



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
June 12, 2019**

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, June 12, 2019.

MEETING CALLED TO ORDER AT 5:30 PM.

I. ROLL CALL

II. MINUTES APPROVAL

- II.A. Consideration to Approve the Planning Commission Meeting Minutes from May 22, 2019.
[PC Minutes May 22, 2019](#)

III. PUBLIC COMMUNICATIONS

IV. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

V. REGULAR AGENDA

- V.A. 440 Main Street – Plat Amendment – The applicant is requesting to combine Lot 11, Block 23 of the Park City Survey and two metes and bounds parcels into one legal lot of record.
(A) Public Input (B) Recommendation to City Council for July 11, 2019
[Staff Report](#)
[Exhibits](#)
- V.B. Sweeney Properties Master Plan Mid-Station & Creole-Gulch Sites known as Treasure Hill – Zone Change – Zoning map amendment from Estate (E) District, Transfer of Development Rights Sending (TDR-S) Overlay Zone, and Historic Residential-1 (HR-1) District; to Recreation and Open (ROS) District.
(A) Public Hearing (B) Recommendation to City Council on July 11, 2019
[Staff Report](#)
- V.C. 1333 Park Avenue, 1353 Park Avenue, 1343 Woodside Avenue, and 1364 Woodside Avenue – Master Planned Development Modification – Woodside Park Phase I Affordable Housing Project
(A) Public Hearing (B) Possible Action
[Staff Report](#)
[Exhibit A.pdf](#)

[Exhibit B.pdf](#)

[Exhibit C.pdf](#)

- V.D. 1333 Park Avenue, 1353 Park Avenue, 1343 Woodside Avenue, and 1364 Woodside Avenue – Condominium Plat Amendment to Remove a Plat Note – Woodside Park Phase I Condominiums
(A) Public Hearing (B) Possible Recommendation to City Council on June 27, 2019
[Staff Report](#)
[Exhibit A](#)
- V.E. Located at Extended Piper and Ledger Way – Park City Heights Subdivision Phase 4 – Plat – Final Subdivision plat for 48 single family lots, located at extended Piper and Ledger Ways subject to the Park City Heights MPD and preliminary plat.
(A) Public Hearing (B) Discussion and continuation to date certain
[Staff Report](#)
[Exhibits](#)
- V.F. Land Management Code Chapter 2.11 Single-Family District – Land Management Code Text Amendment – Correcting the language for Prospector Park Subdivision 1, 2,3 regarding side setbacks of corner lots.
(A) Public hearing (B) Recommendation to City Council on July 11, 2019
[Staff Report](#)

VI. ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Planning Commission Chair Person. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See:

www.parkcity.org

***Parking validations will be provided for Planning Commission meeting attendees that park in the China Bridge parking structure.**

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MAY 22, 2019

COMMISSIONERS IN ATTENDANCE:

Chair John Phillips, Sarah Hall, John Kenworthy, Mark Sletten, Laura Suesser, Doug Thimm, Christin Van Dine

EX OFFICIO: Planning Director, Bruce Erickson; Francisco Astorga, Planner; Hannah Tyler, Planner; Mark Harrington, City Attorney

=====

ROLL CALL

Chair Phillips called the meeting to order at 5:30 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

April 24, 2019

Commissioner Van Dine referred to page 4, paragraph 7, and changed "...more bike use this quarter with the emergency of e-bikes, to correctly read, the **emergence** of e-bikes. On page 5, paragraph four, she changed the sentence, "Ms. Collins stated that they an evaluation...." to correctly read, "That **an** evaluation was done".

MOTION: Commissioner Sletten moved to APPROVE the Minutes of April 25, 2019 as corrected. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

City Attorney Mark Harrington introduced Margaret Plane, a new member in the City Attorney's Office. Ms. Plane is the former attorney for Salt Lake City, and she was recently appointed by the City Council as Special Counsel in the Legal Office. She will directly serve the Mayor and the City Council. Mr. Harrington stated that he and Ms. Plane will be splitting the duties with the City Council; however, the Planning Commission will occasionally have the benefit of her guidance starting with the June

12th meeting. Mr. Harrington outlined Ms. Plane's experience and expertise and he was pleased to have her on his Staff.

Director Erickson announced that two new planners would be starting in the Planning Department on May 31st. One came from Summit County Dispatch. She is used to working with the Police and Fire Departments and working long hours. The other planner is coming from the City Attorney's Office. Her qualifications include a Masters in Planning and a JD. She will primarily be helping to write land use Code. Director Erickson also recognized Caitlyn Barhorst, the new Historic District Planner. He was continuing to interview for one additional position in the Planning Department.

Director Erickson announced that he and Mr. Harrington were working on scheduling the State Ombudsman for a meeting in late June or early July for Land Use Training. He will explain how the State Ombudsman operates and how that office functions.

Commissioner Sletten reported that he had stopped by the community meeting to check out the attendance. He did not stay but he thought it was well-attended.

Commissioner Kenworthy reported that he had attended the Park City Forward Transportation meeting that was led by the consultant, Nelson Nygaard. They are now moving into modeling the concepts and identifying the projects and programs and the best policies. Some will be dropped and others might be added moving forward. The data collection has been compiled and the committee will look at the potential options. Commissioner Kenworthy noted that City Hall has a goal of reducing the entry corridor trips by 25%.

Chair Phillips disclosed that he previously had a working relationship with Jarrett Moe, the Architect for the Woodside Park Phase II items on the agenda. He and Mr. Moe worked on several projects together and Mr. Moe also assisted Chair Phillips in designing his house that he never built. Chair Phillips did not believe his association with Mr. Moe would affect his ability to fairly discuss the items and he would not be recusing himself.

CONTINATIONS – Public Hearing and Continue to Date Specified

1. Twisted Branch Subdivision. (Application PL-17-03664)

Director Erickson stated that the Staff and the applicant were still working through the intricacies of the Flagstaff Development Agreement and the private road. He requested that the Planning Commission conduct a public hearing and Continue this item to June 26, 2019.

City Attorney clarified that one item was still being discussed in terms of the Staff recommended condition of approval regarding the status of the road. It is a complicated discussion involving several people, including the HOAs.

Chair Phillips opened the public hearing. There were no comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Thimm moved to CONTINUE the Twisted Branch Subdivision to June 26, 2019. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION – Capital Projects Review

Director Erickson announced that Nate Rockwood, the Capital Budget Manager, was called away and was not able to make a presentation to the Planning Commission this evening. This item will come back to the Planning Commission at a later date. Director Erickson stated that the main purpose of the presentation was to talk about roads and other projects that will be funded in 2020.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

VIIA. Woodside Park Phase II Affordable Housing Project – Plat Amendment (Application PL-18-03817)

VIIIB. Woodside Park Phase II Affordable Housing Project – Master Planned Development (Application PL-18-03822)

VIIC. Woodside Park Phase II Affordable Housing Project – Conditional Use Permit (Application PL-18-03862)

Planner Tyler would present all three items in one presentation. A public hearing would be opened on the plat only and a separate public hearing on the MPD and CUP. Three separate actions were required.

Planner Tyler introduced Jarrett Moe, the project architect, and Jason Glidden, the City Housing Development Manager.

Planner Tyler provided a project overview of Woodside Park Phase II. The project team was proposing a series of land use applications for Phase II of the Woodside Park Affordable Housing project. Planner Tyler remarked that this project was a significant step towards implementing the City's Affordable Housing critical priorities.

Planner Tyler stated that the proposed project is in the RC Zone and contains 58 units; of which 52 units would be affordable and six units will be market rate. The three applications before the Planning Commission included a plat amendment creating a three lot subdivision, an MPD, and a Conditional Use Permit.

Planner Tyler reported that the Planning Commission discussed these applications in a work session on March 27th. At that time the Commissioners directed the Staff to address specific items. Those items were addressed in the Staff report and would continue to be addressed in the presentation this evening.

Planner Tyler had distributed copies of three emails that were sent to the Planning Commission as public comment after the Staff report was published.

Planner Tyler stated that one request from the Planning Commission on March 27th was to discuss the public comment, and the interpretation of which section of the Master Planned Development Code should apply. She pointed out that the crux of most of the public comment is that the project does not comply with the Land Management Code. The Staff had addressed the issue in the Staff report, and the Staff continues to find that the project can be reviewed using LMC 15-6-5, which is the Standard Master Planned Development section. The Staff finds that Section 15-6-7, the Master Plan Affordable Housing Development Code, applies to applications that are 100% affordable. This project is not 100% affordable; therefore, Section 15-6-7 could not be used and the applicant did not file under Section 15-6-7.

Planner Tyler provided an overview of the site showing the current conditions. She presented the certified survey submitted by the applicant. She pointed to the existing buildings on the site; and later in her presentation she would explain why this was considered to be a redevelopment site. Planner Tyler stated that the uppermost building in red was the Senior Center. The structure has a panelized plan that was put together through the Woodside Phase I project. The larger comprehensive plan is to have two developments, which is why the panelization plan was addressed in Phase I. Planner Tyler remarked that the middle two structures on the slide were two non-historic sheds that would be demolished. The lowest structure on the slide was a Significant structure at 1302 Norfolk. The City acquired the structure and deemed it to be historic.

Planner Tyler highlighted two locations on the site. A green circle identified the location of 1323 Woodside Avenue. The building was demolished in 2009 after going through the CAD process. It was listed as Significant on the Historic Sites Inventory and the structure was relocated to 1353 Park Avenue as part of the Woodside Park Phase I. The relocation went through the HDDR process and was approved by the Historic Preservation Board based on the relocation criteria. Planner Tyler pointed to a second green circle, which was the location of a previous building at 1330 Empire. It was previously known as 1350 Empire. In 2003 the owner applied for a Determination of Significance to remove the single family dwelling at this location from the Historic Sites Inventory. The Historic District Commission agreed and the structure was removed and demolished in 2005. The building no longer exists and it is not listed.

Planner Tyler presented an aerial of the 2003 USDA Farm Service Agency imagery. She indicated 1323 Woodside before it was relocated and demolished. She also pointed to the structure previously known as 1350 Empire but currently addressed as 1330 Empire.

The Staff found that given the current conditions with the structures on the site, as well as the previously demolished structures, that this project would be considered a redevelopment. The Staff would use that as criteria as they move forward with some of the discretionary actions by the Planning Commission.

Planner Tyler provided an aerial project overview showing the same orientation of the previous slides and what was being proposed. On the right-hand side were two sets of triplexes, identified as the Woodside townhomes. The Triplexes abut Woodside Avenue and they are directly accessed off of Woodside Avenue. The two stacked flats are in the center of the property. The lower stacked flat abuts Norfolk Avenue and will have direct access from Norfolk, in addition to the public access easement in the middle. On the left side were five market rate townhomes abutting Empire Avenue. Those units are separately parked and separately accessed via Empire. The vehicular access for all the other units will be on Woodside, with the exception of the small piece that abuts Norfolk. Planner Tyler pointed to 1302 Norfolk on the bottom, which is the Significant dwelling that will be retained as a market rate unit and sold to a future buyer for future development.

Planner Tyler presented a cross-canyon view that was pulled from the renderings provided by the architect.

Planner Tyler identified the plat layout and how it would look on the actual buildings. The connection to Norfolk Avenue would accommodate a sewer easement. The Staff worked closely with Snyderville Basin to make sure there was no pumping up to Empire

Avenue. Planner Tyler believed the impact was greater to the City, but it resulted in a better product for the future owner. She noted that the affordable housing units would all be located on Lot 2. Planner Tyler presented an actual rendering of the project.

Planner Tyler discussed the Master Planned Development criteria and the CUP. She stated that the MPD has a series of criteria A-0. All the criteria were addressed in the Staff report. In her presentation, she only intended to address the criteria the Commissioners had comments on and any others that were pertinent to the discussion this evening.

Planner Tyler commented on Criteria A, Density. She noted that density in the RC zone is measured using Floor Area Ratio. The FAR in the RC zone is 1.0. The proposed project has an FAR of .938. Therefore, the proposed project is less dense than what could be built within the project boundary. Criteria B was not applicable. Planner Tyler noted that Criteria C, Setbacks, was discussed on March 27th and the Commissioners generally supported a setback reduction so the development could align with the neighbors. She stated that the front yard setbacks are 20' and consistent with what is required in the RC zone. The setbacks on Woodside are also 20'. When including Woodside Park Phase I, the setbacks still align.

Planner Tyler stated that the Staff was recommending that the Planning Commission consider the exception for an additional reduction within the interior lot lines of this property, as discussed on March 27th. Lot 1 extends down to Norfolk Avenue to accommodate the sewer easement. When that occurred, it adjusted where the internal stacked flats aligned and cut into where the setback was originally planned. The request was to reduce the setback for the interior lot line from 10' to 5'. Planner Tyler noted that the separation between the lot and the building was actually 15'. Therefore, the setback between the building and the next developing neighbor was greater than the minimum setback required in the zone. Setbacks in other areas on the property comply.

Planner Tyler commented on Criteria D, Open Space. She clarified that open space was actually 44.62% which was different than the percentage written in the Staff report. The resulting change was only .14 less. The Findings would be updated to reflect the accurate percentage. Planner Tyler stated that on March 27th the Planning Commission requested that the Staff outline and provide an explanation of the usable open space versus the rest of the open space. The Architect had provided that explanation in the packet they delivered. The Architect identified that 34.19% of the site would be usable open space, as represented in the hatched area. Planner Tyler stated that the justification for the Planning Commission to grant an open space reduction to 30% is whether adequate public project enhancement is provided. She noted that public

enhancements for this project include affordable housing, the public pedestrian plaza, pedestrian linkages, public art, excess bicycle parking, and a trail connecting Norfolk Avenue to the central gathering area.

The Staff recommended that the Planning Commission consider the open space reduction consistent with the treatment of other MPDs of this scale; and because the applicant met the project enhancements as outlined in the LMC.

Planner Tyler commented on Criteria E, Parking. On March 27th there was a slight change in the unit numbers and the parking was adjusted accordingly. She explained that originally there were six market rate units on Empire Avenue and that was reduced to five units. Planner Tyler noted that the applicant was providing 71 parking spaces. The proposed project triggers a requirement of 63 spaces, resulting in excess parking spaces provided. Planner Tyler noted that the project triggers 8 bicycle parking spaces; however, the applicant was providing 36 bicycle spaces.

Planner Tyler commented on Criteria F, Building Height, and emphasized that the applicant was compliant with the maximum building height. No height exception was being proposed.

Planner Tyler commented on the possible connection to Norfolk Avenue. She presented a slide showing the proposed connection. Planner Tyler remarked that there was a request to connect Norfolk Avenue, particularly with the proximity of Library Park, which would allow users, especially those with dogs, to avoid having to walk on Woodside Avenue. It was a great comment and the applicant had proposed a good alternative. Planner Tyler noted that there were concerns over the connection to the Resort. As pedestrians go through the center area and up the stairs, the question is where they go once they reach Empire Avenue. Planner Tyler stated that after the March 27th meeting, the Staff met with the Engineering Department and the Transportation Planning Department to understand what was coming in the future. Since no work was being immediately proposed at the base area, the Staff recommended that the Planning Commission add a condition to the Master Planned Development to require installing a sidewalk on Lot 1 of this project adjacent to Empire Avenue. The sidewalk may go nowhere now, but future transportation plans are coming forward with pedestrian improvements and the idea is to be ready to link into those at any time. Planner Tyler stated that the Transportation Planning Department also had ideas on striping for the base area parking lot to allow for a connection onto Empire Avenue. They will need to work with the base area on striping the parking lot because they are not required to do so as a private property owner. Planner Tyler remarked that there are other things that can be done on this project to be prepared to connect to future development.

Planner Tyler responded to public comment regarding the historic preservation of 1302 Norfolk Avenue. There were concerns about compliance with the Design Guidelines. Planner Tyler reiterated that no work was proposed to the physical structure of 1302 Norfolk Avenue; and any work in the future would require a Historic District Design Review. Public comments suggest that there are impacts to the site that would render the site not compliant with the Design Guidelines.

Planner Tyler explained that the applicant was proposing a shared driveway, which would allow for the proposed parking area to be sited at the rear of the structure. The Design Guidelines recommend siting parking in the back because it mitigates vehicular impacts on the front façade of the structure. Planner Tyler thought this was a good example of a project being able to accommodate a shared driveway since agreements between neighbors are not always possible. Planner Tyler remarked that Historic District Design Guidelines C1.1, C1.3, C2.1 and C.23 specifically speak to this issue. The Staff found that the proposal complies more with the Design Guidelines than it would without the shared driveway area. Planner Tyler stated that significant vegetation would be removed; however, adequate vegetation replacement was being proposed. She noted that LMC 15-5-5(N), the landscaping section of the Architectural Review, specifically talks about the replacement of significant vegetation and the applicant's proposal exceeds what the LMC requires.

Chair Phillips referred to the Norfolk side and a parking spot that appears to go into the lot. He asked if the parking stall was dedicated to the historic house. Planner Tyler answered yes. Chair Phillips asked if the stall would require a turnaround. Planner Tyler answered no. Chair Phillips clarified that it was strictly a parking stall. Planner Tyler remarked that historic sites are exempt from parking requirements; therefore, the parking stall exceeds the requirement. She explained that the parking stall was included in the parking total because parking within the entire project boundary must be considered.

Chair Phillips understood from an earlier comment that the City did not intend to do anything with Lot 3 and would likely sell it for future development. Jason Glidden clarified that the City had not yet made a final decision on Lot 3. He believed it was going to the City Council for a policy decision on the lot. Once the City obtains renovation cost estimates, they will determine whether it would be cost effective to renovate the house and resell it. However, the current thinking is that it would be more beneficial not to invest that money into renovation and allow someone else to purchase the lot and renovate it themselves.

Commissioner Suesser asked about the lot under the plant legend that was adjacent to the project. Planner Tyler stated that Gary Knudsen owns the lot. Chair Phillips recalled that the City previously purchased the upper portion from Gary Knudsen. Planner Tyler replied that he was correct.

Commissioner Sletten asked about the sidewalk on Empire Avenue. Planner Tyler stated that the Staff was proposing to add a condition of approval to require a minimum 4' sidewalk on the site. The Staff understands that the sidewalk would not connect to any other development, but it will be noted on future plats as increased pedestrian access.

Commissioner Van Dine asked if there would be crosswalks in the area to cross to the parking lot. Mr. Glidden stated that he had put in a request for crosswalks starting at City Park across Park Avenue. He had also requested one at Woodside and another at Empire. Mr. Glidden stated that currently there is a sidewalk on the other side of Manor and another crosswalk at the top of Manor. He suggested the possibility of a second sidewalk on the other side of Manor to connect to the Resort. If there were issues negotiating with the Resort to restripe the parking lot, there would be alternative ways to reach the Resort safely.

Jarrett Moe, the project architect, presented slides of the project and explained the design philosophy behind Phase II. He stated that they began looking at Phase II as an extension of Woodside Phase I by providing well-designed urban infill to benefit the future owners and the City as a whole. Mr. Moe reviewed an image of the Woodside Avenue streetscape looking from northwest to the southwest. He stated that good design starts by analyzing the current site and the natural characteristics of the neighborhood, and proposing a solution that fulfills the multitude of problems; not just a few. Mr. Moe stated that Woodside Phase II defines the goal of good design and provides solutions under the current allowed density by providing appropriate massing and street presence; pushing the limits of sustainable housing by providing a project that will produce as much energy as it uses on site; promoting walkability and alternative modes of transportation; reducing the presence of surface parking by providing parking underground; and increasing movability through daylight and access to the outdoors.

Mr. Moe reviewed slides and described the theory of breaking up the massing and how it was accomplished. They provided a standard means of development that would accentuate the pedestrian walkway, and to give the residents of this project and the community the opportunity of plaza space to promote a sense of community. Mr. Moe stated that instead of a single mass, they broke it up into a series of six different massings; which included a series of massings off Empire Avenue; two sets of

townhomes off Woodside Avenue; and pushing the majority of the massing to the center of the lot where they could utilize the terrain change to bury parking and mitigate the effects of the height of the structure; while providing the appropriate number of units to help fulfill the City goal of sustainability. Mr. Moe stated that they tried to preserve and increase the livability in Park City by breaking up the massing and providing a plaza at the residential entry level to increase substantial daylighting and ventilation; increase access to the outdoors by providing each unit with a patio or deck space; provide compatible neighborhood infill; human scale massing at the street, and increased human street presence. They tried to increase human interaction by placing patios and common spaces adjacent to pedestrian travel paths. Mr. Moe stated that they were looking to increase walkability by preserving the connector that was originally designed in Woodside Phase I, and bringing it across Woodside Avenue to the crosswalk and continuing it on with stairways that lead up to the plaza and all the up to Empire. He was working with the Engineering and Transportation Departments to provide a greater connection to the Resort Base. A pathway is being provided from the plaza around the west side to Norfolk Avenue to increase the different means for people to walk or bike to various parts of the project.

Mr. Moe stated that by pushing the massing to the center, they were able to increase the public plaza space and decrease the feeling of density by providing a more generous horizontal clearance, which allows for a more inviting atmosphere.

Commissioner Suesser asked if there were parking stalls next to the 16 units stacked flats. Mr. Moe replied that there were a few service parking stalls.

Chair Phillips asked about the width of the stairs behind the Empire townhouses. Mr. Moe replied that the stairs were 8' wide. Chair Phillips commented on the amount of hard surface and asked if it would be heated or shoveled. Mr. Moe stated that they were developing plans with the City for shoveling. Due to the net zero sustainability goal, they were trying to avoid heating.

Chair Phillips wanted to know who would be responsibility for shoveling. Mr. Glidden stated that the idea is that that the HOA would be responsible for shoveling the walkways and that work would be contracted out to a service provider. The City Department that does most of the snow clearing would contribute funds to the HOA for a percentage of the contract for snow clearing. Chair Phillips commented on the large open areas and the amount of snow that will need to be removed. He asked if it would be strategically piled to keep open the public access.

Commissioner Suesser asked if the driveway would be heated. Mr. Moe answered no. Mr. Glidden stated that it would be similar to China Bridge where a sealant coating

would be applied to minimize icing and slipperiness. Commissioner Suesser asked if the driveways would be sloped. Mr. Moe replied that there would be a slight slope going down into the buried parking structure.

Mr. Moe explained how they looked at bringing the bike storage to a secure location and provided a more streamlined approach to storing and carrying bikes. Mr. Moe presented images of the widened walkway to the plaza level from Woodside Phase I up the stairs to Empire Avenue. He stated that widening the pathway creates a more inviting avenue and it also better accommodates snow storage.

Mr. Moe presented the proposed building materials and the aggressive sustainability goals. He pointed out that it is difficult to achieve net zero energy with a multi-family housing project. Strict guidelines were set from the beginning in terms of how to achieve net zero and not contribute further to the carbon footprint in the area. Mr. Moe outlined everything that was being implemented in the project to reach 70% below the standard. The energy being produced would be offset by providing a large solar PV array.

Mr. Glidden stated that planning for this project began ten years ago and development of the area was always envisioned as Phase I and Phase II. Most of the community benefits are a culmination of both projects. Mr. Glidden remarked that the City has four critical priorities. This is an affordable housing project, but it also helps to achieve the other goals they are striving to reach. Building these types of developments at an affordable rate and bringing some of the work force back into the community helps to reduce traffic. It also increases the vibrancy of the neighborhoods that was lost to second homes and nightly rentals. Mr. Glidden commented on connectivity, walkability and many other community benefits this project provides.

Mr. Moe presented a fly around digital model of the project in context with Woodside Park Phase I.

Commissioner Van Dine referred to the east and west buildings and ask how many units were in each building and the scale. Mr. Glidden did not know the actual number, but he believed Mr. Moe could speak to scale and height. Mr. Moe stated that the roof height of the neighbor to the north sits at 69.44 feet in elevation. The neighbor to the south is at 69.37 in actual elevation. The roof heights for the Woodside Park Phase II stacked flats sit at 69.31, with a small extension of a parapet at 69.35'. The highest point on the townhouse ridge is 69.27'. Mr. Glidden pointed out that the property to the north is 9' higher at its highest point compared to the highest point of this project. This project is 4' lower than the property to the south.

Commissioner Kenworthy stated that in March the City looked at public transportation stops on Park Avenue. He asked if they considered moving those stops any closer to the center walkway. Planner Tyler replied that the Planning Department had not had a discussion with the Transit Department about moving a bus stop. Mr. Glidden pointed out that there was a bus stop directly across the street from Woodside Park Phase I at City Park. There is another stop lower down on Empire. Mr. Glidden stated that the difficulty in placing a stop closer on Empire is the actual turn and the close proximity to the Resort. Commissioner Kenworthy clarified that he was more interested in the stops on Park Avenue. Planner Tyler remarked that 1333 Park Avenue was the historic house on the southernmost point of Woodside Park Phase I, and she pointed to the closest stop to that location.

Chair Phillips opened the public hearing on the plat amendment.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Sletten moved to forward a POSITIVE Recommendation to the City Council for the June 6, 2019 meeting for the Woodside Park Subdivision Phase II plat amendment, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as contained in the draft ordinance. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Chair Phillips opened the public hearing on the MPD.

Nikki Deforge, legal counsel representing Doug Lee, stated that Mr. Lee has owned the home immediately north of the Empire Townhouses for over 40 years. He has seen a lot of changes over the years, and he is very concerned with the size of this project and other issues that he does not feel are compliant with the Code. Mr. Lee supports the concept of affordable housing, but he wants to make sure the project complies with the Park City ordinances. He disagreed with the Staff and the City Attorney's opinion that this project does comply.

Ms. Deforge had submitted a letter to the Planning Commission as public comment, which was included in the Staff report, and she highlighted some of the key points. One issue was the question of which provision of the LMC complies. It is her client's position that LMC 15-6-7, the Affordable Housing Master Planned Development, is the more applicable provision; as opposed to 15-6-5, Master Planned Developments; which

the Staff asserts is the appropriate provision. Ms. Deforge noted that the Staff believes that 15-6-7 is only triggered if the project is 100% affordable housing on the MPD. Ms. Deforge remarked that there is nothing in the ordinance that limits the application to 100% affordable housing and she disagreed with the Staff interpretation. She pointed out that when there is a conflict between the application of two ordinances, the Code specifically states that the more restrictive provision governs over the less restrictive provision and the provision more specific in application governs over the more general provision. In this case, she believed LMC 15-6-7 governing master planned affordable housing developments such as the one proposed is the more specific provision. Ms. Deforge explained why she did not believe the project as proposed did not comply with LMC 15-6-7, as outlined in her written letter. Ms. Deforge did not think it made sense that the purpose of the provision was to only encourage 100% affordable housing. She believed the purpose was to encourage any affordable housing.

Ms. Deforge stated that the City also made the argument that to apply 15-6-7 to affordable housing projects that are less than 100% affordable housing would create conflicts with the provisions for MPDs. She did not believe that made sense because by that logic, this project could never be built. Even if there was 100% affordable housing, there are still provisions regarding open space, density and other things that conflict with the provisions in 15-6-5 and 15-6-7.

Ms. Deforge stated that not all of their arguments turn on the issue of the applicable LMC provision. She commented on other areas where they believe this project does not comply with either LMC 15-6-5 or 15-6-7.

Ms. Deforge stated that parking was a primary issue. She appreciated the City's recognition that the townhouses did not comply with the parking requirements and the parking plan was modified. However, they argue that the parking was still insufficient per the Code parking requirements.

Open space was another issue. Ms. Deforge stated that the open space proposed did not comply with either LMC Section 15-6-7 or 15-6-5. She believed there was no legal basis for concluding that the City only needed to provide 30% open space rather than the 60% mandated by 15-6-5. She noted that the Staff report states that the Planning Commission has the authority to reduce the required open space in exchange for project enhancements. Ms. Deforge pointed out that the statement in the Staff report was not completely accurate because that was only one of the requirements to reduce open space. The first requirement for an exception is that the project must be a "redevelopment of existing development". Project enhancements are the second part. Ms. Deforge argued that a portion of this project consists of vacant lands and open space, including the Empire property that has been vacant for nearly 20 years. The fact

that the lots may have had structures on them at one time provides no legal basis for invoking this exception in the absence of any existing development. If an entire lot is vacant, and likely 80% of the development is vacant, she was unsure how the Staff could determine that the requirement of a redevelopment of an existing development is triggered in order to allow the Planning Commission to reduce the open space. Ms. Deforge stated that if the Planning Commission allows this reduction they would be opening the door to a very large exception that would effectively diminish the rule of having to be a redevelopment of an existing development.

Ms. Deforge remarked that setbacks were another issue. She stated that there was no dispute over which ordinance would govern because both require a 25' setback over the entire boundary of this property. The City was requesting a reduction of 20' for the front setback and 5' for the remainder of the property. Ms. Deforge stated that in the Staff report, the Staff argues that the Planning Commission has the discretion to do that simply to match the adjacent property setbacks. However, that requirement is nowhere in the ordinance. She stated that per the ordinance, the only basis for the Planning Commission to reduce setbacks is "to provide architectural interest and variation". Based on that language, she did not believe there was justification to reduce the side setbacks. Ms. Deforge remarked that setbacks are a key issue because the setbacks directly affect the neighbors. She did not believe the Planning Commission should reduce the setbacks unless it complies with the requirement to provide architectural interest and variation or if it is necessitated by the geography.

Ms. Deforge that the Historic Preservation Guidelines was another issue. The City claims that no historic guideline would be triggered unless the historic structure itself is altered. She disputed that claim because the ordinance states that the project requires design review approval if it is listed on the Historic Sites Inventory, which it is, and there are plans to entertain major alterations on an existing structure; make minor alterations other than routine maintenance of the existing structure; construct an addition on to an existing structure; add or remove a deck or elements or light fixtures; use part or all of the existing structure as an accessory; build a new structure of the principle structure for an accessory structure.

Ms. Deforge remarked that the Guidelines pertain to more than just the historic structure itself. She pointed out that in this project, many things were being done to the historic lot and around the historic structure. Lot lines are being changed and driveways are being poured along the back of the historic house; and there is talk about removing existing vegetation. She believed these things, as well as other items outlined in the bullet points of her letter, contradict the Guidelines. Ms. Deforge disagreed with the City's interpretation that the applicant could make the proposed changes without a Historic Design Review.

Ms. Deforge stated that the City, as an applicant, should do no less than what they expect from other developers. If City-sponsored projects are not required to comply with the ordinances and design guidelines, it will be difficult for the City to require developers to comply on future projects.

Ms. Deforge noted that the neighbors support affordable housing and they are not saying “not in my backyard”. They support this project but they want it built according to the requirements in the ordinance and the guidelines to mitigate the impacts that affect the neighbors and the neighborhood. Ms. Deforge requested that the Planning Commission require this project to meet the setback requirements, open space requirements, and the design guidelines; and to look at development alternatives.

Doug Lee, representing his family as the owners of 1356 Empire Avenue, stated that he had submitted written public comment. He remarked that his written comments in his comments this evening pertained to the MPD and CUP applications. Mr. Lee stated that his family has owned the house on Empire, north of this project, for 40 years. Since that time the City and the traffic have grown exponentially since that time.

Mr. Lee he has a degree in architecture and he originally specialized in developing in Historic Districts. He believed his experience gives him good insight into the into the issues surrounding this development. Mr. Lee emphasized that he is a strong supporter of the City’s efforts to generate more affordable housing. However, he has concerns with the impacts the proposed development would have on life safety in the area. The planning team for Woodside Park has asked for certain exceptions for less open space, less setbacks and relaxation of the historic preservation guidelines. As an architect, he could assure that these exceptions enables more density on the site and in closer proximity to the neighbors.

Mr. Lee noted that the reduced open space and setbacks have implications to Lot 1, which is the townhouse lot on Empire adjacent to his property. Based on his calculations, the open space on Lot 1 is only 20%. Mr. Lee pointed out that the City recently got \$64 to preserve open space on Treasure Hill; yet the City is maximizing the building density in its signature affordable housing project. Based on their comments, he the Mayor and City Council are focused on quality of life for residents and the model of work where you live. If that is the case, projects like Woodside should be held to a higher standard and should improve the quality of life for all the neighbors; not just the project residents. Mr. Lee found it objectionable to hear the Staff support exceptions to open space, setbacks, and the historic preservation guidelines. With regard to life safety issues, Mr. Lee reiterated the comment he had made during the previous work session that traffic on Empire unsafe on the best of days, and it becomes worse on

snow days. To address the additional traffic that will be generated by additional density of the project, he requested a more comprehensive traffic study of Empire, Norfolk, Woodside, and Park Avenue. He pointed out that the traffic study included in the Staff report only studied a five day, non-holiday period in February 2018 when there was no snowfall. Mr. Lee commented on issues he observes when families walk past his house going to the Resort Center. Due to snow storage and lack of sidewalks, they are forced to walk in the street on Empire, which adds to traffic congestion and life safety issues. Mr. Lee believed that careful study of the problems and solutions for the traffic on Empire was necessary before approving new development. Mr. Lee urged the Planning Commission and the Staff to advise the applicant to redesign the project to satisfy the LMC and the Guidelines without the requested exceptions, and to create a project that is responsive to the safety concerns.

Malia Brown, a resident at 1259 Norfolk, stated that her property is approximately 50 feet from the existing historic site on this project. Her property on Norfolk is also historic. Ms. Brown commented on safety and density. She appreciates affordable housing and has personally helped to bring affordable programs to the community, and she knows it is not easy to get funding for affordable housing. Ms. Brown supported the idea of bringing affordable units together in one place; however, the proposed density is too dense for this area, particular because of snow loads. She showed the Commissioners photos she had taken of Manor Way and Empire on March 1st showing the snow loads that block public access to the ski resort. Ms. Brown pointed out that where the crosswalk is proposed is currently used for snow storage. During the winter a crosswalk will not make a difference. She stated that the snow load piles act as giant mountains and it is the only place for snow storage. Ms. Brown understood what they were trying to do with affordability and accommodating livability in Old Town. However, it is not a walkability conversation. The easements are used for snow load and condensing the easement will make matters worse because snow will be compressed onto private property lots. Ms. Brown believed that every person who comes to the Planning Commission for a building parcel needs to accommodate snow. She owns the property at 650 Woodside, which runs directly through the Crescent Tram trail. In 2008 when they came before the Planning Commission to build on that property, they not only had to accommodate for the Tram Trail because it was a public right-of-way, but they also had to take on the responsibility for removing the snow on their parcel. When she heard tonight that the City is building affordable units, but when they sell the units, the HOA will have the burden of removing snow on a public access easement, and that the City will be making a contribution to the HOA to help with the cost of snow removal. Ms. Brown remarked that no other private owner has been given that opportunity and she felt it was a conflict of interest. The City owns the parcel and then gives the HOA money to carry out the snow removal obligation. Ms. Brown pointed out that many homeowners in the community have a stairwell on their private property and

the City maintains those stairwells. No one gave her money for her private parcel on the Crescent Tram trail, and she did not believe the City should be giving money on the private parcels in this project. She had concerns about liability issues for the City on a public easement if they contribute money. Ms. Brown stated that if the City wants to designate a public easement through a project such as this, they should have to create a public right-of-way that the City maintains for everyone else in the community. She reiterated her concerns that if the City contributes money for an easement, it could result in a major liability for the City and the affordable units would be under duress in a law suit. Ms. Brown thought it went against the spirit for achieving this affordable housing project. It creates safety issues and it is an undue burden on the project itself.

Ms. Brown requested permission to review the plat because she would like the opportunity comment on the plat. She could not find the plat in the Staff report. Ms. Brown stated that if the plat includes the historic unit, she objected to the plat. Based on the comment that the historic unit being sold off in the future, she had concerns that the Phase II subdivision was not platted correctly. She explained why she believed that the historic lot was a separate entity from the affordable plat.

Ms. Brown stated that the community spirit of Old Town has been demonstrably for open space; primarily open green space. She understood from earlier comments that the percentage of the parcel that would be open and green was minimal and the rest would be open concrete. She used the parcel on Park Avenue on the opposite side of the street as an example for excellent open space. A portion of the parcel is historic and the historic lot line is preserved for green grass. Since they could not add parking garages to that space, side yards were added for parking. She stated that green open space around historic lots keeps the historic feel of Old Town. Ms. Brown was unsure what will happen when every parcel in Old Town is developed, but she could say with certainty that that every historic home is getting swallowed. She urged the City to do whatever possible to preserve the nature of the historic lot on this project as a service to the community.

Ms. Brown noted that somehow this evening they went directly from the plat to the MPD as though it was a foregone conclusion from the RC zone. She disagreed that it was a foregone conclusion. Ms. Brown stated that the Senior Center is currently on that parcel and the Senior Center provides a service to a great number of people in the community. She did not understand the logic that affordable housing is the trade-off for the Senior Center. Ms. Brown remarked that 52 affordable units and 52 families is wonderful, but the number of people the Senior Center serves had not been discussed. She questioned how they made the decision that affordable housing was the best use for this particular parcel. She understood the goals of the City, but sometimes the goals are overreaching. Ms. Brown did not believe that achieving one goal overrides the

other goal in the community to serve the people who already live here and use the Senior Center.

Ms. Brown asked the Planning Commission and the City to rethink the best use of this parcel and to think about the historic nature of the land and the community's desire for open space. Lastly, she stated that no one can represent the historic home because the City owns the historic home and it has no private owner. When a new owner comes in and has to comply with the Historic Guidelines, it will be nice to find that there is parking in the back. However, historic homes are preserved because of the nature of the whole parcel. For that reason, she questioned how they City could say that the lot lines do not matter on a historic home. Ms. Brown felt the need to speak on behalf of the historic home.

Director Erickson informed Ms. Brown that the Planning Commission had forwarded the plat to the City Council and there would be another public hearing at the City Council meeting on June 6th.

Meghan McKenna stated that she is a school teacher at Park City High School. She came back to Park City directly from school to teach in the Park City School District. Ms. McKenna was disillusioned to find affordable housing in the City. It is important for her to live in the community she works in; therefore, living somewhere else was not an option. She has applied for affordable housing for five years and so far her number has not been drawn. She is currently renting at a high rate, and she hopes to attain affordable housing in the near future. Ms. McKenna stated that she wants to be part of the Park City community and not commute like her colleagues. Ms. McKenna teaches environmental science in school and they talk about urban development. She believes this project is in line with what her students are learning in terms of sustainability. It is also in line with the City's goals in regards to climate change. Ms. McKenna supports this project and appreciates the City's attempt to provide affordable housing, which is a great need in Park City. She wanted everyone to know that many people are counting on these affordable housing projects in the future so they can live where they work. She noted that people go to the open houses and other events and always say how they support affordable housing, but it does not feel that way when a project is proposed. She thanked the Planning Commission for their consideration.

Gary Knudsen indicated the location where a 15' walkway was being proposed. He pointed out that there is no room for a walkway and the traffic in that direction is dangerous for people walking on the road. He suggested that the City consider redirecting the traffic in a different direction.

Commissioner Thimm asked Planner Tyler to show on the site plan the area Mr. Knudsen was talking about. Mr. Moe understood that Mr. Knudsen was talking about the pathway that was suggested along the west side of the façade of the stacked flats and over to Norfolk Avenue.

Amy Knudsen stated that she grew up in the community and she has a lot of love and feelings for Park City. Ms. Knudsen believes they are losing a lot and that is the sentiment when she talks to many of her local friends. Ms. Knudsen stated that this space will never come back and they only have one chance to develop it. Ms. Knudsen supports affordable housing because she is living with her parents because she cannot afford housing. She is sad about this project. Ms. Knudsen thinks the project designed is beautiful, but it is too much in a small space. She asked if there was a way to renegotiate the design to reduce the density and achieve more open space so there will be fewer people living there. She lives at the end of Empire and the parking situation is already extremely bad. She could not imagine what will happen if that many additional people are housed in that area. Ms. Knudsen urged the Planning Commission to take safety, parking and other major into consideration. She wants people in Park City to remain in Park City, and she realizes that development is inevitable, but it is important to be smart in how they choose to develop the spaces that are left.

Diane Sanchez stated that she had not planned to speak this evening and only attended to gather information as a concerned citizen. She is a retired teacher and actually taught Meghan McKenna in 6th grade. Ms. Sanchez has lived in various places in Park City over the past ten years, and she now lives in this neighborhood. She understands the need for affordable housing but this project is too much. She is also concerned about the other developments that are being built in close proximity, and the impacts those developments will have on the neighborhood. Ms. Sanchez was unsure of the process moving forward, but she asked that all the issues raised this evening be considered. She thanked the Commissioners for the time they spend for the public.

Gary Knudsen remarked that during the ski season the parking lot fill up all week long and cars are parked all over the hill and in front of this parcel. When this project is developed they will need to do something about the parking in the winter.

Ed Parisian, asked if there would be another opportunity to speak at a later date or whether the Commissioners intended to vote this evening.

Chair Phillips replied that the items were scheduled for action this evening and they would likely vote unless the Commissioners direct the Staff to provide additional information.

Mr. Parisian stated that he would like to purchase the historic property but given the new lot lines it did not make sense to purchase the property. He commented on the impacts to the neighbors during development. Mr. Parisian did not appreciate having a 3-story building 3-feet from his property line. He asked the Planning Commission to consider the density and other problems related to this development before making their decision.

Chair Phillips closed the public hearing on the MPD.

Commissioner Suesser asked about parking spaces for the four units in the Norfolk building. Mr. Moe replied that there were three spaces underneath and one parking space that is accessed off Norfolk Avenue.

Chair Phillips clarified that size reduction and other issues are policy issues that are directed by the City Council and outside the purview of the Planning Commission. He explained that the Planning Commission reviews the application to make sure it complies with the Code. If the Planning Commission takes action this evening, there would not be another opportunity for public comment. Chair Phillips wanted the public to understand that the Commissioners heard all their concerns but they did not have the purview to address all the issues that were raised this evening.

Commissioner Thimm believed there was disagreement on which section of the LMC applies to this project, and he asked City Attorney Mark Harrington for his interpretation. Mr. Harrington replied that it was a question that the Planning Commission needed to decide. The Staff has argued that Section 15-6-5 applies and that the language of Section 15-6-7 is more applicable to projects that are 100% affordable. Mr. Harrington noted that 15-6-7 has not been used for anything other than 100% affordable projects. There has never been a different interpretation and none of the subsections apply to anything else; and the sections below only enable the 20 units per acre density bonus specific to that chapter. Mr. Harrington stated that to the Staff's knowledge, those other sections have never been applied to a single affordable unit within a Master Planned Development. He recalled that previously Ms. Deforge has acknowledged that there was no definition for the threshold of her interpretation in terms of what percentage would actually apply. Mr. Harrington stated that it is not defined because from the Staff's perspective 100% is the only possible reading and it did not need to be defined further.

Mr. Harrington did not believe there was a conflict as Ms. Deforge had described. There needs to be a conflict and the Staff and the Legal Department could not see a conflict because 15-6-7 requires 100%. The conflict only comes if they agree with Ms. Deforge's interpretation, and the Planning Commission has the right to make that

determination. Mr. Harrington stated that if the Commissioners agree with Ms. Deforge, all other MPDs that contain affordable housing in which they did not apply Section 15-6-5, would become non-conforming by that interpretation. He emphasized that Section 15-6-5 has never been applied in that way. Mr. Harrington remarked that the Planning Commission should not lose sight of the purpose. He and Ms. Deforge agree that Section 15-6-7 is a poorly written chapter, and the City Council has given direction to completely rewrite that section because it has never been used and it does not enable the outcomes the City currently wants.

Mr. Harrington stated that the public comments have been excellent and very thoughtful and passionate. However, the Planning Commission needed to parse Code compliance with the best standards. Mr. Harrington remarked that if the Commissioners agree with the high level comments that are not code-based they could make additional suggestions to the City Council on how to make the project better, even if they determine compliance. He pointed out that the Commissioners have flexibility in applying the setback criteria in the LMC. If they feel the information in the Findings is not insufficient to make that determination they should direct the Staff to provide the information accordingly.

Mr. Harrington stated that in terms of the narrow question of Section 15-6-5 versus Section 15-6-7, the Staff opinion is clear from the plain reading that Section 15-6-5 applies. The Planning Commission has the decision to make sure it is the appropriate section.

Commissioner Kenworthy understood that the density was not increased based upon Section 15-6-7, an MPD for Affordable Housing. Planner Tyler stated that this project proposes less density than what could be developed. Commissioner Kenworthy clarified that under Subsection 7, density would be allowed to be increased. Planner Tyler replied that he was correct.

Commissioner Hall stated that her understanding of Section 15-6-7 was that the intent was to give a bonus to a developer who was willing to go above and beyond by doing 100% affordable; and that would trigger benefits. Mr. Harrington replied that she was correct. Commissioner Hall thought the intent was clear and it was consistent with how the Section has been used historically.

Commissioner Suesser asked Planner Tyler to address the Historic Design Review issue that was raised and why it was not required for this project. Planner Tyler stated that for historic sites projects are reviewed on the site level. She thought the plat puts this in the context of how they look at sites in an actual Historic District. She remarked that any property has the right to subdivide their lots as long as it does not create a lot

that does not meet the minimum lot size. For example, if someone owns three contiguous lots and their house sits between two lots, they parse out two lots to contain the historic house, and then sell off the 25' x 75' lot next door through the plat amendment process. The Staff finding is that this historic site is being treated the same way they would any other development. In the Historic District example, the 25' x 75' lot that is parsed off would go through the Design Review process. However, because this project is not in the Historic District, the multi-unit dwelling does not trigger the need for design review. As indicated in the Staff report, the City was still deciding whether or not to sell, but that will be part of the discussion as the City moves forward. If the City chooses to renovate the historic structure, it will go through the HDDR process but it will not come back to the Planning Commission. Language in the Findings and the Conditions state that any future development will require an HDDR. Planner Tyler recognized that a parking space was being added; however, that could be processed as a pre-application that would not trigger a full HDDR because it would be considered a landscape improvement. Planner Tyler emphasized that it was the Staff's opinion and finding that this structure was being treated consistent with anything in else in the Historic District or in other outlier properties.

Commissioner Sletten stated that according to the Staff report, the plat amendment simply creates legal lots and any lot could be sold. He remarked that in reading Section 15-6-7 and 15-6-5, he agreed with the Staff that Section 15-6-5 should be the governing Chapter.

Commissioner Thimm agreed with the conclusion that 15-6-5 was applicable. He appreciated that the City Attorney reaffirmed his reading of the Section. Commissioner Thimm stated that unfortunately Codes are not written perfectly. He works with Codes that are not written well on a daily basis. Commissioner Thimm found that the crux of the Code tends to speak to the latitude the Planning Commission has in terms of looking at setbacks and other things. From the beginning when he first sat on this Planning Commission, the City has encouraged development of affordable housing.

Commissioner Thimm stated that there are gives and gets when dealing with municipal agencies and property owners. He believed the setbacks were not requested inappropriately. In looking at the urban fabric and the edge created along the street, the 20' setback seems to be appropriate. Commissioner Thimm stated that a 5' setback versus a 10' setback, which actually gives 15' as a result of the utility easement, is good design because having a non-gravity flow is a terrible solution. Commissioner Thimm was in favor of the gives and gets. He thought the open space being provided is very usable and creates the mid-block connections that connect to trails and streets. Allowing the public to access the path is very important. In terms of thinking about setback and coverage, Commissioner Thimm thought they needed to

look at the greater good. He believed the creation of affordable housing and some of the other benefits derived from this project are important enough to be supported.

City Attorney Harrington advised the Planning Commission to address the concern regarding the specific requirement for the architectural variation. It is a clear requirement and they needed to either agree that the Staff adequately addressed that in the proposed findings, that additional findings were necessary, or they could disagree with the Staff and request additional information.

Commissioner Hall asked Mr. Harrington to address the public right-of-way. Mr. Glidden preferred to answer her question believing that his earlier comment was not clear. He remarked that it is not uncommon for HOAs to hire out services for snow removal. The City also hires out companies to help with snow removal. Mr. Glidden explained that it would be a partnership with the understanding that because of the public access, the City would contribute to the contract to help offset the costs of snow removal in that public access.

Mr. Harrington provided further background. He stated that the first assumption is the opposite of what was represented in the public testimony. In terms of public easements, for sidewalks in particular, are usually the responsibility of the private property owner. The City enhances its level of service in certain districts and sometimes it is in the form of full responsibility and other times it is an incremental increase that augments the private responsibility. Mr. Harrington agreed with Mr. Glidden in that the City privately contracts to augment the public service in areas where the City has sole responsibility. Mr. Harrington stated that this project was an unusual situation. It is looked at as a hybrid because of the importance of the public connection to augment the Resort pedestrian traffic and the through-traffic through City Park and Park Avenue. If the Planning Commission opposed this idea, they could make a recommendation to the City Council for the City to solely maintain the access. The Commissioners could also add a condition if they were concerned about safety and access issues if it is not maintained by the City.

Commissioner Hall stated that if the Planning Commission grants the open space reduction, the real benefit consistent with the General Plan is keeping the right-of-way available for the public. If the access is not available they lose the benefit, which then does not justify the reduction of open space. She preferred to clarify the need for the enduring benefit.

Chair Phillips preferred to have the City maintain snow removal from Woodside up to Center to keep the corridor open. He thought the HOA should be responsible for snow removal to the individual apartments. Chair Phillips stated that the City and the HOA

could hire the same contractor to plow, but the City would have the responsibility of making sure a clear path is open for pedestrians. Commissioner Hall pointed out that the State has a corridor there as well.

Chair Phillips asked if Mr. Glidden was comfortable that the snow storage was adequate. Mr. Glidden answered yes. Chair Phillips wanted to make sure that snow would not be hauled off because that creates additional impacts.

Chair Phillips thought there was already a sidewalk present on Woodside. He had not attended the last meeting, but it appeared that the access to Norfolk had occurred between then and now. Chair Phillips was trying to figure out the need and the plan to put pedestrians on a shared driveway, as opposed to having pedestrians use the sidewalk. Commissioner Hall replied that she had advocated for that approach because the bike storage is on that level and it would be easier to access the bike storage from that level rather than the lower level.

Chair Phillips commented on the design and felt this project would really impact Norfolk. Commissioner Kenworthy stated that this project has 12-month solutions and he liked it. He thought most of the options were more positive than negative and he believed they would contribute to the transportation goals. Commissioner Kenworthy found the exterior setbacks to be consistent with the neighborhood. He understood the benefit of the interior system, and it is a huge benefit. Commissioner Kenworthy believed the good causes outweigh the negatives on this project. The City is providing affordable housing for the people who get left behind. It serves local businesses because it provides an employee pool that businesses struggle to find throughout Park City.

Commissioner Kenworthy wanted it clear that this was a very difficult decision, but they always talk about affordable housing, and the City has also put social equity high on the priority list. In his opinion, social equity means balance and that balance is constantly moving. He believed this project fits and helps balance the overall picture for the community of Park City.

Commissioner Suesser disagreed. She thought the project was too big for the site. She did not believe there was enough open space and she agreed that sidewalks are not open space. There is too much concrete in the proposal. Commissioner Suesser was also concerned about removing the Senior Center without a plan on where to relocate it. There is too much density on the site and not enough architectural variation.

Commissioner Suesser supports affordable housing and she knows it is a priority of the City. However, this project is too much for the site.

Commissioner Suesser felt the Planning Commission prematurely voted on the plat amendment, and she would have preferred to reserve that vote after a full discussion on the project. She apologized for not making that statement earlier.

Commissioner Hall concurred that the plat amendment vote was preemptive.

Planner Tyler pulled up the definition of open space under 15-6-5. She was not discounting their comments, but she wanted the Commissioners to understand what was being calculated as open space. Planner Tyler pointed out that the definition includes hardscaped areas.

Commissioner Hall asked if there was a way for an HOA to restrict homeowners from having more cars than the allotted parking stalls. City Attorney Harrington thought the Planning Commission could require additional information through a parking plan that demonstrates the adequacy of parking proposed. He was unsure whether that could include restrictions on number of cars per resident or the enforceability of car ownership. Mr. Harrington remarked that restricting the amount of parking allocated per unit was a more traditional way to address the issue.

Chair Phillips asked if the parking stall were dedicated to specific units. Mr. Harrington noted that Condition of Approval #4 of the MPD states, "Reference the allocation in the CC&Rs". They could add more specificity if the Commissioners felt it was necessary.

Mr. Moe stated that the project was designed with the intent that there would assigned parking per unit. Mr. Harrington noted that that intent was not specified in the current Condition of Approval as written. He stated that the Planning Commission could add a condition of approval that includes a CC&R provision stating that people will not bring additional cars. However, enforceability of car ownership would be difficult. Mr. Harrington believed the better approach would be to recommend additional affirmative restrictions for managing enforcement of off-site parking regulations in the area, which falls to the City for managing the right-of-way.

City Attorney Harrington clarified that voting on the plat was not preemptive because they simply followed the order of the agenda. If the Commissioners wanted to revisit the plat, a motion could be made and seconded to see if the rest of the Planning Commission wanted to revisit the terms of the recommendation to the City Council.

Commissioner Thimm suggested adding a condition of approval regarding municipal removal of snow in the public access easement area. Mr. Glidden understood that Commissioner Thimm was requesting that two different entities clear snow from that area. He explained that the intent was to simplify the process by having one contract

with a snow removal company to remove the snow from the entire property and the City would contribute to that contract for the public easement portion. Mr. Glidden wanted clarity from the Planning Commission before moving forward.

Commissioner Sletten remarked that many aspects of the approval will be enforced in future years, as outlined in the public testimony this evening. He was unsure whether the Planning Commission had the ability to obligate the City on these matters, but he questioned how the City would enforce snow removal if the HOA fails its responsibility in future years.

Chair Phillips was comfortable having the City financially contribute to the snow removal contract for the public access and use the same contractor hired by the HOA. However, he shared Commissioner Sletten's concern. If the City is financially obligated to pay for that portion of snow removal, the City has the responsibility to make sure that portion is cleared of snow.

Mr. Glidden suggested that possibility that the City could obtain the contract and the HOA financially contributes. That would put the obligation on the City to maintain the access. He offered other suggestions related to percentage of plowing, recognizing that he would need to speak with the Legal Department before anything could be decided.

City Attorney Harrington stated that the MPD contains a dedication proposal of a pedestrian easement and not a sidewalk. He believed it was within the Planning Commission purview to require that the easement is accepted with terms for maintenance by the City. That would eliminate the general statement in terms of the ordinance that requires sidewalk maintenance by the adjacent property owner. It would state that the City has the responsibility; and whether or not the City contracts in part with an outside snow removal service would be a decision by the City Council. Mr. Harrington reiterated that it was within their purview to ensure that the public space is actively maintained. Mr. Harrington suggested adding a condition of approval to the MPD requiring that the public easement shall be maintained by the City.

Director Erickson drafted language for Condition #51. "The east/west public easement as shown on the plat shall be maintained by the Park City Municipal Corporation". Director Erickson drafted language for Condition #4 to add, "Parking space allocation within the parking area shall be established in the CC&Rs of required spaces". The condition would not include extra spaces.

Mr. Harrington wanted the Planning Commission to be aware that once they assign the parking stalls to individual units, it will take away efficiency in the slow times of the year.

Mr. Glidden pointed out that car chargers were another issue because there is no way to know who will have electric cars. He suggested that the car chargers could be located on the additional spots, which is considered guest parking; however, residents with electric cars would park there rather than in their assigned parking space. Chair Phillips remarked that they were not trying to create problems. They just want to make sure that people with multiple cars do not take up all the parking.

Planner Tyler stated that Condition #4 was consistent with Woodside Park Phase I. The only change would be to add the word "required" to the language. Mr. Harrington stated that the Commissioners could also add additional parameters or a control mechanism to address their concern. He suggested adding, "...in a manner which either assigns spaces per unit as required, or implements a pass program which insures one car per the required parking per unit...". Commissioner Thimm preferred to eliminate "or" and specify the mechanism.

Commissioner Hall stated that for parking in general, she hoped the CC&Rs would clarify the logistics to avoid having substantial overflow parking. She was also pleased with the number of bike stalls provided, the walkability of the area, and the proximity to the bus stops. Due to the number of excess parking spots, Commissioner Hall believed this project would work. She remarked that if this was a for-profit project and a private developer came in with the same application, she would not be opposed to the project if it provided parking in excess of the required parking spaces, was close to bus stops, and provided bike stalls.

Director Erickson requested that the Planning Commission discuss whether the architectural interest in the project is maintained in order to meet the standards for reducing the setbacks.

Mr. Moe believed that architectural interest was provided based on the setbacks. He stated that the 25' setback was not compatible with the existing urban fabric. Most of the setbacks are under 20' and several are 10' or less. Mr. Moe stated that by looking at the setbacks and the way this project was designed, it provides more of street presence, and the scale of the project is broken down much greater than with a 25' setback. There is flexibility in the massing and form, particularly in looking at Empire Avenue and Woodside Avenue. In addition, the form is more compatible with Woodside Phase I in looking at the project holistically. Mr. Moe stated that if they keep the 25' setback currently incorporated, the generous pedestrian walkway and plaza would go away. He believed those provided significant architectural interest from the perspective of both aesthetics and use.

Mr. Moe stated that after working on this project for a significant amount of time, most of the project benefits would be reduced or eliminated altogether if they are held to the 25' setbacks.

Commissioner Thimm stated that when he reviewed the Staff report he looked at the elevations for that portion and for the overall project. He believed that architectural interest and variation was achieved. In looking at the sections of the Code, he recommended that the Code be amended to include objective requirements rather than language that leaves it open to drawing an opinion. Commissioner Thimm thought a better defined way to make this determination would protect the Staff and the Planning Commission in the future. He recognized that the Planning Commission needed to make their determination based on the Code as currently written.

Planner Tyler asked if the Commissioners wanted to modify Finding #15 to mention the plaza and walkway. Director Erickson recalled that when the Staff agreed to the setback reduction consideration, the reduced setbacks on the side yards to the zone setback resulted in the size of the plaza in the middle of the project and the public walkway.

Commissioner Kenworthy had not done the math, but he believed the gross square footage of the walkway and the plaza was far more than the setback. Commissioner Kenworthy thought that would be an important Finding of Fact.

Planner Tyler requested to edit Finding of Fact #19 to reflect the accurate open space. She clarified that per their discussion, the Planning Commission wanted to modify Findings of Fact #15 and #19 and Condition of Approval #4; and add Conditions #5 and #6.

Commissioner Thimm suggested that the Planning Commission discuss the Code sections to see if there was consensus on whether or not this project is a redevelopment.

Commissioner Hall was unable to find a definition for redevelopment in the LMC. She could also find no guidance in the Utah State Code. Mr. Harrington stated that Staff was also not able to find a further definition of redevelopment in the LMC. He pointed out that this project is in the redevelopment area of the City and that definition is very broad. It is not the same definition that would apply to the project. Chair Phillips noted that there were buildings on the site. Mr. Harrington agreed that the project meets that separate standard. He reiterated that the definition for redevelopment was intended to be very broad and there was no other definition in the Code.

Director Erickson stated that this property is within the Redevelopment Agency lands. There is a standard for determining a blighted area and a redevelopment area under the terms of how that Agency was established. Secondly, parts or all of this property are part of the original Snyder's Addition to the Park City survey. It is entirely possible that there were houses across that property from 1889 to 1910-1915 because it is walking distance from that location to several mill locations, the Silver King Mine, and the Spiro Mine, which were working Mine Sites at the time. Director Erickson stated that there was minimal evidence that this area was fairly-well populated, consistent with Park Avenue, because it is part of the Snyder's Addition survey.

Commissioner Hall asked how the Planning Commission has historically treated open space reductions. Director Erickson replied that normally open space reductions are designed for greenfield development. He noted that Woodside Park Phase I had reduced setbacks, as well as 1450/1460 Woodside. Director Erickson remarked that this is Phase II of the Woodside Park project and a number of redevelopments are occurring. The Senior Center is only partially historic and that site is being redeveloped as well. Director Erickson named other redevelopment projects in the area.

Planner Tyler stated that when Gary went through the process in 2003 to do the cap on the Empire house, it was to prepare for a plat amendment on that property for future development. Planner Tyler remarked that sometimes buildings need to be taken away in order to prepare for development. She suggested the possibility of putting in a timeline for redevelopment, but sometimes it takes 15 years to get something done. The City has been in this process for 10 years working on a link to Empire Avenue and some of this land was acquired in the process.

Commissioner Hall asked if it was possible to add language into the Findings of Fact that summarizes why this is a redevelopment. Planner Tyler noted that language to that affect was in a previous reiteration. She offered to pull up the language on a slide.

Chair Phillips suggested that the Planning Commission take a short break and allow the Staff the opportunity to draft the modifications to the Findings and Conditions as discussed. The Commissioners would review the Findings and Conditions after the break before taking action.

Break 8:29 to 8:40

Chair Phillips reconvened the meeting.

Chair Phillips thanked all the public who attended this evening and those who made comments. He remarked that the Planning Commission had given this project a lot of

thought and the discussion that it deserves. He personally believed project fits within the density for this parcel and he found good cause for adjusting the setbacks. Chair Phillips thought this was a great project and he commended the Architect, the City as the applicant, and the Staff for their efforts.

Commissioner Suesser disagreed. She thought the project was too dense and created greater impacts to the neighbors.

Commissioner Hall had reviewed her notes from the last meeting. She thought the trail that was added is a great benefit. Commissioner Hall remarked that the public benefits of the right-of-way and the plaza justified this development. She believed the bus stop would be the best way to utilize those benefits if the City could make it happen.

Mr. Glidden stated that the City would continue to have conversations to see if there was a possibility of moving the bus stop. He assumed Commissioner Hall wanted a bus stop in front of Woodside Park Phase I or somewhere in that area. Commissioner Hall thought the Transportation Department should determine the best location, with the understanding that the goal is to encourage people who live there to utilize the bus, as well as the people walking through to PCMR. Mr. Glidden stated that he would work with Transportation to make that adjustment to the bus stop.

Chair Phillips agreed with Commissioner Hall; however, there are already several bus stops close to this project. He anticipated that as the development begins to be used, the Transportation Department may decide to move the bus stop.

Commissioner Thimm added Condition of Approval #7 requiring wayfinding signs to be added to Woodside and Empire Avenue at both ends providing direction so people will know there is a public path that connects. Mr. Glidden stated Public Arts is working on incorporating wayfinding and they are focusing on the public pathway and the crosswalks. The intent is to design them more as an art project while serving as a crosswalk.

Planner Tyler presented slides with the modified Findings and Conditions for the Planning Commission to read and revise if necessary.

Commissioner Kenworthy asked if they should mention the Trail Connection. Commissioner Hall thought they should also mention that the reduced setback allows for the wide public right-of-way and large plaza.

Planner Tyler noted that Finding #19 was revised to correct the error in the open space calculation. Commissioner Hall asked if the Findings reflect the reasons stated in the

Staff report for justifying the open space reduction. Planner Tyler offered to copy and paste the actual enhancements listed in the Staff report into the Findings.

Planner Tyler noted that Finding #32 was added, which talks about why this property is a redevelopment.

Director Erickson added Finding #33, which is a standard finding stating that the analysis section of the staff report is hereby incorporated herein.

Planner Tyler summarized that Condition #4 was amended. Conditions #5, 6 and 7 were added as new conditions. Condition #5 addresses Municipal maintenance of the public easement. Condition #6 calls for a 4' sidewalk on Empire on Lot 1 for future development. Condition #7 talks about wayfinding signs.

Commissioner Suesser asked if Condition #5 could apply to Phase I as well. City Attorney Harrington stated that they could not add the condition to Phase I, but the Staff could communicate to the City Council the Planning Commission's intention that the condition should apply to the entire project.

Commissioner Hall referred to Condition #4 and noted that her intention was to reduce the off-street parking. There may be other mechanisms besides a parking pass and she questioned whether the condition was too specific. Commissioner Thimm preferred to have real rules as opposed to wiggle room since they do not know if other mechanisms will work. He favored the Condition as written. Commissioner Hall agreed.

Planner Tyler read Condition #7. "Signage shall be installed at the entrance of the east/west public access easement on Woodside Avenue and Empire Avenue providing directions and identification of the public access easement". Commissioner Suesser thought there should also be signage on Park Avenue for the public easement. Planner Tyler noted that it would then apply to Woodside Park Phase I as well. Director Erickson suggested adding a sentence to the end of Condition #7 to say, "The applicant shall consider additional signage on Park Avenue for the public easement." Planner Tyler agreed that using the word "consider" was the only way to include Park Avenue because the MPD is for Phase II.

MOTION: Commissioner Thimm moved to APPROVE the Master Planned Development application for Woodside Park Affordable Housing Project Phase II, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report and as amended per the discussion this evening. Commissioner Sletten seconded the motion.

VOTE: The motion passed 5-1. Commissioner Suesser voted against the motion.

Chair Phillips opened the public hearing on the CUP.

There were no comments.

City Attorney Harrington requested that the comments from the public hearing on the MPD be incorporated into the record under the CUP.

Chair Phillips closed the public hearing.

City Attorney Harrington requested that the comments from the public hearing on the MPD be incorporated into the record under the CUP.

MOTION: Commissioner Thimm moved to APPROVE the Conditional Use Permit for Woodside Park Affordable Housing Project Phase II, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report. Commissioner Sletten seconded the motion.

VOTE: The motion passed 5-1. Commissioner Suesser voted against the motion.

Findings - Woodside Park Phase II – Plat Amendment

1. The proposed site location consists of 1330 Empire Avenue, 1302 Norfolk Avenue ("Significant" Single-Family Dwelling), 1361 Woodside Avenue, and 1323 Woodside Avenue.
2. The proposed site is located in the Recreation Commercial (RC) Zoning District.
3. The site is known as the Woodside Park Affordable Housing Project Phase II.
4. Woodside Park Subdivision - Phase II will create a three (3) lot subdivision with an Access Easement running east-west. The majority of the property is located in Block 24, Snyder's Addition to Park City Survey. A smaller portion includes part of vacated Norfolk Avenue and Lot A of the Knudson Subdivision which is located in Block 19, Snyder's Addition to Park City Survey. A portion of existing Woodside Avenue is on the easterly side of the property and will be formalized as a public right-of-way as a part of the proposed subdivision plat.
5. Phase II of the Woodside Park Affordable Housing Project will be located between Woodside Avenue and Empire Avenue, with a small portion of the development abutting Norfolk Avenue. There will be a total of 58 units, 52 of which will be deed restricted Affordable Housing units. The scope will include the following:
 - Deed-restricted Affordable Housing Units (52 total):

- ☐ Two (2) Triplex Dwellings abutting Woodside Avenue. The Triplex Dwellings take the form of “townhome style” units.
- ☐ Two (2) Multi-Unit Dwellings centrally located on Lot 2 and accessed via Woodside Avenue. There will be a total of 46 “flats” comprised of studio, one (1), and two (2), bedroom units split between two (2) Multi-Unit Dwellings
- ☐ Market Rate Units (six [6] total):
- ☐ A Multi-Unit Dwelling abutting Empire Avenue which will contain five (5) townhomes style attached units – 1330 Empire Avenue
- ☐ One (1) “Significant” Single-Family Dwelling – 1302 Norfolk Avenue
- ☐ A Parking Garage located beneath the Woodside Avenue townhomes and Multi-Unit Dwellings (flats)
- ☐ A Public Access Easement running east-west which will link to the Woodside Park Phase I Access Easement. The Public Access Easement will also contain Public Art as determined by the Park City Public Art Board.
- ☐ Central gathering areas in the plaza space adjacent to the Public Access Easement.
- ☐ A trail connecting Norfolk Avenue to the central gathering area in the plaza and Public Access Easement.

6. Throughout the process, the Affordable Housing Team has conducted public outreach efforts during the following events:

Public Open Houses:

- ☐ Tuesday, March 20th, 2018 – 4pm-6pm – Miner’s Hospital
- ☐ Tuesday, March 27th, 2018 – 5pm-7pm – Park City Library
- ☐ Tuesday, September 11th, 2018 – 7pm – Park City Library (in cooperation with the Sustainability Department)
- ☐ Tuesday, September 18th, 2018 – 5pm-7pm – Park City Library

Digital Public Engagement:

- ☐ Neighborhood E-mail Blasts: the Affordable Housing staff collected emails from interested neighbors to the project and sent out informational emails letting them know of any public events were taking place along with contact information if they had further questions or comments.
- ☐ Engage Park City: The project has been posted on the Engage Park City website. This site allows the general public to look at proposed plans and provide feedback.

7. A Master Planned Development application is currently under review.

8. A Conditional Use Permit is currently under review for the Multi-Unit Dwellings.

9. All development will have to comply with the applicable LMC requirements. This development will be reviewed as a Master Planned Development – the Planning Commission may vary some LMC requirements through the MPD process. A setback reduction to the RC Zoning Requirements is being requested through the

Master Planned Development (MPD) Application. Setbacks will be formally determined by the Planning Commission as a part of the Master Planned Development application process.

10.A Single-Family Dwelling is an allowed use in the RC Zoning District.

11.A Multi-Unit Dwelling is a Conditional Use in the RC Zoning District.

12.Staff finds good cause for this Plat Amendment as the proposed subdivision will create the necessary lot configurations for a compatible infill of Affordable Housing and Market Rate housing in the RC Zoning District. In addition, the surrounding Multi-Unit Developments are sited on similar lot configurations.

13.The site is not located within the Sensitive Lands Overlay District. There are no known physical mine hazards. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance.

14.On May 8, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 4, 2019 according to requirements of the Land Management Code.

15.All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – Woodside Park Phase II – Plat Amendment

1. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.

2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

3. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

4. There is good cause for this Plat Amendment as the proposed subdivision will create the necessary lot configurations for a compatible infill of Affordable Housing and Market Rate housing in the RC Zoning District. In addition, the surrounding Multi-Unit Developments are sited on similar lot configurations.

Conditions of Approval – Woodside Park Phase II – Plat Amendment

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

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

Council.

3. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) boundary. Final construction must comply with the Soils Ordinance.
4. The applicant shall show and label their easement with Snyderville Basin Water Reclamation District (SBWRD) on the plat amendment.
5. A ten feet (10') wide public snow storage easement will be required along the Norfolk Avenue, Empire Avenue, and Woodside Avenue frontage of the property.

Findings of Fact – Woodside Park Phase II - MPD

1. The proposed site location consists of 1330 Empire Avenue, 1302 Norfolk Avenue ("Significant" Single-Family Dwelling), 1361 Woodside Avenue, and 1323 Woodside Avenue.
2. The proposed site is located in the Recreation Commercial (RC) Zoning District.
3. The site is known as the Woodside Park Affordable Housing Project Phase II.
4. Phase II of the Woodside Park Affordable Housing Project will be located between Woodside Avenue and Empire Avenue, with a small portion of the development abutting Norfolk Avenue. There will be a total of 58 units, 52 of which will be deed restricted Affordable Housing units. The scope will include the following:
 - Deed-restricted Affordable Housing Units (52 total):
 - Two (2) Triplex Dwellings abutting Woodside Avenue. The Triplex Dwellings take the form of "townhome style" units.
 - Two (2) Multi-Unit Dwellings centrally located on Lot 2 and accessed via Woodside Avenue. There will be a total of 46 "flats" comprised of studio, one (1), and two (2), bedroom units split between two (2) Multi-Unit Dwellings
 - Market Rate Units (six [6] total):
 - A Multi-Unit Dwelling abutting Empire Avenue which will contain five (5) townhomes style attached units – 1330 Empire Avenue
 - One (1) "Significant" Single-Family Dwelling – 1302 Norfolk Avenue
 - A Parking Garage located beneath the Woodside Avenue townhomes and Multi-Unit Dwellings (flats)
 - A Public Access Easement running east-west which will link to the Woodside Park Phase I Access Easement. The Public Access Easement will also contain Public Art as determined by the Park City Public Art Board.
 - Central gathering areas in the plaza space adjacent to the Public Access Easement.
 - A trail connecting Norfolk Avenue to the central gathering area in the plaza and Public Access Easement.
5. The Woodside Park Phase II Project Team (Method Studios, Housing, and Community Development) is proposing the Land Use applications for the Phase II of

the Woodside Park Affordable Housing Project as a significant step towards implementing the City's Affordable Housing critical priority goals.

6. Throughout the process, the Affordable Housing Team has conducted public outreach efforts during the following events:

Public Open Houses:

- Tuesday, March 20th, 2018 – 4pm-6pm – Miner's Hospital
- Tuesday, March 27th, 2018 – 5pm-7pm – Park City Library
- Tuesday, September 11th, 2018 – 7pm – Park City Library (in cooperation with the Sustainability Department)
- Tuesday, September 18th, 2018 – 5pm-7pm – Park City Library
- Scheduled for, Monday, May 20th, 2019 – 6pm – 7pm – Park City Library

Digital Public Engagement:

- Neighborhood E-mail Blasts: the Affordable Housing staff collected emails from interested neighbors to the project and sent out informational emails letting them know of any public events were taking place along with contact information if they had further questions or comments.
- Engage Park City: The project has been posted on the Engage Park City website. This site allows the general public to look at proposed plans and provide feedback.

7. The MPD application was deemed complete on February 1, 2019.

8. There are three (3) applications total for the entire scope of Phase II, including a Master Planned Development, Conditional Use Permit, and Plat Amendment.

9. The Planning Commission reviewed, held a public hearing, and continued the Master Planned Development application during a Work Session on March 27, 2019.

10. At the March 27, 2019 Work Session, the Planning Commission reviewed the entire scope of the project and requested that the following items be addressed:

- Identify Usable Open Space within the Open Space calculation – a diagram was recommended.
- Clarify the Parking Calculation as the applicant indicated that changes would occur to the Market Rate units on Empire Avenue.
- Provide additional information regarding the pedestrian access off of Norfolk Avenue.
- Address crosswalk concerns on the western end of the Pedestrian Access Easement.
- Address the Public Comment Letter submitted on March 21, 2019. The applicant has prepared a response as Exhibit F. The Planning Department has reviewed and verified the accuracy of the applicant's response; the Planning Department is in agreement with the applicant's response provided in Exhibit F as the document addresses all points of the Public Comment Letter submitted on March 21, 2019.

11. On March 13, 2019 and May 8, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on March 9, 2019 and May 4, 2019 according to requirements of the Land Management Code.

12. The proposal complies with Land Management Code (LMC) § 15-6-5(A) Density as the proposed Density of the MPD does not exceed the maximum Density in the zone. The proposed MPD consists of a .938 Floor Area Ratio (FAR) which is less than the base zone density of 1.0 FAR.

13. Land Management Code (LMC) § 15-6-5(B) Building Footprint is not applicable as the site is not located in the HR-1 or HR-2 District. The proposed MPD is located in the Recreation Commercial (RC) Zoning District.

14. The proposal complies with Land Management Code (LMC) § 15-6-5(C) Setbacks. Per LMC 15-6-5(C) MPD Requirements - Setbacks, the minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size. However, per LMC 15-6-5(C)(1) MPD Requirements - Setbacks, the Planning Commission may decrease the required perimeter Setback from twenty-five feet (25') for MPD applications one (1) acre or larger to the zone required Setback if it is necessary to provide desired architectural interest and variation.

15. Woodside Park Affordable Housing Phase II is requesting a Setback reduction to the Zone required Setback so that the development is aligned with the neighboring properties along the streetscapes of Empire Avenue, Norfolk Avenue, and Woodside Avenue. This setback reduction will not result in increased density. The Setback reduction will result in increased architectural variation because of the broken up massing of multiple buildings rather than one larger mass, the clustering of density towards the center of the site, decreased Setbacks resulting in increased Public plaza space and walkway, trail connection, and the variation between the architecture of each building.

16. The minimum Setbacks for the proposed Multi-Unit Dwelling on Lot 1 shall be:

- Front Yard: 20 feet (20')
- Side Yard: 10 feet (10')
- Rear Yard 10 feet (10')

17. The minimum Setbacks for the Multi-Unit Dwellings on Lot 2 shall be:

- Front Yard: 20 feet (20')
- Side Yard: 10 feet (10')
- Rear Yard: 10 feet (10') and reduced to five feet (5') for the area highlighted in Figure 8 on page 8 in the staff report. The applicant is requesting an additional Rear Yard setback reduction to five feet (5') from the required 10 feet (10') for a portion of Lot 2. The purpose of the Setback Reduction is to accommodate a utility easement for Lot 1 (1330 Empire Avenue).

18. The minimum Setbacks for existing Historic Single-Family Dwelling on Lot 3 shall be:

- Front Yard: 10 ft. for new construction; however the existing Historic Structure is a Legal Non-Complying Structure with a Front Yard Setback measuring six feet eleven inches (6'11")
- Side Yard: Minimum five feet (5') and a minimum total of 14 feet (14')
- Rear Yard: 10 feet

19. The proposal complies with Land Management Code (LMC) § 15-6-5(D) Open Space because the proposed MPD is considered a redevelopment of existing Development; therefore, the Planning Commission may reduce the required open space to 30% in exchange for project enhancements. The applicant is proposing 44.62% Open Space which equates to 28,962 square feet. Staff finds that in addition to being a redevelopment, this project provides ample project enhancements, including but not limited to:

- 52 deed restricted Affordable Housing units.
- A Public Access Easement running east-west which will link Woodside Park Phase I (Park Avenue) to Empire Avenue (Park City Mountain base).
- Common hardscaped gathering/plaza spaces landscaping areas for use by the property owners within the Woodside Park Phase II.
- Public Art will be installed within the Public Access Easement as determined by the Park City Public Art Board.
- Excess Bicycle Parking stalls from what is required (36 total).
- A trail connecting Norfolk Avenue to the central gathering area in the plaza and Public Access Easement.

20. The proposal complies with LMC 15-3-5(E) as the total required Parking Spaces of the entire project is 63 Parking Spaces. The total number of Parking Spaces provided by the project is 71 Parking Spaces.

21. Per LMC 15-3-9 Bicycle Parking Requirements, the Multi-Unit Dwelling must provide at least seven (7) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The applicant is proposing to provide 36 Bicycle Parking Spaces.

22. The proposal complies with Land Management Code (LMC) § 15-6-5(F) Building Height because the proposed MPD complies with the Building Height requirements for the RC Zoning District. No Height exception is requested.

23. The proposal complies with Land Management Code (LMC) § 15-6-5(G) Site Planning because; the units are sited in such a way that is compatible with other residential structures in the RC Zoning District, specifically respecting the rhythm and scale of the streetscape on Norfolk Avenue, Woodside Avenue and Empire Avenue; The applicant has stepped the series of five (5) townhomes with the topography which helps retain the site. Lot 2 and Lot 3 have a slight slope but the parking garage will accomplish a bulk of the retaining for the Multi-Unit Dwellings on this site; Roads, utility lines, and Buildings are designed to work with the Existing Grade. Cuts and fills are minimized; There is a pedestrian walkway and connecting trail that are valuable

connector trails; The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops (from Woodside Park Phase I) to Empire Avenue; Enclosed trash and recycling areas have been provided on site.

24. The proposal complies with Land Management Code (LMC) § 15-6-5(H) Landscape and Street Scape as the applicant is proposing landscaping throughout the project that is consistent with the area, including, but not limited to, natural turf, native grasses, deciduous trees, shrubs, and other alpine perennials.

25. Land Management Code (LMC) § 15-6-5(I) Sensitive Lands Compliance is not applicable as the site is not located within the Sensitive Lands Overlay District.

26. The proposal complies with Land Management Code (LMC) § 15-6-5(J) Employee/Affordable as the proposed MPD exceeds to required Affordable Housing obligation for a project of this size. 52 of the 58 proposed units are designated as Affordable Housing and will be deed restricted as such. The Affordability has been established by Resolution 03-2017, specifically in Section 17 (B) Rental Units and (C) For Sale Units. This project will comply with the above Sections of Resolution 03-2017 and definitions of Affordable.

27. The proposal complies with Land Management Code (LMC) § 15-6-5(K) Child Care as this project does not trigger the requirement for a Child Care Center as the scale of this project is less than the allowed Zone Density. In addition, the Park City Library has Child Care which is located within walking distance and there is significant open space within the vicinity and on the proposed project site (City Park, Library Park, etc.).

28. Land Management Code (LMC) § 15-6-5(L) Mine Hazards is not applicable as there are no known Physical Mine Hazards on the property.

29. Land Management Code (LMC) § 15-6-5(M) Historic Mine Waste Mitigation is not applicable as there are no known Physical Mine Hazards on the property.

30. The proposal complies with Land Management Code (LMC) § 15-6-5(N) General Plan Review as the proposed MPD fulfills the following Goals 3, 5, 7, 8, 15 of the General Plan and the applicable Objectives and/or Implantation Strategies of each as further described in the Analysis section of this report.

31. The proposal complies with Land Management Code (LMC) § 15-6-5(O) Historic Sites as the applicant provided a site plan and documentation for Historic Single-Family Dwelling located at 1302 Norfolk Avenue. At this time, no work is proposed on the "Significant" Single-Family Dwelling structure located at 1302 Norfolk Avenue. A new driveway will be installed triggering related removal of non-historic fence material and landscape materials on the site; however, all work complies with the Design Guidelines for Historic Districts and Historic Sites and would not trigger a full Historic District Design Review (HDDR). Any future work to the "Significant" Single-Family Dwelling structure will require a HDDR application.

32. This project is a redevelopment because the Phase 1 and Phase 2 project is within the Lower Park Redevelopment Authority Area (LPRDA), the new development

modernizes the area consistent with LPRDA goals and City critical priorities, and replaces several demolished structures which included:

- 1323 Woodside Avenue – Significant Structure was demolished in 2009 after the being approved for Deconstruction through the Certificate of Appropriateness for Demolition (CAD) process; however, part of the approval for a Deconstruction was that it would need to be Reconstructed. This building was ultimately Relocated through the Historic District Design Review process (including Historic Preservation Board approval) as a part of the Woodside Park Phase I Affordable Housing MPD and is now being Reconstructed at 1353 Park Avenue.
- 1330 (1350) Empire Avenue – There was a building located at what is now considered 1330 Empire Avenue. Prior to the Plat Amendment in 2014, this property was known as 1350 Empire Avenue. In 2003, the owner applied for a Determination of Significance to remove the Single Family Dwelling that was once located on the site from the Historic Sites Inventory (HSI). The Historic District Commission removed the structure from the HSI and the Structure was then demolished in 2005. There were no requirements for Reconstruction as it was removed from the HSI.

Conclusions of Law – Woodside Park Phase II – MPD

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein. LMC § 15-6-7 is not applicable;
3. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
4. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
5. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
6. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
7. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
8. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
9. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;

10. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
11. The MPD has been noticed and public hearing held in accordance with this Code.
12. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
13. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
14. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
15. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditions of Approval – Woodside Park Phase II – MPD

1. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting, trash/recycling enclosures, mechanical equipment, etc.
2. A conditional use permit is required for the Multi-Unit Dwelling(s) prior to issuance of a building permit.
3. A development agreement as described in LMC Section 15-6-4(G) shall be ratified by the Planning Commission within 6 months of this approval and prior to issuance of a building permit for the project.
4. Required Parking Space allocation by a parking pass system shall be established in the CC&Rs.
5. The east-west Public Easement as shown on the Woodside Park Subdivision – Phase II shall be maintained by Park City Municipal Corporation.
6. A four foot (4') wide sidewalk shall be installed on Lot 1 adjacent to Empire Avenue prior to the issuance of a Certificate of Occupancy for any of the newly constructed buildings.
7. Signs shall be installed at the entrance of the east-west Public Easement as shown on the Woodside Park Subdivision – Phase II on Woodside Avenue and Empire Avenue providing directions and identification of the Public Easement. The applicant shall consider additional signs on Park Avenue for the Public Easement.

Findings of Fact – Woodside Park Phase II - CUP

1. The proposed site location consists of 1330 Empire Avenue, 1302 Norfolk Avenue (“Significant” Single-Family Dwelling), 1361 Woodside Avenue, and 1323 Woodside

Avenue.

2. The proposed site is located in the Recreation Commercial (RC) Zoning District.
3. The site is known as the Woodside Park Affordable Housing Project Phase II.
4. Phase II of the Woodside Park Affordable Housing Project will be located between Woodside Avenue and Empire Avenue, with a small portion of the development abutting Norfolk Avenue. There will be a total of 58 units, 52 of which will be deed restricted Affordable Housing units.
5. In the RC Zoning District, multi-family units are a conditional use subject to review according to the Conditional Use Permit Criteria set forth in LMC 15-1-10.
6. The Conditional Use Permit application was deemed complete on February 1, 2019.
7. The applicant has submitted a Plat Amendment application for the Woodside Park Phase II Subdivision creating a 3-lot subdivision.
8. The scope of the project triggered Conditional Use Permit review for the following Multi-Unit Dwellings within the project boundary:
 - ☐ Two (2) Deed restricted Multi-Unit Dwelling Buildings centrally located on Lot 2 and accessed via Woodside Avenue. There will be a total of 46 “flats” comprised of studio, one (1), and two (2), bedroom units split between two (2) Multi-Unit Dwelling Buildings
 - ☐ A Multi-Unit Dwelling abutting Empire Avenue which will contain five (5) townhomes style attached units
9. There are no unmitigated impacts to LMC 15-1-10(E)(1) Size and location of the site, as the proposed project area is a total of 64,904 square feet - consisting of three (3) lots. A Plat Amendment is being processed concurrently to create a three lot subdivision (Plat Amendment staff report is in this Planning Commission meeting packet). The subject property is located in the vicinity of other Multi-Unit Dwellings with associated Parking Areas, Single-Family Dwellings, Municipal uses, and resort uses.
10. There are no unmitigated impacts to LMC 15-1-10(E)(2) Traffic considerations including capacity of the existing Streets in the Area, as the proposed design meets the requirements for parking and the proposed Density of the entire MPD Project, is less than what is permitted under the LMC.
11. There are no unmitigated impacts to LMC 15-1-10(E)(3) Utility capacity, the applicant has submitted a Utility Plan and reached out to local utility agencies for their initial review. No issues have been identified at this time.
12. There are no unmitigated impacts to LMC 15-1-10(E)(4) Emergency vehicle access as Emergency vehicles will access the site directly from Empire Avenue, Norfolk Avenue, and Woodside Avenue. No issues have been identified at this time.
13. There are no unmitigated impacts to LMC 15-1-10(E)(5) Location and amount of off street parking, as the total required Parking Spaces of the entire project is 63 Parking Spaces. The total number of Parking Spaces provided by the project is 71 Parking Spaces. The project has also triggered a requirement of 8 bicycle parking stalls. The applicant is providing 36 bicycle parking stalls. For further details, Sheet

A901 details the Parking requirements by unit.

14. There are no unmitigated impacts to LMC 15-1-10(E)(6) Internal vehicular and pedestrian circulation system, as Vehicular access to the site is from Empire Avenue, Norfolk Avenue, and Woodside Avenue, public roads. Pedestrian access is from Empire Avenue, Norfolk Avenue, and Woodside Avenue. The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops (from Woodside Park Phase I) to Empire Avenue. This access easement will provide an important link to future development and improve existing pedestrian circulation in the Lower Park Avenue core. Sidewalks external and internal to the site provide additional pedestrian connectivity.

15. There are no unmitigated impacts to LMC 15-1-10(E)(7) Fencing, Screening and landscaping to separate the Use from adjoining Uses, as a landscape plan has been submitted, see sheet A901.7 and A901.8. The applicant is proposing landscaping throughout the project that is consistent with the area, including, but not limited to, natural turf, native grasses, deciduous trees, shrubs, and other alpine perennials.

16. There are no unmitigated impacts to LMC 15-1-10(E)(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots, as the RC Zoning District allows up to a 1.0 Floor Area Ratio (FAR). The proposed development is proposing a .938 FAR. The proposed Density of the MPD does not exceed the maximum Density in the zone. The configuration of the buildings within the development takes careful consideration for the surrounding developments. Multi-Unit Dwellings and/or Triplex Dwellings that abut Woodside Avenue and Empire Avenue are consistent with the development patterns of the streetscape. The size and mass of the structure is compatible with the neighborhood because the units are broken up into smaller modules which added articulation and the varying the roof forms broke up the mass. The proposed Multi-Unit Dwellings comply with the Building Height requirements for the RC Zoning District. No Height exception is requested.

17. There are no unmitigated impacts to LMC 15-1-10(E)(9) Usable Open Space, as the proposed MPD area is a total of 64,904 square feet. The applicant is proposing 44.76% Open Space which equates to 29,051 square feet. The Usable Open Space equates to 34.19% of the site or 22,191 square feet.

18. There are no unmitigated impacts to LMC 15-1-10(E)(10) Signs and lighting, as the project has not yet proposed any signs for the project. The RC District allows signs as provided in the Park City Sign Code, Title 12. The applicant has provided a lighting plan for the pedestrian easement. Any building lighting will be required to meet the requirements in the Park City lighting regulations.

19. There are no unmitigated impacts to LMC 15-1-10(E)(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing, as the proposed design is architecturally compatible with all

surrounding structures, whether they are Single-Family Dwelling or Multi-Unit Dwelling or resort commercial structures. Overall, staff finds that the proposed design is compatible with the surrounding Structures in mass, scale, style, design, and architectural detailing.

20. There are no unmitigated impacts to LMC 15-1-10(E)(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and property Off-site, as the applicant will be required to meet all standards and codes in regards to mechanical systems. Mechanical factors beyond normal scope are not expected from a project of this type.

21. There are no unmitigated impacts to LMC 15-1-10(E)(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas, as Delivery and Service vehicles may access the site from either Woodside Avenue, Norfolk Avenue, and Empire Avenue. Enclosed trash and recycling areas have been provided on site which included a total of four (4) dumpsters (two [2] Recycling and two [2] Trash) for the units on Lot 2 and 12 trash cans (6 Recycling and 6 Trash) for the Multi-Unit Dwelling (townhomes) abutting Empire Avenue. The trash cans will be stored in each townhome's garage. The Parking Garage will store the four (4) dumpsters.

22. There are no unmitigated impacts to LMC 15-1-10(E)(14) Expected Ownership and management of the project as this Multi-Dwelling residential project is expected to be a Condominium Project under individual ownership. The Deed Restricted Multi-Unit Dwellings are being developed as Affordable Housing while the Market Rate Multi-Unit Dwellings abutting Empire Avenue will not be deed restricted.

23. There are no unmitigated impacts to LMC 15-1-10(E)(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structures to the topography of the Site, as the site is not located within the Sensitive Lands Overlay District.

24. There are no unmitigated impacts to LMC 15-1-10(E)(16) Reviewed for consistency with the goals and objectives of the Park City General Plan; however, such review for consistency shall not alone be binding, as the proposed project fulfills several Goals, Objectives, and/or Implantation Strategies of the General Plan. within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 4, 2019 according to requirements of the Land Management Code.

25. On May 8, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 4, 2019 according to requirements of the Land Management Code.

26. The Findings in the Analysis section of this report are incorporated herein.

Conclusions of Law – Woodside Park Phase II – CUP

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria for a Multi-Unit Dwelling as established by the LMC 15-1-10.
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful planning.
4. The Master Planned Development containing Multi-Unit Dwellings is hereby approved.

Conditions of Approval – Woodside Park Phase II - CUP

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.
4. A landscape plan is required to be submitted with the building permit. Changes to an approved landscape plan must be reviewed and approved by the Planning Department prior to landscape installation.
5. This approval will expire on May 22, 2020, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration
6. Recordation of the Plat is required prior to building permit issuance.
7. Modified 13-D fire sprinkler system is required.
8. All above grade utility facilities shall be located on the property and properly screened.
9. The final building plans and construction details submitted with the building permit application shall substantially comply with the plans reviewed by the Planning Commission on May 22, 2019.
10. Exterior signs require an approved sign permit prior to installation.
11. An approved and recorded condominium plat is required prior to sale of individual units, in a form approved by the City Attorney and in accordance with the Affordable Housing Resolution.
12. This development is part of a common development that is greater than one acre. This development shall meet the MS4 storm water requirements.

VII.D Kings Crown MPD/CUP Modification (Application PI-19-04213)

Commissioner Kenworthy stated that he was unaware that Jana Potter was involved with the Kings Crown Project. He disclosed that their families have had a relationship for decades and their parents have done business together; however, their relationship would not affect his ability to discuss and vote on the King Crown project.

Planner Francisco Astorga reviewed the application for the Kings Crown MPD and CUP modification request. He stated that the first modification relates to the elevation of Building B. The elevation drawing depicted on page 341 of the Staff report showed two images comparing the existing approved elevation of Building B and the proposed modification for one additional exposed story on the north side.

Planner Astorga had reviewed these elevations in conjunction with the condominium plat application for Kings Court on the agenda this evening. Planner Astorga remarked that this was the only elevation that had a significant change. All other elevations were in general compliance with the elevation that was part of what the Planning Commission approved; and part of what was recorded at Summit County with the Development Agreement. The Planning Department felt it was relevant to bring this to the Planning Commission since it results in an additional exposed building.

Chair Phillips asked Planner Astorga to clarify “generally in compliance”. Planner Astorga explained that when comparing a condominium plat, the Staff looks for substantial compliance with the original approval. The other elevations had small changes such as window proportions or doors being moved slightly, as well as adjustments to specific materials. Those are standard changes in construction as plans are fine-tuned for a building permit.

Planner Astorga reviewed the second request to modify the opportunity the applicant presented with the MPD/CUP and Development Agreement to place excavated material from the road construction and Building A onto the adjacent King’s Crown ski run. That opportunity no longer exists because the Resort was no longer accepting excavated material at this stage. Most of the King’s Crown run is owned by Nastar LLC rather than the Resort. The applicant had received permission from both Vail Resorts and Nastar, LLC and made significant progress. The road and Building A are 100% complete. The Townhouse site is 70% complete and Building B/C/D is 30% complete. Planner Astorga had spoken with the applicant and was assured that the material will be stored on the adjacent property and they do not intend to use City roads for the remainder of the project.

Planner Astorga noted that a specific condition of the original approval stated that it was likely that the applicant would be able to secure permission to use the Ski Run, which they did; but that is no longer the case.

Planner Astorga stated that the third modification was a request to Modify certain Findings of Fact. As the applicant was fine-tuning the construction documents, some of the common space amenities were shifted around. They originally talked about placing an outdoor swimming pool behind Building A. That changed and the pool was relocated inside the building. Due to the pool and other components, the building increased in size by approximately 10,000 square feet. The breakdown was outlined on pages 343 and 344. Planner Astorga explained that the applicant was requesting to add two additional units by reducing the square footage from all other units. Therefore, the square footage of the unit equivalents remains the same as what was approved. Planner Astorga noted that the adding two units triggers an additional affordable housing requirement, which was also being proposed in the scenario.

Planner Astorga stated that the changes to what was approved by the Planning Commission and ratified in the Development Agreement were outlined in red on pages 344-346 of the Staff report. He reiterated that the unit equivalent was designated from the site suitability analysis performed by Staff in conjunction with the appropriate information required for the application, and that number was remains the same.

Planner Astorga reported that the two added units required additional parking to be included in the Findings of Fact. Planner Astorga stated that six additional parking spaces were added.

The Staff recommended that the Planning Commission conduct a public hearing and approve the requested modifications. Planner Astorga clarified that the site suitability analysis had not changed. He felt certain that if these numbers had been part of the original application, there would have been no issues in approving the project. Planner Astorga stated that the common spaces areas, including the net increase of 10,000 square feet, are identified as residential accessory spaces per the Master Planned Development section of the LMC.

Planner Astorga stated that because a Development Agreement was already approved and recorded with specific Findings, the Staff recommended amending the Development Agreement. The Planning Commission is the Land Use Authority on this Master Planned Development and they would be taking the final action.

Planner Astorga remarked that the Housing Team had provided an update to the housing mitigation plan to reflect the proposed changes. It was attached to the Staff report as Exhibit D.

Planner Astorga remarked that the City has always treated this conditional use permit with the MPD as a two for one approval; and the Findings of Fact for the MPD and the CUP were included together. However, the MPD and the CUP have different Conclusions of Law. Planner Astorga emphasized that this specific amendment did not amend or modify any of the existing Conditions of Approval.

Rory Murphy, representing the applicant, stated that the correction and modifications presented this evening were necessary to produce the best project for the City and the neighborhood. Mr. Murphy remarked that none of the proposed modifications were outside of the LMC and the proposal presented this evening actually decreases the amount of residential square footage.

Mr. Murphy stated that the first modification is a change to the north elevation of Building B, located next to the Affordable Housing Building currently under construction. The applicant was proposing to modify the side that faces the Affordable Housing Building. As outlined in the Staff report, the increased mass was a result of moving the amenity space that was originally approved for the back of Building A to the rear of the Condominium Buildings. The elevation in question was originally a retaining wall, and it is now level so the floor level remains at the same elevation as the floor opening; whereas before it stepped up a little. Mr. Murphy clarified that the front massing does not change.

Mr. Murphy believed this modification follows the spirit of the original approval. He explained that these modifications were considered after the Management of the Marriott approached them subsequent to the approval with concerns about the location of the pool and the hot tub.

Commissioner Thimm understood that the top elevation shown on page 343 was the elevation being proposed as part of this application. He thought the red line was clear, but he wanted to know about the blue line that did not match up to the baseline. Chimso Onwuegbu, the project architect, replied that the blue line is the floor elevation of the adjacent Affordable Housing Building. The red line showed the existing elevation and the black line showed what was being proposed.

Mr. Murphy reviewed a drawing showing Building A under construction. He pointed out where the amenities were originally proposed to be located and explained why that location would be disruptive to the Marriott Hotel operations. Mr. Murphy wanted it clear

that the project was approved for extensive amenities space with the original proposal. However, the pool and the hot tub were moved to the inside of the building which resulted in the modification proposed. He reiterated that the change was made primarily because of the Marriott's concerns, but there were also concerns regarding the affordable housing.

Mr. Murphy stated that the original overall concept had not changed; however, relocating the amenities takes into account the feelings and concerns of their neighbors. He also believed it achieved a better design for the project.

Mr. Murphy clarified that no LMC exceptions were being requested.

Mr. Murphy stated that the second modification was to transport the removal of soil in a conventional manner. He noted that the LMC does not require on-site disposal, but they offered to do so willingly to help mitigate the effects of the project on their neighbors. It was a well-intentioned idea that they tried hard to fulfill. Mr. Murphy remarked that the idea was problematic from the start because the Resort would not take vegetation material or rocks larger than 2' in diameter. In spite of the difficulties, they transported thousands and thousands of yards on to the ski resort. Mr. Murphy explained that the property next to this project is owned by Nastar LLC. He was friends with the Hank Rothwell, the Principle of Nastar, who died last year. Mr. Rothwell's Successor was not willing to negotiate with Mr. Murphy, which created a situation beyond the applicant's control.

Mr. Murphy stated that they encountered a second problem when Vail decided to move forward with a project at the base and would no longer accept soil. Mr. Murphy tried to renegotiate with Vail, but the only place suggested was at Tombstone. Mr. Murphy did not believe it made sense to drive trucks through town and off the Colony Road to dump at Tombstone. Mr. Murphy stated that the only other option is to locate the material on-site if they cannot find another way to remove it conventionally.

Mr. Murphy emphasized that they tried very hard to keep with the original plan, but circumstances made it an unattainable solution. He stated emphatically that trucks will not be sent up Lowell Avenue and down Empire. The trucks will continue doing what they have been, which is to pull in and back out.

Mr. Murphy stated that the last modification is an increase in the overall square footage for the condominium buildings, which was primarily driven by the addition of the amenities area located in the rear of Building B. Mr. Murphy remarked that an affordable housing unit was added at 50% AMI. The allowable ERUs were reduced by 12,375 square feet. Three-quarters of the sellable square footage was removed. Mr. Murphy noted that the applicant is not making money off the increases. Additional

modifications to square footage resulted when schematic drawings were converted to construction drawings. It was driven by circulation and they had miscalculated how stairwells were counted. A corridor was added to the rear of the building, but it is buried and not visible. The mechanical space more than doubled when it was actually designed. Storage was another driver for reducing square footage.

Mr. Murphy pointed out that all of the proposed modifications were located at the rear of the structure and primarily underground. From the street view the massing has not changed. No height exceptions were being proposed. Mr. Murphy noted that the number of units increased from 23 to 25; but the overall square footage was reduced by making the units smaller. If the Planning Commission had concerns, he was more than willing to combine two units.

Mr. Murphy believed the proposed modifications would achieve a better overall project. It is a large project and they were doing their best to make it work. He believed the modifications were in the spirit of the original proposal and the approved Development Agreement. The soils issue was beyond their control, and even though they worked very hard to fulfill the idea, they were left in a position to approach the Planning Commission with a request to finish the remaining excavation in a conventional manner.

Mr. Murphy appreciated the Commissioner's consideration on these modifications. He thought it was important to point out that they started with 267 platted units on the property; and 11 acres will be preserved in perpetuity through conservation easements. The project will have 68% of the allowed density in the RC zone. They left 40% of the density on the table and doubled the required affordable housing. He recognized that none of what he highlighted was part of the application this evening, but they are all part of the equation.

Commissioner Sletten asked for the number of bedrooms in the additional affordable units. Mr. Murphy replied that they are one-bedroom units.

Commissioner Suesser noted that the Staff report indicated a common unit and she asked for an explanation. Mr. Murphy replied that the unit is recorded as common space and will act as a caretaker unit for the person in charge of maintenance for the project. This was done at Silver Star and it worked well.

Commissioner Kenworthy asked Mr. Murphy to walk him through the changes on Exhibit D with regards to the maximum household income. Planner Astorga noted that Exhibit D was the Affordable Housing Mitigation Plan that was amended by the Housing Team and will be presented to the Housing Authority. Commissioner Kenworthy wanted to know why the maximum income had increased substantially.

Jason Glidden, the City Housing Development Manager, stated that Rhoda Stauffer had worked with the applicant and made the adjustments. City Attorney Harrington explained that several units have not been sold under the existing limits. The Housing Team proposed to raise the AMI eligibility by 25% so people with slightly higher incomes could qualify for financing to apply for these units. Mr. Harrington remarked that there had not been applicant pool to close on these units under the existing level that are too strict for the market and/or financing. A proposal is in place that will allow incrementally raising the limits of there are no eligible qualified buyers. However, they must first exhaust all the qualified buyers under the prior level.

Mr. Glidden stated that as part of the deed restrictions and the Housing Resolution, any affordable unit after being market for a certain period of time has the right to request altering the qualifications to allow for another level of applicants. Mr. Harrington clarified that the adjustment applied to the additional attainable units; not the affordable units.

Mr. Murphy wanted it clear that the applicant has not met with the Housing Authority to weight in on the document.

Commissioner Kenworthy asked if Exhibit D was part of the Planning Commission approval this evening. Director Erickson clarified that the Housing Resolution is approved by the Housing Authority; which is the City Council and not the Planning Commission. Mr. Harrington stated that Exhibit D was included as an attachment for information purposes only so the Planning Commission is aware of the changes proposed. If the Planning Commission had concerns or comments, they could forward those to the City Council as opinions. However, the City Council makes the final decision as the Housing Authority.

Chair Phillips opened the public hearing on the MPD/CUP Modifications.

There were no comments.

Chair Phillips closed the public hearing.

Commissioner Thimm referred to Mr. Murphy's comment about combining units if necessary, but he preferred to have the additional affordable unit.

Chair Phillips asked Mr. Murphy to quantify the amount of material that will be hauled off-site. Mr. Murphy replied that it was only the material left for the Townhomes and what remains on the condo building. He estimated approximately 9600 yards.

Commissioner Suesser asked where the excavated material was hauled before this modification. Mr. Murphy replied that it was dumped where the new ski run comes in and some of it on to King's Crown. Commissioner Suesser asked if Mr. Murphy had an idea of the increased number of trucks. Mr. Murphy assumed 960 trucks at 10 yards per truck. He estimated 60 or 70 trucks per day. If the Planning Commission approved the modification, he believed they would be done in a month or slightly longer.

Commissioner Suesser had observed trucks on Lowell that idle. She thought an idling requirement would please the neighbors. Mr. Murphy stated that idling is one of his pet peeves. Earlier that day he had another fight with a truck driver over idling. He talks to the contractor about this problem continually and it continues to be a consistent problem. Mr. Murphy thought the problem is that the truck driver is not always the same person. He strongly agreed with Commissioner Suesser and offered to continue to do his best to stop the idling.

Director Erickson asked if construction idling was addressed in the Construction Management Plan. Mr. Murphy answered yes. Director Erickson stated that Code Enforcement can enforce the Construction Management Plan. Mr. Murphy urged the Commissioners to contact him personally when they observe a truck idling.

Chair Phillips was comfortable with the proposed modifications and he believed they were consistent with the original approval.

MOTION: Commissioner Sletten moved to APPROVE the King's Crown Master Planned Development/Conditional Use Permit modification request based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the Staff report. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – King's Crown MPD/CUP

1. The applicant requests to modify the approved MPD / CUP as well as the recorded Development Agreement based on three (3) modifications.
2. Modification no. 1: Request to modify the elevation / massing of Building B, north elevation, to accommodate amenity area. This elevation, as well as others, was part of the approved MPD / CUP as well as the recorded Development Agreement.
3. The proposed elevation / excavation modification meets the Land Management Code as the development meets the maximum building height, and other

applicable parameters.

4. The modification complies with the Findings of Fact, Conclusions of Law, and Conditions of Approval of the approved MPD / CUP, also found in the recorded Development Agreement.

5. Modification no. 2: Request to modify the opportunity that the applicant presented that excess excavation material from the road construction and the multi-unit buildings is / was to be transported and deposited at Park City Mountain. The resort is no longer accepting any more material at this stage.

6. The applicant has been able to accomplish transporting excavated material to Park City Mountain, specifically onto the King's Crown ski run; however, they no longer have such opportunity.

7. The applicant requests to inform the Planning Commission that they will move forward transporting the remaining materials in the conventional manner utilizing City streets.

8. Modification no. 3: Request to modify certain Findings of Fact. The Conditions of Approval are not being affected. The requested Findings of Fact to be modified do not affect the established maximum Unit Equivalent (UE) square footage, but rather deals with Residential Accessory areas (all common spaces) which do not count towards UEs.

9. The applicant proposes to increase the number of units by two (2), from 23 market rate units to 25; however, the overall UE residential square footage actually decreases from 52,843 square feet to 51,468 square feet, which equates to 1,375 square feet less than the maximum UE identified in the approved MPD / CUP.

10. The modification includes one (1) Affordable housing unit within Building B and increased the parking by six parking (6) spaces.

11. The net increase of square footage consisting of 10,938 is classified as Residential Accessory Uses which includes mechanical space, circulation, parking, storage, etc., all to be platted as common area.

12. Residential Accessory space does not count as UEs.

13. Affordable housing units do not count towards UEs.

14. The modification which decreases the UE square footage from 52,843 to 51,468 complies with the original approval.

15. The modification amends Findings of Fact 10, 13, 23, 24, 25, 31, 66, and 74 as shown as shown on Exhibit C.

16. The proposed modifications to the Findings of Fact meet the LMC parameters for MPDs as well as the mitigating CUP criteria.

17. The proposed three (3) modifications comply with the LMC parameters for MPDs and the mitigating CUP criteria.

Conclusions of Law – King's Crown MPD

1. The modified / amended MPD, as conditioned:

- a. complies with all the requirements of the Land Management Code;
- b. meets the minimum requirements of Section 15-6-5 herein;
- c. provides the highest value of Open Space, as determined by the Planning Commission;
- d. strengthens and enhances the resort character of Park City;
- e. compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- f. is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
- g. provides amenities to the community so that there is no net loss of community amenities;
- h. is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed;
- i. meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
- j. promotes the Use of non-vehicular forms of transportation through design and by providing trail connections;
- k. has been noticed and public hearing held in accordance with this Code.
- l. incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application;
- m. addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies;
- n. addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance; and
- o. addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conclusions of Law – King’s Crown Conditional Use Permit

1. The modified / amended CUP satisfies the Conditional Use Permit review criteria as established by the LMC’s Conditional Use Review process (§15-1-10(E), Criteria 1-16).
2. The modified / amended CUP complies with all requirements of the LMC.
3. The Uses will be Compatible with surrounding Structures in Use, scale, mass.

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

Conditions of Approval – King’s Crown MPD/CUP

1. Once the Planning Commission has approved the modified MPD, the approval shall be put in the form of a Development Agreement. The modified Development Agreement must be submitted to the Planning Department for ratification by the Planning Commission within 6 months of this approval. The modified Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.
2. An updated Affordable Housing Plan shall be approved by the Park City Housing Authority prior to issuance of any building permits for units within the MPD and deed restrictions shall be recorded, if applicable.
3. All conditions of approval of the approved Kings Crown MPD / CUP shall continue to apply.

V.IIE Kings Crown Condo Plat Application PL-19-04159

Planner Astorga stated that the condo plat was consistent with the amendments that were passed in the last item.

Commissioner Suesser asked if the Condo Plat only covers B/C/D. Planner Astorga replied that Building A was already approved by the Planning Commission and the City Council. It was approved as a separate plat because the entire Building is affordable housing. It was done for the purpose of financing the individual private affordable housing units.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

MOTION: Commissioner Hall moved to forward a POSITIVE recommendation to the City Council for the King’s Crown Condo Plat, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – King's Crown Condo Plat

1. The site is located at 1271 Lowell Avenue, Lot 2 of the Kings Crown Re-Subdivision.
2. The site is located within the Recreation Commercial District.
3. On January 10, 2018 the Park City Planning Commission approved the Kings Crown Master Planned Development and a Conditional Use Permit for Multi-Unit Dwellings throughout the development for market rate and affordable housing units.
4. On February 1, 2018 the Park City Council approved the Kings Crown Re-Subdivision Plat per Ordinance No. 2018-05.
5. On June 13, 2018 the Park City Planning Commission ratified the Development Agreement required by the approved Master Planned Development.
6. On June 14, 2018 Summit County recorded the Development Agreement -entry no. 01093392.
7. On May 16, 2018 Summit County recorded the Kings Crown Re-Subdivision Plat – entry no. 1091847.
8. On August 30, 2018 the Park City Housing Authority approved the Kings Crown Affordable Housing Mitigation Plan.
9. On March 19, 2019 the Park City Planning Department received a complete Condominium Plat.
10. On May 22, 2019 the Planning Commission amended the MPD and CUP.
11. The proposed Condominium Plat memorializes common, limited common, and private areas that would that allows the units to be sold individually.
12. The proposed Condominium Plat consists of twenty-five (25) market rate units within the Kings Crown Building B, C, and D, to be platted as Kings Crown Condominiums.
13. The unit boundaries of each private unit would be set forth on the recorded plat.
14. The size of the private units within the multi-unit dwelling ranges from 1,160 – 4,869 square feet.
15. Common areas include mechanical spaces, internal circulation, parking garage and circulation, swimming pool, spa, gym area, entertainment area, exterior walls and internal bearing walls/columns, footing and foundation, roof, etc.
16. Limited common areas include several exterior decks throughout the three (3) buildings.
17. The recordation of this Condominium Plat would allow the applicant to sell each unit.
18. There is Good Cause for this Condominium Plat as it reflects compliance with the amended Master Plan Development and Conditional Use Permit, approved Re-Subdivision Plat, and amended Affordable Housing Mitigation Plan.

Conclusions of Law – King’s Crown Condo Plat

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

Conditions of Approval – King’s Crown Condo Plat

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat and CCRs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years’ time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A plat note shall state that all conditions of approval of the amended Master Planned Development, Conditional Use Permit, Kings Crown Re-Subdivision Plat Ordinance No. 2018-05, and amended Housing Mitigation Plan shall continue to apply.

The Park City Planning Commission Meeting adjourned at 9:35 p.m.

Approved by Planning Commission: _____



Planning Commission Staff Report

Subject: 440 Main Street Plat Amendment
Designation: Historic “Landmark” Structure
Author: Laura Kuhrmeyer, Planner I
Project Number: PL-19-04186
Date: June 12, 2019
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission review and hold a public hearing for the 440 Main Street Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: 440 Main, LLC
Alliance Engineering, Inc. – Marshall King
Location: 440 Main Street
Designation: Historic “Landmark” Structure
Zoning: Historic Commercial Business (HCB)
Adjacent Land Uses: Commercial
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Proposal

The applicants are proposing to combine Lot 11 of Block 23 with two metes and bounds parcels into one (1) legal lot of record. One of the metes and bounds parcels, Parcel 2, is located entirely within the Millsite Reservation. The second metes and bounds parcel, Parcel 3, is a sliver at the southerly portion of the property and extends from Main Street to Swede Alley. The Site currently has a vacant building that was formerly used as a restaurant space. The existing property lines go through the building across the rear and down the length of the building from Main Street to Swede Alley.

Purpose

The purpose of the Historic Commercial Business (HCB) District is to:

1. Preserve the cultural heritage of the City's original Business, governmental and residential center,
2. Allow the Use of land for retail, commercial, residential, recreational, and institutional purposes to enhance and foster the economic and cultural vitality of the City,
3. Facilitate the continuation of the visual character, scale, and Streetscape of the original Park City Historical District,
4. Encourage the preservation of Historic Structures within the district,

5. Encourage pedestrian-oriented, pedestrian-scale Development,
6. Minimize the impacts of new Development on parking constraints of Old Town,
7. Minimize the impacts of commercial Uses and business activities including parking, Access, deliveries, service, mechanical equipment, and traffic, on surrounding residential neighborhoods,
8. Minimize visual impacts of automobiles and parking on Historic Buildings and Streetscapes, and
9. Support Development on Swede Alley which maintains existing parking and service/delivery operations while providing Areas for public plazas and spaces.
10. Maintain and enhance the long term viability of the downtown core as a destination for residents and tourists by ensuring a Business mix that encourages a high level of vitality, public Access, vibrancy, activity, and public/resort-related attractions.

Background

This Lot was purchased by Edward Theriot from the Park City Townsite Company in 1882. They built a one-story structure with a basement beneath that housed two businesses. In 1891, the Site was purchased by the First National Bank of Salt Lake City and the building was torn down and reconstructed as a bank branch. On June 21, 1898, the building was destroyed by the Great Fire.

The Site was sold to James Ferrell in 1899 and he began reconstruction of the building. The building was completed in 1902, when it became the office for the Quincy Mining Company and the Anchor Mining Company. The Site was sold to Lee B. Wight, City Attorney, in 1905 and became a law office. In 1910, the building transitioned to restaurant uses. The building is listed on the Park City Historic Sites Inventory as a Historic “Landmark” Structure.

In 1988, an addition (approximately 1,224.33 square feet) was added to the rear of the Historic Structure. There have been a number of restaurants within this building over the years. While the building has gone through many remodels of the interior space, overall, the building has not been significantly altered on the outside since it's National Register nomination. See Exhibit B – Intensive Level Survey (Sanborn Fire Insurance Maps).

On April 23, 2019, the Planning Department received a complete Plat Amendment Application to combine Lot 11 of Block 23 with two metes and bounds parcels into one (1) legal lot of record.

Staff is recommending approval of the Lot combinations to clean up Lot Lines and create one legal platted Lot of record.

Analysis

The subject sites are located at 440 Main Street. The site is within the Historic Commercial Business (HCB) District. The proposed Plat Amendment requests to combine Lot 11 of Block 23 with two metes and bounds parcels into one (1) legal lot of record.

The minimum Lot Size within the Historic Commercial Business is 1,250 square feet. The HCB District does not have any required Front, Rear, or Side Setback.

The existing Lot consists of three parcels. According to the survey, Lot 11 of Block 23 consists of 1,875 square feet, Parcel 2 is approximately 1,255 square feet, and the sliver of Parcel 3 is approximately 150 square feet. The new proposed Lot consists of 3,280 square feet. The proposed Lot Size is compatible with existing lots in the neighborhood and in the overall Historic District.

The maximum Floor Area Ratio (FAR) within the HCB District is 4.0. Based on the survey and submitted floor plans, the existing building has a Floor Area Ratio of 1.455.

Since the Building was constructed prior to 1984, per the [Land Management Code \(LMC\) 15-2.6-9\(D\)](#), the Pre 1984 Parking Exception applies. The Lot was current in the assessment to the Main Street Parking Special Improvement District as of January 1, 1984, and thus is exempt from the parking obligation for a Floor Area Ratio of 1.5. So long as the Building maintains a FAR of 1.5 or less, no additional off-street parking is required.

Staff recommends approval of the Plat Amendment as it will clean up property lines and create one (1) Legal Lot of Record.

Good Cause

Staff finds that there is good cause for this Plat Amendment, in that it would clean up the Lot Lines and create one (1) Legal Lot of Record. The proposed Plat would also resolve the encroachment of the building into the metes and bounds parcel.

Process

The approval of this Plat Amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18.

Department Review

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

Notice

On May 29, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on May 29, 2019.

Public Input

No public comment has been received at the time of this report.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the proposed 440 Main Street Plat Amendment, as conditioned or amended at the meeting; or
- The Planning Commission may forward a negative recommendation to the City Council for the proposed 440 Main Street Plat Amendment, and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the proposed 440 Main Street Plat Amendment, and request additional information or analysis in order to make a recommendation.

Significant Impacts

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

Consequences of not taking recommended action

The consequences of not taking the recommended action would be that the building would remain split by two lot lines. The exterior of the building could not be modified until a Plat Amendment is completed, removing the lot lines through the building.

Summary Recommendations

Staff recommends the Planning Commission review and hold a public hearing for the 440 Main Street Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance

Attachment 1 – 440 Main Street Plat Amendment (Proposed)

Exhibit B – Intensive Level Survey (Sanborn Fire Insurance Maps)

Exhibit C – Current Plat

Exhibit D – Applicant's Project description

Exhibit E – Existing Conditions Survey

Exhibit F – Aerial Photograph

Exhibit G – Site Photographs

Exhibit A – Draft Ordinance

Ordinance No. 2019-XX

AN ORDINANCE APPROVING THE 440 MAIN STREET PLAT AMENDMENT, LOCATED AT 440 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 440 Main Street have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on May 29, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, on May 29, 2019, the site was properly noticed and posted according to the requirements of the Land Management Code; and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on June 12, 2019, to receive input on the proposed Plat Amendment; and

WHEREAS, the Planning Commission on June 12, 2019, forwarded a recommendation to the City Council; and,

WHEREAS, on July 11, 2019, the City Council held a public hearing to receive input on the Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 440 Main Street Plat Amendment, located at 440 Main Street.

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

SECTION 1. APPROVAL. The 440 Main Street Plat Amendment as shown in **Attachment 1** is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The subject property is located at 440 Main Street.
2. The site is within the Historic Commercial Business (HCB) District.
3. The property is shown on the Historic Sites Inventory as a “Landmark Site” and includes an existing footprint of approximately 2,711 square feet.
4. The Plat Amendment application is a request to combine Lot 11 of Block 23 with two metes and bounds parcels into one (1) legal lot of record.
5. The minimum Lot Size within the Historic Commercial Business is 1,250 square feet.

6. The existing Lot consists of three parcels. According to the survey, Lot 11 of Block 23 is 1,875 square feet, Parcel 2 is 1,255 square feet, and the sliver of Parcel 3 is 150 square feet.
7. The new proposed Lot consists of 3,280 square feet.
8. The proposed Lot Size is compatible with existing lots in the neighborhood and in the overall Historic District. The surrounding lots that have been combined range in size from 0.06 acres to 0.1 acres, or 2,613.6 square feet to 4,356 square feet.
9. The HCB District does not have any required Front, Rear, or Side Setback.
10. The maximum Floor Area Ratio (FAR) within the HCB District is 4.0.
11. The existing building has a Floor Area Ratio of 1.455, based on the lot area depicted in the survey.
12. Since the Building was constructed prior to 1984, per the [Land Management Code \(LMC\) 15-2.6-9\(D\)](#), the Pre 1984 Parking Exception applies.
13. The Lot was current in the assessment to the Main Street Parking Special Improvement District as of January 1, 1984, and thus is exempt from the parking obligation for a Floor Area Ratio of 1.5.
14. So long as the Building maintains a FAR of 1.5 or less, no additional off-street parking is required.
15. The Plat Amendment is necessary in order for the applicant to obtain a building permit for the proposed remodel of the building.
16. Any remodel or addition to the Historic Structure would require review by the Design Review Team and any exterior remodels or additions would be reviewed for compliance with the adopted 2009 Design Guidelines for Historic Districts and Historic Sites.
17. Staff finds that there is good cause for this Plat Amendment in that remnant parcels are combined into one platted lot of record, lot lines are cleaned up and encroachments are resolved..
18. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time,

- this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No Building Permits for changes to the exterior of the Building will be granted until the final plat is recorded with the Summit County Recorder's Office.
 4. The plat shall note that fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
 5. The property is located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is 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.
 6. A note shall be added to the Plat stating that a portion of the Site is located within the FEMA Flood Zone A.
 7. All development shall provide elevation certificates certifying compliance with the minimum FEMA Flood Zone Requirements.
 8. 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.
 9. Any remodel or addition to the Historic Structure would require review by the Design Review Team and any exterior remodels or additions would be reviewed for compliance with adopted 2009 Design Guidelines for Historic Districts and Historic Sites.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of July, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

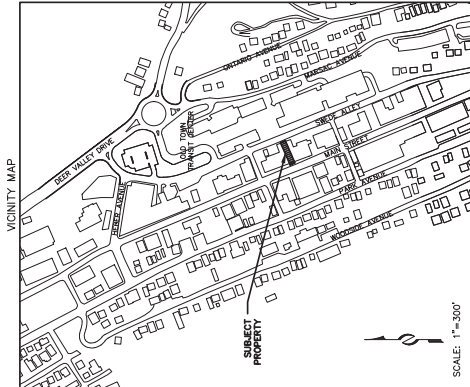
APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Attachment 1 – 269 Daly Avenue Plat Amendment First Amended (Proposed)

Attachment 1 – 440 Main Street Plat Amendment (Proposed)



SURVEYOR'S CERTIFICATE

I, Charles G. Smith, do hereby certify that I am a Professional Land Surveyor, and that I hold the license to practice the profession of a Professional Land Surveyor in the State of Utah, and that I have made a survey of the tract of land shown and described hereon, and that I have caused the same to be correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

PARCEL 1

All of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

PARCEL 2

Beginning at the Southeast corner of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Eastern line of said Block 23 North 23°38'00" West 250.00 feet to the Northeast corner of said Block 23, thence North 23°38'00" West 50.00 feet to the Northeast corner of said Block 23, thence South 66°22'00" East 50.00 feet to the point on Swede Alley as currently constructed; thence South 23°38'00" East along Swede Alley 25.00 feet; thence South 66°22'00" West 50.00 feet to the point of beginning.

PARCEL 3

Beginning at the Southwest corner of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Southern line of said Lot 11 North 66°22'00" East 75.00 feet to the Southeast corner of said Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Eastern line of said Lot 11 North 23°38'00" West 50.00 feet to the Northeast corner of said Block 23, thence North 23°38'00" West 50.00 feet to a point on Swede Alley as currently constructed; thence South 23°38'00" East 1.65 feet; thence South 66°44'33" West 125.00 feet; thence North 23°38'00" West 30.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that 440 MAIN, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, a be known hereafter as 440 MAIN STREET PLAT AMENDMENT, does hereby certify that it has caused this plat amendment to be prepared and does hereby consent to the recording of this plat amendment.

In witness whereof, the undersigned set his hand this _____ day of _____, 2019.

440 MAIN, LLC
By: SDC Manager, LLC
a Utah limited liability company
a Delaware limited liability company
By: Jeffrey S. McKibben, Manager

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

On this _____ day of _____, 2019, Jeffrey McKibben personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who acknowledged to me that he executed the foregoing instrument as the Manager of 440 MAIN, LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company for the purpose of dedicating the 440 MAIN STREET PLAT AMENDMENT.

By: _____
Notary Public
Printed Name _____
Residing in _____
My commission expires: _____
Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2019-_____.
2. An encroachment agreement affecting the north boundary of the property was recorded October 31, 2017, as Entry No. 1080751 in Book 2435 at Page 843.
3. See Record of Survey S-_____ in the Office of the Recorder, Summit County, Utah.
4. Measured bearings and distances, when different from measured, are shown in parentheses ().



FILE NO. 14-1-19 FILE: 33\parksurvey\440main\440main19.dwg SHEET 1 OF 1

440 MAIN STREET PLAT AMENDMENT

BLOCK 23, PARK CITY SURVEY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

(440) 440-4407 CONFORMING ENGINEERS LAND PLANNERS SURVEYORS 322 Main Street, P.O. Box 2664 Park City, Utah 84002-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019 BY _____ S.E.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019 BY _____ CHAIR	ENGINEER'S CERTIFICATE FIND THIS PLAT TO BE IN ACCORDANCE WITH THE FILE IN MY OFFICE THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ MAYOR	CERTIFICATE OF ATTEST I, _____, CLERK OF THE CITY OF PARK CITY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON _____ DAY OF _____, 2019 BY _____ PARK CITY RECORDER FEE _____ DATE _____ ENTRY NO. _____
---	---	---	---	--	--	---

Exhibit B – Intensive Level Survey (Sanborn Fire Insurance Maps)

HISTORIC SITE FORM

UTAH STATE HISTORIC PRESERVATION OFFICE

(10-91)

1 IDENTIFICATION

Name of Property: **Anchor & Quincy Mines Office Building**

Address: **440 Main Street**

Township

Range

Section:

City, County: **Park City, Summit, Utah**

UTM:

Current Owner Name: **Rouse Enterprises LLC**

USGS Map Name & Date: **Park City East**

Current Owner Address: **23955 De Ville Way**

Quad/2011

Malibu, CA 90265-4894

Tax Number: **PC-296**

Legal Description (include acreage): **see continuation sheet**

2 STATUS/USE

Property Category

☒ building(s)
☐ structure
☐ site
☐ object

Evaluation

☒ eligible/contributing*
☐ ineligible/non-contributing
☐ out-of-period

Use

Original Use: **business**

Current Use: **restaurant**

3 DOCUMENTATION

Photos: Dates

☒ digital: **Oct. 2013 (2)**
☒ prints: **2006, 1995, 1970s (3), 1940s**
☒ historic: **c. 1910s**

Drawings and Plans

☐ measured floor plans
☐ site sketch map
☐ Historic American Bldg. Survey
☐ original plans available at:
☐ other:

Research Sources (check all sources consulted, whether useful or not)

☒ abstract of title
☒ tax card & photo
☐ building permit
☐ sewer permit
☒ Sanborn Maps
☐ obituary index
☐ city directories/gazetteers
☒ census records
☐ biographical encyclopedias
☒ newspapers

☒ city/county histories
☐ personal interviews
☐ USHS History Research Center
☒ USHS Preservation Files
☐ USHS Architects File
☐ LDS Family History Library
☒ local library: **Park City Museum**
☐ university library(ies):

Bibliographical References (books, articles, interviews, etc.)

Attach copies of all research notes, title searches, obituaries, and so forth.

Boutwell, John Mason and Lester Hood Woolsey. *Geology and Ore Deposits of the Park City District, Utah*. White Paper, Department of the Interior, United States Geological Survey. Washington: Government Printing Office, 1912.

Carter, Thomas and Peter Goss. *Utah's Historic Architecture, 1847-1940*. Salt Lake City: Center for Architectural Studies, Graduate School of Architecture, University of Utah and Utah State Historical Society, 1988.

Hampshire, David, Martha Sonntag Bradley and Allen Roberts. *A History of Summit County*. Coalville, UT: Summit County Commission, 1998.

National Register of Historic Places. Park City Main Street Historic District. Park City, Utah, National Register #79002511.

Peterson, Marie Ross and Mary M. Pearson. *Echoes of Yesterday: Summit County Centennial History*. Salt Lake City: Daughters of Utah Pioneers, 1947.

Pieros, Rick. *Park City: Past & Present*. Park City: self-published, 2011.

Randall, Deborah Lyn. *Park City, Utah: An Architectural History of Mining Town Housing, 1869 to 1907*. Master of Arts thesis, University of Utah, 1985.

Ringholz, Raye Carleson. *Diggings and Doings in Park City: Revised and Enlarged*. Salt Lake City: Western Epics, 1972.

Ringholz, Raye Carleson and Bea Kummer. *Walking Through Historic Park City*. Self-published, 1984.

Thompson, George A., and Fraser Buck. *Treasure Mountain Home: Park City Revisited*. Salt Lake City: Dream Garden Press, 1993.

* NHRP listed in 1979 as part of Park City Main Street Historic District
Researcher/Organization: John Ewanowski, CRSA Architecture

Date: January 2015

4 ARCHITECTURAL DESCRIPTION

Building Style/Type: one-part block type; Commercial Victorian style No. Stories: 1
Foundation Material: stone and concrete Wall Material(s): wood siding and common brick
Additions: ☒ none ☐ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)
Number of associated outbuildings 0 and/or structures 0.
Briefly describe the principal building, additions or alterations and their dates, and associated outbuildings and structures. Use continuation sheets as necessary.

The building at 440 Main was described in 1978 by Philip Notarianni in the National Register nomination for the Park City Main Street Historic District as a “One-story frame with common brick on the rear, flat roof, and a bracketed cornice. Twelve window panes (transoms) lie above the entrance and display areas. [These] features were common to Victorian mining-town commercial buildings.”² Little has changed since Notarianni’s description. Transom windows are evenly spaced in three groups of four, with the left three groups over large storefront windows and the right group over the recessed door. A retractable awning sits between the transoms and the three fixed windows.

5 HISTORY

Architect/Builder: **unknown** Date of Construction: **1902**

Historic Themes: Mark themes related to this property with "S" or "C" (S = significant, C = contributing).
(see instructions for details)

☐ Agriculture	☐ Economics	☒ Industry	☐ Politics/ Government
☐ Architecture	☐ Education	☐ Invention	☐ Religion
☐ Archeology	☐ Engineering	☐ Landscape Architecture	☐ Science
☐ Art	☐ Entertainment/ Recreation	☐ Law	☐ Social History
☒ Commerce	☐ Ethnic Heritage	☐ Literature	☐ Transportation
☐ Communications	☐ Exploration/ Settlement	☐ Maritime History	☒ Other: Mining
☐ Community Planning & Development	☐ Health/Medicine	☐ Military	
☐ Conservation		☐ Performing Arts	

Write a chronological history of the property, focusing primarily on the original or principal owners & significant events. Explain and justify any significant themes marked above. Use continuation sheets as necessary.

This lot was purchased by Edward and Joseph Theriot from Edward Ferry of the Park City Townsite Company in 1882. The Theriots built a one-story with basement, frame building on the site, as evidenced by the 1889 Sanborn Map of Park City, which housed two businesses and had a canopy over its Main Street façade. In 1891, First National Bank of Salt Lake City bought the parcel, tearing down the Theriot building to make way for their Park City branch. The contractors for the original First National Bank Building were Pape and Kunkle, and it was completed at a cost of \$8,734 in early 1891.³ A *Park Record* representative was given a tour of the new building, which he called “the most substantial, most convenient, and most elegantly finished business block in Park City,” continuing, “It is a monument to the permanency of our mines, an honor to the new banking company, and a credit to the town.”⁴ Unfortunately, neither the mines nor the old First National Bank Building ended up being very permanent, and the building was a casualty of the Great Fire of June 21, 1898, which destroyed most of the businesses and homes in the Main Street area and caused over \$1,000,000 in damages.

While many business owners rebuilt their shops immediately after the fire, the building at 440 Main was not completed until 1902, over three years later. First National Bank had built a new building at 305 Main immediately after the fire (this Frederic Hale-designed brick structure is still standing), and they sold the site of their ruined building to James Farrell in 1899. The *Record* announced in November 1901, “As soon as masons can be obtained to do the work, the old First National bank building site will be cleaned, a new fireproof vault will be built and a substantial building erected on the old walls.”⁵ Farrell—with business partners Thomas Kearns, David Keith, and W.V. Rice—were planning on building a new bank that would rival First National, which was owned by out-of-town interests. However, while their new bank was under construction in January 1902, Kearns, Keith, Rice, and Farrell bought a controlling interest in First National and decided to

² National Register of Historic Places

³ “Twenty-Five Years Ago,” *Park Record*, July 28, 1916.

⁴ “First National Bank Building,” *Park Record*, January 21, 1891.

⁵ “Park Float,” *Park Record*, November 2, 1901.

keep it in the building up Main Street. This put the tenant status of the under-construction 440 Main building into question, but as the *Record* pointed out, “The large vault makes it a suitable building for banking business, but the vault would also be convenient if the Quincy and Anchor people concluded it would make a nice office for them.”⁶ In fact, their suggestion came true and the offices of the Quincy Mining Company (which had been headed by D.C. McLaughlin until his sudden death the previous June, when it was bought out by Farrell) and the Anchor Mining Company (with Farrell as president) moved into the new building upon its completion in February 1902.⁷

James Farrell was born May 24, 1843 in Ireland, coming to the United States as a ten-year-old. Moving to Utah around 1878, Farrell became known as a skilled ore hauler, which is how he made most of his money in Park City. He was also very active in the livestock business, both as a rancher and banker, and was remembered by Utah cattlemen as one of the only lenders who helped them in the depression that followed World War I. Unlike his partners, Farrell was a quiet man and was not very active in social clubs or politics. He died a widower at the family house, 137 W 100 North, in Salt Lake City, in January 1928 at the age of eighty-four.⁸

440 Main only served as the offices for the Quincy and Anchor mines for a few years. Lee B. Wight, the city attorney, bought the building in 1905 and outfitted it as his law office.⁹ Meanwhile, the basement was the headquarters of the Republican Party and the Citizens Club at different times. In 1910, Joe Julian—who had been working at the Senate Café—opened the Julian Restaurant in the building.¹⁰ Despite moving to Salt Lake City in 1913, L.B. Wight still owned the property in 1941, when Ernst Lingmann, operator of the Orange Blossom one door to the south, opened “Park City’s Variety Store” in the space. In fact, the Wight family owned the building until 1986, when it was sold to John Newman and Kathleen Kahn. Recent tenants have included the New Park Emporium, Texas Red’s Pit Barbecue, and Bandits Grill and Bar (currently). The building has been owned by Rouse Enterprises since 2002, and it has retained its historical appearance for the most part.

⁶ “First National Bank,” *Park Record*, January 25, 1902.

⁷ “Park Float,” *Park Record*, February 22, 1902.

⁸ “Illness Fatal to Utah Banker,” *Salt Lake Telegram*, January 14, 1928.

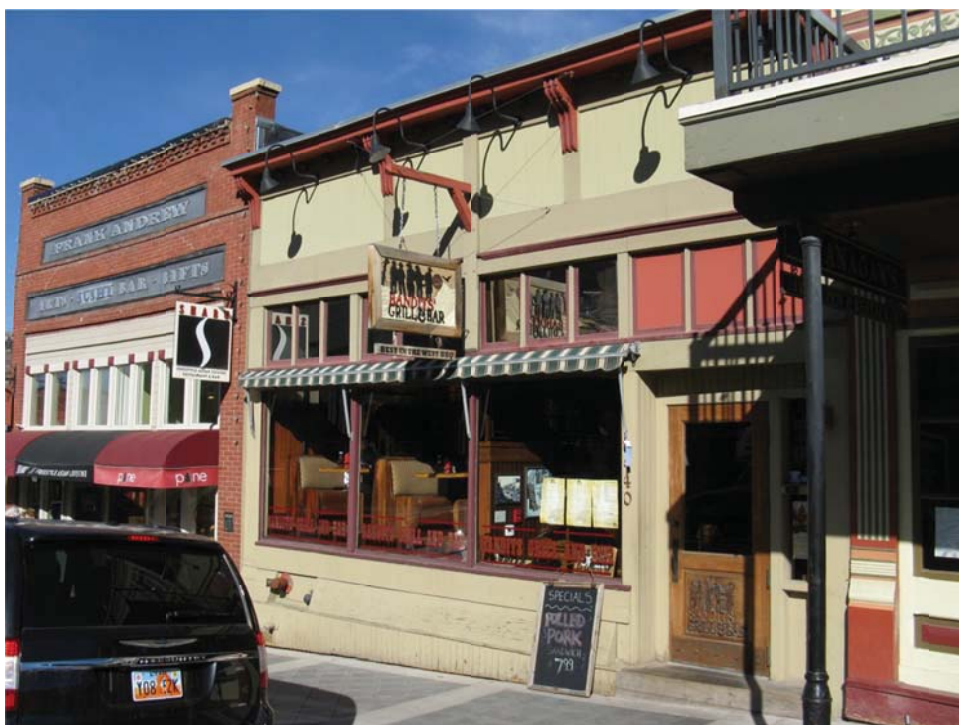
⁹ “Twenty-Five Years Ago,” *Park Record*, January 3, 1930.

¹⁰ “Park Float,” *Park Record*, April 9, 1910.

Legal Description (include acreage): **PC 296 LOT 11 BLK 23 PARK CITY SURVEY; BEG AT THE SW COR OF LOT 11 BLK 23 PARK CITY SURVEY, & RUN TH ALONG THE S'LY LINE OF SD LOT 11 N 66*22' E 75.00 FT TO THE SE COR OF SD LOT 11 SD PT ALSO BEING ON THE E LINE OF SD BLK 23; TH LEAVING SD BLK LINE & RUN N 66*22' E 50.00 FT TO A PT ON SWEDE ALLEY AS CURRENTLY CONSTRUCTED; TH S 23*38' E 1.65 FT; TH S 66*44'33" W 125.00 FT; TH N 23*38' E 1.65 FT; TH S 66*44'33" W 125.00 FT; THN 23*38' W .83 FT TO THE PT OF BEG CONT 155 SQ FT BAL 0.05 AC LWD-572 XWD-227M53-576 376-601 381-457 476-297 785-554 963-167-169 1469-795**



440 Main Street. Northwest oblique. October 2013.



440 Main Street. Southwest oblique. October 2013.

TITLE SEARCH FORM

[Obtain information from title abstract books at County Recorder's Office]

Address: 440 Main Street

City: Park City, UT

Current Owner: Rouse Enterprises LLC

Address: (see historic site form for address)

Tax Number: PC-296

Legal Description (include acreage): PC BK23 L11 & 50' x 25' E'ly parcel

(see historic site form for complete legal description)

TRANSACTION DATES	GRANTOR (SELLER)	GRANTEE (BUYER)	TYPE OF TRANSACTION	DOLLAR AMOUNT	COMMENTS
2/7/1882	Edwd. P Ferry	Edward & Joseph Theriot	W		
7/12/1889	J.P. & Alice H. Theriot	Edward Theriot	W		
6/7/1891	Edward & Damaris A.A. Theriot	First National Bank Salt Lake	W		
5/1/1899	First National Bank, Park City	James Farrell	W.D.		
5/8/1899	James Farrell & wife	W.V. Rice	W.D.		
2/20/1902	W.V. Rice & wife	James Farrell	W.D.		"1/2 und Int"
12/27/1904	W.V. Rice & wife et al	W.W. Armstrong	W.D.		
5/1/1912	Alex Wright, Co. Treas.	L.B. Wight	R Cert		"25 ft. x 75 ft. from 1910 Tax Sale"
12/16/1912	County Treasurer	Summit County	Tax Sale	\$104.00	"Julian Restaurant"
[filed] 4/8/1919	William W. Armstrong	L.B. Wight	W.D.		[date of inst. 12/27/1904]
5/29/1939	Summit County	L.B. Wight	Q.C.D.		
3/15/1959	L.B. & Winnie S. Wight	Earl F. Wight	W.D.		
12/31/1973	Earl F. & Celia A. Wight	Wight, Inc.	W.D.		
3/13/1986	Wight Inc.	Earl Wight & Shirlee Ashworth (jt.)	W.D.		
4/17/1986	Earl Wight & Shirlee Ashworth	John Newman & Kathleen Kahn	W.D.		
5/7/1996	438 Main Street	New Ron LLC	Q.C.D.		

Researcher: John Ewanowski, CRSA Architecture

Date: 2/27/2014

[Obtain information from title abstract books at County Recorder's Office]

Tax Number: PC-296

Park City, UT

Rouse Enterprises LLC

(see historic site form for address)

PC BK23 L11 & 50' x 25' E'ly parcel

(see historic site form for complete legal description)

[illegible]

Date: 2/27/2014

RESEARCHER: Philip S. Notariani

P.C. 296

SITE NO. SU-10-07DATE: March 1978

Demolition Date: _____

STRUCTURE/SITE INFORMATION FORM

IDENTIFICATION

Street Address: 440 Main
 Present Owner: Wigat, Inc.
 Owner Address: 1387 So. 13th E.
S.L.C., Ltd.

Plat PCS Block 23 Lot 11
 Name of Structure: - Park City
 Original Owner: Variety Store

CONDITION/USE

Date of Construction: ca. 1900

Present Use: Single family residential _____
 Multi-family residential _____
 Agricultural _____

Public _____
 Commercial X
 Park _____

Industrial _____
 Vacant _____

Original Use: CommercialFuture Planned Use: CommercialAdjacent Land Uses: CommercialOccupants: "Calrose Restaurant"Building Condition: Fair (interior - poor due to fire)Integrity: 1 _____ 2 X 3 _____

DOCUMENTATION

Bibliographical References: (books, articles, records, interviews, old photographs and maps, etc.)

1) Summit County Recorder & Assessor Records, Summit County Courthouse, Coalville, Ut.
 2) Sanborn Maps, Park City, Ut., 1900 & 1907.

PHOTO RECORD

SLIDES 1Date of slides Oct. 1977Views: Front X Side _____ Rear _____ Other _____

BLACK & WHITE PHOTOGRAPHS

Date of Photos Oct. 1977Views: Front X Side _____ Rear _____ Other _____

CLASSIFICATION

Category: District X
 Building _____
 Site _____
 Multi-Residence _____

Significance: _____
 Contributory X
 Not Contributory _____

Register Status:

Landmark _____
 National _____
 State _____
 Century _____
 Local _____
 Potential X

Funding: Yes _____ No _____ Tax Reform Act _____

Type: _____

Public Accessibility: Yes X No _____ Limited _____

Mapped _____ File _____

Areas of Significance

Aboriginal Americans _____
 Agriculture _____
 Architecture _____
 The Arts _____
 Commerce X
 Communication _____
 Conservation _____
 Education _____
 Exploitation/Settlement _____
 Industry _____
 Military _____
 Mining X
 Minority Groups _____
 Political _____
 Recreation _____
 Religion _____
 Science _____
 Socio-Humanitarian _____
 Transportation _____

MAY 5 1978

Architect/Builder: Unknown

Building Type/Style: Victorian -

Building Materials: Wood

Restoration Potential: Good

Description of structure's physical appearance and significant architectural features
(include additions, alterations, ancillary structures, and landscaping if applicable)

One story frame with common brick on the rear, flat roof, and a bracketed cornice. Twelve window panes ^(transoms) lie above the entrance and display area. The above features were common to Victorian mining-town commercial buildings.

ARCHITECTURE

Statement of Historical Significance: A commercial structure, built after 1898, forming part of the Park City Commercial district.

Abstracts show that in 1896 the property in question belonged to the First National Bank of Salt Lake City of Patrick J. Lynch. In 1899 the bank's interests were sold to James Farrell, large property owner in Park City's Chinatown, then to W. V. Rice, and in 1902 back to James Farrell.

The structure appears on a 1907 Sanborn Map as an office.

In the 1940s records show the occupant as the Park City Variety Store, a well remembered

FIRST NATIONAL BANK BUILDING

**It is Completed and is the Neatest
and Best Arranged Structure
in Park City**

The new building for the First National Bank company was completed this week and turned over by the contractors Lape & Hunkle. The structure was thoroughly examined by the directors and the architect and accepted with the understanding that the contractors were to give a two years guarantee on the tar and gravel roof reset the muffle in the directors office and finish the plastering in the vault. With these three exceptions the building was satisfactory and the contractors complimented on the job.

A THICORP representative was taken through the structure from cellar to garret and has no hesitancy in pronouncing it the most substantial most convenient and most elegantly finished business block in Park City. It is a monument to the permanency of our mines an honor to the new banking company and a credit to the town. The building comprises two stories and a basement and is of the prevailing style of architecture. The basement is devoted to storage room coal janitors supplies water and drainage pipes etc and is commodious and well arranged. It has a neat room in the front lighted by a large handsome window and so arranged as to make it a desirable location for some light business. It has been rented by James Neville who will fit it up in elegant shape and open a first class consorial establishment there in next week.

The ground floor or the banks quarters is something truly elegant and is finished in the latest and most popular craze. It is divided into three com-

partments viz. A main business office for the bank directors private office and a sleeping apartment for one of the attaches of the bank. Also rooms as stated are elegantly finished the bank fixtures being of antique oak and of the latest designed manufactured by the Brunswick Bulke Callender company of Chicago which makes a specialty of bank and office furniture. The fixtures were placed by Eric Schelm an employe sent from Chicago by the firm and the result shows that the gentleman thoroughly understands his business. The office of the directors is very convenient and furnished in a luxurious manner and in keeping with the balance of the bank quarters the whole making one of the most conveniently arranged banking houses in the Territory. Mr Deming the general assistant cashier informs THE THICORP that the new quarters will be occupied not later than Tuesday next and he and Mr Loring the gentlemanly book keeper will be ready to smile at their business friends over the new counters at that date.

The second story is conveniently fitted up for private offices the whole including the stairway being finished in polished hard wood presenting a very handsome appearance and will no doubt find ready occupants. The whole building is provided with all modern conveniences having electric lights water and private closets on each floor. In fact the building is a model one throughout and the banking company deserves greater credit for its construction.

PARK FLOAT.

As soon as masons can be obtained to do the work, the old First National bank building site will be cleaned, a new fireproof vault will be built and a substantial building erected on the old walls. When this is done a new bank will be thrown open in Park City, with such men as James Farrell, Thomas, Kearns, David Keith, W. V. Rice, and others back of it. With this backing it will be one of, if not the strongest banking institutions in the state. Our authority for the above statement comes direct from Messrs. Farrell and Rice.

Park Record, 11/2/1901

PARK FLOAT

Under direction of A. I. Drake, the stone mason, workman today commenced stripping the walls of the old First National bank building and are cleaning up the debris preparatory to the building of the vault and the erection of the new bank building which is to go up here.

Park Record, 11/9/1901

FIRST NATIONAL BANK

**Now Owned and Controlled Entirely by
Park City Men.**

There was a meeting of the stockholders of the First National Bank Monday and perhaps the most important one in its history, for at that meeting the bank changed ownership and is now the property of David Keith, Thomas Kearns, W. V. Rice, James Farrell and W. W. Armstrong. The five hundred shares of stock were turned over to these men, and the following officers were at once elected: President, David Keith; vice president, Thomas Kearns; W. W. Armstrong, cashier, who with W. V. Rice and James Farrell form the board of directors.

It has long been known that Messrs. Keith and Kearns desired closer relation with this bank than was theirs while the Bamberger crowd held control, and it was the former refusal of the Bambergers to sell them the stock they wanted, we understand that led to the erection of the new bank building now nearly completed, in which Messrs. Keith, Kearns, Farrell and Rice proposed to do a banking business, and which it is shrewdly surmised was the lever that brought the transfer of the stock about; for had the new bank been started, with the above mentioned men at its head, it would have proven a competitor that few would care to contend against. Besides this, it is evident that while there is a splendid business here for one good banking institution, there is a ready enough for two so, under the circum-

stances, it was good business sense on the part of the old stockholders to let go.

As it stands today the First National Bank of Park City has more wealth represented on its directorate than any banking institution in the state—more we believe than any two banking houses of the state.

It is an institution that is a credit to Park City, and one to which every Parkite may point with pride. And by the way it would do no harm to Park City if every citizen when away among strangers in other localities would mention the fact when talking of our resources and advantages, that Park City has the strongest banking house in the state of Utah. We are glad of the change from the fact that it makes of the business a purely Park City institution. It has always been faultlessly conducted and owing to this fact has built up a splendid business. There is no question that the same business methods will prevail in future.

The building which was to have been converted into a bank will no doubt be put to good service. The large vault makes it suitable for banking business, but the vault would also be convenient if the Quincy and Anchor people concluded it would make a nice office for them. At any rate that is the use the building will be put to.

PARK FLOAT.

The Ladies Society of the Congregational church will meet next Saturday March 1st. with Mrs E J, Beggs.

John B. Ashton & Co. have, opened up a new jewelry establishment in the Diem building See their ad in this issue

The Anchor and Quincy have moved their office effects into the new to be new bank building It makes excellent and commodious quarters for them

Enrick Johnson and John Cantlin forfeited \$5 each for looking on Kentucky spring water until it affected their understanding Judge Lockhart deeming this the right amount.

Park Record, 2/22/1902

PARK FLOAT

The new Anchor and Quincy offices are models of convenience and these two companies are now comfortably quartered there The Anchor side is provided with ample office room; a large directors' room, bed room, lavatory etc The Quincy side with a general office, private office, lavatory etc The large vault has been divided in such a way that each company has its own Each room is provided with independent electric light service there are ample desks, tables, and other modern conveniences It is in fact built for the purpose

PARK FLOAT.

A persistent rumor has been in circulation the past week that the Lee Wight building had been leased by a banking concern and that a new bank would soon be started up in Park City. There is absolutely nothing in the report. When Mr. Wight vacates the interior of the building will be remodeled and a first class restaurant opened therein It is reported that Joe Julian, of the Senato restaurant, will be the proprietor

Park Record, 4/9/1910

NEW RESTAURANT OPEN

Julian Eating House Already Popular --
Special Sunday Dinner Will
be Served from 11 to 8

The new Julian restaurant in the L B Wight building was opened for business Monday morning The fittings and furnishings are all neat and new and special attention is being paid to cleanliness The patronage has been heavy during the week and all are loud in their praise of the quality of the food furnished and of the service given

The house is under the management of Joe Julian, who is well known locally and it is promised that the place will maintain a high standard in its food and service It is the intention to serve a special 40 cent Sunday dinner as well as the regular 25-cent meal from 11:30 a m to 7 p m For the special dinner tomorrow there will be turkey, roast beef, boiled tongue, lobster salad, two kinds of vegetables, new potatoes and cream, ice cream, cake, pie and coffee The usual variety of food will be served for the 25 cent meal

Short orders, including chop suey and noodles will be served at all times The patronage of the public is solicited and satisfaction is assured.

Park Record, 7/9/1910

Twenty-Five Years Ago

Items from Record for week ending Aug. 1st, 1891.

The contract to erect the new bank building for the First National Bank of Park City was let to Pape and Kunkle for \$8,734.

Park Record, 7/18/1916

* Twenty-Five Years Ago

From The Park Record Files ---- Jan. 7th, 1905

Lee B. Wight our popular city attorney has purchased the Quincy office building, at 442 Main street, and is now occupying the same for his law office.

Park Record, 1/3/1930

To Open Variety Store

Mr. Ernst Lingmann of the Orange Blossom, will open the "Variety Store," in the Lee Wight building, adjoining the Orange Blossom on the north, next Saturday morning. See advertisement in another column of this issue. A big stock of novelty goods will be on dis-

play, and a cordial invitation from Mr. Lingmann is extended the public to visit the Variety Store on the opening day. Ice cream will be served to all making purchases of 50 cents or more. Mr. Lingmann has faith in the future of Park City, and The Record wishes him success in his new venture.

Park Record, 5/15/1941



c. 1910 (Utah State Historical Society)



c. 1930s (Park City Historical Society & Museum, Pop Jenks Collection)



c. 1941 (Summit County)



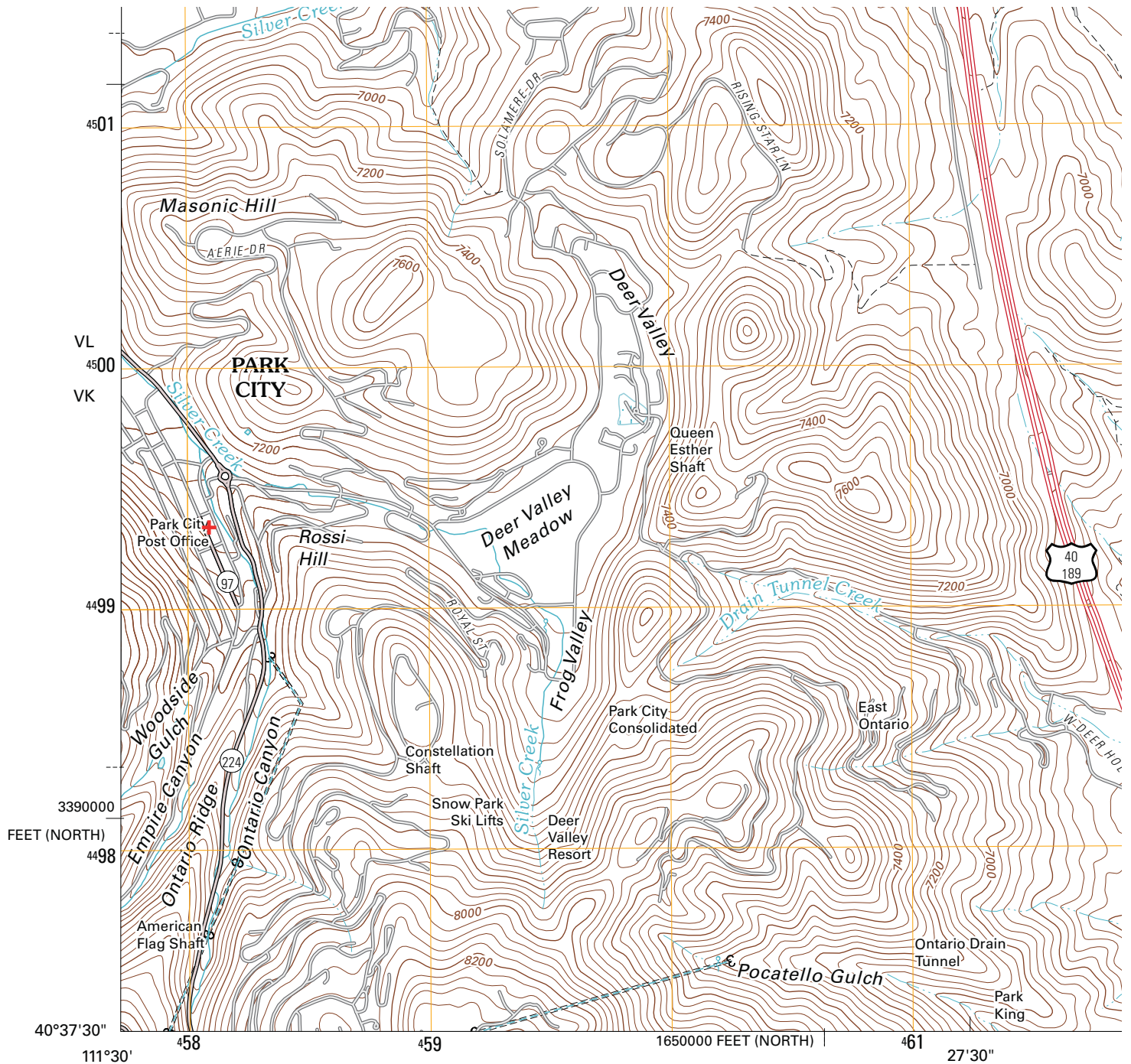
1970s

440 Main Street, Park City, Summit County, Utah

Intensive Level Survey—Biographical and Historical Research Materials



1970s



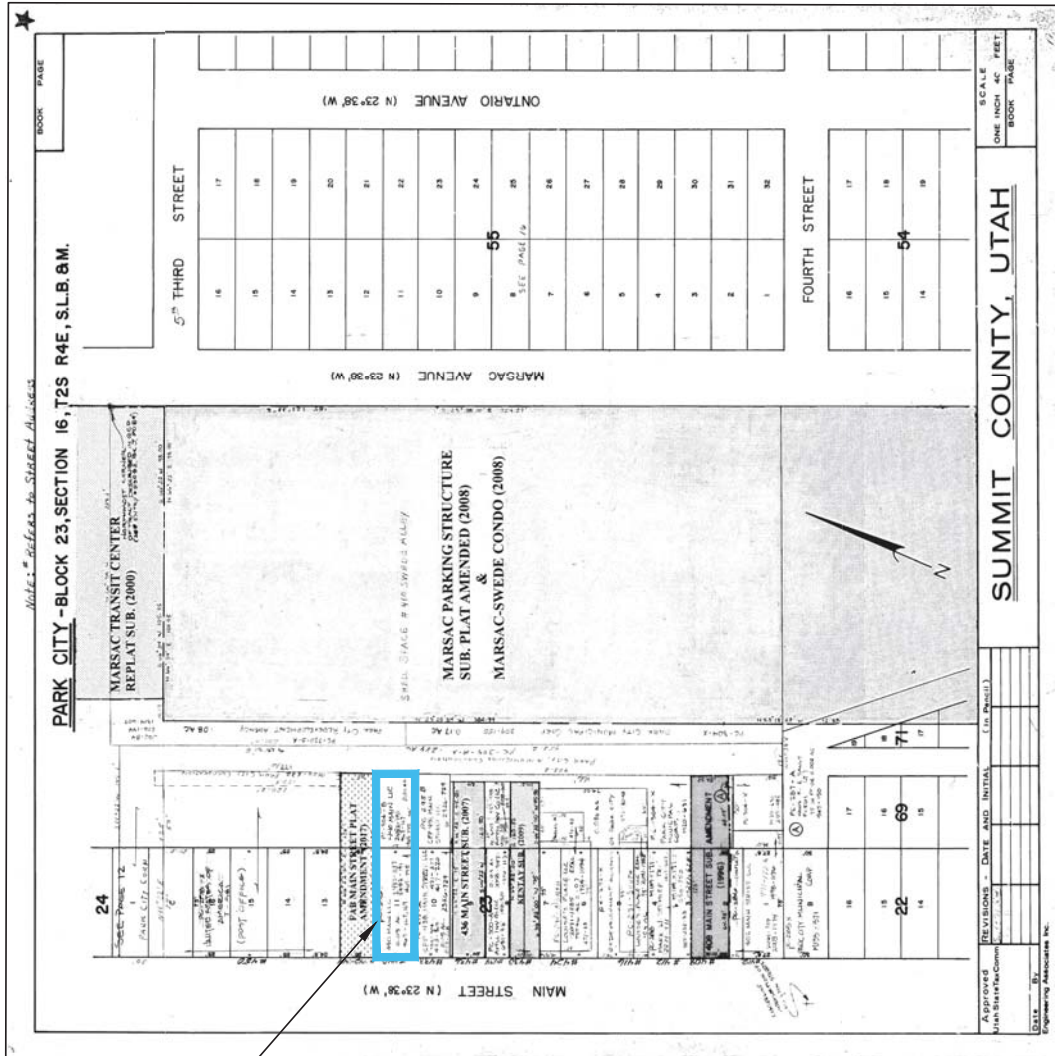
Produced by the United States Geological Survey
 North American Datum of 1983 (NAD83)
 World Geodetic System of 1984 (WGS84). Projection and
 1 000-meter grid: Universal Transverse Mercator, Zone 12T
 10 000-foot ticks: Utah Coordinate System of 1983
 (north and central zones)

Imagery.....NAIP, July 2009 - August 2009
 Roads.....©2006-2010 Tele Atlas
 Names.....GNIS, 2009
 Hydrography.....National Hydrography Dataset, 2009
 Contours.....National Elevation Dataset, 2008

UTM GRID AND 2011 MAGNETIC NORTH
 DECLINATION AT CENTER OF SHEET

U.S. National Grid	
100,000-m Square ID	
VL	4500
VK	
Grid Zone Designation	
12T	

Exhibit C – Current Plat



OWNERSHIP PLAT

440 MAIN STREET

BLOCK 23, LOT 11 + ADDITIONAL

FOR: JEFFREY MCKIBBIN

JOB NO: 16-1-19

FILE: K:\PeachySurvey\mg\Exhibit\440 main street-ownership map.dwg

SHEET

1

OF

1

STAFF:

MARSHALL KING

DESIGN ENGINEER

DATE: 2/25/19

PLATE NUMBER 16-1-19-19

PLATE NUMBER 16-1-19-19

PLATE NUMBER 16-1-19-19

Exhibit D – Applicant's Project description

PARK CITY SURVEY, BLOCK 23,
LOT 11, PLUS ADDITIONAL LAND IN THE MILLSITE RESERVATION

(440 MAIN STREET)

PROJECT INTENT

The property at 440 Main Street is currently occupied by an existing building. The property consists of Lot 11, Block 23 plus two additional metes and bounds parcels. One of the additional metes and bounds parcels, Parcel 2, is located entirely in the Millsite Reservation. The second parcel, Parcel 3, is a sliver at the southerly portion of the property and extends from Main Street to Swede Alley.

The owner desires to unify the property into one lot of record by removing the existing lot line and existing block line. Currently the building does not have a tenant and there are no definite plans for the property at this time except to upgrade and remodel the property.

Exhibit E – Existing Conditions Survey

440 MAIN STREET

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
LOTS 11 & A PORTION OF LOT 10, BLOCK 23 PARK CITY AMENDED SURVEY
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 72468 in the State of Utah. I have personally supervised and participated in the making of the above described survey, and I am a duly qualified and licensed surveyor, and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

PARCEL 1:

All of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, according to the official plat, thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah.

PARCEL 2:

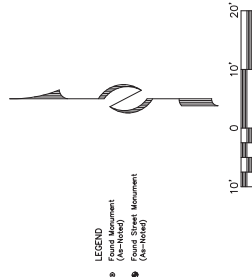
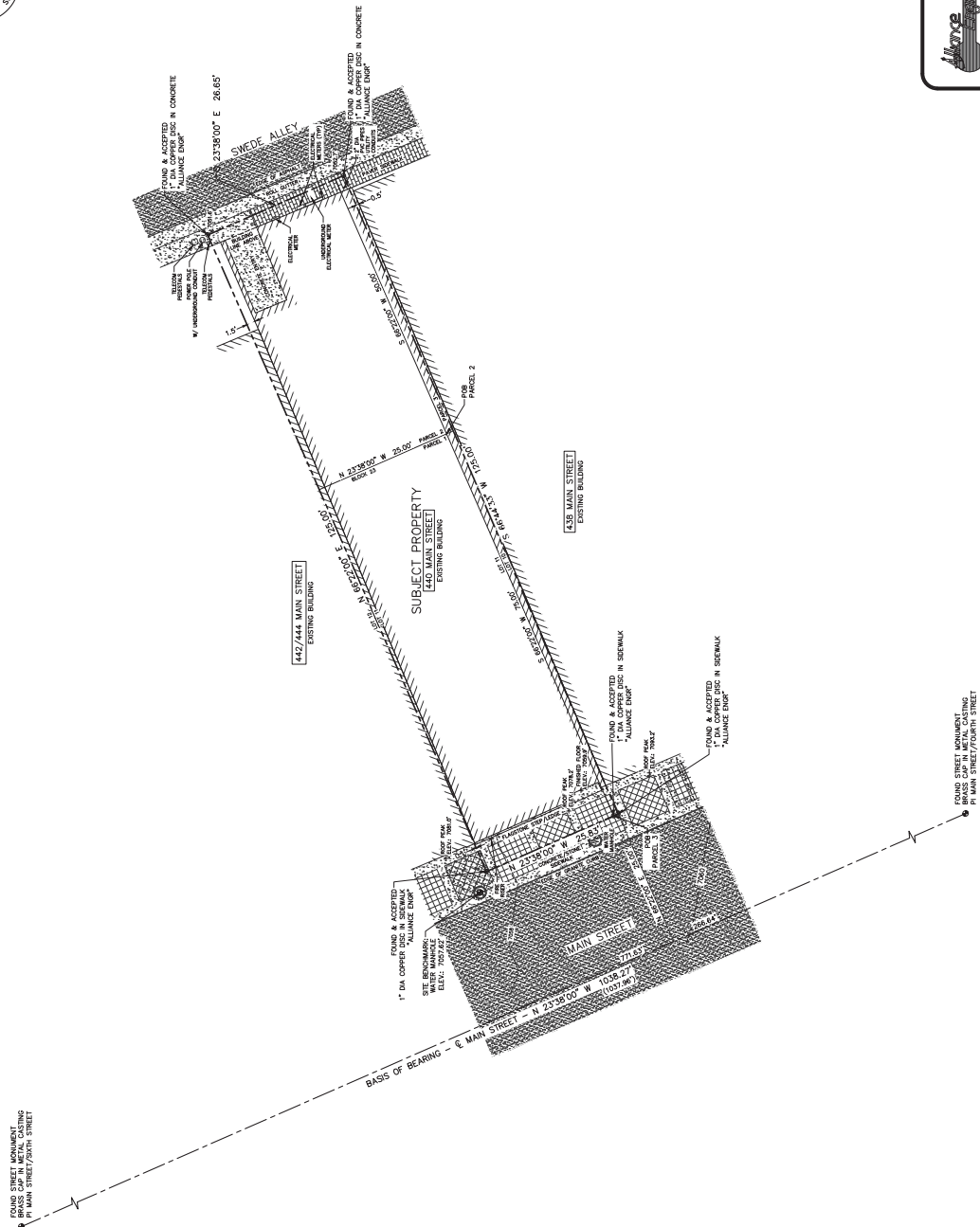
Beginning at the Southeast corner of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Eastern line of said Block 23 North 23°38' West 25.00 feet to the Northeast corner of said Lot 11; thence North 66°22' East 50.00 feet to the point of beginning; thence South 66°22' West 50.00 feet to the point of beginning.

PARCEL 3:

Beginning at the Southwest corner of Lot 11, Block 23, PARK CITY SURVEY, AMENDED, and running thence along the Southern line of said Lot 11 North 66°22' East 75.00 feet to the Southeast corner of said Lot 11; thence North 23°38' West 25.00 feet to the point of beginning; thence South 23°38' East 1.65 feet; thence South 66°41'33" West 125.00 feet thence North 23°18' West 43 feet to the point of beginning.

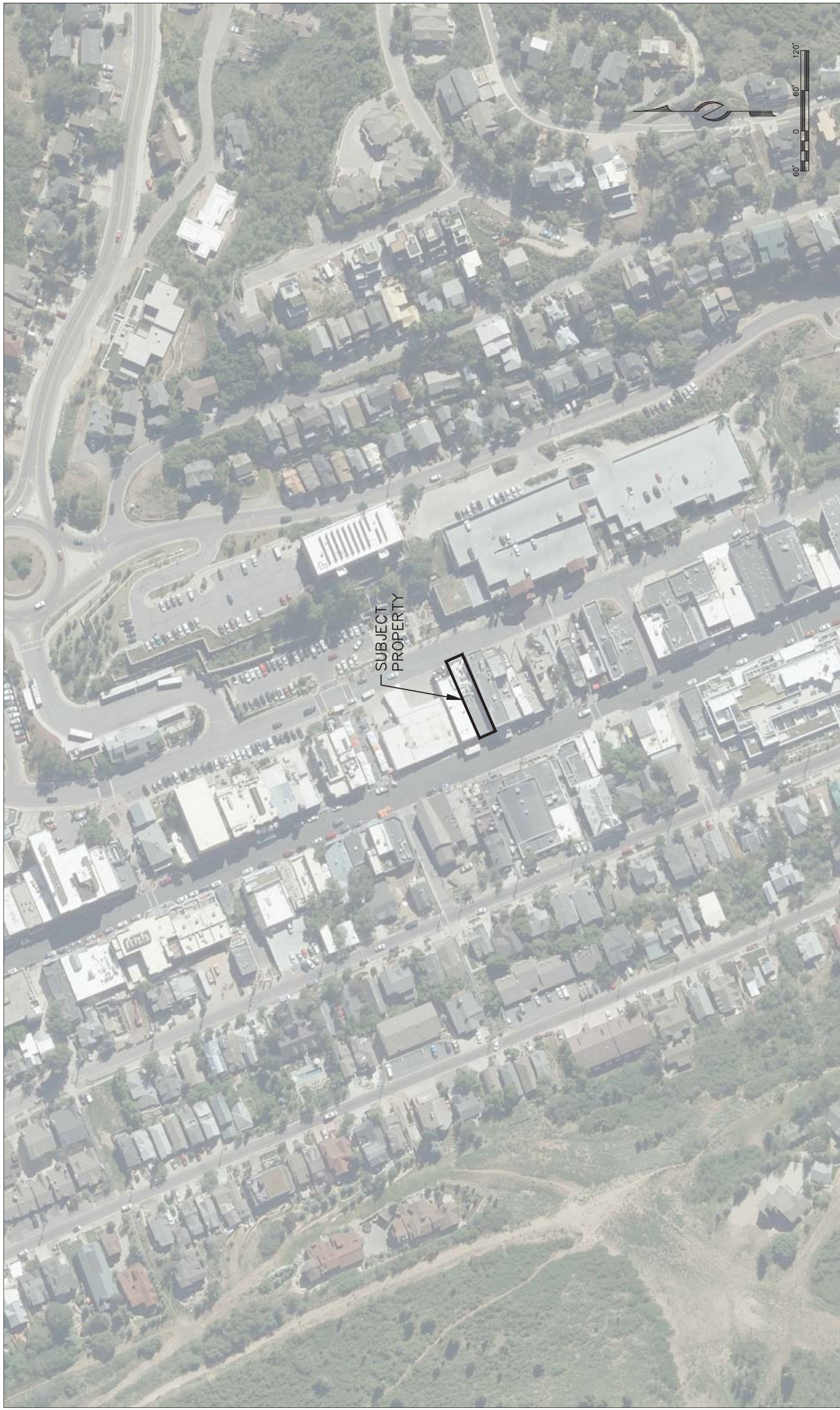
NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Site Benchmark: Water Manhole, Elevation= 7097.62' as shown.
3. Field work for this survey was completed February 1, 2019, and is in compliance with generally accepted industry standards for accuracy.
4. The purpose of this survey was to perform a Boundary, Existing Conditions and Topography survey for the possibility of future improvements to the property.
5. A title report was not provided to the surveyor and only easements and setbacks per subdivision plat were used. The surveyor is not responsible for any errors or omissions in the title report affecting the property that may appear in a title insurance report. The surveyor found no obvious errors or omissions, encroachments or encumbrances on the property surveyed except as shown hereon.
6. County tax maps, recorded deeds, Fish Lake Street Plat Amendment (File No. 10339620), Record of Survey's S-4870, S-9226, S-9323, (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were used to determine the boundary as shown on this plat.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Snow coverage at the time of the survey was approximately 0-12". As a result, monuments, improvements, and/or conditions may exist, which are not shown on this survey.
10. Measured bearings and distances, when different from record are shown in parentheses ().

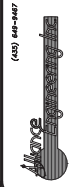


STAFF: CHARLES GALATI SUMMIT COUNTY CHIP TOMSEN TON LUND	EXISTING CONDITIONS & TOPOGRAPHIC MAP 440 MAIN STREET, PARK CITY	SHEET 1 OF 1
2025 Main Street 10' 20' 40' 60' 80' 100' 120' 140' 160' 180' 200'	DATE: 2/28/19	FILE: K:\PondCitySurvey\map\map2019\140119-440 Main SN\140119-rss.dwg

Exhibit F – Aerial Photograph



SUBJECT
PROPERTY



(408) 644-4447

STAFF:
MARSHALL
BRYAN GARDNER

322 West Street, P.O. Box 4044, Santa Ana, CA 92704-0444

DATE: 2/25/19

AERIAL PHOTOGRAPH
440 MAIN STREET
BLOCK 23, LOT 11 + ADDITIONAL

FOR: JEFFREY MCKIBBEN

JOB NO.: 14-1-19

FILE: K:\PeachySurvey\img\Exhibit\440 main street-aerial.jpg

SHEET
1
OF
1

Exhibit G – Site Photographs



440 Main Street – Looking Northeasterly



440 Main Street – Looking Easterly



440 Main Street – Looking Southwesterly



440 Main Street – Looking Westerly

Planning Commission Staff Report

Subject: Sweeney Property Master Plan Mid-Station and Creole-Gulch Sites (AKA Treasure)
Zoning Map Amendment

Author: Laura Kuhrmeyer, Planner
Francisco Astorga, AICP, Senior Planner

Project Number: PL-19-04216

Date: 12 June 2019

Type of Item: Legislative – Zoning Map Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Zoning Map Amendment of the Sweeney Property Master Plan (SPMP) Mid-Station and Creole-Gulch Sites (AKA Treasure or Treasure HILL) from Estate (E) District, Transfer of Development Rights Sending (TDR-S) Overlay Zone, and Historic Residential-1 (HR-1) District; to Recreation and Open (ROS) District; and consider forwarding a positive recommendation to the City Council based on the Findings of Fact and Conclusions of Law found in the draft ordinance.

Description

Applicant: Park City Municipal Corporation - Planning Dept.

Location: Sweeney Property Master Plan Mid-Station and Creole-Gulch Sites

Current Zoning: E / TDR-S and HR-1

Proposed Zoning: ROS

Adjacent Land Uses: Open Space and residential

Reason for Review: Zoning Map Amendments require Planning Commission review and City Council review and action

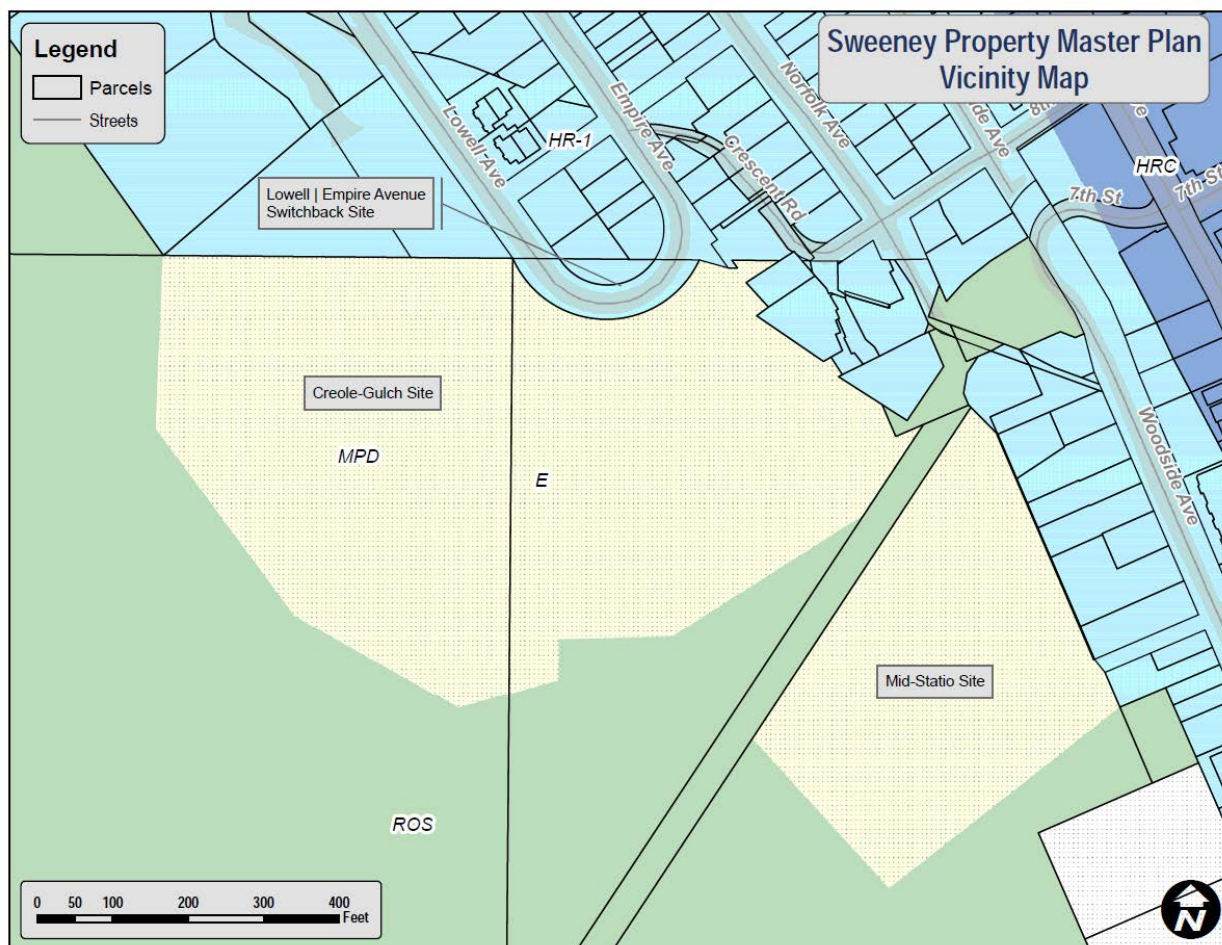
Background

On August 16, 2018, City Council voted unanimously to support a \$48M Treasure Hill and Armstrong/Snow Ranch Pasture open space bond, which presented Park City residents with the opportunity to make the final decision to permanently preserve and protect Treasure Hill and Armstrong/Snow Ranch Pasture from development. On November 6, 2018, Park City residents voted (77% for and 23% against) to pass the Treasure Hill and Armstrong/Snow Ranch Pasture open space bond. The land is to remain permanently preserved and protected from development. The purchase was contingent upon the November 2018 general obligation bond. The property transfer took place on March 19, 2019.

Analysis

The subject sites known as the SPMP Mid-Station and Creole Gulch sites are currently zoned Estate District and Transfer of Development Rights Sending (TDR-S) Overlay Zone. A small portion of the Lowell / Empire Avenue switchback area is zoned HR-1

District. See excerpt from the zoning map below:



In order to be consistent with the purchase, staff recommends that the site should be zoned ROS, as presented. The site is adjacent to the HR-1 District to the north and east. The site is adjacent to the ROS District to the south and west.

General Plan Compliance

Volume I of the General Plan contains goals, objectives, and strategies for each of the four (4) Core Values: Small Town, Natural Setting, Sense of Community, and Historic Character. The General Plan goals are copied below in *italics* below:

Small Town

- ***Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.***
Consistent.
- *Goal 2: Park City will emphasize and preserve our sense of place while collaborating with the Wasatch Back and Salt Lake County regions through regional land use and transportation planning. Not applicable.*
- *Goal 3: Park City will encourage alternative modes of transportation on a*

regional and local scale to maintain our small town character. Not applicable.

Natural Setting

- **Goal 4: Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting. Consistent.**
- *Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent (15%) below 2005 levels in 2020. Not applicable.*
- *Goal 6: Climate Adaptation: Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change. Not applicable.*

Sense of Community

- *Goal 7: Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents. Not applicable.*
- *Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City. Not applicable.*
- **Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors. Consistent.**
- *Goal 10: Park City will provide world-class recreation and public infrastructure to host local, regional, national, and international events that further Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community. Not applicable.*
- **Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience. Consistent.**
- *Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City. Not applicable.*
- *Goal 13: Arts & Culture: Park City will continue to grow as an arts and culture hub encouraging creative expression. Not applicable.*
- **Goal 14: Living within Limits: The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region. Consistent**

Historic Character

- *Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations. Not applicable.*
- *Goal 16: Maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors. Not applicable.*

Process

The adoption of an ordinance codifying the proposed Zoning Map Amendment by the City Council constitutes Final Action that may be appealed following the procedures found in Land Management Code § 15-1-18.

Department Review

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

Notice

On May 29, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on May 28, 2019, according to requirements of the LMC.

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council; or
- The Planning Commission may forward a negative recommendation to the City Council; or
- The Planning Commission may continue the discussion.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The zoning designation would remain as is.

Exhibits

Exhibit A – Zoning Map Amendment Draft Ordinance

Exhibit B – SPMP Mid-State & Creole-Gulch Site Zoning Exhibit-Proposed

Exhibit C – Current Zoning Map

Exhibit A: Zoning Map Amendment Draft Ordinance

Ordinance No. 2019-XX

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FROM ESTATE (E) DISTRICT, TRANSFER OF DEVELOPMENT RIGHTS SENDING (TDR-S) OVERLAY ZONE, AND HISTORIC RESIDENTIAL-1 (HR-1) DISTRICT TO RECREATION AND OPEN SPACE (ROS) WITHIN THE SWEENEY PROPERTIES MASTER PLAN MID-STATION AND CREOLE-GULCH SITES AKA TREASURE HILL, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Sweeney Properties Master Plan (SPMP) Mid-Station and Creole-Gulch sites has petitioned the City Council for approval of a Zoning Map Amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on June 12, 2019, to receive input on Zoning Map Amendment; and

WHEREAS, the Planning Commission, on June 12, 2019, forwarded a recommendation to the City Council; and,

WHEREAS, on July 11, 2019, the City Council held a public hearing to receive input on the Zoning Map Amendment; and

WHEREAS, the proposed zoning map amendment is consistent with the following purposes of the Utah Municipal Land Use, Development, and Management Act (LUDMA) section 10-9a-102. Purposes -- General land use authority.

1) The purposes of this chapter are to:

- a. provide for the health, safety, and welfare;
- b. promote the prosperity;
- c. improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
- d. protect the tax base;
- e. secure economy in governmental expenditures;
- f. foster the state's agricultural and other industries;
- g. protect both urban and nonurban development;
- h. protect and ensure access to sunlight for solar energy devices;
- i. provide fundamental fairness in land use regulation;
- j. facilitate orderly growth and allow growth in a variety of housing types; and
- k. protect property values..

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

SECTION 1. APPROVAL. Zoning Map Amendment from Estate (E) District, Transfer of Development Rights Sending (TDR-S) Overlay Zone, and Historic Residential-1 (HR-1) District to Recreation and Open Space (ROS) District is approved subject to the following Findings of Facts and Conclusions of Law:

Findings of Fact

1. The property is located known as the Mid-Station and Creole Gulch sites of the Sweeney Properties Master Plan (SPMP).
2. The property is also known as Treasure or Treasure Hill.
3. The sites are currently zoned Estate District.
4. A small portion of the Lowell / Empire Avenue switchback area is zoned HR-1 District.
5. The site is vacant.
6. On August 16, 2018, City Council voted unanimously to support a \$48M Treasure Hill and Armstrong/Snow Ranch Pasture open space bond.
7. On November 6, 2018, Park City residents voted (77% for and 23% against) to pass the Treasure Hill and Armstrong/Snow Ranch Pasture open space bond.
8. The land is to remain permanently preserved and protected from development.
9. In order for the site to be consistent with the purchase the site should be zoned ROS.
10. The site is adjacent to the HR-1 District to the north and east.
11. The site is adjacent to the ROS District to the south and west.
12. The requested Zoning Map Amendment from HR-1 / E to ROS is appropriate.
13. The proposed Zoning Map Amendment is consistent with the following Park City General Plan goals:
 - a. Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.
 - b. Goal 4: Open Space: Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting.
 - c. Goal 9: Parks & Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.
 - d. Goal 11: Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.
 - e. Goal 14: Living within Limits: The future of the City includes limits (ecological, qualitative, and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

Conclusions of Law:

1. There is Good Cause for this Zoning Map Amendment.
2. The Zoning Map Amendment request is consistent with the Park City General

Plan and the Park City Land Management Code.

3. The Zoning Map Amendment is consistent with applicable State law.
4. The zone amendment further the purposes UCA § 10-9a-102(1) .
5. Approval of the Zoning Map Amendment is necessary or appropriate for the protection of open space consistent with UCA § 10-9a-102(2)(c),

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of July, 2019.

PARK CITY MUNICIPAL CORPORATION

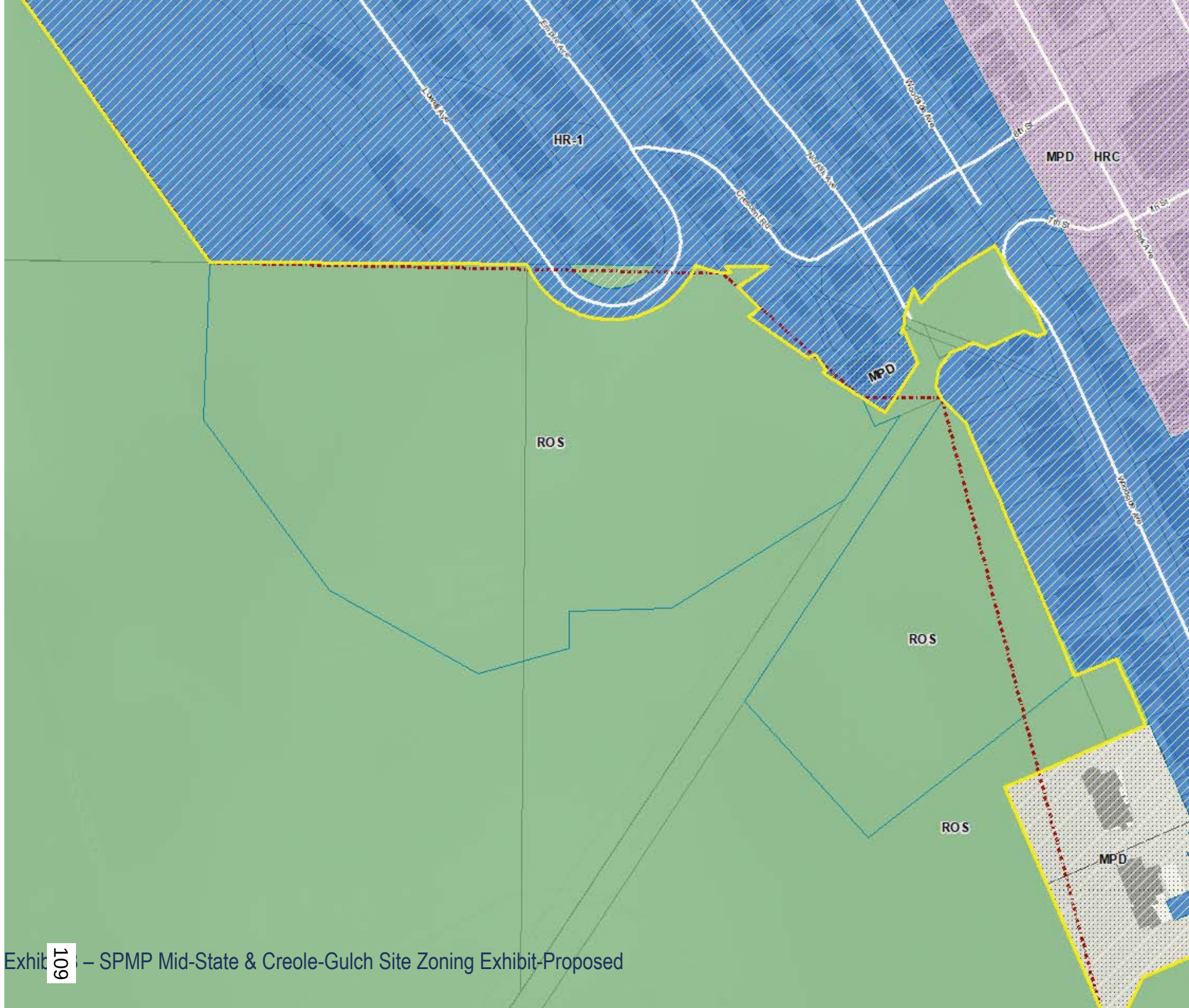
Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

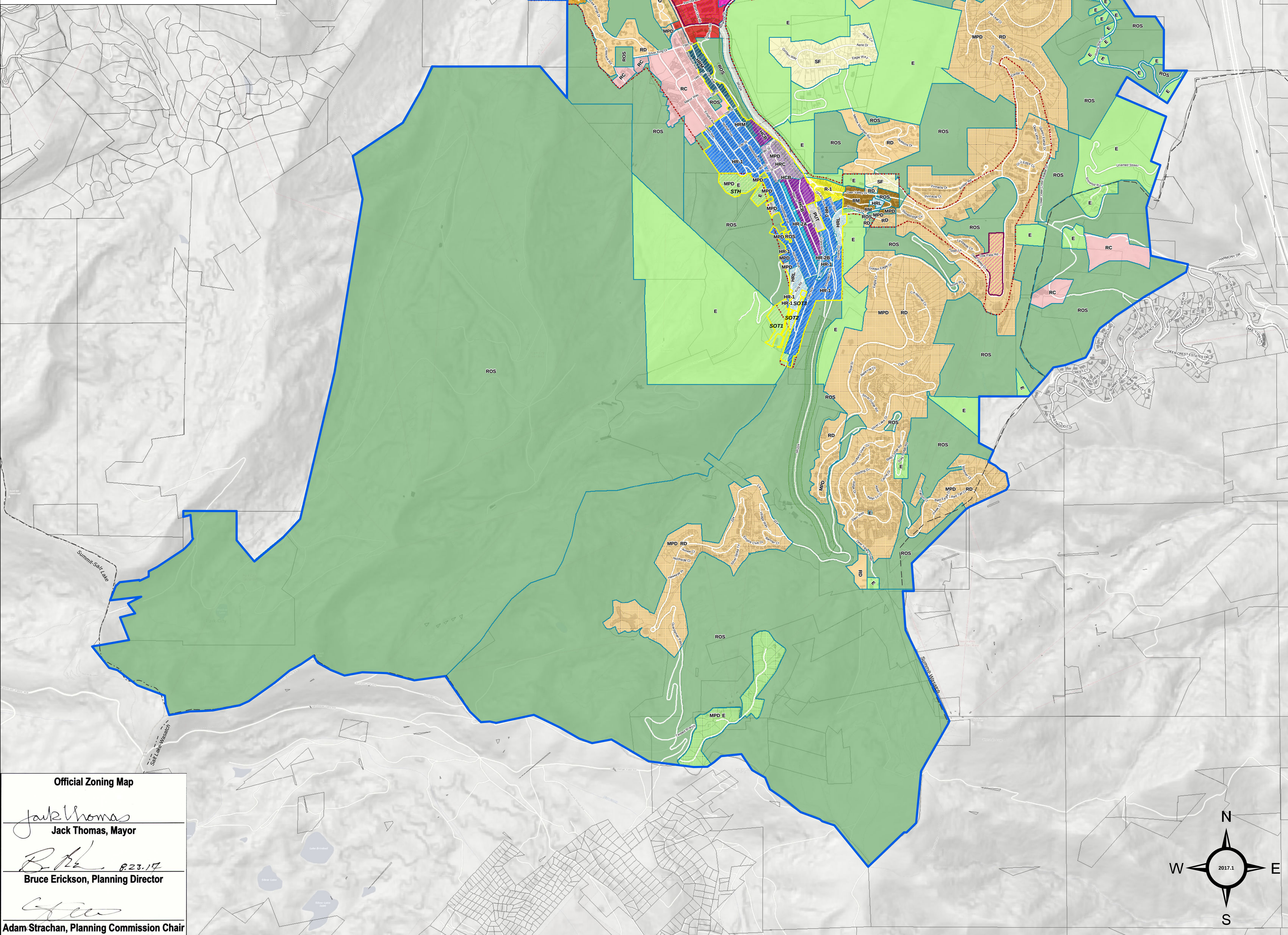
APPROVED AS TO FORM:

Mark Harrington, City Attorney



Legend

- Park City Limits
- County Boundaries
- Sending Zones
- Receiving Zones
- Sensitive Lands (SLO)
- Frontage Protection Zone (FPZ)
- Entry Corridor Protection (ECP)
- Master Planned Development (MPD)
- Regional Commercial (RCO)
- Community Transition (CT)
- Estate (E)
- General Commercial (GC)
- Historic Commercial Business (HCB)
- Historic Residential (HR-1)
- Historic Residential (HR-2A)
- Historic Residential (HR-2B)
- Historic Recreation Commercial (HRC)
- Historic Residential - Low Density (HRL)
- Historic Res. - Medium Density (HRM)
- Light Industrial (LI)
- Protected Open Space (POS)
- Public Use Transition (PUT)
- Residential (R-1)
- Recreation Commercial (RC)
- Residential Development (RD)
- Residential Dev. - Medium Density (RD-M)
- Residential - Medium Density (RM)
- Recreational Open Space (ROS)
- Single Family (SF)
- Parcels



Planning Commission Staff Report



Subject: Woodside Park Affordable Housing
Project Phase I - Modification
Project #: PL-19-04219
Author: Hannah M. Tyler, AICP – Senior Planner
Date: June 12, 2019
Type of Item: Administrative – Master Planned Development Modification
PLANNING DEPARTMENT

Summary Recommendations

Staff recommends that the Planning Commission review the submitted Master Planned Development Modification to remove Condition of Approval #7, hold a public hearing, consider approving the application based on the findings of fact, conclusions of law, and conditions of approval.

Description

Applicant: Park City Municipal Corporation, Represented by Jason Glidden, Housing Development Manager
Location: 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue
Zoning District: Historic Residential-Medium Density (HR-M) Zoning District
Adjacent Land Uses: Single-Family, Multi-Family, Municipal Uses
Reason for Review: Master Planned Development Applications are reviewed and approved by the Planning Commission

Disclosure: Park City Municipal Corporation owns the subject property.

Proposal

The applicant is requesting to remove Condition of Approval #7 from the previously approved Master Planned Development (MPD) which states:

7. An e-bike location should be located somewhere on this site.

The reason for the request to remove this Condition of Approval is that there will be a Summit Bike Share station installed at City Park and there is limited space within the existing Public Access Easement for Woodside Park Phase I. The Transportation Planning Department has provided comments and they find that the proximity of the new Summit Bike Share station in City Park is sufficient to satisfy the need within this area for a public electric bike (e-bike) station.

Background

On August 23, 2017, the Planning Commission approved the Woodside Park Phase I Master Planned Development ([Staff Report](#), page 332 and [Minutes](#), page 27). The project is currently under construction. Phase I of the Woodside Park Affordable Housing Project is located between Woodside Avenue and Park Avenue and the scope includes:

- Demolition of the former Park Avenue Fire Station
- Four (4) Single-Family Dwellings
- An eight-unit (8-unit) Multi-Unit Dwelling
- A Thirteen-car (13-car) Parking Lot
- An Access Easement running east-west.

The proposed MPD Modification application was deemed complete on May 10, 2019.

Analysis

The purpose of the Master Planned Development application public meeting is to have the applicant present their application proposal and give the public and Planning Commission an opportunity to evaluate the proposal in accordance with the applicable code criteria outlined in [LMC § 15-6-5](#). Staff has provided analysis of the applicable criteria based on the proposed modification. Due to the limited scope of the proposal, some criteria are not applicable.

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

Not Applicable. There is no increase in Density proposed.

- B. Maximum Allowed Building Footprint for Master Planned Developments within the HR-1 and HR-2 Districts.**

Not applicable. The site is not located in the HR-1 or HR-2 District. The proposed MPD is located in the HRM Zoning District.

- C. Setbacks.**

1. The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre or larger in size. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') for MPD applications one (1) acre or larger to the zone required Setback if it is necessary to provide desired architectural interest and variation.
2. For parcels less than one (1) acre in size and located inside the HRM, HR-1, HR-2, HR-L, HRC, and HCB, Districts, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.
3. For parcels less than one (1) acre in size and located outside of the HRM, HR-1, HR-2, HR-L, HRC, and HCB, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning Commission and shall be no less than the zone required Setback.

4. In all MPDs, for either the perimeter setbacks or the setbacks within the project, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements.
5. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D).

Not Applicable. There is no impact to the previously approved Minimum Setback requirements. The approved Minimum Setbacks are listed below.

Required:	Proposed:			Permitted:
	Lot 1	Lot 2	Lot 3	
Front Yard Setbacks by Use – feet (ft.) Front Yard Setbacks by Use – feet (ft.)/inches (in.)	Single-Family Dwellings (Park Avenue) 11 ft. Multi-Unit Dwelling (Woodside Avenue) 20 ft. Parking Lot (Woodside Avenue) 15 ft. – 12 ft. 8 in. (south to north)	Single-Family Dwelling (Park Avenue) 25 ft.	Single-Family Dwelling (Woodside Avenue) 11 ft.	Single-Family 15 ft. <i>or</i> if the Lot depth is 75 ft. or less, then the minimum Front Yard 10 ft. complies Multi-Family Dwelling 20 ft.; complies Parking Lot 15 ft. – 12 ft. 8 in.; complies
Rear Yard Setbacks – feet (ft.)	Parking Lot (Woodside Avenue) 10 ft.	Single-Family Dwelling (Park Avenue) 10 ft.	Single-Family Dwelling (Woodside Avenue) 10 ft.	Single-Family 10 ft.; complies Parking Lot 10 ft.; complies
Side Yard Setbacks– feet (ft.)	Single-Family Dwellings (Park Avenue) 5 ft. (north) and 19 ft. (north) Multi-Unit Dwelling (Woodside Avenue) 18 ft. Parking Lot (Woodside Avenue) 10 ft.	Single-Family Dwelling (Park Avenue) 5 ft. (south and north)	Single-Family Dwelling (Woodside Avenue)) 5 ft. (south and north)	Single-Family 5 ft.; complies Multi-Family Dwelling 10 ft.; complies Parking Lot 10 ft. complies

- D. Open Space.** All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15.

For Applications proposing the redevelopment of existing Developments, the Planning Commission may reduce the required open space to thirty percent (30%) in exchange for project enhancements in excess of those otherwise required by the Land Management Code that may directly advance policies reflected in the applicable General Plan sections or more specific Area plans. Such project enhancements may include, but are not limited to, Affordable Housing, greater landscaping buffers along public ways and public/private pedestrian Areas that provide a public benefit, increased landscape material sizes, public transit improvement, public pedestrian plazas, pedestrian way/trail linkages, Public Art, and rehabilitation of Historic Structures.

Complies. The proposed removal of Condition of Approval #7 will have no impact on the approved Open Space reduction. The MPD was approved with 52.41% Open Space which equates to 14,119 square feet. The removal of an e-bike station has no impact on the Open Space calculation.

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

Complies. The total required Parking Spaces of the entire project is 14 Parking Spaces. The total number of Parking Spaces provided by the project is 15 Parking Spaces. The MPD is providing one (1) additional Parking Space in excess of what is required by the Land Management Code. Per [LMC 15-3-9 Bicycle Parking Requirements](#), the Multi-Unit Dwelling must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The applicant is proposing to provide five (5) Bicycle Parking Spaces. The five (5) Bicycle Parking Spaces will not be impacted as these will be accommodated by a bike rack – this is separate from a potential e-bike station on site.

- F. Building Height.** The Building Height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis and determination. Height exceptions will not be granted for Master Planned Developments within the HR-1, HR-2, HRC, and HCB Zoning Districts. The Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made.

Not Applicable. No impact to Building Height of approved Structures.

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

1. Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.
2. Projects shall be designed to minimize Grading and the need for large retaining Structures.
3. Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.
4. Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.
5. Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.
6. The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.
7. It is important to plan for trash storage and collection and recycling facilities. The Site plan shall include adequate Areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests. [...]
8. The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.
9. Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

Complies. Below, Staff has provided analysis for the each applicable criterion listed above that is impacted by the removal of Condition of Approval #7 – the criterion not addressed are not applicable:

(...)

4. The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops to Woodside Avenue, eventually creating a pedestrian thoroughfare to Park City Mountain Resort after Phase II is completed. This access easement will provide an important link to future development and improve existing pedestrian/bicycle circulation in the Lower Park Avenue core. Sidewalks external and internal to the site provide pedestrian connectivity. The removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired transportation modes (other bikes, pedestrians, etc.).
5. The architect has provided snow storage areas in accordance with the requirements of the LMC for the Access Easement, internal sidewalks, and Parking Lot. Specific square footage calculations have been provided on sheet MPD-004 where required by the LMC. The removal of Condition of Approval #7 will not impact the snow storage areas adjacent to the Access Easement.

H. Landscape and Street Scope. A complete landscape plan must be submitted with the MPD application. The landscape plan shall comply with all criteria and requirements of LMC Section 15-5-5(M) Landscaping.

Complies. A landscape plan has been submitted, see sheet MPD-L200. The removal of Condition of Approval #7 will not impact the landscape plan as the e-bike station was not included in the approved landscape plan.

I. Sensitive Lands Compliance. All MPD Applications containing any Area within the Sensitive Areas Overlay Zone will be required to conduct a Sensitive Lands Analysis and conform to the Sensitive Lands Provisions, as described in LMC Section 15-2.21.

Not Applicable. The site is not located within the Sensitive Lands Overlay District.

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

Not applicable. None of the buildings will be impacted by the removal of Condition of Approval #7; therefore, the Affordable Housing calculation will not be impacted. Eleven (11) of the twelve (12) units are deed-restricted Affordable Housing units.

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

Not applicable. The removal of Condition of Approval #7 will have no impact on the Child Care requirement as the previous approval determined that because the proposed project was below the allowed Density, the project would not trigger a Child Care requirement due to the proximity to an existing child care facility, Park City Library and its adjacent park, City Park, as well as the Park City Mountain base area. None of these circumstances are impacted by the proposal.

- L. Mine Hazards.** All MPD applications shall include a map and list of all known Physical Mine Hazards on the property and a mine hazard mitigation plan.

Not Applicable. There are no known Physical Mine Hazards on the property.

- M. Historic Mine Waste Mitigation.** For known historic mine waste located on the property, a soil remediation mitigation plan must be prepared indicating areas of hazardous soils and proposed methods of remediation and/or removal subject to the Park City Soils Boundary Ordinance requirements and regulations. See Title Eleven Chapter Fifteen of the Park City Municipal Code for additional requirements.

Not Applicable. There are no known Physical Mine Hazards on the property. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance which is standard for all Development and is Condition of Approval #5 of the Plat Amendment.

- N. General Plan Review.** All MPD applications shall be reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

Complies. Staff finds that the proposed MPD fulfills the following Goals, Objectives, and/or Implantation Strategies of the General Plan and that removal of Condition of Approval #7 has little to no impact on the projects overall consistency with the goals and objectives of the Park City General Plan:

- [Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small town character](#), page 42.
 - Objective 3A, page 43.
 - Community Planning Strategies 3.1, 3.2, 3.3, 3.4, 3.5, page 44.
 - City Implementation Strategies 3.7, 3.11, 3.12, 3.15, page 45.
- [Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least 15% below 2005 levels in 2020](#), page 56.

- Objectives 5A, 5B, 5C, page 57.
- Community Planning Strategies 5.1, 5.2, 5.6, 5.8, page 58.
- City Implementation Strategies 5.15, 5.17, 5.20, 5.24, page 59.
- [Goal 7: Life Cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents](#), page 70.
 - Objectives 7A, 7B, page 71.
 - Community Planning Objectives 7.1, 7.1.3, page 72.
 - City Implementation Strategies 7.7, page 73.
- [Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the workforce of Park City](#), page 74.
 - Objectives 8A, 8B, 8C, page 74.
 - Community Planning Strategies 8.1, 8.2, 8.8, page 76.
 - City Implementation Strategies 8.11, 8.15, 8.17, page 77.
- [Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations](#), page 106.
 - Objectives 15A, 15B, 15E, page 107.
 - Community Planning Strategy 15.7, page 108.
 - City Implementation Strategies 15.16, page 109.

O. Historic Sites. All MPD Applications shall include a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report, as further described on the MPD application. The Historic Structures Report shall be prepared by a Qualified Historic Preservation Professional.

Not Applicable. The removal of Condition of Approval #7 will have no impact on the Historic Structures located within the project boundary.

Notice

On May 29, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 27, 2019 according to requirements of the Land Management Code.

Public Input

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

Summary Recommendations

Staff recommends that the Planning Commission review the submitted Master Planned Development Modification to remove Condition of Approval #7, hold a public hearing, and consider approving the modification according to the Findings of Fact, Conclusion of Law and Conditions of Approval as outlined below

Findings of Fact:

1. The proposed site location consists of 1333 Park Avenue (“Significant” Single-Family Dwelling), 1353 Park Avenue (the former Park Avenue Fire Station parcel), and 1364 Woodside Avenue (vacant lot)
2. The site is known as the Woodside Park Affordable Housing Project Phase I.
3. On August 23, 2017, the Planning Commission approved the Woodside Park Phase I Master Planned Development ([Staff Report](#), page 332 and [Minutes](#), page 27).
4. The project is currently under construction. Phase I of the Woodside Park Affordable Housing Project is located between Woodside Avenue and Park Avenue and the scope includes:
 - Demolition of the former Park Avenue Fire Station
 - Four (4) Single-Family Dwellings
 - An eight-unit (8-unit) Multi-Unit Dwelling
 - A Thirteen-car (13-car) Parking Lot
 - An Access Easement running east-west.
5. The proposed MPD Modification application to remove Condition of Approval #7 was deemed complete on May 10, 2019.
6. Land Management Code (LMC) § 15-6-5(A) Density is not applicable as there is no increase in Density proposed.
7. Land Management Code (LMC) § 15-6-5(B) Building Footprint is not applicable as the site is not located in the HR-1 or HR-2 District. The proposed MPD is located in the HR-M Zoning District.
8. Land Management Code (LMC) § 15-6-5(C) Setbacks is not applicable as there is no impact to the previously approved Minimum Setback requirements.
9. The proposal complies with Land Management Code (LMC) § 15-6-5(D) Open Space as the proposed removal of Condition of Approval #7 will have no impact on the approved Open Space Reduction. The MPD was approved with 52.41% Open Space which equates to 14,119 square feet. The removal of a e-bike station has no impact on the Open Space calculation.
10. The proposal complies with Land Management Code (LMC) § 15-6-5(E) Off-Street Parking as the total required Parking Spaces of the entire project is 14 Parking Spaces. The total number of Parking Spaces provided by the project is 15 Parking Spaces. The proposed MPD is providing one (1) additional Parking Space in excess of what is required by the Land Management Code. Per [LMC 15-3-9 Bicycle Parking Requirements](#), the Multi-Unit Dwelling must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The applicant is proposing to provide five (5) Bicycle Parking Spaces. The five (5) Bicycle Parking Spaces will not be impacted as these will be accommodated by a bike rack – this is separate from a potential e-bike station on site.
11. Land Management Code (LMC) § 15-6-5(F) Building Height is not applicable as no impact to Building Height of approved Structures.
12. The proposal complies with applicable sections of Land Management Code (LMC) § 15-6-5(G) Site Planning, specifically criterion § 15-6-5(G)(4) and § 15-6-5(G)(5) as detailed below. The remaining criterion set forth under § 15-6-5(G) are not applicable:

- (4.)The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops to Woodside Avenue, eventually creating a pedestrian thoroughfare to Park City Mountain Resort after Phase II is completed. This access easement will provide an important link to future development and improve existing pedestrian/bicycle circulation in the Lower Park Avenue core. Sidewalks external and internal to the site provide pedestrian connectivity. The removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired transportation modes (other bikes, pedestrians, etc.).
- (5.)The architect has provided snow storage areas in accordance with the requirements of the LMC for the Access Easement, internal sidewalks, and Parking Lot. Specific square footage calculations have been provided on sheet MPD-004 where required by the LMC. The removal of Condition of Approval #7 will not impact the snow storage areas adjacent to the Access Easement.
13. The proposal complies with Land Management Code (LMC) § 15-6-5(H) Landscape and Street Scape as a landscape plan has been submitted, see sheet MPD-L200. The removal of Condition of Approval #7 will not impact the landscape plan as the e-bike station was not included in the approved landscape plan.
14. Land Management Code (LMC) § 15-6-5(I) Sensitive Lands Compliance is not applicable as the site is not located within the Sensitive Lands Overlay District.
15. Land Management Code (LMC) § 15-6-5(J) Employee/Affordable Housing is not applicable as none of the buildings will be impacted by the removal of Condition of Approval #7; therefore, the Affordable Housing calculation will not be impacted. Eleven (11) of the twelve (12) units are deed-restricted Affordable Housing units.
16. Land Management Code (LMC) § 15-6-5(K) Child Care is not applicable as the removal of Condition of Approval #7 will have no impact on the Child Care requirement as the previous approval determined that because the proposed project was below the allowed Density, the project would not trigger a Child Care requirement due to the proximity to an existing child care facility, Park City Library and its adjacent park, City Park, as well as the Park City Mountain base area. None of these circumstances are impacted by the proposal.
17. Land Management Code (LMC) § 15-6-5(L) Mine Hazards is not applicable as there are no known Physical Mine Hazards on the property.
18. Land Management Code (LMC) § 15-6-5(M) Historic Mine Waste Mitigation is not applicable as there are no known Physical Mine Hazards on the property. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance which is standard for all Development and is Condition of Approval #5 of the Plat Amendment.
19. The proposal complies with Land Management Code (LMC) § 15-6-5(N) General Plan Review as the proposed MPD fulfills the following Goals 3, 5, 7, 8, 15 of the General Plan and the applicable Objectives and/or Implantation Strategies of each as further described in the Analysis section of this report.

20. Land Management Code (LMC) § 15-6-5(O) Historic Sites is not applicable as removal of Condition of Approval #7 will have no impact on the Historic Structures located within the project boundary.
21. On May 29, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 27, 2017 according to requirements of the Land Management Code.
22. The analysis section of the staff report is hereby incorporated herein.

Conclusions of Law:

1. The MPD, as amended and conditioned, complies with all the requirements of the Land Management Code;
2. The MPD, as amended and conditioned, meets the minimum requirements of Section 15-6-5 herein;
3. The MPD, as amended and conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
4. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
5. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
6. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
7. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
8. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
9. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
10. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
11. The MPD has been noticed and public hearing held in accordance with this Code.
12. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
13. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
14. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
15. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditions of Approval:

1. All Conditions of Approval of the Master Planned Development approved on August 23, 2017 shall still apply, except Condition of Approval #7.
2. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting, trash/recycling enclosures, mechanical equipment, etc.
3. A conditional use permit is required for the Multi-Unit Dwelling and Parking Area of five (5) or more spaces prior to issuance of a building permit.
4. An amended development agreement as described in LMC Section 15-6-4(G) shall be ratified by the Planning Commission within 6 months of this approval and prior to issuance of a building permit for the project.
5. All vehicle access to the site shall be off of Woodside Avenue.
6. Required Parking Space allocation by a parking pass system shall be established in the CC&Rs.
7. The east-west Public Easement as shown on the Woodside Park Subdivision – Phase I shall be maintained by Park City Municipal Corporation.
8. Informational and directional signs shall be installed at the entrance of the east-west Public Easement as shown on the Woodside Park Subdivision – Phase I on Woodside Avenue and Park Avenue prior to the issuance of the final Certificate of Occupancy for the active Building Permits within the project boundary.

Exhibits

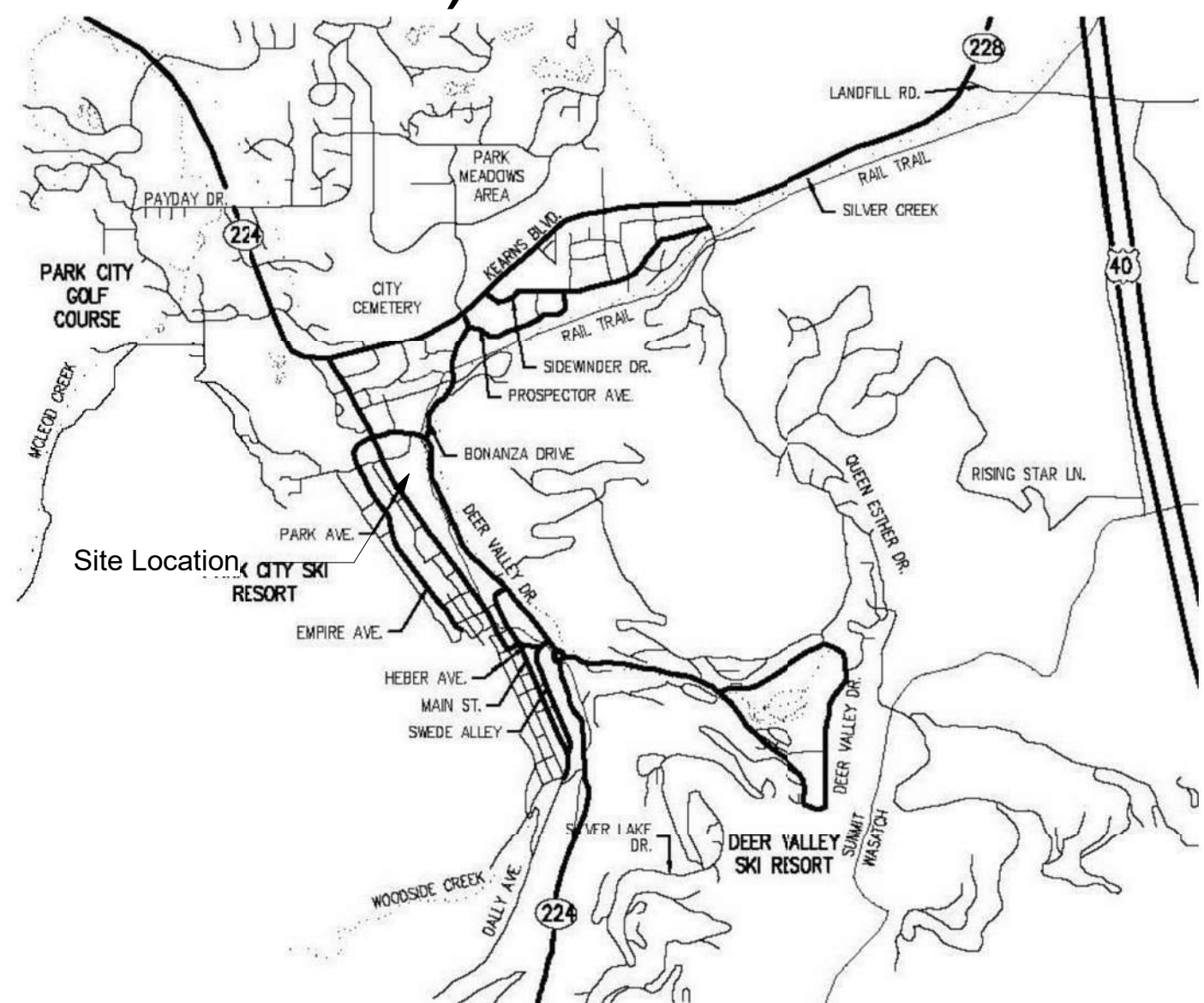
- Exhibit A: Woodside Park Affordable Housing Project Phase I Plans
Exhibit B: Applicant Written Statement
Exhibit C: Ratified Development Agreement

Exhibit A:
MPD Plans approved by Planning
Commission on August 23, 2017

Woodside Park

1353 Park Ave
Park City, Utah
Master Planned Development

January 26th, 2017 (Rev.
05/04/2017)



PROJECT CONTACT INFORMATION

OWNER	ARCHITECT	BUILDER
Park City Municipal Corporation 445 Marsac Avenue, P.O.Box 1480 Park City, UT 84060	EWG Architecture 449 Main Street, P.O. Box 3419 Park City, UT 84060 435-649-0092 Contact: Steve Bruemmer, AIA	
CIVIL ENGINEER	INTERIOR DESIGN	LANDSCAPE ARCHITECTURE
Alliance Engineering 323 Main Street, P.O. Box 2664 Park City, UT 84060 435-649-9467 Contact: Michael Demkowicz		EWG Architecture 449 Main Street, P.O. Box 3419 Park City, UT 84060 435-649-0092 Contact: Sid Ostergaard
STRUCTURAL ENGINEER	PLUMBING ENGINEER MECHANICAL ENGINEER	ELECTRICAL ENGINEER

SERVICE CONTACTS

Rocky Mountain Power 201 South Main St, Suite 2300 Salt Lake City, UT 84111 (866) 870-3419	Qwest Phone Company Salt Lake City, UT (800) 922-7387
Park City School District 2700 Kearns Blvd Park City, UT 84060 (435) 645-5600	Park City Fire Department 730 Bitner Rd Park City, UT 84098 (435) 649-6706
Park City Municipal Corp 1354 Park Ave Park City, UT 84060 (435) 658-9471	Comcast Cable 1777 Sun Peak Dr. #105 Park City, UT 84098 (435) 649-4020
Questar Gas P.O. Box 45360 Salt Lake City, UT 84145 (800) 541-2824	Division of Water Quality 288 South 1460 East Salt Lake City, UT 84112 (801) 538-6146
Snyderville Post Office 6440 Hwy 224 Park City, UT 84098 (800) 275-8777	Snyderville Basin Water Reclamation District 2800 Homestead Rd Park City, UT 84098 (435) 649-7993

DRAWING INDEX

MPD		
MPD-001	COVER SHEET	
1 of 1	SURVEY	
MPD-003	EXISTING SITE PLAN	
MPD-004	PROPOSED SITE PLAN	
MPD-005	PROPOSED ROOF PLAN	
MPD-006	SITE SUITABILITY	
MPD-007	OPEN SPACE AREA PLAN	
MPD-008	AREA PLAN	
MPD-009	CONTEXTUAL ANALYSIS	
MPD-010	CONTEXTUAL ANALYSIS	
MPD-011	CONTEXTUAL ANALYSIS	
MPD-012	CONTEXTUAL ANALYSIS	
MPD-013	CONTEXTUAL ANALYSIS	
MPD-014	CONTEXTUAL ANALYSIS	
MPD-015	SITE SECTION ANALYSIS	
1 of 2	UTILITY PLAN	
2 of 2	STORMWATER MANAGEMENT PLAN	
L-100	LANDSCAPE PLAN	
L-200	LANDSCAPE PLAN	

BUILDING DESCRIPTION

The proposed project consist of combining the existing non-historic fire station lot at 1353 Park Avenue with the 1364 Woodside Avenue lot (Sernyak Subdivision Lot 2) to accommodate a new development of five affordable housing residential units and open space.

The non-historic fire station at 1353 Park Avenue will be demolish (Per Demolition Permit) to accommodate the new residential units and the 1364 Woodside Avenue (Sernyak Subdivision Lot 2) will be use as parking area for them.

The relatively flat lot of the old fire station will accommodate one single family home located at the new 1343 Park Avenue parcel and four townhouse units with lockout units on the back at the new 1354 Woodside Avenue parcel.

All residential units consist of two levels with pitched and flat roofs under the hight requirements. The response of the statutory regulation, all new work or repair, replacement, rehabilitation or restoration shall be compliant. Design Guidelines intended to secure, compatibility with and provide for visual aesthetics complement to the character and function of the community shall be paramount to any proposed improvement. All design on these houses has been design to comply with the Design Guidelines regulations.

Master Planned Development
January 26th, 2017 (Rev. 05/04/2017)



Woodside Park

1353 Park Ave
Park City, Utah

COVER SHEET

MPD-001



SURVEYOR'S CERTIFICATE

I, Charles Quinn, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 24889, as prescribed under the laws of the State of Utah, further certify that by authority of the owner, I have made a survey of the tract of land into lots and parcels as shown on this plat, and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

PARCEL 1.
Beginning at a point which is North 54°01' East 300.00 feet and South 35°59' East 222.00 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the West line of the original lot of Roger South 54°01' West 150.00 feet; thence East along said line 91.55 feet; thence North 37°28' East 150.1 feet to the point of beginning.

PARCEL 2.
Beginning at a point which is South 54°01' West 329 feet and South 35°59' East 325.0 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the West line of the original lot of Roger South 54°01' West 150.00 feet; thence East along said line 91.55 feet; thence North 37°28' East 150.1 feet to the point of beginning.

PARCEL 3. SENYAK SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that _____, the undersigned owner of the herein described land, do hereby dedicate and consent to record the same as a subdivision of land, and do hereby certify that he/she has caused this Plat Amendment to be prepared, and does hereby consent to the recording of this Plat.

In witness whereof, the undersigned set his/her hand this _____ day of _____, 2017.

ACKNOWLEDGMENT

_____, Authorized Representative

State of _____
County of _____

On this _____ day of _____, 2017, _____, hereinafter approved before me, the undersigned Notary Public, in and for said state and county, being duly sworn, acknowledged to me that he/she is the authorized representative of _____, and that he/she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public

A Notary Public commissioned in _____

Printed Name _____

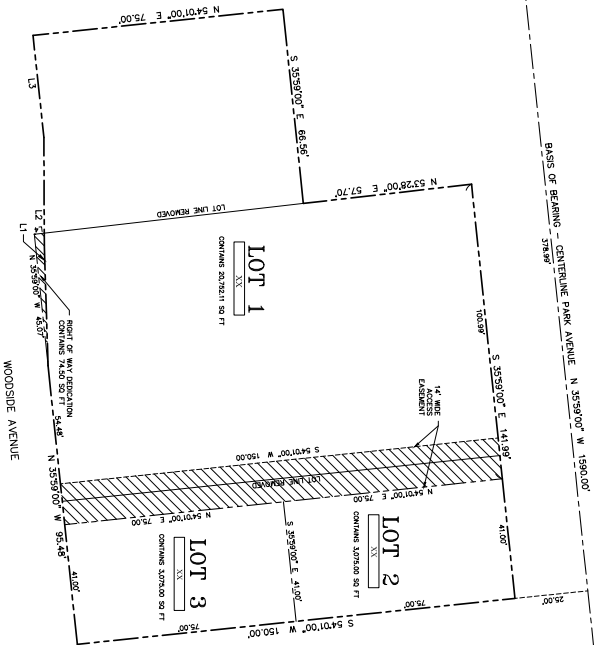
Residing in _____

My commission expires _____

NOTE

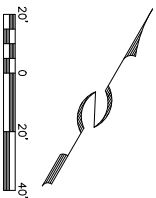
This subdivision is subject to the Conditions of Approval in Ordinance 2017-_____

LINE	BEARING	DISTANCE
1	N 54°01'00" E	46.27
2	S 35°59'00" W	34.89
3	N 54°01'00" E	34.89
4	N 53°28'00" E	34.83



WOODSIDE PARK SUBDIVISION-PHASE I

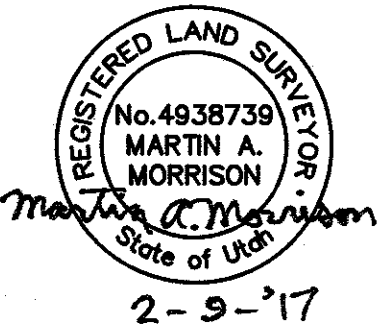
LOCATED IN THE NORTHWEST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 MAIN STREET P.O. BOX 2841 PARK CITY, UTAH 84002-2841		SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY _____ S.W.R.D.		PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR		ENGINEER'S CERTIFICATE AND THIS PLAT TO BE IN ACCORDANCE WITH THE RECLAMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER		APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY		COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR		CERTIFICATE OF ATTEST I CERTIFY THIS SUBDIVISION PLAT MAP AND RECORDING INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER		RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER	
--	--	---	--	---	--	---	--	--	--	--	--	---	--	---	--

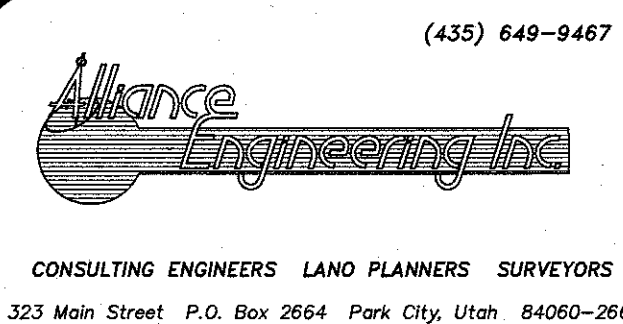
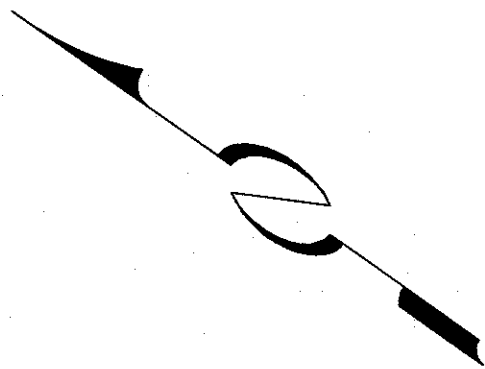
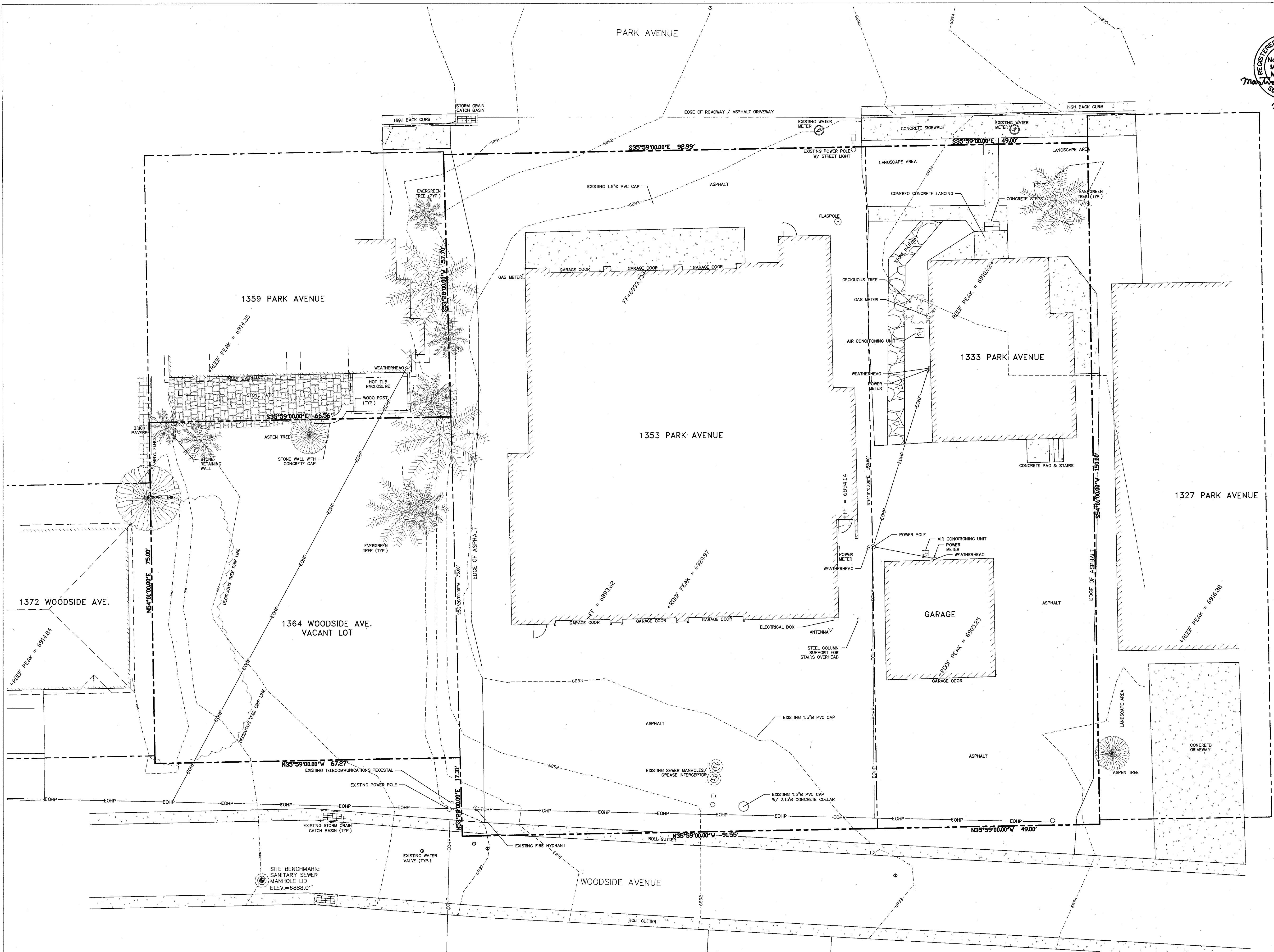
SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, do hereby certify that I am a registered land surveyor and that I hold certification no. 4938739 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made under my direction of the lands shown and described hereon. I further certify that this topographic survey is a correct representation of the land surveyed at the time the field work was completed and is in compliance with generally accepted industry standards for accuracy.



NOTES

1. Site Benchmark: Sanitary Sewer Manhole Lid
Elevation=6888.01'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on October 5, 2015, and October 20, 2016.
4. Property corners were not set or found as part of this survey. Alliance Engineering performed a Record of Survey on 1364 Woodside Avenue recorded as S-8845 on November 4, 2016 on file and of record with the Summit County Recorder's Office. This surveyor has not completed a boundary survey on the remaining parcels. Bearings and distances shown are per deed.



STAFF:
MICHAEL DEMKOWICZ
DEVIN EARL
CHIP TOMSUDEN
MARTIN MORRISON
CHARLES GALATI

DATE: 2/7/17

EXISTING CONDITIONS & TOPOGRAPHIC MAP

1333, 1353 PARK AVE. & 1364 WOODSIDE AVE.

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO.: 7-10-16

FILE: X:\SnydersAddition\dwg\srvtopo2016\071016 - Woodside Park.dwg

SHEET
1
OF
1



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 7248891, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land into lots and streets, together with easements, hereafter to be known as WOODSIDE PARK SUBDIVISION – PHASE I and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

PARCEL 1
Beginning at a point which is North 54°01' East 350.00 feet and South 35°59' East 222.00 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the Westerly right-of-way line of Park Avenue; running thence South 35°59' East along said right-of-way line 92.99 feet; thence South 54°01' West 150.00 feet; thence North 35°59' West 91.55 feet; thence North 53°28' East 150.1 feet to the point of beginning.

PARCEL 2
Beginning at a point which is South 54°01' West 329 feet and South 35°59' East 325.0 feet from the Northeast corner of Block 24, SNYDER'S ADDITION, Park City, Utah, and running thence South 35°59' East 39 feet; thence South 54°1' West 150 feet; thence North 35°59' West 49 feet, more or less, to a wooden fence; thence North 54°1' East along said wooden fence 150 feet; thence South 35°59' East 10 feet to the point of beginning.

PARCEL 3
All of Lot 2, SERNYAK SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that _____, the undersigned owner of the herein described tract of land, to be known hereafter as WOODSIDE PARK SUBDIVISION–PHASE I, does hereby certify that he/she has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his/her hand this _____ day, of _____, 2017.

ACKNOWLEDGMENT

_____, Authorized Representative

State of _____:
County of _____:

On this _____ day of _____, 2017, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that he/she is the authorized representative of _____ and that he/she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public
A Notary Public commissioned in _____

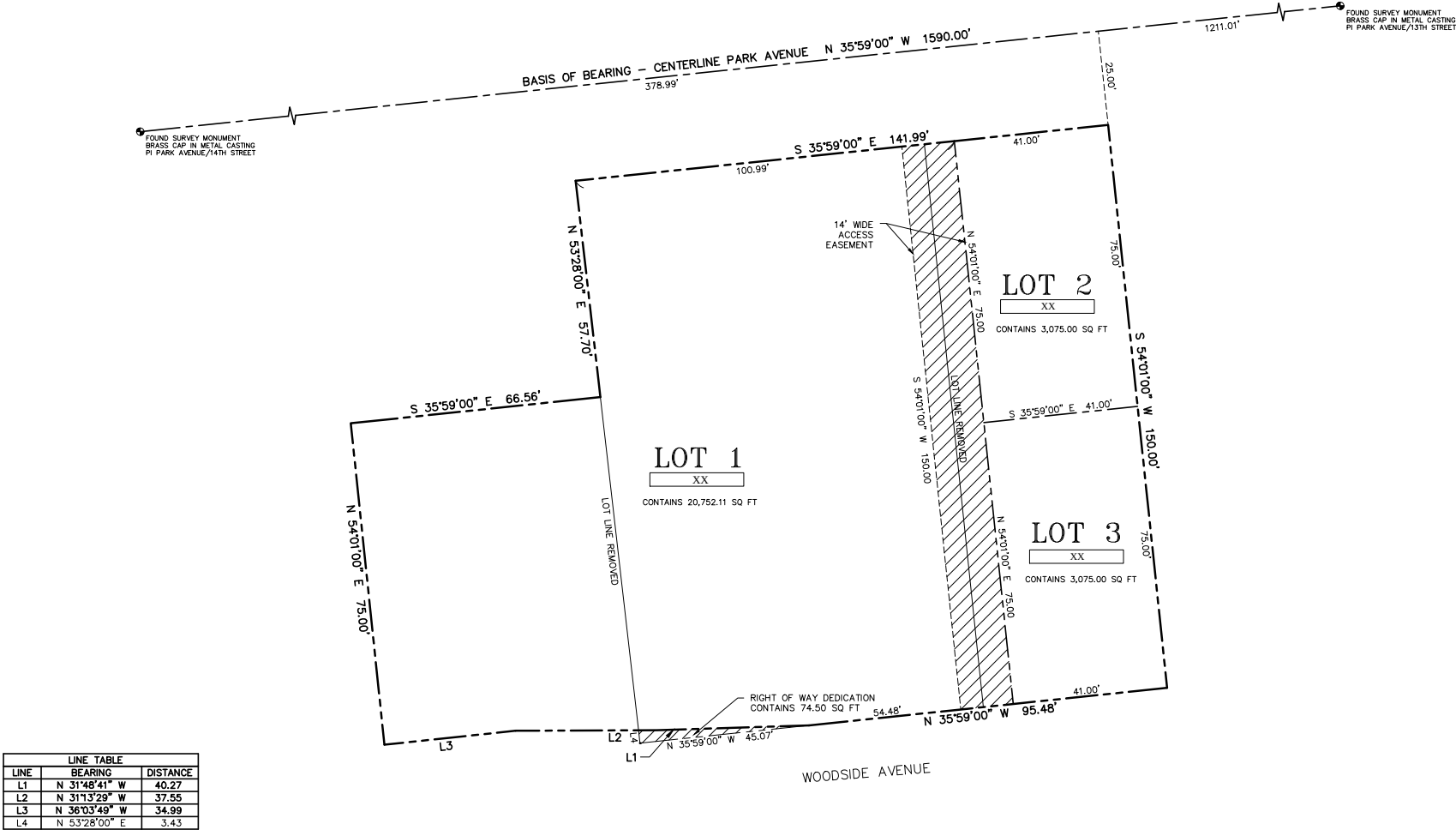
Printed Name

Residing in: _____

My commission expires: _____

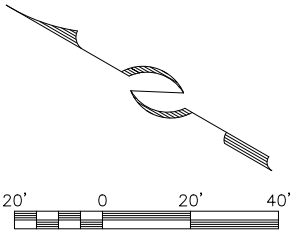
NOTE

This subdivision is subject to the Conditions of Approval in Ordinance 2017–_____.



WOODSIDE PARK SUBDIVISION–PHASE I

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



CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060–2664

(435) 649–9467

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____
DAY OF _____, 2017
BY _____
S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____
DAY OF _____, 2017
BY _____
CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____
DAY OF _____, 2017
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____
DAY OF _____, 2017
BY _____
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017
BY _____
MAYOR

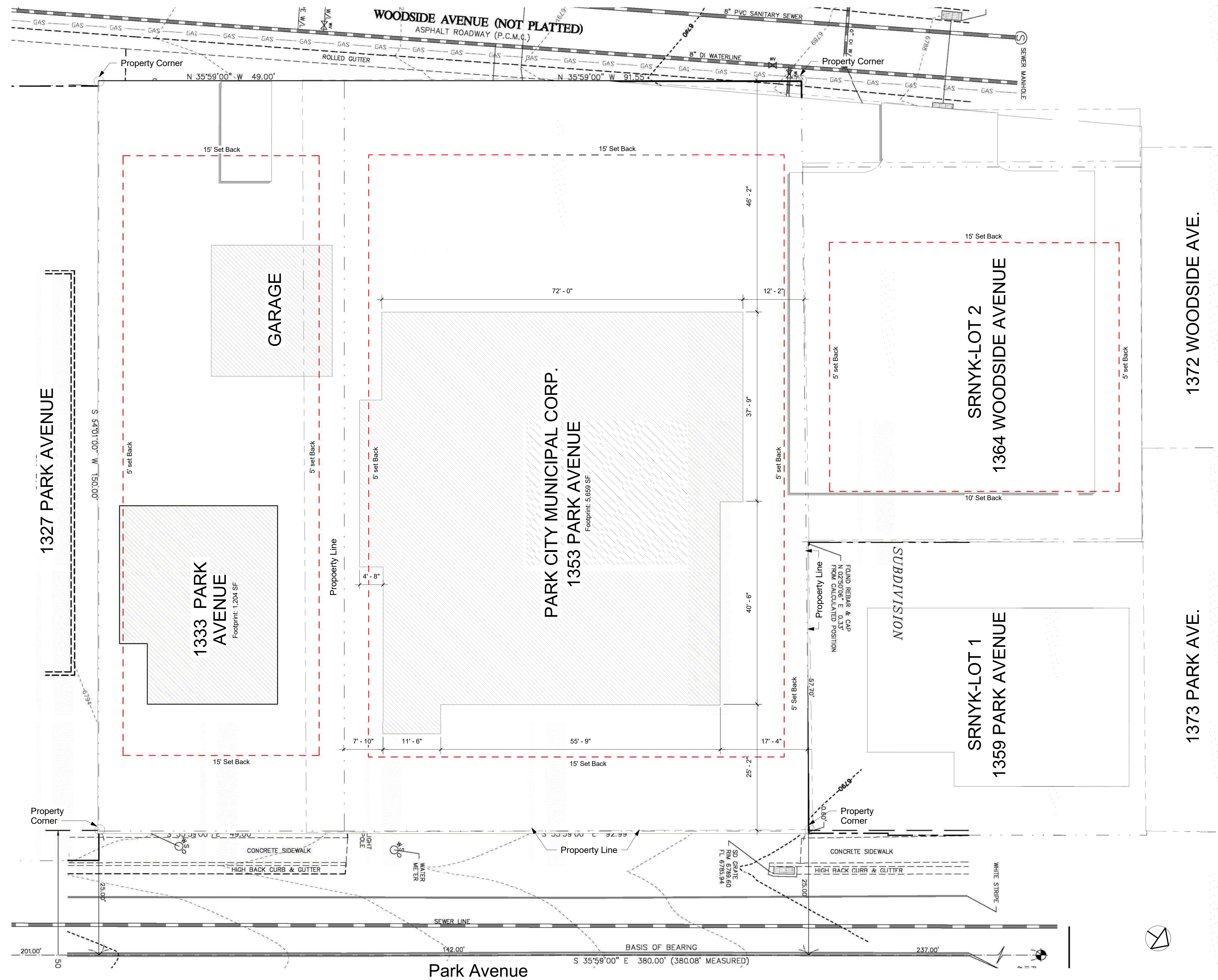
CERTIFICATE OF ATTEST

I CERTIFY THIS SUBDIVISION PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017
BY _____
PARK CITY RECORDER

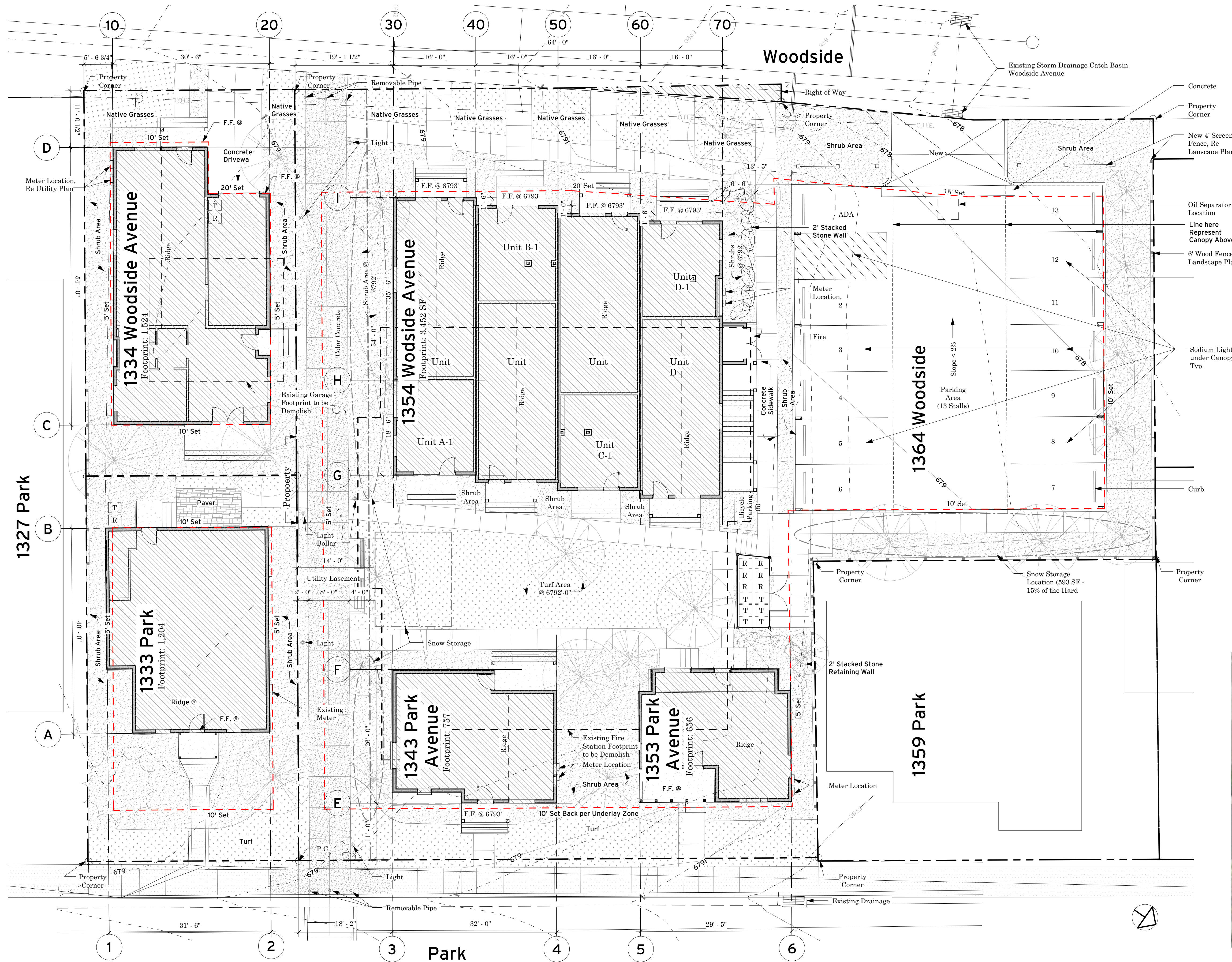
RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO. _____
FEE _____ RECORDER _____

4/28/17 JOB NO.: 7–10–16 FILE: X:\SnydersAddition\dwg\sr\plat2016\071016.dwg



1 Existing 1353 Park Avenue Site Plan
SCALE: 1" = 10'-0"



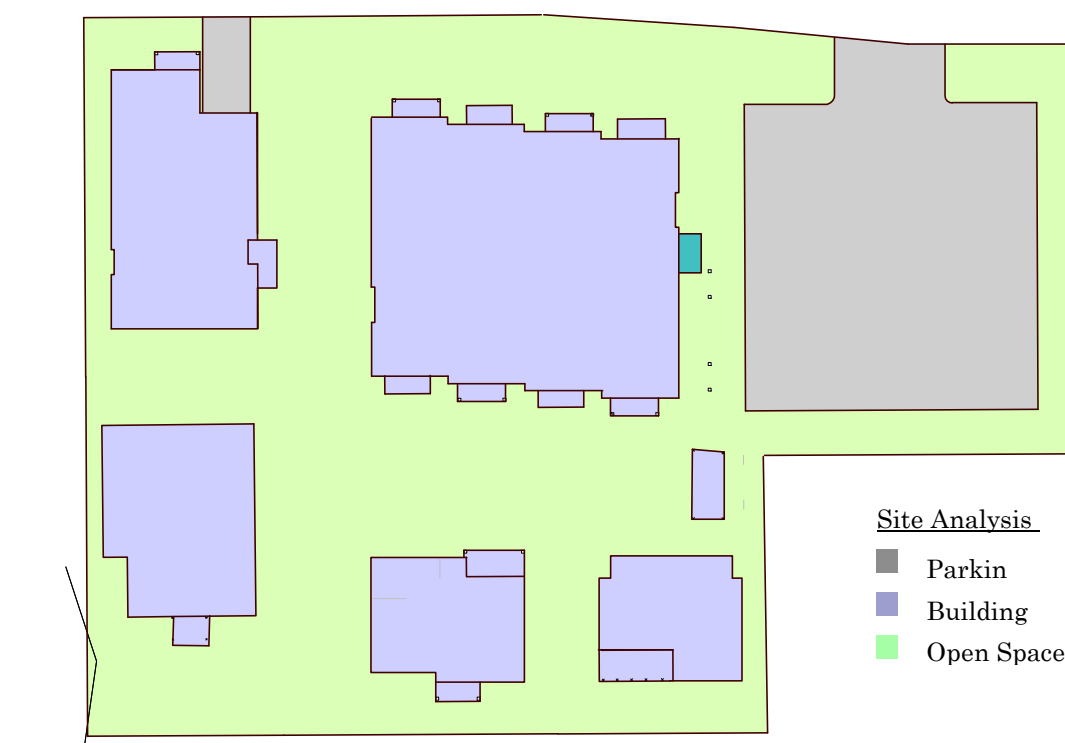
Parking Analysis

	Parking Requirement
1333 Park Avenue	0
1354 Park Avenue	0
1343 Park Avenue	1.5
1334 Woodside Avenue	2
1354 Woodside Avenue	10
TOTAL REQUIRED STALLS	13.5
Surface Parking	14
Structure Parking	1
TOTAL PROPOSED STALL	15

Site Analysis

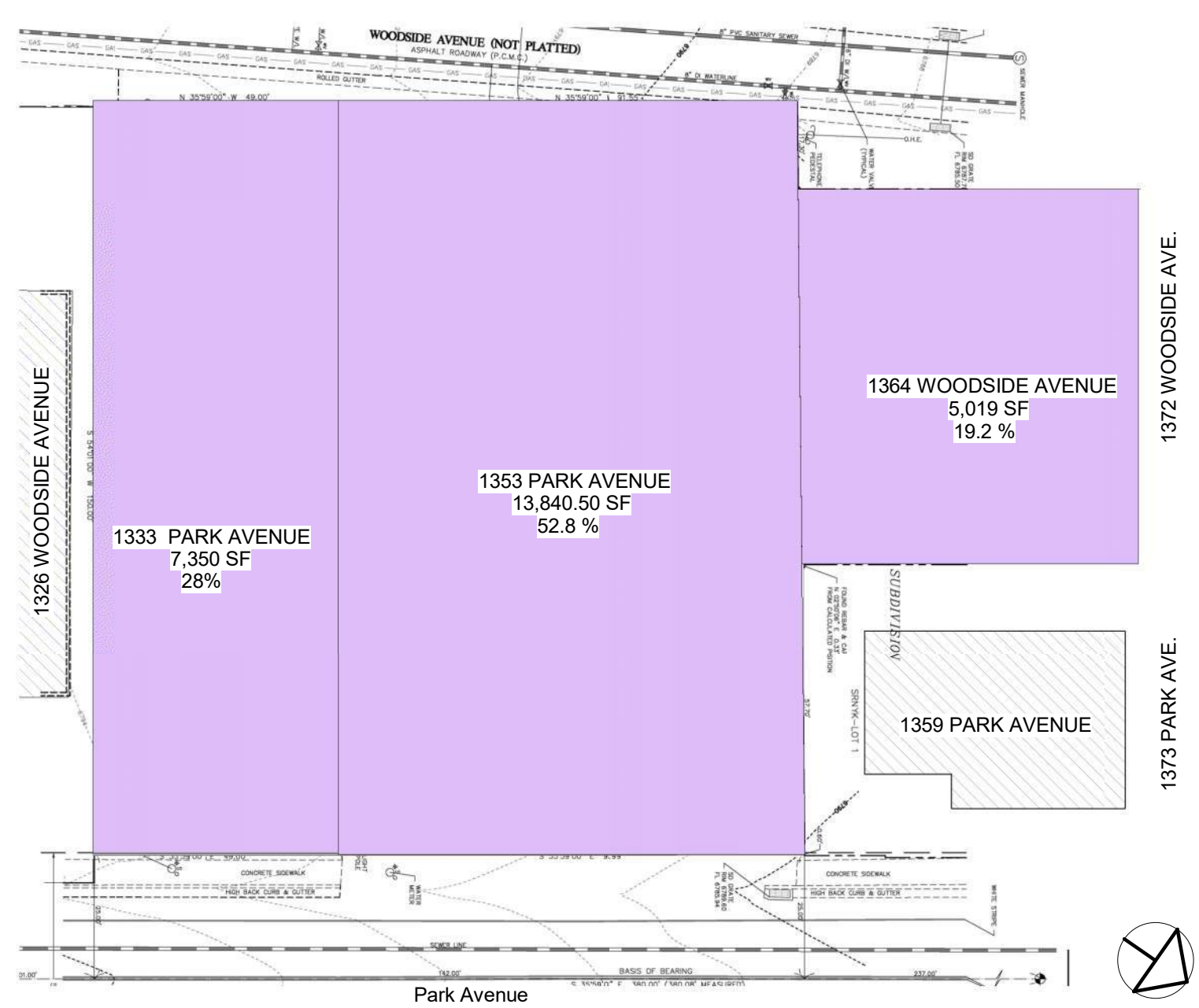
	Area	Acres	Percentage
Driveways/Parking	4,397	0.1	16.32%
Building Area	8,424	0.193	31.27%
Open Space	14,119	0.323	52.41%
TOTAL PROPERTY	26,940	0.616	100.00%

* Re: LMC 15-6-5-D



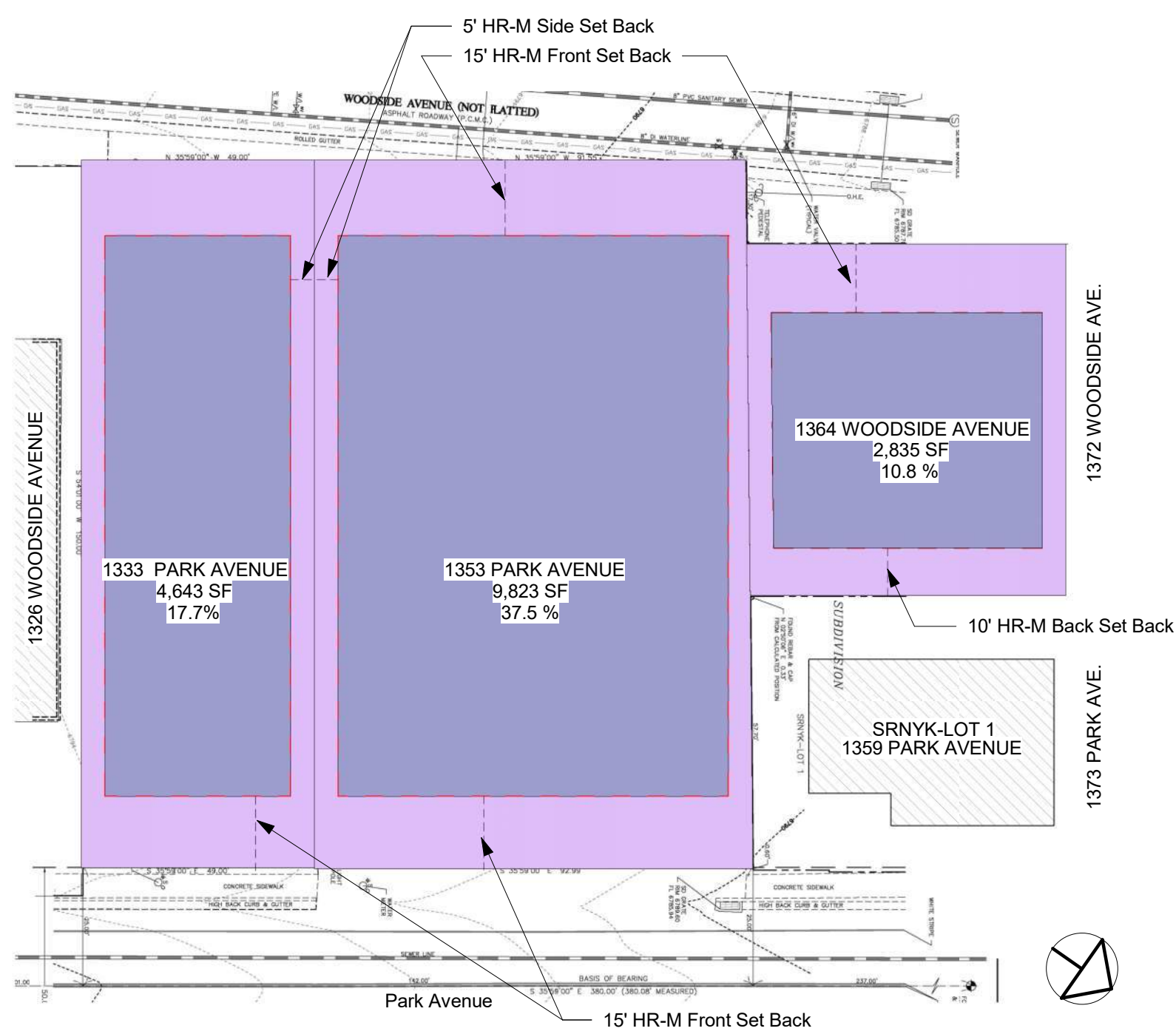
1 Proposed Site Plan
SCALE: 1" = 10'-0"

2 Proposed Aerial Photo
SCALE: 1" = 40'-0"



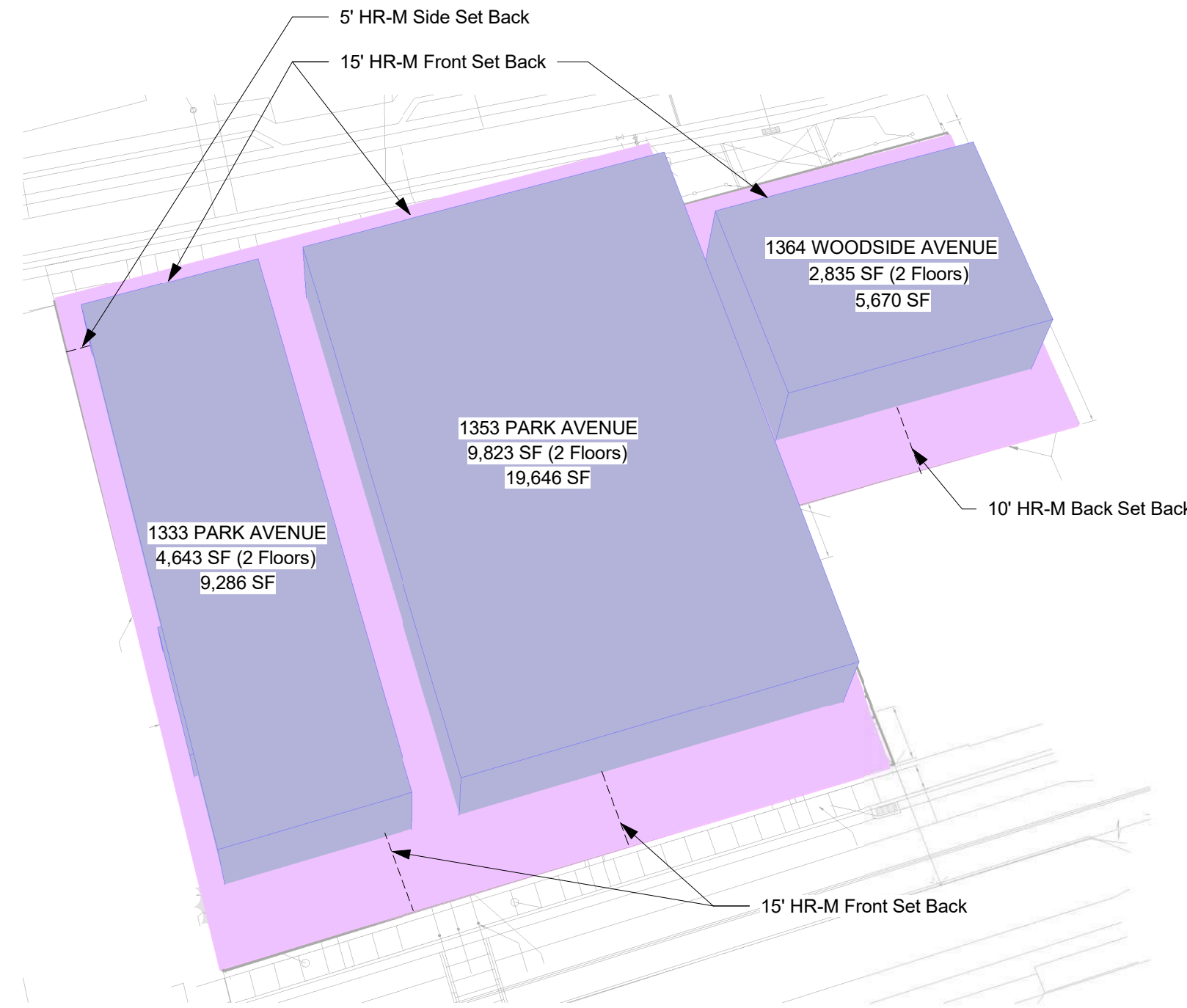
Property Area (Existing)

26,209.50 SQ FT = 100%



Buildable Area (Existing)

17,301 SQ FT = 66%
8,908.5 SQ FT = 34%

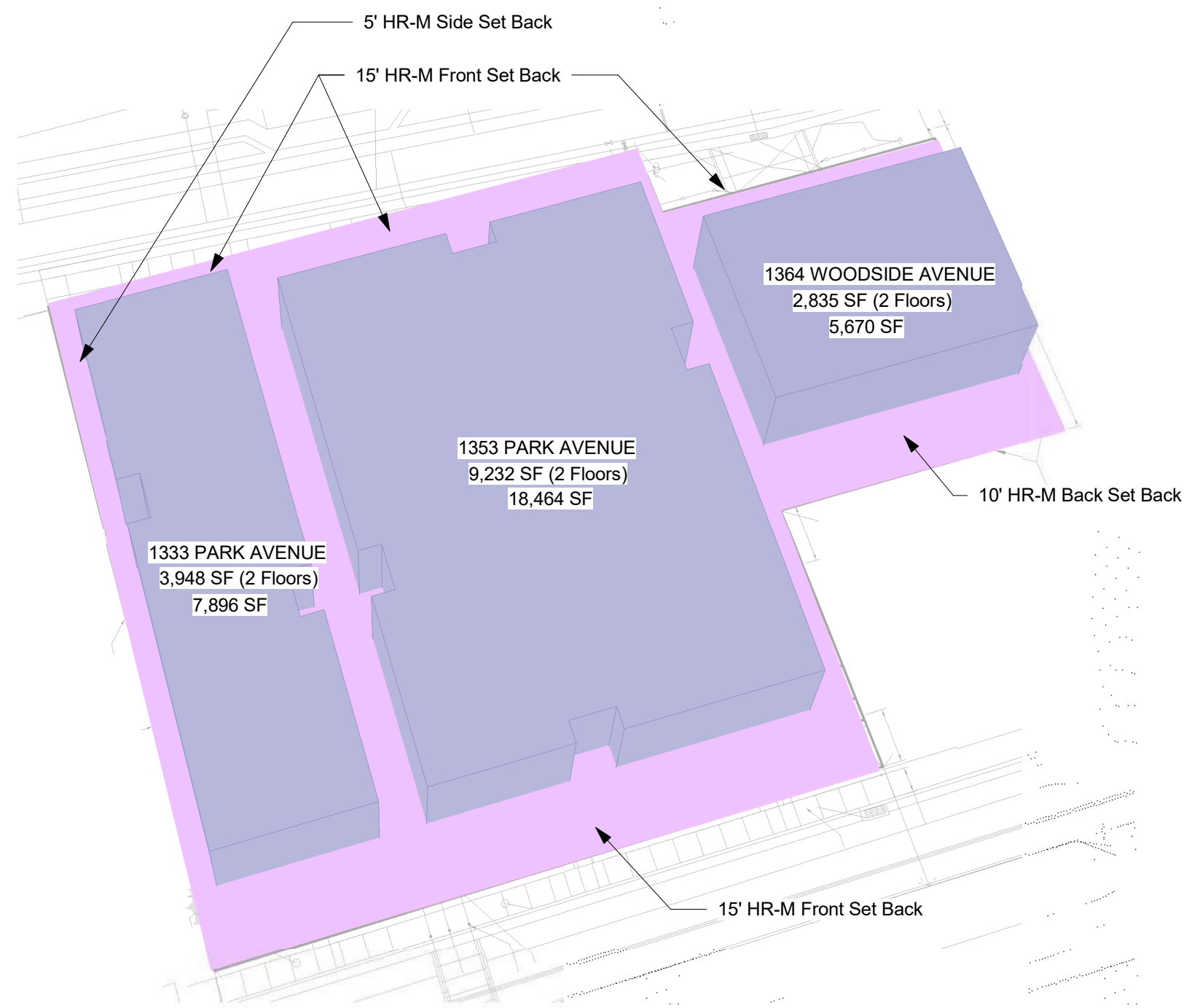


Buildable Volume (Existing)

34,602 SF

HR-M Zone Height 27'

Maximum Building Developable Area

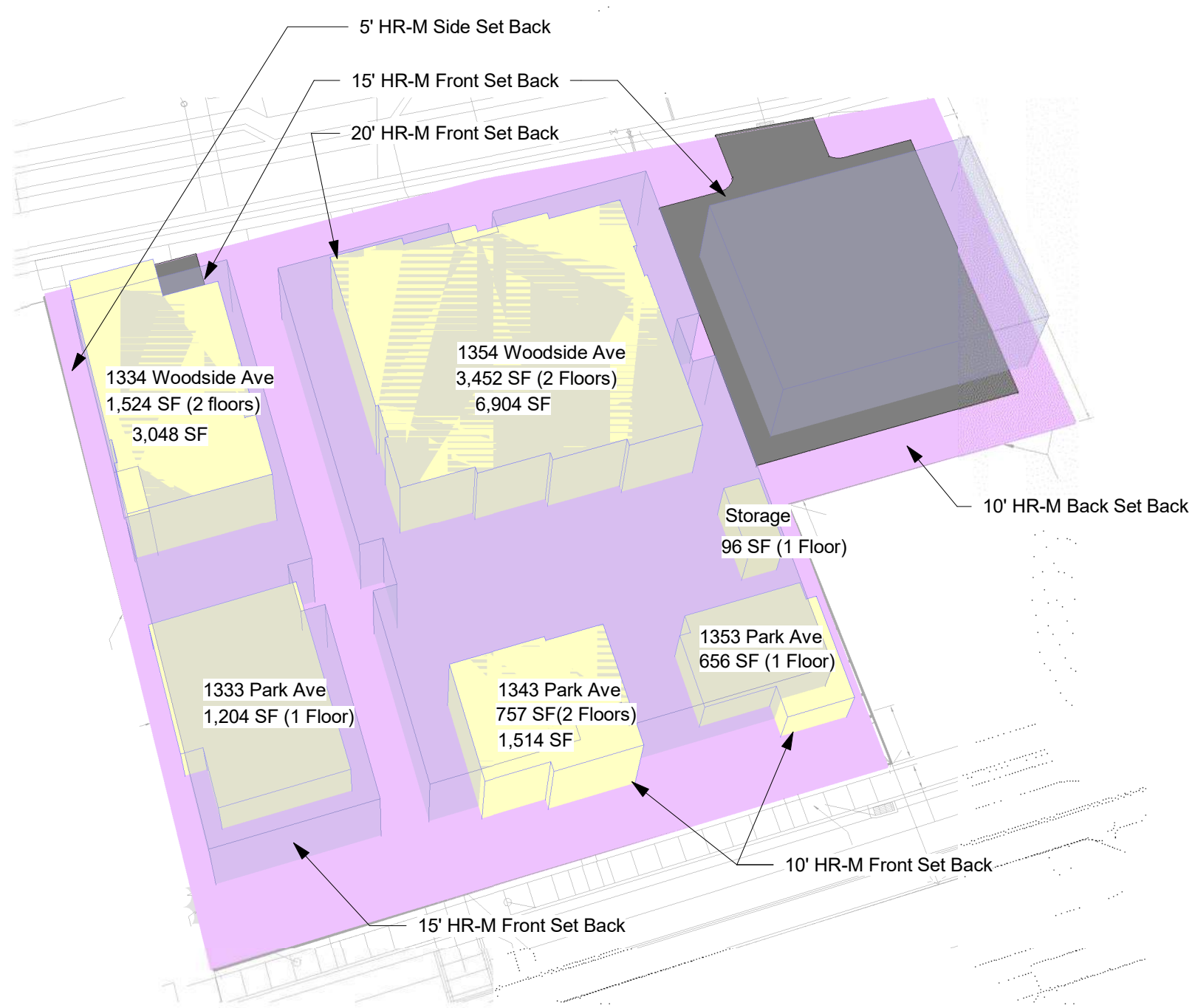


Buildable Volume (Allowable)

HR-M Zone Height 27' 26,209 SF

Maximum Building Developable Footprint 16,015 = 61 %

Open Space Area 10,194 = 39 %

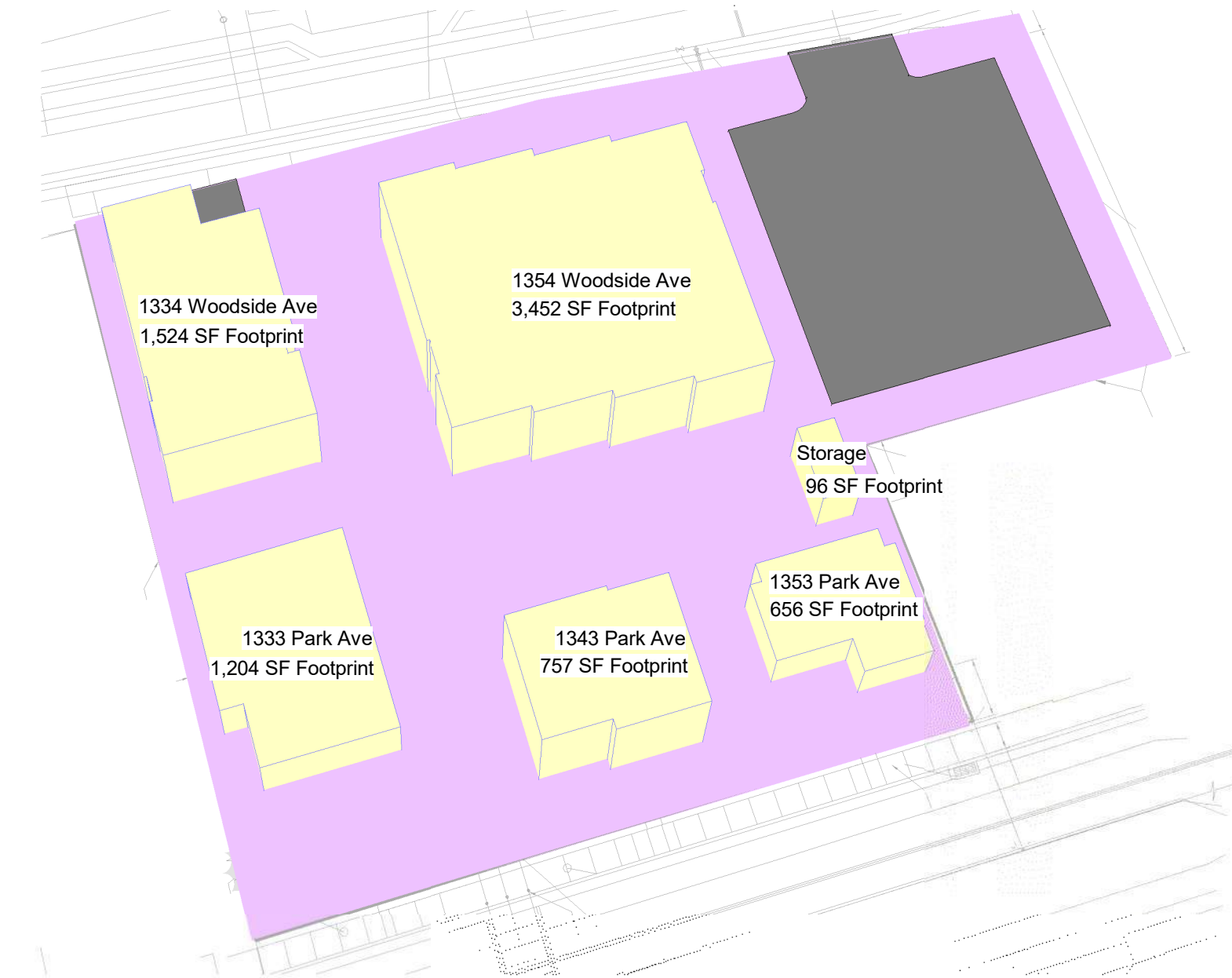


Proposed Buildings

Proposed Building Area 13,422 SF

Proposed Building Footprint 7,593 SF

Proposed Storage 96 SF



Proposed Open Space

4,397 SF Parking = 16.34 %
14,119 SF Open Space = 52.48 %

Legend

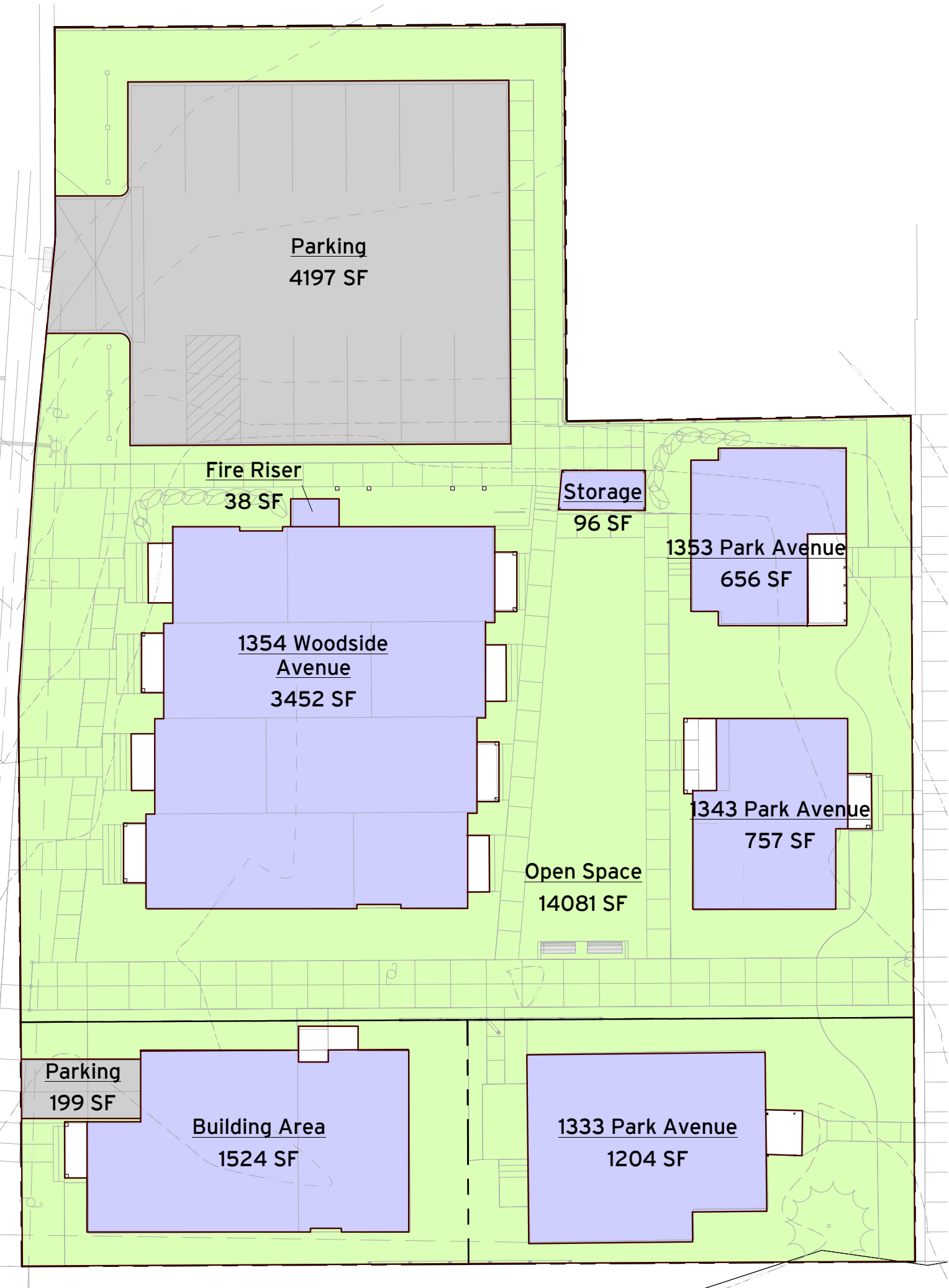
- Open space
- Buildable Area
- Parking
- Proposed Area

Site Analysis

	Area	Acres	Percentage
Driveways/Parking	4,397	0.094	16.32%
Building Footprint	7,727	0.177	28.68%
Private Hardscape	697	0.014	2.59%
Open Space	14,119	0.307	52.41%
TOTAL PROPERTY	26940	0.592	100.00%

LEGEND

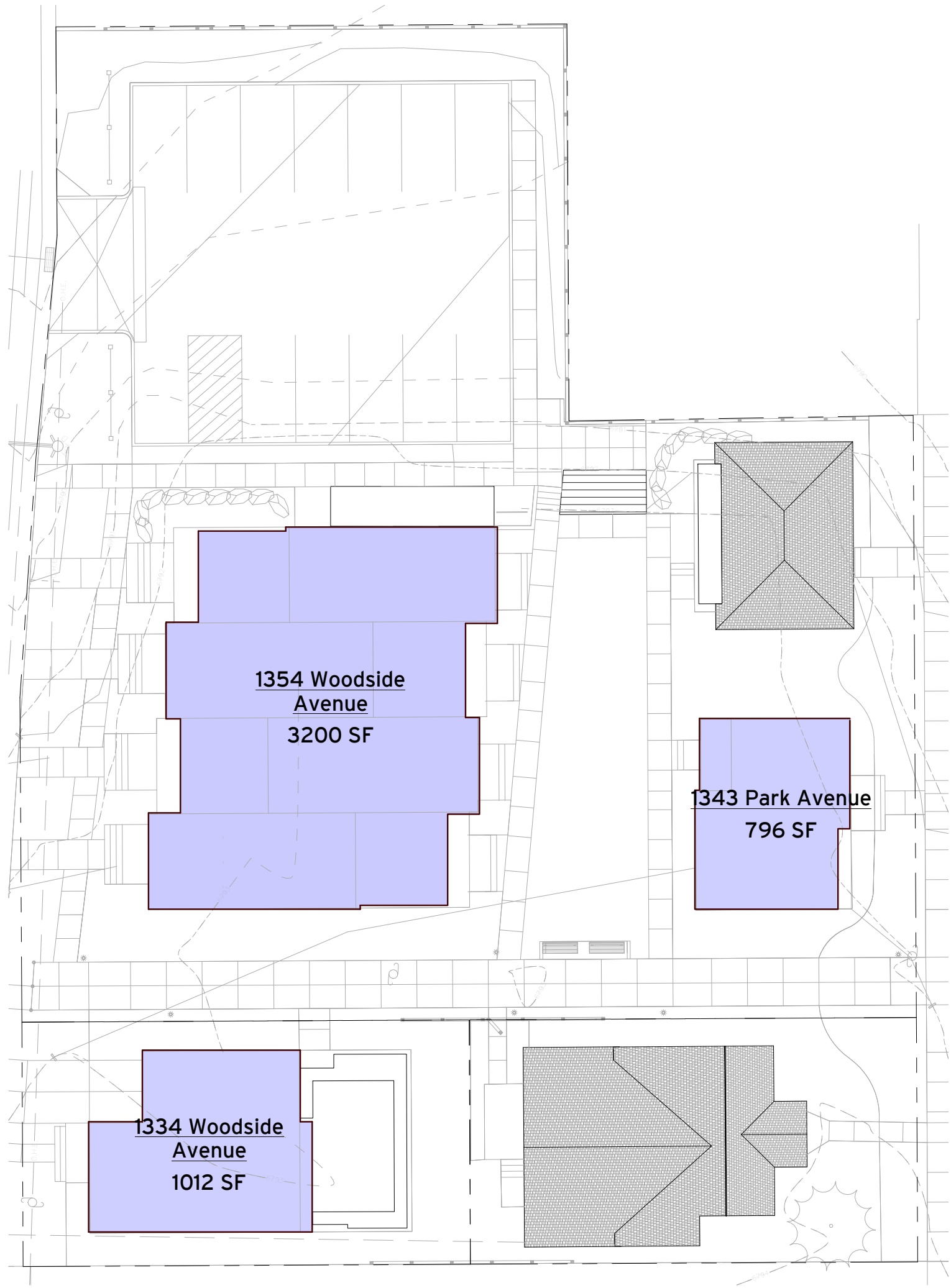
- Driveway/Parki
- Building
- Private
- Open Space



1

Gross Main Level

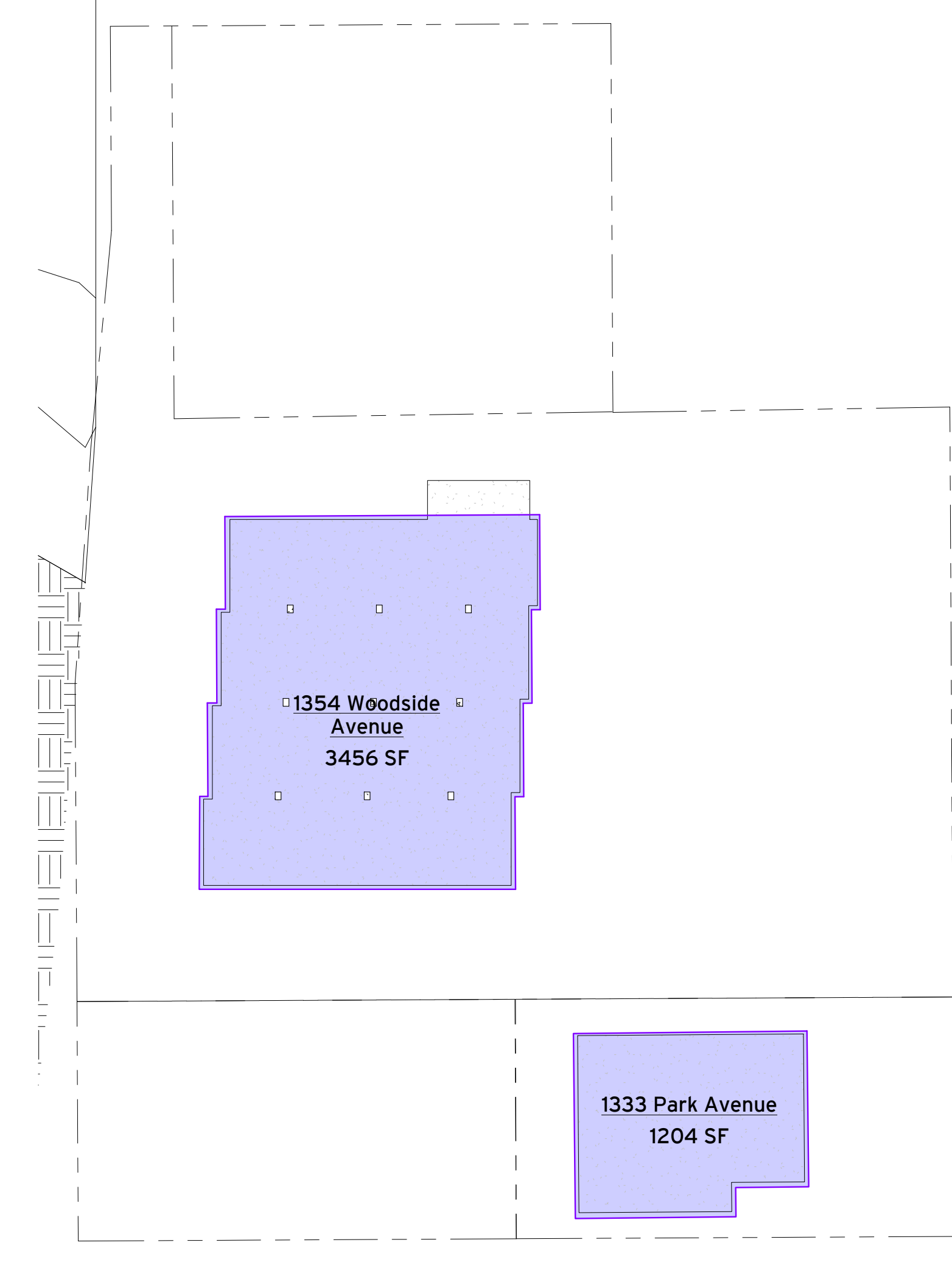
SCALE: 1" = 20'-0"



2

Gross Second Level

SCALE: 1" = 20'-0"



3

Gross Storage Level

SCALE: 1" = 20'-0"

AREA CALCULATION - Gross / Net / UE's

1333 Park Avenue

Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Lower Level	0	1,204			900			0.00
Level 1	1,036	1,204			900			1.15
TOTAL	1036	2,408						1.15
Percentage								100%

1353 Park Avenue

Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Level 1	576	656			900			0.64
TOTAL	576	656						0.64
Percentage								100%

1343 Park Avenue

Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Level 1	671	757			900			0.75
Level 2	648	796			900			0.72
TOTAL	1319	1553						1.47
Percentage								100%

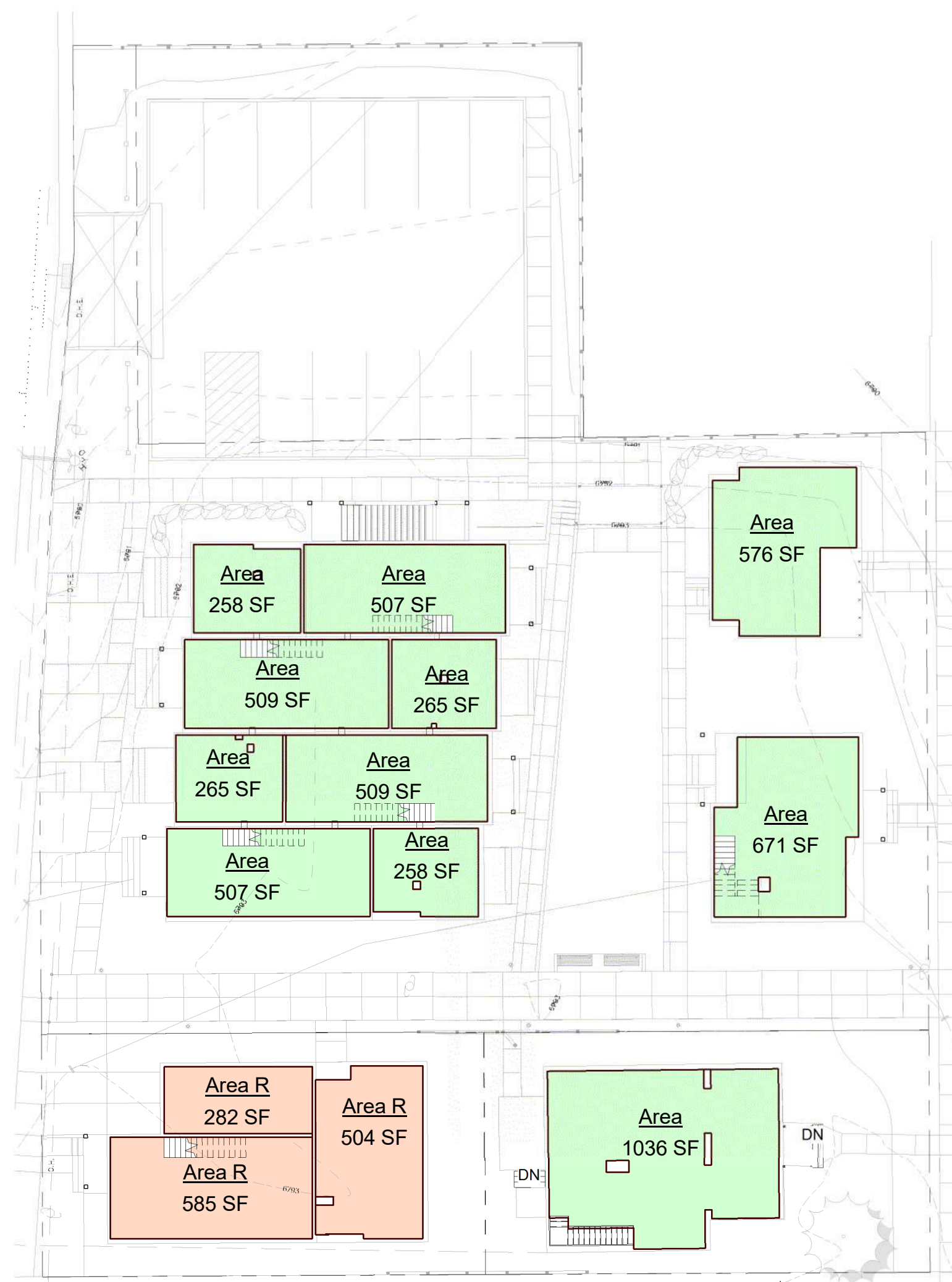
1334 Woodside Avenue

Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Level 1	1,091	1,524	2,000			0.55		
Level 2	882	1,012	2,000				0.44	
TOTAL	1973	2,536				0.99		
Percentage						100%	0%	0%

1354 Woodside Avenue

Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Lower Level	0	3,456			900			0.00
Level 1	3,078	3,452			900			3.42
Level 2	2,710	3,200			900			3.01
TOTAL	5788	10,108						6.43
Percentage								100%

TOTAL	10692	17261				0.99	0.00	9.69
Percentage						9%	0%	91%



1 Net Floor Level
SCALE: 1" = 20'-0"



2 Net Second Level
SCALE: 1" = 20'-0"

AREA CALCULATION - Net / Parking

Residential

Unit Name	Parcel	Level	Area SF	Area SF Total	Parking Ratio	Parking Requirements
1334 Woodside	Parcel 4	Level 1	585			
		Level 2	882			
				1,467	1.5 Stalls / Between 1,000-2,000SF	1.5
Accessory Building	Parcel 4	Level 1	504	504	1 Stall / Less than 1,000SF	1
TOTAL				1971		2.5

Affordable Housing

Unit Name	Parcel	Level	Area SF	Area SF Total	Parking Ratio	Parking Requirements
1333 Park Avenue	Parcel 1	Level 1	1,036	1,036	0 Stalls / Historic	0
1353 Park Avenue	Parcel 2	Level 1	576	576	0 Stalls / Historic	0
1343 Park Avenue	Parcel 3	Level 1	671			
		Level 2	648			
				1,319	1.5 Stalls / Between 1,000-2,000SF	1.5
1354 Woodside Avenue	Parcel 5	Level 1	507			
		Level 2	670			
				1,177	1.5 Stalls / Between 1,000-2,000SF	1.5
	Parcel 6	Level 1	509			
		Level 2	685			
				1,194	1.5 Stalls / Between 1,000-2,000SF	1.5
	Parcel 7	Level 1	509			
		Level 2	685			
				1,194	1.5 Stalls / Between 1,000-2,000SF	1.5
	Parcel 8	Level 1	507			
		Level 2	670			
				1,177	1.5 Stalls / Between 1,000-2,000SF	1.5
Accessory Building	Parcel 5	Level 1	258	258	1 Stall / Less than 1,000SF	1
	Parcel 6	Level 1	265	265	1 Stall / Less than 1,000SF	1
	Parcel 7	Level 1	265	265	1 Stall / Less than 1,000SF	1
	Parcel 8	Level 1	258	258	1 Stall / Less than 1,000SF	1
TOTAL				8719		11.5



Aerial View 1 From Park Avenue



Aerial View 2 From Woodside Avenue



Courtyard View 1



Courtyard View 2



Park Avenue View



Woodside Avenue View



Woodside Avenue View



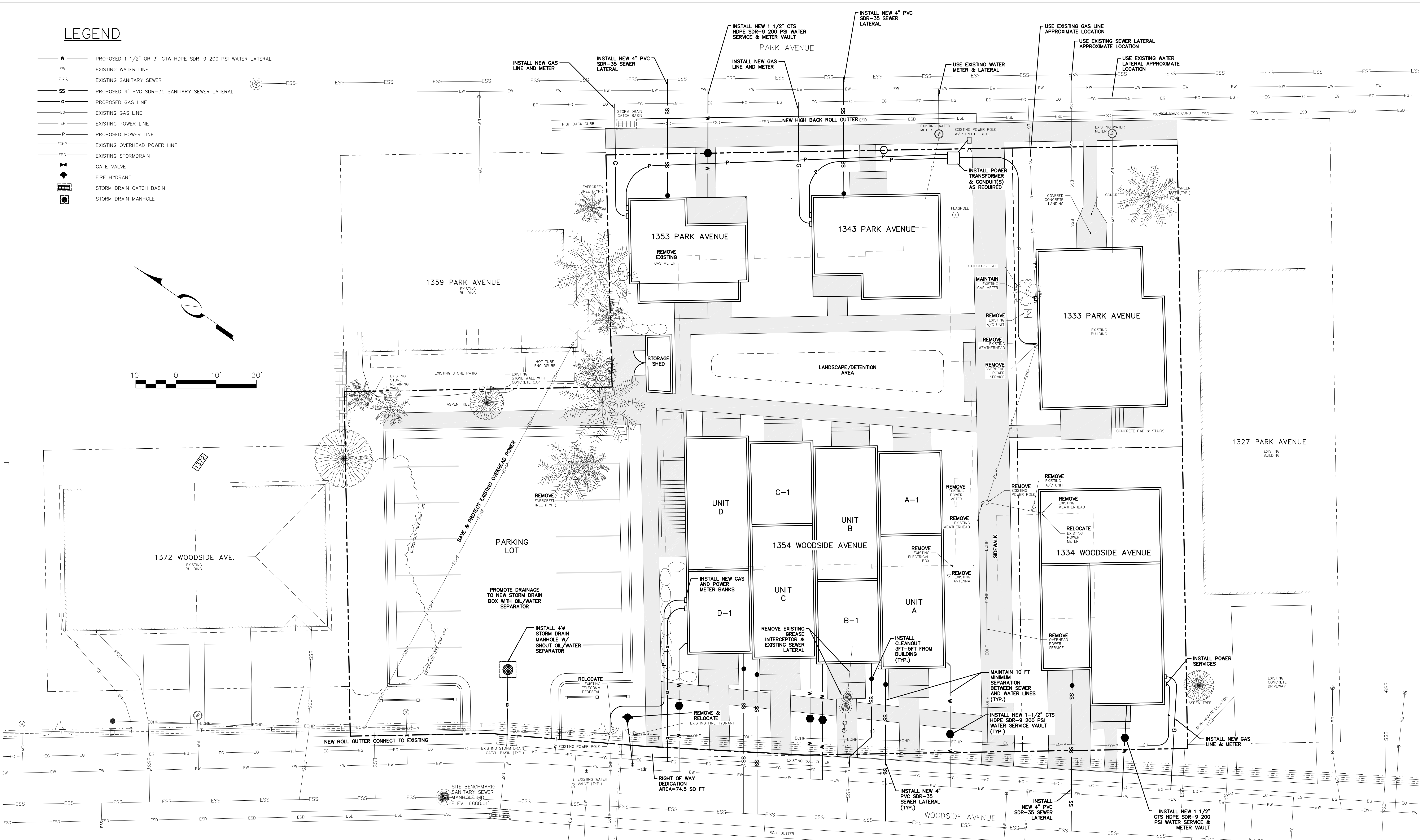
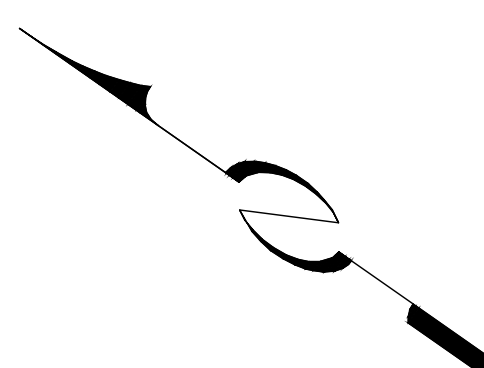
Woodside Avenue View

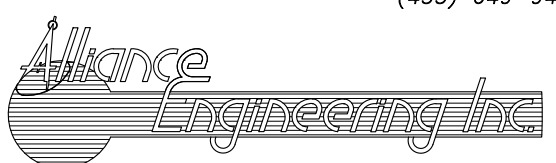


1 Section
SCALE: 1/8" = 1'-0"

LEGEND

- W PROPOSED 1 1/2" OR 3" CTW HDPE SDR-9 200 PSI WATER LATERAL
- EW EXISTING WATER LINE
- ESS EXISTING SANITARY SEWER
- SS PROPOSED 4" PVC SDR-35 SANITARY SEWER LATERAL
- G PROPOSED GAS LINE
- EG EXISTING GAS LINE
- EP EXISTING POWER LINE
- P PROPOSED POWER LINE
- EOHP EXISTING OVERHEAD POWER LINE
- ESD EXISTING STORMDRAIN
- Gate Valve
- Fire Hydrant
- Storm Drain Catch Basin
- Storm Drain Manhole





(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
JUAN CARRASCO
TANDIN CHAPMAN

DATE: 4/25/17

1333, 1353 PARK AVE. & 1364 WOODSIDE AVE.

WOODSIDE PARK

CONCEPT UTILITY PLAN

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO.: 7-10-16

FILE: X:\SnydersAddition\dwg\Projects\Woodside Park\071016-Woodside Park-civil.dwg

SHEET

1

OF

2

IMPERVIOUS SURFACE

ANALYSIS AREA
BOUNDARY4/24/2017

Precipitation Frequency Data Serve

NOAA Atlas 14, Volume 1, Version 5
 National Oceanic and Atmospheric Administration
 U.S. Department of Commerce
 Washington, DC 20513-0001
 2013

Location name: Park City, Utah, USA*

Latitude: 40.65°, Longitude: -
Elevation: 6036.48 ft

Elevation: 6936.48 ft**
* route: FSBI Mass

POINT PRECIPITATION FREQUENCY ESTIMATES

NOAA, National Weather Service, Silver Spring, Maryland

[PF_tabular](#) | [PF_graphical](#) | [Maps_&_aerial](#)

PF tabular

Duration	Average recurrence interval (inches/hour) ¹											
	1	2	5	10	25	50	100	200	500	1,000	2,000	5,000
5-min	1.54 (1.36-1.71)	1.94 (1.72-2.23)	2.68 (2.24-3.10)	3.32 (2.88-3.88)	4.41 (3.71-5.14)	5.61 (4.42-6.40)	6.59 (5.20-7.80)	7.98 (6.09-9.73)	10.2 (7.34-12.6)	12.3 (8.41-16.7)		
6-min	1.17 (1.02-1.33)	1.48 (1.32-1.65)	2.03 (1.72-2.38)	2.53 (2.15-2.93)	3.35 (2.77-3.94)	4.12 (3.40-4.84)	5.02 (3.97-6.07)	6.08 (4.74-7.42)	7.80 (5.87-9.83)	9.37 (6.94-11.8)		
15-min	0.964 (0.844-1.12)	1.24 (1.07-1.41)	1.71 (1.47-1.94)	2.20 (1.87-2.44)	2.77 (2.33-3.20)	3.41 (2.79-4.02)	4.14 (3.24-5.06)	5.02 (3.92-6.12)	6.44 (4.89-7.94)	7.94 (5.92-9.96)		
30-min	0.702 (0.572-0.790)	0.913 (0.724-1.05)	1.13 (0.92-1.33)	1.41 (1.12-1.64)	1.79 (1.47-2.19)	2.21 (1.87-2.51)	2.63 (2.03-3.23)	3.14 (2.54-3.72)	3.92 (3.15-4.62)	4.86 (3.56-6.58)		
60-min	0.462 (0.345-0.494)	0.516 (0.398-0.634)	0.69 (0.501-0.879)	0.873 (0.651-1.09)	1.15 (0.851-1.45)	1.42 (1.06-1.78)	1.73 (1.29-2.17)	2.19 (1.69-2.69)	2.69 (1.93-3.53)	3.32 (2.37-4.27)		
2-hr	0.292 (0.22-0.36)	0.326 (0.24-0.41)	0.438 (0.32-0.56)	0.56 (0.40-0.72)	0.73 (0.50-0.96)	0.91 (0.67-1.15)	1.12 (0.82-1.42)	1.37 (1.01-1.73)	1.69 (1.19-2.18)	2.09 (1.45-2.73)		
3-hr	0.198 (0.12-0.26)	0.245 (0.16-0.32)	0.311 (0.21-0.41)	0.372 (0.24-0.50)	0.474 (0.31-0.64)	0.556 (0.38-0.72)	0.661 (0.45-0.87)	0.801 (0.56-1.04)	1.01 (0.71-1.31)	1.21 (0.82-1.60)		
6-hr	0.132 (0.122-0.143)	0.163 (0.150-0.174)	0.199 (0.162-0.219)	0.232 (0.211-0.255)	0.290 (0.24-0.33)	0.360 (0.282-0.437)	0.441 (0.337-0.543)	0.548 (0.424-0.672)	0.676 (0.516-0.836)	0.816 (0.616-1.02)		
12-hr	0.084 (0.074-0.093)	0.103 (0.092-0.112)	0.125 (0.102-0.148)	0.148 (0.124-0.172)	0.175 (0.141-0.209)	0.215 (0.169-0.261)	0.260 (0.204-0.316)	0.324 (0.254-0.394)	0.408 (0.318-0.498)	0.502 (0.387-0.617)		
24-hr	0.054 (0.050-0.059)	0.067 (0.061-0.072)	0.081 (0.074-0.087)	0.091 (0.084-0.099)	0.106 (0.097-0.115)	0.118 (0.108-0.128)	0.131 (0.119-0.142)	0.148 (0.134-0.161)	0.160 (0.143-0.177)	0.173 (0.154-0.192)		
2-day	0.032 (0.022-0.042)	0.040 (0.027-0.053)	0.048 (0.033-0.063)	0.054 (0.037-0.074)	0.064 (0.044-0.084)	0.076 (0.050-0.098)	0.078 (0.048-0.098)	0.085 (0.055-0.115)	0.095 (0.064-0.126)	0.102 (0.069-0.136)		
3-day	0.024 (0.022-0.026)	0.030 (0.027-0.033)	0.036 (0.030-0.043)	0.041 (0.037-0.044)	0.048 (0.040-0.056)	0.053 (0.045-0.058)	0.058 (0.048-0.068)	0.064 (0.054-0.074)	0.072 (0.061-0.083)	0.078 (0.066-0.089)		
4-day	0.020 (0.015-0.025)	0.025 (0.022-0.030)	0.030 (0.023-0.036)	0.034 (0.024-0.044)	0.040 (0.030-0.050)	0.044 (0.034-0.054)	0.048 (0.038-0.058)	0.054 (0.044-0.064)	0.060 (0.050-0.070)	0.065 (0.055-0.075)		
7-day	0.014 (0.013-0.015)	0.017 (0.016-0.019)	0.022 (0.019-0.022)	0.023 (0.020-0.023)	0.026 (0.022-0.029)	0.030 (0.027-0.033)	0.033 (0.029-0.037)	0.036 (0.032-0.040)	0.041 (0.036-0.046)	0.044 (0.039-0.049)		
10-day	0.011 (0.010-0.012)	0.014 (0.013-0.015)	0.018 (0.016-0.019)	0.019 (0.017-0.021)	0.022 (0.019-0.025)	0.023 (0.020-0.026)	0.026 (0.023-0.029)	0.028 (0.025-0.031)	0.030 (0.027-0.033)	0.032 (0.029-0.035)		
20-day	0.007 (0.006-0.008)	0.009 (0.007-0.011)	0.011 (0.010-0.011)	0.012 (0.010-0.013)	0.013 (0.012-0.015)	0.014 (0.013-0.016)	0.015 (0.014-0.016)	0.016 (0.015-0.017)	0.017 (0.016-0.019)	0.018 (0.017-0.020)	0.019 (0.018-0.021)	0.019 (0.018-0.021)
45-day	0.007 (0.004-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)	0.007 (0.005-0.009)
60-day	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)	0.004 (0.003-0.006)

¹ Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS). Numbers in parentheses are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates for a given duration and average recurrence interval will be greater than the value in this table is 10%. Estimates at lower bound are based on the 10% exceedance probability maximum precipitation (PMP) estimates and will be higher than currently valid PMP data. Estimates at upper bound are based on the 10% exceedance probability minimum precipitation (PMP) estimates and will be lower than currently valid PMP data.

http://hdsc.rws.nasa.gov/hdsc/ofds/ofds_printpage.html?lat=40.65008&lon=-111.50008&data=intensity&units=english&series=cdr

164

```
Q=RUNOFF FLOWRATE [CUBIC FEET/SEC]
C=RUNOFF COEFFICIENT=(0.1*PERVIOUS AREA+0.9*IMPERVIOUS AREA)/TOTAL AREA
i=STORM INTENSITY [INCHES/HR]
A=AREA [ACRES]
```

ANALYSIS AREA (LOT BOUNDARY) = 0.618 ACRES
PRE-DEVELOPMENT PERVIOUS AREA = 0.182 ACRES
PRE-DEVELOPMENT IMPERVIOUS AREA = 0.436 ACRES

POST-DEVELOPMENT

ANALYSIS AREA (LOT BOUNDARY) = 0.618 ACRES
POST-DEVELOPMENT PERVIOUS AREA = 0.230 ACRES
POST-DEVELOPMENT IMPERVIOUS AREA = 0.388 ACRES

SUMMARY

$\Delta Q = 1.54 \text{ CFS} - 1.70 \text{ CFS} = -0.16 \text{ CFS}$
THE RUNOFF FROM PRE-DEVELOPMENT TO POST-DEVELOPMENT DECREASES, THEREFORE NO ON-SITE DETAINMENT IS REQUIRED. HOWEVER, DEVELOPMENT WILL STILL PROMOTE ON-SITE DETENTION AT LANDSCAPE AREAS.

ASPHALT

EDGE OF ASPHALT

ASPHALT

WOODSIDE AVENUE

1353 PARK AVENUE

1343 PARK AVENUE

1333 PARK AVENUE

1334 WOODSIDE AVENUE

1354 WOODSIDE AVENUE

PARKING LOT

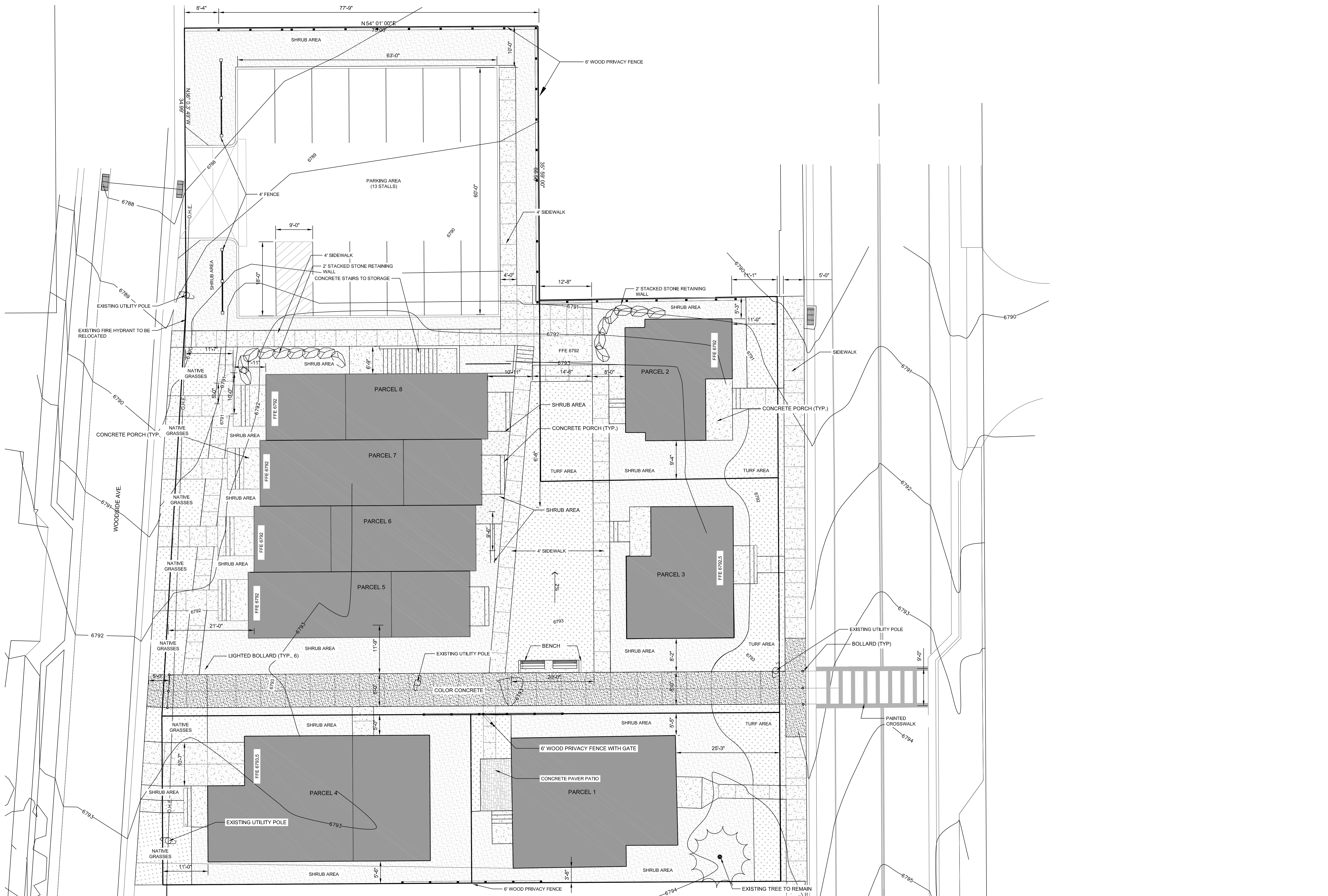
GRADE SIDEWALK TO PROMOTE RUNOFF TO LANDSCAPE AREA (TYP.)

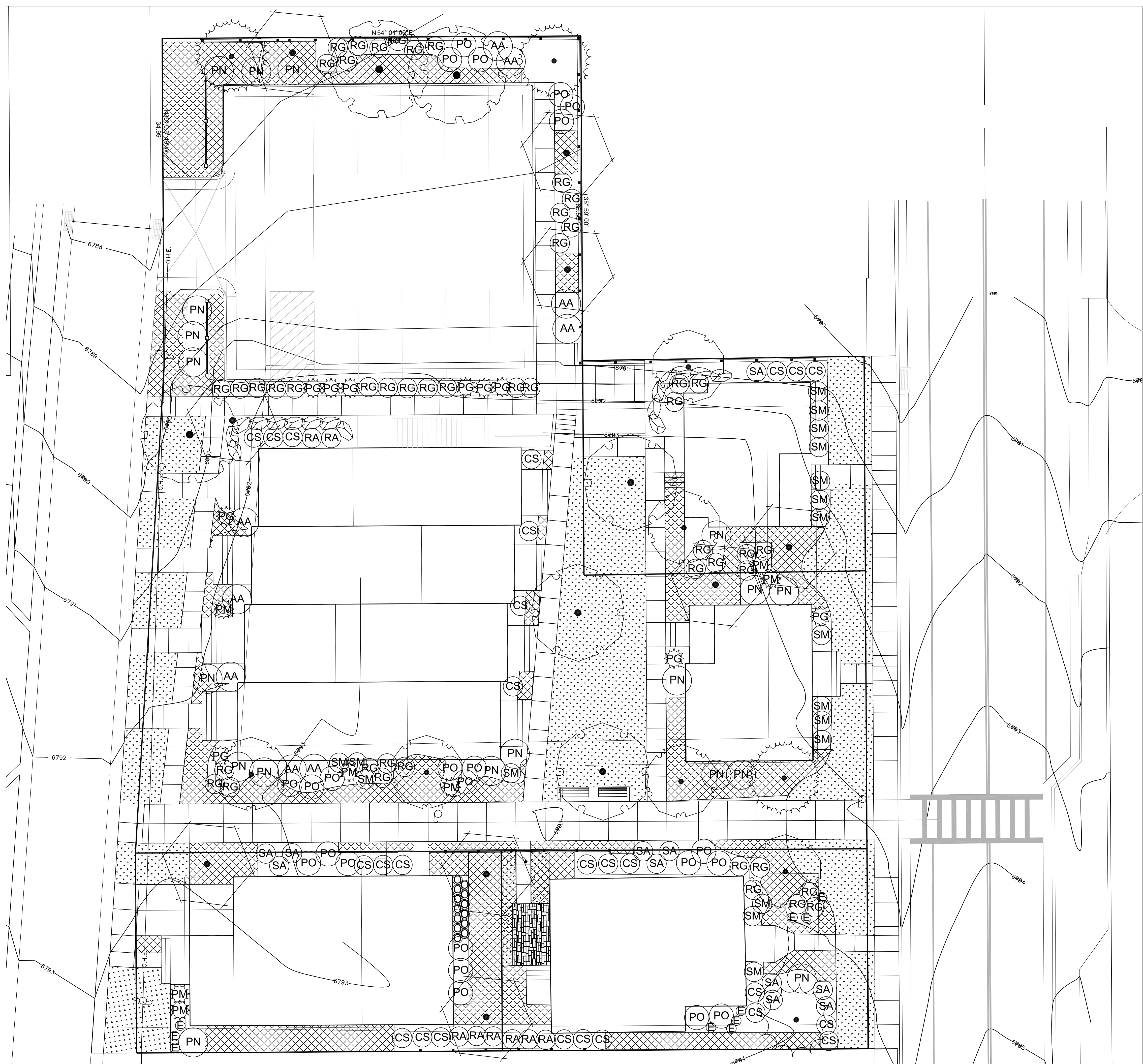
PROMOTE ROOF DRAINS TO LANDSCAPE AREAS (TYP.)

PROMOTE PARKING LOT DRAINAGE TO NEW STORM DRAIN BOX WITH OIL/WATER SEPARATOR

DETENTION BASIN

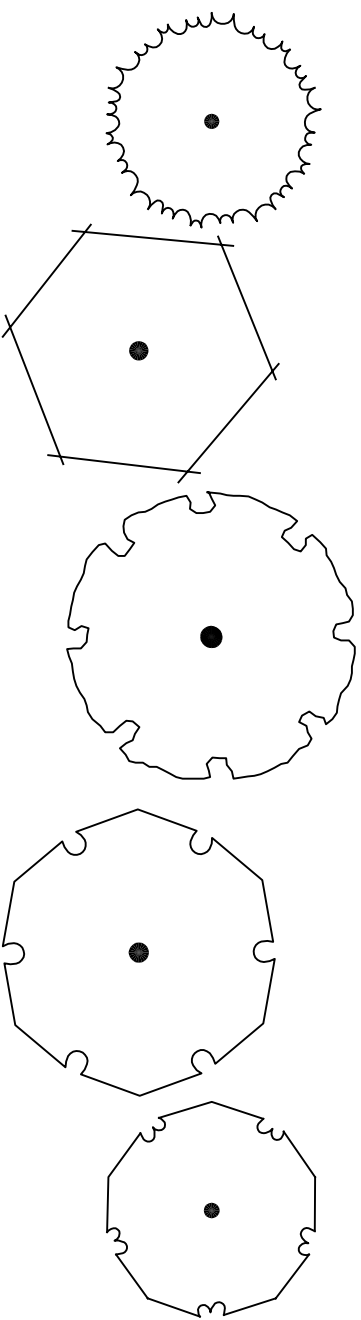
WOODSIDE AVENUE





PLANT SCHEDULE

TREES



BOTANICAL NAME / COMMON NAME

ABIES LASIOCARPA / ALPINE FIR

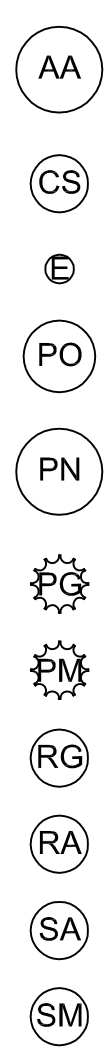
ACER GINNALA 'FLAME' / FLAME AMUR MAPLE

CRATAEGUS CRUS-GALLI 'INERMIS' / THORNLESS HAWTHORN

FRAXINUS PENNSYLVANICA 'MARSHALL'S SEEDLESS' / MARSHALL'S SEEDLESS ASH

SYRINGA RETICULATA 'IVORY SILK' / IVORY SILK JAPANESE TREE LILAC

SHRUBS



BOTANICAL NAME / COMMON NAME

AMELANCHIER ALNIFOLIA 'STANDING OVATION' TM / SERVICEBERRY

CORNUS SERICEA 'FIREDANCE' / RED TWIG DOGWOOD

ERICAMERIA NAUSEOSA SPECIOSA / DWARF BLUE RABBITBRUSH

PHYSOCARPUS OPULIFOLIUS 'DART'S GOLD' / YELLOW NINEBARK

PHYSOCARPUS OPULIFOLIUS 'SUMMER WINE' / SUMMER WINE NINEBARK

PICEA GLAUCA 'PROSTRATA WELLS BLUE HORIZON' / CREEPING COLORADO BLUE SPRUCE

PINUS MUGO 'WHITEBUD' / MUGO PINE

RHUS AROMATICA 'GRO-LOW' / GRO-LOW FRAGRANT SUMAC

RIBES ALPINUM / ALPINE CURRANT

SYMPHORICARPOS ALBUS / COMMON WHITE SNOWBERRY

SYRINGA X HYACINTHIFLORA 'MOUNT BAKER' / MOUNT BAKER LILAC

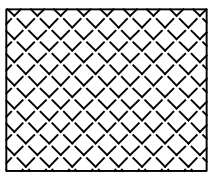
GRASSES



BOTANICAL NAME / COMMON NAME

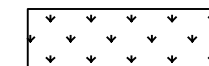
ORYZOPSIS HYMENOIDES / INDIAN RICE GRASS

PERENNIAL PLANT AREA



PERENNIAL MIX

ACHILLEA MILLEFOLIUM 'MOONSHINE' / YARROW
ACHILLEA MILLEFOLIUM 'SUMMER PASTELS' / SUMMER PASTELS YARROW
ASTER ALPINUS / APLINE ASTER
ASTER TONGOLENSIS 'WARTBURG STAR' / SUMMER ASTER
BOUTELOUA GRACILIS / BLUE GRAMA
CHRYSANTHEMUM X SUPERBUM 'ALASKA' / SHASTA DAISY
ECHINACEA X 'BIG SKY SOLAR FLARE' / BIG SKY CONEFLOWER
GAILLARDIA X GRANDIFLORA 'MESA BRIGHT BICOLOR' / BLANKETFLOWER
HEMEROCALLIS X 'MOONLIT MASQUERADE' / MOONLIT MASQUERADE DAYLILY
HYDRANGEA PANICULATA 'QUICK FIRE' / HYDRANGEA
LEUCANTHEMUM X SUPERBUM 'REAL GLORY' / REAL GLORY SHASTA DAISY
PENSTEMON EATONII / FIRECRACKER PENSTEMON
PHLOX SUBULATA 'RED WINGS' / MOSS PHLOX
SAPONARIA OCYMOIDES 'SPLENDENS' / ROCK SOAPWORT



TURF AREA

MEMO



TO: Jason Glidden – Housing Development Manager
FROM: Alfred Knotts – Transportation Planning Manager
Julia Collins - Senior Transportation Planner
RE: E-Bike Stations at Woodside Park Affordable Housing
DATE: April 30, 2019

This memo is in response to your request to Transportation Planning to evaluate the need for e-bike charging stations to be present at both phases of the Woodside Park affordable housing projects. Transportation Planning team suggests that the condition of approval to require e-bike stations be reconsidered given the reasonable walking distance to existing and proposed public stations as well as logistical and physical constraints on the site. Specifically, this recommendation is based on the following:

- Current e-bike stations located at the Library along with an additional bike station being constructed at City Park this summer will provides adequate access and availability to the program (2 stations within ½ mile).
- There is limited space to put a new bike station on this property. The stations come in two configurations either 50' x 12' for a single sided access or double access is 35' x 27'. There is not a space large enough on either site to install a station without significant modifications to the site. Additionally, it appears power sources are limited and would require additional work.
- Redistribution of bikes to off-system sites (i.e. City and County sponsored sites) is not currently in the contract between Summit County and Bewegen therefore this would require a new contract between the City and Bewegen or an amendment to the existing County contract.

Transportation Planning would recommend that the requirement of bike racks and/or bike storage remain in the conditions of approval as a means of promoting alternative transportation options to and from the property.

Please let us know if you have any additional questions regarding our recommendation. We have attached a map of the current and future locations for the e-bike program for your reference.

Sincerely,

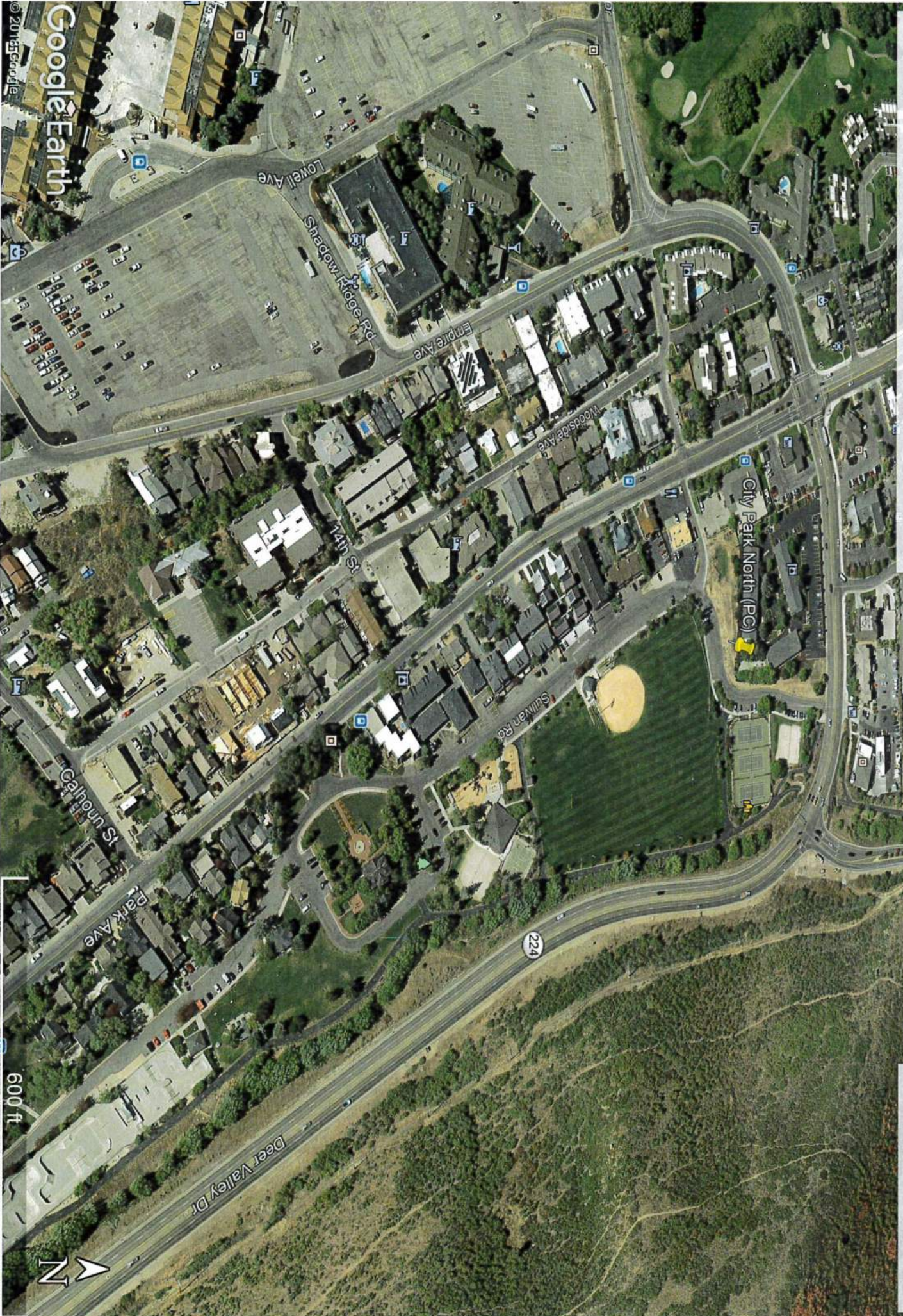
A handwritten signature in black ink, appearing to read "Alfred Knotts", written in a cursive style.

Alfred Knotts

Transportation Planner Manager

Summit Bike Share Locations

Proposed Location in Proximity to Woodside Park Phase I and II



Legend



City Park North (PC)

WHEN RECORDED, MAIL TO:
City Recorder
Park City Municipal Corporation
P. O. Box 1480
Park City, Utah 84060

**DEVELOPMENT AGREEMENT
FOR THE WOODSIDE PARK AFFORDABLE HOUSING PROJECT
PHASE I MASTER PLANNED DEVELOPMENT (MPD), LOCATED AT
1333 PARK AVENUE, 1353 PARK AVENUE, 1330 WOODSIDE AND 1350
WOODSIDE AVENUE, PARK CITY, SUMMIT COUNTY, UTAH**

This Development Agreement is entered into as of this 15 day of August, 2018, by and between Park City Municipal Corporation ("Developer") as the owner and developer of certain real property located in Park City, Summit County, Utah, on which Developer proposes the development of a project known as the Woodside Park Affordable Housing Project Phase I Master Planned Development, and Park City Municipal Corporation, a municipality and political subdivision of the State of Utah ("Park City"), by and through its City Council.

RECITALS

- A. Developer is the owner of a the Woodside Park Phase I Subdivision located in Park City, Summit County, Utah, as reflected in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Property"), on which it has obtained approval for the development known as the Woodside Park Affordable Housing Project Phase I Master Planned Development, as more fully described in the incorporated Exhibits B and C, attached, and as set forth below (the "Project").
- B. Park City requires development agreements under the requirements of the Park City Land Management Code ("LMC") for all Master Planned Developments.
- C. Developer is willing to design and develop the Project in a manner that is in harmony with and intended to promote the long-range policies, goals and objectives of the Park City General Plan, and address other issues as more fully set forth below.
- D. Park City, acting pursuant to its authority under Utah Code Ann., Section 10-9-101, *et seq.*, and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Development Agreement.

Now, therefore, in consideration of the mutual covenants, conditions and considerations as more fully set forth below, Developer and Park City hereby agree as follows:

1. Project Conditions:

1.1. The Design Drawings dated and reviewed by the Planning Commission on August 23, 2017, (attached as Exhibit B) and Findings of Fact, Conclusions of Law and Conditions of Approval (attached as Exhibit C) are incorporated herein as the Project; subject to

changes detailed herein. The Project is located in the Historic Residential Medium-Density (HR-M) zoning district.

1.2. Developer and its successors agree to pay the then current impact fees imposed and as uniformly established by the Park City Municipal Code at the time of permit application, whether or not state statutes regarding such fees are amended in the future.

1.3. Developer and any successors agree that the following are required to be entered into and approved by Park City prior to issuance of a Building Permit: (a) a construction mitigation plan, (b) a utility and grading plan, (c) a storm water plan, (d) a water efficient landscape and irrigation plan showing snow storage areas in compliance with the conditions of the August 23, 2017 MPD approval.

1.4. Developer is responsible for compliance with all local, state, and federal regulations regarding contaminated soils as well as streams and wetlands. Developer is responsible for receiving any Army Corp of Engineer Permits required related to disturbance of streams and wetlands.

2. Vested Rights and Reserved Legislative Powers

2.1 Subject to the provisions of this Agreement, Developer shall have the right to develop and construct the Project in accordance with the uses, densities, intensities, and general configuration of development approved by this Agreement, subject to compliance with the other applicable ordinances and regulations of Park City.

2.2 Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the existing land use and zoning regulations which are applicable to the Project under the terms of this Agreement based upon policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Project and terms and conditions of this Agreement applicable to the Project shall be of general application to all development activity in the City; and, unless the City declares an emergency, Developer shall be entitled to the required notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

3. Successors and Assigns.

3.1 Binding Effect. This Agreement shall be binding on the successors and assigns of Developer in the ownership or development of any portion of the Project.

3.2 Assignment. Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld. Any such request for assignment may be made by letter addressed to the City and the prior written consent of the City may also be

evidenced by letter from the City to Developer or its successors or assigns. This restriction on assignment is not intended to prohibit or impede the sale of parcels of fully or partially improved or unimproved land by Developer prior to construction of buildings or improvements on the parcels, with Developer retaining all rights and responsibilities under this Agreement.

4. General Terms and Conditions.

4.1 Term of Agreement. Construction, as defined by the Uniform Building Code, is required to commence within two (2) years of the date of execution of this Agreement. After Construction commences, the Woodside Park Affordable Housing Project Phase I Master Planned Development and this Agreement shall continue in force and effect until all obligations hereto have been satisfied. The Master Plan approval for the Project shall remain valid so long as construction is proceeding in accordance with the approved phasing plan set forth herein.

4.2 Agreement to Run With the Land. This Development Agreement shall be recorded against the Property, as described in Exhibit D attached hereto, and shall be deemed to run with the land and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.

4.3 No Joint Venture, Partnership or Third Party Rights. This Development Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto, nor any rights or benefits to third parties.

4.4 Integration. This Development Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

4.5 Severability. If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

4.6 Attorney's Fees. If this Development Agreement or any of the Exhibits hereto are breached, the party at fault agrees to pay the attorney's fees and all costs of enforcement of the non-breaching party.

4.7 Minor Administrative Modification. Minor administrative modification may occur to this approval without revision of this Agreement.

5. Phasing.

5.1 Project Phasing. The Project will be developed in one (1) phase.

5.2 Construction of Access. Developer may commence grading access to the Project from Park Avenue and Woodside Avenue, as approved by the City Engineer according to generally accepted engineering practices and standards, and pursuant to permit requirements of

the LMC, the International Building Code/ Fire Code, and the Army Corps of Engineers. Developer shall be responsible for maintenance of any such accesses until they are completed according to City standards and accepted by the City.

5.3 Form of ownership anticipated for the project. The Project will consist of twelve residential units. Units are anticipated to be included in the condominium plat for individual ownership.

6. Water. Developer acknowledges that water development fees will be collected by Park City in the same manner and in the same amount as with other development within municipal boundaries and that impact fees so collected will not be refunded to Developer or to individual building permit applicants developing within the Project.

7. Affordable Housing. Eleven (11) of the twelve (12) proposed units are designated as Affordable Housing and will be deed restricted as such. The Affordability has been established by Resolution 03-2017. This project complies with Resolution 03-2017 and definitions of Affordable.

8. Physical Mine Hazards. There are no known Physical Mine Hazards on the property as determined through the exercise of reasonable due diligence by the Owner.

9. Notices. All notices, requests, demands, and other communications hereunder shall be in writing and shall be given (i) by Federal Express, UPS, or other established express delivery service which maintains delivery records, (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the parties at the following addresses, or at such other address as the parties may designate by written notice in the above manner:

To Developers:

Park City Municipal Corporation
445 Marsac Avenue
PO Box 1480
Park City, UT 84060
Attn: City Attorney

To Park City:

Park City Municipal Corporation
445 Marsac Avenue
PO Box 1480
Park City, UT 84060
Attn: City Attorney

Such communication may also be given by facsimile and/or email transmission, provided any such communication is concurrently given by one of the above methods. Notices shall be deemed effective upon receipt, or upon attempted delivery thereof if delivery is refused by the intended recipient or if delivery is impossible because the intended recipient has failed to provide a reasonable means for accomplishing delivery.

10. List of Exhibits.

Exhibit A – Plat

Exhibit B – MPD plans including site plan, architectural plans, landscape plan, trail and open space plans, grading plan, and utility plan approved by Planning Commission on August 23, 2017

Exhibit C – MPD Action letter Planning Commission Approval from August 23, 2017

Exhibit D – Legal Description of subject property located at the Woodside Park Subdivision-Phase I

Exhibit E – Historic Structures Report

IN WITNESS WHEREOF, this Development Agreement has been executed by the Developer by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council.



PARK CITY MUNICIPAL CORPORATION

By: Andy Beerman
Andy Beerman, Mayor

ATTEST:

By: Michelle Kellogg
City Recorder

APPROVED AS TO FORM:

Mark D. Harrington
Mark D. Harrington, City Attorney

DEVELOPER AND OWNER OF A PORTION OF LOT 1 AND ALL OF LOTS 2 AND 3 OF WOODSIDE PARK SUBDIVISION-PHASE I:

Park City Municipal Corporation

445 Marsac Avenue

PO Box 1480

Park City, UT 84060

By: Diane Foster
Diane Foster, City Manager

STATE OF UTAH)
 : ss
COUNTY OF SUMMIT)

On this 15 day of August, 2018, personally appeared before me Michelle Kellogg (notary), whose identity is personally known to me/or proved to me on

the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that Diane Foster is City Manager of Park City Municipal Corporation.



Michelle Kellogg
Notary Public

OWNER OF PORTION OF LOT 1 OF WOODSIDE PARK SUBDIVISION-PHASE I:

Redevelopment Agency of Park City
445 Marsac Avenue
PO Box 1480
Park City, UT 84060

By: [Signature]
Diane Foster, Executive Director

STATE OF UTAH)
 : ss
COUNTY OF SUMMIT)

On this 15 day of August, 2018, personally appeared before me Michelle Kellogg (notary), whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that Diane Foster is Executive Director of Redevelopment Agency of Park City.



Michelle Kellogg
Notary Public

Exhibit A:
Plat approved by Planning Commission
on August 23, 2017

Exhibit B:
MPD Plans approved by Planning
Commission on August 23, 2017

January 26th, 2017 (Rev.
05/04/2017)



LABSCANS ARCHITECTURE

Control the Program

4340397-162000-2478

Dr. Robert A. Smith, Editor
Smith-Donner Press
P.O. Box 67
Madison, WI 53701-0067

Dr. William B. Davis, Editor
The American Journal of
Sociology
University of Chicago Press
530 North Dearborn St.
Chicago, IL 60610-4202

2014	CONTRACT JAW, ANNUAL
2015	STREET COUNCIL
2016	STREET COUNCIL
2017	STREET COUNCIL
2018	STREET COUNCIL
2019	STREET COUNCIL
2020	STREET COUNCIL
2021	STREET COUNCIL
2022	STREET COUNCIL
2023	STREET COUNCIL
2024	STREET COUNCIL
2025	STREET COUNCIL
2026	STREET COUNCIL
2027	STREET COUNCIL
2028	STREET COUNCIL
2029	STREET COUNCIL
2030	STREET COUNCIL
2031	STREET COUNCIL
2032	STREET COUNCIL
2033	STREET COUNCIL
2034	STREET COUNCIL
2035	STREET COUNCIL
2036	STREET COUNCIL
2037	STREET COUNCIL
2038	STREET COUNCIL
2039	STREET COUNCIL
2040	STREET COUNCIL
2041	STREET COUNCIL
2042	STREET COUNCIL
2043	STREET COUNCIL
2044	STREET COUNCIL
2045	STREET COUNCIL
2046	STREET COUNCIL
2047	STREET COUNCIL
2048	STREET COUNCIL
2049	STREET COUNCIL
2050	STREET COUNCIL
2051	STREET COUNCIL
2052	STREET COUNCIL
2053	STREET COUNCIL
2054	STREET COUNCIL
2055	STREET COUNCIL
2056	STREET COUNCIL
2057	STREET COUNCIL
2058	STREET COUNCIL
2059	STREET COUNCIL
2060	STREET COUNCIL
2061	STREET COUNCIL
2062	STREET COUNCIL
2063	STREET COUNCIL
2064	STREET COUNCIL
2065	STREET COUNCIL
2066	STREET COUNCIL
2067	STREET COUNCIL
2068	STREET COUNCIL
2069	STREET COUNCIL
2070	STREET COUNCIL
2071	STREET COUNCIL
2072	STREET COUNCIL
2073	STREET COUNCIL
2074	STREET COUNCIL
2075	STREET COUNCIL
2076	STREET COUNCIL
2077	STREET COUNCIL
2078	STREET COUNCIL
2079	STREET COUNCIL
2080	STREET COUNCIL
2081	STREET COUNCIL
2082	STREET COUNCIL
2083	STREET COUNCIL
2084	STREET COUNCIL
2085	STREET COUNCIL
2086	STREET COUNCIL
2087	STREET COUNCIL
2088	STREET COUNCIL
2089	STREET COUNCIL
2090	STREET COUNCIL
2091	STREET COUNCIL
2092	STREET COUNCIL
2093	STREET COUNCIL
2094	STREET COUNCIL
2095	STREET COUNCIL
2096	STREET COUNCIL
2097	STREET COUNCIL
2098	STREET COUNCIL
2099	STREET COUNCIL
2100	STREET COUNCIL

As indicated in the text, a series of "in-between" studies are needed, under the right circumstances. The inclusion of the additional negative (if any) work is required, including the inclusion of researchers who are not "Design Champions" (as defined in the text), comparable with and possibly even identical, participants to the research and a subset of the computer and the hardware used.



1353 Park Ave
Park City, Utah

COVER SHEET

MPD-001

Master Planned Development
January 26th, 2017 (Rev. 05/04/2017)

**elliott
workgroup**
architecture

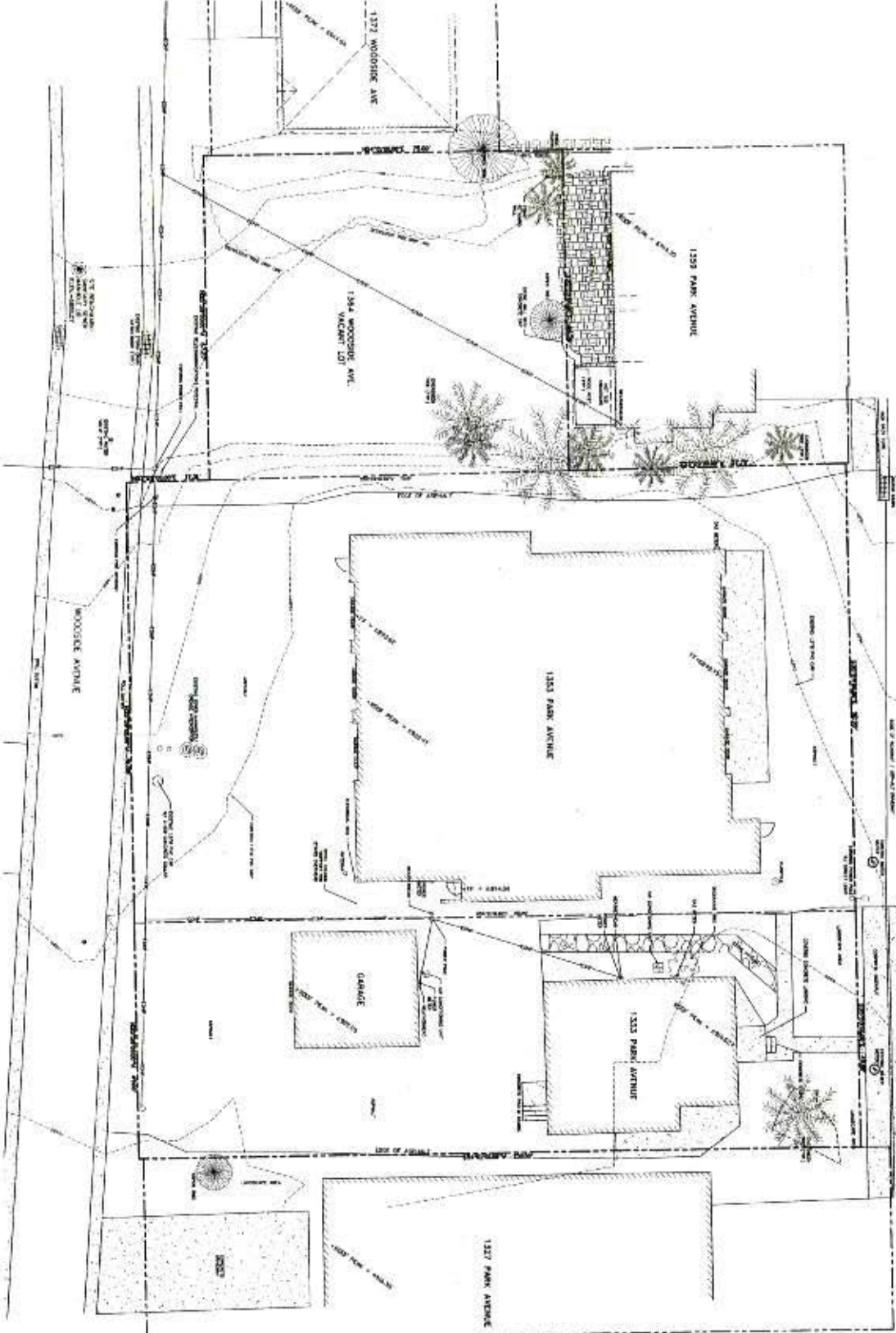


SURVEYOR'S CERTIFICATE

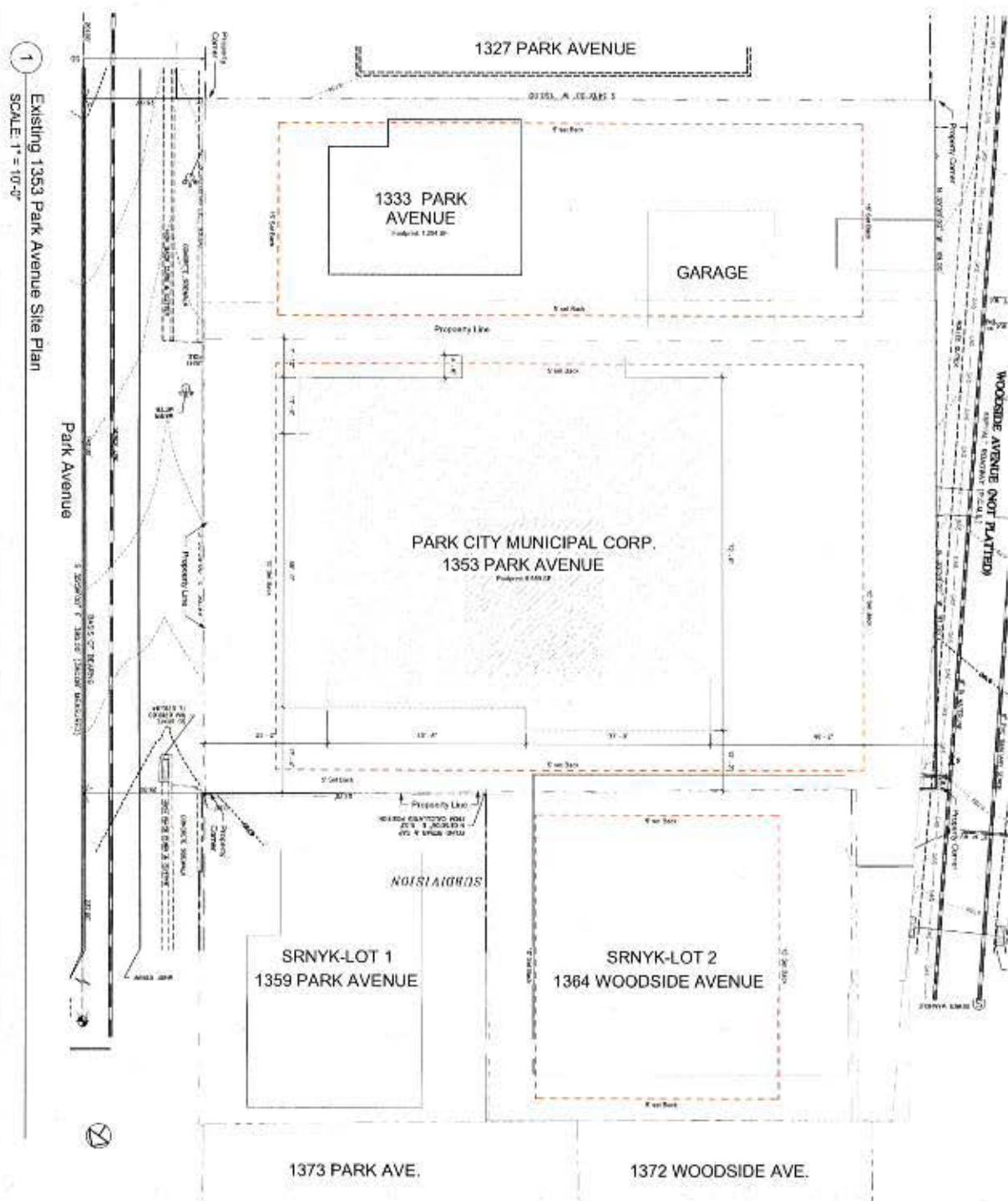
I, the undersigned, a duly qualified and licensed Surveyor for the State of Florida, do hereby certify that the foregoing is a true and correct representation of the facts as shown by the field notes and other data furnished to me by the client, and that the same have been carefully examined and found to be correct in accordance with the provisions of the Surveying Act of the State of Florida, Chapter 461, F.S., and the rules and regulations of the Board of Surveying, State of Florida.

NOTES

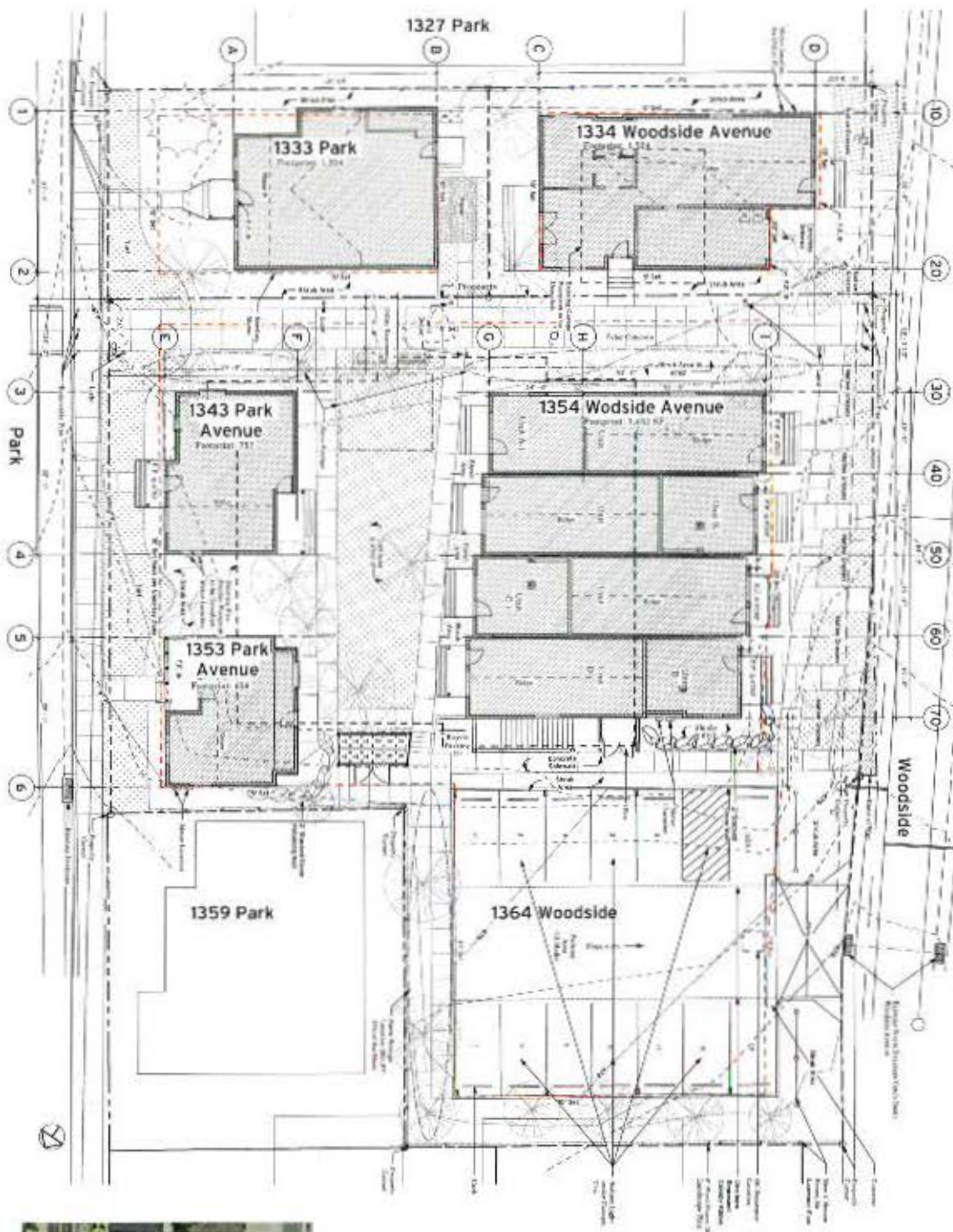
1. Site Boundary, Surveyed, Shown on Lot.
2. The boundary is represented by surveying stakes, ironing measurements, and bearing angles.
3. The boundary line is shown on a plat survey performed in October 1, 2017, and October 20, 2018.
4. Property corners were not set or found on any of the corners. The corners were set on the corner of the lot shown on the plat survey performed in October 1, 2017, and October 20, 2018, and the corner of the lot shown on the plat survey performed in October 1, 2017, and October 20, 2018.



		STAFF: SURVEYOR: [Name] DRAWN: [Name] CHECKED: [Name] DATE: 1/1/17		EXISTING CONDITIONS & TOPOGRAPHIC MAP 1300, 1302 PARK AVE. & 1304 WOODSIDE AVE. FOR PARK CITY MUNICIPAL CORPORATION JOB NO. 17-01-16 FILED IN: [Location]		SHEET 1 OF 1	
--	--	---	--	--	--	------------------------------	--



1 Proposed Site Plan
SCALE: 1" = 10'-0"



2 Proposed Aerial Photo
SCALE: 1" = 40'-0"



Item	Area	Percentage
Building Footprint	4,187	14.30%
Building Area	4,187	14.30%
Open Space	14,119	52.41%
Parking	7,504	26.29%
TOTAL	29,210	100.00%

Site Analysis

Item	Area	Percentage
1333 Park Avenue	0	0.00%
1343 Park Avenue	0	0.00%
1353 Park Avenue	1,119	3.83%
1354 Woodside Avenue	2	0.01%
1359 Woodside Avenue	80	0.27%
TOTAL	1,121	3.84%

Parking Analysis

1 Proposed General Roof Plan
SCALE: 1" = 10'-0"

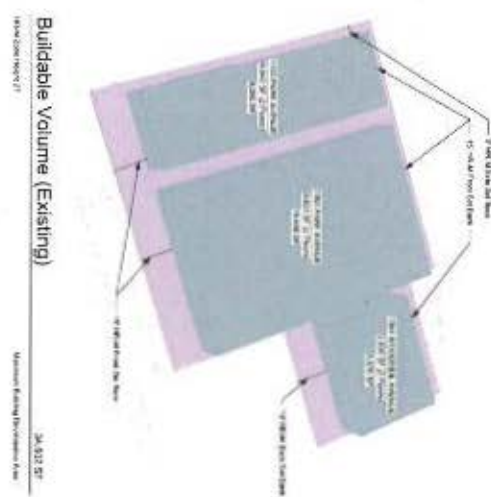
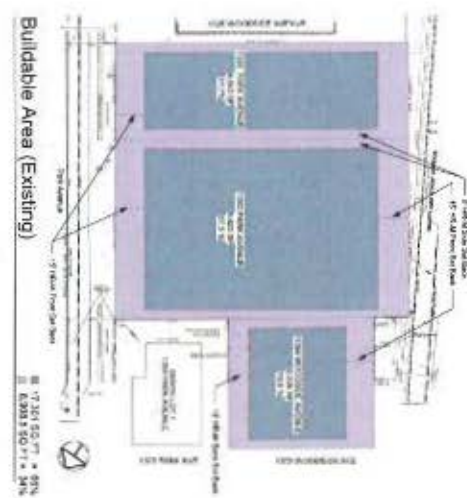


PROPOSED ROOF PLAN

MPD-005

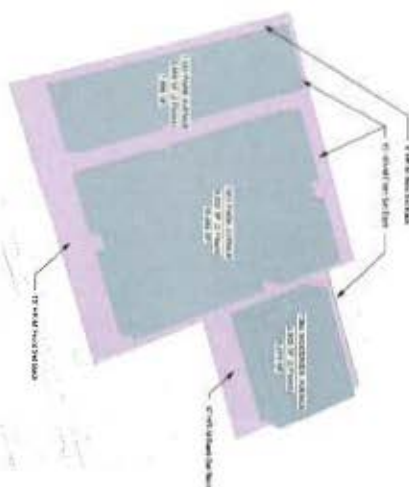
January 26th, 2017 (Rev. 05/04/2017)

Woodside Park



Legend

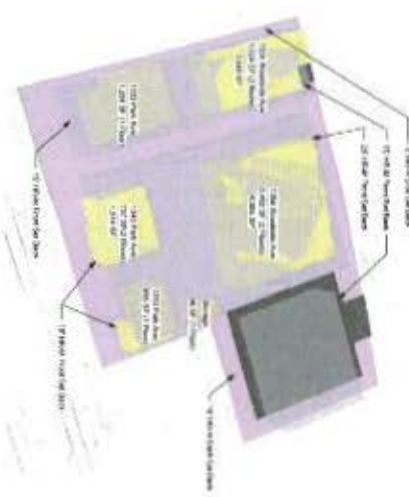
- Site Area
- Buildable Area
- Existing Area
- Proposed Area
- Proposed Volume



Buildable Volume (Allowable)

11,300' x 11,300'

11,300' x 11,300'



Proposed Buildings

11,300' x 11,300'

11,300' x 11,300'



Proposed Open Space

11,300' x 11,300'

11,300' x 11,300'

100% Full Access									
Year	Yearly	Monthly	Quarterly	Half-Yearly	Yearly	Yearly	Yearly	Yearly	Yearly
2000	100	100	100	100	100	100	100	100	100
2001	100	100	100	100	100	100	100	100	100
2002	100	100	100	100	100	100	100	100	100
2003	100	100	100	100	100	100	100	100	100
2004	100	100	100	100	100	100	100	100	100
2005	100	100	100	100	100	100	100	100	100
2006	100	100	100	100	100	100	100	100	100
2007	100	100	100	100	100	100	100	100	100
2008	100	100	100	100	100	100	100	100	100
2009	100	100	100	100	100	100	100	100	100
2010	100	100	100	100	100	100	100	100	100
2011	100	100	100	100	100	100	100	100	100
2012	100	100	100	100	100	100	100	100	100
2013	100	100	100	100	100	100	100	100	100
2014	100	100	100	100	100	100	100	100	100
2015	100	100	100	100	100	100	100	100	100
2016	100	100	100	100	100	100	100	100	100
2017	100	100	100	100	100	100	100	100	100
2018	100	100	100	100	100	100	100	100	100
2019	100	100	100	100	100	100	100	100	100
2020	100	100	100	100	100	100	100	100	100
2021	100	100	100	100	100	100	100	100	100
2022	100	100	100	100	100	100	100	100	100
2023	100	100	100	100	100	100	100	100	100
2024	100	100	100	100	100	100	100	100	100
2025	100	100	100	100	100	100	100	100	100
2026	100	100	100	100	100	100	100	100	100
2027	100	100	100	100	100	100	100	100	100
2028	100	100	100	100	100	100	100	100	100
2029	100	100	100	100	100	100	100	100	100
2030	100	100	100	100	100	100	100	100	100
2031	100	100	100	100	100	100	100	100	100
2032	100	100	100	100	100	100	100	100	100
2033	100	100	100	100	100	100	100	100	100
2034	100	100	100	100	100	100	100	100	100
2035	100	100	100	100	100	100	100	100	100
2036	100	100	100	100	100	100	100	100	100
2037	100	100	100	100	100	100	100	100	100
2038	100	100	100	100	100	100	100	100	100
2039	100	100	100	100	100	100	100	100	100
2040	100	100	100	100	100	100	100	100	100

Age	Gender	Prevalence
1-10	Male	0.232
1-10	Female	0.240
11-20	Male	0.280
11-20	Female	0.270
21-30	Male	0.270
21-30	Female	0.260
31-40	Male	0.250
31-40	Female	0.240
41-50	Male	0.230
41-50	Female	0.220
51-60	Male	0.210
51-60	Female	0.200
61-70	Male	0.190
61-70	Female	0.180
71-80	Male	0.170
71-80	Female	0.160
81-90	Male	0.150
81-90	Female	0.140
91-100	Male	0.130
91-100	Female	0.120



Floor plan of the second floor. The plan shows a large central hall (Area 1000 SF) and a large conference room (Area 1000 SF). Other rooms include a storage area (Area 100 SF), a small office (Area 100 SF), and a small conference room (Area 100 SF). The plan also shows the location of the elevator and stairs.

[illegible][illegible]



Aerial View 1 From Park Avenue



Aerial View 2 From Woodside Avenue



Courtyard View 1



Courtyard View 2



Park Avenue View



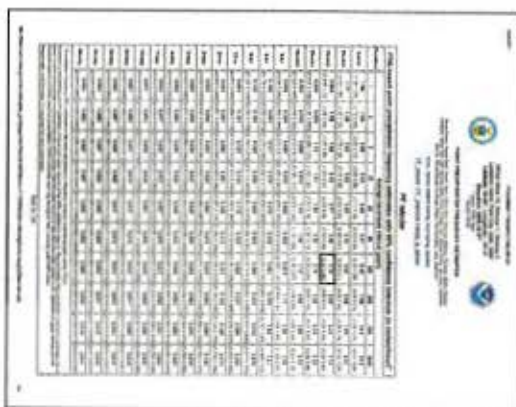
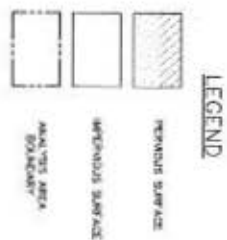
Woodside Avenue View



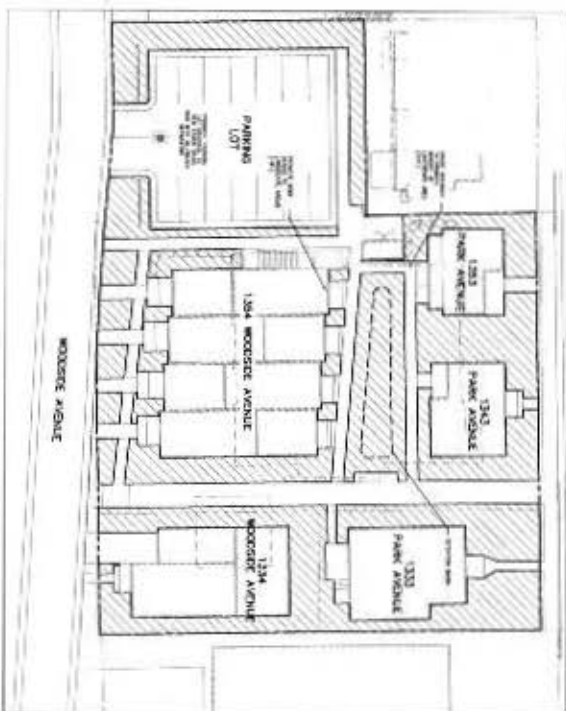
Woodside Avenue View

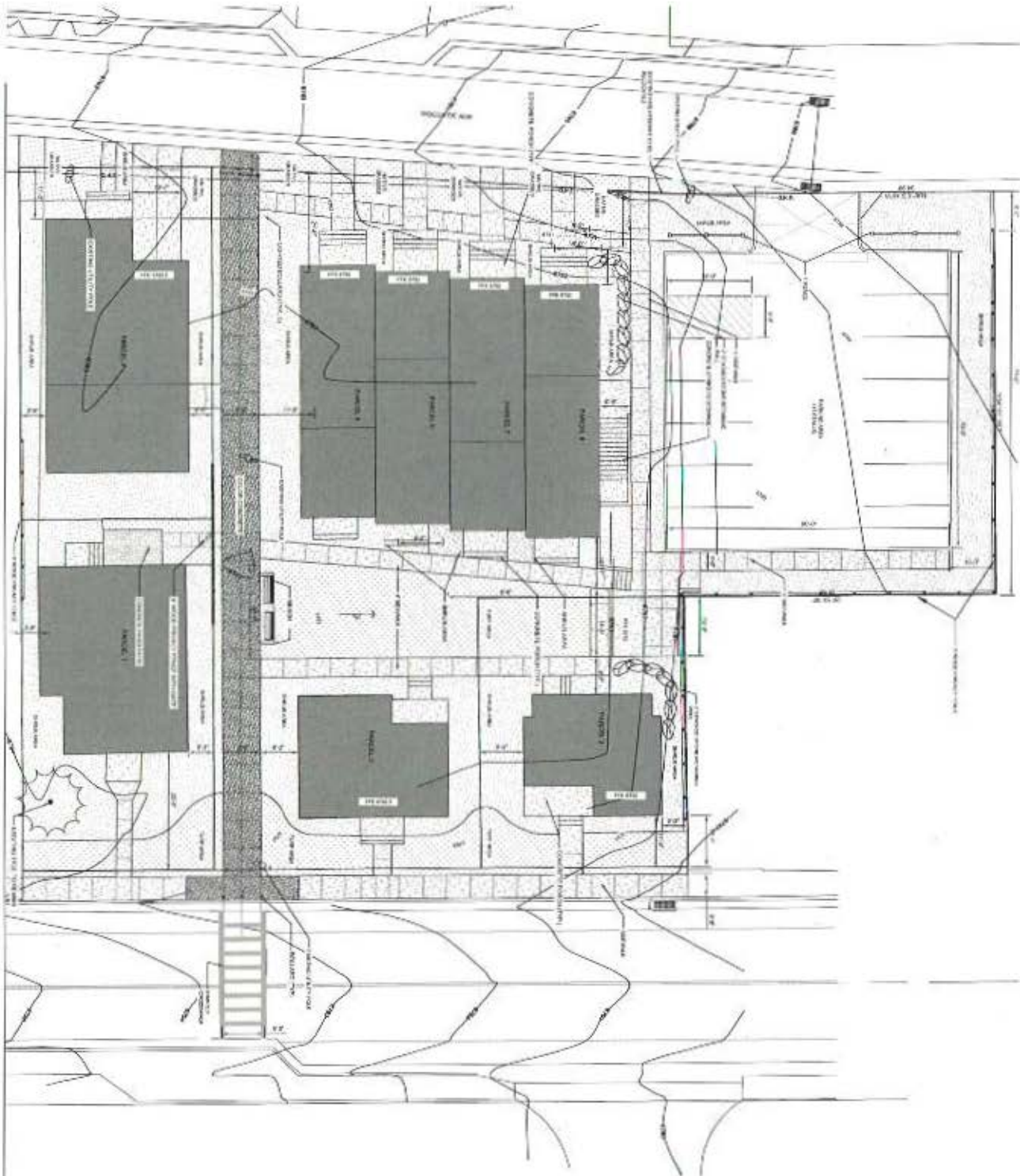


Woodside Avenue View



POST-DEVELOPMENT





Layout and Material Plan
L100

May 4, 2017

Exhibit C:
MPD Action Letter from Planning
Commission Approval on August 23, 2017



August 25, 2017

Park City Municipal Corporation
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84103

CC: Elliott Workgroup, Project Architects

NOTICE OF PLANNING COMMISSION ACTION

Description

Project Description: Woodside Park Master Planned Development
Project Number: PL-17-03454
Project Address: 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue
Date of Final Action: August 23, 2017

Action Taken

On August 23, 2017 the Planning Commission conducted a public hearing and approved the Woodside Park Master Planned Development (MPD) according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact:

1. The proposed site location consists of 1333 Park Avenue ("Significant" Single-Family Dwelling), 1353 Park Avenue (the former Park Avenue Fire Station parcel), and 1364 Woodside Avenue (vacant lot)
2. The site is known as the Woodside Park Affordable Housing Project Phase I.
3. Phase I of the Woodside Park Affordable Housing Project will consist of 10.68 Unit Equivalents to be located between Woodside Avenue and Park Avenue. The scope will include: Demolition of the former Park Avenue Fire Station; Four (4) Single-Family Dwellings; An eight-unit (8-unit) Multi-Unit Dwelling; A Thirteen-car (13-car) Parking Lot and An Access Easement running east-west.
4. During a Work Session on August 25, 2016, City Council provided the Lower Park Avenue Affordable Housing Project Team (Elliott Workgroup, Economic Development, Housing, Planning, and Community Development) with direction to pursue a preferred concept for affordable housing on the former Park Avenue Fire Station Parcel.
5. At the October 20th, 2016 meeting, City Council provided affirmative direction to pursue the preferred concept, as amended, and begin the Land Use process.

6. The Project Team met weekly to develop the required Land Use application submittals and conduct further LMC pre-reviews with Planning Department staff as required by the Land Management Code 15-6-4.
7. There are eight (8) applications total for the entire scope of Phase I.
8. On January 26, 2017 Elliot Workgroup submitted the MPD application as the representative for Park City Municipal Corporation. The application was deemed complete on March 2, 2017 after staff worked with the applicant on the requirements for the submittal.
9. The Planning Commission reviewed and continued this Master Planned Development application during a Work Session on July 12th, 2017. The Planning Commission held a public hearing and continued the Master Planned Development application on July 26th, 2017.
10. On June 28th, 2017, July 12th, 2016, August 9th, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on June 24th, 2017, July 8th, 2017, and August 5th, 2017 according to requirements of the Land Management Code.
11. At the July 12th, 2017 Work Session, the Planning Commission reviewed the entire scope of the project and discussed specific items with the applicant. The specific discussion items included, but were not limited to Snow storage, Area context on a neighborhood scale, Parking Requirements based on unit type, Solar panel glare, other examples of similar Affordable Housing projects, and Sound mitigation between units of the Multi-Unit Dwelling.
12. On March 1, 2017, the Historic Preservation Board (HPB) reviewed the Historic District Design Review (HDDR) application and approved the Material Deconstruction and Relocation of the "Significant" Single-Family Dwelling at 1323 Woodside Avenue to 1353 Park Avenue.
13. On March 1, 2017, the HPB reviewed the HDDR application and approved the Material Deconstruction of the "Significant" Single-Family Dwelling located at 1333 Park Avenue.
14. The remaining HDDR applications are under review by Planning Staff pending additional modifications and/or reviews by Planning Commission for the Conditional Use Permits.
15. The proposal complies with Land Management Code (LMC) § 15-6-5(A) Density as the proposed Density of the MPD does not exceed the maximum Density in the zone. The proposed MPD consists of 5.25 Residential Unit Equivalents.
16. Land Management Code (LMC) § 15-6-5(B) Building Footprint is not applicable as the site is not located in the HR-1 or HR-2 District. The proposed MPD is located in the HR-M Zoning District.
17. The proposal complies with Land Management Code (LMC) § 15-6-5(C) Setbacks as Per [LMC 15-6-5\(C\)\(2\)](#), for parcels less than one (1) acre in size and located inside the HRM, HR-1, HR-2, HR-L, HRC, and HCB, Districts, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.
18. The Woodside Park Affordable Housing Phase I MPD area is less than one (1) acre in size in the HRM Zoning District, therefore, the setbacks shall be determined by the Planning Commission.

19. The two (2) Single-Family Dwellings located on Lot 1 abutting Park Avenue (1343 Park Avenue and 1353 Park Avenue) shall have an 10 foot rather than the Zone required 15 foot Front Yard Setback which is consistent with many of the existing single-family dwellings on Park Avenue (including the neighboring "Significant" Single-Family Dwelling located at 1359 Park Avenue).
20. The two (2) Single-Family Dwellings (1343 Park Avenue and 1353 Park Avenue) will comply with all other applicable Setbacks, will comply with the minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D). No additional density is achieved by the decreased setback and all other requirements will still be met.
21. Parking Space 13 of the Parking Lot abutting Woodside Avenue on Lot 1 shall have a minimum Front Yard setback of 12 foot 8 inches. The remainder of the Parking Lot will comply with all applicable Setbacks. Parking Space 13 encroaches into the Front Yard Setback by a maximum of approximately 2 feet 4 inches. The Parking Lot is compatible with the streetscape and is appropriately screened. The Carport Structure will comply with all applicable HRM Zone required Setbacks.
22. The Front Yard setback of 12 feet 8 inches for Parking Space will not result in greater project density and will be properly buffered/visually mitigated through vegetative and fenced screening that is compatible with the Design Guidelines for Historic Districts and Historic Sites.
23. The Setback for Parking Space 13 will result in an additional Parking Space for the project, which the project team is contemplating potential uses as electric car charging station, car-share, and other uses that are compatible with goals set forth in the General Plan (ex. Goal 5 - Environmental Mitigation objectives and implementation strategies). Parking Space 13 will allow for one (1) additional car to park off-street rather than on the street.
24. The proposal complies with Land Management Code (LMC) § 15-6-5(D) Open Space because the proposed MPD is considered a redevelopment of existing Development; therefore, the Planning Commission shall reduce the required open space to 30% in exchange for project enhancements. The proposed MPD area is a total of 26,940 square feet. The applicant is proposing 52.41% Open Space which equates to 14,119 square feet.
25. The total required Parking Spaces of the entire project is 13.5 (14 when rounded to the next whole number) Parking Spaces. The total number of Parking Spaces provided by the project is 15 Parking Spaces.
26. The proposed MPD is providing one (1) additional Parking Space in excess of what is required by the Land Management Code.
27. The two (2) Historic Single-Family Dwellings located on Park Avenue (1333 Park Avenue and 1353 Park Avenue) do not have a Parking Requirement per LMC 15-2.4-6 Existing Historic Structures; therefore, no parking is provided for these structures.
28. The non-Historic Single-Family Dwelling located at 1334 Woodside Avenue has a single-car garage and driveway providing the required two (2) parking spaces on its own site.
29. The Multi-Family Dwelling (1354 Woodside Avenue) and non-historic Single-Family Dwelling (1343 Park Avenue) combine for a total of 11.5 Parking Spaces required

which will be provided in the 13-car Parking Lot.

30. One (1) of the Parking Spaces is ADA compliant for van accessibility in accordance with the ADA requirements.
31. Per LMC 15-3-9 Bicycle Parking Requirements, the Multi-Unit Dwelling must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The applicant is proposing to provide five (5) Bicycle Parking Spaces.
32. The proposal complies with Land Management Code (LMC) § 15-6-5(F) Building Height because the proposed MPD complies with the Building Height requirements for the HRM Zoning District. No Height exception is requested.
33. The proposal complies with Land Management Code (LMC) § 15-6-5(G) Site Planning because; the units are sited in such a way that is compatible with other residential structures in the Historic District, specifically respecting the Historic rhythm and scale of the streetscape on both Woodside Avenue and Park Avenue; Due to the relatively flat topography, very little retaining will be necessary. All retaining walls on site are no higher than 4 feet in total height. All retaining walls will be stacked stone consistent with those found in the Historic District; Roads, utility lines, and Buildings are designed to work with the Existing Grade. Cuts and fills are minimized; The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops to Woodside Avenue; ample snow storage areas are provided in accordance with the requirements of the LMC for the Access Easement, internal sidewalks, and Parking Lot; An enclosed trash and recycling structure has been provided on site which included a total of 12 cans (6 Recycling and 6 Trash).
34. The proposal complies with Land Management Code (LMC) § 15-6-5(H) Landscape and Street Scape because there is no existing significant vegetation. There is a landscape buffer for the Parking Lot and landscaping throughout the remainder of the project that is consistent with that found in the Historic District, including, but not limited to, natural turf, native grasses, deciduous trees, shrubs, and other alpine perennials.
35. Land Management Code (LMC) § 15-6-5(I) Sensitive Lands Compliance is not applicable as the site is not located within the Sensitive Lands Overlay District.
36. Land Management Code (LMC) § 15-6-5(J) Employee/Affordable Housing is not applicable as Eleven (11) of the twelve (12) proposed units are designated as Affordable Housing.
37. Land Management Code (LMC) § 15-6-5(K) Child Care is not applicable as the scale of this project is minor and much less than the allowed Zone Density. The Park City Library has Child Care which is located within walking distance and there is significant open space within the vicinity and on the proposed project site (City Park, Library Park, etc.).
38. Land Management Code (LMC) § 15-6-5(L) Mine Hazards is not applicable as there are no known Physical Mine Hazards on the property.
39. Land Management Code (LMC) § 15-6-5(M) Historic Mine Waste Mitigation is not applicable as there are no known Physical Mine Hazards on the property. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance which is standard for all Development and is Condition of Approval #5 of the Plat Amendment.
40. The proposal complies with Land Management Code (LMC) § 15-6-5(N) General

Plan Review as the proposed MPD fulfills the following Goals 3, 5, 7, 8, 15 of the General Plan and the applicable Objectives and/or Implantation Strategies of each as further described in the Analysis section of this report.

41. The proposal complies with Land Management Code (LMC) § 15-6-5(O) Historic Sites as the applicant submitted a Historic Preservation Plan and Physical Conditions Report for the Historic Single Family Dwellings located at 1333 Park Avenue and 1353 Park Avenue. 1333 Park Avenue will be rehabilitated and 1353 Park Avenue will be relocated from 1323 Woodside Avenue and reconstructed at the new site. As a part of the Plat Amendment application, Condition of Approval #4 requires that both structures (1333 Park Avenue and 1353 Park Avenue) shall have Façade Preservation Easements placed on them prior to sale to a new property owner. Both structures are already listed as "Significant" on Park City's Historic Sites Inventory.
42. The property is located in a FEMA Flood Zone A.

Conclusions of Law:

- A. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
- B. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
- C. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
- D. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
- E. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- F. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
- G. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
- H. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
- I. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
- J. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
- K. The MPD has been noticed and public hearing held in accordance with this Code.
- L. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
- M. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
- N. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.

- O. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditions of Approval:

1. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting, trash/recycling enclosures, mechanical equipment, etc.
2. A conditional use permit is required for the Multi-Unit Dwelling and Parking Area of five (5) or more spaces prior to issuance of a building permit.
3. A development agreement as described in LMC Section 15-6-4(G) shall be ratified by the Planning Commission within 6 months of this approval and prior to issuance of a building permit for the project.
4. All vehicle access to the site shall be off of Woodside Avenue.
5. Parking Space Allocation within the Parking Area shall be established as a part of the CC&Rs.
6. That the basic infrastructure for electronic charges to be installed in the parking lot and for e-chargers to be installed at a later date.
7. An e-bike location should be located somewhere on the site.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at (435)615-5059 or contact me by email at hannah.tyler@parkcity.org.

Sincerely,



Hannah M. Tyler
Project Planner

Exhibit D:
Legal Description of subject property located at
the Woodside Park Subdivision-Phase I

**Legal Description of subject property located at the
Woodside Park Subdivision-Phase I**

The land referred to in the Commitment is described as follows: Summit County, Utah

Parcel 1:

All of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah.

Less and excepting the following described parcel:

Beginning at a point that is South 35°59'00" East 170.99 feet and South 54°01'00" West 82.70 feet from a brass cap monument at the intersection of 14th Street and Park Avenue, said point being the northernmost corner of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah; and running thence coincident with the boundary of said Lot 1 South 35°59'00" East 66.56 feet; thence South 53°28'00" West 75.00 feet; thence North 35°59'00" West 67.28 feet to a point on the northerly boundary of said Lot 1; thence coincident with Lot 1 North 54°01'00" East 75.00 feet to the point of beginning.

ALSO

All of Lots 2 & 3, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah.

Parcel 2:

Beginning at a point that is South 35°59'00" East 170.99 feet and South 54°01'00" West 82.70 feet from a brass cap monument at the intersection of 14th Street and Park Avenue, said point being the northernmost corner of Lot 1, Woodside Park Subdivision-Phase I, recorded January 4, 2018, as Entry No. 1084351 in the Office of the Recorder, Summit County, Utah; and running thence coincident with the boundary of said Lot 1 South 35°59'00" East 66.56 feet; thence South 53°28'00" West 75.00 feet; thence North 35°59'00" West 67.28 feet to a point on the northerly boundary of said Lot 1; thence coincident with Lot 1 North 54°01'00" East 75.00 feet to the point of beginning.

Summit County Tax Serial Numbers: WSPS-1, WSPS-2 and WSPS-3

Exhibit E:
Historic Structures Report

1333 Park Avenue

Historic Preservation Package

1333 Park Avenue
Park City, UT 84060

November 1st, 2016

PROJECT CONTACT INFORMATION

OWNER	ARCHITECT
Park City Historical Foundation 1333 Park Avenue Park City, UT 84060 Phone: 435.266.1111 Email: info@parkcityhistory.org	Elliott Workgroup 1333 Park Avenue Park City, UT 84060 Phone: 435.266.1111 Email: info@elliottworkgroup.com

STARCH	STRUCTURAL ENGINEER

INTERIOR DESIGN	LANDSCAPE ARCHITECTURE

SERVICE CONTACTS

High Mountain Survey 221 South Main St. Suite 200 Salt Lake City, UT 84101 Phone: 801.524.1111 Email: info@hmsurvey.com	Central & Proton Company 4100 Ambrose Dr. Park City, UT 84098 Phone: 435.266.1111 Email: info@centralandproton.com
Park City Planning Department 1333 Park Avenue Park City, UT 84060 Phone: 435.266.1111 Email: info@parkcityplanning.com	General Electric 1777 South Main St. #215 Park City, UT 84060 Phone: 435.266.1111 Email: info@ge.com

Drawing Index HPP

APP	DATE	DESCRIPTION
HPP-000	11/01/16	Initial Presentation Meeting
HPP-001	11/01/16	Initial Presentation Meeting



November 1st, 2016

elliott workgroup
architecture
1333 Park Avenue
Park City, UT 84060

1333 Park Avenue

1333 Park Avenue
Park City, UT 84060

HPP-000

Copyright © 2016 Elliott Workgroup. All Rights Reserved.



2 North Elevation



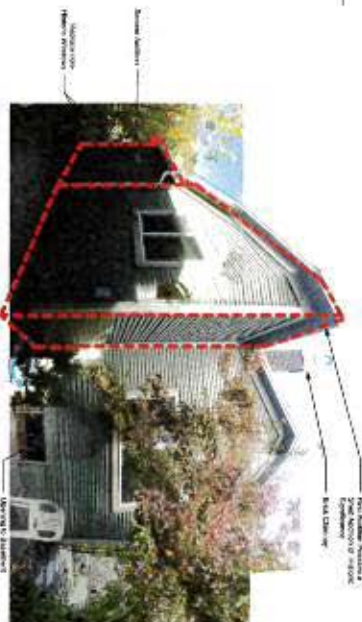
3 West Elevation



1333 Park Avenue



1 East Elevation



5 South Elevation



Sanborn Fire Insurance Map From 1907



1995 Picture

1353 Park Avenue

Historic Preservation Package

1353 Park Avenue
(old 1323 Woodside Ave)
Park City, Utah
November 1st, 2016

PROJECT CONTACT INFORMATION

Owner

Park City Municipal Corporation
445 Menard Avenue, P.O. Box 1482
Park City, UT 84060

Architect

ELLIOTT Architecture
449 Main Street, P.O. Box 3419
Park City, Utah 84060
307.415.1009
CONTACT: Greg Elliott

DRAWING INDEX

Historic Preservation Drawings

HPP-001	Cover Sheet
HPP-002	Historic Preservation Photo Documentation
HPP-003	Drafting Survey
HPP-004	Demolition/Preservation Site Plan
HPP-005	Demolition/Preservation Floor Plan
HPP-006	Demolition/Preservation Elevations



Historic Preservation Package
November 1st, 2016

elliott
workgroup
architecture
344 Main Street, P.O. Box 3419, Park City, Utah 84060
307.415.1009 • elliottworkgroup.com

Green House Foundation
1353 Park Avenue

1353 Park Avenue
(old 1323 Woodside Ave)
Park City, Utah

Cover Sheet:

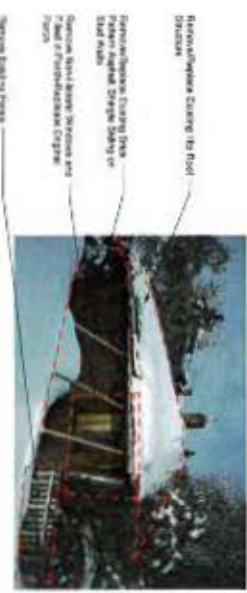
HPP-001

189

COPYRIGHT ELLIOTT WORKGROUP AND TITLE

GENERAL NOTES

1. Work is to be done in accordance with the requirements of the Maryland Department of Transportation, Division of State Highway Administration.
2. Work is to be done in accordance with the requirements of the Maryland Department of Transportation, Division of State Highway Administration.
3. Work is to be done in accordance with the requirements of the Maryland Department of Transportation, Division of State Highway Administration.
4. Work is to be done in accordance with the requirements of the Maryland Department of Transportation, Division of State Highway Administration.



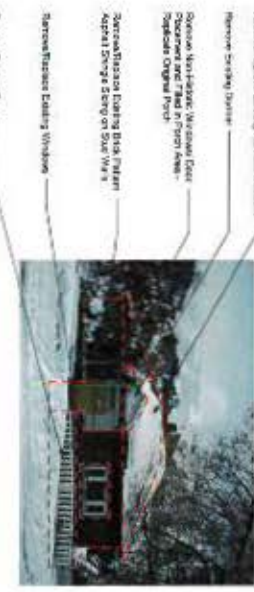
5 Existing Looking North
SCALE: 1" = 20'-0"



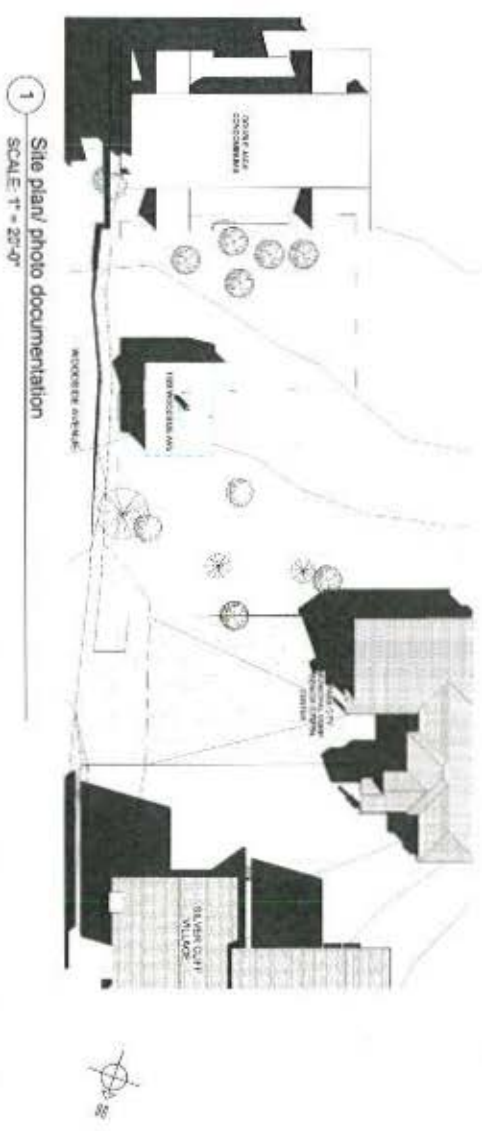
4 Existing Looking East
SCALE: 1" = 20'-0"



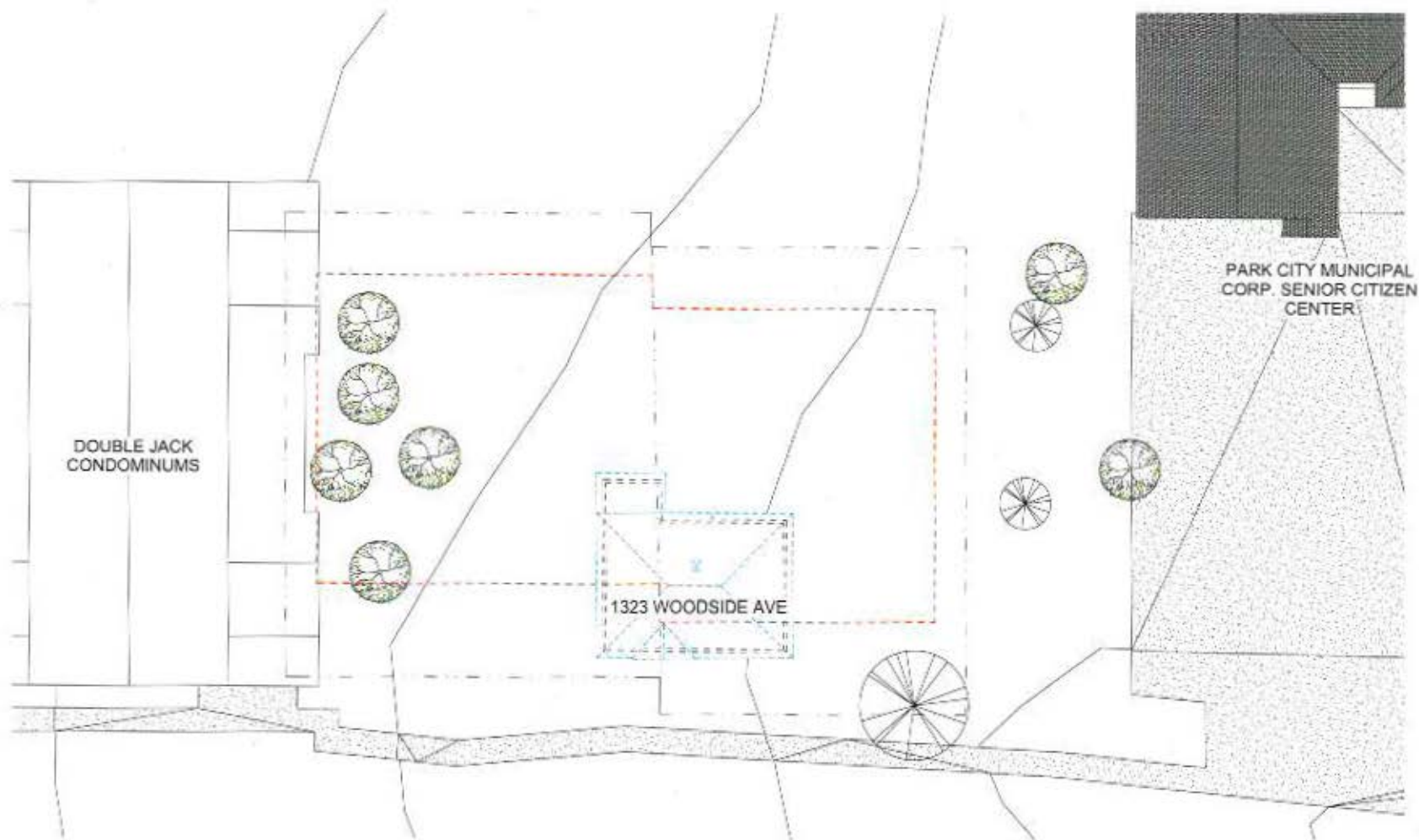
3 Existing Looking South
SCALE: 1" = 20'-0"



2 Existing Looking West
SCALE: 1" = 20'-0"



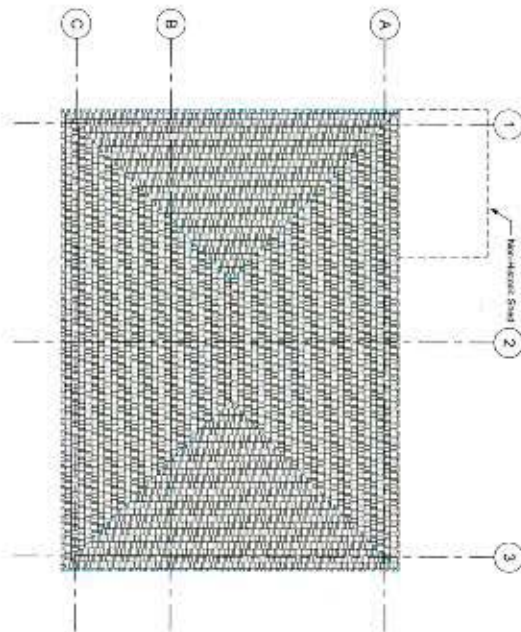
1 Site plan/ photo documentation
SCALE: 1" = 20'-0"



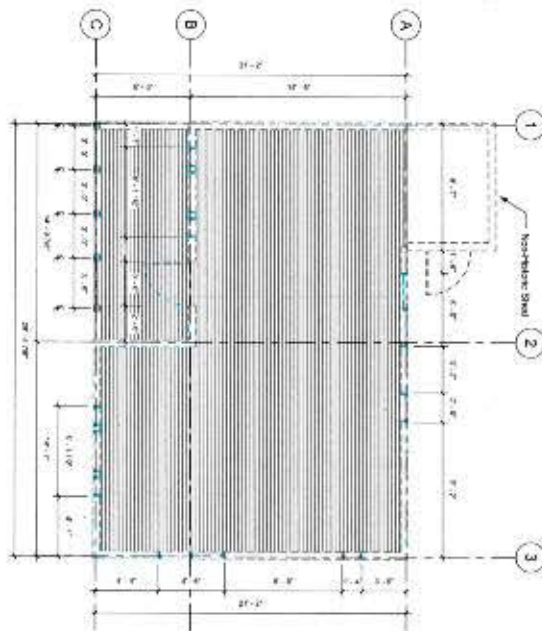
1 PROPOSED DEMO/PRESERVATION SITE PLAN
SCALE: 1/8" = 1'-0"

GENERAL NOTES

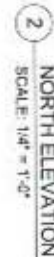
1. Non-Historic Additions Are to be Removed by Contractor & Debris of Property According to the Municipality.
2. Items to be Removed Shown Dashed.
3. House to be Reconstructed as per Building's Historical Character with Project Location to be Determined at Later Date as Approved by Planning Process.



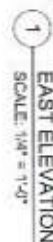
2 Roof Plan
SCALE: 1/4" = 1'-0"



1 Level 1 Floor Plan
SCALE: 1/4" = 1'-0"



- ## GENERAL NOTES



Planning Commission Staff Report

Subject: Woodside Park Subdivision - Phase I Condominiums
Project #: PL-19-04220
Author: Hannah M. Tyler, AICP – Senior Planner
Date: June 12, 2019
Type of Item: Legislative – Condominium Plat Modification

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue, specifically to remove Condition of Approval #7, and consider forwarding a positive recommendation to the City Council on June 27, 2019 based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: Park City Municipal Corporation (Represented by Jason Glidden, Housing Development Manager)
Location: 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue
Zoning: Historic Residential-Medium Density District (HRM)
Adjacent Land Uses: Single-Family, Multi-Family, Municipal Uses
Reason for Review: Condominium Plat Amendments require Planning Commission review and City Council review and action

Disclosure: Park City Municipal Corporation owns the subject property.

Proposal

The applicant is requesting to remove Condition of Approval #7 from the previously approved Condominium Plat which states:

7. An e-bike location should be located somewhere on this site.

The reason for the request to remove this Condition of Approval is that there will be a Summit Bike Share station installed at City Park and there is limited space within the existing Public Access Easement for Woodside Park Phase I. The Transportation Planning Department has provided comments and they find that the proximity of the new Summit Bike Share station in City Park is sufficient to satisfy the need within this area for a public electric bike (e-bike) station.

Background

For a complete background, please reference the March 27, 2019 Planning Commission [Staff Report](#).

Planning Commission forwarded a unanimous positive recommendation for the Woodside Park Subdivision - Phase I Condominiums on March 27, 2019 ([Staff Report](#) and [Minutes](#), page 18). City Council approved the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019 ([Staff Report](#) and [Minutes](#), page 8 - Ordinance 2019-22).

City Council added Condition of Approval #7 on April 18, 2019. Condition of Approval #7 was not proposed by the applicant and was not reviewed by the Planning Commission during their March 27, 2019 meeting.

After the April 18, 2019 approval from City Council for the Woodside Park Subdivision - Phase I Condominiums, the Affordable Housing team reached out to the City's Transportation Planning Department regarding the e-bike station and realized that the e-bike station was not feasible within the project boundary. After this, the Affordable Housing team applied for another Condominium Plat to modify the previously approved Woodside Park Subdivision - Phase I Condominiums. The Affordable Housing team is also proposing to modify the Master Planned Development application as the same Condition of Approval (#7) is listed within the Master Planned Development approval (in this meeting packet).

The proposed Condominium Plat Modification application was deemed complete on May 10, 2019.

Purpose

The purpose of the Historic Residential Medium Density (HRM) District is found in [Land Management Code § 15-2.4-1](#).

Analysis

For a complete analysis of the approved Condominium Plat, please reference the March 27, 2019 Planning Commission [Staff Report](#).

The applicant is requesting to remove Condition of Approval #7 from the previously approved Condominium Plat which states:

7. An e-bike location should be located somewhere on this site.

The reason for the request to remove this Condition of Approval is that there will be a Summit Bike Share station installed at City Park and there is limited space within the existing Public Access Easement for Woodside Park Phase I. The Transportation Planning Department has provided comments and they find that the proximity of the new Summit Bike Share station in City Park is sufficient to satisfy the need within this area for a public electric bike (e-bike) station.

The Planning Department staff has reviewed the Transportation Planning Department's findings submitted in the application and finds that the proposal to remove Condition of Approval #7 is reasonable and factually supported.

Good Cause

Staff finds good cause for this Condominium Plat Amendment as the proposal allows for the reasonable use of the Access Easement as the removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired transportation modes (other bikes, pedestrians, etc.). An e-bike station is proposed in close proximity at City Park where there is sufficient area.

Process

The approval of this condominium plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 15-1-18. The approved Woodside Park Subdivision - Phase I Condominiums has not yet been recorded. Should the modification be approved by City Council after review and recommendation by Planning Commission, then removal of Condition of Approval #7 would be incorporated into a new Ordinance and the condominium plat would be recorded after this public process is complete.

Department Review

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

Notice

On May 29, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 27, 2019 according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue to a future date.

Significant Impacts

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

Consequences of not taking recommended action

Consequences of not taking the Planning Department's recommendation are that the easement will potentially be blocked by an e-bike station.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue, specifically to remove Condition of Approval #7, and consider forwarding a positive recommendation to the City Council on June 27, 2019 based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit 1 – Applicant Submittal

Exhibit 2 – [Link to all Exhibits listed below from the March 27, 2019 Planning Commission Packet](#)

- Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
- Exhibit B – Existing Conditions Survey
- Exhibit C – Woodside Park – Phase I Subdivision
- Exhibit D – Aerial Photographs with 500' Radius
- Exhibit E – Site Photographs
- Exhibit F – Development Agreement

Ordinance No. 19-XX

AN ORDINANCE APPROVING THE WOODSIDE PARK SUBDIVISION - PHASE I CONDOMINIUMS MODIFICATION LOCATED AT 1333 PARK AVENUE, 1343 PARK AVENUE, 1353 PARK AVENUE, 1330 WOODSIDE AVENUE, AND 1350 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, On May 29, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on May 27, 2019, proper legal notice was sent to all affected property owners and published in the Park Record and on the Utah Public Notice Website; and

WHEREAS, the Planning Commission held a public hearing on June 12, 2019 , to receive input on plat amendment; and

WHEREAS, the Planning Commission, on June 12, 2019, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on June 27, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue.

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

SECTION 1. APPROVAL. The Woodside Park Subdivision - Phase I Condominiums Modification located at 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue in the Historic Residential-

Medium Density (HR-M) District.

2. The subject property currently consists of lots in the Woodside Park – Phase I Subdivision.
3. The proposed site location addresses are 1333 Park Avenue (“Significant” Single-Family Dwelling), 1343 Park Avenue (new Single-Family Dwelling), 1353 Park Avenue (“Significant” Single-Family Dwelling), 1330 Woodside Avenue (new Single-Family Dwelling), and 1350 Woodside Avenue (new Multi-Unit Dwelling).
4. On July 26, 2017 the Planning Commission approved the Woodside Park – Phase I Master Planned Development application and Conditional Use Applications for the Multi-Unit Dwelling and Parking Area.
5. On July 26, 2017 the Planning Commission forwarded a positive recommendation to City Council for the Woodside Park – Phase I Subdivision.
6. On August 31, 2017, the City Council approved the Woodside Park – Phase I Subdivision.
7. Planning Commission forwarded a unanimous positive recommendation for the Woodside Park Subdivision - Phase I Condominiums on March 27, 2019 ([Staff Report](#) and [Minutes](#), page 18).
8. City Council approved the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019 ([Staff Report](#) and [Minutes](#), page 8 - Ordinance 2019-22).
9. City Council added Condition of Approval #7 to the Woodside Park Subdivision - Phase I Condominiums on April 18, 2019. Condition of Approval #7 was not proposed by the applicant and was not reviewed by the Planning Commission during their March 27, 2019 meeting.
10. After the April 18, 2019 approval from City Council for the Woodside Park Subdivision - Phase I Condominiums, the Affordable Housing team reached out to the City’s Transportation Planning Department regarding the e-bike station and realized that the e-bike station was not feasible within the project boundary. After this, the Affordable Housing team applied for another Condominium Plat to modify the previously approved Woodside Park Subdivision - Phase I Condominiums. The Affordable Housing team is also proposing to modify the Master Planned Development application as the same Condition of Approval (#7) is listed within the Master Planned Development approval (in this meeting packet).
11. The proposed Condominium Plat Modification application was deemed complete on May 10, 2019.
12. The applicant is requesting to remove Condition of Approval #7 from the previously approved Condominium Plat which states:
 - 7. An e-bike location should be located somewhere on this site.
13. The reason for the request to remove this Condition of Approval is that there will be a Summit Bike Share station installed at City Park and there is limited space within the existing Public Access Easement for Woodside Park Phase I. The Transportation Planning Department has provided comments and they find that the proximity of the new Summit Bike Share station in City Park is sufficient to satisfy the need within this area for a public electric bike (e-bike) station.
14. The approved Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit will be retained by the City.

15. The property consists of an eight (8) unit Multi-Unit Dwelling, four (4) Single-Family Dwellings (SFD), a Public Access Easement, common gathering areas, and a 13-car parking lot.
16. The project is phase one (1) of a two (2) phase project that will provide Affordable Housing units developed by the City. In addition to residential units, the two (2) projects will create a pedestrian link between Park Avenue and Empire Avenue through Public Access Easements.
17. The proposed Condominium Plat is consistent with the approved Development Agreement and associated Affordable Housing Plan as it provides the eleven (11) deed restricted units.
18. Recordation of this Condominium Plat would allow the applicant to sell each deed restricted unit individually.
19. The proposed Condominium Plat reflects compliance with the approved Master Plan (Development Agreement), Conditional Use, Subdivision Plat, Affordable Housing Mitigation Plan, and issued Building Permit.
20. Staff finds good cause for this Condominium Plat Amendment as the proposal allows for the reasonable use of the Access Easement as the removal of Condition of Approval #7 will allow the Access Easement to be passable by the desired transportation modes (other bikes, pedestrians, etc.).
21. On May 29, 2019 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on May 27, 2019 according to requirements of the Land Management Code.
22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.
23. All findings within Ordinance 2019-22 are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat, individual unit deed restrictions, and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
3. The individual unit deed restrictions for the Affordable units, acceptable to the City, shall be recorded with or prior to condominium plat recordation. The deed

restrictions shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the Affordable units are subject to a deed restriction.

4. The CCRs shall limit the HOA dues related to the deed restricted Affordable housing units in order to ensure the Affordable units remain affordable.
5. The applicant shall record the Plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval of the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
6. All conditions of approval of the Master Planned Development, Conditional Use Permits, Woodside Park – Phase I Subdivision Plat Ordinance No. 2017-48, and approved Housing Mitigation Plan shall continue to apply.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 27th day of June, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

consultant:

project:
PARK CITY
AFFORDABLE
HOUSING -
WOODSIDE PHASE II

REVISIONS

sheet:

MPD APPLICATION



SURVEYOR'S CERTIFICATE

I, Charles Gault, certify that I am a Professional Land Surveyor and that I hold License No. 72-18691, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a topographic survey has been performed on the subject property and that to the best of my knowledge this plot is a correct representation of said survey.

NOTES

1. Field work for this topography was completed October 10, 2018, and is in compliance with generally accepted industry standards for accuracy.
 2. The purpose of this survey was to perform an Existing Conditions and Topography Survey for the possibility of future improvements to the property.
3. Site Benchmark: Sanitary Sewer Manhole Lid, Elevation = 6904.13 feet, as shown.

LINE	DIRECTION	LENGTH	LINE	DIRECTION	LENGTH
L1	S 45°10'30" E	15.00'	L11	S 45°10'30" E	15.00'
L2	N 54°10'30" E	44.00'	L12	S 45°10'30" E	12.35'
L3	S 45°10'30" E	35.00'	L13	S 50°10'00" W	18.00'
L4	S 30°10'00" E	35.00'	L14	N 54°10'30" E	55.00'
L5	S 30°13'29" E	32.56'	L15	S 35°59'00" E	1.00'
L6	S 53°28'00" W	3.43'	L16	S 35°59'00" E	9.00'
L7	S 53°28'00" W	1.00'	L17	S 35°59'00" E	36.00'
L8	S 35°59'00" E	36.00'	L18	N 54°10'30" E	18.00'
L9	S 54°10'30" W	1.00'	L19	S 54°10'30" W	18.00'
L10	S 35°59'00" E	36.00'	L20	S 54°10'30" W	18.00'
L11	N 54°10'30" E	18.00'	L21	S 35°59'00" E	33.00'
L12	S 35°59'00" E	33.00'	L22	S 54°10'30" W	18.00'
L13	S 54°10'30" W	18.00'	L23	S 54°10'30" W	18.00'
L14	N 54°10'30" E	55.00'	L24	S 35°59'00" E	1.00'
L15	S 35°59'00" E	1.00'	L25	S 35°59'00" E	9.00'
L16	S 35°59'00" E	9.00'	L26	S 35°59'00" E	36.00'
L17	S 35°59'00" E	36.00'	L27	N 54°10'30" E	18.00'
L18	N 54°10'30" E	18.00'	L28	S 54°10'30" W	18.00'
L19	S 54°10'30" W	18.00'	L29	S 54°10'30" W	18.00'
L20	S 35°59'00" E	33.00'	L30	S 35°59'00" E	33.00'
L21	S 35°59'00" E	33.00'	L31	S 35°59'00" E	33.00'
L22	S 54°10'30" W	18.00'	L32	S 54°10'30" W	18.00'
L23	S 54°10'30" W	18.00'	L33	S 54°10'30" W	18.00'
L24	S 35°59'00" E	1.00'	L34	S 35°59'00" E	1.00'
L25	S 35°59'00" E	9.00'	L35	S 35°59'00" E	36.00'
L26	S 35°59'00" E	36.00'	L36	N 54°10'30" E	18.00'
L27	N 54°10'30" E	18.00'	L37	S 54°10'30" W	18.00'
L28	S 54°10'30" W	18.00'	L38	S 54°10'30" W	18.00'
L29	S 54°10'30" W	18.00'	L39	S 54°10'30" W	18.00'
L30	S 35°59'00" E	33.00'	L40	S 35°59'00" E	33.00'
L31	S 35°59'00" E	33.00'	L41	S 35°59'00" E	33.00'
L32	S 54°10'30" W	18.00'	L42	S 54°10'30" W	18.00'
L33	S 54°10'30" W	18.00'	L43	S 54°10'30" W	18.00'
L34	S 35°59'00" E	1.00'	L44	S 35°59'00" E	1.00'
L35	S 35°59'00" E	9.00'	L45	S 35°59'00" E	36.00'
L36	S 35°59'00" E	36.00'	L46	N 54°10'30" E	18.00'
L37	N 54°10'30" E	18.00'	L47	S 54°10'30" W	18.00'
L38	S 54°10'30" W	18.00'	L48	S 54°10'30" W	18.00'
L39	S 54°10'30" W	18.00'	L49	S 54°10'30" W	18.00'
L40	S 35°59'00" E	33.00'	L50	S 35°59'00" E	33.00'
L41	S 35°59'00" E	33.00'	L51	S 35°59'00" E	33.00'
L42	S 54°10'30" W	18.00'	L52	S 54°10'30" W	18.00'
L43	S 54°10'30" W	18.00'	L53	S 54°10'30" W	18.00'
L44	S 35°59'00" E	1.00'	L54	S 35°59'00" E	1.00'
L45	S 35°59'00" E	9.00'	L55	S 35°59'00" E	36.00'
L46	S 35°59'00" E	36.00'	L56	N 54°10'30" E	18.00'
L47	N 54°10'30" E	18.00'	L57	S 54°10'30" W	18.00'
L48	S 54°10'30" W	18.00'	L58	S 54°10'30" W	18.00'
L49	S 54°10'30" W	18.00'	L59	S 54°10'30" W	18.00'
L50	S 35°59'00" E	33.00'	L60	S 35°59'00" E	33.00'
L51	S 35°59'00" E	33.00'	L61	S 35°59'00" E	33.00'
L52	S 54°10'30" W	18.00'	L62	S 54°10'30" W	18.00'
L53	S 54°10'30" W	18.00'	L63	S 54°10'30" W	18.00'
L54	S 35°59'00" E	1.00'	L64	S 35°59'00" E	1.00'
L55	S 35°59'00" E	9.00'	L65	S 35°59'00" E	36.00'
L56	S 35°59'00" E	36.00'	L66	N 54°10'30" E	18.00'
L57	N 54°10'30" E	18.00'	L67	S 54°10'30" W	18.00'
L58	S 54°10'30" W	18.00'	L68	S 54°10'30" W	18.00'
L59	S 54°10'30" W	18.00'	L69	S 54°10'30" W	18.00'
L60	S 35°59'00" E	33.00'	L70	S 35°59'00" E	33.00'
L61	S 35°59'00" E	33.00'	L71	S 35°59'00" E	33.00'
L62	S 54°10'30" W	18.00'	L72	S 54°10'30" W	18.00'
L63	S 54°10'30" W	18.00'	L73	S 54°10'30" W	18.00'
L64	S 35°59'00" E	1.00'	L74	S 35°59'00" E	1.00'
L65	S 35°59'00" E	9.00'	L75	S 35°59'00" E	36.00'
L66	S 35°59'00" E	36.00'	L76	N 54°10'30" E	18.00'
L67	N 54°10'30" E	18.00'	L77	S 54°10'30" W	18.00'
L68	S 54°10'30" W	18.00'	L78	S 54°10'30" W	18.00'
L69	S 54°10'30" W	18.00'	L79	S 54°10'30" W	18.00'
L70	S 35°59'00" E	33.00'	L80	S 35°59'00" E	33.00'
L71	S 35°59'00" E	33.00'	L81	S 35°59'00" E	33.00'
L72	S 54°10'30" W	18.00'	L82	S 54°10'30" W	18.00'
L73	S 54°10'30" W	18.00'	L83	S 54°10'30" W	18.00'
L74	S 35°59'00" E	1.00'	L84	S 35°59'00" E	1.00'
L75	S 35°59'00" E	9.00'	L85	S 35°59'00" E	36.00'
L76	S 35°59'00" E	36.00'	L86	N 54°10'30" E	18.00'
L77	N 54°10'30" E	18.00'	L87	S 54°10'30" W	18.00'
L78	S 54°10'30" W	18.00'	L88	S 54°10'30" W	18.00'
L79	S 54°10'30" W	18.00'	L89	S 54°10'30" W	18.00'
L80	S 35°59'00" E	33.00'	L90	S 35°59'00" E	33.00'
L81	S 35°59'00" E	33.00'	L91	S 35°59'00" E	33.00'
L82	S 54°10'30" W	18.00'	L92	S 54°10'30" W	18.00'
L83	S 54°10'30" W	18.00'	L93	S 54°10'30" W	18.00'
L84	S 35°59'00" E	1.00'	L94	S 35°59'00" E	1.00'
L85	S 35°59'00" E	9.00'	L95	S 35°59'00" E	36.00'
L86	S 35°59'00" E	36.00'	L96	N 54°10'30" E	18.00'
L87	N 54°10'30" E	18.00'	L97	S 54°10'30" W	18.00'
L88	S 54°10'30" W	18.00'	L98	S 54°10'30" W	18.00'
L89	S 54°10'30" W	18.00'	L99	S 54°10'30" W	18.00'
L90	S 35°59'00" E	33.00'	L100	S 35°59'00" E	33.00'
L91	S 35°59'00" E	33.00'	L101	S 35°59'00" E	33.00'
L92	S 54°10'30" W	18.00'	L102	S 54°10'30" W	18.00'
L93	S 54°10'30" W	18.00'	L103	S 54°10'30" W	18.00'
L94	S 35°59'00" E	1.00'	L104	S 35°59'00" E	1.00'
L95	S 35°59'00" E	9.00'	L105	S 35°59'00" E	36.00'
L96	S 35°59'00" E	36.00'	L106	N 54°10'30" E	18.00'
L97	N 54°10'30" E	18.00'	L107	S 54°10'30" W	18.00'
L98	S 54°10'30" W	18.00'	L108	S 54°10'30" W	18.00'
L99	S 54°10'30" W	18.00'	L109	S 54°10'30" W	18.00'
L100	S 35°59'00" E	33.00'	L110	S 35°59'00" E	33.00'
L101	S 35°59'00" E	33.00'	L111	S 35°59'00" E	33.00'
L102	S 54°10'30" W	18.00'	L112	S 54°10'30" W	18.00'
L103	S 54°10'30" W	18.00'	L113	S 54°10'30" W	18.00'
L104	S 35°59'00" E	1.00'	L114	S 35°59'00" E	1.00'
L105	S 35°59'00" E	9.00'	L115	S 35°59'00" E	36.00'
L106	S 35°59'00" E	36.00'	L116	N 54°10'30" E	18.00'
L107	N 54°10'30" E	18.00'	L117	S 54°10'30" W	18.00'
L108	S 54°10'30" W	18.00'	L118	S 54°10'30" W	18.00'
L109	S 54°10'30" W	18.00'	L119	S 54°10'30" W	18.00'
L110	S 35°59'00" E	33.00'	L120	S 35°59'00" E	33.00'
L111	S 35°59'00" E	33.00'	L121	S 35°59'00" E	33.00'
L112	S 54°10'30" W	18.00'	L122	S 54°10'30" W	18.00'
L113	S 54°10'30" W	18.00'	L123	S 54°10'30" W	18.00'
L114	S 35°59'00" E	1.00'	L124	S 35°59'00" E	1.00'
L115	S 35°59'00" E	9.00'	L125	S 35°59'00" E	36.00'
L116	S 35°59'00" E	36.00'	L126	N 54°10'30" E	18.00'
L117	N 54°10'30" E	18.00'	L127	S 54°10'30" W	18.00'
L118	S 54°10'30" W	18.00'	L128	S 54°10'30" W	18.00'
L119	S 54°10'30" W	18.00'	L129	S 54°10'30" W	18.00'
L120	S 35°59'00" E	33.00'	L130	S 35°59'00" E	33.00'
L121	S 35°59'00" E	33.00'	L131	S 35°59'00" E	33.00'
L122	S 54°10'30" W	18.00'	L132	S 54°10'30" W	18.00'
L123	S 54°10'30" W	18.00'	L133	S 54°10'30" W	18.00'
L124	S 35°59'00" E	1.00'	L134	S 35°59'00" E	1.00'
L125	S 35°59'00" E	9.00'	L135	S 35°59'00" E	36.00'
L126	S 35°59'00" E	36.00'	L136	N 54°10'30" E	18.00'
L127	N 54°10'30" E	18.00'	L137	S 54°10'30" W	18.00'
L128	S 54°10'30" W	18.00'	L138	S 54°10'30" W	18.00'
L129	S 54°10'30" W	18.00'	L139	S 54°10'30" W	18.00'
L130	S 35°59'00" E	33.00'	L140	S 35°59'00" E	33.00'
L131	S 35°59'00" E	33.00'	L141	S 35°59'00" E	33.00'
L132	S 54°10'30" W	18.00'	L142	S 54°10'30" W	18.00'
L133	S 54°10'30" W	18.00'	L143	S 54°10'30" W	18.00'
L134	S 35°59'00" E	1.00'	L144	S 35°59'00" E	1.00'
L135	S 35°59'00" E	9.00'	L145	S 35°59'00" E	36.00'
L136	S 35°59'00" E	36.00'	L146	N 54°10'30" E	18.00'
L137	N 54°10'30" E	18.00'	L147	S 54°10'30" W	18.00'
L138	S 54°10'30" W	18.00'	L148	S 54°10'30" W	18.00'
L139	S 54°10'30" W	18.00'	L149	S 54°10'30" W	18.00'
L140	S 35°59'00" E	33.00'	L150	S 35°59'00" E	33.00'
L141	S 35°59'00" E	33.00'	L151	S 35°59'00" E	33.00'
L142	S 54°10'30" W	18.00'	L152	S 54°10'30" W	18.00'
L143	S 54°10'30" W	18.00'	L153	S 54°10'30" W	18.00'
L144	S 35°59'00" E	1.00'	L154	S 35°59'00" E	1.00'
L145	S 35°59'00" E	9.00'	L155	S 35°59'00" E	36.00'
L146	S 35°59'00" E	36.00'	L156	N 54°10'30" E	18.00'
L147	N 54°10'30" E	18.00'	L157	S 54°10'30" W	18.00'
L148	S 54°10'30" W	18.00'	L158	S 54°10'30" W	18.00'
L149	S 54°10'30" W	18.00'	L159	S 54°10'30" W	18.00'
L150	S 35°59'00" E	33.00'	L160	S 35°59'00" E	33.00'
L151	S 35°59'00" E	33.00'	L161	S 35°59'00" E	33.00'
L152	S 54°10'30" W	18.00'	L162	S 54°10'30" W	18.00'
L153	S 54°10'30" W	18.00'	L163	S 54°10'30" W	18.00'
L154	S 35°59'00" E	1.00'	L164	S 35°59'00" E	1.00'
L155	S 35°59'00" E	9.00'	L165	S 35°59'00" E	36.00'
L156	S 35°59'00" E	36.00'	L166	N 54°10'30" E	18.00'
L157	N 54°10'30" E	18.00'	L167	S 54°10'30" W	18.00'
L158	S 54°10'30" W	18.00'	L168	S 54°10'30" W	18.00'
L159	S 54°10'30" W	18.00'	L169	S 54°10'30" W	18.00'
L160	S 35°59'00" E	33.00'	L170	S 35°59'00" E	33.00'
L161	S 35°59'00" E	33.00'	L171	S 35°59'00" E	33.00'
L162	S 54°10'30" W	18.00'	L172	S 54°10'30" W	18.00'
L163	S 54°10'30" W	18.00'	L173	S 54°10'30" W	18.00'
L164	S 35°59'00" E	1.00'	L174	S 35°59'00" E	1.00'
L165	S 35°59'00" E	9.00'	L175	S 35°59'00" E	36.00'
L166	S 35°59'00" E	36.00'	L176	N 54°10'30" E	18.00'
L167	N 54°10'30" E	18.00'	L177	S 54°10'30" W	18.00'
L168	S 54°10'30" W	18.00'	L178	S 54°10'30" W	18.00'
L169	S 54°10'30" W	18.00'	L179	S 54°10'30" W	18.00'
L170	S 35°59'00" E	33.00'	L180	S 35°59'00" E	33.00'
L171	S 35°59'00" E	33.00'	L181	S 35°59'00" E	33.00'
L172	S 54°10'30" W	18.00'	L182	S 54°10'30" W	18.00'
L173	S 54°10'30" W	18.00'	L183	S 54°10'30" W	18.00'
L174	S 35°59'00" E	1.00'	L184	S 35°59'00" E	1.00'
L175	S 35°59'00" E	9.00'	L185	S 35°59'00" E	36.00'</

Planning Commission Staff Report

Subject: Park City Heights Phase 4 Subdivision
Author: Kirsten Whetstone, MS, AICP, Senior Planner
Date: June 12, 2019
Type of Item: Legislative – Subdivision Plat

Project Number:	PL-19-04190
Applicant:	Ivory Development LLC
Location:	Extension of Ledger Way and Piper Way south from the intersection with Calamity Lane (Located south of Richardson Flat Road and west of US Highway 40)
Zoning:	Community Transition (CT-MPD) subject to the Park City Heights Master Planned Development (MPD)
Adjacent Land Uses:	Residential single-family dwellings and open space
Reason for Review:	Subdivision plats require Planning Commission review and City Council approval.

Summary Recommendations

Staff recommends the Planning Commission discuss the proposed Park City Heights Phase 4 Subdivision plat, provide direction to staff and the applicant regarding discussion items listed below, conduct a public hearing and continue this item to a date certain. Staff has provided draft findings of fact, conclusions of law, and conditions of approval for Commission review and discussion.

Staff requests discussion of the application and a request to amend the Phasing Plan to add one deed restricted cottage lot to Phase 4 and subtract one deed restricted cottage lot from Phase 5. At the time the Planning Commission takes action on the Subdivision plat a separate motion and action on the Phasing Plan will be required. This minor change can be made to the Housing Mitigation Plan at the time of the annual review by the Housing Authority.

Disclosure: Park City Municipal retains a security interest as the holder of a Trust Deed in conjunction with a prior transaction regarding the property. However, the City is not an “applicant” and does not have any current ownership in the property.

Proposal

This is a request for approval of a final subdivision plat for 44 lots on 12.54 acres (**Exhibit A**) consistent with the 2013 amended Park City Heights MPD (**Exhibit B** - [Park City Heights MPD Development Agreement](#)), amended approved Park City Heights preliminary plat (**Exhibit C**), and amended approved phasing plan (**Exhibit D**). A site survey (**Exhibit E**) and site photos (**Exhibit F**) were submitted with the application. Park City Heights amended preliminary plat includes 239 residential lots, of which 79 are for

deed restricted affordable/attainable units. The applicant requests to increase Phase 4 by 1 lot and decrease Phase 5 by 1 lot to increase the number of deed restricted Cottage lots to Phase 4.

This proposed fourth phase consists of forty-eight (48) single family lots ranging in area from 4,442 sf to 10,783 square feet and four open space parcels ranging in area from 2,125 to 64,453 square feet (Parcels A - D). Four lots are designated as deed restricted affordable units. Phase 4 is located south of Park City Heights Subdivision Phase 1 and includes construction of extended Ledger and Piper Ways south from their intersection with Calamity Lane and one new connector street, Stella Way.

Street and utility designs are currently under review by the City Engineer, Water Department, and Snyderville Basin Water Reclamation District, and other utility service providers. As conditioned, Parcels A - D are designated for access, utilities and trail easements. Lot and street layout is consistent with the amended Park City Heights MPD and the approved revised preliminary subdivision plat (amended and approved by the Planning Commission on November 6, 2013).

House size restrictions for all Cottage lots are identified in the Design Guidelines as 3,500 sf maximum Residential Floor Area as defined in the Land Management Code. House size restrictions for the Homestead lots (Lots 418 - 428) are described in the 2014 Amended Development Agreement (Agreement) and refer to the preliminary plat. Based on corresponding lot numbers from the approved preliminary plat all Homestead lots within this phase shall have a maximum house size of 4,000 square feet, to be indicated on the final plat.

Background

May 27, 2010 - The property was annexed into Park City with the Park City Heights Annexation and zoned CT-MPD (Community Transition- Park City Heights MPD).

May 11, 2011 - Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units for a total of 239 units on 239 acres.

June 22, 2011 - Planning Commission approved a preliminary subdivision plat for the Park City Heights MPD.

November 17, 2011 - City Council approved the original Park City Heights Phase 1 subdivision plat.

November of 2012 - Ivory Development took ownership of the property.

January 24, 2013 - City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.

November 6, 2013 - Planning Commission approved an amended MPD and an amended overall preliminary subdivision plat for the entire Park City Heights Development to address relocation of lots, streets, and parcels due to mine soils mitigation and a Voluntary Clean-up plan approved by the State.

February 26, 2014 - Amended Development Agreement for the Park City Heights MPD was ratified by the Planning Commission to include terms, requirements, and restrictions of the development, per the November 6, 2013 amended MPD, and includes all conditions of approval of the amended MPD.

February 27, 2014 - City Council approved the amended Park City Heights Subdivision Phase 1 plat.

November 4, 2014 – Amended Phase 1 plat was recorded at Summit County.

March 8, 2017 – Planning Commission approved amendments to the Design Guidelines that were subsequently recorded at Summit County as an amendment to the Development Agreement.

March 28, 2018 – Planning Commission forwarded a positive recommendation on the Phase 2 plat, consisting of 39 Homestead lots.

May 3, 2018 – City Council approved the Phase 2 plat.

February 27, 2019 – Planning Commission forwarded a positive recommendation on the Phase 3 plat for 2 Homestead lots and approved a revised phasing plan consistent with the Housing Mitigation Plan approved by the Housing Authority on January 8, 2019.

April 4, 2019 – City Council approved the Phase 3 plat. This plat has not been recorded yet.

May 6, 2019 – Park City Planning Department received a complete application for a final subdivision plat for 48 single family lots as Park City Heights Phase 4.

May 30, 2019 – City Council approved an extension of approval for the Phase 2 plat to allow additional time for completion of public improvements, including the required water tank. As of the date of this report Phase 2 has not been recorded and will be recorded upon completion of public improvements. Building permits for Phases 2 and 4 require completion of the PC Heights Water Tank and infrastructure.

Analysis

Subdivision Plat

Phase 4 consists of 48 single family lots, three of which are deed restricted attainable Cottage Homes (Lots 401, 404, 414, 417). Cottage Homes lots (Lots 401-438) range in

area from 4,442 sf to 9,842 sf). Homestead lots (Lots 418-428) range in area from 8,526 sf to 10,783 sf. Four open space parcels range in area from 2,125 sf to 64,453 sf.

This phase is located south of Phase 1. Phase 4 includes construction of the extension of Ledger and Piper Ways south from their intersection with Calamity Lane. Street and utility designs are under review by the City Engineer and the Snyderville Basin Water Reclamation District (SBWRD). The site was previously rough graded during the voluntary clean up and mine soil mitigation.

Parcels A - D include blanket easements for public trails, access and utilities. The lots, parcels, and street layout are consistent with the amended Park City Heights MPD and the preliminary subdivision plat. Public street ROW and utility, snow storage, drainage, access and trails easements are dedicated to the City. Final review of the plat by the City Engineer and Legal Department is a condition precedent to plat recordation.

Proposed lots are consistent with the Lot and Site Requirements of the Community Transition (CT) zone as further conditioned and allowed by the Park City Heights MPD and as stated in the approved and recorded Park City Heights Design Guidelines. No non-conforming conditions are created by the subdivision plat. Maximum houses sizes, setbacks, building height, and other site and lot restrictions consistent with the MPD and approved amended Park City Heights Design Guidelines will be noted on the plat prior to recordation.

Access to the development is from Richardson Flat Road a public road that intersects with State Highway 248 and becomes a county road after it crosses US 40. Access to individual lots and parcels is from local public streets within the subdivision, including Ledger Way and Piper Way.

All streets and drives within the subdivision plat are public streets, with final dedication to the City required upon completion and acceptance of public improvements. The City will commence maintenance and snow removal once 50% of the units for this phase are complete with certificates of occupancy.

Phasing Plan

On February 27, 2019, the Planning Commission approved an amended subdivision phasing plan that is consistent with the Housing Mitigation Plan approved by the Housing Authority on January 8, 2019. Phase 4 included 47 lots, three of which are deed restricted. The applicant is requesting to **add one deed restricted cottage lot** to Phase 4 and reduce Phase 5 by one deed restricted lot and therefore requests 48 total lots due to configuration of the site. **Staff requests discussion regarding this amendment to the Phasing Plan. At the time the Planning Commission takes action on the Subdivision plat a separate motion and action on the Phasing Plan will be required. This minor change can be made to the Housing Plan at the time of the annual review by the Housing Authority.**

Affordable Housing

An amended affordable housing mitigation plan was approved by the Park City Housing Authority (**Exhibit I**) on January 8, 2019. Phase 4 is consistent with the housing plan regarding the number of affordable units proposed.

The housing plan allows for adjustments to the phasing and sub-phasing as plats are filed, but includes a condition that prior to issuance of building permits for the last 10% of the market rate units (e.g. last 16 market rate units), 100% of the affordable units shall be complete and have certificates of occupancy issued.

As a condition of the Park City Heights MPD a total of 79 deed-restricted affordable units are required. The Development Agreement states that all 28 Townhouse units and all 35 Park homes (all deed restricted affordable) are located in Phase 1, along with 5 Cottage homes (attainable) and “affordable units for subsequent phases will be identified with the final subdivision plats for those phases”.

Phase 1 of the subdivision includes 68 affordable units (28 townhouses, 35 park homes and 5 cottage homes) and 35 market rate units. Proposed Phase 2 of the subdivision includes 39 market rate homestead units, Phase 3 includes 2 market rate homestead units, Phase 4 includes 44 market rate units and 3 affordable cottage homes, and Phase 5 includes 40 market rate units and 8 affordable cottage homes. See table below. The **applicant is proposing to add one deed restricted cottage unit to Phase 4 and remove one deed restricted cottage unit from Phase 5** due to configuration of the lots and streets. These two lots are adjacent to each other.

In Phase 1, all 28 Townhouses, all 35 Park Homes and 5 of the Cottage homes are designated as affordable deed restricted units for a total of 68 affordable units and 35 market units. Of these 68 affordable units, 66 are either completed and occupied (35) or are have a building permit and are under construction (31).

Phasing of Market Rate and Affordable Units

Phase	Market rate units (160)	Affordable townhouses (28)	Affordable park homes (35)	Affordable cottages(16)	Total affordable	Total Units
1	35 (platted)	28	35	5	68	103
2	39	0	0	0	0	39
3	2	0	0	0	0	2
4	44	0	0	3 (proposing 4)	3	47 (proposing 48)
5	40	0	0	8 (proposing 7)	8	48 (proposing 47)
Totals	160	28	35	16	79	239

The affordable housing plan indicates that the Project may be platted in phases and that each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted. During the annual review of the PC Heights Housing Plan by the Housing Authority, this minor amendment will be made to be consistent with the

Subdivision phasing. **One deed restricted unit will be added to Phase 4 and one deed restricted unit will be deleted from Phase 5. This amendment can be made to the Housing Mitigation Plan during the annual review by the Housing Authority in December.**

Land Management Code review

The subdivision is located in the Community Transition (CT) District. The subdivision plat is subject to the following LMC criteria as well as the amended Park City Heights MPD conditions and Park City Height Design Guidelines ([Exhibit H](#)):

CT Zone	Per CT and MPD	Proposed (or as plat notes)
Height	28' (+5' for pitched roof)	28' (+5' for pitched roof). Consistent with MPD.
Density	1 unit per acre (MPD approved 239 units on 239 acres in 5 phases)	48 single family units and 4 Open Space parcel for Phase 4. Consistent with MPD. Total area of Phase 4 is 12.54 acres. Consistent with MPD.
Lot Size	No minimum lot size	Homestead lots range in area from 12,596 to 27,752 sf. Consistent with MPD
Front setback	Per MPD and Design Guidelines.	Cottage lots – per Design Guidelines Homestead lots – per Design Guidelines (LMC exceptions apply) Consistent with DG.
Rear setback	Per MPD and Design Guidelines (DG)	Cottage lots – per Design Guidelines Homestead lots – per Design Guidelines (LMC exceptions apply). Consistent with DG.
Side setbacks	Per MPD and Design Guidelines (DG)	Cottage lots – per Design Guidelines Homestead lots – per Design Guidelines (LMC exceptions apply). Consistent with DG
Parking	2 spaces per dwelling unit	2 spaces per dwelling unit. Consistent with LMC.

Maximum house size	No maximum required in LMC.	3,500 sf for Cottage lots 4,000 for Homestead lots Consistent with MPD.
--------------------	-----------------------------	--

General Subdivision Requirements

- (A) Subdivision Name-** The proposed subdivision name does not duplicate or closely approximate the name of another Subdivision in the area. The streets have unique names or are extensions of existing streets.
- (B) Monuments-** All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
- (C) Limits of Disturbance-** A grading and limits of disturbance plan for construction of the streets and utilities was submitted with the plat to identify limits of disturbance for construction of streets and utilities, with conditions related to re-vegetation of disturbed areas per the Park City Heights MPD for this phase. Limits of Disturbance plans are required for each individual building permit.
- (D) Ridgeline Development-** These lots were not identified during the MPD and preliminary plat has requiring height restrictions or CUP review.
- (E) Open Space-** Open space parcels are designated consistent with conditions of the Park City Heights MPD.
- (F) Roads and Utility Lines-** All roads will be designated as public streets. Easements are provided for public utilities. Final approval of the utility plans is subject to approval of this plat and per final review by the City Engineer and other utility providers. Off-site utility improvements may require additional off-site easements that will need to be dedicated prior to commencing construction of said utilities. All utilities will be designed to minimize disturbance of existing vegetation. Re-vegetation and/or remediation of disturbed areas are conditions of final utility installation acceptance.
- (G) Drainage Ways-** Existing drainage areas and ways will be incorporated into the storm water management system and open space parcels to the greatest extent possible, per the Park City Heights storm water management plan. Final design of the storm water management system for this phase is subject to approval by the City Engineer.
- (H) Soils Conditions-** As required by the Park City Heights MPD, and due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.
Mine Soils - The approved Voluntary Cleanup plan for historic mine waste soils is complete.
- (I) Trails and Sidewalks-** Trails and sidewalks are consistent with the Park City Heights MPD. Sidewalks are proposed within public right of way areas. HOA open space areas shall include trail easements or shall state that blanket trail easements are dedicated for public trails within HOA open space parcels. Trails within dedicated open space parcels can be constructed without specific

easements. Off-site trails crossing other property shall be placed in easements prior to construction. The exact location of trails within Parcels A - D will be approved by the City prior to construction and once constructed will be considered to be within a 10' public trail easement.

(J) Limits of Disturbance/Building Pad locations- The location of houses for this phase is stipulated by adherence to minimum building setbacks and limit of disturbance conditions, as further identified in the Park City Heights Design Guidelines.

(K) Top Soil Preservation and Final Grading- Staff recommends a condition of approval that all applicable requirements of the LMC regarding top soil preservation and final grading be completed prior to issuance of a certificate of occupancy for each house. No portion of this phase is within the Park City Soils Ordinance boundary; however, any areas of disturbance due to off-site utility improvements that do fall within the Park City Soils Ordinance boundary are required to adhere to all requirements of the Ordinance.

(L) Architectural Standards- Architecture is reviewed at the time of building permit issuance for compliance with the Park City Heights Design Guidelines.

(M) Water Bodies and Water Courses- There are no bodies of water that are incorporated into the lots so as to not burden the City with responsibility of the water body. The HOA is responsible for maintenance of open space and drainage areas that are not part of individual lots, including natural drainage areas. Detention areas that are part of the storm water management plan may have standing water at times. Maintenance of these areas is the responsibility of the HOA.

(N) Fire Sprinkling- There is a plat note requiring all construction to comply with the International Building Code requirements for fire sprinklers.

General Lot Design Requirements

Staff has reviewed the proposed plat for compliance with the General Lot Design Requirements per LMC 15-7.3-3 as follows:

(A) Lot Arrangement- there are no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on these lots in compliance with the IBC, the LMC, and in providing reasonable Driveway access.

(B) Building Sites- proposed building sites are designed to minimize disturbance of existing vegetation in areas not already disturbed by grading required to remediate mine soils.

(C) Square footage- maximum house sizes are recommended as a plat note per the amended Park City Heights MPD and Design Guidelines.

(D) Lot Dimensions- proposed lot dimensions take into consideration additional width for corner lots, depth and width of lots for non-residential purposes, and areas for parking.

(E) Double Frontage Lots and access to Lots- Lots fronting on two streets is avoided, with the exception of corner lots.

(F) Lot Drainage- Lots are laid out to provide positive drainage away from all

Buildings. Individual lot grading and drainage shall be included with each building permit.

(G) Landscaping- Prior to issuance of a building permit for each lot a landscape plan is required to be submitted and reviewed by the Staff for compliance with the LMC and Design Guidelines. Any disturbed HOA open space areas shall be re-vegetated and/or landscaped per the MPD and Design Guidelines.

(H) Limits of Disturbance/Vegetation protection- Prior to issuance of a building permit for each lot a landscape plan showing limits of disturbance and vegetation protection is required to be submitted and reviewed by the Staff for compliance with the LMC and conditions of the MPD.

(I) Re-vegetation, seed, and sod- All disturbed areas will be re-vegetated, seeded, and/or sodded prior to issuance of a certificate of occupancy per the LMC.

(J) Debris and Waste- Debris and waste are required to be removed per the LMC prior to issuance of a certificate of occupancy. This is a condition of building permitting. The Park City Heights MPD requires consolidation and recycling of construction waste and debris to be identified on the Construction Mitigation Plan prior to issuance of a building permit.

(K) Fencing- Fencing of hazardous conditions may be required by the Chief Building Official. Fences will be constructed according to the Park City Heights Design Guidelines.

Road Requirements and Design

Staff has reviewed the proposed plat for compliance with the Road Requirements and Design per LMC 15-7.3-4 as follows:

(A) Layout requirements- Street layout for this phase complies with general layout requirements, including frontage on improved streets, relation to existing topography, block design, access to arterials and collectors, and dead-end roads.

(B) Road Names- Road names shall be sufficiently different in sound and spelling from other names in Summit County with final confirmation of street names to be provided by the City Engineer prior to plat recordation.

(C) Road Regulatory Signs- All required road and street signs will need to be approved by the City Engineer and Public Works prior to installation.

(D) Street Lighting- Installation of street lights shall be approved by the City Engineer and Planning Department prior to installation. No street lights are proposed

(E) Reserve or Protection strip- No reserve or protection strips are proposed. **Staff requests discussion regarding possible reserved easements for utility and access connections to adjacent property to the south, as further discussed above.**

(F) Road Design Standards- The roads are in compliance with the street design and layout approved by the Planning Commission during approval of the Park City Heights MPD and consistent with the LMC.

(G) Intersection Design Standards- The streets are laid out in compliance with intersection standards of the LMC.

(H) Bridges- No bridges are proposed.

(I) Road Dedications and Reservations- No new perimeter half-streets are proposed. No new frontage roads are proposed with this phase. No new dedication for widening existing roadways is required. The streets will be dedicated to Park City.

Staff finds this subdivision complies with the Land Management Code regarding final subdivision plats, including CT District requirements, general subdivision requirements, and lot and street design standards and requirements.

General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have also been addressed through the Master Planned Development process as required by the Land Management Code. Utility, grading, and site work (streets) plans were submitted with the plat for review and coordination by the City and service providers. (**Exhibit G1** – Site and Utility plans and **Exhibit G2** – Street Plans and details).

Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD). The applicants have met with the SBWRD officials to review the plat and utility plans for compliance with these requirements. Final approval of the sewer facilities and a signature on the plat from SBWRD is required prior to final plat recordation.

A construction mitigation plan (CMP) is required to be submitted and approved by the City prior to building permit issuance on individual lots as well as for construction of public infrastructure through the public improvements permitting process. Staff recommends a condition of approval that the CMP shall address construction access, parking, allowed hours of work, temporary lighting, construction signs, limits of disturbance, recycling and stockpiling of materials, re-vegetation of all disturbance areas, noise, dust, and other items listed on the standard CMP form required by the Building Department. If an access easement can be acquired to use the US 40 frontage road for construction access to the site, that option shall be pursued to mitigate impacts on existing City Streets and residents.

Good Cause

There is good cause for this subdivision in that it creates legal lots and parcels of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility and access easements for orderly provision of utilities and access; provides parcels to be dedicated as open space areas within and around the subdivision; dedicates trail easements and public streets; provides snow storage easements; and provides access and utility easements for an adjacent parcel. The plat is consistent with the approved Park City Heights Annexation Agreement and amended Master Planned Development and Preliminary Plat.

Department Review

This application has been reviewed by the Development Review Committee, including other City Departments and utility and service providers. Identified concerns were addressed by revisions and notes on the plat and with conditions of approval as stated in the attached ordinance and as provided in the discussion section herein.

Notice

On May 29, 2019, the property was posted and notice was mailed to property owners within 300 feet according to requirements of the Land Management Code. On May 29, 2019, legal notice was published in the Park Record and on the Utah Public Notice website, according to requirements of LMC.

Public Input

Staff has not received public input regarding this plat application at the time of this report.

Future Process

Approval or denial of this subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Alternatives

- The Planning Commission may forward a positive recommendation to City Council to approve the revised Park City Heights Phase 4 subdivision plat as conditioned or amended.
- The Planning Commission may forward a negative recommendation to City Council to deny the revised Park City Heights Phase 4 subdivision plat and direct staff to make Findings for this decision.
- The Planning Commission may conduct a public hearing, discuss the proposal and continue this item to a date certain to allow staff and the applicant time to address any concerns raised (**This is Staff's recommendation**).

Significant Impacts

There are no significant negative fiscal or environmental impacts that result from this application that have not been sufficiently mitigated with plat notes, conditions of approvals, and adherence to the approved, amended MPD and Park City Heights

Design Guidelines. Portions of this phase were included in the voluntary soil remediation that removed vegetation and soils as necessary to receive certification that the clean-up was complete. An on-site soil repository for these soils was created at the Park City Heights site within Phase 1. The site has been rough graded as a result of the soil cleanup work.

Recommendation

Staff recommends the Planning Commission discuss the proposed Park City Heights Phase 4 Subdivision plat, provide direction to staff and the applicant regarding discussion items listed below, conduct a public hearing and continue this item to a date certain. Staff has provided draft findings of fact, conclusions of law, and conditions of approval for discussion purposes.

Exhibits

Ordinance

Exhibit A – Proposed Park City Heights Subdivision Phase 4 plat

Exhibit B – [Park City Heights MPD Development Agreement- link](#)

Exhibit C – Amended Park City Heights Preliminary plat

Exhibit D – Amended Phasing Plan

Exhibit E – Site survey

Exhibit F – Site photos/aerial

Exhibit G1 – Site and Utility plans – link

Exhibit G2 – Street Plans and details – link

Exhibit H – [Design Guidelines- link](#)

Exhibit I – Housing Mitigation Plan

DRAFT Ordinance No. 2019- xx

**AN ORDINANCE APPROVING THE PARK CITY HEIGHTS PHASE 4 SUBDIVISION
LOCATED SOUTH OF CALAMITY LANE SOUTH OF RICHARDSON FLAT ROAD
AND WEST OF US HIGHWAY 40, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as Park City Heights Phase 4 located south of Richardson Flat Road, south and east of State Road 248 and west of US 40, have petitioned the City Council for approval of the Park City Heights Phase 4 final subdivision plat; and

WHEREAS, on May 10, 2019, the property was posted and mailed notice was sent to property owners within 300 feet, according to requirements of the Land Management Code; and

WHEREAS, on May 10, 2019, legal notice was posted in the Park Record and on the Utah Public Notice website, as well as the Park City website; and

WHEREAS, the Planning Commission held a public hearing on June 12, 2019, to receive input on the subdivision; and

WHEREAS, the Planning Commission, held a public hearing on _____, 2019 and forwarded a _____ recommendation to the City Council; and

WHEREAS, on _____, 2019, the City Council held a public hearing on the Park City Heights Phase 4 final subdivision plat; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Park City Heights Phase 4 final subdivision plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Park City Heights Phase 4 final subdivision plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is located south of Richardson Flat Road, south and east of SR 248 and west of US Highway 40.
2. The property was annexed into Park City with the Park City Heights Annexation on May 27, 2010, and was zoned CT-MPD (Community Transition subject to the Park City Heights MPD).

3. On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units on 239 acres.
4. On June 22, 2011, the Planning Commission reviewed and approved a preliminary subdivision plat as being consistent with the Park City Heights MPD.
5. On November 17, 2011, the City Council approved the original Park City Heights Phase 1 final subdivision plat.
6. On January 24, 2013 the City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.
7. On November 6, 2013, the Planning Commission approved an amended Park City Heights MPD and preliminary plat to address relocation of lots and streets due to mine soils mitigation.
8. On February 27, 2014, the City Council approved a revised Park City Heights Phase 1 final subdivision plat that was subsequently recorded at Summit County on November 4, 2014.
9. On May ? 2018, the City Council approved the Park City Heights Phase 2 final subdivision plat. This plat has not yet been recorded.
10. On April 4, 2019, the City Council approved the Park City Heights Phase 3 final subdivision plat. This plat has not yet been recorded.
11. On May 30, 2019 the City Council approved a two year extension of approval for the Phase 2 subdivision plat to allow additional time for completion of the streets and utilities.
12. The property is restricted by the Land Management Code, the Park City Heights Annexation Agreement, and the Amended Park City Heights Master Planned Development Agreement and the Park City Heights Design Guidelines.
13. The lots are not within the Entry Corridor Protection Overlay zone (ECPO) and no portion of this plat is within the Park City Soils Ordinance boundary.
14. The proposed subdivision plat creates lots of record for ? Homestead houses and ? deed-restricted Cottage homes, dedicates public streets, utility, snow storage, drainage, and provides access and trail easements.
15. The Homestead lots range in area from 12,596 to 27,752 square feet. Cottage Home lots (Lots 401-438) range in area from 4,442 sf to 9,842 square feet. Parcels A- D are platted as open space parcels with blanket easement for public utilities, access and trails.
16. The lots are consistent with the Lot and Site Requirements of the Community Transition (CT) District as conditioned by the Park City Heights MPD and Design Guidelines.
17. Non-conforming conditions are not created by the subdivision.
18. The Park City Heights development is accessed from Richardson Flat Road, a public road, and access to lots and parcels within the proposed subdivision is from local public drives and streets. No lots or parcels access directly to Richardson Flat Road.
19. The subdivision complies with the Land Management Code regarding final subdivision plats, including CT zoning requirements, general subdivision requirements, and lot and street design standards and requirements.
20. General subdivision requirements related to 1) drainage and storm water; 2) water

facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.

21. Sanitary sewer facilities are required to be designed and installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
22. There is good cause for this subdivision plat in that it creates legal lots and an open space parcel of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility easements for orderly provision of utilities; provides for open space areas within and around the subdivision; dedicates easements and public streets consistent with the approved the Park City Heights Annexation Agreement and Master Planned Development.
23. As a condition of the Park City Heights MPD a total of 79 deed restricted affordable units are required. The Development Agreement states that all 28 Townhouse units and all 35 Park homes (all deed restricted affordable) are located in Phase 1, along with 5 Cottage homes and that "affordable units for subsequent phases will be identified with the final subdivision plats for those phases".
24. The affordable housing mitigation plan indicates that the Project may be platted in phases and that each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.
25. On February 27, 2019, the Planning Commission approved an amended subdivision phasing plan that aligns with the Housing Mitigation Plan.
26. On January 8, 2019, the Housing Authority approved an amended Park City Heights Housing Mitigation Plan.
27. Findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The subdivision complies with LMC Chapter 7 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the Park City Heights Annexation and the Park City Heights MPD and preliminary plat as amended and conditioned.
4. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
5. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. City Planner, City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete

application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. A plat note shall indicate that conditions of approval of the Amended Park City Heights MPD and preliminary plat, as amended and approved by the Planning Commission on November 6, 2013, and memorialized in the Park City Heights Development Agreement, as amended, February 26, 2014 and March 8, 2017, shall apply.
4. A plat note shall state that this plat is subject to this Ordinance (2019-xx) (the Ordinance approving this subdivision).
5. Final approval of the sewer facilities by the Snyderville Basin Water Reclamation District is required prior to final plat recordation.
6. A plat note shall state that trees, structures and retaining walls shall not be located within SBWRD easements.
7. The plat shall indicate that all streets and utilities, except for sewer laterals, constructed within the ROW are dedicated to the City for public use. Final acceptance of these streets by the City shall occur upon completion and acceptance of the public improvements. The City will commence maintenance and snow removal from public streets once 50% of the units within this phase are complete and certificates of occupancy have been issued.
8. Ten foot wide public snow storage easements are required along all street frontages.
9. All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
10. Parcels A - D are non-developable open space parcels and shall be dedicated to the Park City Heights HOA as restricted open space, to be owned and maintained by the Master HOA, and shall be encumbered by utility, drainage, snow storage, access and public trails easements as determined by the City Engineer prior to plat recordation.
11. A plat note shall state that public trails within the open space parcels shall be constructed in type and location as approved by the City consistent with the MPD. Final constructed trails are agreed, by the recording of this plat, to be within ten (10') foot public trail easements. Trails within Phase 4 shall be constructed prior to recordation of this plat, or shall be bonded for as required by the City Engineer and City Open Space and Trails Manager.
12. A plat note shall state that all construction, including streets, utilities and structures shall comply with recommendations of the supplemental, updated soils investigation conducted by AGECEC on December 20, 2011 that updated and supplemented the June 9, 2006 Geotechnical Study provided by Gordon, Spilker, Huber Geotechnical Consultants, Inc.
13. A plat note shall state that additional soils studies and geotechnical reports may be required by the City Engineer and Chief Building Official prior to issuance of any building permits for structures, utilities, and roads. The report shall be reviewed by the City Engineer and Chief Building Official and any recommendations for utilization of special construction techniques to mitigate soils issues, such as expansive clays, shall be incorporated into conditions of the building permit and ROW Permit approval.

14. A plat note shall state that a landscape and irrigation plan shall be submitted and approved by the City for each lot, prior to building permit issuance. Landscaping and irrigation shall be consistent with the Park City Heights Design Guidelines.
15. A plat note shall state that a limits of disturbance plan (LOD) and existing vegetation protection plan shall be part of the building permit submittal.
16. A plat note shall state that exterior lighting shall conform to requirements of the City's Lighting Ordinance and the Park City Heights Design Guidelines.
17. A plat note shall state that applicable requirements of the LMC regarding top soil preservation, final grading, and landscaping shall be completed prior to issuance of a certificate of occupancy, or bonded for as determined and approved by the Chief Building Official.
18. A plat note shall state that grading, drainage and storm water run-off plans shall be approved by the City Engineer prior to building permit issuance.
19. A plat note shall state that prior to issuance of a building permit for any units within this plat, all building plans shall be reviewed for compliance with the Park City Heights Design Guidelines, including building setbacks, building height, maximum floor area, building articulation, architecture and materials, landscaping, lighting and other elements as stated in the Park City Heights Design Guidelines.
20. Confirmation of street names shall be provided by the City Engineer prior to plat recordation.
21. A note shall be added to the plat stating that all units shall be constructed to National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification or LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.
22. A plat note shall state that In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either:
1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score, as further described in the Park City Heights Design Guidelines.
23. A plat note shall state that an industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to issuance of a building permit to provide third party inspection for compliance with Green Building and Water Conservation requirements as required by the amended Master Planned Development Agreement. Final certification documenting compliance shall be provided to the Building Department prior to issuance of certificates of occupancy.
24. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to building permit issuance on individual lots as well as for construction of public

infrastructure. The CMP shall address construction access, parking, allowed hours of work, temporary lighting, construction signs, limits of disturbance, recycling and stockpiling of materials, re-vegetation of all disturbance areas, noise, dust, and other items listed on the standard CMP form required by the Building Department.

25. To mitigate impacts on existing City streets and residents, temporary construction access to Phase 4 shall be from Richardson Flat Road onto a temporary graded or paved access road, utilizing Lot C-1 and Parcel G located east of Piper Way, then accessing Piper Way just south of the Kinley Drive and Piper Way intersection. If an access easement can be acquired from the UDOT to use the US 40 frontage road for construction access for Phase 4, that option should be pursued to mitigate impacts on existing residents. This temporary access may require paving in order to prevent tracking of mud. The disturbed areas of Lot C-1 shall be re-graded and re-vegetated once construction is complete or, if not used for a period of one year or longer.
26. Ledger Way (the section north of Calamity Lane) shall not be used for construction access to Phase 4.
27. A common construction recycling and excavation materials storage area within the development shall be utilized for this phase as required by the MPD.
28. All public improvements shall be completed and accepted prior to signing and recording of the plat, or a financial guarantee may be provided to the City, in a form and amount acceptable to the City for the value of all public improvements, including trails. All public improvements shall be completed according to City and provider standards and accepted by the City Council prior to release of this guarantee. Ten percent of the bond shall be held by the City for the warranty period and until such improvements are accepted by the City.
29. A plat note shall state that maintenance of sidewalks (including, without limitation, snow removal), trails, lighting, and landscaping within the public rights-of-way and common areas, with the exception of public trails, shall be provided by the Master HOA, unless otherwise agreed upon by the City Council.
30. A plat note shall state that a fire protection and emergency access plan shall be submitted and approved by the Park City Fire District prior to the issuance of any building permits for this phase. The fire protection and emergency access plan shall include any required fire sprinkler systems and landscaping restrictions within the Wild land interface zones and shall ensure that Park City's ISO rating is not negatively affected by the development.
31. Residential fire sprinklers are required for all occupied structures as required by the Chief Building Official.
32. Issuance of building permits for Phase 4 are subject to completion and issuance of certificates of occupancy for deed restricted affordable housing as required by the approved Housing Mitigation Plan, as amended.
33. A note shall be included on the final plat stating the following maximum Residential Floor Area (aka house sizes), consistent with the LMC definitions, shall apply:
 - 3,500 square feet (Cottage homes)
 - 4,000 square feet (Homestead homes)
34. A note shall state that this plat is subject to the 2014 Amended Park City Heights

MPD Development Agreement and the Water and Maintenance Agreement with Park City Municipal Corporation dated October 3, 2014.

35. No through roads may be provided through the Park City Heights MPD to the Deer Valley MPD subdivisions.

36. All standard project conditions shall apply.

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this ____ day of _____, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibit A- Park City Heights Phase 4 Subdivision plat

PARK CITY HEIGHTS

PHASE 4

A SUBDIVISION LOCATED IN THE SW1/4 AND SE1/4 OF SECTION 2
& THE NW1/4 AND NE1/4 OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	920.00	41°56'29"	468.18	S44°07'33"E	653.52
C2	962.00	26°48'44"	456.18	N22°26'00"E	446.08
C3	1198.00	43°23'23"	907.24	S45°01'30"E	855.71
C4	1050.00	3°43'30"	68.98	S29°18'22"E	68.97
C5	1050.00	4°22'30"	80.18	S31°14'50"E	80.16
C6	1250.56	41°23'05"	801.35	S44°01'19"E	862.52
C7	1168.56	41°23'30"	826.37	S44°01'27"E	826.36
C8	940.00	39°44'58"	653.23	S43°11'52"E	679.13
C9	900.00	38°02'36"	597.58	S42°29'05"E	586.67
C10	942.00	11°20'06"	186.26	N16°32'59"E	186.05
C11	942.00	5°40'44"	93.37	N31°20'23"E	93.31
C12	982.00	23°21'03"	406.22	N24°09'49"E	397.46
C13	20.50	93°12'58"	33.35	N18°06'24"W	29.79
C14	20.50	93°03'45"	33.30	N08°44'53"E	29.76
C15	20.50	3°55'16"	26.46	S26°05'42"W	24.66
C16	15.00	29°54'15"	4.69	S21°16'24"W	4.64
C17	60.00	126°57'53"	132.96	N25°32'23"W	107.38
C18	15.00	2°33'28"	7.21	S79°08'08"E	7.14
C19	1220.50	3°53'03"	84.40	N29°18'38"W	84.38
C20	1220.50	3°56'21"	83.91	N29°15'40"W	83.89
C21	1220.50	4°02'11"	86.10	N37°15'06"W	86.08
C22	1220.50	4°10'33"	88.97	N37°21'39"W	88.95
C23	1220.50	4°13'22"	89.95	N41°13'38"W	89.93
C24	1220.50	1°31'24"	32.45	S44°28'01"E	32.45
C25	1220.50	2°14'02"	46.18	N46°09'09"W	46.17
C26	1220.50	3°29'27"	71.17	N26°06'46"W	71.16
C27	1220.50	3°29'02"	71.20	N33°27'18"W	71.19
C28	1220.50	3°28'36"	71.22	N50°47'52"W	71.21
C29	1220.50	3°28'38"	71.23	N60°06'29"W	71.22
C30	1220.50	2°54'01"	61.78	N43°11'40"W	61.78
C31	982.00	2°31'14"	43.20	S34°34'45"W	43.20
C32	982.00	2°30'33"	43.11	S32°03'40"W	43.10
C33	982.00	2°30'41"	43.04	S29°32'53"W	43.04
C34	982.00	2°29'46"	42.48	S21°00'11"W	42.47
C35	982.00	3°41'05"	63.15	S22°48'16"W	63.14
C36	982.00	4°09'39"	71.31	S18°52'54"W	71.30
C37	982.00	3°27'50"	59.37	S15°04'10"W	59.36
C38	982.00	0°59'38"	14.56	S17°54'46"W	14.56
C39	60.00	42°49'13"	44.84	S18°38'53"W	43.80
C40	1050.00	3°52'06"	70.89	S17°22'08"E	70.88
C41	1050.00	4°22'08"	80.07	S41°29'15"E	80.05
C42	900.00	4°23'09"	72.08	S46°29'37"E	72.06
C43	980.00	4°10'09"	67.06	S31°53'07"E	67.05
C44	900.00	4°30'19"	72.08	S47°29'23"E	72.06
C45	900.00	1°25'56"	22.50	S44°28'40"E	22.49

Line Table		
LINE	DIRECTION	LENGTH
L1	S61°03'36"W	60.00
L2	N62°44'03"E	40.19
L3	S11°50'28"E	60.00

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C46	900.00	4°28'04"	70.18	S41°31'40"E	70.16
C47	900.00	3°31'23"	55.55	S37°32'02"E	55.54
C48	900.00	4°15'02"	66.77	S33°38'49"E	66.75
C49	900.00	4°36'50"	72.50	S29°12'30"E	72.48
C50	900.00	3°15'04"	56.30	S25°06'30"E	56.29
C51	940.00	3°58'07"	65.11	N25°18'26"W	65.10
C52	940.00	2°46'03"	62.89	N29°01'37"W	62.89
C53	940.00	4°21'00"	71.59	N33°18'30"W	71.58
C54	940.00	3°52'06"	63.46	N37°22'08"W	63.45
C55	940.00	4°22'08"	71.68	N41°29'15"W	71.66
C56	940.00	1°51'24"	24.99	N44°28'01"W	24.99
C57	940.00	3°40'05"	61.82	N47°06'46"W	61.81
C58	940.00	3°50'33"	63.04	N50°53'08"W	63.03
C59	940.00	3°42'05"	60.73	N54°39'23"W	60.72
C60	940.00	3°50'09"	63.12	N58°12'39"W	63.11
C61	940.00	2°45'04"	44.99	N61°04'55"W	44.98
C62	942.00	2°53'36"	56.90	N13°49'03"E	56.88
C63	942.00	2°56'28"	59.46	N19°29'48"E	59.42
C64	1140.50	3°42'22"	76.08	S62°59'32"W	76.06
C65	1140.50	3°46'12"	79.85	S58°59'33"E	79.83
C66	1140.50	3°46'12"	79.85	S55°03'03"E	79.83
C67	1140.50	3°46'12"	79.85	S51°00'31"E	79.83
C68	1140.50	3°46'12"	79.85	S47°09'59"E	79.83
C69	1140.50	1°51'24"	30.86	S44°28'01"E	30.86
C70	1140.50	4°33'47"	82.42	S41°22'27"E	82.40
C71	1140.50	3°46'12"	79.78	S37°00'31"E	79.77
C72	1140.50	3°46'12"	79.78	S33°11'00"E	79.77
C73	1140.50	3°46'12"	79.78	S29°13'40"E	79.77
C74	1140.50	3°37'47"	80.27	S25°14'36"E	80.25
C75	1335.00	3°57'36"	92.27	S23°14'42"E	92.25
C76	1335.00	3°46'12"	91.78	S29°13'40"E	91.76
C77	1335.00	4°02'11"	94.18	S31°15'06"E	94.16
C78	1335.00	4°10'33"	97.31	S37°21'40"E	97.29
C79	1335.00	4°13'22"	98.30	S41°13'38"E	98.27
C80	1335.00	1°51'24"	35.50	S44°28'01"E	35.50
C81	1335.00	3°14'52"	75.67	S46°49'10"E	75.66
C82	1335.00	3°28'05"	76.64	S50°00'08"E	76.63
C83	1335.00	3°20'04"	77.69	S53°51'43"E	77.68
C84	1335.00	3°20'06"	77.71	S56°51'48"E	77.70
C85	1335.00	3°20'08"	77.72	S60°11'55"E	77.71
C86	1335.00	3°18'13"	76.97	S63°31'06"E	76.96
C87	1000.00	4°33'47"	83.62	S41°22'26"E	83.60
C88	1000.00	2°32'11"	44.97	N31°14'43"E	44.97
C89	1000.00	2°22'06"	44.89	N29°12'29"E	44.89
C90	1000.00	2°15'57"	42.93	N26°53'27"E	42.94

Curve Table					
CURVE	RADIUS	DELTA	LENGTH	CHORD DIRECTION	CHORD LENGTH
C91	1090.00	3°40'22"	69.87	N23°52'06"E	69.86
C92	1090.00	4°13'50"	80.48	N18°55'00"E	80.46
C93	1090.00	3°27'59"	65.90	N15°56'10"E	65.89
C94	1090.00	3°43'36"	71.53	N11°57'27"E	71.52
C95	1050.00	3°36'21"	72.19	S37°08'22"E	72.17
C96	800.00	4°33'19"	64.07	N56°20'51"W	64.05
C97	800.00	4°10'09"	59.61	S51°53'07"W	59.60
C98	800.00	4°35'18"	64.07	N49°29'23"W	64.06
C99	800.00	1°25'56"	20.00	N44°28'46"W	20.00
C100	800.00	4°28'04"	62.38	N41°31'46"W	62.36
C101	800.00	3°31'23"	49.20	N37°32'02"W	49.19
C102	800.00	4°15'02"	59.35	N33°38'49"W	59.34
C103	800.00	4°36'50"	64.44	N29°12'30"W	64.43
C104	800.00	3°35'18"	50.10	N25°06'43"W	50.09
C105	1050.00	3°37'56"	72.67	N25°18'12"W	72.66
C106	1050.00	3°36'21"	72.19	S31°12'01"E	72.17
C107	1050.00	3°36'21"	72.19	S29°13'40"E	72.17
C108	1050.00	3°40'05"	69.05	S47°06'46"E	69.04
C109	1050.00	3°39'31"	70.42	S50°53'06"E	70.41
C110	1050.00	3°45'19"	68.82	S54°43'02"E	68.81
C111	1050.00	3°31'39"	70.75	S58°29'31"E	70.74
C112	1050.00	4°35'24"	80.23	S62°53'03"E	80.20
C113	1050.00	3°46'12"	72.24	S47°09'59"E	72.23
C114	1050.00	3°46'12"	72.24	S43°06'32"E	72.23
C115	60.00	68°30'42"	63.27	S35°01'02"E	60.46
C116	800.00	4°56'02"	97.03	S66°40'11"E	96.97
C117	982.00	1°10'01"	20.00	N28°15'40"E	20.00
C118	1050.00	3°46'12"	72.24	S55°03'06"E	72.23
C119	1050.00	3°46'12"	72.24	S58°59'33"E	72.23
C120	1050.00	4°22'34"	80.30	S63°00'15"E	80.28
C121	800.00	4°41'17"	65.46	N60°19'09"W	65.44
C122	1000.00	2°21'13"	44.61	N31°16'30"E	44.61

PARK CITY HEIGHTS PHASE 4

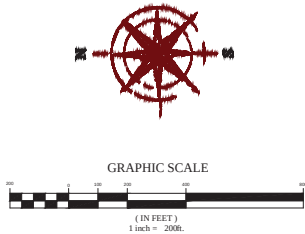
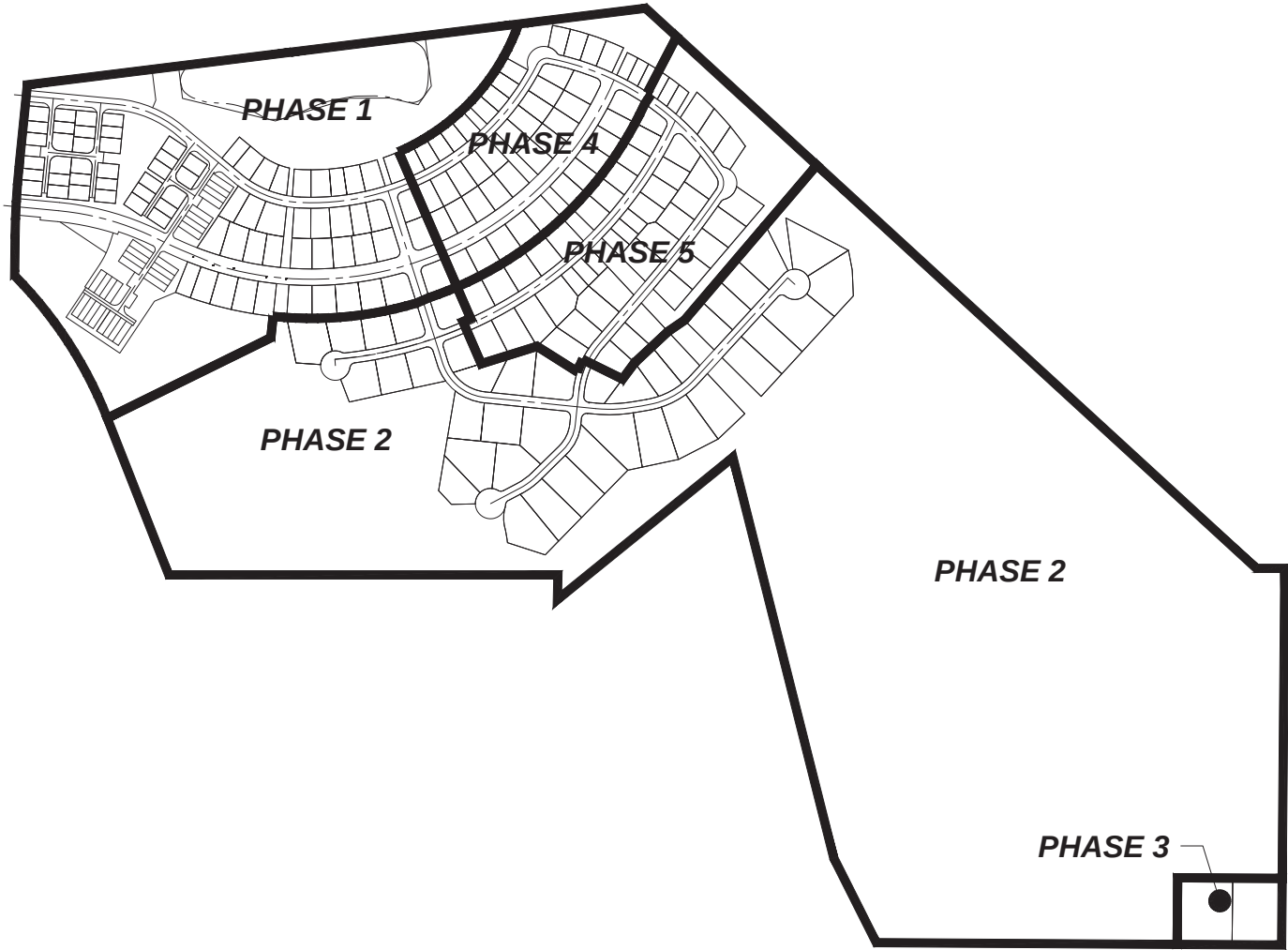
A SUBDIVISION LOCATED IN THE SW1/4 AND SE1/4 OF SECTION 2
& THE NW1/4 AND NE1/4 OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
SUMMIT COUNTY, UTAH

RECORDED # _____

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ SUMMIT COUNTY RECORDER _____



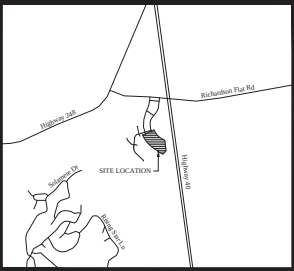
FOCUS
ENGINEERING AND SURVEYING, LLC
MIDVALE, UTAH 84047 PH: (801) 352-0075
www.focusutah.com

Park City Heights
Park City
Phasing Exhibit

REVISION BLOCK	
#	DESCRIPTION
1	
2	
3	
4	
5	
6	

Phasing Exhibit			
Scale:	1"=200'	Drawn:	TM
Date:	02/23/18	Job #:	16-348
Sheet:	1 OF 1		

EXHIBIT E



VICINITY MAP
NTS

NORTHWEST CORNER OF
SECTION 11, T2S, R4E, S18&M
PARK CITY BOUNDARY MARKER
2.5" ALUMINUM CAP

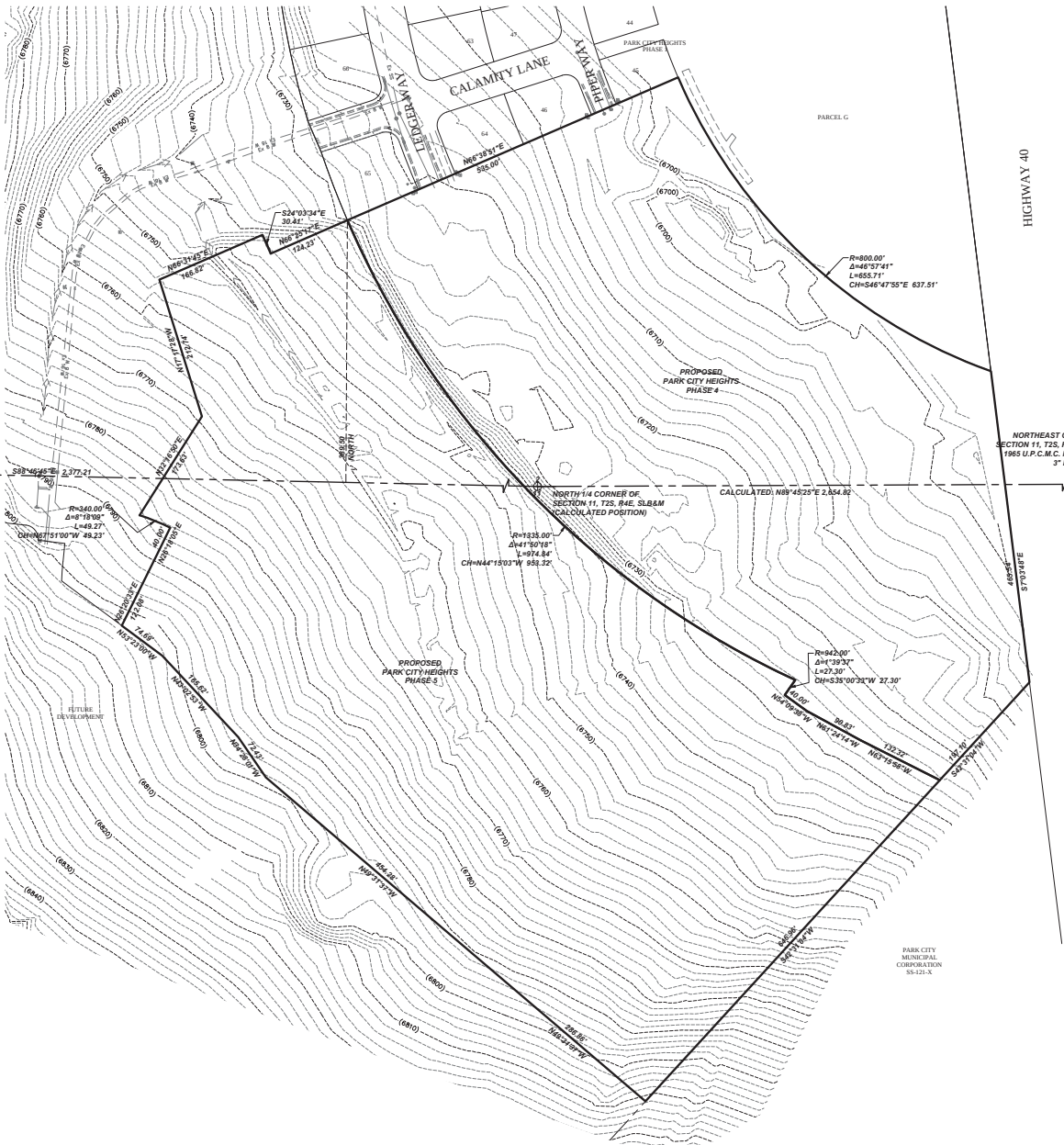
362
101.11

BASIS OF BEARING
CALCULATED: S88°46'45"E 2,659.88

LEGEND

-----	EXIST. CONTOUR MAJOR
-----	EXIST. CONTOUR MINOR
-----	EXIST. STORM DRAIN
-----	EXIST. SANITARY SEWER
-----	EXIST. CULINARY WATER
-----	EXIST. SECONDARY WATER
-----	EXIST. IRRIGATION
-----	EXIST. NATURAL GAS
-----	EXIST. COMMUNICATIONS
-----	EXIST. OVERHEAD POWER
-----	EXIST. FENCE
-----	SECTION MONUMENT (FOUND)
-----	SECTION MONUMENT (NOT FOUND)
-----	EXIST. SO INLET, MANHOLE & COMBO BOX
-----	EXIST. SEWER MANHOLE
-----	EXIST. WATER VALVE & WATER METER
-----	EXIST. FIRE HYDRANT
-----	EXIST. IRRIGATION BOX
-----	EXIST. STREET LIGHT
-----	EXIST. POWER POLE
-----	EXIST. ELECTRICAL BOX
-----	EXIST. COMMUNICATIONS BOX
-----	SUMMIT COUNTY PARCEL NO.

XXXXXXXXXX



SURVEYOR'S CERTIFICATE

"I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have made a survey of the lands shown on this plan and that it correctly represents the existing conditions as shown. This Plan does not represent a certification to the title or ownership of the lands shown herein."

Spencer W. Llewellyn
Professional Land Surveyor
Certificate No. 10516507

Date



BOUNDARY/TOPOGRAPHICAL SURVEY
LOCATION: SOUTH HALF OF SECTION 2 & NORTH HALF OF SECTION 11, T2S, R4E, S18&M
PARK CITY, UTAH
PROPERTY OF: IVORY DEVELOPMENT, LLC
PREPARED FOR: IVORY DEVELOPMENT, LLC

REVISION BLOCK	REVISION	DATE	DESCRIPTION
1	XXX	XXX	XXX
2	XXX	XXX	XXX
3	XXX	XXX	XXX
4	XXX	XXX	XXX
5	XXX	XXX	XXX
6	XXX	XXX	XXX
7	XXX	XXX	XXX
8	XXX	XXX	XXX
9	XXX	XXX	XXX
10	XXX	XXX	XXX

Scale: 1"=XXX' 146' X
Sheet: XXXXXXX
1 OF X



229 View of Phase 2 looking southwest



View looking northeast from Calamity Court and Ledger Way intersection



View looking North to Phase 2 Cottage homes on Ledger Way



View to Phase 2 site looking west from Calamity Court and Ledger Way





LOOKING SOUTHEAST





LOOKING SOUTHEAST





238
LOOKING SOUTHWEST FROM PIPER WAY



PARK CITY HEIGHTS PHASE 4

PREPARED FOR:
IVORY HOMES
LOCATED IN:
PARK CITY, SUMMIT COUNTY, UTAH



GRAPHIC SCALE

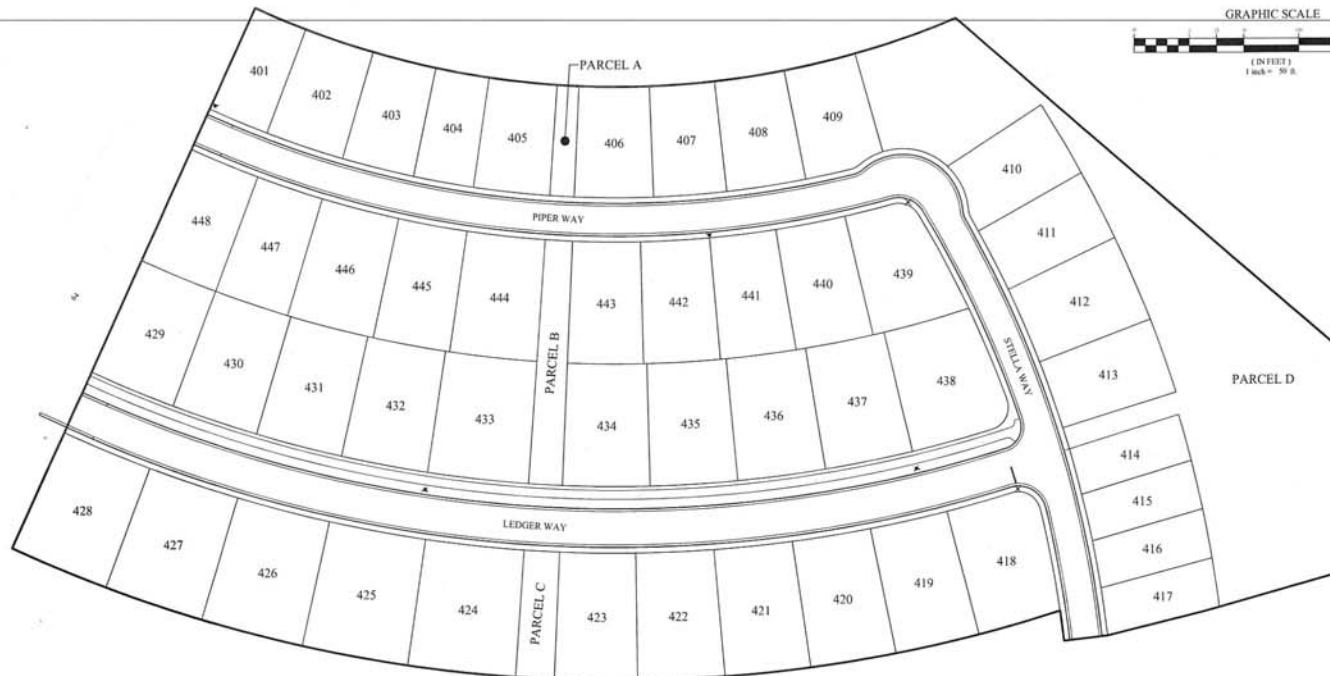
(IN FEET)
1 inch = 20 ft.



VICINITY MAP

Sheet List Table

Sheet Number	Sheet Title
C1	COVER SHEET
C2.0	FINAL PLAT
C2.1	FINAL PLAT
C3	SITE PLAN
C4	GRADING PLAN
C5	DRAINAGE PLAN
C6	SEWER PLAN
C7	WATER PLAN
C8	EROSION CONTROL PLAN
PP01	PIPER WAY
PP02	PIPER WAY
PP03	LEDGER WAY
PP04	LEDGER WAY
PP05	STELLA WAY
PP06	STELLA WAY



SITE MAP

GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
2. ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. ALL CONSTRUCTION SHALL ADHERE TO PARK CITY STANDARD PLANS AND SPECIFICATIONS.
4. ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CREDITED BY THE ENGINEER OR RECORD.
5. THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH D), IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAIL THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

ENGINEER'S NOTES TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
2. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR ALL SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, INCLUDING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
3. UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR OR LIABLE FOR UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
4. ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANT THE ACCURACY OF SUCH LINEWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

CONTACTS

ENGINEER & SURVEYOR
FOCUS ENGINEERING & SURVEYING, LLC
22 WEST CENTER STREET
MIDVALE, UTAH 84047
(801) 322-0979
PROJECT MANAGER: MAT WANGSGAARD
SURVEY MANAGER: SPENCER LLEWELYN

OWNER/DEVELOPER
IVORY DEVELOPMENT
3500 NORTH CENTER STREET
LEHI, UTAH 84043
(801) 467-4841
CONTACT: BRAD MACKAY

BENCHMARK

SOUTHEAST CORNER OF SECTION 2
TOWNSHIP 2 NORTH RANGE 4 EAST
SAGE LAKE DAM AND MERRISAN
ELEV: 6664.44
DATUM: NAVD83



PARK CITY HEIGHTS PHASE 4
PARK CITY, SUMMIT COUNTY, UTAH
COVER SHEET

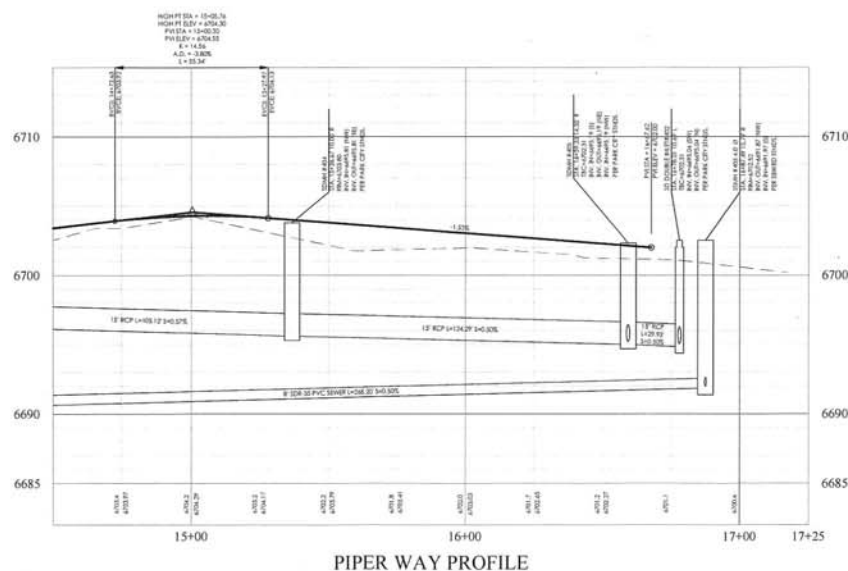
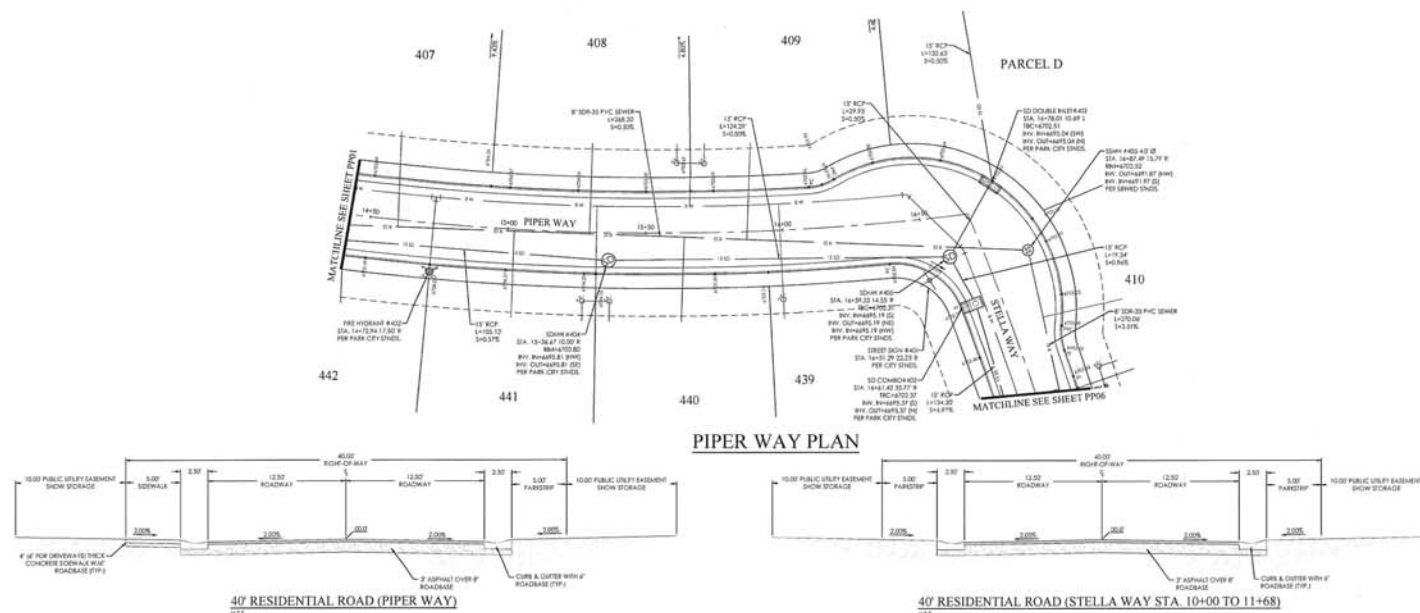
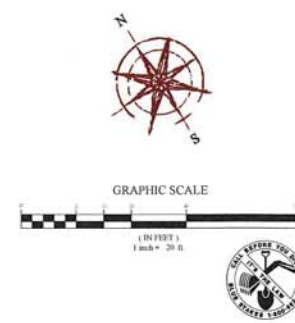
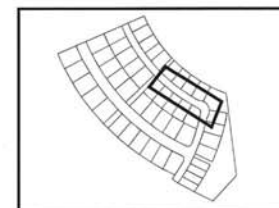
REVISION	DATE	DESCRIPTION
1	04/23/19	ISSUED FOR PERMIT

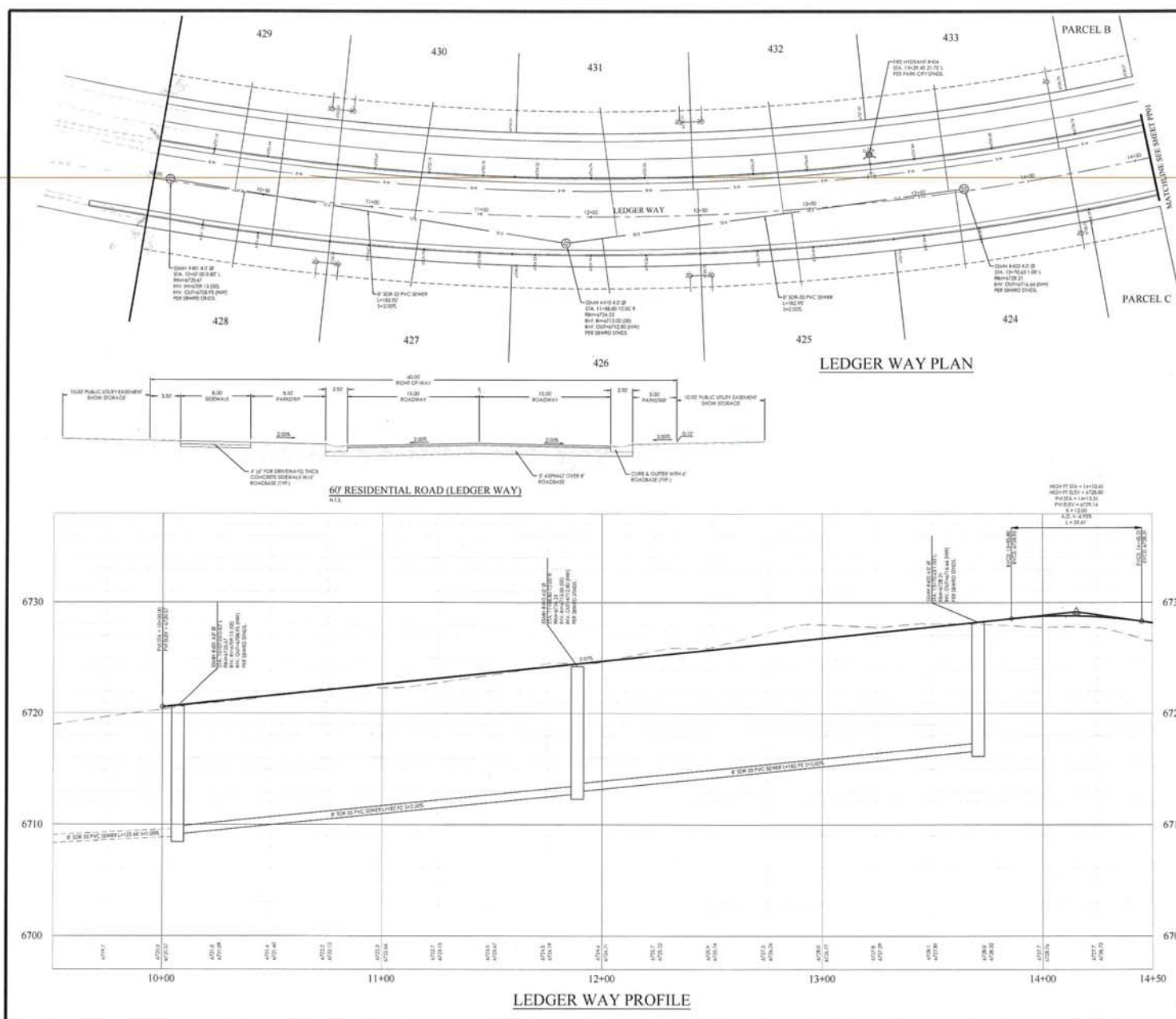
COVER SHEET

DATE	BY	CHKD	APP'D
04/23/19	BA		17-481

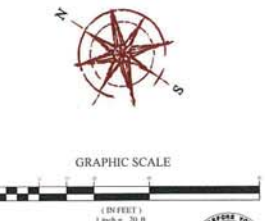
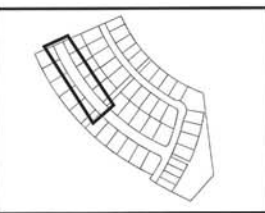
C1



[illegible]



LEGEND	
=====	BOUNDARY
=====	ROW
=====	CEMENTILE
=====	LEFT LANE
=====	RIGHT LANE
=====	1" STORM DRAIN
=====	6" SANITARY SEWER
=====	8" CULINARY WATER
=====	8" SECONDARY WATER
=====	CURB OR MAJOR
=====	EXIST. STORM DRAIN
=====	EXIST. SANITARY SEWER
=====	EXIST. CULINARY WATER
=====	EXIST. FRESH
=====	EXIST. CULINARY MAJOR



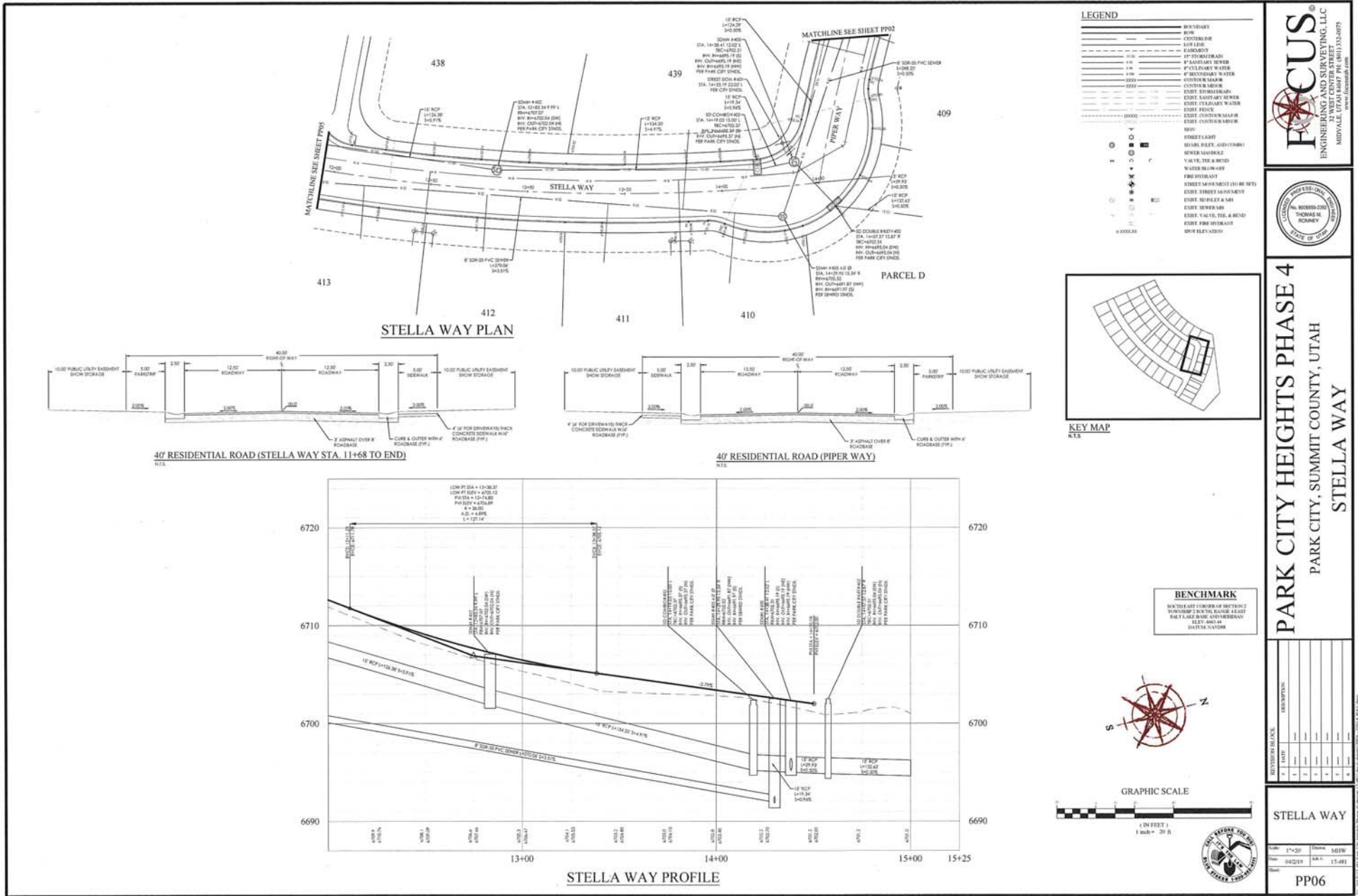
FOCUS
ENGINEERING AND SURVEYING, LLC
32 WEST CENTER STREET
MIDVALE, UTAH 84047 PH (801) 352-0073
www.focusnash.com

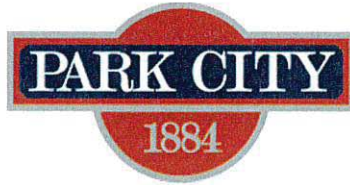


PARK CITY HEIGHTS PHASE 4
PARK CITY, SUMMIT COUNTY, UTAH
LEDGER WAY

REVISED OR BLOCK			CRIM SUPPLEMENTS
#	DATE		
1	10/20/00	added	added
2	10/20/00	added	added
3	10/20/00	added	added
4	10/20/00	added	added
5	10/20/00	added	added
6	10/20/00	added	added

LEDGER WAY	
Size: 1"x20"	Drawn: MBW
Date: 04/2/99	Job #: 17-481
Sheet: PP03	





January 17, 2019

Christopher P. Gamvroulas
Ivory Development
978 Woodoak Lane
Salt Lake City, UT 84117

NOTICE OF HOUSING AUTHORITY ACTION

<u>Description:</u>	Updated/Amended Affordable Housing Mitigation Plan
<u>Project Title:</u>	Park City Heights Master Planned Development
<u>Date of Action:</u>	January 8, 2019

Summary of Housing Authority Action

On January 8, 2019 Park City Housing Authority approved an amended Housing Mitigation Plan for the phased completion and sale of 79 deed restricted units in fulfillment of the affordable housing obligation at Park City Heights Master Planned Development. Completed units will include 28 Park Town Homes (7 four-plex buildings), 35 Park Homes and 16 larger Cottage Homes.

Findings of Fact:

1. The applicable Development Agreement was recorded November 4, 2014.
2. A total of 44.78 Affordable Unit Equivalents (AUEs) in the form of 28 Park Town Homes will be constructed in fulfillment of the affordable housing obligation associated with IHC/Burbs Annexation. These units will be provided on Lots T1-T28 and in accordance with Housing Resolution 17-99.
3. A total of 16 larger Cottage units (equal to 32 AUEs) are in fulfillment of the housing obligation incurred by the MPD in a CT zone (20% of total units). In the first phase the affordable units will be located on the following lots: 36, 39, 42, 54, and 75. Affordable units for subsequent phases will be identified with the Final Subdivision plats for those phases. These units will be provided in accordance with Housing Resolution 17-99.
4. A total of 35 Park Homes are included in the subdivision made possible by early participation by the City. These units will be located on Lots 1-35 and will be developed in accordance with Housing Resolution 20-07.
5. The Developer must submit a Housing Mitigation Plan to the Park City Housing Authority for approval prior to the issuance of building permits. The Housing Mitigation Plan shall address the following: 1) the schedule setting forth the phasing of the required AUEs, which will be in conjunction with the overall

phasing and development plan of the community; 2) a description of the marketing plan including how the Developer is addressing the City's local preference options; 3) anticipated sale prices by unit type, recognizing that the community will be developed over several years and in a variety of market conditions; 4) the method by which the units will remain affordable; and 5) the term and duration of affordability. A deed restriction shall be recorded against the plat prior to the issuance of building permits. The Developer shall comply with the Affordable Housing requirements prior to receiving any certificates of occupancy, as detailed in the amended Master Planned Development conditions of approval as attached hereto as Exhibit C.

6. An initial Housing Mitigation Plan was approved by the Housing Authority on July 17, 2014 attached as Exhibit A. The plan was for completion of the first 10 homes (six Park Homes and four Park Town Homes) to be priced between \$240,000 and \$400,000. A condition of approval was that Ivory Homes return to the Housing Authority by December of each year beginning in 2015 with a status report that includes: number of units built, sale prices, balance remaining, projections for the next year including number of units in each type and pricing for the next year, and any requested adjustments to the Housing Mitigation Plan.
7. The first 10 homes addressed in the July 2014 Mitigation Plan were completed in the fall of 2016 and released for sale on December 16, 2016.
8. An amended Housing Mitigation Plan including pricing for all 79 units was approved by the Housing Authority on December 15, 2016 and attached as Exhibit B.
9. Another amended Housing Mitigation Plan was approved by the Housing Authority on January 8, 2019 attached as Exhibit C.

Conclusions of Law:

1. This Amendment is consistent with the Development Agreement between Ivory Homes and Park City Municipal Corporation recorded on November 4, 2014.
2. This Amendment complies with multiple, applicable Housing Resolutions as follows: 44 units under Housing Resolution 17-99 and 35 units under Housing Resolution 20-07.

Conditions of Approval:

1. Ivory Homes will return to the Housing Authority by December of each year beginning in 2015 with a status report that includes: number of units built, sale prices, balance remaining, projections for the next year including number of units in each type and pricing for the next year, and any requested adjustments to the Housing Mitigation Plan.
2. Any changes to the unit pricing, bedroom count or completion schedule included in the Amended Housing Mitigation Plan in Exhibit C will require approval by the Housing Authority.
3. 28 Park Town Homes, 35 Park Homes and five (5) Cottage Homes will be completed by the end of 2020.
4. 11 Cottage homes will be completed by 2025.

5. Certificates of Occupancy will be withheld on the last 10% of the Market Units (16 units) until Certificates of Occupancy have been issued for all 79 affordable/attainable units.

Attached are Exhibits as follows:

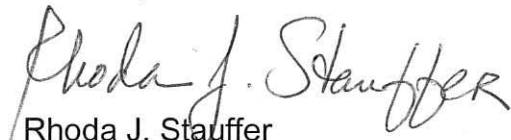
Exhibit A = Original Housing Mitigation Plan approved on July 17, 2014

Exhibit B = Amended Housing Mitigation Plan approved on December 15, 2016.

Exhibit C = Amended Housing Mitigation Plan approved on January 8, 2019.

If you have any questions about this action letter, please contact me. I can be reached at 435-615-5152 or via email at rhoda.stauffer@parkcity.org.

Sincerely,

A handwritten signature in cursive script that reads "Rhoda J. Stauffer". The signature is written in dark ink and is positioned above the printed name.

Rhoda J. Stauffer
Affordable Housing Program

December 7, 2018 (DRAFT)

Park City Housing Authority
PO Box 1480
Park City, UT 84060

Park City Heights – Amended Housing Mitigation Plan

Project: Park City Heights Master Planned Development

Developer: Ivory Homes

General:

On May 11, 2011 the Master Planned Development (MPD) for Park City Heights was approved for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres. An amendment to the MPD was approved on November 6, 2013, this addressed relocation and configuration of lots and streets. As part of the approval the Developer is required to satisfy an affordable/attainable housing requirement with forty-four (44) units approved under the 17-99 Housing Resolution and thirty-five (35) units approved under the 20-07 Housing Resolution.

The units will be large enough to capture all of the square footage necessary under the AUE obligations. All affordable/attainable units are to be for sale units. None of the units are intended to be rented by the Developer or future owners. Restrictions and priorities may include qualification options, sales price limits/range, rental restrictions and affordability terms.

Phasing Schedule:

The Project may be plated in phases in accordance with the approved phasing plan. The following schedule is provided to indicate the required AUE's to be built in each phase. However, each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.

Phase 1 – 103 Units

- 68 Affordable/Attainable – To be completed by December 31, 2020
- 35 Market Rate Units

Phase 2 – 39 Units – Was 47

- 0 Affordable/Attainable Was 5
- 39 Market Rate Units Was 42

Phase 3 – 2 Units Was 34

- 0 Affordable/Attainable Was 2
- 2 Market Rate Units Was 32

Phase 4 – 47 Units Was 29

- 3 Affordable/Attainable Was 4 – To be completed by December 31, 2025
- 44 Market Rate Units Was 25

Phase 5 – 48 Units Was 15

- 8 Affordable/ Attainable Was 0 – To be completed by December 31, 2025
- 40 Market Rate Units Was 15

Phase 6 is Removed – Was 11 Market Units

All Phases 79 Affordable/ Attainable Units (or equivalent AUE's)
 160 Market Rate Units

Total: 239 Units

Construction Timing:

The general layout and concept plan for Park City Heights dictates that the infrastructure is built from the lowest point of the slope (north) or entrance of the project to the highest point on the mountain (south). Because construction dictates this development pattern and the majority of affordable/attainable units are lower on the hill, the affordable/attainable units will be constructed at a different rate than market rate units. All of the affordable/attainable units will receive a certificate of occupancy prior to issuance of building permits for the last ten (10) percent of the market rate units. Project and housing requirements dictate that the affordable/attainable units are built in conjunction with the market rate units. The developer is front loading as many affordable/attainable units as possible to ensure that the requirements are satisfied. **In Phase I, 68 affordable/attainable units will be completed . The balance of 11 units will be completed in Phases 4 & 5.**

Phase 1 construction began in 2016 for a total of sixty-eight (68) affordable/attainable units. The first Certificates of Occupancy were issued completed in the fall of 2016. The first affordable/attainable unit will be ready for occupancy prior to the first market rate unit. The majority of the affordable/attainable units are clustered at the entrance to the Subdivision and the Developer will ensure that the units are built with high quality building materials and well maintained. Projected absorption rate is 8-12 units per year as dictated by the market.

Phase 1 – Year 1 Projection = 10 Total Units

TYPE OF UNIT	NUMBER OF UNITS	NUMBER OF BEDROOMS	SQUARE FEET PER UNIT
Park Home – Single Family	6	3	1,600 – 2,100
Park Home – Townhome	4	2-3	1,000 – 1,400

Product Pricing:

The intent is to offer a wide range of both product type and product pricing. Pricing in the first building of the Attached Park Home Townhomes product in Phase 1 will begin in the \$240,000 range and go upwards of \$400,000 for the Single Family Detached Park Homes, depending on unit type, bedroom counts, square footage, and construction finishes. Developer will work with Park City Municipal Corp to determine final sales pricing as well as product type and size. It is anticipated that attached units will be priced lower and

single family detached units will be closer to the maximum price range, thus having a greater range of diversity. Pricing for the first ten (10) units is now set as shown in the attached spreadsheet (Exhibit B) for the Park Home Townhome units T25, T26, T27, T28 and Park Home Single Family Detached Units 1,2,3,10,11 and 12. Any changes to the unit pricing, bedroom count, or completion schedule included in Exhibit B will require approval by the Housing Authority.

Marketing Plan:

Developer agrees to give priority to those full-time employees who work within the area of the Park City School District boundaries, particularly essential workers. This area includes but is not limited to Intermountain Healthcare Park City Medical Campus, USSA Headquarters and Training Annexation.

Developer will hold information seminars with these target groups to discuss the qualifications for purchasing deed restricted affordable/attainable housing units. Developer will also provide Credit Repair Services for all of those in need of such services.

Methodology of Affordability:

Affordability Defined

Affordability is defined such that the total amount of the mortgage, basic utilities, taxes, insurance and HOA payments may not account for more than 30% of household income. The median wage of the core Park City workforce is determined annually by the City Council.

Affordable Unit Equivalent

There are two resolutions that govern the affordable/attainable units in Park City Heights. Resolution 17-99 dictates that a two-bedroom unit with 800 square feet of Net Livable Space is considered one Affordable Unit Equivalent; and Resolution 20-07, dictates that a two-bedroom unit with 900 square feet of Net Livable Space is considered one Affordable Unit Equivalent.

Average of Affordability

The intent is to maintain an average rate of affordability. Flexibility must be given in the Housing Mitigation Plan in an attempt to maximize a level of affordability. There may be some single-family units that fall outside of the affordable range, alternatively, providing attached units could keep the average rate of affordability lower delivering a lower average price.

Compliance Standards

It is anticipated that there will be a mix of unit types and standards as outlined below:

- All affordable units will be built to a minimum LEED Certified OR NAHB Green level and appliances & light bulbs shall be Energy Star qualified products.
- Size differentials of the exterior appearance of the cottage home affordable units will be compatible with cottage home market rate units and will use similar exterior materials and guidelines.
- Standard construction practices will be the same for the affordable/attainable and market units and incorporate the same general construction materials in the following areas: insulation, windows, heating systems, and other components related to energy efficiency including landscaping.

- All affordable/attainable units will be constructed in accordance and consistent with the MPD approved Park City Heights Neighborhood Design Guide.
- All affordable/attainable units will be constructed on Park City Heights property (MPD site). This includes the transfer of the IHC units from the Park City Medical Center site to Park City Heights.

Product type/Unit descriptions

Product type in all phases will be determined based on market conditions, lot size, topography, number of stories, adjacent homes, and other factors. Flexibility will be required and a necessity in order to provide the right product at the right price to maintain affordability. Units will be configured in two, three and four bedroom layouts. A minimum of seven (7) – two bedroom units will be provided in the Attached Park Home Townhomes.

Average Median Income/Workforce Housing Wage (Guideline)

Housing Resolution 17-99 uses an Average Median Income (AMI) in Summit County and Housing Resolution 20-07 uses the Workforce Housing Wage (WHW) in Park City. The first ten (10) units will be split with four (4) of the units under HR 17-99 and six (6) under HR 20-07.

Rhoda Stauffer

From: Troy Goff <troyg@ivoryhomes.com>
Sent: Friday, December 07, 2018 3:01 PM
To: Rhoda Stauffer; Chris Gamvroulas
Cc: Anne Laurent; Jason Glidden; John Cahoon; Brad Mackay; Dan Fielding
Subject: RE: meeting
Attachments: image001.jpg; 9FE0558B6B4948E08262E3380B4FAB4E[485399].png; Proposed Amended Housing Mitigation Plan 12-7-18.docx

Hello Rhoda,

Per your request I wanted to get you over some language to share with the Housing Authority as to how the phasing changes that Ivory is proposing will impact the delivery of Affordable/Attainable Units in Park City Heights.

The phasing changes to phases 2-5 in Park City Heights will not alter the time frame that Ivory Homes has committed to constructing the Affordable/Attainable Homes in Park City Heights. The current plan calls for 8-12 Affordable/Attainable Homes to be completed each year in Park City Heights. Under the current plan, this forecast would assume a build out of the Affordable/Attainable Homes by the end of 2025.

In an effort exceed our commitment, Ivory Homes plans to build the remainder of the Affordable/Attainable Park Homes (23 in total) and Affordable/Attainable Townhomes (20 in total) by the end of 2019 as well as three of the Attainable Cottage Homes. The remaining two Attainable Cottage Homes in phase one would start construction in 2019 and be completed in 2020.

We forecast that we will have a total of 68 Affordable/Attainable Homes constructed in Park City Heights by the end of 2020, putting us three and a half years ahead of schedule. The remaining 11 Affordable/Attainable Homes in Park City Heights are forecasted to be completed by the end of 2025.

With the phasing changes being

Phase 1- 103 Units

- 68 Affordable/Attainable Units
- 35 Market Rate Units

Phase 2- 39 Units

- 39 Market Rate Units

Phase 3- 2 Units

- 2 Market Rate Units

Phase 4- 47 Units

- 3 Affordable/Attainable Units
- 44 Market Rate Units

Phase 5- 48 Units

- 8 Affordable/Attainable Units
- 40 Market Rate Units

I have made these changes to a new proposed Draft of the Mitigation Plan attached. Please let me know if you need anything else from us for your upcoming update to council and the Housing Authority.

Thank You,

Troy Goff

New Home Sales Consultant

"For All Ivory Homes Neighborhoods"

435-729-0550

troyg@ivoryhomes.com



From: Rhoda Stauffer <rhoda.stauffer@parkcity.org>

Sent: Tuesday, December 4, 2018 4:24:07 PM

To: Troy Goff; Chris Gamvroulas

Cc: Anne Laurent; Jason Glidden

Subject: meeting

Troy & Chris, we need to meet with you and are hoping that you can come to City Hall on the afternoon of December 17. At this point, we aren't ready for the annual update because we still don't have the material we need to update the Housing Mitigation Plan. We've got the lot changes, but we still don't have the Phasing changes that have to be incorporated and approved.

Without that update, we also can't approve additional sales, so we really want to get this taken care of as soon as possible.

Please let us know if you can make a meeting on Monday, December 17. Right now, we are wide open on that date.

Thank you

Rhoda

Rhoda J. Stauffer

Affordable Housing Program

Community Development

Park City Municipal Corporation

435-615-5152

Rhoda.stauffer@parkcity.org



This email message and attachments (if any) are RESTRICTED, CONFIDENTIAL, may be subject to a LEGAL PRIVILEGE, and are sent in trust intended solely for the recipient to whom addressed. Unauthorized

261

Exhibit B-Revised 1-08-2019
Park City Heights Proposed Pricing by Unit Type

Town Homes	October 24, 2016 Proposed Pricing from Ivory Homes	# of Bed- rooms	Housing Resolution Pricing Limit	Negotiated Pricing		
T25	319,900	3	409,501	319,900		
T26	249,900	2	365,759	249,900		
T27	297,900	3	409,501	297,900		
T28	329,900	3	409,501	329,900		
T9	303,858	3	409,501	329,900	Was on Lot T11	
T10	336,498	3	409,501	359,900	Was on Lot T12	
T11	326,298	3	409,501	349,900	Was on Lot T9	
T12	254,898	2	365,759	299,900	Was on Lot T10	
T21	332,823	3	409,501	349,900		
T22	259,995	2	365,759	299,900		
T23	309,935	3	409,501	329,900		
T24	343,227	3	409,501	359,900		
T13	339,479	3	409,501	349,900		
T14	265,194	2	365,759	299,900		
T15	316,133	3	409,501	329,900		
T16	350,091	3	409,501	359,900		
T17	322,455	3	409,501	329,900	Was on Lot T19	
T18	270,497	2	365,759	299,900		
T19	346,268	3	409,501	349,900	Was on Lot T17	
T20	357,092	3	409,501	359,900		
T5	353,193	3	409,501	349,900		
T6	275,906	2	365,759	299,900		
T7	328,904	3	409,501	329,900		
T8	364,233	3	409,501	359,900		
T1	335,482	3	409,501	329,900	Was on Lot T3	
T2	371,517	3	409,501	359,900	Was on Lot T4	
T3	360,256	3	409,501	349,900	Was on Lot T1	
T4	281,424	2	365,759	299,900	Was on Lot T2	
sub-total	8,903,256		11,159,834	9,235,200	(1,924,634)	amount below max allowed pricing

Bedroom Count Summary	
2 bedrooms	7
3 bedrooms	46
4 bedrooms	26

Proposed Revisions are in Red									
Units Per Year -- Projections	Year	TH	PH	PH	Cottages	Cottages	total	total	Com.
									Actual Completed
	2016	4	6	8	0	0	10	10	10
	2017	4	6	0	0	0	10	4	14
	2018	4	0	6	1	0	11	6	20
	2019	4	20	6	23	3	3	13	46
	2020	4	0	6	0	3	2	13	2
	2021	4	0	5	0	3	0	12	0
	2022	4	0	0	0	3	0	7	0
	2023	0	0	0	0	3	0	3	0
	2025	0	0	0	0	0	11	11	79
	total	28	35	35	16	16	79	79	20

Park Homes	October 24, 2016 Proposed Pricing from Ivory Homes	# of Bed- rooms	Limit	Proposed Scenario	
1	\$408,900	3	\$375,179	\$375,179	1
2	\$374,900	3	\$375,179	\$375,179	1
3	\$408,900	3	\$375,179	\$375,179	1
10	\$408,900	3	\$375,179	\$375,179	1
11	\$374,900	3	\$375,179	\$375,179	1
12	\$408,900	3	\$375,179	\$375,179	1
4	\$419,272	3	\$375,179	\$438,500	1.17 Was on Lot 6
5	\$384,272	3	\$375,179	\$438,500	1.17
6	\$477,900	4	\$445,463	\$465,900	1.05 Was on Lot 4
7	\$419,122	3	\$375,179	\$438,500	1.17 Was on Lot 9
8	\$384,272	3	\$375,179	\$438,500	1.17
9	\$477,900	4	\$445,463	\$465,900	1.05 Was on Lot 7
13	\$489,878	4	\$445,463	\$465,900	1.05
14	\$393,878	3	\$375,179	\$438,500	1.17
15	\$429,600	3	\$375,179	\$438,500	1.17
22	\$489,878	4	\$445,463	\$465,900	1.05
23	\$393,878	3	\$375,179	\$438,500	1.17
24	\$429,600	3	\$375,179	\$438,500	1.17
16	\$440,340	3	\$375,179	\$438,500	1.17 Was on Lot 18
17	\$403,772	3	\$375,179	\$438,500	1.17
18	\$502,095	4	\$445,463	\$465,900	1.05 Was on Lot 16
19	\$440,340	3	\$375,179	\$438,500	1.17 Was on Lot 21
20	\$440,300	3	\$375,179	\$438,500	1.17
21	\$502,095	4	\$445,463	\$465,900	1.05 Was on Lot 19
28	\$514,648	3	\$375,179	\$438,500	1.17 Was on Lot 30
29	\$451,348	3	\$375,179	\$438,500	1.17
30	\$451,348	4	\$445,463	\$465,900	1.05 Was on Lot 28
31	\$514,648	3	\$375,179	\$438,500	1.17 Was on Lot 33
32	\$451,348	3	\$375,179	\$438,500	1.17
33	\$451,348	4	\$445,463	\$465,900	1.05 Was on Lot 31
25	\$527,515	4	\$445,463	\$465,900	1.05
26	\$462,631	3	\$375,179	\$438,500	1.17
27	\$462,631	3	\$375,179	\$438,500	1.17
34	\$462,631	3	\$375,179	\$438,500	1.17 Was on Lot 35
35	\$527,515	4	\$445,463	\$465,900	1.05 Was on Lot 34
	\$15,581,403		\$13,834,105	15,241,574	\$1,407,469 amount above max allowed pricing

Cottages	October 24, 2016 Proposed Pricing from Ivory Homes	# of Bed- rooms	Limit	Proposed Scenario	
39	499,900	4	506,008	506,008	
42	514,897	4	506,008	506,008	
54	514,897	4	506,008	506,008	
75	514,897	4	506,008	506,008	
TBD	530,343	4	506,008	506,008	
TBD	530,343	4	506,008	506,008	
TBD	530,343	4	506,008	506,008	
TBD	546,253	4	506,008	506,008	
TBD	546,253	4	506,008	506,008	
TBD	546,253	4	506,008	506,008	
TBD	562,640	4	506,008	506,008	
TBD	562,640	4	506,008	506,008	
TBD	562,640	4	506,008	506,008	
TBD	579,519	4	506,008	506,008	
TBD	579,519	4	506,008	506,008	
TBD	579,519	4	506,008	506,008	
	8,700,856		8,096,128	8,096,128	

Total Revenue Initial Ivory Pricing Revenue	\$ 33,185,515	
Total Revenue Resolution Limits	\$ 33,090,067	
Total Negotiated Pricing Revenue	\$ 32,572,902	\$ (517,165) amount negotiated pricing is below max allowed pricing

December 15, 2016

Park City Housing Authority
PO Box 1480
Park City, UT 84060

Park City Heights – Amended Housing Mitigation Plan

Project: Park City Heights Master Planned Development

Developer: Ivory Homes

General:

On May 11, 2011 the Master Planned Development (MPD) for Park City Heights was approved for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres. An amendment to the MPD was approved on November 6, 2013, this addressed relocation and configuration of lots and streets. As part of the approval the Developer is required to satisfy an affordable/attainable housing requirement with forty-four (44) units approved under the 17-99 Housing Resolution and thirty-five (35) units approved under the 20-07 Housing Resolution.

The units will be large enough to capture all of the square footage necessary under the AUE obligations. All affordable/attainable units are to be for sale units. None of the units are intended to be rented by the Developer or future owners. Restrictions and priorities may include qualification options, sales price limits/range, rental restrictions and affordability terms.

Phasing Schedule:

The Project may be platted in phases in accordance with the approved phasing plan. The following schedule is provided to indicate the required AUE's to be built in each phase. However, each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.

Phase 1 – 103 Units

- 68 Affordable/Attainable
- 35 Market Rate Units

Phase 2 – 47 Units

- 5 Affordable/Attainable
- 42 Market Rate Units

Phase 3 – 34 Units

- 2 Affordable/Attainable
- 32 Market Rate Units

Phase 4 – 29 Units

- 4 Affordable/Attainable
- 25 Market Rate Units

Phase 5 – 15 Units

- 15 Market Rate Units

Phase 6 – 11 Units

- 11 Market Rate Units

All Phases 79 Affordable/Attainable Units (or equivalent AUE's)
 160 Market Rate Units

Total: 239 Units

Construction Timing:

The general layout and concept plan for Park City Heights dictates that the infrastructure is built from the lowest point of the slope (north) or entrance of the project to the highest point on the mountain (south). Because construction dictates this development pattern and the majority of affordable/attainable units are lower on the hill, the affordable/attainable units will be completed at a different rate than market rate units. All of the affordable/attainable units will receive a certificate of occupancy prior to issuance of building permits for the last ten (10) percent of the market rate units. Project and housing requirements dictate that the affordable/attainable units are built in conjunction with the market rate units. The developer is front loading as many affordable/attainable units as possible to ensure that the requirements are satisfied. All of the affordable/attainable units are in the first 4 Phases.

Phase 1 construction began in 2016 for a total of sixty-eight (68) affordable/attainable units. The first Certificates of Occupancy were issued completed in the fall of 2016. The first affordable/attainable unit will be ready for occupancy prior to the first market rate unit. The majority of the affordable/attainable units are clustered at the entrance to the Subdivision and the Developer will ensure that the units are built with high quality building materials and well maintained. Projected absorption rate is 8-12 units per year as dictated by the market.

Phase 1 – Year 1 Projection = 10 Total Units

TYPE OF UNIT	NUMBER OF UNITS	NUMBER OF BEDROOMS	SQUARE FEET PER UNIT
Park Home – Single Family	6	3	1,600 – 2,000
Park Home – Townhome	4	2-3	1,000-1,400

Product Pricing:

The intent is to offer a wide range of both product type and product pricing. Pricing in the first building of the Attached Park Home townhomes product in Phase 1 will begin in the \$240,000 range and go upwards of \$400,000 for the Single Family Detached Park Homes, depending on unit type, bedroom counts, square footage, and construction finishes. Developer will work with Park City Municipal Corporation to determine final sales pricing as well as product type and size. It is anticipated that attached units will be priced lower and single family detached units will be closer to the maximum price range, thus having a greater range of diversity. Pricing for the first ten (10) units is now set as shown in the attached spreadsheet (Exhibit B) for the Park Home Townhomes units T25, T26, T27, T28 and Park Homes Single Family Detached Units 1,2,3,10,11, and 12. Any changes to the unit pricing, bedroom county or completion schedule included in Exhibit B will require approval by the Housing Authority.

Marketing Plan:

Developer agrees to give priority to those full-time employees who work within the area of the Park City School District boundaries, particularly essential workers. This area includes but is not limited to Intermountain Healthcare Park City Medical Campus, USSA Headquarters and Training Annexation.

Developer will hold information seminars with these target groups to discuss the qualifications for purchasing deed restricted affordable/attainable housing units. Developer will also provide Credit Repair Services for all of those in need of such services.

Methodology of Affordability:

Affordability Defined

Affordability is defined such that the total amount of the mortgage, basic utilities, taxes, insurance and HOA payments may not account for more than 30% of household income. The median wage of the core Park City workforce is determined annually by the City Council.

Affordable Unit Equivalent

There are two resolutions that govern the affordable/attainable units in Park City Heights. Resolution 17-99 dictates that a two-bedroom unit with 800 square feet of Net Livable Space is considered one Affordable Unit Equivalent; and Resolution 20-07, dictates that a two-bedroom unit with 900 square feet of Net Livable Space is considered one Affordable Unit Equivalent.

Average of Affordability

The intent is to maintain an average rate of affordability. Flexibility must be given in the Housing Mitigation Plan in an attempt to maximize a level of affordability. There may be some single-family units that fall outside of the affordable range, alternatively, providing attached units could keep the average rate of affordability lower delivering a lower average price.

Compliance Standards

It is anticipated that there will be a mix of unit types and standards as outlined below:

- All affordable units will be built to a minimum LEED Certified OR NAHB Green level and appliances (Refrigerator and dishwasher) and light bulbs shall be Energy Star qualified products.
- Size differentials of the exterior appearance of the cottage home affordable units will be compatible with cottage home market rate units and will use similar exterior materials and guidelines.
- Standard construction practices will be the same for the affordable/attainable and market units and incorporate the same general construction materials in the following areas: insulation, windows, heating systems, and other components related to energy efficiency including landscaping.
- All affordable/attainable units will be constructed in accordance and consistent with the MPD approved Park City Heights Neighborhood Design Guide.
- All affordable/attainable units will be constructed on Park City Heights property (MPD site). This includes the transfer of the IHC units from the Park City Medical Center site to Park City Heights.

Product type/Unit descriptions

Product type in all phases will be determined based on market conditions, lot size, topography, number of stories, adjacent homes, and other factors. Flexibility will be required and a necessity in order to provide the right product at

the right price to maintain affordability. Units will be configured in two, three and four bedroom layouts. A minimum of seven (7) – two bedroom units will be provided in the Attached Park Home Townhomes.

Average Median Income/Workforce Housing Wage (Guideline)

Housing Resolution 17-99 uses an Average Median Income (AMI) in Summit County and Housing Resolution 20-07 uses the Workforce Housing Wage (WHW) in Park City.

Exhibit B
Park City Heights Proposed Pricing by Unit Type

	October 24, 2016 Proposed Pricing from Ivory Homes	# of Bed- rooms	Housing Resolution Pricing Limit	Negotiated Pricing
Town Homes				
T25	319,900	3	409,501	319,900
T26	249,900	2	365,759	249,900
T27	297,900	3	409,501	297,900
T28	329,900	3	409,501	329,900
T9	326,298	3	409,501	349,900
T10	254,898	2	365,759	299,900
T11	303,858	3	409,501	329,900
T12	336,498	3	409,501	359,900
T21	332,823	3	409,501	349,900
T22	259,995	2	365,759	299,900
T23	309,935	3	409,501	329,900
T24	343,227	3	409,501	359,900
T13	339,479	3	409,501	349,900
T14	265,194	2	365,759	299,900
T15	316,133	3	409,501	329,900
T16	350,091	3	409,501	359,900
T17	346,268	3	409,501	349,900
T18	270,497	2	365,759	299,900
T19	322,455	3	409,501	329,900
T20	357,092	3	409,501	359,900
T5	353,193	3	409,501	349,900
T6	275,906	2	365,759	299,900
T7	328,904	3	409,501	329,900
T8	364,233	3	409,501	359,900
T1	360,256	3	409,501	349,900
T2	281,424	2	365,759	299,900
T3	335,482	3	409,501	329,900
T4	371,517	3	409,501	359,900
sub-total	8,903,256		11,159,834	9,235,200

Bedroom Count Summary	
2 bedrooms	7
3 bedrooms	46
4 bedrooms	26

Numbers of Affordable Units Per Year		TH	PH	Cottages	total
2016		4	6	0	10
2017		4	6	0	10
2018		4	6	1	11
2019		4	6	3	13
2020		4	6	3	13
2021		4	5	3	12
2022		4	0	3	7
2023		0	0	3	3
total		28	35	16	79

(1,924,634) amount below max allowed pricing

	October 24, 2016 Proposed Pricing from Ivory Homes	# of Bed- rooms	Limit	Proposed Scenario
Park Homes				
1	\$408,900	3	\$375,179	\$375,179
2	\$374,900	3	\$375,179	\$375,179
3	\$408,900	3	\$375,179	\$375,179
10	\$408,900	3	\$375,179	\$375,179
11	\$374,900	3	\$375,179	\$375,179
12	\$408,900	3	\$375,179	\$375,179
4	\$477,900	4	\$445,463	\$465,900
5	\$384,272	3	\$375,179	\$438,500
6	\$419,272	3	\$375,179	\$438,500
7	\$477,900	4	\$445,463	\$465,900
8	\$384,272	3	\$375,179	\$438,500
9	\$419,122	3	\$375,179	\$438,500
13	\$489,878	4	\$445,463	\$465,900
14	\$393,878	3	\$375,179	\$438,500
15	\$429,600	3	\$375,179	\$438,500
22	\$489,878	4	\$445,463	\$465,900
23	\$393,878	3	\$375,179	\$438,500
24	\$429,600	3	\$375,179	\$438,500
16	\$502,095	4	\$445,463	\$465,900
17	\$403,772	3	\$375,179	\$438,500
18	\$440,340	3	\$375,179	\$438,500
19	\$502,095	4	\$445,463	\$465,900
20	\$440,300	3	\$375,179	\$438,500
21	\$440,300	3	\$375,179	\$438,500
28	\$514,648	4	\$445,463	\$465,900
29	\$451,348	3	\$375,179	\$438,500
30	\$451,348	3	\$375,179	\$438,500
31	\$514,648	4	\$445,463	\$465,900
32	\$451,348	3	\$375,179	\$438,500
33	\$451,348	3	\$375,179	\$438,500
25	\$527,515	4	\$445,463	\$465,900
26	\$462,631	3	\$375,179	\$438,500
27	\$462,631	3	\$375,179	\$438,500
34	\$527,515	4	\$445,463	\$465,900
35	\$462,631	3	\$375,179	\$438,500
	\$15,581,363		\$13,834,105	15,241,574

\$1,407,469 amount above max allowed pricing

	October 24, 2016 Proposed Pricing from Ivory Homes	# of Bed- rooms	Limit	Proposed Scenario
Cottages				
1	499,900	4	506,008	506,008
2	514,897	4	506,008	506,008
3	514,897	4	506,008	506,008
4	514,897	4	506,008	506,008
5	530,343	4	506,008	506,008
6	530,343	4	506,008	506,008
7	530,343	4	506,008	506,008
8	546,253	4	506,008	506,008
9	546,253	4	506,008	506,008
10	546,253	4	506,008	506,008
11	562,640	4	506,008	506,008
12	562,640	4	506,008	506,008
13	562,640	4	506,008	506,008
14	579,519	4	506,008	506,008
15	579,519	4	506,008	506,008
16	579,519	4	506,008	506,008
	8,700,856		8,096,128	8,096,128

Total Revenue Initial Ivory Pricing Revenue	\$ 33,185,475		
Total Revenue Resolution Limits		\$ 33,090,067	
Total Negotiated Pricing Revenue		\$ 32,572,902	\$ (517,165) amount negotiated pricing is below max allowed pricing

July 1, 2014

Park City Housing Authority
PO Box 1480
Park City, UT 84060

EXHIBIT A

Park City Heights - Housing Mitigation Plan

Project: Park City Heights Master Planned Development

Developer: Ivory Homes

General:

On May 11, 2011 the Master Planned Development (MPD) for Park City Heights was approved for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres. An amendment to the MPD was approved on November 6, 2013, this addressed relocation and configuration of lots and streets. As part of the approval the Developer is required to satisfy an affordable/attainable housing requirement with forty-four (44) units approved under the 17-99 Housing Resolution and thirty-five (35) units approved under the 20-07 Housing Resolution.

The units will be large enough to capture all of the square footage necessary under the AUE obligations. All affordable/attainable units are to be for sale units. None of the units are intended to be rented by the Developer or future owners. Restrictions and priorities may include qualification options, sales price limits/range, rental restrictions and affordability terms.

Phasing Schedule:

The Project may be platted and in phases in accordance with the approved phasing plan. The following schedule is provided to indicate the required AUE's to be built in each phase. However, each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.

Phase 1 – 103 Units

- 68 Affordable/Attainable
- 35 Market Rate Units

Phase 2 – 47 Units

- 5 Affordable/Attainable
- 42 Market Rate Units

Phase 3 – 34 Units

- 2 Affordable/Attainable
- 32 Market Rate Units

Phase 4 – 29 Units

- 4 Affordable/Attainable
- 25 Market Rate Units

Phase 5 – 15 Units

- 15 Market Rate Units

Phase 6 – 11 Units

- 11 Market Rate Units

All Phases 79 Affordable/Attainable Units (or equivalent AUE's)
 160 Market Rate Units

Total: 239 Units

Construction Timing:

The general layout and concept plan for Park City Heights dictates that the infrastructure is built from the lowest point of the slope (north) or entrance of the project to the highest point on the mountain (south). Because construction dictates this development pattern and the majority of affordable units are lower on the hill, the affordable units will be constructed at a different rate than market rate units. All of the affordable/attainable units will receive a certificate of occupancy prior to issuance of building permits for the last ten (10) percent of the market rate units. Project and housing requirements dictate that the affordable/attainable units are built in conjunction with the market rate units. The developer is front loading as many affordable/attainable units as possible to ensure that the requirements are satisfied. All of the affordable/attainable units are in the first 4 Phases.

Phase 1 construction will begin in early fall of 2014 for a total of sixty-eight (68) affordable/attainable units. The first Certificates of Occupancy are anticipated to be completed in late 2014/early 2015. The first affordable/attainable unit will be ready for occupancy prior to the first market rate unit. The majority of the affordable/attainable units are clustered at the entrance to the Subdivision and the Developer will ensure that the units are built with high quality building materials and well maintained. Projected absorption rate is 8-12 units per year as dictated by the market.

Phase 1 – Year 1 Projection = 10 Total Units

TYPE OF UNIT	NUMBER OF UNITS	NUMBER OF BEDROOMS	SQUARE FEET PER UNIT
Park Home – Single Family	6	3	1,600 – 2,100
Park Home – Townhome	4	2-3	1,000 – 1,400

Product Pricing:

The intent is to offer a wide range of both product type and product pricing. Pricing in the first building of the Attached Park Home Townhomes product in Phase 1 will begin in the \$240,000 range and go upwards of \$400,000 for the Single Family Detached Park Homes, depending on unit type, bedroom counts, square footage, and construction finishes. Developer will work with Park City Municipal Corp to determine final sales pricing as well as product type and size. It is anticipated that attached units will be priced lower and single family detached units will be closer to the maximum price range, thus having a greater range of diversity.

Marketing Plan:

Developer agrees to give priority to those full-time employees who work within the area of the Park City School District boundaries, particularly essential workers. This area includes but is not limited to Intermountain Healthcare Park City Medical Campus, USSA Headquarters and Training Annexation.

Developer will hold information seminars with these target groups to discuss the qualifications for purchasing deed restricted affordable/attainable housing units. Developer will also provide Credit Repair Services for all of those in need of such services.

Methodology of Affordability:

Affordability Defined

Affordability is defined such that the total amount of the mortgage, basic utilities, taxes, insurance and HOA payments may not account for more than 30% of household income. The median wage of the core Park City workforce is determined annually by the City Council.

Affordable Unit Equivalent

There are two resolutions that govern the affordable/attainable units in Park City Heights. Resolution 17-99 dictates that a two-bedroom unit with 800 square feet of Net Livable Space is considered one Affordable Unit Equivalent; and Resolution 20-07, dictates that a two-bedroom unit with 900 square feet of Net Livable Space is considered one Affordable Unit Equivalent.

Average of Affordability

The intent is to maintain an average rate of affordability. Flexibility must be given in the Housing Mitigation Plan in an attempt to maximize a level of affordability. There may be some single-family units that fall outside of the affordable range, alternatively, providing attached units could keep the average rate of affordability lower delivering a lower average price.

Compliance Standards

It is anticipated that there will be a mix of unit types and standards as outlined below:

- All affordable units will be built to a minimum LEED Certified OR NAHB Green level and appliances & light bulbs shall be Energy Star qualified products.
- Size differentials of the exterior appearance of the cottage home affordable units will be compatible with cottage home market rate units and will use similar exterior materials and guidelines.
- Standard construction practices will be the same for the affordable/attainable and market units and incorporate the same general construction materials in the following areas: insulation, windows, heating systems, and other components related to energy efficiency including landscaping.
- All affordable/attainable units will be constructed in accordance and consistent with the MPD approved Park City Heights Neighborhood Design Guide.
- All affordable/attainable units will be constructed on Park City Heights property (MPD site). This includes the transfer of the IHC units from the Park City Medical Center site to Park City Heights.

Product type/Unit descriptions

Product type in all phases will be determined based on market conditions, lot size, topography, number of stories, adjacent homes, and other factors. Flexibility will be required and a necessity in order to provide the right product at the right price to maintain affordability. Units will be configured in two, three and four bedroom layouts. A minimum of seven (7) – two bedroom units will be provided in the Attached Park Home Townhomes.

Average Median Income/Workforce Housing Wage (Guideline)

Housing Resolution 17-99 uses an Average Median Income (AMI) in Summit County and Housing Resolution 20-07 uses the Workforce Housing Wage (WHW) in Park City. The first ten (10) units will be split with four (4) of the units under HR 17-99 and six (6) under HR 20-07.

Planning Commission Staff Report

Subject: Land Management Code Amendment
Author: Elizabeth Jackson, Planner
Francisco Astorga, AICP, Senior Planner
Project Number: PL-19-04223
Date: 12 June 2019
Type of Item: Legislative – Land Management Code Text Amendment
Correcting the Language for Prospector Park Subdivision 1, 2,
and 3, Regarding Side Setbacks of Corner Lots

Summary Recommendations

Staff recommends that the Planning Commission review the proposed amendments / correction to the Land Management Code for Chapter 2.11 Single-Family District as described in this staff report, open the public hearing, and consider forwarding a positive recommendation to the City Council.

Description

Applicant: Park City Municipal Corporation - Planning Dept.
Proposal: LMC Amendment, correction the language for Prospector Park Sub. 1, 2, and 3, side setbacks of corner lots
Reason for Review: Zoning Map Amendments require Planning Commission review and City Council review and action

Background

Ordinance No. 2017-29 passed and adopted on June 15, 2017 contained an error which further restricted the side setbacks of corner lots within Prospector Park Subdivision 1, 2, and 3. This amendment simply corrects the error.

Analysis

On April 26, 2017 the Planning Commission reviewed several LMC Amendments. One of them included lot and site development standards in the SF District (Chapter 2.11) as follows:

Lot and Site Requirements in the Single Family (SF) Zoning Districts (See Exhibit A- Chapter 2.11-3 Zoning Districts).

Background: During normal application of the LMC Staff has identified language that is unclear or confusing that could lead to inconsistent interpretation.

Purpose of Amendments: The purpose of these amendments is to clarify this section for consistency of application. No change to the regulations is proposed.

Implications and consequences: These amendments clarify codified setbacks approved with the Thayne's Canyon I and II, Prospector Village, and Prospector Park 1, 2, and 3 Subdivisions adopted by Ordinance and later incorporated into the LMC. Amending this language will make the LMC reflect clearly the intent of the subdivision approvals and eliminate current confusion as to whether the additional setback exceptions also apply to these subdivisions. No substantive changes are proposed to the regulations. These amendments propose to reorganize this section of the code for clarity of use.

Staff recommendation: Staff proposes the following language:

15-2.11-3 Lot And Site Requirements

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

A. **DENSITY**. The maximum Density for Subdivisions is three (3) units per acre. Subdivisions must Cluster Development to maximize common Transferred Development Right (TDR) Open Space.

B. **FRONT, REAR, AND SIDE YARDS**. All Development activity must comply with the following minimum Yards. See Section 15-2.11-3(I) for **Front, Rear and Side** Yard **requirements-exceptions** for Thaynes Canyon Subdivision I and II, Prospector Village Subdivision, and Prospector Park Subdivision 1, 2, and 3.

>>>

I. ~~OTHER EXCEPTIONS.~~ FRONT, SIDE, AND REAR YARD REQUIREMENTS FOR THAYNES CANYON SUBDIVISIONS I AND II, PROSPECTOR VILLAGE SUBDIVISION, AND PROSPECTOR PARK SUBDIVISIONS 1, 2, AND 3.

1. In Thaynes Canyon Subdivision I and II, and Prospector Village Subdivision, minimum required Yards are as follows:
 - a. FRONT YARD. The minimum Front Yard for Main Buildings is twenty feet (20') and the Front Yard for garages is ten feet (10');
 - b. SIDE YARD. The minimum Side Yard is five feet (5'). On Corner Lots the minimum Side Yard abutting a Street is ten feet (10'). In Thaynes Canyon Subdivision 1, the minimum Side Yard is ten feet (10').
 - c. REAR YARD. The minimum Rear Yard is ten feet (10').
2. In Prospector Park Subdivisions 1, 2, and 3, minimum required Yards are as follows:
 - a. FRONT YARD. The minimum Front Yard is twenty feet (20').

b. *SIDE YARD. The minimum Side Yard is ten feet (10'). On Corner Lots the Side Yard that faces the Street must not be less than fifteen feet (15').*

c. *REAR YARD. The minimum Rear Yard is ten feet (10').*

3. *Front, Rear, and Side Yard Exceptions listed above also apply to Thaynes Canyon Subdivisions I and II, Prospector Village Subdivision, and Prospector Park Subdivisions 1, 2, and 3.*

As indicated on section 15-2.11-3B(2)(b) above, the side yard of corner lot remained unaltered with the proposed clarification and no changes were proposed. See text highlighted in yellow above.

On June 15, 2017 the City Council reviewed the same LMC Amendment (clarification), as the Planning Commission forwarded a positive recommendation as presented by staff without any changes. Unfortunately, Exhibit A of the June 15, 2017 is as follows and erroneously omitted the side yard of corner lots. See text highlighted in yellow below.

EXHIBIT A [Excerpt]

[...]

~~E. OTHER EXCEPTIONS.~~

~~1. In Thaynes Canyon Subdivision I and II, and Prospector Village Subdivision, minimum required Yards are as follows:~~

~~a. FRONT YARD. The minimum Front Yard for Main Buildings is twenty feet (20') and the Front Yard for garages is ten feet (10');~~

~~b. SIDE YARD. The minimum Side Yard is five feet (5'). On Corner Lots the minimum Side Yard abutting a Street is ten feet (10'). In Thaynes Canyon Subdivision 1, the minimum Side Yard is ten feet (10').~~

~~c. REAR YARD. The minimum Rear Yard is ten feet (10').~~

~~2. In Prospector Park Subdivisions 1, 2, and 3, minimum required Yards are as follows:~~

~~a. FRONT YARD. The minimum Front Yard is twenty feet (20').~~

~~b. SIDE YARD. The minimum Side Yard is ten feet (10'). On Corner Lots the Side Yard that faces the Street must not be less than fifteen feet (15').~~

~~c. REAR YARD. The minimum Rear Yard is ten feet (10').~~

The corner lots side yard setback highlighted above was omitted in error and was not re-organized onto the clarified version of the Code.

Staff recommends adding this subject provision (sentence) back to the Land Management Code as the amended was not intended to remove such standard of fifteen foot (15') side setbacks on corner lots in Prospector Park Subdivision 1, 2, and 3; but rather clarify the Code. This item was brought to the attention of the Planning

Departments as the property owners of an affected corner lot are currently in the middle of designing an addition to their current home that are affected by the adopted code.

Process

The adoption of an ordinance codifying the proposed Land Management Code text amendment by the City Council constitutes Final Action that may be appealed following the procedures found in Land Management Code § 15-1-8.

Notice

On May 29, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on May 28, 2019, according to requirements of the LMC.

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council; or
- The Planning Commission may forward a negative recommendation to the City Council; or
- The Planning Commission may continue the discussion.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The Land Management Code would remain as is.

Summary Recommendations

Staff recommends that the Planning Commission review the proposed amendments / correction to the Land Management Code for Chapter 2.11 Single-Family District as described in this staff report, open the public hearing, and consider forwarding a positive recommendation to the City Council.

Exhibits

Exhibit A – Proposed Ordinance

Relevant Hyperlinks

- [LMC § 15-2.11-3 Lot And Site Requirements](#)
- [Ordinance 2017-29](#)
- [City Council Staff Report June 15, 2017, pg. 313](#)
- [City Council Meeting Minutes June 15, 2017, pg. 11](#)
- [Planning Commission Staff Report April 26, 2017, pg. 105](#)
- [Planning Commission Meeting Minutes April 26, 2017, pg. 17](#)

Exhibit A: Proposed Ordinance

Ordinance No. 2019-XX

AN ORDINANCE AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, CORRECTING SECTION 15-2.11-3(F) SIDE SETBACKS OF CORNER LOTS WITHIN PROSPECTOR PARK SUBDIVISION 1, 2, AND 3 IN THE SINGLE FAMILY (SF) DISTRICT.

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Land Management Code implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors; and to preserve the community's unique character and values; and

WHEREAS, the City reviews the Land Management Code and identifies necessary amendments to address planning and zoning issues that have come up in the past years, and to address specific LMC issues raised by the public, Staff, the Planning Commission, and City Council to address applicable changes to the State Code, and to align the Code with the Council's goals; implementing the General Plan; and

WHEREAS, Chapter 2.11 Single Family (SF) District provides a description of requirements, provisions, and procedures specific to this zoning district that the City desires to revise; and

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meeting on June 12, 2019; and forwarded a recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on July 11, 2019; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the values and identified goals of the Park City community and City Council to protect health and safety, maintain the quality of life for its residents, preserve and protect the residential neighborhoods, and preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO TITLE 15 - Land Management Code Chapter 2.11 Section 15-2.11-3(F). The recitals above are incorporated herein as findings of fact.

Section 15-2.11-3(F) of the Land Management Code of Park City is hereby amended as redlined (see Attachment 1).

SECTION 2. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 11th day of July, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

15-2.11-3 Lot And Site Requirements

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

- A. **DENSITY.** The maximum Density for Subdivisions is three (3) units per acre. Subdivisions must Cluster Development to maximize common Transferred Development Right (TDR) Open Space.
- B. **FRONT SETBACK.**
 - 1. In Thaynes Canyon Subdivision 1 and 2 and Prospector Village Subdivision, the minimum Front Setback for Main Buildings is twenty feet (20') and minimum Front Setback for Garages is ten feet (10').
 - 2. In Prospector Park Subdivisions 1, 2, and 3, the minimum Front Setback is 20 feet (20'), including Garages.
 - 3. In all other subdivisions, the minimum Front Setback is twenty feet (20'). New Front-Facing Garages for Single Family and Duplex Dwellings must maintain a minimum of twenty five feet (25') from Front Lot Line.
- C. **FRONT SETBACK EXCEPTIONS.**
 - 1. The Planning Commission may designate specific Single Family Lots on which the Front Setback is ten feet (10') for the Main Building and fifteen feet (15') for a new Front Facing Garage or garage element, including any habitable space above the garage. This exception may be granted to:
 - a. solve Access problems with relatively steep Grades,
 - b. preserve Significant Vegetation,
 - c. eliminate or minimize cut and fill Areas,
 - d. promote Clustered Development, and
 - e. preserve Open Space.
 - f. Lots to which this exception applies must be so designated on the Subdivision Plat at the time the plat is approved.
 - 2. The Front Setback must be open and free of any Structure except:

- a. Fences, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.
- b. Uncovered steps leading to the Main Building provided the steps are not more than four feet (4') in height from Final Grade, not including any required handrail, and do not cause any danger or hazard to traffic by obstructing the view of a Street or intersection.
- c. Decks, porches, and Bay Windows, not more than ten feet (10') wide, projecting not more than five feet (5') into the Front Setback.
- d. Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front Setback.
- e. Sidewalks, patios, and pathways.
- f. Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for approved driveways and patios, allowed Parking Areas, and sidewalks may be Hard-Surfaced or graveled.
- g. Circular driveways meeting all requirements stated in Section 15-3-4.

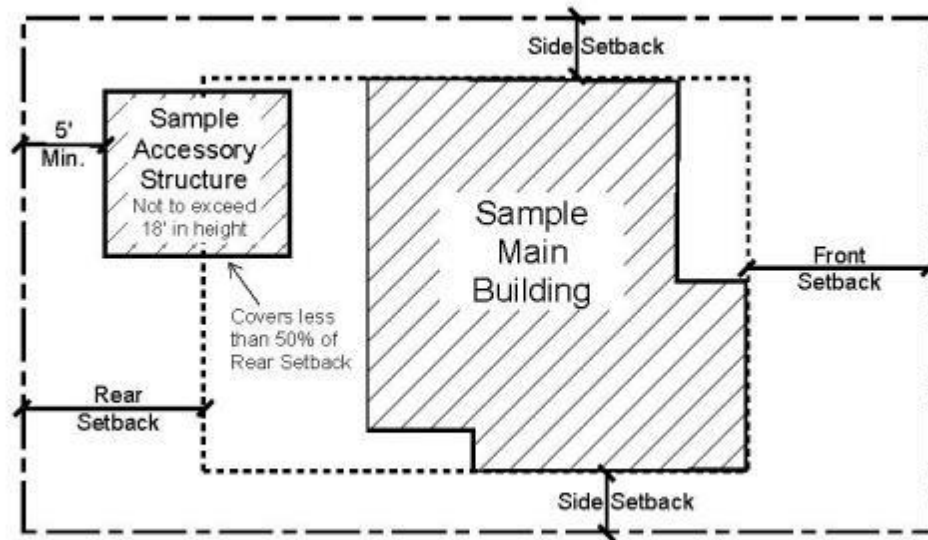
D. REAR SETBACK.

- 1. In Thaynes Canyon Subdivision 1 and 2 and Prospector Village Subdivision, the minimum Rear Setback is 10 feet (10').
- 2. In Prospector Park Subdivisions 1, 2, and 3 the minimum Rear Setback is ten feet (10').
- 3. In all other subdivisions, the minimum Rear Setback is fifteen feet (15').

E. REAR SETBACK EXCEPTIONS. The Rear Setback must be open and free of any Structure except:

- 1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Rear Setback.
- 2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Rear Setback.

3. Window wells and light wells projecting not more than four feet (4') into the Rear Setback.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Rear Setback.
5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear Setback of five feet (5'). Such Structure must not cover over fifty percent (50%) of the Rear Setback. See the following illustration:



7. Hard-Surfaced Parking Areas subject to the same location requirements as detached Accessory Buildings.
8. Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.
9. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.¹

10. Patios, decks, pathways, steps, or similar Structures not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.

F. SIDE SETBACK.

1. In Thaynes Canyon Subdivision 1 and 2 and Prospector Village Subdivision, the minimum Side Setback is five feet (5'). On Corner Lots the minimum Side Setback abutting a Street is ten feet (10').
2. In Prospector Park Subdivisions 1, 2, and 3 the minimum ~~Rear~~ **Side** Setback is ten feet (10'). **On corner Lots the Side setback that faces the street must not be less than fifteen feet (15').**
3. In all other subdivisions, the minimum Side Setback is twelve feet (12').
4. A Side Setback between connected Structures is not required where Structures are designed with a common wall on a Property Line, each Structure is located on an individual Lot, the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official, all applicable Building and Fire Code requirements are met, and the Use is an Allowed or Conditional Use in the Zoning District.
 - a. Exterior Side Setbacks shall be based on the required minimum Side Setback for each Lot; however the Planning Commission may consider increasing exterior Side Setbacks during Conditional Use Permit review to mitigate potential impacts on adjacent Property. Side Setbacks exceptions continue to apply.

G. SIDE SETBACK EXCEPTIONS. The Side Setback must be open and free of any Structure except:

1. Bay Windows not more than ten feet (10') wide projecting not more than two feet (2') into the Side Setback.
2. Chimneys not more than five feet (5') wide projecting not more than two feet (2') into the Side Setback.
3. Window wells and light wells projecting not more than four feet (4') into the Side Setback.
4. Roof overhangs and eaves projecting not more than three feet (3') into the Side Setback.

5. Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.
6. Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") in height above Final Grade, provided there is at least one foot (1') Setback to the Side Lot Line.
7. Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Sections 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.²
8. Driveways leading to an approved garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line. A paved turn out Area, to aid in backing a vehicle out of a garage or Parking Area, is allowed but may not be used for parking, and must maintain a one foot (1') landscaped Setback to the Side Lot Line.
9. Detached Accessory Buildings not more than eighteen feet (18') in height, located a minimum of five feet (5') behind the front facade of the Main Building, and maintaining a minimum Side Setback of five feet (5').
10. Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.
 - a. ¹Fences and walls greater than six feet (6') in height require an administrative Conditional Use permit.
²Fences or Walls greater than six feet (6') in height requires an administrative Conditional Use permit.

HISTORY

Adopted by Ord. [00-51](#) on 9/21/2000

Amended by Ord. [06-76](#) on 11/9/2006

Amended by Ord. [2016-44](#) on 9/15/2016

Amended by Ord. [2017-29](#) on 6/15/2017

Amended by Ord. [2018-43](#) on 7/19/2018