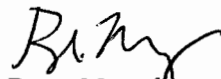
The HOA has agreed to be responsible for the snow removal plan for the tent (please see attached letter from Steve Perkins, Silver Star HOA Manager 640-1730). The City Building Department will determine the snow loading capability of the tent and the HOA will remove any snow beyond that determination.

We have provided the following materials to help facilitate this application:

- 1) Completed and Signed CUP Application Form and Statement of Responsibility
- 2) \$100.00 Processing Fee
- 3) Current Title Report for the Property
- 4) A list of Landowners within 300 feet of the proposed use.
- 5) Addressed, Stamped Envelopes for the above Landowners.
- 6) Letter from HOA concerning Snow Removal.
- 7) Letter from HOA agreeing to proposed use.
- 8) Location of area of proposed use from Google Maps (sorry, I could only find one that was still under construction, but the area is discernable).
- 9) Map and lay-out of proposed tent from Jim LeClaire of Diamond Rental.

Thank you for your consideration of this proposal. Please do not hesitate to contact me with any additional questions or concerns (640-5068).

Take care,



Rory Murphy

Paladin Development Partners, LLC



11/18/09

To Whom It May Concern,

This letter is in reference to the request by The Silver Star Market to erect a temporary tent located adjacent to the Market at 70 Silver Star Court. The Silver Star Master Association through its Board of Directors reviewed the location, plans and request to erect the temporary tent.

At this time the Silver Star HOA Board of Directors has approved the request to erect the tent.

Respectfully,

Steve Perkins

General Manager

Silver Star HOA

435 658 1570

sperkins@premier-resorts.com

RESORTS WEST
Official Manager of Silver Star



11/11/09

To Whom It May Concern,

This letter is in reference to the request of the Silver Star Market to erect a tent on the deck adjacent to the Market at Silver Star, located at 1825 Three Kings Drive. The HOA understands that the roof of the tent will need to be cleared of snow regularly. The HOA will maintain the snow removal necessary through out the season while the tent is standing.

Please feel free to contact me with any questions.

Respectfully,

Steve Perkins

General Manager

Silver Star HOA

435 658 1570

sperkins@resortswest.com

RESORTS WEST
Official Manager of Silver Star



OKLAND JACK
1978 S WEST TEMPLE
SALT LAKE CITY UT 84115-7103

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PATTILLO ENTERPRISES LLC

ARTHUR BERNARD MAYO
1391 SETTLEMENT DR
PARK CITY UT 84098-6566

FIELD ENTERPRISE
113 WOODLAKE DR
GAINESVILLE GA 30506-1701

KELLEY FAMILY TRUST
609 PRAIRIE AVE
NAPERVILLE IL 60540-6717

EXTREME HOLDINGS LLC
1605 VICTORIA POINTE LN
WESTON FL 33327-1313

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

CHRISTOPHER M H & COLLEEN M POWERS
2351 OXFORD RD
COLUMBUS OH 43221-4036

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

RICHARD F & LINDA G SMALIGO
665 MOFFETT RD
LAKE BLUFF IL 60044-2101

RED SAND REAL ESTATE DEVELOPEM
1426 E 750 N
OREM UT 84097-5474

CHRISTOPHER TOLK
44681 HIGHWAY 82
ASPEN CO 81611-2373

JAMIE & KATHLEEN THOMAS
PO BOX 2275
PARK CITY UT 84060-2275

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

HUGH T & HALLIE SIMONTON
PO BOX 4223
PARK CITY UT 84060-4223

THOMAS J BOLAND
624 PINTA DR
TIERRA VERDE FL 33715-2011

JAMES & VIOLET R RAILEY
2 VACATION WAY
MC HENRY MD 21541-1383

GREGORY T BIGLER
1905 REDBIRD DR
LAS VEGAS NV 89134-6140

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

SILVERSTAR 4101 LLC
2415 E CAMELBACK RD
PHOENIX AZ 85016-4288

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

JOHANSEN PAUL J TRUST OF 2009
3080 FABIAN WAY
TAHOE CITY CA 96145

TRAM LLC
7425 NW 79TH ST
MEDLEY FL 33166-7534

SILSTAR LTD LLC
1825 THREE KINGS DR #4203
PARK CITY UT 84060-7284

JOHNNY L & MARY ANETTA JERNIGAN
11070 HWY 99
LILLIAN AL 36549

DAVID A & SUSAN GOLDBERG
9511 E CHINO DR
SCOTTSDALE AZ 85255-9198



CRAIG & SUSAN MILLER
1803 BRIDGEWATER DR
LAKE MARY FL 32746-6910

JOHN E & JILL E GARTMAN

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

JAMES A WRIGLEY
2124 GOLF CLUB LN
NASHVILLE TN 37215-1224

MEMPHIS PARK CITY PARTNERS LLC
4436 CHICKASAW RD
MEMPHIS TN 38117-1706

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

ACKERS POWDER HOUSE LLC
27 W 162 COVE LN
WARRENVILLE IL 60555

BRYAN W & JENNIFER BRODERICK
PO BOX 610
CORONADO CA 92118

JEFFREY T & DONNA A TURNER
9 MATSON CT
WILMINGTON DE 19803-3971

SORRENTO BUSINESS & SCIENCE CE
1400 MAIDEN LN
DEL MAR CA 92014-2500

THEODORE J & LYNN M KEENAN
2953 CORTE LA BELLA
ENCINITAS CA 92024-7273

SILVER STAR PROPERTIES LLC
3319 AMERICAN SADDLER DR
PARK CITY UT 84060-6819

FIELD ENTERPRISE
113 WOODLAKE DR
GAINESVILLE GA 30506-1701

RAYNES JEFFREY S TRUST
1780 ORANGE TREE LN
REDLANDS CA 92374-2856

TURPANJIAN PAUL & BENETTE
43 COUNTRY MEADOW RD
ROLLING HILLS ESTATES CA 90274-5774

DAVID & HELEN MCCLUSKEY

WATERSIDE PROPERTIES LLC
PO BOX 961
BOCA GRANDE FL 33921-0961

CROWSON CANTRELL REAL ESTATE H
1639 MEDICAL CENTER PKWY #200
MURFREESBORO TN 37129-2592

DAB REAL ESTATE LLC
142 SAINT ANDREWS DR
JACKSON MS 39211-2517

DAVID R & LAURIE O ELSASS

ALBERT F & SANDRA M BERTHA
3220 GREY HAWK CT
CARLSBAD CA 92010-6651

ED & LINDA GATLIN
5201 LEXINGTON CLUB CV #302
MEMPHIS TN 38117-8303

ALBERT F & SANDRA M BERTHA
3220 GREY HAWK CT
CARLSBAD CA 92010-6651

PALADIN DEV PARTNERS LLC
PO BOX 684089
PARK CITY UT 84068-4089

SUN H & KELLY K CHOE
52 ROYAL SAINT GEORGE RD
NEWPORT BEACH CA 92660-5222

RAYMOND & VALERIE VAN DAM
KELLEHER
100 SPALDING RIDGE WAY
ATLANTA GA 30350-4700

BASQUO LTD
2393 BRIARCREEK DR
SALT LAKE CITY UT 84117-4572

MICHAEL & SHERRY URBAN
5801 NW 23RD AVE
BOCA RATON FL 33496-3466

WHITE TED TRUST
107 N MEWS WOOD CT
SPRING TX 77381-4554

JAMES A INGRAM
7722 YAMINI DR
DALLAS TX 75230-3231



OSCAR THOMAS & LISANNE D
MARSHALL
334 RIVER OAKS RD
MEMPHIS TN 38120-2543

KEVIN NOEL & CHERYL KEMP
4800 N A1A #513
VERO BEACH FL 32963

JAMES & BONNIE QUIGLEY
92 VALLEY RD
NEW CANAAN CT 06840-3808

ROBERT A & KATHLEEN A EBERLE
7 ROCKRIMMON RD
NORTH HAMPTON NH 03862-2338

KARL E STIEN

ALTON C HALE

SANFORD A KASSEL

MEMPHIS PARK CITY PARTNERS
4436 CHICKASAW RD
MEMPHIS TN 38117-1706

SSC ASSOCIATES LLC
306 GRAND KEY TER
PALM BEACH GARDENS FL 33418-4628

SSC ASSOCIATES LLC
306 GRAND KEY TER
PALM BEACH GARDENS FL 33418-4628

GEORGE & CYNTHIA TSATSOS
PO BOX 682483
PARK CITY UT 84068-2483

IRA B & DOROTHY KOVEL
720 MILTON RD #F4
RYE NY 10580-3269

CURTIS C MAGLEBY
1447 10TH ST
MANHATTAN BEACH CA 90266-6101

THICK MONEY LLC
PO BOX 1280
TUPELO MS 38802-1280

TERESA C HYATT
6601 MALTA LN
MC LEAN VA 22101-2232

R J GULLO PROPERTIES INC
3001 COUNTY CLARE RD
GREENSBORO NC 27407-7365

PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

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PALADIN DEVELOPMENT PARTNERS L
PO BOX 4223
PARK CITY UT 84060-4223

BRIANNA T HENNINGS
2587 MORNING SKY CT
PARK CITY UT 84060-7065

FRANK J & EVAN JANGER
473 FORT LEWIS DR
POMONA CA 91767-1225

BRYN F CAREY



STEVIE HARRISON
PO BOX 683681
PARK CITY UT 84068-3681

WENDY ASHTON
2353 E 3225 S
SALT LAKE CITY UT 84109-2719

CATHERINE M MULLALY
PO BOX 4361
PARK CITY UT 84060-4361

PATRICIA ABDULLAH
900 BITNER RD #F13
PARK CITY UT 84098-5435

ANNE M EDWARDS
PO BOX 683801
PARK CITY UT 84068-3801

KATHERINE D WRIGHT
1835 THREE KINGS DR #65-8
PARK CITY UT 84060

HOWARD L SCHATZ
PO BOX 2144
PARK CITY UT 84060-2144

PARK PROPERTIES
TEMPTATION CONDO HOA
PAYDAY CONDO HOA
BERNOLFO FAMILY LIMITED PARTNERSHIP
DYLAN ROTHWELL
PARK CITY SKI CORPORATION
PARK CITY MUNICIPAL
HERBERT S. ARMSTRONG
WILLIAM R. KELLEY JR.
WILLIAM ARMSTRONG
ARMSTRONG PROPERTY HOLDINGS

PO BOX 39, PARK CITY, UT 84060-0039
3502 E. EASTOAK DR., SALT LAKE CITY, UT 84124
PO BOX 680876, PARK CITY, UT 84068
163 S. MAIN ST., SALT LAKE CITY, UT 84111-1917
1334 E. MICHIGAN AVE., SALT LAKE CITY, UT 84105
PO BOX 39, PARK CITY, UT 84060-0039
PO BOX 1480, PARK CITY, UT 84060-1480
PO BOX 1510, PARK CITY, UT 84060-1510
PO BOX 257, HULL, MA 02045-0257
PO BOX 683452, PARK CITY, UT 84068-3452
PO BOX 1510, PARK CITY, UT 84060-1510



Park City Municipal Corp
1 Finance
0932402-1 11/20/2009 BR1 T2
Fri Nov20,2009 10:22AM Trans#11-11
Name: RORY MURPHY
11 \$100.00 PRMT - Permits
* Cust #: 00005143
Permit #: PL-09-00832
1 ITEM(S): TOTAL: \$100.00
Check (003896) PAID \$100.00



Building • Engineering • Planning

December 30, 2009

Rory Murphy
Silver Star Café/Silver Star HOA
PO Box 4223
Park City, UT 84060

RE: Temporary Tent Administrative CUP Approval: 1825 Three Kings Drive- Silver Star Cafe

Dear Rory,

The Planning Department has reviewed and approved your application based on the information found below. This letter acts as the official notice of approval.

According to the Park City Municipal Land Management Code: Temporary Structures, Tents, and Vendors may be permitted in the Residential Development (RD) subject to all requirements of this code, including Section 15-4-6 and the following criteria:

- (1) The proposed use must be on private property. The Applicant shall provide written notice of the Property Owner's permission
- (2) The proposed use should not diminish existing parking. Any net loss of parking shall be mitigated in the applicant's plan
- (3) The proposed use shall not impede pedestrian circulation, emergency access, or any other public safety measure
- (4) The use shall not violate the city noise ordinance.
- (5) The use and all signing shall comply with the municipal sign and lighting codes
- (6) The use shall not violate the summit county Health Code, the Fire Code, or State Regulations on mass gathering
- (7) The Use shall not violate the International Building Code (IBC).
- (8) The applicant shall adhere to all applicable City and State licensing ordinances.

FINDINGS OF FACT:

Upon review of your application, staff finds that:

1. The application, as conditioned, complies with all requirements of the Land Management Code, Section 15-1-10.
2. The tent is requested for use from January 1, 2010 to March 1, 2010.

3. To facilitate the event, a tent will be located directly north of the Silver Star Café entrance on the private court yard where the current outdoor dining is located. The tent is proposed to be 25' by 25'. The tent is not located within any required building setbacks.
4. No lighting is proposed with this application, however if additional interior lighting is required an electrical permit may be required.
5. The tent is not located within any required emergency access or pedestrian access ways.
6. The property was posted and mailed notices were provided to property owners within 300' of the property. No input was received within the 14 day notice period.

CONDITIONS OF APPROVAL:

1. Nothing herein shall allow any violation to the International Fire Code, International Building Code, or Park City Municipal Code, including any violation of the Municipal Noise Ordinance. Please find specifics as they pertain to this approval attached (Sections 6-3-8 and 6-3-9 attached).
2. Prior to erecting the tent, a tent permit shall be secured from the City's Building Department. All equipment for lighting, heating, power, etc., specifications for wind and snow loads, as well as exiting, and occupancy requirements must be reviewed and approved prior to installation of the tent.
3. The erection of any tents or other equipment shall not displace available, private parking to the level of impacting emergency access or causing circulation or parking issues on any of the adjacent, public streets.
4. The tent must be removed no later than 5PM on March 1, 2010.

Thank you for your cooperation in this matter. Please feel free to call me at 615-5066 if you have any questions.

Sincerely,



Kirsten Whetstone, AICP
Senior Planner
Park City Planning Department

The following are excerpts from the Park City Municipal Code:

6- 3- 8. SPECIFIC NOISE PROHIBITIONS.

The following acts are declared to be in violation of these rules and regulations.

6- 3- 9. NOISE LEVELS.

The making and/or creating of excessive or unusually loud noise or sound within the City as identified in the following Subsection (A), or identified and measured in the manner prescribed in Subsection (B), or in violation of restricted hours as outlined in Subsection (C) is unlawful.

(A) On the public right-of-way or upon public property, from the source or device as to be plainly audible at a distance of fifty feet (50') or on private property, as to be plainly audible at the property line.

(B) The noise shall be measured at a distance of at least twenty-five feet (25') from the source of the device upon public property or within the public right-of-way or twenty-five feet (25') from the property line if upon private property, and shall be measured on a decibel or sound level meter of standard design and quality operated on the "A" weighing scale. A measurement of sixty-five (65) decibels shall be considered to be excessive and unusually loud.

(C) Hours of restriction are as follows:

Residential- 10 pm to 7 am Monday through Saturday

Not before 9 am Sunday

Commercial 10 pm to 6 am- Monday through Saturday

TURE

TE CAMPUS/ OFFICE SPACE
IG UNITS
ING
MINE STRUCTURES

(PARK CITY MOUNTAIN RESORT)

PROPOSED
SKI RUN

POD A

SKIER BRIDGE

PROPOSED SKI LIFT AS
PER PARK CITY MASTER
PLAN

RESORT SUPPORT/
COMMERCIAL
OFFICE

PROPOSED
SKI RUN

OPEN SPACE

THREE KINGS DRIVE

AYDAY
IUMS

CONDO
AMENITIES

RESORT SUPPORT/
COMMERCIAL/
STACKED FLATS

SKIER DROP-
OFF/ BUS STOP

ART CENTER/ RETAIL
AND CONDO ENTRANCE

PARK CITY MUNICIPAL
WASTE WATER TREATMENT
FACILITY

PARK CITY MUNICIPAL
GOLF COURSE

Spiro Tunnel Annexation

Park City, Utah

*LOCATION of
Temp. Tent
White Tent typical of those installed
during Soundance*

RECEIVED

DEC 30 2009

PARK CITY
PLANNING DEPT.

D. GEORGE HANSEN, INC.
CONSULTING STRUCTURAL ENGINEERS
254 E. 100 SO.
SALT LAKE CITY, UTAH 84111
(801) 519-2111

PROJECT: 20 FT. WIDE X 40 FT. WIDE FESTIVAL TENTS
USAGE: STANDARD RENTAL USAGE
CLIENT: DIAMOND RENTAL
BY : DGH
DATE : Dec-06

DESIGN CRITERIA

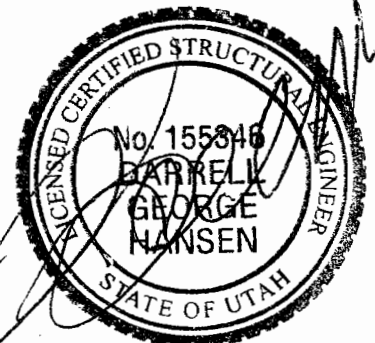
1. GOVERNING CODE 2006 IBC
2006 IFC
2. ROOF LIVE LOAD 2.5 PSF
SNOW LOAD 15 PSF
DEAD LOAD 1.25 PSF
3. SEISMIC : WIND GOVERNS, SO NOT APPLICABLE
4. WIND CRITERIA: ASCE 7-00 AND 2006 IBC
BASIC WIND SPEED V 90 MPH 3 SECOND GUST
70 MPH FASTEST MILE
EXPOSURE= C
MEAN ROOF HEIGHT = 12 FT
IMPORTANCE FACTOR = 0.52
5. SPAN 20 FT.
BAY WIDTH 10 FT.
COLUMN HEIGHT 8 FT.
LENGTH AS REQUIRED
ENDS HIPPED
BRACING CABLES PERPENDICULAR COLUMNS

PLANNING DEPT
APPROVED

*The Admin
CUP*

KAW 12-30-09

DEC 30 2009



(HORIZONTAL COMPONENT)

VERTICAL POSTS AT CORNERS:

SECTION 2" DIA. PIPE

A = 1.07 SI
I = 0.666 IN.**4
S = 0.561 IN.**3
r = 0.787 IN.

LENGTH = 8 FT.

K = 1.2

KL/r = 146.37865

ALLOWED f_a = 7010 PSI

MAX. ALLOWED F_a = 7500.7 LBS.

ALLOWABLE UNIFORM LOAD BASED ON SUPPORT POSTS:

TRIB AREA TO SIDE BEAM = 100 SF
UNIFORM LOAD = 75.007 PSF

SUMMARY:

ALLOWED SNOW LOAD = 3.6355101 PSF **
DESIGN SNOW LOAD USING SNOW LOAD REDUCTION FROM UBC
(SEE PREVIOUS CALC PAGE) 7.3355101 PSF OK
ALLOWED SNOW DEPTH = 4.4013061 IN.

ALLOWED WIND UPLIFT LOAD = 4.8352285 PSF
(USING SHORT TERM LOAD FACTOR =1.33)

70 MPH EXPOSURE C
 q_s = 12.6
 C_e = 1.06
 C_q = 0.7
 w = 9.3492 OK

LATERAL WIND LOAD ANALYSIS **EXPOSURE C**

WIND SHADOW

WALL 80 SF
ROOF 40.5 SF
TOTAL 120.5 SF

AVERAGE MEAN ROOF HEIGHT LESS THAN 15 FT.

LATERAL LOAD TO WALLS = 18.6984 PSF = $12.6 * 1.06 * 1.4$

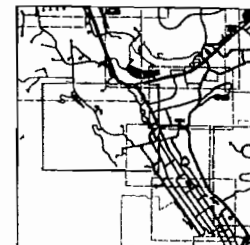
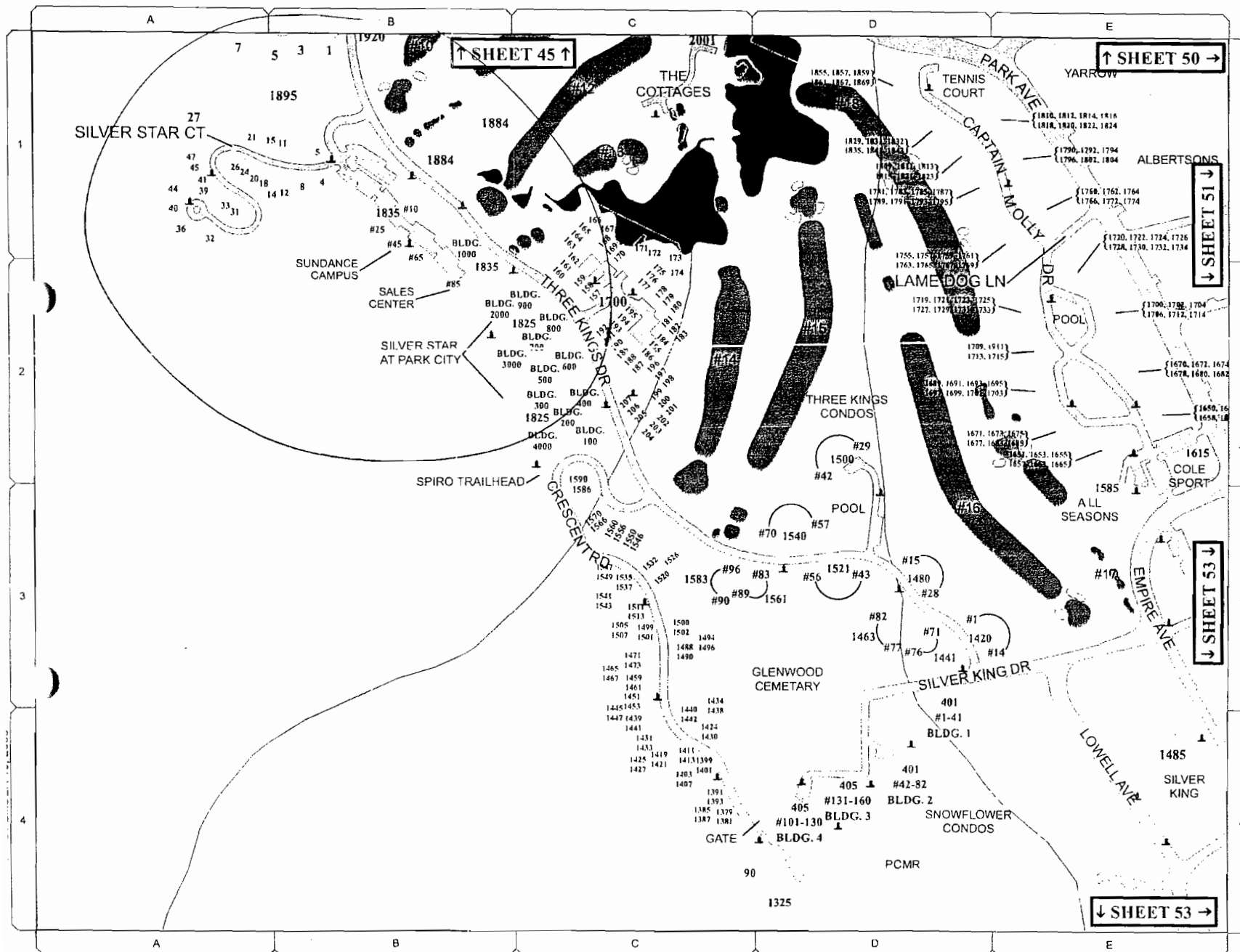
LATERAL LOAD TO WALLS = 12.340944 PSF = $12.6 * 1.06 * 1.4 * .66$

SEE TABLE 16-H, STRUCTURE TYPE 7, AND FOOTNOTE 8

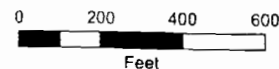
W = 1995.6802 LBS. = ROOF A * 12.34 + WALL A * 18.69

REVIEW SIDE BEAMS

LATERAL LOAD 99.784012 PLF
SPAN = 19.33 FT.



STREET INDEX	
STREET	LOCATION
CAPTAIN MOLLY DR	D1-E2
CRESCENT RD	B1-D4
EMPIRE AVE	E3
LAME DOG LN	E1
LOWELL AVE	E4
PARK AVE	D1-E2
SILVER KING DR	D4-E3
THREE KINGS DR	B1-D3

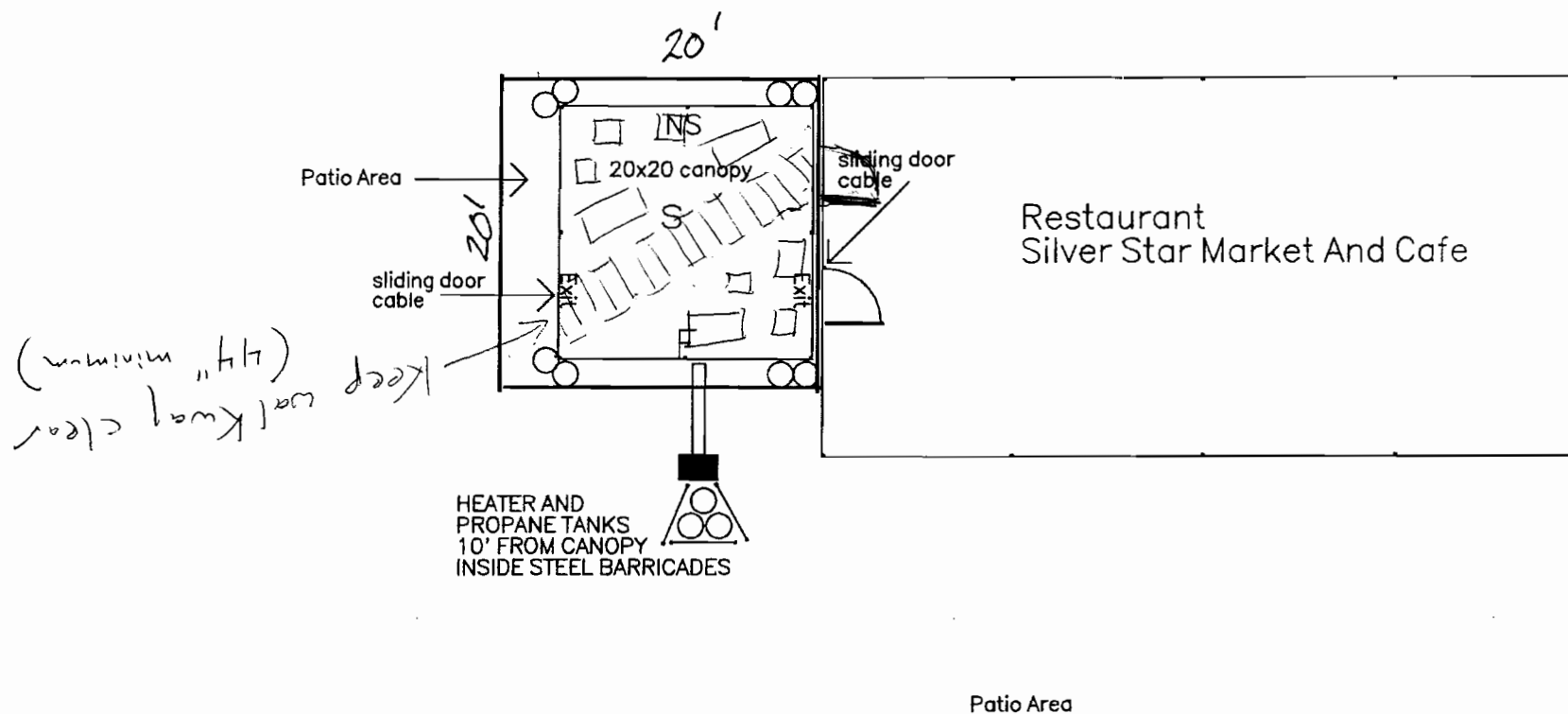
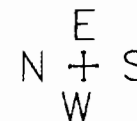


THREE KINGS/
SNOWFLOWER

N
▲ SHEET 46

SILVER STAR MARKETING

GOLF COURSE



- Exit = exit sign
- S = smoke detector
- F = fire extinguisher
- NS = no smoking sign

Kirsten Whetstone

From: paladinparkcity@aol.com**Sent:** Thursday, December 17, 2009 10:36 AM**To:** Kirsten Whetstone; JamesL@diamondrental.com**Subject:** Silver Star tent

Dear Kirsten,

ok I spoke with Jim LeClaire with Diamond last week and he suggested that he address questions #1, 2, 3, 4, and 6 in his discussion with the building department and that I address questions #5, 7 and 8. Please let me know if this doesn't work for you in any way and we'll make whatever arrangements you wish.

✓ 5) The proposed hours will be from 8 until 5, every day during the ski season. The occupancy will be @30, but that will be determined with the building permit based on Ron's calculations. There will not be music or speakers in the tent area. We are not requesting additional signage or lights. There will be a heater and it is designed especially for this tent and has significant building code adherence considerations built in. Again, this is something that Ron will have to sign off on.

✓ 7) I can absolutely sign as the HOA Pres. and will come in today to sign another application using that title.

✓ 8) The tent is designed for ski lift traffic ONLY. The parking lot will have its usual gestapo presence all winter. Its important to note that all parking stalls are assigned during the winter and we have HOA guys who foot patrol it when the lift is open. We are not at all afraid to boot and/or tow, and the word is pretty well out.

Thanks, Kirsten and I hope your Christams is going well so far!

Call me w/any questions or concerns.

take care,

Rory

12/17/2009

**PARK CITY MUNICIPAL
PLANNING DEPARTMENT**



**APPLICATION REVIEW STATUS
NOTIFICATION CARD**

APPLICATION #: PL-09-00832
SUBMITTAL DATE: November 20, 2009
PROJECT NAME: Silver Star Cafe Tent
PROJECT ADDRESS: 1825 Three Kings Drive #70

PLANNER ASSIGNED: Kirsten Whetstone
PHONE: 435-615-5066
EMAIL: kirsten@parkcity.org

☐ All submittal requirements for your application have been satisfied. I will be in contact with you promptly regarding the upcoming timeline of your project.
Your application was considered complete on _____

☒ Your project application is **incomplete**. Please contact me to discuss, in detail, the additional information needed:

Outstanding Fees: _____

✓ Project information: Picture of the tent (see Bldg - need copy for our files)
Tent details- height, construction details, how it is attached
to the ground/building, what materials, colors, ie. specs

still need 12/22/09
Stamped, addressed envelopes and mailing list.

If you have any questions, please don't hesitate to contact me. Thank you.

Hi Rory,

First of all, thank you so much for the wonderful basket of treats!
You all at Silver Star are so thoughtful. We all at Planning are most appreciative!

RE: Tent

I posted the property and mailed out the letters yesterday.
There is a 10 day notice period before you can get a building permit- however you can submit for a permit in the meantime.
Or at least have a meeting with Richard C or Roger E to see what they need.

For the Admin CUP I need a bit more information (but it is likely information you will need for the building permit anyway).

Need the following:

1. Pictures and specifications for the tent- including all construction/installation details- height, materials, colors, views of all sides, how attached to ground, etc.
(I know that Diamond Rental can provide all of this information- they do it all the time!)
2. Site plan with dimensions to property lines, buildings, etc. (you can use your existing site plan and show the dimensions to any property lines, buildings, etc)
3. Need to show that pedestrian, fire, etc. access is not diminished/impaired in the area.
4. Need to provide an interior layout and show the minimum access widths for ADA, etc.
5. A bit more general information would be helpful- hours of operation, occupancy anticipated, speakers/music proposed, liquor license information, signs, lighting, etc. ie will there be signs/lights/heaters/music??
6. Building will likely need the following- wind load, snow load, fire rating, exiting (size and locations), structural calculations.
7. Can you sign the application on behalf of the HOA as owner of the property/ie the location of the tent/plaza?
8. Can you provide a statement regarding parking- ie. do you have adequate parking for this use, based on who is using the space?

The notice period is up on Dec 18, so anytime you want to get this information together and meet with me and someone from Building, let me know so we can work on getting everything finalized prior to that date.

Thanks

Sincerely,

Kirsten

PS Ask Chris about the master sign plan.

From: paladinparkcity@aol.com [mailto:paladinparkcity@aol.com]
Sent: Tuesday, December 08, 2009 8:17 PM
To: Kirsten Whetstone
Subject: Tent

Dear Kirsten,

Hope you had a great Thanksgiving. The kids and I went to Vermont to see Grandma. The weather was nice and Gram was as ornery as ever. How is the tent permit going? We are hoping to get in front of Building Dept. soon to be set up for Christmas. Let me know if anyone is having heartburn.

Take care,

Rory

Map of 40.658644,-111.516289

YAHOO!



When using any driving directions or map, it's a good idea to do a reality check and make sure the road still exists, watch out for construction, and follow all traffic safety precautions. This is only to be used as an aid in planning.

*What does tent look like?
Need dimensioned site plan.*

Miles

will you please forward to Rory and Chris

Thanks

Jim LeClaire

Diamond Rental

801-262-2080 ex 238

Rory

You will need to contact the city for a conditional use permit.

We only take of tent permit and fire inspection. City requires you handle the conditional use permit.

Please read all notes on page 1 of contract, call with any questions.

Thank You

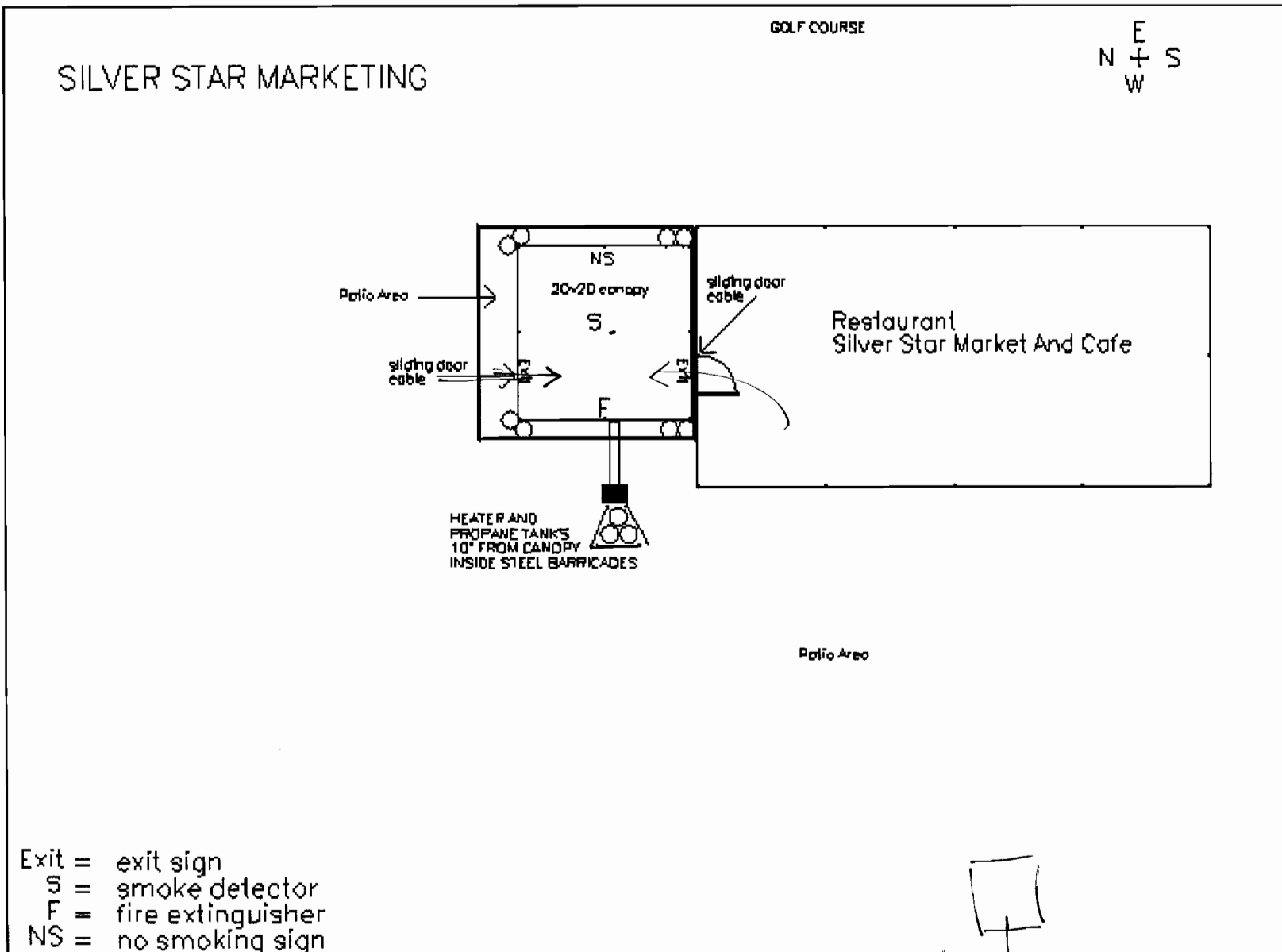
Jim LeClaire

Diamond Rental

801-262-2080 ex 238

801-509-5557 cell

801-281-4654 fax



*Need overall site plan -
 Of Plaza, also interior layout,
 Emergency access/ped. routes, width.*



Planning Department

December 16, 2022

Silver Star Café
1825 Three Kings Drive
(435) 901-3318

CC: Jeff Ward

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address: 1825 Three Kings Drive

Zoning District: Residential Development

Application: Administrative Conditional Use Permit

Project Number: PL-22-05464

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: December 16, 2022

Project Summary: The Applicant requests to install a Temporary Structure from December 2022 through April 2023 for winter use of an approved Outdoor Dining area.

Action Taken

On December 16, 2022, the Planning Director conducted a public hearing and approved an Administrative Conditional Use Permit according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 1825 Three Kings Drive in the Residential Development (RD) Zoning District.
2. The Applicant proposes erecting a Temporary Structure from December 2022 through April 2023.
3. Temporary Structures are a Conditional Use in the RD Zoning District.
4. The existing outdoor Area is approximately 2,200 square feet.
5. The Temporary Structure is 24' in diameter (452 square feet) and approximately 13' tall.

6. The Planning Department approved a Conditional Use Permit for year-round Outdoor Dining at the Silver Star Café in July 2009.
7. The Planning Department approved a Conditional Use Permit for the Use of a Temporary Structure for Winter Outdoor Dining in December 2009.
8. In 2020, the Planning Department issued special approval for the Use of Temporary Structures in conjunction with Outdoor Dining to accommodate restrictions to COVID-19. The Applicant obtained special approval in 2020 for this same Temporary Structure.
9. The staff report analysis is incorporated herein.

Conclusions of Law

1. The Application, as permitted, is consistent with LMC § 15-1-10, *Conditional Use Review Process*, LMC Chapter 15-2.13, *Residential Development (RD) District*, and LMC § 15-4-16, *Temporary Structures, Tents, and Vendors*.
2. The proposed Use, as conditioned, will be compatible with the surrounding structures in Use, scale, mass, and circulation.
3. The effects of any difference in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. The proposed project shall comply with all adopted codes and ordinances; including, but not limited to the Land Management Code, International Building Code, Fire Code, ADA Compliance, and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of Park City.
2. The Applicant shall adhere to all applicable City and State licensing ordinances.
3. The Use shall not impede vehicular circulation, pedestrian circulation, emergency Access, or any other public safety measure.
4. No signs or lighting are approved with this Permit.
5. The Use is limited to the hours of operation for the Silver Star Café.
6. The Applicant shall comply with any City, County, and State health licensing requirements. The Use shall not violate the Summit County Health Code or State Regulations on mass gatherings. The Applicant shall ensure adherence to all Fire Codes.
7. The Applicant shall obtain the proper building permits and schedule the necessary inspections with the Building Department.
8. All exterior lights must conform with the outdoor lighting code. Any additional signs must be reviewed by the Planning Department.
9. Outdoor Uses must comply with the Park City Noise Ordinance (Municipal Code 6-3), which prohibits amplified music, and restricts music from 5:00 PM to 8:30 PM. If the applicant receives a complaint regarding noise generated from the

Outdoor Use, the Applicant shall notify the Park City Planning Department. Upon three complaints the Planning Director will review approval of the Administrative CUP and reserves the right to modify the operations, add additional restrictions and/or Conditions of Approval, or revoke the Administrative CUP to mitigate impacts to the community.

10. This Permit expires on April 30, 2023. The Applicant shall remove all Temporary Structures by the date of expiration.
11. The Applicant shall amend the existing approval for year-round Outdoor Dining to include the Use of a Temporary Structure during winter months, not to exceed 180 days.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5065 or email spencer.cawley@parkcity.org.

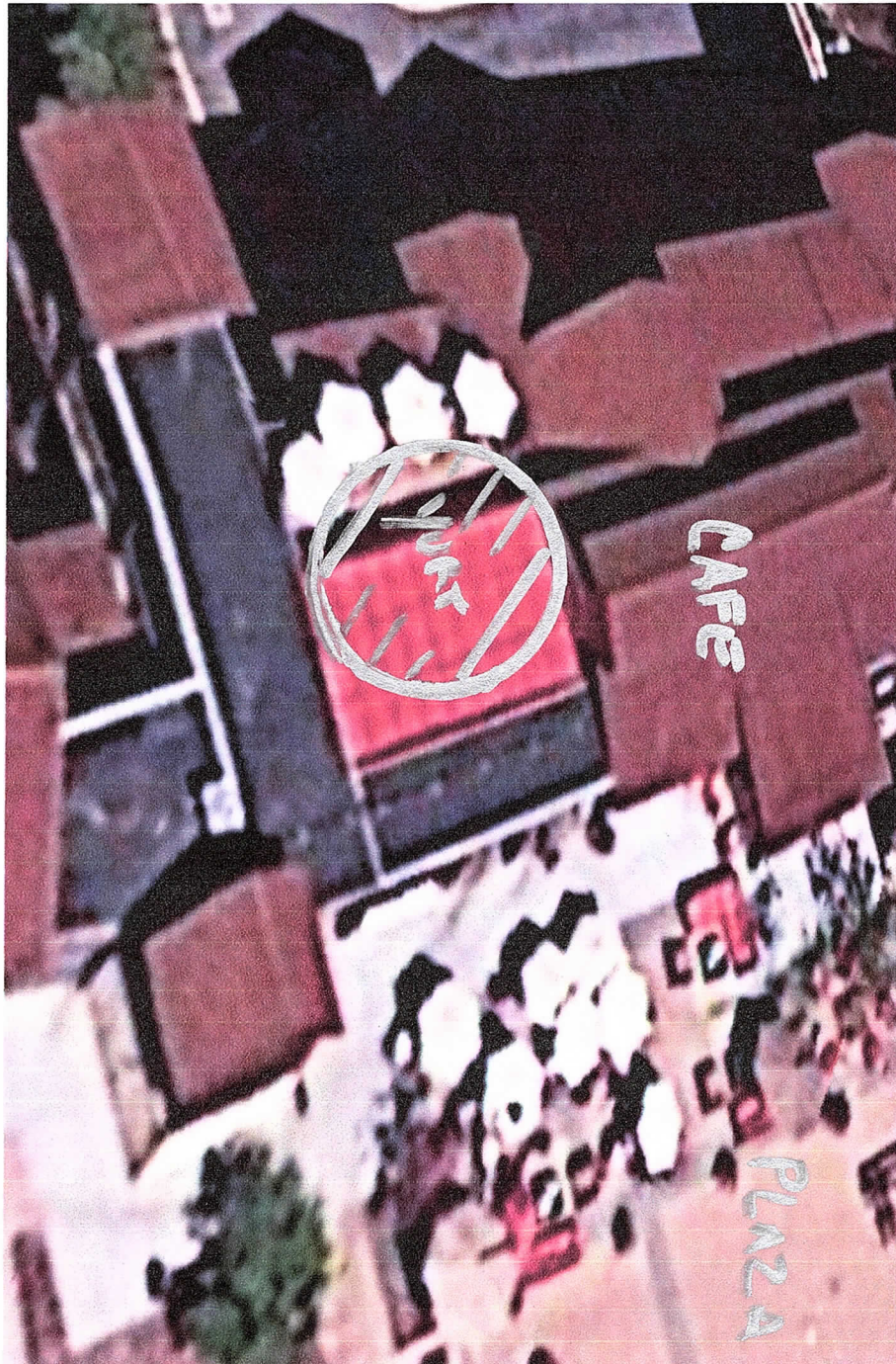
Sincerely,

A handwritten signature in black ink, appearing to read 'Gretchen Milliken', with a long horizontal flourish extending to the right.

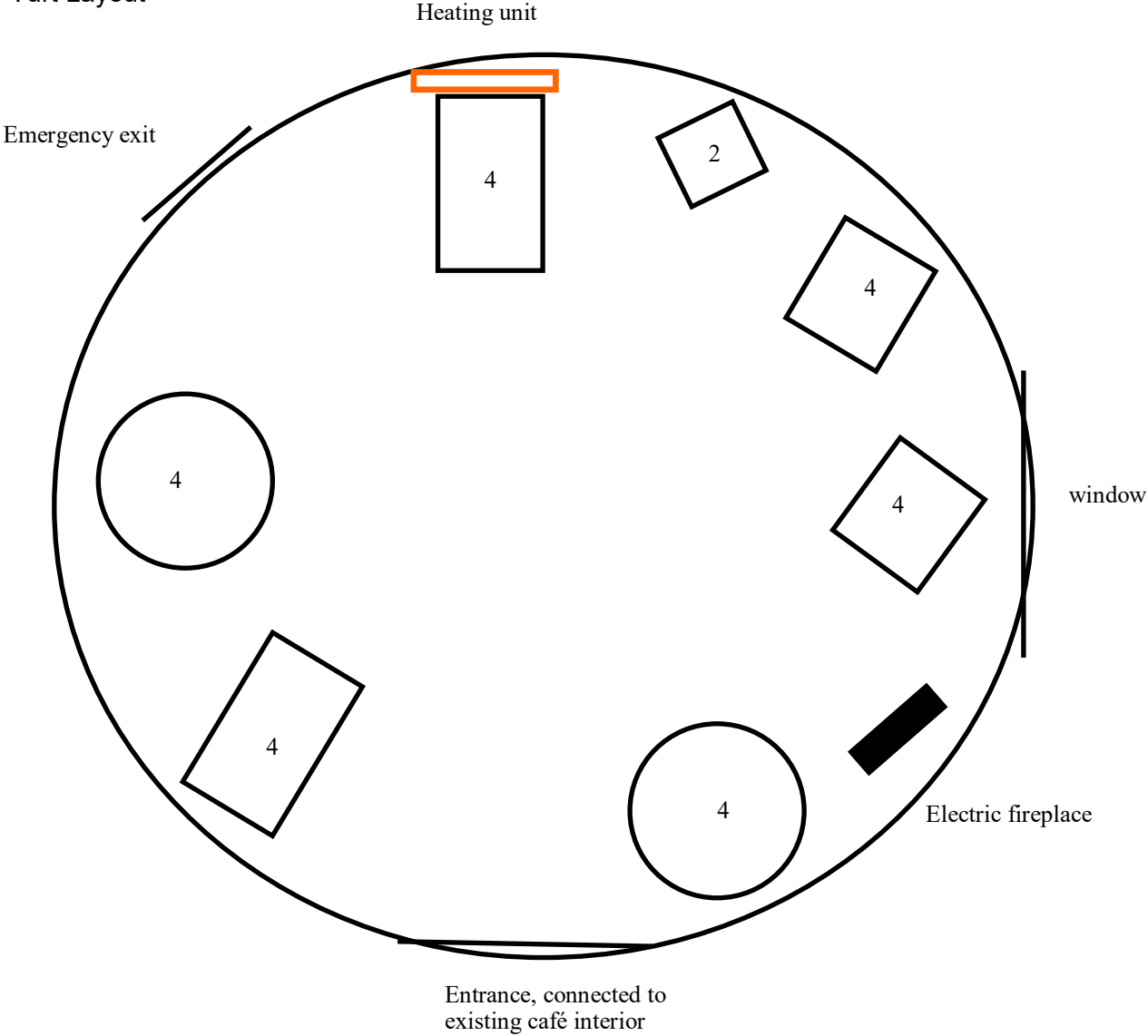
Gretchen Milliken
Planning Director

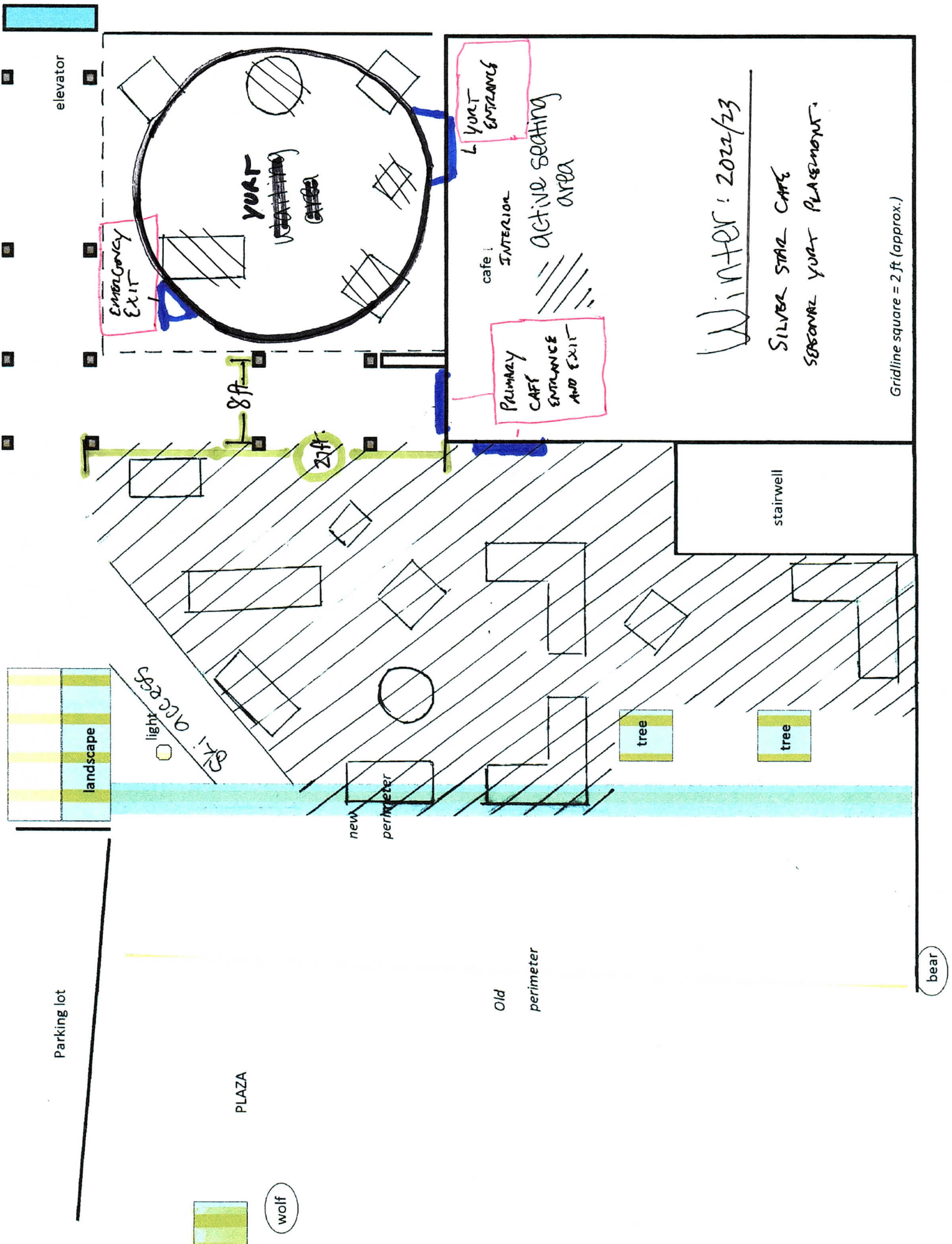
CC: Spencer Cawley, Project Planner

THROCK-NGS D.2.



Interior Yurt Layout





11/8/2023

To Whom it May Concern,

This letter is to acknowledge that the Silver Star Spiro HOA has voted and gives permission and consent to the Silver Star Café and Park City Municipal to proceed with the seasonal yurt install and permit. If there is anything else needed, please don't hesitate to reach out.

Best,

Brent Wenger
Silver Star General Manager
E: b.wenger@naturalretreats.com
D: 435.602.6201
1835 Three Kings Drive #15
Park City, UT 84060

Planning Department Staff Report



Subject: 341 Ontario Avenue
Application: PL-23-05980
Author: Lillian Zollinger, Planner II
Date: December 21, 2023
Type of Item: Modification to an Administrative Conditional Use Permit

Recommendation

(I) Review the request for retaining walls greater than six feet in height in the Front and Side Setback, (2) conduct a public hearing, and (3) consider approving a Modification to an Administrative Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action letter (Exhibit A).

Description

Applicant: Matt Day
Location: 341 Ontario Avenue
Zoning District: Historic Residential - 1 (HR-1)
Adjacent Land Uses: Single Family Dwellings
Reason for Review: The Planning Director Designee reviews and takes Final Action on Modifications to Administrative Conditional Use Permits¹

ACUP Administrative Conditional Use Permit
CUP Conditional Use Permit
HDDR Historic District Design Review
HR-1 Historic Residential - 1
LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Background

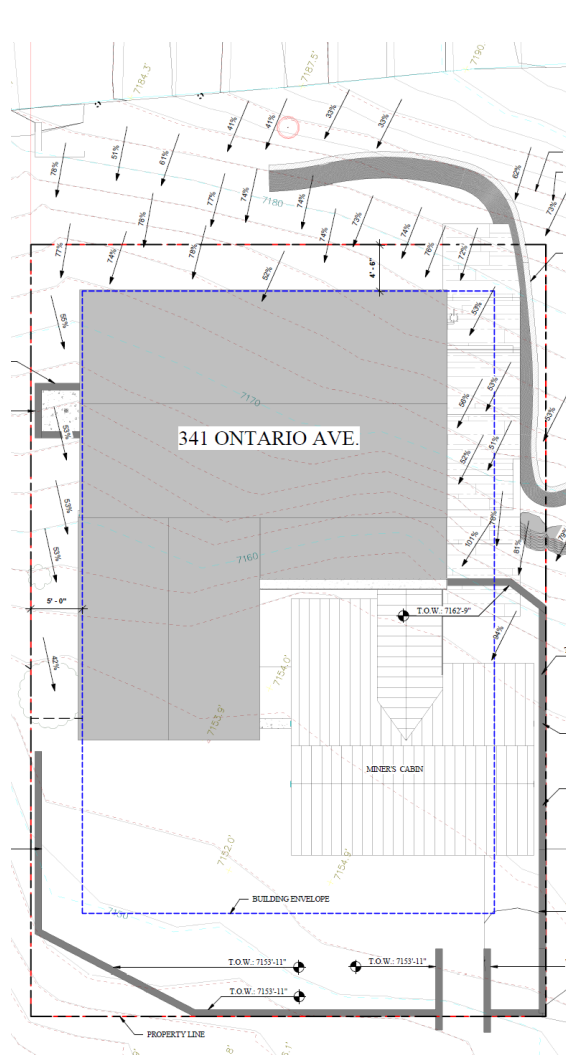
341 Ontario is a Landmark Historic Site with several approvals for an addition to the site:

Application	Outcome
PL-14-02235 Plat Amendment	Approved and Recorded See Ordinance No. 14-42
PL-15-02687 Historic District Design Review	Approved See (Exhibit C)
PL-15-02915 Steep Slope CUP	Approved See Staff Report ; Exhibits ; Minutes , p. 6

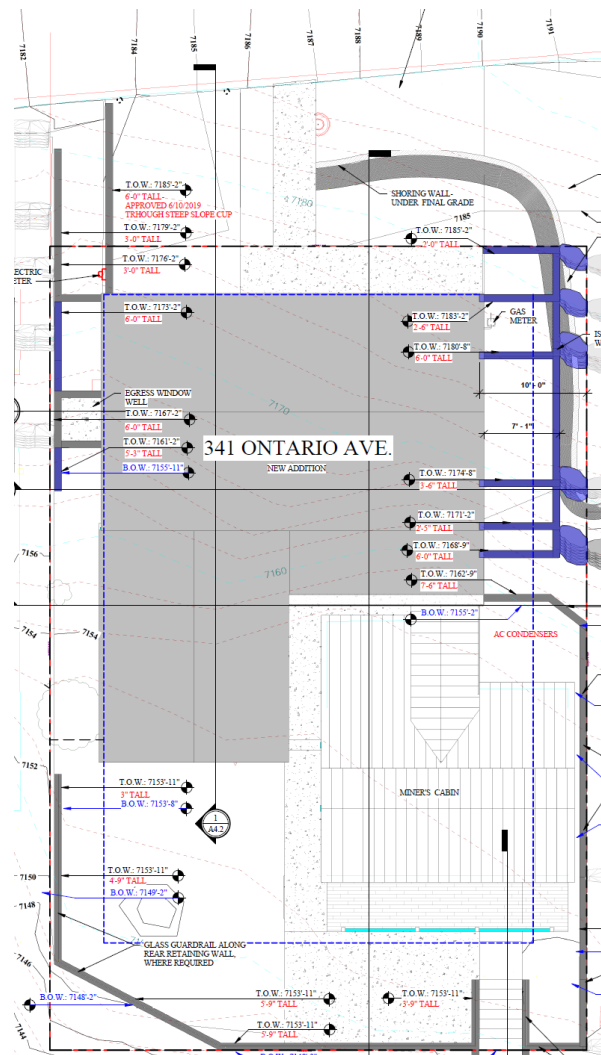
¹ LMC [§ 15-1-8\(E\)](#).

PL-17-03538 Variance	Approved See Staff Report , p. 17; Minutes , p. 3
PL-18-04049 Administrative Conditional Use Permit (ACUP)	Approved See Exhibit D
PL-20-04652 HDDR Extension	Approved See Exhibit E
PL-21-04783 Steep Slope CUP	Approved See Exhibit F
PL-23-05981 Modification to ACUP	Staff recommends approving the modification (see Exhibit A).

The Applicant proposes to add eight retaining walls to retain the Steep Slope more effectively. All the retaining walls in the Front Setback are less than four feet, and all the walls in the Side Setbacks are six feet or less, other than the seven-foot-six-inches retaining wall approved under the ACUP (see Exhibit B for the retaining wall plans).



Approved retaining walls.



Proposed retaining walls.

See the Draft Final Action Letter (Exhibit A) for the full analysis.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Proposed Plans

Exhibit C: June 14, 2019 Historic District Design Review Approval Letter

Exhibit D: June 10, 2019 Administrative CUP for Retaining Walls Greater than Six Feet

Exhibit E: February 10, 2021 Historic District Design Review Approval Extension

Exhibit F: April 12, 2021 Final Action Letter Approving Steep Slope CUP



December 21, 2023

Matthew Day
P.O. Box 3683
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-23-05980
<u>Subject</u>	Modification to an Administrative Conditional Use Permit (CUP)
<u>Address</u>	341 Ontario Avenue
<u>Description</u>	The applicant is proposing modifications to retaining walls within the Side Yard Setback and Front Yard Setback.
<u>Action Taken</u>	Approved
<u>Date of Action</u>	December 21, 2023

Action taken by Planning Department: A **Modification to an** ACUP was granted for retaining wall **modifications** located within the Side Yard and Front Yard area at 341 Ontario Avenue, based on the following:

Findings of Fact:

1. The property is located at 341 Ontario Avenue. The property is located in the Historic Residential-1 (HR-1) Zoning District.
2. The historic site is designated as Significant on the Historic Sites Inventory (HSI).
3. The Legal Description for this property is Lot 1 of the 341 Ontario Avenue Subdivision. On July 31, 2014, the Park City Council approved the 341 Ontario Avenue Subdivision through Ordinance 14-42.
4. The purpose of this Administrative CUP request is to allow a retaining wall greater than six feet (6') in height within the Side Yard Setback and Front Yard Setback, as allowed by the Land Management Code (LMC).
 - a. The maximum exposed portion of the retaining wall shall not exceed 7'6" as described on the May 23, 2019 approved plans.
5. All conditions of approval of the Historic District Design Review (HDDR) application Final Action Letter shall apply. See PL-15-02687.
6. The retaining wall is constructed of board formed concrete. The shoring walls shall be approved by the City Engineer.

7. The public notice was posted and notice to adjacent property owners was sent on **December 8, 2023**. No public comment was received.

Conclusions of Law:

1. The application complies with all requirements of Section 15-1-10(E) and 15-4-2(A)(1) of the Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding residential and commercial structures in use and mass.
3. As conditioned the use is consistent with the Park City General Plan.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Administrative Conditional Use Permit.
2. The fence material(s) shall abide by the Land Management Code and the Park City Historic District Design Guidelines.
3. The retaining walls shall be installed as approved on the **December 21, 2023**, plans.
4. The retaining walls shall not violate applicable International Fire Code, International Building Code, and/or Park City Municipal Code.
5. Applicant shall comply with any Building Department process/procedures regarding obtaining proper authorization.
6. A Work In the Right-of-Way Permit will be required from the Park City Engineering Department. This approval does not constitute approval of the Work in the Right-of-Way Permit.
7. The proposed retaining walls shall be shielded with vegetation to minimize visual impact. The final Landscape Plan shall match the approved HDDR plans.
8. **The Final Grade shall be within four feet of the Existing Grade.**

If you have any questions regarding your project or the action taken please don't hesitate to contact **the project planner at (435) 615-5068** or lillian.zollinger@parkcity.org.

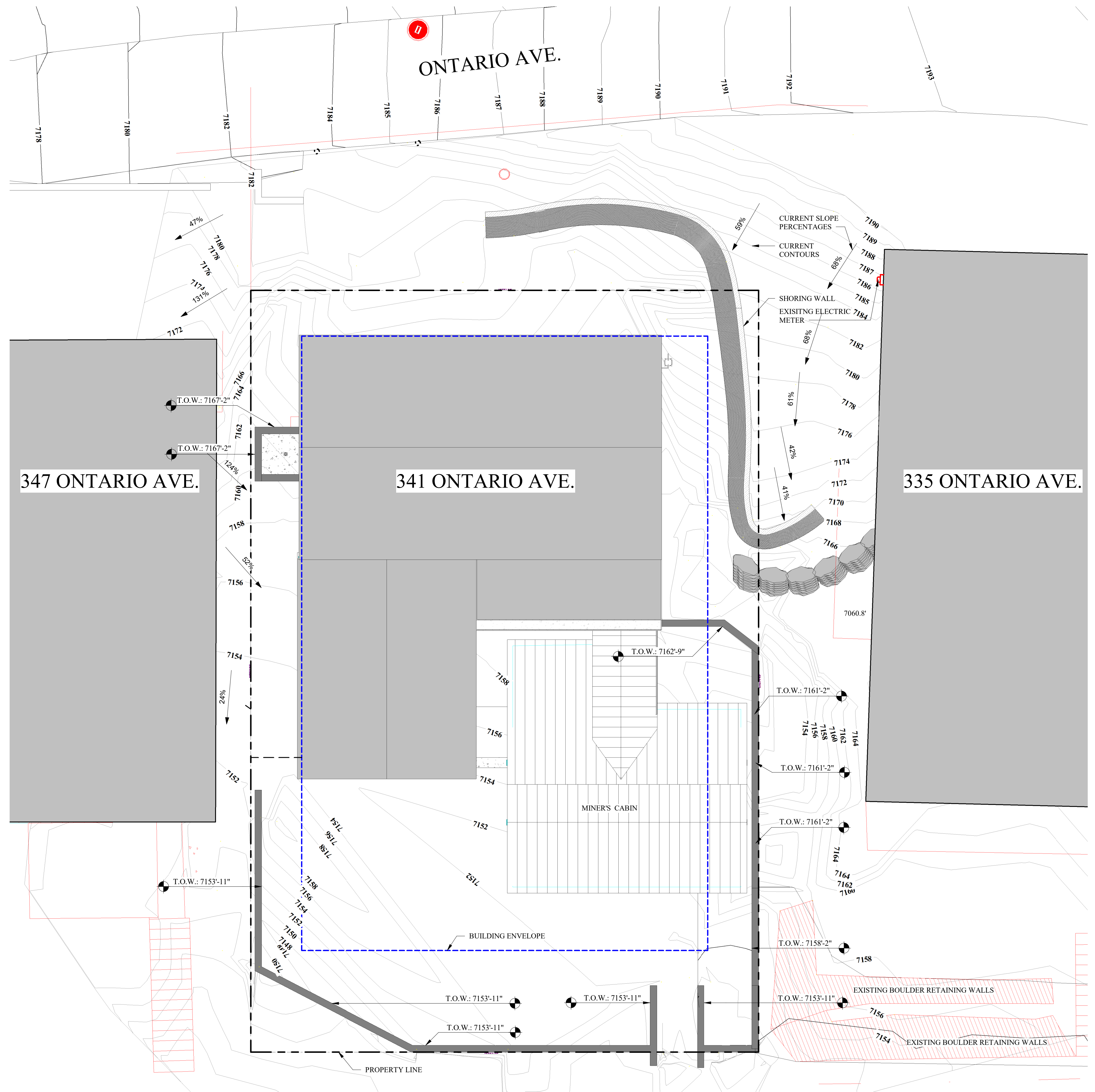
Sincerely,



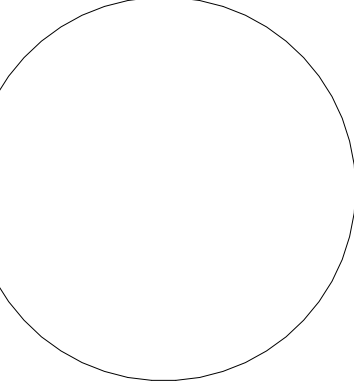
Hannah M. Tyler, AICP
Senior Planner

Rebecca Ward, Interim Planning Director
CC: Lillian Zollinger, Planner II

A narrow alleyway between a finished house on the left and a house under construction on the right. The finished house has grey horizontal siding and black shutters. The house under construction has a concrete foundation and exposed wooden framing. A dirt path leads between the houses, and the foreground is covered in gravel and large stones.



RETAINING WALLS -CURRENT SITE COND.
3/16" = 1'-0"

[illegible]

DAY RESIDENCE

341 ONTARIO AVE.
Park City, UT 84060

DEVELOPMENT: OLD TOWN
LOT:-

[illegible]

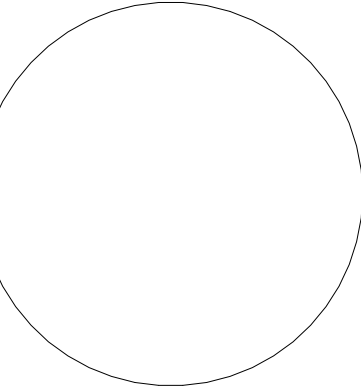
RAWN BY:Author

PROJECT #:-

CALE: 3/16" = 1'-0"

**RETAINING
WALLS
CURRENT SITE
COND.**

A1.3

[illegible]

DAY RESIDENCE

341 ONTARIO AVE.
Park City, UT 84060

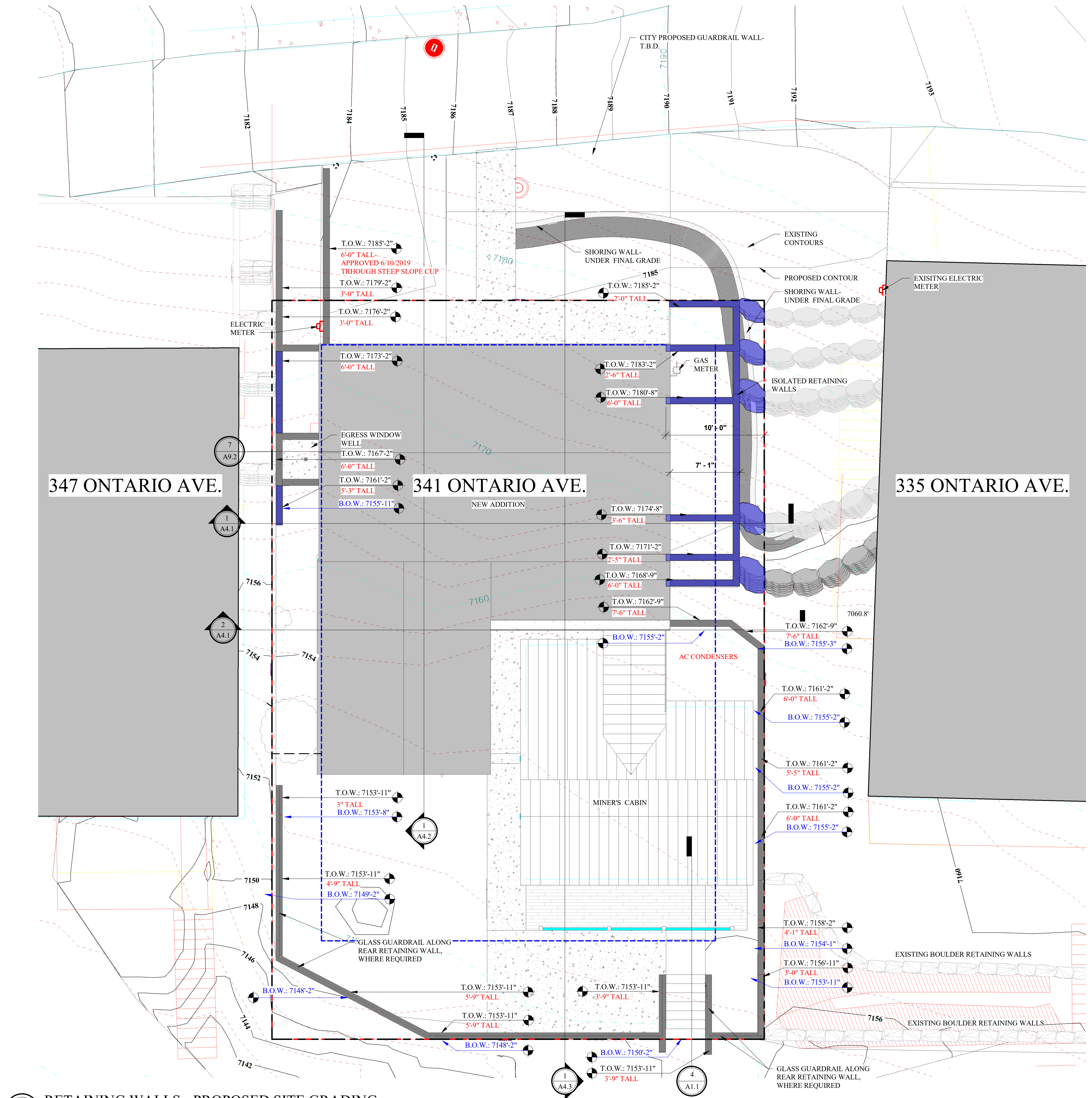
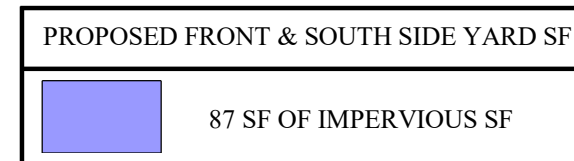
DEVELOPMENT: OLD TOWN
LOT:-

REVISION SCHEDULE		
NUM.	DESCRIPTION	DATE

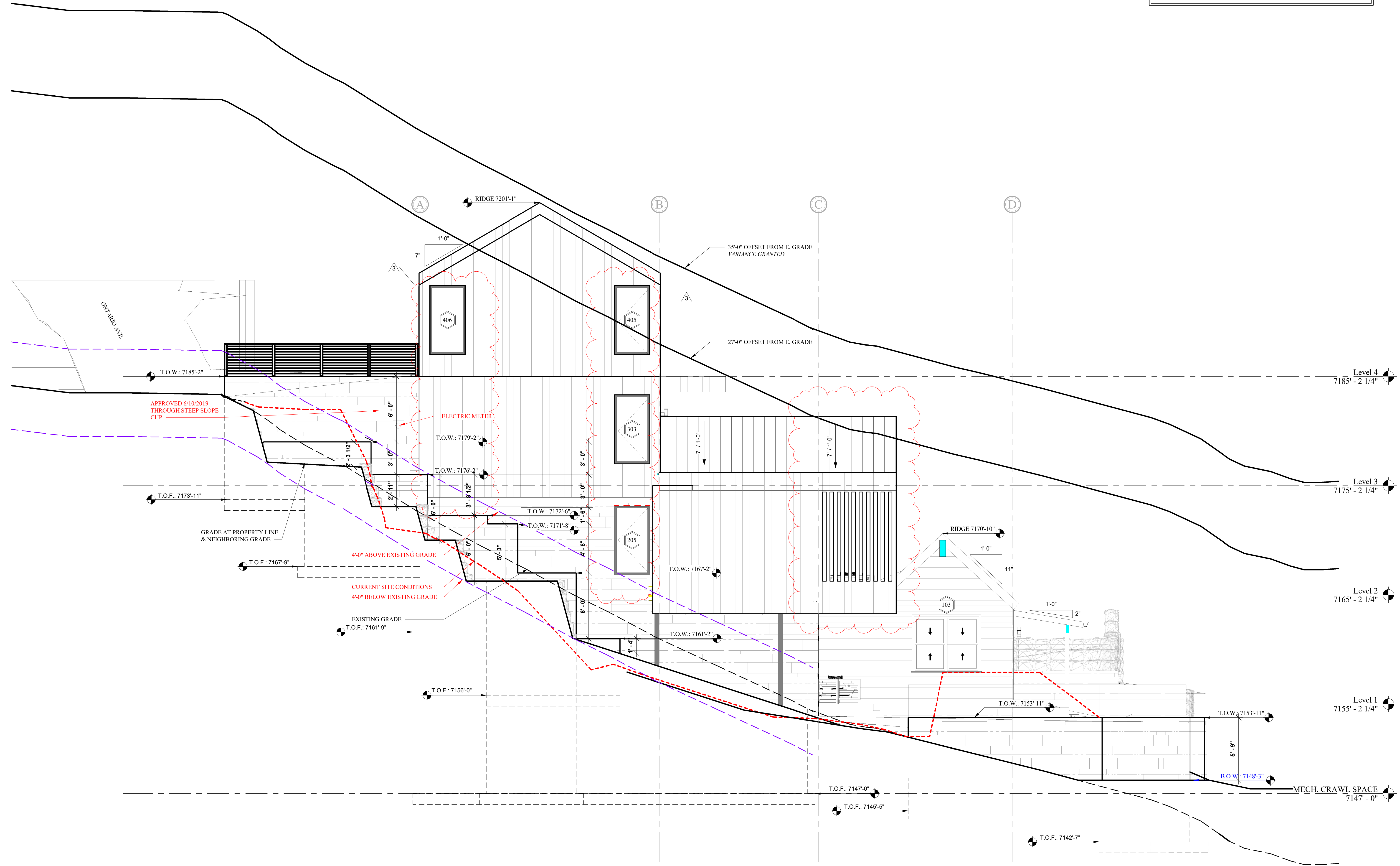
RAWN BY:Author
PROJECT #:-
2/12/2023 3:53:59 PM
SCALE:As indicated

RETAINING WALLS - PROPOSED SIDE YARDS

A1.4



① RETAINING WALLS - PROPOSED SITE GRADING
3/16" = 1'-0"



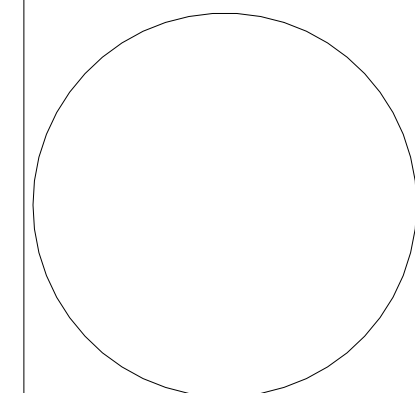
GENERAL NOTES:
**SEE McNEIL ENGINEERING CIVIL PLANS FOR ALL
GRADING, DRAINAGE, UTILITIES, & RETAINING
WALL INFORMATION**



JAFFAGROUP.COM
1960 SIDEWINDER DR., STE#101
PARK CITY, UT 84060
(435) 615-6873

JAFFA GROUP

THE ABOVE DRAWINGS AND SPECIFICATIONS AND THE IDEAS, DESIGNS, DESIGNATIONS AND ARRANGEMENTS REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF JAFFA GROUP. ON PART THEREOF SHALL BE COPIED, DISCLOSED TO OTHER OR USED IN CONNECTION WITH ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF JAFFA GROUP. JAFFA GROUP SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THESE DRAWINGS OR FOR ANY DAMAGE TO ANY PERSON OR PROPERTY CAUSED BY THE USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF JAFFA GROUP. JAFFA GROUP SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO ANY PERSON OR PROPERTY CAUSED BY THE USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF JAFFA GROUP. JAFFA GROUP SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO ANY PERSON OR PROPERTY CAUSED BY THE USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF JAFFA GROUP.



DAY RESIDENCE
341 ONTARIO AVE.
Park City, UT 84060
DEVELOPMENT-OLD TOWN
LOT:-

REVISION SCHEDULE	
NO.	DESCRIPTION
1	GRADING, DRAINAGE, UTILITIES, & RETAINING WALLS
2	MECHANICAL, ELECTRICAL, & PLUMBING
3	INTERIOR FINISHES
4	EXTERIOR FINISHES

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**EXTERIOR
ELEVATIONS**

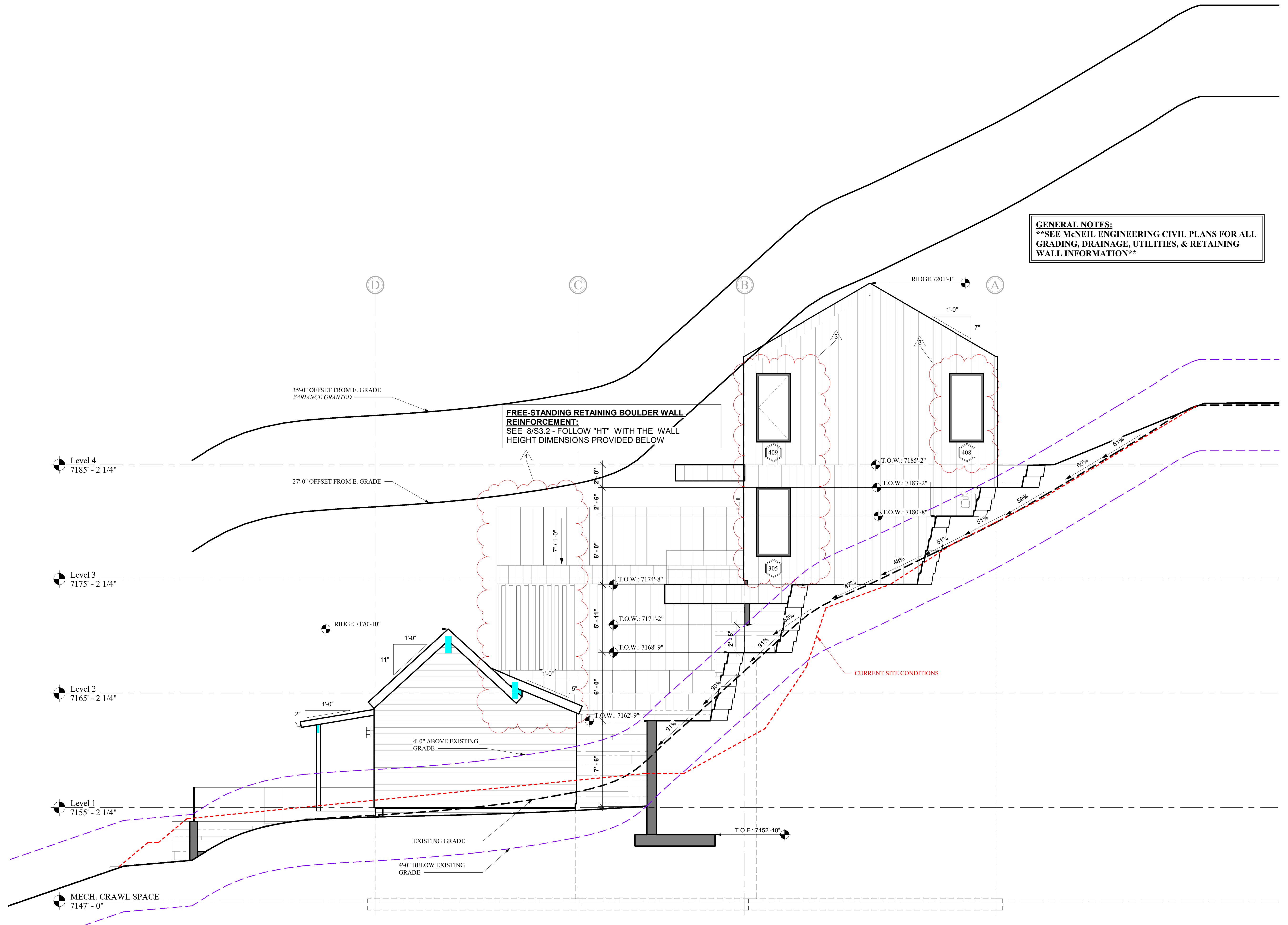
1 NORTH
1/4" = 1'-0"

A3.2



JAFFA GROUP

GENERAL NOTES:
****SEE McNEIL ENGINEERING CIVIL PLANS FOR ALL
 GRADING, DRAINAGE, UTILITIES, & RETAINING
 WALL INFORMATION****



1 SOUTH
1/4" = 1'-0"

DAY RESIDENCE
341 ONTARIO AVE.
TORONTO, ONT. M5T 1A5

341 ONTARIO AVE.
Park City, UT 84060

DEVELOPMENT:OLD TOWN LOT:-

REVISION SCHEDULE		
N/A/I	DESCRIPTION	DATE
3	GREAT RM DOOR & CASEMENT WINDOW CHANGES	7/10/2023
4	DECK EXTENSION - 2 FT	7/13/2023

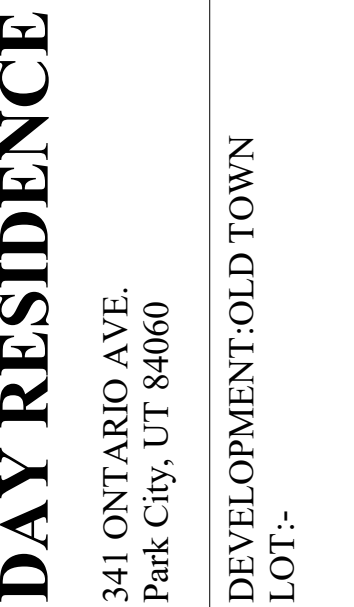
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EXTEROR LEVATIONS

A3.3



JAFFA GROUP

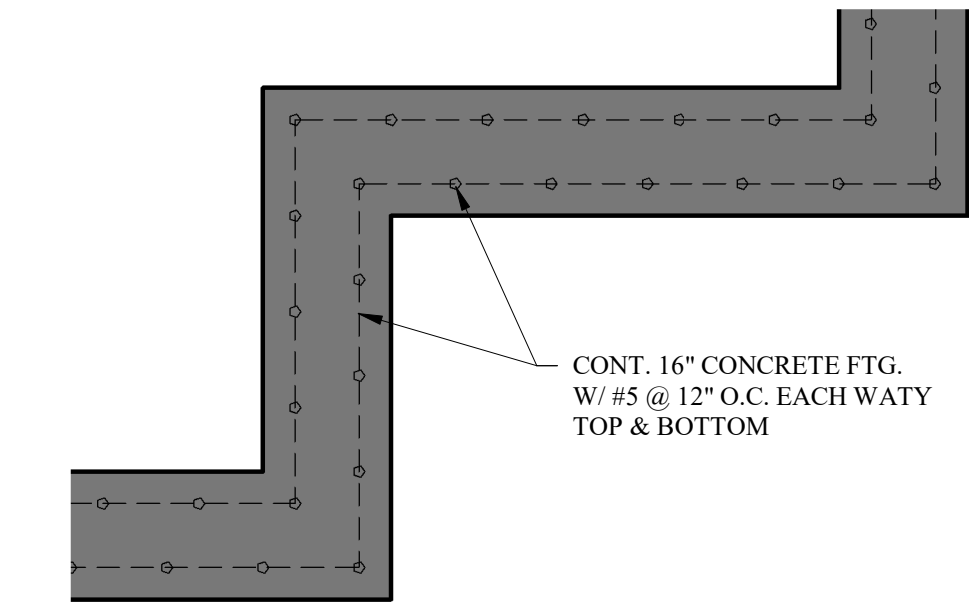
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REVISION SCHEDULE		
N./M.	DESCRIPTION	DATE

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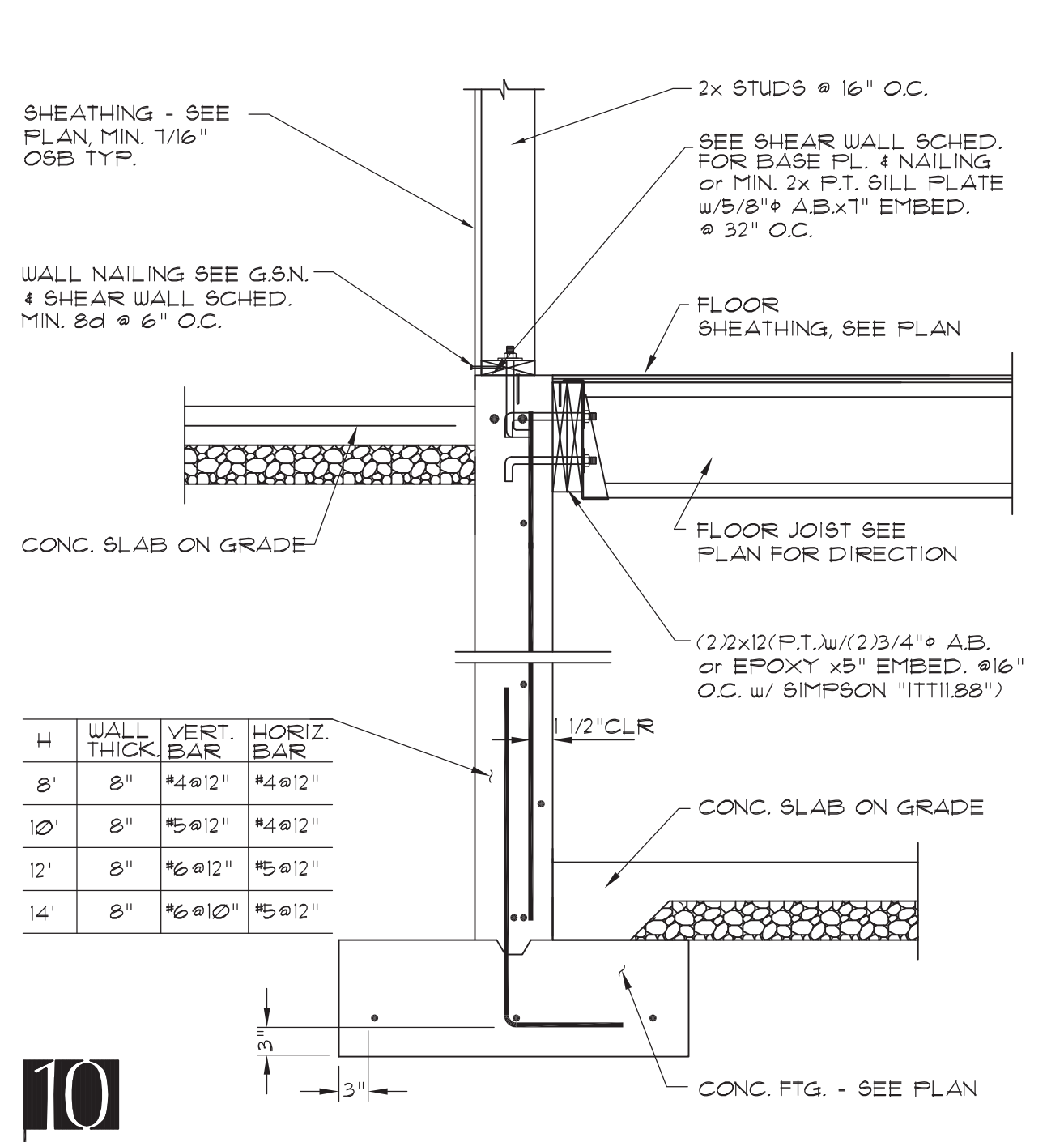
**BUILDING
SECTION -
RETAINING
WALL SECTION**

A4.4

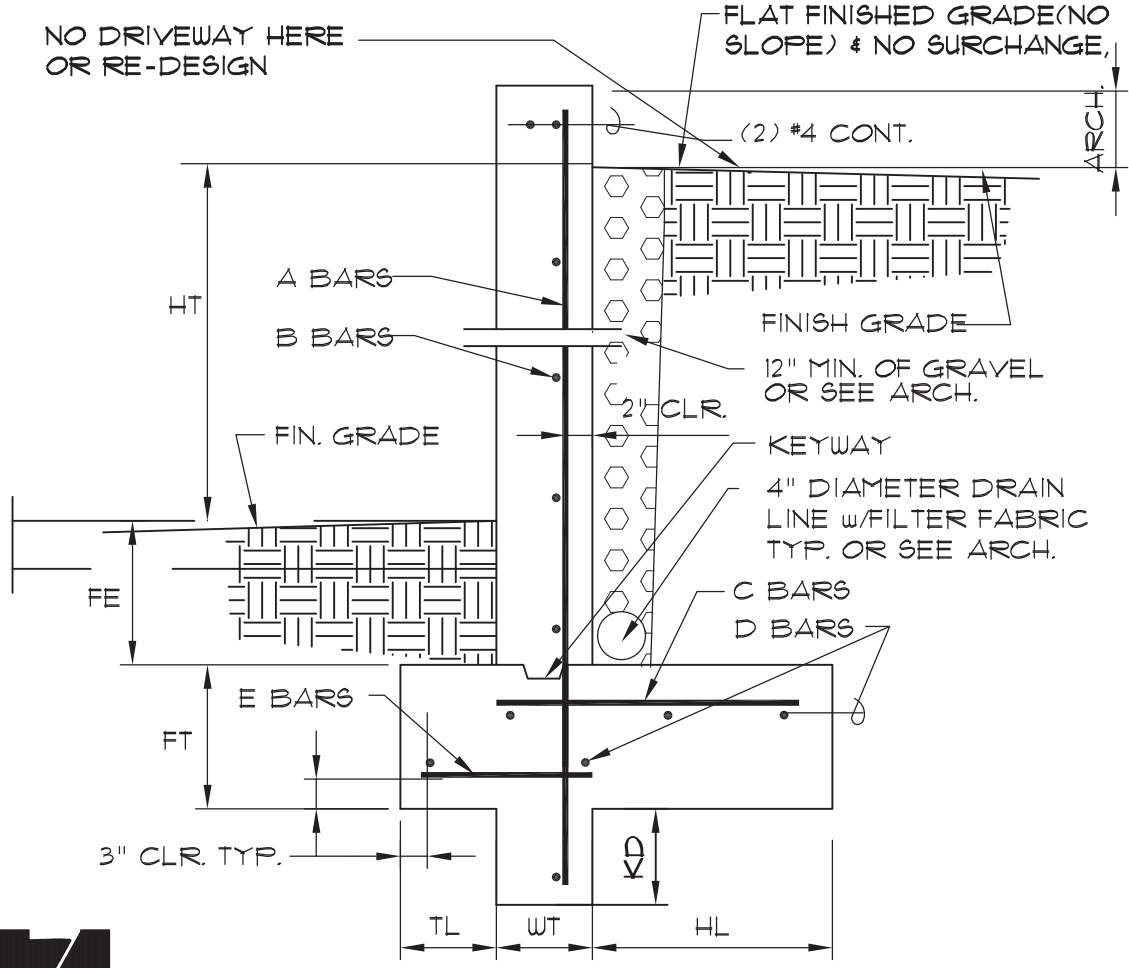


② CONT. FTG. REBAR
1/2" = 1'-0"

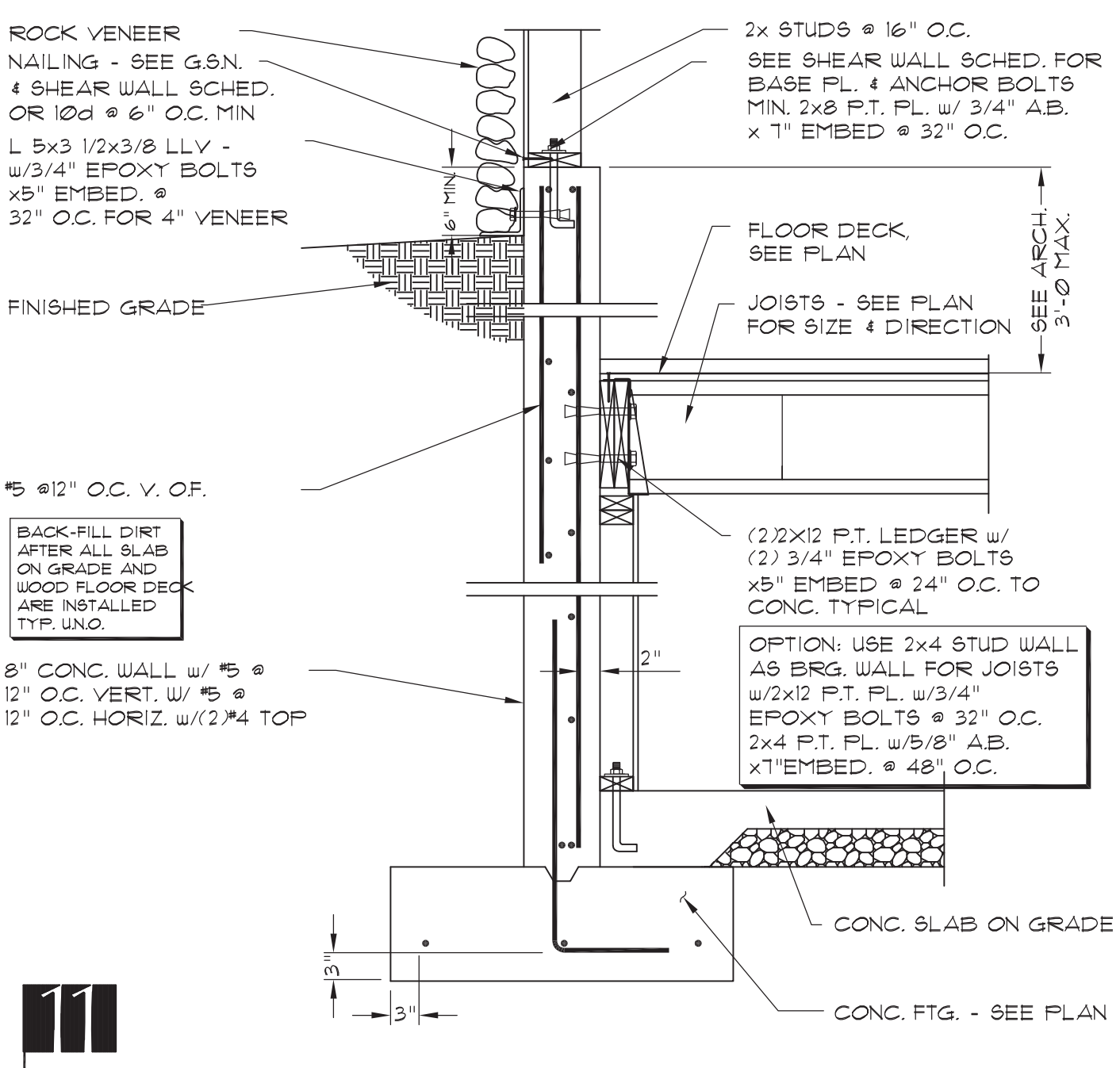
1 SECTION THRU RETAINING WALLS BETWEEN 341 & 335
1/4" = 1'-0"



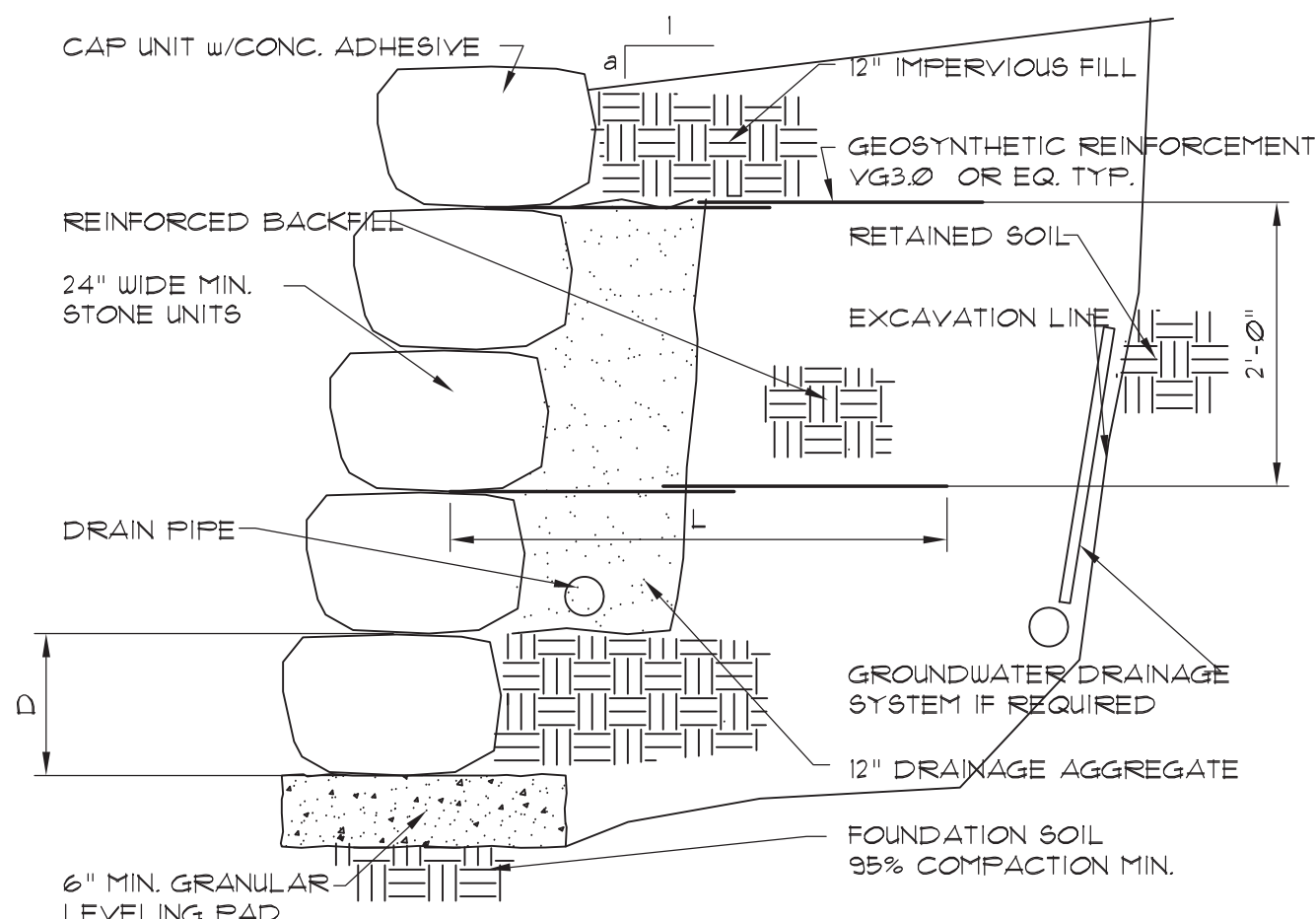
TYPICAL CONCRETE RETAINING WALL SCHEDULE												
MARK	HT (max)	FE	TL	WT	HL	FT	KD	A	B	C	D	E
W1	2'-0"	2'-6"	8"	8"	8"	12"	Ø	4" @ 16"	4" @ 18"	NONE	4" @ 12"	NONE
W2	4'-0"	2'-6"	1'-3"	8"	1'-3"	12"	Ø	4" @ 12"	4" @ 12"	4" @ 12"	4" @ 12"	4" @ 12"
W3	6'-0"	2'-6"	3'-0"	8"	2'-0"	12"	Ø	5" @ 10"	5" @ 12"	4" @ 12"	4" @ 12"	4" @ 12"
W4	8'-0"	2'-6"	3'-0"	8"	4'-4"	15"	Ø	5" @ 12"	5" @ 12"	5" @ 12"	5" @ 12"	4" @ 12"
W5	10'-0"	2'-6"	3'-6"	10"	5'-10"	19"	Ø	7" @ 12"	5" @ 12"	5" @ 10"	5" @ 12"	5" @ 12"



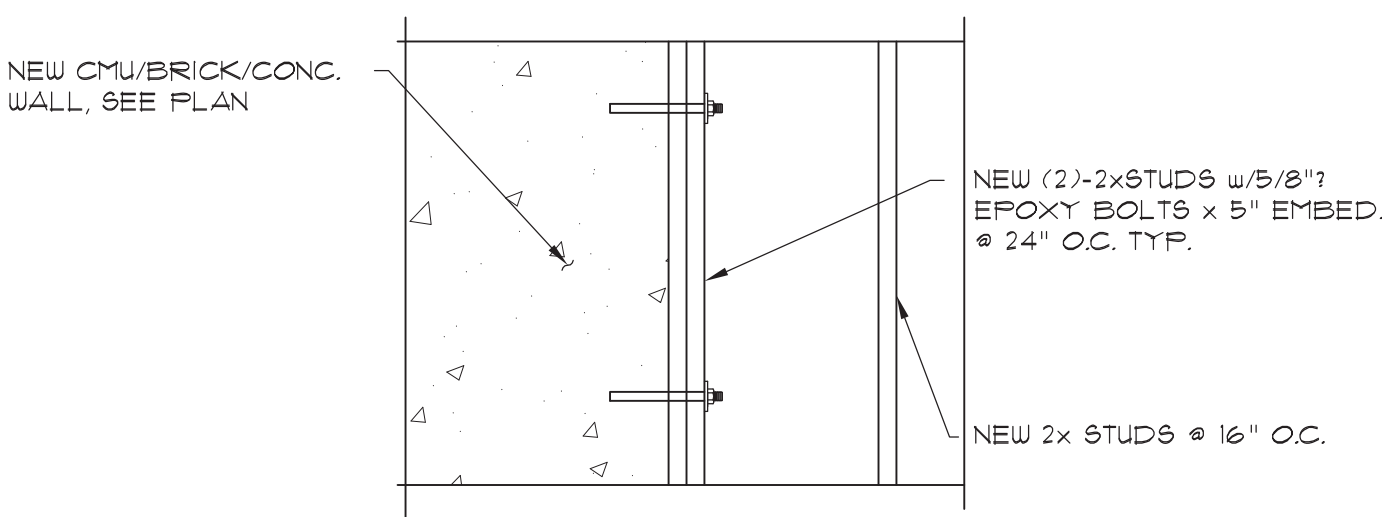
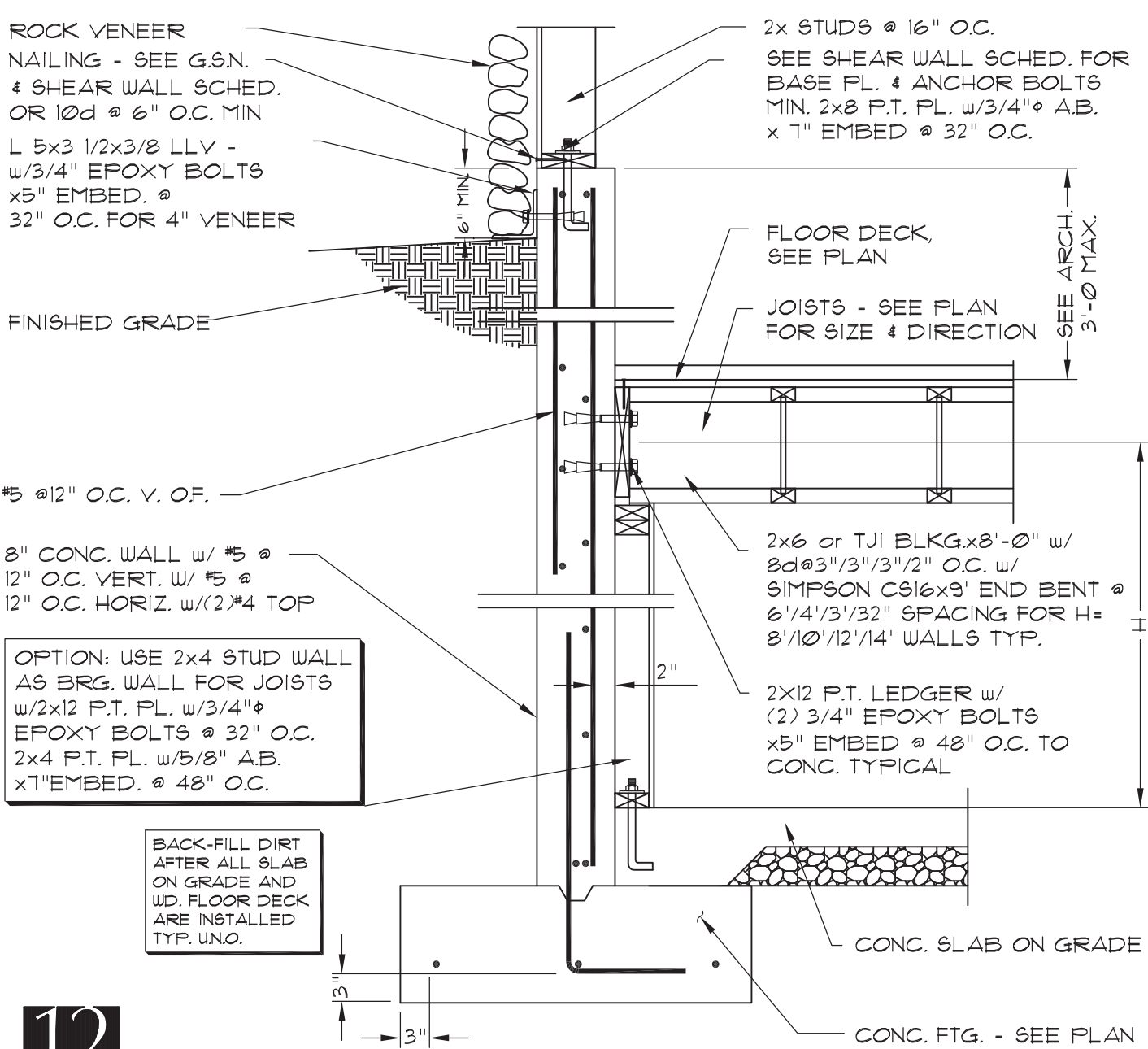
FREE-STANDING RETAINING WALL



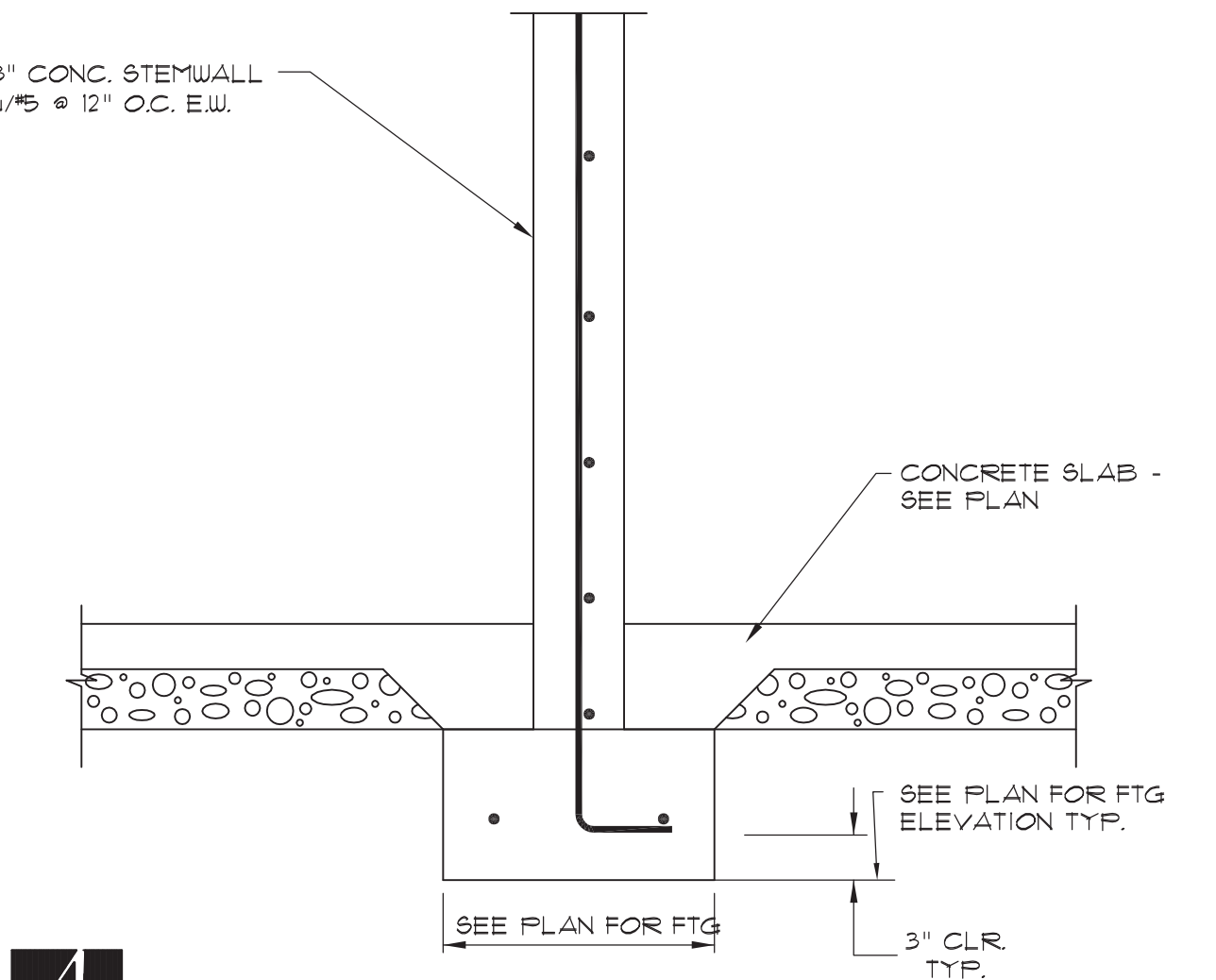
TYPICAL STONE RETAINING WALL SCHEDULE/s=0										TYPICAL STONE RETAINING WALL SCHEDULE/s=0.4																	
MARK					H	D	L	NO. OF LAYERS		MARK					H	D	L	NO. OF LAYERS									
V.L1					4'-0"	6'-1"	4'-0"	0	V.L5	8'-0"	2'-1"	6'-0"	3	V.L1					4'-0"	6'-1"	4'-0"	0	V.L5	8'-0"	2'-1"	6'-0"	3
V.L2					5'-0"	6'-1"	4'-6"	1	V.L6	3'-0"	2'-1"	6'-6"	4	V.L2					5'-0"	6'-1"	5'-6"	1	V.L6	3'-0"	2'-1"	11'-0"	5
V.L3					6'-0"	6'-1"	5'-0"	1	V.L7	10'-0"	2'-1"	7'-0"	5	V.L3					6'-0"	6'-1"	6'-0"	2	V.L7	10'-0"	2'-1"	12'-0"	5
V.L4					7'-0"	6'-1"	5'-6"	2	V.L8	10'-0"	2'-1"	8'-0"	6	V.L4					7'-0"	6'-1"	6'-0"	3	V.L8	10'-0"	2'-1"	13'-0"	6



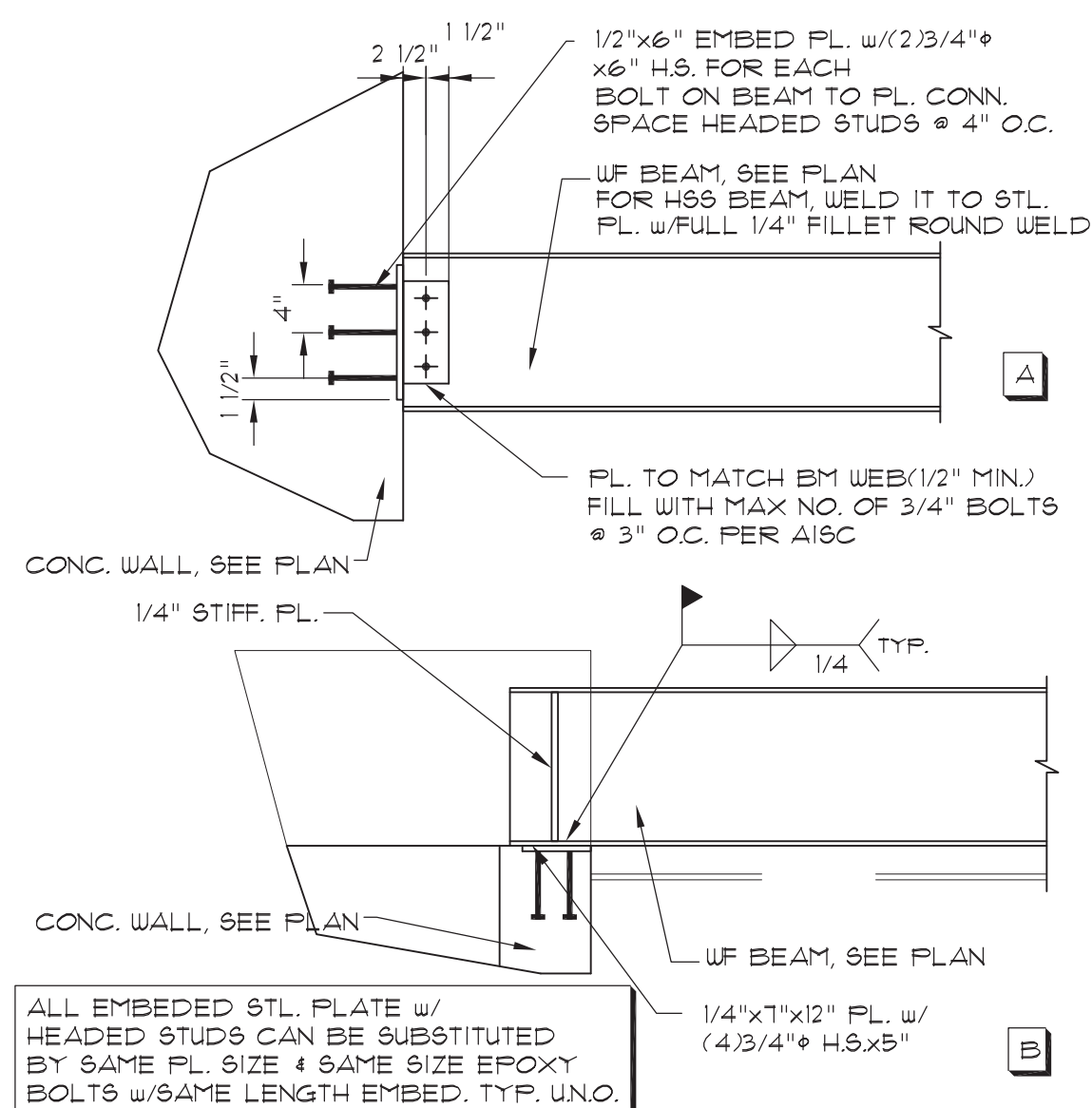
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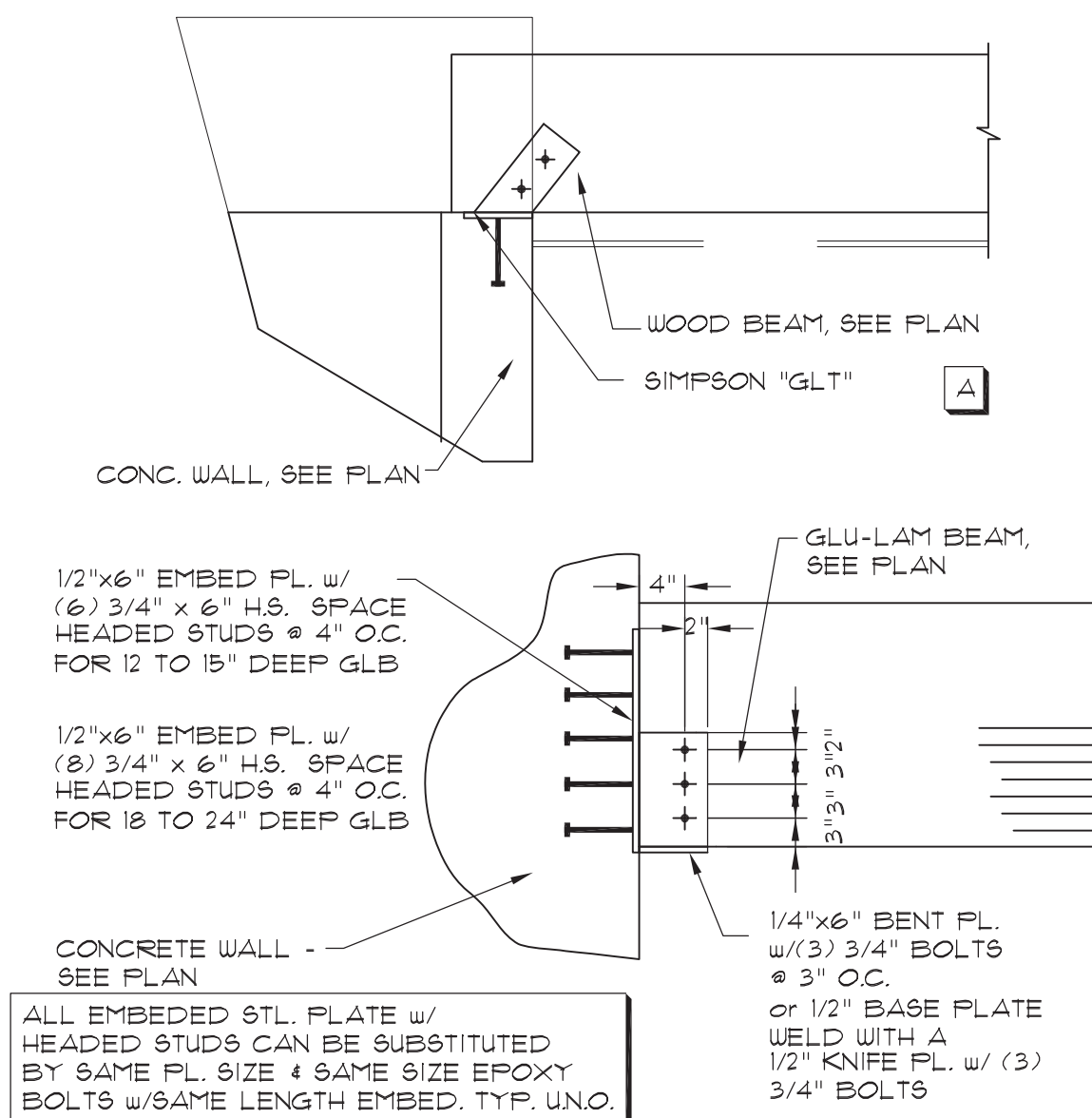
9 CONC./CMU WALL-NEW STUD WALL CONNECTION



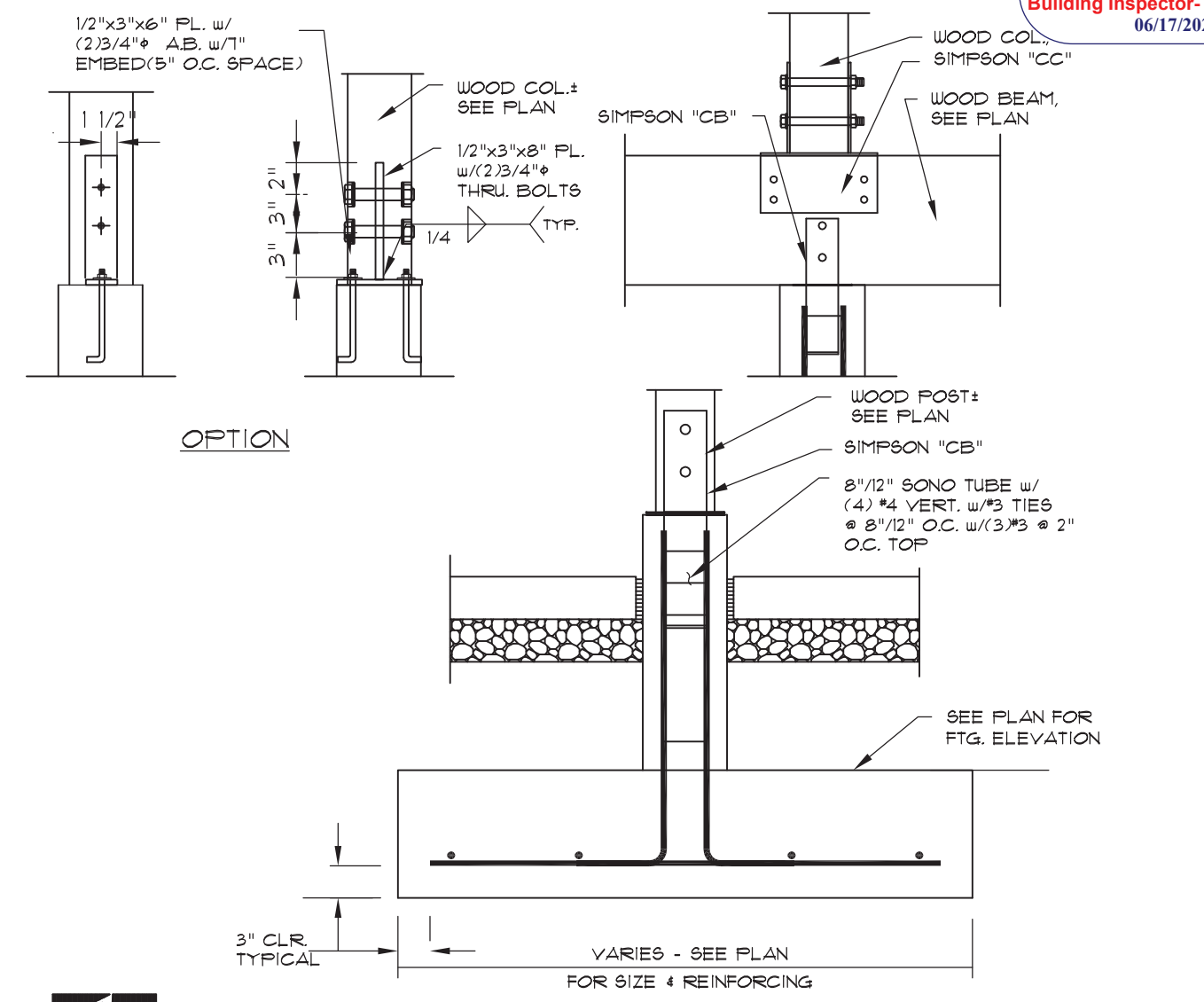
4



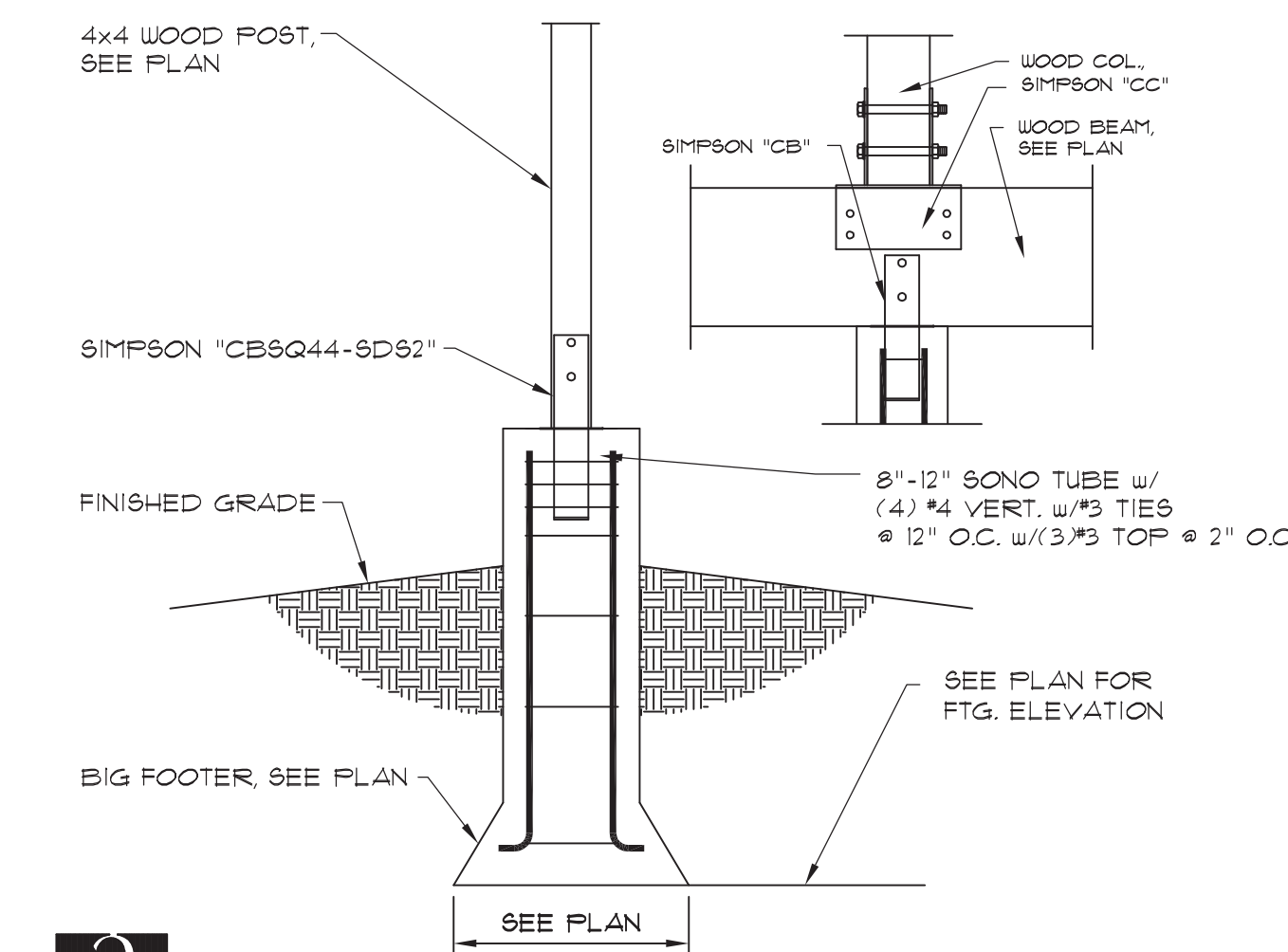
5 EMBEDDED PL. FOR STL. BEAM



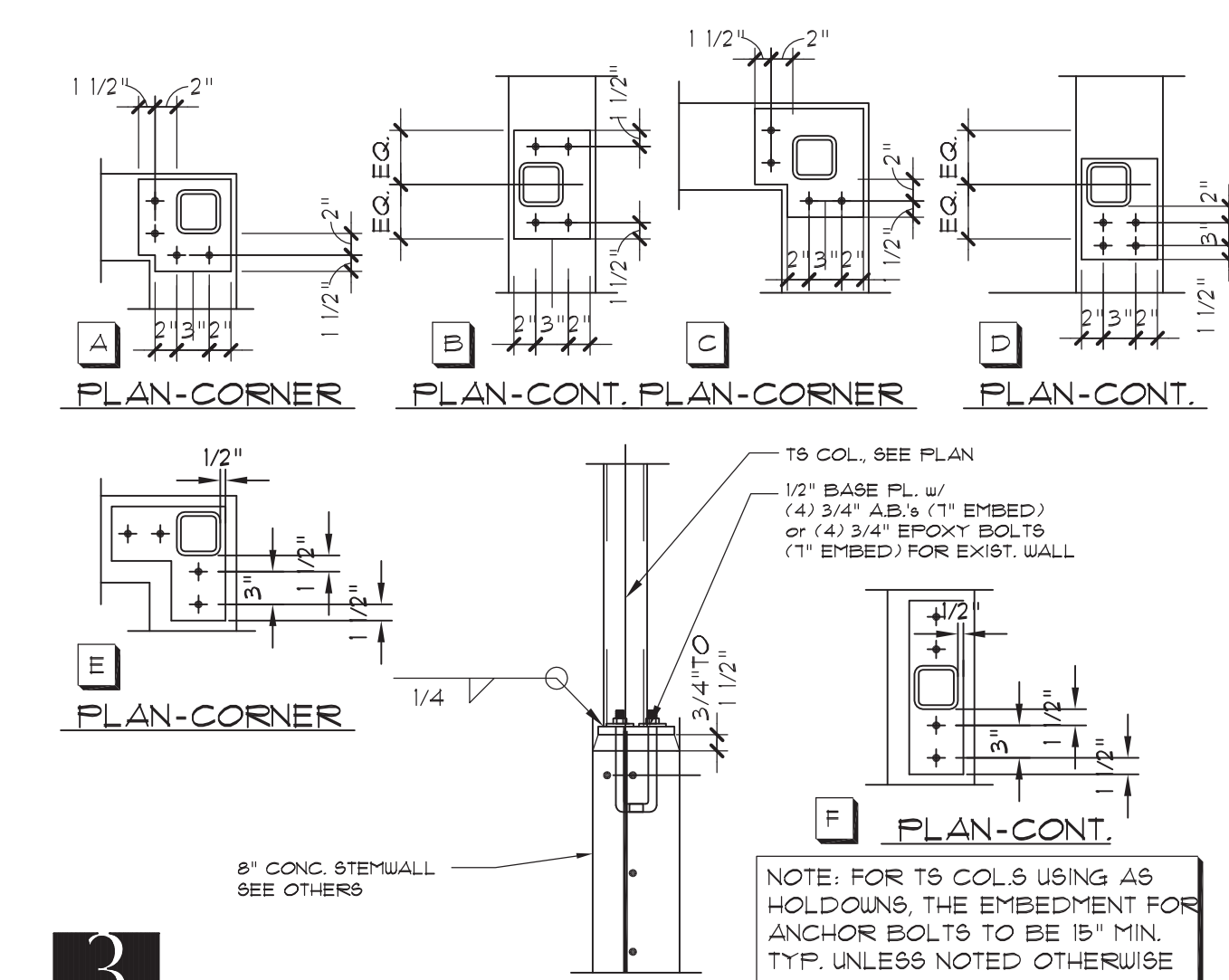
6 TYP. WOOD BEAM TO CONC. WALL CONN.



1



2



3



PARK CITY
1884
APPROVED
PARK CITY BUILDING DEPT.
Building Inspector- Cooper Wade
06/17/2020

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LIMITATIONS OF LIABILITY
BY ACCEPTING THESE PLAN DOCUMENTS AND/OR SERVICES OUTLINED IN THESE PLAN DOCUMENTS, THE CLIENT, THEIR CLIENT, BUILDER, SUBCONTRACTORS, USERS AND ALL PRESENT AND FUTURE PERSONS OR PARTIES DIRECTLY OR INDIRECTLY AFFECTED BY THE PLAN DOCUMENTS OR SERVICES OUTLINED IN THE PLAN DOCUMENTS AGREE TO A LIMIT OF LIABILITY OF JAFFA GROUP, D.B. AND ITS EMPLOYEES AND PRINCIPALS TO THE AMOUNT OF THE ORIGINAL VERBALLY OR SIGNED AGREED CONTRACT.

JAFFA
GROUP

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JAFFA GROUP
4490 N. FORESTDALE DR.
PARK CITY, UT 84060
(435) 615-6873

DAY RESIDENCE

341 ONTARIO AVE.
PARK CITY, UTAH 84060

REVISION SCHEDULE	

DRAWN BY:
JOB NO.: SE20089
DATE:

SHEET

S3.2



June 14, 2019

Matthew Day
PO Box 3683
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION – AMENDED JUNE 14, 2019

Project Address: 341 Ontario Avenue
Project Description: Historic District Design Review
Date of Action: June 13, 2019
Project Number: PL-15-02687

Summary of Staff Action

Staff reviewed this HDDR application for compliance with the 2009 Historic District Design Guidelines for Historic Sites, specifically with Universal Guidelines; A. Site Design; B. Primary Structures; C. Parking Areas, Detached Garages, & Driveways; D. Additions to Historic Structures; and J. Exterior Lighting. Staff found that, as conditioned, the proposed construction of a new single family dwelling will comply with applicable Guidelines. This letter serves as the final action letter and approval for the proposed design for the rehabilitation of the historic house and new addition to 341 Ontario Avenue. The plans, as redlined, are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 341 Ontario Avenue. The property is located in the Historic Residential-1 (HR-1) Zoning District.
2. The historic site is designated as Significant on the Historic Sites Inventory (HSI).
3. The Legal Description for this property is Lot 1 of the 341 Ontario Avenue Subdivision. On July 31, 2014, the Park City Council approved the 341 Ontario Avenue Subdivision through Ordinance 14-42.
4. The historic house was constructed between 1900 and 1907 in the hall-parlor form.
5. The Historic Site Form has identified this site's era of historical significance as the Mature Mining Era (1894-1930).
6. The house first appears on the 1900 Sanborn Fire Insurance map as a simple 1-story house with one-story additions on the east elevation. It faced west toward Main Street and town. The house remained largely unchanged from the 1907 to 1941 Sanborn Fire Insurance maps. After 1941, a third addition was added to the northeast corner of the additions.
7. On September 3, 2015, the Planning Department received a Historic District Design Review (HDDR) application for the property at 341 Ontario Avenue; it was deemed complete September 23, 2015. A public hearing was held on October 8, 2015.
8. On April 17, 2018, the Board of Adjustment approved three (3) variances for this site:
 - a. A variance is granted to LMC Section 15-2.2-3 (E) to the required front yard setback exception from 10 feet to 4 feet 6 inches in order to allow for an addition to be constructed along Ontario Avenue.

- b. A variance is granted to LMC Section 15-2.2-5 Building Height above Existing Grade from 27 feet to 35 feet.
 - c. A variance is granted to LMC Section 15-2.2-5 (A) to the required maximum height of 35 feet to 39 feet 6 inches measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
 - d. The variances run with the land.
- 9. On August 8, 2018, the Planning Commission approved a Steep Slope Conditional Use Permit (SS-CUP) for the construction of a new addition to the historic house in excess of 200 square feet.
- 10. On June 10, 2019 an Administrative Conditional Use Permit for walls greater than 6' in height was approved in the Front Yard Setback and a portion of the Side Yard Setback. The retaining walls were approved to allow for the change in grade for the Front Yard and driveway area adjacent to Ontario Avenue. The area between the retaining walls will be backfilled and vegetated in accordance with the approved Administrative Conditional Use Permit and Landscape Plan.
- 11. The proposal complies with Land Management Code (LMC) 15-2.2-2(A) Allowed Uses as the applicant is proposing a Single Family Home, which is an allowed use in the HR-1 Zoning District.
- 12. The proposal complies with LMC 15-2.2-3(A) Lot Size as the minimum lot size in the HR-1 zone is 1,875 square feet. This lot is 3,750 square feet. The minimum lot width is 25 feet, and this lot's width is 50 feet.
- 13. The proposal complies with LMC 15-2.2-3(D) Footprint as the maximum footprint for a lot measuring 3,750 square feet is 1,519 square feet. The applicant is proposing a footprint of 1,519 square feet.
- 14. The proposal complies with LMC 15-2.2-3(E) Front Yard as the variance granted a front yard setback of 4 feet 6 inches, and the applicant has proposed a front yard setback of 4 feet 6 inches.
- 15. The proposal complies with LMC 15-2.2-3(E) Rear Yard as the required rear yard setback for a lot with a depth of 75 feet is 10 feet; the applicant has proposed rear yard setback of 10 feet based on the location of the historic house.
- 16. The proposal complies with LMC 15-2.2-3(F) Front Yard Setbacks as (6) Driveways leading to a garage and parking area are permitted in the Front Yard Setback.
- 17. The proposal complies with LMC 15-2.2-3(G) Rear Yard Setback Exceptions as (10) patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade are allowed to encroach into the rear yard setback.
- 18. The proposal complies with LMC 15-2.2-3(H) Side Yard Setbacks as the required setbacks for a lot measuring 50 feet in width are 5 feet, for a total of 10 feet. The applicant has proposed a 1 foot setback on the south side due to the location of the historic house, a 10 foot setback for the new addition along the south side of the property, and a 5 foot setback on the north side.
- 19. The proposal complies with LMC 15-2.2-3(I) Side Yard Exceptions as (6) patios, decks, pathways, and steps not more than 30 inches in height above Final Grade; (7) fences and retaining walls not more than 4 feet in height; and (8) Driveways leading to a garage or Parking Area are permitted to encroach into the side yard setback.
- 20. The proposal complies with LMC 15-2.2-3(J) as conditioned.
- 21. The proposal complies with LMC 15-2.2-4 as Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

22. The applicant is not proposing to relocate the historic house. The applicant is only proposing a new concrete slab foundation beneath the house.
23. The proposal complies with LMC 15-2.2-5 Building Height as the variance granted a maximum height of any building to be 35 feet above Existing Grade; the tallest portion of the new addition is 34.8 feet above Existing Grade. A 10 foot horizontal step is required on the downhill façade at 23 feet, which is the west elevation.
24. The proposal complies with LMC 15-2.2-8 Architectural Review as it complies with the Design Guidelines for Historic Sites.
25. The only significant vegetation on this site is one aspen tree that has been identified on the survey.
26. The proposal complies with Universal Design Guidelines for Historic Sites:
 - a. The proposal complies with Universal Design Guideline #1 as the site shall be used as it was historically, a single family house, which requires minimal change to the distinctive materials and features.
 - b. The proposal complies with Universal Design Guideline #2 as changes to a site or building that have acquired historic significance in their own right will be retained and preserved. Minimal changes have been proposed to the historic house. The applicant is proposing to maintain the rear additions but remove later, non-historic additions such as the addition on the northeast corner of the house.
 - c. The proposal complies with Universal Design Guideline #3 in that the historic exterior features of a building will be retained and preserved. The applicant proposes to maintain the original window-door configuration of the hall-parlor house, but will be removing non-historic alterations such as the two square dormer windows on the façade and wood shutters. Historically, this house had a partial-width front porch that has since been removed; the applicant is proposing to reconstruct the original porch.
 - d. The proposal complies with Universal Design Guideline #4 in those distinctive materials, components, finishes, and examples of craftsmanship will be retained and preserved.
 - e. The proposal complies with Universal Design Guideline #5 as conditioned.
 - f. The proposal complies with Universal Design Guideline #6 as features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines. There were a number of changes made to the historic house after the historic period. The applicant has proposed to remove these later non-historic additions and reconstruct elements to the house that have been lost over time.
 - g. The proposal complies with Universal Design Guideline #7 as the site will be recognized as a physical record of its time, place and use. The applicant is not proposing to introduce architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists.
 - h. The proposal complies with Universal Design Guideline #8 as conditioned.
 - i. The proposal complies with Universal Design Guideline #9 in that the new additions, exterior alterations, and related new construction will not destroy historic materials, features, and spatial relationships that characterize the site or building. The new addition is setback from the west (rear) elevation of the historic house so that the historic house remains the focal point of the project.
 - j. The proposal complies with Universal Design Guideline #10 in that the new addition and related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.

27. The proposal complies with the Specific Design Guidelines for Historic Sites:

- a. The proposal complies with Specific Design Guideline A.1. Building Setbacks & Orientation. The applicant has proposed to maintain the original front and side yard setbacks of the historic house. The original location of the main entry will also be maintained.
- b. Specific Design Guidelines A.2 Stone Retaining Walls are not applicable as this property does not have any historic stone retaining walls. New retaining walls are proposed along the north property line; however, these will not exceed 4 feet in height and will be constructed in a traditional style to compliment the historic house.
- c. Specific Design Guidelines A.3 Fences and Handrails are not applicable as there are no historic fences or handrails on this site.
- d. Specific Design Guidelines A.4 Steps are not applicable as there are no historic hillside steps on this site. The site is currently accessible from a privately owned pathway that runs perpendicular to Shorty's Stairs.
- e. The proposal complies with Specific Design Guidelines A.5 Landscaping and Site Grading. There were no historic landscape features to retain and reconstruct on this site. The applicant has incorporated landscape treatments for the driveway, walkways, and paths in a comprehensive, complimentary, and integrated design. The historic character of the site will not be significantly altered by substantially changing the proportion of built or paved area to open space; the applicant has located the patios and decks in the side and rear yards to limit the amount of paved space. The landscape plans provides for snow storage on site, in the east front yard setback. The landscape plan respects the manner and materials used traditionally, with special consideration given to the front yard. Landscape separations have been provided between parking areas, drives, service areas, and public use areas. The original grading of the site will be maintained when and where feasible.
- f. The proposal complies with Specific Design Guidelines B.1 Roofs. No photovoltaic panels or skylights have been proposed. The applicant has proposed asphalt shingle roofing on the historic house and a standing seam metal roof on the new addition.
- g. The proposal complies with Specific Design Guidelines B.2. Exterior Walls. No changes are proposed to the primary façade components. The applicant has proposed only to repair and maintain the historic features of the house, replacing those that are beyond repair in-kind. No substitute materials have been proposed.
- h. The proposal complies with Specific Design Guidelines B.3. Foundations. The applicant has proposed to construct a new basement foundation. The foundation will not raise the elevation of the historic house more than 2 feet. The original placement, orientation, and grade of the historic house will be retained where and when feasible.
- i. The proposal complies with Specific Design Guidelines B.4. Doors. The applicant will reconstruct the historic entry door on the west façade.
- j. The proposal complies with Specific Design Guidelines B.5 Windows. The applicant has proposed to maintain the historic window openings. The applicant will maintain and restore the two historic wood windows on the west elevation. The decorative wood shutters will be removed from the façade of the historic house as these are not historic. The oriole window and dormer windows are not original and diminish the historic integrity of the house; these will be removed.
- k. The proposal complies with Specific Design Guidelines B.6 Mechanical Systems, Utility Systems, and Service Equipment as conditioned.
- l. The proposal complies with Specific Design Guidelines B.7 Paint and Color as conditioned.

- m. The proposal complies with Specific Design Guidelines C.1 Off-Street Parking. The applicant has proposed off-street parking in the attached single-car garage of the new addition. The applicant has provided landscaping and set the garage back from the street in order to minimize impacts to the existing topography of the building site.
 - n. The proposal complies with Specific Design Guidelines C.2 Driveways as conditioned. No shared driveway is proposed.
 - o. Specific Design Guidelines C.3 Detached Garages are not applicable as the applicant is proposing an attached one-car garage.
 - p. The proposal complies with Specific Design Guidelines D.1 Protection for Historic Structures and Sites. The applicant has set the proposed three-story addition behind the historic house that is broken into modules that reflect those seen on the historic house. The addition steps up the hill to reach Ontario Avenue.
 - q. The proposal complies with Specific Design Guidelines D.2 General Compatibility. The addition will complement the visual and physical qualities of the historic hall-parlor as it incorporates similarly shaped and scaled windows and doors, wood siding, and gable roofs. The building components and materials used on the addition will be similar in scale and size to those found on the historic house. Window shapes, patterns, and proportions found on the historic house are reflected in the new addition. The addition is taller than the existing historic house and is visually separated from the historic house when viewed from the primary façade of the historic house. No in-line addition is proposed.
 - r. Specific Design Guidelines D.3. Scenario 1: Residential Historic Sites—Basement Addition without Garage are not applicable as no basement addition is proposed.
 - s. Specific Design Guidelines D.4. Scenario 2: Residential Historic Sites—Basement Addition with Garage as no basement addition is proposed. The applicant is only proposing to construct a new slab foundation.
 - t. Specific Design Guidelines E. Relocation and/or Reorientation of Intact Buildings do not apply as the applicant is not proposing to relocate the historic house.
 - u. Specific Design Guidelines F. Disassembly/Reassembly of All or Part of a Historic Structure does not apply as this is not a panelization project.
 - v. Specific Design Guidelines G. Reconstruction of Existing Historic Structures does not apply as the applicant is not proposing to reconstruct the historic house.
 - w. Specific Design Guidelines H. Accessory Structures are not applicable as there are no existing or proposed accessory structures on the site.
 - x. Specific Design Guidelines I. Signs are not applicable as no signs are proposed.
 - y. The proposal complies with Specific Design Guidelines J. Exterior Lighting as Conditioned.
 - z. Specific Design Guidelines K. Awnings are not applicable as no awnings are proposed.
 - aa. The proposal complies with Specific Design Guidelines L. Sustainability as conditioned. No renewable energy systems are proposed.
 - bb. The proposal complies with Specific Design Guidelines M. Seismic Systems as the visual impact of exterior treatments associated with seismic upgrades will be minimized.
 - cc. Specific Design Guidelines N. ADA Compliance are not applicable as no ADA access is proposed.
28. Per LMC 15-11-9 Preservation Policy, the Planning Department is also authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites, as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential-1 (HR-1) District (lot size, setbacks, etc.).
3. The proposed work is consistent with Park City General Plan.

Conditions of Approval

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing neighboring structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on June 12, 2019, and approved on June 13, 2019, as redlined. Any changes, modifications, or deviations from the approved design shall be reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved work that have not been approved by the Planning and Building Departments may result in a stop work order.
3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in the approved construction shall be reviewed and approved prior to construction.
4. If a complete building permit has not been obtained by June 13, 2020, this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
5. The City Engineer shall review and approve all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
6. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
7. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
8. Retaining walls shall not exceed 6 feet in height measured from Final Grade within any required Rear Yard or Side Yard. Within any required Front Yard, the retaining walls shall not exceed 4 feet in height, measured from Final Grade. The applicant shall show all retaining walls on his updated landscape plan and call out the height of the proposed retaining walls.
9. Patios, decks, pathways, steps, and similar Structures may not exceed 30 inches above Final Grade within the required side and rear yard setbacks.
10. Deteriorated or damaged historic features and elements shall be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element shall match the original in design, dimension, texture, material, and finish. The applicant shall demonstrate the severity of deterioration or existence of defects to the Planning Department by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. The Planning Department shall review and approve in writing all replacements of historic materials prior to disposal.
11. Chemical or physical treatments, when appropriate, shall be undertaken using recognized preservation methods. Treatments that cause damage to historic materials shall not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.

12. The landscape plan shall balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the significance of the site.
13. Roof colors shall be earth-tone and muted in color; materials shall not be reflective. The Solar Reflective Index (SRI) value of the proposed metal roofing shall be less than 35. No metallic colored roofing is permitted.
14. If original grade cannot be achieved, no more than two feet (2') of the new foundation shall be visible above finished grade on the primary façade (west) and secondary facades (north and south) of the historic house.
15. Where historic windows and doors cannot be repaired and need to be replaced, the applicant shall use wood windows and doors on the historic portion of the house; aluminum clad wood windows and doors may be used on the basement level and new additions.
16. Mechanical equipment and utilities, including heating and air conditioning units, meters, and exposed pipes, shall be located on the rear façade or another inconspicuous location or incorporated into the appearance as an element of the design. Ground-level equipment shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials. The applicant shall avoid removing or obstructing historic building elements when installing systems and equipment.
17. Original materials such as brick and stone that are traditionally left unpainted shall not be painted. Materials that are traditionally painted, such as the wood siding, shall have an opaque rather than transparent finish. A weather-protective finish shall be applied to wood surfaces that were not historically painted. When possible, low-VOC (volatile organic compound) paints and finishes shall be used.
18. After construction of the basement, the site should be re-graded to approximate the grading prior to construction of the addition.
19. Exterior lighting fixtures shall be compatible with the building's style, period, materials, and shall also be down-directed and shielded. The Planning Department shall approve all proposed lighting fixtures in writing prior to installation.
20. Construction and renovation waste shall be diverted from disposal if recycling facilities or services are available.
21. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
22. The Preservation Plan must include a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.
23. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.
24. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.
25. Within five (5) days of installation of the cribbing and shoring, the structural engineer will inspect and approve the cribbing and shoring as constructed.
26. Historic buildings which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the building permit was issued.
27. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.

28. The applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring alterations within five (5) days of any relocation or alteration to the cribbing and/or shoring.
29. The applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation Plan and enforcement action through the financial guarantee for historic preservation or ACE could take place.
30. All excavation work to construct the foundation of the historic house and new addition shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties and the historic house on this property.
31. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
32. All utility meters shall be located on the applicant's property.
33. There shall be no construction vehicle staging on the street and deliveries shall be "just in time" to the satisfaction of the City Engineer and Building Department to reduce the duration of necessary staging and deliveries. Two separate traffic control personnel will be on site for any construction related deliveries.
34. The applicant shall notify the neighbors 48 hours in advance prior to any street closure for the project.
35. All redline edits detailed on the plans stamped in on June 12, 2019, shall be made on the construction drawings that are to be submitted as a part of the Building Permit application.
36. All standard conditions of approval shall apply (see attached).

All approvals are subject to all of the notes as indicated on the drawings. If you have any questions about this approval, please do not hesitate to contact me. I can be reached at (435) 615-5059, or via e-mail at hannah.tyler@parkcity.org.

Sincerely,



Hannah M. Tyler, AICP
Senior Planner

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.

10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

September 2012



June 10, 2019

Matthew Day
P.O. Box 3683
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-18-04049
<u>Subject</u>	Administrative Conditional Use Permit (CUP)
<u>Address</u>	341 Ontario Avenue
<u>Description</u>	The applicant is proposing a retaining wall greater than six feet (6') within the Side Yard Setback and Front Yard Setback.
<u>Action Taken</u>	Approved
<u>Date of Action</u>	June 10, 2019

Action taken by Planning Department: An Administrative CUP was granted for the retaining wall greater than 6' tall located within the Side Yard and Front Yard area at 341 Ontario Avenue, based on the following:

Findings of Fact:

1. The property is located at 341 Ontario Avenue. The property is located in the Historic Residential-1 (HR-1) Zoning District.
2. The historic site is designated as Significant on the Historic Sites Inventory (HSI).
3. The Legal Description for this property is Lot 1 of the 341 Ontario Avenue Subdivision. On July 31, 2014, the Park City Council approved the 341 Ontario Avenue Subdivision through Ordinance 14-42.
4. The purpose of this Administrative CUP request is to allow a retaining wall greater than six feet (6') in height within the Side Yard Setback and Front Yard Setback, as allowed by the Land Management Code (LMC).
 - a. The maximum exposed portion of the retaining wall shall not exceed 7'6" as described on the May 23, 2019 approved plans.
5. All conditions of approval of the Historic District Design Review (HDDR) application Final Action Letter shall apply. See PL-15-02687.
6. The retaining wall is constructed of board formed concrete. The shoring walls shall be approved by the City Engineer.

7. The public notice was posted and notice to adjacent property owners was sent on May 29, 2019. No public comment was received.

Conclusions of Law:

1. The application complies with all requirements of Section 15-1-10(E) and 15-4-2(A)(1) of the Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding residential and commercial structures in use and mass.
3. As conditioned the use is consistent with the Park City General Plan.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Administrative Conditional Use Permit.
2. The fence material(s) shall abide by the Land Management Code and the Park City Historic District Design Guidelines.
3. The retaining wall shall be installed as approved on the May 23, 2019 plans.
4. The retaining wall shall not violate applicable International Fire Code, International Building Code, and/or Park City Municipal Code.
5. Applicant shall comply with any Building Department process/procedures regarding obtaining proper authorization.
6. A Work In the Right-of-Way Permit will be required from the Park City Engineering Department. This approval does not constitute approval of the Work in the Right-of-Way Permit.
7. The proposed retaining walls shall be shielded with vegetation to minimize visual impact. The final Landscape Plan shall match the approved HDDR plans.

If you have any questions regarding your project or the action taken please don't hesitate to contact me at (435) 615-5059 or hannah.tyler@parkcity.org.

Sincerely,



Hannah M. Tyler, AICP
Senior Planner



February 10, 2021

Matthew Day
PO Box 3683
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

Project Address: 341 Ontario Avenue
Project Description: Historic District Design Review
Date of Action: February 10, 2021
Project Number: PL-20-04652

Summary of Staff Action

Staff reviewed this HDDR application for compliance with the 2009 Historic District Design Guidelines for Historic Sites, specifically with Universal Guidelines; A. Site Design; B. Primary Structures; C. Parking Areas, Detached Garages, & Driveways; D. Additions to Historic Structures; and J. Exterior Lighting. Staff found that, as conditioned, the proposed construction of a new single family dwelling will comply with applicable Guidelines. This letter serves as the final action letter and extension to PL-15-02687 HDDR Approval dated June 14, 2019 approval for the proposed design for the rehabilitation of the historic house and new addition to 341 Ontario Avenue. This action letter serves. The plans, as redlined, are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located at 341 Ontario Avenue. The property is located in the Historic Residential-1 (HR-1) Zoning District.
2. The historic site is designated as Significant on the Historic Sites Inventory (HSI).
3. The Legal Description for this property is Lot 1 of the 341 Ontario Avenue Subdivision. On July 31, 2014, the Park City Council approved the 341 Ontario Avenue Subdivision through Ordinance 14-42.
4. The historic house was constructed between 1900 and 1907 in the hall-parlor form.
5. The Historic Site Form has identified this site's era of historical significance as the Mature Mining Era (1894-1930).
6. The house first appears on the 1900 Sanborn Fire Insurance map as a simple 1-story house with one-story additions on the east elevation. It faced west toward Main Street and town. The house remained largely unchanged from the 1907 to 1941 Sanborn Fire Insurance maps. After 1941, a third addition was added to the northeast corner of the additions.
7. On September 3, 2015, the Planning Department received a Historic District Design Review (HDDR) application for the property at 341 Ontario Avenue; it was deemed complete September 23, 2015. A public hearing was held on October 8, 2015.

8. On April 17, 2018, the Board of Adjustment approved three (3) variances for this site:
 - a. A variance is granted to LMC Section 15-2.2-3 (E) to the required front yard setback exception from 10 feet to 4 feet 6 inches in order to allow for an addition to be constructed along Ontario Avenue.
 - b. A variance is granted to LMC Section 15-2.2-5 Building Height above Existing Grade from 27 feet to 35 feet.
 - c. A variance is granted to LMC Section 15-2.2-5 (A) to the required maximum height of 35 feet to 39 feet 6 inches measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
 - d. The variances run with the land.
9. On August 8, 2018, the Planning Commission approved a Steep Slope Conditional Use Permit (SS-CUP) for the construction of a new addition to the historic house in excess of 200 square feet.
10. On June 10, 2019 an Administrative Conditional Use Permit for walls greater than 6' in height was approved in the Front Yard Setback and a portion of the Side Yard Setback. The retaining walls were approved to allow for the change in grade for the Front Yard and driveway area adjacent to Ontario Avenue. The area between the retaining walls will be backfilled and vegetated in accordance with the approved Administrative Conditional Use Permit and Landscape Plan.
11. The proposal complies with Land Management Code (LMC) 15-2.2-2(A) Allowed Uses as the applicant is proposing a Single Family Home, which is an allowed use in the HR-1 Zoning District.
12. The proposal complies with LMC 15-2.2-3(A) Lot Size as the minimum lot size in the HR-1 zone is 1,875 square feet. This lot is 3,750 square feet. The minimum lot width is 25 feet, and this lot's width is 50 feet.
13. The proposal complies with LMC 15-2.2-3(D) Footprint as the maximum footprint for a lot measuring 3,750 square feet is 1,519 square feet. The applicant is proposing a footprint of 1,519 square feet.
14. The proposal complies with LMC 15-2.2-3(E) Front Yard as the variance granted a front yard setback of 4 feet 6 inches, and the applicant has proposed a front yard setback of 4 feet 6 inches.
15. The proposal complies with LMC 15-2.2-3(E) Rear Yard as the required rear yard setback for a lot with a depth of 75 feet is 10 feet; the applicant has proposed rear yard setback of 10 feet based on the location of the historic house.
16. The proposal complies with LMC 15-2.2-3(F) Front Yard Setbacks as (6) Driveways leading to a garage and parking area are permitted in the Front Yard Setback.
17. The proposal complies with LMC 15-2.2-3(G) Rear Yard Setback Exceptions as (10) patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade are allowed to encroach into the rear yard setback.
18. The proposal complies with LMC 15-2.2-3(H) Side Yard Setbacks as the required setbacks for a lot measuring 50 feet in width are 5 feet, for a total of 10 feet. The applicant has proposed a 1 foot setback on the south side due to the location of the historic house, a 10 foot setback for the new addition along the south side of the property, and a 5 foot setback on the north side.
19. The proposal complies with LMC 15-2.2-3(I) Side Yard Exceptions as (6) patios, decks, pathways, and steps not more than 30 inches in height above Final Grade; (7) fences

- and retaining walls not more than 4 feet in height; and (8) Driveways leading to a garage or Parking Area are permitted to encroach into the side yard setback.
20. The proposal complies with LMC 15-2.2-3(J) as conditioned.
 21. The proposal complies with LMC 15-2.2-4 as Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.
 22. The applicant is not proposing to relocate the historic house. The applicant is only proposing a new concrete slab foundation beneath the house.
 23. The proposal complies with LMC 15-2.2-5 Building Height as the variance granted a maximum height of any building to be 35 feet above Existing Grade; the tallest portion of the new addition is 34.8 feet above Existing Grade. A 10 foot horizontal step is required on the downhill façade at 23 feet, which is the west elevation.
 24. The proposal complies with LMC 15-2.2-8 Architectural Review as it complies with the Design Guidelines for Historic Sites.
 25. The only significant vegetation on this site is one aspen tree that has been identified on the survey.
 26. The proposal complies with Universal Design Guidelines for Historic Sites:
 - a. The proposal complies with Universal Design Guideline #1 as the site shall be used as it was historically, a single family house, which requires minimal change to the distinctive materials and features.
 - b. The proposal complies with Universal Design Guideline #2 as changes to a site or building that have acquired historic significance in their own right will be retained and preserved. Minimal changes have been proposed to the historic house. The applicant is proposing to maintain the rear additions but remove later, non-historic additions such as the addition on the northeast corner of the house.
 - c. The proposal complies with Universal Design Guideline #3 in that the historic exterior features of a building will be retained and preserved. The applicant proposes to maintain the original window-door configuration of the hall-parlor house, but will be removing non-historic alterations such as the two square dormer windows on the façade and wood shutters. Historically, this house had a partial-width front porch that has since been removed; the applicant is proposing to reconstruct the original porch.
 - d. The proposal complies with Universal Design Guideline #4 in those distinctive materials, components, finishes, and examples of craftsmanship will be retained and preserved.
 - e. The proposal complies with Universal Design Guideline #5 as conditioned.
 - f. The proposal complies with Universal Design Guideline #6 as features that do not contribute to the significance of the site or building and exist prior to the adoption of these guidelines may be maintained; however, if it is proposed they be changed, those features must be brought into compliance with these guidelines. There were a number of changes made to the historic house after the historic period. The applicant has proposed to remove these later non-historic additions and reconstruct elements to the house that have been lost over time.

- g. The proposal complies with Universal Design Guideline #7 as the site will be recognized as a physical record of its time, place and use. The applicant is not proposing to introduce architectural elements or details that visually modify or alter the original building design when no evidence of such elements or details exists.
 - h. The proposal complies with Universal Design Guideline #8 as conditioned.
 - i. The proposal complies with Universal Design Guideline #9 in that the new additions, exterior alterations, and related new construction will not destroy historic materials, features, and spatial relationships that characterize the site or building. The new addition is setback from the west (rear) elevation of the historic house so that the historic house remains the focal point of the project.
 - j. The proposal complies with Universal Design Guideline #10 in that the new addition and related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment could be restored.
27. The proposal complies with the Specific Design Guidelines for Historic Sites:
- a. The proposal complies with Specific Design Guideline A.1. Building Setbacks & Orientation. The applicant has proposed to maintain the original front and side yard setbacks of the historic house. The original location of the main entry will also be maintained.
 - b. Specific Design Guidelines A.2 Stone Retaining Walls are not applicable as this property does not have any historic stone retaining walls. New retaining walls are proposed along the north property line; however, these will not exceed 4 feet in height and will be constructed in a traditional style to compliment the historic house.
 - c. Specific Design Guidelines A.3 Fences and Handrails are not applicable as there are no historic fences or handrails on this site.
 - d. Specific Design Guidelines A.4 Steps are not applicable as there are no historic hillside steps on this site. The site is currently accessible from a privately owned pathway that runs perpendicular to Shorty's Stairs.
 - e. The proposal complies with Specific Design Guidelines A.5 Landscaping and Site Grading. There were no historic landscape features to retain and reconstruct on this site. The applicant has incorporated landscape treatments for the driveway, walkways, and paths in a comprehensive, complimentary, and integrated design. The historic character of the site will not be significantly altered by substantially changing the proportion of built or paved area to open space; the applicant has located the patios and decks in the side and rear yards to limit the amount of paved space. The landscape plans provides for snow storage on site, in the east front yard setback. The landscape plan respects the manner and materials used traditionally, with special consideration given to the front yard. Landscape separations have been provided between parking areas, drives, service areas, and public use areas. The original grading of the site will be maintained when and where feasible.
 - f. The proposal complies with Specific Design Guidelines B.1 Roofs. No photovoltaic panels or skylights have been proposed. The applicant has proposed asphalt shingle roofing on the historic house and a standing seam metal roof on the new addition.

- g. The proposal complies with Specific Design Guidelines B.2. Exterior Walls. No changes are proposed to the primary façade components. The applicant has proposed only to repair and maintain the historic features of the house, replacing those that are beyond repair in-kind. No substitute materials have been proposed.
- h. The proposal complies with Specific Design Guidelines B.3. Foundations. The applicant has proposed to construct a new basement foundation. The foundation will not raise the elevation of the historic house more than 2 feet. The original placement, orientation, and grade of the historic house will be retained where and when feasible.
- i. The proposal complies with Specific Design Guidelines B.4. Doors. The applicant will reconstruct the historic entry door on the west façade.
- j. The proposal complies with Specific Design Guidelines B.5 Windows. The applicant has proposed to maintain the historic window openings. The applicant will maintain and restore the two historic wood windows on the west elevation. The decorative wood shutters will be removed from the façade of the historic house as these are not historic. The oriole window and dormer windows are not original and diminish the historic integrity of the house; these will be removed.
- k. The proposal complies with Specific Design Guidelines B.6 Mechanical Systems, Utility Systems, and Service Equipment as conditioned.
- l. The proposal complies with Specific Design Guidelines B.7 Paint and Color as conditioned.
- m. The proposal complies with Specific Design Guidelines C.1 Off-Street Parking. The applicant has proposed off-street parking in the attached single-car garage of the new addition. The applicant has provided landscaping and set the garage back from the street in order to minimize impacts to the existing topography of the building site.
- n. The proposal complies with Specific Design Guidelines C.2 Driveways as conditioned. No shared driveway is proposed.
- o. Specific Design Guidelines C.3 Detached Garages are not applicable as the applicant is proposing an attached one-car garage.
- p. The proposal complies with Specific Design Guidelines D.1 Protection for Historic Structures and Sites. The applicant has set the proposed three-story addition behind the historic house that is broken into modules that reflect those seen on the historic house. The addition steps up the hill to reach Ontario Avenue.
- q. The proposal complies with Specific Design Guidelines D.2 General Compatibility. The addition will complement the visual and physical qualities of the historic hall-parlor as it incorporates similarly shaped and scaled windows and doors, wood siding, and gable roofs. The building components and materials used on the addition will be similar in scale and size to those found on the historic house. Window shapes, patterns, and proportions found on the historic house are reflected in the new addition. The addition is taller than the existing historic house and is visually separated from the historic house when viewed from the primary façade of the historic house. No in-line addition is proposed.

- r. Specific Design Guidelines D.3. Scenario 1: Residential Historic Sites—Basement Addition without Garage are not applicable as no basement addition is proposed.
 - s. Specific Design Guidelines D.4. Scenario 2: Residential Historic Sites—Basement Addition with Garage as no basement addition is proposed. The applicant is only proposing to construct a new slab foundation.
 - t. Specific Design Guidelines E. Relocation and/or Reorientation of Intact Buildings do not apply as the applicant is not proposing to relocate the historic house.
 - u. Specific Design Guidelines F. Disassembly/Reassembly of All or Part of a Historic Structure does not apply as this is not a panelization project.
 - v. Specific Design Guidelines G. Reconstruction of Existing Historic Structures does not apply as the applicant is not proposing to reconstruct the historic house.
 - w. Specific Design Guidelines H. Accessory Structures are not applicable as there are no existing or proposed accessory structures on the site.
 - x. Specific Design Guidelines I. Signs are not applicable as no signs are proposed.
 - y. The proposal complies with Specific Design Guidelines J. Exterior Lighting as Conditioned.
 - z. Specific Design Guidelines K. Awnings are not applicable as no awnings are proposed.
 - aa. The proposal complies with Specific Design Guidelines L. Sustainability as conditioned. No renewable energy systems are proposed.
 - bb. The proposal complies with Specific Design Guidelines M. Seismic Systems as the visual impact of exterior treatments associated with seismic upgrades will be minimized.
 - cc. Specific Design Guidelines N. ADA Compliance are not applicable as no ADA access is proposed.
28. Per LMC 15-11-9 Preservation Policy, the Planning Department is also authorized to require that the Applicant provide the City with a financial Guarantee to ensure compliance with the conditions and terms of the Historic Preservation Plan.

Conclusion of Law

1. The proposal complies with the 2009 Park City Design Guidelines for Historic Districts and Historic Sites, as conditioned.
2. The proposal complies with the Land Management Code requirements pursuant to the Historic Residential-1 (HR-1) District (lot size, setbacks, etc.).
3. The proposed work is consistent with Park City General Plan.

Conditions of Approval

1. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate impacts to the existing neighboring structures, and existing infrastructure/streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
2. Final building plans and construction details shall reflect substantial compliance with the drawings stamped in on June 12, 2019, and approved on June 13, 2019, as redlined. Any changes, modifications, or deviations from the approved design shall be

reviewed and approved by the Planning Director prior to construction. Any changes, modifications, or deviations from the approved work that have not been approved by the Planning and Building Departments may result in a stop work order.

3. The designer and/or applicant shall be responsible for coordinating the approved architectural drawings/documents with the approved construction drawings/documents. The overall aesthetics of the approved architectural drawings/documents shall take precedence. Any discrepancies found among these documents that would cause a change in the approved construction shall be reviewed and approved prior to construction.
4. If a complete building permit has not been obtained by June 13, 2020, this HDDR approval will expire, unless an extension is requested prior to the expiration date and granted by the Planning Department.
5. The City Engineer shall review and approve all appropriate grading, utility installation, public improvements, drainage plans, and flood plain issues, for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
6. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
7. Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
8. Retaining walls shall not exceed 6 feet in height measured from Final Grade within any required Rear Yard or Side Yard. Within any required Front Yard, the retaining walls shall not exceed 4 feet in height, measured from Final Grade. The applicant shall show all retaining walls on his updated landscape plan and call out the height of the proposed retaining walls.
9. Patios, decks, pathways, steps, and similar Structures may not exceed 30 inches above Final Grade within the required side and rear yard setbacks.
10. Deteriorated or damaged historic features and elements shall be repaired rather than replaced. Where the severity of deterioration or existence of structural or material defects requires replacement, the feature or element shall match the original in design, dimension, texture, material, and finish. The applicant shall demonstrate the severity of deterioration or existence of defects to the Planning Department by showing that the historic materials are no longer safe and/or serviceable and cannot be repaired to a safe and/or serviceable condition. The Planning Department shall review and approve in writing all replacements of historic materials prior to disposal.
11. Chemical or physical treatments, when appropriate, shall be undertaken using recognized preservation methods. Treatments that cause damage to historic materials shall not be used. Treatments that sustain and protect, but do not alter appearance, are encouraged.
12. The landscape plan shall balance water efficient irrigation methods and drought tolerant and native plant materials with existing plant materials and site features that contribute to the significance of the site.
13. Roof colors shall be earth-tone and muted in color; materials shall not be reflective. The Solar Reflective Index (SRI) value of the proposed metal roofing shall be less than 35. No metallic colored roofing is permitted.
14. If original grade cannot be achieved, no more than two feet (2') of the new foundation shall be visible above finished grade on the primary façade (west) and secondary facades (north and south) of the historic house.

15. Where historic windows and doors cannot be repaired and need to be replaced, the applicant shall use wood windows and doors on the historic portion of the house; aluminum clad wood windows and doors may be used on the basement level and new additions.
16. Mechanical equipment and utilities, including heating and air conditioning units, meters, and exposed pipes, shall be located on the rear façade or another inconspicuous location or incorporated into the appearance as an element of the design. Ground-level equipment shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials. The applicant shall avoid removing or obstructing historic building elements when installing systems and equipment.
17. Original materials such as brick and stone that are traditionally left unpainted shall not be painted. Materials that are traditionally painted, such as the wood siding, shall have an opaque rather than transparent finish. A weather-protective finish shall be applied to wood surfaces that were not historically painted. When possible, low-VOC (volatile organic compound) paints and finishes shall be used.
18. After construction of the basement, the site should be re-graded to approximate the grading prior to construction of the addition.
19. Exterior lighting fixtures shall be compatible with the building's style, period, materials, and shall also be down-directed and shielded. The Planning Department shall approve all proposed lighting fixtures in writing prior to installation.
20. Construction and renovation waste shall be diverted from disposal if recycling facilities or services are available.
21. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
22. The Preservation Plan must include a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.
23. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.
24. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.
25. Within five (5) days of installation of the cribbing and shoring, the structural engineer will inspect and approve the cribbing and shoring as constructed.
26. Historic buildings which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the building permit was issued.
27. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary. This would be based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
28. The applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to

re-inspect and approve the cribbing and/or shoring alterations within five (5) days of any relocation or alteration to the cribbing and/or shoring.

29. The applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation Plan and enforcement action through the financial guarantee for historic preservation or ACE could take place.
30. All excavation work to construct the foundation of the historic house and new addition shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties and the historic house on this property.
31. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
32. All utility meters shall be located on the applicant's property.
33. There shall be no construction vehicle staging on the street and deliveries shall be "just in time" to the satisfaction of the City Engineer and Building Department to reduce the duration of necessary staging and deliveries. Two separate traffic control personnel will be on site for any construction related deliveries.
34. The applicant shall notify the neighbors 48 hours in advance prior to any street closure for the project.
35. All redline edits detailed on the plans stamped in on June 12, 2019, shall be made on the construction drawings that are to be submitted as a part of the Building Permit application.
36. All standard conditions of approval shall apply (see attached).

If you have any questions, concerns, or comments regarding this letter, please do not hesitate to contact the Project Planner, Caitlyn Barhorst, at (435) 615-5067 or Caitlyn.barhorst@parkcity.org

Sincerely,



Gretchen Milliken
Planning Director

CO: Caitlyn Barhorst, Historic Preservation Planner

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.
8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.

10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.
14. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

September 2012



April 12, 2021

Matt Day
PO Box 3683
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

Application: PL-21-04783
Application Type: Steep Slope Conditional Use Permit
Address: 341 Ontario Avenue
Action: Approved with Conditions
Date of Action: April 8, 2021

On April 8, 2021, the Park City Planning Department called a public meeting to order, conducted a public hearing, and approved a Conditional Use and a Steep Slope Conditional Use for the construction of an addition to the Significant Historic Structure at 341 Ontario Avenue based on the following:

Findings of Fact

1. The property is located at 341 Ontario Avenue.
2. The site is in the Historic Residential – 1 Density (HR-1) Zoning District.
3. The existing Single-Family Dwelling is designated Significant on the Park City Historic Sites Inventory.
4. The lot contains 3,750 square feet on a steep slope.
5. The Property Owner requests a Steep Slope Conditional Use Permit (CUP) for construction of an addition to the Significant Historic Structure.
6. The Applicant proposes to build an addition on the east side of the Significant Historic Structure, creating a total gross Single-Family Dwelling of 3,938 square feet.
7. The existing footprint of the Significant Historic Structure and non-historic addition is 483 square feet; the footprint of the Single-Family Dwelling following construction of the addition will be 1,519 square feet. The maximum allowed footprint for this lot is 1,519 square feet.
8. The construction is proposed on a slope greater than 30% and in some areas the slope is approximately 93%. The slope directly behind the Significant Historic Structure is 52%.
9. On April 17, 2018, the Board of Adjustment (BOA) approved three variances for

this site: (1) Reducing the front Setback from 10 feet to four feet, six inches; (2) Allowing Building Height above Existing Grade up to 35 feet; and (3) Allowing a maximum Height of 35 feet to 39 feet six inches measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.

10. On September 3, 2015, the applicant submitted a Steep Slope Conditional Use Permit. Staff deemed the application complete on September 22, 2015, but it was on hold while the Applicant worked through the Historic District Design Review redlines and variance process.
11. The minimum Lot Size required in the HR-1 Zoning District is 1,875 square feet; the existing Lot is 3,750 square feet.
12. The applicant is proposing a 4.5-foot front Setback, as granted by the variance; a 10-foot rear Setback, as required by the Land Management Code; a 5-foot north side Setback, as required by the LMC; and a one-foot south side Setback due to the Significant Historic Structure.
13. Per LMC § 15-2.2-4, Historic Structures that do not comply with Building Footprint, Building Height, Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures.
14. The maximum Zone Height for the HR-1 is 27 feet; the BOA-approved variance granted 35 feet; the applicant is proposing 35 feet.
15. The maximum interior Height allowed in the HR-1 Zoning District is 35 feet; the variance granted 39 feet 6 inches; the applicant is proposing an interior height of 39 feet, as granted by the BOA-approved variance.
16. The Final Grade must be within four vertical feet of the Significant Historic Structure, and the proposed maximum difference is four vertical feet.
17. The LMC requires a 10-foot horizontal step in the downhill facade at 23 feet, and the applicant is proposing this on the new addition.
18. The location of the development reduces the visual and environmental impacts of the Structure. The Significant Historic Structure is located on the southwest corner of the lot, facing Main Street and with its back to the canyon wall. The historic house sits some 32 feet below paved Ontario Avenue. The proposed addition is setback behind the historic house and separated from it by a transitional element. The mass and bulk of the structure is partially buried in the canyon wall to minimize its appearance. The mass and bulk is further broken up by patios, roofs, and decks that provide shadow lines and help conceal the size of the house. Along Ontario Avenue, the house appears to be one-story in height with emphasis on its pedestrian entrance over its garage.
19. The applicant provided a visual analysis of the project from key Vantage Points to demonstrate potential impacts of the project and to identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. As demonstrated by the visual analysis, the proposed addition fits within the context of the slope and neighboring structures. The applicant has broken up the mass and scale of this house as it climbs the hill. The mass of the structure is broken into modules that are reflective of the mass and scale of the historic

house. The proposed design is visually compatible with the neighborhood. There is only one aspen tree that meets the definition of Significant Vegetation identified on this property. The applicant is proposing a robust landscape plan that will visually buffer and screen the view of the addition in a way that emphasizes the historic house. The landscape plan proposes to incorporate seven (7) new aspen trees on site to replace the two aspen trees on the survey to be replaced. The street view of the house is simple in design and creates vehicular and pedestrian access to the property from Ontario Avenue.

20. Access points and driveways have been designed to minimize Grading of the natural topography and reduce overall Building scale. The existing access to the site is from a pedestrian path off of Shorty's Stairs; there is currently no access from Ontario Avenue. The applicant has proposed an addition that includes a one-car garage along Ontario Avenue. The design of the façade along Ontario Avenue emphasizes the pedestrian entrance over the garage, which is consistent with the Design Guidelines. A bridged driveway connects the new garage to Ontario Avenue.
21. The design minimizes the need for retaining Structures in order to maintain Natural Grade. The design of the addition incorporates outdoor living spaces, preventing the need to terrace the grade to create patios and decks. The applicant has proposed landscaped stairs that connect different elevations of the yard, but these stairs are built into the hillside and do not require structure or terraces. The north and south sides of the house act as retaining walls and allow the applicant to maintain the existing grade in the narrow side yards.
22. Buildings, access, and infrastructure are located to minimize cut and fill that would alter the perceived natural topography of the site. The structure has been designed in order to be setback and visually separated from the historic house at the southwest corner of the lot. The location of the addition was driven by the need to access Ontario Avenue and the steep slope of the site; the mass and bulk has been broken up to reduce the overall scale of the new addition. The applicant has located the new addition in such a way that the original grade of the site can be largely restored following the construction of the addition. The design has provided opportunities for open space and there is only one aspen tree that meets the definition of Significant Vegetation. The driveway and parking area has been minimized and will be shielded by new vegetation.
23. Where Building masses orient against the Lot's existing contours, the Structures are stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. The garage is subordinate in design to the main pedestrian entrance along Ontario Avenue. The mass of the new addition steps up the hill, terminating at Ontario Avenue; the mass and bulk have been broken up as the addition climbs the hill. The new addition reflects the historic character of Park City's Historic Sites with its simple building forms, unadorned materials, and restrained ornamentation.
24. The design prevents a "wall effect" along the Street front and/or Rear Lot Lines. The new addition is largely tucked behind the historic house and only appears as

one story in height from the Ontario Avenue right-of-way. It does not create a wall effect at the front or rear property lines because the mass and bulk have been broken up into modules that reflect the mass and scale of historic buildings. Further, decks, overhangs, and roof projects help break up the mass and provide shadow lines to minimize the visual bulk of the structure. Changes in material, color, and design help distinguish the new addition from the historic house.

25. The maximum volume of the Structure is a function of the Lot Size, Building Height, and Setbacks. The proposed design is articulated and broken into compatible massing components, similar in size and proportion to those of the historic structure. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of the Single-Family Dwellings in the area. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and surrounding structures.
26. The maximum Building Height in the HR-1 District is 27 feet. The interior and exterior height of the structure is consistent with the variances granted. The height of the new addition is approximately 35 feet above existing grade, and the remainder of the addition is buried in the hillside and the grade steps uphill to Ontario Avenue. As designed the house is compatible in mass and scale with houses in the surrounding neighborhood.
27. On August 8, 2018, the Planning Commission approved a Steep Slope CUP for 341 Ontario Avenue.
28. Condition of Approval four stated that the approval would expire on August 8, 2019 if no building permit was issued by the Building Department unless the Applicant requested an extension in writing prior to the expiration date.
29. The Building Department did not issue a building permit and the Applicant did not request an extension in writing. On August 8, 2019, the Steep Slope Conditional Use Permit approved by the Planning Commission expired.
30. On January 29, 2019, the City Council adopted Ordinance No. 2019-07, amending Steep Slope CUP reviews and designating a staff level review for Lots 3,750 square feet or less, codified in Land Management Code § 15-2.2-6. According to the 341 Ontario Avenue Subdivision, the Lot is 3,750 square feet and is subject to staff level approval.
31. The findings in the Analysis section of the staff report are incorporated herein.

Conclusions of Law

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically § 15-2.1-6.
2. The proposed addition to the Significant Historic Structure is consistent with the variances granted by the Board of Adjustment on April 17, 2018.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

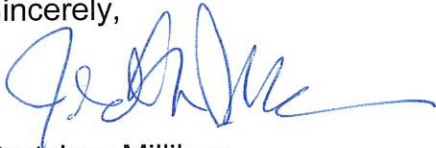
1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan (CMP) is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the method of protecting adjacent structures, including the historic structure on this lot.
3. City Engineer review and approval of all Lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. This approval will expire on April 8, 2022, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
5. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on August 8, 2018, and the Final Historic District Design Review.
6. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
7. The Preservation Plan must include a cribbing and excavation stabilization shoring plan reviewed and stamped by a State of Utah licensed and registered structural engineer prior to issuance of a building permit. Cribbing or shoring must be of engineer specified materials. Screw-type jacks for raising and lowering the building are not allowed as primary supports once the building is lifted.
8. An encroachment agreement may be required prior to issuance of a building permit for projects utilizing soils nails that encroach onto neighboring properties.
9. A Soils Report completed by a geotechnical engineer as well as a temporary shoring plan, if applicable, will be required at the time of building permit application.
10. Within five (5) days of installation of the cribbing and shoring, the structural engineer will inspect and approve the cribbing and shoring as constructed.
11. Historic Structures which are lifted off the foundation must be returned to the completed foundation within 45 days of the date the building permit was issued.
12. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, they determine that it is necessary based upon the need to immediately stabilize an existing Historic Structure, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
13. The Applicant is responsible for notifying the Building Department if changes are made. If the cribbing and/or shoring plan(s) are to be altered at any time during the construction of the foundation by the contractor, the structural engineer shall submit a new cribbing and/or shoring plan for review. The structural engineer shall be required to re-inspect and approve the cribbing and/or shoring

alterations within five (5) days of any relocation or alteration to the cribbing and/or shoring.

14. The Applicant shall also request an inspection through the Building Department following the modification to the cribbing and/or shoring. Failure to request the inspection will be a violation of the Preservation Plan and enforcement action through the financial guarantee for historic preservation or ACE could take place.
15. All excavation work to construct the foundation of the new addition shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, determines that it is necessary based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties and the historic house on this property.
16. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
17. No utility meters shall be located under the bridged driveway; all utility meters shall be located on the Applicant's property.
18. There shall be no construction vehicle staging on the street and deliveries shall be "just in time" to the satisfaction of the City Engineer and Building Department to reduce the duration of necessary staging and deliveries. Two separate traffic control personnel will be on site for any construction related deliveries.
19. The applicant shall notify the neighbors 48 hours in advance prior to any street closures for the project.
20. Access to the Significant Historic Structure from Shorty's Stairs shall be retained.

If you have questions regarding the action taken, please call 435-615-5046 or email rebecca.ward@parkcity.org.

Sincerely,



Gretchen Milliken
Planning Director

CC: Rebecca Ward, project planner