



**PARK CITY COUNCIL MEETING  
SUMMIT COUNTY, UTAH,  
May 8, 2014**

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, May 8, 2014.

**Closed Session**

2:15pm Property, Personnel and Litigation

**Study Session**

3:45pm Mountain Accord

PG 4

4:45pm Break

**Work Session**

4:50pm Council Questions and Comments and Manager's Report

PG 11

5:00pm Presentation of City Manager's Recommended Budget

PG 14

5:50pm Break

**Regular Meeting**

6:00 pm

**I. ROLL CALL**

**II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

**III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)**

**IV. CONSIDERATION OF MINUTES FROM APRIL 24, 2014** PG 34

**V. CONSIDERATION OF RESOLUTION HONORING LOU HUDSON** PG 42

**VI. SWEARING IN CEREMONY FOR LIEUTENANT DARWIN LITTLE AND OFFICER  
ROBERT McKINNEY**

**VII. CONSENT AGENDA (Items that have previously been discussed or are perceived  
as routine and may be approved by one motion. Listed items do not imply a  
predisposition for approval and may be removed by motion and discussed and  
acted upon)**

1. Consideration of a Professional Service Agreement Award- Stoneridge Trail & Trail  
head project to PEC Engineering in the amount of \$24,735 PG 44

2. Consideration of Construction Contract Award- Poison Creek Pathway project to Lyndon Jones Construction in the amount of \$443,935.50 PG 48
3. Consideration to authorize the City Manager to execute an Amendment to the Dual Meter Vault Repair Project Construction Agreement, in a form approved by the City Attorney, with Hills Construction, Inc., as Change Order No. 1 for an increase to the contract in an amount not to exceed \$44,000.00 PG 53
4. Consideration to authorize the City Manager to execute an Amendment to the Water Conveyance-2013 Pipelines Project-Segment B Construction Agreement, in a form approved by the City Attorney, with COP Construction, Inc., as Change Order No. 1 for an increase to the contract in an amount not to exceed \$461,128.15 PG 60
5. Consideration to authorize the City Manager to execute the Tenth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates for General Engineering Services for an increase to the contract in an amount not to exceed \$35,000. PG 69

#### **VIII. OLD BUSINESS**

1. Consideration of an Ordinance approving the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 24, 2014. PG 74
  - (a) Public Hearing
  - (b) Action
2. Consideration of the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive, Record of Survey City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from March 6, 2014 PG 130
  - (a) Public Hearing
  - (b) Action
3. Consideration of the 901 Norfolk Avenue Subdivision Plat Amendment, 901 and 907 Norfolk Avenue, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 17, 2014 PG 196
  - (a) Public Hearing
  - (b) Action
4. Consideration of approval of a subdivision plat for the Roundabout Subdivision Record of Survey for 300 Deer Valley Loop, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney continued from April 24, 2014. PG 218
  - (a) Public Hearing
  - (b) Action

#### **IX. NEW BUSINESS**

1. Consideration of an Ordinance vacating a portion of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat located at 300 Deer Valley Loop Road pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney PG 262
  - (a) Public Hearing
  - (b) Action
2. Consideration of the Echo Spur plat amendment- Lot 21-32, Block 58 Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney. PG 275
  - (a) Public Hearing
  - (b) Action

## **X. ADJOURNMENT**

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. 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 p.m. to 9 p.m.

Posted: 05/05/2014 See: [www.parkcity.org](http://www.parkcity.org)



## City Council Staff Report

**Subject:** Mountain Accord Update  
**Author:** Ann Ober  
**Department:** Executive  
**Date:** May 8, 2014  
**Type of Item:** Study Session

### **Summary Recommendations:**

Initiate a policy conversation using the General Plan and the Park City 2030 Plan to compare and contrast possible outcomes of the Mountain Accord.

### **Topic/Description:**

Staff will lead Council through a policy discussion using recent General Plan and Park City 2030 goals to provide a better understanding on whether possible recommendations resulting from the Mountain Accord will enhance or detract from the City's efforts to achieve the goals outlined in our guiding documents.

### **Background:**

Over the past two months, the System Groups have been meeting to set the framework to determine which solutions and strategies will maximize the various interests associated with the Wasatch Mountains. There are four system groups: Transportation, Environment, Economy and Recreation. Park City Staff and Council Members are represented in all four groups. Councilman Beerman continues to represent Park City and the Wasatch Back on the Management Committee and Executive Committee. To date, these groups have developed and posted Existing Condition reports, as well as Trendline Reports, which can be found at the bottom of the page at <http://mountainaccord.com/meetingSchedules.php>.

Staff currently operates with the following assumptions:

1. Park City is in an investigative and representative posture and analyzes specific proposals on a case by case basis.
2. Staff believes that much of the Mountain Accord feedback can be developed weighing policy recommendations against the General Plan and community vision framework.
3. Staff is working under the assumption that public education and public input opportunities should be frequent but at relevant times with the most pragmatic impact.
4. We currently are collaborating with Wasatch Back partners to present a unified voice when possible.

The discussion today seeks to focus on the draft matrix (attached), as well as other ideas that Council may have. No specific direction is requested during the study session.



**Policy Discussion:**

First, staff from Planning, Transportation, and Sustainability reviewed the recently adopted General Plan and identified 11 goals that could be substantially impacted by projects that may result from the Mountain Accord. It should be noted that all scenarios are currently on the table, so staff is intentionally putting the cart before the horse and making some assumptions about possible Mountain Accord outcomes. All concepts are invited to this discussion, and staff would encourage Council to come prepared with ideas that they may not have seen listed in the past. A few ideas include:

- Open Space Bonds for additional preservation
- Different modes of transportation for moving between the Salt Lake Valley and Park City
- Transportation solutions scaled to meet near term demand but scalable to meet potential future growths in demand
- Different Zoning Ordinances
- Small Business loans for companies located along the Mountain Range.

Second, staff reviewed the Park City 2030 plan to get a sense of where the City is heading without any of the potential Mountain Accord outcomes. During the policy discussion, staff will identify possible Mountain Accord outcomes that have the potential to improve and/or hinder Park City's ability to reach the goals outlined in the Park City 2030 document.

The matrix will be used during the study session as a tool for visualizing those differences between the Mountain Accord, and General Plan and Park City 2030.

In addition, staff would also like direction from Council on how the public should be further engaged in this process. Currently, there are a few ways for the community to engage in this work:

- Public Comment Periods are currently open for all, and the Existing Conditions Reports will be available soon for the Trend Line Reports.
- There will be a public Stakeholder meeting on May 5 at the Salt Lake City Library. That agenda includes:
  - o System Group Overview: Existing Conditions and Future Trend lines
  - o Panel Discussion

**Timeline:**

Within a year, there are four deadlines for Phase 1. They are:

Current

- All system groups have drafted their Existing Conditions and Future trends.

By May 2014, each system group will have determined:

- A refined vision

- Developed metrics

By August 2014:

- The teams will come together to develop idealized system maps and visions

By November 2014:

- The teams will have integrated the four systems and developed recommended scenarios

By January 2015:

- Executive Committee will select a preferred scenario

**Department Review: Transportation, Sustainability, Planning, Legal, Executive**

**Recommendation:**

Informational

**Attachments:**

General Plan Mountain Accord Spreadsheet 414

| General Plan Statement                                                                                                                                                                                                   | General Plan Category | World-Class, Multi-Seasonal Resort Destination |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|------------------------------------------------|
| 2A: A regional land-use planning structure should be integrated within a larger transportation network built around transit.                                                                                             | Small Town            | ★★★★                                           |
| 3B: Prioritize efficient public transportation over widening of roads to maintain the Small Town experience of narrow roads, modest traffic, and Complete Streets.                                                       | Small Town            | ★★★                                            |
| 3C: Public transportation routes should be designed to increase efficiency of passenger trips and capture increased ridership of visitors and locals .                                                                   | Small Town            | ★★★★                                           |
| 4B: Buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life, and visitor experience.                                                                         | Natural Setting       | ★★                                             |
| 5B: Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit, and increased road and pathway connectivity. | Natural Setting       | ★★                                             |
| 6D: Encourage regional planning efforts as a mechanism to mitigate population growth.                                                                                                                                    | Natural Setting       | ★★                                             |
| 8A: Provide increased housing opportunities that are affordable to a wide range of income levels within all Park City neighborhoods.                                                                                     | Sense of Community    | ★★★★                                           |

11A: The vibrancy of Park City’s resorts is essential to the success of resort support businesses. The City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year round, and create more demand for the resort support industries throughout the City. Sense of Community



12B: Improve the balance of jobs-to-housing ratio in Park City through efforts to attract higher paying jobs and workforce housing strategies . Sense of Community



14B: Manage growth to protect the quality of life and preserve the unique Park City Experience by recognizing limits to growth and adopting responsible policies that are consistent with those limits. Look at policies to offset this growth through efficiencies and renewables. Sense of Community



14D: Prevent degradation of air quality through the implementation of best practices for land use, clean energy, regional transportation, and growth management. Sense of Community



There are between one and four stars in each column. This represents staffs thoughts on how well an item in the General Plan maximizes a vision statement from the Park City 2030 Plan.

Preserving & Enhancing the  
Natural Environment

An Inclusive Community of  
Diverse Economic & Cultural  
Opportunities

Cutting-Edge & Effective  
Government







**To: Honorable Mayor/Members of City Council**

**From: City Manager's Office**

**MANAGER'S REPORT – May 8, 2014**

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**Construction Update: Submitted by Craig Sanchez**

The updates will be in monthly increments; however I will be sending any updates to the schedule bi-weekly. The following topics will be covered:

- Municipal Main Street construction projects
- Major water projects
- Library Renovation
- Deer Valley Drive Phase II
- Private construction projects in the Main Street corridor

These updates will also be placed on the City website. I will also have mapping placed on the website to show completed, in progress, and planned City Main Street projects. We will be meeting in June to determine future areas of impact.

**Main Street Streetscape**

May 5<sup>th</sup> – 17<sup>th</sup>

- Continue work at west side intersection of 7<sup>th</sup> and Main Street
- Pour rat slabs, set pavers middle section – 7<sup>th</sup> and Main Street
- Questar – Begin work on laterals for west side 4<sup>th</sup> to 5<sup>th</sup> St. from east side main line
- Set curb, pour bands west side Heber to 6<sup>th</sup> St.
- Begin setting pavers west side Heber Ave. to 6<sup>th</sup> St.
- Begin storm drain, curb and sidewalk east side – Museum to Marmot

May 19<sup>th</sup> – 30<sup>th</sup>

- Begin work on east side of intersection 7<sup>th</sup> and Main Street
- Continue setting pavers west side Heber Ave to 6<sup>th</sup> St.
- Questar – complete lateral replacement west side 4<sup>th</sup> to 5<sup>th</sup> St.
- Questar – complete gas main line tie in at Heber Ave.

**Special Considerations:**

- 7<sup>th</sup> St. remains closed to through traffic
- Major infrastructure encountered Heber Ave to 6<sup>th</sup> St.
- Businesses will remain open with temporary walkways Heber to 6<sup>th</sup>

- To finish gas main line tie in at Heber Ave need to wait until boardwalk is moved

#### Milestones:

- Questar – finished replacing gas laterals east side Heber Ave. to 5<sup>th</sup> St.
- Completed pavers on west side of intersection 7<sup>th</sup> and Main Street

### **Water Projects**

#### JUDGE PIPELINE PROJECT

- Trenching work will continue along Lowell Avenue while crews work to install the pipeline.
- Work is scheduled to begin near King Road in approximately two weeks
- A two day closure of the intersection at Lowell Avenue and Manor Way is anticipated during the week of 5/12. Area residents and businesses will be notified.
- Realignment change order scheduled for May 8, 2014 CC meeting

#### WYATT EARP WAY IMPROVEMENTS

- Work will continue on filter station. Scheduled to be in service mid-May.
- Milling and overlay of the entire section of Wyatt Earp is anticipated for mid-May. Closure of Wyatt Earp for paving work and traffic controls for manhole and valve adjust will occur. Area residents will be notified.

#### QUINNS JUNCTION IRRIGATION FILTER STATION

- The filter station construction site cleanup is currently underway and scheduled to be complete June 1, 2014.

#### ROSSI HILL WATERLINE REPLACEMENT

- Currently advertised for bids. Bid opening May 21, 2014.

#### TOP OF MAIN PRV STATION REPLACEMENT

- In design and approval process. Contractor prequalification advertisement scheduled for May 3, 2014. Construction scheduled for after Arts Festival.
- Preparing CUP submittal for SCADA antenna

#### SURPRISE AND PINNACLE PRV UPGRADES

- Preparing CUP submittal for SCADA antenna

#### ESTATES DRIVE WATERLINE REPLACEMENT

- Project scheduling determination May 3, 2014

#### METER REPAIR PROJECT

- Change order scheduled for May 8, 2014 CC meeting

### **Library Project**

- Library closing May 12-26
- Library re-opens Miner's Hospital May 27<sup>th</sup>
- Book brigade evening of May 27<sup>th</sup>



- Library book drop will be at Miner's Hospital beginning on May 12<sup>th</sup> for book returns

### **Private Construction Projects**

692 and 632 Main (Silver Queen)

- I have met with Chad Root to discuss lack of progress

562 Main

- Upper façade replaced, this project is proceeding at a good pace

333 Main

- Excavation plan on Park Ave side of development has changed; work will begin in early May.
- May 19<sup>th</sup> large crane early am to place HVAC equipment, will require partial road closure.

820 Park Ave

- Rio Grande building moved on Sunday, May 4th



## City Council Staff Report

**Subject:** City Manager's Recommended Budget  
**Author:** Jed Briggs, Nate Rockwood  
**Department:** Budget, Debt, & Grants  
**Date:** May 2, 2013  
**Type of Item:** Informational/Discussion

### Summary Recommendations:

Hold a public hearing on the City Manager's Recommended Budget.

### Topic/Description:

FY 2014 Adjusted Budget and FY 2015 Recommended Budget and FY 2016 Recommended Plan

### Background:

The City usually begins the budget process in January/February with the City Council identifying objectives for the next year during the Council Retreat. This year Council reaffirmed their goals, priorities, and desired outcomes. Council also reviewed the Budgeting for Outcomes (BFO) Program scoring criteria and weights and the 10-year revenue and expenditure projections (FIAR presentation), which showed the possibility of expenditures outpacing revenues in the future. Varying funding mechanisms were discussed for bolstering revenues, but no direction was given at that time. The forecasted 4.5% annual increase in the General Fund for expenditures was also mentioned, some discussion thereof occurred, however no direction to deviate from that practice was given.

The high-level timeline for the strategic planning and budget process was provided to City Council during their annual retreat and is as follows:

| ID | Task Name                             | Start/Ongoing | Finish     | Duration | 2014 |     |     |     |     |     |     |     |     |     |     |     | 2015 |
|----|---------------------------------------|---------------|------------|----------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|
|    |                                       |               |            |          | Jan  | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Jan  |
| 1  | Council Retreat                       | 1/30/2014     | 2/3/2014   | 3d       |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 2  | Results Team deliberation             | 2/17/2014     | 3/31/2014  | 31d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 3  | Quarterly Goal Update (Q3.FY14)       | 4/1/2014      | 4/15/2014  | 11d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 4  | Council Budget Hearings               | 5/8/2014      | 6/12/2014  | 26d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 5  | Quarterly Goal Update (Q4.FY14)       | 7/1/2014      | 7/15/2014  | 11d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 6  | Business Plan FY14 Update             | 7/1/2014      | 9/1/2014   | 45d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 7  | Biennial Plan FY15 & 16 Revision      | 7/1/2014      | 9/1/2014   | 45d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 8  | Quarterly Goal Update (Q1.FY15)       | 10/1/2014     | 10/15/2014 | 11d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 9  | BFO Departmental Submission           | 11/24/2014    | 12/19/2014 | 20d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 10 | Biennial Plan FY15-16 Off-year Update | 12/16/2014    | 1/15/2015  | 23d      |      |     |     |     |     |     |     |     |     |     |     |     |      |
| 11 | Quarterly Goal Update (Q2.FY15)       | 1/1/2015      | 1/15/2015  | 11d      |      |     |     |     |     |     |     |     |     |     |     |     |      |

The timelines and process for the budget hearings is detailed below:

April 17 –Staff previewed some high-level major operating budget items:, Affordable Care Act (ACA)—Employer Shared Responsibility Provisions, Pay Plan, Health Insurance, Utah Retirement Systems (URS), Blue Ribbon Commission Pay Recommendation, and 4.5% increase in the General Fund.

May 5 - Staff delivered the City Manager's Recommended Budget (Tentative or Proposed Budget) to City Council. Public hearings are currently scheduled for May 8, 15, 29, June 5, and 12. Discussion/action is slated for these dates as follows, barring changes as needed.

May 8 – Presentation of the Tentative Budget, Budget Overview & Timeline, Update of Financial Impact Assessment Report (FIAR), and Benefits (pay plan, URS-Retirement, Health Insurance).

May 15 – CIP Budget and Special Service Contracts.

May 29 – Operating Expenditures - Biennial Plan Team Presentations and Fee Changes. Presentation and adoption of the Tentative Budget.

June 5 – Personnel Policies and Procedures (P&P) Manual, City Fee Resolution, Council Compensation, Budget Policies, Outstanding Budget Issues, Adopt CEMP update by resolution

June 12 – Presentation & Adoption of Final Budget (if no property tax increase), Adoption of Provisional Budget (if property tax will be increased)

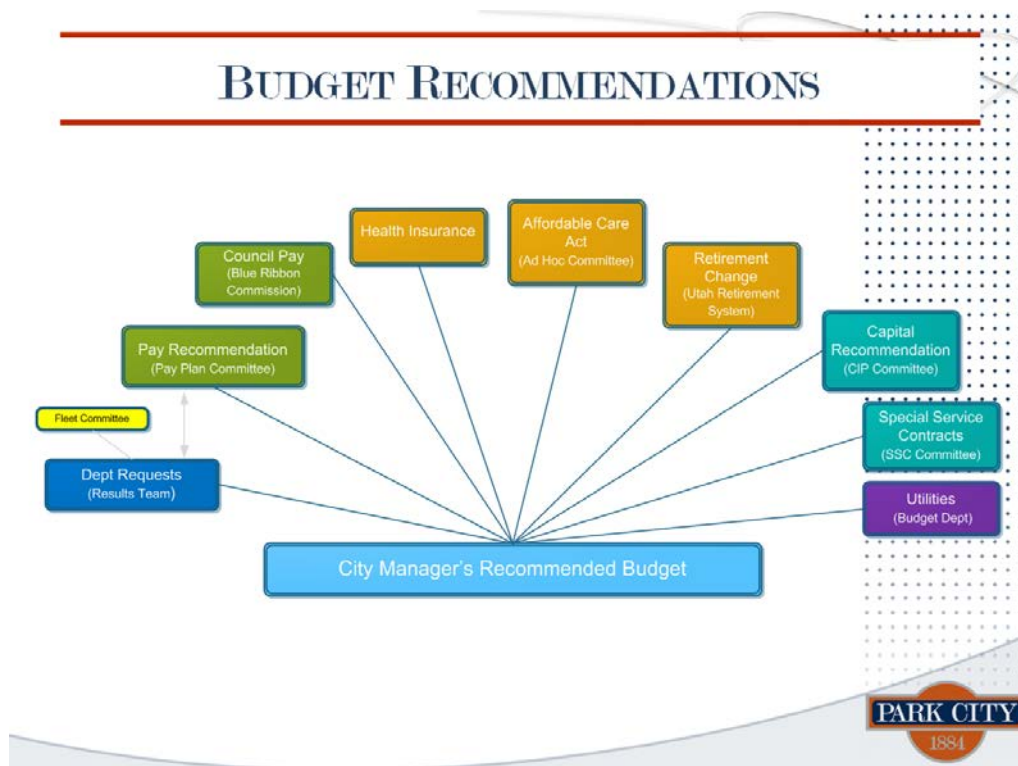
**Analysis:**

This budget season will be the first year of the budget biennium. Between now and June, we will be working on adjusting the FY 2014 Budget as well as developing the FY 2015 Budget and the FY 2016 Plan.

The City Manager's Recommended Budget is constructed drawing upon Council input and direction received during the Council Retreat in January, as well as Council input received during work sessions and study sessions throughout the year. During the budget section of the City Council Retreat. During the budget section, Council was presented with the FIAR projection of the City's expenditures and revenues over the next ten years. In essence, the FY15 and FY16 budgets have to fit within the confines of the FIAR's projected expenditure increases (based off of a 10-year historical analysis of an average annual increase of Park City's expenditures), approved by Council. The funding level recommendation has to account for what could be considered "inflationary" increases like Pay Plan, health insurance, and retirement as well as more discretionary increases like Affordable Care Act (ACA) provisions, departmental requests, CIP

enhancement, etc. Below are the City's Long-Term Budget Strategies for crafting the City Manager's Recommended Budget:

1. Budget draws upon Council input from Council Retreat and FIAR projections as a guide
  - Performance-driven operating budget based upon Council's goals, objectives, and desired outcomes
2. Two-year budget process with fewer budget requests coming in the "off-year" (the "off-year" is FY16 in this particular biennium budget)
  - Second-year budget requests that will be considered are ones that
    - i. will come with revenue offsets;
    - ii. are accompanied by expense reductions, or that;
    - iii. are required by law; or
    - iv. are necessitated by market/environment changes that happened since the last budget adoption (since the adoption of the FY15 budget, in this case)
3. Budget committees' recommendations will be considered
  - Committees include Results Team as well as CIP, Pay Plan, and Fleet Committees and any other ad hoc committees needed for unique circumstances (such as this year's recommendations for the provisions of the Affordable Care Act)
  - Results Team will make recommendations by considering BFO score, manager's bid request, established need, available resources, and performance measures
4. All operating and capital budget requests should be considered during the budget process
5. General Fund budget surplus should be used for capital projects



## Financial Impact Assessment Report (FIAR)

In January 2014, the Budget Department presented an update of the Financial Impact Assessment Report (FIAR) to the City Council at its annual retreat. This report was organized to forecast revenues and operating, capital, and debt service expenses for the General Fund. The information contained in the report was intended to inform decision makers in the upcoming budget process by illustrating the potential impacts of current financial decisions on the financial health of the City in both the near and distant future. The figures presented in the FIAR help set the funding limits for both the operating and capital budget process.

The table below is from the FIAR presented to Council in January. It has been updated to incorporate the City Manager's FY 2015 Recommended Budget, which changes trickle through having an effect on future projections. The figures below incorporate expenses and revenues from the General Fund as well as the general fund transfer to the CIP (not designed to match the Budget Summaries which give a citywide accounting of all funds).

### Ten-year Financial Impact Forecast

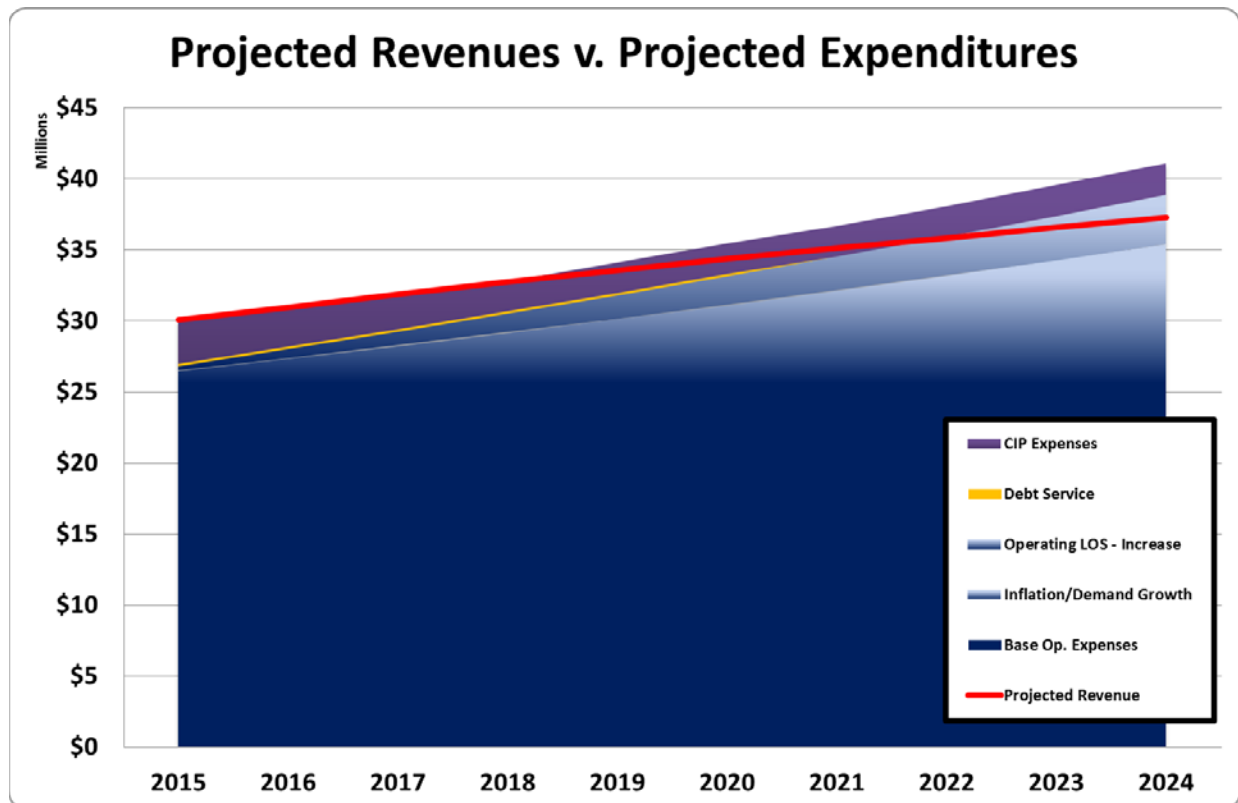
|                       | 2015            | 2016            | 2017            | 2018            | 2019            | 2020            | 2021            | 2022            | 2023            | 2024            |
|-----------------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| <b>Revenue</b>        | <b>\$30,078</b> | <b>\$30,972</b> | <b>\$31,876</b> | <b>\$32,753</b> | <b>\$33,580</b> | <b>\$34,372</b> | <b>\$35,127</b> | <b>\$35,861</b> | <b>\$36,585</b> | <b>\$37,313</b> |
| Op. Expenses (Base)   | \$25,633        | \$25,633        | \$25,633        | \$25,633        | \$25,633        | \$25,633        | \$25,633        | \$25,633        | \$25,633        | \$25,633        |
| Inflationary Growth   | \$836           | \$1,699         | \$2,592         | \$3,513         | \$4,466         | \$5,450         | \$6,466         | \$7,517         | \$8,602         | \$9,723         |
| Operating LOS Growth  | \$331           | \$666           | \$1,005         | \$1,349         | \$1,698         | \$2,051         | \$2,409         | \$2,771         | \$3,138         | \$3,510         |
| CIP Expenses          | \$3,063         | \$2,732         | \$2,395         | \$2,115         | \$2,105         | \$2,105         | \$2,155         | \$2,155         | \$2,205         | \$2,205         |
| Debt Service          | \$180           | \$183           | \$179           | \$178           | \$181           | \$182           | \$0             | \$0             | \$0             | \$0             |
| <b>Total Expenses</b> | <b>\$30,043</b> | <b>\$30,914</b> | <b>\$31,804</b> | <b>\$32,789</b> | <b>\$34,082</b> | <b>\$35,420</b> | <b>\$36,662</b> | <b>\$38,075</b> | <b>\$39,577</b> | <b>\$41,070</b> |
| <b>Rev/Exp</b>        | <b>\$35</b>     | <b>\$58</b>     | <b>\$73</b>     | <b>-\$35</b>    | <b>-\$502</b>   | <b>-\$1,048</b> | <b>-\$1,535</b> | <b>-\$2,214</b> | <b>-\$2,992</b> | <b>-\$3,758</b> |

\*In Thousands (x1,000)

Aggregate Surplus/(Shortfall) Over Ten-Years (2015 to 2024)

**-\$11,918,533**

Operating expense projections are now made using the service level associated with the 2015 Proposed Budget as the base level. Above table shows the FY 2015 service level projected over ten years using the growth rate identified in the 2010 Service Level Assessment Committee (SLAC) update. The projected surpluses (or deficits) for each year are shown in the following graph.



The FIAR projections are based on long-range historical trends. As the economic environment of a resort economy ebbs and flows, the FIAR is intended to act as a long-range measure and reference for future financial decisions. As seen in the Economic Outlook section of the City Manager's Recommended Budget Vol. 1, building and sales activity are trending up dramatically. This year is expected to be the highest grossing year for sales in Park City. This is due primarily to a rebounding winter recreation economy and the effects of large-scale lodging developments in recent years. As the City moves forward, this year's revenue growth will be added and evaluated in the contexts of the historical trends and will help form an updated FIAR projection in 2015 which will guide the City in the subsequent budget process.

For more detailed explanations of projection methodology and long-range financial planning, please consult the January 2014 FIAR document, a copy of which can be obtained from the Budget Department or at the following link: [2014 FIAR](#).

### Budgeting for Outcomes

Currently, the City employs a Budgeting for Outcomes (BFO) process that focuses on Council priorities and objectives as the driving factor for determining the annual budget. By creating Desired Outcomes within Council goals and then receiving offers from City departments, the City can make better-informed decisions regarding the prioritization and cost of City services and programs.

BFO provides a comprehensive review of the entire organization, identifying every program offered and its cost, evaluating the relevance of every program on the basis of the community's priorities, and ultimately guiding elected officials to the policy questions they can answer with the information gained from the process.

BFO informs the development of the City's 2015 and 2016 Proposed Budget and serves as a tool to identify potential service reductions and eliminations. The evaluation of programs as part of this process may also identify potential duplication of efforts or opportunities to consolidate similar programs and/or services that are delivered through partnership with other governmental agencies, non-profit agencies, or the private sector.

#### *Department Manager's Role*

Bids or offers can be submitted by one department or multiple departments working in partnership/collaboration with each other. A proposal (or bid), submitted in response to a Desired Outcomes, describes what a service, program, or activity will do to help achieve the Council-approved goals. Managers need to explain the scope of the service and any enhancements or decreases to level of service. The total expenditure and revenue budgeted amounts are included in the bid as well as FTEs.

Managers are encouraged to explain any cost savings, innovation, or collaboration that their program would be able to accomplish during the next fiscal year. There's also a section on the bid document that explains the consequences of funding it a lower level. And finally the bid ends with performance measures tailored specifically to that service used to measure its success. Performance measures are taken from the usual department performance measures, the National Citizen's Survey, or ICMA's Center for Performance Measurement.

When submitting budget requests, managers were encouraged to have a corresponding expense reduction, revenue enhancement (e.g., fee or rate increase, state and federal grants, profit gains, etc.), or justification as to why the adjustment is necessary. Managers bringing budget requests to the Results Team were asked to look first within their existing departmental or team budget. By enhancing or adding a service with the same amount of current budget the City is able to build efficiencies and make the cost of providing the service more effective.

Also, managers were encouraged to look for opportunities to find cost savings in their current operations, to think creatively and collaborate with others, inside and outside of City Hall, and to identify ways that they could achieve the same or better results at lower costs. Managers' hard work has helped to craft a more streamlined budget and fund the services necessary to achieve the Council's priority outcomes despite economic uncertainty.

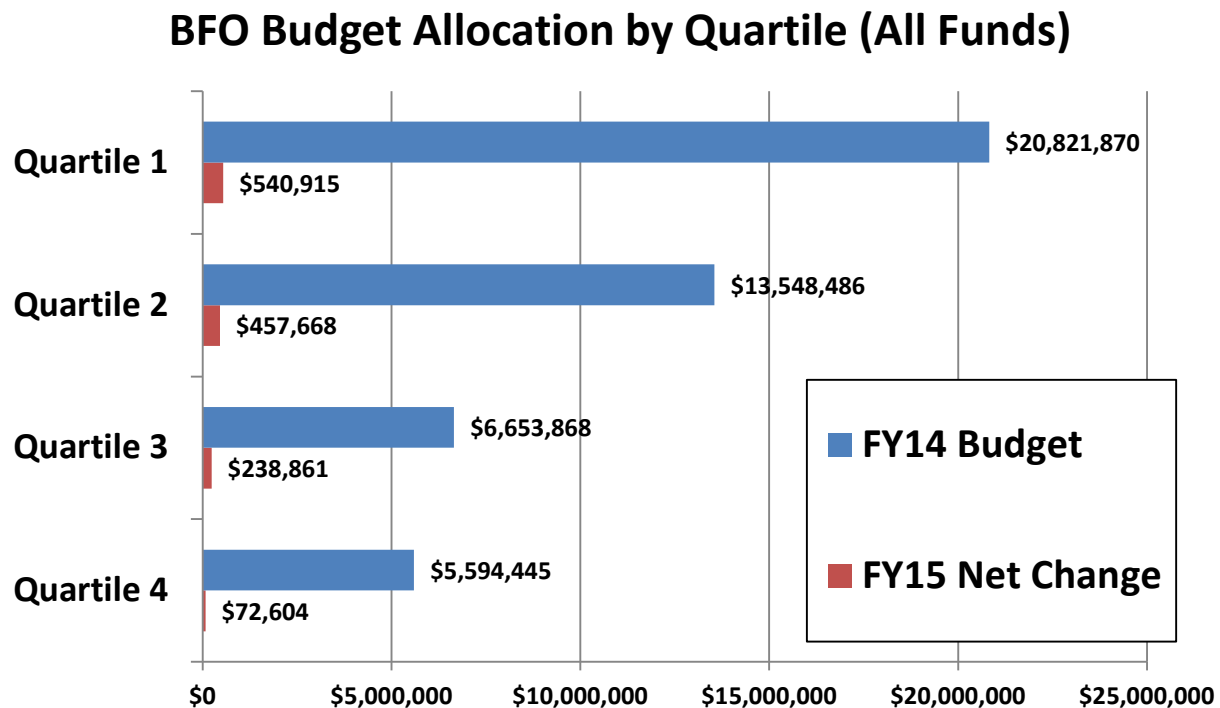
#### **The Results Team**

The Results Team (staff-led budget committee) receives service proposals (bids) for programs and activities in each Council goal. Members of this committee include Clint McAfee, Clint Dayley, Michelle Downard, Vaughn Robinson, Phil Kirk, Matt Abbott, and Rebecca Gillis. These BFO programs are scored by departmental managers based off

of scoring criteria that were discussed during the Council Retreat. The Results Team reviews these scores and changes them to arrive at a composite score agreed on by the group. This provides the ranking of proposals within each Council goal with a quartile ranking as well, numbered from 1 to 4, with 1 being the highest ranking and 4 the lowest.

The Results Team then identifies questions or gaps in specific proposals and requests additional information from the proposal owner, including potential implications of level of service adjustments or the suggestion of additional collaboration. The scoring and prioritization of the BFO programs is the start of the discussion on where to fund programs—not the end. Decisions on budget enhancements or decreases are based on the scoring of each BFO program, as well as the department manager's rationale, established need, and availability of resources. The team discusses their overall rankings and rationale for budget enhancements or decreases and prepares a final recommendation to the City Manager, who examines and refines this recommendation and may include it in the overall budget recommendation.

Figure below shows how the ranking breaks out, by quartile, in the FY2015 recommended budget.



It is important to note that a high rating of a program will not guarantee that a program will be retained; nor does it guarantee that a lower-ranking program will be proposed for elimination. Also, the rankings do not reflect whether a program is being delivered in the most efficient manner. The prioritization process provides valuable information for budget proposal development and City Council deliberation. It is not the "only answer" on to how best to determine the City's budget.



## **Budget Constraints**

The Results Team had to make tough decisions in order to fit their recommendation within the confines of the FIAR's projected expenditure increase, which also has to cover inflationary costs like Pay Plan, health insurance, retirement, and any other non-departmental budget increases. After accounting for these inflationary costs as well as other major operating items like the new Affordable Care Act provisions the maximum net allowable operating increase is around \$325k in FY15 and \$745k in FY16 for the General Fund. With around \$1.5M in budget requests in the General Fund alone the Results Team had their work cut out for them. Staff will present these changes during the Budget work session on May 29.

This year's budget is one of the tightest overall budgets in recent memory, exacerbated by the loss in revenue from Kimball Junction businesses that had incorrectly coded their taxes to Park City (\$465k/year decrease in General Fund) and the Affordable Care Act provisions (\$200k increase in General Fund). Thus to work within the budget constraints the Results Team and the City Manager are actually recommending functional budget cuts: where department managers have requested inflationary increases for materials and supplies, little to no increases are being recommended by the Results Team and the City Manager.

It is the intention of BFO for managers to submit the most cost-effective program budgets. In theory, this could result in budget decreases from previous fiscal years, however, in most cases managers feel that their current budget level is the lowest it can be without impacting levels of service. If anything, some managers feel that their current budgets are not adequate enough to provide the level of service required, due to existing and projected demands levels and because of extensive budget cuts during the recession years.

Most cities start using BFO or a similar tool when experiencing significant decreases in revenues because it allows them the opportunity to cost out and prioritize all the cities services and decrease or cut the services that score low. With modest revenue increases projected and knowing that further cuts could result in a decrease to levels of service, the Results Team made the decision to recommend a budget that minimally cuts departmental budgets and increases only for items that score high and an immediate need was obvious. Albeit, there are still programs that scored high that are not included in the proposed FY2015 budget, simply due to budget constraints. That being said,

Throughout the budget process Council will have many opportunities during the budget process to consider service level reductions and corresponding program budget cuts as well as to consider program funding or program increases not recommended in the proposed FY2015 budget.

The City Manager's Recommended Budget is what is being presented to City Council. The budget changes this year will be presented through the lens of the Desired

Outcomes and Council goals. We are confident BFO provides us with the tools we need to build a budget that reflects our City's values and needs. This budget process helps us by focus on outcomes that are important to our residents and others who have a stake in this community.

## Budget Summary

The FY 2014 Adjusted Budget reflects a .03% operating increase from the FY 2014 Original Budget and a 4.7% operating increase from FY 2013 actual expenditures. FY 2014 adjusted capital budgets appear extremely high, but the vast majority of the \$86 million budgeted for capital is "carry-forward" budget. Unlike operating budgets, capital projects may take multiple years to complete, thus the budgets for capital projects need to be renewed each year. At the end of each fiscal year, the unspent budget for each capital project is calculated and added to the new fiscal year's budget as part of the adjusted budget.

### Expenditure Summary by Major Object - All Funds

|                                | FY 2011       | FY 2012       | FY 2013       | FY 2014 Ori Bud | FY 2014 Adj Bud | FY 2015 Budget | FY 2016 Plan  |
|--------------------------------|---------------|---------------|---------------|-----------------|-----------------|----------------|---------------|
| Personnel                      | 21,002,701    | 22,750,251    | 23,724,613    | 26,613,165      | 26,578,263      | 27,960,630     | 29,004,773    |
| Materials, Supplies & Services | 12,194,207    | 13,330,837    | 14,135,698    | 13,587,399      | 13,635,745      | 15,042,992     | 15,156,865    |
| Capital Outlay                 | 32,453,266    | 29,823,669    | 15,277,156    | 44,388,144      | 86,337,019      | 33,679,965     | 15,819,925    |
| Debt Service                   | 13,212,086    | 10,399,905    | 10,562,058    | 10,638,677      | 10,638,677      | 10,638,597     | 10,638,597    |
| Contingency                    | 21,850        | 3,946         |               | 321,000         | 321,000         | 346,000        | 371,000       |
| Actual Budget                  | \$78,884,110  | \$76,308,608  | \$63,699,525  | \$95,548,385    | \$137,510,704   | \$87,668,184   | \$70,991,160  |
| Budget Excluding Capital       | \$46,430,844  | \$46,484,939  | \$48,422,369  | \$51,160,241    | \$51,173,685    | \$53,988,219   | \$55,171,235  |
| Interfund Transfers            | 9,898,612     | 9,177,643     | 7,667,140     | 7,204,457       | 7,204,457       | 9,194,457      | 9,194,457     |
| Ending Balance                 | 68,377,411    | 71,208,563    | 70,184,139    | 25,205,012      | 23,436,443      | 30,146,566     | 37,391,495    |
| Subtotal                       | \$78,276,023  | \$80,386,206  | \$77,851,279  | \$32,409,469    | \$30,640,900    | \$39,341,023   | \$46,585,952  |
| Grand Total                    | \$157,160,133 | \$156,694,814 | \$141,550,804 | \$127,957,854   | \$168,151,604   | \$127,009,207  | \$117,577,112 |

### Expenditures by Major Object (All Funds Combined)

The FY 2015 Operating Budget is increasing to \$54 million, which is a 5.5% increase from the FY 2014 Adjusted Budget. The increase is due to Pay Plan increases, increases as a result of the Affordable Care Act (ACA), retirement increases, and operating expenses to keep up with demand for services. These changes are more fully discussed in the Expense and Budget Issues sections of the Budget Document (Vol. I) along with details on other committee recommendations, operating budget changes, and major capital requests.

The table above shows citywide expenditures by Major Object. The FY 2014 Adjusted Budget reflects a decrease in personnel expenses of 0.13% from the FY 2014 Original Budget due to vacancy factor adjustments. This will be closely monitored and probably adjusted again for the final budget. FY 2015 shows a 5.2% increase in personnel from the FY 2014 Adjusted Budget due primarily to personnel additions, ACA provisions, and retirement increase.

## Health Insurance Costs

In recent years, the cost of Park City's health insurance has risen dramatically between 8-22% per year. The City has picked up almost the entirety of the tab for these increases, until three years ago when the City asked employees to pay \$50 more per

month for family health insurance. These increases, while consistent with trends seen across the nation, are nonetheless alarming and indicate that a different approach to providing this benefit may need to be explored more in the future.

There will be no increase to the cost of health insurance for FY 2015, which is very fortunate. The national average is around 10-12%. Health plans will remain largely unchanged, so the vast majority of employees will be able to maintain their current coverage option. Also, Human Resources will be continuing to expand the City's Wellness Program to help mitigate future increases. Efforts through the City's wellness program to educate and incentivize healthy behavior have already begun to affect health care costs with this very low renewal. HR is also examining an increased premium in some benefit areas for those employees who use tobacco products.

The hope continues to be that employees will become more aware of and accountable for medical expenses. Programs aimed at preventative care, such as the City's Wellness program, could keep plan usage down, and lower usage should translate to more modest annual renewal rates. The FY16 Plan shows what a typical increase is for the impacted Funds below. Staff will not know what the actual rate increases are until this time next year.

**Health Insurance Changes by Fund  
(Change from FY2014 Adopted Budget)**

|                                           | FY 2015 Budget | FY 2016 Plan     |
|-------------------------------------------|----------------|------------------|
| <b>Fund 11 General Fund</b>               | \$0            | \$264,616        |
| <b>Fund 12 Quinn's Recreation Complex</b> | \$0            | \$9,548          |
| <b>Fund 51 Water Fund</b>                 | \$0            | \$32,736         |
| <b>Fund 55 Golf Fund</b>                  | \$0            | \$8,184          |
| <b>Fund 57 Transportation Fund</b>        | \$0            | \$98,208         |
| <b>Fund 62 Fleet Services Fund</b>        | \$0            | \$12,276         |
| <b>Total</b>                              | <b>\$0</b>     | <b>\$425,568</b> |

**Pay Plan**

Park City has a market-based pay philosophy. The Pay Plan attempts to ensure the uniform and equitable application of pay in comparison to the Utah and Colorado municipal employee market.

Every two years Park City compares its employee compensation data with approximately 30 communities from the Wasatch Front, the Colorado Municipal League, and Summit County (the Wasatch Compensation Group). The Technical Committee looks at job descriptions and compares similar positions or "benchmarks" to determine market pay for any given position. The City Manager chooses the metrics that determine how salaries should be set and defines a threshold at which positions should be reclassified. The Pay Plan Committees review the benchmark data and make recommendations for reclassification to the City Manager. Members include Phyllis Robinson, Ann Ober, Kim Atkinson, Destry Pollard, Darwin Little, Jason Christensen, and Jon Pistey.

The Pay Plan Committee has two major responsibilities:

1. Determine where internal equity positions should fit in the Pay Plan; and
2. Review the recommendations of the Technical Committee.

As the City's Pay Plan philosophy develops, it is critical that the City's compensation and reclassification policies are monitored and adjusted as appropriate. Of particular concern is how an employee moves to working level, eligibility for a performance bonus, and professional development within families of positions.

While the Park City economy has had a strong recovery, the same cannot be said for all communities across Utah and Colorado. The average recovery has been more modest than Park City's, so the Pay Plan adjustments are modest as compared to the strength of Park City's economic recovery.

The economic recovery will continue to make it more difficult for the City to compete with the private sector. For the City to maintain its high quality staffing, it will be important for the Pay Plan to keep pace.

The FY 2015 increase reflects the pay plan increases to positions that were paid beneath the benchmarks, resulting in a \$363,000 personnel increase. In the second year of the biennium, an overall 2% increase to the grades in the City is applied, per policy, in order to keep up with the benchmark pay market. The 2% market adjustment, combined with the FY15 Pay Plan, will result in a cumulative \$951,000 increase in personnel over FY 2014.

| <b>Pay Plan Changes by Fund</b>            |                       |                     |
|--------------------------------------------|-----------------------|---------------------|
| <b>(Change from FY2014 Adopted Budget)</b> |                       |                     |
|                                            | <b>FY 2015 Budget</b> | <b>FY 2016 Plan</b> |
| <b>Fund 11 General Fund</b>                | \$294,294             | \$699,910           |
| <b>Fund 12 Quinn's Recreation Complex</b>  | \$3,161               | \$16,654            |
| <b>Fund 51 Water Fund</b>                  | \$54,591              | \$90,464            |
| <b>Fund 55 Golf Fund</b>                   | -\$18                 | \$15,855            |
| <b>Fund 57 Transportation Fund</b>         | \$10,939              | \$117,185           |
| <b>Fund 62 Fleet Services Fund</b>         | \$0                   | \$10,838            |
| <b>Total</b>                               | <b>\$362,967</b>      | <b>\$950,906</b>    |

### **Retirement Expense**

All full-time Park City employees are part of the Utah Retirement System (URS) defined benefit program. The City is required by statute to contribute a certain percentage of employee pay toward the URS pool annually.

During FY 2014, URS required a 17.29% contribution for general municipal employees (32.14% for sworn officers). For FY 2015, URS will require an 18.47% contribution (34.04% for sworn officers).

The budget impact for this change is detailed in the figure below.

**URS Adjustments by Fund  
(Change from FY2014 Adopted Budget)**

|                                           | <b>FY 2015 Budget</b> | <b>FY 2016 Plan</b> |
|-------------------------------------------|-----------------------|---------------------|
| <b>Fund 11 General Fund</b>               | \$137,159             | \$298,629           |
| <b>Fund 12 Quinn's Recreation Complex</b> | \$3,813               | \$8,102             |
| <b>Fund 51 Water Fund</b>                 | \$16,265              | \$45,405            |
| <b>Fund 55 Golf Fund</b>                  | \$2,927               | \$8,751             |
| <b>Fund 57 Transportation Fund</b>        | \$28,555              | \$68,344            |
| <b>Fund 62 Fleet Services Fund</b>        | \$5,161               | \$12,647            |
| <b>Total</b>                              | <b>\$193,880</b>      | <b>\$441,878</b>    |

**Affordable Care Act (ACA) – Employer Shared Responsibility Provisions**

The Affordable Care Act (ACA) provisions outline rules for the City on positions which may be required to include health coverage. The City currently employs several groups of employees who could be eligible for coverage under the new law. Over the last year through an “Affordable Care Act Committee”, the HR department has teamed with all departments who have eligible employees to examine hours worked, City needs, and potential reductions to hours worked or service levels. Each position which fits certain criteria has been examined individually, and in many cases hours have been reduced, schedules changed, and/or additional employees have been hired to reduce the total hours worked by one individual and eliminate health coverage eligibility. Service levels have not been reduced, but may be impacted slightly. However, in limited cases it has been impossible to reduce hours worked by one position to eliminate health coverage eligibility without a large impact on service levels.

The departments most impacted would be the Transit, Streets and Parks departments. While mainly reductions have been looked at Citywide, maintaining similar service levels in these departments would be impossible. Some hours and changed schedules even in these departments have occurred, however part-time and/or seasonal employees are not able to completely cover service needs. After much consideration, it has been determined that a severe impact to service levels would occur if all eligible employees had their hours cut below the ACA threshold and thus a workable and cost-effective solution was determined to be necessary.

Thus, the “Affordable Care Act Committee,” along with the City Manager, recommend a hybrid approach of offering health insurance to some eligible employees and cutting back hours of others over a period of time. This is staff’s recommended option because 24 current employees would be offered health insurance and the level of service decrease should be minimal.

**General Fund**

Nine employees in the Streets and Parks departments would be made full-time regulars (FTRs) while the penalty would be paid for the remaining five employees. The City will only be responsible for paying a penalty if there is an eligible employee that the City does not offer coverage to *and* that employee files for and receives a Premium Tax Credit on their tax return. The eligible employees not receiving coverage would have

their hours reduced to below that of eligibility over the next year. For the nine FTRs there would be a cost increase of \$31,165 for a seasonal Parks III to move to full-time, and \$28,937 for a seasonal Streets III to move to a FTR. There would be four new FTR Parks III's and five new FTR Streets III's.

$$(\$3,000 \times 5) + (4 \times \$31,165) + (5 \times \$28,937) = \textbf{\$284,385 cost to GF*}$$

\*Parks and Streets are helping to offset this by decreasing budget to the tune of about \$90,000. They are able to do this due to the increased level of service that having more FTRs would bring. That would bring the total cost to the General Fund to **\$194,385**.

### Transit Fund

The Transportation Fund is able to cover the cost of health insurance through five vacant FTR positions and a reduction in part-time budget. Transit has estimated that it can offer up to 15 eligible employees health insurance without impacting their personnel budget. Due to Transit's budget flexibility an immediate solution is not required. It is anticipated over the next year that Transit will consider whether some of these positions may turn into FTRs. Like Parks and Streets, however, employees not moved to FTR would have their hours reduced to below that of eligibility in a few years. Due to this personnel change, it is staff's hope that they can continue to operate as they do now, but exact impacts to the transit system are unclear, which may lead to more FTR positions requested in the future.

$$\text{Transportation Cost} = 15 \text{ Employees} \times \$18,000 = \$270,000 \text{ TF*}$$

\*Total cost would be offset within Transportation Fund (5 FTR Vacant positions and decrease to part-time budget).

### **Capital Improvement Plan (CIP)**

Being the first year of a budget biennium, the CIP Committee performed a full reprioritization of the 5 Year Capital Improvement Plan. This year's CIP committee (Blake Foncesbeck, Jon Weidenhamer, Ken Fisher, Marina Smith, Nate Rockwood, Matt Cassel, Scott Robertson, Kayla Sintz and Matt Twombly) scored and prioritized all new and existing projects and all projects with significant changes in funding types or amounts and integrated them into the 5-Year Capital Improvement Plan. These projects were reviewed and ranked based on five criteria: Objectives (City Council Goals), Funding, Necessity, Previous Investment, and Cost/Benefit. In addition, this year projects were also evaluated and scored based on environmental impact (as measured by potential carbon reduction or increase to the City). The CIP requests and recommendations are highlighted in the Expenditures section of the City Manager's Recommended Budget Vol. 1, with a complete detailed CIP report included in the Volume II.

At the time of prioritization, projections showed a general fund transfer to the CIP Fund of approximately \$3.2 million in FY 2014, \$3.1 million in FY 2015 and \$2.7 million in FY 2016. These figures include approximately \$900K to \$1 million in transfers from the

General Fund for equipment replacement. The current CIP budget includes some minor additional general fund transfer to the CIP beyond what was allocated during the FY 2014 budget process (approximately \$130,000 to \$150,000 in FY 2015 to 2017 respectively). With such limited additional funding, the CIP committee was tasked with funding new projects primarily within the current planned transfer. This was accomplished by evaluating the funding of current projects and recommending reallocation of some previously funded projects and evaluating and reducing, where possible, the ongoing CIP projects.

The Committee recommended funding projects requiring operating surplus in the amount of \$3,168,000 in the current fiscal year, \$3,063,000 in FY 2015 and \$2,732,000 FY 2016. The recommended project totals then taper from \$2.4 million in FY 2017 to \$2.1 million in FY 2019. The City Manager made one small adjustment to the CIP committee recommendation, which was to include the Council Chambers Advanced Technology Upgrades in the CIP for the amount of \$68,000 in FY 2014.

The total proposed CIP budget (all funds combined) for the FY 2014 Adjusted Budget is \$85.8 million (\$41.7 million original budget and \$44.1 million carry-forward budget). The proposed FY 2015 CIP budget is \$33.2 million; FY 2016 CIP is \$15.4 million. The General Fund surplus required to fund projects in FY 2015 will be approximately \$3 million—the majority of which is dedicated to completing current projects, ensuring the maintenance of existing infrastructure, or securing funding for previously-identified needs. Projects in these categories include Pavement Management, Trails Master Plan Implementation, Traffic Calming, Asset Management, Walkability Asset Management, Irrigation Controller Replacement, and the Royal Street Rebuild.

The Capital Improvement Plan will be discussed in detail on May 15.

### **Water Projects**

Water quality and delivery continue to be a top priority for Park City. With the rate of development that occurred over the past few years, water needs have been identified and the financing cost of these improvements has been developed to be fairly distributed between current users and new development. CIP changes to the Water Fund are also reflective of the City's continuing commitment to secure Park City's water needs through improvements to the City's water infrastructure. The Water Department and Budget Department are currently reviewing and evaluating the 2015 Water Fund Financial Model. This model projects the long-range operating and capital needs of the Water System and is used to determine future water rate increases and bonding needs. At the time the City Manager's Recommended Budget was prepared, some water project assessments and funding amounts were still in flux and a finalized water project list is not included in the document. A final list of recommend water projects and water rate adjustments will be presented to Council as part of the budget hearings and will be included in the Final Budget.

**Department Review:**

Budget, Debt, & Grants Department, the Legal Department, and the City Manager reviewed this report

**Alternatives:****A. Approve:**

Staff recommends that Council hold a public hearing regarding the FY 2015 City Manager's Recommended Budget.

**B. Deny:**

State statute requires at least one public hearing before the adoption of a Tentative Budget. The City has traditionally held a public hearing accompanying each discussion of the budget. If Council decides to forgo a public hearing at this time, another must be held before adoption of the Tentative Budget.

**C. Modify:**

The Tentative (City Manager's Recommended) Budget is scheduled to be adopted on June 6; however, changes can be made to until the Final Budget adoption on June 20.

**D. Continue the Item:**

This has the same effect as Alternative B.

**E. Do Nothing:**

This also has the same effect as Alternative B.

**Significant Impacts:**

This public hearing would satisfy the requirements of state statute to hold a public hearing before the adoption of a tentative budget.

**Consequences of not taking the recommended action:**

If Council decides to forgo a public hearing at this time, another must be held before adoption of the Tentative Budget.

**Recommendation:**

Hold a public hearing on the City Manager's Recommended Budget.

**Attachments:**

A – Budget Summaries



### Expenditure Summary by Fund and Major Object (FY 2014 Adjusted Budget)

| Description                                   | Personnel<br>FY 2014 | Mat, Supplies,<br>Services<br>FY 2014 | Capital<br>FY 2014  | Debt Service<br>FY 2014 | Sub - Total<br>FY 2014 | Interfund Transfer<br>FY 2014 | Ending Balance<br>FY 2014 | Total<br>FY 2014     |
|-----------------------------------------------|----------------------|---------------------------------------|---------------------|-------------------------|------------------------|-------------------------------|---------------------------|----------------------|
| <b>Park City Municipal Corporation</b>        |                      |                                       |                     |                         |                        |                               |                           |                      |
| 011 GENERAL FUND                              | \$16,973,624         | \$5,952,700                           | \$364,964           | \$0                     | \$23,291,288           | \$2,182,854                   | \$8,631,733               | \$34,105,875         |
| 012 QUINNS RECREATION COMPLEX                 | \$650,447            | \$368,190                             | \$6,000             | \$0                     | \$1,024,637            | \$1,200                       | \$-3,048,875              | \$-2,023,038         |
| 021 POLICE SPECIAL REVENUE FUND               | \$0                  | \$0                                   | \$0                 | \$0                     | \$0                    | \$0                           | \$28,644                  | \$28,644             |
| 022 CRIMINAL FORFEITURE RESTRICTED<br>ACCOUNT | \$0                  | \$0                                   | \$0                 | \$0                     | \$0                    | \$0                           | \$19,133                  | \$19,133             |
| 031 CAPITAL IMPROVEMENT FUND                  | \$0                  | \$0                                   | \$45,986,370        | \$0                     | \$45,986,370           | \$134,366                     | \$237,317                 | \$46,358,053         |
| 038 EQUIPMENT REPLACEMENT CIP                 | \$0                  | \$0                                   | \$2,274,591         | \$0                     | \$2,274,591            | \$0                           | \$359,663                 | \$2,634,254          |
| 051 WATER FUND                                | \$2,184,188          | \$2,818,331                           | \$15,213,768        | \$4,368,151             | \$24,584,438           | \$762,846                     | \$3,196,156               | \$28,543,440         |
| 055 GOLF COURSE FUND                          | \$729,396            | \$453,642                             | \$85,385            | \$36,080                | \$1,304,503            | \$133,931                     | \$924,733                 | \$2,363,167          |
| 057 TRANSPORTATION & PARKING FUND             | \$5,377,559          | \$894,291                             | \$12,397,756        | \$0                     | \$18,669,606           | \$2,612,885                   | \$5,876,717               | \$27,159,208         |
| 062 FLEET SERVICES FUND                       | \$663,050            | \$2,260,291                           | \$5,000             | \$0                     | \$2,928,341            | \$0                           | \$857,583                 | \$3,785,924          |
| 064 SELF INSURANCE FUND                       | \$0                  | \$888,300                             | \$0                 | \$0                     | \$888,300              | \$0                           | \$1,089,514               | \$1,977,814          |
| 070 SALES TAX REV BOND - DEBT SVS<br>FUND     | \$0                  | \$0                                   | \$0                 | \$1,563,113             | \$1,563,113            | \$0                           | \$1,159,267               | \$2,722,380          |
| 071 DEBT SERVICE FUND                         | \$0                  | \$0                                   | \$0                 | \$4,671,333             | \$4,671,333            | \$0                           | \$379,715                 | \$5,051,048          |
| <b>Total Park City Municipal Corporation</b>  | <b>\$26,578,263</b>  | <b>\$13,635,745</b>                   | <b>\$76,333,834</b> | <b>\$10,638,677</b>     | <b>\$127,186,520</b>   | <b>\$5,828,082</b>            | <b>\$19,711,300</b>       | <b>\$152,725,902</b> |
| <b>Park City Redevelopment Agency</b>         |                      |                                       |                     |                         |                        |                               |                           |                      |
| 033 REDEVELOPMENT AGENCY-LOWER<br>PRK         | \$0                  | \$0                                   | \$9,789,914         | \$0                     | \$9,789,914            | \$426,375                     | \$1,877,001               | \$12,093,290         |
| 034 REDEVELOPMENT AGENCY-MAIN ST              | \$0                  | \$0                                   | \$213,271           | \$0                     | \$213,271              | \$950,000                     | \$1,321,685               | \$2,484,956          |
| <b>Total Park City Redevelopment Agency</b>   | <b>\$0</b>           | <b>\$0</b>                            | <b>\$10,003,185</b> | <b>\$0</b>              | <b>\$10,003,185</b>    | <b>\$1,376,375</b>            | <b>\$3,198,686</b>        | <b>\$14,578,246</b>  |
| <b>Municipal Building Authority</b>           |                      |                                       |                     |                         |                        |                               |                           |                      |
| 035 BUILDING AUTHORITY                        | \$0                  | \$0                                   | \$0                 | \$0                     | \$0                    | \$0                           | \$526,457                 | \$526,457            |
| <b>Total Municipal Building Authority</b>     | <b>\$0</b>           | <b>\$0</b>                            | <b>\$0</b>          | <b>\$0</b>              | <b>\$0</b>             | <b>\$0</b>                    | <b>\$526,457</b>          | <b>\$526,457</b>     |
| <b>TOTAL</b>                                  | <b>\$26,578,264</b>  | <b>\$13,635,745</b>                   | <b>\$86,337,019</b> | <b>\$10,638,677</b>     | <b>\$137,189,705</b>   | <b>\$7,204,457</b>            | <b>\$23,436,443</b>       | <b>\$167,830,605</b> |

**Expenditure Summary by Fund and Major Object (FY 2015 Budget)**

| Description                                      | Personnel<br>FY 2015 | Mat, Supplies,<br>Services<br>FY 2015 | Capital<br>FY 2015  | Debt Service<br>FY 2015 | Sub - Total<br>FY 2015 | Interfund Transfer<br>FY 2015 | Ending Balance<br>FY 2015 | Total<br>FY 2015     |
|--------------------------------------------------|----------------------|---------------------------------------|---------------------|-------------------------|------------------------|-------------------------------|---------------------------|----------------------|
| <b>Park City Municipal Corporation</b>           |                      |                                       |                     |                         |                        |                               |                           |                      |
| 011 GENERAL FUND                                 | \$17,876,066         | \$1,113,076                           | \$373,511           | \$0                     | \$19,362,653           | \$11,438,304                  | \$9,255,450               | \$40,056,407         |
| 012 QUINNS RECREATION COMPLEX                    | \$725,387            | \$53,040                              | \$6,000             | \$0                     | \$784,427              | <b>\$-3,361,605</b>           | <b>\$-3,362,805</b>       | <b>\$-5,939,983</b>  |
| 021 POLICE SPECIAL REVENUE FUND                  | \$0                  | \$0                                   | \$0                 | \$0                     | \$0                    | \$28,644                      | \$28,644                  | \$57,288             |
| 022 CRIMINAL FORFEITURE RESTRICTED<br>ACCOUNT    | \$0                  | \$0                                   | \$0                 | \$0                     | \$0                    | \$19,133                      | \$19,133                  | \$38,266             |
| 031 CAPITAL IMPROVEMENT FUND                     | \$0                  | \$0                                   | \$13,495,474        | \$0                     | \$13,495,474           | \$2,529,956                   | \$2,395,590               | \$18,421,020         |
| 038 EQUIPMENT REPLACEMENT CIP                    | \$0                  | \$0                                   | \$940,000           | \$0                     | \$940,000              | \$344,663                     | \$344,663                 | \$1,629,326          |
| 051 WATER FUND                                   | \$2,296,627          | \$278,055                             | \$4,998,562         | \$4,368,151             | \$11,941,395           | \$10,035,197                  | \$9,272,351               | \$31,248,943         |
| 055 GOLF COURSE FUND                             | \$728,144            | \$74,900                              | \$54,565            | \$36,000                | \$893,609              | \$1,053,195                   | \$919,264                 | \$2,866,068          |
| 057 TRANSPORTATION & PARKING<br>FUND             | \$5,549,899          | \$232,734                             | \$2,795,946         | \$0                     | \$8,578,579            | \$8,085,549                   | \$5,472,664               | \$22,136,792         |
| 062 FLEET SERVICES FUND                          | \$762,296            | \$69,497                              | \$5,000             | \$0                     | \$836,793              | \$741,626                     | \$741,626                 | \$2,320,045          |
| 064 SELF INSURANCE FUND                          | \$0                  | \$50,300                              | \$0                 | \$0                     | \$50,300               | \$722,212                     | \$722,212                 | \$1,494,724          |
| 070 SALES TAX REV BOND - DEBT SVS<br>FUND        | \$0                  | \$0                                   | \$0                 | \$1,563,113             | \$1,563,113            | \$1,158,142                   | \$1,158,142               | \$3,879,397          |
| 071 DEBT SERVICE FUND                            | \$0                  | \$0                                   | \$0                 | \$4,671,333             | \$4,671,333            | \$354,983                     | \$354,983                 | \$5,381,299          |
| <b>Total Park City Municipal<br/>Corporation</b> | <b>\$27,938,417</b>  | <b>\$1,871,602</b>                    | <b>\$22,669,058</b> | <b>\$10,638,597</b>     | <b>\$63,117,675</b>    | <b>\$33,149,999</b>           | <b>\$27,321,917</b>       | <b>\$123,589,591</b> |
| <b>Park City Redevelopment Agency</b>            |                      |                                       |                     |                         |                        |                               |                           |                      |
| 023 LOWER PARK AVE RDA SPECIAL<br>REVENUE FUND   | \$22,212             | \$20,000                              | \$0                 | \$0                     | \$42,212               | \$2,117,788                   | \$27,788                  | \$2,187,788          |
| 033 REDEVELOPMENT AGENCY-LOWER<br>PRK            | \$0                  | \$0                                   | \$10,920,274        | \$0                     | \$10,920,274           | \$1,466,727                   | \$1,140,352               | \$13,527,353         |
| 034 REDEVELOPMENT AGENCY-MAIN<br>ST              | \$0                  | \$0                                   | \$90,633            | \$0                     | \$90,633               | \$2,077,052                   | \$1,127,052               | \$3,294,737          |
| <b>Total Park City Redevelopment<br/>Agency</b>  | <b>\$22,212</b>      | <b>\$20,000</b>                       | <b>\$11,010,907</b> | <b>\$0</b>              | <b>\$11,053,119</b>    | <b>\$5,661,567</b>            | <b>\$2,295,192</b>        | <b>\$19,009,879</b>  |
| <b>Municipal Building Authority</b>              |                      |                                       |                     |                         |                        |                               |                           |                      |
| 035 BUILDING AUTHORITY                           | \$0                  | \$0                                   | \$0                 | \$0                     | \$0                    | \$529,457                     | \$529,457                 | \$1,058,914          |
| <b>Total Municipal Building Authority</b>        | <b>\$0</b>           | <b>\$0</b>                            | <b>\$0</b>          | <b>\$0</b>              | <b>\$0</b>             | <b>\$529,457</b>              | <b>\$529,457</b>          | <b>\$1,058,914</b>   |
| <b>TOTAL</b>                                     | <b>\$27,960,630</b>  | <b>\$1,891,602</b>                    | <b>\$33,679,965</b> | <b>\$10,638,597</b>     | <b>\$74,170,794</b>    | <b>\$39,341,023</b>           | <b>\$30,146,566</b>       | <b>\$143,658,383</b> |

### Expenditure Summary by Fund and Major Object (FY 2016 Budget)

| Description                                      | Personnel<br>FY 2016 | Mat, Supplies,<br>Services<br>FY 2016 | Capital<br>FY 2016  | Debt Service<br>FY 2016 | Sub - Total<br>FY 2016 | Interfund Transfer<br>FY 2016 | Ending Balance<br>FY 2016 | Total<br>FY 2016     |
|--------------------------------------------------|----------------------|---------------------------------------|---------------------|-------------------------|------------------------|-------------------------------|---------------------------|----------------------|
| <b>Park City Municipal Corporation</b>           |                      |                                       |                     |                         |                        |                               |                           |                      |
| 011 GENERAL FUND                                 | \$18,555,529         | \$1,144,207                           | \$370,864           | \$37,302,200            | \$57,372,800           | \$12,190,850                  | \$10,007,996              | \$79,571,646         |
| 012 QUINNS RECREATION COMPLEX                    | \$750,633            | \$53,040                              | \$6,000             | \$-2,585,305            | \$-1,775,632           | \$-3,720,781                  | \$-3,721,981              | \$-9,218,394         |
| 021 POLICE SPECIAL REVENUE FUND                  | \$0                  | \$0                                   | \$0                 | \$28,644                | \$28,644               | \$28,644                      | \$28,644                  | \$85,932             |
| 022 CRIMINAL FORFEITURE<br>RESTRICTED ACCOUNT    | \$0                  | \$0                                   | \$0                 | \$19,133                | \$19,133               | \$19,133                      | \$19,133                  | \$57,399             |
| 031 CAPITAL IMPROVEMENT FUND                     | \$0                  | \$0                                   | \$7,540,267         | \$8,360,409             | \$15,900,676           | \$820,142                     | \$685,776                 | \$17,406,594         |
| 038 EQUIPMENT REPLACEMENT CIP                    | \$0                  | \$0                                   | \$1,011,000         | \$1,340,663             | \$2,351,663            | \$329,663                     | \$329,663                 | \$3,010,989          |
| 051 WATER FUND                                   | \$2,378,824          | \$284,425                             | \$3,593,879         | \$31,054,705            | \$37,311,833           | \$17,352,944                  | \$16,590,098              | \$71,254,875         |
| 055 GOLF COURSE FUND                             | \$748,791            | \$74,900                              | \$54,565            | \$2,410,210             | \$3,288,467            | \$1,072,325                   | \$938,394                 | \$5,299,186          |
| 057 TRANSPORTATION & PARKING<br>FUND             | \$5,755,821          | \$232,734                             | \$1,002,443         | \$15,905,748            | \$22,896,747           | \$8,259,446                   | \$5,646,561               | \$36,802,754         |
| 062 FLEET SERVICES FUND                          | \$792,092            | \$69,497                              | \$5,000             | \$3,653,256             | \$4,519,846            | \$595,873                     | \$595,873                 | \$5,711,592          |
| 064 SELF INSURANCE FUND                          | \$0                  | \$50,300                              | \$0                 | \$1,276,210             | \$1,326,510            | \$354,910                     | \$354,910                 | \$2,036,330          |
| 070 SALES TAX REV BOND - DEBT SVS<br>FUND        | \$0                  | \$0                                   | \$0                 | \$2,713,005             | \$2,713,005            | \$1,149,892                   | \$1,149,892               | \$5,012,789          |
| 071 DEBT SERVICE FUND                            | \$0                  | \$0                                   | \$0                 | \$5,001,584             | \$5,001,584            | \$330,251                     | \$330,251                 | \$5,662,086          |
| <b>Total Park City Municipal<br/>Corporation</b> | <b>\$28,981,691</b>  | <b>\$1,909,103</b>                    | <b>\$13,584,018</b> | <b>\$106,480,463</b>    | <b>\$150,955,275</b>   | <b>\$38,783,292</b>           | <b>\$32,955,210</b>       | <b>\$222,693,777</b> |
| <b>Park City Redevelopment Agency</b>            |                      |                                       |                     |                         |                        |                               |                           |                      |
| 023 LOWER PARK AVE RDA SPECIAL<br>REVENUE FUND   | \$23,082             | \$20,000                              | \$0                 | \$2,217,788             | \$2,260,870            | \$2,144,706                   | \$54,706                  | \$4,460,282          |
| 033 REDEVELOPMENT AGENCY-<br>LOWER PRK           | \$0                  | \$0                                   | \$2,145,274         | \$5,980,352             | \$8,125,626            | \$3,255,078                   | \$2,928,703               | \$14,309,407         |
| 034 REDEVELOPMENT AGENCY-MAIN<br>ST              | \$0                  | \$0                                   | \$90,633            | \$2,369,052             | \$2,459,685            | \$1,873,419                   | \$923,419                 | \$5,256,523          |
| <b>Total Park City Redevelopment<br/>Agency</b>  | <b>\$23,082</b>      | <b>\$20,000</b>                       | <b>\$2,235,907</b>  | <b>\$10,567,192</b>     | <b>\$12,846,181</b>    | <b>\$7,273,203</b>            | <b>\$3,906,828</b>        | <b>\$24,026,212</b>  |
| <b>Municipal Building Authority</b>              |                      |                                       |                     |                         |                        |                               |                           |                      |
| 035 BUILDING AUTHORITY                           | \$0                  | \$0                                   | \$0                 | \$529,457               | \$529,457              | \$529,457                     | \$529,457                 | \$1,588,371          |
| <b>Total Municipal Building Authority</b>        | <b>\$0</b>           | <b>\$0</b>                            | <b>\$0</b>          | <b>\$529,457</b>        | <b>\$529,457</b>       | <b>\$529,457</b>              | <b>\$529,457</b>          | <b>\$1,588,371</b>   |
| <b>TOTAL</b>                                     | <b>\$29,004,773</b>  | <b>\$1,929,103</b>                    | <b>\$15,819,925</b> | <b>\$117,577,112</b>    | <b>\$164,330,914</b>   | <b>\$46,585,952</b>           | <b>\$37,391,495</b>       | <b>\$248,308,361</b> |

## Change in Fund Balance

| Fund                                           | Actuals<br>FY 2011  | Actuals<br>FY 2012  | Actuals<br>FY 2013  | Adjusted<br>FY 2014 | Budget<br>FY 2014   | Increase<br>(red)<br>FY 2014 | % Inc<br>(red)<br>FY 2014 | Budget<br>FY 2015   | Increase<br>(red)<br>FY 2015 | % Inc<br>(red)<br>FY 2015 | Budget<br>FY 2016   | Increase<br>(red)<br>FY 2016 |
|------------------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|------------------------------|---------------------------|---------------------|------------------------------|---------------------------|---------------------|------------------------------|
| <b>Park City Municipal Corporation</b>         |                     |                     |                     |                     |                     |                              |                           |                     |                              |                           |                     |                              |
| 011 GENERAL FUND                               | \$6,320,932         | \$6,447,817         | \$8,367,681         | \$8,631,733         | \$7,126,464         | \$264,052                    | 3%                        | \$9,255,450         | \$623,717                    | 7%                        | \$10,007,996        | \$752,546                    |
| 012 QUINNS RECREATION COMPLEX                  | \$(2,187,227)       | \$(2,510,554)       | \$(2,919,038)       | \$(3,048,875)       | \$(2,995,165)       | \$-129,837                   | 4%                        | \$(3,362,805)       | \$-313,930                   | 10%                       | \$(3,721,981)       | \$-359,176                   |
| 021 POLICE SPECIAL REVENUE FUND                | \$27,082            | \$27,532            | \$28,644            | \$28,644            | \$0                 |                              |                           | \$28,644            |                              |                           | \$28,644            |                              |
| 022 CRIMINAL FORFEITURE RESTRICTED<br>ACCOUNT  | \$4,176             | \$8,985             | \$19,133            | \$19,133            | \$0                 |                              |                           | \$19,133            |                              |                           | \$19,133            |                              |
| 031 CAPITAL IMPROVEMENT FUND                   | \$26,823,812        | \$19,876,401        | \$18,771,186        | \$237,317           | \$3,247,959         | \$-18,533,869                | -99%                      | \$2,395,590         | \$2,158,273                  | 909%                      | \$685,776           | \$-1,709,814                 |
| 038 EQUIPMENT REPLACEMENT CIP                  | \$1,267,319         | \$1,244,133         | \$1,586,254         | \$359,663           | \$208,076           | \$-1,226,591                 | -77%                      | \$344,663           | \$-15,000                    | -4%                       | \$329,663           | \$-15,000                    |
| 051 WATER FUND                                 | \$6,663,470         | \$11,863,021        | \$9,860,717         | \$3,196,156         | \$4,375,265         | \$-6,664,561                 | -68%                      | \$9,272,351         | \$6,076,195                  | 190%                      | \$16,590,098        | \$7,317,747                  |
| 055 GOLF COURSE FUND                           | \$1,165,727         | \$850,677           | \$927,168           | \$924,733           | \$714,443           | \$-2,435                     | 0%                        | \$919,264           | \$-5,469                     | -1%                       | \$938,394           | \$19,130                     |
| 057 TRANSPORTATION & PARKING FUND              | \$13,703,979        | \$17,656,077        | \$18,038,096        | \$5,876,717         | \$7,873,331         | \$-12,161,379                | -67%                      | \$5,472,664         | \$-404,053                   | -7%                       | \$5,646,561         | \$173,897                    |
| 062 FLEET SERVICES FUND                        | \$409,894           | \$521,502           | \$874,294           | \$857,583           | \$510,626           | \$-16,711                    | -2%                       | \$741,626           | \$-115,957                   | -14%                      | \$595,873           | \$-145,753                   |
| 064 SELF INSURANCE FUND                        | \$1,867,103         | \$1,848,254         | \$1,423,816         | \$1,089,514         | \$879,652           | \$-334,302                   | -23%                      | \$722,212           | \$-367,302                   | -34%                      | \$354,910           | \$-367,302                   |
| 070 SALES TAX REV BOND - DEBT SVS FUND         | \$1,881,265         | \$1,958,852         | \$1,160,392         | \$1,159,267         | \$1,159,602         | \$-1,125                     | 0%                        | \$1,158,142         | \$-1,125                     | 0%                        | \$1,149,892         | \$-8,250                     |
| 071 DEBT SERVICE FUND                          | \$408,246           | \$412,312           | \$407,093           | \$379,715           | \$358,544           | \$-27,378                    | -7%                       | \$354,983           | \$-24,732                    | -7%                       | \$330,251           | \$-24,732                    |
| <b>Total Park City Municipal Corporation</b>   | <b>\$58,355,778</b> | <b>\$60,205,009</b> | <b>\$58,545,436</b> | <b>\$19,711,300</b> | <b>\$23,458,797</b> | <b>\$-38,834,136</b>         | <b>-336%</b>              | <b>\$27,321,917</b> | <b>\$7,610,617</b>           | <b>1,052%</b>             | <b>\$32,955,210</b> | <b>\$5,633,293</b>           |
| <b>Park City Redevelopment Agency</b>          |                     |                     |                     |                     |                     |                              |                           |                     |                              |                           |                     |                              |
| 023 LOWER PARK AVE RDA SPECIAL<br>REVENUE FUND | \$0                 | \$0                 | \$0                 | \$0                 | \$0                 | \$0                          |                           | \$27,788            | \$27,788                     |                           | \$54,706            | \$26,918                     |
| 033 REDEVELOPMENT AGENCY-LOWER PRK             | \$7,823,811         | \$9,084,417         | \$9,877,290         | \$1,877,001         | \$631,085           | \$-8,000,289                 | -81%                      | \$1,140,352         | \$-736,649                   | -39%                      | \$2,928,703         | \$1,788,351                  |
| 034 REDEVELOPMENT AGENCY-MAIN ST               | \$1,679,751         | \$1,397,569         | \$1,237,956         | \$1,321,685         | \$837,043           | \$83,729                     | 7%                        | \$1,127,052         | \$-194,633                   | -15%                      | \$923,419           | \$-203,633                   |
| 076 RDA-LOWER PK AVE-DEBT SERVICE              | \$0                 | \$0                 | \$0                 | \$0                 | \$0                 | \$0                          |                           | \$0                 | \$0                          |                           | \$0                 | \$0                          |
| <b>Total Park City Redevelopment Agency</b>    | <b>\$9,503,562</b>  | <b>\$10,481,986</b> | <b>\$11,115,246</b> | <b>\$3,198,686</b>  | <b>\$1,468,128</b>  | <b>\$-7,916,560</b>          | <b>-74%</b>               | <b>\$2,295,192</b>  | <b>\$-903,494</b>            | <b>-54%</b>               | <b>\$3,906,828</b>  | <b>\$1,611,636</b>           |
| <b>Municipal Building Authority</b>            |                     |                     |                     |                     |                     |                              |                           |                     |                              |                           |                     |                              |
| 035 BUILDING AUTHORITY                         | \$518,071           | \$521,568           | \$523,457           | \$526,457           | \$278,087           | \$3,000                      | 1%                        | \$529,457           | \$3,000                      | 1%                        | \$529,457           |                              |
| <b>Total Municipal Building Authority</b>      | <b>\$518,071</b>    | <b>\$521,568</b>    | <b>\$523,457</b>    | <b>\$526,457</b>    | <b>\$278,087</b>    | <b>\$3,000</b>               | <b>1%</b>                 | <b>\$529,457</b>    | <b>\$3,000</b>               | <b>1%</b>                 | <b>\$529,457</b>    |                              |
| <b>TOTAL</b>                                   | <b>\$68,377,411</b> | <b>\$71,208,563</b> | <b>\$70,184,139</b> | <b>\$23,436,443</b> | <b>\$25,205,012</b> | <b>\$-46,747,696</b>         | <b>-410%</b>              | <b>\$30,146,566</b> | <b>\$6,710,123</b>           | <b>998%</b>               | <b>\$37,391,495</b> | <b>\$7,244,929</b>           |

**Revenues (All Funds Combined)**

| Revenue                                 | Actual<br>FY 2011 | Actual<br>FY 2012 | Actual<br>FY 2013 | Original<br>FY 2014 | Adjusted<br>FY 2014 | %<br>Total<br>FY<br>2014 | Original<br>FY 2015 | %<br>Total<br>FY<br>2015 | Original<br>FY 2016 | %<br>Total<br>FY<br>2016 |
|-----------------------------------------|-------------------|-------------------|-------------------|---------------------|---------------------|--------------------------|---------------------|--------------------------|---------------------|--------------------------|
| <b>RESOURCES</b>                        |                   |                   |                   |                     |                     |                          |                     |                          |                     |                          |
| Property Taxes                          | \$17,043,800      | \$18,320,525      | \$18,191,179      | \$17,871,989        | \$17,970,989        | 14%                      | \$18,095,989        | 14%                      | \$18,465,989        | 16%                      |
| Sales Tax                               | \$12,492,244      | \$13,366,791      | \$14,039,372      | \$17,198,451        | \$16,846,519        | 13%                      | \$16,993,257        | 13%                      | \$17,092,220        | 15%                      |
| Franchise Tax                           | \$2,906,981       | \$2,816,071       | \$3,037,408       | \$3,136,000         | \$3,136,000         | 2%                       | \$3,277,000         | 3%                       | \$3,414,000         | 3%                       |
| Licenses                                | \$1,284,053       | \$1,280,901       | \$1,343,027       | \$1,009,000         | \$1,009,000         | 1%                       | \$1,363,215         | 1%                       | \$1,372,699         | 1%                       |
| Planning Building &<br>Engineering Fees | \$1,464,715       | \$1,427,160       | \$1,932,448       | \$2,136,000         | \$2,316,000         | 2%                       | \$2,590,000         | 2%                       | \$2,591,667         | 2%                       |
| Other Fees                              | \$17,707          | \$45,190          | \$40,293          | \$37,000            | \$37,000            | 0%                       | \$42,000            | 0%                       | \$43,000            | 0%                       |
| Federal Revenue                         | \$5,818,357       | \$7,656,860       | \$1,287,283       | \$2,131,200         | \$2,131,200         | 2%                       | \$3,908,200         | 3%                       | \$2,658,200         | 2%                       |
| State Revenue                           | \$452,018         | \$426,105         | \$668,747         | \$3,389,000         | \$3,389,000         | 3%                       | \$372,000           | 0%                       | \$372,000           | 0%                       |
| County/SP District<br>Revenue           | \$138,214         | \$107,855         | \$790,534         | \$60,000            | \$100,000           | 0%                       | \$60,000            | 0%                       | \$50,000            | 0%                       |
| Water Charges for<br>Services           | \$8,416,666       | \$9,915,490       | \$12,199,081      | \$11,862,500        | \$11,862,500        | 9%                       | \$11,862,500        | 9%                       | \$11,862,464        | 10%                      |
| Transit Charges for<br>Services         | \$1,729,833       | \$1,918,588       | \$2,243,874       | \$2,090,000         | \$2,090,000         | 2%                       | \$2,440,701         | 2%                       | \$2,556,039         | 2%                       |
| Cemetery Charges for<br>Services        | \$20,516          | \$19,196          | \$24,777          | \$22,000            | \$22,000            | 0%                       | \$26,000            | 0%                       | \$27,000            | 0%                       |
| Recreation                              | \$1,916,305       | \$2,694,849       | \$3,020,781       | \$3,158,999         | \$3,158,999         | 2%                       | \$3,179,850         | 3%                       | \$3,289,596         | 3%                       |
| Ice                                     | \$583,221         | \$682,028         | \$648,177         | \$886,000           | \$886,000           | 1%                       | \$777,500           | 1%                       | \$777,500           | 1%                       |
| Other Service Revenue                   | \$94,798          | \$79,857          | \$75,927          | \$101,000           | \$101,000           | 0%                       | \$92,000            | 0%                       | \$91,000            | 0%                       |
| Library Fines & Fees                    | \$22,408          | \$19,661          | \$19,079          | \$22,000            | \$22,000            | 0%                       | \$21,000            | 0%                       | \$21,000            | 0%                       |
| Fines & Forfeitures                     | \$708,529         | \$621,446         | \$757,842         | \$678,200           | \$678,200           | 1%                       | \$679,200           | 1%                       | \$679,200           | 1%                       |
| Misc. Revenues                          | \$3,462,074       | \$3,891,592       | \$1,635,205       | \$4,455,746         | \$2,845,189         | 3%                       | \$4,457,742         | 4%                       | \$3,968,485         | 3%                       |
| Interfund Transactions<br>(Admin)       | \$5,740,080       | \$5,138,802       | \$4,506,999       | \$4,893,717         | \$4,893,717         | 4%                       | \$4,937,870         | 4%                       | \$4,937,870         | 4%                       |
| Interfund Transactions<br>(CIP/Debt)    | \$4,158,532       | \$4,038,841       | \$3,160,141       | \$2,310,741         | \$2,310,741         | 2%                       | \$4,420,741         | 3%                       | \$4,484,616         | 4%                       |
| Special Revenues &<br>Resources         | \$750,993         | \$1,694,513       | \$720,067         | \$238,912           | \$411,412           | 0%                       | \$376,000           | 0%                       | \$376,000           | 0%                       |



**PARK CITY COUNCIL MEETING MINUTES- DRAFT**  
**SUMMIT COUNTY, UTAH,**  
**April 24, 2014**

**Study Session**

**Water Conservation: Water Portal, Water Conservation and Rate Structure**

Clint McAfee, Jason Christensen and Brenda Wilde shared the water conservation presentation with the Mayor and Council. McAfee spoke to our water systems and rate structures. The rate structure is broke down by block pricing, seasonal rates, irrigation rates, budget based rates and fixed based rates as well as drought and elevation surcharges. Park City currently does not have drought or elevation surcharges or fixed based rates. Wilde spoke to the current base rates of Park City. The base rate does not include water it is for the meter only; water is billed per 1000 gallons. The water varies in the summer and winter. There is a flat rate in the winter and a block rate in the summer to incentivize conservation. Christensen stated that the commercial rate is a two tiered option year round. They discussed irrigation meters and rates. McAfee showed a chart showing the block structure for multiple cities in and out of Utah showing that Park City is mid pack. Boulder was more aggressive with their rate structure to promote conservation. McAfee stated that even though the aggressive structure is attractive it needs to be a gradual increase with supply and demand. Staff's goal is working toward the quality of the water in both drinking and stream water. Council member Beerman inquired about the average household usage. Christensen stated that 37% of users stay in the 5000 gallon bracket and 81% total users stay under the tier two 30,000 gallon mark. McAfee spoke to the rate increase related to the improvements in infrastructure and power. McAfee spoke to the historical and future rate increases stating that with the bulk of expenses on the horizon we are looking at an 18% increase this July 1<sup>st</sup> then there will be three 5% increases finally leveling off at 2%. Christensen spoke about the Water Portal. The residential customers will get a monthly consumption water report showing them how they are using water and how they compare to other neighbors with similar home and lot sizes. All accounts will have up to the hour consumption data. The hope for this portal is to help users be more attentive of their water use. Council member Henney would like to see the rate structures change as to a higher charge with use above 10,000 gallons. Reminding staff and Council that water is a precious commodity. Council member Simpson agreed with Henney and likes the idea of the lowest users getting a break. Simpson thanked Melissa Band with the Board of Realtors getting the grant to help with the advertising for the water portal. Foster reminded the Council that this is an enterprise fund that needs to fund itself. Council agreed to hold a work session to further discuss water rates.

Steve Joyce stated that he feels that the rate structures look to be account driven and feels that if you want to change the habits you need to start now. It is hard to change behavior once it is in place. You need to look at penalize those who are using more water. Start conservation with developers to limit water supply.

Van Martin, Manager, Summit Water Distribution Company, stated that it is only fair to push the costs on to the users. Thank Council for inviting them.

Andy Armstrong, General Manager, Mountain Regional Water Special Service District, commended the Water department for the portal. Stated that they need to be aware that when we run out of water is going to cost a fortune and the longer we can conserve and put that date off as long as we can.

McAffee stated that the Water department is in favor of a subtle increase and change over the next few years. Council member Matsumoto stated that she is concerned with the 18%, would like to see a smaller increase over the next few years.

Foster stated she would like to schedule a work session to give staff the opportunity to bring a model back to Council that will accomplish the goals Council has identified as well as remaining in the positive range of funding.

### **Renewable Energy discussion**

Matt Abbot and Ann Ober spoke to Municipal & Community Renewables. Discussed the energy spend within Park City. Discussed the difference between what is budgeted vs the carbon footprint. Ober spoke to buying with a hedge vs increasing based on current costs. Discussions regarding return on investment vs. cost increases. Council member Beerman feels that the goal has been looked over based on cost. Abbot discussed the renewables portfolio stating that most of the funds were brought in with grants. Abbot spoke to the three prospective projects with Micro-hydro at Quinn's and Judge tunnel along with Solar panels at the MARC. Nate Rockwood spoke to the grants that were received stating that Park City was one of the first so that was why we were awarded. Now the pool is smaller money wise and larger related to the pool of communities putting in for these grants. Council member Henney stated he is in favor of a large scale project. Council agreed that they too are in favor of off-site projects but would like to keep it local. Beerman inquired if staff has ever looked into waste to energy plants. Abbot stated that there have not been any opened West of the Mississippi; however they are looking at options on the West Coast, it is a fine line due to the fact that plastic burn at a higher octane producing more energy and reducing the recycle factor. Mayor Thomas stated he feels that the City should be enforcing stricter codes for more energy efficient structures. Abbot presented an audacious goal to Council to become a net zero community. Council member Beerman stated that he knows it is a lofty goal but any steps in that direction would benefit the community. Abbot told the Council about the Georgetown University Energy prize that goes to the community that leads the way in energy efficiency. Abbot stated that staff has submitted a letter of intent and are working on the application.

### **Work Session**

#### **Council Questions and Comments and Manager's Report**

Council member Matsumoto had nothing.

Council member Beerman thanked Jon Weidenhamer for putting together a meeting with the Mountain Accord Wasatch Back players discussing the goals and needs of the Wasatch Back. Attended the unveiling of the Habitat Humanity Platinum Lead house. Attended BOSAC and stated that Summit Lands is holding their annual film festival this evening.

Council member Simpson had nothing.

Council member Henney attended the Planning Commission meeting where they discussed the Woodward project located at the base of Park City Mountain Resort. He stated the discussions

revolved around parking and he feels that they are missing the point of getting away from the philosophy of being reliable on cars. Matt Cassel spoke to the project discussing that the next step is developing a plan for that area.

Council member Peek attended a Joint County/Council meeting with the other Council members along with Council's from Midway, Heber and Summit County.

Mayor Thomas attended his first Snyderville Water Basin meeting and found it very interesting. He then thanked staff for the great joint County/Council meeting.

### **Deer Valley Drive Update**

Matt Cassel and Thomas Eddington discussed the Deer Valley Drive Phase II project updating the Council on project costs and the landscaping ideas. Discussed the lighted bridge, defined North crosswalk and entry feature instead of the first proposed archway. Council inquired about the wood logs and bench maintenance. Cassel stated that it is in the agreement that Deer Valley will pay for the initial installation and will pay for the maintenance. Council member Matsumoto inquired about the cost of other landscaping options at the Deer Valley parking lot. Cassel stated that it would be a Deer Valley expense. Council member Simpson inquired about the clean-up and re-vegetation of the creek. Cassel stated that they will be cleaning up the creek. Council member Henney brought up some concerns from a few residents in the area regarding installation of wildlife crossing signs along Deer Valley drive and look at the parking situation by Rossi Hill. Council member Beerman inquired if it makes sense to put in bus shelters. Cassel stated that they have looked back through the RAILS meeting notes and could not find a request for a bus shelter. Mayor Thomas stated that the only issue he has is the lighted bridge, he feels it is a frivolous expense. Cassel and Eddington stated that they will be using LED lights and the power is already present due to the other overhead lighting. Foster stated that the design has gone from a large archway over the road to a smaller entry sign and staff felt lights along the corridor would better direct traffic.

### **Street Dining on Main**

Planner Astorga stated that the purpose of the work session is to decide how much to charge the restaurants for their dining decks on Main. The current fee is \$550; however, the parking staff has suggested a hike to \$1100 per year based on the number of parking stalls required. Astorga stated that the dining decks have been received well among the community. Council member Simpson stated that her feeling is to leave the rent the same as last year due to the construction impact; however, they do need to look at raising the fee in the near future. Council agreed.

### **Rocky Mountain Power**

Ann Ober, Regional Coordinator, Steve Rush and Jake Barker with Rocky Mountain Power spoke to the substation that was proposed to go in out in the county. Rocky Mountain has had discussions with Heber Power and light to combine services and would change the cost. The agreement with Heber is going well and will be bringing in 10 miles of line. They will be back to work with the planning department to put in the substation and are excited to work with staff to complete the project. The transfer line will be installed in along the current poles and will increase the capacity by 45% and will give the area 15-17 years of growth. Barker stated that they are installing a transformer at the Snyderville substation. Mayor Thomas inquired about the wall around the substation and if the transfer lines are non-reflective lines. Rush stated that they will work with staff but they typical wall is 10 feet and the line will be non-reflective. Council member Matsumoto inquired if they are able to paint and repair the poles. Rush stated that he



would pass along the comments. They will be completed by fall 2015. Council member Peek inquired if the reconfiguration of the substation would impact the area around the recycle center. Council member Simpson suggested they speak with the recycling center regarding a temporary relocation of the entrance during construction. Rush also spoke to the weather incident in Parley's canyon stating that one of the poles failed during that storm. The pole served a large amount of Summit County and RMP was forced to perform rolling black outs until the load was back on line. They were fortunate that it was only one structure but this would have been avoided if the construction of the current projects was complete.

### **Nathan Rafferty, Ski Utah**

Nathan Rafferty, Ski Utah presented an overview of the One Wasatch plan. Discussed a ski industry economic impact portion as a primer to the overview. Stated the ski related spending in Utah is estimated at \$1.29 billion stating it is significantly weighted with the destination skier.. One Wasatch's mission is to create the most efficient and enjoyable experience. They took a concept approach that will continue to evolve. Seven of the General Managers of the local ski resorts are on board. Presented a map of the potential connection areas with the One Wasatch plan stating that the Snowbird to Park City run would be 9 linear miles and 2 hours total. When asked "Why One Wasatch" the answer is that at the end of the day it's just plain fun. They are innovated, they are creating a unique ski experience and offering a different way of skiing. He stated they do not have a timeline at this point but are educating and advocating to move this along. Feels if they do it thoughtfully they can protect water and preserve the back country. Council member Beerman inquired how this ties in with the Mountain Accord. Rafferty stated that they are supportive of the Mountain Accord. One Wasatch wants to work together.

### **Regular Meeting**

6:00 pm

**I. ROLL CALL-** Mayor Jack Thomas called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, April 24, 2014. Members in attendance were Jack Thomas, Andy Beerman, Dick Peek, Liza Simpson, Tim Henney and Cindy Matsumoto. Staff member present were Diane Foster, City Manager; Mark Harrington, City Attorney; Matt Dias, Assistant City Manager; Marci Heil, City Recorder; Maria Brandt, Landscape Gardener; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Jason Glidden, Special Events Manager; Tommy Youngblood, Sustainability; Jenny Diersen, Sustainability.

### **II. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF**

There were no communications or disclosures from Council or Staff

### **III. PUBLIC INPUT (*Any matter of City business not scheduled on the agenda*)**

There were no public comments.

### **IV. CONSIDERATION OF MINUTES FROM APRIL 17, 2014**

Council member Beerman wanted to review the recording to clarify a point he was trying to make.

**Council member Simpson moved to continue to date uncertain  
Council member Matsumoto seconded  
Approved unanimously**

**V. NEW BUSINESS**

1. Consideration of Resolution Proclaiming May 3, 2014 as Arbor Day and Celebrating Park City's 21<sup>st</sup> Anniversary as a Tree City USA Community.

Mayor and Council thanked Maria Brandt, Landscape Gardener, for all her hard work. Maria invited the Mayor and Council to the tree planting ceremony on May 3<sup>rd</sup> to plant trees at the North end of the Carl Winter's field. Mayor Thomas read the resolution.

**Council member Simpson moved to approve the Resolution Proclaiming May 3, 2014 as Arbor Day and Celebrating Park City's 21<sup>st</sup> Anniversary as a Tree City USA Community  
Council member Beerman seconded  
Approved unanimously**

2. Consideration of approval of a subdivision plat for the Roundabout Subdivision Record of Survey for 300 Deer Valley Loop, Park City pursuant to the findings of fact, conclusions of law and conditions of approval stated in the attached ordinance in a form approved by the City Attorney.

No presentation as this is a continuation only.

Mayor Thomas opened the public hearing, no comments were made. Mayor Thomas closed the public hearing.

**Council member Beerman moved to continue to May 8, 2014  
Council member Peek seconded  
Approved unanimously**

3. Consideration of the Portico Condominiums Record of Survey amendment for 670 Deer Valley Loop, Park City based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinances in a form approved by the City Attorney.

Planner Whetstone and applicant Jack Johnson spoke to the condominium plat stating that the property is in the RM zone. At some point lots 1 and 2 were combined on the plat and the applicant is requesting to separate those lots.

Mayor Thomas opened the public hearing, no comments were made. Mayor Thomas closed the public hearing.

**Council member Peek moved to approve the Portico Condominiums Record of Survey amendment for 670 Deer Valley Loop, Park City based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached ordinances in a form approved by the City Attorney.  
Council member Henney seconded**

**Approved unanimously**

4. Consideration of an Ordinance approving the re-establishment of Lots 30 and 31 of Holiday Ranchettes Subdivision, located at 2519 and 2545 Lucky John Drive, Park City, Utah

Planner Whetstone stated that she had a request today from the owner and the HOA to continue this item to the May 8<sup>th</sup> meeting. Council member Beerman inquired about the requirement of the HOA letter and if they can proceed with the application without one. Harrington stated that they do not need the letter to complete the application process. Council member Simpson stated that the language in the conditions sounds like it will cause problems later down the road. Harrington assured the Council that it will not cause problems.

Mayor Thomas opened the public hearing, no comments were made. Mayor Thomas closed the public hearing.

**Council member Beerman moved to continue to May 8<sup>th</sup>, 2014**

**Council member Peek seconded**

**Approved unanimously**

5. Consideration of approval of a Master Festival License for the International Mountain Bike Cup

Tommy Youngblood and Jenny Diersen, Sustainability, presented the Master Festival License application for The Rush at Round Valley, a mountain bike race scheduled to take place on May 3rd with a condition for an inclement weather date of May 10<sup>th</sup>. Council member Henney inquired about the conditions of the trail due to weather. Youngblood stated that the trails team will be monitoring the trails and will keep the applicant up to date.

Mayor Thomas opened the public hearing, no comments were made. Mayor Thomas closed the public hearing.

**Council member Simpson moved to approve the Master Festival License for the International Mountain Bike Cup tour The Rush at Round Valley to take place on May 3, 2014 with an inclement weather date of May 10, 2014 if needed.**

**Council member Peek seconded**

**Approved unanimously**

6. Consideration of approval of Street Dining on Main leases, in a form approved by the City Attorney:

Planner Astorga asked the Council to approve the leases for another year at the current fee rate at \$550 for Street Dining on Main. Council member Simpson asked staff to bring back a robust discussion and updated studies of the increase suggested by the Parking staff. Council member Matsumoto agreed with Simpson that they need a plan to inform the merchants because the Main Street construction is slated to continue for 7 years and we cannot keep telling them it will go up some time. Council agreed.

- (a) Cisero's Ristorante, 306 Main Street
- (b) Bistro 412, 412 Main Street

- (c) 501 on Main, 501 Main Street
- (d) Main Street Pizza & Noodle, 530 Main Street
- (e) Bandits' Grill & Bar, 440 Main Street
- (f) Bangkok Thai on Main, 605 Main Street
- (g) The Eating Establishment, 317 Main Street
- (h) Shabu, 442 Main Street
- (i) Flanagan's, 438 Main Street.

**Council member Simpson moved to approve the following leases at the current rate of \$550 for dining decks on Main**

- (a) Cisero's Ristorante, 306 Main Street**
- (b) Bistro 412, 412 Main Street**
- (c) 501 on Main, 501 Main Street**
- (d) Main Street Pizza & Noodle, 530 Main Street**
- (e) Bandits' Grill & Bar, 440 Main Street**
- (f) Bangkok Thai on Main, 605 Main Street**
- (g) The Eating Establishment, 317 Main Street**
- (h) Shabu, 442 Main Street**
- (i) Flanagan's, 438 Main Street.**

**Council member Peek seconded  
Approved unanimously**

## **VI. ADJOURNMENT**

**Council member Peek moved to adjourn the meeting  
Council member Simpson seconded  
Approved unanimously**

## **MEMORANDUM OF CLOSED SESSION**

The City Council met in a closed session at approximately 2:00 p.m. Members in attendance were Mayor Jack Thomas, Andy Beerman, Liza Simpson, Dick Peek, Cindy Matsumoto and Tim Henney. Staff members present were Diane Foster, City Manager; Matt Dias, Assistant City Manager; Mark Harrington, City Attorney; Phyllis Robinson, Communications & Public Affairs Manager; Jonathan Weidenhamer, Economic Development Manager; Thomas Eddington, Planning Director; Rhoda Stauffer, Sustainability. **Council member Beerman moved to close the meeting to discuss Property, Litigation, and Personnel. Council member Simpson seconded. Motion carried.**

**Council member Simpson moved to open the closed session. Council member Beerman seconded. Motion carried.**

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

Prepared by Marci S.Heil, City Recorder.

*Marci Heil*  
Marci S. Heil, City Recorder



DRAFT



Resolution No.-14 AT A MEETING OF THE CITY COUNCIL OF PARK CITY, UTAH, MAY 8, 2014.

**RESOLUTION HONORING PARK CITY RESIDENT AND FORMER CITY COUNCIL MEMBER  
LOU HUDSON**

WHEREAS Lou Hudson was born in Greensboro, North Carolina, on July 11, 1944, and passed away peacefully on April 11, 2014. Lou will be remembered in Park City, Utah, for his long time dedication and services to the community and youth sports and recreational activities;

WHEREAS Lou played for the University of Minnesota and the NBA Atlanta Hawks, and was a six-time NBA All-Star. Lou was honored by having his Number 14 Gopher jersey and Number 23 Hawks jerseys retired with his passing;

WHEREAS in 2002 Lou was inducted into the State of Georgia Sports Hall of Fame and honored in 2003 as Humanitarian of the Year by the XNBA players association;

WHEREAS Lou remained passionate about the sport of basketball long after his professional career and shared that passion with the hundreds of Park City children offering basketball camps and awarding scholarships throughout the community; Lou also played drop-in basketball with "the guys" at the Park City Racquet Club, which became affectionately known throughout Park City as "Running with Lou";

WHEREAS Lou was elected to the Park City, Utah, City Council in January, 1994, and historically became the first African-American elected to serve and hold public office in the State of Utah;

WHEREAS Lou was deeply passionate about the Park City community and, along with his wife, Mardi, regularly celebrated the 4<sup>th</sup> of July by hosting neighborhood friends and family at their home in Park City; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council honor our dear friend and community leader, Lou Hudson, for his dedicated service to the Park City community, unyielding commitment to youth sports and programming, and his generous gifts of his time and passions for the game of basketball and competition.

PASSES AND ADOPTED this 8<sup>th</sup> day of May, 2014

PARK CITY MUNICIPAL CORPORATION

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Mayor Jack Thomas

Attest:

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Marci Heil, City Recorder

Approved as to form:

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Mark D. Harrington, City Attorney

# City Council Staff Report



**Author:** Heinrich Deters  
**Subject:** Stoneridge Trail & Trailhead Project  
Professional Service Provider Contract  
**Date:** May 8, 2014  
**Type of Item:** Administrative - Award of Contract

Sustainability

## Summary Recommendation:

Staff requests authorization for the City Manager, in a form approved by the City Attorney, to enter into a Professional Service Provider contract with PEC Engineering for the Stoneridge Trail & Trailhead project in the amount of \$24,735.

## Topic:

Award Professional Service Provider Contract – Stoneridge Trail & Trailhead Project.

## Background:

In April 2013, Park City Municipal attained the 296 acre Stoneridge open space parcel. The parcel is encumbered with a conservation easement held by Utah Open Lands, which allows for non-motorized recreational uses including, but not limited to, trails, a trailhead, and a small maintenance building. Staff, in conjunction with Utah Open Lands, created a recreational plan for the property and presented the plan to Council on October 3, 2013. Additionally, the plan was presented at a public open house on October 21, 2013.

An RFP for the trail and trailhead project was advertised on April 5<sup>th</sup> and 9<sup>th</sup> in the Park Record and April 3<sup>rd</sup> and 4<sup>th</sup> in the Salt Lake Tribune. Additionally, the RFP was posted on the City's website and on [www.utahlegals.com](http://www.utahlegals.com).

A proposal review and selection committee included the following participants:

- Heinrich Deters – Trails and Open Space Project Manager
- Tommy Youngblood – Special Events Coordinator
- Matt Twombly – Parks Project Manager
- Stuart Johnson – Trails Intern
- Matt Abbot – Sustainability Environmental Projects

Five firms responded to the RFP, and their cost proposals are as follows:

|                        |                 |
|------------------------|-----------------|
| <b>PEC Engineering</b> | <b>\$24,735</b> |
| Alliance Engineering   | \$18,220        |
| EPG Engineering        | \$69,585        |
| SWA Group              | \$77,000        |
| Eixenberger Group      | \$31,550        |

## Analysis:

Selection of the consulting firm was based on the following criteria:

1. Experience and qualifications working with municipalities;
2. Ability to be responsive and available to City staff;
3. Cost effectiveness in providing services;
4. Experience with trail and trailhead design;



5. Overall design and approach, including environmental and wildlife impacts of the RFP;
6. Consistent with City policy, and subject to Federal, State and local procurement laws that require Park City Municipal to make reasonable attempts to support Park City businesses by purchasing goods and services through local vendors and service providers; and
7. Nature and extent of any proposed changes to the Park City contract.

The selection committee met on April 30<sup>th</sup> and determined that PEC Engineering was the most qualified and responsive firm. PEC Engineering's overall approach to the project, industry experience and availability of staff, and previous work credentials as it pertained to other trail improvements in and around Summit County set them above the other firms.

Though PEC Engineering was not the lowest bidder, Park City's Purchasing Policy states that Professional Service Contracts are exempt from competitive bidding, where the lowest quote need not necessarily be awarded the contract. Furthermore, the policy states that emphasis will be placed on quality, which we believe PEC will deliver better than the other firms for this project.

Design will begin immediately upon execution of the contract. The scope of services briefly entails: Preliminary Design, Design and Construction Documents, Project Bidding, and Construction Management. Staff will return to Council after the bid opening for the award of the Construction contract. The tentative schedule anticipates construction completion by September 15, 2014.

#### **Department Review:**

This report was reviewed by representatives of Sustainability, Legal, Budget, and the City Manager's Office.

#### **Alternatives:**

- A. Approve the request, and authorize the City Manager to execute the Service Provider Contract as attached (Staff recommendation)**
- B. Modify the request: Council could choose to modify the agreement, which would likely delay the schedule of the project.
- C. Deny the request: Council could choose to discontinue the project.
- D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
- E. Do Nothing: Same as continuance.

#### **Significant Impacts:**

|                                                                                    | <b>World Class Multi-Seasonal Resort Destination</b><br><b>(Economic Impact)</b>                                                | <b>Preserving &amp; Enhancing the Natural Environment</b><br><b>(Environmental Impact)</b> | <b>An Inclusive Community of Diverse Economic &amp; Cultural Opportunities</b><br><b>(Social Equity Impact)</b> | <b>Responsive, Cutting-Edge &amp; Effective Government</b>                                      |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Which Desired Outcomes might the Recommended Action Impact?                        | + Accessible and world-class recreational facilities, parks and programs<br><br>+ Safe community that is walkable and bike-able |                                                                                            |                                                                                                                 | + Well-maintained assets and infrastructure                                                     |
| Assessment of Overall Impact on Council Priority ( <i>Quality of Life Impact</i> ) | Very Positive<br>                              | (Select from List)                                                                         | (Select from List)                                                                                              | Positive<br> |
| Comments:                                                                          |                                                                                                                                 |                                                                                            |                                                                                                                 |                                                                                                 |

### Funding Source:

Funding for this project has been identified from the Trails Master Plan and the Open Space Maintenance budgets.

### Consequences of not taking the recommended action:

If Council chooses to deny the contract award, implementation and design of the project would not move forward.

### Staff Recommendations:

Authorize the City Manager, in a form approved by the City Attorney, to enter into a Service Provider Agreement with PEC Engineering for the Stoneridge Trail & Trailhead project in the amount of \$24,735.

## Exhibit A – Stoneridge Trail & Trailhead Project Professional Service Scope and Cut Sheet.



Proposal for  
Stoneridge Trailhead Project Design and Construction Management

### Project Schedule

The following schedule reflects our proposed completion time for the design of this project and major milestones for public involvement and construction.

|        | May | June | July | August |
|--------|-----|------|------|--------|
| Task 1 |     |      |      |        |
| Task 2 |     |      |      |        |
| Task 3 |     |      |      |        |
| Task 4 |     |      |      |        |

### Hourly Rates for Extra Work

|                            |       |                       |             |
|----------------------------|-------|-----------------------|-------------|
| Project Manager            | \$120 | Senior Inspector      | \$80        |
| Senior Engineer, PE        | \$100 | Junior Inspector      | \$70        |
| Junior Engineer, PE        | \$90  | Survey Crew (one-man) | \$85        |
| Engineer-in-training (EIT) | \$75  | Survey Crew (two-man) | \$100       |
| Engineering Intern         | \$45  | Draftsman             | \$60        |
| Senior Landscape Architect | \$100 | Administration        | \$40        |
| Junior Landscape Architect | \$75  | Reimbursable Mileage  | \$0.65/mile |

### Project Cost Estimate

| PROJECT NAME: Stoneridge Trail, Fee Proposal                                                     |                     |                  |                    |                    |                     |                    |                    |                  |                    |                     |                     |
|--------------------------------------------------------------------------------------------------|---------------------|------------------|--------------------|--------------------|---------------------|--------------------|--------------------|------------------|--------------------|---------------------|---------------------|
| OBJECT DESCRIPTION: Design and Construction Management of the Stoneridge Trailhead and Trail Pro |                     |                  |                    |                    |                     |                    |                    |                  |                    |                     |                     |
|                                                                                                  | PROJECT MANAGER     | QC/QA            | ENGINEER           | DRAFTER            | LANDSCAPE ARCHITECT | SURVEY CREW        | INSPECTOR          | PI               | CLERICAL / ADMIN   | HOURS PER TASK      | LABOR COST PER TASK |
| <b>TASK DESCRIPTION:</b>                                                                         | <b>LABOR HOURS:</b> |                  |                    |                    |                     |                    |                    |                  |                    |                     |                     |
| 1 Preliminary Design and Initial Lay-Out                                                         | 4                   | 2                | 12                 | 24                 | 4                   | 24                 |                    | 4                | 2                  | 76                  | \$ 5,590.00         |
| 2 Final Design                                                                                   | 4                   | 2                | 16                 | 32                 | 4                   | 4                  |                    | 4                |                    | 66                  | \$ 4,800.00         |
| 3 Bidding Support                                                                                | 4                   |                  | 4                  | 4                  |                     |                    |                    |                  | 16                 | 28                  | \$ 1,760.00         |
| 4 Construction Management                                                                        | 8                   |                  |                    |                    |                     | 20                 | 96                 |                  | 40                 | 164                 | \$ 11,940.00        |
| <b>TOTAL LABOR HOURS</b>                                                                         | <b>20</b>           | <b>4</b>         | <b>32</b>          | <b>60</b>          | <b>8</b>            | <b>48</b>          | <b>96</b>          | <b>8</b>         | <b>58</b>          | <b>334</b>          |                     |
| <b>RAW LABOR COSTS</b>                                                                           | <b>\$ 2,400.00</b>  | <b>\$ 440.00</b> | <b>\$ 2,560.00</b> | <b>\$ 3,600.00</b> | <b>\$ 560.00</b>    | <b>\$ 3,600.00</b> | <b>\$ 7,680.00</b> | <b>\$ 640.00</b> | <b>\$ 2,610.00</b> | <b>\$ 24,090.00</b> | <b>\$ 24,090.00</b> |

|                              |     |          |                 |
|------------------------------|-----|----------|-----------------|
| Mileage =                    | 800 | \$ 0.650 | \$520.00        |
| Copies/Prints                | 500 | \$ 0.250 | \$125.00        |
|                              |     |          |                 |
|                              |     | \$ -     | \$0.00          |
| <b>Total Direct Expenses</b> |     |          | <b>\$645.00</b> |

#### Clarifications:

- 1) Inspection assumed 6 hours a week for 8 weeks
- 2) Construction support assumed 6 a week for 8 weeks

|                    |                     |
|--------------------|---------------------|
| Task Costs         | \$ 24,090.00        |
| Sub Consultants    | \$ -                |
| Direct Expenses    | \$645.00            |
| <b>GRAND TOTAL</b> | <b>\$ 24,735.00</b> |

## City Council Staff Report



Sustainability

**Author:** Heinrich Deters  
**Subject:** Poison Creek Pathway- Award of Construction Contract  
**Date:** May 8, 2014  
**Type of Item:** Administrative - Award of Contract

### **Summary Recommendation:**

Staff requests authorization to proceed with the Poison Creek Pathway Project and authorize the City Manager to enter into a construction contract in a form approved by the City Attorney's Office, with Lyndon Jones Inc., in the amount of Four Hundred and Forty Three Thousand Dollars **(\$443,935.50)**.

### **Topic:**

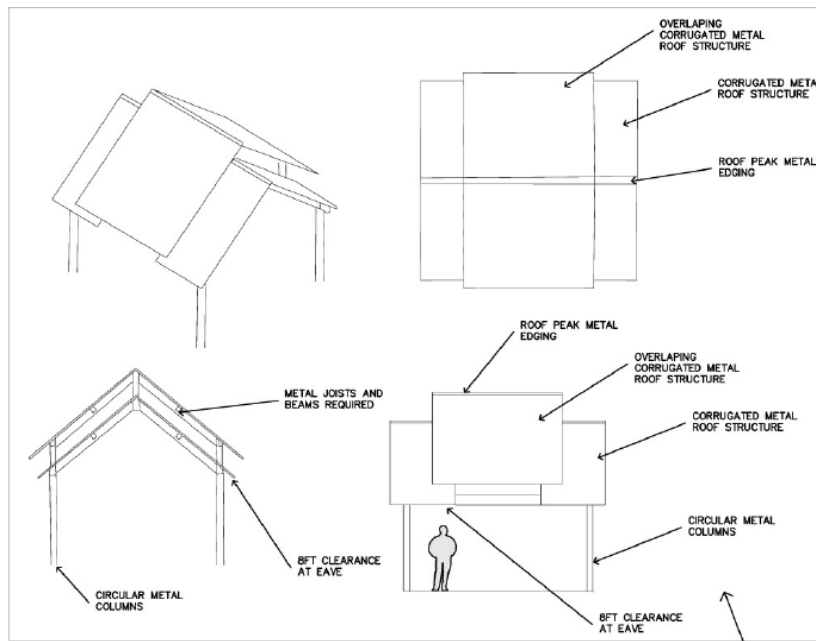
Award Construction Contract - Poison Creek Pathway Project

### **Background:**

On May 22, 2008, City Council approved a recommended list of 36 walking and biking capital projects that would be funded through the \$15M Walkability Bond. As of March 2014, numerous major projects have been completed. These projects include the Bonanza and Comstock underpasses, the Little Kate and Comstock sidewalks, the Holiday Ranch Loop Pathway, traffic calming improvements in Prospector, improvements to the McLeod Creek and Farm Trails, bicycle shoulders, crosswalks and associated signage. Current projects in design are the Poison Creek Pathway, as well as Phases I & II of the Park Avenue improvements.

In October 2013, staff issued an RFP for design and construction management of the Poison Creek Pathway Project. On November 14, 2013, Council awarded a PSA to Alliance Engineering. City departments, including Parks, Recreation, Sustainability, Public Works, Engineering and Planning, met on several occasions to fine tune project goals, scope and other aspects associated with the final project.

On April 3<sup>rd</sup>, staff returned to Council with final design plans associated with the project, including widening the pathway to 12 feet, additional striping and way-finding/safety signage, further coordination with the Public Art Advisory Board, additional off-pathway trail options, improvements to the Boo Radley forest, and landscaping and park improvements. Council provided input per the design of the park improvements, as well as other minor items. Staff returned to Council on April 17<sup>th</sup> in a Manager's Report to follow up on Council's input, such as working with the design team and the Planning Department to identify an appropriate shade structure for the park. Below is the proposed design included in the bid documents.



### Analysis:

Staff advertised the project in the Park Record on April 12<sup>th</sup> and 16<sup>th</sup> and in the Salt Lake Tribune on April 11<sup>th</sup> and 12<sup>th</sup>. Additionally, the bid was posted on [www.utahlegals.com](http://www.utahlegals.com) and the City website.

Two qualified construction firms submitted bids for the project and are identified below:

|                   |              |
|-------------------|--------------|
| Lyndon Jones      | \$443,935.50 |
| Beck Construction | \$575,037.00 |

Lyndon Jones was identified as the qualified low bidder. Alliance Engineering confirmed the bid and recommend approval.

### Engineer's Estimate:

Alliance Engineering provided an initial estimate of \$340,000 for the Walkability aspects of the overall project. Due to the low bid being much higher than the estimate, staff discussed reducing and removing certain items from within the bid package, such as signage, fencing, and a rock wall with the goal to lower project costs. The contractor is willing to accept staff's proposed change order, which will result in project cost reduction of approximately \$30,000. This will not require rebidding of the project.

### Timeline:

Staff anticipates signing contracts and bonding within the next two weeks. Construction will begin approximately mid-May. Construction completion is targeted for July. Some aspects of the project, however, such as park improvements, may be postponed until autumn to avoid disruptions during peak usage times.

### *Pedestrian Impacts/Detours:*

Staff will work with the contractor and code enforcement to create a construction schedule and detour plans. Furthermore, staff anticipates reaching out through various mediums to notify the public, including the Mountain Trails Foundation and City-issued PSAs.

### **Department Review:**

This report was reviewed by representatives of Sustainability, Legal, and the City Manager's Office.

### **Alternatives:**

- A. Approve the request, and authorize the City Manager to enter into a contract with Lyndon Jones Inc., (staff recommendation)**
- B. Modify the request: Council could choose to modify the project and redo the bid process, which would delay the project.
- C. Deny the request: Council could choose to discontinue the project.
- D. Continue the Item: Council may feel there is not enough information to make a decision, which will delay the project and the proposed schedule.
- E. Do Nothing: Same as continuance.

### **Significant Impacts:**

|                                                                           | World Class Multi-Seasonal Resort Destination<br>(Economic Impact)                                                                              | Preserving & Enhancing the Natural Environment<br>(Environmental Impact) | An Inclusive Community of Diverse Economic & Cultural Opportunities<br>(Social Equity Impact)        | Responsive, Cutting-Edge & Effective Government                                                   |
|---------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| Which Desired Outcomes might the Recommended Action Impact?               | + Accessibility during peak seasonal times<br>+ Safe community that is walkable and bike-able<br>+ Internationally recognized & respected brand |                                                                          | + Community gathering spaces and places                                                              | + Well-maintained assets and infrastructure                                                       |
| Assessment of Overall Impact on Council Priority (Quality of Life Impact) | Very Positive<br>                                            |                                                                          | Very Positive<br> | Positive<br> |
| Comments:                                                                 |                                                                                                                                                 |                                                                          |                                                                                                      |                                                                                                   |

### **Funding Source:**

Funding for this project, as well as other future Walkability projects, comes from the 2013A Walkability General Obligation Bonds, which were issued in August 2013 in the

amount of \$7,170,000. The WALC project number 26," widening existing Poison Creek and Kearns paths," has a placeholder of \$555,280.

Funding for City Park specific improvements (approximately \$50,000) will come from the City Park Improvement CIP, which currently has a balance of \$188,840.

**Staff Recommendations:**

Staff requests authorization to proceed with the Poison Creek Pathway Project and authorize the City Manager to enter into a construction contract in a form approved by the City Attorney's Office, with Lyndon Jones Inc., in the amount of Four Hundred and Forty Three Thousand Dollars **(\$443,935.50)**.

## Exhibit A: Poison Creek Pathway Bid Tabulation Sheet

Poison Creek Bid Tabulation 4-30-14

| Item | Description                                           | Bid Qty | Unit | Final EE | Final EE | Orig EE | Orig EE | LJ    | LJ      | Beck  | Beck  |
|------|-------------------------------------------------------|---------|------|----------|----------|---------|---------|-------|---------|-------|-------|
| 1    | Mobilization and Demobilization                       | 1       | LS   | 3000     | 3000     | 5000    | 5000    | 40000 | 40000   | 30000 | 30000 |
| 2    | Storm Water Management                                | 1       | LS   | 5000     | 5000     | 7500    | 7500    | 9000  | 9000    | 10000 | 10000 |
| 3    | Traffic Control                                       | 1       | LS   | 2000     | 2000     | 5000    | 5000    | 12000 | 12000   | 15000 | 15000 |
| 4    | Site Preparation, Earthwork and Sub Grade Preparation | 1       | LS   | 5000     | 5000     | 7500    | 7500    | 22000 | 22000   | 15000 | 15000 |
| 5    | Tree Pruning                                          | 1       | LS   | 1500     | 1500     | 3000    | 3000    | 1575  | 1575    | 7500  | 7500  |
| 6    | 5 1/2" Concrete Sidewalk                              | 2740    | SF   | 5        | 13700    | 7       | 19180   | 5.5   | 15070   | 11.75 | 32195 |
| 7    | Roto-mill Existing Asphalt Pathway                    | 34935   | SF   | 0.2      | 6987     | 0.25    | 8733.75 | 0.4   | 13974   | 0.2   | 6987  |
| 8    | 3" Asphalt Pavement                                   | 46350   | SF   | 1.6      | 74160    | 2       | 92700   | 1.16  | 53766   | 2     | 92700 |
| 9    | Pavers                                                | 1490    | SF   | 15       | 22350    | 15      | 22350   | 20    | 29800   | 18    | 26820 |
| 10   | Footpath-wood chip                                    | 790     | LF   | 10       | 7900     | 15      | 11850   | 2.1   | 1659    | 7     | 5530  |
| 11   | Footpath-dirt                                         | 1330    | LF   | 6        | 7980     | 10      | 13300   | 2.5   | 3325    | 7     | 9310  |
| 12   | Stacked Rock Wall                                     | 2275    | SF   | 30       | 68250    | 40      | 91000   | 23.5  | 53462.5 | 20    | 45500 |
| 13   | Wood Fence                                            | 1000    | LF   | 35       | 35000    | 45      | 45000   | 42    | 42000   | 50    | 50000 |
| 14   | Manhole Adjustment                                    | 5       | EA   | 300      | 1500     | 500     | 2500    | 950   | 4750    | 650   | 3250  |
| 15   | Topsoil                                               | 1       | LS   | 3000     | 3000     | 5000    | 5000    | 3360  | 3360    | 15000 | 15000 |
| 16   | SOD                                                   | 3000    | SF   | 0.9      | 2700     | 1       | 3000    | 0.5   | 1500    | 0.5   | 1500  |
| 17   | Native grass hydroseed or hand broadcast              | 7200    | SF   | 0.3      | 2160     | 0.5     | 3600    | 0.2   | 1440    | 0.5   | 3600  |
| 18   | Shrubs                                                | 27      | EA   | 18       | 486      | 20      | 540     | 37    | 999     | 75    | 2025  |
| 19   | Trees                                                 | 6       | EA   | 400      | 2400     | 400     | 2400    | 400   | 2400    | 400   | 2400  |
| 20   | Rock Mulch                                            | 900     | SF   | 3        | 2700     | 3       | 2700    | 2.1   | 1890    | 2.3   | 2070  |
| 21   | Seating Landscape Rocks                               | 175     | LF   | 50       | 8750     | 75      | 13125   | 37    | 6475    | 150   | 26250 |
| 22   | Landscape Boulders                                    | 60      | EA   | 40       | 2400     | 50      | 3000    | 84    | 5040    | 150   | 9000  |
| 23   | Removable Bollard                                     | 1       | EA   | 550      | 550      | 1000    | 1000    | 200   | 200     | 600   | 600   |
| 24   | Major Trail Sign                                      | 2       | EA   | 800      | 1600     | 1000    | 2000    | 4050  | 8100    | 4000  | 8000  |
| 25   | Minor Trail Sign                                      | 4       | EA   | 500      | 2000     | 750     | 3000    | 1900  | 7600    | 2000  | 8000  |

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## City Council Staff Report

**Subject:** DUAL METER VAULT REPAIR PROJECT  
CONSTRUCTION AGREEMENT – AMENDMENT NO. 1

**Author:** Roger McClain, Water Engineer  
Jason Christensen, Business Resource Supervisor

**Department:** Public Works, Water

**Date:** May 8, 2014

**Type of Item:** Administrative

### **Summary Recommendations:**

Staff recommends Council authorize the City Manager to execute a Construction Agreement Amendment for Change Order 1, in a form approved by the City Attorney, with Hills Construction, Inc., for construction of the Dual Meter Vault Repair Project in an amount of \$44,000.00.

### **Topic/Description:**

Construction of meter improvements in accordance with the Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure;
- Maximize efficient use of existing City sources;
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

### **Background:**

On October 24, 2013, Council Authorized the City Manager to execute a Construction Agreement in the amount of \$35,490.00 with Hills Construction, Inc., to repair fourteen existing water meter vaults.

### **Project Goal and Strategy**

The 'Project' is intended to address the City's obligation to provide reliable water delivery and accurate billing to customers. The initial fourteen water meter rebuilds were selected based on Staff's prioritization of meter vault condition assessments and water consumption data reviews. Eleven of these sites were selected as meter rebuild sites and three of these sites were necessary to bring meter vaults to working order. The selected meter vaults were typically larger meters serving customers with substantial water demands and did not require excavation to complete the work.

Staff identified meter vault deficiencies from field assessments or determined there was a possibility of issues with the meter because a review of billing data showed that consumption at a meter had decreased markedly from the highest year measured.

Staff planned to monitor these meter rebuilds and use the actual payback data to prioritize further work on other meter vaults.

### Work Completed to Date under the Previously Authorized Construction Agreement

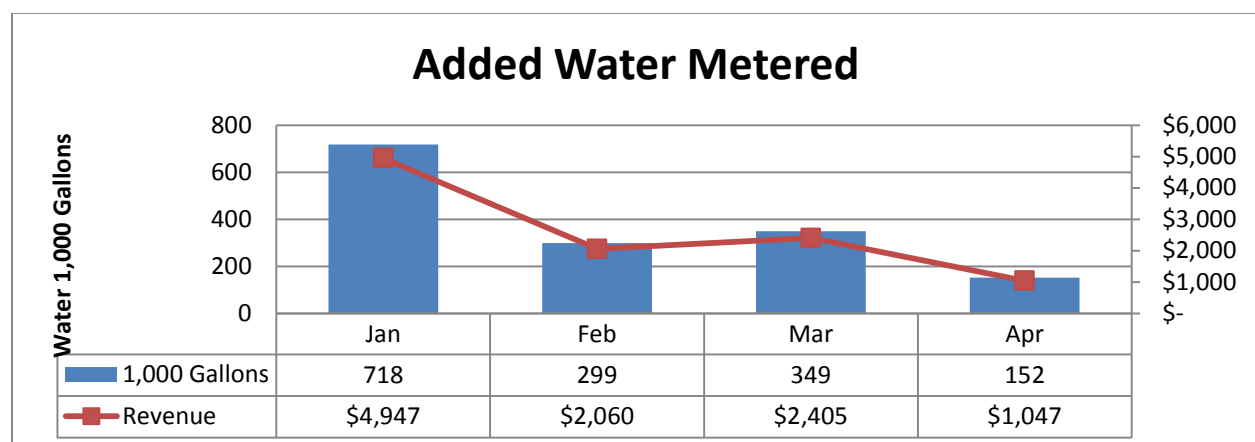
To date thirteen water meter vaults have been repaired. One repair has been delayed until after the ski season to avoid interruption of service to the customer.

The City supplied all new meters, AMR transmitters, piping, valves, and fittings and the Contractor installed the materials consistent with PCMC Design Standards, Specifications, and Standard Drawings. The Owner supplied materials were estimated to be approximately \$50,000 and actual expenditures to date have been \$49,134.

The Water Department has been successful in minimizing the impacts of water service interruptions by working closely with each affected residence or business to develop acceptable schedules for planned water outages during the meter repairs,

### Project Analysis

Staff has monitored the water consumption as the meter rebuilds have occurred. Based on the findings and calculated payback, Staff has is recommending Council authorize a change order for similar work on additional meter vaults. The rebuilds completed under the initial contract are resulting in additional water being metered as it is served to our customers. The amount of water used by these customers is not increasing, but the percentage of their use that is being metered and paid for is increasing. Staff believes that efforts such as these increase awareness of water usage and are an important part of our conservation and water efficiency message. The first 10 meters have metered an additional 1.5 million gallons over 4 months, which translates into an additional \$10,500 dollars in revenue. The projected payback period for these first 10 meters is 2 years based on this data. The actual payback period may be shorter due to seasonal variations in under-metering. Staff speculates that during non-peak times (spring or fall) these new meters will capture a larger percentage of flow than the meters they replace.



The Water Department continues to have a number of time critical projects to complete this year. Based on available personnel, anticipated project workload requirements, and project prioritization, it has been determined that outsourcing the meter repair work would continue to best meet the department's goals and strategies. Delaying any of the

outstanding projects would result in detrimental impacts to the operation of the water system and service to customers.

The meter replacement program under this contract and proposed change order is to be extended through Fiscal Year 2014. No additional change orders to the existing construction contract are anticipated. Under Water's ongoing asset management and meter replacement programs, existing meters and meter vaults will continue to be assessed and identified for repair. Based on an assessment of available personnel and anticipated project workload requirements, a new Request for Proposals would be issued for FY 2015 meter repair construction services.

#### **Proposed Construction:**

The proposed work contained in Change Order No. 1 to the Dual Meter Vault Repair Project consists of repairs to seventeen additional existing water meter vaults. These additional meter vaults were selected based on a prioritization of meter vault condition assessments and on reviews of water consumption data. It is anticipated that all work will be performed within existing vault structures and will not require excavation to complete the work. Therefore, soils handling and disposal is not anticipated for this project.

The City will supply new meters, AMR transmitters, piping, valves, and fittings for the additional vaults. The Contractor will install the materials consistent with PCMC Design Standards, Specifications, and Standard Drawings. Based on the initial meter repair work performed, the Owner supplied materials are estimated to be approximately \$67,000.

To minimize the impacts of water service interruptions, the Water Department will continue to work closely with each affected residence or business to develop acceptable schedules for planned water outages.

None of the existing meter's condition presents a water quality issue; rather the issue is accuracy and condition of the metering equipment. Work will be generally located within public rights of way.

#### **Analysis:**

A Request for Proposal was issued to the Contractor for the identified meter repairs. The submittal was reviewed by staff and based on costs for the initial meter repair work, the proposed prices appear fair, reasonable, and are lower on a per unit basis than the initial contract work. The following summarizes the proposal and project costs:

|                                       | <b><i>Contract Price</i></b> | <b><i>City Provided Parts (est.)</i></b> |
|---------------------------------------|------------------------------|------------------------------------------|
| Original Contract (14 meter repairs)  | \$35,490.00                  | \$49,000                                 |
| Change Order No. 1 (17 meter repairs) | \$44,000.00                  | \$67,000                                 |
| Total                                 | \$79,490.00                  | \$116,000                                |

The Total Project Cost, including the change order and the estimated Owner supplied materials installed under the construction contract, is \$195,490.

The Change Order extends the contract until June 30, 2014.

The City's Project Manager, Roger McClain, will be working under the guidance of the Water Manager.

**Department Review:**

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

**Alternatives:**

**A. Approve:**

Council could authorize the City Manager to execute a Construction Agreement Amendment for Change Order No. 1, in a form approved by the City Attorney, with Hills Construction, Inc., for the construction of the Dual Meter Vault Repair Project in an amount of \$44,000.00.

**B. Deny:**

Council could deny the request for the agreement amendment. Denying the request could result in a reduced level of service and a potential loss of revenue for the City.

**C. Modify:**

Council could modify the request for the agreement amendment. Modifying the request could result in a delay to the project as the impacts of the requested modifications on construction elements are evaluated.

**D. Continue the Item:**

Council could continue the request for the agreement amendment. Continuing the request could result in a delay to the project until key elements can be addressed.

**E. Do Nothing:**

Staff does not recommend this alternative. Doing nothing would delay the construction of the project and impact reliable accurate water delivery to customers.

### Significant Impacts:

|                                                                                       | Preserving & Enhancing<br>the Natural Environment<br>(Environmental Impact)                                                                                                                                      | Responsive, Cutting-<br>Edge & Effective<br>Government                                                                                                                                  |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Which Desired<br>Outcomes might the<br>Recommended<br>Action Impact?                  | <ul style="list-style-type: none"><li>+ Managed natural resources balancing ecosystem needs</li><li>+ Enhanced water quality and high customer confidence</li><li>+ Adequate and reliable water supply</li></ul> | <ul style="list-style-type: none"><li>+ Fiscally and legally sound</li><li>+ Well-maintained assets and infrastructure</li><li>+ Streamlined and flexible operating processes</li></ul> |
| Assessment of<br>Overall Impact on<br>Council Priority<br>(Quality of Life<br>Impact) | Very Positive<br>                                                                                                               | Positive<br>                                                                                           |
| Comments:                                                                             |                                                                                                                                                                                                                  |                                                                                                                                                                                         |

### Funding Source:

The funding for the project is from water service fees and is part of the approved FY 2014 budget.

### Consequences of not taking the recommended action:

The project components are essential to the Water Department's asset management. Delay to the award of construction for the project could impact the City's water revenue.

### Recommendation:

Staff recommends Council authorize the City Manager to execute a Construction Agreement Amendment for Change Order No. 1, in a form approved by the City Attorney, with Hills Construction, Inc., for construction of the Dual Meter Vault Repair Project in an amount of \$44,000.00.

### Exhibits:

EXHIBIT A: Dual Meter Vault Repair Project, Change Order No. 1

**EXHIBIT A**  
**Dual Meter Vault Repair Project**  
**Change Order No. 1**

**CHANGE ORDER**

Order No. 1

Date: March 27, 2014

NAME OF PROJECT: DUAL METER VAULT REPAIR PROJECT  
PROJECT NUMBER: \_\_\_\_\_  
CONTRACTOR: HILLS CONSTRUCTION, INC.  
CONTRACT DATE: NOVEMBER 20, 2013

The following changes are hereby made to the CONTRACT DOCUMENTS:

1. Perform meter repairs at the locations identified in Request for Proposal dated January 6, 2014. \$36,540.00. See attached price breakdown.
2. Allowance Item to perform meter repairs at locations to be identified in subsequent Request for Proposal. \$7,460.00, subject to site specific negotiation, Owner authorization, and notice to proceed for each location.

Total Change to CONTRACT PRICE: (Increase/~~Decrease~~) \$44,000.00

Original CONTRACT PRICE: .....\$35,490.00

Current CONTRACT PRICE adjusted by previous

CHANGE ORDER(S) .....\$35,490.00

The new CONTRACT PRICE including this

CHANGE ORDER is .....\$79,490.00

The CONTRACT TIME is increased to the date for final completion of the WORK is  
June 30, 2014.

The CONTRACTOR agrees to furnish all labor and materials and perform all work as necessary to complete the change order items for the price named herein, which includes all supervision and miscellaneous costs. This change order constitutes full and mutual accord and satisfaction for all time and all costs related to this change. By acceptance of this change order the CONTRACTOR agrees that the change order represents an equitable adjustment to the Contract, and further agrees to waive all right to file a claim arising out of or as a result of this change. This document becomes part of the Contract Documents, and all provisions will apply hereto, upon approval by the OWNER.

Accepted: \_\_\_\_\_  
CONTRACTOR Date

Approved: \_\_\_\_\_  
PCMC WATER ENGINEER Date

DUAL METER VAULT REPAIR PROJECT  
PARK CITY MUNICIPAL CORPORATION

CHANGE ORDER 1  
PAGE 00633-1

### Dual Meter Replacement 2014 Fiscal Year

| Contract                    | Hills Const.<br>Contract | Meters (est.) | Parts (est.) | Project (est.) |
|-----------------------------|--------------------------|---------------|--------------|----------------|
| Current                     | \$35,490.00              | \$30,169.90   | \$18,963.75  | \$84,623.65    |
| Total w/ Change Order No. 1 | \$79,490.00              | \$75,422.98   | \$40,456.00  | \$195,368.98   |

#### Original Bid

| Bid Item               | Meter Vault Location                         | Meter Size | Unit | Hills Construction | Meter Cost (est) | Parts Costs (est) | Project Cost | Completed              |
|------------------------|----------------------------------------------|------------|------|--------------------|------------------|-------------------|--------------|------------------------|
| 1                      | 1201 Mellow Mountain                         | 4          | 1 LS | \$2,240.00         | \$2,154.74       | \$1,264.25        | \$5,658.99   | x                      |
| 2                      | 1640 Captain Molly                           | 6          | 1 LS | \$2,240.00         | \$3,879.24       | \$1,264.25        | \$7,383.49   | x                      |
| 3                      | 1825 Three Kings #3                          | 4          | 1 LS | \$2,240.00         | \$2,154.74       | \$1,264.25        | \$5,658.99   | x                      |
| 4                      | 1825 Three Kings #1                          | 4          | 1 LS | \$2,240.00         | \$2,154.74       | \$1,264.25        | \$5,658.99   | x                      |
| 5                      | 1825 Three Kings #2                          | 4          | 1 LS | \$2,240.00         | \$2,154.74       | \$1,264.25        | \$5,658.99   | x                      |
| 6                      | 1875 Captain Molly                           | 6          | 1 LS | \$2,240.00         | \$3,879.24       | \$1,264.25        | \$7,383.49   | x                      |
| 7                      | 2880 Deer Valley Drive                       | 4          | 1 LS | \$2,240.00         | \$2,154.74       | \$1,264.25        | \$5,658.99   | x                      |
| 8                      | 2346 Park Avenue                             | 6          | 1 LS | \$3,360.00         | \$3,879.24       | \$1,264.25        | \$8,503.49   | Spring/Hotel           |
| 9                      | 7700 Stein Way                               | 6          | 1 LS | \$2,240.00         | \$3,879.24       | \$1,264.25        | \$7,383.49   | x                      |
| 10                     | 7720 Royal Street                            | 6          | 1 LS | \$3,360.00         | \$3,879.24       | \$1,264.25        | \$8,503.49   | x                      |
| 11                     | Empire Park Mountain Lift Lodge              | 2          | 1 LS | \$2,240.00         |                  | \$1,264.25        | \$3,504.25   | x                      |
| 12                     | Empire 1203/Norfolk                          | 1.5        | 1 LS | \$2,240.00         |                  | \$1,264.25        | \$3,504.25   | Spring/Asphalt patch   |
| 13                     | Empire 1450                                  | 2          | 1 LS | \$2,240.00         |                  | \$1,264.25        | \$3,504.25   | Delete                 |
| 14                     | Empire 1482                                  | 2          | 1 LS | \$2,240.00         |                  | \$1,264.25        | \$3,504.25   | Frost Free lid/shutoff |
| 15                     | 9 <sup>th</sup> Street PRV Concrete Bollards |            | 1 LS | \$1,890.00         |                  | \$1,264.25        | \$3,154.25   | Spring                 |
| Total Bid (in Figures) |                                              |            |      | \$35,490.00        | \$30,169.90      | \$18,963.75       | \$84,623.65  |                        |

#### Change Order No. 1

|                        |                          |   |      |             |             |             |              |  |
|------------------------|--------------------------|---|------|-------------|-------------|-------------|--------------|--|
| 16                     | 7660 Royal Street        | 4 | 1 LS | \$2,240.00  | \$2,154.74  | \$1,264.25  | \$5,658.99   |  |
| 17                     | 2 Trailside Ct           | 6 | 1 LS | \$1,820.00  | \$3,879.24  | \$1,264.25  | \$6,963.49   |  |
| 18                     | 1000 Park Ave            | 6 | 1 LS | \$1,820.00  | \$3,879.24  | \$1,264.25  | \$6,963.49   |  |
| 19                     | 7700 Marsac              | 6 | 1 LS | \$1,820.00  | \$3,879.24  | \$1,264.25  | \$6,963.49   |  |
| 20                     | 1630 Iron Horse Loop     | 4 | 1 LS | \$3,640.00  | \$2,154.74  | \$1,264.25  | \$7,058.99   |  |
| 21                     | 2900 Deer Valley Dr      | 6 | 1 LS | \$1,820.00  | \$3,879.24  | \$1,264.25  | \$6,963.49   |  |
| 22                     | 2400 Deer Valley Dr East | 4 | 1 LS | \$2,100.00  | \$2,154.74  | \$1,264.25  | \$5,518.99   |  |
| 23                     | 2305 Sidewinder Dr       | 4 | 1 LS | \$3,500.00  | \$2,154.74  | \$1,264.25  | \$6,918.99   |  |
| 24                     | 1895 Sidewinder Dr       | 4 | 1 LS | \$1,820.00  | \$2,154.74  | \$1,264.25  | \$5,238.99   |  |
| 25                     | 2700 Kearns Blvd         | 4 | 1 LS | \$1,820.00  | \$2,154.74  | \$1,264.25  | \$5,238.99   |  |
| 26                     | 2260 Jupiter View Dr     | 4 | 1 LS | \$1,820.00  | \$2,154.74  | \$1,264.25  | \$5,238.99   |  |
| 27                     | 2001 Park Ave            | 4 | 1 LS | \$1,120.00  | \$2,154.74  | \$1,264.25  | \$4,538.99   |  |
| 28                     | 1305 Lowell Ave          | 4 | 1 LS | \$1,820.00  | \$2,154.74  | \$1,264.25  | \$5,238.99   |  |
| 29                     | 7700 Stein Way           | 4 | 1 LS | \$1,820.00  | \$2,154.74  | \$1,264.25  | \$5,238.99   |  |
| 30                     | 675 Deer Valley Drive    | 4 | 1 LS | \$2,100.00  | \$2,154.74  | \$1,264.25  | \$5,518.99   |  |
| 31                     | 2136 Euston Drive        | 4 | 1 LS | \$1,820.00  | \$2,154.74  | \$1,264.25  | \$5,238.99   |  |
| 32                     | 8789 Marsac              | 6 | 1 LS | \$3,640.00  | \$3,879.24  | \$1,264.25  | \$8,783.49   |  |
| Total Bid (in Figures) |                          |   |      | \$36,540.00 | \$45,253.08 | \$21,492.25 | \$103,285.33 |  |

|                                      |     |             |
|--------------------------------------|-----|-------------|
| Allowance, Differing Site Conditions | 20% | \$7,460.00  |
| Total Change Order                   |     | \$44,000.00 |



## City Council Staff Report

**Subject:** WATER CONVEYANCE - 2013 PIPELINES PROJECT –  
SEGMENT B  
**CONSTRUCTION AGREEMENT – AMENDMENT NO. 1**

**Author:** Roger McClain, Water Engineer

**Department:** Public Works, Water

**Date:** May 8, 2014

**Type of Item:** Administrative

### **Summary Recommendations:**

Staff recommends Council authorize the City Manager to execute a Construction Agreement Amendment for Change Order 1, in a form approved by the City Attorney, with COP Construction, Inc., for construction of the 2013 Pipelines Project, Segment B in an amount of \$461,128.15.

### **Topic/Description:**

Construction of water system improvements are in accordance with the Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure;
- Maximize efficient use of existing City sources;
- Protect existing water sources;
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

### **Background:**

On August 4, 2014, Council Authorized the City Manager to execute a Construction Agreement in the amount of \$3,452,615.00 with COP Construction, Inc., to construct HDPE raw and potable waterlines with associated appurtenances. The Segment B (Judge Tunnel Portal to and across Park City Municipal Golf Course) work consists of approximately 2.6 miles of HDPE 12", 14", 16" potable and raw waterlines and appurtenances including precast vaults, valves, air release vaults, cathodic protection, directional drilling, pump station modifications, swab-pigging of an existing waterline, Golf Course restoration, asphalt restoration, and native landscape restoration. The project is funded by Park City with assistance from the USEPA and State and Tribal Assistance Grants (STAG) program.

The Water Conveyance - 2013 Pipelines Project is an integral part of the City's planned raw water delivery and treatment system for the Judge and Spiro Tunnel sources. The Project addresses, in part, the City's obligation to permit the Tunnels under the Utah Pollutant Discharge Elimination System program (the Clean Water Act). The 2013 Pipelines Project – Segment B improvements, in conjunction with additional raw water and treatment plant improvements, will facilitate the treatment of Judge Tunnel source,



at either the Spiro Water Treatment Plant site or, in conjunction with Segment A, the Quinns Junction Water Treatment Plant.

Park City has secured several grants from the USEPA State and Tribal Assistance Grants (STAG) program for 55% of the project cost up to \$1,973,200.

**Proposed Construction:**

The awarded construction contract contains a pipeline alignment that crosses property currently owned by the Sweeney Land Company (SLC). The pipeline across SLC property is 950 linear feet and requires a 30 feet wide water line easement. As a condition to a proposed easement, the pipeline across the SLC property would likely require relocation of the pipeline in the event there are conflicts with future development on the parcel. The current pipeline alignment, as included in the original construction agreement, is reflected in Exhibit A.

In an effort to avoid a future relocation of the pipeline, Staff has continued to pursue alignment alternatives while coordinating with the SLC representative. An alternative alignment addressing this condition has been developed; subsequently, staff has directed the design engineer to prepare construction drawings for the realignment and requested a construction price proposal from the contractor. The proposed pipeline realignment, reflected in Exhibit B, involves the following:

1. The proposed realignment within the SLC property generally follows the boundary of the SLC parcel and would be located within existing water line easements.
2. The proposed realignment outside of the SLC property would be located within existing water line easements and City rights-of-way.
3. The pipeline realignment is approximately 400 feet longer.
4. To facilitate pipeline installation within the existing water line easements, replacement of an existing water transmission line for a portion of the realignment is required. One segment is within 9<sup>th</sup> Street r-o-w, from Norfolk Avenue to Empire Avenue, and the other segment extends from the southern end of Norfolk, near the Crescent Tram Trail, southerly to the existing water transmission line which was replaced in the year 2002. The replacement also includes installation of new appurtenances including air release stations, temporary valves, connections to existing piping, and flushing & testing.
5. The realignment impacts a longer length of existing City streets and a greater number of residents (9<sup>th</sup> Street from Norfolk Avenue to Empire Avenue and Norfolk Avenue from 9<sup>th</sup> Street to Crescent Tram as opposed to Lowell Avenue from 9<sup>th</sup> Street to Treasure Hill).
6. The proposed work contained in Change Order No. 1 to the 2013 Pipeline Project – Segment B consists of the installation of 1,600 l.f. of raw water transmission line (an increase of 400 l.f.), the relocation/replacement of 890 l.f. of existing 12" drinking water transmission line, the relocation/replacement of 47 l.f. of existing 8" drinking water distribution line, and associated appurtenances.

The proposed construction and associated costs are based on the closure of Norfolk Avenue from 9<sup>th</sup> Street to 8<sup>th</sup> Street during construction through that area. The need for a road closure has been identified for the following reasons:

1. To avoid existing utilities, the proposed pipeline location within the street will likely result in construction equipment blocking the roadway during trenching operations.
2. The pipeline material, fused joint HDPE, requires a substantial length of trench to remain open for pipe joint fusing operations and installation. Alternative materials have been reviewed but determined to be inconsistent with the design parameters.
3. Road closure will expedite construction thus shortening the duration of neighborhood impacts. The change order limits the road closure between 9<sup>th</sup> Street and 8<sup>th</sup> Street to one week.
4. The road closure, based on the proposed duration, has been discussed with the City Engineer and no objections have been expressed.
5. Any road closure will be appropriately coordinated with impacted residents and emergency services such as Fire and Police. A traffic control plan and signage will be submitted for approval by the City Engineer.

**Analysis:**

The design engineer and Staff have reviewed the contractor's final price proposal and determined that the price is a fair value for the proposed construction work. Staff has also compared the proposed pipeline realignment with the original pipeline alignment. Key points of comparison are summarized below:

1. Total price of realignment is \$405,680, which includes a \$125,146 credit, for the portion of the original alignment that would not be constructed. The raw water realignment portion is \$199,084 and the drinking water pipeline replacement portion is \$206,596.
2. It is anticipated that if relocation of the raw water pipeline, from the current design location, is required in the future, the cost would be similar to the proposed realignment change order cost.
3. The existing ductile iron drinking water transmission and distribution lines are greater than 40 years old. The transmission line, which is critical to delivery of water to the upper portions of the water system, is a high pressure line and therefore considered to be nearing its end of life-cycle. These existing water lines are scheduled to be further evaluated with possible replacement anticipated to be included in the 10-year capital improvement budget.
4. The cost of new water line easements will be eliminated as they are not required for the proposed realignment.

Staff recommends approval of the pipeline realignment and associated Change Order No. 1 price.

Change Order No. 1 also includes the following items:

1. Soft Spot Repair: \$3,900.00. Prior to paving of the project staging area at the PCMR parking lot, to prevent premature pavement breakup subgrade stabilization under specific areas of the existing pavement is required.
2. HAZWOPER Training: \$15,880.03. The contractor safety certifications and associated training is a site requirement for work within the United Park City Mine Corporation easements in Empire Canyon and was not addressed in the original contract documents.
3. Daly PS Modifications: \$34,888.68. Modifications within the existing pump station address proposed water distribution system fire flow and pressure control modifications to the Daly and Woodside pressure zones.
4. Winter Mobilization for Empire Flow Meter: \$779.47. In an effort to ensure the capture of accurate flow measurement from the Judge Tunnel portal, the contractor has been requested to expedite the Judge Tunnel portal flow meter installation.

The design engineer and staff have reviewed the final price proposal and determined that the price is a fair value for the proposed work. Staff recommends approval of the additional work items and associated Change Order No. 1 price.

**Department Review:**

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

**Alternatives:**

**A. Approve:**

Council could authorize the City Manager to execute a Construction Agreement Amendment for Change Order No. 1, in a form approved by the City Attorney, with COP Construction, Inc., for the construction of the 2013 Pipelines Project – Segment B in an amount of \$461,128.15.

**B. Deny:**

Council could deny the request for the agreement amendment. Denying the request could result in a delay to the project with potential impacts to construction costs and existing STAG program funding.

**C. Modify:**

Council could modify the request for the agreement. Modifying the request could result in a delay to the project as the impacts of the requested modification on construction elements are evaluated.

**D. Continue the Item:**

Council could continue the request for the agreement amendment. Continuing the request could result in a delay to the project until key elements can be addressed.

**E. Do Nothing:**

Staff does not recommend this alternative. Doing nothing could delay the construction of the project with potential impacts to construction costs and existing STAG program funding.

## Significant Impacts:

|                                                                                       | Preserving & Enhancing<br>the Natural Environment<br>(Environmental Impact)                                      | Responsive, Cutting-<br>Edge & Effective<br>Government                                                                                  |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Which Desired<br>Outcomes might the<br>Recommended<br>Action Impact?                  | + Adequate and reliable<br>water supply<br>+ Enhanced water quality<br>and high customer<br>confidence<br>+<br>- | + Well-maintained assets<br>and infrastructure<br>+ Fiscally and legally sound<br><br>+ Streamlined and flexible<br>operating processes |
| Assessment of<br>Overall Impact on<br>Council Priority<br>(Quality of Life<br>Impact) | Positive<br>                    | Positive<br>                                           |
| <b>Comments:</b><br><br>                                                              |                                                                                                                  |                                                                                                                                         |

## Funding Source:

The funding for the project is from water service fees and is part of the proposed 5-year water CIP. Park City has secured financing assistance from the USEPA State and Tribal Assistance Grants (STAG) program for the project for up to \$1,973,200 on a matching basis.

## Consequences of not taking the recommended action:

The project components are essential to the Water Department's integrated water treatment approach to comply with the pending Utah Pollutant Discharge Elimination system (UPDES) permit for the Judge Tunnel. Delay to the award of construction for the project could impact the ability to meet UPDES milestones and also jeopardize the existing financing assistance from the USEPA State and Tribal Assistance Grants (STAG) program.

## Recommendation:

Staff recommends Council authorize the City Manager to execute a Construction Agreement Amendment for Change Order 1, in a form approved by the City Attorney, with COP Construction, Inc., for construction of the 2013 Pipelines Project, Segment B in an amount of \$461,128.15.

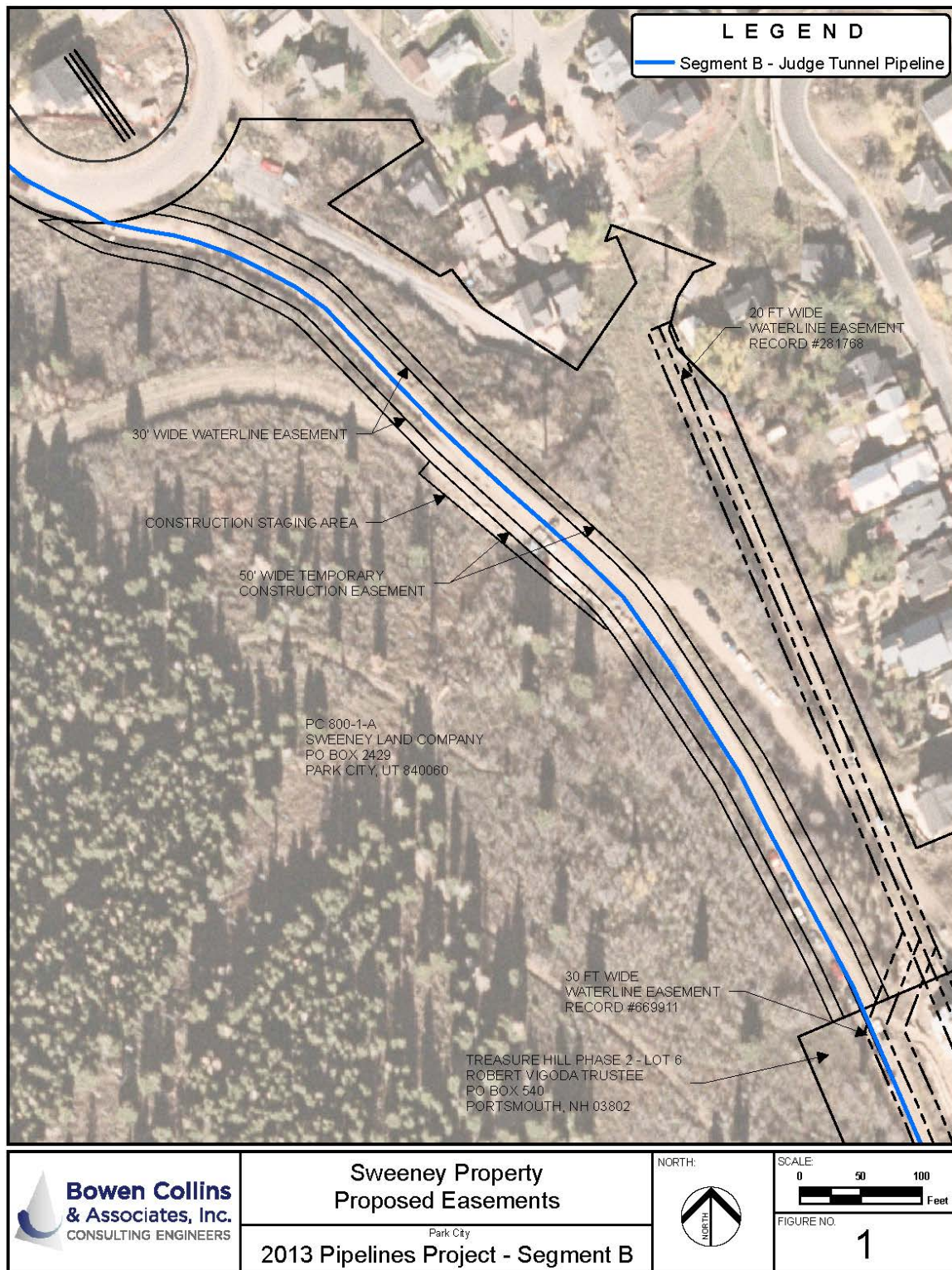
## Exhibits:

EXHIBIT A: Current Pipeline Alignment

EXHIBIT B: Proposed Pipeline Alignment

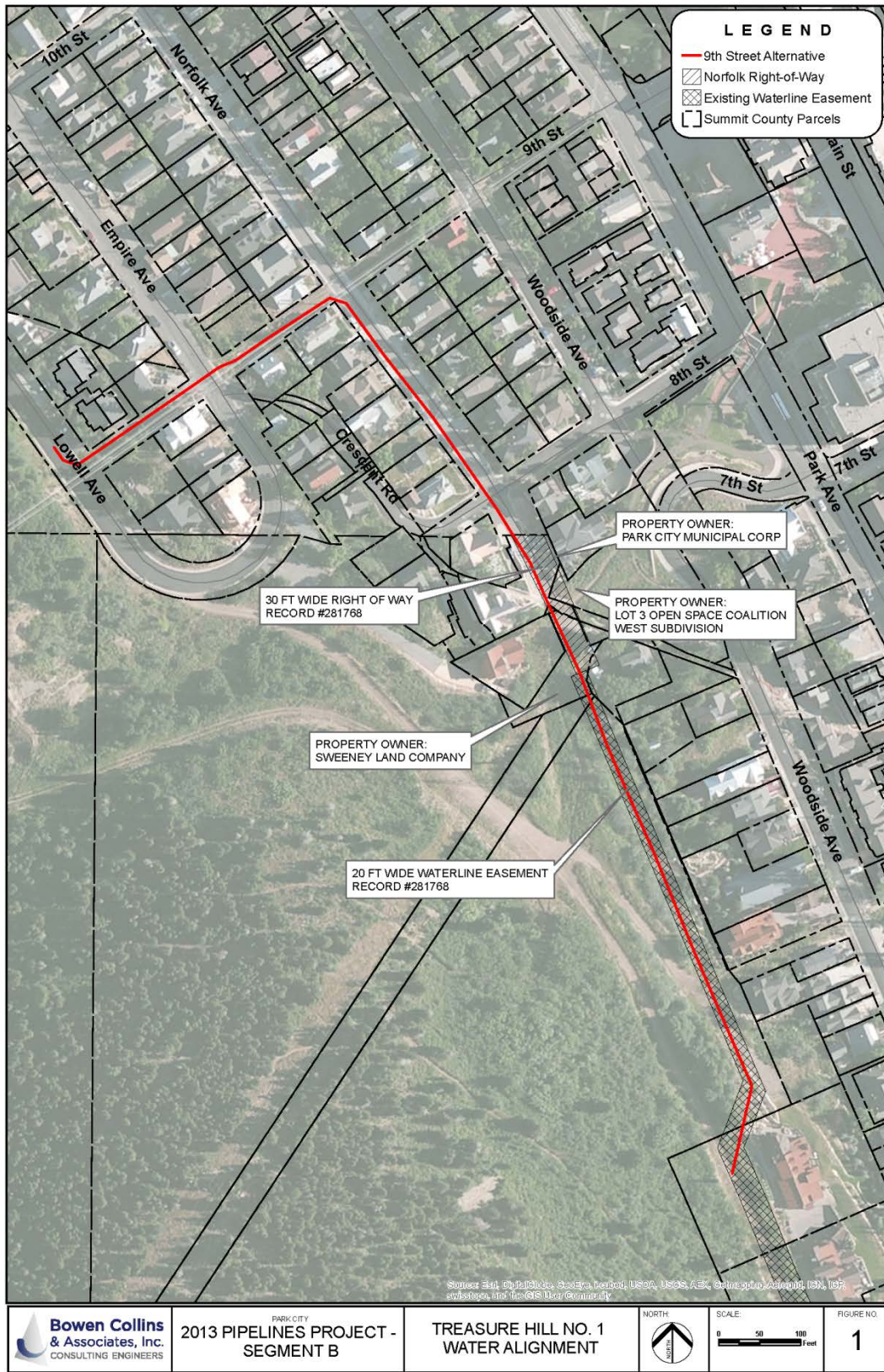
EXHIBIT C: 2013 Pipelines Project – Segment B, Change Order No. 1

## EXHIBIT A: Current Pipeline Alignment





## EXHIBIT B: Proposed Pipeline Alignment



**EXHIBIT C:**  
**2013 Pipelines Project – Segment B, Change Order No. 1**

**CHANGE ORDER**

Order No. 01  
Date: 05/08/14

NAME OF PROJECT: 2013 Pipelines Project – Segment B  
PROJECT NUMBER: 155-12-01  
CONTRACTOR: COP Construction, Inc.  
CONTRACT DATE: August 16, 2013

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The following changes are hereby made to the CONTRACT DOCUMENTS:

|                                                                     |                  |
|---------------------------------------------------------------------|------------------|
| Work Change Directive 01—Additional Soft Spot Repair – See Attached | \$ 3,900.00      |
| Work Change Directive 02 – HAZWOPER Training .....                  | \$ 15,880.03     |
| Daly PS Modifications.....                                          | \$ 34,888.68     |
| Winter Mobilization for Empire Flow Meter .....                     | \$ 779.47        |
| WCD 02 Subtotal--See Attached .....                                 | \$ 51,548.15     |
| Pipeline Realignment (Lowell Ave. PRV to Sta. 86+00)                |                  |
| RFQ 01 .....                                                        | \$519,826.00     |
| Credit for Pipeline Deducted from Project.....                      | \$125,146.00     |
| Additional 9,000 SF Slurry Seal, Bid Item 23 @ \$1.10/SF            | \$ 11,000.00     |
| Pipeline Realignment Subtotal—See Attached .....                    | \$405,680.00     |
| <br>Total Change to CONTRACT PRICE: (Increase) .....                | <br>\$461,128.15 |
| Original CONTRACT PRICE: .....                                      | \$3,452,615.00   |
| Current CONTRACT PRICE adjusted by previous                         |                  |
| CHANGE ORDER(S) .....                                               | \$3,452,615.00   |
| The new CONTRACT PRICE including this                               |                  |
| CHANGE ORDER is .....                                               | \$3,913,743.15   |

The CONTRACT TIME is increased by 0 calendar days.

BC&A  
PARK CITY MUNICIPAL CORPORATION  
2013 PIPELINES PROJECT—SEGMENT B

CHANGE ORDER  
PAGE 00633-1

The CONTRACTOR agrees to furnish all labor and materials and perform all work as necessary to complete the change order items for the price named herein, which includes all supervision and miscellaneous costs. This change order constitutes full and mutual accord and satisfaction for all time and all costs related to this change. By acceptance of this change order the CONTRACTOR agrees that the change order represents an equitable adjustment to the Contract, and further agrees to waive all right to file a claim arising out of or as a result of this change. This document becomes part of the Contract Documents, and all provisions will apply hereto, upon approval by the OWNER.

Recommended: \_\_\_\_\_  
ENGINEER Date

Accepted: \_\_\_\_\_  
CONTRACTOR Date

Approved: \_\_\_\_\_  
OWNERS PROJECT MANAGER Date





## City Council Staff Report

**Subject:** BOWEN COLLINS, & ASSOCIATES  
PROFESSIONAL SERVICES AGREEMENT  
ADDENDUM NO 10

**Author:** Roger McClain, Water Engineer

**Department:** Public Works, Water

**Date:** May 8, 2014

**Type of Item:** Administrative

### Summary Recommendations:

Staff recommends Council authorize the City Manager to execute the Tenth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates for General Engineering Services in an amount not to exceed \$35,000.

### Topic/Description:

General Engineering Services are in accordance with the Water Strategic Plan's Source Strategies & Policies as follows:

- Source, Water Quality and Infrastructure;
- Maximize efficient use of existing City sources;
- Protect existing water sources;
- Ensure public health and safety is protected through quality water; and
- Maximize operational efficiency.

### Background:

Bowen Collins and Associates is approaching expenditure of the approved contract amount for their general engineering services agreement. The Water Department is currently in the process of soliciting qualifications from consulting firms to provide general water engineering services to the City and the process is anticipated to require 60 to 75 days. To retain access to support services necessary to the City during the general water engineering services solicitation and contracting period, staff proposes an extension to the existing Bowen Collins and Associates general engineering services contract.

The proposed Tenth Amendment includes engineering services for the following work:

1. Water modeling and analysis of water system delivery and pressures. Bowen Collins currently maintains the City's water model which supports the analysis of proposed development projects to meet the State Division of Drinking Water (DDW) water model/master plan approval requirements. During the City's review of these projects, staff works with the design engineer, Fire Marshal, State DDW, and Bowen Collins to ensure that the proposed water system design meets fire flow demands and water pressure requirements and regulations.

2. Water system modeling and analysis services also support the development of proposed operational modifications and improvements to the water distribution and supply system. With recent changes to the location of source delivery, staff is currently making system modifications which require supplemental modeling and analysis to ensure that customers are provided drinking water at adequate flowrate and pressure.
3. Accurate GIS water system base mapping is critical to and the foundation for Water Department services such as blue-staking water lines, water operations, and water modeling & planning. The IT Department provides administration of the GIS system but the Water Department maintains the GIS water mapping and modifications. The Water Department has recently updated the GPS field survey of water appurtenance locations (such as valves, hydrants, meters, PRVs) throughout the City. Addendum 10 includes services to perform water base mapping revisions using the field collected information.

Bowen Collins & Associates (BC&A) was selected for General Engineering Services for Water Division projects after advertising an RFP and receiving proposals at the end of 2006. A Professional Services Agreement was executed in December 2006. The prior amendment to the Agreement is contained in the January 23, 2014, Staff Report and can be found at the following e-link:

<http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=12323>

#### **Analysis:**

Staff has developed the Tenth Amendment scope of services and estimated fee based on anticipated needs through the general water engineering services solicitation and contracting period. Estimated services and associated fees are:

|                                                              |          |
|--------------------------------------------------------------|----------|
| Water modeling of water system for development projects..... | \$ 5,000 |
| Water modeling and analysis of water system.....             | \$10,000 |
| GIS water base mapping assistance.....                       | \$20,000 |

These services are included in Exhibit A to the Staff Report in an amount not-to-exceed \$35,000.00.

The City's Project Manager for these services, Roger McClain, will be working under the guidance of the Water Manager.

#### **Department Review:**

This report has been reviewed by representatives of Public Works, Legal, and the City Manager's Office and their comments have been integrated into this report.

#### **Alternatives:**

##### **A. Approve:**

Council could authorize the City Manager to execute the Tenth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates, for General Engineering Services in an amount of \$35,000.

**B. Deny:**

Council could deny the request for the agreement. Denying the request could delay Utah Division of Drinking Water construction plan approvals for new development water system improvements. It could also expose the City to additional risk from inaccurate blue-staking and delay operational modifications which could impact water delivery to the City's customers.

**C. Modify:**

Council could modify the request for the agreement. Modifying the request could result in delays to Utah Division of Drinking Water construction plan approvals for new development water system improvements and delays to operational modifications as the impacts of the requested modifications are evaluated.

**D. Continue the Item:**

Council could continue the request for the agreement. Continuing the request would likely delay support services until a new contract is established. This could delay Utah Division of Drinking Water construction plan approvals for new development water system improvements, expose the City to additional risk from inaccurate blue-staking, and delay operational modifications which could impact water delivery to the City's customers until a new general water engineering services contract is authorized by Council.

**E. Do Nothing:**

Staff does not recommend this alternative. Doing nothing could delay Utah Division of Drinking Water construction plan approvals for new development water system improvements, and could also delay operational modifications which could impact water delivery to the City's customers until a new general water engineering services contract is authorized by Council.

**Significant Impacts:**

|                                                                                       | Preserving & Enhancing<br>the Natural Environment<br>(Environmental Impact)                                      | Responsive, Cutting-<br>Edge & Effective<br>Government                                                                                  |
|---------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| Which Desired<br>Outcomes might the<br>Recommended<br>Action Impact?                  | + Adequate and reliable<br>water supply<br>+ Enhanced water quality<br>and high customer<br>confidence<br>+<br>- | + Well-maintained assets<br>and infrastructure<br>+ Fiscally and legally sound<br><br>+ Streamlined and flexible<br>operating processes |
| Assessment of<br>Overall Impact on<br>Council Priority<br>(Quality of Life<br>Impact) | Positive<br>                  | Positive<br>                                         |
| Comments:                                                                             |                                                                                                                  |                                                                                                                                         |

**Funding Source:**

The funding for the project is from water service fees and is part of the proposed 2-year Water operating budget.

**Consequences of not taking the recommended action:**

Doing nothing would delay Utah Division of Drinking Water construction plan approvals for new development water system improvements and could also delay operational modifications. This could potentially result in the inability to timely process water approvals for new development projects or delay water system modifications which could impact water delivery to the City's customers.

**Recommendation:**

Staff recommends Council authorize the City Manager to execute the Tenth Amendment to the Professional Services Agreement, in a form approved by the City Attorney, with Bowen Collins & Associates for General Engineering Services in an amount not to exceed \$35,000.

**Exhibits:**

EXHIBIT A: Tenth Addendum to the Professional Services Agreement - Scope of Services and Fee Summary

**EXHIBIT A:**  
**Tenth Addendum to the Professional Services Agreement - Scope of Services and Fee Summary**

Scope of Services and Fee Summary  
Tenth Addendum to the Professional Services Agreement

**DESCRIPTION OF SERVICES:**

At the direction of the City, provide the following services:

1. Perform water modeling, based on demand criteria provided by the developer's engineering and fire flow requirements established by the Fire Marshal. Provide a letter to the Utah DDW confirming results of modeling with respect to design standards.
2. Perform water system modeling and analysis for scenarios established by the City. Provide a technical memorandum summarizing the results of the modeling and analysis.
3. Provide GIS mapping assistance to integrate existing GPS water survey and record drawing information into the City's water system GIS base mapping.

**FEE SUMMARY:**

Park City shall pay Service Provider for Addendum No. 10 related professional services at the rates established in the agreement in an amount not to exceed \$35,000.00.

**EXTENSION OF TERM.** The term of the Original Agreement shall be adjusted and extended by Amendment Ten to the Original Agreement and will have a termination date of August 1, 2014, or upon such later date as agreed to in writing by City and Service Provider, as provided for in Paragraph 23 of the Original Agreement.

## City Council Staff Report



**Subject:** Re-establishment of Lots 30 and 31 of the Holiday Ranchettes  
Subdivision located at 2519 and 2545 Lucky John Drive  
**Author:** Kirsten Whetstone, Senior Planner  
**Date:** May 8, 2014  
**Type of Item:** Administrative – Plat Amendment  
**Project Number:** PL-13-01980

### **Summary Recommendations**

Staff recommends the City Council hold a public hearing for the Re-establishment of Lots 30 and 31 of the Holiday Ranchettes Subdivision plat amendment and approve the plat amendment based on the findings of fact, conclusions of law, and conditions of approval as found in the attached ordinance.

On March 12, 2014, the Planning Commission conducted a public hearing and after discussion forwarded a positive recommendation to the City Council with a 4 to 2 vote, following a failed motion to continue to April 23, 2014. Minutes of the meeting are attached as Exhibit J.

On April 24, 2014, the City Council conducted a public hearing and continued the item to May 8, 2014, at the request of the applicant and HOA in order for the parties to meet to address issues and concerns.

### **Description**

**Applicant:** Steven Schueler on behalf of Kristen and David Lanzkowsky, owners  
**Location:** 2519 Lucky John Drive  
**Zoning:** Single Family (SF) Residential District  
**Adjacent Land Uses:** Residential and Open Space  
**Reason for Review:** Plat amendments require Planning Commission review and City Council approval

### **Proposal:**

The applicants are proposing to re-establish Lots 30 and 31 of the Holiday Ranchettes Subdivision (Exhibit A). This application is a request to amend a 1999 approved administrative lot line adjustment that combined these two lots into one lot. The proposal is a request to re-establish the two (2) one-acre lots as separately developable lots, as originally platted with the May 31, 1974, Holiday Ranchettes Subdivision plat. Each lot would be approximately 1.0 acres in area.

### **Purpose**

The purpose of the Residential SF District is to:

- (A) Maintain existing predominately Single Family detached residential neighborhoods,
- (B) Allow for Single Family Development Compatible with existing Developments,
- (C) Maintain the character of mountain resort neighborhoods with Compatible residential design; and
- (D) Require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

### **Background**

In 1974, the Holiday Ranchettes Subdivision plat (Exhibit B), was approved by Council and recorded. The subdivision was ultimately constructed in the neighborhood area now generally known as Park Meadows. Lots in the originally platted subdivision, in the vicinity of Lots 30 and 31, range in area from 0.96 acres to 1.77 acres, with a majority of the lots being about one acre. There are few vacant lots left in this single family lot subdivision.

In August 1999, John D. Cumming and Kristi Terzian, owners of Lots 30 and 31 of the Holiday Ranchettes Subdivision, were approved to combine Lots 30 and 31 into one parcel containing approximately 2 acres (Exhibit C). The 1999 approval was an administrative lot line adjustment approved by the Planning Director. Lot 30 (2545 Lucky John Drive) and Lot 31 (2519 Lucky John Drive) effectively became one lot. A single family house with an attached garage and a detached garage with a shared driveway are located on the lot (Exhibits D and E).

On July 8, 2013, the applicants applied to re-establish the previous lots. On July 18, 2013, the application was determined by staff to be complete, and on July 23, 2013, the application went before the Development Review Committee for their review of the proposed subdivision.

On September 25, 2013, the Planning Commission reviewed the application and conducted a public hearing on the matter (Exhibit F). Following public input and discussion by the Commission, the item was continued to a date uncertain to allow the applicant to meet with the Homeowner's Association to understand their concerns. Issues raised at the public hearing included items related to CCR violations, landscaping maintenance, lack of communication between the owner and the HOA, and a concern that grading done on Lot 31 elevates its existing grade and a future house would be taller as a result.

As a result, there is now an understanding between the owner and the HOA regarding future improvements or changes to these lots (Exhibit G). Because the HOA is registered with the City there is a requirement that a letter from the HOA be submitted with any application for building permits on lots in this subdivision.

The owner's representative met with a member of the HOA to review issues raised by the HOA regarding the plat amendment and potential future changes to the existing house, landscaping, driveway, fence, and other improvements on the lot, as well as to discuss the maintenance of the existing landscaping and irrigation. Between November and early February, Staff and the applicant attempted to arrange an additional meeting

with the owner's representative, Steve Schueler of Alliance Engineering, and representatives from the HOA, but the HOA was unable to attend.

The applicant requested to be placed on the February 26<sup>th</sup> Planning Commission meeting and the project was re-noticed and posted. On February 18, 2014, Planning staff arranged a meeting between the HOA and the owner's representative (Exhibit J). The applicant's representative provided a proposal to the HOA concerning the property and indicated what the owner intended to do with the property in the future. The owner acknowledges that in the future he does intend to sell the lot as a separate single family lot. The HOA requested a continuation to the next meeting to allow additional time to work issues out. The applicant agreed, and on February 26<sup>th</sup> the Commission conducted a public hearing and continued the item to March 12, 2014.

On March 12, 2014, the Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council with a 4 to 2 vote. The first motion to continue the item failed on a 4 to 3 vote with the Chair breaking the tie (Exhibit J- Planning Commission minutes).

Public input was provided at the meeting from a representative of the Architectural Review Committee of Holiday Ranchettes Subdivision requesting a continuation until the HOA and property owner could work out their issues. The applicant's representative indicated that he had just met with the HOA representative and they had come to an agreement as to what the HOA would expect to receive prior to any work on the property. The applicant's representative requested an action from the Planning Commission and expressed that they had submitted the application eight months ago, set up several meetings with the HOA in November and December, and finally were only able to get together with the HOA the week before the Planning Commission meeting. He indicated that it was only once the item was placed back on the Commission's agenda that the HOA was able to meet. They agreed to continue working on an agreement between the HOA and the property owner to address issues the HOA has with the property.

### **Analysis**

The allowed density within the SF District is three dwelling units per acre. The Holiday Ranchettes Subdivision, as originally recorded in 1974, is a multiple lot development consisting of mostly one-acre lots. The subject property is currently two-acres in size, and has double frontage onto both Holiday Ranch Loop Road and Lucky John Drive. There is an existing home with access from Lucky John Drive located on proposed Lot 30, and an existing detached garage located on Lot 31.

A shared driveway provides access to Lots 30 and 31. The LMC (Section 15-3-3 (H)) strongly recommends shared driveways. Shared driveways decrease impervious surface and storm water run-off. Shared drives provide for greater landscaping/open space areas and provide opportunities for designs that lessen visual impacts of garages, while decreasing the number of curb cuts on streets.

Staff reviewed the proposed plat amendment request and found compliance with the following Land Management Code (LMC) requirements for lot size, allowed footprint, setbacks, width, and other factors:



## **Holiday Ranchettes and SF District Lot Requirements**

- Existing Lot Size: 87,120 square feet (2 acres)
- Required Minimum Lot Size: 14,520 (1/3 acre)\*
- Proposed (per lot) 43,560 square feet (1 acre) per lot
- Existing Lot Width: 290 feet
- Proposed Widths 145 feet
- Required Setbacks – Front/Rear: 20' Front, 20' foot Rear (2 frontages)
- Required Setbacks – Side: 12'
- Required Setback to any front facing garage- 25' (n/a for existing configuration)

\*No minimum lot size – district allows three dwellings per acre (no house size limitations). Maximum height is 28' from existing grade (5' exception for pitched roof).

The existing home on Lot 30 meets the setback requirements from both the existing and new proposed lot lines. The existing home is typical of the existing development in Park Meadows in terms of mass and scale. The re-established Lots are typical of lots in the neighborhood. If not re-established as two separate lots, the size of the existing two acre lot could result in a house that is out of scale and incompatible with typical houses in the neighborhood. The existing lot is twice the size of typical lots.

The garage building, located on Lot 31, also meets the required front and side yard setbacks. Accessory structures are an allowed use in the SF district so long as they meet the setback and building height requirements. Setbacks are not required for shared driveways.

The pattern of development in the neighborhood includes primary access to these double frontage lots from Lucky John Drive and not from Holiday Ranch Loop Road, providing consistent building setback areas along Lucky John Drive and Holiday Ranch Loop. The existing safe route to school pedestrian/bike trail along Holiday Ranch Loop would be compromised if primary access is permitted from Holiday Ranch Loop Road.

Upon analysis of the plat amendment and review of the HOA concerns, staff recommends specific conditions of approval in order to find good cause with this plat amendment. Staff recommends the following conditions be included on the plat prior to recordation:

- 1) Prior to making any physical changes to the property and prior to occupancy of the detached garage located on Lot 31, for any use other than as a detached garage and storage building, the applicant shall meet with the HOA (provided that there is an established HOA at the time of the building permit application) and shall provide to the City, with any building permit application, a detailed letter from the HOA outlining the HOA's concerns and recommendations with said building permit application.
- 2) A certificate of occupancy, issued by the City, is a condition precedent to occupation of the garage on Lot 31 for any use other than as a detached garage or storage building.

- 3) Any construction on Lots 30 and 31 shall use the original grade (USGS topography that existing prior to construction on the lots) in the calculation of Building Height.
- 4) The garage structure on Lot 31 may not be used as a dwelling unit until separate utilities and sewer services are provided for this lot, as required by the various utility providers, and until a certificate of occupancy is issued by the City. Utility work, including grading and landscape changes, requires a building permit. A letter from said HOA, stating that the HOA is aware of the proposed work and outlining any concerns and recommendations, shall be provided to the City prior to issuance of any permits for this work.
- 5) Prior to recordation of the plat, an access easement for the shared driveway shall be recorded at Summit County and reflected on each lot shown on the plat. The access easement shall include a maintenance agreement for the shared driveway. Access easements may be vacated if the shared driveway is modified and the access encroachment is removed.
- 6) Prior to recordation of the plat, any existing utilities that crosses a property line, shall be relocated as required by the utility providers. If relocation is not required, then utility easements shall be recorded at the County and documented on the plat.
- 7) Prior to proposed construction on Lots 30 and 31, including additions, remodels, driveway re-locations, grading, landscaping, fencing, and any other construction that requires a permit from the City, a letter from said HOA, stating that the HOA is aware of the proposed work, and outlining any concerns and recommendations, shall be provided to the City prior to issuance of any permits for construction work.
- 8) No access to Lots 30 and 31 is permitted from Holiday Ranch Road.
- 9) A ten foot (10') wide public snow storage easement is required along the frontage of the Lots on both the Holiday Ranch Road and Lucky John Drive frontages.
- 10) Modified 13-D sprinklers will be required for new construction as required by the Chief Building Official at the time of review of the building permit.

### **Good Cause**

Planning Staff finds good cause for the application as conditioned. The proposed plat re-establishes the original two-lot configuration. The proposed plat causes no nonconformities with respect to setbacks, lot size, maximum density, or otherwise. The proposed plat does not increase the original overall density of the Holiday Ranchettes Subdivision. All original drainage and utility easements shall be platted as they were on the original plat. New snow storage easements and easements to address shared access and encroaching utilities will be provided. Conditions regarding access from Holiday Ranch Loop are also re-instated with this plat.

Staff finds that the plat, as conditioned, will not cause undo harm on any adjacent property owner or any property within the subdivision because the proposal is consistent with the approved 1974 Holiday Ranchettes Subdivision plat, meets the requirements of the Land Management Code, and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements. Proposed conditions of approval require the applicant to provide to the City a letter from the HOA outlining concerns and recommendations regarding any proposed changes to the property, prior to issuance of any building permits. The CCRs include a site layout exhibit showing house, barn, and driveway locations (Exhibit H).

The existing home is typical of the existing development in Park Meadows, and the subdivision will allow for another home of similar size to be built in the subdivision as originally planned when the Holiday Ranchettes Subdivision was approved. Shared driveways are encouraged by the LMC. The plat provides for a restriction of access to Lucky John Drive and protects the safe routes to school pedestrian and bike path from additional primary access across it.

### **Process**

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

### **Department Review**

This project has gone through an interdepartmental review. Staff wanted to assure that all originally platted easements were re-established and that all wet and dry utilities that cross over the proposed lot lines (water, sewer, and electricity) be relocated to be on the respective lots and not cross property lines, as required by individual utilities. Limiting access to Lucky John Drive was also discussed. Issues related to the existing grade and building height calculations were also brought up. These issues are included as conditions of approval. Shared access is permitted provided cross access easements are recorded prior to plat recordation.

### **Notice**

The property was re-posted and notice was mailed again to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record in accordance with the requirements of the LMC.

### **Public Input**

On September 3, 2013, staff received a letter from Eric Lee (Exhibit G) which was also provided to the Planning Commission at the previous meeting. The letter outlines concerns of the HOA, as described above. Public input was provided at the meeting on September 25, 2013. Concerns raised by the public included lack of communication between the owner and the HOA, concerns about maintenance and landscaping by the property owner, and concerns regarding future development that is not consistent with the CCRs. Public input received prior to the March 12<sup>th</sup> meeting is attached (Exhibit I). Public input was provided at the March 12<sup>th</sup> Planning Commission meeting (Exhibit J). No public input was provided at the April 24, 2014 public hearing. The item was continued to May 8, 2014.

### **Alternatives**

- The City Council may approve the Re-establishment of the Original Plat of Lot 30 and Lot 31 Holiday Ranchettes Subdivision replat, located at 2519 and 2545 Lucky John Drive, as conditioned or amended (staff recommendation); or
- The City Council may deny the re-plat and direct staff to make Findings for this decision; or
- The City Council may continue the discussion and provide direction to staff and the applicant regarding additional information required to make a recommendation.
- There is not a “no-action” option for plat amendments.

### **Significant Impacts**

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

### **Consequences of not taking the Suggested Recommendation**

If the lots are not re-established then the single, two (2) acre lot would remain as re-platted in 1999. This would also allow for an addition to the existing house to be proposed. A letter from the HOA would be required prior to building permit issuance as long as the HOA is registered with the City.

### **Recommendation**

Staff recommends the City Council hold a public hearing for the Re-establishment of Lots 30 and 31 of the Holiday Ranchettes Subdivision plat amendment and consider approving the re-plat based on the findings of fact, conclusions of law, and conditions of approval as found in the attached ordinance.

### **Exhibits**

Ordinance

Exhibit A- Proposed plat

Exhibit B- Existing plat (1999 lot line adjustment re-plat)

Exhibit C- Original Holiday Ranchettes Subdivision plat (1974)

Exhibit D- Existing conditions survey

Exhibit E- Vicinity map and Photos

Exhibit F- Minutes of the September 25<sup>th</sup> Planning Commission meeting

Exhibit G- Letter from Eric Lee (from previous packet)

Exhibit H- CC&R site plan graphic and driveway exhibits

Exhibit I- Applicant correspondence with HOA 2.24.14

Exhibit J- Minutes of March 12<sup>th</sup> Planning Commission meeting

**Ordinance No. 14-**

**AN ORDINANCE APPROVING THE RE-ESTABLISHMENT OF LOTS 30 AND 31 OF HOLIDAY RANCHETTES SUBDIVISION, LOCATED AT 2519 AND 2545 LUCKY JOHN DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners of property located at 2519 and 2545 Lucky John Drive have petitioned the City Council for approval of a plat amendment to re-establish Lots 30 and 31 of the Holiday Ranchettes Subdivision;

WHEREAS, proper legal notice was published in the Park Record according to requirements of the Land Management Code;

WHEREAS, the property was posted and notice was provided according to requirements of the Land Management Code;

WHEREAS, the Planning Commission held public hearings on September 25, 2013, February 26, 2014, and March 12, 2014 to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission forwarded a positive recommendation to City Council on March 12, 2014;

WHEREAS, the City Council, held a public hearing on April 24, 2014 and continued the item to May 8, 2014 at the applicant's request;

WHEREAS, the City Council, held a public hearing on May 8, 2014; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the plat amendment as conditioned below.

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 re-establishment of Lots 30 and 31 Holiday Ranchettes Subdivision plat amendment, located at 2519 and 2545 Lucky John Drive, as shown in Exhibit A, is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 2519 and 2545 Lucky John Drive in the Single-Family (SF) zoning district.
2. The property consists of a two-acre lot, known as Lot 1 of the 2519 Lucky John Drive Replat approved and recorded on September 2, 1999. Lot 1 was created when a lot line adjustment removing the common lot line between Lots 30 and 31 of the Holiday Ranchettes Subdivision (recorded on May 31, 1974) was approved and recorded at Summit County on September 2, 1999.

3. The owners wish to re-establish the original platted lot configuration of Lots 30 and 31 of the 1974 Holiday Ranchettes Subdivision.
4. Each lot will be one-acre in area, consistent with the 1974 Holiday Ranchettes Subdivision platted configuration.
5. The proposed density for this plat amendment is one (1) dwelling unit per acre.
6. There are no house size limitations within the Holiday Ranchettes subdivision.
7. The minimum setback requirements are twenty feet (20') for the front yard and twelve feet (12') for the side yards. Front facing garages require a twenty-five (25') foot front setback. The rear setback requirement of fifteen feet (15') is not applicable due to the double frontage nature of both lots.
8. There is an existing single family house on Lot 30 that complies with all required setbacks.
9. There is an existing garage/storage structure built on Lot 31 that complies with all required setbacks.
10. Both Lots 30 and 31 have double frontage onto Lucky John Drive and Holiday Ranch Loop Road. The 1974 Holiday Ranchettes Subdivision plat includes notes restricting access from Lucky John Drive.
11. The pattern of development in the neighborhood includes primary access to these double frontage lots from Lucky John Drive and not from Holiday Ranch Loop Road, providing consistent building setback areas along Lucky John Drive and Holiday Ranch Loop.
12. The plat provides for a restriction of access to Lucky John Drive and protects the safe routes to school pedestrian and bike path from additional primary access across it.
13. A shared driveway provides access to Lots 30 and 31.
14. The LMC (Section 15-3-3 (H)) states that shared driveways are strongly recommended. Shared driveways decrease impervious surface, and storm water run-off. Shared drives provide for greater landscaping/open space areas and provide opportunities for designs that lessen visual impacts of garages, while decreasing the number of curb cuts on streets. Shared driveways necessitate access easements and maintenance agreements between property owners.
15. The proposed plat re-establishes the original two-lot configuration.
16. The proposed plat causes no nonconformities with respect to setbacks, lot size, maximum density, or otherwise.
17. All original drainage and utility easements will be re-established.
18. New snow storage easements and easements to address shared access and encroaching utilities will be provided.
19. Conditions banning access from Holiday Ranch Loop will be re-instated with this plat.
20. There is Good Cause to approve the proposed plat amendment as conditioned as the plat amendment does not cause undo harm on any adjacent property owners, the built conditions are consistent with requirements of the Land Management Code, future development will be reviewed for compliance with requisite Building and Land Management Code requirements with review by the HOA, cross access easements and utility relocation and/or utility easements will be recorded to resolve encroachment issues, and public snow storage easements will be provided along Lucky John Drive and Holiday Ranch Loop Road.

21. The proposed plat, as conditioned, is consistent with the approved 1974 Holiday Ranchettes Subdivision plat, meets the requirements of the Land Management Code.
22. Proposed conditions of approval require the applicant to provide to the City a letter from the HOA outlining concerns and recommendations regarding any proposed changes to the property, prior to issuance of any building permits.
23. The existing house is typical of the existing development in Park Meadows, and the subdivision will allow for another home of similar size to be built in the subdivision as originally planned when the Holiday Ranchettes Subdivision was approved.

Conclusions of Law:

1. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
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.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, 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. Prior to making any physical changes to the property and prior to occupancy of the detached garage located on Lot 31, for any use other than as a detached garage and storage building, the applicant shall meet with the HOA (provided that there is an established HOA at the time of the building permit application) and shall provide to the City, with any building permit application, a detailed letter from the HOA outlining the HOA's concerns and recommendations with said building permit application. This shall be noted on the plat.
4. A certificate of occupancy, issued by the City, is a condition precedent to occupation of the garage on Lot 31 for any use other than as a detached garage or storage building. This shall be noted on the plat.
5. Any construction on Lots 30 and 31 shall use the original existing grade (USGS topography that existing prior to any construction on the lots) in the calculation of Building Height. This shall be noted on the plat.
6. The garage structure on Lot 31 may not be used as a dwelling unit until separate utilities and sewer services are provided for this lot, as required by the various utility providers, and until a certificate of occupancy is issued by the City. Utility work, including grading and landscape changes, requires a building permit. A letter from said HOA, stating that the HOA is aware of the proposed work and outlining any concerns and recommendations, shall be provided to the City prior to issuance of any permits for this work. This shall be noted on the plat.
7. Prior to recordation of this plat amendment, cross access easements for the shared driveway shall be recorded at Summit County and reflected on the plat. Cross

access easements would not be required if the shared driveway is modified and the access encroachments are removed prior to plat recordation. This shall be noted on the plat.

8. Prior to recordation of the plat, any existing utilities that cross the common property line, shall be relocated as required by the utility providers. If relocation is not required, then encroachment easements shall be recorded at the County.
9. Prior to proposed construction on Lots 30 and 31, including additions, remodels, driveway re-locations, grading, landscaping, fencing, and any other construction that requires a permit from the City, a letter from said HOA, stating that the HOA is aware of the proposed work, and outlining any concerns and recommendations, shall be provided to the City prior to issuance of any permits for utility work. This shall be noted on the plat.
10. No access to Lots 30 and 31 is permitted from Holiday Ranch Road. This shall be noted on the plat.
11. A ten foot (10') wide public snow storage easement is required along the frontage of the Lots on both the Holiday Ranch Road and Lucky John Drive frontages.
12. A note shall be added to the plat that modified 13-D sprinklers will be required for new construction as required by the Chief Building Official at the time of review of the building permit.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of May 2014.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, MAYOR

ATTEST:

\_\_\_\_\_  
Marci Heil, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the LOTS 30 & 31, HOLIDAY RANCHETTES SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.



John Demkowicz Date

BOUNDARY DESCRIPTION

2519 Lucky John Drive replat FKA Lots 30 and 31, Holiday Ranchettes Subdivision, according to the official plat thereof on file and of record in the office of 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 LOTS 30 AND 31 HOLIDAY RANCHETTES SUBDIVISION, do hereby certify that they have caused this Lot Line Amendment Plat to be prepared, and they, Costa Rican Ventures, LLC, a Nevada limited liability company, hereby consent to the recordation of this Lot Line Amendment Plat.

ALSO, the owners or their representative, hereby irrevocably offer for dedication to the City of Park City all required utilities and easements shown on the plat in accordance with and irrevocable of dedication.

In witness whereof, the undersigned set their hand this \_\_\_\_ day of \_\_\_\_\_, 2013.

Kristen Lonskowsky, Manager  
Costa Rican Ventures, LLC

ACKNOWLEDGMENT

State of \_\_\_\_\_  
County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2013, David Lonskowsky personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, David Lonskowsky acknowledged to me that Costa Rican Ventures LLC is the owner of the herein described tract of land and that he, as President of Costa Rican Ventures LLC, is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

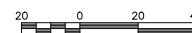
Notary Public  
My commission expires: \_\_\_\_\_

NOTES

1. [2519] Street address on Lucky John Drive
2. Driveway access is not permitted onto Holiday Ranch Loop.

LEGEND

- Found survey monument



# RE-ESTABLISHMENT OF THE ORIGINAL PLAT OF LOT 30 AND LOT 31, HOLIDAY RANCHETTES SUBDIVISION **LOT 30 & 31 HOLIDAY RANCHETTES**

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

|                                                                                |                                                                                                                                                                                                              |                                                                                                                                    |                                                                                                                                                                                     |                                                                                                                           |                                                                                                                                                                               |                                                                                                                                                    |                                                                                                                                                                                                                                            |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <br>(435) 849-8487<br>323 Main Street P.O. Box 2684 Park City, Utah 84060-2684 | <b>SNYDERVILLE BASIN WATER RECLAMATION DISTRICT</b><br>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____<br>DAY OF _____, 2013 A.D.<br>BY _____<br>S.B.W.R.D. | <b>PLANNING COMMISSION</b><br>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____<br>OF _____, 2013 A.D.<br>BY _____<br>CHAIR | <b>ENGINEER'S CERTIFICATE</b><br>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____<br>DAY OF _____, 2013 A.D.<br>BY _____<br>PARK CITY ENGINEER | <b>APPROVAL AS TO FORM</b><br>APPROVED AS TO FORM THIS _____<br>DAY OF _____, 2013 A.D.<br>BY _____<br>PARK CITY ATTORNEY | <b>CERTIFICATE OF ATTEST</b><br>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY<br>OF _____, 2013 A.D.<br>BY _____<br>PARK CITY RECORDER | <b>COUNCIL APPROVAL AND ACCEPTANCE</b><br>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D.<br>BY _____<br>MAYOR | JOB NO.: 4-5-13 FILE: X:\PM\dwg\en\plat2013\040513.dwg<br><b>RECORDED</b><br>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____<br>DATE _____ TIME _____ BOOK _____ PAGE _____<br>ENTRY NO. _____ FEE _____ RECORDER _____ |
|--------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**SURVEYOR'S CERTIFICATE**

I, John D. Smith, certify that I am a Registered Land Surveyor and that I have surveyed the above described land in accordance with the requirements of the Utah State Surveyor's Act, and that the plat is a true and correct representation of the land as surveyed.

By John D. Smith 8-20-99  
Surveyor

**BOUNDARY DESCRIPTION**

LOTS 30 & 31, HOLEY BANCROFT SUBDIVISION, according to the official plat thereof, recorded May 11, 1974, in Entry No. 12347 of the official records in the office of the Summit County Recorder.

**NOTES**

1. [X] Street address on Lucky John Drive.
2. Easement shown is not recorded with the plat.
3. Existing drainage and utility easement as shown on the plat.

**LEGEND**

• Road survey monument

**OWNER'S DECLARATION AND CONSENT TO RECORD**

I, John D. Smith, do hereby certify that the above described land is the property of the State of Utah, and that the same is being surveyed for the purpose of the above described project. I further certify that the plat is a true and correct representation of the land as surveyed.

By John D. Smith 8-20-99  
Surveyor

**ACKNOWLEDGMENT**

State of Utah  
County of Summit

On this 21st day of August, 1999, John D. Smith, Surveyor, being duly sworn, depose and say that he is the owner of the above described land, and that he is the owner of the same for the purpose of the above described project. He further deposes and says that the plat is a true and correct representation of the land as surveyed.

My commission expires Aug. 26, 2000

**ACKNOWLEDGMENT**

State of Utah  
County of Summit

On this 21st day of August, 1999, John D. Smith, Surveyor, being duly sworn, depose and say that he is the owner of the above described land, and that he is the owner of the same for the purpose of the above described project. He further deposes and says that the plat is a true and correct representation of the land as surveyed.

My commission expires Aug. 26, 2000

LOT LINE AMENDMENT PLAT

**2519 LUCKY JOHN DRIVE REPLAT**

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

|                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                               |                                                                                                                                                                        |                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>SYNDERVILLE BASIN SEWER IMPROVEMENT DISTRICT</b></p> <p>REVIEWED FOR CONFORMANCE TO SYNDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS <u>21st</u> DAY OF <u>August</u>, 1999 A.D.</p> <p>By <u>John D. Smith</u><br/>S.E.E.</p> | <p><b>ENGINEER'S CERTIFICATE</b></p> <p>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS <u>21st</u> DAY OF <u>August</u>, 1999 A.D.</p> <p>By <u>John D. Smith</u><br/>PARK CITY ENGINEER</p> | <p><b>APPROVAL AS TO FORM</b></p> <p>APPROVED AS TO FORM THIS <u>21st</u> DAY OF <u>September</u>, 1999 A.D.</p> <p>By <u>John D. Smith</u><br/>PARK CITY ATTORNEY</p> | <p><b>COMMUNITY DEVELOPMENT DIRECTOR</b></p> <p>APPROVED BY ADMINISTRATIVE AUTHORITY OF THE PARK CITY COUNCIL, THIS <u>21st</u> DAY OF <u>August</u>, 1999 A.D.</p> <p>By <u>John D. Smith</u> A.P.<br/>COMMUNITY DEVELOPMENT DIRECTOR</p> | <p>FILED NO. 2-4-99 FILED 11/10/99 JAMES D. SMITH, REC'D</p> <p><b>RECORDED</b></p> <p>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE OFFICE OF THE COUNTY CLERK, PARK CITY, UTAH, ON THIS <u>21st</u> DAY OF <u>August</u>, 1999.</p> <p>By <u>John D. Smith</u><br/>COUNTY CLERK</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



## ADMINISTRATIVE STAFF REPORT

**Date:** August 17, 1999  
**Department:** Planning Department  
**Title:** 2519 Lucky John Drive - Lot Line Adjustment  
**Type of Item:** Administrative

**Summary Recommendations:** Staff recommends that the Community Development Director approve the proposed lot line adjustment on lot 30 and lot 31 of Holiday Ranchettes Subdivision.

### A. Topic:

#### Project Statistics:

**Project Name:** 2519 Lucky John Drive - Lot Line Adjustment  
**Owners:** John D. Cumming  
**Location:** 2519 Lucky John Drive  
**Zoning:** Single Family (SF)  
**Project Planner:** Thomas E. Barlow  
**Adjacent Land Uses:** Residential

### B. Background:

The applicants have submitted a request to remove a lot line that separates lot 30 and 31. The Cummings own both lot 30 and 31, their home is on lot 30 and they are proposing to build a barn/garage on lot 31 with a common driveway. Initially the applicants were applying to remove the drainage/utility easement also however at this time Staff is recommending to remove the lot line only. The removal of the drainage/utility easement will require a consent letter from all franchised utilities in Park City, which represents a burden on the City and the utilities.

### C. Analysis:

The lot line adjustment will amend the original plat for lot 30 and 31 of Holiday Ranchettes. The lots are rectangular and are relatively flat. The lot line adjustment will allow the potential of constructing a larger addition to their home that currently does not exist, but due to a Utility Easement running east and west along their property line, any future addition would be restricted in size due to the location of the Utility Easement. Holiday Ranchettes

Subdivision does not have any restrictions on floor area. Maximum house size must be approved by the Community Development Director based upon neighborhood compatibility. Staff has found the proposed development, the barn/garage, is compatible with the neighborhood.

After reviewing the request the Community Development Department has found the parcel meets the Land Management Code, and supports the adjustment. All the adjacent property owners have signed the consent letters as part of the Administrative Lot Line Adjustment requirements.

**D. Department Review:**

The Community Development Department and the City Attorney's Office have reviewed this application for compliance with the Land Management Code and Utah State law.

**Alternatives:**

- A. Approve the lot line adjustment as conditioned.
- B. Deny the proposed lot line adjustment.
- C. Continue the item for further discussion and/or request additional information from Staff.

**Significant Impacts:**

The proposed lot line adjustment has no significant impacts associated with the property.

**Recommendation:**

Staff recommends that the Community Development Director conduct an administrative public hearing and consider Staff's recommendation to approve the lot line adjustment on lot 30 and lot 31 of Holiday Ranchettes Subdivision based on the following:

**Findings of Fact:**

1. The property is in the Single Family Zone.
2. The lot line adjustment will not create an adverse impact on adjacent property owners.
3. Letters of consent have been received from adjacent property owners.
5. Utility easements are essential for providing utilities/service to Park City residents.
6. The proposed barn/garage is compatible in scale and setback with the neighborhood.



**Conclusions of Law:**

1. The project complies with Section 15.1.5. ( c) (1) (I-vii) in that: No new development lot or units result from the lot line adjustment;
2. All owners of property contiguous to the adjusted lots, or lots owned by the applicant which are contiguous to the lots, consent to the lot line adjustment;
3. The lot line adjustment does not result in remnant land;
4. The lot line adjustment, and resulting lots comply with the LMC Section 15.4 and are compatible with existing sizes in the immediate neighborhood;
5. The lot line does not result in violation of applicable zoning requirements;
6. Neither of the original lots was previously adjusted;
7. Written notice was mailed to all owners of property within 300 feet and neither any person nor the public will be materially harmed by the adjustment;
8. Utility easements exist and will remain as originally platted.

**Conditions of Approval:**

1. City Attorney and City Engineer review and approval of the lot line adjustment for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. This approval shall expire one year from the date of Community Development Director approval, unless this lot line adjustment is recorded prior to that date.
3. The utility easements that were originally platted remain in their originally platted location.

**Exhibits:**

- Exhibit A - Proposed Lot Line Adjustment  
Exhibit B - Existing and Proposed site plans.

M:\CDD\TEB\2519 Lucky J.wpd



**Department of Community Development**  
**Engineering • Building Inspection • Planning**

**ACTION LETTER AND NOTICE OF APPROVAL**

August 17, 1999

John D. Cumming  
2519 Lucky John Drive  
Park City, UT 84060

Dear Mr Cumming:

On August 17, 1999, the Park City Community Development Director reviewed and approved your lot line adjustment application. This letter acts as an official notice of approval and outlines the findings of fact, conclusions of law and conditions of approval that apply to your application.

**Findings of Fact:**

1. The property is in the Single Family Zone.
2. The lot line adjustment will not create an adverse impact on adjacent property owners.
3. Letters of consent have been received from adjacent property owners.
5. Utility easements are essential for providing utilities/service to Park City residents.
6. The proposed barn/garage is compatible in scale and setback with the neighborhood.

**Conclusions of Law:**

1. The project complies with Section 15.1.5. ( c ) (1) (I-vii) in that: No new development lot or units result from the lot line adjustment;
2. All owners of property contiguous to the adjusted lots, or lots owned by the applicant which are contiguous to the lots, consent to the lot line adjustment;
3. The lot line adjustment does not result in remnant land;
4. The lot line adjustment, and resulting lots comply with the LMC Section 15.4 and are compatible with existing sizes in the immediate neighborhood;

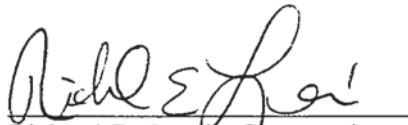
5. The lot line does not result in violation of applicable zoning requirements;
6. Neither of the original lots was previously adjusted;
7. Written notice was mailed to all owners of property within 300 feet and neither any person nor the public will be materially harmed by the adjustment;
8. Utility easements exist and will remain as originally platted.

**Conditions of Approval:**

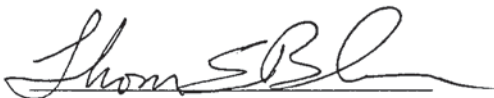
1. City Attorney and City Engineer review and approval of the lot line adjustment for compliance with the Land Management Code and conditions of approval is a condition precedent to recordation.
2. This approval shall expire one year from the date of Community Development Director approval, unless this lot line adjustment is recorded prior to that date.
3. The utility easements that were originally platted remain in their originally platted location.

**APPROVED**

This lot line adjustment for lots 30 and 31 Holiday Ranchettes Subdivision was approved by the Community Development Director on August 17, 1999.



Richard E. Lewis, Community  
Development Director



Thomas Barlow, Assistant Planner

M:\CDD\TEB\2519 Lucky J Con.wpd



01 SITE PLAN  
G-1 SCALE 1/8"=1'-0"

**SITE PLAN  
NEW CONDITIONS**  
SCALE 1" = 20'-0"

**MJSA**

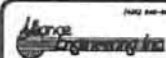




1. PROJECT BEHINDMAN: RIVET IN SOIL CUTTER  
ELEVATION = 5240.07
2. THIS ELEVATION ONLY APPROXIMATE AND WAS INTERPOLATED  
FROM A UNITED STATES GEOLOGICAL MAP.
3. SEE RECORD OF SURVEY PLAT FOR EASEMENTS AND RESTRICTIONS.
4. THE ARCHITECT IS RESPONSIBLE FOR VERIFYING BUILDING SETBACKS,  
ZONING REQUIREMENTS, AND BUILDING HEIGHTS.
5. THIS APPROXIMATE MAP IS BASED ON A FIELD SURVEY PERFORMED ON 4/20/06.
6. PROPERTY CORNERS WERE SET.

01 SITE PLAN  
C-1 SCALE: 1"=20'

SITE PLAN INFORMATION PROVIDED BY:



REVISED:  
6-1-88 BRIDGTON  
FRATT ARCHITECTS

**STAFF:**  
DAVID COMSTOCK  
SEAN PORTER

PAGE  
4

8.

DATE: 4/21/78

EXISTING CONDITIONS  
LOTS 30 & 31  
HOLIDAY RANCHETTES

FOR: HUGH HUDSON  
JOE HOLZ 7-4-88  
FILE: T&A-600-1-1000-1000-1000

**SITE PLAN**  
**EXISTING CONDITIONS**  
SCALE: 1" = 20'-0"

CUMMING RESIDENCE NEW GARAGE  
LOTS #30 & 31 LUCKY JOHN DRIVE, PARK CITY, UTAH

**M.I.S.A.**  
800-551-5511 • 8750000000  
10000000000 • 10000000000  
10000000000 • 10000000000

1998-1999 12000-12000

**SURVEYOR'S CERTIFICATE**

I, JAMES G. WEST, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 3082 AS PROVIDED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STRIPS, HEREIN KNOWN AS HOLIDAY RANCHETTES SUBDIVISION AND THIS SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION.

MAY 8 1973  
DATE

James G. West  
JAMES G. WEST, SURVEYOR

**NOTE:**

ALL LOTS HAVE A 5'-0" DRAINAGE & UTILITIES EASEMENT ON EACH LOT AND ARE NOT LOST BY 5'-0" DRAINAGE & UTILITIES EASEMENT ON EACH LOT LINES AS SHOWN.

**ACKNOWLEDGMENT**

STATE OF CALIFORNIA }  
COUNTY OF SAN FRANCISCO }  
ON THIS 22ND DAY OF MARCH AD 1973, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, W. SCOTT ARNOLD, SECOND VICE-PRESIDENT AND JAMES M. DONNELLY, VICE-PRESIDENT, AND ARTHUR BLIND, CHIEF SURVEYOR, ACKNOWLEDGED TO ME THAT THEY ARE THE SECOND VICE-PRESIDENT AND THE VICE-PRESIDENT OF WESTERN MORTGAGE COMPANY, A DIVISION OF UNIONBANCORP, INC., A CALIFORNIA CORPORATION, THAT THEY HAVE THE OWNERS' AUTHORITY TO EXECUTE AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTES THE SAME.

James G. West  
NOTARY PUBLIC  
MY COMMISSION EXPIRES MAY 21 1975  
RESIDING IN SAN FRANCISCO COUNTY, CALIF.

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF SUMMIT }  
ON THIS 22ND DAY OF MAY AD 1973, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, J. WARREN KING, PRESIDENT AND JACK J. JOHNSON, VICE PRESIDENT, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE PRESIDENT AND VICE-PRESIDENT OF GREATER PARK CITY COMPANY A UTAH CORPORATION, THAT THEY SIGNED THE FOREGOING DECLARATION FREELY AND VOLUNTARILY AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTES THE SAME.

Jan Wilking Jr.  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 11-1-76  
RESIDING IN SUMMIT COUNTY, UTAH

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF SUMMIT }  
ON THIS 11TH DAY OF MAY AD 1973, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, J. WARREN KING, PRESIDENT AND JACK J. JOHNSON, VICE PRESIDENT, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE PRESIDENT AND VICE-PRESIDENT OF GREATER PARK CITY COMPANY A UTAH CORPORATION, THAT THEY SIGNED THE FOREGOING DECLARATION FREELY AND VOLUNTARILY AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTES THE SAME.

Jan Wilking Jr.  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 11-1-76  
RESIDING IN SUMMIT COUNTY, UTAH

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF SUMMIT }  
ON THIS 11TH DAY OF MAY AD 1973, PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, EDGAR B. STERN, JR., CHAIRMAN OF THE BOARD AND ROBERT W. WELLS, ASSISTANT TREASURER, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE CHAIRMAN OF THE BOARD AND THE ASSISTANT TREASURER OF ROYAL STREET CORPORATION, A CALIFORNIA CORPORATION, THAT THEY SIGNED THE FOREGOING DECLARATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSE THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTES THE SAME.

Robert W. Wells  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 6-1-77  
RESIDING IN SUMMIT COUNTY, UTAH

My Commission Expires 6-1-77  
Residing in Summit County, Utah

**HOLIDAY RANCHETTES SUBDIVISION**

A SUBDIVISION LOCATED IN THE NORTH HALF OF SECTION 3 & THE SOUTH HALF OF SECTION 4 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN

\* Denotes Monuments

SHEET  
2  
OF  
3  
SHEET 3

PREPARED BY

GREATER PARK CITY CO.  
BOX 39  
PARK CITY, UTAH  
84060  
PHONE 649-8111

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE  
PARK CITY PLANNING COMMISSION  
THIS 27TH DAY OF MAY AD 1973

Victor A. Brook  
CHAIRMAN

ENGINEERS CERTIFICATE

APPROVED AND ACCEPTED BY THE  
PARK CITY ENGINEERING  
DEPARTMENT THIS 27TH  
DAY OF MAY AD 1973

John R. Starnes  
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM  
THIS 16TH DAY OF MAY  
AD 1973

Paul C. Dicker  
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

ATTEST THIS 16TH DAY OF  
MAY AD 1973

Paul C. Dicker  
PARK CITY RECORDER

COUNCIL APPROVAL & ACCEPTANCE

APPROVED AND ACCEPTED BY THE  
PARK CITY COUNCIL THIS 16TH DAY  
OF MAY AD 1973

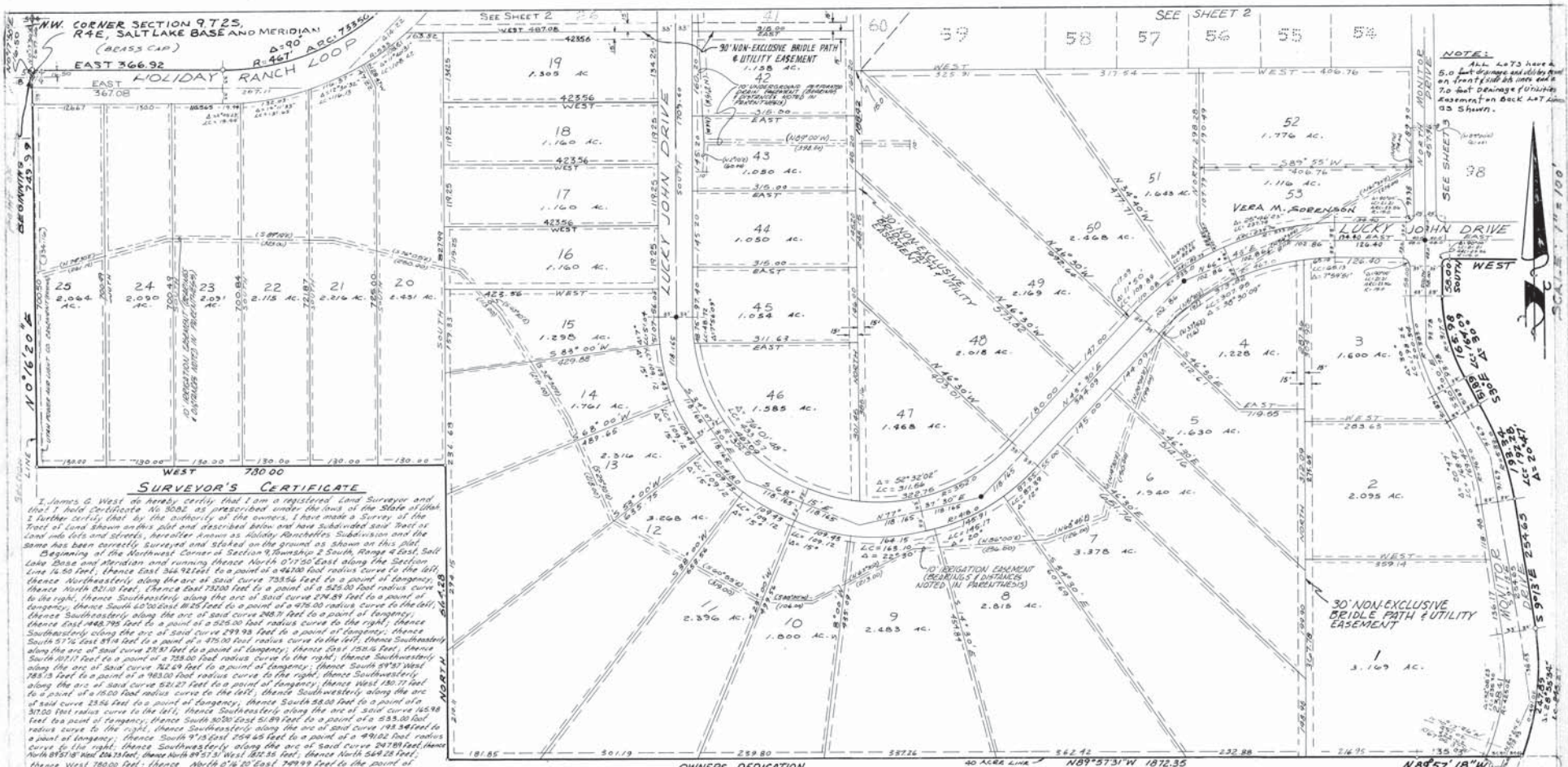
John P. Hild  
MAYOR

RECORDED 125,587

STATE OF UTAH, COUNTY OF SUMMIT,  
RECORDED AND FILED AT THE REQUEST OF:  
GREATER PARK CITY CO.

DATES: 3/1/74 TIME: 11:00 BOOK PAGE  
39.50  
FEE \$  
Wanda Y. Spring  
SUMMIT COUNTY RECORDER





# **SURVEYOR'S CERTIFICATE**

I, James G. West, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 5082, as prescribed under the laws of the State of Utah. I further certify that the survey of the above described land, shown on this map, is a true and correct survey of the land shown on this map and described below and have subdivided said tract of land into lots and streets, hereafter known as Holiday Ranches Subdivision and the same has been correctly surveyed and staked on the ground as shown on this map. Beginning at the Northwest Corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian and running thence North 01°15'00" East along the Section Line 1/4 Section 9, thence East 1/4 Section 9, to a point of a 487.00 foot radius curve to the left, thence Northeastly along the arc of said curve 733.56 feet to a point of tangency, thence North 82°10'00" East, thence East 732.00 feet to a point of a 528.00 foot radius curve to the right, thence Southeastly along the arc of said curve 294.89 feet to a point of tangency, thence South 60°50'00" East 112.25 feet to a point of a 476.00 radius curve to the left, thence Southeastly along the arc of said curve 240.77 feet to a point of tangency, thence East 140.78 feet to a point of a 525.00 foot radius curve to the right, thence Southeastly along the arc of said curve 299.93 feet to a point of tangency, thence South 51°14'00" East 81.14 feet to a point of a 475.00 foot radius curve to the left, thence Southeastly along the arc of said curve 239.74 feet to a point of tangency, thence South 75°10'00" East 103.50 feet to a point of tangency, thence South 58.00 feet to a point of a 45.98 foot radius curve to the left, thence Southeastly along the arc of said curve 145.98 feet to a point of tangency, thence South 30°50'00" East 51.09 feet to a point of a 533.00 foot radius curve to the right, thence Southeastly along the arc of said curve 183.94 feet to a point of tangency, thence South 71°10'00" East 159.65 feet to a point of a 49.02 foot radius curve to the right, thence Southeastly along the arc of said curve 247.89 feet, thence North 81°57'00" East 124.16 feet, thence North 81°57'00" East 181.35 feet, thence North 54°25'00" East, thence West 780.00 feet, thence North 01°15'00" East 780.00 feet to the point of beginning. Contours 120-980 Acres.

May 8, 1973

Date

## **ACKNOWLEDGMENT**

State of Utah, ss  
County of Summit, ss  
On this 11th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, James G. West, a man of legal age, who after being duly sworn, acknowledged to me that he is the owner and has signed the Owners Dedication freely and voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

My Commission Expires 11-1-76  
Residing in Summit, County, Utah

Notary Public

PREPARED BY

GREATER PARK CITY CO.

Box 39

PARK CITY, UTAH

PHONE 649-8111

DRC. 72

BY: STAN VINCENT

CHAIRMAN

APPROVED AND ACCEPTED BY THE

PARK CITY PLANNING COMMISSION

THIS 8th DAY OF MAY, AD 1973

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah

## **ACKNOWLEDGMENT**

State of Utah, ss  
County of Summit, ss  
On this 11th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, Vera M. Sorenson, a woman of legal age, who after being duly sworn, acknowledged to me that she is the owner and has signed the Owners Dedication freely and voluntarily for the purpose therein mentioned and that said owner executed the same.

My Commission Expires 11-1-76

Residing in Summit, County, Utah

Notary Public

PREPARED BY

GREATER PARK CITY CO.

Box 39

PARK CITY, UTAH

PHONE 649-8111

DRC. 72

BY: STAN VINCENT

CHAIRMAN

APPROVED AND ACCEPTED BY THE

PARK CITY PLANNING COMMISSION

THIS 8th DAY OF MAY, AD 1973

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah

# **OWNERS DEDICATION**

Know all men by these presents that we the undersigned owners of the herein described tract of land having caused same to be subdivided into lots and streets to be hereafter known as Holiday Ranches Subdivision do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use in witness whereof we have hereunto set our hands this 11th day of May, AD 1973.

## **WESTERN MORTGAGE CORPORATION A CALIFORNIA CORPORATION**

W. Scott Anderson, Second Vice President

James H. Howell, Vice President

GREATER PARK CITY COMPANY

A UTAH CORPORATION

Warren King, President

Don J. Johnson, Vice President

ROYAL STREET CORPORATION

A LOUISIANA CORPORATION

Robert B. Stern, Jr., President of the Board

VERA M. SORENSON

VERA M. SORENSON, OWNER

My Commission Expires 11-1-76

Residing in Summit, County, Utah

Notary Public

PREPARED BY

GREATER PARK CITY CO.

Box 39

PARK CITY, UTAH

PHONE 649-8111

DRC. 72

BY: STAN VINCENT

CHAIRMAN

APPROVED AND ACCEPTED BY THE

PARK CITY PLANNING COMMISSION

THIS 8th DAY OF MAY, AD 1973

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah

## **ACKNOWLEDGMENT**

State of Utah, ss  
County of Summit, ss  
On this 11th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, Edgar B. Stern, Jr., Chairman of the Board, and Robert B. Stern, Jr., President of Royal Street Corporation, a Louisiana Corporation, that they signed the Owners Dedication freely and voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

My Commission Expires 11-1-76

Residing in Summit, County, Utah

Notary Public

PREPARED BY

GREATER PARK CITY CO.

Box 39

PARK CITY, UTAH

PHONE 649-8111

DRC. 72

BY: STAN VINCENT

CHAIRMAN

APPROVED AND ACCEPTED BY THE

PARK CITY PLANNING COMMISSION

THIS 8th DAY OF MAY, AD 1973

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah

# **ACKNOWLEDGEMENT**

State of Utah, ss  
County of Summit, ss  
On this 11th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, James H. Howell, Second Vice President, and James H. Howell, Vice President of Western Mortgage Company, a California Corporation, that they signed the Owners Dedication freely and voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

My Commission Expires 11-1-76

Residing in Summit, County, Utah

Notary Public

PREPARED BY

GREATER PARK CITY CO.

Box 39

PARK CITY, UTAH

PHONE 649-8111

DRC. 72

BY: STAN VINCENT

CHAIRMAN

APPROVED AND ACCEPTED BY THE

PARK CITY PLANNING COMMISSION

THIS 8th DAY OF MAY, AD 1973

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah

# **HOLIDAY RANCHES SUBDIVISION**

A SUBDIVISION LOCATED IN THE NORTH HALF OF SECTION 9, 4TH SOUTH, HALF OF SECTION 4, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN

• Denotes Monument

My Commission Expires 11-1-76

Residing in Summit, County, Utah

Notary Public

PREPARED BY

GREATER PARK CITY CO.

Box 39

PARK CITY, UTAH

PHONE 649-8111

DRC. 72

BY: STAN VINCENT

CHAIRMAN

APPROVED AND ACCEPTED BY THE

PARK CITY PLANNING COMMISSION

THIS 8th DAY OF MAY, AD 1973

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah

Notary Public

My Commission Expires 11-1-76

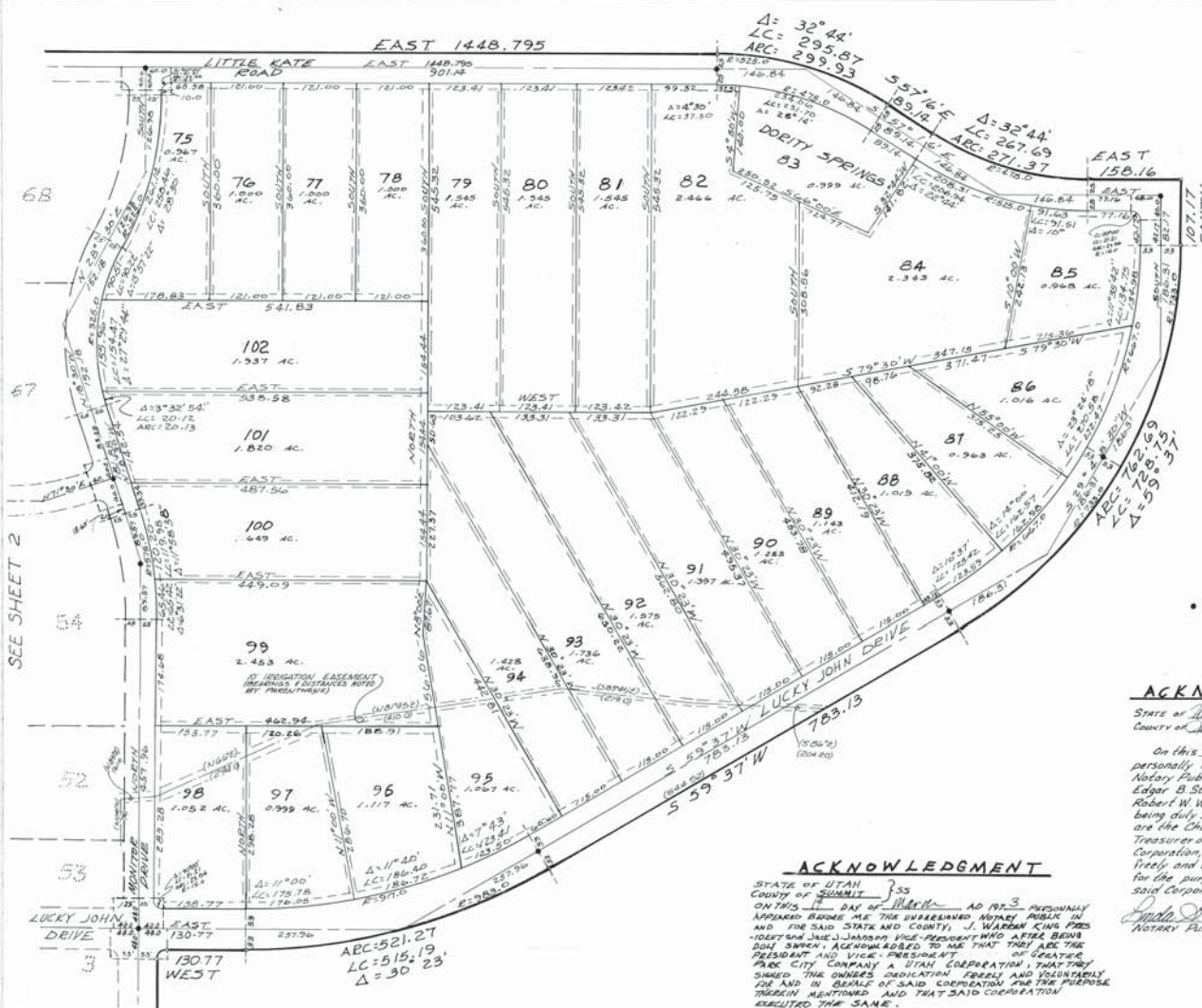
Residing in Summit, County, Utah

Notary Public

My Commission Expires 11-1-76

Residing in Summit, County, Utah





**SURVEYOR'S CERTIFICATE**

I, JAMES G. WEST DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO 3082 AS PROVIDED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREIN SHOWN AS HOLIDAY RANCHETTES SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION.

MAY 8, 1973  
DATE

James G. West  
JAMES G. WEST, SURVEYOR

**NOTE:**

All lots have a 5.0 foot drainage of utilities easement on front lot lines and a 10.0 foot drainage of utilities easement on back lot lines as shown.

**ACKNOWLEDGMENT**

STATE OF UTAH } SS  
COUNTY OF SUMMIT }  
On this 8th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, W. Scott Hanks, second vice-president, and James H. Donnell, vice-president, who after being duly sworn, acknowledged to me that they are the second vice-president and the vice-president of Western Mortgage Company, a Division of Union America Inc., a California Corporation, that they signed the owners' Dedication (hereinafter referred to as said Dedication) voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

W. Scott Hanks  
NOTARY PUBLIC

My Commission Expires MAY 21, 1975  
Residing in SAN RAFAEL County, CA

**ACKNOWLEDGMENT**

STATE OF UTAH } SS  
COUNTY OF SUMMIT }  
On this 16th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County Edgar B. Stern Jr., Chairman of the Board, and Robert W. Wells, Assistant Treasurer, who after being duly sworn, acknowledged to me that they are the Chairman of the Board and the Assistant Treasurer of Royal Street Corporation, a Louisiana Corporation, that they signed the Owners' Dedication (hereinafter referred to as said Dedication) voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

Edgar B. Stern Jr.  
NOTARY PUBLIC

My Commission Expires 6-1-77  
Residing in Salt Lake County, UTAH

**ACKNOWLEDGMENT**

STATE OF UTAH } SS  
COUNTY OF SUMMIT }  
On this 8th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, Vern M. Sorenson, owner, who after being duly sworn, acknowledged to me that she is the owner of the Holiday Ranchettes Subdivision and that she signed the Owners' Dedication (hereinafter referred to as said Dedication) voluntarily for and in behalf of said owner for the purpose therein mentioned and that said owner executed the same.

Vern M. Sorenson  
NOTARY PUBLIC

My Commission Expires 11-1-76  
Residing in Summit County, UTAH

**ACKNOWLEDGMENT**

STATE OF UTAH } SS  
COUNTY OF SUMMIT }  
On this 11th day of May, AD 1973, personally appeared before me the undersigned Notary Public in and for said State and County, J. Warren King, President and Vice-President of Greater Park City Co., who after being duly sworn, acknowledged to me that they are the President and Vice-President of Greater Park City Co., a Utah Corporation, that they signed the Owners' Dedication (hereinafter referred to as said Dedication) voluntarily for and in behalf of said Corporation for the purpose therein mentioned and that said Corporation executed the same.

J. Warren King  
NOTARY PUBLIC

My Commission Expires 11-1-76  
Residing in Summit County, UTAH

**HOLIDAY RANCHETTES SUBDIVISION**

A SUBDIVISION LOCATED IN THE NORTH HALF OF SECTION 9 & THE SOUTH HALF OF SECTION 4 TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE BASE & MERIDIAN

|                                                                                                                   |                                                                                                                                                        |                                                                                                                                                                  |                                                                                                                       |                                                                                                               |                                                                                                                                                    |                                                                                                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PREPARED BY</b><br><b>GREATER PARK CITY CO.</b><br>BOX 39<br>PARK CITY, UTAH 84060<br>DEC. 72 BY: STAN VINCENT | <b>CITY PLANNING COMMISSION</b><br>APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 8th DAY OF MAY, AD 1973<br>Stan Vincent<br>CHAIRMAN | <b>ENGINEERS CERTIFICATE</b><br>APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT THIS 5th DAY OF MAY, AD 1973<br>Stan Vincent<br>PARK CITY ENGINEER | <b>APPROVAL AS TO FORM</b><br>APPROVED AS TO FORM THIS 16th DAY OF MAY, AD 1973<br>Stan Vincent<br>PARK CITY ATTORNEY | <b>CERTIFICATE OF ATTEST</b><br>ATTEST THIS 16th DAY OF MAY, AD 1973<br>Bruce C. Decker<br>PARK CITY RECORDER | <b>COUNCIL APPROVAL &amp; ACCEPTANCE</b><br>APPROVED AND ACCEPTED BY THE PARK CITY COUNCIL THIS 16th DAY OF May, AD 1973<br>John G. Price<br>MAYOR | <b>RECORDED 123347</b><br>STATE OF UTAH COUNTY OF SUMMIT. RECORDED AND FILED AT THE REQUEST OF: Greater Park City Co.<br>DATE 5-23-74 TIME 2:10 BOOK - PAGE -<br>39.50<br>Fee \$<br>Nevada Springs<br>SUMMIT COUNTY 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.

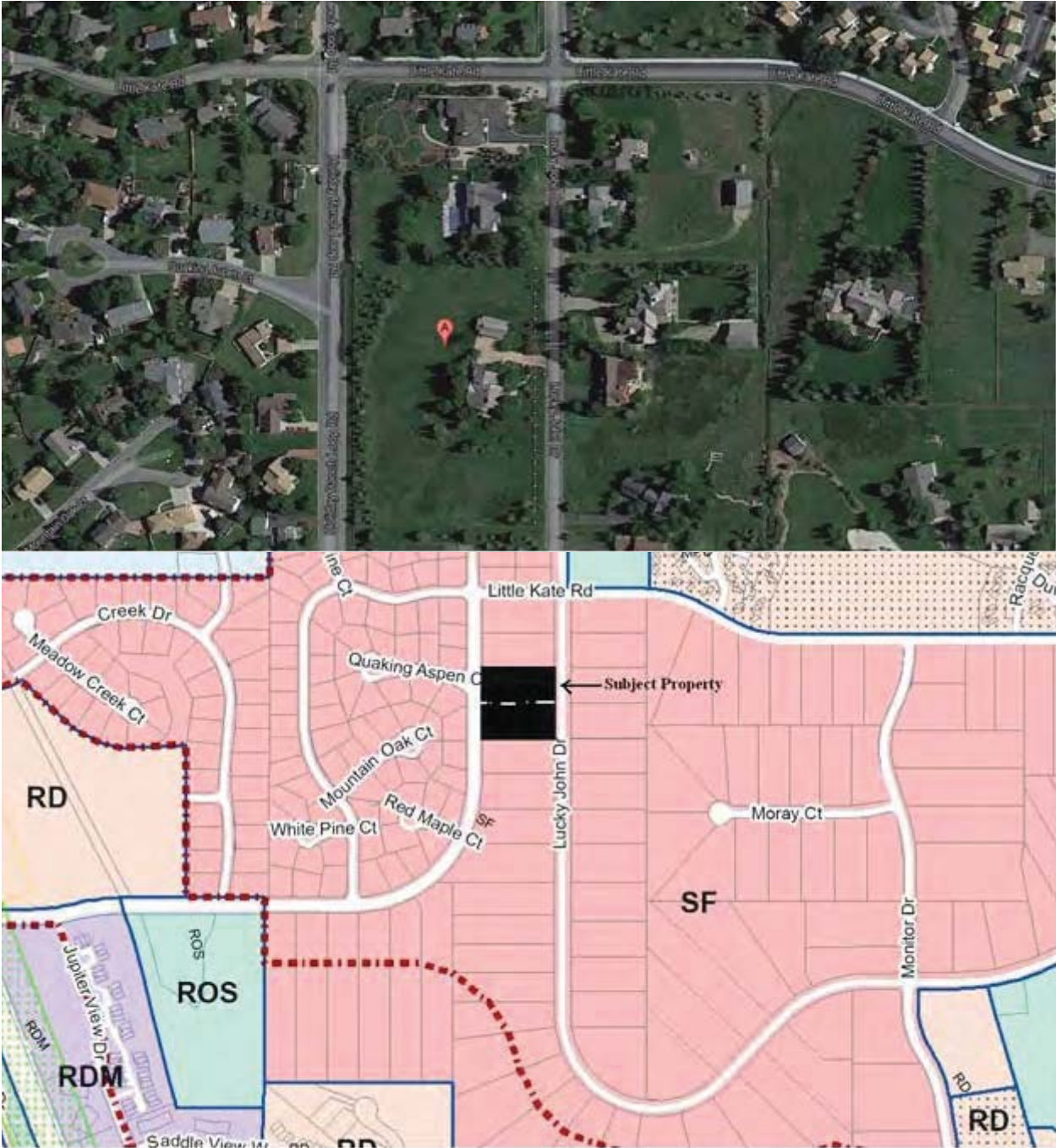
NOTES

1. Site Benchmark: Sanitary Sewer Manhole  
Elevation=8741.36'
2. See record of survey plat for easements and restrictions.
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
4. This topographic map is based on a field survey completed on June 3, 2013.
5. Property corners were not set.



|                                                                                                                                                                                                                        |                                                           |                                                                            |               |                       |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|----------------------------------------------------------------------------|---------------|-----------------------|
| <br>(435) 649-0467<br>CONSULTING ENGINEERS (LAND PLANNERS) SURVEYORS<br>327 Main Street, P.O. Box 2084 Park City, Utah 84050-2084 | STAFF:<br>MARSHALL KING<br>BLAKE MYERS<br>HARRISON HOLLEY | TOPOGRAPHIC MAP                                                            |               | SHEET<br>1<br>OF<br>1 |
|                                                                                                                                                                                                                        |                                                           | 2519 LUCKY JOHN DRIVE REPLAT<br>HOLIDAY RANCHETTES SUBDIVISION             |               |                       |
|                                                                                                                                                                                                                        |                                                           | FOR:<br>JOB NO.: 4-5-13<br>FILE: X:\ParkMeadows\dwg\ar\topo2013\040513.dwg | DATE: 6/17/13 |                       |







LOT 30 PANORAMA FROM LUCKY JOHN DRIVE



LOT 31 PANORAMA FROM LUCKY JOHN DRIVE



LOOKING SOUTH FROM HOLIDAY RANCH LOOP ROAD



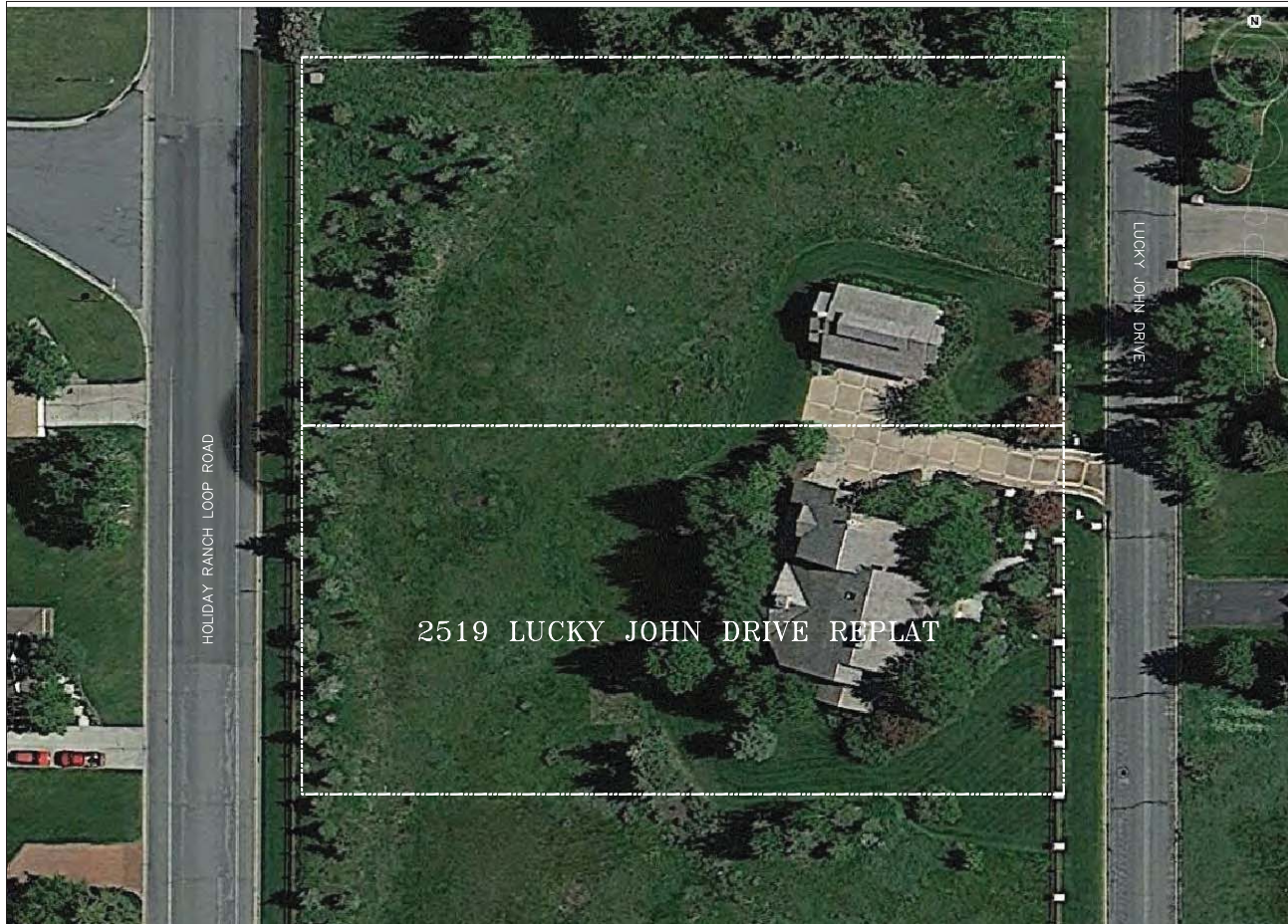
LOOKING NORTH FROM HOLIDAY RANCH LOOP ROAD

## LOT 30/31 HOLIDAY RANCHETTES

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

|                                                                                                                                                                                                                                 |                                                                                          |                                                                                                                                                                                  |                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <br><small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small><br><small>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small> | <small>(435) 648-9487</small><br><b>STAFF:</b><br>STEVE SCHUELER<br><b>DATE:</b> 6/25/13 | <b>PANORAMA IMAGES</b><br><b>LOTS 30 &amp; 31</b><br><b>HOLIDAY RANCHETTES</b><br>FOR: DAVID LANKOWSKY<br>JOB NO.: 4-5-13<br>FILE: X:\Park Meadows\dwg\serv\plot 2013\040513.dwg | <b>SHEET</b><br><b>1</b><br><b>OF</b><br><b>1</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|





## LOT 30/31 HOLIDAY RANCHETTES

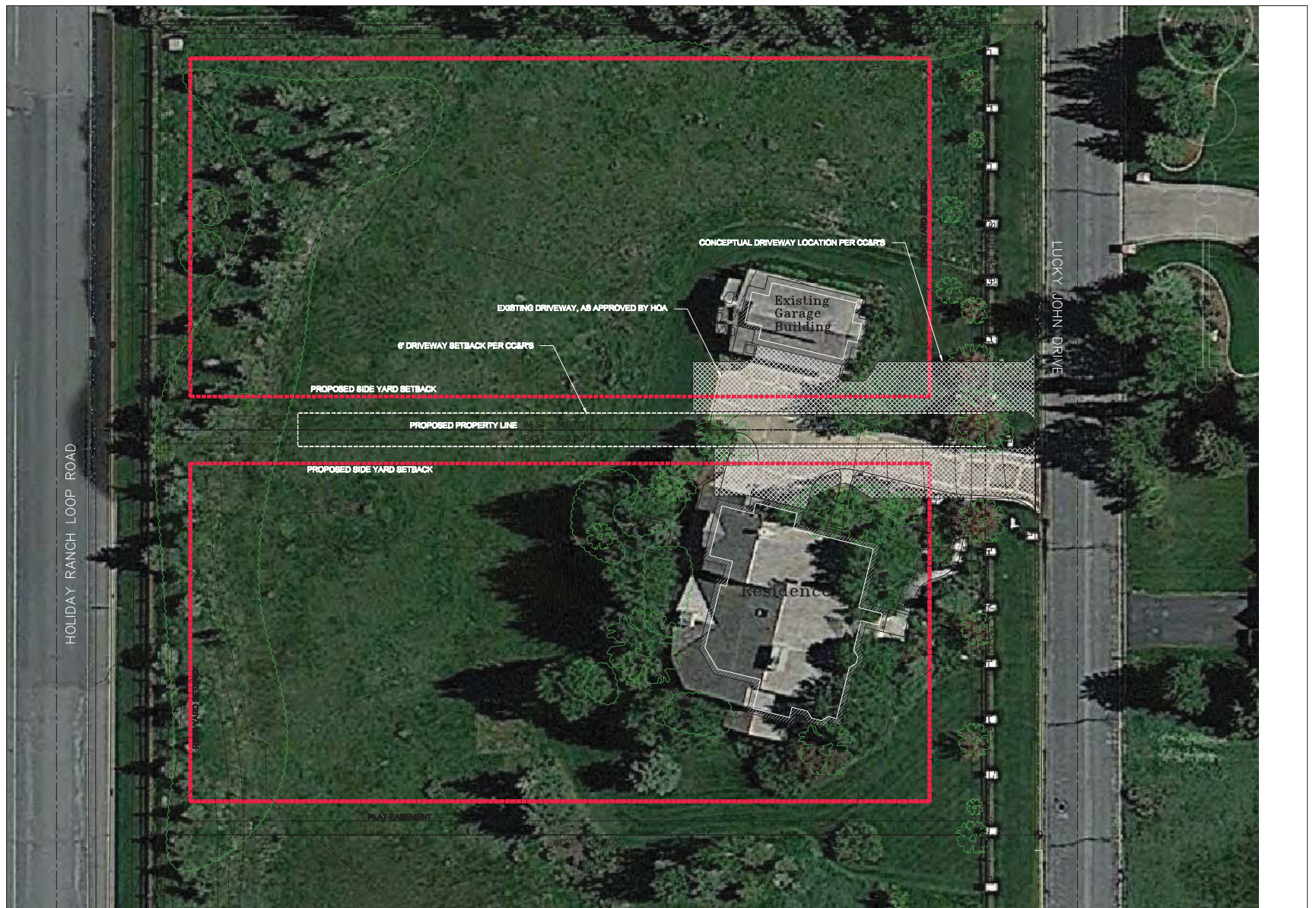
LOCATED IN SECTION 4  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE  
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

10' 0 10' 20'



|                                                                                                                                                                  |                                                          |                                                                                                                                                                                     |                                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <p>(435) 648-9487</p> <p><b>Alliance</b></p> <p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</p> <p>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p> | <p>STAFF:</p> <p>STEVE SCHUELER</p> <p>DATE: 6/25/13</p> | <p>ORTHO-PHOTO</p> <p>LOTS 30 &amp; 31</p> <p>HOLIDAY RANCHETTES</p> <p>FOR: DAVID LANKOWSKY</p> <p>JOB NO: 4-5-13</p> <p>FILE: X:\Park Meadows\dwg\er\plot 2013\dwg\040513.dwg</p> | <p>SHEET</p> <p>1</p> <p>OF</p> <p>1</p> |
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| <br>(435) 849-9487<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 34th Street P.O. Box 2664 Park City, Utah 84060-2664 | STAFF:<br>STEVE SCHUELER<br>DATE: 9/30/13 | CONCEPTUAL DRIVEWAY LOCATIONS<br>LOTS 30 & 31<br>HOLIDAY RANCHETTES<br>FOR: DAVID LANKOWSKY<br>JOB NO.: 4-5-13<br>FILE: X:\Park Meadows\dwg\lot 30+31\driveway exhibit.dwg | SHEET<br>1<br>OF<br>1 |
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PARK CITY MUNICIPAL CORPORATION  
 PLANNING COMMISSION MEETING MINUTES  
 COUNCIL CHAMBERS  
 MARSAC MUNICIPAL BUILDING  
 SEPTEMBER 25, 2013

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Stewart Gross, Jack Thomas, Charlie Wintzer

EX OFFICIO:

Planning Director, Thomas Eddington; Kayla Sintz, Planning Manager; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Anya Grahn, Planner; Christy Alexander, Planner; Polly Samuels McLean, Assistant City Attorney; Mark Harrington, City Attorney  
 =====

The Planning Commission met in Work Session prior to the regular meeting. That discussion can be found in the Work Session Minutes dated September 25, 2013.

REGULAR MEETING

**ROLL CALL**

Chair Worel called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioners Hontz, Strachan and Savage who were excused.

**ADOPTION OF MINUTES**

...

**4. Second Amended 2519 Lucky John Drive Replat – Plat Amendment  
(Application PL-13-01980)**

Planner Whetstone reviewed the application for a plat amendment to re-establish a line that recreates Lots 30 and 31 of the Holiday Ranchette Subdivision. In 1999 an Administrative lot line adjustment removed the lot line between the two lots and created a single lot of record. The new owners would like to re-establish these two lots within the Holiday Ranchette Subdivision. Each lot is approximately 42,560 square feet, which is similar to the lots in the Holiday Ranchette Subdivision.

The Staff believes there is good cause for the application. The proposed subdivision re-establishes the two lot configuration as platted. It would not increase the original overall density of the subdivision. All of the original drainage and utility easements were preserved in the previous amendments.

Planner Whetstone stated that the proposal meets the requirements of the Land Management Code and all future development would be reviewed for compliance with the Building and Land Management Code requirements. The Staff had recommended Condition of Approval #7 which requires the primary access to come off of Lucky John Drive to protect the new sidewalk that was constructed as a safe route along Holiday Ranch Loop. It would be a note recorded on the plat.

Planner Whetstone had received public input from several neighbors primarily related to various noticing requirements. She stated that the Staff had met the noticing requirements for a plat amendment by posting a sign on the property and sending letters to individual properties within 300 feet 14 days prior to this meeting. It was also legally published in the paper. Planner Whetstone noted that this item was continued at the last meeting because the required noticing had not been done.

Planner Whetstone added Condition of Approval #8 that would be a note on the plat. The Condition would read, "Existing grade for future development on Lot 31 shall be the grade that existed prior to construction of the garage." She understood that previous grading had raised the grade. The grade should be returned to the grade that existed prior to constructing the garage and the regarding that occurred at that time." Planner Whetstone noted that the survey with the original grade was on file in the Planning Department.

Planner Whetstone reported that the Planning Staff had done an analysis of this proposal and recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council on the Lucky John plat amendment in accordance with the findings of fact, conclusions of law and conditions of approval found in the draft ordinance with the addition of Condition #8.

Steve Schueler with Alliance Engineering, representing the applicant, stated that he was unaware of the owner's intention with respect to the lot, but he presumed that they planned to sell it.

Commissioner Gross commented on the primary access being limited to off of Lucky John Drive. He recalled past discussion about TDRs and increasing densities in areas such as Park Meadows, and he wanted to make sure they were not creating an opportunity for this applicant or a future applicant to re-subdivide the lot again. He noted that the HOA has it designated as preserved open space. Commissioner Gross referred to page 128 of the Staff report and stated out of 100 lots, two lots are slightly under an acre and the rest of the lots are over an acre. Fifty lots are two acres or more. He believed that established the type of neighborhood that Holiday Ranchette is, and he felt it was important to maintain that consistency.

Commissioner Gross stated that as a single-family development it should rest on its own merits, have its own driveways, the respective easements that have been established with the homeowners and the covenants that are within the property.

Chair Worel opened the public hearing.

Steve Swanson submitted a handout of diagrams showing the prior condition, the as-built condition, and the split lot option to help support his comments. Mr. Swanson remarked that many of the neighbors do not understand the process and he has done his best to help them understand the role of the Planning Commission and the Staff. Mr. Swanson addressed the idea of re-discovering a line that represents the demarcation between the original lots 30 and 31. He stated that it may be true to some extent, but to cover it up and then to have it magically sold back is worrisome. Mr. Swanson remarked that the lots have not existed since the plat amendment was recorded in 1999. He



believed they were talking about a re-subdivision of an existing lot, and regardless of the size it was in their neighborhood. He thought the bar should be set higher than the original because there is now existing hard construction and other improvements on this lot, the 2519 Lucky John replat.

Mr. Swanson remarked that the subject property and how it has development over time is important in terms of its relation to the neighborhood, Lucky John Drive itself, and in the context of the review and approval process operative at the time in the Holiday Ranch HOA CC&Rs. He recognized that the City has no obligation to enforce the CC&Rs.

Mr. Swanson reviewed the diagram of the prior condition site plan, which showed the two lots, 30 and 31, as they existed in 1999 with a HR plat overlay. He indicated a two-story residence that was built within the building pad, a driveway to the north, and an accessory building pad that could accommodate a garage, barn, etc, directly to the west. Mr. Swanson stated that at that point the approved and constructed projects meet the HOA requirements and the requirements of the CC&Rs. There were also no inconsistencies with respect to the LMC regarding single-family dwellings for orderly development, protected neighborhood character, and property values conserved. Mr. Swanson stated that he likes to reference the Municipal Code because it is important to understand that the City has broad authority in subdivisions in terms of review approval and purview. The LMC and the General Plan is all the City has. Mr. Swanson cited specific sections in the LMC to show the consistency between the LMC and the CC&Rs.

Mr. Swanson reviewed the as-built site plan diagram. He stated that the 1999 replat removed the center line and the subdivision is established. The Cummings were the owners at the time and they purchased both lots with a structure on one lot. Mr. Swanson noted that the owner received a variance to build a larger accessory structure than what the building pad would accommodate. The pad did not meet their needs so they purchased the adjacent lot and did the replat to combine the lots. Mr. Swanson explained that his graphic was intended to show the relationship and how it has changed in terms of how open space is viewed and the types of uses on parcels. He stated that the variance process that was affected at the time with the HOA architectural committee and the full knowledge of the HOA Board would have resulted in a larger garage being built to the north and it was placed within the building pad that was allotted to the second lot for a main building. Mr. Swanson remarked that in reality the owner was forever vacating the pad to the west. That change was shown on his diagram. He noted that the strip in between was open space. He remarked that the owner was also granted a variance to realign the entry drive and take a portion of the open space side yard. That was shown as a hatched area on the diagram. Mr. Swanson stated that based on the CC&Rs, a portion would have to remain open with no structures and no hard surfaces.

Mr. Swanson clarified that it was the HOA architectural committee and not the City who granted the variance. He explained that the hatched area was given back to the owner to utilize as a driveway surface for the single-family use with the approved accessory building at the new location. Mr. Swanson stated that it is routine and common for the HOA to work with the owners within the confines of the charter and the CC&Rs. He pointed out that the garage was raised up three to four feet from grade. Mr. Swanson remarked that there were still no conflicts or inconsistencies between the CC&Rs and the Land Management Code.

Mr. Swanson reviewed the slit option diagram. He stated that if the replat is successful and the two lots are re-created, it would create immediate non-conformances with respect to the Holiday Ranch CC&Rs and the LMC. Mr. Swanson outlined the non-conforming aspects. He stated that if the building is allowed to remain it would be under the minimum that is acceptable under the CC&Rs. The side yard open space is in conflict because hard drive surfaces would be needed to access the two parcels. A common driveway would create a conflict and a potential hardship for one or both owners. Mr. Swanson believed that it violated the LMC because the required three-foot landscape setback would no longer exist on either property, contrary to the Side Yard Exception 15-2-11H-8 of the LMC.

Mr. Swanson stated that orderly development was in question since the applicant is apparently not required to do anything to mitigate, and could initiate legal cross easements for the drive access. The owner could market, sell or hold these properties as he is equally entitled to now, but with the new underlying land being recorded as two lots. Mr. Swanson stated that the neighbors have seen firsthand what has happened to this property in a year's time. He presented a photo of what the property looked like a few years ago. It was meticulously maintained. The owner after the Cummings' recognized the value of the property and the neighborhood and was eager to contribute.

Mr. Swanson presented a photo showing the condition of the property in July 2013. He noted that the current owner took a disinterested stance on this property. Based on public record, he understood that the owner had leveraged the property and had no interest in contributing to the neighborhood or interacting with the neighbors and the HOA. Mr. Swanson believed it was only a question of solving the building addition to the existing garage, which creates an architectural problem for the HOA. He thought it was obvious that the house and garage go together. Mr. Swanson stated that there were too many negatives and unknowns to take a chance on this application. Because of the non-enforcement of CC&Rs clause and the City's broad powers, the HOA is left with created hardship and non-conformances on other issues that should have been dealt with first. He asked that the Planning Commission not take the Holiday Ranch neighbors down that path. Just because something can be done does not mean it should be done. He stated that the neighborhood is 80% full-time residents and many families. The property is inherently valuable because it has open view sheds and wildlife habitat corridors, as well as a strong and beautiful street presence.

Mr. Swanson believed the application should be rejected on its face and a recommendation to the City Council to deny this action. Short of this, he would ask the Planning Commission to continue in order to consider additional conditions of approval, one of which would be the signature and approval of the surrounding neighbors and owners.

Chair Worel asked Mr. Swanson if his comments were made on behalf of himself as an individual or on behalf of the HOA. Mr. Swanson replied that he spoke on behalf of himself as a resident.

Eric Lee, Legal Counsel for the Holiday Ranch HOA. Mr. Lee believed the City had the opportunity to keep the two parties out of litigation. He understood that the City had a policy of not enforcing CC&Rs; however, the CCRs in this case prohibited re-subdividing lots. As demonstrated by Mr. Swanson a quid pro quo negotiation was engaged fourteen years ago that resulted in the lot line

adjustment. He stated that there may be room for negotiation now, but the Nevada Limited Liability Company that owns this property has not approached the Homeowners Association despite communication from him requesting communication on this issue. They have not approached the HOA for approval to re-subdivide the lot, despite the fact that the CC&Rs require that approval, or on anything other matter. It is an absentee owner. If they are willing to communicate with the HOA there may be the potential to work something out. If not, it would end up in litigation.

Mr. Lee requested that the Planning Commission do what was administratively done in 1999 when the City considered the neighborhood's position and obtained neighborhood consent for the lot line adjustment in 1999. His position was that the owner should not be bothering the City with this issue until they receive permission from the HOA. Mr. Lee believed a negative recommendation to the City Council would allow the owner and the HOA to try and work together.

Mr. Lee stated that forwarding a negative recommendation or deferring consideration of this application would serve another purpose. The declaration for the subdivision also precludes altering any improvements or landscaping without prior written approval from the architectural committee. He pointed out that a re-subdivision would require the lot owner to alter improvements in landscaping. If the Planning Commission forwards a positive recommendation and the City ultimately allows this re-subdivision, the City would be creating a hardship argument for this owner to take to the HOA, and it changes the balance in an unfair way.

After reading the Staff report, Mr. Lee had concerns with Findings of Fact #6 which states that, "There is an existing home on Lot 30 that was built within the required setback areas and is considered a non-conforming structure." He was unclear on the meaning and asked for clarification. However, if it means that subdividing the lot would create a setback problem, the Planning Commission needs to consider that issue.

Planner Whetstone noted that word "non-conforming" was an error in the Finding because the structure is conforming and the house on Lot 30 meets the setbacks. Mr. Lee clarified that if the subdivision occurred the home on Lot 30 would be at least 12 feet from the side yard. Planner Whetstone replied that this was correct.

Mr. Lee understood that if the subdivision was allowed, an accessory structure would exist on Lot 31. As pointed out in the Staff report, accessory structures are allowed in this District as long as the setback requirements. However, in his reading of the Code, an accessory structure is not allowed without a primary structure. Mr. Lee stated that creating the subdivision would create a lot with an accessory structure without a primary structure. The City would create that situation if the subdivision was approved.

Mary Olszewski, a resident of Holiday Ranch, thanked the Planning Commission for the job the do for the City. She stated the CC&Rs is their bible that has been enforced for 37 years. It is something they do not ignore. She stated that in standing by the CC&Rs they improve their neighborhood and contribute to the City. Ms. Olszewski remarked that historically they have a relationship with the City in that plans and designs are reviewed by the architectural committee and suggestions are made, and the plans ultimately come to the City for approval. She stated that in 1999 the Cummings came to the HOA and submitted a formal application and received letters for a

variance from all the neighbors. In this instance they have been circumvented as a Board in the Holiday Ranch. A formal application was not made and no letters for a variance have been submitted from the applicant. Ms. Olszewski stated that the 1999 decision was predicated on this being one lot and a desire to help the homeowner. It seems whimsical that a homeowner can combine lots and then divide lots and leave the neighbors with a set of problems after they did their best to make everything work in the neighborhood. Mr. Olszewski stated that if the applicant is allowed to circumvent the Board, the HOA and the letters of acceptance, it weakens the CC&Rs and makes the Board moot in the neighborhood. She asked the Planning Commission to consider that in making their decision. The stronger the CC&Rs, the more valuable the property is and the greater contribution it makes to the City.

Mary Wintzer, a resident at 320 McHenry, disclosed that she is married to Planning Commissioner Charlie Wintzer. Ms. Wintzer realized that the Planning Commission was in a predicament with the policy of not being able to enforce the CC&Rs. As an Old Town resident she has spoken for years about the neighborhoods in Old Town that are being injured and how they are unable to get help from the City Council and enforcement from the Planning Commission. Ms. Wintzer noted that later this evening the Planning Commission would be discussing the General Plan and Sense of Community. She stated that what has been occurring in Old Town is now hitting Holiday Ranch. This community of full time-residents was asking the City to help uphold their sense of community. Ms. Wintzer remarked that if helping these citizens was not within their purview this evening, the Planning Commission needed to find a way to bring this into the discussion. She compared it to the domino effect. What has been happening in Old Town was now rippling to Holiday Ranch to Prospector and Thaynes, as a result of not paying attention to Sense of Community and what Park City means. Ms. Wintzer suggested that the Planning Commission and the City Council figure out a way of maintaining the sense of community the citizens were asking for.

Tracy Sheinberg, a neighbor, stated that when the current owner went to purchase the property, the real estate agent specifically told him that he could not split the lot. She was bothered by the fact that the owner had that information before he purchased the lot. She was also concerned because the owner has never lived in Park City and she assumed they did not plan to live there. They have never been a part of the community, yet they want to do something that is not allowed and would affect the neighborhood. As a neighbor, Ms. Sheinberg was concerned because the owner has let the property go into disarray. The driveway and the fence were falling apart and no one is taking care of the property. The owner now wants to split the lot and sell it as two lots. No one knows who the owner is because they never talked to the neighbors or met with the HOA. Ms. Sheinberg understood that there was no legal standing, but she thought the Planning Commission should take those factors into consideration because as a neighborhood they do care what happens to the houses and properties in their neighborhood.

Bonnie Peretti stated that she lives in the neighborhood in a home across the street and she was involved when the lots were combined under the assumption that they would not be separate. She was concerned with the term accessory apartment. Ms. Peretti noted that the owners have to refer to all accessory structures as a barn, even though some of the barns look like garages. Accessory structures were meant to accommodate horses at one point, and even now it still has to have the feeling of a barn. Accessory structures are not allowed to be rented or lived in. Ms. Peretti remarked that if the lots are split one lot would have a structure that is not a home. She wanted to



know how the City could guarantee that the structure would stay under the terms of the CC&Rs. If they allow the lots to be divided they need to protect the neighbors. Ms. Peretti felt it was best to keep the property as one lot in the way everyone understood it would be.

Peter Marsh echoed the comments of the previous speakers who have been his neighbors for 25 years. Mr. Marsh stated that he was involved in the 1999 discussions and he was available to answer any questions the Commissioners might have regarding the combinations of the lots, or any questions for the HOA as the HOA spokesperson.

Chair Worel closed the public hearing.

Mr. Schueler pointed out that the definitions of the CC&Rs of the HOA states that there should be no subdivision of lots. However, the lots referred to are the lots that were in the original platted subdivision. He clarified that the applicant was only asking to re-create the lots that existed when the subdivision was recorded as a plat in 1974. Mr. Schueler remarked that the applicant was not seeking an active proposal for development of the property at this time. He was certain that when there is a proposal, the applicant would come before the HOA and comply with the CC&Rs.

Planner Whetstone referred to comments regarding the 3' side setback of landscaping between the driveways. She noted that it could be considered a shared driveway, which is allowed; but without knowing that for certain she recommended adding Condition of Approval #9 stating that, "The driveway and landscaping must be modified to meet the 3' side yard setback prior to recordation of the plat."

Assistant City Attorney McLean emphasized that the City does not enforce CC&Rs. The Planning Commission purview is to apply the Land Management Code to the application before them. Even if the LMC is in direct conflict with the CC&Rs, the Planning Commission is tasked with applying the Land Management Code and not additional private covenants. Litigation can be a way to enforce the CC&Rs but that would be between the HOA and the applicant. The City must abide by the Land Management Code.

Commissioner Thomas understood that the Homeowners Association was registered with the City and signatures from the HOA are required when building plans are submitted. Assistant City Attorney McLean explained that the City is required to notify the HOA when building plans are submitted.

Assistant City Attorney McLean clarified that in 1999 and currently, an administrative lot line adjustment requires the consent of the neighbors, but the only purpose is to alleviate the need for having a public hearing before the Planning Commission. If the neighbors had not consented in 1999 the request for a lot line adjustment would have come to the Planning Commission.

Commissioner Wintzer stated that it is one thing to enforce the Code and another thing to ensure neighborhoods, and he was unsure how they could do both in this situation. Subdividing this property would create a non-conforming use, not of the LMC but of the CC&Rs. The structure that would be left is not an accessory building and is not large enough to meet requirements of the

CC&Rs for a house. Commissioner Wintzer did not believe the Planning Commission had the legal means to stop the lot subdivision.

Commissioner Thomas concurred with Commissioner Wintzer. Often times they run into the decision-making process of having to abide by the Code even when they do not like the solution. Unfortunately, the CC&Rs and the HOA guidelines and rules are not the responsibility of the Planning Commission. Their responsibility is the LMC and the General Plan and from time to time they have to make decisions that impact people and neighborhoods. The Commissioners do not like that solution but it is the law and they are held accountable to the law.

Commissioner Gross was concerned that allowing the subdivision would be setting up the neighbors and the homeowners for future litigation and other issues because of the accessory structure and the driveway. He referred to LMC Section 15-7-3(b)-2 – Private Provisions, which talks about the provisions of the easement, covenants or private agreements or restrictions impose obligations more restrictive or a higher standard than the requirements of these regulations or the conditions of the Planning Commission, City Council or municipality approving a subdivision or enforcing these regulations and such provisions are not inconsistent with these regulations or determinations there under, then such private provisions shall be operative and supplemental to these regulations and conditions imposed. Based on that language, Commissioner Gross believed that if the Homeowners Association had a stronger will to have the neighborhood a certain way than the City or the City Council, then the operative word is private rights and that should be respected per Section 15-7-(b)-2.

Assistant City Attorney McLean stated that if the LMC was more restrictive than the CC&Rs, the more restrictive would apply. However, if it is a private agreement and it is not reflected on the plat, the City would not enforce it. It is up to the HOA to enforce their provisions if they are more restrictive than the LMC.

Commissioner Wintzer asked for clarification on the side yard setback in the zone and what was permitted in the setback. Planner Whetstone replied that per the LMC the side yard setback is 12' and it allows patios, decks, chimneys, window wells, roof overhangs and driveways. Commissioner Wintzer asked if the driveways could go to the property line. Director Eddington stated that driveways could be 3' from the property line or 1' from the property line if it is deemed as assistance to help a car back in or out. Commissioner Wintzer was concerned that allowing the subdivision would create something that would not meet Code.

MOTION: Commissioner Wintzer moved to CONTINUE this item to a date uncertain until the applicant submits a site plan showing how the setbacks and driveways would comply with Code, and they would also have to submit their plans to the Homeowners Association. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

**5. 70 Chambers Avenue – Steep Slope Conditional Use Permit**  
**(Application PL-13-01939)**



TEL: 435-200-0085  
FAX: 435-200-0084

1441 WEST UTE BLVD, SUITE 330  
PARK CITY, UTAH 84098

WWW.JONESWALDO.COM

AFFILIATED FIRM  
LEAR & LEAR LLP

August 27, 2013

*VIA U.S. MAIL AND E-MAIL*

Mr. Thomas Eddington, Director  
Park City Planning Department  
[thomas.eddington@parkcity.org](mailto:thomas.eddington@parkcity.org)  
P.O. Box 1480  
Park City, Utah 84060

Re: 2519 Lucky John Drive – Plat Amendment Application

Dear Mr. Eddington:

I represent the Holiday Ranch Homeowners Association. The property at 2519 Lucky John Drive (the "Property") is a parcel comprised of two lots in the Holiday Ranch subdivision, Lots 30 and 31. These lots were combined by a lot line adjustment and plat amendment in August 1999.

We have not yet seen all of the documents pertaining to the Application, but our understanding is that the owner of the Property, a Nevada limited liability company known as Costa Rican Ventures, LLC (the "Owner"), is requesting permission to resubdivide the Property. The Association opposes the Application on these grounds:

1. **The Holiday Ranch Declaration prohibits resubdivision of lots.** Section 5.5 of the "Declaration of Protective Covenants for Holiday Ranchettes" (the "Declaration") bars resubdivision of Holiday Ranch lots. Declaration Section 4.3 authorizes the Association's Architectural Committee to grant a variance from the resubdivision ban but the Owner has not requested such a variance. In fact, the Owner has made no effort to communicate with the Association regarding the proposed resubdivision. We recognize that the City does not enforce subdivision covenants but we ask that the City take this resubdivision ban into consideration as it considers the Application.



2. **The Owner has not communicated with the Association regarding alterations to existing improvements and landscaping that will be made necessary by any resubdivision.**

Section 4.2 of the Declaration precludes altering any improvements or landscaping without prior written approval from the Architectural Committee. Implementing the proposed resubdivision will necessarily require altering existing improvements and landscaping, including trees and shrubs, a fence, driveway and, presumably, the separate garage building. If the Application is approved and the property is resubdivided, the Owner will be in a position to argue that it has no option but to alter these existing improvements. In other words, approving the Application will effectively create a hardship argument that the Owner currently does not have. At a minimum, the Association requests that the City defer consideration of the Application until after the Owner receives approval from the Architectural Committee to make the alterations that the Owner believes will be required after resubdivision.

3. **The owner should not be able to take advantage of raised grade created when the lots were combined.** After the lots were combined in 1999, existing grade on Lot 31 was raised substantially to facilitate construction of a barn/garage on the lot and a common driveway with Lot 30. See attached "Existing Conditions" and "New Conditions" Site Plans. Any resubdivision of the lots should be conditioned on restoring the artificially elevated grade to its original level to ensure that the residential structure that will presumably be built on Lot 31 does not enjoy a *de facto* increase in the height limit imposed by both the Declaration and the Park City Land Management Code.

If we can provide any other information in support of your review of the Application, please let us know. We appreciate your attention to this matter.

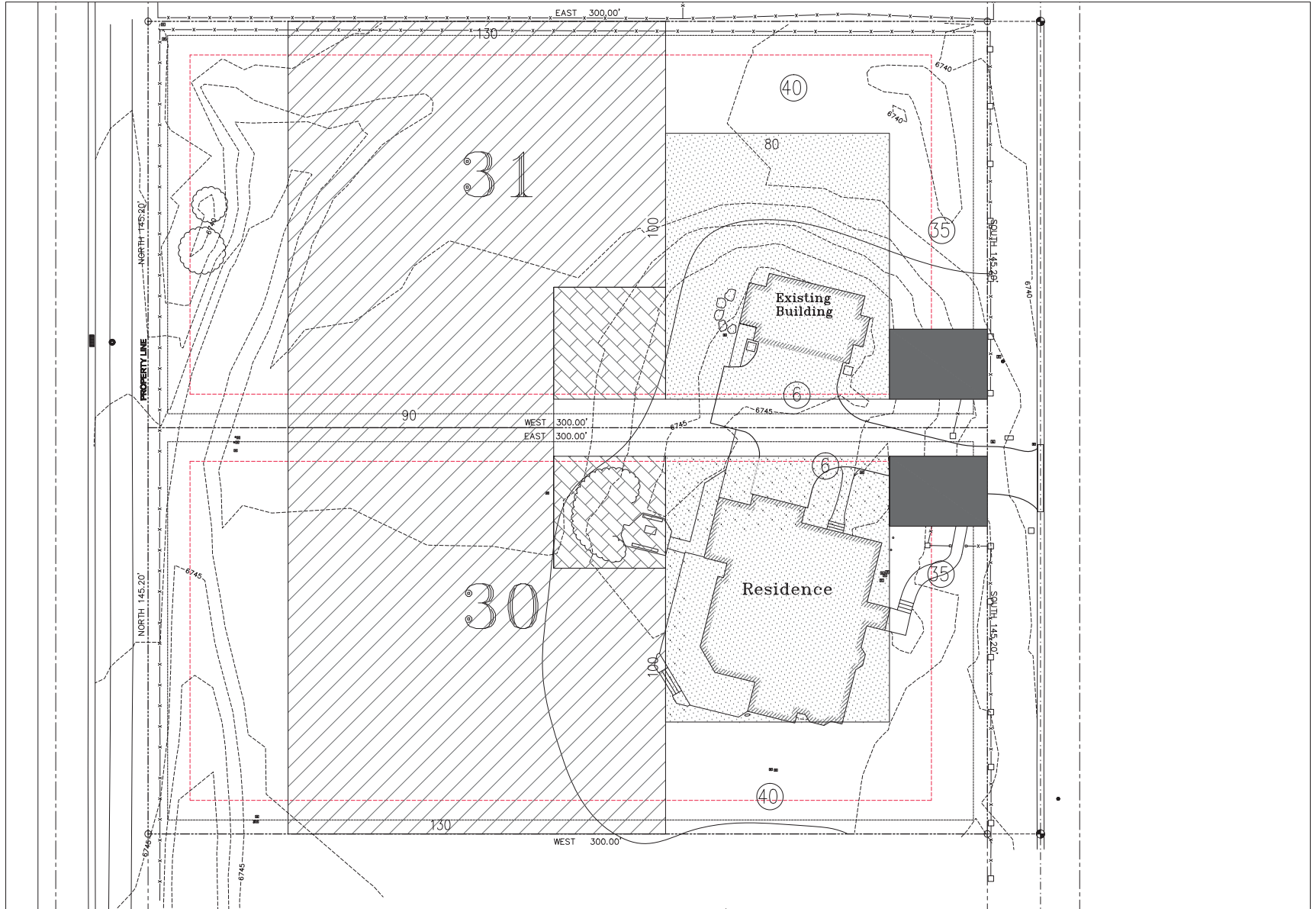
Yours truly,

Jones, Waldo, Holbrook & McDonough, PC



Eric P. Lee

EPL/nar  
Enclosures  
cc: Holiday Ranch Homeowners Association



- |  |                              |  |                                         |
|--|------------------------------|--|-----------------------------------------|
|  | RESIDENCE                    |  | OPEN AREA                               |
|  | STABLE, BARN, AND/ OR KENNEL |  | 40 SETBACK DISTANCES FROM PROPERTY LINE |
|  | DRIVEWAY (18' WIDE)          |  | 130 LENGTH OF PROPERTY ZONES            |
|  | PASTURE                      |  | 30 LOT NUMBER                           |



|                                                                                                                                |                |                                                                                                    |  |                       |
|--------------------------------------------------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------|--|-----------------------|
| <br>(435) 649-8467<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664 | STAFF:         | CC&R SITE CRITERIA (from Exhibit B-CC&R's)                                                         |  | SHEET<br>1<br>OF<br>1 |
|                                                                                                                                | STEVE SCHUELER | LOTS 30 & 31<br>HOLIDAY RANCHETTES                                                                 |  |                       |
|                                                                                                                                | DATE: 2/11/14  | FOR: DAVID LANKOWSKY<br>JOB NO: 4-5-13<br>FILE: X:\Park Meadows\dwg\lot 30+31\driveway exhibit.dwg |  |                       |
|                                                                                                                                |                |                                                                                                    |  |                       |

**CONSULTING ENGINEERS****LAND PLANNERS****SURVEYORS**

Feb 24, 2014

Paul Marsh

Holiday Ranch Homeowners Association

Park City, Utah 84060

Dear Paul,

Please find this submittal to the Holiday Ranch HOA regarding the re-establishment of the platted lot line between Lots 30 and 31. I appreciate the opportunity to have met last week at the Park City Planning offices to clarify the position of the Holiday Ranch HOA with respect to this plat amendment application. Let me also take this opportunity to apologize for the timeliness of this submittal to you and the other Board members. I had delivered a plat amendment sheet to an HOA member back in July 2013, but in hindsight, I should have made a more formal submittal, brought the HOA Board a more comprehensive set of exhibits and made myself available to address any concerns you have. I apologize for that oversight.

Dr. David Lanzkowsky is the owner of both the Lot 30 and Lot 31 properties. I am speaking on his behalf and representing this plat amendment application. Dr. Lanzkowsky seeks to re-establish the lot line between the two lots, which was removed in 1999. As you are aware Lots 30 and 31 existed as two separate platted lots from 1974 to 1999. We recognize your concerns with respect to how this plat amendment may affect compliance with the Holiday Ranches CC+R's. I hope we can ameliorate those concerns with this submittal and the following proposal:

1. As the owner of these lots, Dr. Lanzkowsky proposes to keep the existing layout of buildings, driveway, and landscape (the site plan), the same as currently exists. We understand that a variance was granted for this site plan back when the lots were combined in 1999. We feel as though keeping things "as they are" will represent the least visual impact to the neighborhood, and residents can enjoy the exact same views of the properties they have enjoyed for the past 15 years. This option would also comply with the Park City Land Management Code. Dr. Lanzkowsky has explored the possibility of moving the Lot 31 accessory building over, and adjacent to the residence on lot 30, in addition to removing the heated driveway that would cross the lot line. Moving the accessory building is estimated to cost around \$50,000, based upon proposals from contractors. It would entail construction of a new foundation, moving the structure to the new foundation, re-building any damaged facades, and then removing and disposing of the old foundation to a landfill. By anyone's standards it would be costly, disruptive to the neighborhood and not a particularly "green thing" to do. Re-establishing the lot line

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FEB 24 2014PARK CITY  
PLANNING DEPT.



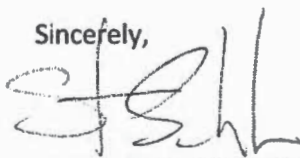
between the two lots will have no visual impact on the properties, and notwithstanding any CC+R issues associated with property and landscape maintenance, nothing is proposed to be added or taken away that would alter the visual character. Leaving the driveway "as is" serves to provide the visual connection between all the buildings and reinforces the appearance of an integrated estate or compound. No fences or walls between the two lots are proposed to be constructed and would not be done so, without review and approval by the Architectural Board.

2. Dr. Lanzkowsky has indicated to me that he is looking to retain ownership in the long-term. On the order of five years. But we all recognize that things do change. In the event of a sale of either property, Dr. Lanzkowsky would propose to make the properties compliant with your CC+R's. This would mean re-building the driveway to the Lot 30 residence so that it does not cross the property line. The accessory building on Lot 31 would either have to move, be torn down or incorporated into a new residence. Presumably a new owner of Lot 31 would wish to determine the best solution for him/ her in conjunction with working with the Architectural Board. The goal would be to not get into a situation where Lot 31 is sold and the accessory building is left for an indeterminate length of time on the lot. Or Lot 30 is sold and the new owner puts up a fence or changes the driveway such that the accessory building appears to be isolated on Lot 31. We wish to avoid those, and similar, scenarios. I would welcome the opportunity to discuss with the HOA as to how best to create an agreement which works in everyone's interest.

I am attaching the plat amendment exhibits we submitted as part of the application along with other exhibits that may be of value to you and the Board in your deliberations.

We have agreed to postpone our Planning Commission meeting until March 12th to allow time for your consideration of this proposal. If I can be of further assistance, or make myself available to your board please let me know, ideally a day in advance.

Sincerely,



ALLIANCE ENGINEERING

Steve Schueler  
Land Use Planner

cc. Kirsten Whetstone, Park City Planning Department, letter only



MOTION: Commissioner Strachan moved to nominate Nann Worel as Chair of the Planning Commission and Stewart Gross as Vice-Chair. Clay Stuard seconded the motion.

VOTE: The motion passed unanimously.

**2. 2519 Lucky John Drive – Plat Amendment  
(Application PL-13-010980)**

Planner Whetstone reviewed the request to re-establish Lots 30 and 31 of the Holiday Ranchettes Subdivision as they were platted in the 1980's. She stated that in 1999 a lot line adjustment to combine the two lots into one two acre lot was approved through an administrative hearing process. The owner at that time constructed an accessory building and created a wider driveway to access the structure. The current owner would like to re-establish the lot. However, at this time they have no plans to build a new house or make changes to the driveway or access.

Planner Whetstone noted that the owner hired Alliance Engineering to submit the plat and request a plat amendment. The property was posted and notices were sent to property owners within 300 feet. A public hearing was held in the Fall of 2013 and the HOA attended in mass. The HOA requested to meet with the owner to express their concerns and the Planning Commission continued the application to a date uncertain to allow the owners to meet with the HOA to address some of the issues. The owners met with the HOA and the application was back before the Planning Commission. The HOA was not opposed to the plat amendment to re-establish the lot, but they wanted an agreement with the owners to make sure that when they build or make changes to the driveway access that it meets the CC&Rs.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council to allow the two lots to be re-established with the findings of fact, conclusions of law, and conditions of approval found in the draft ordinance. Planner Whetstone stated that the notes that were recommended as conditions of approval had not been added to the plat, but they would be included prior to recordation.

Planner Whetstone remarked that the CC&R issues were not enforceable by the Planning Department or the Planning Commission. However, any conditions that everyone agreed to could be added on the plat.

Steve Schueler, representing the applicant, stated that when this application was presented to the Planning Commission in September there were issues relative to the HOA. Since then he has met with Steve Swanson and the HOA several times, and most recently with Paul Marsh, the HOA President. Mr. Schueler understood that the HOA did not intend to oppose the proposed plat this evening, but they wanted an agreement with the owner regarding the future condition of the property to make sure any plans would meet the CC&Rs prior to approval by the City Council.

Chair Worel referred to a letter from Steve Schueler dated February 24<sup>th</sup> that was included in the Staff report, but she did not see a response from the HOA. Planner Whetstone replied that she had not received a response from the HOA. Mr. Schueler stated that he had received a response which prompted the meeting with Mr. Marsh and Steve Swanson yesterday relative to resolving the issues and concerns. Mr. Schueler clarified that for now the current owner intends to keep the property in its existing condition since it has been that way since 1999, and he has no plans to sell the property for several years. The HOA wanted to make sure that if the owner ever sells the property or makes any improvements to the property that he would follow the process of meeting with the HOA architectural committee for compliance with the CC&Rs or any variances.

Planner Whetstone clarified that the reference to variances are only variances to the CC&Rs. The plat amendment as proposed would not create any non-conforming issues with the LMC. For a future house, the Building Department would require a letter from the HOA indicating that the HOA had received the plans. Mr. Schueler had conveyed to the owner the HOA request for an agreement, and he received an email response saying that he agreed to the terms. Mr. Marsh would have an outline of the terms of the agreement by Friday.

Commissioner Stuard asked if the parcel was currently two lots as originally configured, whether the guest house on Lot 31 would be an allowed use. Planner Whetstone replied that it was not a guest house. It is a garage/barn rather than living quarters. She pointed out that an accessory use is allowed in a secondary structure. Commissioner Stuard remarked that an accessory use is an accessory to a main building. In this case, there is not a main building. Planner Whetstone stated that it could be accessory to the lot, such as a barn is accessory to a lot. Commissioner Stuard asked if it was possible to build a barn without a primary structure. Planner Whetstone answered yes, a barn would be an allowed use.

Commissioner Joyce understood that they were dealing with an agreement between the HOA and the developer that did not physically exist and was still in the process. Mr. Schueler remarked that the agreement is a condition that is contingent on two parties and it was separate from the land use issues regulated by the Planning Commission. Planner

Whetstone clarified that if the two parties agree with the terms of the agreement, it could be added as a condition of approval prior to the City Council meeting in April. Planner Whetstone noted that because this item has been continued a number of times, the applicant had provided envelopes so it could be re-noticed. If the Planning Commission continued the item again this evening, the City Council meeting would have to be continued to a date in May.

Commissioner Campbell clarified that if the Planning Commission voted this evening it would be to forward a positive recommendation to the City Council on the proposed plat on the assumption that the applicant and the HOA could reach an agreement. Planner Whetstone recommended that the Planning Commission forward their recommendation on the ordinance contained in the packet, aside from the agreement between the Owners and the HOA.

Mr. Schueler reiterated that the owner was willing to stipulate to compliance with the CC&Rs set forth by the HOA. Planner Whetstone understood that the issue was the driveway. If there is a second house the driveways cannot be shared per a regulation of the Holiday Ranchettes development.

Commissioner Joyce understood that per the LMC a shared driveway would be allowed. Planner Whetstone replied that this was correct.

Mr. Stuard noted in the LMC that the purpose statement of the zone was to maintain existing, predominantly single family residential neighborhoods, and to allow for single family development compatible with existing developments. Mr. Stuard asked how a barn/garage/guest house satisfies the purpose of the zone. Planner Whetstone replied that physically there would be a change on the property with this structure. However, the physical characteristics of the two lots would not change until someone purchases the other lot or the owner decides to build a house on that lot.

Mr. Stuard wanted to know why it was necessary to split the parcel before those incidents occur. Mr. Schueler remarked that the owner of the property would like to split them now. He pointed out that it is an allowed use in the zone and the owner intends to maintain the property as it has existed for the past 15 years.

Chair Worel opened the public hearing.

Steve Swanson, a resident at 2524 Lucky John Drive, representing the HOA architectural committee, stated that when they attended the previous public hearing they were thankfully granted a reprieve to collect their thoughts. Mr. Swanson noted that the HOA has met with Mr. Schueler three times and they were making progress. The meeting yesterday with

Paul Marsh addressed many of the issues raised by the Planning Commission, such as the garage, the driveway, the disposition of the two properties. They were working on trying to be good neighbors and include the owner's representative in the discussion. Mr. Swanson stated that what they have accomplished so far is getting the representatives from both parties to broad stroke the issues. He believed there was agreement that they could work together, but he wanted it clear that there was not an agreement at this time. The HOA had not received any communication from the owner.

Mr. Swanson requested that the Planning Commission continue the item again this evening to a date certain to allow the HOA and the owners to solidify a compromise. Mr. Swanson stated that it is sometimes difficult to get all the parties together, particularly since the applicant is out-of-state. He noted that sending a positive recommendation to the City Council tonight might hamstring the HOA process. Mr. Swanson clarified that he was not trying to delay the approval, but it was important to keep the process in the right order. He did not believe there was any urgency since the applicant did not have immediate plans for the property. The HOA was negotiating in good faith and they would appreciate the extra time.

Mr. Swanson commented on some of the points in the Staff report regarding the garage. He referred to the plat on page 73 of the Staff report which overlays the current site and shows the overlay of the Holiday CC&R plat which shows the building pads. In 1999 when the property was owned by the Cummings, they put in a variance request to the HOA. It was reviewed by the architectural committee and they were allowed to build the larger barn. The original pad was the cross-hatched square behind the existing residence. It was a 30' x 40' pad which is standard for outbuildings in the neighborhood. Mr. Swanson stated that there were varying sizes of building pads, but the barn pads always the same size. Mr. Swanson stated that the lot line removal creating one property allowed the previous owner to move the garage to its current location on Lot 31. At that point there was considerable re-creating of the lot and it was raised between 4 to 5 feet. He felt that was significant because as they look at splitting the lots, there is an existing building on a raised pad and anybody who develops that lot would be beholden to only being granted height from the original grades. Mr. Swanson thought it should be taken one step further. The HOA and the architectural committee surveyed the residents and no one is in favor of the garage remaining because it creates too many problems.

Mr. Swanson noted that Mr. Schueler had drawn several iterations of how to potentially access the new garage, which included the possibility of building a house with an attached garage. Mr. Swanson stated that the garage is raised and any access would require it to be brought to the slab level and the driveway would have to slope up steeply, and implies that the house already has a raised floor level, when it should actually be down further. Mr. Swanson remarked that most of the Holiday Ranch lots in that area have driveways that

are close to grade. Each lot is a little different and there is no requirement, but as part of the architectural committee, he is tasked with ensuring a harmonious development of driveways, front yards, open space and homes.

Mr. Swanson Finding #13 on page 43 of the Staff report, "A shared driveway provides access to Lots 30 and 31." He agreed that it was true to some extent, but he was concerned that it could create problems in the future. He reiterated for the record that the HOA was interested in working with the applicant. It was previously requested in a previous meeting that if the owner wanted to split the lots, the changes needed to be made now. However, since then the HOA has taken a different position. If this plat is approved, the HOA would agree that the owner should have the right to enjoy the use of the shared driveway and the outbuilding since he owns both properties. The HOA would stipulate to similar language if an agreement is negotiated with Steve Schueler as the owner's representative. In the meantime, the HOA would not like the Planning Commission, as a quasi-judicial body, to enforce a statement of fact that would create something in the future that may disincentivize the owner to negotiate in good faith.

Focusing on the driveway, Mr. Swanson stated that unless there was a legal reason to include Finding #13 in the Findings of Fact, he would like it stricken. He requested that Finding #14 be stricken as well. He pointed out that the lots in Holiday Ranch are large and there is no need to share driveways. Driveways are not an issue but the orderly development of the street is an issue and the HOA may have definite ideas on how the driveway should be placed. Mr. Swanson could see where a future owner could be negatively impacted if the existing garage is allowed to remain.

Mr. Swanson reiterated his request for a continuance to allow time to resolve some of the issues so it can move forward to the City Council with a good recommendation.

Mr. Schueler stated that he specifically met with Mr. Marsh yesterday, and as the President of the HOA, Mr. Marsh told him that the HOA would not oppose the plat at the Planning Commission meeting.

Chair Worel requested that Mr. Schueler and Mr. Swanson have that discussion amongst themselves away from this meeting.

Mr. Swanson clarified that the HOA was not opposed to splitting the lots as proposed in the plat amendment, and they agreed to work harmoniously with the owner to create a path for future development.

Commissioner Stuard asked if Mr. Swanson was specifically requesting that the Planning Commission continue this project. Mr. Swanson answered yes. However, if the Planning



Commission chose to move forward with a positive recommendation, he would request that they remove Findings 13 and 14 from the Findings of Fact, as well as any conditions of approval that relate to a shared driveway.

Chair Worel understood that Mr. Swanson was speaking on behalf of the architectural committee and not the HOA. Mr. Swanson replied that this was correct.

Chair Worel closed the public hearing.

Mr. Schueler wanted the Planning Commission to be aware that the site plan that currently exists was approved by the HOA. It has been the same for 15 years and it would continue to stay the same for the foreseeable future. Mr. Schueler was unsure what a continuance would accomplish. The owner is entitled to due process. He submitted his application more than nine months ago and he would like a decision.

Commissioner Campbell understood that even in the worst case scenario, where the City Council approves the plat amendment and two weeks later the owner sells the lot, the new owner would have to meet with the HOA for an architectural review before anything could be built. He believed the safeguards were already in place, and he could not understand why the owner needed to negotiate additional safeguards that would make it more onerous for him or another owner to build. Mr. Schueler stated that the owner was willing to stipulate in writing to agreement with the HOA. Commissioner Campbell did not believe the owner should have to stipulate to an agreement. Mr. Schueler clarified that the owner was willing to do it to expedite the process. Commissioner Campbell stated that the owner was currently under the same HOA requirements of his neighbors, but the HOA was asking him to sign an agreement that would put additional restrictions on his particular lot. Mr. Schueler clarified that he had not seen the particular terms of the agreement and he was not sure what it would entail. He was supposed to receive those from Mr. Marsh on Friday.

Commissioner Campbell noted that the Planning Commission is not in the position of enforcing HOA CC&Rs. In addition, it is impossible for a property owner to obtain a building permit unless the HOA approves the plans. It was clarified that the Building Department needs proof that the architectural committee was notified, but the Building Department does not require approval by the HOA as a condition to a building permit.

Commissioner Strachan agreed that the owner is subject to the CC&Rs and to the architectural review committee, but the City does not enforce CC&Rs. However, the HOA could enforce the CC&Rs against the owner at any time. Commissioner Strachan stated that the Planning Commission does not get involved in arbitrary disputes between the HOA and a member of the HOA. There are a number of avenues that enable them to resolve

the dispute among themselves. The role of the Planning Commission is to determine whether or not there is good cause for the requested plat amendment.

Commissioner Stuard stated that both parties continually refer to the intentions of the owner and the future intentions of the owner of the new lot. In his opinion, that could not be relied on because the future ownership of the lot is unknown. Commissioner Stuard thought the Planning Commission needed to look at the effect of creating two new lots. In his mind, the effect of creating two lots is that the use on Lot 31 is not consistent with the rest of the neighborhood and would likely interfere with future development of Lot 31 since the existing structure takes up so much of the pad area. He believed they would be creating an incompatible situation for the neighborhood. Commissioner Stuard did not think the plat amendment was necessary until someone comes forward with an actual proposal to change the status quo. Commissioner Stuard was not opposed to approving a subdivision plat with conditions that address the barn prior to the recordation of the plat.

Commissioner Joyce did not understand Commissioner Stuard's position since the barn is an allowed use. As a landowner, the applicant does not have to wait until there are building plans to amend the plat. The Planning Commission should not need to be involved with the particulars. Their task is to decide whether or not it is reasonable to re-subdivide the two lots to their original form. Commissioner Joyce stated that he would agree with Commissioner Stuard if the barn was not an accepted use, but from all indications, it is allowed on the lot without a primary residence per the LMC.

Commissioner Stuard stated that his thinking was based on his belief that the nature of the LMC places an allowed use within any given zone; however, that use may not meet the purpose statement. In his opinion, the purpose statement is the overriding policy for that particular zone.

Assistant City Attorney McLean stated that the purpose statements have importance, but generally the specific provisions of the Code are more enforceable than the interpretation of the purpose statement.

Commissioner Campbell pointed out that if somebody were to purchase the second lot, they would have to tear down the barn in order to build a house. He believed the problem would correct itself. Regardless, the owner would have to work with the HOA before he could build.

Commissioner Phillips concurred with Commissioner Joyce. He read from the minutes of September 25<sup>th</sup>, "Commissioner Wintzer asked for clarification on the sideyard setback in the zone and what was permitted in the setbacks." "Director Eddington stated that driveways could be three feet from the property line or one foot from the property line if it is

deemed as assistance to help a car back in or out.” “Commissioner Wintzer was concerned that allowing the subdivision would create something that would not meet Code.” Commissioner Phillips wanted to know what was concluded from that discussion and whether the current driveway location was legitimate if the plat amendment were approved this evening.

Planner Whetstone explained that independent driveways are required to have a one-foot setback. Shared driveways are encouraged in the LMC; however, this may be an area where a shared driveway would not be encouraged. Planner Whetstone stated that because a shared driveway is on a property line the setback goes away.

Commissioner Phillips noticed that the current property has columns in the fence. If the lot was to be subdivided and a structure is built on the other lot in the future, he would like the fence to be removed so it would not appear to be a large compound with multiple buildings.

Commissioner Gross read from the LMC regarding shared driveways, “A minimum 15 feet spacing between single family driveways is required. In historic districts a minimum of 10-foot spacing between driveways is recommended. Shared driveways are always strongly recommended.” Commissioner Gross stated that his interpretation of the LMC is that shared driveways are encouraged in Historic Districts but not in other areas. He did not believe the existing driveway in its current location met the Code.

Planner Whetstone replied that shared driveways are encouraged in all districts. The difference is the spacing of driveways in the historic district. A separate section in Chapter 3 of the LMC addresses parking in the historic district. She noted that the language read by Commissioner Gross was specific to driveways. Commissioner Gross clarified that the Planning Commission was only talking about the driveway. Planner Whetstone noted that the CC&R exhibit shows the two driveways together, but they were built apart. In another exhibit the driveways were supposed to be together but they did not meet the spacing requirement. If the driveways are to be independent, the LMC would require a separation of 15-feet. Planner Whetstone clarified that the CC&R exhibits were from the original plat many years ago.

Commissioner Gross stated that if the lot is divided, the existing driveway would encroach on or over the property line and there would be no setback or open space between the two driveways. With the configuration of the driveway, it would be impossible for Lot 30 to access a house if the driveway is separated. Commissioner Gross noted that the existing driveway has radiant heat. He would like an agreement in place to make sure that whoever owns the property is a party to keeping the radiant heat on and keeping the driveway free of debris. Commissioner Gross remarked that footnotes two and three in the LMC under 15-2.1-2(A) specifically address Holiday Ranchettes in terms of detached

homes, guest houses, and other things that are prohibited. He was uncomfortable with the language on page 38 of the Staff report that talks about the detached garage. He could foresee the existing garage becoming a guest house or another use that is not allowed by the HOA. He understood that the City could not enforce the CC&Rs, but it is addressed in the footnotes of the LMC. Planner Whetstone stated that the Planning Commission could add a plat note requiring a minimum house size. It would keep the detached structure or any structure from ever becoming a dwelling unit unless it meets the minimum house size and is compatible with the neighborhood.

Commissioner Gross stated that his personal preference would be to allow the HOA and the owners to address the issues and work out their agreement before the Planning Commission votes on the plat amendment. Commissioner Stuard concurred. He noted that the HOA has requested a continuance and they should be given the chance to complete their dialogue.

MOTION: Commissioner Gross moved to CONTINUE the plat amendment to re-establish Lot 30 and 31 of the Holiday Ranchettes Subdivision at 2519 Lucky John Drive to a date uncertain. Commissioner Stuard seconded the motion.

Planner Whetstone requested that the Planning Commission continue to a date certain to avoid having to send another noticing to the public within 300 feet. Commissioner Gross did not want this to come back to the Planning Commission until an agreement was reached between the HOA and the owner. Planner Whetstone remarked that Commissioner Gross was asking for a third party agreement on an issue that is not within the Planning Commission purview.

Commissioner Strachan thought the Planning Commission should establish a date and give the HOA the time they requested. Commissioner Gross was willing to say that the HOA and the owner needed to come to some agreement within the next 90 days. Planner Whetstone pointed out that the two parties may never reach an agreement.

Mr. Schueler asked Assistant City Attorney McLean about the due process for his client. Ms. McLean stated that the owner can request to move forward on an application, even though it could result in a negative recommendation. Under the State Code a Rip Cord provision entitles the owner to be given a decision within a certain time period. To her knowledge the Rip Cord has not been pulled, but it could be if someone wanted a resolution.

Planner Whetstone reiterated her request for a date certain and suggested the second meeting in April. Commissioner Stuard stated that his second to the motion was for a meeting date closest to 90 days. Commissioner Gross was willing to make it sooner if the

issues were resolved. Ms. McLean stated that the idea of a date certain is to give notice to the public when it would be on the agenda again. Commissioner Gross could not understand the time constraint since the owner had no immediate plans to build or sell. He supports subdividing the lot, but he was uncomfortable with the other issues involved.

Commissioner Gross amended his motion to Continue to April 23, 2014. Commissioner Stuard seconded the amendment to the motion.

Chair Worel called for a vote on the motion as amended.

VOTE: Commissioners Gross, Stuard and Strachan voted in favor of the motion. Commissioners Campbell, Phillips and Joyce voted against the motion.

Commissioner Campbell clarified that he voted against the motion because the owner has the right to subdivide the lot to its original configuration. He was concerned that the Planning Commission was getting into the business of pushing HOA CC&Rs, which they all agree are outside of their purview to restrict or enforce. The issue is between the owner and the HOA. If the owner wants to build on the lot he would have to go before the HOA Architectural Committee and have his plans reviewed.

Commissioner Phillips believed the Planning Commission has given the HOA and the owner additional time and they still have not been able to work out the terms of the agreement. There is the possibility that they may never work out an agreement.

Chair Worel believed there was enough check and balances in place for the HOA to come to agreement with the applicant whenever they decide to build on the property. As the Chair she could vote to break a tie and she voted against the motion.

The motion to Continue FAILED. Commissioners Gross, Stuard and Strachan voted in favor of the motion. Commissioners Campbell, Phillips, Joyce and Worel voted against the motion.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the plat amendment to re-establish Lots 30 and 31 of the Holiday Ranchettes Subdivision plat based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Phillips seconded the motion.

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

Findings of Fact - 2519 Lucky John Drive

1. The property is located at 2519 and 2545 Lucky John Drive in the Single-Family (SF) zoning district.
2. The property consists of a two-acre lot, known as Lot 1 of the 2519 Lucky John Drive Replat approved and recorded on September 2, 1999. Lot 1 was created when a lot line adjustment removing the common lot line between Lots 30 and 31 of the Holiday Ranchettes Subdivision (recorded on May 31, 1974) was approved and recorded at Summit County on September 2, 1999.
3. The owners wish to re-establish the original platted lot configuration of Lots 30 and 31 of the 1974 Holiday Ranchettes Subdivision.
4. Each lot will be one-acre in area, consistent with the 1974 Holiday Ranchettes Subdivision platted configuration.
5. The proposed density for this plat amendment is one (1) dwelling unit per acre.
6. There are no house size limitations within the Holiday Ranchettes subdivision.
7. The minimum setback requirements are twenty feet (20') for the front yard and twelve feet (12') for the side yards. Front facing garages require a twenty-five (25') foot front setback. The rear setback requirement of fifteen feet (15') is not applicable due to the double frontage nature of both lots.
8. There is an existing single family house on Lot 30 that complies with all required setbacks.
9. There is an existing garage/storage structure built on Lot 31 that complies with all required setbacks.
10. Both Lots 30 and 31 have double frontage onto Lucky John Drive and Holiday Ranch Loop Road. The 1974 Holiday Ranchettes Subdivision plat includes notes restricting access from Lucky John Drive.
11. The pattern of development in the neighborhood includes primary access to these double frontage lots from Lucky John Drive and not from Holiday Ranch Loop Road, providing consistent building setback areas along Lucky John Drive and Holiday Ranch Loop.
12. The plat provides for a restriction of access to Lucky John Drive and protects the



safe routes to school pedestrian and bike path from additional primary access across it.

13. A shared driveway provides access to Lots 30 and 31.

14. The LMC (Section 15-3-3 (H)) states that shared driveways are strongly recommended. Shared driveways decrease impervious surface, and storm water run-off. Shared drives provide for greater landscaping/open space areas and provide opportunities for designs that lessen visual impacts of garages, while decreasing the number of curb cuts on streets. Shared driveways necessitate access easements and maintenance agreements between property owners.

15. The proposed plat re-establishes the original two-lot configuration.

16. The proposed plat causes no nonconformities with respect to setbacks, lot size, maximum density, or otherwise.

17. All original drainage and utility easements will be re-established.

18. New snow storage easements and easements to address shared access and encroaching utilities will be provided.

19. Conditions banning access from Holiday Ranch Loop will be re-instated with this plat.

20. There is Good Cause to approve the proposed plat amendment as conditioned as the plat amendment does not cause undo harm on any adjacent property owners, the built conditions are consistent with requirements of the Land Management Code, future development will be reviewed for compliance with requisite Building and Land Management Code requirements with review by the HOA, cross access easements and utility relocation and/or utility easements will be recorded to resolve encroachment issues, and public snow storage easements will be provided along Lucky John Drive and Holiday Ranch Loop Road.

21. The proposed plat, as conditioned, is consistent with the approved 1974 Holiday Ranchettes Subdivision plat, meets the requirements of the Land Management Code.

22. Proposed conditions of approval require the applicant to provide to the City a letter from the HOA outlining concerns and recommendations regarding any proposed changes to the property, prior to issuance of any building permits.

23. The existing house is typical of the existing development in Park Meadows, and the subdivision will allow for another home of similar size to be built in the subdivision as originally planned when the Holiday Ranchettes Subdivision was approved.

#### Conclusions of Law – 2519 Lucky John Drive

1. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
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.

#### Conditions of Approval – 2519 Lucky John Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, 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. Prior to making any physical changes to the property and prior to occupancy of the detached garage located on Lot 31, for any use other than as a detached garage and storage building, the applicant shall meet with the HOA (provided that there is an established HOA at the time of the building permit application) and shall provide to the City, with any building permit application, a detailed letter from the HOA outlining the HOA's concerns and recommendations with said building permit application. This shall be noted on the plat.
4. A certificate of occupancy, issued by the City, is a condition precedent to occupation of the garage on Lot 31 for any use other than as a detached garage or storage building. This shall be noted on the plat.
5. Any construction on Lots 30 and 31 shall use the original existing grade (USGS

topography that existing prior to any construction on the lots) in the calculation of Building Height. This shall be noted on the plat.

6. The garage structure on Lot 31 may not be used as a dwelling unit until separate utilities and sewer services are provided for this lot, as required by the various utility providers, and until a certificate of occupancy is issued by the City. Utility work, including grading and landscape changes, requires a building permit. A letter from said HOA, stating that the HOA is aware of the proposed work and outlining any concerns and recommendations, shall be provided to the City prior to issuance of any permits for this work. This shall be noted on the plat.

7. Prior to recordation of this plat amendment, cross access easements for the shared driveway shall be recorded at Summit County and reflected on the plat. Cross access easements would not be required if the shared driveway is modified and the access encroachments are removed prior to plat recordation. This shall be noted on the plat.

8. Prior to recordation of the plat, any existing utilities that cross the common property line, shall be relocated as required by the utility providers. If relocation is not required, then encroachment easements shall be recorded at the County.

9. Prior to proposed construction on Lots 30 and 31, including additions, remodels, driveway re-locations, grading, landscaping, fencing, and any other construction that requires a permit from the City, a letter from said HOA, stating that the HOA is aware of the proposed work, and outlining any concerns and recommendations, shall be provided to the City prior to issuance of any permits for utility work. This shall be noted on the plat.

10. No access to Lots 30 and 31 is permitted from Holiday Ranch Road. This shall be noted on the plat.

11. A ten foot (10') wide public snow storage easement is required along the frontage of the Lots on both the Holiday Ranch Road and Lucky John Drive frontages.

12. A note shall be added to the plat that modified 13-D sprinklers will be required for new construction as required by the Chief Building Official at the time of review of the building permit.

**3. Risner Ridge Subdivision 1 & 2 – Plat Amendment  
(Application PL-13-02021)**

Planner Whetstone reported that the applicant's representative was unable to attend due to an emergency. She noted that the Risner Ridge HOA was the applicant and they were satisfied with the Staff report and the conditions of approval.

Planner Whetstone reported that this application was a request to amend both Risner Ridge and Risner Ridge No.2 Subdivision plats to include as plat notes, language that has already been approved by the City Council of Park City and is reflected in City Ordinance No. 90-28 and 04-09. She clarified that the Ordinances were recorded; but the plat reflecting the notes never was. The requested plat amendments memorialize language that has been approved and clarified by recorded Ordinances.

Planner Whetstone provided a brief background. Two subdivisions, the Risner Ridge and Risner Ridge 2, were approved in 1988. When Risner Ridge 1 was approved, house size limitations were placed, as well as a way to measure the house size to include the basement as part of the maximum house size. The maximum house size was 5500 square feet. Planner Whetstone pointed out that the City was not as careful about placing notes on plats at that time assuming that it was understood as a part of the CC&Rs. When Risner Ridge 2 was approved, the same language was included.

Planner Whetstone explained that over time the architects designed homes that excluded the basement because the LMC excludes a truly buried basement from the square footage. The HOA caught the mistakes in the fully-developed plans and the plans had to be redone. In 1990 the City adopted Ordinance 90-28 that said the language when the subdivision was approved counted the basements and every lot has the same 5500 square feet limitation. Setback issues were also addressed through plat amendments, and the note regarding setbacks were different from the CC&Rs and how the subdivision was approved. Planner Whetstone noted that the note was placed on an actual plat and was recorded with Summit County. However, the notes regarding house size and how it was measured was never placed on a plat. It was not a problem with paper plats because the Staff had a process to identify note plats. However, now that everything is obtained electronically, the notes are missing on the plats. She pointed out that the title for each lot is subject to the ordinances, but when the plat is pulled at the County, the ordinance does not pull up.

Planner Whetstone stated that in an effort to clear up the confusion, the plat amendment, if approved, would record the plat note and it would be included on the County Recorded plat. When someone pulls up Risner Ridge all the plat notes would show. She clarified

## City Council Staff Report



PLANNING DEPARTMENT

**Project Number:** PL-14-02225  
**Subject:** North Silver Lake Condominium Plat  
**Author:** Francisco Astorga, Planner  
**Date:** May 8, 2014  
**Type of Item:** Administrative – Condominium Record of Survey

### **Summary Recommendations**

Staff recommends the City Council hold a public hearing and consider approving the a Condominium Record of Survey for the North Silver Lake Condominium Plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

*Staff reports reflect the professional recommendation of the Planning Department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.*

### **Description**

**Applicant:** SR Silver Lake LLC represented by Rich Lichtenstein  
**Location:** 7101 Silver Lake Drive  
Lot 2B Subdivision of Lot 2 North Silver Lake  
**Zoning:** Residential Development (RD) District  
**Adjacent Land Uses:** Ski resort and residential  
**Reason for Review:** Condominium Record of Survey Plats are required to be reviewed by the Planning Commission and reviewed and approved by the City Council

### **Proposal**

Under the Deer Valley Resort Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial/support space. In 2010, the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units: sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private dwelling units. The applicant requests the approval of their proposed Condominium Record of Survey plat which is consistent with the approved CUP (2010).

### **Background**

On January 10, 2014, a complete application was submitted to the Planning Department requesting approval of the North Silver Lake Condominium Plat located at 7101 Silver Lake Drive in Deer Valley. The site is located in the Residential Development (RD) District. The proposed Record of Survey identifies private and common space and

allows the applicant to sell the units. On March 14, 2014, the application was revised to include twelve (12) stand-alone single family dwelling units and (1) stand-alone duplex dwelling (containing 2 units) and forty (40) units within the main four (4) condominium buildings (the footprint of the main buildings will not change) instead of the original ten (10) stand-alone single family dwelling units and three (3) stand-alone duplex (containing 2 units each) dwellings equating to sixteen (16) units and thirty eight (38) units within the main four (4) condominium buildings.

A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development. The Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision further amended Lot 2 into four (4) separate Lots A - D. In 2005, the North Silver Lake Lodge Record of Survey Plat was recorded. That Plat subdivided Lot 2B into six (6) units and it identified convertible land for future development of the remaining land.

At this time, the applicant requests to replace the North Silver Lake Lodge Record of Survey Plat (2005) with the proposed North Silver Lake Condominium Plat. The proposed Condominium Record of Survey plat identifies private, limited common, common areas, etc., within the project. All buildings are fully depicted. The current recorded plat, North Silver Lake Lodge Record of Survey Plat (2005), will be retired when this one is recorded.

This Condominium Plat was originally noticed for the February 12, 2014, Planning Commission meeting. Due to a personal matter, which required the absence of the project planner, the applicant requested the Planning Commission continue the Condo Plat and a request for a Condition Use Permit modification for Lockout Units to the following Planning Commission meeting on February 26.

On February 26, 2014, the Planning Commission approved the applicant's request of thirty eight (38) Nightly Rental Lockout Units modifying the Conditional Use Permit (CUP) approved by the City in 2010. The modified CUP is subject to the findings of fact, conclusion of law, and conditions of approval of the Planning Commission action letter dated March 3, 2014. See Exhibit F.

During the February 26, 2014, meeting the applicant and a group of neighbors stipulated to specific conditions of approval that were approved by the Planning Commission and reflected on the March 3, 2014, Planning Commission action letter. Since then, the applicant and the same group of neighbors have also stipulated to certain conditions related to this Condo Plat application, which have been incorporated as specific provisions within the CC&Rs and updated by the applicant and would be recorded concurrently with the proposed Condo Plat. This item was continued to the April 9, 2014, Planning Commission meeting at the request of the applicant and neighbors.



During the April 9, 2014, Planning Commission meeting the Commission forwarded a positive recommendation to City Council. The recommendation consisted of a unanimous vote.

Open Space issues addressed by 2010 Quasi-Judicial Appeal of CUP Application

Under the Deer Valley Resort Master Plan Development (MPD), the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

The original CUP application was before Planning Commission several times and approved in July 2009. That CUP was appealed. The City Council reviewed the appeal in October/November 2009 and remanded it to the Planning Commission with specific items included in the Order to be addressed.

The Planning Commission reviewed the remand during several Planning Commission work sessions and meetings in 2009 and 2010 to address the Order and findings of the City Council. The Planning Commission approved the revised CUP on April 28, 2010.

That approval was appealed by two separate parties, Eric Lee and Lisa Wilson. The City Council reviewed the appeal June 24, 2010. At that hearing, the Council reviewed the open space issue and found that the sixty percent open space requirement for the project has been met. The open space of the current design is 70.6%. Within the Deer Valley MPD, the applicant is allowed to utilize the open space of lot 2D toward the total open space calculation for the project. The specific findings regarding this issue found in the July 1, 2010, order state:

8. Within the Deer Valley MPD development parcels exhibit there is a note for the NSL Subdivision Lot 2D Open Space stating "This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B." Lot 2D is 4.03 acres in size.

9. Within the original North Silver Lake Subdivision, the Bellemont subdivision was allowed to also utilize Lot 2B towards the 60% open space requirement. The Bellemont Subdivision utilized  $\frac{1}{4}$  acre of the Lot 2B parcel to comply with the open space requirement. [sic – this should have read Lot 2D]

10. The current application site plan contains 70.6% of open space on the site including the remainder 3.78 acres of open space on Lot 2D.

On July 1, 2010, the City Council ratified their decision on the appeal and modified the Planning Commission Findings of Fact, Conclusions of Law, Conditions of Approval and Order with minor corrections to the findings and conditions.

Under the current application, Staff received public comments regarding open space miscalculations which had already been addressed in the July 1, 2010, City Council order. All conditions of approval of the City Council's July 1, 2010, order shall continue to apply under this approval.

The applicant has submitted a master site plans showing the open space which calculated to the 70%. See Exhibit H.

### **District Purpose**

The purpose of the Residential Development (RD) District is to:

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities;
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services;
- C. allow commercial and recreational activities that are in harmony with residential neighborhoods;
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types.

### **Analysis**

The proposed Condominium Record of Survey memorializes condominium units, common area, and limited common area for the development. The proposed plat identifies the private area, limited common area, support limited common area and facilities, and common area that allows the units to be sold individually.

The proposed Condominium Record of Survey consists of twelve (12) single-family dwellings; one (1) duplex dwellings with two (2) units, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) support commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units. The boundary lines of each private unit are set forth on the proposed plat.

The size of the private units within the multi-unit dwelling ranges from 2,007 – 7,075 square feet. The size of the stand alone units as the single family dwellings and duplex range from 5,046 – 8,591 square feet. See table below showing the dwelling type, private square footage, and number of floors of units 1-14:

| Unit # | Dwelling type | Private square footage | Number of floors |
|--------|---------------|------------------------|------------------|
| 1      | SFD           | 6,505                  | 4                |
| 2      | SFD           | 5,851                  | 4                |
| 3      | Duplex        | 5,824                  | 3                |
| 4      | Duplex        | 5,824                  | 3                |

|    |     |       |   |
|----|-----|-------|---|
| 5  | SFD | 6,559 | 3 |
| 6  | SFD | 8,589 | 3 |
| 7  | SFD | 6,529 | 3 |
| 8  | SFD | 8,591 | 3 |
| 9  | SFD | 6,296 | 3 |
| 10 | SFD | 6,180 | 4 |
| 11 | SFD | 6,706 | 4 |
| 12 | SFD | 6,431 | 5 |
| 13 | SFD | 5,046 | 3 |
| 14 | SFD | 6,646 | 3 |

The Record of Survey includes: limited common areas consisting of decks, roofs, driveways, etc.; support limited common areas and facilities consisting of the private road, patio, exercise area, lockers, swimming pool, lobby, lounge, etc.; support unit consisting of the lobby; and the three (3) support commercial units identified as:

- Unit C-1: ski rentals, 817 square feet
- Unit C-2: spa, 852 square feet
- Unit C-3: dining area, 3,244 square feet

These support commercial areas mentioned above and all of the other amenities identified on the plat are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, lockers, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units onsite. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community. Per the 2010 approved CUP, the applicant requested to accommodate 5,140 square feet of support commercial space. At this time the updated CUP plans and Record of Survey indicates a combined support commercial area of 4,913 square feet.

Staff finds good cause for this Condominium Record of Survey as it reflects the approved CUP for the development.

#### Height of the single family dwellings and duplexes

After reviewing the previous staff reports and minutes, staff identified that the single family and duplex dwellings along the periphery of the site are substantially beneath the allowed height of 45 feet. The applicant's representative indicated that their proposal was designed to put all the units on the perimeter of the project at 33 feet maximum height. The larger buildings in the center are designed at 50 feet. This is reflected on the August 13, 2008, Planning Commission staff report and meeting minutes.

During the October 22, 2008, Planning Commission meeting it was indicated that the homes on the perimeter were designed to be 33 feet above grade from natural grade; two units on steep grade. It was also noted that there are units where the buildings would be between 33 and 40 feet tall to create variation in the roof forms. These homes

create a scale more compatible to the surrounding single family homes than the four centralized condominiums.

During the February 25, 2009, Planning Commission the applicant's architect reviewed a fog study and talked about the massing of the project. It was stated that the applicants took it upon themselves to apply a 33 foot height limit. That same staff report indicated the following:

*Height limitation: As previously mentioned, the applicant has self-imposed a 33 foot height limitation for the periphery detached homes in an effort to create compatibility with the adjacent projects. The larger stacked flat condominiums are 50 feet in height. They are located within the center of the project and to the north adjacent to open space. The new location of the larger buildings creates less impact on the adjacent neighbors and less impermeable surface area than the previous site plans.*

During the May 27, 2009, Planning Commission, Planner Cattin reported that part of the master plan is a 45 foot height limit with an additional five feet for pitched roofs. She presented a display showing a 33 foot cloud over existing grade and noted that the applicant has self-imposed a 33 foot height limitation around the periphery. The project is above 33 feet in the central four units and in small portions around the periphery. For the most part they stayed under the self-imposed 33 foot height limit. The allowed height is 45 feet maximum. The Planning Commission commended the applicant on the effort put forth to reduce heights along the periphery to match the adjacent zone height of 33 feet above existing grade. The same was discussed during the July 08, 2009, Planning Commission meeting and the November 12, 2012, City Council meeting. Exhibit G – 2009 Fog Study was presented to the Planning Commission during the May 27, 2009, Planning Commission meeting.

On March 14, 2014, the applicant submitted a schematic site, floor, and elevation plans to reflect the 33 foot limit for the purpose of comparing the various plans, fog studies, etc., similar to the one above to ensure that the height of all structures matched what the City approved. This includes the self-imposed height condition of the single family dwellings and duplexes as the CUP was approved with this understanding. The proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation. On May 1, 2014, the applicant updated the schematic plans submitted on March 14. Staff has identified that the structures are in substantial compliance with the 2009 fog study. Staff recommends that the City Council add a condition of approval indicating that the proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation.

#### Density

The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings/duplex and thirty eight (38) units within the multi-unit dwellings. The applicant with the agreement from a group of neighbors is shifting that density

slightly and requesting to plat twelve (12) single family dwellings, one duplex with two (2) units, totaling fourteen (14) dwelling units and forty (40) units within the same multi-unit dwelling. The footprint and size of the multi-unit dwelling is not expanding. The applicant requests to add the two (2) units from the single family dwelling/duplex pool. Staff does not find any detrimental impacts with this modification as the plat will still be in substantial compliance with the 2010 CUP, the size of the multi-unit dwelling is not expanding, and the overall density will remain at fifty-four (54) units.

### **Department Review**

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

### **Notice**

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

### **Public Input**

Lisa Wilson has submitted comments in opposition of the condominium plat. See Exhibit G – Public Comments.

### **Process**

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

### **Alternatives**

- The City Council may approve the North Silver Lake Condominium Plat as conditioned or amended; or
- The City Council may deny the North Silver Lake Condominium Plat and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on North Silver Lake Condominium Plat; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

### **Significant Impacts**

There are no significant impacts on the City from this application.

### **Consequences of not taking the Suggested Recommendation**

The Condominium Record of Survey would not reflect the approved 2010 CUP development. The owner would not be able to sell private units.

### **Recommendation**

Staff recommends the City Council hold a public hearing and consider approving the a Condominium Record of Survey for the North Silver Lake Condominium Plat based on

the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

**Exhibits**

Exhibit A – Proposed Ordinance with Proposed Condominium Record of Survey

Exhibit B – Project Description

Exhibit C – North Silver Lake Subdivision (1993)

Exhibit D – Lot 2 North Silver Lake Subdivision (1997)

Exhibit E – North Silver Lake Record of Survey Plat (2005)

Exhibit F – Planning Commission Action Letter dated March 4, 2014

Exhibit G – Public Comments

Exhibit H – Master Site Plan, Open Space

Exhibit I – 2009 Fog Study

**Ordinance No. 14-XX**

**AN ORDINANCE APPROVING THE NORTH SILVER LAKE CONDOMINIUM PLAT  
LOCATED AT 7101 SILVER LAKE DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the North Silver Lake Condominium Record of Survey Plat, located at 7101 Silver Lake Drive have petitioned the City Council for approval of an amended and restated condominium record of survey plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, February 26, 2014, and April 9, 2014 to receive input on the North Silver Lake Condominium Record of Survey Plat record of survey plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council;

WHEREAS, the City Council on May 8, 2014 conducted a public hearing to receive input on the North Silver Lake Condominium Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Condominium 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. North Silver Lake Condominium Plat 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 site is located at 7101 Silver Lake Drive.
2. The site is located in the Residential Development (RD) District.
3. A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development.
4. Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision



further amended Lot 2 into four (4) separate lots. This record of survey plat is development of Lot 2B of the Lot 2 North Silver Lake Subdivision plat.

5. In 2005 the North Silver Lake Lodge Record of Survey Plat was recorded. This Plat subdivided Lot 2B into six (6) condominium units and identified convertible land
6. At this time the applicant requests to replace the North Silver Lake Lodge Record of Survey Plat (2005) with the proposed Record of Survey. Upon recordation of this current condominium plat, the North Silver Lake Lodge Record of Survey plat (2005) shall be retired.
7. The proposed Condominium Record of Survey plat identifies private, limited common, common areas, etc., within the project.
8. Under the Deer Valley Resort Master Plan the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,525 square feet of commercial and support space.
9. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units.
10. The proposed Condominium Record of Survey Plat amends Lot 2B of North Silver Lake Subdivision.
11. The boundary lines of each private unit are set forth on the proposed plat. The proposed Condominium Record of Survey plat consists of twelve (12) single-family dwellings, one (1) duplex unit, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
12. The support commercial areas mentioned above and all of the other amenities identified on the plat are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, lockers, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
13. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community.
14. The 2010 approved CUP accommodated 5,140 square feet of support commercial space.
15. At this time the updated CUP plans and this Record of Survey indicates a combined area of 4,913 square feet of support commercial.
16. All findings in the analysis section of the staff report are incorporated herein.
17. The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings and 38 units within the multi-unit dwellings.
18. Currently the applicant is requesting to plat twelve (12) single family dwellings, one duplex with two (2) units, totaling fourteen (14) dwelling units and forty (40) units within the same multi-unit dwelling.
19. The size of the multi-unit dwelling footprint is not expanding. The overall density is not increasing as the applicant requests to add the two (2) units from the single family dwelling/duplex pool.
20. The condominium record of survey plat is in substantial compliance with the 2010 CUP. The size of the multi-unit dwelling is not expanding, and the overall density

will remain at fifty-four (54) units.

Conclusions of Law:

1. There is good cause for this Condominium Record of Survey.
2. The Condominium Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
3. Neither the public nor any person will be materially injured by the proposed condominium record of survey plat.
4. Approval of the condominium record of survey plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The condominium record of survey plat is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium record of survey 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 condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless 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 note shall be added to the plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this plat.
4. The applicant shall be responsible of filing the proper documentation with Summit County to retire the North Silver Lake Lodge Record of Survey Plat recorded in 2005 prior to recordation of this plat.
5. All conditions of approval of the City Council's July 1, 2011 order on the Conditional Use appeal shall continue to apply.
6. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.
7. The proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation.

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

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2014.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, MAYOR

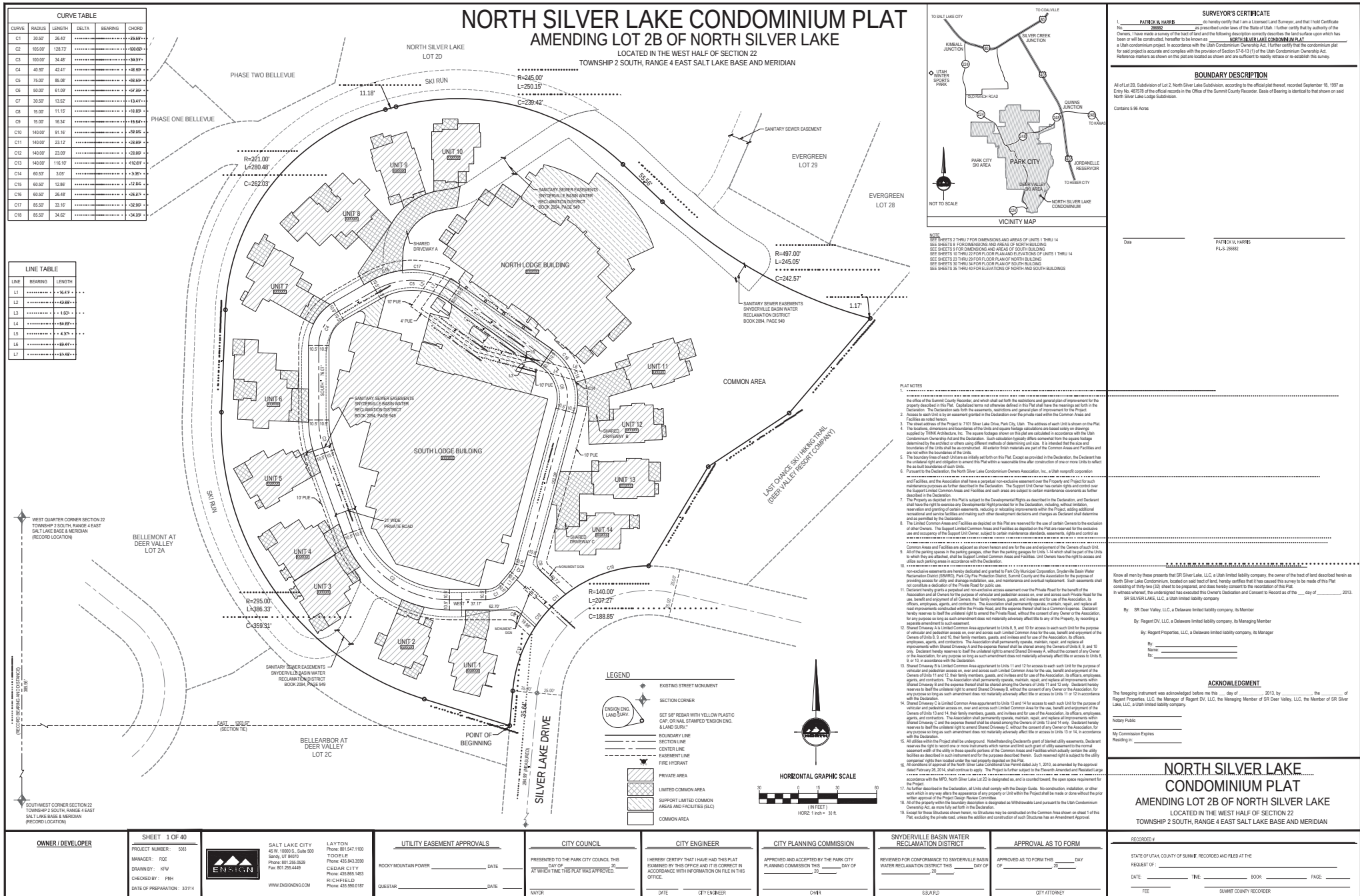
ATTEST:

\_\_\_\_\_  
Marci Heil, City Recorder

APPROVED AS TO FORM:

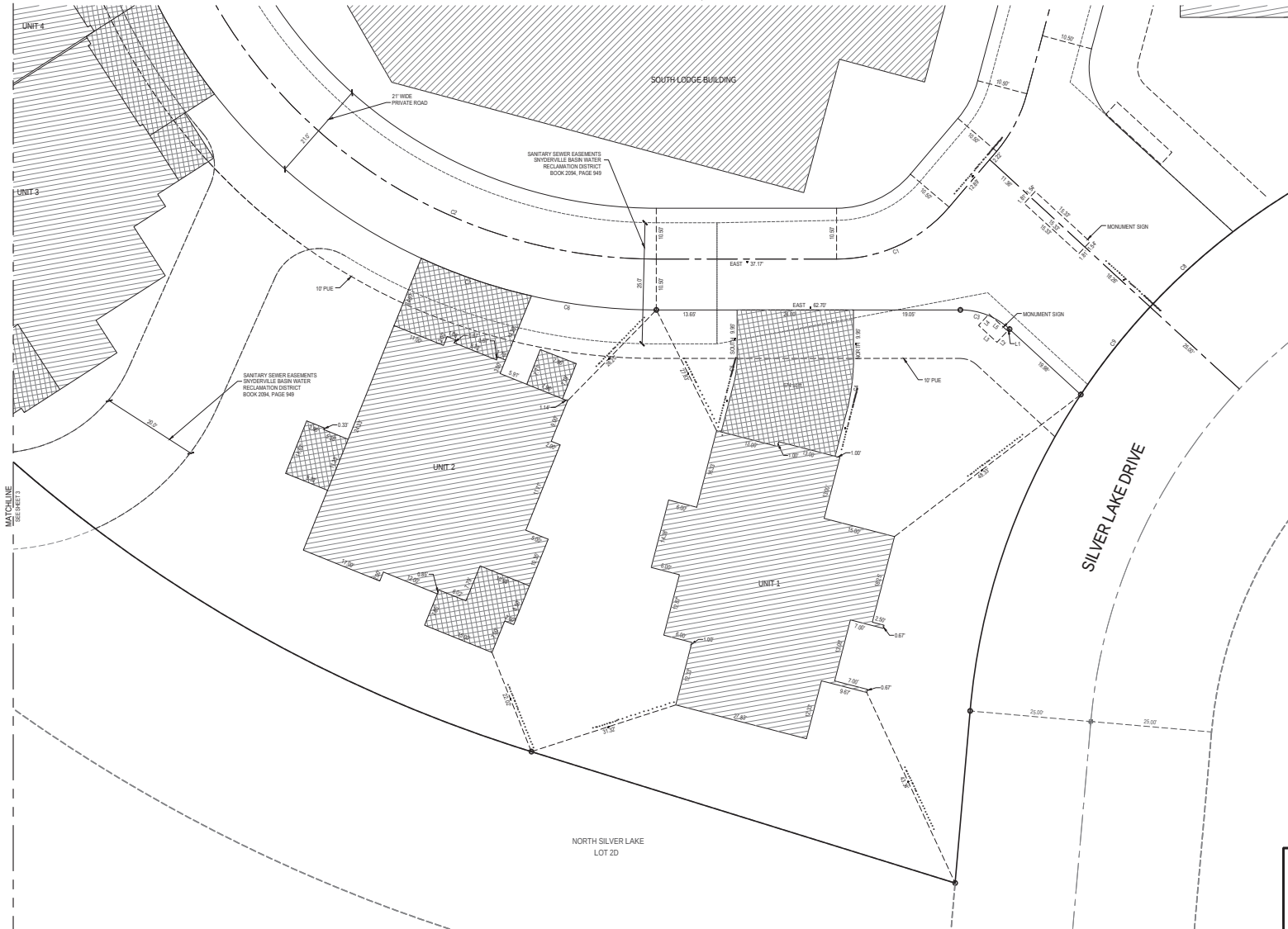
\_\_\_\_\_  
Mark Harrington, City Attorney

## Attachment 1 - Proposed Condo Plat



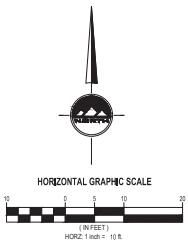
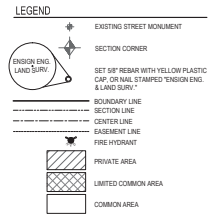
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| CURVE TABLE |         |         |        |            |         |
|-------------|---------|---------|--------|------------|---------|
| CURVE       | RADIUS  | LENGTH  | DELTA  | BEARING    | CHORD   |
| C1          | 30.00'  | 28.40'  | 10.00° | S 89.00° E | 28.89'  |
| C2          | 100.00' | 128.73' | 10.00° | S 89.00° E | 129.60' |
| C3          | 15.00'  | 11.10'  | 10.00° | S 89.00° E | 11.89'  |
| C4          | 44.00'  | 11.20'  | 10.00° | S 89.00° E | 11.87'  |
| C5          | 20.33'  | 5.13'   | 10.00° | S 89.00° E | 5.10'   |
| C6          | 115.00' | 32.12'  | 10.00° | S 89.00° E | 32.66'  |
| C7          | 115.00' | 24.08'  | 10.00° | S 89.00° E | 24.64'  |
| C8          | 140.00' | 23.12'  | 10.00° | S 89.00° E | 23.69'  |
| C9          | 140.00' | 23.08'  | 10.00° | S 89.00° E | 23.65'  |

| LINE TABLE |            |        |
|------------|------------|--------|
| LINE       | BEARING    | LENGTH |
| L1         | S 89.00° E | 6.80'  |
| L2         | S 89.00° E | 6.375' |
| L3         | S 89.00° E | 6.375' |
| L4         | S 89.00° E | 6.375' |
| L5         | S 89.00° E | 6.375' |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 40  
PROJECT NUMBER: 5083  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



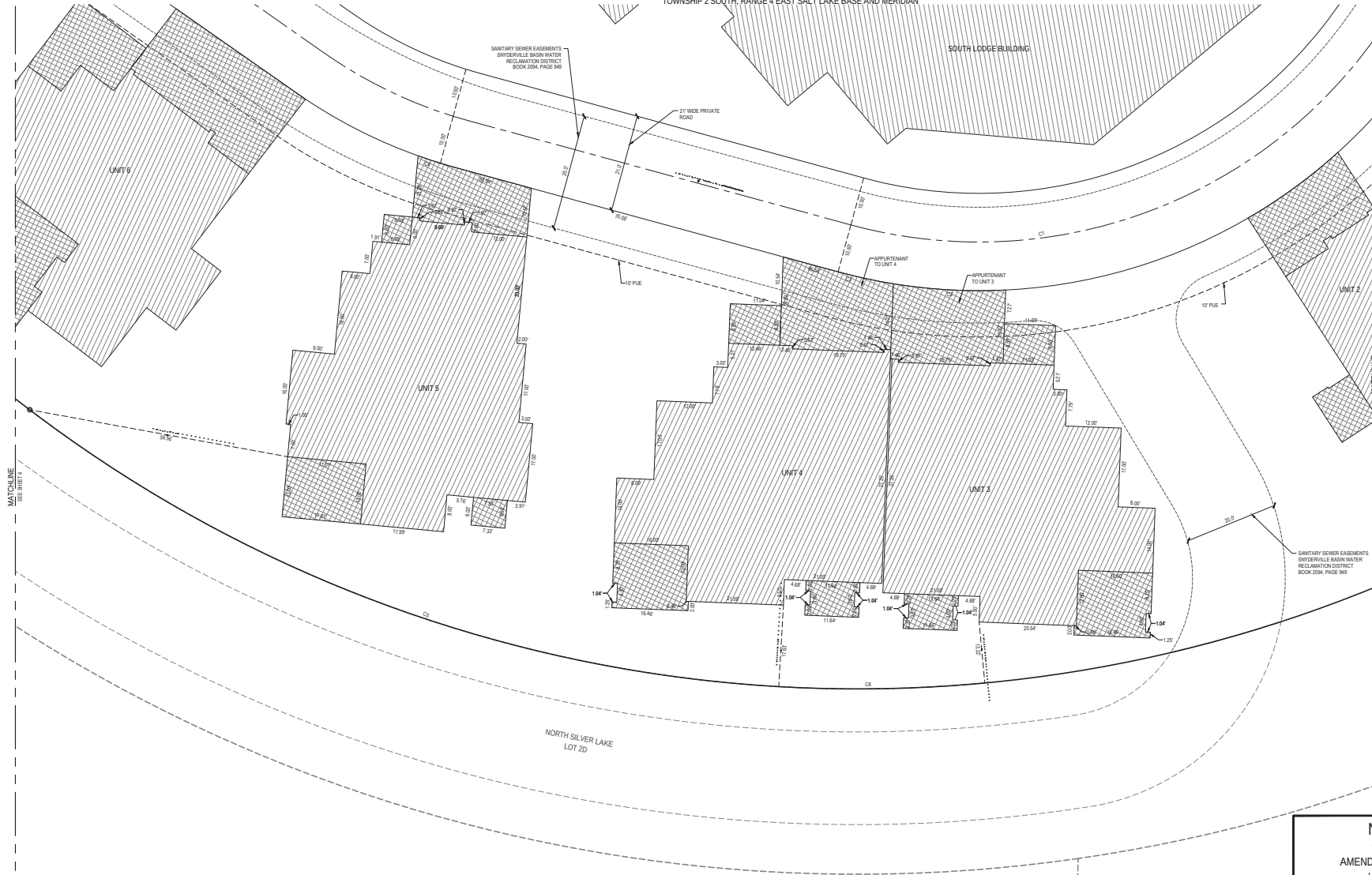
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LAYTON  
Phone: 801.547.1100  
TODDLE  
Phone: 435.643.3050  
CEDAR CITY  
Phone: 435.865.1453

RECORDED IN  
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

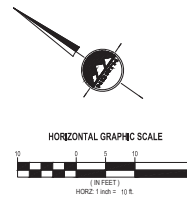
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| CURVE TABLE |        |        |        |         |        |
|-------------|--------|--------|--------|---------|--------|
| CURVE       | RADIUS | LENGTH | DELTA  | BEARING | CHORD  |
| C1          | 105.00 | 128.73 | 110.00 | 110.00  | 105.00 |
| C2          | 115.00 | 141.61 | 110.00 | 110.00  | 115.00 |
| C3          | 115.00 | 141.61 | 110.00 | 110.00  | 115.00 |
| C4          | 115.00 | 141.61 | 110.00 | 110.00  | 115.00 |
| C5          | 285.00 | 174.86 | 110.00 | 110.00  | 285.00 |
| C6          | 285.00 | 174.86 | 110.00 | 110.00  | 285.00 |

| LEGEND |                          |
|--------|--------------------------|
|        | EXISTING STREET MONUMENT |
|        | SECTION CORNER           |
|        | EASEMENT                 |
|        | BOUNDARY LINE            |
|        | SECTION LINE             |
|        | CENTER LINE              |
|        | EASEMENT LINE            |
|        | FIRE HYDRANT             |
|        | PRIVATE AREA             |
|        | LIMITED COMMON AREA      |
|        | COMMON AREA              |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**SHEET 3 OF 40**

PROJECT NUMBER: 5083  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/15/14

SALT LAKE CITY  
45 West 1000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0029  
Fax: 801.225.4449  
www.engin.com

LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3090  
CEDAR CITY  
Phone: 435.865.1463

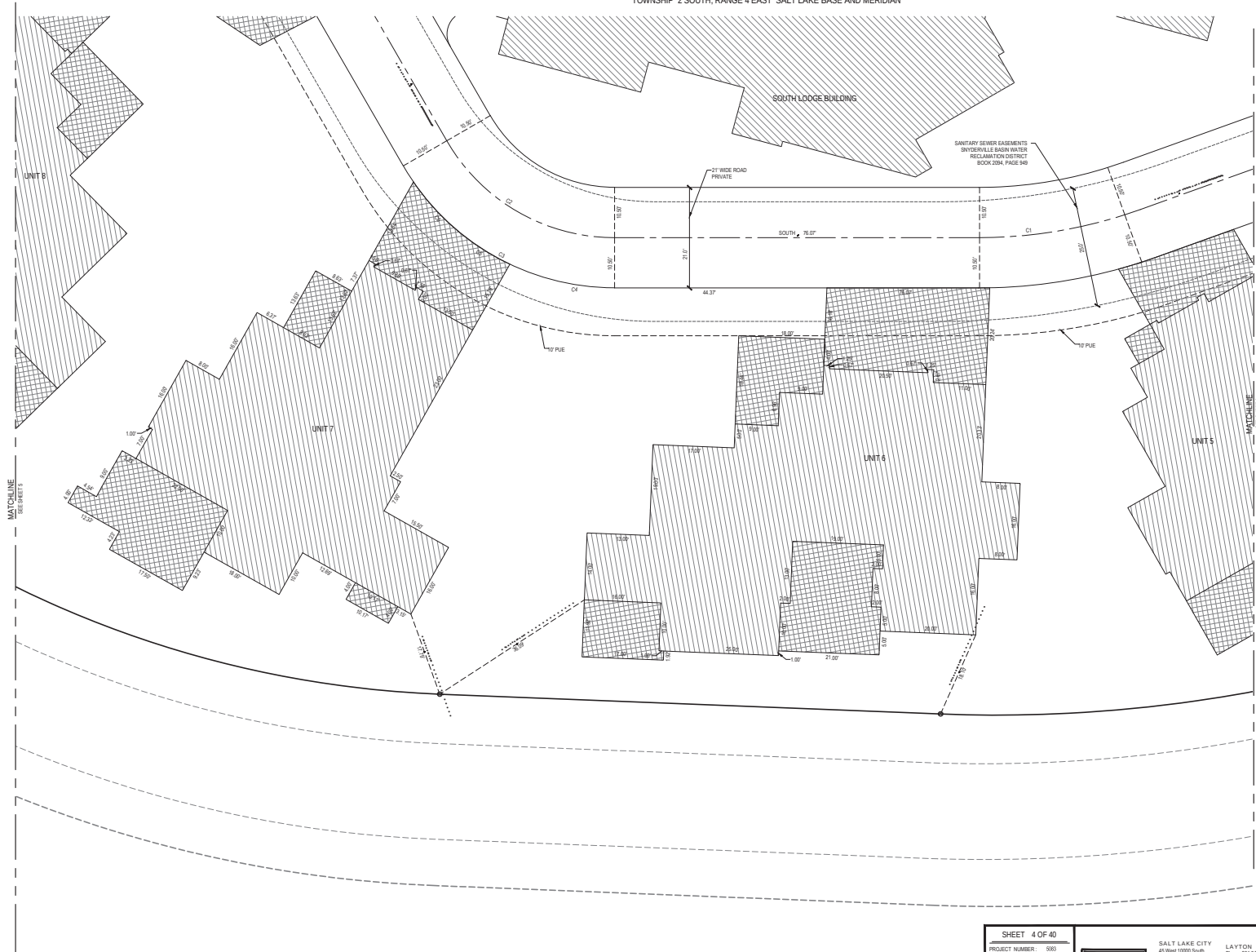
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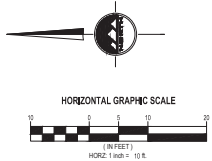
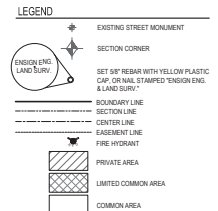


# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



| CURVE TABLE |         |        |        |            |        |
|-------------|---------|--------|--------|------------|--------|
| CURVE       | RADIUS  | LENGTH | DELTA  | BEARING    | CHORD  |
| C1          | 100.00' | 34.42' | 10.00° | S 89.50° E | 33.33' |
| C2          | 40.00'  | 42.41' | 10.00° | S 89.50° E | 38.80' |
| C3          | 51.00'  | 53.41' | 10.00° | S 89.50° E | 48.80' |
| C4          | 51.00'  | 17.17' | 10.00° | S 89.50° E | 16.80' |
| C5          | 51.00'  | 53.41' | 10.00° | S 89.50° E | 48.80' |
| C6          | 51.00'  | 13.00' | 10.00° | S 89.50° E | 12.80' |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**SHEET 4 OF 40**

PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



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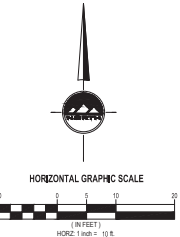
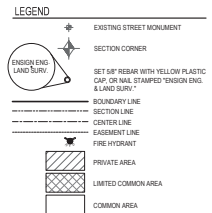


# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| CURVE TABLE |        |        |        |         |        |
|-------------|--------|--------|--------|---------|--------|
| CURVE       | RADIUS | LENGTH | DELTA  | BEARING | CHORD  |
| C1          | 75.00  | 85.08  | 108.43 | <108.43 | 108.43 |
| C2          | 85.00  | 123.37 | 108.43 | <108.43 | 108.43 |
| C3          | 85.00  | 34.62  | 108.43 | <108.43 | 108.43 |
| C4          | 87.00  | 91.29  | 108.43 | <108.43 | 108.43 |
| C5          | 87.00  | 14.88  | 108.43 | <108.43 | 108.43 |
| C6          | 87.00  | 91.29  | 108.43 | <108.43 | 108.43 |
| C7          | 221.00 | 116.57 | 108.43 | <108.43 | 108.43 |
| C8          | 87.00  | 91.29  | 108.43 | <108.43 | 108.43 |
| C9          | 221.00 | 36.03  | 108.43 | <108.43 | 108.43 |
| C10         | 87.00  | 91.29  | 108.43 | <108.43 | 108.43 |
| C11         | 40.00  | 6.66   | 108.43 | <108.43 | 108.43 |
| C12         | 40.00  | 16.37  | 108.43 | <108.43 | 108.43 |
| C13         | 47.00  | 64.04  | 108.43 | <108.43 | 108.43 |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**SHEET 5 OF 40**  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/15/14



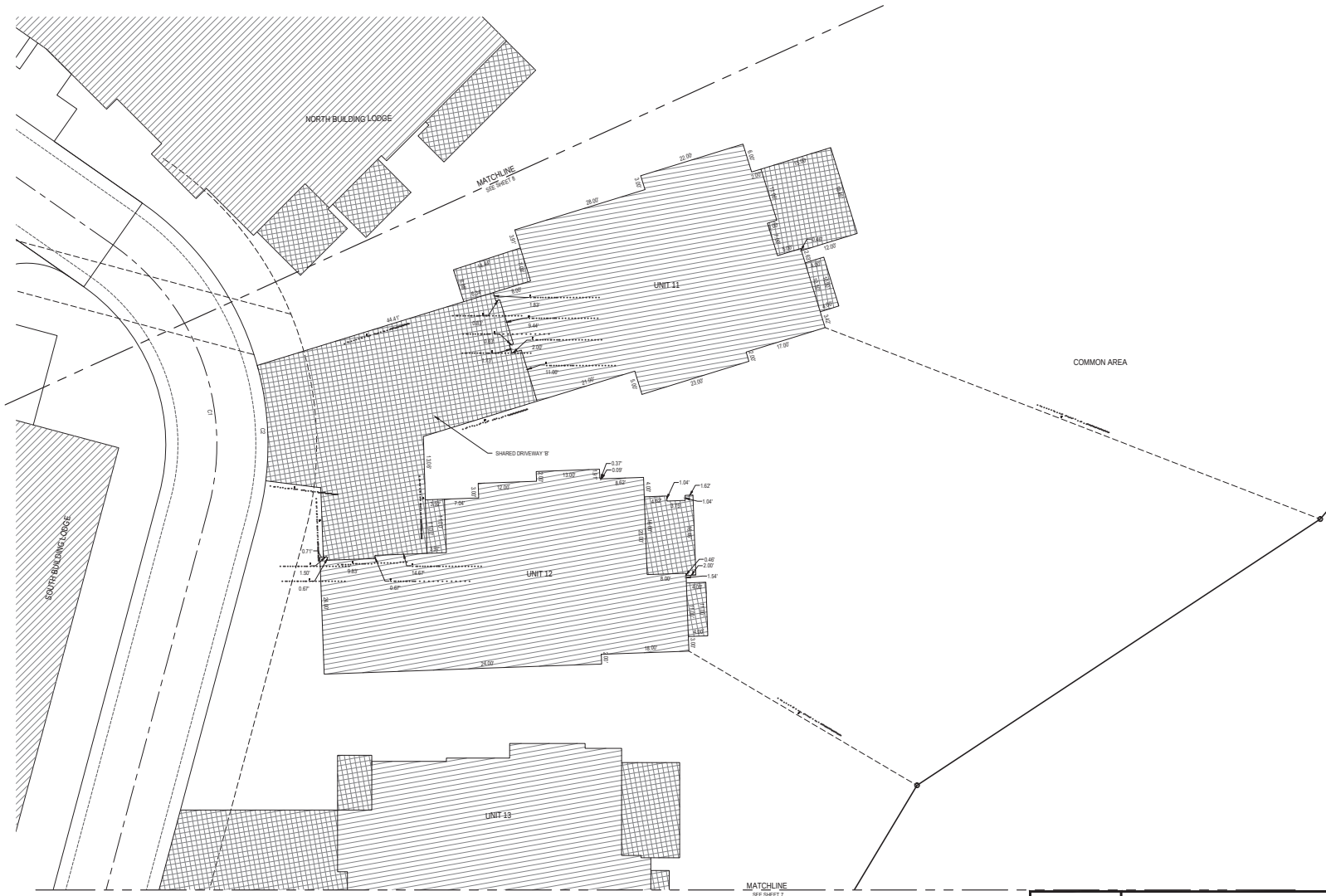
SALT LAKE CITY  
45 West 10000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0229  
Fax: 801.225.4449  
www.enson.com

LAYTON  
Phone: 801.547.1100  
TODDLE  
Phone: 435.843.3990  
Phone: 435.885.1453

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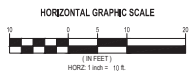
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| CURVE TABLE |        |        |         |             |        |
|-------------|--------|--------|---------|-------------|--------|
| CURVE       | RADIUS | LENGTH | DELTA   | BEARING     | CHORD  |
| C1          | 50.00' | 61.00' | 45° 58' | N 45° 58' E | 32.00' |
| C2          | 60.00' | 32.27' | 32° 27' | N 32° 27' E | 16.00' |

| LEGEND |                                                                                     |
|--------|-------------------------------------------------------------------------------------|
|        | EXISTING STREET MONUMENT                                                            |
|        | SECTION CORNER                                                                      |
|        | SET 5/8" REBAR WITH YELLOW PLASTIC CAP OR NAIL STAMPED "TENSION END" & "LAND SURVY" |
|        | BOUNDARY LINE                                                                       |
|        | SECTION LINE                                                                        |
|        | CENTER LINE                                                                         |
|        | EASEMENT LINE                                                                       |
|        | FIRE HYDRANT                                                                        |
|        | PRIVATE AREA                                                                        |
|        | LIMITED COMMON AREA                                                                 |
|        | COMMON AREA                                                                         |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

## SHEET 6 OF 40

PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFM  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



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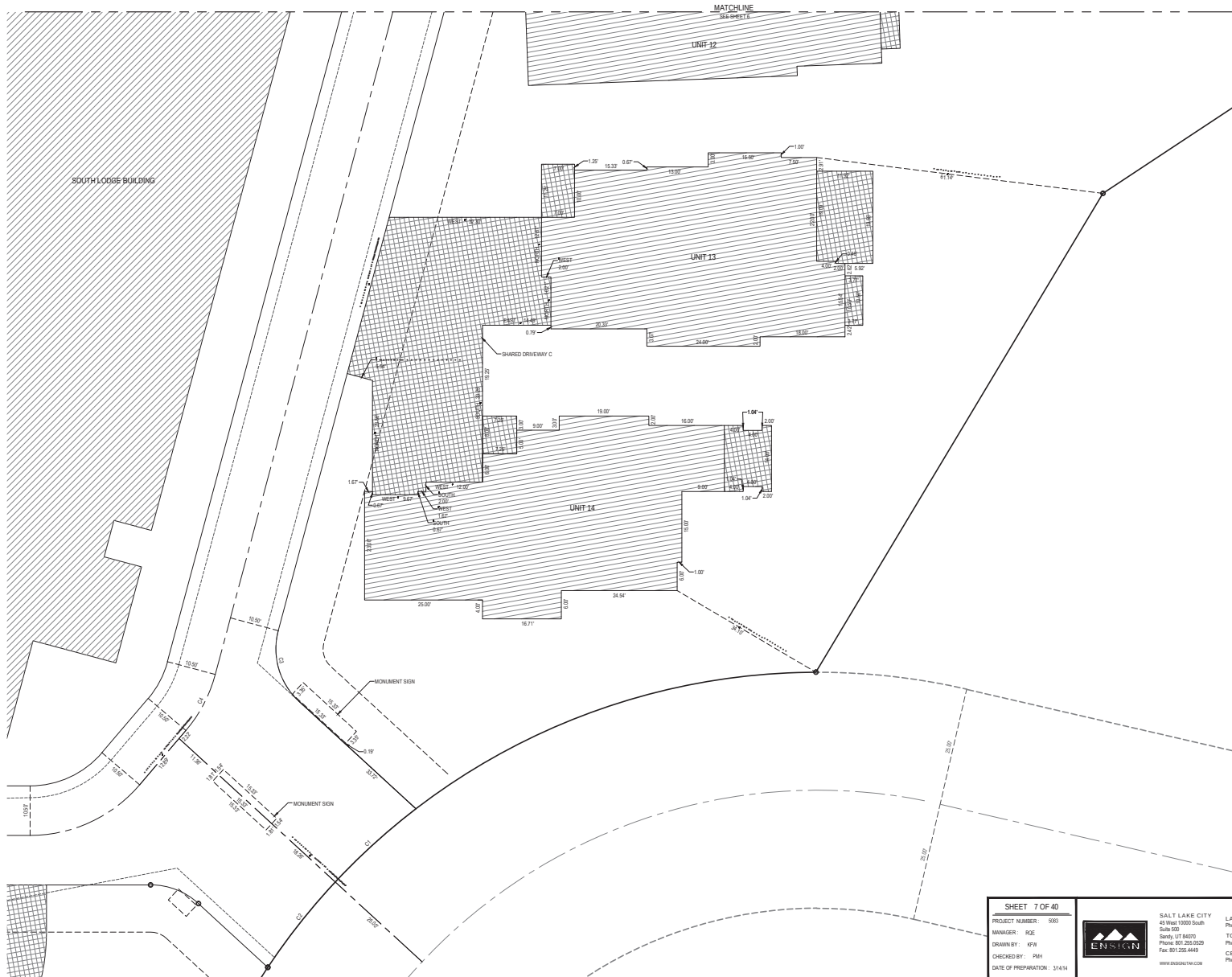
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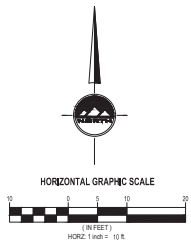
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| CURVE TABLE |         |        |        |            |        |
|-------------|---------|--------|--------|------------|--------|
| CURVE       | RADIUS  | LENGTH | DELTA  | BEARING    | CHORD  |
| C1          | 140.00' | 23.12' | 11.00° | S 88.60° E | 23.12' |
| C2          | 140.00' | 23.09' | 11.00° | S 88.60° E | 23.09' |
| C3          | 15.00'  | 16.34' | 10.00° | S 88.60° E | 16.34' |
| C4          | 30.00'  | 13.02' | 10.00° | S 88.60° E | 13.02' |

| LEGEND |                          |
|--------|--------------------------|
|        | EXISTING STREET MONUMENT |
|        | SECTION CORNER           |
|        | SECTION LINE             |
|        | BOUNDARY LINE            |
|        | CENTER LINE              |
|        | EASEMENT LINE            |
|        | FIRE HYDRANT             |
|        | PRIVATE AREA             |
|        | LIMITED COMMON AREA      |
|        | COMMON AREA              |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 7 OF 40  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



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Phone: 435.865.1463

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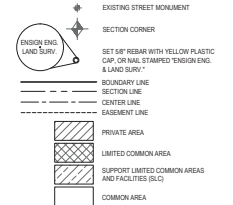
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# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

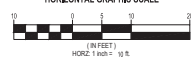
## LEGEND



| CURVE TABLE |        |        |        |           |         |
|-------------|--------|--------|--------|-----------|---------|
| CURVE       | RADIUS | LENGTH | DELTA  | BEARING   | CHORD   |
| C1          | 75.00' | 85.00' | 90.00° | S 89.9° E | 148.89' |
| C2          | 50.00' | 61.00' | 90.00° | S 89.9° E | 148.89' |
| C3          | 60.00' | 41.00' | 90.00° | S 89.9° E | 148.89' |



HORIZONTAL GRAPHIC SCALE



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 8 OF 40  
PROJECT NUMBER: 5083  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



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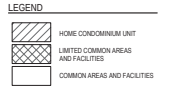
LAYTON  
Phone: 801.547.1100  
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Phone: 435.868.1483

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LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



**HORIZONTAL GRAPHIC SCALE**

(IN FEET)  
HORIZ: 1 inch = 10 ft.

PROJECT NUMBER: 5063  
MANAGER: RQE  
DRAWN BY: KPW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/91



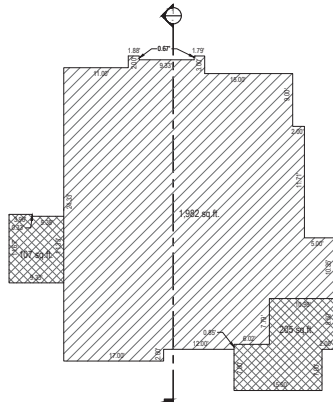
**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
ENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
T1P 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

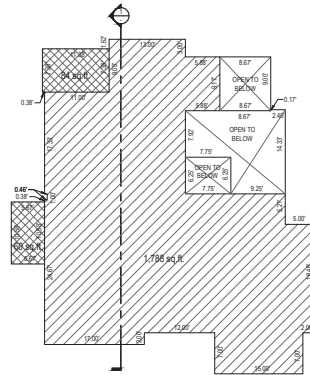
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# AMENDING LOT 2B OF THE NORTH SILVER LAKE

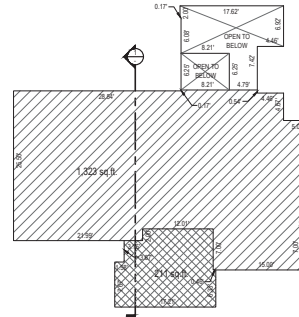
LOCATED IN THE WEST HALF OF SECTION 22



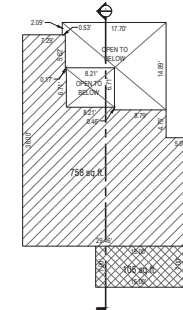
LEVEL 0



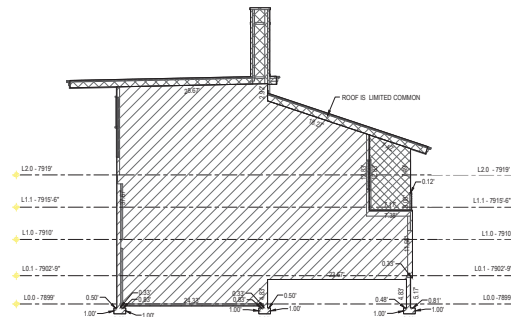
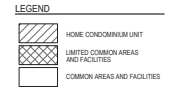
LEVEL 1



LEVEL 2

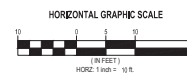


LEVEL 3



## SECTION 1

## UNIT 2



SHEET 11 OF 40

PROJECT NUMBER : 5083  
MANAGER : ROE  
DRAWN BY : KPW  
CHECKED BY : PMH  
DATE OF PREPARATION : 3/14/9



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CEDAR CITY  
Phone: 435.865.1453

**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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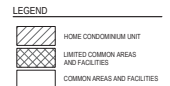
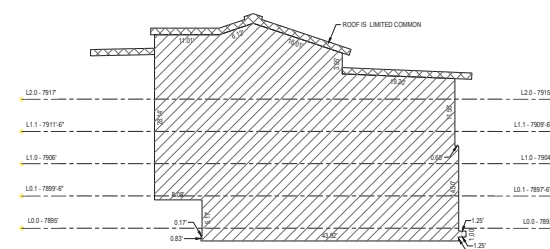
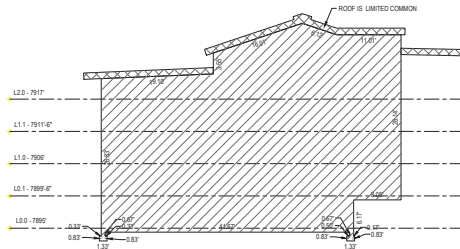
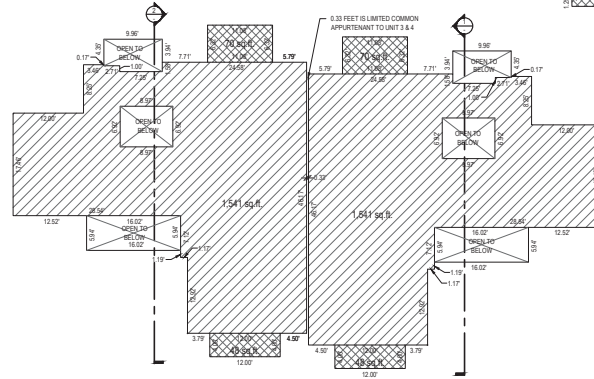
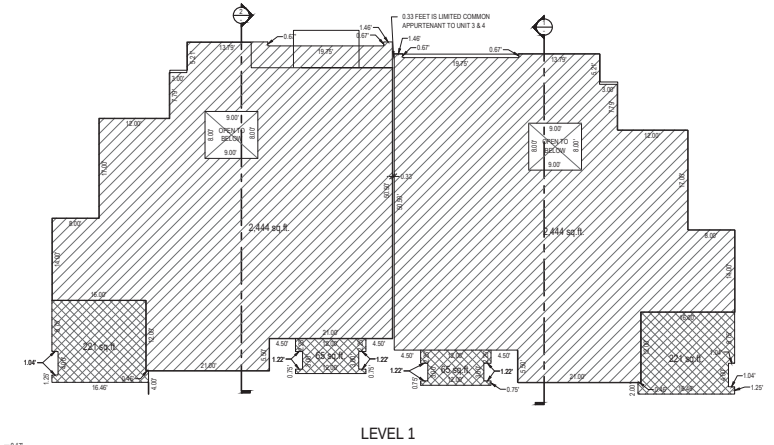
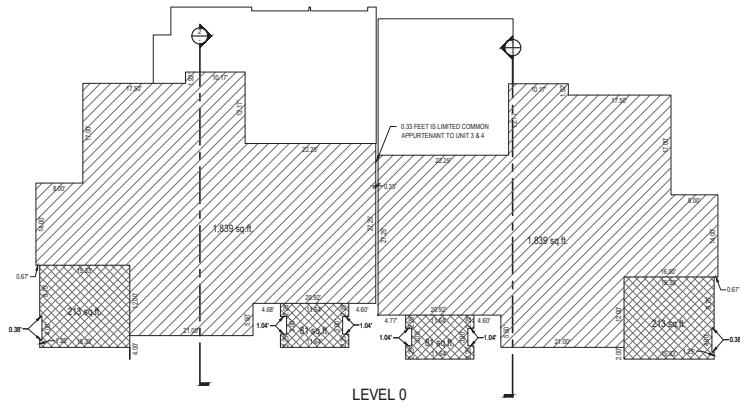
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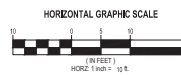


# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNITS 3 & 4



SHEET 12 OF 40  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY  
45 West 10000 South  
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Phone: 435.865.1453

NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

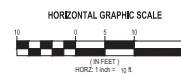


**LEGEND**

|                                                                                     |                                     |
|-------------------------------------------------------------------------------------|-------------------------------------|
|  | HOME CONDOMINIUM UNIT               |
|  | LIMITED COMMON AREAS AND FACILITIES |
|  | COMMON AREAS AND FACILITIES         |



## UNIT 5



SHEET 13 OF 40

PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KPW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/94



**SALT LAKE CITY**  
45 West 10000 South  
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Phone: 435.843.3990

CEDAR CITY  
Phone: 435.865.1453

**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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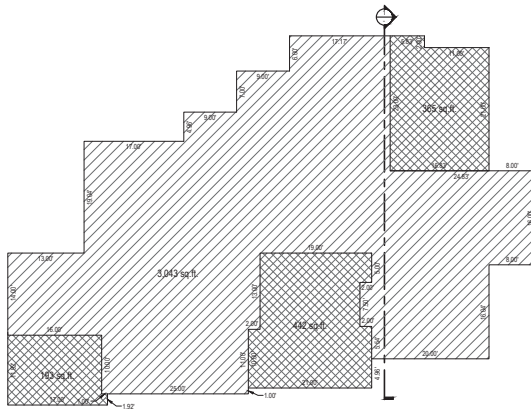
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|     |                        |
|-----|------------------------|
| FEE | SUMMIT COUNTY RECORDER |
|-----|------------------------|

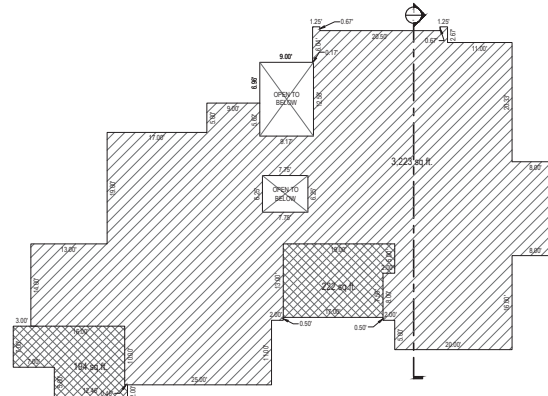
# NORTH SILVER LAKE CONDOMINIUM PLAT

## AMENDING LOT 2B OF THE NORTH SILVER LAKE

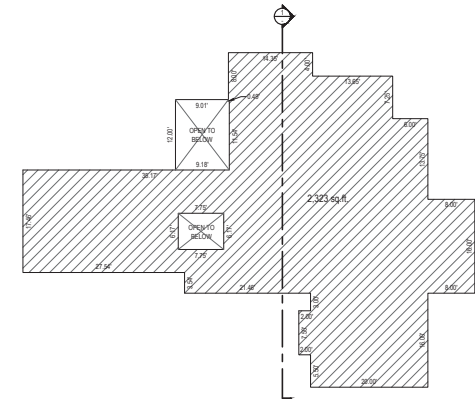
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



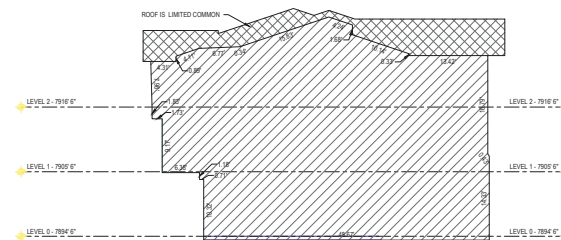
LEVEL 0



LEVEL 1

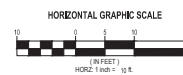


LEVEL 2



## SECTION 1

## UNIT 6



SHEET 14 OF 40

PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KPW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/94



**SALT LAKE CITY**  
45 West 10000 South  
Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449  
[WWW.ENGIN/ITAL.COM](http://WWW.ENGIN/ITAL.COM)

LAYTON  
Phone: 801.547.1100

TOOELE  
Phone: 435.843.3590

CEDAR CITY  
Phone: 435.865.1453

**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
ENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
HIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED W

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

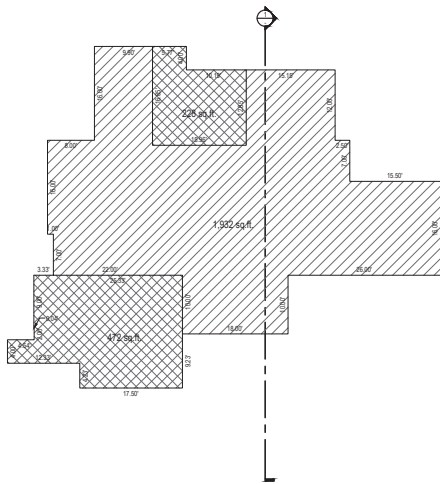
\_\_\_\_\_

FEE \_\_\_\_\_ SUMMIT COUNTY RECORDER

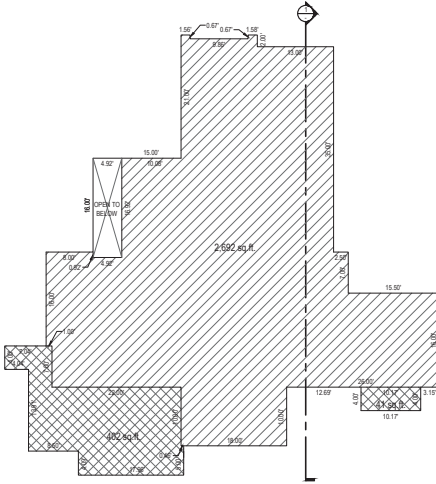
# NORTH SILVER LAKE CONDOMINIUM PLAT

## AMENDING LOT 2B OF THE NORTH SILVER LAKE

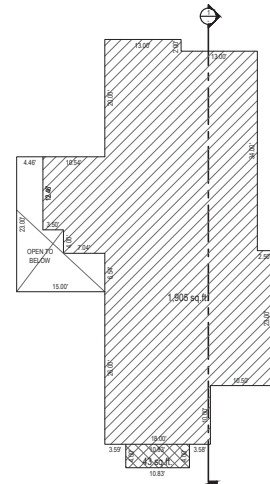
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



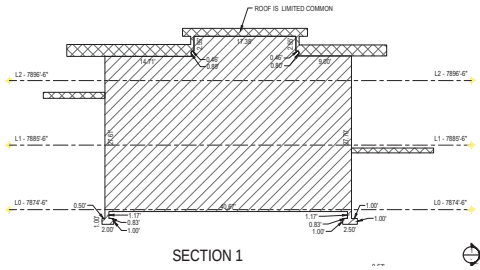
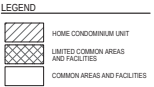
LEVEL 0



LEVEL 1

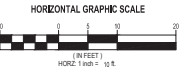


LEVEL 2



SECTION 1

UNIT 7



SHEET 15 OF 40  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY  
45 West 10000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0029  
Fax: 801.225.4449  
WWW.ENSIGN.COM

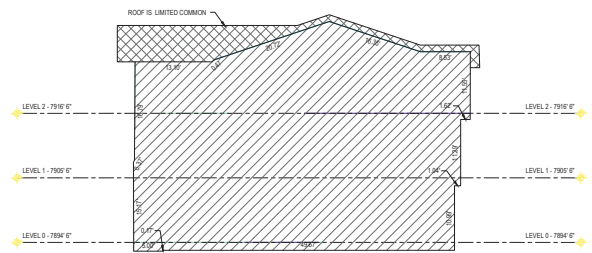
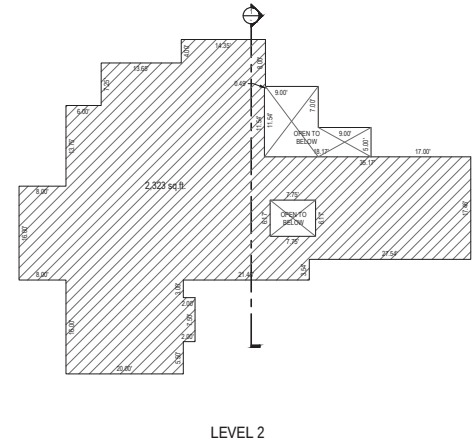
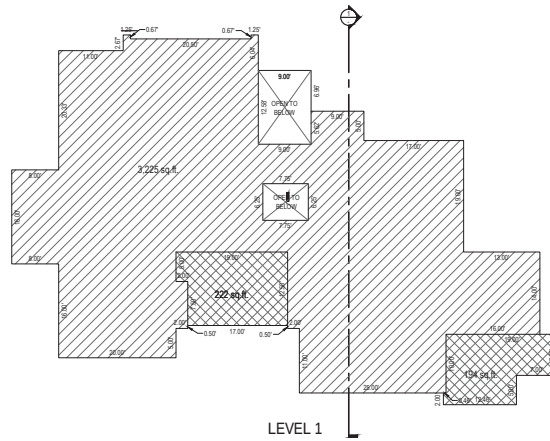
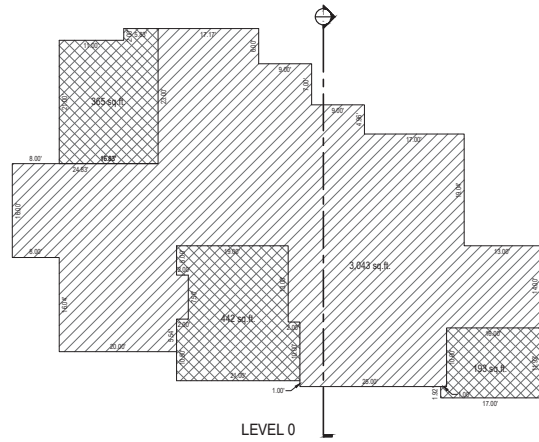
LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3090  
CEDAR CITY  
Phone: 435.865.1463

NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED IN  
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF THE NORTH SILVER LAKE

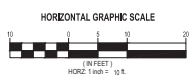
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEGEND

|  |                                     |
|--|-------------------------------------|
|  | HOME CONDOMINIUM UNIT               |
|  | LIMITED COMMON AREAS AND FACILITIES |
|  | COMMON AREAS AND FACILITIES         |

UNIT 8



|                                                            |                     |
|------------------------------------------------------------|---------------------|
| SHEET 16 OF 40                                             |                     |
| PROJECT NUMBER: 5063                                       | SALT LAKE CITY      |
| MANAGER: ROE                                               | 45 West 10000 South |
| DRAWN BY: KFH                                              | Suite 300           |
| CHECKED BY: PMH                                            | Sandy, UT 84070     |
| DATE OF PREPARATION: 3/14/14                               | Phone: 801.225.0029 |
|                                                            | Fax: 801.225.4449   |
|                                                            | CEDEAR CITY         |
|                                                            | Phone: 435.885.1453 |
|                                                            |                     |
| WWW.ENIGN.COM                                              |                     |
| LAYTON                                                     |                     |
| Phone: 801.547.1100                                        |                     |
| TODDLE                                                     |                     |
| Phone: 435.843.3090                                        |                     |
| Phone: 435.885.1453                                        |                     |
| RECORDED                                                   |                     |
| STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE |                     |
| REQUEST OF: _____                                          |                     |
| DATE: _____                                                | TIME: _____         |
| FEE: _____                                                 | BOOK: _____         |
| PAGE: _____                                                |                     |
| SUMMIT COUNTY RECORDER                                     |                     |

NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

LEVEL 0

LEVEL 1

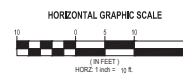
LEVEL 2

## SECTION 1

**LEGEND**

|                                                                                     |                                     |
|-------------------------------------------------------------------------------------|-------------------------------------|
|  | HOME CONDOMINIUM UNIT               |
|  | LIMITED COMMON AREAS AND FACILITIES |
|  | COMMON AREAS AND FACILITIES         |

## UNIT 9



SHEET 17 OF 40

PROJECT NUMBER: 5083

MANAGER: RQE

DRAWN BY: KPN

CHECKED BY: PMH

DATE OF PREPARATION: 3/14/94



**SALT LAKE CITY**  
45 West 10000 South  
Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449

**LAYTON**  
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**TOOELE**  
Phone: 435.843.3990

**CEDAR CITY**  
Phone: 435.865.1453

[WWW.EMCITAL.COM](http://WWW.EMCITAL.COM)

**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
**AMENDING LOT 2B OF NORTH SILVER LAKE**  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # \_\_\_\_\_

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_

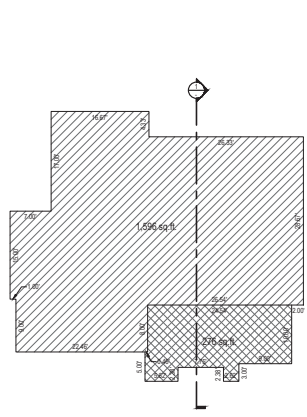
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FEE \_\_\_\_\_ SUMMIT COUNTY RECORDER

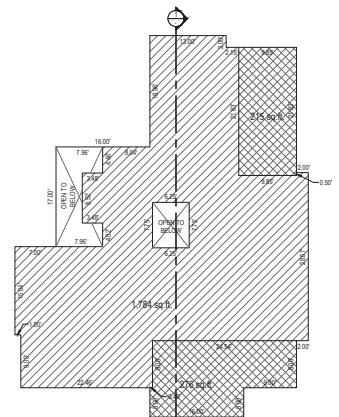


NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF THE NORTH SILVER LAKE

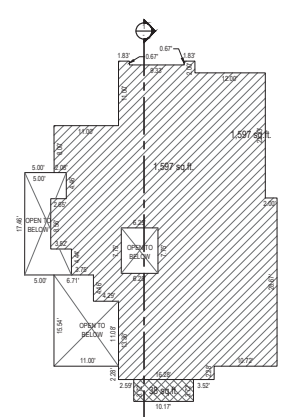
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



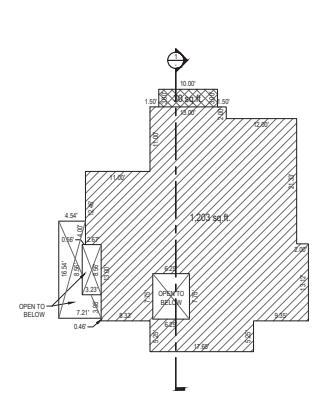
LEVEL -1



LEVEL 0



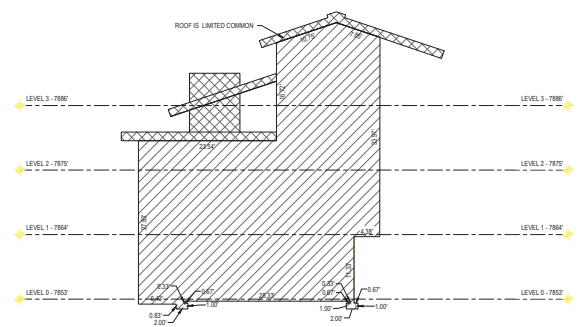
LEVEL 1



LEVEL 2

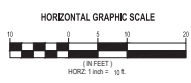
LEGEND

|                     |                                     |
|---------------------|-------------------------------------|
| [Hatched Box]       | HOME CONDOMINIUM UNIT               |
| [Cross-hatched Box] | LIMITED COMMON AREAS AND FACILITIES |
| [White Box]         | COMMON AREAS AND FACILITIES         |



SECTION 1

UNIT 10



SHEET 18 OF 40  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY  
45 West 1000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0029  
Fax: 801.225.4443  
CEDAR CITY  
Phone: 435.885.1453

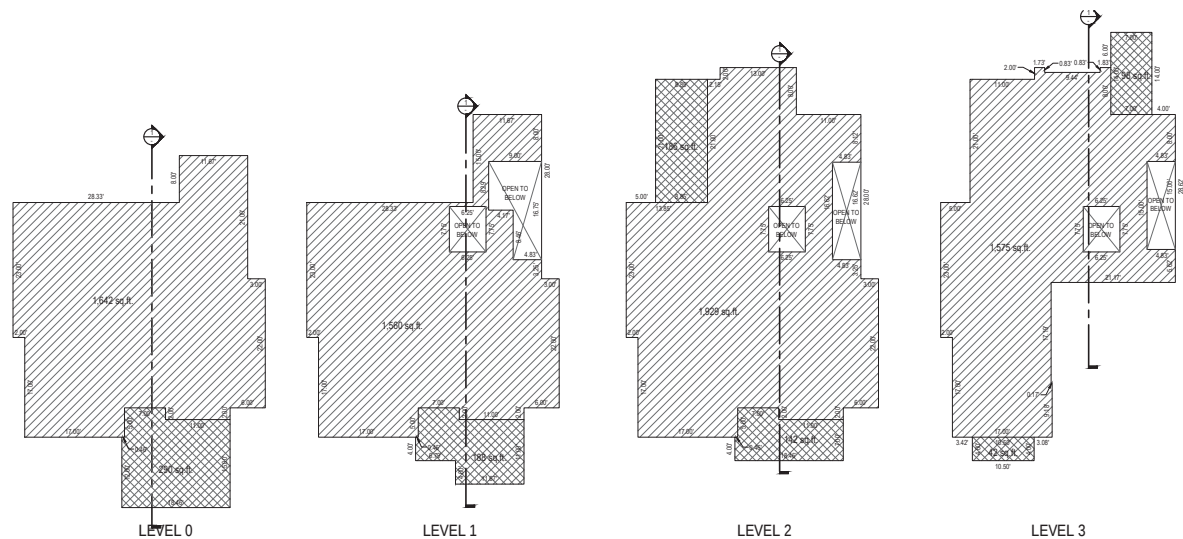
NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

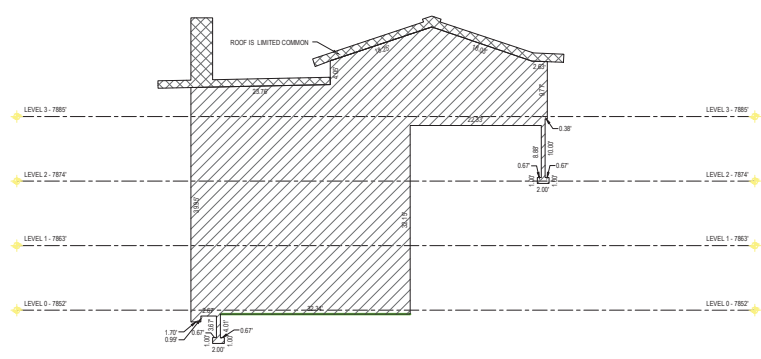
NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



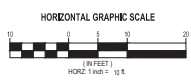
LEGEND

|                     |                                     |
|---------------------|-------------------------------------|
| [Hatched Box]       | HOME CONDOMINIUM UNIT               |
| [Cross-hatched Box] | LIMITED COMMON AREAS AND FACILITIES |
| [White Box]         | COMMON AREAS AND FACILITIES         |



SECTION 1

UNIT 11



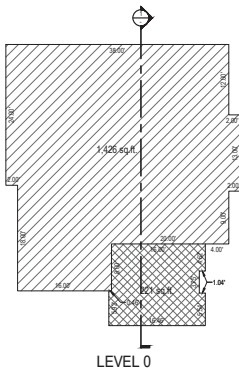
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| <b>SHEET 19 OF 41</b>        |                 |
| PROJECT NUMBER: 5063         | MANAGER: ROE    |
| DRAWN BY: KFH                | CHECKED BY: PMH |
| DATE OF PREPARATION: 3/14/14 |                 |

|                                                                                                                                            |                                                                                                   |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|
| <b>SALT LAKE CITY</b><br>45 West 10000 South<br>Suite 300<br>Sandy, UT 84070<br>Phone: 801.225.0029<br>Fax: 801.225.4449<br>www.ensign.com | <b>LAYTON</b><br>Phone: 801.547.1100<br><b>TOOELE</b><br>Phone: 435.843.3050<br>Fax: 435.865.1453 |
|--------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|

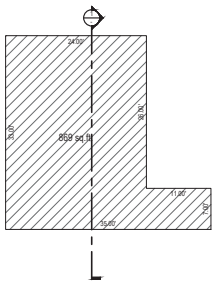
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| <b>NORTH SILVER LAKE CONDOMINIUM PLAT</b><br><b>AMENDING LOT 2B OF NORTH SILVER LAKE</b><br>LOCATED IN THE WEST HALF OF SECTION 22<br>TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN |             |                        |             |
| RECORDED IN                                                                                                                                                                                      |             |                        |             |
| STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE                                                                                                                                       |             |                        |             |
| REQUEST OF: _____                                                                                                                                                                                |             |                        |             |
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| FEE: _____                                                                                                                                                                                       |             | SUMMIT COUNTY RECORDER |             |

# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

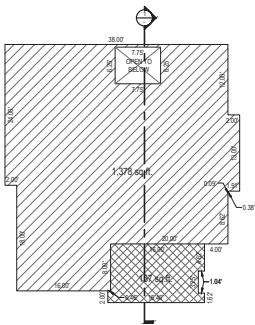
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



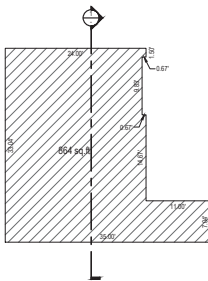
LEVEL 0



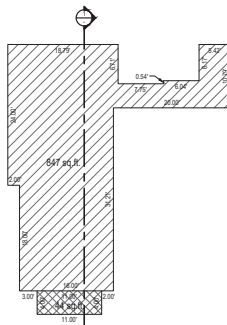
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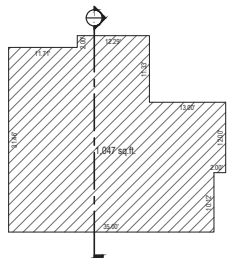
LEVEL 1



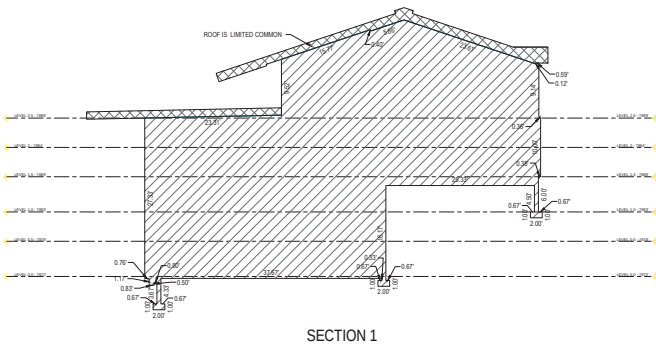
LEVEL 1.5



LEVEL 2

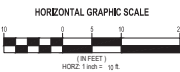


LEVEL 2.5



SECTION 1

UNIT 12



SHEET 20 OF 40  
PROJECT NUMBER: 5083  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/11



SALT LAKE CITY  
45 West 1000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0020  
Fax: 801.225.4440  
WWW.ENSIGNON.COM

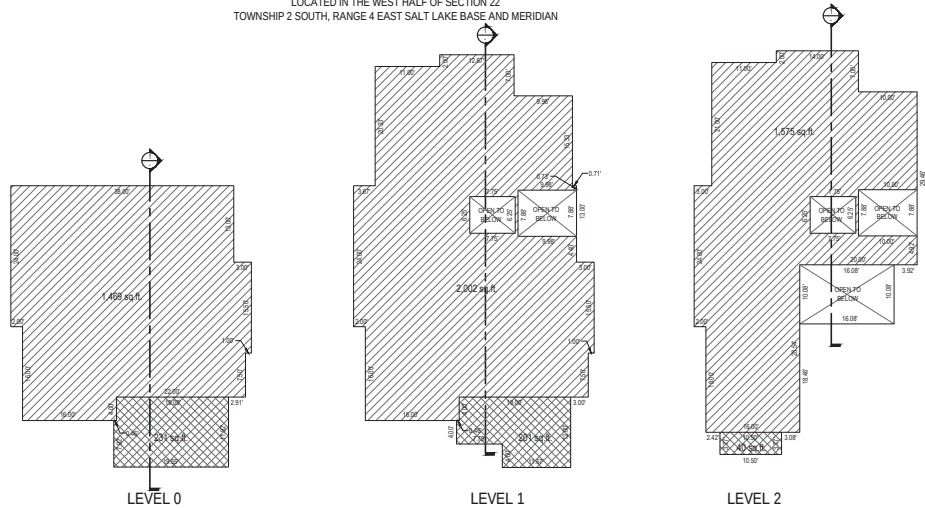
LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3050  
CEDAR CITY  
Phone: 435.865.1453

NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED IN  
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF THE NORTH SILVER LAKE

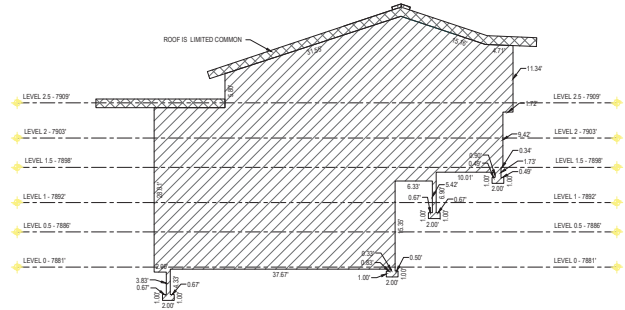
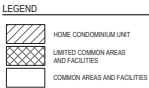
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEVEL 0

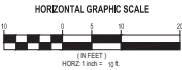
LEVEL 1

LEVEL 2



SECTION 1

UNIT 13



SHEET 21 OF 40  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY  
45 West 10000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0029  
Fax: 801.225.4443  
WWW.ENSIGNTEAM.COM

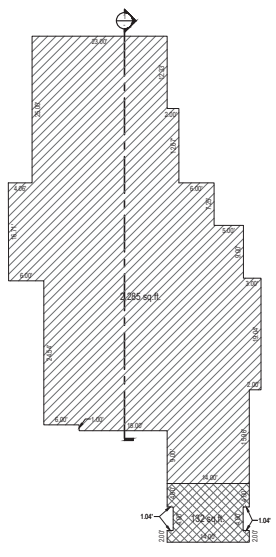
LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3050  
CEDAR CITY  
Phone: 435.865.1453

NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

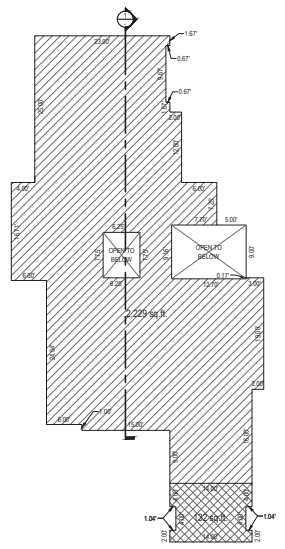
RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

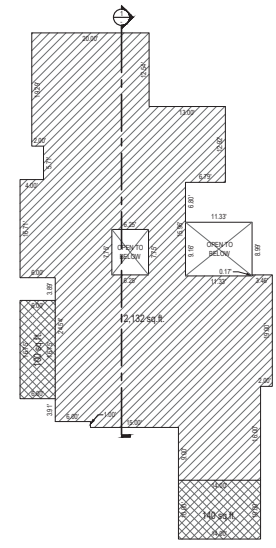
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TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEVEL 0



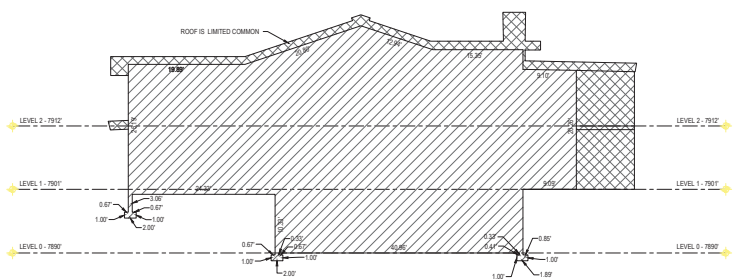
LEVEL 1



LEVEL 2

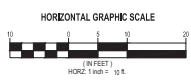
LEGEND

|  |                                     |
|--|-------------------------------------|
|  | HOME CONDOMINIUM UNIT               |
|  | LIMITED COMMON AREAS AND FACILITIES |
|  | COMMON AREAS AND FACILITIES         |



SECTION 1

UNIT 14



SHEET 22 OF 40  
PROJECT NUMBER: 5083  
MANAGER: ROE  
DRAWN BY: KFH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY  
45 West 1000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0029  
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Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3050  
CEDAR CITY  
Phone: 435.865.1453

**NORTH SILVER LAKE CONDOMINIUM PLAT**  
**AMENDING LOT 2B OF NORTH SILVER LAKE**  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED IN

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: \_\_\_\_\_

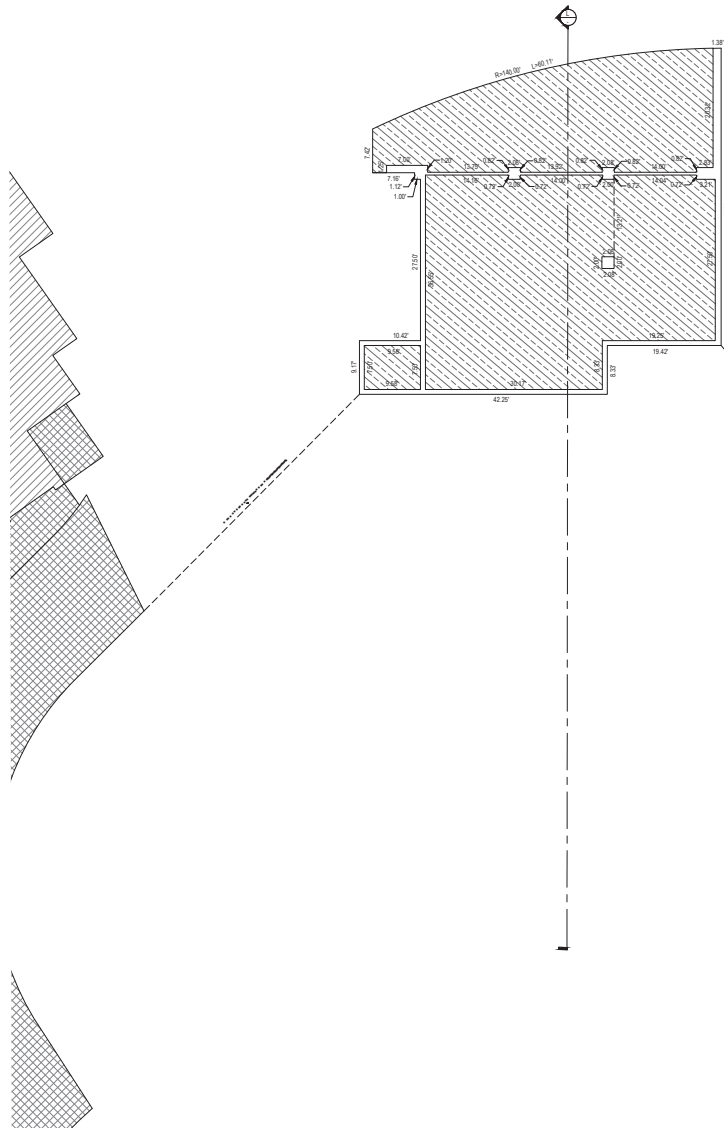
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

FEE: \_\_\_\_\_

SUMMIT COUNTY RECORDER

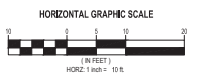
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



**LEGEND**

|  |                                                   |
|--|---------------------------------------------------|
|  | COMMERCIAL UNIT                                   |
|  | SUPPORT UNIT                                      |
|  | SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC) |
|  | RESIDENTIAL UNIT                                  |
|  | LIMITED COMMON AREAS AND FACILITIES               |
|  | COMMON AREAS AND FACILITIES                       |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING  
LEVEL SUBLEVEL 1 FLOOR PLAN**

**SHEET 23 OF 40**  
PROJECT NUMBER: 5063  
MANAGER: RGE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY  
45 West 10000 South  
Suite 300  
Sandy, UT 84070  
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Fax: 801.225.4440  
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Phone: 801.547.1100  
TOOELE  
Phone: 435.843.3050  
CEDAR CITY  
Phone: 435.865.1403

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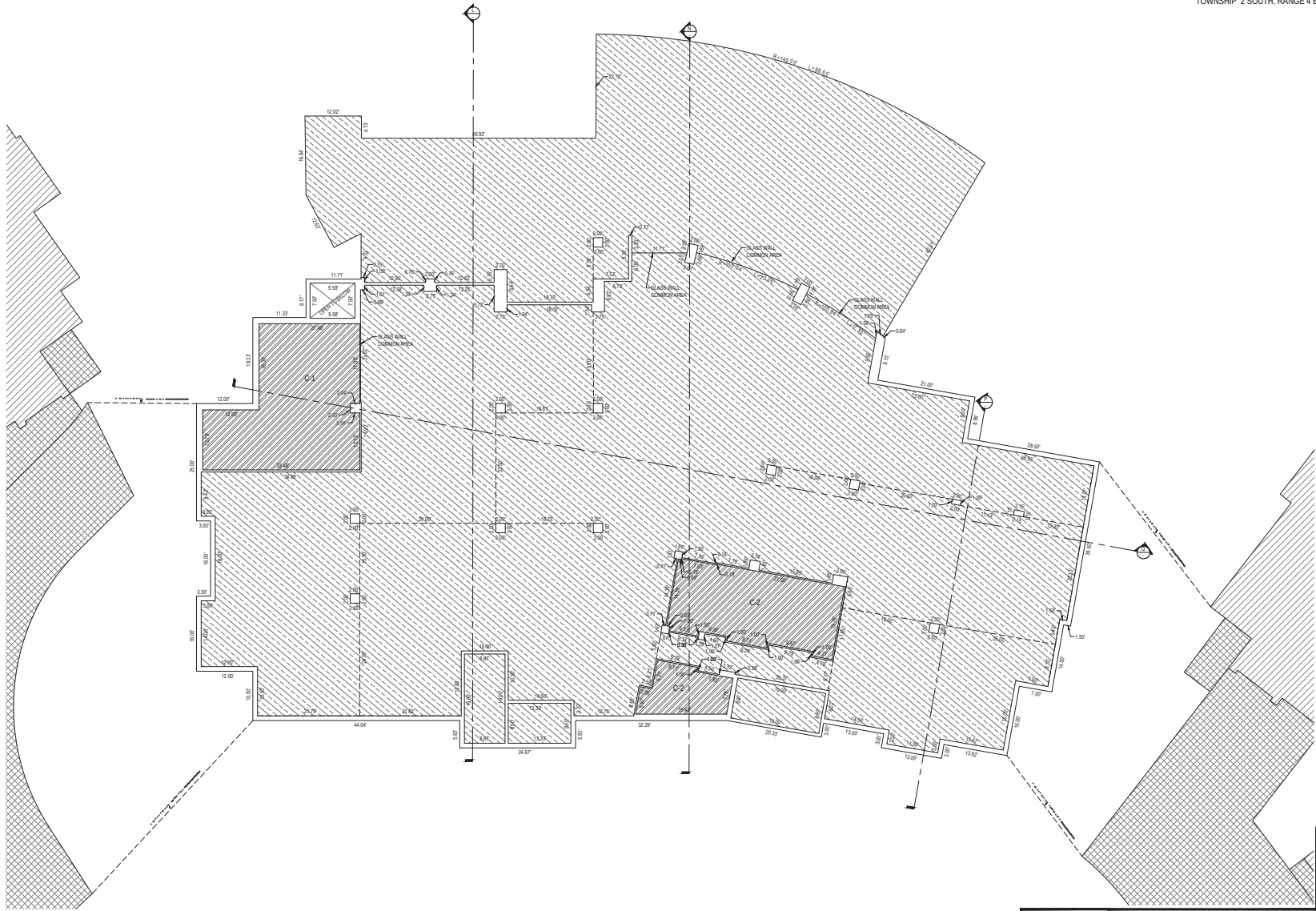
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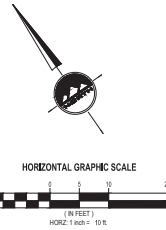
NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |             |  |
|------------|-------------|--|
| UNIT NAME  | AREA (S.F.) |  |
| C-1        | 817         |  |
| C-2        | 723         |  |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

NORTH BUILDING  
LEVEL 0 FLOOR PLAN

SHEET 24 OF 40  
PROJECT NUMBER : 5063  
MANAGER : ROE  
DRAWN BY : KFW  
CHECKED BY : PMH  
DATE OF PREPARATION : 3/14/14



SALT LAKE CITY  
45 West 10000 South  
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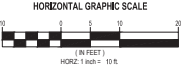


NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

| UNIT TABLE |             |
|------------|-------------|
| UNIT NAME  | AREA (SQT.) |
| 1 C-3      | 3,244       |
| 2 UNIT 131 | 4,101       |
| 3 UNIT 132 | 4,603       |

| LEGEND |                                                   |
|--------|---------------------------------------------------|
|        | COMMERCIAL UNIT                                   |
|        | SUPPORT UNIT                                      |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC) |
|        | RESIDENTIAL UNIT                                  |
|        | LIMITED COMMON AREAS AND FACILITIES               |
|        | COMMON AREAS AND FACILITIES                       |



NORTH BUILDING  
LEVEL 1 FLOOR PLAN

SHEET 25 OF 40  
PROJECT NUMBER: 5063  
MANAGER: RGE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



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Suite 300  
Sandy, UT 84070  
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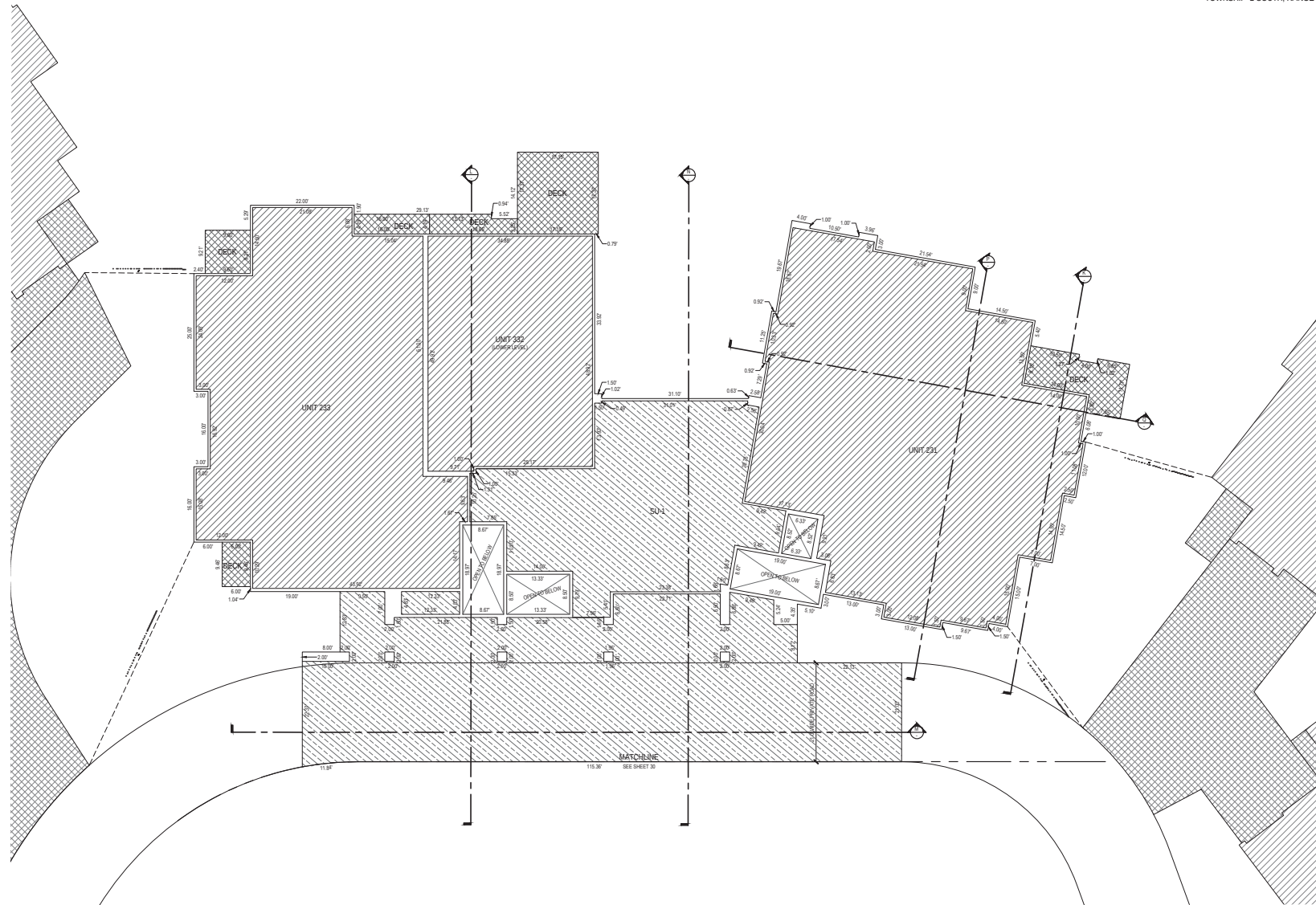
LAYTON  
Phone: 801.947.1100  
TOOELE  
Phone: 435.843.0030  
CEDAR CITY  
Phone: 435.865.1403

NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

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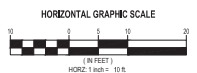
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE  |             |  |
|-------------|-------------|--|
| UNIT NAME   | AREA (S.F.) |  |
| 1. SU-1     | 1,914       |  |
| 2. UNIT 231 | 4,189       |  |
| 3. UNIT 232 | 1,716       |  |
| 4. UNIT 233 | 3,664       |  |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING  
LEVEL 2 FLOOR PLAN**

SHEET 26 OF 40  
PROJECT NUMBER: 5063  
MANAGER: ROE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY  
45 West 1000 South  
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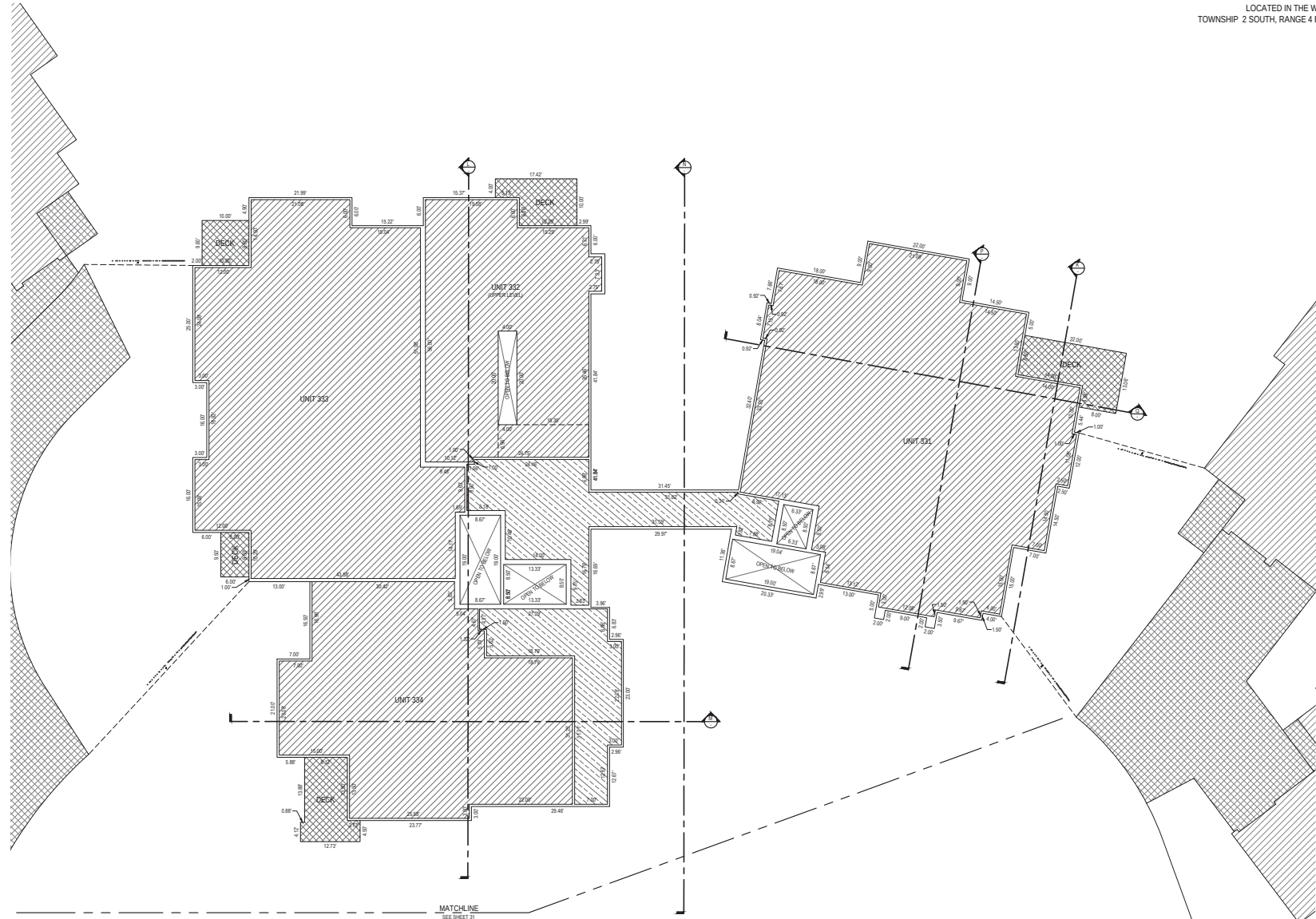
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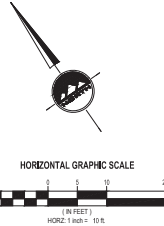
NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |             |
|------------|-------------|
| UNIT NAME  | AREA (S.F.) |
| UNIT 331   | 3,996       |
| UNIT 332   | 1,777       |
| UNIT 333   | 3,661       |
| UNIT 334   | 2,426       |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

NORTH BUILDING  
LEVEL 3 FLOOR PLAN

SHEET 27 OF 40  
PROJECT NUMBER: 5063  
MANAGER: RGE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY  
45 West 1000 South  
Suite 300  
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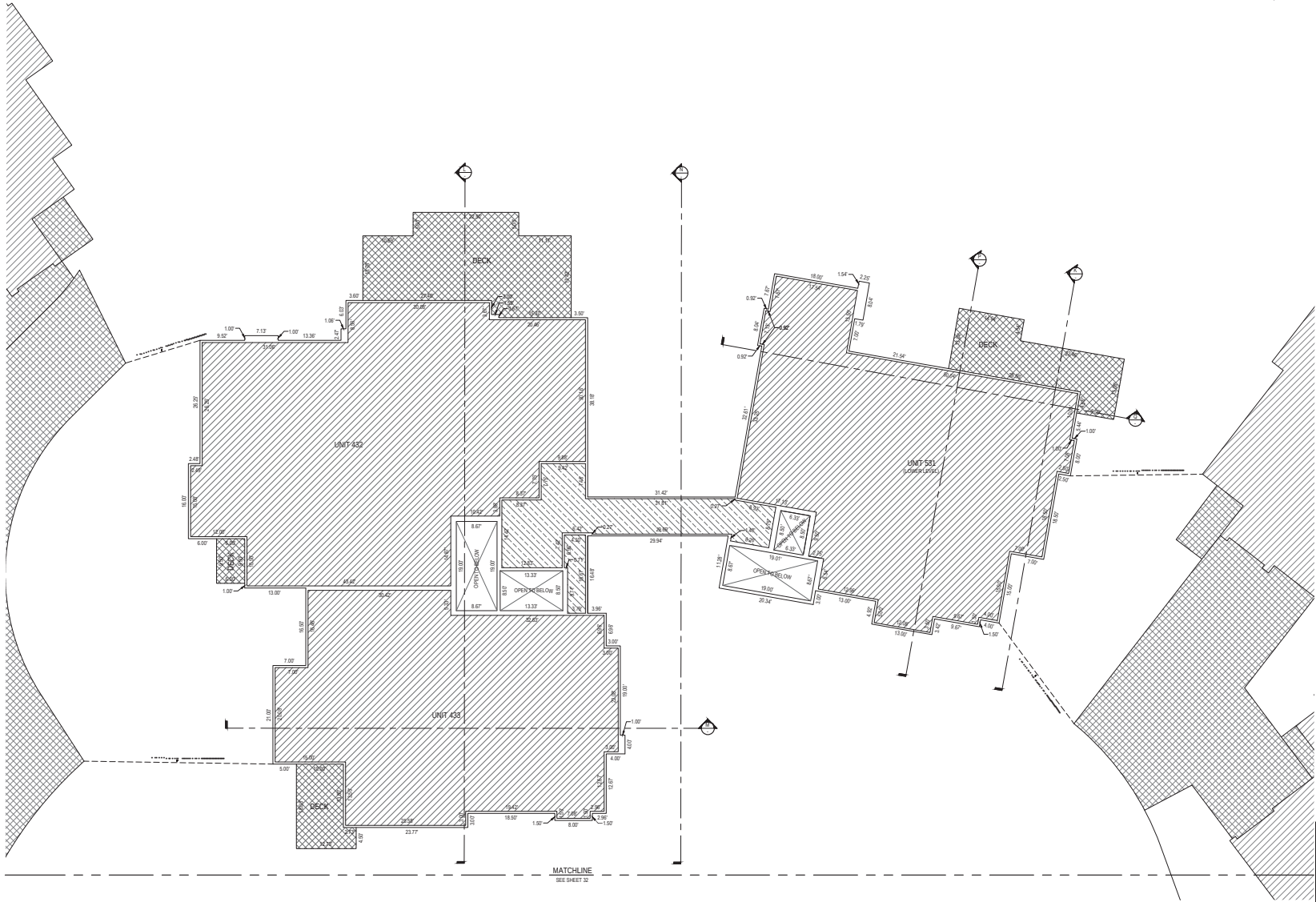
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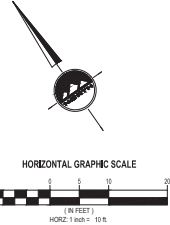
NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |             |
|------------|-------------|
| UNIT NAME  | AREA (S.F.) |
| 1 UNIT 432 | 3,948       |
| 2 UNIT 433 | 3,002       |
| 3 UNIT 531 | 3,293       |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

NORTH BUILDING  
LEVEL 4 FLOOR PLAN

SHEET 28 OF 40  
PROJECT NUMBER: 5063  
MANAGER: RGE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY  
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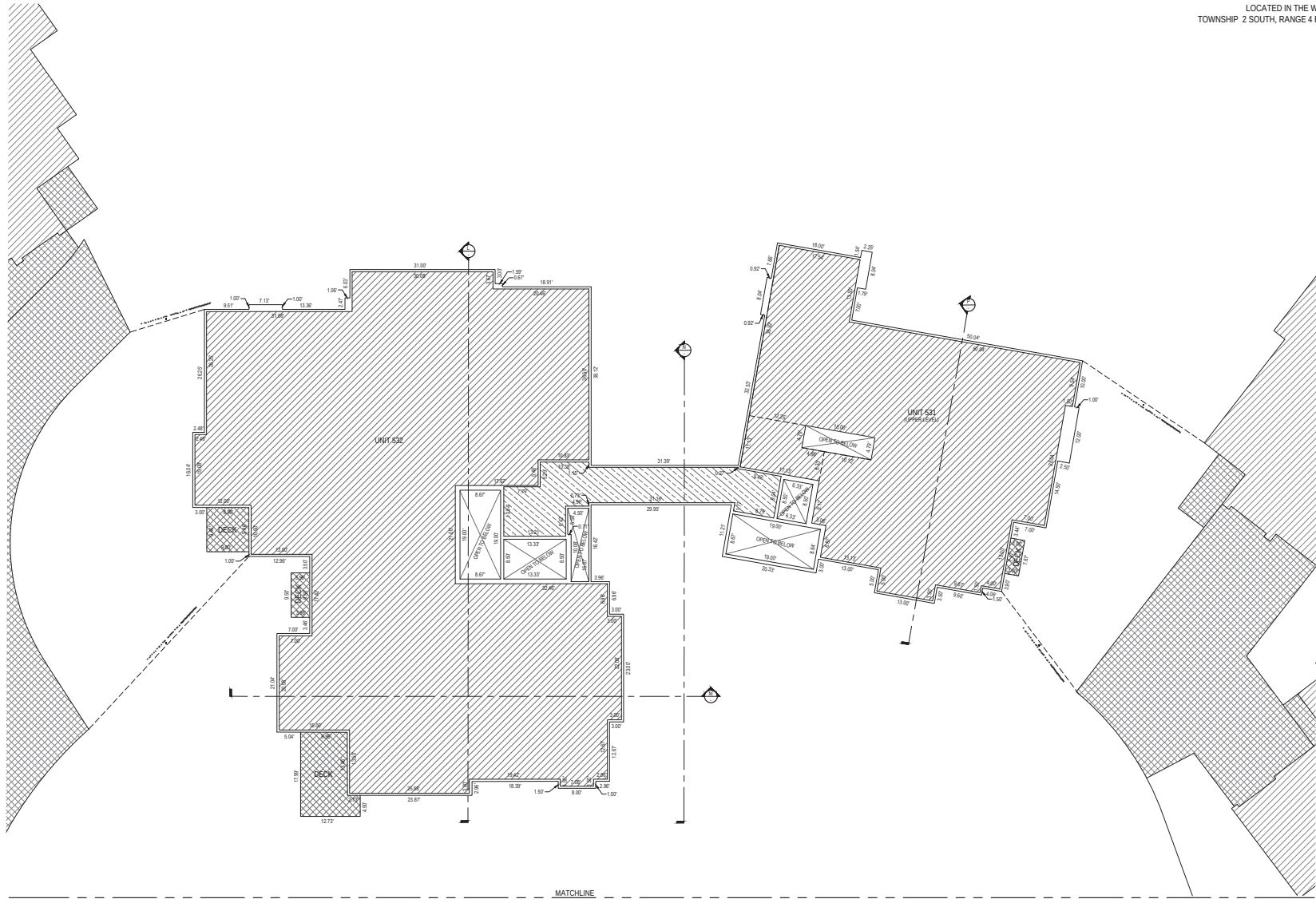
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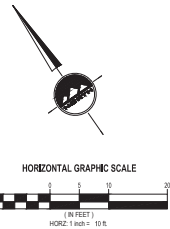
NORTH SILVER LAKE CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |             |
|------------|-------------|
| UNIT NAME  | AREA (S.F.) |
| 1 UNIT 531 | 3,196       |
| 2 UNIT 532 | 7,075       |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



NORTH SILVER LAKE  
CONDOMINIUM PLAT  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

NORTH BUILDING  
LEVEL 5 FLOOR PLAN

SHEET 29 OF 40  
PROJECT NUMBER: 5063  
MANAGER: RGE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY  
45 West 1000 South  
Suite 300  
Salt Lake, UT 84107  
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Phone: 435.843.3030  
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Phone: 435.865.1403

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# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

| CURVE | RADIUS | LENGTH  | DELTA   | BEARING    | CHORD   |
|-------|--------|---------|---------|------------|---------|
| C1    | 20.00' | 8.87'   | 25.75°  | S 69.00° E | 15.75'  |
| C2    | 20.00' | 17.37'  | 51.50°  | S 69.00° E | 31.50'  |
| C3    | 94.50' | 115.86' | 109.20° | S 69.00° E | 199.20' |
| C4    | 85.50' | 30.85'  | 33.75°  | S 69.00° E | 55.75'  |
| C5    | 64.50' | 73.17'  | 68.25°  | S 69.00° E | 131.25' |
| C6    | 39.50' | 48.25'  | 42.75°  | S 69.00° E | 85.75'  |
| C7    | 64.50' | 8.62'   | 6.00°   | S 69.00° E | 15.75'  |

## LEGEND

|  |                                                      |
|--|------------------------------------------------------|
|  | COMMERCIAL UNIT                                      |
|  | SUPPORT UNIT                                         |
|  | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|  | RESIDENTIAL UNIT                                     |
|  | LIMITED COMMON AREAS AND FACILITIES                  |
|  | COMMON AREAS AND FACILITIES                          |



HORIZONTAL GRAPHIC SCALE

SOUTH BUILDING  
LEVEL 2 FLOOR PLAN

SHEET 30 OF 40  
PROJECT NUMBER: 590  
MANAGER: ROE  
DRAWN BY: KTH  
CHECKED BY: RSH  
DATE OF PREPARATION: 3/13/14

**NORTH SILVER LAKE  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



SALT LAKE CITY  
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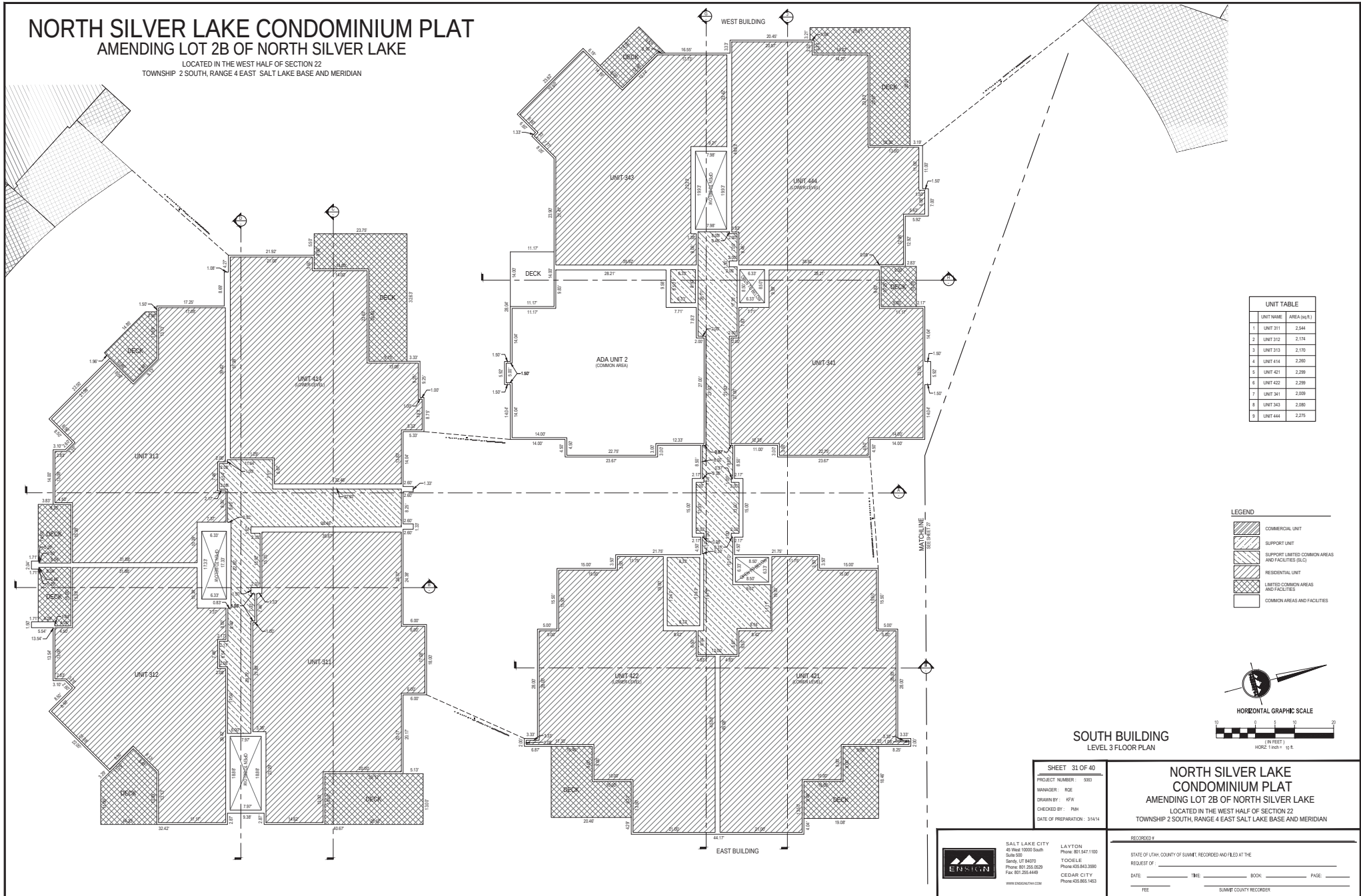
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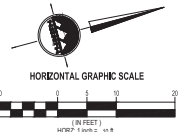
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |           |               |
|------------|-----------|---------------|
|            | UNIT NAME | AREA (sq.ft.) |
| 1          | UNIT 311  | 2,544         |
| 2          | UNIT 312  | 2,174         |
| 3          | UNIT 313  | 2,170         |
| 4          | UNIT 414  | 2,200         |
| 5          | UNIT 421  | 2,200         |
| 6          | UNIT 422  | 2,200         |
| 7          | UNIT 341  | 2,000         |
| 8          | UNIT 343  | 2,000         |
| 9          | UNIT 444  | 2,275         |

| LEGEND |                                                   |
|--------|---------------------------------------------------|
|        | COMMERCIAL UNIT                                   |
|        | SUPPORT UNIT                                      |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC) |
|        | RESIDENTIAL UNIT                                  |
|        | LIMITED COMMON AREAS AND FACILITIES               |
|        | COMMON AREAS AND FACILITIES                       |



**SOUTH BUILDING**  
LEVEL 3 FLOOR PLAN

SHEET 31 OF 40  
PROJECT NUMBER: 590  
MANAGER: ROE  
DRAWN BY: KTH  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/14/14

**NORTH SILVER LAKE CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



SALT LAKE CITY  
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Shed, UT 84070  
Phone: 801.255.0529  
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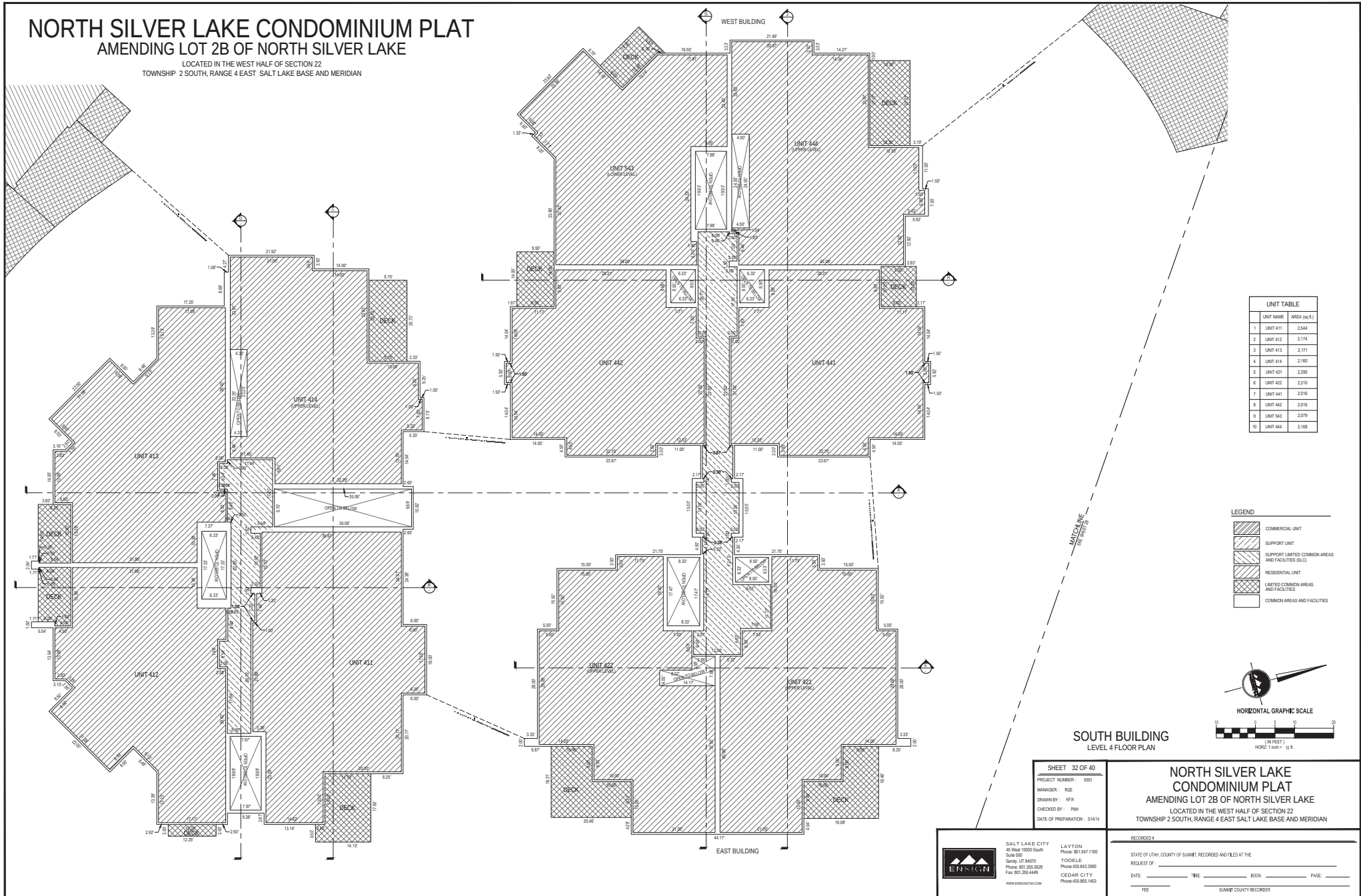
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TOOELE  
Phone: 435.443.3200  
CEDAR CITY  
Phone: 435.965.1463

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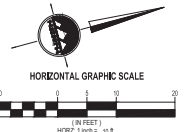
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |               |  |
|------------|---------------|--|
| UNIT NAME  | AREA (sq.ft.) |  |
| UNIT 411   | 2,544         |  |
| UNIT 412   | 2,174         |  |
| UNIT 413   | 2,171         |  |
| UNIT 414   | 2,160         |  |
| UNIT 421   | 2,290         |  |
| UNIT 422   | 2,210         |  |
| UNIT 423   | 2,016         |  |
| UNIT 424   | 2,016         |  |
| UNIT 425   | 2,079         |  |
| UNIT 444   | 2,168         |  |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



**SOUTH BUILDING**  
LEVEL 4 FLOOR PLAN

SHEET 32 OF 40  
PROJECT NUMBER: 590  
MANAGER: ROE  
DRAWN BY: KTH  
CHECKED BY: PKH  
DATE OF PREPARATION: 3/14/14

**NORTH SILVER LAKE CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



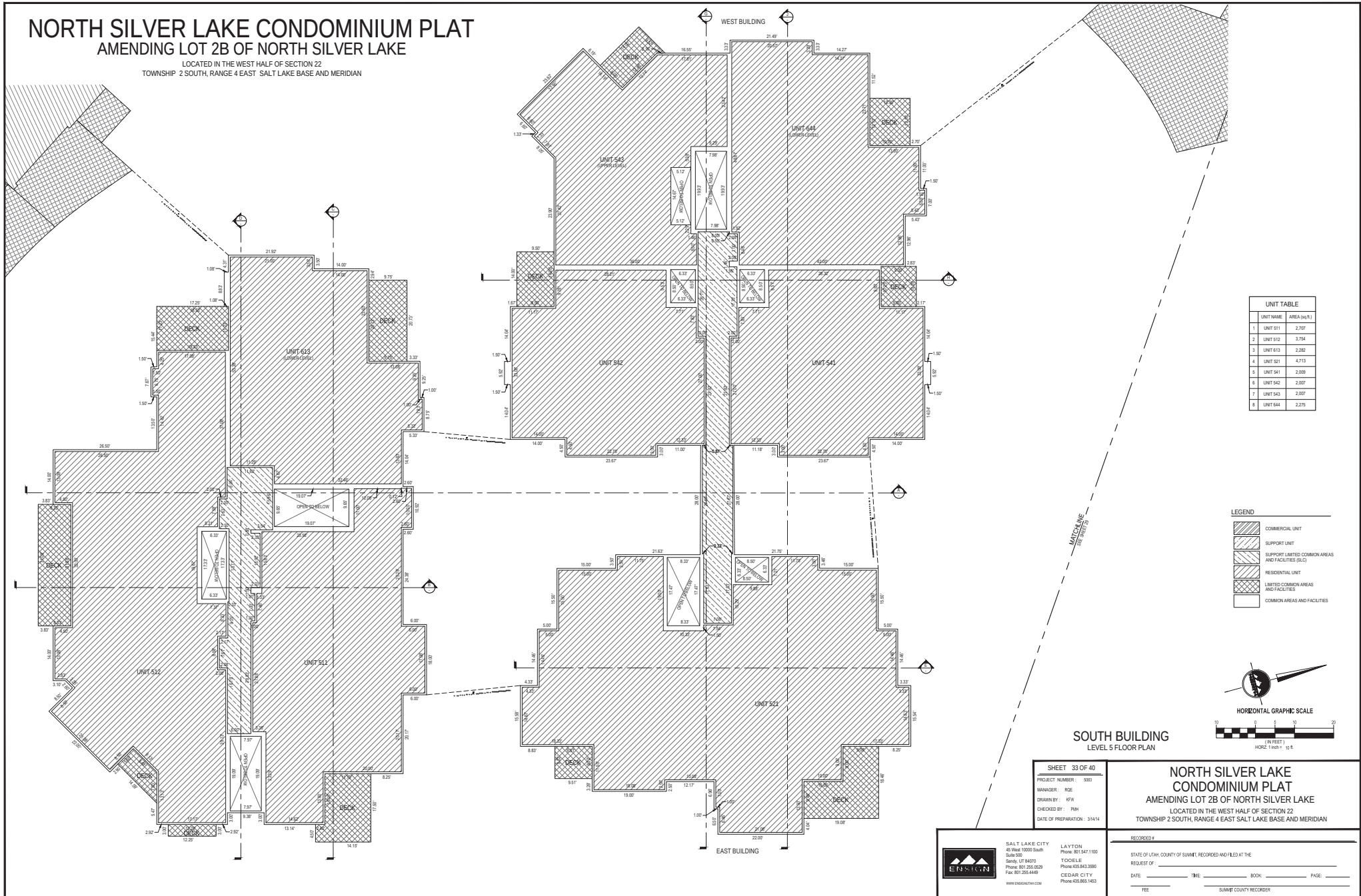
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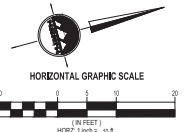
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE  |               |  |
|-------------|---------------|--|
| UNIT NAME   | AREA (sq.ft.) |  |
| 1. UNIT 511 | 2,750         |  |
| 2. UNIT 512 | 3,754         |  |
| 3. UNIT 513 | 2,280         |  |
| 4. UNIT 521 | 4,713         |  |
| 5. UNIT 541 | 2,009         |  |
| 6. UNIT 542 | 2,007         |  |
| 7. UNIT 543 | 2,007         |  |
| 8. UNIT 544 | 2,275         |  |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



**SOUTH BUILDING**  
LEVEL 5 FLOOR PLAN

SHEET 33 OF 40  
PROJECT NUMBER: 590  
DRAWN BY: ROE  
CHECKED BY: RHM  
DATE OF PREPARATION: 3/14/14

**NORTH SILVER LAKE CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



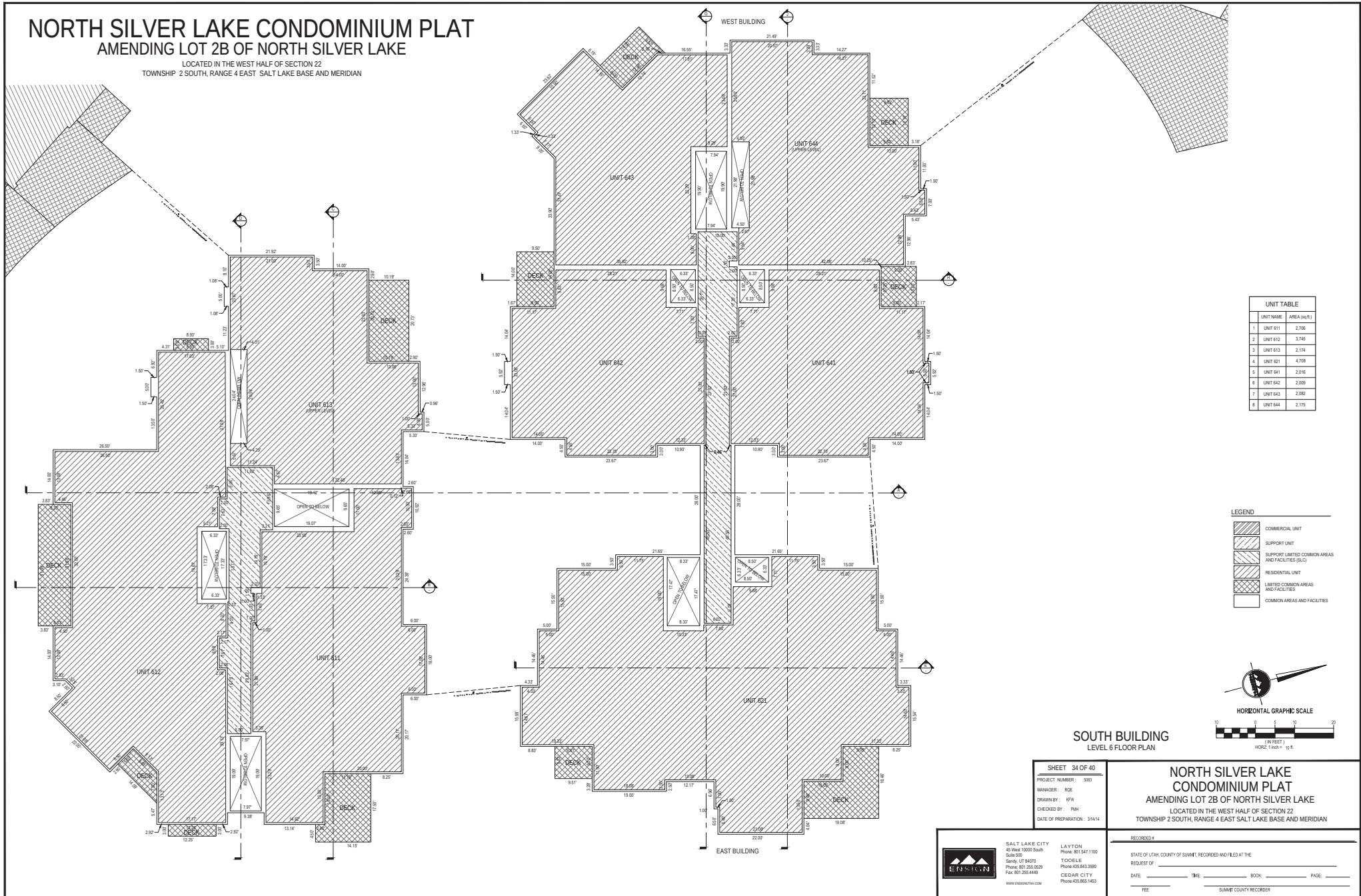
SALT LAKE CITY  
45 West 10000 South  
Suite 500  
Shed, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.1440  
WWW.ENKIN.COM

LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.443.3300  
CEDAR CITY  
Phone: 435.965.1403

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STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

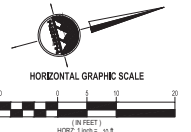
# NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



| UNIT TABLE |           |               |
|------------|-----------|---------------|
|            | UNIT NAME | AREA (sq.ft.) |
| 1          | UNIT 611  | 2,750         |
| 2          | UNIT 612  | 3,740         |
| 3          | UNIT 613  | 2,174         |
| 4          | UNIT 621  | 4,700         |
| 5          | UNIT 641  | 2,070         |
| 6          | UNIT 642  | 2,000         |
| 7          | UNIT 643  | 2,080         |
| 8          | UNIT 644  | 2,175         |

| LEGEND |                                                      |
|--------|------------------------------------------------------|
|        | COMMERCIAL UNIT                                      |
|        | SUPPORT UNIT                                         |
|        | SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.) |
|        | RESIDENTIAL UNIT                                     |
|        | LIMITED COMMON AREAS AND FACILITIES                  |
|        | COMMON AREAS AND FACILITIES                          |



**SOUTH BUILDING**  
LEVEL 6 FLOOR PLAN

SHEET 34 OF 40  
PROJECT NUMBER: 590  
MANAGER: ROE  
DRAWN BY: KTH  
CHECKED BY: RMH  
DATE OF PREPARATION: 3/14/14

**NORTH SILVER LAKE CONDOMINIUM PLAT**  
AMENDING LOT 2B OF NORTH SILVER LAKE  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



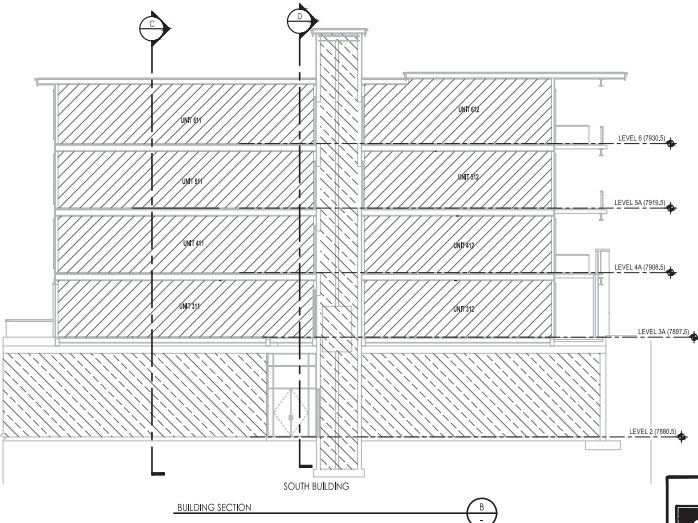
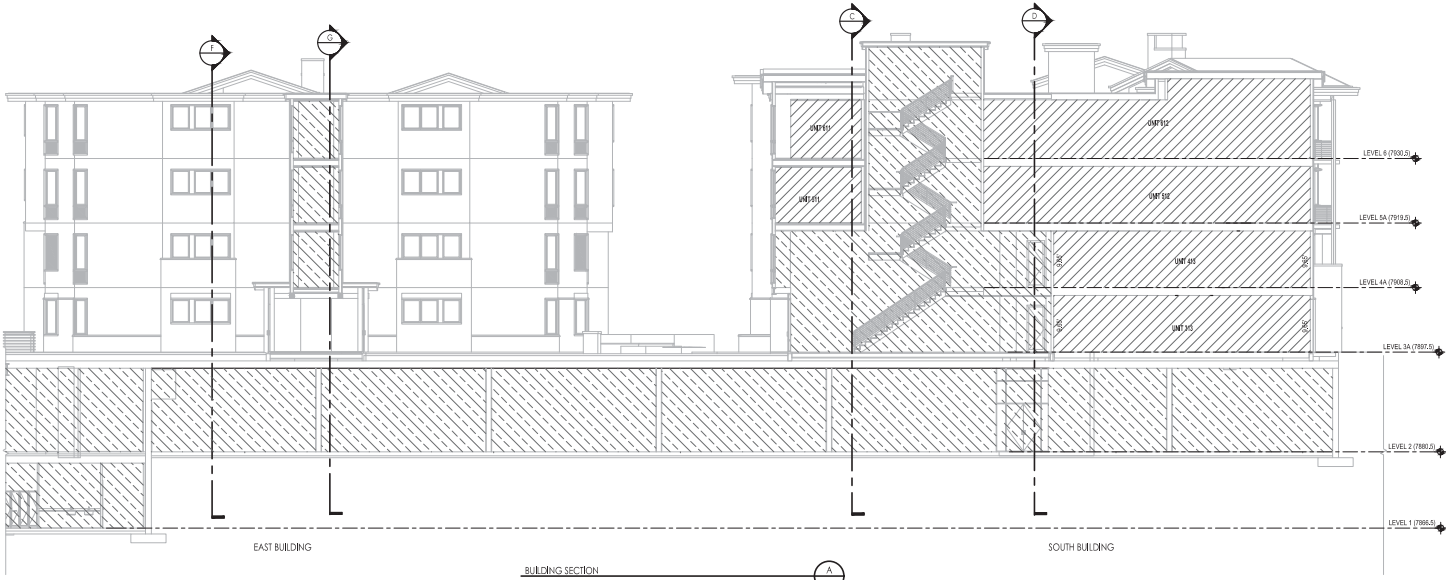
SALT LAKE CITY  
45 West 10000 South  
Suite 500  
Shed, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.1440  
WWW.ENSKINARCH.COM

LAYTON  
Phone: 801.547.1100  
TOOELE  
Phone: 435.443.3200  
CEDAR CITY  
Phone: 435.965.1403

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FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

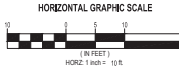
NORTH SILVER LAKE 2B CONDOMINIUM PLAT  
AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



LEGEND

- COMMERCIAL UNIT
- SUPPORT UNIT
- SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
- RESIDENTIAL UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



|                              |  |
|------------------------------|--|
| <b>SHEET 35 OF 40</b>        |  |
| PROJECT NUMBER: 5903         |  |
| MANAGER: RJS                 |  |
| DRAWN BY: KTH                |  |
| CHECKED BY: RMH              |  |
| DATE OF PREPARATION: 3/13/14 |  |

|                                                             |  |
|-------------------------------------------------------------|--|
| <b>NORTH SILVER LAKE 2B CONDOMINIUM PLAT</b>                |  |
| AMENDING LOT 2B OF THE NORTH SILVER LAKE                    |  |
| A UTAH EXPANDABLE CONDOMINIUM PROJECT                       |  |
| LOCATED IN THE WEST HALF OF SECTION 22                      |  |
| TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN |  |

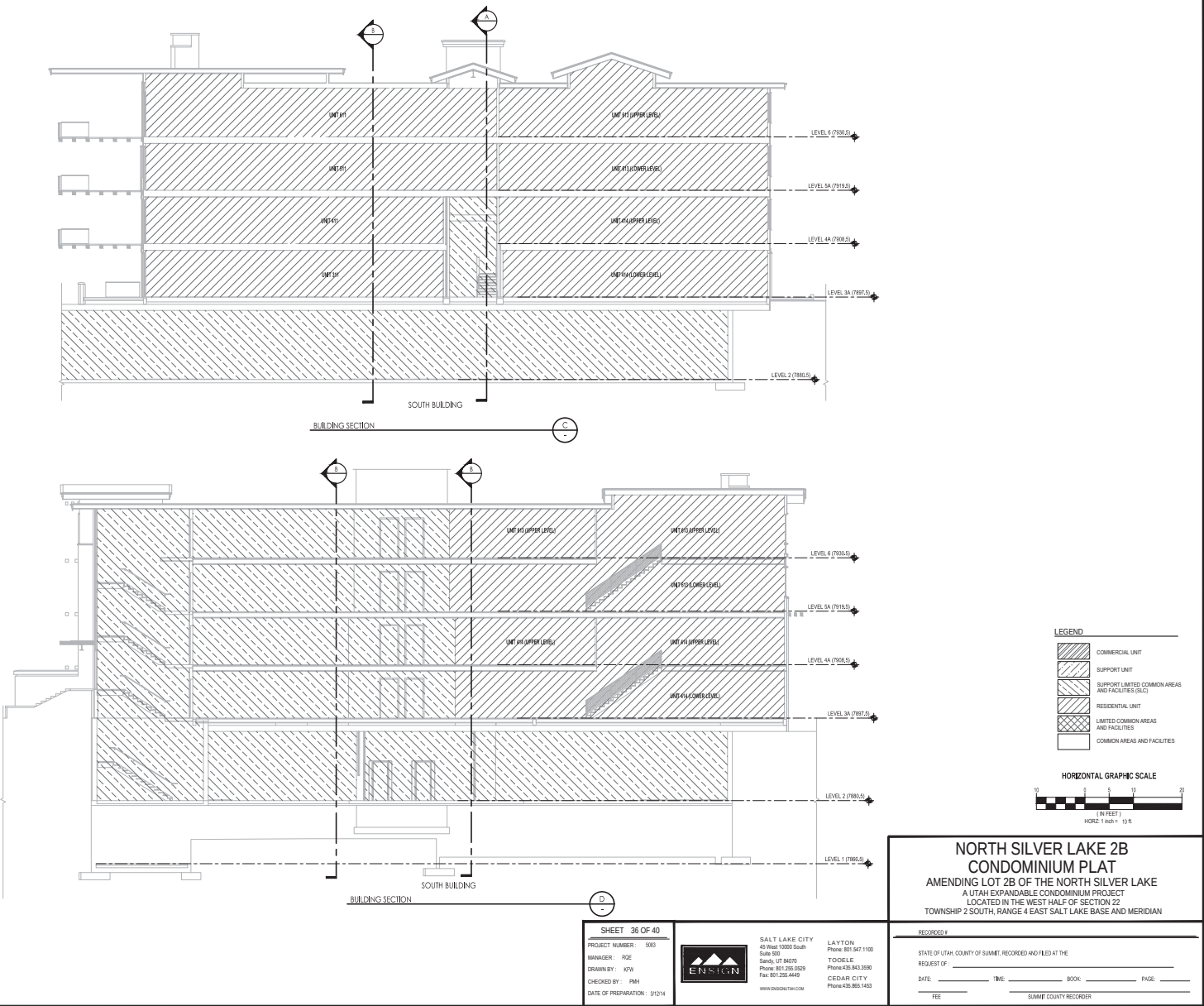
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| RECORDED                                                   |             |
| STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE |             |
| REQUEST OF: _____                                          |             |
| DATE: _____                                                | TIME: _____ |
| BOOK: _____                                                |             |
| PAGE: _____                                                |             |
| FEE: _____                                                 |             |
| SUMMIT COUNTY RECORDER                                     |             |

|                                                                                       |                                                                                                                                               |                                                                                                            |
|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
|  | <b>SALT LAKE CITY</b><br>45 West 10000 South<br>Suite 300<br>Sandy, UT 84070<br>Phone: 801.225.0020<br>Fax: 801.225.4443<br>WWW.ENSONUTAH.COM | <b>LAYTON</b><br>Phone: 801.547.1100<br>TODDLE<br>Phone: 435.843.3050<br>CEDAR CITY<br>Phone: 435.865.1403 |
|---------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|

# NORTH SILVER LAKE 2B CONDOMINIUM PLAT

## AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN





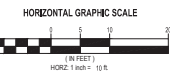
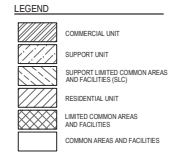
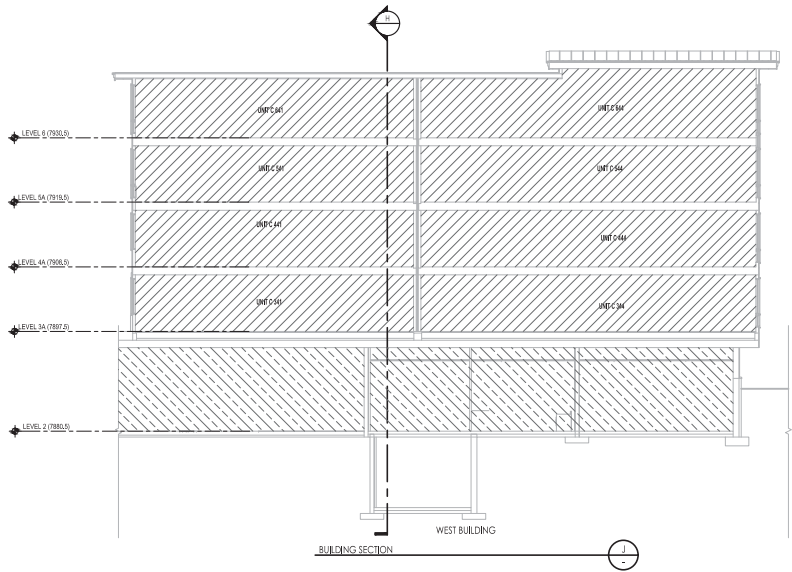
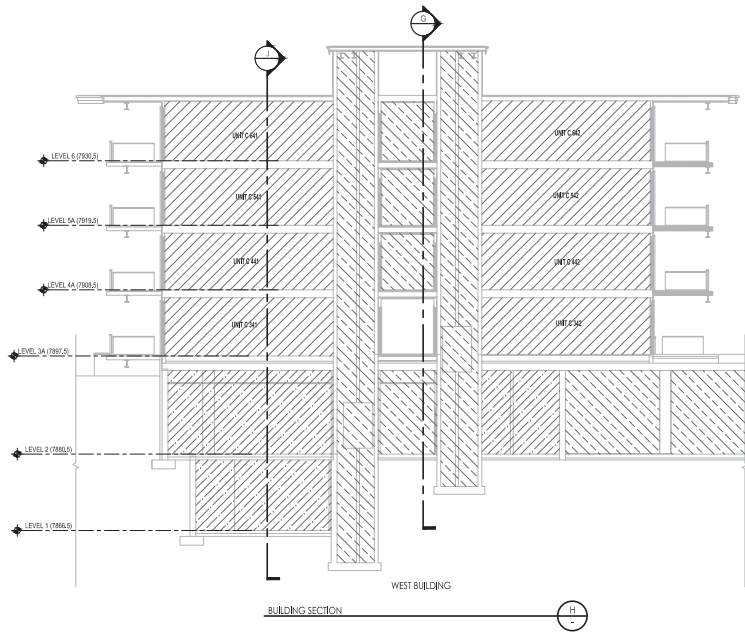
A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN





NORTH SILVER LAKE 2B CONDOMINIUM PLAT  
AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

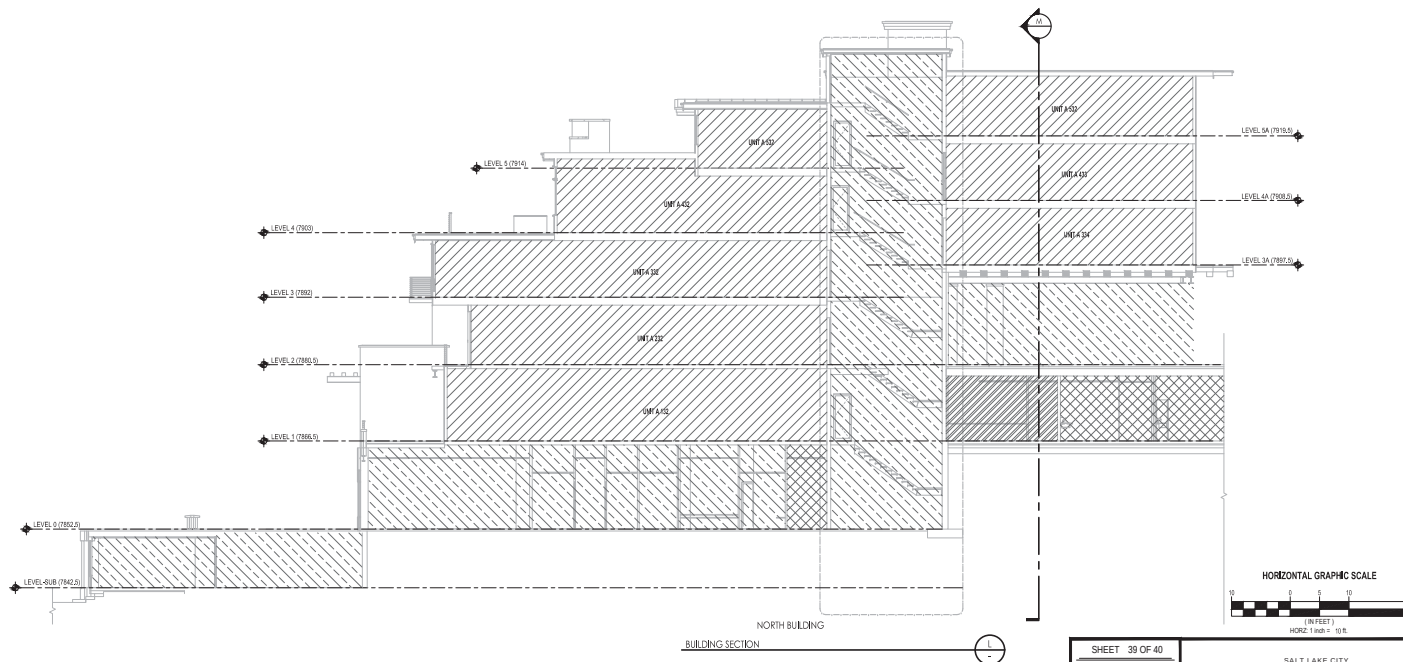
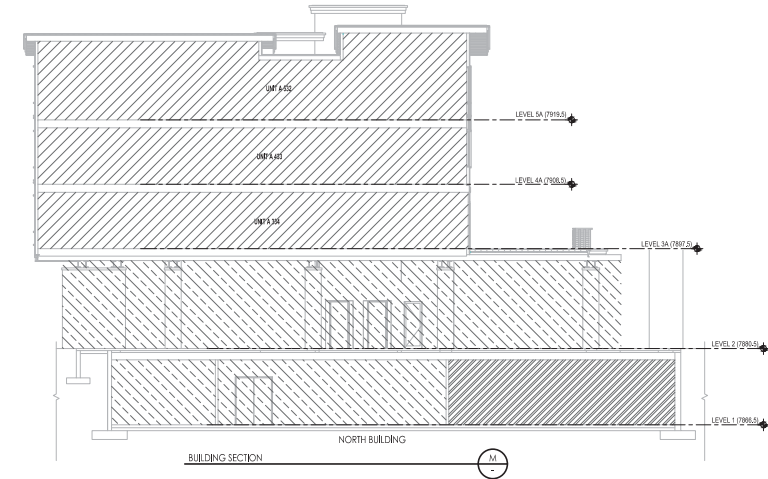


SHEET 38 OF 40  
PROJECT NUMBER: 5903  
MANAGER: RJB  
DRAWN BY: KTH  
CHECKED BY: RHH  
DATE OF PREPARATION: 3/13/14

**NORTH SILVER LAKE 2B  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF THE NORTH SILVER LAKE  
A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

|                                                                                                                                                                                                                              |                                                                                                     |                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <br>SALT LAKE CITY<br>45 West 10000 South<br>Suite 300<br>Sandy, UT 84070<br>Phone: 801.225.0020<br>Fax: 801.225.4443<br>WWW.ENSIGN.COM | LAYTON<br>Phone: 801.547.1100<br>TOOELE<br>Phone: 435.843.3030<br>CEDAR CITY<br>Phone: 435.865.1403 | RECORDED                                                                                                                                                                |
|                                                                                                                                                                                                                              |                                                                                                     | STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE<br>REQUEST OF: _____<br>DATE: _____ TIME: _____ BOOK: _____ PAGE: _____<br>FEE: _____ SUMMIT COUNTY RECORDER |

A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



**LEGEND**

|                                                                                       |                                                   |
|---------------------------------------------------------------------------------------|---------------------------------------------------|
|  | COMMERCIAL UNIT                                   |
|  | SUPPORT UNIT                                      |
|  | SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC) |
|  | RESIDENTIAL UNIT                                  |
|  | LIMITED COMMON AREAS AND FACILITIES               |
|  | COMMON AREAS AND FACILITIES                       |

**NORTH SILVER LAKE 2B  
CONDOMINIUM PLAT**  
AMENDING LOT 2B OF THE NORTH SILVER LAKE  
A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 39 OF 40

PROJECT NUMBER : 5063  
MANAGER : RQE  
DRAWN BY : KPW  
CHECKED BY : PMH  
DATE OF PREPARATION : 3/1



**SALT LAKE CITY**  
45 West 10000 South  
Suite 500  
Sandy, UT 84070  
Phone: 801.255.0529  
Fax: 801.255.4449  
[www.ensignutah.com](http://www.ensignutah.com)

LAYTON  
Phone: 801.547.1100

TOOELE  
Phone: 435.843.3590

CEDAR CITY  
Phone: 435.865.1453

RECORDED W

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

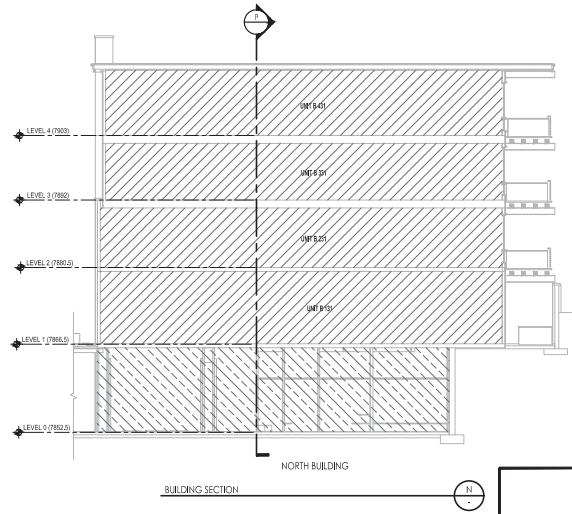
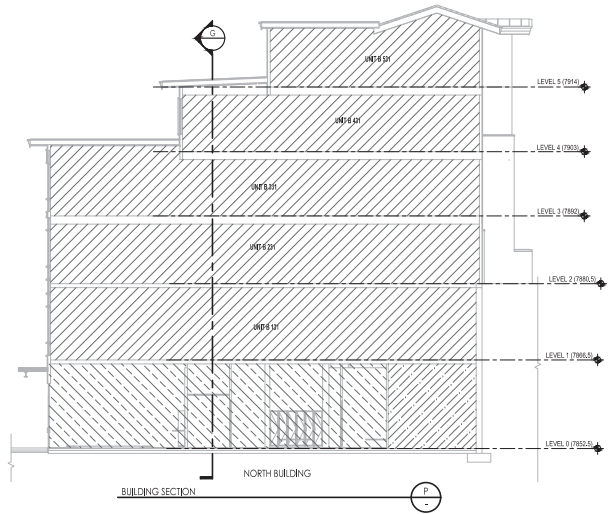
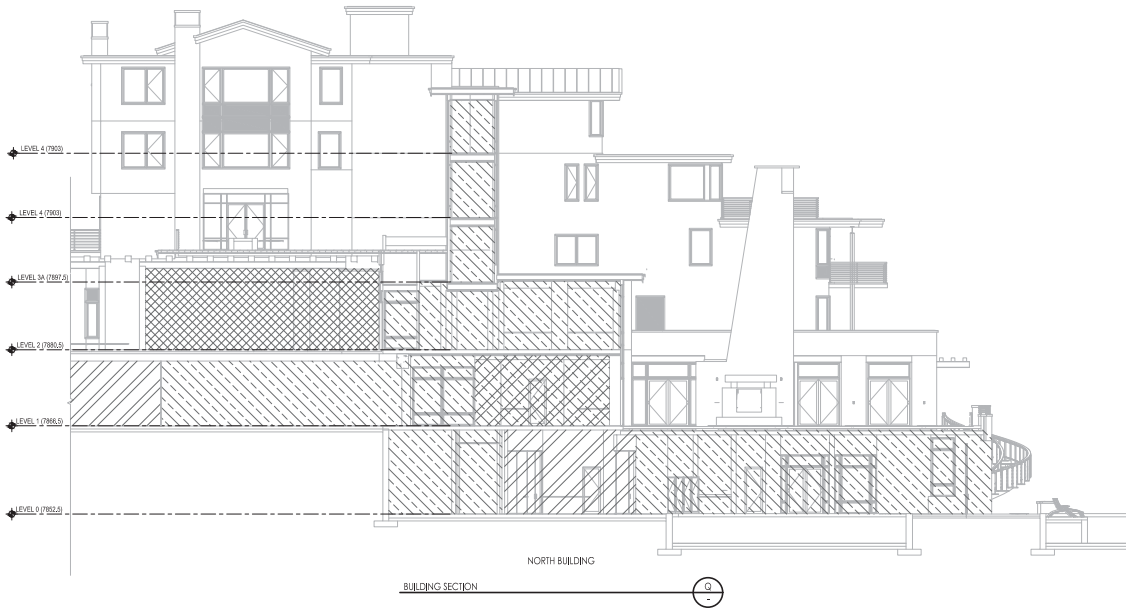
REQUEST OF: \_\_\_\_\_

DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_

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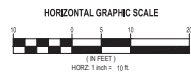
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AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



LEGEND

- COMMERCIAL UNIT
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**NORTH SILVER LAKE 2B CONDOMINIUM PLAT**  
AMENDING LOT 2B OF THE NORTH SILVER LAKE  
A UTAH EXPANDABLE CONDOMINIUM PROJECT  
LOCATED IN THE WEST HALF OF SECTION 22  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE  
REQUEST OF: \_\_\_\_\_  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ BOOK: \_\_\_\_\_ PAGE: \_\_\_\_\_  
FEE: \_\_\_\_\_ SUMMIT COUNTY RECORDER

SHEET 40 OF 40

PROJECT NUMBER: 5083  
MANAGER: RGE  
DRAWN BY: KFW  
CHECKED BY: PMH  
DATE OF PREPARATION: 3/12/14

SALT LAKE CITY  
45 West 10000 South  
Suite 300  
Sandy, UT 84070  
Phone: 801.225.0020  
Fax: 801.225.4449  
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Phone: 801.547.1100  
TODDLE  
Phone: 435.843.3050  
CEDAR CITY  
Phone: 435.865.1403

## PROJECT AND PLAT DESCRIPTION

### North Silver Lake Condominiums

This is an application for the approval of a condominium plat for North Silver Lake Condominiums.

Lot 2B of the North Silver Lake subdivision was originally created pursuant to the plat entitled "Subdivision of Lot 2 North Silver Lake Subdivision", which was recorded on September 18, 1997. The plat submitted with this application is a further subdivision of Lot 2B, in accordance with the terms and conditions of a Conditional Use Permit approved on July 1, 2010 ("CUP"). The CUP authorized the development on this property of 54 units, consisting of 16 single-family homes (in detached or duplex configurations) and four stacked condominium buildings containing 38 additional residential condominium units. The stacked condominium buildings also include 3 commercial condominium units and 1 support condominium unit.

This plat divides the property into 54 condominium units and common areas including: (i) 4 single family units, (ii) 3 duplex buildings each with 2 units, (iii) 6 units currently shown as 2-dimensional lots that will be amended later to depict the 3-dimensional unit locations, (iv) 38 stacked flats in 2 buildings (North Lodge Building and South Lodge Building), and (v) a private road that is part of the common area. The condominium buildings have been designed to be consistent with the project plans submitted with, and approved as part of, the 2010 CUP.

Lot 2B is currently encumbered by a Record of Survey Plat for North Silver Lake Lodge that was recorded on April 19, 2005. That plat will be terminated of record immediately prior to the recordation of the condominium plat submitted with this application.



# Exhibit C – North Silver Lake Subdivision (1993)

## SURVEYOR'S CERTIFICATE

I, JACK HARMON, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NUMBER 8934, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED PROPERTIES, AS SHOWN HEREON.

JACK HARMON L.S. 8934

1-8-93  
DATE



## LEGAL DESCRIPTION – TOTAL BOUNDARY

Beginning at a point which is 1894.18 feet North and 711.87 feet East of the Southeast corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, (Historical location, said section corner does not exist), said point also being on the Eastern right-of-way line of Silver Lake Drive, the following courses being along said right-of-way line: 1) thence N 22°00'00" W 428.41 feet to a non-tangent curve concave Easternly and having a radius of 473.50 feet (center bears N 68°58'00" E); 2) thence Northernly along said curve through a central angle of 37°33'37" on an arc distance of 307.08 feet; 3) thence N 15°14'04" E 376.09 feet to a non-tangent curve concave Southernly and having a radius of 262.75 feet (center bears S 70°44'43" E); 4) thence Southernly along said curve through a central angle of 27°02'34" on an arc distance of 445.84 feet; 5) thence S 87°48'00" E 118.84 feet to the beginning of a tangent curve concave Southeasternly and having a radius of 1175.00 feet; 6) thence Southernly along said curve through a central angle of 145°07'00" on an arc distance of 287.11 feet; 7) thence S 52°30'00" E 141.15 feet, said point also being the Northeast corner of lot 28 Evergreen Subdivision; thence along said lot line S 22°38'31" E 156.70 feet, thence along said lot line S 27°58'32" E 118.30 feet to the corner corner of lots 28, 29 Evergreen Subdivision; 1) thence S 74°07'00" E 30.71 feet to the Southeast corner of lot 28 Evergreen Subdivision; thence S 40°33'00" E 193.80 feet, thence S 54°33'18" W 89.26 feet, thence S 30°56'43" W 118.34 feet to a point on a 140.00 foot radius curve concave Southeasternly (center bears S 50°11'14" E); 2) on the Northern right-of-way line of Silver Lake Drive, the following courses being along said right-of-way line: 1) thence along said curve through a central angle of 100°00'00" on an arc distance of 337.27 feet; 2) thence S 04°58'26" W 284.39 feet to a point on a 140.00 foot radius curve concave Southeasternly and having a radius of 499.89 feet; 3) thence Southernly along said curve through a central angle of 100°00'00" on an arc distance of 305.24 feet; 4) thence S 40°02'00" W 58.61 feet to the beginning of a tangent curve concave Northwesternly and having a radius of 200.17 feet; 5) thence along said curve through a central angle of 70°02'00" on an arc distance of 174.88 feet to a point of reverse curvature (a radial through said point bears S 00°00'00" E), said point being the beginning of a curve concave Southeasternly and having a radius of 100.00 feet; 6) thence Southernly along said curve through a central angle of 70°02'00" on an arc distance of 174.88 feet; 7) thence S 20°00'00" W 15.50 feet to a point on a non-tangent curve concave Northernly having a radius of 770.00 feet (center bears N 14°33'45" E); said point also being on the Northern right-of-way line of Royal Street; thence along said right-of-way line through a central angle of 47°02'00" on an arc distance of 87.71 feet to a point on the Eastern right-of-way line of Silver Lake Drive, the following courses being along said right-of-way line: 1) thence S 31°45'00" E 12.86 feet to the beginning of a tangent curve concave Northwesternly and having a radius of 85.00 feet; 2) thence along said curve through a central angle of 150°13'00" on an arc distance of 249.12 feet to the point of beginning.

TOTAL PARCEL CONTAINS 26.62 ACRES

## LEGAL DESCRIPTION – LOT 1

Beginning at a point which is 3180.71 feet North and 1115.40 feet East of the Southeast corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, (Historical location, said section corner does not exist), said point also being on the Southern right-of-way line of Royal Street, the following courses being along said right-of-way line: 1) thence S 12°48'00" W 284.43 feet, thence S 83°24'23" W 87.83 feet to a point on a non-tangent curve concave Southeasternly having a radius of 100.00 feet (center bears S 04°27'31" E); 2) thence along said curve through a central angle of 100°00'00" on an arc distance of 87.12 feet; thence S 58°00'00" W 98.89 feet to the beginning of a tangent curve concave Northwesternly having a radius of 265.00 feet; thence along said curve through a central angle of 20°02'00" on an arc distance of 100.28 feet; thence S 70°30'00" E 58.98 feet to the beginning of a tangent curve concave Southernly having a radius of 182.50 feet; thence along said curve through a central angle of 72°00'00" on an arc distance of 241.27 feet; thence S 04°07'00" W 60.40 feet, thence S 82°44'36" W 3.20 feet to a point on the Eastern right-of-way line of Silver Lake Drive. One following four courses being along said right-of-way line: said point also being a point on a non-tangent curve concave Northernly having a radius of 473.50 feet (center bears N 68°58'00" E); 1) thence along said curve through a central angle of 27°37'21" on an arc distance of 144.31 feet; 2) thence N 15°14'04" E 376.09 feet to a point on a non-tangent curve concave Southernly having a radius of 262.75 feet (center bears S 70°44'43" E); 3) thence along said curve through a central angle of 87°02'34" on an arc distance of 445.84 feet; 4) thence S 87°48'00" E 118.84 feet to the point of beginning.

LOT 1 CONTAINS 4.62 ACRES

## LEGAL DESCRIPTION – LOT 2

Being the Total Boundary per this map, except for Lot 1.  
LOT 2 CONTAINS 22.00 ACRES

# NORTH SILVER LAKE SUBDIVISION

LOCATED IN THE WEST 1/2 OF SECTION 22,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN,  
PARK CITY, SUMMIT COUNTY, UTAH

## LEGEND

- (S) FOUND STANDARD STREET MONUMENT
- (A) FOUND & ACCEPTED BRASS TAG AND NAIL, L.S. 8104
- (F) FOUND AND ACCEPTED 5/8" IRON ROD WITH PLASTIC CAP, L.S. NUMBER AS INDICATED
- (M) SET 5/8" IRON ROD WITH PLASTIC CAP, L.S. 8934
- (R) RECORD DATA PER RECORDED MAPS
- (V) MEASURED

## OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned is the Owner of the herein described tract of land, and hereby cuses the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as NORTH SILVER LAKE SUBDIVISION.

Also, the owner hereby dedicates to Park City Municipal Corporation, or any one whom said Municipal Corporation may hereafter designate, the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Executed this 18 day of January, 1993  
DEER VALLEY RESORT COMPANY, a Utah Limited Partnership,  
By: ROYAL STREET OF UTAH, a General Partner.

By: *Robert M. Wells*  
Robert M. Wells, Vice President

## ACKNOWLEDGEMENT

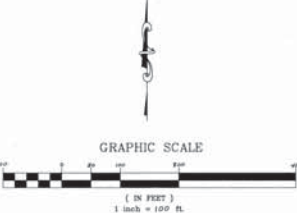
STATE OF UTAH  
COUNTY OF SUMMIT

On the 18 day of January, 1993, personally appeared before me Robert M. Wells, who being of the City and County of Summit, State of Utah, known to me to be a Vice President of DEER VALLEY RESORT COMPANY, a Utah Limited Partnership, and that the within and foregoing document was signed and acknowledged by him as such, and in the presence of me, a Notary Public, and I have duly acknowledged to me that this document executed the same.

By: *John M. Henderson*  
John M. Henderson  
My commission expires 7/5/96  
Notary Public  
Heeding at: Salt Lake City, UT

## NOTES:

1. NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENTS ARE HEREBY DEDICATED AS SHOWN.
2. BUILDING SETBACKS ALONG SDO TRAIL FRONTS MAY VARY FROM REQUIREMENTS OF THE UNDERLYING ZONE.



## CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 30th DAY OF JANUARY, 1993

*Quinn O. O'Hara, PE*  
CITY ENGINEER

## CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THE 22nd DAY OF JANUARY, 1993

*Barbara M. Wells*  
CHAIRMAN

## APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 16th DAY OF February, 1993

*Quinn O. O'Hara*  
CITY ATTORNEY

## CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY, UTAH, ON THIS 28th DAY OF JANUARY, 1993, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

*Barbara M. Wells* Mayor  
*Quinn O. O'Hara* City Recorder

## RECORDED

RECORDED AND FILED AT THE REQUEST OF:

High Country Title  
NO. 374326  
STATE OF UTAH  
COUNTY OF SUMMIT  
DATE 02-18-93  
TIME 2:58 PM  
FILE # 20

*Quinn O. O'Hara*  
COUNTY RECORDER

## Sno-engineering, Inc.

The Resort Planners

P.O. BOX 1726 PARK CITY, UTAH 84030  
801-649-4777



## Exhibit D – Lot 2 North Silver Lake Subdivision (1997)

I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163931 as prescribed under the laws of the State of New York. I certify that by the authority of the owner I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots to be hereafter known as SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION and that the same has been or will be correctly surveyed and staked on the ground as shown on this plat.

#### BOUNDARY DESCRIPTION

LOT 2 OF THE NORTH SILVER LAKE SUBDIVISION, according to the official plat on file and recorded as Entry #374325 (Feb. 19, 1993) in the office of the Summit County Recorder.

The above property is also described as follows:

[illegible]

SOUTHWEST CORNER  
SECTION 22, TOWNSHIP 2 SOUTH,  
RANGE 4 EAST, SALT LAKE BASE  
AND MERIDIAN

EXISTING NON-EXCLUSIVE PUBLIC UTILITY EASEMENT  
IN FAVOR OF SNYDERVILLE BASIN SEWER IMPROVEMENT  
DISTRICT ENTRY NO. 263448, BK. 413, PG. 615 (HATCHED AREA)

1-6-96 \NSL\PC\PC\P-NSL2

ALLIANCE ENGINEERING INC.

P.O. BOX 2664  
523 MAIN STREET  
PARK CITY, UTAH 84060  
(801) 649-9467

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER  
IMPROVEMENT DISTRICT STANDARDS ON THIS 9<sup>th</sup>  
DAY OF September, 1997 A.D.

BY Paul Z  
S.R.S.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY  
PLANNING COMMISSION THIS 6<sup>th</sup>  
DAY OF September, 1997 A.D.

BY Don M. Edwards  
CHAIRMAN

### ENGINEERS' CERTIFICATE

I FIND THIS PLAT TO BE IN  
ACCORDANCE WITH INFORMATION ON  
FILE IN MY OFFICE THIS 12<sup>TH</sup>  
DAY OF SEPTEMBER 1907 A.D.

BY Eric W. DeHaan PE

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 17<sup>TH</sup>  
DAY OF SEPTEMBER, 1997 A.D.

BY M. D. Hay  
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY  
MAP WAS APPROVED BY PARK CITY  
COUNCIL THIS 26 DAY  
OF JUNE 1997 A.D.

BY Janet N. Scott

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY  
COUNCIL THIS 26 DAY OF JUNE,  
1997 A.D.

BY Swartz, C. C.  
MAYOR

IF 487578

STATE OF UTAH COUNTY OF KANE  
AT THE REQUEST OF  
DATE 09-18-97 TIME 15

35  
FEE

RECORDED

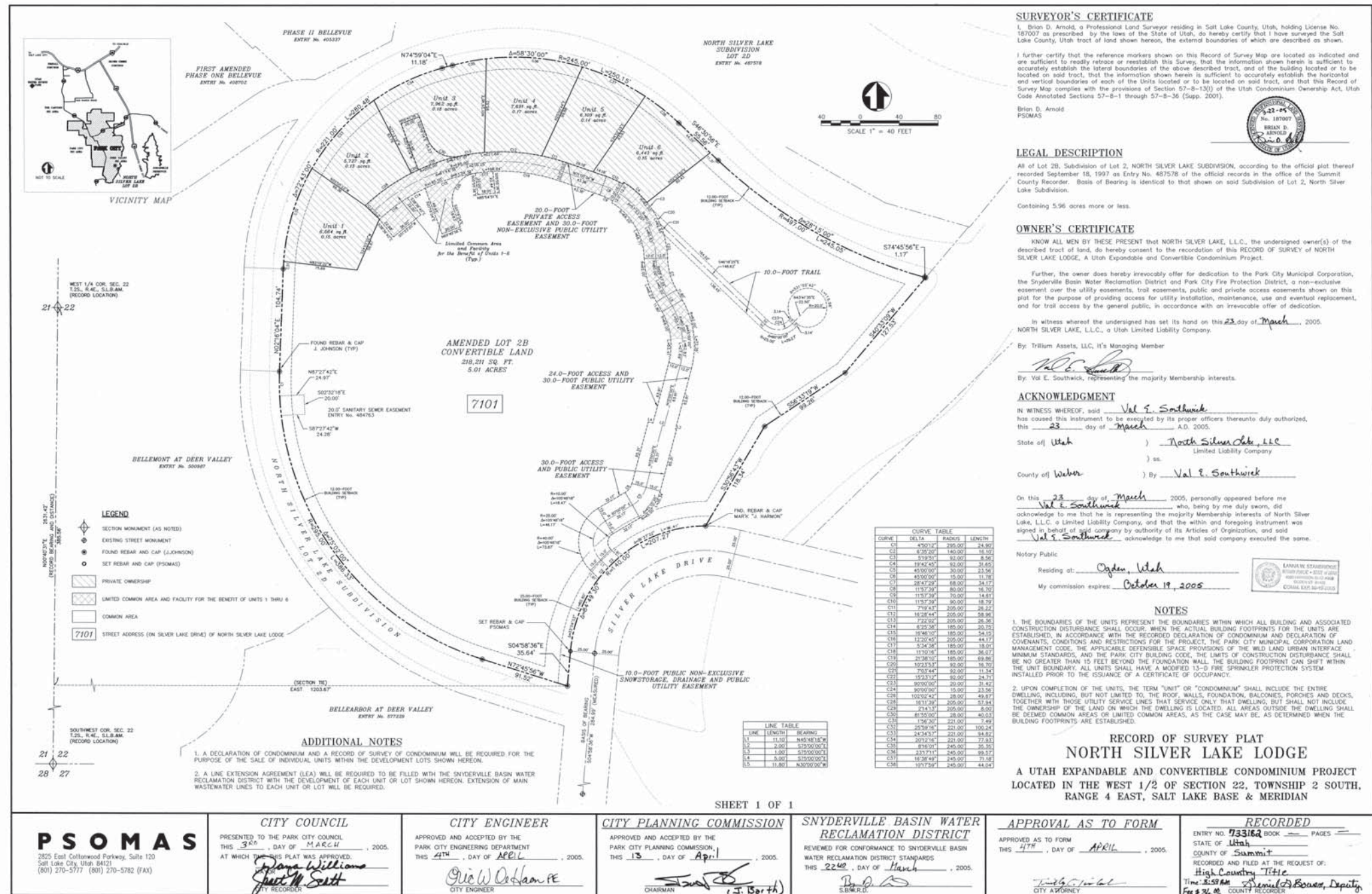
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*Dorinda M. Dunn - Deputy*  
RECORDER

WETH SILVER LAKE LOT 2



## Exhibit E – North Silver Lake Record of Survey Plat (2005)





04 March 2014

SR Silver Lake LLC  
Daniel Gryczman  
11990 San Vicente Blvd. Suite 200  
Los Angeles, CA 90049

**NOTICE OF PLANNING COMMISSION ACTION**

**Application #:** PL-13-02034  
**Subject:** North Silver Lake  
**Address:** 7101 Silver Lake Drive  
**Description:** Conditional Use Permit for Lockout Units (nightly rentals)  
**Action Taken:** Approved  
**Date of Action:** February 26, 2014

On February 26, 2014 the Planning Commission of Park City approved your request of 38 Lockout Units (nightly rentals) to be located within the Stein Eriksen Residences formerly known as the North Silver Lake Development, located at 7101 Silver Lake Drive. Your approval is subject to the following Findings of Fact, Conclusion of Law, and Conditions of Approval:

**Findings of Fact**

1. The subject property is at 7101 North Silver Lake Drive, Lot 2B of the North Silver Lake Subdivision.
2. The property is known as Stein Eriksen Residences, formerly known as North Silver Lake Lodge
3. The proposed development is located within the Deer Valley Master Plan Development.
4. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
5. In 2010 the Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) total units; sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private units.

6. The conditions of approval for the CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future.
7. At this time the applicant requests the use of thirty eight (38) Lockout Units to be located in the four (4) stacked flats, condominium buildings and that nightly rentals be permitted for the lockout units.
8. The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. The Planning Commission approved the CUP on July 8, 2009.
9. On July 17, 2009, the neighboring property owners submitted an appeal of the CUP approval. The City Council reviewed the appeal on October 15, 2009 and November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.
10. The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one (4 - 1) vote on April 28, 2010.
11. The April 28, 2010 CUP approval was appealed. The City Council reviewed the appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that "no lockouts are permitted within this approval". The City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010.
12. The Land Management Code § 15-1-10(G) allows for two (2) extensions of an approved CUP.
13. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.
14. The Planning Director's approval of the extension was appealed on June 8, 2011. The Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the Conditional Use Permit to July 1, 2012.
15. On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action upholding the Planning Director's decision to approve an extension of the development.
16. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.
17. On October 27, 2011, Staff received an application to extend the CUP for an

- additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013.
18. On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013.
  19. The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant.
  20. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:
    - a. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
    - b. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
    - c. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
  21. In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.
  22. The LMC defines a dwelling unit as a Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.
  23. The LMC defines a Lockout Unit as an Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.
  24. The requested use meets the LMC definition of a Lockout Unit, which is an area of a dwelling unit and not a separate dwelling unit.
  25. Staff does not consider the proposed use to be a hotel due to the specific provision found in the Hotel definition which indicates that Lockout Units are not Hotels.
  26. The site will have accessory facilities in the development: a spa, ski rentals, and a dining area that were shown on the approved 2010 CUP plans. The use of these areas further reiterates that the use is not consistent with one of a hotel. These areas are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, ski rentals, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
  27. The proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved, located in the stacked flats.
  28. No Lockout Units are being requested within the sixteen (16) single family

dwelling/duplexes.

29. The number of Lockout Units within each unit range from one to three (1 - 3).
30. The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved 2010 CUP plans.
31. The Planning Commission must review LMC § 15-1-10(E) when considering whether or not the proposed conditional use mitigates impacts.
32. The proposed modification, the requested Lockout Units, does not require additional mitigation related to size and location of the site which was not already addressed in the originally approved CUP (2010).
33. Regarding traffic considerations including capacity of the existing streets in the area, Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013.
34. The updated 2013 traffic analysis indicates that under the maximum trip scenario with all of the lockouts occupied, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification.
35. The Applicant needs to work with the City Engineer to ensure proper site distance per the 2009 Existing Traffic Counts and Traffic Projections which indicates the following under Sight Distance conclusion and Recommendations which indicates that special warning signage is recommended during the construction period. Also mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.
36. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to utility capacity, including storm water run-off which has already been addressed in the originally approved CUP (2010).
37. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to emergency vehicle access which has already been addressed in the originally approved CUP (2010).
38. Regarding location and amount of off-street parking, parking for all fifty four (54) units must be provided within the North Silver Lake development.
39. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval.
40. The North Silver Lake development has a mix of single family dwellings/duplexes and multi-unit dwellings. There is also support commercial space within the project. No parking is required for the support commercial area.
41. The current LMC requires 1 parking space per dwelling unit if the apartment or condominium is not greater than 1,000 sf floor area.
42. The current LMC requires 1.5 parking spaces per dwelling unit if the apartment or condominium is greater than 1,000 sf and less than 2,000 sf floor area.
43. The current LMC requires 2 parking spaces per dwelling unit if the apartment or condominium is 2,000 sf floor area or greater.
44. The required parking for the multi-unit dwellings is 76 parking spaces without any parking reduction.
45. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to the internal vehicular and pedestrian circulation



system which has already been addressed in the originally approved CUP (2010).

46. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to fencing, screening and landscaping to separate the use from adjoining uses which has already been addressed in the originally approved CUP (2010).
47. The proposed modification, the requested Lockout Units, does not require additional mitigation related to building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots which has already been addressed in the originally approved CUP (2010).
48. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to usable open space which has already been addressed in the originally approved CUP (2010) and condition of approval no. 8.
49. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to signs and lighting which has already been addressed in the originally approved CUP (2010).
50. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing which has already been addressed in the originally approved CUP (2010).
51. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site which has already been addressed in the originally approved CUP (2010).
52. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas which has already been addressed in the originally approved CUP (2010).
53. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities which has already been addressed in the originally approved CUP (2010).
54. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site which has already been addressed in the originally approved CUP (2010).

### **Conclusions of Law**

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use and circulation.
3. The Use is consistent with the Park City General Plan.



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

### **Conditions of Approval**

1. All Standard Project Conditions shall apply.
2. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.
3. Approval is based on plans reviewed by the City Council on June 24, 2010 and the Planning Commission on December 11, 2013. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
4. The applicant shall work with the City Engineer to ensure proper compliance with the recommendations outlined in this staff report regarding site distance and special warning signage during the construction period.
5. The maximum number of Lockout rooms permitted in the project is 38, all of which shall be located in the units in the stacked condominium buildings as determined by the Applicant. The condominium declaration for the project shall contain a use restriction with this limitation, which use restriction shall not be modified without the written consent of 67% of the owners of residences located in the following adjacent subdivisions: (i) Evergreen; (ii) Bellemont; (iii) Belle Harbor; (iv) Bellevue; and (v) Belleterre.
6. The project is approved as a Multi-Family Dwelling project and not as a Hotel, and the inclusion of 38 Lockouts is deemed not to be a change in said Use. All commercial and support units with appurtenant limited common areas shall be restricted to the exclusive use of the owners of units and renters of units (or Lockouts) currently in residence at the time of use, and their guests. No advertising of the amenities to the public is permitted. The parking garage for the stacked condominium buildings shall contain 80 spaces, and all parking access for such buildings during the period in which Deer Valley Resort is open and operating for public skiing each year shall be limited to valet parking at the main porte cochere for the project. At all other times the parking garage may be accessed only by on-site owners of units or renters of a unit or Lockout, and their guests, as well as employees at the project, either by valet service or a mechanized entry system.
7. Group events hosted in the common areas at the Project shall only be permitted if all invited guests are staying at the Project or the host of the event owns a unit at the Project. Such restriction, together with other reasonable restrictions on event hours, use of amplified sound and other precautions typical of those found in CC&Rs for other condominium projects in Deer Valley shall be included in the condominium declaration.
8. The condominium declaration for the project shall prohibit construction of Structures in the outdoor open space shown on the submitted plat for the project.
9. Applicant shall install a dimmer in the project monument sign to allow the brightness to be reduced as appropriate for better compatibility with the neighborhood.
10. The condominium declaration for the project shall contain the use restrictions

described in conditions of approval 5-9.

Please be aware that the approval of a Conditional Use Permit by Park City in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

As the applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission are available in the Planning Department.

If you have questions regarding your application or the action taken please don't hesitate to contact me at 435-615-5064 or [fastorga@parkcity.org](mailto:fastorga@parkcity.org).

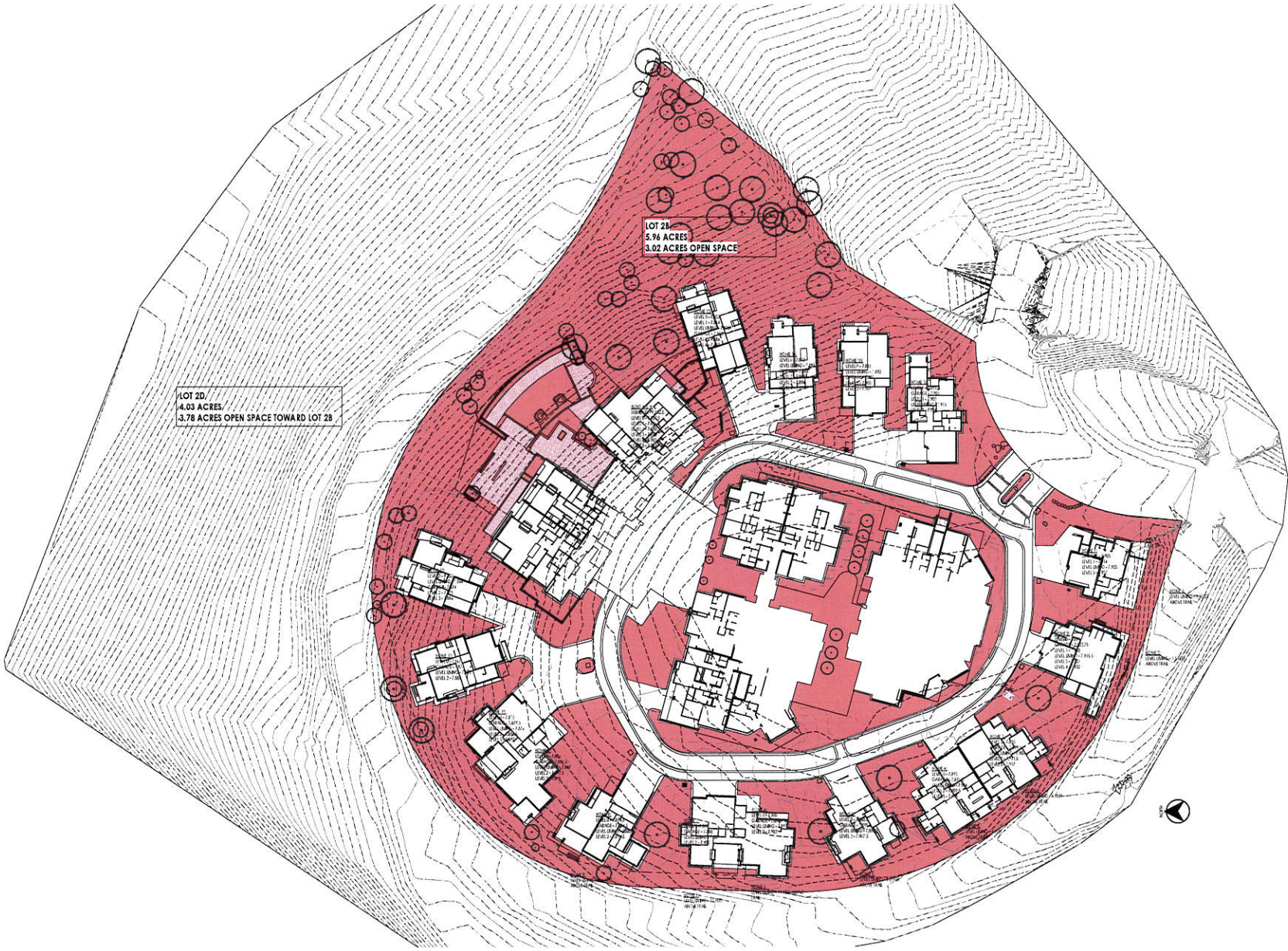
Sincerely,

A handwritten signature in black ink, appearing to read "F. Astorga". The signature is fluid and cursive, with a long horizontal stroke at the end.

Francisco Astorga  
City Planner

## Exhibit G- PUBLIC COMMENTS

Due to the size allowable on our website you may view Exhibit G [here](#).



**pk**  
**Think**  
Architecture

Architecture  
Interior Design  
Landscape Architecture  
Land Planning  
Construction Management

1001 South 100 East, Suite 101  
Salt Lake City, UT 84111  
Tel: 801.524.1000  
Fax: 801.524.1001  
www.thinkpk.com

We design commercial and residential buildings, interiors, landscapes, and plans for construction. We are a full-service firm with a focus on sustainable design and construction. Our team includes architects, interior designers, landscape architects, and planners. We work with clients from concept to construction.

STEIN ERIKSEN RESIDENCES  
7107 SILVER LAKE DRIVE PARK CITY, UTAH

PROJECT NO. 00000  
DATE: 00 MONTH, YEAR  
REVISION:

DRAWING STATUS  
SHEET TITLE  
OPEN SPACE  
CALCULATION  
SHEET NUMBER  
SD101A

SITE PLAN - AREAS  
1"=50'







Even though not required, perimeter homes in Project are less than 33'-0" in height (with a few minor exceptions) to foster compatibility with the surrounding communities.

Note: Homes 1 and 2 are measured from adjusted natural grade due to grade alterations made to accommodate Silver Dollar Ski Trail.

**33' FOG ABOVE EXISTING GRADE**

**HEIGHT STUDY**



**NORTH SILVER LAKE LODGE**  
DEER VALLEY, UTAH



## City Council Staff Report



**Subject:** 901 Norfolk Avenue Subdivision  
**Author:** Christy J. Alexander, AICP, Planner II  
**Date:** May 8, 2014  
**Type of Item:** Administrative – Plat Amendment  
**Project Number:** PL-13-02180

### **Summary Recommendations**

Staff recommends the City Council hold a public hearing and consider approving the 901 Norfolk Avenue Subdivision, located at 901 and 907 Norfolk Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

### **Description**

**Applicant:** Tim Zweiback and Andrew Caplan, represented by Jonathan DeGray  
**Location:** 901 and 907 Norfolk Avenue  
**Zoning:** Historic Residential (HR-1)  
**Adjacent Land Uses:** Single-Family Residential  
**Reason for Review:** Plat amendments require Planning Commission review and City Council action

### **Proposal**

The applicant is requesting a plat amendment to reconfigure three (3) lots into two (2) lots of record. The plat amendment will remove the lot line between the existing Lots 2 and 3 which contain one, non-historic single-family home over both lots. The plat amendment will also correct the existing northerly lot line of Lot 1 to match the found rebar & cap as well as the ownership of property of the two lots. The northerly lot line will move one (1') foot to the north to correctly portray Lot 1 as twenty-six (26') feet wide and Lot 2 as being twenty-four (24') feet wide. The lots are zoned Historic Residential 1 (HR1).

### **Purpose**

The purpose of the HR-1 District is to:

- (A) Preserve present land Uses and character of the Historic residential areas of Park City,
- (B) Encourage the preservation of Historic Structures,
- (C) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,



- (D) Encourage single family development on combinations of 25' x 75' Historic Lots,
- (E) Define development parameters that are consistent with the General Plan policies for the Historic core, and
- (F) Establish development review criteria for new development on Steep Slopes which mitigate impacts to mass and scale and the environment.

### **Background**

On December 17, 2013, the applicant submitted a complete application for the 901 Norfolk Avenue Subdivision plat amendment to combine three (3) lots into two (2) lots of record. The property is located at 901 and 907 Norfolk Avenue in the Historic Residential (HR-1) District. During the internal development review it was identified that their proposal to shift the northerly lot line of Lot 1 one (1') foot to the north may create a substandard and therefore non-compliant lot out of Lot 2. However, the house at 907 Norfolk Ave currently sits on Lot 2 and Lot 3. Therefore, while Lot 2 alone would be substandard, together they meet the minimum lot size for the HR1 zone. The north 24' of Lot 2 and the existing Lot 3 are owned by the same person but have never been officially combined. This plat amendment will also remove the lot line between Lots 2 and 3, thus creating one (1) new lot of record. The existing home at 907 Norfolk received design review approval back in 1991 and was built shortly thereafter.

The ownership of both properties was checked and 901 Norfolk's legal description says:

ALL OF LOT 1, AND THE SOUTHERLY 1 FOOT OF LOT 2, PARALLEL WITH THE LOT LINE COMMON TO SAID LOTS, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

907 Norfolk's legal description says:

THE NORTH 24 FEET OF LOT 2, BLOCK 15, AND ALL OF THE LOT 3, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

It appears that the lot line adjustment between Lots 1 and 2 was made at a previous unknown date. The Planning Commission held a public hearing and voted unanimously on April 9, 2014, to forward a positive recommendation on the proposed plat amendment.

### **Analysis**

The proposed plat amendment creates two (2) lots of record consisting of 5,625 square feet total. The proposed Lot 1 will contain 1,950 square feet and Lot 2 will contain 3,675 square feet. The minimum lot area for a single family dwelling is 1,875 square feet. The minimum lot area for a duplex is 3,750 square feet. There is currently a single family home on each of the proposed lots.

The minimum lot width allowed in the district is twenty-five feet (25'). The proposed width for Lot 1 will be twenty-six (26') feet. The proposed width for Lot 2 will be forty-nine (49') feet. The proposed lots will meet the lot and width requirements of the HR-1 District described below.

| <b>Required</b>          | <b>Permitted by LMC</b>                                                                                                                                                                                                                                                                                                                   |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot Size                 | Minimum of 1,875 square feet. Lot 1 as proposed will contain 1,950 square feet and Lot 2 will contain 3,675 square feet.                                                                                                                                                                                                                  |
| Building Footprint       | 873.8 square feet for Lot 1(based on the lot area of 1,950 square feet) and 1,494.7 square feet for Lot 2 (based on the lot area of 3,675 square feet).                                                                                                                                                                                   |
| Front/rear yard setbacks | 10 feet minimum, 20 feet total (based on the lot depths of 75 feet).                                                                                                                                                                                                                                                                      |
| Side yard setbacks       | 3 feet minimum, 6 feet total (based on the lot widths of 26 and 49 feet).                                                                                                                                                                                                                                                                 |
| Height                   | 27 feet above existing grade, maximum. 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval.                                                                                                                                                                               |
| Height (continued)       | A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.                                                                                                                                |
| Final grade              | Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.                                                                                                                                                                                                                                |
| Vertical articulation    | A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the final Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. |
| Roof Pitch               | Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch                                                                                                                                                                                                                      |
| Parking                  | Two (2) off-street parking spaces per                                                                                                                                                                                                                                                                                                     |

|  |                    |
|--|--------------------|
|  | dwelling required. |
|--|--------------------|

Staff has identified that the existing historic single-family home on Lot 1 does not meet current LMC standards outlined above such as the side yard setbacks, but because it's historic, it is a valid complying structure. The southerly façade of the home encroaches by less than one foot (1') into the 9<sup>th</sup> Street ROW (which is currently not being used as a road but is filled with utilities) and the northerly façade of the home straddles the existing property line. No encroachment agreements have been found on record. If the plat amendment is approved the north side of the home will be one foot off of the property line instead of directly on it. The existing home at 901 Norfolk Ave. is a valid complying structure. The plat amendment will not create any new non-conforming situations. An encroachment agreement will be required with the City for the existing encroachments into the 9<sup>th</sup> Street ROW prior to plat recordation.

With the addition of the one foot of property along the northerly lot line, the maximum building footprint allowed will increase from 844 square feet to 873.8 square feet. With this increase in allowed building footprint the property owner could potentially apply to build an addition on the home as long as it complies with the City's LMC standards including its current setback, height and footprint standards, historic district design guidelines and steep slope development criteria if applicable. The applicant states his intentions are to renovate and build an addition onto the existing historic miner's cabin, which was built in 1900 and currently located at 901 Norfolk Ave.

The existing single-family home on the proposed Lot 2 does not meet the current 10 feet LMC standards for front yard and rear yard setbacks as they are each 4.53 feet and 9.78 feet respectively, but meets the 3 feet standards for side yard setbacks. A non-complying structure may continue to be used and maintained subject to the standards and limitation of LMC Chapter §15-9. If the owner of the proposed Lot 2 were to propose an addition or renovation to the existing home, it would need to comply with the City's LMC standards including its current setback, height and footprint standards, historic district design guidelines and steep slope development criteria, if applicable. Staff finds good cause for this plat amendment to rectify and portray on the plat the correct lot lines as stated in the title to the properties and identified by the licensed surveyor. The proposed plat amendment does not create any new, non-conforming situations. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

### **Good Cause**

Planning Staff finds there is good cause for this plat amendment. Correcting the recorded plat to reflect that which is found on the title reports and identified by the licensed surveyor will rectify the ownership lines that don't match the existing lot lines. The plat amendment will also utilize best planning and design practices, while preserving the character of the neighborhood, Park City, and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and LMC, and Historic requirements. Existing encroachments will be resolved with recorded easements.

### **Department Review**

This project has gone through an interdepartmental review. There were no issues raised by any of the departments or service providers regarding this proposal that have not been addressed by the conditions of approval.

### **Notice**

The property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

### **Public Input**

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled City Council public hearing.

### **Process**

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

### **Alternatives**

- The City Council may approve the 901 Norfolk Avenue Subdivision as conditioned or amended; or
- The City Council may deny the 901 Norfolk Avenue Subdivision and direct staff to make Findings for this decision; or
- The City Council may continue the discussion on the 901 Norfolk Avenue Subdivision to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item. .

### **Significant Impacts**

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

### **Consequences of not taking the Suggested Recommendation**

The proposed plat amendment would not be recorded and the lots at 901 and 907 Norfolk Avenue would remain as is with the title to the properties reading different than the plat.

### **Recommendation**

Staff recommends the City Council hold a public hearing and consider approving the 901 Norfolk Avenue Subdivision based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

**Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Topographical Survey/Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photographs

Exhibit D – Streetscape Images

## **Exhibit A – Draft Ordinance with Proposed Plat**

Ordinance 14-

### **AN ORDINANCE APPROVING THE 901 NORFOLK AVENUE SUBDIVISION PLAT LOCATED AT 901 AND 907 NORFOLK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the properties known as the Snyder's Addition to Park City Amended Lots 1, 2 , and 3, Block 15 located at 901and 907 Norfolk Avenue, have petitioned the City Council for approval of the 901 Norfolk Avenue Subdivision; 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 according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 9, 2014 to receive input on the proposed subdivision;

WHEREAS, on April 9, 2014 the Planning Commission forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 8, 2014 the City Council held a public hearing on the proposed 901 Norfolk Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 901 Norfolk Avenue Subdivision.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The 901 Norfolk Avenue Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

#### **Findings of Fact:**

1. The property is located at 901 and 907 Norfolk Avenue within the Historic Residential (HR-1) District.
2. On December 17, 2013, the applicant submitted an application for a plat amendment to amend three (3) lots containing a total of 5,625 square feet into two (2) lots of record in order to conform to the found rebar and cap and the existing ownership for 901 Norfolk Avenue and 907 Norfolk Avenue.
3. The proposed Lot 1 will contain 1,950 square feet and Lot 2 will contain 3,675 square feet.



4. The application was deemed complete on January 2, 2014.
5. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single-family dwelling and 3,750 square feet for a duplex.
6. Based on the lot areas, the maximum footprint allowed for Lot 1 is 873.8 square feet and for Lot 2 is 1,494.7 square feet.
7. The properties have frontage on and access from Norfolk Avenue.
8. Lot 1 contains an existing historic single family dwelling and Lot 2 contains an existing non-historic single family dwelling. Both dwellings currently sit on the existing lot lines.
9. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
10. The historic home at 901 Norfolk encroaches into the 9<sup>th</sup> Street ROW by less than one foot (1') and must obtain an encroachment agreement with the City for that encroachment prior to plat recordation.
11. The plat amendment secures public snow storage easements across the frontage of the lots.

#### Conclusions of Law:

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

#### Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
4. The applicant shall obtain an encroachment agreement from the City prior to recording the plat for the encroachments into the 9<sup>th</sup> Street ROW.
5. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
6. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.

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

PASSED AND ADOPTED this \_\_\_\_ day of May, 2014

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, MAYOR

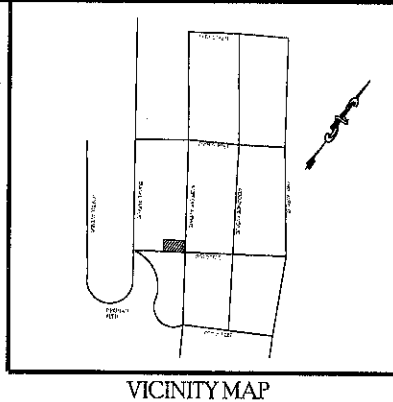
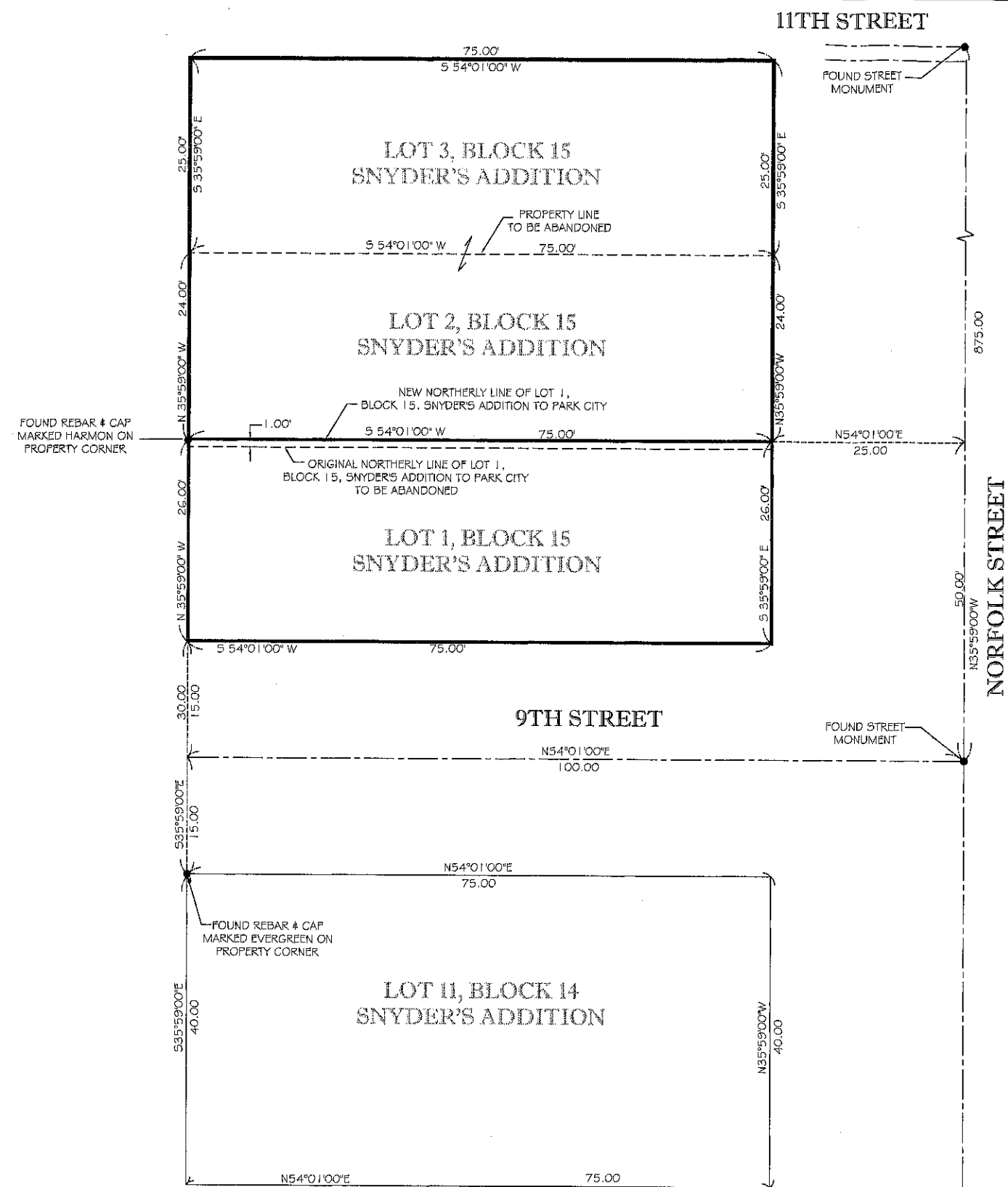
ATTEST:

\_\_\_\_\_  
Marci Heil, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Harrington, City Attorney

EXHIBIT A



VICINITY MAP

SURVEYOR'S CERTIFICATE

I, SHAWN CHRISTENSEN, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NUMBER 354373 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT, BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY AND AMENDMENT OF LOTS 1 OF SNYDER'S ADDITION TO PARK CITY BY MOVING THE COMMON PROPERTY LINE BETWEEN LOTS 1 & 2 OF SNYDER'S ADDITION TO PARK CITY, 1.0' NORTHEASTERLY AS SHOWN HEREON.



*Shawn D. Christensen*  
SHAWN D. CHRISTENSEN, PLS 354373

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND KNOWN AS LOT 1 OF SNYDER'S ADDITION TO PARK CITY, TO BE KNOWN HEREFTER AS, SNYDER'S ADDITION TO PARK CITY SUBDIVISION, AMENDED LOTS 1, 2 & 3, DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED AND THAT I, TIM SZWEIBACK, REPRESENTATIVE FOR 801 NORFOLK AVENUE, LLC, HEREBY CONSENT TO THE RECORDATION OF THIS PLAT. ALSO, THE OWNERS, OR THEIR REPRESENTATIVES, HEREBY IRREVOCABLY OFFER FOR DEDICATION TO SUMMIT COUNTY ALL THE STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS, AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, AD. \_\_\_\_\_

|                 |                 |
|-----------------|-----------------|
| SIGNATURE _____ | SIGNATURE _____ |
| NAME _____      | NAME _____      |
| SIGNATURE _____ |                 |
| NAME _____      |                 |

ACKNOWLEDGEMENT

STATE OF UTAH  
COUNTY OF SUMMIT

ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, AD. 2014, PERSONALLY APPEARED BEFORE ME, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE THAT THEY EXECUTE THE SAME.

MY COMMISSION EXPIRES: \_\_\_\_\_ NOTARY PUBLIC (SEE SEAL BELOW)

SIGNATURE \_\_\_\_\_  
NAME \_\_\_\_\_



CHRISTENSEN & PLOUFF  
LAND SURVEYING  
• 136 HEEB AVENUE, SUITE 204 •  
• P.O. BOX 849 PARK CITY, UT 84060 •  
• 435-314-7888 •  
• WWW.CPLANDSURVEYING.COM •

BOUNDARY DESCRIPTION

BEING LOT 1 AND THE SOUTHERLY 1.0 FOOT OF LOT 2 OF BLOCK 15 SNYDER'S ADDITION TO PARK CITY ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH.

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS SURVEY IS SOUTH 35°59'00" EAST BETWEEN STREET MONUMENTS IN NORFOLK AVENUE AS SHOWN HEREON.

NOTES

1. THE PURPOSE OF THIS AMENDED PLAT IS TO REVISE THE DESCRIPTION OF LOT 1, BLOCK 15 OF SNYDER'S ADDITION TO PARK CITY TO INCLUDE THE SOUTHERLY 1.0' OF LOT 2, BLOCK 15 OF SNYDER'S ADDITION TO PARK CITY.
2. ALL NOTES AND COVENANTS OF SNYDER'S ADDITION TO PARK CITY SHALL REMAIN IN EFFECT ON THIS PLAT AMENDMENT.

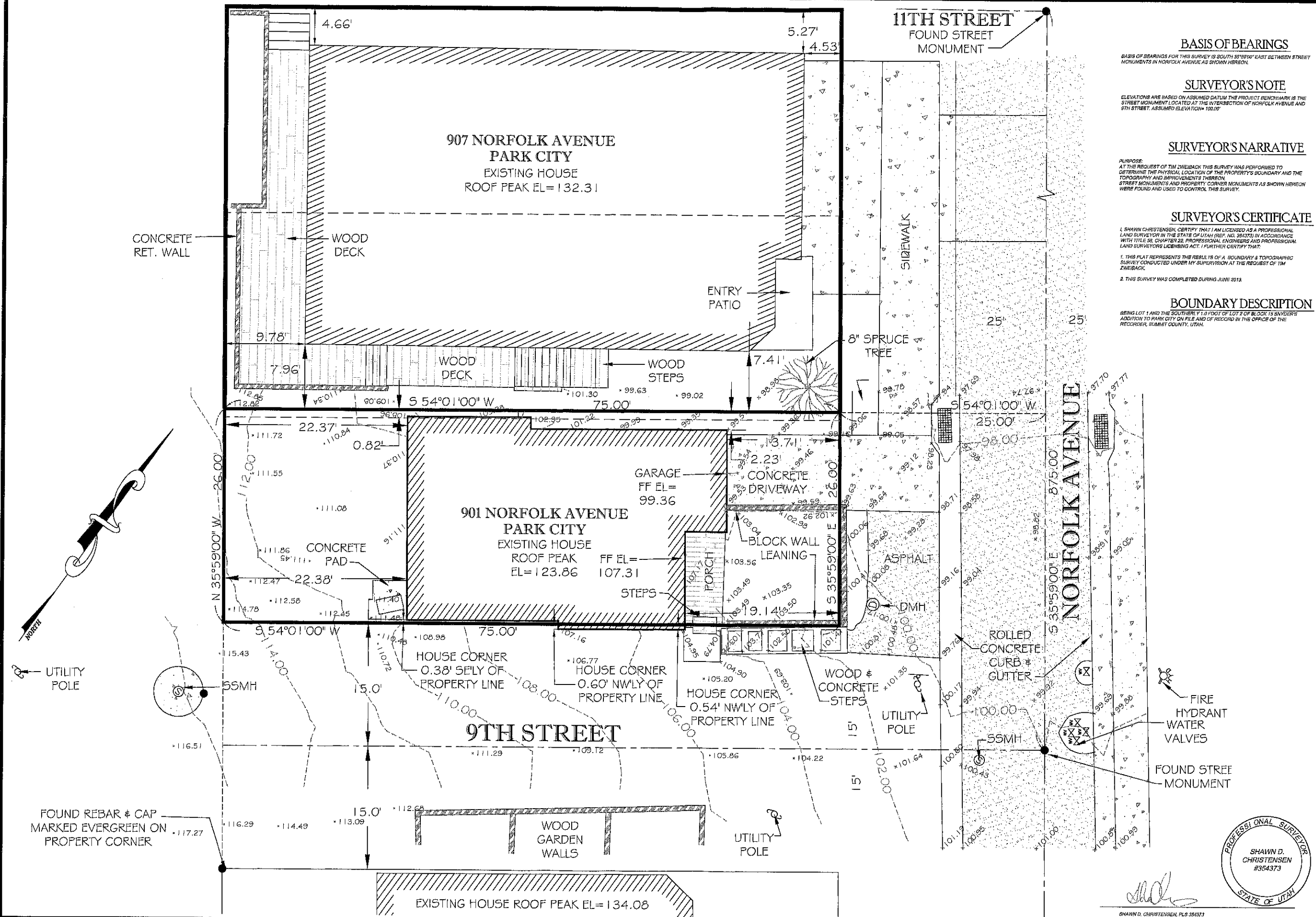
LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CENTERLINE
- ABANDONED PROPERTY LINE
- FOUND MONUMENT AS NOTED

| RECORDED                                                                                                                                                                                            | SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT                                                                                                                 | ENGINEER'S CERTIFICATE                                                                                                                                                      | COUNTY ASSESSOR                                                                                                                                                                        | PLANNING COMMISSION                                                                                                                        | APPROVAL AS TO FORM                                                                                      | PARK CITY APPROVAL AND ACCEPTANCE                                                                                       |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| ENTRY NUMBER _____<br>BOOK _____ PAGE _____<br>STATE OF UTAH, COUNTY OF _____<br>DATE: _____ TIME: _____<br>FEE PAID: _____<br>RECORDED AND FILED AT THE REQUEST OF: _____<br>COUNTY RECORDER _____ | REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS<br>ON THIS _____ DAY OF _____, AD. _____<br>BY: _____<br>S.B.S.I.D. _____ | I FOUND THIS MAP TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, AD. _____<br>ON BEHALF OF THE PARK CITY COUNCIL<br>REPRESENTATIVE _____ | APPROVED AND ACCEPTED BY: _____<br>HEREBY CERTIFY THAT ALL TAXES, INTERESTS, AND PENALTIES OWING ON THE LAND INCLUDED IN THIS PLAT HAVE BEEN PAID.<br>COUNTY ASSESSOR _____ DATE _____ | APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, AD. _____<br>BY: _____<br>CHAIRMAN _____ DATE _____ | THIS PLAT HAS BEEN REVIEWED AND APPROVED AS TO FORM.<br>BY: _____<br>PARK CITY ATTORNEY _____ DATE _____ | APPROVAL AND ACCEPTANCE BY THE PARK CITY COMMUNITY DEVELOPMENT DIRECTOR THIS _____ DAY OF _____, AD. _____<br>BY: _____ |

901 NORFOLK AVENUE SUBDIVISION  
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST  
SALT LAKE BASE AND MERIDIAN  
SCALE: 1"=8'

## EXHIBIT B



**CHRISTENSEN & PLOUFF**  
**LAND SURVEYING**

- 135 HEDER AVENUE, SUITE 204 •
- P.O. BOX 649, PARK CITY, UT 84060 •
- 435-294-7588 •
- WWW.CFLANDSURVEYING.COM •

DRAWING SCALE: 1"=3'  
PREPARED BY: KACIE FLOUFF  
APPROVED BY: SHAWN CHRISTENSEN  
FILE NAME: UT-13-001-001 NORFOLK, PC

901 NORFOLK AVENUE  
PARK CITY, SUMMIT COUNTY, UTAH

TIM ZWEIBACK  
TOPOGRAPHIC SURVEY

PROJECT NO.  
UT-13-004  
SHEET NO.  
1 OF 1





Google earth

feet  
meters



500 DEC 17 2013

PARK CITY  
PLANNING DEPT.

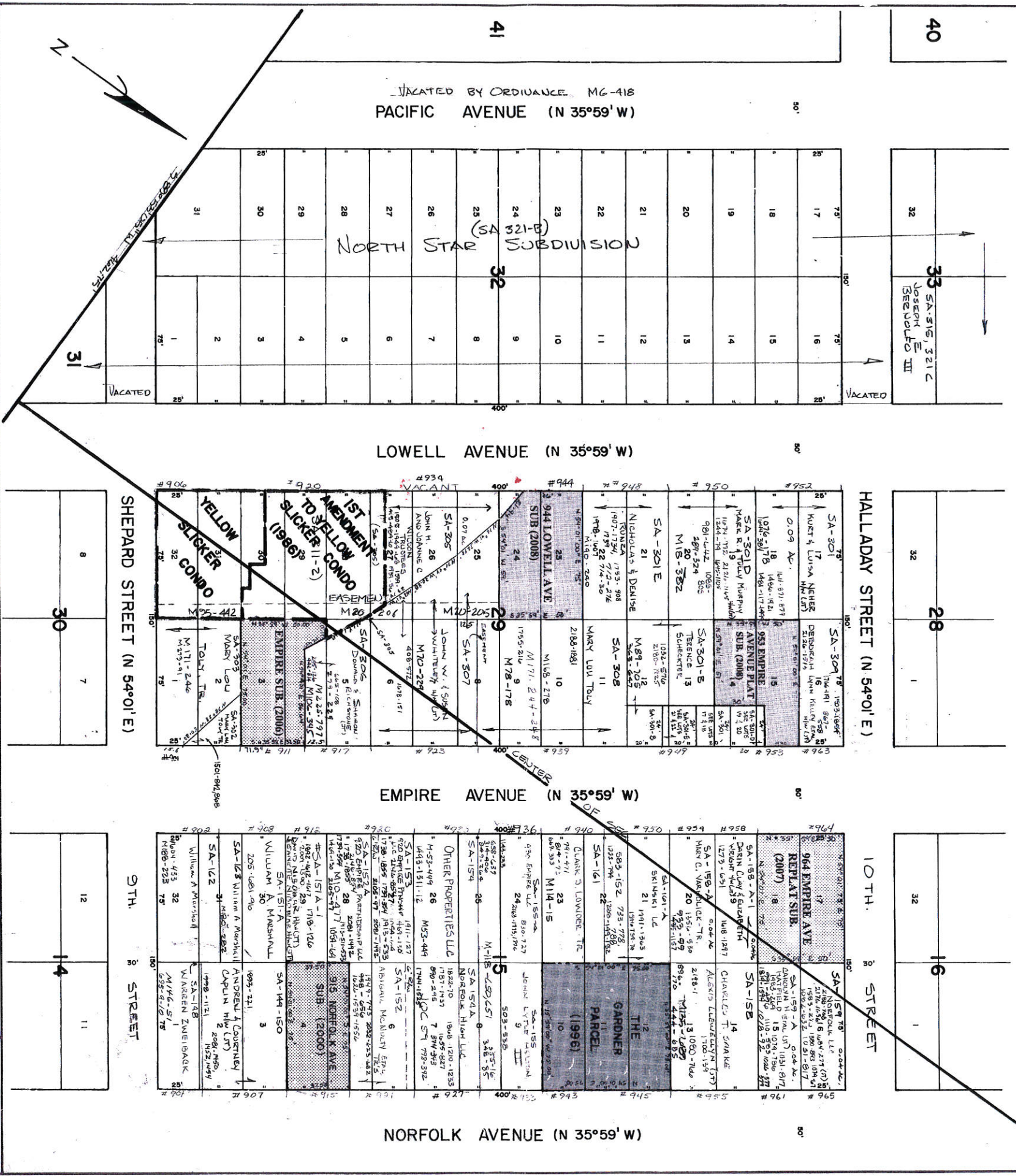




PARK CITY - BLOCKS 15, 29, 32, SECTION 16, T2S R4E, S.L.B. & M.  
SNYDERS ADDITION

NOTE: \* REFLECT TO  
STREET ADDITION

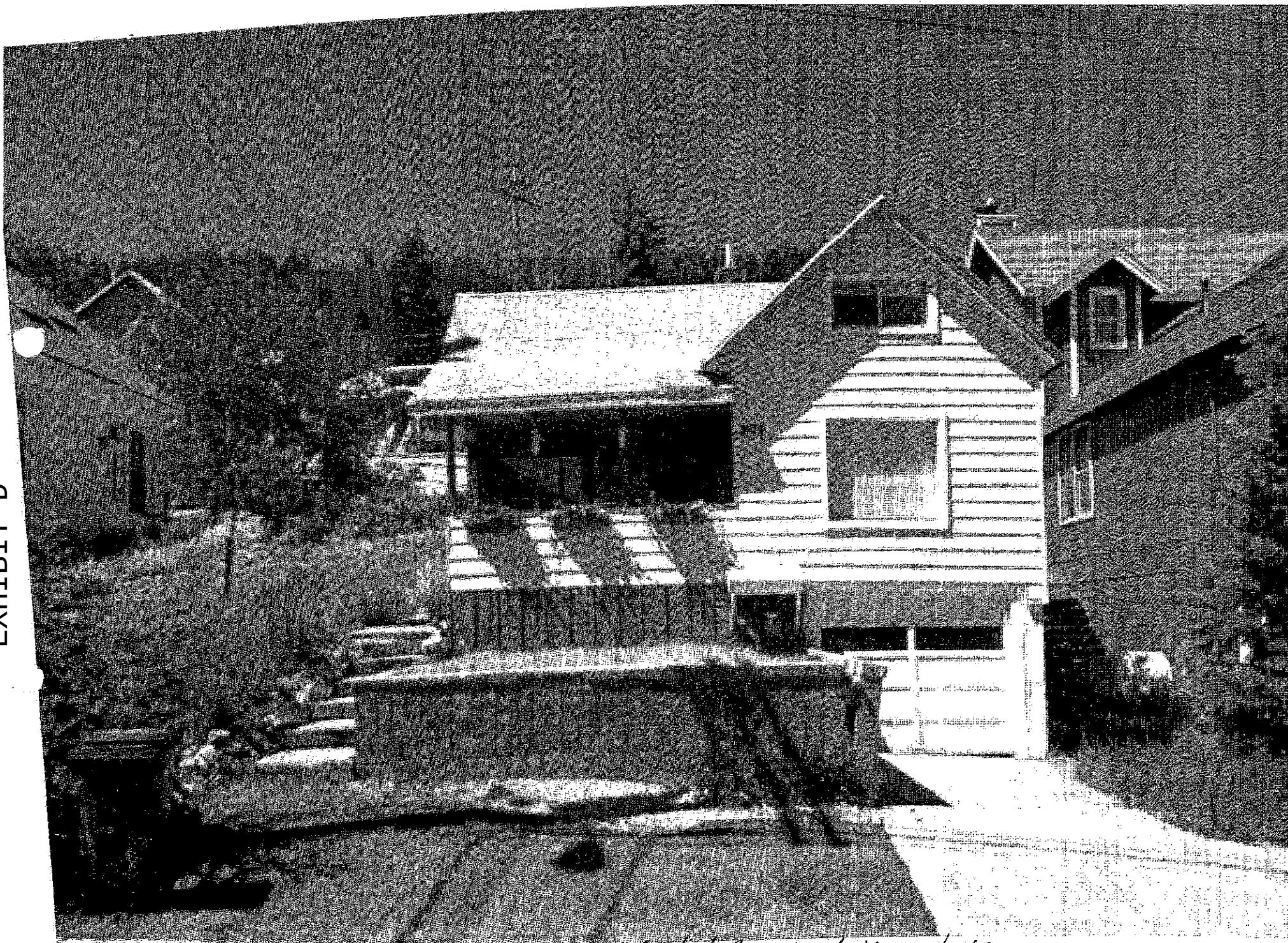
BOOK PAGE



| Approved                    | REVISIONS - DATE AND INITIAL | (In Pencil) |
|-----------------------------|------------------------------|-------------|
| Utah State Tax Comm         | 1/1/2020                     |             |
| Engineering Associates Inc. |                              |             |
| Date                        | By                           |             |

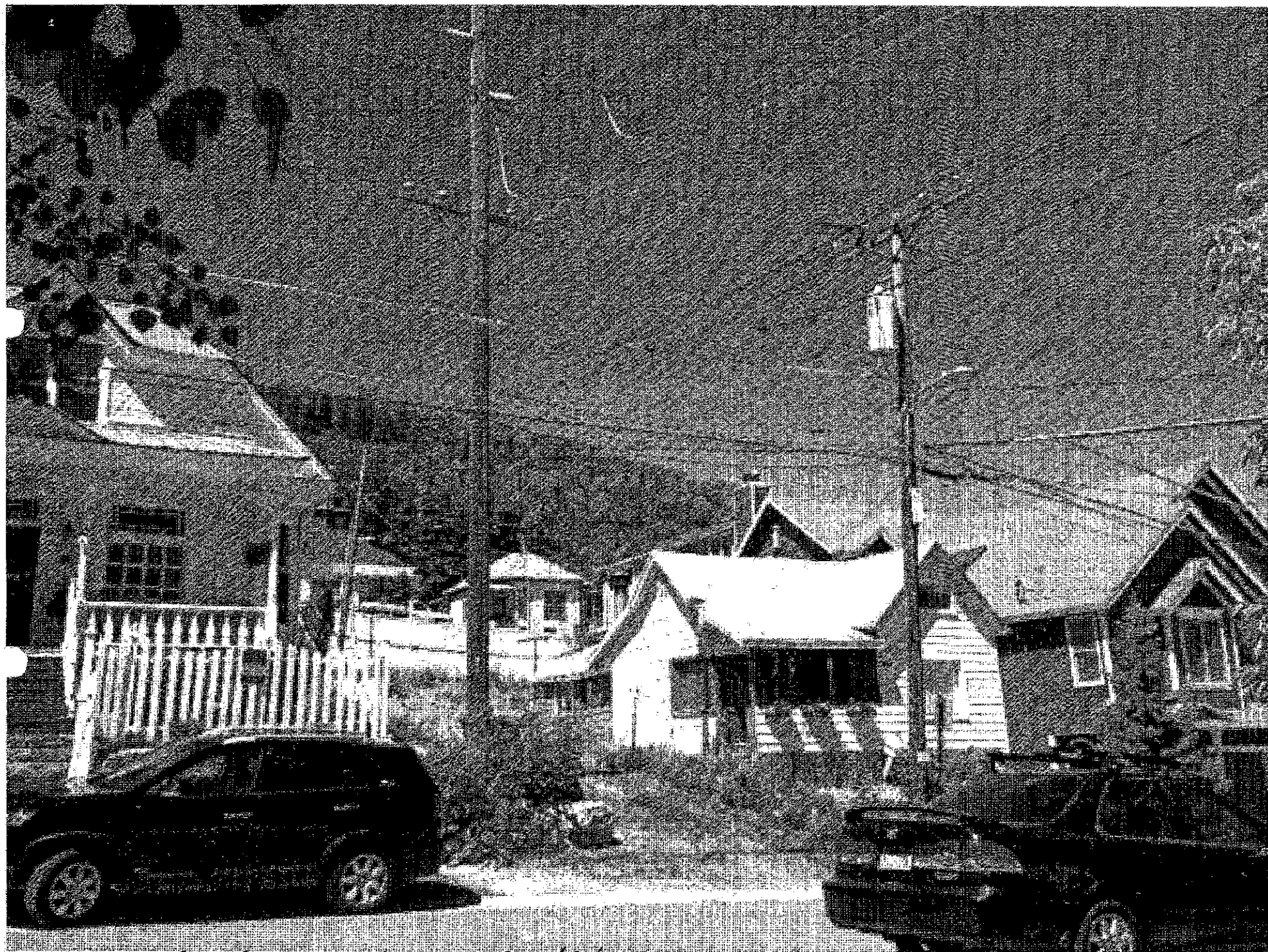
| SCALE | ONE INCH | 40 FEET |
|-------|----------|---------|
| BOOK  | PAGE     |         |





FRONT VIEW FROM NORFOLK AVE - LOOKING WEST



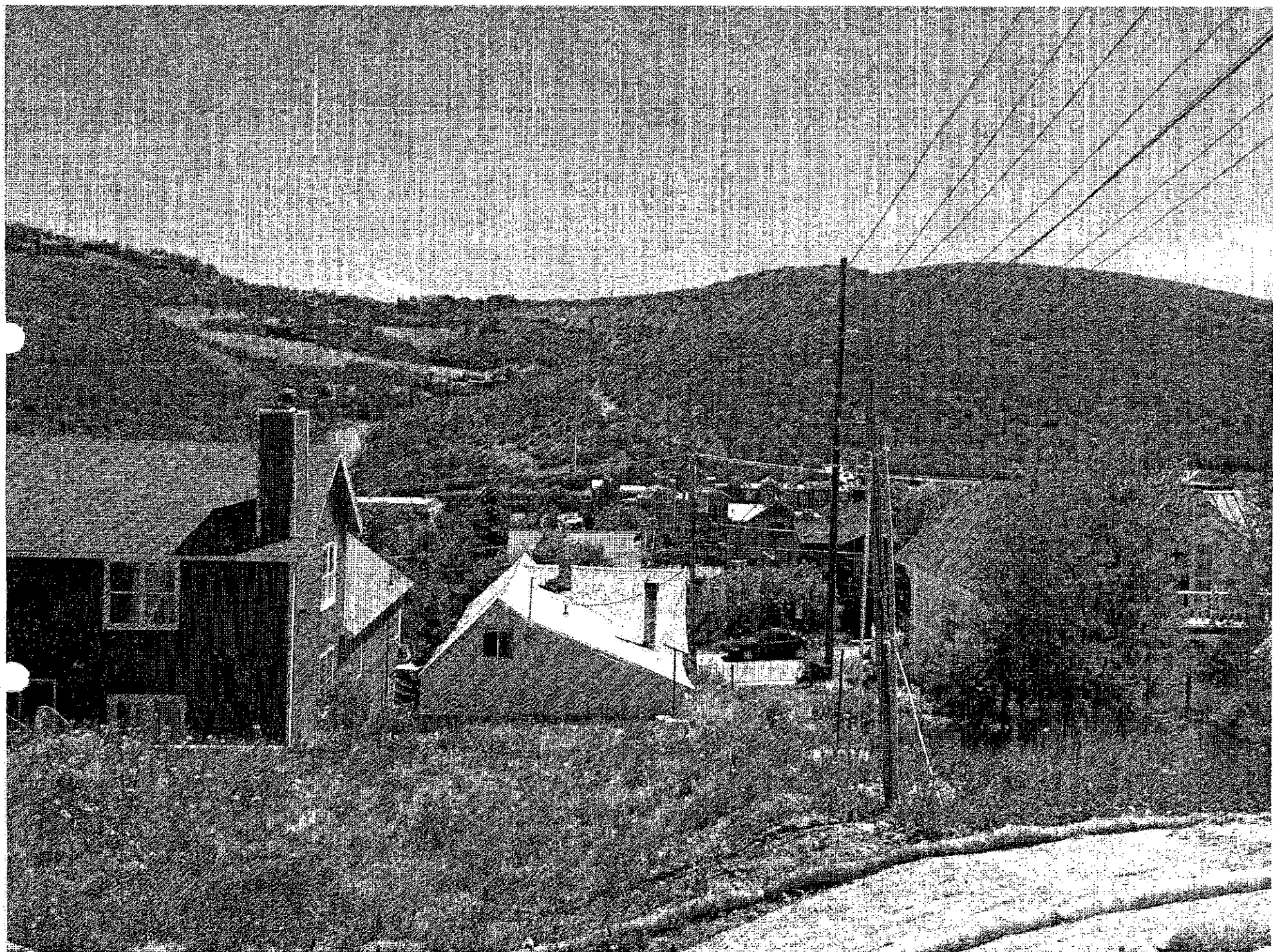


FRONT VIEW FROM NORFOLK/9th ST. looking N. westward



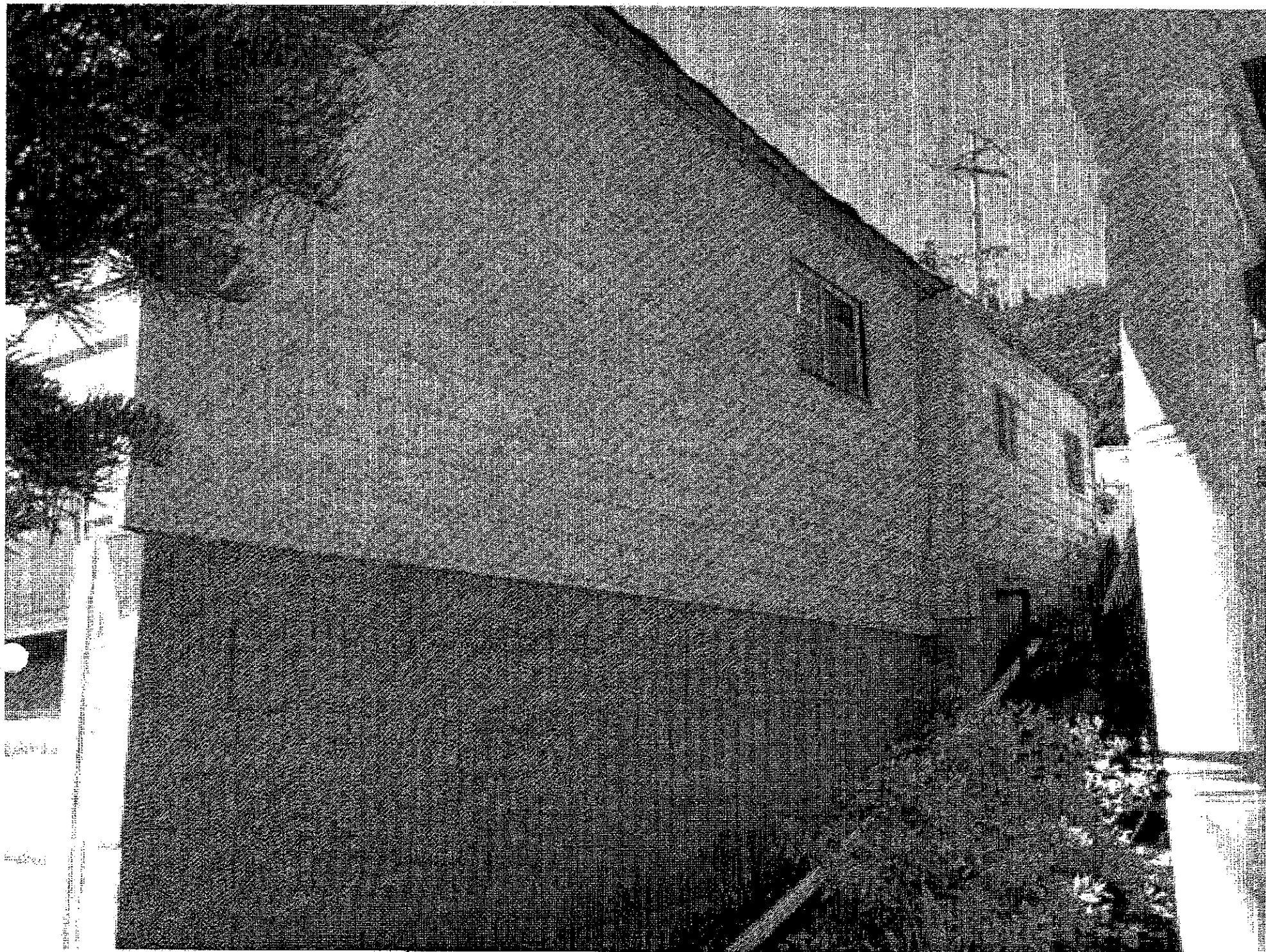
SIDE VIEW FROM 9<sup>th</sup> ST. RT. OF WAY - LOOKING NORTHEAST





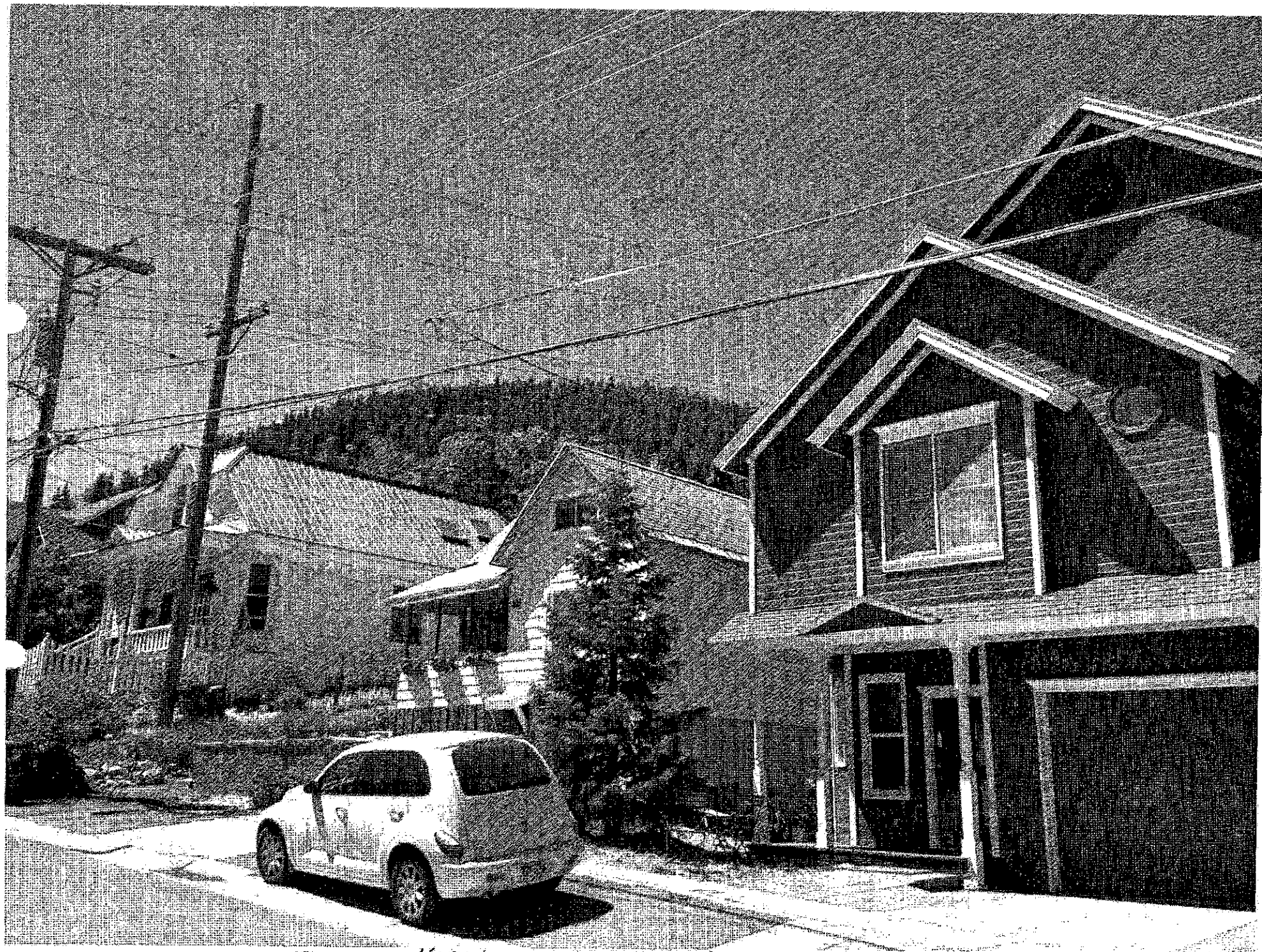
REAR VIEW FROM EMPIRE





SIDE VIEW - LOOKING SOUTH WEST -





FRONT-SIDE VIEW LOOKING SOUTH WESTERN



STREET VIEW

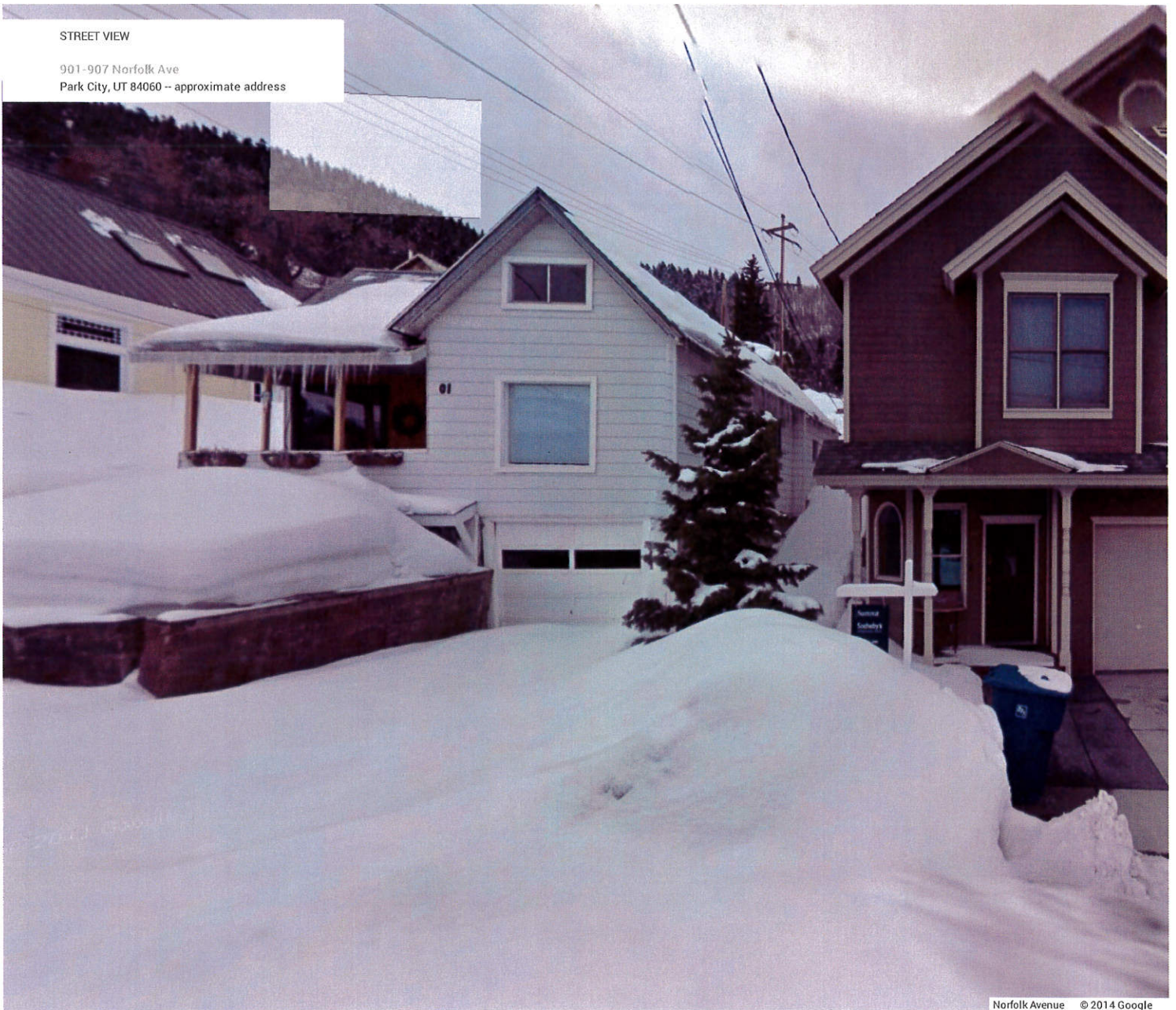
902 Norfolk Ave  
Park City, UT 84060 – approximate address





STREET VIEW

901-907 Norfolk Ave  
Park City, UT 84060 -- approximate address



Norfolk Avenue © 2014 Google



STREET VIEW

907-915 Norfolk Ave  
Park City, UT 84060 -- approximate address



Norfolk Avenue © 2014 Google

## City Council Staff Report



PLANNING DEPARTMENT

**Subject:** Roundabout Condominiums, 300 Deer Valley Loop Road  
**Author:** Christy J. Alexander, AICP, Planner II  
**Project Number:** PL-13-02147  
**Date:** May 8, 2014  
**Type of Item:** Administrative – Condominium Plat

### **Summary Recommendation**

Staff recommends the City Council hold a public hearing for the Roundabout Condominiums plat, and consider approving the plat based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

### **Description**

**Applicant:** Blake Henderson, Roundabout LLC  
**Location:** 300 Deer Valley Loop Road  
**Zoning:** Residential (R-1)  
**Adjacent Land Uses:** Single family condominium units, multi-family condominium units, single family and duplex dwellings  
**Reason for Review:** Plat amendments require Planning Commission review and City Council approval

### **Proposal**

The purpose of this application is to amend the existing Roundabout Subdivision plat consisting of two (2) duplexes on two (2) lots and remove the lot line in order to build an underground parking structure and to convert it to two (2) condominium buildings, consisting of two (2) units in each building for a total of four (4) units.

### **Purpose**

The purpose of the Residential (R-1) District is to:

- A. Allow continuation of land Uses and architectural scale and styles of the original Park City residential Area,
- B. Encourage Densities that preserve the existing residential environment and that allow safe and convenient traffic circulation,
- C. Require Building and Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile,
- D. Require Building design that is Compatible with the topographic terrain and steps with the hillsides to minimize Grading,
- E. Encourage Development that protects and enhances the entry corridor to the Deer Valley Resort Area,

- F. Provide a transition in Use and scale between the Historic Districts and the Deer Valley Resort; and
- G. Encourage designs that minimize the number of driveways accessing directly onto Deer Valley Drive.

### **Background**

On November 13, 2013, the City received a complete application for this condominium plat to combine the two (2) existing lots into one Condominium lot of record from the Roundabout Subdivision plat that was approved by City Council on June 14, 2007, and recorded at Summit County on February 21, 2008 (Exhibit E).

The Roundabout Subdivision created two (2) lots from one (1) metes and bounds parcel of Block 57 of the Park City Survey. The metes and bounds parcel was .64 of an acre, or 24,877 square feet of land. No previous applications had been received for this property prior to the Roundabout Subdivision in 2007.

The applicant wished to create the subdivision to facilitate the new construction of one duplex on each of the lots. A duplex is an allowed use in the R-1 district. However, a building permit cannot be issued for metes and bounds parcels of land so the property was subdivided.

The Planning Commission held a public hearing during the May 2007 regular meeting and unanimously forwarded a positive recommendation. Public input from concerned neighbors was focused primarily on the impact of construction on the neighborhood. A Construction Mitigation Plan (CMP) is a requirement for all building permits. Council heard the application on June 14, 2007, and voted to approve the subdivision. The plat was recorded on February 21, 2008. As conditioned, the proposed plat (Exhibit A) is consistent with the conditions of approval of the existing Roundabout Subdivision plat (Exhibit K) with two changes related to access discussed below.

The Roundabout Subdivision plat created two (2) new lots, Lot 1 being 12,658 square feet and Lot 2 being 12,219 square feet (Lot 2) in size. Conditions of Approval that were specific to this plat approval (see Exhibit K) were: 5) The applicant stipulates to restricting the development to a single family home or duplex dwelling on each lot; 6) The footprint on each lot will not exceed 3,200 square feet; 7) Shared access for the proposed lots will be accessed off of Deer Valley Loop Road; 8) An encroachment agreement will be created for improvements to the platted 3<sup>rd</sup> Street prior to building permit issuance on either lot; and 9) The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including the fire hydrant, bus pull-off, improvements to Deer Valley Drive, and lighting, prior to plat recordation.

The duplexes have not been built to date and the applicant now wishes to amend the plat, convert it to a condominium plat, remove the existing lot line, and put two condominium buildings that each contain two (2) units (four (4) units total) but have an updated and more compatible design and architecture than previously proposed when



the original plat was recorded. The applicant also proposes to build a shared parking structure underground instead of having four (4) garage doors facing Deer Valley Drive as was previously proposed with the original plat. The access for the garage will be from Deer Valley Drive and not Deer Valley Loop Road as required in the 2007 Subdivision Conditions of Approval. Therefore, no remediation to Third Street will be needed. The applicant will operate the properties as a Condominium HOA managed four-unit residential property. The development concept is intended to be a high-end, residential first or second home with mountain contemporary design using clean lines with natural and local finishes. The underground parking structure allows for 2 cars per unit plus 6 additional guest parking spaces.

At the March 12, 2014, Planning Commission meeting the Planning Commission voted unanimously to continue the item to the April 9, 2014 meeting. Commissioner Gross requested to see updated plans so that all drawings show the driveway in the correct place. Commissioner Stuard was concerned as to how high the retaining walls would need to be with regards to the vertical cuts during excavation. He requested an accurate site plan that depicts the locations and heights of all the retaining walls on the site. He suggested placing a condition of approval to the Construction Mitigation Plan that addresses the hours and methods of hauling. Commissioner Strachan requested to see larger plans that show the topographical data, existing grade, finished grade, and heights to each floor and each setback level as well as an estimation of the amount of dirt that would be removed. Commissioner Strachan also requested to see the Construction Mitigation Plan and Geo-technical report. (See Planning Commission Minutes 3/12/14, Exhibit M)

The applicant submitted all items as requested in the attached exhibits with the exception of the full Construction Mitigation Plan, which is required at time of Building Permit application. The applicant intends to stage the project entirely on his property and a condition of approval has been added to require that. He already received the approvals to build two (2) duplex dwellings in 2007, which will have more impact on the property than the proposed two (2) condominium buildings. The Conditions of Approval stipulate that all staging of the project must be done entirely on the applicant's property and that the hours of hauling shall be between 8 am and 6 pm, Monday through Friday, throughout the duration of the project (as opposed to 7 am - 9 pm, Monday through Saturday, and 9 am – 6 pm Sunday, as currently allowed by the Building Department). Staff finds with the existing approvals of the two (2) platted lots and current submittal of the Geo-technical report, the applicant has provided enough information to move forward and all requirements of the Construction Mitigation Plan will be adhered to and strictly enforced by the Building Department.

At the April 9, 2014, Planning Commission meeting the Planning Commission voted unanimously to forward a positive recommendation to the City Council. The Commissioners were pleased to see the applicant had provided the requested information and updated plans as they had requested at the March 12, 2014, meeting and felt the provided documentation was sufficient to provide a positive recommendation. The Planning Commission voted to forward a positive

recommendation with the following Conditions of Approval as follows:

Add to the end of CoA #12 – The sidewalk on Deer Valley Drive shall remain passible at all times.

Add CoA #15 –The applicant shall conduct a meeting with surrounding neighbors within one week prior to the commencement of construction to inform them of construction plans. Applicant shall make reasonable efforts to reach all neighbors within 300 feet. (See Exhibit N, minutes PC meeting 4/9/14)

### **Analysis**

This request for the Roundabout Condominiums plat removes the existing lot line and combines the existing two (2) lots into one condominium plat with two (2) condominium buildings that each contains two (2) units (four (4) units total) with a common parking structure in accordance with the Utah Condominium Act. The zoning district is Residential District (R-1). The proposed amendment is consistent with the purpose statements of the district in that the use as residences is unchanged, however they will now be condominium units. A change in unit square footage is proposed minimizing site disturbance, preserving the existing natural open space, and minimizing impacts of development.

The Roundabout Condominiums is a residential four (4) unit - two (2) condominium building development that meets Park City's current R-1 zoning and code requirements. The property is subject to the following criteria:

|                   | <b>Required</b>                                                                                                                     | <b>Approved in 2007</b>                                                                                               | <b>Currently Proposed</b>                                                                                                                                                                                                                      |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Requirements | Lot has frontage on the streets master plan, or on private easement connecting the lot to a street shown on the streets master plan | Frontage is adjacent to Deer Valley Drive and Deer Valley Loop Road. Access is proposed off of Deer Valley Loop Road. | Frontage is adjacent to Deer Valley Drive and Deer Valley Loop Road. Access is proposed off of Deer Valley Drive.                                                                                                                              |
| Lot Size          | Duplex Dwelling: 3750 square feet minimum lot size                                                                                  | Lot 1: 12,658 square feet; Lot 2: 12,219 square feet (total for subdivision is 24,877 square feet).                   | 27,779.15 square feet total lot size. Duplex Dwellings & Condominium Buildings are allowed uses. (Difference of 2,902.15 sf of lot size is due to proposed bus pull out location and is dependent on Council's approval of the vacation of ROW |

|                      |                                                                 |                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                    |
|----------------------|-----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                      |                                                                 |                                                                                                                                                                                                                                           | which was previously dedicated by applicant in exchange for other land for the ROW.                                                                                                                                                |
| Minimum width of Lot | 37.5 feet for a duplex dwelling                                 | Lot 1: 130 feet; Lot 2: 150 feet buildable width.                                                                                                                                                                                         | Approximately 280 feet buildable width; complies.                                                                                                                                                                                  |
| Maximum Footprint    | Determined by setbacks (i.e. can be as big as the building pad) | 3,200 square feet per duplex dwelling                                                                                                                                                                                                     | 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined; complies.                                                                                                                                   |
| Front yard setback   | 15 feet minimum; 20 feet for garage                             | 20 feet                                                                                                                                                                                                                                   | 20 feet; complies.                                                                                                                                                                                                                 |
| Rear yard setback    | 10 feet minimum                                                 | 10 feet                                                                                                                                                                                                                                   | 10 feet; complies.                                                                                                                                                                                                                 |
| Side yard setback    | 5 feet minimum                                                  | 10 feet                                                                                                                                                                                                                                   | 10 feet; complies.                                                                                                                                                                                                                 |
| Height               | 28 feet above existing grade, maximum                           | 32 feet above existing grade (Gabled, hip and similar pitched roofs may extend up to five feet (5') above the Zone Height).                                                                                                               | 22 feet above existing grade; complies.                                                                                                                                                                                            |
| Parking              | 2 off-street spaces per dwelling unit                           | 2 off-street spaces per dwelling unit with 4 double-wide garage doors facing Deer Valley Drive.                                                                                                                                           | 14 spaces proposed in underground parking structure with 1 double-wide garage door facing Deer Valley Drive, complies.                                                                                                             |
| Architecture         | N/A                                                             | <ul style="list-style-type: none"> <li>• Significant amount of exposed retaining</li> <li>• Less set back – limited green space between Deer Valley Drive and homes</li> <li>• Less building step back</li> <li>• More massing</li> </ul> | <ul style="list-style-type: none"> <li>• Minimal amount of exposed retaining</li> <li>• More set back – more green space between Deer Valley Drive and homes</li> <li>• More building step back</li> <li>• Less massing</li> </ul> |

The R-1 District of Park City is a transitional zone leaving Old Town entering the Deer Valley Resort area. Under the purpose statement of this zone, the LMC clearly

describes the encouragement of densities that preserve the existing residential environment and that allow safe and convenient traffic circulation. In terms of safe and convenient traffic circulation, the purpose statement also notes that designs that minimize the number of driveways accessing directly onto Deer Valley Drive are encouraged. Another goal of the R-1 District is to require building designs that are compatible with the topographic terrain and steps with the hillsides to minimize grading. The applicant has worked with Staff to comply with the purpose statement of the R-1 District and mitigate the issues of access, density, and steep slope. Architectural design guidelines as found in the LMC will need to be adhered to and will be reviewed upon building permit submittal.

The Roundabout Condominiums meet all zoning and code requirements. The applicant is proposing density at three times less than what is allowed within the zone. As part of the 2007 Roundabout Subdivision, the applicant stipulated to conditions of approval which limited density from 14 old town-style development lots to two (2) lots with four (4) units. As mentioned in the background section, the Roundabout Subdivision contained five Conditions of Approval that were specific to that plat. As per COA #5, the applicant still stipulates to restricting development to duplex dwellings (condominium buildings with two units). As per COA #6, the applicant still stipulates to restricting the footprint of each duplex to 3,200 square feet, in fact the proposed footprints will be much smaller. As per COA #7, the shared access for the proposed new lot will change to be off of Deer Valley Drive instead of off of Deer Valley Loop Road as was previously approved. As per COA #8, The City Engineer decided that the encroachment agreement for improvements to the platted 3<sup>rd</sup> Street is no longer necessary as the access point has changed to Deer Valley Drive. As per COA #9, the applicant still stipulates to submitting a financial guarantee for the public improvements to Deer Valley Drive. The driveway access easement across the property off of Deer Valley Loop Road and Third Street as shown on the existing plat (Exhibit E) will be removed on the proposed plat as there will be a shared underground parking structure accessed off of Deer Valley Drive and no driveway will be needed across the entire property at grade. The encroachments onto the applicant's property by the owner of 510 Ontario Avenue were never previously addressed. These encroachments from the asphalt driveway, rock retaining wall and hot tub will either need to be removed or else the parties will need to enter into an encroachment agreement prior to plat recordation. The proposed condominium buildings are also under the height and footprint maximum requirements, have reduced massing and added relief to the building elevations from what was contemplated in 2007. The new proposed building design significantly limits the amount of free standing retaining walls thus allowing the natural vegetation to remain in place (Exhibit H).

The proposed parking is almost double what is required and sits underground in a parking structure thus reducing the view of vehicles from the street and reducing the number of garage doors from the previously proposed four to one (viewable from Deer Valley Drive). Vehicles exiting the property on the common driveway are required to exit head first onto Deer Valley Drive, thus making it much safer on a flat and shorter driveway than the previous proposed plans which were to back out on a much longer and steeper driveway onto the already substandard Deer Valley Loop Road (Exhibit I).

The shared parking structure consists of 8,997.3 square feet, which includes two (2) parking spaces per unit and a total of six (6) guest parking spaces.

The applicant previously dedicated to the city a significant amount of land to improve Deer Valley Loop Road and the Deer Valley Drive bus stop as part of the prior subdivision. The new proposal with the driveway entrance off of Deer Valley Drive causes the applicant to request moving the newly built bus pull-out further to the west, as per the City Engineer's request and approval. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. Exhibit C shows the 875 square feet of ROW requested to be vacated and will revert to the applicant and 164 square feet that will be dedicated to the City. The applicant previously dedicated 3,152.54 square feet in fee simple to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements (Exhibit E). In order for this to occur, the applicant is petitioning the City Council to vacate the 875 square feet of ROW. The ROW vacation ordinance is being heard concurrent with the plat amendment request at City Council on May 8, 2014.

### **Steep Slope and Density**

One defining characteristic of the property is the steepness of the slope. Steep slopes in the R-1 zone do not require a steep slope analysis. A point of discussion that was brought up at the March 12, 2014 Planning Commission meeting revolved around LMC Section 15-7.3(D) which explains the role of the developer and planning commission in the instance of Land being restricted due to the character of the land. This section states "Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, mine hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendations of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for uses as shall not involve such a danger."

This land, when it was previously approved to be subdivided in 2007, was deemed suitable by qualified engineers, those of the applicant's as well as the previous City Engineer, based upon the building design and retaining proposed. Currently, two duplexes are approved to be developed should the applicant decide to not proceed forward with the current application. Staff feels that the provided Geotechnical report and the CMP due at time of Building Permit application will be sufficient to meet the requirements of the statute for this application.

City staff has not overlooked this element but has worked with the applicant on the



proposed condominium plat in an effort to mitigate the impact of developing on a steep slope. Prior development on neighboring lots also provides evidence that this land is situated on stable ground, and the developer has hired Applied Geotechnical Environmental Company and has provided a certified geotechnical report that provides soil structure analysis for the structural design. During the building department review of the project, a CMP will be required and will be thoroughly reviewed by those qualified within the Building Department. The applicant must adhere to the CMP in order to obtain a Building Permit.

The applicant is aware of the limitations of working on a steep slope. In 2007, the applicant voluntarily proposed less density in the subdivision given these limitations. Under the LMC, a duplex requires 3,750 square feet of lot area. The applicant agrees to a limitation of two condominium buildings on the entire condominium lot for a total of four (4) units. The lot is much greater than the lot requirement of 3,750 square feet times two which would total 7,500 square feet.

The Park City General Plan discussed the current trend of density in the area and states that "the zone's permitted density is resulting in more density and larger scale than the neighborhood is comfortable with." One recommendation within the General Plan to address the issue is to "re-evaluate the zoning in the area and make changes necessary to decrease the density and scale of structures." The LMC defined density as "The intensity or number of non-residential and residential uses expressed in terms of unit equivalents per acre or lot or units per acre. Density is a function of both number and type of dwelling units and/or non-residential units and the land area."

The surrounding land use in the area is made up of single family and multi-family units. The applicant has introduced plans for two condominium buildings on the lot. Planning staff had previously analyzed the density of the surrounding development and had found that the proposed density is appropriate for the surrounding scale and use. In an analysis of the surrounding properties and the percent of land utilized for footprint completed in 2007 (Exhibit J), the applicant was just below the average of 27 percent. Percent of footprint of the analyzed lots ranged from 11.7% to 38.9%. The applicant was proposing 25.3% and 26.2% for each of the lots. This is consistent with the density of the adjacent properties. In terms of number of dwelling units per lot area, the applicant's property will be much less dense than the neighboring developments with an extra 2000 square feet of lot area per dwelling unit (Exhibit J).

The footprint of a dwelling is not regulated in the R-1 zone, however, the applicant stipulated to a maximum footprint of 3,200 square feet as part of the 2007 Subdivision. Setback requirements in the R-1 zone determine the allowable footprint of dwellings. In the neighboring HR-1 zone the footprint of a building is determined using the maximum foot print formula. In 2007 an analysis was made by applying this formula from the HR-1 District to the two existing lots to see what the allowed footprint would be: 12,658 square foot lot results in a 3107.63 square foot footprint, 12,219 square foot lot area results in a 3074 square foot footprint. These amounts were within 125 square feet of the 3,200 square foot footprint that the applicant requested in 2007 and the current

proposal shows footprints that are much smaller: 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined. Staff has incorporated a condition of approval that the footprint of each building will not exceed 3,200 square feet, as was previously conditioned.

### **Good Cause**

Staff finds good cause for this record of survey amendment as it removes the lot line to create an underground connected parking structure and makes it so four garage doors will not be seen from Deer Valley Drive as was previously approved. One common driveway off of Deer Valley Drive that allows vehicles to pull out front-facing will provide a safer and better alternative to backing out onto Deer Valley Loop Road, as was previously approved in 2007.

The proposed plat would allow for smaller footprints, lower building heights, more setbacks, a significantly smaller amount of exposed retaining walls, less massing, and more building step backs compared to what was previously approved. Staff finds that the plat will not cause undo harm on any adjacent property owners because the proposal mitigates the issues of density, scale, and access addressed within the General Plan and LMC for this area. Staff finds that all requirements of the Land Management Code for any future development can be met. All encroachments will be remedied by agreement before the plat will be recorded.

### **Department Review**

This project has gone through interdepartmental review. No issues were raised, pertaining to the requested plat amendment that have not been mitigated.

### **Notice**

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record.

### **Public Input**

Staff has not received further public input on this application at the time of this report.

### **Process**

Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

### **Alternatives**

- The City Council may approve the Ordinance for the Roundabout Condominiums plat, as conditioned or amended, or
- The City Council may deny the application and direct staff to make Findings for this decision, or
- The City Council may continue the discussion and provide Staff and the Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

### **Significant Impacts**

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

### **Consequences of not taking the Suggested Recommendation**

The two (2) lots would remain separate, only allowing for two (2) duplexes as previously proposed and approved. The existing approvals would allow for larger footprints, higher building heights, less setbacks, significant amount of exposed retaining walls, more massing, less building step backs, and four double-wide garage doors facing Deer Valley Drive versus what is currently proposed.

### **Recommendation**

Staff recommends the City Council hold a public hearing for the Roundabout Condominiums plat, and consider approving the plat based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

### **Exhibits**

Exhibit A – Proposed Ordinance and Proposed Plat for the Roundabout Condominiums

Exhibit B – Proposed Grading Exhibit

Exhibit C – Proposed Property Line Exhibit (lands to be dedicated to and vacated by City ROW)

Exhibit D – Proposed Elevations, Floor Plans and Section

Exhibit E – Aerial Photograph with proposed Site Plan superimposed

Exhibit F – Existing Conditions – Topography with existing plat superimposed

Exhibit G – Previously approved Roundabout Subdivision Plat recorded on February 21, 2008

Exhibit H – Ordinance No.07-33 approved with the Roundabout Subdivision Plat in 2007

Exhibit I – Existing Site Photographs

Exhibit J – Previously proposed and approved in 2007 – Two Lot Duplex Site Plan, Elevation, and Rendering

Exhibit K – Neighborhood Analysis completed in 2007

Exhibit L – Planning Commission Meeting Minutes from April & May 2007

Exhibit M – PC Minutes for March 12, 2014 meeting

Exhibit N – PC Minutes for April 9, 2014 meeting

**Ordinance No. 14-**

**AN ORDINANCE APPROVING THE ROUNDABOUT CONDOMINIUMS PLAT,  
LOCATED AT 300 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Roundabout Subdivision, have petitioned the City Council for approval of the Roundabout Condominiums plat, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the supplemental plat;

WHEREAS, the Planning Commission held a second public hearing on April 9, 2014, to receive additional input on the supplemental plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 8, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Roundabout Condominiums plat, a Utah Condominium project.

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 Roundabout Condominiums plat, a Utah Condominium project, as shown in Attachment A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 300 Deer Valley Loop Road.
2. The property is located within the Residential (R-1) District.
3. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
4. The condominium plat will create one (1) condominium lot of record containing a total of 27,779.15 square feet.

5. There are no existing structures on the property.
6. Access to the property will be from Deer Valley Drive in a single access point on a common driveway for all units to a shared underground parking structure.
7. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
8. A duplex dwelling is an allowed use in the R-1 zone.
9. The total private area of the condominiums consists of 5,230.2 square feet; the Limited Common Area consists of 306 square feet.
10. Unit A consists of 3,769.6 square feet of private area and 2,852.3 square feet of limited common area. Unit B consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit C consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit D consists of 3,076.7 square feet of private area and 2,385.8 square feet of limited common area.
11. The entire project including the parking structure contains 9,446.1 square feet of common area, 12,008.7 square feet of private area, and 9,264.1 square feet of limited common area.
12. The footprints total 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined; with a total footprint of the project being 4,899 square feet.
13. The height of the buildings will be 22 feet above existing grade
14. The front yard setback will be 20 feet, the rear yard setback will be 10 feet and the side yard setbacks will be 10 feet each.
15. The shared parking structure contains a total of 14 parking spaces, exceeding the eight (8) parking space requirement.
16. There are existing encroachments on the property from the owner of 510 Ontario Avenue.
17. The existing shared access easement will be removed with the approval of this plat.
18. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.
19. The Geo-technical report was submitted.
20. A Construction Mitigation Plan will be required upon submittal of a Building Permit application.
21. On June 14, 2007, the City Council approved the Roundabout Subdivision Plat. This plat was recorded February 21, 2008.
22. On November 13, 2013, the Planning Department received a complete application for the Roundabout Condominiums plat.
23. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will dedicate 164 square feet of property to the City for ROW improvements and is petitioning the City to vacate 875 square feet of existing ROW which will revert to the applicant..
24. The applicant previously dedicated 3,152.54 square feet to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements.
25. Applicant will build the new bus pull-out to City specifications.
26. As conditioned, this condominium plat is consistent with the conditions of approval of the Roundabout Subdivision plat as per the findings in the Analysis section.

Conclusions of Law:



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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form of the condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant stipulates restricting the development to two (2) condominium buildings with one (1) underground shared parking structure. This shall be noted on the plat.
4. The footprint of each condominium building will not exceed 3,200 square feet, to be noted on the plat.
5. Shared access for the four units will be a single access point for all units on a common driveway into a shared underground parking structure, accessed from Deer Valley Drive, to be noted on the plat.
6. All vehicles exiting the common driveway must pull out of the driveway onto Deer Valley Drive front-facing, to be noted on the plat.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
8. A 10 foot (10') wide public snow storage easement is required along the frontage of the lot with Deer Valley Drive and Deer Valley Loop Road and shall be shown on the plat.
9. A five foot (5') wide public utility easement is required along the rear and side lot lines.
10. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including, but not limited to, the fire hydrant, storm drain box, bus pull-out, improvements to Deer Valley Drive, and lighting, prior to plat recordation.
11. An encroachment agreement between the applicant and the owner of 510 Ontario Avenue that addresses all current encroachments (asphalt driveway, rock retaining wall and hot tub) onto the applicant's property shall be remedied prior to plat recordation.
12. The Construction Mitigation Plan required at Building Permit application shall stipulate that all staging of the project must be done entirely on the applicant's

property and that the hours of hauling shall be between 8 am and 6 pm Monday through Friday throughout the duration of the project. The sidewalk on Deer Valley Drive shall remain passible at all times unless explicit approval is given to close the sidewalk by the Building Department.

13. There shall be a tie breaker mechanism in the CCR's.
14. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to dedicate a portion of property to the City for ROW improvements and petition the City Council to vacate the 875 square feet of ROW prior to plat recordation.
15. The applicant shall conduct a meeting with surrounding neighbors within one week prior to the commencement of construction to inform them of construction plans. Applicant shall make reasonable efforts to reach all neighbors within 300 feet.

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

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, MAYOR

ATTEST:

\_\_\_\_\_  
Marci Heil, CITY RECORDER

APPROVED AS TO FORM:

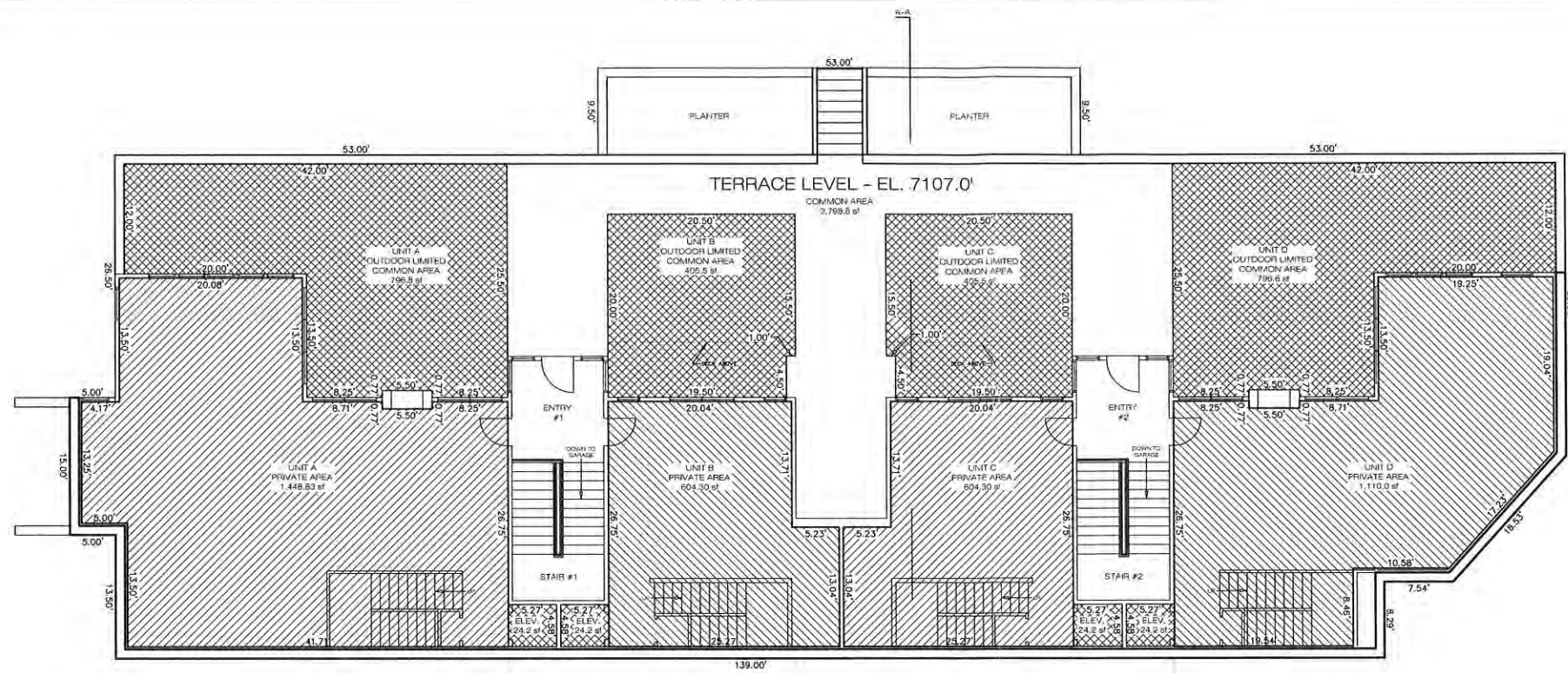
\_\_\_\_\_  
Mark Harrington, CITY ATTORNEY



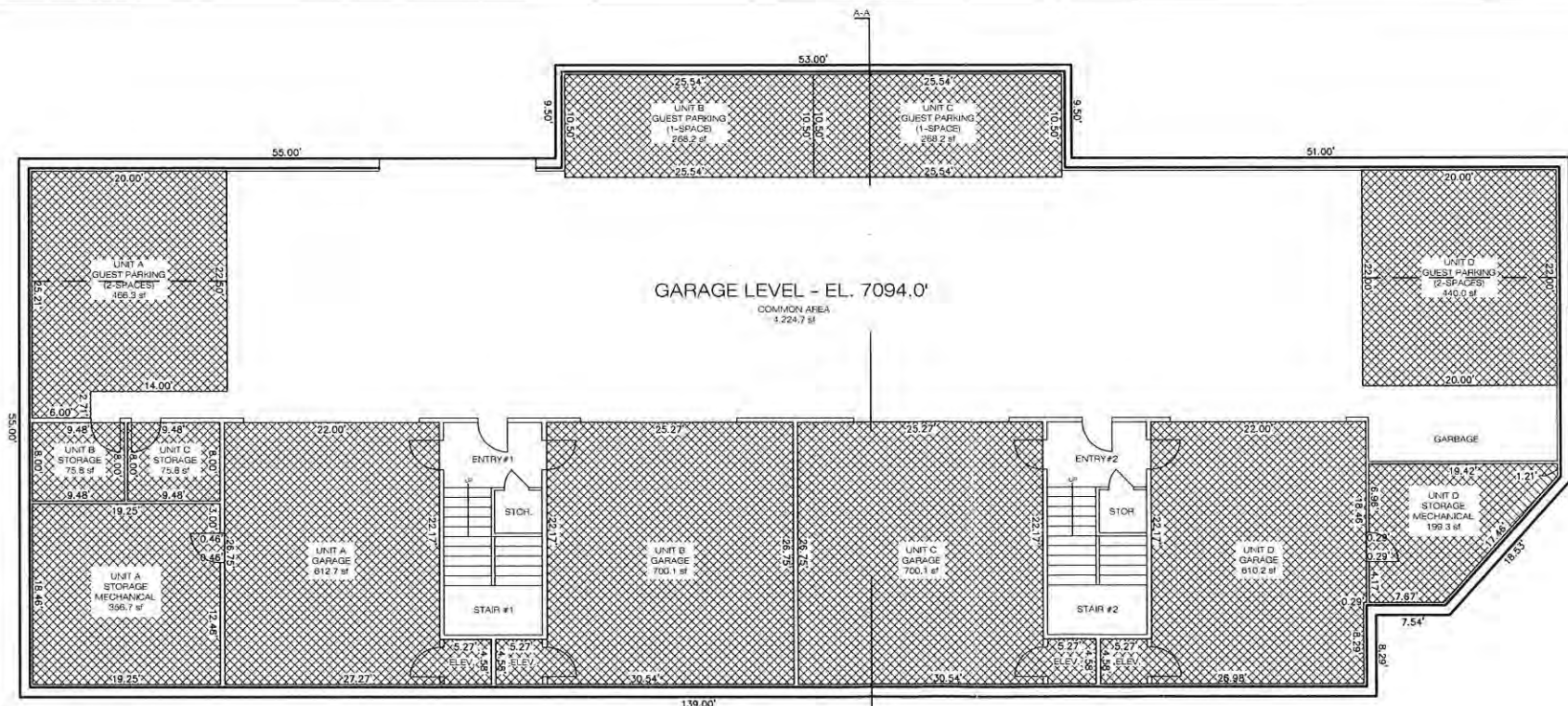




EXHIBIT A - PROPOSED PLAT



TERRACE LEVEL  
FLOOR EL.=7107.0'  
SCALE: 1" = 8'



GARAGE LEVEL  
FLOOR EL.=7094.0'  
SCALE: 1" = 8'



AREA TABULATIONS  
\* TERRACE LEVEL

| UNIT A              |   |            |
|---------------------|---|------------|
| PRIVATE AREA        | - | 1,448.8 SF |
| LIMITED COMMON AREA | - | 821.0 SF   |
| UNIT B              |   |            |
| PRIVATE AREA        | - | 604.3 SF   |
| LIMITED COMMON AREA | - | 429.7 SF   |
| UNIT C              |   |            |
| PRIVATE AREA        | - | 604.3 SF   |
| LIMITED COMMON AREA | - | 429.7 SF   |
| UNIT D              |   |            |
| PRIVATE AREA        | - | 1,100.0 SF |
| LIMITED COMMON AREA | - | 821.0 SF   |
| COMBINED TOTAL      |   |            |
| PRIVATE AREA        | - | 3,757.4 SF |
| LIMITED COMMON AREA | - | 2,501.4 SF |
| COMMON AREA         | - | 2,813.5 SF |

HATCHING LEGEND

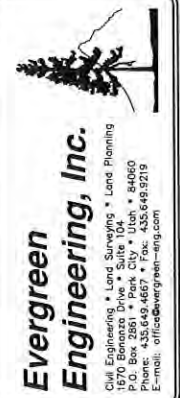
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| [Hatched Box]          | COMMON AREA         |
| [Cross-hatched Box]    | LIMITED COMMON AREA |
| [Diagonal-hatched Box] | PRIVATE AREA - UNIT |

AREA TABULATIONS  
\* GARAGE LEVEL

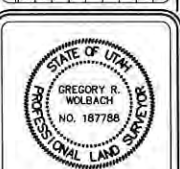
| UNIT A              |   |            |
|---------------------|---|------------|
| PRIVATE AREA        | - | 0.00 SF    |
| LIMITED COMMON AREA | - | 1,435.7 SF |
| UNIT B              |   |            |
| PRIVATE AREA        | - | 0.00 SF    |
| LIMITED COMMON AREA | - | 1,044.1 SF |
| UNIT C              |   |            |
| PRIVATE AREA        | - | 0.00 SF    |
| LIMITED COMMON AREA | - | 1,044.1 SF |
| UNIT D              |   |            |
| PRIVATE AREA        | - | 0.00 SF    |
| LIMITED COMMON AREA | - | 1,249.5 SF |
| COMBINED TOTAL      |   |            |
| PRIVATE AREA        | - | 0.00 SF    |
| LIMITED COMMON AREA | - | 4,773.4 SF |
| COMMON AREA         | - | 4,223.9 SF |

NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
STATE OF \_\_\_\_\_  
CITY OF \_\_\_\_\_  
RECORDED AT THE REQUEST OF \_\_\_\_\_

FEES \_\_\_\_\_ CITY RECORDER



| REVISIONS | COMMENTS |
|-----------|----------|
| DATE      | BY       |

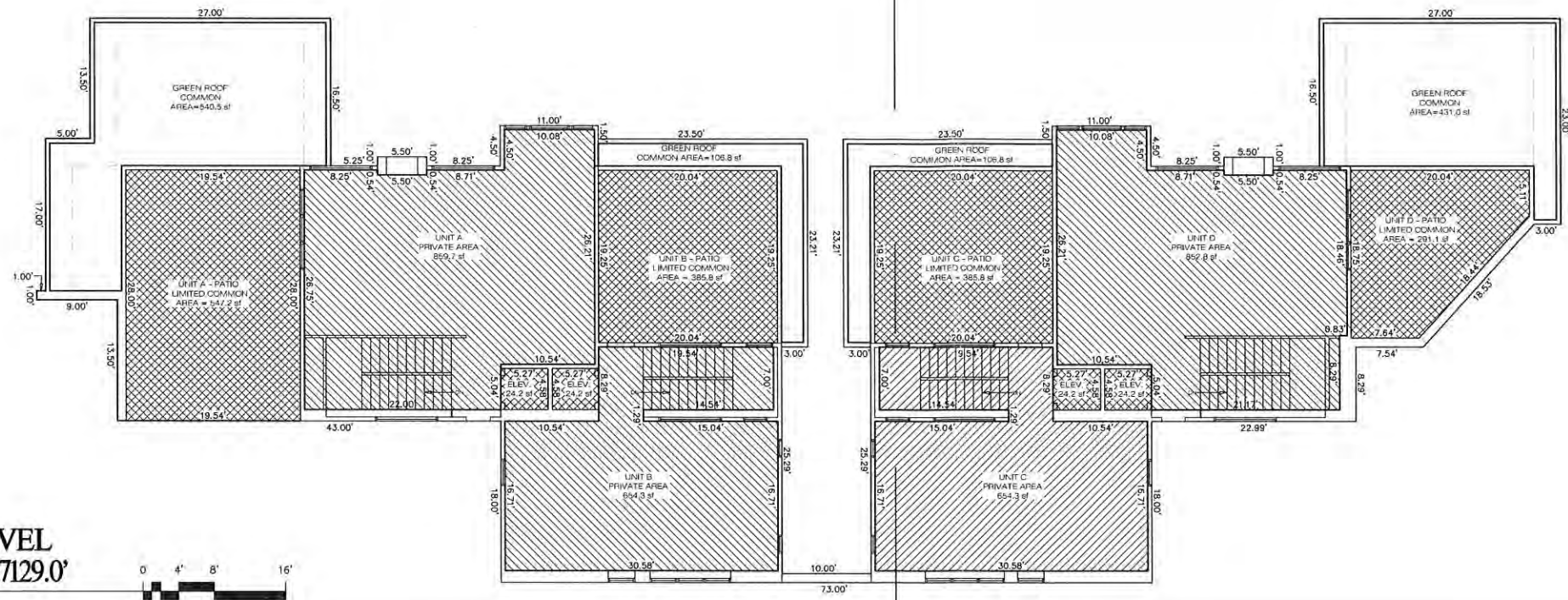


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DRAWN BY: GRW  
CHECKED BY: GRW

ROUNDABOUT CONDOMINIUMS  
FLOOR PLANS  
GARAGE LEVEL AND TERRACE LEVEL  
DATE: FEBRUARY 4, 2014  
DRAWN BY: BLAKE HENDERSON, THE ROUNDABOUT LLC  
SHEET 2 OF 4



EXHIBIT A - PROPOSED PLAT

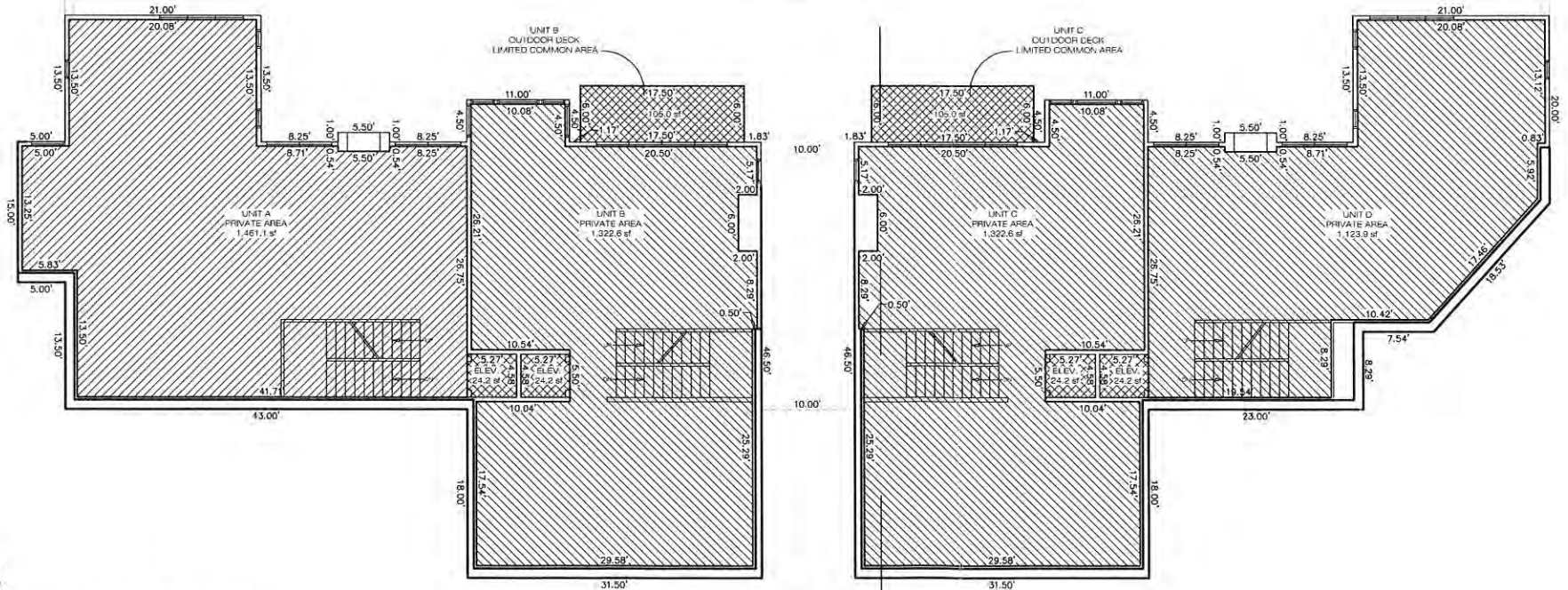


AREA TABULATIONS  
\* MASTER LEVEL

|                     |            |
|---------------------|------------|
| UNIT A              |            |
| PRIVATE AREA        | 859.7 SF   |
| LIMITED COMMON AREA | 571.4 SF   |
| UNIT B              |            |
| PRIVATE AREA        | 654.3 SF   |
| LIMITED COMMON AREA | 410.0 SF   |
| UNIT C              |            |
| PRIVATE AREA        | 654.3 SF   |
| LIMITED COMMON AREA | 410.0 SF   |
| UNIT D              |            |
| PRIVATE AREA        | 852.8 SF   |
| LIMITED COMMON AREA | 291.1 SF   |
| COMBINED TOTAL      |            |
| PRIVATE AREA        | 3,021.1 SF |
| LIMITED COMMON AREA | 1,682.5 SF |
| COMMON AREA         | 1,854.4 SF |

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA - UNIT



AREA TABULATIONS  
\* SECOND LEVEL

|                     |            |
|---------------------|------------|
| UNIT A              |            |
| PRIVATE AREA        | 1,461.1 SF |
| LIMITED COMMON AREA | 24.2 SF    |
| UNIT B              |            |
| PRIVATE AREA        | 1,322.6 SF |
| LIMITED COMMON AREA | 129.2 SF   |
| UNIT C              |            |
| PRIVATE AREA        | 1,322.6 SF |
| LIMITED COMMON AREA | 129.2 SF   |
| UNIT D              |            |
| PRIVATE AREA        | 1,123.9 SF |
| LIMITED COMMON AREA | 24.2 SF    |
| COMBINED TOTAL      |            |
| PRIVATE AREA        | 5,230.2 SF |
| LIMITED COMMON AREA | 306.8 SF   |
| COMMON AREA         | 554.3 SF   |

NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
STATE OF \_\_\_\_\_  
CITY OF \_\_\_\_\_  
RECORDED AT THE REQUEST OF \_\_\_\_\_

FEES \_\_\_\_\_ CITY RECORDER



| REVISIONS | COMMENTS |
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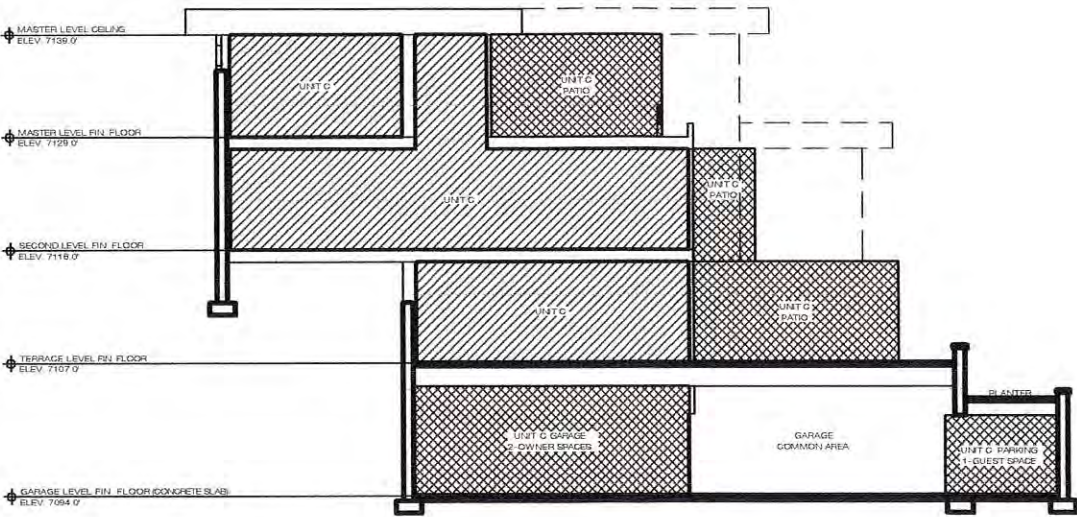


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GRW/ADM  
DRAWN BY:  
CRW  
CHECKED BY:  
GRW

ROUNDABOUT CONDOMINIUMS  
FLOOR PLANS  
SECOND LEVEL AND MASTER LEVEL  
JOB NO. 0609  
DWS: RAB-CONDO-TP  
FOR: BLAKE HENDERSON, THE ROUNDABOUT LLC



**BUILDING  
SECTION AA**  
SCALE: 1" = 8'



- HATCHING LEGEND**
- COMMON AREA
  - LIMITED COMMON AREA
  - PRIVATE AREA - UNIT

NO. \_\_\_\_\_  
DATE \_\_\_\_\_  
STATE OF \_\_\_\_\_  
CITY OF \_\_\_\_\_  
RECORDED AT THE REQUEST OF \_\_\_\_\_  
FEES \_\_\_\_\_ CITY RECORDER

**ROUNDABOUT CONDOMINIUMS  
BUILDING SECTION  
AA**

FOR: BLAKE HENDERSON, THE ROUNDABOUT LLC  
PROJECT: RAB-CONDO-SEC  
JOB NO. 0609

SURVEYED BY: GRW/ADM  
DRAWN BY: GRW  
CHECKED BY: GRW

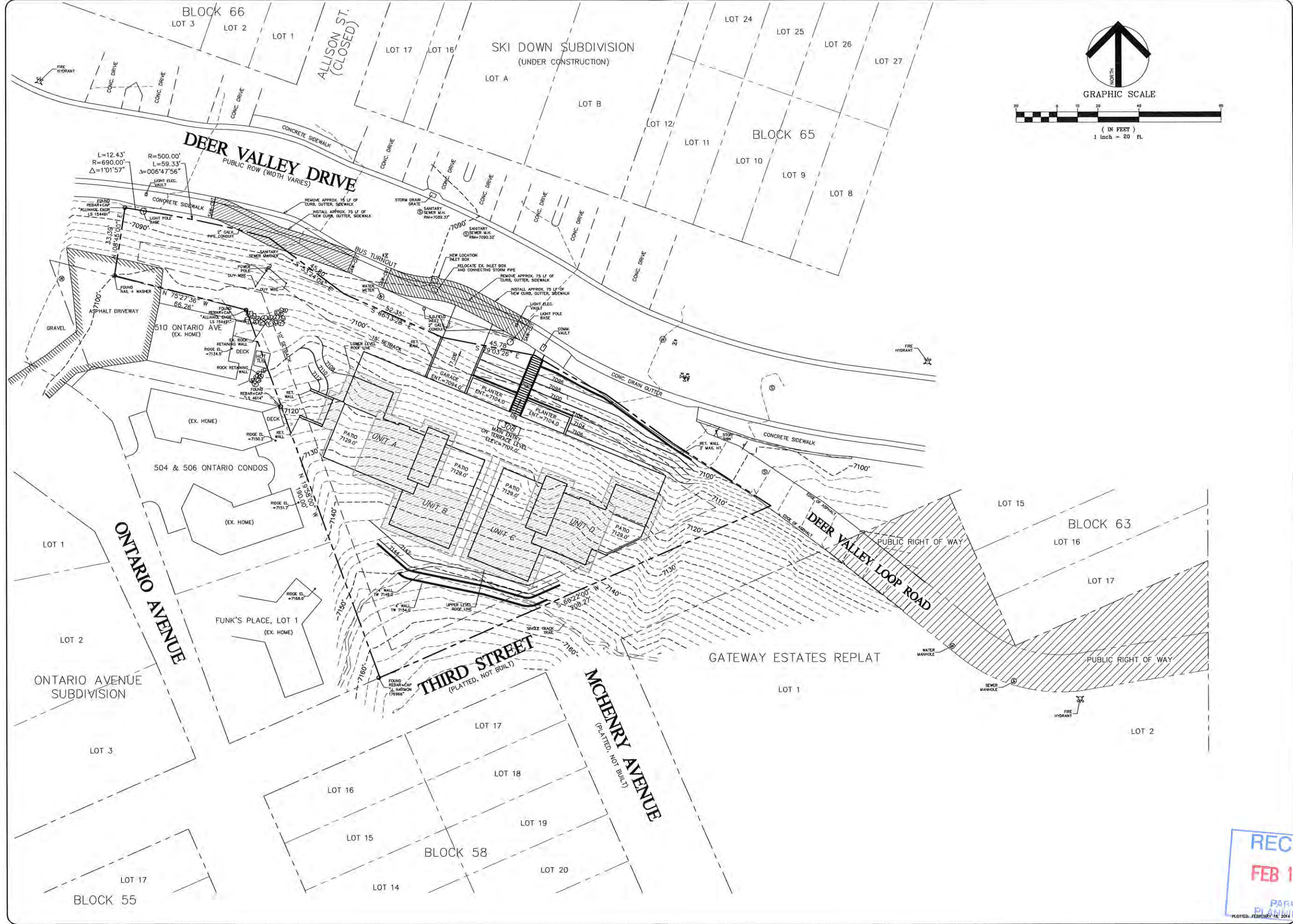


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**Evergreen Engineering, Inc.**  
Civil Engineering • Land Surveying • Land Planning  
1670 Bonanza Drive • Suite 104 • 97000  
Portland, Oregon  
Phone: 435.549.4687 • Fax: 435.549.0219  
E-mail: office@evergreen-eng.com



EXHIBIT B - PROPOSED GRADING EXHIBIT



**Evergreen Engineering, Inc.**  
Civil Engineering • Land Surveying • Land Planning  
1670 Benanza Drive • Suite 104 • Oak • 84000  
P.O. Box 28818 • Park City • Utah • 84321  
E-mail: office@evergreen-eng.com

| DATE | BY | REVISIONS | COMMENTS |
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SURVEYED BY: GRW/ADM  
DRAWN BY: GRW/ADM  
CHECKED BY: ADM

**PROPOSED GRADING EXHIBIT**  
**ROUNDABOUT CONDOMINIUMS**  
RAB-CONDO-GRADE  
JOB NO. 0609

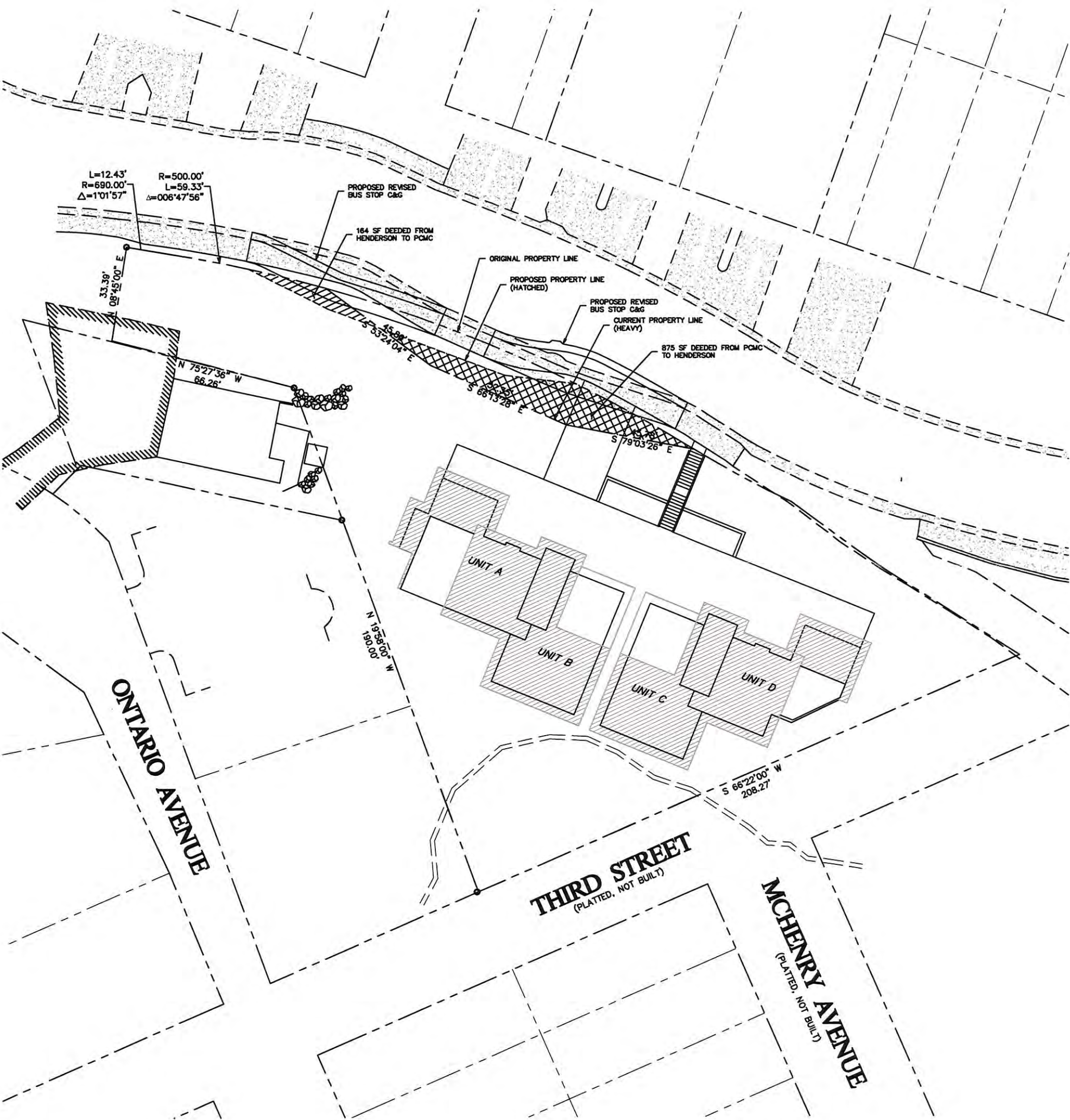
BLAKE HENDERSON, THE ROUNDABOUT LLC

RECEIVED  
FEB 18 2014  
PARK CITY PLANNING DEPT

SHEET 1 OF 1



EXHIBIT C - PROPOSED PROPERTY LINE EXHIBIT



RECEIVED  
FEB 18 2014  
H. E. GILLY  
PLANNING DEPT.

EXHIBIT D - PROPOSED FLOOR PLANS, ELEVATIONS AND SECTIONS

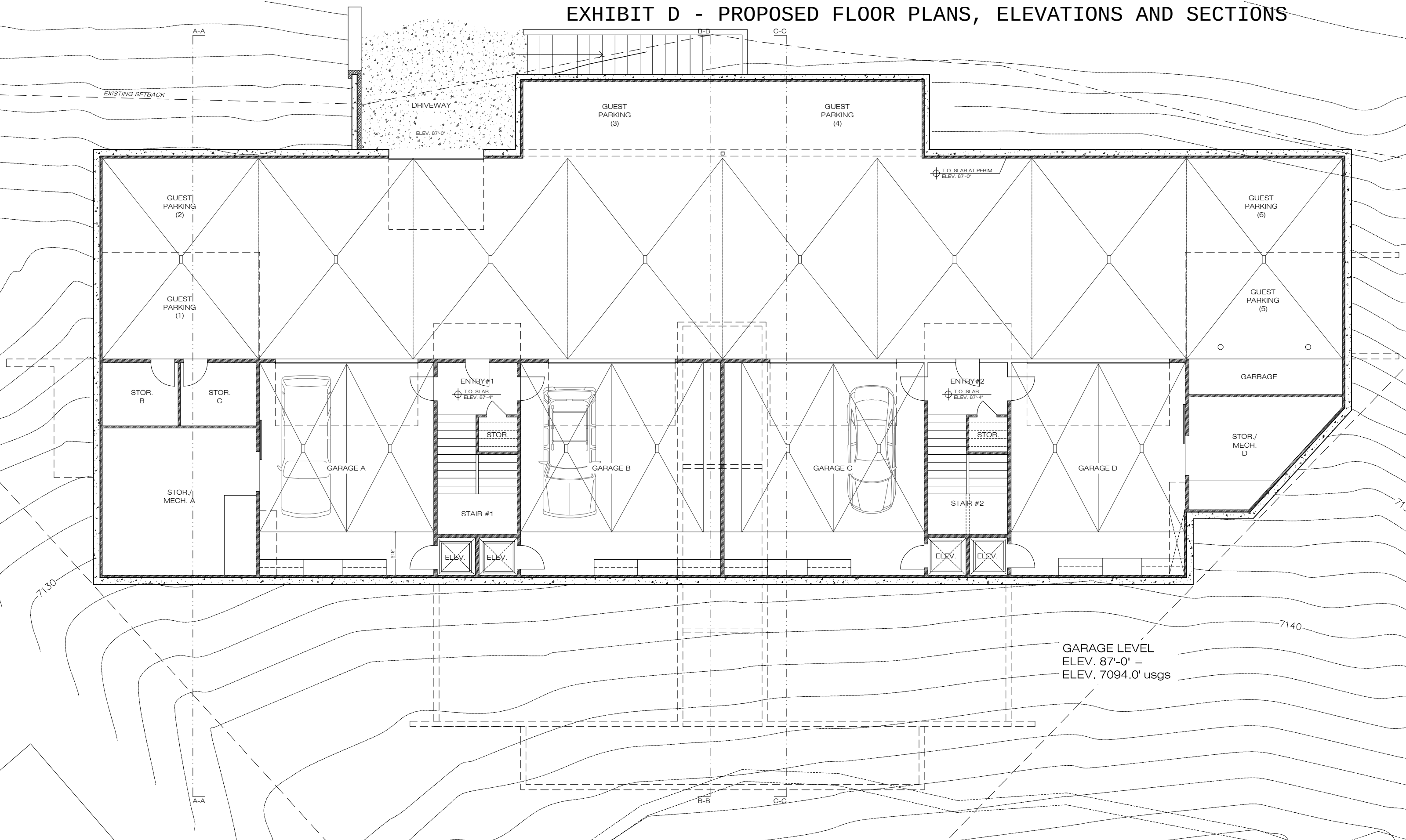
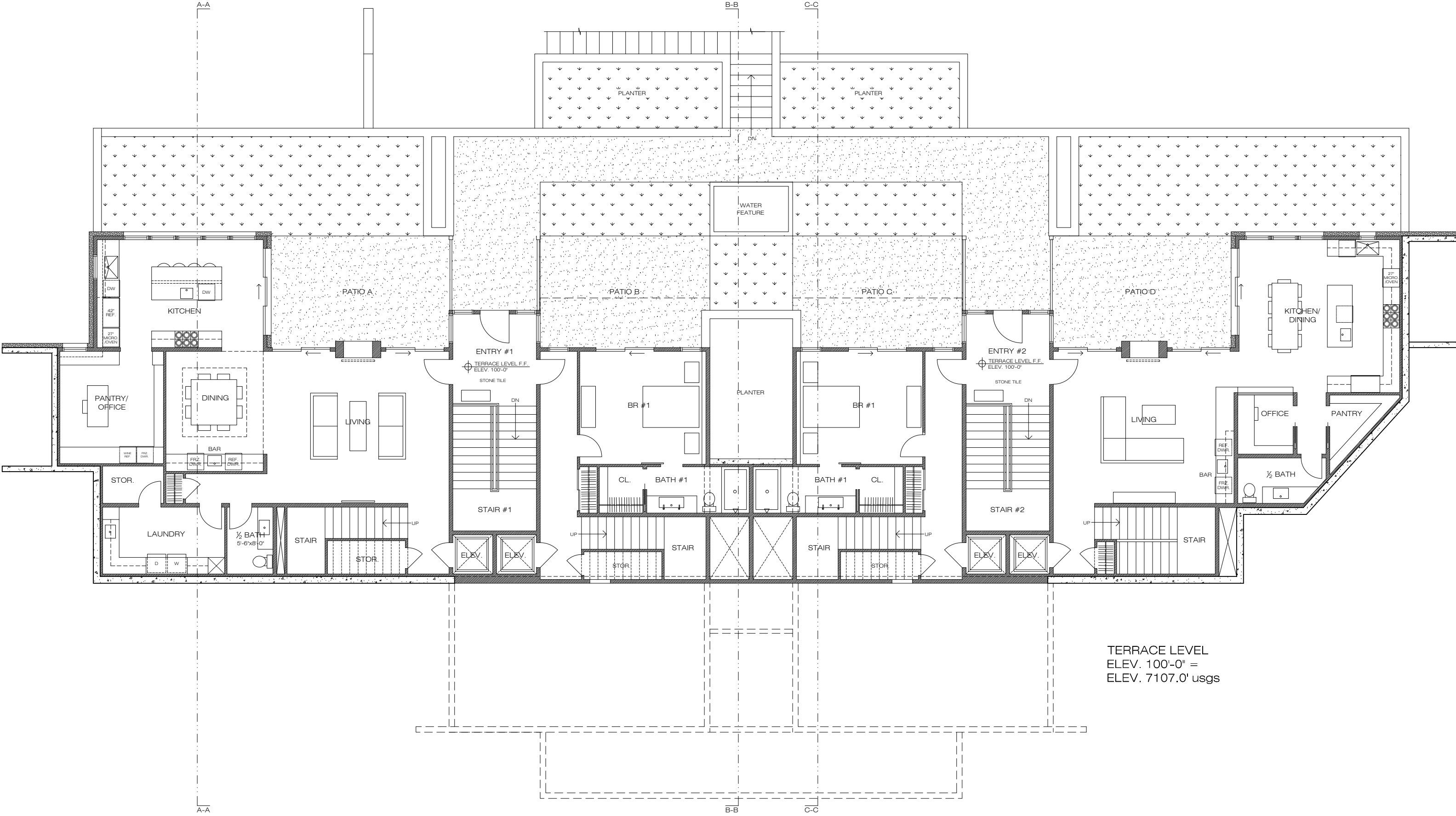


EXHIBIT D



TERRACE LEVEL  
ELEV. 100'-0" =  
ELEV. 7107.0' usgs

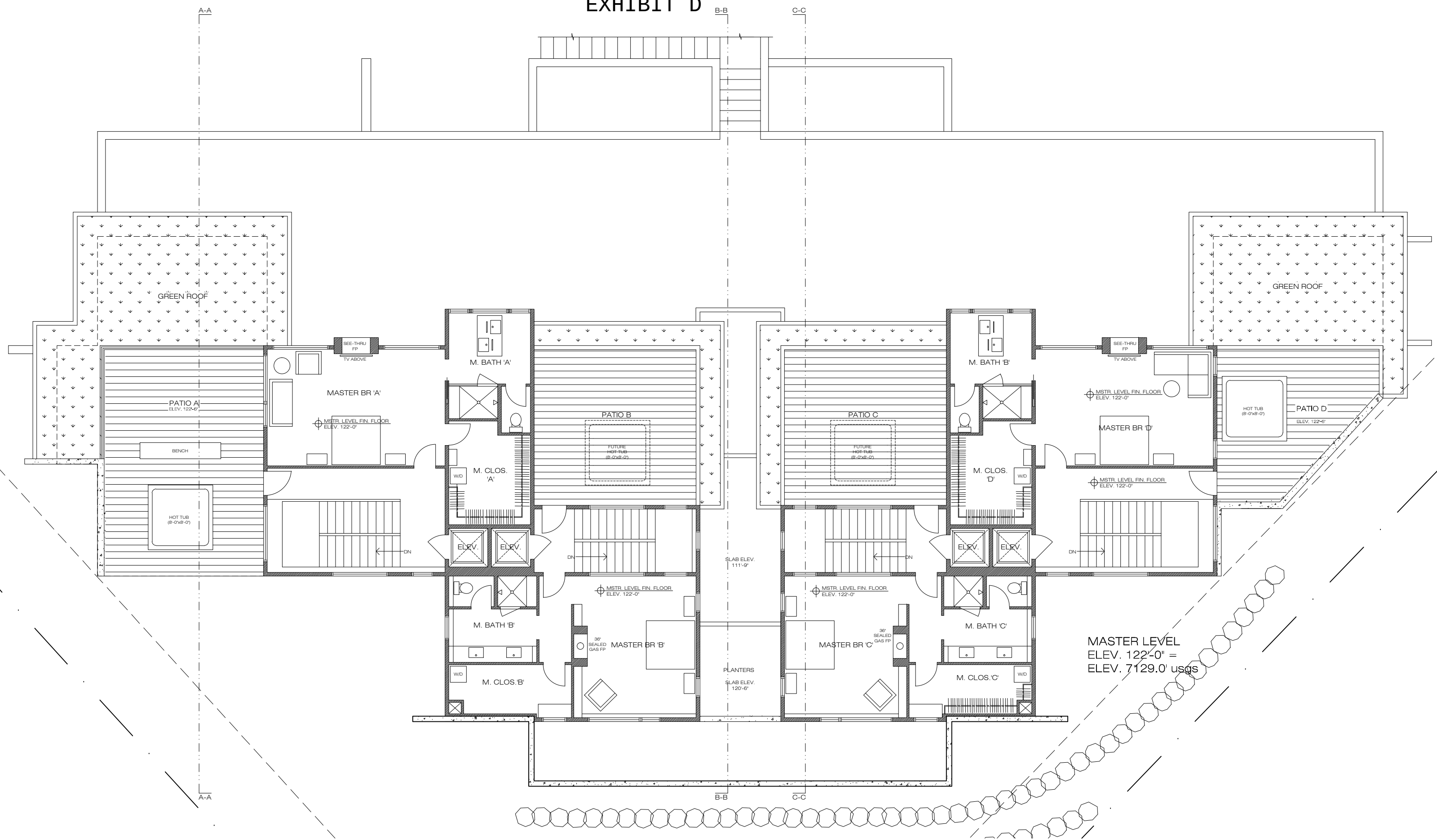


EXHIBIT D



SECOND LEVEL  
ELEV. 111'-0" =  
ELEV. 7118.0' usgs

EXHIBIT D



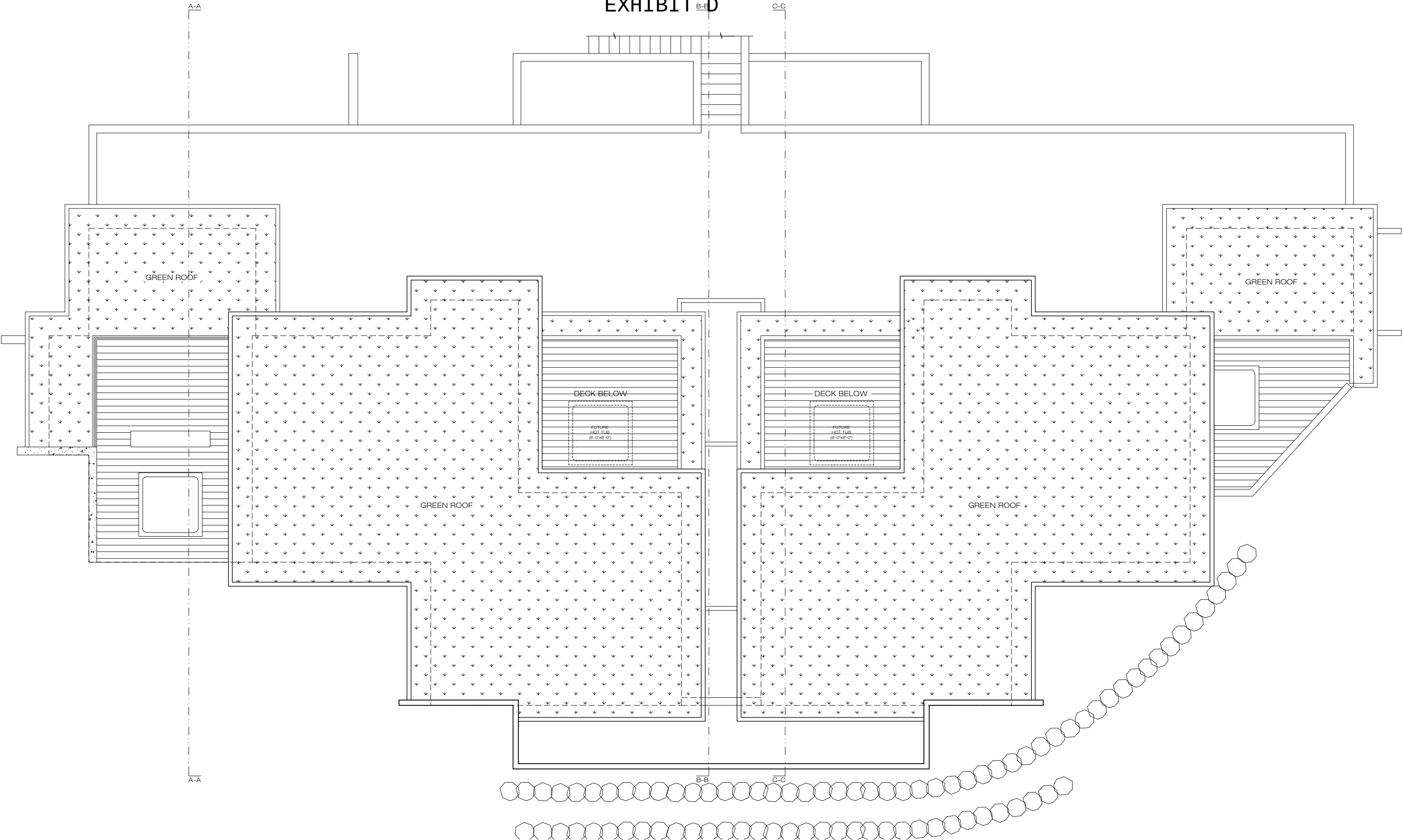
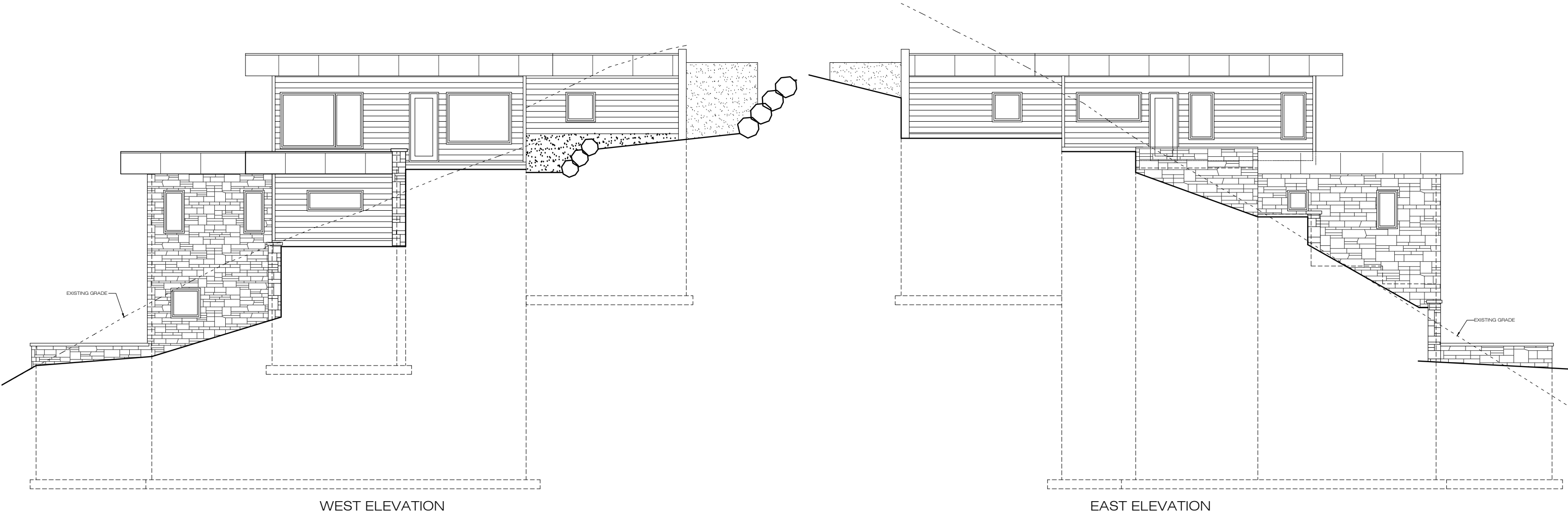


EXHIBIT D



NORTH ELEVATION

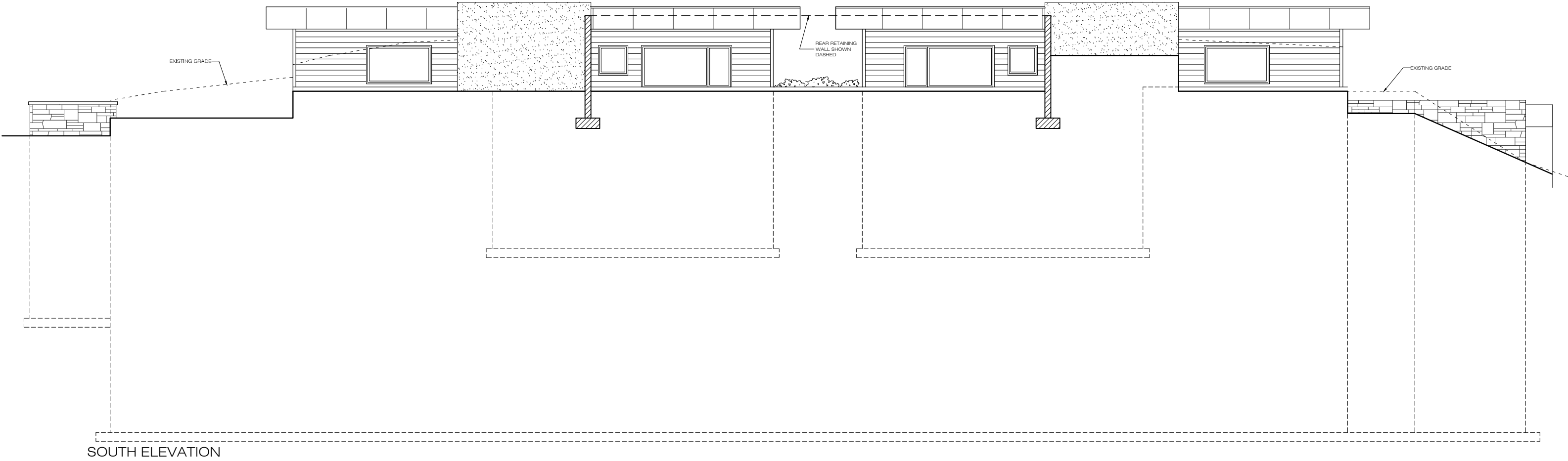
EXHIBIT D



ELEVATIONS  
SCALE 3/32" - 1'-0"



EXHIBIT D



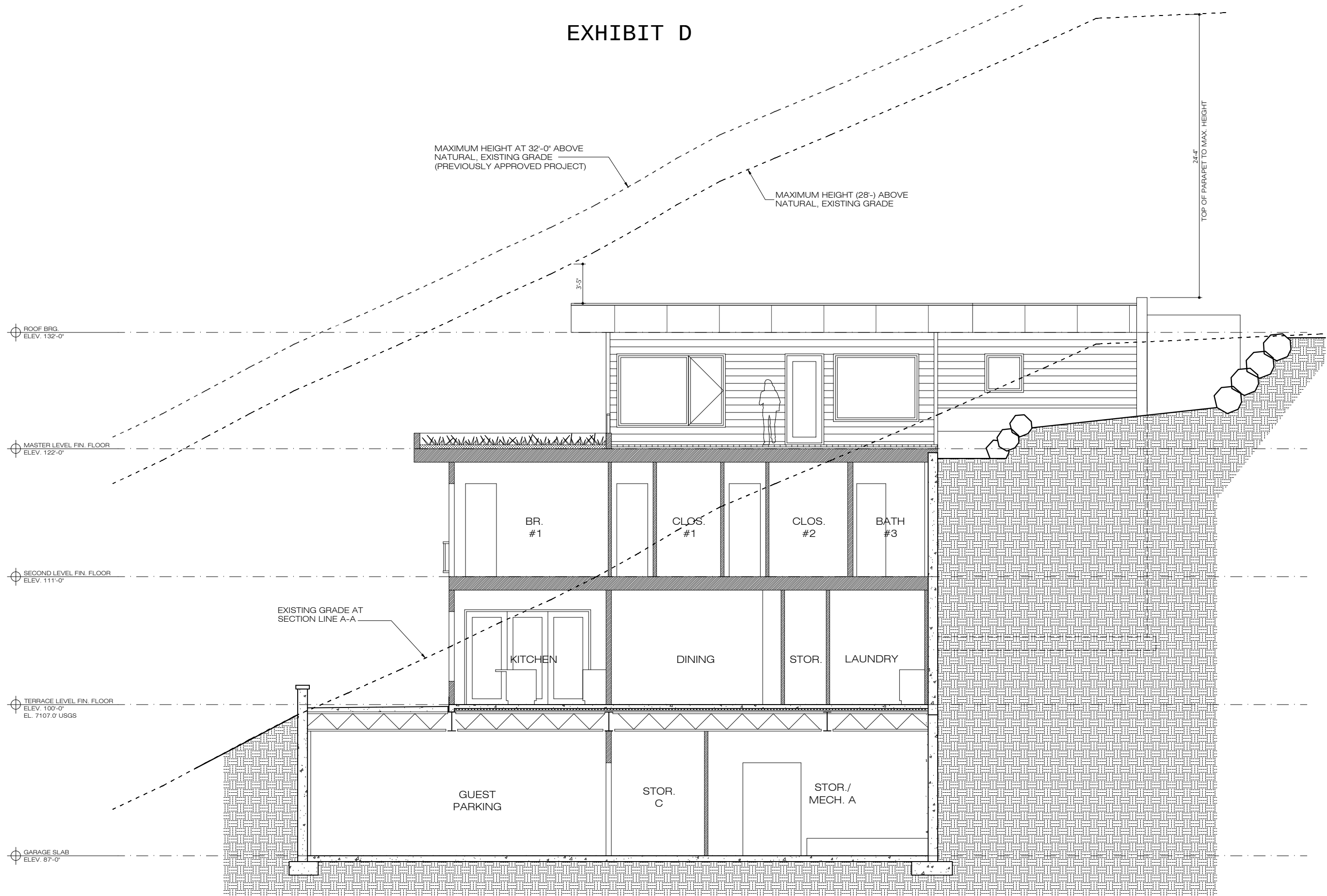
ELEVATIONS  
SCALE 3/32" - 1'-0"

COSTANTINO  
GRANDJACQUET  
ARCHITECT

.3.20.14

THE ROUNDABOUT  
LOT 1+2 ROUNDABOUT SUBDIVISION

EXHIBIT D



SECTION A-A  
SCALE 1/8" - 1'-0"

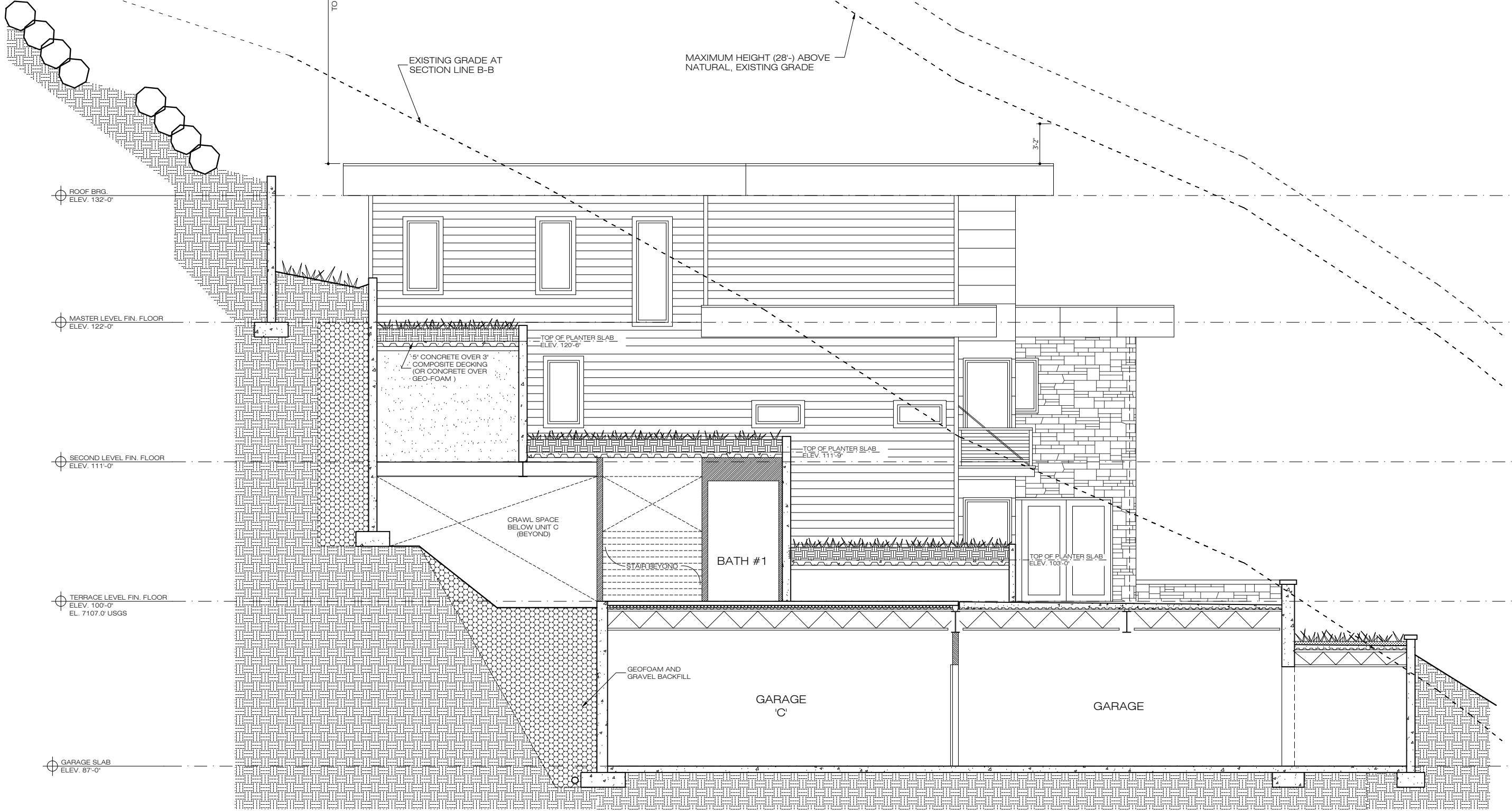
EXHIBIT D

MAXIMUM HEIGHT AT 32'-0" ABOVE  
NATURAL, EXISTING GRADE  
(PREVIOUSLY APPROVED PROJECT)

MAXIMUM HEIGHT (28'-) ABOVE  
NATURAL, EXISTING GRADE

EXISTING GRADE AT  
SECTION LINE B-B

34'-9"  
TOP OF PARAPET TO MAX. HEIGHT



SECTION B-B

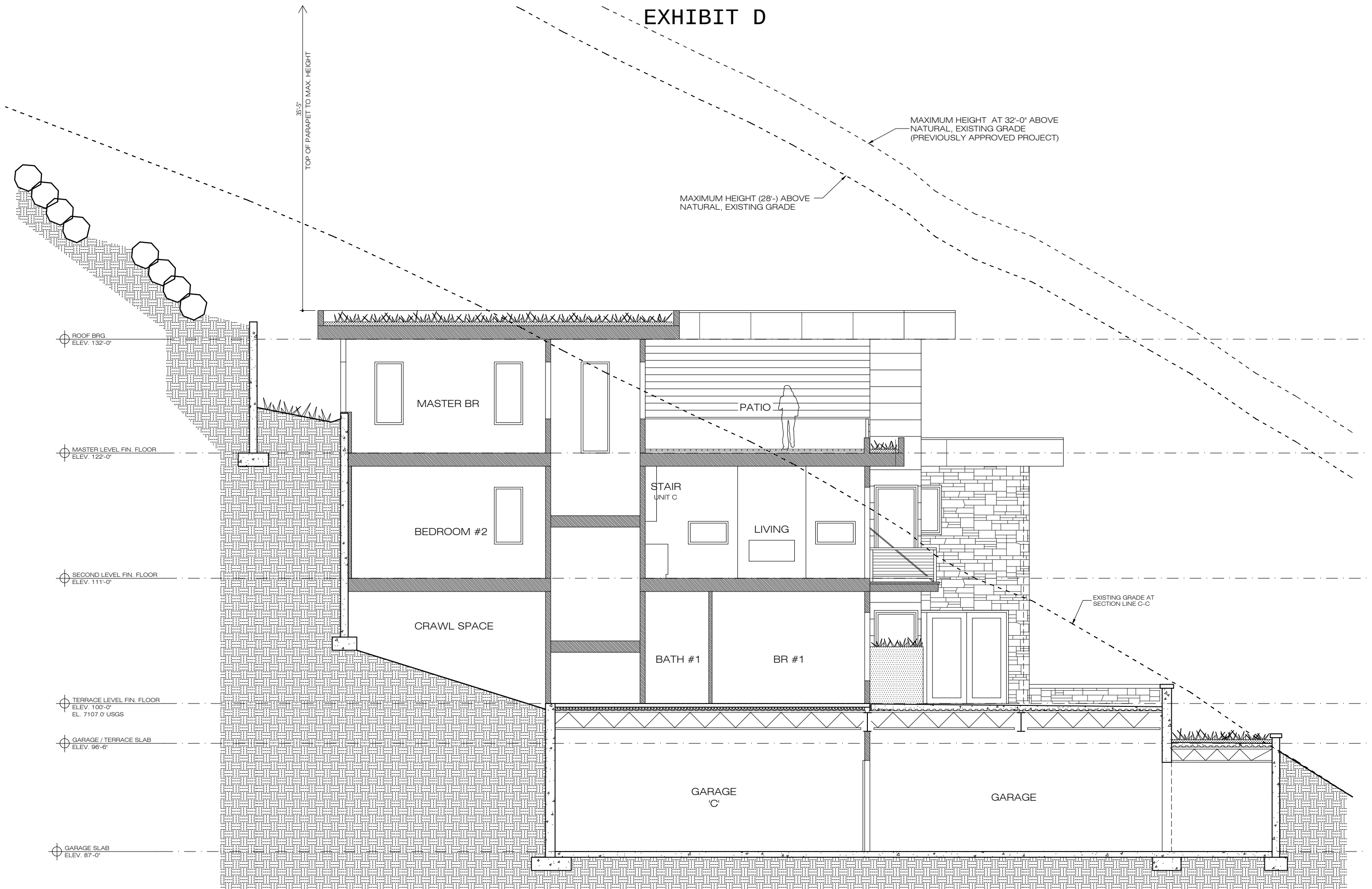
SCALE 1/8" - 1'-0"

COSTANTINO  
GRANDJACQUET  
ARCHITECT

03.20.14

THE ROUNDABOUT  
LOT 1+2 ROUNDABOUT SUBDIVISION

# EXHIBIT D



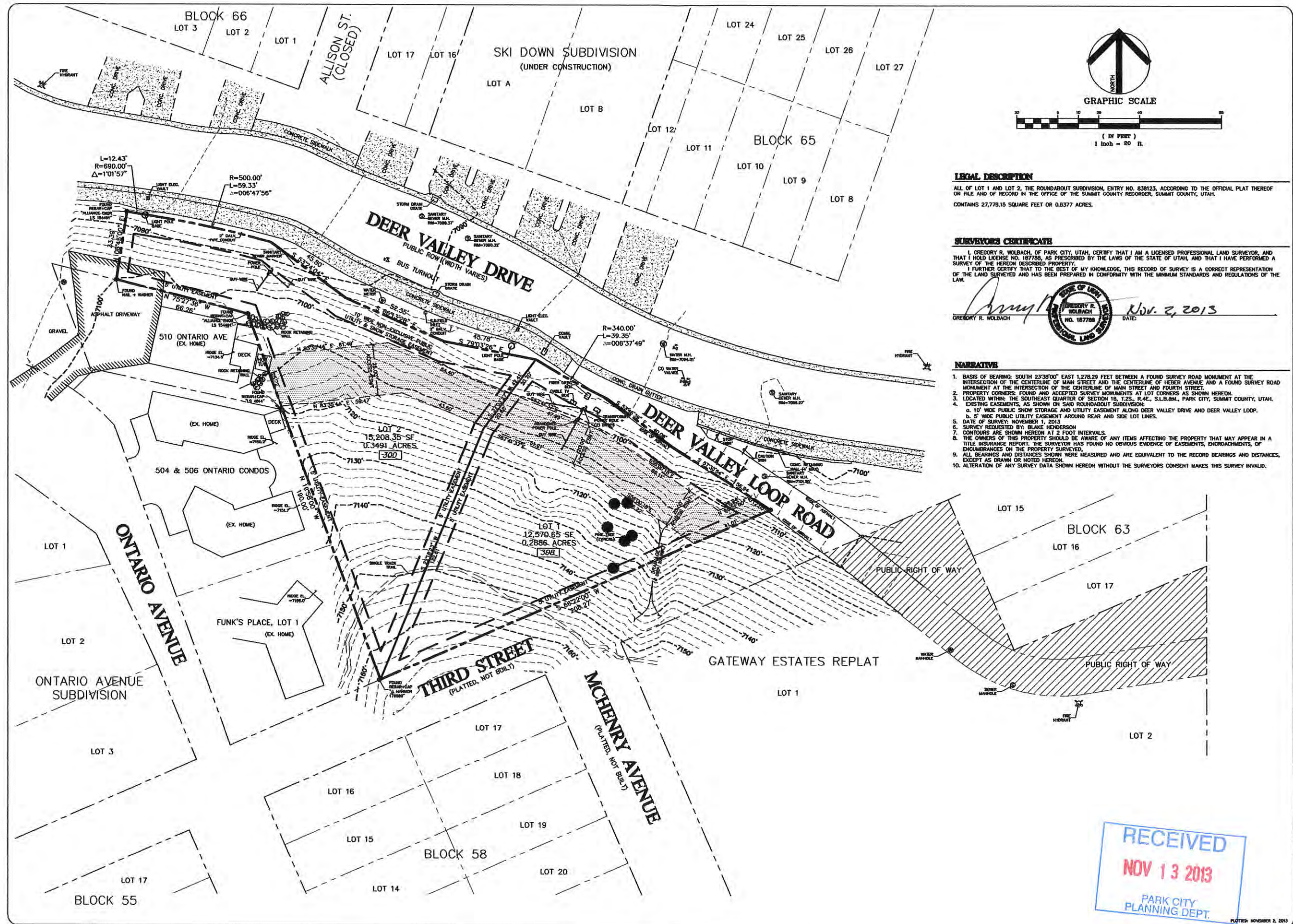
SECTION C-C  
SCALE 1/8" = 1'-0"







# EXHIBIT F - EXISTING CONDITIONS/TOPOGRAPHY WITH EXISTING PLAT



**Evergreen Engineering, Inc.**  
 Civil Engineering • Land Surveying • Land Planning  
 1570 Benetown Drive • Suite 100 • Park City, UT 84090  
 Phone: 435.648.4687 • Fax: 435.648.4619  
 E-mail: office@evergreen-eng.com

| REVISIONS | COMMENTS |
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| DATE      | BY       |
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**RECORD OF SURVEY**  
 EXISTING CONDITIONS - TOPOGRAPHY  
 ROUNDABOUT SUBDIVISION, LOTS 1 & 2  
 BLAKE HENDERSON, THE ROUNDABOUT LLC  
 JOB NO. 0609

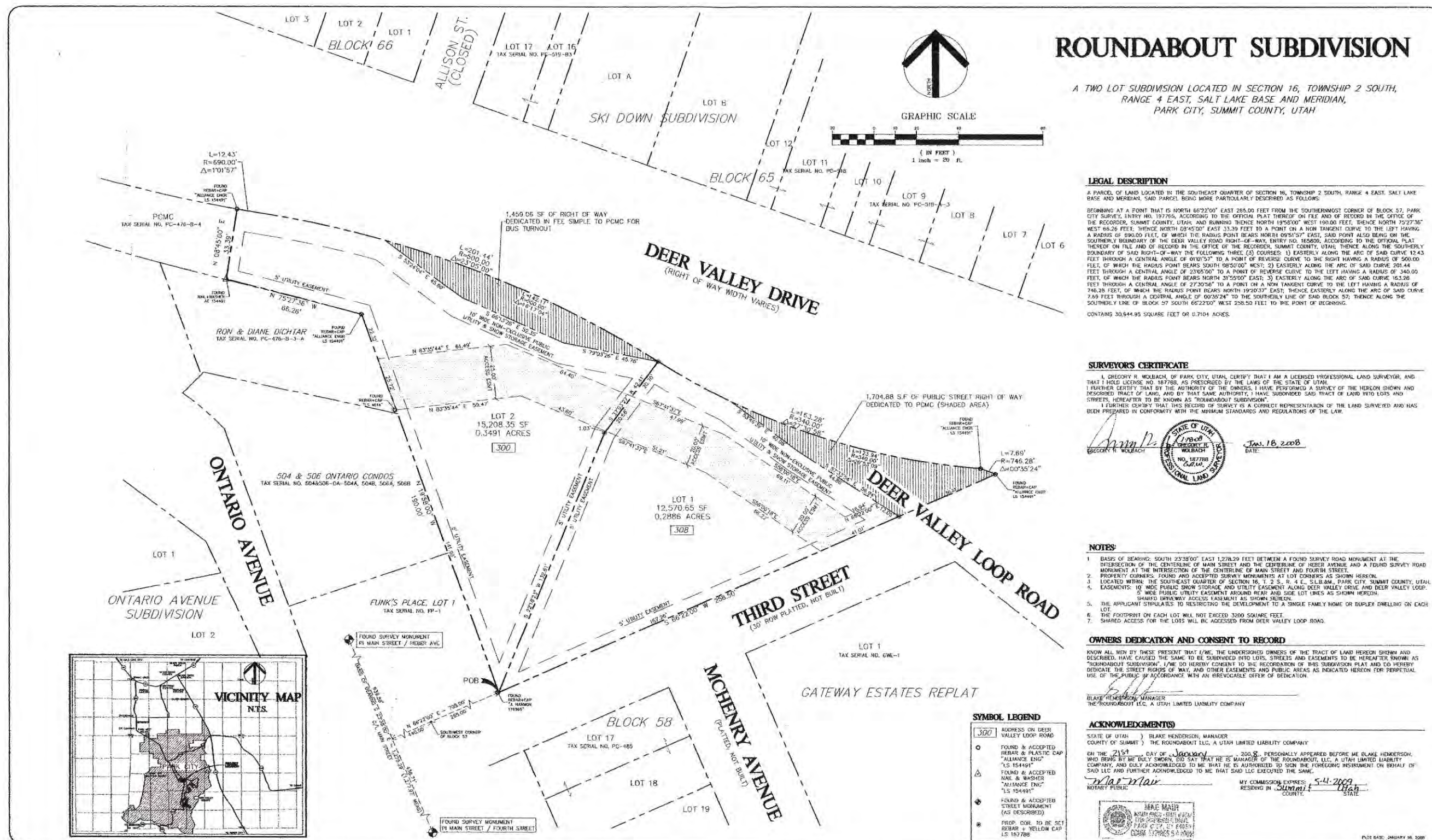
SURVEYED BY: GRW/ADM  
 DRAWN BY: GRW/ADM  
 CHECKED BY: GRW

**RECEIVED**  
 NOV 13 2013  
 PARK CITY PLANNING DEPT.

SHEET 1 OF 1



EXHIBIT G - PREVIOUSLY APPROVED PLAT



|                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                   |                                                                                                                                                                        |                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Evergreen Engineering, Inc.</b> <br>Civil Engineering • Land Surveying • Land Planning<br>50 Shadow Ridge Drive • Level 81 • Suite 200<br>P.O. Box 2861 • Park City • Utah • 84060<br>Phone: 435-649-4667 • Fax: 435-649-9219<br>Email: office@evergreen-eng.com | <b>SNYDERVILLE BASIN W.R.D.</b><br>REVIEWED FOR CONFORMANCE TO<br>SNYDERVILLE BASIN WATER RECLAMATION<br>DISTRICT STANDARDS ON THIS <u>22<sup>ND</sup></u> DAY<br>OF <u>JAN.</u> A.D. 200 <u>8</u><br>BY: <u>B.A.G.</u><br>SNYDERVILLE BASIN WATER<br>RECLAMATION DISTRICT | <b>CITY PLANNING COMMISSION</b><br>APPROVED AND ACCEPTED BY THE PARK CITY<br>PLANNING COMMISSION ON THIS <u>23<sup>RD</sup></u><br>DAY OF <u>MAY</u> A.D. 2007.<br><u>M. L. Smith</u><br>CHAIRMAN | <b>CITY ENGINEER</b><br>THIS PLAT IS IN CONFORMANCE WITH INFORMATION<br>ON FILE IN THE OFFICE OF THE PARK CITY<br>ENGINEERING DEPARTMENT ON THIS <u>7<sup>TH</sup></u><br>DAY OF <u>FEBRUARY</u> A.D. 200 <u>8</u><br><u>Eric W. DeHaven</u> PE<br>CITY ENGINEER | <b>CITY COUNCIL APPROVAL</b><br>PRESENTED TO THE BOARD OF <u>PARK CITY</u><br>CITY COUNCIL THIS <u>14<sup>TH</sup></u> DAY OF<br><u>JUNE</u> A.D. 2007. AT WHICH TIME<br>THIS RECORD OF SURVEY WAS APPROVED.<br><u>Donna Williams</u><br><u>Mark Smith</u><br>MAYOR CITY RECORDER | <b>APPROVAL AS TO FORM</b><br>APPROVED AS TO FORM ON THIS <u>14<sup>TH</sup></u><br>DAY OF <u>February</u> A.D. 200 <u>8</u><br><u>Donna Williams</u><br>CITY ATTORNEY | <b>*838123 RECORDED</b><br>No. <u>838123</u> Date: <u>2-21-08</u><br>STATE OF <u>Utah</u> Time: <u>11:46 AM</u><br>COUNTY OF <u>SUMMIT</u><br>RECORDED AND FILED AT THE REQUEST OF:<br><u>High Country Title</u><br><u>Donna Williams</u><br>COUNTY RECORDER |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



# EXHIBIT H

## Ordinance No. 07-33

### AN ORDINANCE APPROVING THE ROUNDABOUT SUBDIVISION CREATING TWO LOTS OF RECORD AT 300 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.

**WHEREAS**, the owner of the property known as 300 Deer Valley Loop Road, has petitioned the City Council for approval of a subdivision; 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 April 11, 2007 and May 23, 2007 to receive input on the Roundabout Subdivision.

**WHEREAS**, the Planning Commission, on May 23, 2007, forwarded a positive recommendation to the City Council; and

**WHEREAS**, on June 14, 2007 the City Council approved the Roundabout Subdivision; and

**WHEREAS**, it is in the best interest of Park City, Utah to approve the Roundabout Subdivision.

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

**SECTION 1. APPROVAL** The above recitals are hereby incorporated as findings of fact. The Roundabout Subdivision as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

#### Findings of Fact:

1. The property is located at 300 Deer Valley Loop Road.
2. The metes and bounds parcel is 24,877 square feet in size.
3. The property is located in the Residential (R-1) District.
4. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
5. The subdivision will create two lots of record. Lot One will be 12,658 square feet. Lot Two will be 12,219 square feet.
6. There are no existing structures on the metes and bounds parcel.
7. Access to the property is from Deer Valley Loop Road within 50 feet of Deer Valley Drive.
8. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
9. A duplex dwelling is an allowed use in the R-1 zone.
10. The maximum height limit in the HR-1 zone is 28 feet from existing grade.
11. Minimum setbacks for the lots are 5' on the side yard, 15' in the front yard, and 10 feet in the rear yard.
12. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.

# EXHIBIT H

## Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

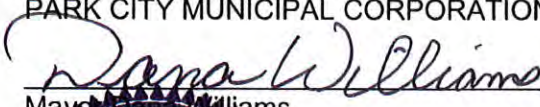
## Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing vegetation shall be included in the Construction Mitigation Plan (CMP).
3. Prior to the receipt of a building permit for construction on the lots, the applicant shall submit a building application that will be reviewed by the Planning Department for compliance with applicable Architectural Design Guidelines and the Land Management Code.
4. The applicant will record the subdivision 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 and the plat will be void.
5. The applicant stipulates to restricting the development to a single family home or duplex dwelling on each lot.
6. The footprint on each lot will not exceed 3200 square feet.
7. Shared access for the proposed lots will be accessed off of Deer Valley Loop Road.
8. An encroachment agreement will be created for improvements to the platted 3<sup>rd</sup> Street prior to building permit issuance on either lot.
9. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including the fire hydrant, bus pull-off, improvements to Deer Valley Drive, and lighting, prior to plat recordation.

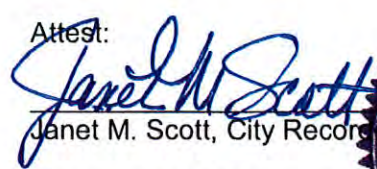
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 14<sup>th</sup> day of June 2007.

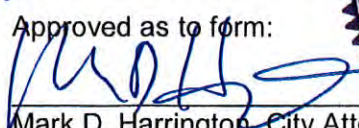
PARK CITY MUNICIPAL CORPORATION

  
Mayor Dana Williams

Attest:

  
Janet M. Scott, City Recorder

Approved as to form:

  
Mark D. Harrington, City Attorney



254



# EXHIBIT I - SITE PHOTOS



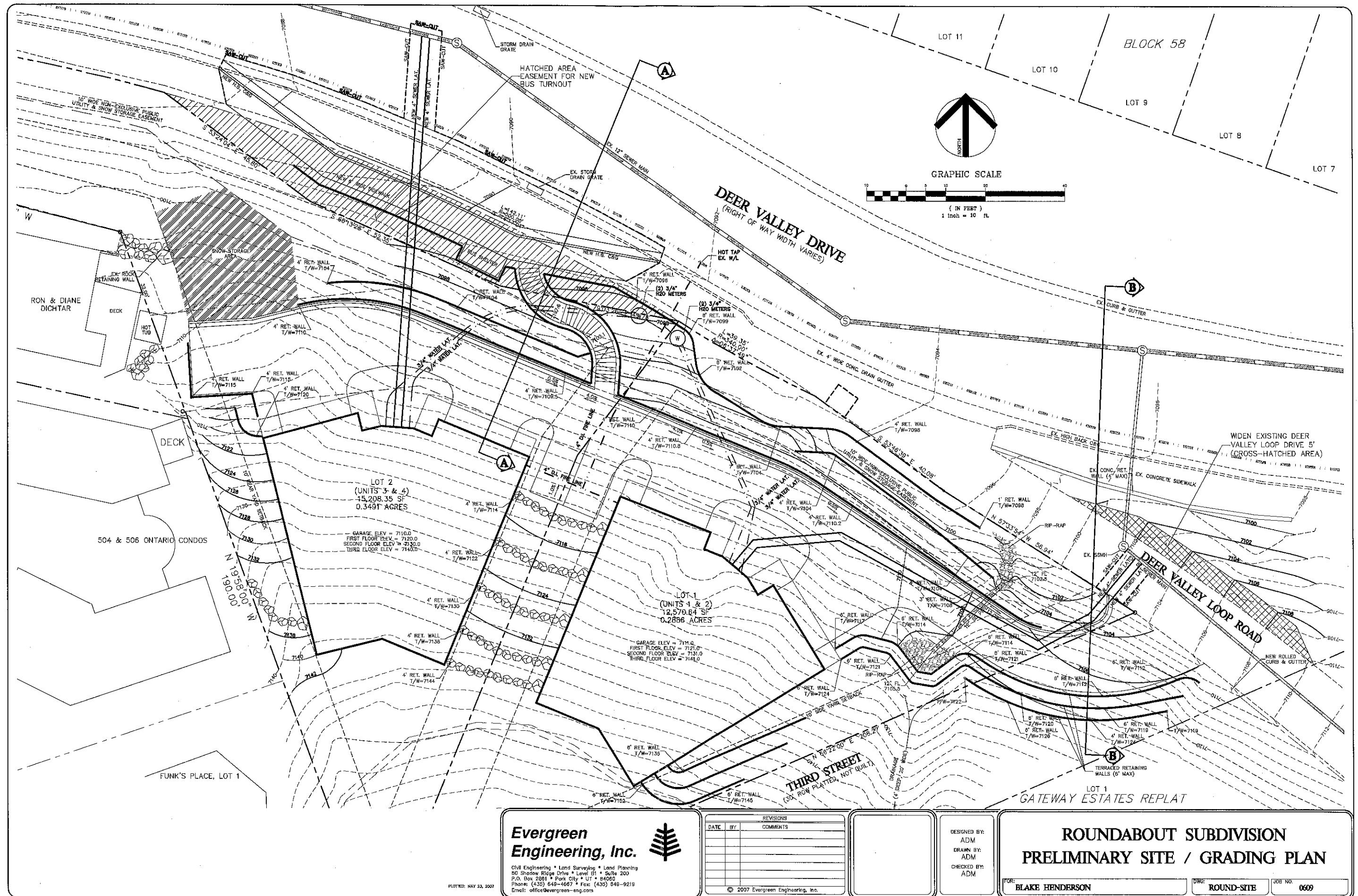


EXHIBIT I





# EXHIBIT J - PREVIOUSLY APPROVED SITE PLAN, ELEVATIONS & RENDERING FROM 2007



**Evergreen Engineering, Inc.**



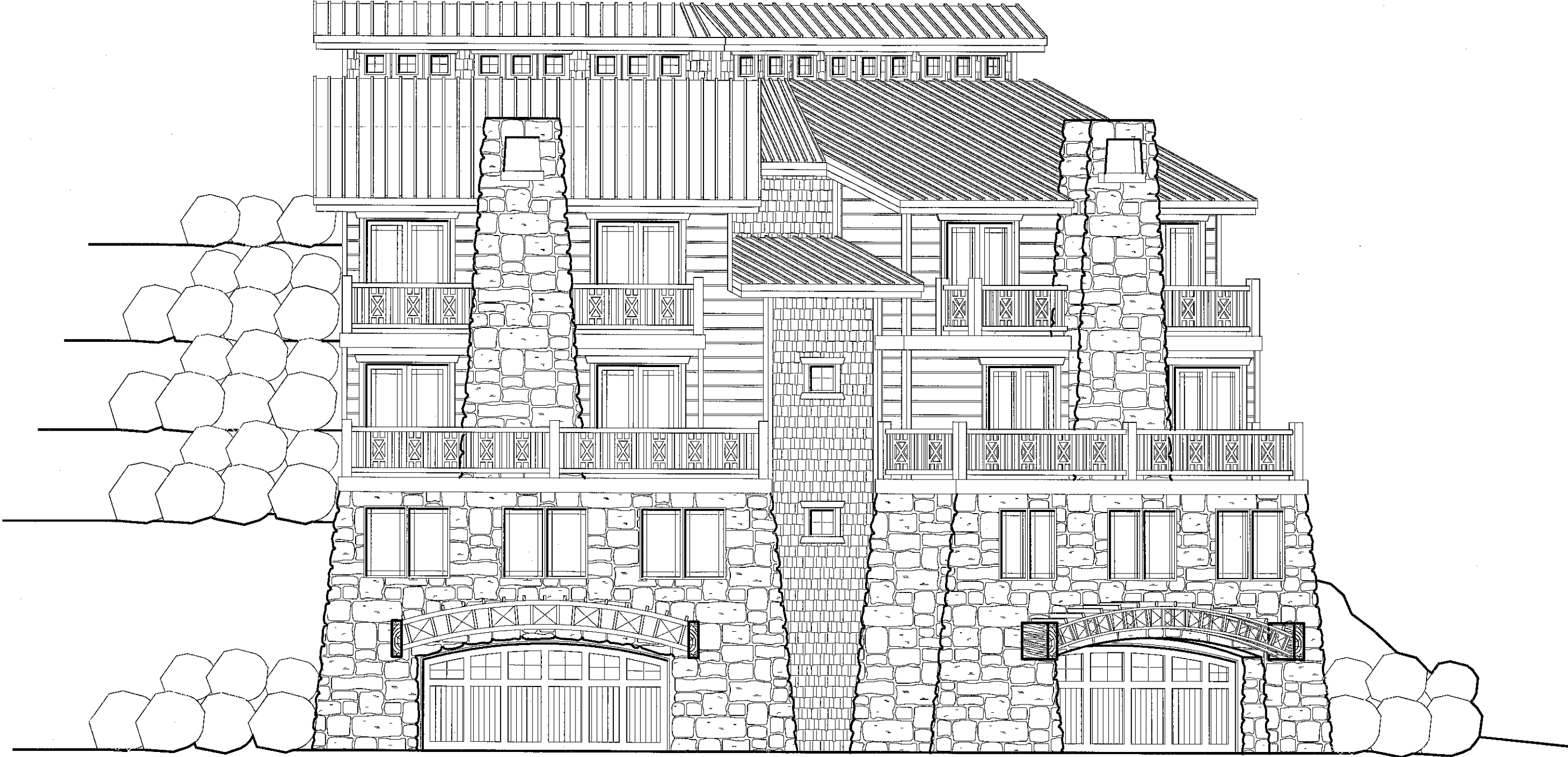
Civil Engineering • Land Surveying • Land Planning  
80 Shadow Ridge Drive • Level B1 • Suite 200  
P.O. Box 2281 • Park City • UT • 84060  
Phone: (435) 649-4667 • Fax: (435) 649-9219  
Email: office@evergreen-eng.com

PLOTTED: MAY 23, 2007

| REVISIONS |          |
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| DATE      | COMMENTS |
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© 2007 Evergreen Engineering, Inc.

EXHIBIT J - APPROVED ELEVATIONS FROM 2007



1 NORTHWEST EXTERIOR ELEVATION - FRONT  
A-201  
SCALE: 1/4" = 1'-0" (24X36)  
SCALE: 1/8" = 1'-0" (11X17)







# EXHIBIT K

## ~~Exhibit~~ - Neighborhood Analysis

| Address                         | Lot Size | Footprint | Total SF | Units |                              | zone | Percent footprint of total lot area | Square feet of lot area per unit |
|---------------------------------|----------|-----------|----------|-------|------------------------------|------|-------------------------------------|----------------------------------|
| 504 & 506 Ontario Ave           | 7676     | 2441      | 6021     | 4     | 2 duplexes                   | R-1  | 31.8                                | 1919                             |
| 510 & 511 Ontario Ave           | 4791     | 954       | 2507     | 2     | 1 duplex                     | R-1  | 19.9                                | 2396                             |
| 408 Deer Valley Loop Rd         | 27007    | 3150      |          |       |                              | HR-1 | 11.7                                |                                  |
| 412 Deer Valley Loop Rd         | 12196    | 2593      |          |       |                              | HR-1 | 21.3                                |                                  |
| 267/269 Deer Valley Drive       | 6400     | 2412      | 4653     | 2     | 1 duplex                     | R-1  | 37.7                                | 3200                             |
| 345 Deer Valley Drive (Posner)  | 5625     | 2187      | 8161     | 3     | 1 duplex and 1 mother-in-law | R-1  | 38.9                                | 2250                             |
| 355 Deer Valley Drive (Posner)  | 7500     | 2248      | 6270     | 2     | 1 duplex                     | R-1  | 30.0                                | 3750                             |
| 365 Deer Valley Drive (Posner)  | 7500     | 2248      | 6270     |       |                              | R-1  | 30.0                                |                                  |
| 300 Deer Valley Loop Rd (Lot 1) | 12658    | 3200      |          | 2     | 1 duplex                     | R-1  | 25.3                                | 6329                             |
| 300 Deer Valley Loop Rd (Lot 2) | 12219    | 3200      |          | 2     | 1 duplex                     | R-1  | 26.2                                | 6110                             |
| Average                         |          |           |          |       |                              |      | <b>27.3</b>                         | <b>3707.6</b>                    |

[EXHIBIT L](#)- Planning Commission Meeting Minutes from April & May 2007

[EXHIBIT M](#)- Planning Commission Meeting Minutes from March 12, 2014

[EXHIBIT N](#)- Planning Commission Meeting Minutes from April 9, 2014

## City Council Staff Report



PLANNING DEPARTMENT

**Subject:** Public Right-of-Way Vacation; Portion of Deer Valley Drive  
**Author:** Christy J. Alexander, AICP, Planner II  
**Project Number:** PL-13-02147  
**Date:** May 8, 2014  
**Type of Item:** Legislative

### **Summary Recommendation**

Staff recommends the City Council hold a public hearing, and consider approving the proposed ordinance vacating a portion of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat located at 300 Deer Valley Loop Road.

### **Description**

**Applicant:** Blake Henderson, Roundabout LLC  
**Location:** 300 Deer Valley Loop Road  
**Zoning:** Residential (R-1)  
**Adjacent Land Uses:** Single family condominium units, multi-family condominium units, single family and duplex dwellings  
**Reason for Review:** Public Right-of-Way Vacations require City Council approval

### **Proposal**

This vacation request comes as the Roundabout LLC proposes to amend the existing Roundabout Subdivision plat consisting of two (2) duplexes on two (2) lots and remove the lot line to convert it to two (2) condominium buildings consisting of two (2) units in each building for a total of four (4) units. The applicant wishes to vacate 875 square feet of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat and dedicate 164 square feet to the City in order to move the existing bus pull-out to the west, as recommended by the City Engineer, to accommodate the new design as described below.

### **Background**

In conjunction with the proposed Roundabout Condominiums Plat application received on November 13, 2013, the City Engineer and applicant discussed moving the existing bus pull-out, adjacent to the proposed plat, a few feet to the west in order to facilitate safe and Code-compliant entry into the proposed condominiums (please see concurrent Staff Report for the Roundabout Condominiums for more background info).

The section of the right-of-way that currently is being used as the bus pull-out was previously dedicated to the City by the applicant in 2007 along with a larger portion of their property for improvements to Deer Valley Drive, 3,152.54 square feet in total

(Exhibit B). This new proposal contains 164 square feet of private property being dedicated by the applicant to the City for public right-of-way and a request for 875 square feet of public right-of-way to be vacated.

This proposal relocates the bus pull-out to the west and allows for the proposed Roundabout Condominiums to create an underground connected parking structure instead of the four above ground garages as was originally approved with the subdivision in 2007 and makes it so four garage doors will not be seen from Deer Valley Drive. With the new proposal, one common driveway off of Deer Valley Drive that vehicles can pull out front-facing will be safer and a better alternative to backing out onto Deer Valley Loop Road, as was previously approved in 2007. If the City does not grant this right-of-way vacation, the corresponding plat should not be approved with the proposed design. The Planning Commission supported the right-of way vacation and forwarded a positive recommendation for the condo plat on April 9, 2014.

### **Analysis**

The applicant wishes to vacate this portion of Deer Valley Drive to relocate the existing bus pull-out to the west to create a one lot condominium plat, and proceed with building two (2), two (2) unit condominium buildings. All contiguous property to the proposed portion of platted right-of-way to be vacated is currently owned by the applicant and is currently vacant.

State Code requires that the Council, upon a petition for a right of way vacation, hold a public hearing and determine whether:

- (1) Good cause exists for the vacation; and
- (2) Neither the public interest nor any person will be materially injured by the vacation.

Resolution No. 08-98 adopts a policy statement that provides guidance for City Council to vacate public right-of-ways upon findings of: (1) good cause for the proposed vacation; and (2) that neither the public nor any person will be materially injured by the proposed vacation. This resolution provides a set of criteria to be used to evaluate a proposal to determine whether a “net tangible benefit” has been demonstrated by the petitioner. The criteria include (1) No increase in density, (2) Neighborhood compatibility, (3) Consideration, and (4) Utility of existing right-of-way.

1. No Increase in Density

The property will be used similarly to its current use by moving the existing bus pull-out and providing for public sidewalk improvements. There is no building addition proposed on this section of property. Density will not be increased. The purpose of the bus pull-out relocation is to provide for the vehicles exiting the Roundabout LLC property to pull out head first and to improve site lines.

2. Neighborhood Compatibility



There are seventeen (17) criteria (in Resolution No. 08-98) to be used to analyze the property use to determine its compatibility with surrounding structures. The seventeen (17) criteria are listed below;

- a. Size and location of the site
  - The 844 square foot property is immediately north of the Roundabout LLC property and is currently used as a bus pull-out.
- b) Traffic impacts including capacity of the existing streets in the area
  - The property use will be nearly identical to current use simply by moving the bus pull-out further to the west. The City Engineer recommends this move and believes it will help to create a lesser traffic impact to the surrounding neighborhood.
- c) Utility capacity
  - Utility use will not change due to this vacation.
- d) Emergency vehicle access
  - Vacation of this ROW will not alter emergency vehicle access.
- e) Location and amount of off-street parking
  - Off-street parking will not be negatively affected by this vacation. This vacation will facilitate a safer access point for off-street parking.
- f) Internal circulation
  - Vacation of this ROW will not affect internal circulation.
- g) Fencing, screening, and landscaping to separate the use from adjoining uses
  - Fencing, screening and landscaping will be provided to augment the design of the proposed Roundabout Condominiums.
- h) Building mass, bulk, and site plan
  - The ROW will continue to be used as a public facility with a public sidewalk connection. A structure is not proposed to be erected on this property. This criterion does not apply.
- i) Usable open space
  - Vacation of this ROW will not alter the proposed open space for the project.
- j) Signs and lighting
  - Vacation of this ROW will not impact the signs and lighting as proposed for the Roundabout Condominiums.
- k) Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing
  - A structure will not be erected on this property. This criterion does not apply.
- l) Provision of snow storage, and mitigation of noise, vibration, odors, steam, or other mechanical factors that might affect people and property off site
  - The vacation of this ROW will not change the handling of snow storage, noise, vibration, etc. on this property. The handling of snow storage will be the same as it is currently, just moved to a different location due to the bus pull-out relocating.
- m) Control of delivery and service vehicles loading and unloading zones, and screening of trash pick-up areas

- Delivery and service vehicle load and unloading for the Roundabout Condominiums will not be affected by this vacation.
  - n) Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies.
    - A structure will not be erected on this property. This criterion does not apply.
  - o) Proposed uses in an historic district must comply with the Historic District Architectural Guidelines provided in a supplement to the LMC
    - A structure will not be erected on this property. Additionally, this property is not located in the Historic District. This criterion does not apply.
  - p) All proposed uses in the zones outside an historic district must comply with the General Architectural Guidelines in LMC Chapter 9
    - A structure will not be erected on this property. This criterion does not apply.
  - q) The Sensitive Area Overlay Zone Regulations
    - The vacation of this ROW and continued use of this land as a public facility and public sidewalk connector will not increase the impacts to the Sensitive Land Overlay zone as it is not located within that zone.
3. Consideration
- The applicant is currently dedicating 164 square feet for public right-of-way in exchange for 875 square feet of vacated property and previously dedicated 3,152.54 square feet of their property in 2007 to the City as part of the Roundabout Subdivision.
4. Utility of Existing Right-of-Way
- This portion of Deer Valley Drive Right-of-Way has been used as a bus stop since 2008 and a pull-out since the fall of 2013 and the bus pull-out will move to the west thus making room for the public sidewalk improvements. Utility service lines pass through this section of ROW providing service to the neighborhood and will remain as is under the public sidewalk improvements.

### **Good Cause**

Staff finds good cause for this public right-of-way vacation as it moves the bus pull-out to the west and allows for the proposed Roundabout Condominiums to create an underground connected parking structure and makes it so four garage doors will not be seen from Deer Valley Drive as was previously approved. One common driveway off of Deer Valley Drive that vehicles can pull out front-facing will be safer and a better alternative to backing out onto Deer Valley Loop Road, as was previously approved in 2007.

The proposed vacation and moving of the bus pull-out would allow for a more streamlined architecture of the buildings on site which allows for smaller footprints, lower building heights, more setbacks, a significantly smaller amount of exposed retaining walls, less massing, and more building step backs verses what was previously

approved with the Roundabout Subdivision in 2007. Staff finds that the public right-of-way vacation will not cause undo harm on any adjacent property owners because the proposal mitigates the issues of density, scale, and access addressed within the General Plan and LMC for this area.

### **Department Review**

This project has gone through interdepartmental review. No issues were raised, pertaining to the requested public ROW vacation, that have not been mitigated.

### **Notice**

The property was posted and notice was mailed to affected property owners (i.e. the City and the applicant) on April 24, 2014. Legal notice was also published in the Park Record two weeks in advance of the May 8, 2014 meeting.

### **Public Input**

Staff has not received public input on this application at the time of this report.

### **Process**

Approval of this application by the City Council constitutes Final Action that may be appealed to the District Court.

### **Alternatives**

- The City Council may approve the Ordinance for the public right-of-way vacation, as conditioned or amended, or
- The City Council may deny the application and direct staff to make Findings for this decision, or
- The City Council may continue the discussion and provide Staff and the Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

### **Significant Impacts**

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

### **Consequences of not taking the Suggested Recommendation**

The public right-of-way and existing bus pull-out would remain as is and the proposed Roundabout Condominiums Plat could not be approved. The two (2) lots would remain separate, only allowing for two (2) duplexes as previously proposed and approved. The existing approvals would allow for larger footprints, higher building heights, less setbacks, significant amount of exposed retaining walls, more massing, less building step backs, and four double-wide garage doors facing Deer Valley Drive verses what is currently proposed.

### **Recommendation**

Staff recommends the City Council hold a public hearing, and consider approving the proposed ordinance vacating a portion of Deer Valley Drive adjacent to the proposed Roundabout Condominiums Plat located at 300 Deer Valley Loop Road.

**Exhibits**

Exhibit A – Proposed Ordinance, Map of Platted ROW, and Legal Descriptions

Exhibit B – Existing plat showing what was dedicated to the City in 2007



When recorded please return to:  
Park City Municipal Corporation  
Attn: City Engineer  
PO Box 1480  
Park City UT 84060

## **Ordinance No. 14-**

### **AN ORDINANCE APPROVING THE VACATION OF A PORTION OF THE PLATTED DEER VALLEY DRIVE ADJACENT TO THE ROUNDABOUT CONDOMINIUMS PLAT, PARK CITY, UTAH**

WHEREAS, the owner of the property known as Roundabout LLC has petitioned the City Council for approval of the Roundabout Condominiums Plat; and

WHEREAS, the Roundabout LLC has petitioned the City Council for a vacation of 875 square feet of platted Deer Valley Drive adjacent to the Roundabout Condominiums Plat; and

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

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

WHEREAS, the requirements of State Code 10-9a-609.5 Vacating a Street, Right-of-Way, or Easement were followed; and

WHEREAS, the guideline provided in Resolution 08-98 was followed in analyzing the request for vacation; and

WHEREAS, on May 8, 2014 the City Council held a public hearing to receive input on the proposed vacation; and

WHEREAS, the City Council voted on May 8, 2014 to approve the Roundabout Condominiums Plat; and

WHEREAS, it is the best interest of Park City, Utah to approve the vacation.

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

#### **SECTION 1. FINDINGS.** The following findings are hereby adopted.

1. 875 square feet portion of right-of-way being vacated is located adjacent to the Roundabout Condominiums Plat as depicted in Exhibit A.
2. The lots immediately adjacent to the vacated portion of Deer Valley Drive are the Roundabout LLC owned property.

3. The portion of right-of-way is currently being used as a bus pull-out.
4. 164 square feet is being dedicated to the City by the applicant. In 2007 the applicant also dedicated 3,152.54 square feet to the City with the approval of the Roundabout Subdivision for Deer Valley Drive improvements, including the existing bus pull-out.
5. The existing bus pull-out will be relocated to the west with the approval of the ROW vacation and will be built by the applicant to City specifications.
6. Relocating the bus pull-out to the west will facilitate the location of one common driveway off of Deer Valley Drive to access an underground parking structure that vehicles can pull out front-facing will be much safer and a better alternative to backing out onto the already dangerous Deer Valley Loop Road, as was previously approved in 2007.
4. Resolution 08-98 sets forth review criteria for the vacation of City right-of-ways.
5. Resolution 08-98 requires the applicant to demonstrate that there is no density increase for the vacated right-of-way; and the utility of the existing ROW.
  - a. No Increase in Density - The property will be used similarly to its current use. There is no building addition proposed on this section of property so density will not be increased.
  - b. Neighborhood Compatibility – The proposal was analyzed according to the seventeen (17) criteria provided in Resolution 08-98 and was determined that the application complies with these criteria for neighborhood compatibility.
  - c. Consideration - With this section of Deer Valley Drive being changed from a public right-of-way to private property and with the history of the applicant providing the City a portion of their property in 2007, there is no consideration for the transaction.
  - d. Utility of Existing Right-of-Way - This section of Deer Valley Drive Right-of-Way has not been used as a street. Current improvements within this section of right-of-way include a bus pull-out and will simply be relocated to the west. Utility lines that exist in this section of the Deer Valley Drive Right-of-Way will remain as is and located under public improvements.

**SECTION 2. CONCLUSIONS OF LAW.** The following Conclusions of Law are hereby adopted.

1. The vacation request is consistent with the City's standards for vacation of public right-of-way as set forth in Resolution 08-98.
2. No increase in density will result from the right-of-way vacation.
3. The proposed project is compatible with the neighborhood.
4. Neither the public interest nor any person will be materially injured by the vacation.
5. Good cause exists for the vacation.

**SECTION 3. VACATION APPROVAL.** The vacation is approved as shown on Exhibit A.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

PARK CITY MUNICIPAL CORPORATION

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Jack Thomas, MAYOR

ATTEST:

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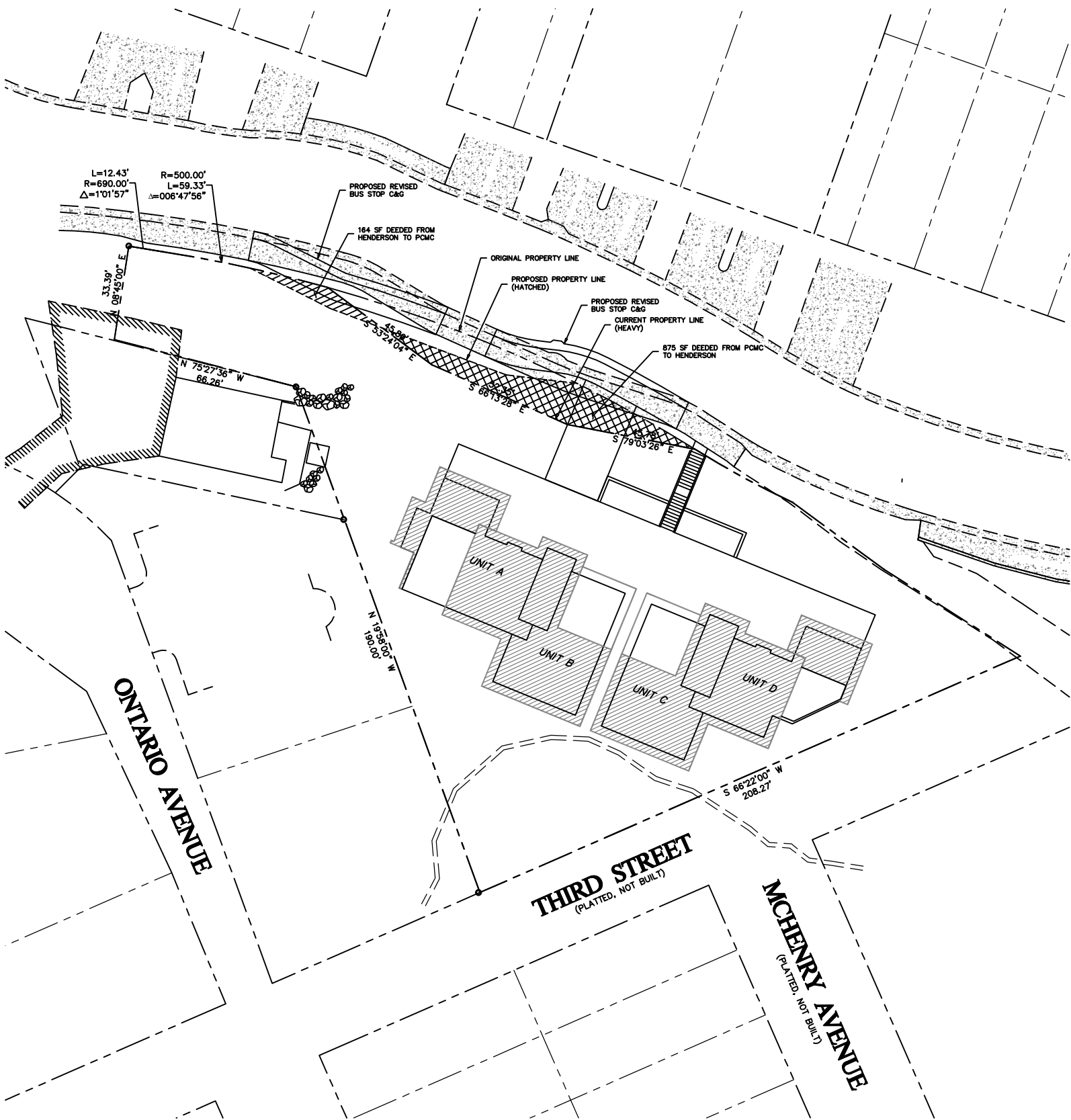
Marci Heil, CITY RECORDER

APPROVED AS TO FORM:

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Mark Harrington, CITY ATTORNEY

# EXHIBIT A





LEGAL DESCRIPTION: HENDERSON TO PCMC

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS NORTH 66°22'00" EAST 265.00 FEET FROM THE SOUTHERNMOST CORNER OF BLOCK 57, PARK CITY SURVEY, ENTRY NO. 197765, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND NORTH 19°58'00" WEST 190.00 FEET AND NORTH 75°27'36" WEST 66.26 FEET AND NORTH 08°45'00" EAST 33.39 FEET TO A POINT ON A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 690.00 FEET, OF WHICH THE RADIUS POINT BEARS NORTH 09°51'57" EAST, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY OF THE DEER VALLEY ROAD RIGHT-OF-WAY, ENTRY NO. 165809, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) EASTERLY ALONG THE ARC OF SAID CURVE 12.43 FEET THROUGH A CENTRAL ANGLE OF 01°01'57" TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, OF WHICH THE RADIUS POINT BEARS SOUTH 08°50'00" WEST; 2) EASTERLY ALONG THE ARC OF SAID CURVE 31.00 FEET THROUGH A CENTRAL ANGLE OF 03°33'10" TO THE TRUE POINT OF BEGINNING. THENCE CONTINUING EASTERLY ALONG SAID DEER VALLEY ROAD RIGHT-OF-WAY AND ALONG THE ARC OF SAID 500.00 FOOT RADIUS CURVE TO THE RIGHT, 28.33 FEET THROUGH A CENTRAL ANGLE OF 03°14'45" TO A POINT ON THE WESTERLY MOST CORNER OF A PARCEL OWNED IN FEE SIMPLE BY PARK CITY MUNICIPAL CORPORATION FOR THE PURPOSE OF A BUS TURNOUT, AS SHOWN ON THE ROUNDABOUT SUBDIVISION, ENTRY NO. 838123, ACCORDING TO THE OFFICIAL PLAT, THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARK CITY MUNICIPAL CORPORATION BUS TURNOUT PARCEL SOUTH 53°24'04" EAST 24.11 FEET; THENCE LEAVING SAID SOUTHERLY BOUNDARY LINE, NORTH 69°16'47" WEST 19.75 FEET; NORTH 63°20'09" WEST 31.74 FEET TO THE POINT OF BEGINNING.

CONTAINS: 167.40 SQUARE FEET.

LEGAL DESCRIPTION: PCMC TO HENDERSON

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS NORTH 66°22'00" EAST 265.00 FEET FROM THE SOUTHERNMOST CORNER OF BLOCK 57, PARK CITY SURVEY, ENTRY NO. 197765, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND NORTH 19°58'00" WEST 190.00 FEET AND NORTH 75°27'36" WEST 66.26 FEET AND NORTH 08°45'00" EAST 33.39 FEET TO A POINT ON A NON TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 690.00 FEET, OF WHICH THE RADIUS POINT BEARS NORTH 09°51'57" EAST, SAID POINT ALSO BEING ON THE SOUTHERLY BOUNDARY OF THE DEER VALLEY ROAD RIGHT-OF-WAY, ENTRY NO. 165809, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH, AND ALONG THE SOUTHERLY BOUNDARY OF SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: 1) EASTERLY ALONG THE ARC OF SAID CURVE 12.43 FEET THROUGH A CENTRAL ANGLE OF 01°01'57" TO A POINT OF REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 500.00 FEET, OF WHICH THE RADIUS POINT BEARS SOUTH 08°50'00" WEST; 2) EASTERLY ALONG THE ARC OF SAID CURVE 59.33 FEET THROUGH A CENTRAL ANGLE OF 06°47'56" TO A POINT ON THE WESTERLY MOST CORNER OF A PARCEL OWNED IN FEE SIMPLE BY PARK CITY MUNICIPAL CORPORATION FOR THE PURPOSE OF A BUS TURNOUT, AS SHOWN ON THE ROUNDABOUT SUBDIVISION, ENTRY NO. 838123, ACCORDING TO THE OFFICIAL PLAT, THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARK CITY MUNICIPAL CORPORATION BUS TURNOUT PARCEL SOUTH 53°24'04" EAST 24.11 FEET TO THE TRUE POINT OF BEGINNING. THENCE SOUTH 69°16'47" EAST 46.71 FEET; THENCE SOUTH 83°13'32" EAST 25.16 FEET TO THE POINT OF A 500.00' FOOT RADIUS CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT BEARS SOUTH 26°27'24" WEST; THENCE ALONG THE ARC OF SAID CURVE 239.32 FEET THROUGH A CENTRAL ANGLE OF 05°27'36" TO A POINT ON SAID PARCEL OWNED IN FEE SIMPLE BY PARK CITY MUNICIPAL CORPORATION FOR THE PURPOSE OF A BUS TURNOUT; THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID PARK CITY MUNICIPAL CORPORATION BUS TURNOUT PARCEL THE FOLLOWING THREE (3) COURSES; 1) NORTH 79°03'26" WEST 45.78 FEET; 2) NORTH 66°13'28" WEST 52.35 FEET; 3) NORTH 53°24'04" WEST 21.68 FEET TO THE POINT OF BEGINNING.

CONTAINS: 875.59 SQUARE FEET.







## City Council Staff Report



**Subject:** Echo Spur Subdivision  
**Author:** Francisco J. Astorga, Planner  
**Project Number:** PL-14-02292  
**Date:** May 8, 2014  
**Type of Item:** Administrative – Plat Amendment

### **Summary Recommendations**

Staff recommends the City Council hold a public hearing and consider approving the Echo Spur Subdivision Plat Amendment based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

*Staff reports reflect the professional recommendation of the Planning Department. The City Council, as an independent body, may consider the recommendation but should make its decisions independently.*

### **Description**

**Applicant:** Sean Kelleher - JGC Beach Properties, LLC  
**Location:** Northwest corner of Echo Spur and Rossi Hill Road  
**Zoning:** Historic Residential (HR-1)  
**Adjacent Land Uses:** Residential  
**Reason for Review:** Plat amendments require Planning Commission review and City Council review and action

### **Proposal**

The subject property is twelve (12) contiguous lots located on Echo Spur. Three (3) of those lots have been slightly reduced due to a settlement agreement with a neighbor in 2008. The property owner requests to replat all the lots so they comply with the minimum lot size of the District and reduce the overall density to seven (7) Lots.

### **Background**

On March 14, 2014, the City received a completed application for the Echo Spur Subdivision plat amendment. The property is located on Echo Spur between platted Fourth Street (Rossi Hill Road) and platted Third Street in the Historic Residential (HR-1) District. The plat amendment entails lots 21 – 32, Block 58 of the Park City Survey. The proposed plat creates a total of seven (7) lots of record from the twelve (12) Old Town lots. Three (3) of the existing twelve (12) lots do not meet the minimum lot size due to a 2008 property ownership dispute and settlement. The subject property is vacant.

The applicant request to create seven (7) lots of record. It is their intention to build seven (7) single family dwellings, one (1) on of each lot. At this time, the applicant has indicated that dwellings will range from 2,500 to 4,000 square. A building permit cannot



be issued for construction across a lot line.

The Planning Commission reviewed this requested Plat Amendment during their April 9, 2014, regular meeting. The Planning Commission forwarded a positive recommendation with a three to two (3 - 2) vote. Commissioner Phillips, Stuard, and Worel were in favor of forwarding a positive recommendation. Commissioner Strachan and Gross voted against the positive recommendation. Commissioner Campbell recused himself from the item due to his involvement with the subject site. Commissioner Joyce did not attend the meeting.

During this meeting there was a lengthy discussion regarding compliance with the General Plan. The Commission discussed the fact that the Plat Amendment complied with the requirements of the Land Management Code (LMC) but some members of the Commission felt that it did not meet some of the policies of the newly adopted General Plan. See Exhibit G – April 9, 2014 Planning Commission Minutes.

## **History**

### **2007 Plat Amendment**

In April 2007, the City received an application for a plat amendment to lots 17-32, Block 58 of the Park City Survey. The applicant proposed to combine the sixteen (16) lots into seven (7) lots; four (4) of the lots were of sufficient size to have a duplex built on each although one lot was proposed to be deed restricted to a single unit. Ten (10) units were possible.

In July 2007, the Planning Commission discussed the original submittal at both a work session meeting and public hearing. The primary issue at that time was the proposed street vacation of platted, but un-built McHenry Avenue adjacent to the lots in question. At the hearing, the Planning Commission requested a joint hearing with the City Council to get direction on the street vacation request. The joint meeting was held in August 2007. Based on the outcome of the joint meeting, the applicant revised their plans and no longer requested the vacation of McHenry but decided to construct an access road within the right of way.

In May 2008, the Planning Commission reviewed the applicant's request of the street vacation of platted Fourth Street (approximately 1,831 square feet) in exchange for a dedicated access and paved drive for neighboring Ontario Avenue lots (approximately 1,875 square feet). A second driveway between Lots 5 and 6 would be platted as an easement to provide necessary fire truck turnaround.

The revised application also reflected a dedication of land to Ella Sorenson, owner of property fronting Ontario Avenue but with historical access and use of land on the eastern border of her property. Also shown was possible widening of Rossi Hill Drive for street parking between platted McHenry and Lot 13, block 59. As the City does not have right of way across Lot 14, block 59, except by prescriptive use, this pullout was likely to be shorter than proposed. The Planning Commission voted unanimously to

direct staff to prepare findings for a negative recommendation to the City Council. In July 2008, the applicant withdrew the application.

#### 2010 Plat Amendment

In March 2010, the City received another application for a plat amendment to lots 17-29, Block 58 of the Park City Survey. This proposed plat reconfigured the thirteen (13) lots into nine (9) lots. The developer was in the final stages of improving McHenry Avenue on the east side of the property. In March 2010, the Planning Commission reviewed the application for compliance with the Land Management Code in regards to lot combination, access and lot layout during a work session and provided feedback to the applicant.

In 2011, the applicant amended their application to only include the reconfiguration of Lots 17, 18, and 19 of Block 58 of the Park City Survey. The applicant requested approval to re-plat the three (3) lots of record into two (2) lots equally divided, on a north and south alignment parallel to Echo Spur Drive, creating two (2) lots with 37.5'x75' dimensions each. This application was later withdrawn by the applicant.

#### 2013 Plat Amendment and Conditional Use Permit

In 2013, the applicant submitted a Plat Amendment application to combine the subject area and a Conditional Use Permit (CUP) for a shared underground parking garage. This concept was reviewed by the Planning Commission a couple of times in 2013. The applicant withdrew that application and instead submitted the subject Plat Amendment application. The former Staff Report can be found by clicking on the following link: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=11385>, page 357.

This former Plat Amendment requested to combine lots 21-25, 29-32, a portion of lot 26-28, of block 58 and portion of lot 17 & 19 of Block 59 of the Park City Survey into one (1) lot of record. The request was for a Plat Amendment to combine these lots and a street vacation of the Right-of-Way (ROW) of the eastern half of 4<sup>th</sup> Street between Ontario and platted McHenry (Echo Spur) Avenue so that the entire property is contiguous. The owner planned to re-plat that lot of record consisting of the entire combined property as a Condominium Record of Survey containing seven (7) separate residential units which are to be designed to appear above ground as single-family dwellings. The applicant proposed that one (1) of the units, which would be the smaller unit closest to Rossie Hill Drive, would be a "Kimball Art Center living quarters" for a proposed "artist-in-residence."

On June 2013, the applicant submitted revised preliminary concept plans showing a shared vehicular access to the site off Echo Spur, which was different to what was previously proposed in January/February 2013. This access provided underground parking for the six (6) proposed structures. The applicants were also requesting that 2,250 square feet (approx.) of the 4<sup>th</sup> Street ROW to be vacated. The application was later withdrawn by the applicant due to difficulty obtaining an affirmative recommendation from the Planning Commission for the street vacation due to the grading of the site.

### **District Purpose**

The purpose of the Historic Residential HR-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

### **Analysis**

#### **Lot and Site Requirements**

The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling, which is the configuration of a typical Old Town lot measuring twenty five feet in width and seventy five feet in depth (25' x 75'). The minimum width of a lot is twenty five feet (25'). The maximum building footprint of any structure located on a lot is calculated according to the formula for building footprint, illustrated in Table 15-2.2 of the LMC. The front and rear yard setbacks are determined by the depth of each lot. The side yard setbacks are determined according to the width of each lot.

#### **Existing Conditions**

Lots 21-25, and 29-32 (nine lots), all comply with the LMC minimum lot and site requirements. These lots have the existing configuration of a typical Old Town Lot (25'x75'). The maximum building footprint for a lot of this configuration is 844 square feet.

Currently, Lots 26-28 (three lots) do not have the minimum lot area of 1,875 square feet. These three (3) lots had the same configuration of a typical Old Town lot. However, due to a shed and wire fence encroachment located on the rear (west) portion of these lots, the applicant deeded this area to the rear property owner in a recent land dispute settlement agreement. Currently, these three (3) lots do not comply with the minimum lot size. The size of Lots 26, 27, and 28 are approximately 1,723, 1,475, and 1,619 square feet, respectively.

#### **Proposed Lot Configuration**

The proposed plat amendment reconfigures the twelve (12) lots of record into seven (7) complying lots. All lots currently have access to Echo Spur. See Exhibit A, Attachment 1 – Proposed Plat Amendment. The table below explains the approximate configuration of the seven (7) proposed lots:

|                     | Lot 1                    | Lot 2 | Lot 3 | Lot 4                   | Lot 5      | Lot 6                  | Lot 7 |
|---------------------|--------------------------|-------|-------|-------------------------|------------|------------------------|-------|
| Lot width           | 37.5                     |       |       | 56.25'                  |            | 37.5'                  |       |
| Lot depth           | 75'                      |       |       | 59.32' /75'             |            | 75'                    |       |
| Lot size            | 2,812.5 SF               |       |       | 3,772 SF                | 3,858 SF   | 2,812.5 SF             |       |
| Maximum footprint   | 1,200.7 SF               |       |       | 1,525.8 SF              | 1,553.0 SF | 1,200.7 SF             |       |
| Front/rear setbacks | 10' minimum<br>20' total |       |       |                         |            |                        |       |
| Side setbacks       | 3' minimum<br>6' total   |       |       | 5' minimum<br>14' total |            | 3' minimum<br>6' total |       |

Single-family dwellings are an allowed use within the district. If a lot is large enough to be eligible for a duplex, it is a conditional use, which are reviewed and approved by the Planning Commission. According to the proposed layout of the requested Plat Amendment, the only proposed lots eligible for a conditional use for a duplex will be Lots 4 and 5. At this time, the property owner has indicated that they would build seven (7) single-family dwellings.

Also, a Steep Slope Conditional Use Permit (CUP) is required for any structure in excess of one thousand square feet (1,000 sq. ft.) if said structure and/or access is located upon any existing slope of thirty percent (30%) or greater.

#### Overall Footprint

If variances were able to be obtained for the three (3) substandard lots, the combined building footprint of the existing lot configuration is currently 9,798 square feet. The combined footprint of the proposed lot configuration is 9,082.3 square feet if approved. The reconfiguration of the existing twelve (12) lots into the proposed seven (7) lot configuration will reduce the overall footprint by 715.7 square feet.

#### Road Dedication

The existing improvements have complied with the required warranty period. The City Council accepted the improvements on September 26, 2013. The City Council also officially changed the name of the Right-of-Way to Echo Spur. The street was previously known as McHenry Avenue.

#### Ridgeline Development/Vantage Point Examination

LMC § 15-7.3-1(D), under general subdivision requirements, indicates that the Planning Commission may place restrictions due to the character of the land:

“Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, Physical Mine Hazards, potentially toxic wastes, adverse earth formations or



topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger.”

The LMC indicates that Ridges shall be protected from Development, which development would be visible on the skyline from the designated Vantage Points in Park City (LMC § 15-7.3-2[D]). The LMC defines vantage points as the following:

“A height of five feet (5') above a set reference marker in the following designated Vantage Points within Park City that function to assist in analyzing the visual impact of Development on hillsides and Steep Slopes:

- (A) Osguthorpe Barn;
- (B) Treasure Mountain Middle School;
- (C) Intersection of Main Street and Heber Avenue;
- (D) Park City Ski Area Base;
- (E) Snow Park Lodge;
- (F) Park City Golf Course Clubhouse;
- (G) Park Meadows Golf Course Clubhouse;
- (H) State Road 248 at the turn-out one quarter mile west from U.S. Highway 40;
- (I) State Road 224, one-half mile south of the intersection with Kilby Road;
- (J) Intersection of Thaynes Canyon Drive and State Road 224; and
- (K) Across valley view.”

The LMC definition of Vantage Points includes ten (10) specific sites plus across valley view. The LMC defines a Ridge Line Area as the “top, ridge or Crest of Hill, or Slope” plus the land located within one hundred fifty feet (150') on both sides of the top, crest or ridge. Staff considers this area to be a ridge, however, the proposed development activity including re-platting these twelve (12) lots of record to accommodate the requested seven (7) single-family dwelling, cannot be viewed from any of the eleven (11) vantage points including Vantage Point K, “across valley view.”

Staff has analyzed the site and finds that when viewing the site from across canyon (or any of the other ten [10] LMC defined vantage points), at approximately the same elevation, the site is framed by the existing higher topography behind the proposed development and the skyline is not broken. This fact can be confirmed by **Exhibit E**, which shows higher contour lines behind the subject site.

Staff also finds that there are set ridges that were part of the Sensitive Lands Overlay (SLO) Ordinance. The SLO protects waterways, steep topography, ridges, etc. No construction is allowed on ridges. This subject site is outside of the SLO boundary.

### Square Footage

LMC § 15-7.3-3(C) under General Lot Design Requirements indicates that maximum dwelling or unit square footage may be required. Limited building heights may also be required for visually sensitive areas.

Originally, there were sixteen (16) lots of record on the east side of Ontario Avenue, west of the subject site. Most of Old Town was platted with 32 lots of record within each block, 16 on each side, measuring twenty-five feet in width and seventy-five feet (25' x 75') in length. The east side of Ontario contains the following:

| <b>Address</b> | <b>Lot Width</b> | <b>Lot Area</b> | <b>Subdivision</b>        | <b>Misc.</b>       |
|----------------|------------------|-----------------|---------------------------|--------------------|
| 498 Ontario    | 37.5             | 2,812.5         | Not re-platted*           | vacant site        |
| 490 Ontario    | 37.5             | 2,812.5         | Greeney Sub. (1995)       | -                  |
| 444 Ontario    | 37.5             | 2,812.5         | Not re-platted*           | vacant site        |
| 438 Ontario    | 37.5             | 2,812.5         | 438 Ontario Replat (2006) | -                  |
| 432 Ontario    | 29.17            | 2187.5          | Elevator Sub. (2007)      | -                  |
| 430 Ontario    | 29.17            | 2187.5          | Elevator Sub. (2007)      | -                  |
| 428 Ontario    | 30               | 2281.3          | Elevator Sub. (2007)      | -                  |
| 422 Ontario    | 50               | 4464.25         | Not re-platted*           | Historic sig. site |
| 416 Ontario    | 37.5             | 2,812.5         | Not re-platted*           | -                  |
| 410 Ontario    | 37.5             | 2,812.5         | Not re-platted*           | -                  |
| 402 Ontario    | 37.5             | 2,812.5         | Not re-platted*           | -                  |

\*These lots have not had a plat amendment lot combination. If in the future the property owner requests to remodel to add additional space they will have to file a plat amendment to "remove" the lot line through their building.

The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36'). The average lot area (including un-platted lot combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.

The lots on the east side of platted McHenry Avenue, Gateway Estates Replat Subdivision (Amended), and Silver Pointe Subdivision, also within the HR-1 District, consist of much larger lots. From north to south they have the following areas in square feet: 12,521, 9,707, 5,033, and 3,203. The average lot size on the east side of Echo Spur is 7,616 square feet, which equates to approximately four (4) Old Town Lots.

The proposed Plat Amendment consists of five (5) lots containing 2,812.5 square feet and two (2) bigger lots consisting 3,772 square feet (Lot 4) and 3,858 square feet (Lot 5). The proposed five (5) lots are 1½ Old Town lot combinations while the other two (2) bigger lots are approximately two (2) Old Town lot combinations.

Staff finds the requested Plat Amendment to be appropriate for this neighborhood. The east side of Echo Spur, also within the HR-1 District, contains significantly larger lots that yield larger structures. The west side of Echo Spur, or east Ontario Avenue, contains a pattern of 1½ Old Town lot combination sites. If this Plat Amendment is

approved, Echo Spur would have the following lots sizes:

| Site/Address     | Plat Amendment                 | Lot Combination |
|------------------|--------------------------------|-----------------|
| 491 Echo Spur    | approved Plat Amendment (2013) | 3 lots          |
| Lot 20, Block 58 | none required                  | none - 1 lot    |
| Lot 1            | subject plat                   | 1½ lots         |
| Lot 2            | subject plat                   | 1½ lots         |
| Lot 3            | subject plat                   | 1½ lots         |
| Lot 4            | subject plat                   | 2 lots, approx. |
| Lot 5            | subject plat                   | 2 lots, approx. |
| Lot 6            | subject plat                   | 1½ lots         |
| Lot 7            | subject plat                   | 1½ lots         |

Staff finds that the mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue. The proposed Plat Amendment provides a good mix of different lot sizes within Echo Spur.

#### Traffic & Access

Staff finds that traffic will be minimized from the potential development of the twelve (12) lots as the applicant proposes to decrease the density from twelve (12) lots to seven (7) lots of record for the purpose of constructing single-family dwellings. In the past, the Planning Commission has expressed concerns with access over platted Fifth Street (formerly Third Street). This ROW has not been built and the City does not plan to build this road. In terms of the entire street, if this plat amendment is approved, the overall density would drop from the potential of sixteen (16) Old Town lots to nine (9) Lots of record.

#### Height/Topography

The applicant submitted an existing conditions & topographic survey of the subject site, certified by a surveyor, which indicates the boundary and topography of the site. The LMC currently indicates that no structure shall be erected to a height greater than twenty seven feet (27') from existing grade. There are areas on the proposed lots that contain slopes thirty percent (30%) or greater. Prior to the issuance of a Historic District Design Review (HDDR) and a building permit, the applicant will have to submit Steep Slope Conditional Use Permit application, which will have to be reviewed and approved by the Planning Commission if said construction and/or access takes place on the steep slopes governed by the LMC.

When the road and utilities were built in 2009, the topography was heavily altered. By comparing a topographic survey on file dated October 2006, the lowest elevation located on this site was 7,156 feet and the highest elevation was 7,208 feet. The current survey submitted with this plat amendment application indicates that the lowest elevation is the same at 7,156 feet while the highest is 7,202 feet.

#### Good Cause

Staff finds Good Cause for this Plat Amendment; it resolves existing issues in terms of the three (3) lots that currently do not meet the minimum lot area, it addresses issues related to density as the density is decreased from the potential of twelve (12) lots to seven (7) lots, and the character of the neighborhood is preserved as the lot sizes provide a transition from the bigger lots on the east side towards the 1½ lot combinations on the west side, Ontario Avenue.

### **Process**

Prior to issuance of any building permits for these lots, the applicant will have to submit a Historic District Design Review application, which is reviewed administratively by the Planning Department. A Steep Slope Conditional Use Permit application may also be required depending on the location of the proposed structure and/or access, which is reviewed by the Planning Commission. The applicant will also have to submit a building permit application. The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

### **Department Review**

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

### **Notice**

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

### **Public Input**

Staff received a letter in opposition of the project, attached as Exhibit H. No other public input has been received by the time of this report.

### **Alternatives**

- The City Council may approve the Echo Spur Subdivision plat amendment as conditioned or amended;
- The City Council may deny the Echo Spur Subdivision plat amendment and direct staff to make Findings for this decision;
- The City Council may continue the discussion on Echo Spur Subdivision plat amendment; or
- The City Council may remand the item back to the Planning Commission for specific discussion on topics and/or findings.

### **Significant Impacts**

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

### **Consequences of not taking the Planning Commission's Recommendation**

The lots would remain as is and no construction could take place across the existing lot lines. The twelve (12) lots are currently platted Old Town lots of record and each one



could be built upon, with the exception of the three (3) that would either have to receive variances prior to construction or be re-platted separately.

**Summary Recommendation**

Staff recommends the City Council hold a public hearing and consider approving the Echo Spur Subdivision Plat Amendment based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

**Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Survey

Exhibit C – 2006 ALTA/ACSM Survey

Exhibit D – Applicant's Project Description

Exhibit E – Topographic Analysis Map

Exhibit F – County Tax Map

Exhibit G – April 9, 2014 Planning Commission Minutes

Exhibit H – Public Comment

**Ordinance No. 14-XX**

**AN ORDINANCE APPROVING THE ECHO SPUR SUBDIVISION PLAT  
AMENDMENT LOCATED ON LOT 21-32, BLOCK 58, PARK CITY SURVEY,  
PARK CITY, UTAH.**

WHEREAS, the owner of the property located on Lot 21-32, Block 58, Park City Survey has petitioned the City Council for approval of the plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 9, 2014, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 8, 2014, 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 Echo Spur Subdivision Plat Amendment.

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

**SECTION 1. APPROVAL.** The Echo Spur Subdivision 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 property is located on Echo Spur between platted Fourth Street (Rossi Hill Road) and platted Third Street.
2. The property is in the Historic Residential (HR-1) District.
3. The property entails lots 21 – 32, Block 58 of the Park City Survey.
4. The proposed plat creates a total of seven (7) lots of record from the twelve (12) Old Town lots. Three (3) of the existing twelve (12) lots, do not meet the minimum lot size due to a 2008 property ownership dispute and settlement.
5. The subject property is vacant.
6. Lot 1, 2, 3, 6, and 7 are 2,812.5 square feet.

7. Lot 4 is 3,772 square feet.
8. Lot 5 is 3,858 square feet.
9. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling.
10. The seven (7) proposed lots meet the minimum lot area for single-family dwellings.
11. The lot width of lot 1, 2, 3, 6, and 7 is thirty-seven and a half feet (37.5').
12. The lot width of lot 4 and 5 is 56.25 feet.
13. The minimum width of a lot is twenty five feet (25').
14. The seven (7) proposed lots meet the minimum lot width.
15. The maximum building footprint of any structure located on a lot is calculated according to the formula for building footprint, illustrated in Table 15-2.2 of the Land Management Code (LMC).
16. The maximum building footprint for Lot 1, 2, 3, 6, and 7 are 1,200.7 square feet.
17. The maximum building footprint for Lot 4 is 1,525.8 SF square feet.
18. The maximum building footprint for Lot 5 is 1,553.0 SF square feet.
19. Front and rear yard setbacks are determined by the depth of each lot.
20. The minimum front and rear yard setbacks are ten feet (10'). The total front/rear yard setback is twenty feet (20').
21. Side yard setbacks are determined according to the width of each lot.
22. The minimum side yard setbacks for Lots 1, 2, 3, 6, and 7 are three feet (3'). The total side yard setbacks are six feet (6').
23. The minimum side yard setbacks for Lots 4 and 5 are five feet (5'). The total side yard setbacks are fourteen feet (14').
24. Single-family dwellings are an allowed use within the district.
25. Duplex dwellings are a conditional use, which are reviewed and approved by the Planning Commission.
26. The proposed layout of the requested plat amendment allows lot 4 and 5 to have a duplex pending Planning Commission review and approval.
27. At this time the property owner has indicated that they would build seven (7) single-family dwellings.
28. Steep Slope Conditional Use Permit (CUP) is required for any structure in excess of one thousand square feet (1,000 sq. ft.) if said structure and/or access is located upon any existing slope of thirty percent (30%) or greater.
29. The combined building footprint of the existing lot configuration is currently 9,798 square feet.
30. The combined footprint of the proposed lot configuration is 9,082.3 square feet if approved.
31. The reconfiguration of the existing twelve (12) lots into the proposed seven (7) lot configuration will reduce the overall footprint by 715.7 square feet.
32. Staff has analyzed the site and finds that when viewing the site from across canyon (or any of the other ten [10] LMC defined vantage points), at approximately the same elevation, the site is framed by the existing higher topography behind the proposed development and the skyline is not broken.
33. The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36').
34. The average lot area on the east side of Ontario Avenue (including un-platted lot

combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.

35. The lots on the east side of Echo Spur, Gateway Estates Replat Subdivision (Amended), and Silver Pointe Subdivision, also within the HR-1 District, consist of much larger lots.
36. The proposed plat amendment consists of five (5) lots containing 2,812.5 square feet and two bigger (2) lots consisting 3,772 square feet (lot 4) and 3,858 square feet (lot 5).
37. The proposed five (5) lots are 1½ Old Town lot combinations while the other two (2) bigger lots are approximately 2 (2) Old Town Lot combinations.
38. The requested plat amendment is appropriate for this new neighborhood.
39. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures.
40. The west side of Echo Spur, east Ontario Avenue, contains a pattern of 1½ Old Town lot combination sites.
41. The mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue.
42. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.
43. Traffic increases will be minimized from the potential development of the twelve (12) lots as the applicant proposes to decrease the density from twelve (12) lots to seven (7) lots of record for the purpose of constructing single-family dwellings.
44. In terms of the entire street the overall density would drop from the potential of sixteen (16) Old Town lots to nine (9) Lots of record.
45. When the road and utilities were built in 2009, the topography was slightly altered. By comparing a topographic survey on file dated October 2006, the lowest elevation located on this site was 7,156 feet and the highest elevation was 7,208 feet.
46. The current survey submitted with this plat amendment application indicates that the lowest elevation is the same at 7,156 feet while the highest is 7,202 feet.
47. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

#### Conclusions of Law:

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.

#### Conditions of Approval:

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



2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, 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 ten foot (10') snow storage easement shall be dedicated to Park City across the lot's frontage to the satisfaction of the City Engineer.
4. Modified 13-D sprinklers will be required for all new construction.

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

PASSED AND ADOPTED this 8<sup>th</sup> day of May, 2014.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Jack Thomas, MAYOR

ATTEST:

\_\_\_\_\_  
Marci Heil, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Harrington, City Attorney

**Attachment 1 – Proposed Plat**

# Attachment 1 - Proposed Plat

## ECHO SPUR SUBDIVISION

LOCATED IN  
BLOCK 58, PARK CITY SURVEY AMENDED  
SUMMIT COUNTY, UTAH

GATEWAY ESTATES  
REPLAT SUBDIVISION

SILVER POINTE  
CONDOMINIUMS

SWIFT STREET  
S66°23'00"W

McHENRY AVENUE  
N23°30'00"W

FOURTH STREET  
N62°27'00"E

ONTARIO AVENUE  
N23°30'00"W

POINT OF BEGINNING

LOT 1 2,813 SQ. FT.

LOT 2 2,813 SQ. FT.

LOT 3 2,813 SQ. FT.

LOT 4 1,792 SQ. FT.

LOT 5 2,813 SQ. FT.

LOT 6 2,813 SQ. FT.

LOT 7 2,813 SQ. FT.

LOT 19

LOT 20

LOT 17

LOT 18

LOT 16

LOT 15

LOT 14

LOT 13

LOT 12

LOT 11

LOT 10

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 3

LOT 2

LOT 1

BLOCK 58  
PARK CITY SURVEY AMENDED

BLOCK 59  
PARK CITY SURVEY AMENDED

ROSE HILL DRIVE

MONUMENT (FOUND BRASS CAP)

MONUMENT AT THE INTERSECTION  
OF FOURTH STREET & MARIAC AVENUE  
(FOUND BRASS CAP)

**LINE TABLE**

| LINE | BEARING     | LENGTH |
|------|-------------|--------|
| 1    | S73°17'50"W | 16.30  |
| 2    | N10°42'50"W | 11.00  |
| 3    | N72°29'04"W | 18.16  |
| 4    | N2°45'50"W  | 15.21  |
| 5    | N21°14'37"W | 8.81   |
| 6    | N72°11'53"E | 15.70  |

SCALE: 1" = 20'

0 10 20 40 60

SCALE IN FEET

**JOHN W. FRANCOM & ASSOCIATES, INC.**  
LAND SURVEYORS

BOUNDARY, TOPOGRAPHIC & CONSTRUCTION SURVEYS  
505 SOUTH MAIN STREET, BOULDER, UTAH 84010  
801(801)295-7500 FAX(801)295-7524  
EMAIL: FRANK@SURVEYBOREDOFFICE.NET

**CERTIFICATE OF ATTEST**

I CERTIFY THIS RECORD OF SURVEY MAP WAS  
APPROVED BY PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

BY: \_\_\_\_\_ PARK CITY RECORDER

**PLANNING COMMISSION**

APPROVED BY THE PARK CITY PLANNING  
COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

BY: \_\_\_\_\_ CHAIRMAN

**COUNCIL APPROVAL AND ACCEPTANCE**

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

BY: \_\_\_\_\_ MAYOR

**CITY ENGINEER**

I FIND THIS PLAT TO BE IN ACCORDANCE WITH  
INFORMATION ON FILE IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

BY: \_\_\_\_\_ PARK CITY ENGINEER

**SEWER DISTRICT**

REVIEWED FOR CONFORMANCE TO JORDANVILLE SPECIAL SERVICE DISTRICT  
STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

BY: \_\_\_\_\_ JORDANVILLE SPECIAL SERVICE DISTRICT

**APPROVAL AS TO FORM**

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D.

BY: \_\_\_\_\_ PARK CITY ATTORNEY

**RECORDER**

STATE OF UTAH, COUNTY OF SUMMIT, FILED AT THE  
REQUEST OF \_\_\_\_\_ DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK MAN 2114  
FEE \_\_\_\_\_ RECORDED \_\_\_\_\_

**ECHO SPUR SUBDIVISION**  
LOCATED IN  
BLOCK 58, PARK CITY SURVEY AMENDED  
SUMMIT COUNTY, UTAH

**LEGAL DESCRIPTION**

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF McHENRY STREET AND THE LINE COMMON TO LOTS 20 & 21, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE AMENDED PLAT THEREOF, AND RUNNING THENCE SOUTH 23°30'00" EAST 300.00 FEET; THENCE SOUTH 68°22'00" WEST 75.00 FEET; THENCE NORTH 23°30'00" WEST 109.20 FEET; THENCE NORTH 72°11'03" EAST 15.70 FEET; THENCE NORTH 21°14'47" WEST 8.81 FEET; THENCE NORTH 24°50'20" WEST 10.71 FEET; THENCE NORTH 28°28'04" WEST 16.16 FEET; THENCE NORTH 10°42'50" WEST 11.00 FEET; THENCE SOUTH 72°17'54" WEST 16.30 FEET; THENCE NORTH 23°30'00" WEST 138.27 FEET; THENCE NORTH 68°22'00" EAST 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 21,893 SQUARE FEET OR 0.498 ACRES NET  
7 LOTS

**OWNER'S DEDICATION AND CONSENT TO RECORD**

KNOW ALL MEN BY THESE PRESENTS, THAT THE OWNERS OF THE HERETO DESCRIBED TRACTS OF LAND, HEREBY CAUSES THE SAME TO BE DIVIDED INTO LOTS AND PRIVATE STREETS, AS SET FORTH IN THIS PLAT, HEREINAFTER TO BE KNOWN AS

**ECHO SPUR SUBDIVISION**

ALSO, THE OWNERS HEREBY DEDICATE TO SUMMIT COUNTY, JORDANVILLE BASIN WATER RECLAMATION DISTRICT, JORDANVILLE REGIONAL WATER SERVICE DISTRICT, AND PARK CITY FIRE DEPARTMENT, A NON-EXCLUSIVE EASEMENT OVER THE ROADWAYS AND UTILITY EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING ACCESS FOR UTILITY INSTALLATION, MAINTENANCE USE AND EVENTUAL REPLACEMENT, AND TO PROVIDE ACCESS FOR EMERGENCY SERVICES. THESE AREAS ARE INTENDED FOR PUBLIC USE AND HEREBY DEDICATED TO SUMMIT COUNTY.

EXECUTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

REPRESENTATIVE OF JOC BEACH PROPERTIES, L.L.C., OWNER

**ACKNOWLEDGMENT**

STATE OF UTAH }  
COUNTY OF SUMMIT }

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

BY \_\_\_\_\_ REPRESENTATIVE OF JOC BEACH PROPERTIES L.L.C., THE OWNER OF THE ABOVE DESCRIBED PROPERTY.

NOTARY PUBLIC  
RESIDING AT: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

**CONSENT TO RECORD**

STATE OF UTAH }  
COUNTY OF SUMMIT }

THE UNDERSIGNED HOLDER CONSENTS TO THE RECORDATION OF THE PLAT.

BY \_\_\_\_\_ AUTHORIZED OFFICIAL

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

BY \_\_\_\_\_ REPRESENTATIVE OF JOC BEACH PROPERTIES L.L.C., THE OWNER OF THE ABOVE DESCRIBED PROPERTY.

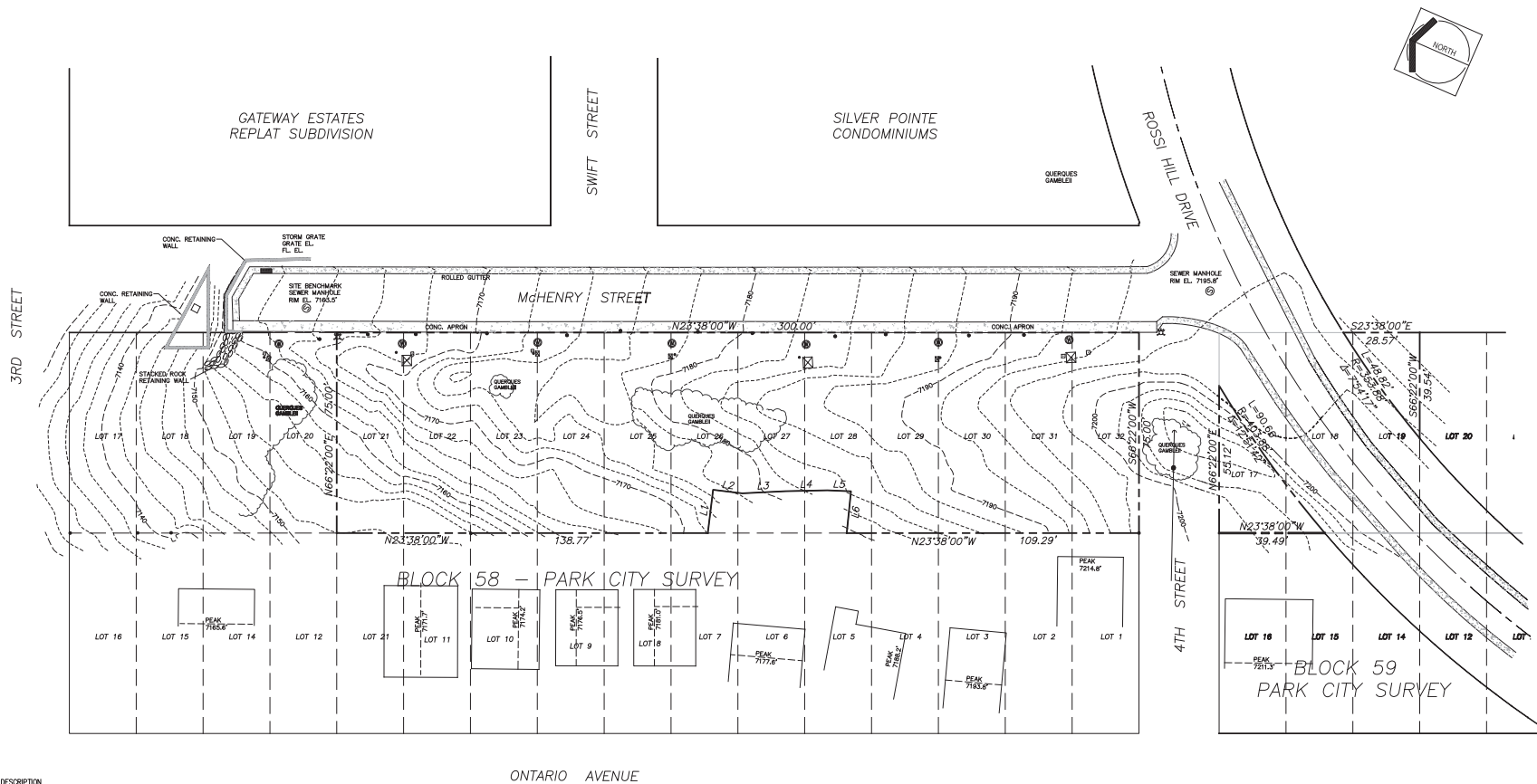
NOTARY PUBLIC  
RESIDING AT: \_\_\_\_\_  
MY COMMISSION EXPIRES: \_\_\_\_\_

**SURVEYOR'S CERTIFICATE**

I, JOHN W. FRANCOM, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 156213 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A BOUNDARY SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH MODERN STANDARDS AND REQUIREMENTS OF THE LAW AS OF THE DATE OF SURVEY, MARCH, 2014.

JOHN W. FRANCOM  
DATE \_\_\_\_\_





LEGAL DESCRIPTION

All of Lots 19 through 32, Block 58, Park City Survey, according to the Amended Plat thereof, on file and of record in the Office of the Summit County Recorder.

Excepting therefrom:

Beginning at a point South 23°38'00" East 13.77 feet from the corner common to Lots 7, 8, 25 & 26, Block 58, Park City Survey, according to the Amended Plat thereof, and running thence North 73°17'50" East 16.30 feet; thence South 16°42'10" East 11.00 feet; thence South 26°29'04" East 16.18 feet; thence South 24°50'20" East 15.71 feet; thence South 21°44'47" East 8.81 feet; thence South 72°11'53" West 15.70 feet; thence North 23°38'00" West 51.34 feet to the point of beginning.

Together with:

All of Lots 17, 18 & 19, Block 59, Park City Survey, according to the Amended Plat thereof, on file and of record in the Office of the Summit County Recorder.

Excepting therefrom any portion located within the Railroad Right of Way as described in those certain documents as Entry No. 8176 in Book O at Page 401, Entry No. 13316 in Book H at Page 328 and Entry No. 13610 in Book H at Page 373 records of Summit County, Utah.

SURVEYOR'S CERTIFICATE

I, Russell E. Campbell, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 316833 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made of the land shown on this plat and described herein, and that this plat is a correct representation of the land surveyed and has been prepared in conformity with the minimum standards and requirements of the law as of the date of survey, May 5, 2012.

Russell E. Campbell

Date

NARRATIVE

The survey was prepared for Go West Construction

The purpose of the survey is to locate the topography, utilities, and roadway on the Lots shown.

The site benchmark is the sewer manhole opposite Lot 20 as shown, El. 7163.5' NAVD 88 Datum.

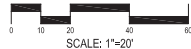
This survey does not show building setbacks, easements, or underground utilities. The locations of which should be verified prior to any construction.

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

| LINE TABLE |        |             |
|------------|--------|-------------|
| LINE       | LENGTH | BEARING     |
| L1         | 16.30' | S73°17'50"W |
| L2         | 11.00' | N16°42'10"W |
| L3         | 16.18' | N26°29'04"W |
| L4         | 15.71' | N24°50'20"W |
| L5         | 8.81'  | N21°44'47"W |
| L6         | 15.70' | N72°11'53"E |

LEGEND

- SET REBAR & CAP LS 316833
- FOUND CORNER (AS NOTED)
- ⊕ EXISTING STREET MONUMENT
- ⦿ POWER POLE
- ⊗ WATER METER
- ⊕ HYDRANT
- ⊙ U.S. WEST BOX
- ⊙ SEWER CLEANOUT
- ⊙ CABLE BOX
- ⊕ POWER BOX



LOCATED IN  
BLOCKS 58 & 59,  
PARK CITY SURVEY  
SUMMIT COUNTY, UTAH

BASELINE SURVEYING, Inc

| DATE | BY | REVISIONS | COMMENTS |
|------|----|-----------|----------|
|      |    |           |          |
|      |    |           |          |
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JOB No.  
884

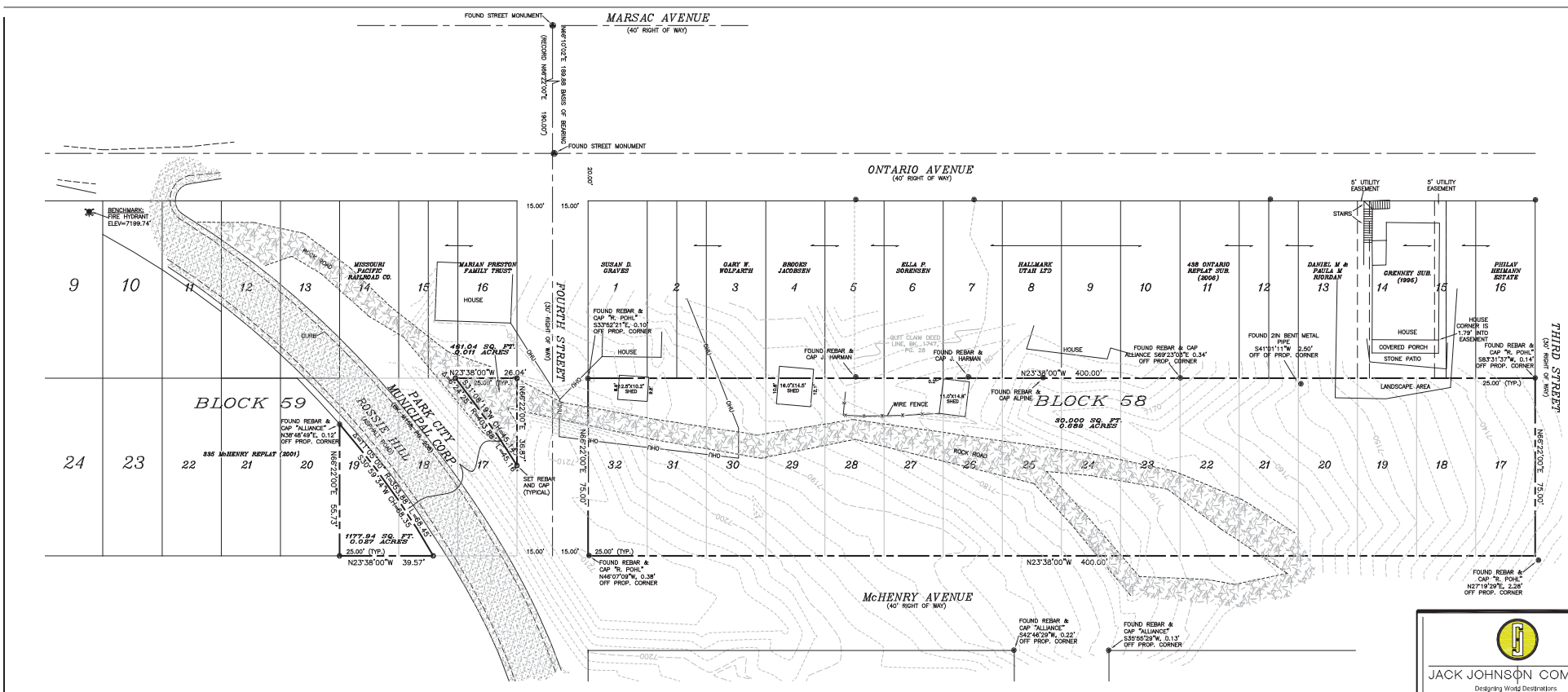
SURVEY BY:  
RC

DRAWN BY:  
RC

TOPOGRAPHIC SURVEY  
PARTS OF BLOCK 58 & 59,  
PARK CITY SURVEY  
PARK CITY, UTAH

SHEET  
1 of 1

1008 E. 4th - 2105 South  
SALT LAKE CITY, UT 84108  
(801) 209-2152



ALTA/ACSM LAND TITLE SURVEY FOR  
LOTS 17-32, BLOCK 58 & LOTS 17-19, BLOCK 59  
OF THE AMENDED PLAT OF PARK CITY  
LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH

- NARRATIVE:**
- THE SURVEY WAS PREPARED FOR PARK CITY REAL ESTATE AND DEVELOPMENT.
  - THE BASIS OF BEARING WAS ESTABLISHED FROM FOUND STREET MONUMENTS AS SHOWN.
  - THE BENCH MARK FOR THIS PROJECT IS A FIRE HYDRANT AT THE INTERSECTION OF ROSSIE HILL AND ONTARIO AVENUE. THE BENCHMARK ELEVATION = 7199.74'
  - THE SURVEY WAS BASED ON THE COMMITMENT FOR TITLE INSURANCE PROVIDED BY FIRST AMERICAN TITLE INSURANCE AGENCY, LLC, ORDER NO. 041-4759480 FIRST AMENDED, ISSUE DATE SEPTEMBER 22, 2006. ITEMS DEPICTED AS PR # REFER TO SCHEDULE B, SECTION 2, "EXCEPTIONS", TO SAID TITLE COMMITMENT.
  - SPECIFIC TITLE COMMITMENT EXCEPTION ITEMS ARE AS FOLLOWS:  
A. PR. ITEMS #1-14 ARE NOT PLOTTABLE MATTERS.  
B. PR. ITEMS #15-18 ARE THE SAME OUT-CLAIM DEED EXECUTED BY BROOKS JACOBSEN, IN FAVOR OF ELLA P. SORONSEN TRUST. (TWO ADJOINING LAND OWNERS TO THE WEST) IT CALLS ALONG AN EXISTING FENCE THAT ENCROACHES ONTO THE PROPERTY ON THE WESTERLY BOUNDARY AS SHOWN, BUT THERE IS NO FOUND RECORD OF THIS EVER BEING DEEDED BY THE LAND OWNER TO THE ELLA P. SORONSEN TRUST.  
7. THERE IS NO OBSERVABLE EVIDENCE OF SITE USED AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL.  
8. DUE TO THE LACK OF ORIGINAL MONUMENTS, PREVIOUS SURVEYS IN THE AREA AS WELL AS EXISTING IMPROVEMENTS WERE USED IN DETERMINING THE BOUNDARY OF THE ABOVE PARCEL. ALL EVIDENCE USED IS CLEARLY SHOWN ON SURVEY.  
9. THERE ARE MANY ENCROACHMENTS ALONG THE WESTERLY LINE OF THE PROPERTY AS SHOWN ON THE SURVEY. THIS SURVEY DOES NOT ADDRESS THESE ENCROACHMENTS, IT ONLY SHOWS THAT THEY EXIST.  
10. THE EASEMENT OVER THE GRENNERY SUBDIVISION IS IN ERROR ON THE TITLE REPORT. ON THE DEED IT READS TO BE ON THE NORTH AND SOUTH SIDE OF THE LOT.

**BOUNDARY DESCRIPTION:**

PARCEL 1:  
ALL OF LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 AND 32, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

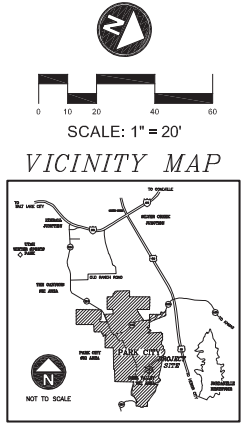
TOGETHER WITH AN EASEMENT FOR UTILITIES, INCLUDING SEWER AND WATER LINES OVER THE SOUTHERLY FIVE FEET AND THE NORTHERLY FIVE FEET OF LOT 14 AND THE SOUTH HALF OF LOT 15, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

PARCEL 2:  
ALL LOTS 17, 18 AND 19, BLOCK 59, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE, EXCEPTING THEREFROM ANY PORTION LOCATED WITHIN THE RAILROAD RIGHTS OF WAY AS DESCRIBED IN THOSE CERTAIN DOCUMENTS RECORDED AS ENTRY NO. 8176 IN BOOK C AT PAGE 401, ENTRY NO. 13316 IN BOOK H AT PAGE 326, AND ENTRY NO. 13610 IN BOOK H AT PAGE 375, RECORDS OF SUMMIT COUNTY, UTAH.

**SURVEYOR'S CERTIFICATE:**

TO PARK CITY REAL ESTATE AND DEVELOPMENT & FIRST AMERICAN TITLE INSURANCE AGENCY, LLC:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2006, AND INCLUDES ITEMS 1, 2, 4, 5, 7a, 8, 9, 10, 13 & 18 OF A THEREOF. PURSUANT TO THE ACCURACY FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF UTAH, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.





**JACK JOHNSON COMPANY**  
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|              |              |
|--------------|--------------|
| DATE:        | OCTOBER 2016 |
| DESIGNED BY: | DAVE         |
| DRAWN BY:    | EDM          |
| PROJECT:     | 978,010,020  |
| FILE:        | ALTA         |

**ALTA/ACSM SURVEY**  
LOTS 17-32, BLOCK 58  
& LOTS 17-19, BLOCK 59  
PARK CITY, UT

**1 OF 1**



## Exhibit D – Applicant's Project Description

### Project Statement and Intent

The subject property is twelve contiguous lots located on the new Echo Spur Drive on Rossi Hill in the Old Town district of Park City. Several of the lots have been slightly reduced due to a settlement with a neighbor in 2008. The owner wishes to replat these lots so they are compliant with lot sizes in HR-1 and to reduce the overall density of the street by combining lots in a manner which allows for the development of \_\_\_ single family homes. Most will be 2500 – 3000 square feet; several will be 3500 – 4000 square feet. The owner believes that these scales will provide an appropriate size transition between the large homes immediately east and south of Echo Spur Drive and those west of the Drive.

### Aerial Photo



### Four Corner Photos of Property

- From the southeast:



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at [www.parkcity.org](http://www.parkcity.org).





From the Southwest:



From the Northeast



From the Northwest



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at [www.parkcity.org](http://www.parkcity.org).







# Echo Spur Subdivision Topography Analysis

Subject Site

Countour 7,150'

Countour 7,200'

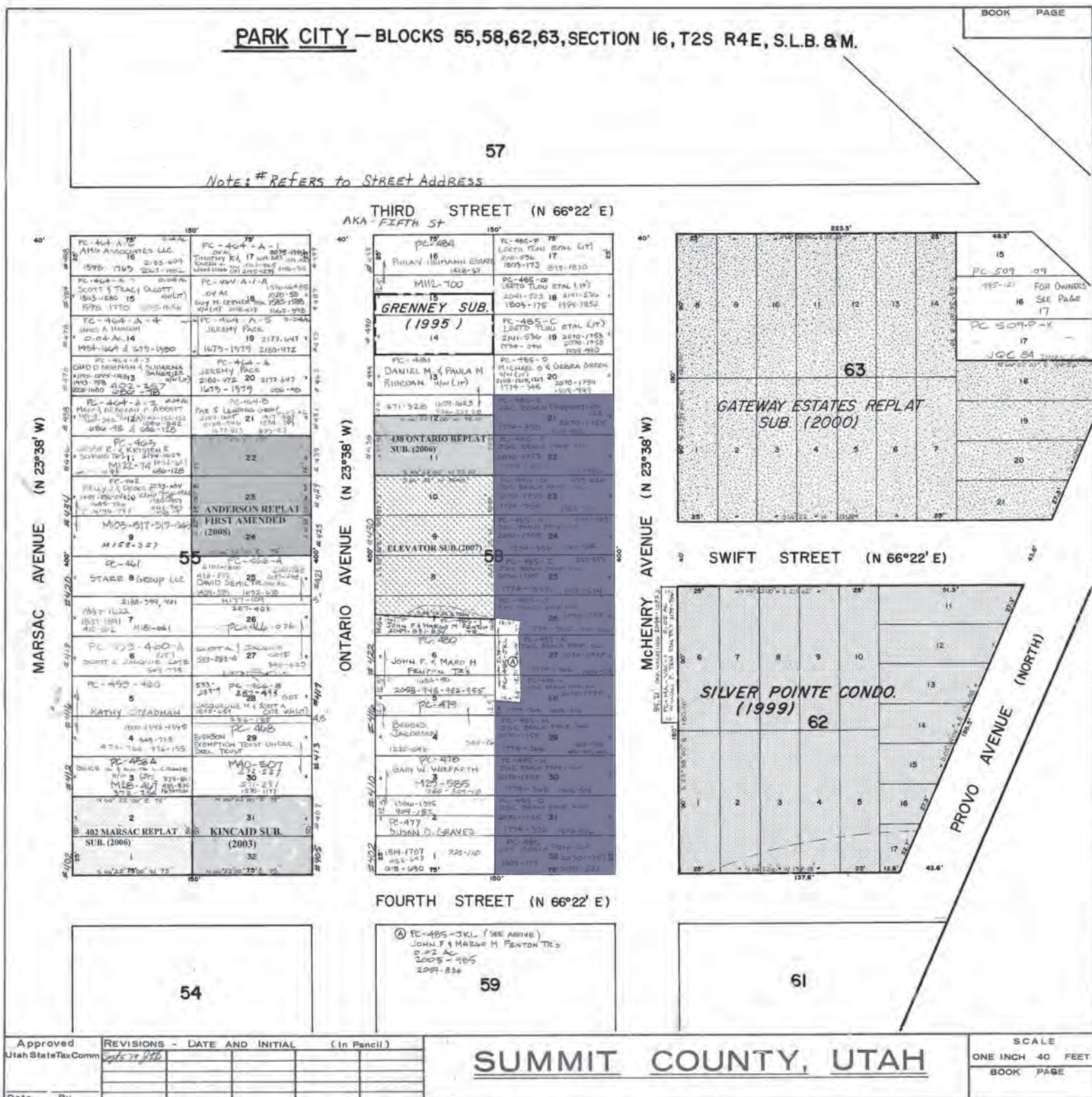
## Legend

- 10ft Contours
- Parcels

0 250 500 1,000 1,500 2,000 Feet



## Exhibit F – County Tax Map



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

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

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

9. This approval will expire on April 9, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval is requested in writing and is granted by the Planning Director per LMCS 15-1-10(G).

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

**4. Echo Spur Subdivision – Lot 21-32, Block 58, Park City Survey - Plat (Application PL-14-02292)**

Commissioner Campbell recused himself and left the room.

Planner Astorga had received public comment and it was forwarded to the Planning Commission via email this morning.

Planner Astorga presented slides of the subject property located in the same neighborhood as the previous item. He noted that it is platted as McHenry Avenue. The site consists of 12 Old Town lots of record as shown on the survey. The three lots in the 491 Steep Slope CUP were lots 17, 18 and 19. Lot 20 is owned by Mike Green, and the lots owned by this applicant, Sean Kelleher, are Lots 21 through 32.

Planner Astorga noted that three of the lots did not meet the minimum lot size due to a



2008 land dispute with the owner of a historic home. The dispute was settled and the applicant deeded the land over to the adjacent property owner. Planner Astorga reported that the remaining lots were ready to move forward with a building permit application. However, if construction takes place on a steep slope it would go before the Planning Commission for a Steep Slope CUP. All the lots are within the HR-1 District and development would have to comply with the Historic District Design Guidelines.

Planner Astorga stated that there is a potential for nine lots, or possibly twelve if a partnership should occur between the applicant and the owner of the adjacent lots to gain full control of the three lots. Another option would be to request variances if they decided to build twelve single family dwellings on 12 Old Town lots of record.

Planner Astorga noted that a different type of plat amendment was entertained in 2012 and 2013 for a different concept, which the owner was no longer pursuing at this time. The applicant was requesting to replat the property into a seven lot plat amendment. Planner Astorga stated that Lots 1, 2, 3 and Lots 6 and 7 are exactly 1.5 Old Town lots. Due to the inability to control the land, Lot 4 would be the approximate equivalent of two lots of record.

Planner Astorga reviewed the plat amendment currently being requested by the applicant, Sean Kelleher. The Staff report contained a detailed analysis of surrounding properties in the area.

The Staff recommended that the Planning Commission conduct a public hearing for the Echo Spur subdivision plat amendment and consider forwarding a positive recommendation to the City Council.

Sean Kelleher stated that he spent a lot of time with Planner Astorga looking at different accommodations and different options. On the southern lots without steep slope issues, he had considered building on the 25' x 75' lots. However, it was not a good outcome and it was almost impossible to create off-street parking. The homes were small and not a size that people would want to purchase. Mr. Kelleher that he proposed the combinations presented because they were consistent with the size of the surrounding homes. He reviewed the proposed designs. The homes sizes range from 2700 square feet for the smaller lots to 3500 square feet for the larger lots. It is a give and take with trying to solve the parking and density issues that the neighbors have asked him to address.

Commissioner Strachan asked why Mr. Kelleher decided to scrap the old plan. Mr. Kelleher replied that he was unable to get on the agenda last year in May, June and

July to present their plan. In September he was told that there would not be a quorum. That reason, combined with discussions regarding the nature of the property, including the previous property that was just approved, caused concerns about the timing to move this project forward. Mr. Kelleher stated that this project has been in progress for eight years and it was time to do something that could be agreeable to everyone and move forward.

Commissioner Strachan asked if the plan for a subterranean garage was out, in or undecided. Mr. Kelleher replied that it was out. Commissioner Strachan recalled that it was a great plan but it did not comply with the Code.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

Commissioner Gross remarked that part of the process is working things through with the applicant. He thought this project was similar to things that happened years ago. Commissioner Gross was pointed out that whatever they approve or deny today might not be what they would ultimately get in the end. He felt it was an interim place. He also liked the first proposal with the underground parking; but this was a new process because they wanted to encourage smaller houses on smaller lots. Commissioner Gross was concerned about approving something without knowing what they actually approved until a year later. Most of the applicants have a year to perfect whatever was approved. Commissioner Gross was unsure what the Planning Commission was being asked to do other than to provide Mr. Kelleher with a vehicle to sell his lots. He remarked that the ridgeline was a major concern that appeared to be off the table.

Commissioner Strachan stated that his comments were the same as what he had stated for the previous item. However, there was not a Conclusion of Law for this item stating that it complies with the General Plan.

Commissioner Stuard understood that public improvements were a contentious issue in the past. He wanted to know whether the public improvement had been completed to the final specifications and whether they were accepted for continuous maintenance, or whether remedial work needed to be done.

Planner Astorga replied that the improvements were accepted by the City Council. He was not prepared to comment on the yearly maintenance; however, he believed it would be treated as any other road that was accepted by the City. Mr. Kelleher stated that a

lot of time and money was spent bringing it up to engineering and building standards, and the City Council accepted it last fall. Commissioner Stuard asked if the retaining wall was part of the public improvements. Mr. Kelleher answered yes.

Commissioner Phillips stated that the only history he knew of the project came from what he had read. He had nothing more to add to the discussion at this point.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Echo Spur subdivision plat amendment, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Stuard seconded the motion.

VOTE: The motion was split 2-2. Commissioners Stuard and Phillips voted in favor of the motion. Commissioners Strachan and Gross voted against the motion. Commissioner Campbell was recused.

Chair Worel stated that she also preferred the design with the underground parking. However, she could find no reason to deny this proposal. Chair Worel broke the tie and voted in favor of the motion.

The motion passed.

#### Findings of Fact - Echo Spur Subdivision

1. The property is located on Echo Spur between platted Fourth Street (Rossi Hill Road) and platted Third Street.
2. The property is in the Historic Residential (HR-1) District.
3. The property entails lots 21 – 32, Block 58 of the Park City Survey.
4. The proposed plat creates a total of seven (7) lots of record from the twelve (12) Old Town lots. Three (3) of the existing twelve (12) lots, do not meet the minimum lot size due to a 2008 property ownership dispute and settlement.
5. The subject property is vacant.
6. Lot 1, 2, 3, 6, and 7 are 2,812.5 square feet.
7. Lot 4 is 3,772 square feet.

8. Lot 5 is 3,858 square feet.
9. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling.
10. The seven (7) proposed lots meet the minimum lot area for single-family dwellings.
11. The lot width of lot 1, 2, 3, 6, and 7 is thirty-seven and a half feet (37.5').
12. The lot width of lot 4 and 5 is 56.25 feet.
13. The minimum width of a lot is twenty five feet (25').
14. The seven (7) proposed lots meet the minimum lot width.
15. The maximum building footprint of any structure located on a lot is calculated according to the formula for building footprint, illustrated in Table 15-2.2 of the Land Management Code (LMC).
16. The maximum building footprint for Lot 1, 2, 3, 6, and 7 are 1,200.7 square feet.
17. The maximum building footprint for Lot 4 is 1,525.8 SF square feet.
18. The maximum building footprint for Lot 5 is 1,553.0 SF square feet.
19. Front and rear yard setbacks are determined by the depth of each lot.
20. The minimum front and rear yard setbacks are ten feet (10'). The total front/rear yard setback is twenty feet (20').
21. Side yard setbacks are determined according to the width of each lot.
22. The minimum side yard setbacks for Lots 1, 2, 3, 6, and 7 are three feet (3'). The total side yard setbacks are six feet (6').
23. The minimum side yard setbacks for Lots 4 and 5 are five feet (5'). The total side yard setbacks are fourteen feet (14').
24. Single-family dwellings are an allowed use within the district.
25. Duplex dwelling are a conditional use, which are reviewed and approved by the



Planning Commission.

26. The proposed layout of the requested plat amendment allows lot 4 and 5 to have a duplex pending Planning Commission review and approval.

27. At this time the property owner has indicated that they would build seven (7) single-family dwellings.

28. Steep Slope Conditional Use Permit (CUP) is required for any structure in excess of one thousand square feet (1,000 sq. ft.) if said structure and/or access is located upon any existing slope of thirty percent (30%) or greater.

29. The combined building footprint of the existing lot configuration is currently 9,798 square feet.

30. The combined footprint of the proposed lot configuration is 9,082.3 square feet if approved.

31. The reconfiguration of the existing twelve (12) lots into the proposed seven (7) lot configuration will reduce the overall footprint by 715.7 square feet.

32. Staff has analyzed the site and finds that when viewing the site from across canyon (or any of the other ten [10] LMC defined vantage points), at approximately the same elevation, the site is framed by the existing higher topography behind the proposed development and the skyline is not broken.

33. The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36').

34. The average lot area on the east side of Ontario Avenue (including un-platted lot is combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots

35. The lots on the east side of Echo Spur, Gateway Estates Replat Subdivision (Amended), and Silver Pointe Subdivision, also within the HR-1 District, consist of much larger lots.

36. The proposed plat amendment consists of five (5) lots containing 2,812.5 square feet and two bigger (2) lots consisting 3,772 square feet (lot 4) and 3,858 square feet (lot 5).

37. The proposed five (5) lots are 1½ Old Town lot combinations while the other two (2) bigger lots are approximately 2 (2) Old Town Lot combinations.

38. The requested plat amendment is appropriate for this new neighborhood.

39. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures.

40. The west side of Echo Spur, east Ontario Avenue, contains a pattern of 1½ Old Town lot combination sites.

41. The mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue.

42. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.

43. Traffic increases will be minimized from the potential development of the twelve (12) lots as the applicant proposes to decrease the density from twelve (12) lots to seven (7) lots of record for the purpose of constructing single-family dwellings.

44. In terms of the entire street the overall density would drop from the potential of sixteen (16) Old Town lots to nine (9) Lots of record.

45. When the road and utilities were built in 2009, the topography was slightly altered. By comparing a topographic survey on file dated October 2006, the lowest elevation located on this site was 7,156 feet and the highest elevation was 7,208 feet.

46. The current survey submitted with this plat amendment application indicates that the lowest elevation is the same at 7,156 feet while the highest is 7,202 feet.

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

#### Conclusions of Law – Echo Spur Subdivision

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.

Conditions of Approval – Echo Spur Subdivision

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, 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 ten foot (10') snow storage easement shall be dedicated to Park City across the lot's frontage.
4. Modified 13-d sprinklers will be required for all new construction.

Commissioner Campbell returned to the meeting.

**6. 7101 Silver Lake Drive, North Silver Lake Condominium Plat –  
Condominium Record of Survey (Application PL-14-02225)**

Planner Astorga reported that this application was originally scheduled for February 12. Due to various circumstances it was continued to February 26<sup>th</sup> and again to April 9<sup>th</sup>.

Planner Astorga reviewed the application for a condominium record of survey plat, which allows 54 units to be subdivided as they are owned. Currently, the plat that was filed in 2005 has six units and an area defined as convertible space. As conditioned in the ordinance, the applicant would retire that document if the Condominium Record of Survey is approved.

Planner Astorga noted that originally there were 16 units, of which 3 were duplexes and the remaining ten were single family dwellings. Currently, the applicant was requesting to plat 14 units around the periphery of the multi-unit dwellings in the form of one duplex and ten single family dwellings. They were also requesting to move the two remaining units inside the multi-unit dwelling. Planner Astorga had confirmed that adding the two units would not make the building larger in terms of height, footprint or square footage

## Exhibit H – Public Comment

**William P. Tew, Ph.D.**

PO Box 2321  
Park City, Utah 84060

phone: 435-640-9640  
e-mail wptew1@gmail.com

April 30, 2014

RE: Echo Spur Plat Amendment, Application # PL-14-02292.

Dear City Council Members,

Our home on Rossie Hill in the Silver Pointe subdivision overlooks Echo Spur where we've had a front row seat to the drama of this development over the past 7 years. The Echo Spur plat amendment application to be considered at your May 9<sup>th</sup> meeting is not materially different than that proposed 7 years ago. That first application was denied by the Planning Committee over the developer's refusal to consider a reduction in proposed density among other issues.

The original application for an Echo Spur plat amendment in 2008 called for the combination of 16 original lots to accommodate 7 structures. Recently 4 of the 16 lots have been sold to individuals leaving now 12 lots for the proposed 7 homes. The present application actually represents an increase in density over that previously rejected by the Planning Commission.

The density typical of HR-1 on the east side of Old Town stopped at Ontario over 15 years ago. Further up along Rossie Hill Drive, Collation Court, and McHenry, the density of homes is much less than in HR-1 and that proposed in the Echo Spur plat amendment. The Silver Point subdivision, one of the last approved on Rossie Hill, has much less density and over 50% of the original parcel as preserved open space. More recently, the Gateway subdivision similarly dedicated over 50% of the parcel to open space. While we would welcome the construction of homes of appropriate mass and scale for HR-1 at Echo Spur, we believe the proposed density of 7 houses is too great and 4 to 5 homes with some open space would be more appropriate for that location and more consistent with the density of the remainder of Rossi Hill.

Additional concerns are the actual height of the homes above grade and off street parking. Over the years of excavation at Echo Spur, the original topography and grade has been significantly altered. We see in the Planning Commission's Findings of Fact the measurements from lowest/highest elevation and pre-excavation compared to the present grade. We would ask that a requirement that height measurements be made from pre-excavation grades be included in any Conditions of Approval. With regard to parking, no street parking is allowed on Echo Spur. We would like to see some provision stipulated for owner/guest off street parking.

We do appreciate that Mr. Kelleher has maintained a dialog with all interested neighbors. While we may not always agree, communication is always helpful.

Sincerely,

Bill Tew  
Pam Maupin