



PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
April 24, 2019

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its Regular Planning Commission Meeting at the City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, April 24, 2019.

MEETING CALLED TO ORDER AT 5:30 PM.

I. ROLL CALL

II. MINUTES APPROVAL

- II.A. Consideration to Approve the Planning Commission Meeting Minutes from March 27, 2019.
[Planning Commission Meeting Minutes from March 27, 2019](#)

III. WORK SESSION

- III.A. Deer Valley Drive / SR-224 Pedestrian and Bicycle Improvements. The project limits are along the 1.1 mile segment of Deer Valley Drive/SR-224, between Bonanza Drive and the Marsac roundabout.
No Staff Report is included, information will be provided at the meeting.
- III.B. SR-248 (aka Kearns Blvd.) Bicycle and pedestrian Tunnel. Project located between the west entrance to Cooke Drive and the current HAWK signal at the High School, approximately mile post .08 of SR-248.
No Staff Report is included, information will be provided at the meeting.

IV. PUBLIC COMMUNICATIONS

V. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

VI. CONTINUATIONS

- VI.A. PL-17-03664 Twisted Branch Subdivision.
(A) Public Hearing (B) Continuation to May 22, 2019 Planning Commission Meeting
[Staff Report](#)

- VI.B. 269 Daly Avenue – Conditional Use Permit – The applicant is requesting to locate a basement addition directly beneath the Historic "Significant" Structure that encroaches into the Side Setback Area.
(A) Public Hearing (B) Continuation to a date uncertain
[Staff Report](#)

VII. CONSENT AGENDA

VIII. REGULAR AGENDA

- VIII.A. Municipal Code Amendments – Amendments regarding Gravel and Landscaping in Title 11 Chapter 15-3 Acceptable Cover, Title 14 Chapter 2-7 Park Strips; Land Management Code Title 15 Chapter 3-3 General Parking and Driveway Standards; Title 15 Chapters 5-1 Policy and Purpose and 5-5(N) Landscaping; and Title 15 Chapter 15-15 Definitions.
(A) Public Hearing (B) Possible Recommendation to City Council on May 16th, 2019
[Staff Report](#)
[Exhibits](#)
- VIII.B. 3000 Highway 224 (McPolin Barn) – Modification of an Existing CUP – The applicant is requesting to modify the existing CUP to allow the public limited and monitored tours of the barn and farm house.
(A) Public Hearing (B) Possible Action
[Staff Report](#)
[Exhibits](#)
- VIII.C. Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 – A plat amendment to convert 1,514 SF of unexcavated common area to private area belonging to Unit 46 of the Stag Lodge Condominiums. The building footprint will not change.
(A) Public Hearing (B) Possible Recommendation to City Council on December 13, 2019
[Staff Report](#)
[Exhibits](#)
- VIII.D. Consideration of Ordinance No. 2019-XX, an Ordinance Approving the Double H Plat Amendment Pursuant to Findings of Fact, Conclusions of Law, and Conditions of Approval in a Form Approved by the City Attorney
(A) Public Hearing (B) Possible Recommendation to City Council on May 16, 2019
[Staff Report](#)
[Exhibits](#)

IX. ADJOURN

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

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

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 27, 2019

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO: Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Tippe Morlan, Planner; Hannah Tyler, Planner; Mark Harrington, City Attorney

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ROLL CALL

Vice-Chair Phillips called the meeting to order at 5:30 p.m. and noted that all Commissioners were present except Commissioner Phillips, who was excused.

ADOPTION OF MINUTES

March 13, 2019

Commissioner Thimm referred to page 18, fourth paragraph, second line and added the word of after the word lot to correctly read "...a lot **of** discussion".

MOTION: Commissioner Kenworthy moved to APPROVE the Minutes of March 13, 2019 as corrected. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC COMMUNICATIONS

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson announced that the April 10th Planning Commission meeting was cancelled. The next meeting would be April 24, 2019.

Director Erickson reported that at the request of the City Manager, Diane Foster, four sessions would be scheduled on the regular meeting agendas to update the Planning Commission on various City projects. The work sessions were tentatively planned for May 8th to discuss the 20/20 visioning process; April 24th to discuss road improvement plans; May 22nd to present the Capital Budget, which will indicate the City Road

Improvement projects for 2019/2020. The Arts and Culture update will occur June 26th. The Staff was trying to schedule an additional work session for Housing.

Commissioner Thimm disclosed that he would be recusing himself from the National Ability Center MPD discussion because his office was involved with the project.

Commissioner Kenworthy stated that he would be out of town for the April 24th Planning Commission meeting.

Commissioner Hall disclosed that she was a client of Marshall King at Alliance Engineering. Mr. King was present this evening for the Woodside Park Affordable Housing Project items on the regular agenda. She did not believe her association with Mr. King would affect her ability to discuss and vote on those items.

WORK SESSION

Woodside Park Affordable Housing Project Phase II Master Planned Development Application

Planner Hannah Tyler introduced Jason Glidden, City Housing Development Manager; and Jarrett Moe and Gentry Griffin with Methods Studio Design Team, the architectural firm retained by the City.

Planner Tyler stated that the goal of this presentation was to give the Commissioners and the public the opportunity to see Phase II of the project. The Housing Team had done considerable public outreach, but this was the first time it was publicly noticed on an agenda. Planner Tyler noted that the architectural firm had prepared a 3-D rendering to help address specific design questions.

Planner Tyler provided an overview of the project, which included a site plan to give the Commissioners some context. The project is in the Recreation Commercial Zone (RC). There are 58 units in total. She pointed to an asterisk indicating that the market rate units were reduced from seven to six units. She would provide details for the reduction during her presentation. Planner Tyler stated that there will be 52 affordable housing units. This application had triggered three applications; 1) the MPD; 2) a plat amendment; 3) a conditional use permit. All three applications would come before the Planning Commission for action at a later date.

Planner Tyler presented a project overview of the current conditions. She noted that there have been questions as to whether or not this project is a redevelopment. The sites highlighted in red were current structures. She had researched the previous

structures that once existed on the property. Planner Tyler stated that the first green circle was known as 1323 Woodside. It was a single-family dwelling that is listed on the Historic Sites Inventory. The structure was demolished in 2009, but it was retained on the HSI and, therefore, it had to be reconstructed. Planner Tyler noted that during Woodside Park Phase I that structure was relocated to 1353 Park Avenue. The relocation was approved by the Historic Preservation Board and the house was currently being reconstructed on Park Avenue.

Planner Tyler pointed to a second green circle, which was the site of a former single-family dwelling. In 2003 a determination of significance was requested by the then owner of the site to remove it from the HSI. The Historic District Commission at that time agreed with the owner and it was removed. The dwelling was demolished in 2005.

Planner Tyler presented an overview of the site from Google Earth. It was a 2003 USDA Farm Service Agency imagery, which showed 1323 Park and 1330 Empire. Planner Tyler remarked that 1330 was actually referred to as 1350; however, during the Plat Amendment process in 2014 the address changed.

Planner Tyler presented an overview of the entire site to give the Commissioners an idea of what the site would look like as proposed in the MPD. The site is in the RC zone and density is measure via the floor area ratio. There is a max floor area ratio of 1. Even with the reduction in the market rate units, the proposed density was .965; which was under the allowed density in the zone. Planner Tyler stated that along Woodside there will be two triplexes totaling six townhomes; and those will be sold at an attainable rate. She indicated two separate flats, which are affordable units ranging from studio to three bedrooms. The flats link onto Norfolk Avenue and there is additional parking. Planner Tyler pointed to 1302 Norfolk, which is a Significant Site on the Historic Sites Inventory. At this time, site improvements would be done but the City was not proposing any work on the building itself. Planner Tyler indicated the five market rate townhome units that were reduced from six units. These are the only units that access Empire Avenue. All other units will access off of Woodside and Norfolk Avenue.

Planner Tyler identified the lots. She stated that Lot 1 were all the market rates that abut Empire Avenue. She indicated a small street that was a utility easement. Lot 2 were all the affordable and attainable units. Lot 3 contained 1302 Norfolk, which is the historic site. Planner Tyler noted that 1302 Norfolk will be maintained as a market rate unit.

Planner Tyler reported that key pieces of the Woodside Park Phase I and Phase 2 projects was a pedestrian link from Park Avenue and the Miners Park Hospital to the base area at Empire Avenue. She stated that Woodside Park Phase I has a pedestrian easement running east and west, and that is continued across the street to Woodside Phase I. Once it reaches Woodside Park Phase people can walk up the stairs, enter the public plaza and continue all the way up. Planner Tyler remarked that it is open to the public and having that community benefit is an important piece. She presented photographs and included icons to help identify where the photos were taken within the rendering. There is a lot of common area that will be public art and regulated by the Park City Public Art Board.

Planner Tyler thought the rendering provided a good concept of the scale of the townhomes, the flats behind, and the pedestrian easement all the way up to Empire Avenue. There will be solar on all roofs to maintain the net zero goal of the City Council. Planner Tyler remarked that the City Council established a resolution requiring all new buildings built by the City to be net zero. Planner Tyler thought it was easy to see the compatibility within the streetscape. She noted that the relative streetscape presence would be maintained. Planner Tyler presented a photo within the rendering that was taken from Empire looking down the south side of the market rates units. The rendering would be updated to reflect the five units, and they would keep the same architectural style.

Commissioner Van Dine understood that the five units that were reduced from six units would all be market rate. Planner Tyler answered yes.

Planner Tyler stated that the line drawn on the slide was the 20-foot line for the recreation/commercial setback. Within the MPD section for setbacks, a setback reduction can be requested for architectural interest. Typically required for an MPD is a 25-foot perimeter. Planner Tyler noted that because of the location of this project and the added architectural interest, the Staff and the architect felt that an appropriate method for this structure to fit in with the neighborhood was to go down to the zone setbacks.

Jarrett Moe, with Methods Studio Design, stated that when they first started examining this site it became apparent that the existing neighborhood, scale of the structures, and the spacing was a rhythm that was upheld as a product of the RC zone setbacks. Mr. Moe stated that the intent was to keep a natural rhythm and a human scale. Therefore, instead of proposing one large massed project, it was broken into six distinct massing, allowing more space up through the center for the pedestrian walkway. He believed it created a much better human scale on both Woodside Avenue and Empire Avenue. Porches and entries are brought down onto those streets, which brings back life to

those streets and the urban fabric a little more than what currently occurs; especially on Woodside.

Mr. Moe stated that by using the zone setbacks and opening up the center plaza space they were able to preserve view corridors that were more natural than what currently exists. Woodside Phase II also relates better with Woodside Phase I in terms of how the six townhomes are set up facing Woodside Avenue. Mr. Moe explained how they put the largest massings in the center of the lot to minimize their impact.

Planner Tyler stated that in addition to asking for the reduction of the zone setback to be compatible with the rest of the buildings within the streetscape, the applicant was also asking for one reduction in an internal area between two internal lot lines. Planner Tyler reviewed the plan and noted that she had highlighted Lot 1, which is the market rate unit with the utility easement down to Norfolk. She explained that the purpose of the utility easement. The City had worked with the Snyderville Basin on getting the sewer lateral line to a place where they could efficiently remove waste from the site without having to pump up to Empire. She was told that the machines that pump the waste up to Empire Avenue often times fail, and it becomes an issue for the end user rather than the City. It was important to make sure they were delivering a product that would not fail. Snyderville Basin informed the City that laterals cannot cross property lines. Planner Tyler pointed out that the other logical place would have been straight out to Woodside, but they could not cut through Lot 2. Therefore, the City worked with Snyderville Basin to carve out an area of Lot 2 that would allow access to the sewer. The result was the 10' wide utility easement. However, it required a reduction of the building on Lot 2 because the rear yard setback in the RC zone is 10'. She clarified that Lot 2 did not comply with the rear yard setback for the area. Planner Tyler clarified that the justification for recommending approval of the exception was that a 15' setback would be provided between this lot and another developable lot. Any development on these lots would need to comply with the IBC and Fire Codes, so there would not be issues with the buildings being too close together and unsafe. Planner Tyler believed more space was being provided than what would have been approved or allowed if they had not needed the utility easement.

Commissioner Thimm stated that in looking at the building, the building line and the 5' setback, he noticed rectangles in the orange zone. Mr. Moe replied that they were overhangs for the balconies. Commissioner Thimm asked if balconies normally encroach into rear yards. Planner Tyler stated that there is an exception for balconies within the rear yard if they are less than 10-feet wide.

Commissioner Suesser asked if the balconies were part of the proposed homes. Planner Tyler replied that they were part of the flats. Planner Tyler offered to provide more specifics on that exception for the next meeting.

Commissioner Sletten asked if they exist on all levels of the building. Mr. Moe answered yes. He noted that it also provides light and views for the apartments.

Vice-Chair Suesser asked if there was an alley or a sidewalk between the buildable lot and the proposed flat. Planner Tyler stated that it was Norfolk Avenue and two homes access off of Norfolk. Vice-Chair Suesser asked Planner Tyler to locate the staircase that goes up to Empire. Planner Tyler pointed to the staircase. Vice-Chair Suesser wanted to know what was showing between the red lines. Planner Tyler replied that it was the utility easement. Commissioner Thimm asked if it would be a recorded easement. Planner Tyler answered yes. She stated that it would be vacant land with vegetation.

Planner Tyler stated that the next requested reduction was referenced in 15-6-5(d) Open Space for redevelopment. She explained that the LMC allows the Planning Commission to reduce the required open space up to 30%. The applicant was requesting 42.82 in open space. Planner Tyler noted that a different number was reflected in the Staff report; however, since the report the number was updated to accurately reflect what can and cannot count towards open space. Planner Tyler stated that the justification for the exception is that there needs to be project enhancements that the Planning Commission feels are a community benefit. She had listed the benefits in the Staff report; which included affordable housing, the public pedestrian plaza, pedestrian linkage between Park and Empire, the public art piece, and the bicycle parking. The Staff found those project enhancements to be adequate community benefits in exchange for reducing the open space.

Commissioner Kenworthy asked Planner Tyler to identify the bus stop location on Park Avenue so he could connect the bus stop to the pedestrian linkage.

Commissioner Van Dine wanted to know what was being considered as open space. She recalled a letter indicating that roof top patios were being counted as open space. Mr. Moe stated that roof top patios were not included in the updated calculation. He stated that the open space included the setback areas and landscape areas. The plaza space on top of the parking structure between the two sets of flats was also being considered. Mr. Moe remarked that all the property bordering the structures would be considered open space, as well as the pedestrian walkway coming up through the center from Woodside towards Empire Avenue. It also includes the public plaza space between the north side set of flats and the south side set of flats. It continues to the

east of both sets of flats between the flats and the Woodside townhomes. It also includes the buffer space in the location of the utility easement, as well as the buffer space to the north between the north set of flats and the Empire Avenue townhomes.

Commissioner Thimm understood this was a work session, but he thought it would be helpful when the formal submission is put forward to include a diagram that defines the open space. He was particularly interested in what he defined as usable open space. Commissioner Thimm recognized that the LMC does not require usable open space, but since they were considering a reduction he thought it would be beneficial to know how much of the open space would be used by the residents.

Planner Tyler used Goggle Earth to show Woodside Phase I under construction and the location of two bus stops near the pedestrian easement.

Vice-Chair Suesser asked if there was a pedestrian walkway connecting Park Avenue to the plaza. Planner Tyler identified the existing Woodside Park Phase I pathway that goes straight through the project. Vice-Chair Suesser assumed that the public space was common space for the residents as opposed to being utilized by the general public. Director Erickson stated that the walkway and the park on top of the parking garage was open to the public.

Director Erickson commented on the open space question. He stated that because this was a re-development site, private sector development could make the same request to reduce open space inside this neighborhood in order to accomplish community goals.

Planner Tyler clarified a discrepancy in the parking calculation. The numbers in her presentation this evening was an updated and accurate calculation for parking. She had superimposed the updated floor plan and parking area showing the five market rate units. All five units provide a two-car garage and the entire area provides 10 parking spaces. Planner Tyler remarked that when the Staff report was published, the design team and the affordable housing team were still discussing the concept of reducing the number of units due to construction costs. She emphasized that that unit reduction would occur regardless of parking calculation issues.

Planner Tyler provided an updated parking plan showing that the parking total was 72 spaces. The parking requirement for the entire project was 68 spaces. Planner Tyler stated that the affordable units satisfied the parking requirements in that area and the market rate units provide what is required in that section of the lot. The affordable units and the market rate units have completely separate parking requirements.

Commissioner Hall asked for the location of the bicycle parking. Mr. Moe stated that bicycle parking would be off the plaza in bicycle lockers. Pedestrians who live in this project can walk out and access their bikes on the plaza level, and then take them down to Woodside or up to Empire to access the trails system or roads.

Commissioner Thimm noticed a reference to PB array on all the roofs. He asked if this project was part of a specific sustainability certification. Mr. Moe replied that they were targeting net zero energy consumptions. They were targeting a design where this project only uses the same amount of energy that can be produced within the boundaries of this site. However, in terms of sustainability certification, they were not pursuing LEED or any other sustainability certificates. Mr. Moe remarked that the justification is that after a year of use, the energy bills will be offset by all the power produced on the site.

Commissioner Suesser asked for a review of the 3-D architectural rendering. Mr. Moe presented the rendering and oriented the Planning Commission to the different streets, as well as Woodside Phase I project. Commissioner Suesser was interested in knowing whether there was a connection to Norfolk from the location of the historic home out towards Library field. Director Erickson replied that currently there was not a connection; however, he had made a note to consider the idea of a connection down Lot 2. Director Erickson stated that there are trail systems over sewer easements in other locations but he needed to see whether it was feasible for this location.

Mr. Moe stated that as currently designed, the residents occupying the structures off Woodside Avenue could circulate internally through the stair core and then come out and access Norfolk. It would not be a public access.

Commissioner Suesser asked to look at the plaza. Mr. Moe remarked that the doors off the plaza was the bike storage looking towards Woodside Avenue. Commissioner Sletten asked Mr. Moe to walk down the pedestrian walkway. Mr. Moe stated that the ramps and circulation up to the plaza space were designed to be ADA compliant. He noted that the full context had not yet been fully flushed out. Commissioner Kenworthy understood that the walkway continues across Woodside and goes directly in a straight line to Park Avenue. Mr. Moe replied that he was correct.

Mr. Moe noted that the architectural teams for both Phase I and Phase II worked together to match the look and feel of the walkway through both projects.

Commissioner Suesser asked Mr. Moe to show the walkway up to Empire. Mr. Moe pointed out the challenge in putting the design together with the Lot because of the drop that occurs from Empire down to Woodside. That was reflected in the first set of stairs

as it climbs to Empire. Mr. Moe indicated small patios along the pedestrian walkway on the right-hand side for the Empire units.

Commissioner Kenworthy asked Mr. Moe to show the balconies that overhang onto the easement. Mr. Moe noted that the majority of the massing was inset. Only the small protective covering comes out to shield from weather and sun exposure.

Commissioner Sletten asked how far the offset extended. Mr. Moe replied that it was slightly less than 2-feet.

Commissioner Thimm asked how deeply the affordable housing was targeted in terms of the AMI. He was told that the pricing had not been approved by the City Council, but they have proposed starting at 60% AMI, which are primarily studio units; and then go up to 80%. The attainable units are approximately 90%. The highest is 120% AMI.

Vice-Chair Suesser opened the public hearing.

Mike Barille, a former Old Town resident on Lower Woodside, wanted to address the Planning Commission from several perspectives. His Urban Planning Design Firm did some of the initial site studies for this property approximately 10 years ago to look at concepts for how this property could be used to further the objectives of the City. Mr. Barille stated that a variety of densities on the site were studied, and he believed the plan presented this evening was somewhere on the low to middle end of the densities studied. He thought it was reasonable for the neighborhood, particularly in looking at other types of condominiums and stacked flat building commonly seen through that portion of the neighborhood.

Mr. Barille addressed comments regarding the walkway. A large effort was made to try to connect this property all the way up to the Resort. On the question of whether the walkway would be used by the public, he stated that public stairs and walkways through Old Town are a major component of who they are as a community. Mr. Barille believed that maintaining that walkway was important for connecting neighborhoods and maximizing utilization of Transit.

Mr. Barille stated that his next comments pertained to his role as Executive Director of the HPCA. He pointed out that a variety of downtown businesses have real challenges in hiring employees. The HPCA issued a position statement over a year ago regarding affordable housing and the need for smaller units and units focused on rental pool or first purchases within Old Town and walkable to the downtown businesses. Mr. Barille supported the project from that standpoint as well.

Scott Sabey stated that he was an attorney representing Doug Lee, the homeowner adjacent to this project to the north on Empire. Mr. Sabey had submitted two different letters detailing a significant variety of problems. He noted that some of the problems were addressed with the updated plan shown this evening, but some of the underlying issues still remained. Mr. Sabey stated that their letters provided their concerns in great detail, and they were not satisfied with the response they received. Mr. Sabey believed this project was being designed and built under the wrong provision of the Code. He thought it should be subject to 15-6.7, Affordable Housing, which has different standards for parking, and other issues that apply to this project.

Mr. Sabey clarified that his partner had done most of the work in writing the letters. She was out of town and he was filling in, and he apologized if he mischaracterized something that had occurred in conversations with Director Erickson. Mr. Sabey noted that after the first five-page letter, Director Erickson responded via email and in six sentences basically disagreed without giving reasons for position. As an example, on the issue of affordable housing, Director Erickson only said that it was not 100% affordable housing so it did not fall under the affordable housing section. Mr. Sabey argued that per the Code, 100% is not required in order to be subject to that section. He pointed out that the City was calling it an Affordable Housing project. Mr. Sabey stated that 100% is only required if they want certain advantages under that LMC section. Mr. Sabey remarked that if this project was designed and built under the Affordable Housing Section, it skews a variety of issues. However, he also maintained that even under the Section that the City was using, the project does not meet the requirements.

Mr. Sabey reiterated that since the plan had been changed in some cases they needed to go back and address the changes. If the issues cannot be resolved with the City, he would address it with the Planning Commission when it comes back on a Regular Agenda.

Mr. Sabey stated that in a broader sense, his clients struggled with the idea of how much is being shoehorned into this space. It is being done by the City and as the applicant they are pushing this project. Mr. Sabey remarked that because the City is the applicant, it is more crucial that the surrounding property owners and the citizens get the protection the Planning Commission provides, because the Staff is beholden to the City as a City employee. Mr. Sabey thought the Staff report amounted to a sales pitch for this project. He did not believe it was appropriate because it is not a standard the Planning Commission uses to make their determination. Mr. Sabey requested that the Planning Commission read the two letters and examine them in detail. He will continue to meet with the developers and Director Erickson, but at this point he did not think the project was following the proper section of the LMC. He hoped the Commissioners

would actively engage because the applicant is not a developer or a private citizen, and his client needs the protection afforded to property owners in the immediate area.

City Attorney Mark Harrington asked if there was any language in the existing Chapter that the City applied under that prohibits them from making that application. Mr. Sabey answered no; the City could make an application.

Director Erickson stated that the Staff would be happy to work with Mr. Sabey on all the issues and the details with respect to the site. He explained that his intention was to respond to the letters quickly and efficiently, since this was being scheduled for a work session where Mr. Sabey would have the opportunity to see some of the changes before having a discussion.

Doug Lee stated that he is part of the family that owns 1356 Empire Avenue and he handles the real estate matters for the family. Mr. Lee noted that Mr. Sabey and his partner had covered most of his issues in their letter. Mr. Lee stated that his family has owned their house since 1981 and in that 40 years they have watch the neighborhood change. He understands that things cannot stay the same forever; however, their biggest concern is that too much is being shoehorned into this site. Mr. Lee noted that the City is the applicant who was proposing and building this project. For that reason, he thought the City would want to create a development that is responsive to all the stakeholders and not just maximizing the number of units on the site. Mr. Lee did not believe the City should do exactly what a private developer could do. This is RC zoning and the RC zone does not permit multi-unit development. The City is only able to carry out the proposed plan through an MPD and a CUP. Mr. Lee stated that by-right development is a single-family, a duplex, and a triplex. Anything else requires Planning Commission approval.

Mr. Lee asked the City to be responsive and to be sensitive. When he renovated his house from the ground up he did not maximize lot coverage or density, and he actually gave up the height that was grandfathered in an effort to be good members and good citizens of Park City.

Mr. Lee commented on life/safety issues. He recalled from the Treasure Hill process that Empire Avenue on its best days is already dangerous. On snow days and event days Empire Avenue is extremely hazardous. In the middle of the ski season there are no sidewalks from the 1500 block south and where there are sidewalks they are covered with snow. He worries about pedestrians walking to and from the Resort and the amount of traffic they encounter. Mr. Lee stated that earlier comments about the project spoke to the fact that those issues would be covered when the base resort comprehensive development and master plan is completed, but he fears that may be

too late. He thought traffic studies on Empire, Woodside, and 14th and 15 are important in trying to plan ahead. A large part of the solution is not maximizing the density and the number of units on the site.

Ron Spratling asked if the proposed plan calls for widening Empire.

Director Erickson answered no.

Mr. Spratling wanted to know the current width of Empire.

Director Erickson was not certain and offered to check. He thought it might be 20' back of curb or 24' back of curb.

Mr. Spratling asked if there were curbs on that portion of Empire.

Director Erickson believed that section of Empire is classified as a local street and he offered to include more information in the next Staff report.

Vice-Chair Suesser closed the public hearing.

Commissioner Thimm was not opposed to the requested setback reduction based on continuity in the area. However, he would like to keep the setback at 20-feet and no less because there are places where people pull in cars and it is important not to block the sidewalks. Commissioner Thimm thought the internal setback was a nuance because of the easement that is created. He could see no reason to oppose that setback.

Commissioner Thimm commented on the open space reduction. He noted that several bullet points were made with respect to the reasoning from a "gives" and "gets" standpoint as to why the Planning Commission would accept that reduction. Commissioner Thimm stated that for him personally, affordable housing was the most poignant reason, because the project provides a high percentage of affordable units in a needed location. The units are walkable to various places of work in and around the core of the City. For that reason, Commissioner Thimm believed there was a strong case for allowing a reduction provided that there is enough usable open space. He noted that in addition to the available open space, the balconies provide private open space which goes beyond the 42.6%.

Regarding the two letters written by the attorney representing the neighbor, Commissioner Thimm wanted the Staff to address the points in the letter to help the

Planning Commission better understand the City's position; specifically, with regard to which section of the LMC applies.

Commissioner Sletten stated in reading 15-1.11 of the LMC, it simply addresses 15.6 and does not mandate which portion of 15-6 one chooses. Commissioner Sletten believed that whether the applicant is the City or an individual, the applicant is allowed to make that selection in the application process. Commissioner Sletten requested that the Staff address that issue.

Commissioner Kenworthy was comfortable with the General Plan compliance. As a business owner on Main Street he personally knows the pains of trying to get employees. Since the market has changed they have lost a number of locals and the bartenders and librarians and others in town are no longer here renting houses. Commissioner Kenworthy believed this project is needed to balance the community.

Commissioner Kenworthy echoed Commissioner Thimm regarding the setback reductions.

Commissioner Hall agreed with the request for the Staff to respond to the letters publicly. She thought a trail over the utility easement would be beneficial if it is feasible. Commissioner Hall asked for an explanation on the process on how they reached the density, as well as fair market versus rentals versus sales.

Jason Glidden was prepared to answer the second part of the question as it relates to the overall housing program. He stated that the City has a finite amount of money that is set aside for housing, and they were trying to make the most of those dollars. Mr. Glidden stated that the last few projects have been ownership projects that they were looking at transferring into rental. As with any developer, there is a cash flow. They build the property and sell the property to fund the next property. He explained that as a City they subsidize a portion of each project and the cash flow shrinks. Mr. Glidden stated that because of the location with the RDA, they have the ability to sell at market rate. They will not have this same ability again on other City properties because those properties are outside of the RDA and they cannot sell units at market rate. Mr. Glidden remarked that by selling these units at market rate reduces the subsidy to zero, and that amount of subsidy can be put into the next project. The plan is to look at the Homestake Development as rental property and to use that to lower the subsidies even more so the City can offer rent at a 60% AMI, which is more in line with what the work force can actually afford. Mr. Glidden stated that they were selling five units at market rate in an effort to stretch the dollars.

Commissioner Hall asked Mr. Glidden to address the rentals versus outright sales. Mr. Glidden stated that with rental properties the payback is over 30 years. If they only do rentals they would not be able to fund their next project. The selling/ownership component allows the City to continue to build more units.

Commissioner Hall clarified that selling the current market rate units prevents the City from needing to subsidize further affordable units; and the breakdown for selling the affordable units relates to cash flow. Mr. Glidden replied that it provides cash flow for the next project. He stated that the City was currently looking at funding options to fund rental projects that will not have that cash flow to address the need for affordable rental property in the future.

Director Erickson stated that this project has been conceptualized with the City Council. In the Planning Department there is a firewall between himself and Planner Tyler because she is working on the project and he is busy running the regulatory side. The direction from the City Council was to bring the project in under the current Codes, and there will be as few as possible or no exceptions for the Municipality in moving this project forward. Director Erickson explained that when the project was conceptualized the questions focused on which section of the Code to use, the rules to play by, and how to bring it into compliance with the General Plan in terms of the rhythm of the street, height, setbacks, and the walkway that has been in the General Plan since 2014. Director Erickson remarked that from the design side, the units were moved around inside the boxes that were created to achieve the design presented this evening.

Commissioner Hall asked if that was in terms of one-bedroom units versus the micro-unit versus the townhomes. Mr. Glidden stated that they try to keep up with the proper unit size as much as possible by looking at needs of the people on the wait list for affordable housing. They also consider the trends and what people want. Mr. Glidden noted that the younger population needs less space now; and the smaller units are more desirable as long as adequate storage space is provided. However, there are still families in need of housing, which is the reason for having a mix of larger three-bedroom townhomes that can satisfy the younger families who want to come back into town.

Commissioner Van Dine understood that the project does not require child care; however, she wanted to know at what point would the number of townhouses result in the need for child care and how that would be addressed. She noted that people always refer to the Library and the Co-op, but those are limited spaces and difficult to get into it. Commissioner Van Dine remarked that currently it is impossible to get a child into daycare in Park City. She wanted to know when that issue comes into play with the smaller projects.

Mr. Glidden thought it was a fair question, but he was not the person to ask. He suggested that as they look at the possible expansion of City Park, additional community services might include youth services.

Commissioner Kenworthy asked Mr. Moe how restrictive the parking guidelines were for the unit mix. He wanted to know if they were restricted on the full capacity of the lots because of the parking requirements. Mr. Moe replied that it is one of the factors they look at, and it definitely tends to drive the amount of density. Mr. Moe clarified that density is driven by a combination of number of units and parking. He stated that on this project the net zero component drove much of the capacity. With the City Council's resolution to provide new building projects as being net zero, that has to be balanced as one of the many factors.

Commissioner Hall asked for someone to elaborate on the net zero being a limiting factor for the density.

Mr. Glidden first addressed the parking question raised by Commissioner Kenworthy. He remarked that costs come into play in terms of parking. If they dig down further for underground parking that is an increased cost. It also goes towards maintaining the look and feel of the neighborhood by meeting the same massing within that neighborhood. They could put large massing on Woodside, but they felt it was better to transition to higher density and then lower density back to Empire.

To address Commissioner Hall's question, Mr. Glidden stated that net zero is difficult because the more units that go in, more PV array is needed to offset it. The roof space is limited and they do not have enough space to accommodate any more PV arrays. Mr. Glidden noted that the energy modeling is done on a regular basis and they have tried to be very creative.

Mr. Moe stated that as an example, a 20-story high rise building with a limited footprint is more difficult to achieve the energy balance on an on-site production aspect; particularly compared to a single family home. A single family home with five users and a footprint of approximately 1600 square feet conceivably have more available PV area per users to offset the energy use. Mr. Moe clarified that the more density, the harder it is to achieve the net zero energy production on-site.

Director Erickson pointed out that it also means they were using energy efficient designs and energy efficient windows and improved insulation techniques to push the net zero as close as possible. However, that raises the costs as well.

Mr. Glidden noted that this would be the first project with a separate third party who will be watching the construction to ensure the envelope is constructed properly to meet the net zero goals. It is an additional cost, but it is worthwhile to have a third party monitor the construction.

Mr. Moe remarked that currently these projects were targeting a 70% reduction in average energy use compared to standard multi-family housing projects.

Vice-Chair Suesser asked if there was a public easement through the entire property. For example, the 10th Street Stairs. There is no 10th Street but there is a public easement that goes up. The same is true with the 11th Street stairs. She asked if there was a public easement that connects Park Avenue to Empire Avenue.

Planner Tyler replied that Phase I has a recorded easement on the plat. The same will occur for Phase II. She noted that the street stairs are actually still rights-of-way, which is why they are maintained as public. However, when there is private property, the public access easement must be recorded. Planner Tyler stated that when the plat comes before the Planning Commission they will note that an easement runs all the way across.

Vice-Chair Suesser referred to the market rate townhouses that abut on to Empire and asked if the parking garage would be accessed from Empire. Planner Tyler replied that those townhouses now have two-car garages and they are parked on Empire Avenue. There is no connection from the parking garage access via Woodside all the way to Empire. Director Erickson stated that a single driveway comes off of Empire and everyone pulls into their garages.

Mr. Glidden stated that in talking with the City Engineer they needed to make sure there was turnaround space within that internal area to avoid having to back out onto Empire. People will have space to turnaround and drive out onto Empire.

Vice-Chair Suesser noted that there were no sidewalks in front of the building running along Empire. She favored the idea of the public easement from Empire down to Park because it is very needed in that part of Old Town. She also liked the idea of bringing pedestrians up to the Resort through this easement and public walkway. However, she was concerned about those people crossing Empire and into the upper parking lot of the base resort and how they get from the Woodside Park development to the base resort. Vice-Chair Suesser emphasized that there is a pedestrian problem as mentioned during the public hearing. Pedestrians come up the stairs near Library Field and come down that small stretch of Empire to get to the Resort. She was familiar with the problems of traffic congestion and the pedestrians trying to figure out where they are supposed to

walk safely. Vice-Chair Suesser asked if anyone had talked with Vail about ways to get people from the top of the stairs to the base resort, and whether there was a potential plan.

Director Erickson stated that the Planning Department was having conversations with the City Engineering Manager and the Acting City Engineer because it is an issue of crossing the right-of-way. One consideration for the intersection location was the distance from the Manor Way intersection. There may be the potential to install a crosswalk. Director Erickson noted that the General Plan calls for additional pedestrian circulation through the main lot up to the bus stop on the ski resort property. It is one of the considerations they will be looking at when the applicant submits actual plans.

Mr. Glidden stated that in preliminary talks with the Public Art Advisory Board, one of their ideas was to incorporate art into the sidewalks so the sidewalks stand out. He was referring to sidewalks on both Park Avenue and Empire. Mr. Glidden thought it was a creative idea to incorporate art into the pedestrian walkway.

Commissioner Hall asked if the City has the ability to put move a crosswalk in conjunction with the bus stop. Director Erickson stated that the City Engineer can move a right-of-way, depending on the sight distances and where the ending of the right-of-way would be on the resort side of the parking lot. It was actually on his list of items to discuss with the City Engineer. He would also have a conversation with the Resort on their parking lots.

Vice-Chair Suesser asked if consideration was given to moving the bus stop on Park Avenue closer to the pedestrian walkway. Director Erickson offered to discuss that suggestion with the Transit Department. Vice-Chair Suesser asked if it was possible to have a City bike rack in these developments as a public benefit. Mr. Glidden stated that they have talked about additional exterior bike racks for visitors who will need a place to put their bikes. Mr. Glidden believed they would also exceed the recommendations on car chargers present inside those parking facilities.

Commissioner Hall echoed Vice-Chair Suesser regarding the bike share, the crosswalk, and the bus stop. It would be a full package to help encourage the public to utilize the walkway.

Vice-Chair Suesser requested that the applicant try to address some of the pedestrian issues as they move forward.

MOTION: Commissioner Thimm moved to CONTINUE the Woodside Park Affordable Housing Project Phase II MPD to April 24, 2019. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. Woodside Park Affordable Phase I Condominium Plat Amendment (Application PL-19-04106)

Planner Tyler reviewed the application for a plat amendment for the Woodside Park Phase I condominiums. This project was previously reviewed and approved through the MPD process, the plat amendment process, and the CUP process. The project is currently under construction. The purpose of the condominium plat is to memorialize each unit so they can be sold individually.

Planner Tyler stated that as part of the conditional use permit review for the multi-unit dwelling, micro-units were identified. In order to memorialize the fact that these would remain micro-units and will not be absorbed into the main unit of the multi-units dwelling that abut Woodside, the interior wall was made to be a common wall. If someone comes in for a building permit the intent is to catch anyone who tries to remove the wall to include the micro-unit. Each unit will be deed restricted.

Planner Tyler referred to the end unit, Unit D, and noted that the main unit will be owned by the micro-unit. She explained that the goal for that was to provide additional income for the main unit owner by renting out the micro-unit. Planner Tyler noted that it would still need to be rented at an affordable rate. Planner Tyler remarked that the purpose of this plat is to memorialize Unit D, as well as the other units within the development.

Director Erickson noted that the hashed area on the plat was the public easement through Woodside Park Phase I that aligns with Woodside Park Phase II and Empire.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council for the requested plat amendment in accordance with the findings of fact, conclusions of law, and conditions of approval found in the draft ordinance.

Vice-Chair Suesser opened the public hearing.

There were no comments.

Vice-Chair Suesser closed the public hearing.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the Woodside Park Subdivision Phase I condominiums located at 1333, 1343 and 1353 Park Avenue, plus 1330 and 1350 Woodside Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Woodside Park – Phase I Condo Plat Amendment

1. The property is located 1333 Park Avenue, 1343 Park Avenue, 1353 Park Avenue, 1330 Woodside Avenue, and 1350 Woodside Avenue in the Historic Residential-Medium Density (HR-M) District.
2. The subject property currently consists of lots the Woodside Park – Phase I Subdivision.
3. The proposed site location addresses are 1333 Park Avenue (“Significant” Single-Family Dwelling), 1343 Park Avenue (new Single-Family Dwelling), 1353 Park Avenue (“Significant” Single-Family Dwelling), 1330 Woodside Avenue (new Single-Family Dwelling), and 1350 Woodside Avenue (new Multi-Unit Dwelling).
4. On July 26, 2017 the Planning Commission approved the Woodside Park – Phase I Master Planned Development application and Conditional Use Applications for the Multi-Unit Dwelling and Parking Area.
5. On July 26, 2017 the Planning Commission forwarded a positive recommendation to City Council for the Woodside Park – Phase I Subdivision.
6. On August 31, 2017, the City Council approved the Woodside Park – Phase I Subdivision.
7. The Woodside Park – Phase I Condominium Plat Amendment application was deemed complete on January 31, 2019.
8. The proposed Woodside Park Subdivision - Phase I Condominiums consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit will be retained by the City.
9. The property consists of an eight (8) unit Multi-Unit Dwelling, four (4) Single-Family Dwellings (SFD), a Public Access Easement, common gathering areas, and a 13-car parking lot.
10. The project is phase one (1) of a two (2) phase project that will provide Affordable Housing units developed by the City. In addition to residential units, the two (2) projects will create a pedestrian link between Park Avenue and Empire Avenue

through Public Access Easements.

11. The proposed Woodside Park Subdivision - Phase I Condominium Plat Amendment memorializes private, common, and limited common area which allows the units to be sold individually.

12. The Multi-Unit Dwelling has storage for all eleven (11) deed restricted units in the basement. The basement is accessed via an exterior staircase on the north façade adjacent to the parking area. The basement is a combination of common area and limited common appurtenant with each private unit for the storage.

13. The multi-unit dwelling contains eight (8) dwelling units; however, the Condominium Plat will create four (4) units each consisting of two (2) dwelling units. The two (2) dwelling units will consist of a larger main unit and an attached micro unit.

14. The rental rate of the micro unit will be established by the deed restrictions.

15. The interior wall between the main unit and the micro unit is designated as common area which will prevent the combination of the micro unit and main unit into one (1) dwelling unit.

16. Common areas include a 13-car parking lot, exterior walls and internal bearing walls/columns, internal circulation, exterior gathering areas and pathways, footing and foundation, roof, etc.

17. Limited common areas include porches for each unit, decks, and storage areas in the basement.

18. The proposed Condominium Plat is consistent with the approved Development Agreement and associated Affordable Housing Plan as it provides the eleven (11) deed restricted units.

19. Recordation of this Condominium Plat would allow the applicant to sell each deed restricted unit individually.

20. The proposed Condominium Plat reflects compliance with the approved Master Plan (Development Agreement), Conditional Use, Subdivision Plat, Affordable Housing Mitigation Plan, and issued Building Permit.

21. Staff finds good cause for this Condominium Plat Amendment as the proposal memorializes private, common, and limited common area that would that allows the units to be sold individually. The proposed condominium project consists of twelve (12) units, eleven (11) of which will be deed restricted Affordable units. The remaining unit will be retained by the City. This project is being developed in response to the City Council Affordable Housing Critical Priority.

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

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

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

Conclusions of Law – Woodside Park – Phase 1 Condo Plat Amendment

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

Conditions of Approval – Woodside Park – Phase I Condo Plat Amendment

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat, individual unit deed restrictions, and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
3. The individual unit deed restrictions for the Affordable units, acceptable to the City, shall be recorded with or prior to condominium plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the Affordable units are subject to a deed restriction.
4. The CCRs shall limit the HOA dues related to the deed restricted Affordable housing units in order to ensure the Affordable units remain affordable.
5. The applicant shall record the Plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval or the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
6. All conditions of approval of the Master Planned Development, Conditional Use Permits, Woodside Park – Phase I Subdivision Plat Ordinance No. 2017-48, and approved Housing Mitigation Plan shall continue to apply.

2. **460 Swede Alley – Conditional Use Permit Modification**
(Application PL-19-04069)

3. **Marsac Parking Structure Subdivision Plat – Second Amended**
(Application PL-19-04123)
4. **Marsac-Swede Condominiums First Amended**
(Application PL-19-04124)

Director Erickson noted that the three items above were related and would be reviewed simultaneously. However, three separate actions were required.

Planner Tyler asked the representatives from the KPCW expansion team, which included members from KPCW, the architecture team, as well as the consultants to introduce themselves. She noted that City representatives were also present to answer questions. Those present included Craig Elliott with Elliott Work Group Architecture, the project architect. Renai Bodley Miller from KPCW Radio. Roger Golman from the KPCW Radio Board. Steve Brown, the project consultant.

Commissioner Thimm was not aware that Steve Brown would be present as a representative for the applicant. He disclosed that he has worked with Mr. Brown in the past and his office may be working with Mr. Brown on current projects. Commissioner Thimm stated that his business association with Mr. Brown would have no bearing on how he might vote on these projects.

Commissioner Kenworthy disclosed that he has worked with Craig Elliott on HPCA. He knows Renae Bodly-Miller and he contributes to KPCW. He also knows Roger Golman. Commissioner Kenworthy stated that his association with the three people mentioned would affect his judgment on these projects.

Commissioner Hall disclosed that she has made contributions to KPCW and she also knew people at the table who were representing the applicant. Commissioner Sletten thought it was fair to assume that almost everyone has contributed to KPCW.

Planner Tyler provided an overview of the three applications. She intended to present all three together and asked the Planning Commission to wait until the end of the discussion to make three motions.

Planner Tyler reported that the conditional use permit was for an expansion of the KPCW building. It was originally approved as part of a 2007 conditional use permit that was filed by the City. It was for the Park City expandable shell space. The 2007 approval approved three different uses. The CUP was modified in that same year to push off one of the phases. Planner Tyler noted that the request this evening was for another modification to the CUP.

Planner Tyler presented slides showing what was included in the 2007 approval versus what was being proposed this evening. The red area identified the area that was approved but unbuilt in 2007. The blue color indicated the current floor plan of the KPCW space. It is one solid building and below that in the exact shape is the space of the DABC, with the exception of a small entrance. Planner Tyler clarified that the building in blue currently exists. When the applicant applied for a modification to the CUP in 2007, they ended up value engineering out the expandable office space, which has also been referred to as a retail shell, and it was deferred to a later date.

Planner Tyler stated that the purpose of this meeting was to use that same space and expand it up to the KCPW level. It requires Planning Commission review and approval because it is different from what was proposed and approved in 2007. Planner Tyler noted that the space shown in green reflected the expansion to the north and to the west.

Planner Tyler reviewed the previous plan to show there was an upper level deck, the front stairs, and how the staircase that currently exists was to wrap around the building. Since that time a historic wall was found and Planner Tyler assumed the wall would have been found during construction. She noted that the wall would still be maintained in the new design. She presented a photo showing the current KPCW building, but the wall was not visible. Another photo showed the expansion. Planner Tyler stated that even with the expansion the unique pedestrian experience for locals and visitors will be maintained in terms of being able to actually see a radio station being a user of the Main Street core.

The Staff found this application to be compliant with the criteria for the Conditional Use Permit outlined in the LMC which references consistency with the Swede Alley Master Plan and previous efforts to revitalize this area. This request is consistent with the previous work, as well as future work they hope to see on Swede Alley.

Planner Tyler commented on one detail of the CUP that she thought was important because it relates to parking. She walked through the Staff report to help everyone understand how the parking related to the 2007 approval versus the current proposal. Planner Tyler presented three tables. The top table contained the parking requirements from the Land Management Code. The requirements are the same now as in 2007 and nothing was adjusted. The middle table was the 2007 CUP parking criteria that was presented to the Planning Commission in 2007. The top line showed the expandable office that was never done, but it did provide three parking spaces. The next line was the DABC, which was based on the 1,620 square feet of gross area. The space was assessed prior to any tenant improvements. There was no way to know what the net

leasable area would be because the contract with DABC was not finalized at the time.

Planner Tyler stated that since they are now able to base that DABC square footage on the net leasable area; the parking requirement was reduced from five to four spaces. She explained that taking the reduction, plus the unrealized office space, which now goes down to zero, the total is still 14 spaces. As part of the 2007 CUP, the parking was satisfied in China Bridge. The Staff found that the proposed 2019 expansion did not increase the parking ratio requirement as set forth in the tables.

Director Erickson reviewed a site plan showing that the sidewalk to the west and the Bob Wells Plaza were not impacted by this building. He stated that the sidewalk remains the same in front of the DABC. Vice-Chair Suesser asked about the staircase. Planner Tyler stated that the stairs would not change; however, it would go underneath the new cantilevered KPCW space. It will be sufficiently lighted for safety in the evening and night hours because it is a highly used staircase between China Bridge and Lower Main.

Commissioner Kenworthy clarified that there would be no loss of parking in China Bridge or in the Bob Wells Plaza. Planner Tyler replied that he was correct.

Vice-Chair Suesser thought the staircase appears to be outside in the picture; however, in the rendering on page 205 of the Staff report, it appears to be underneath. Planner Tyler explained that it starts outside and then it goes under.

Planner Tyler noted that this proposal also triggers a plat amendment. She reviewed the proposed plat included in the KPCW items. She stated that an existing Lot 3 contains the Bob Wells Plaza area. The applicant subdivided out Lot 3B, which will ultimately be taken up into the condominium plat. The lot line will be removed and it will all be under the same Tax ID. The cantilever area extends into the small area of Lot 3B. Planner Tyler pointed out that the lot also contains City Hall. If the space seems too narrow, the tiny space is actually the width of the expansion. She clarified that it will comply because there are zero setbacks in the PUT zone.

Planner Tyler reviewed the condominium plat, which memorializes the expansion.

Vice-Chair Suesser opened the public hearing for the 460 Swede Alley CUP, the Marsac Parking Structure Subdivision Plat-second amended, and the Marsac-Swede Condominium Plat-first amended.

There were no comments.

Vice-Chair Suesser closed the public hearing.

MOTION: Commissioner Thimm moved to APPROVE the modification to the Conditional Use Permit for 460 Swede Alley based on the Findings of Fact, Conclusions of Law and Conditions of Approval as outlined in the Staff report. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the Marsac Parking Structure Subdivision Plat – second amended; based on the Findings of Fact, Conclusions of Law and Conditions of Approval as found in the draft ordinance. Commissioner Kenworthy seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the 460 Swede Alley Condominium Plat – first amended; based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 460 Swede Alley - CUP

1. The proposed site is located at 460 Swede Alley within the Marsac Parking Structure Subdivision Plat and Marsac-Swede Condominiums.
2. The property is located within the Public Use Transition (PUT) Zoning District.
3. Per LMC 15-2.22-2(2) Conditional Uses, a Public and Quasi-Public Institution is a Conditional Use. Conditional Uses are subject to review according to the Conditional Use Permit Criteria set forth in LMC 15-1-10.
4. KPCW is proposing to expand their unit within the building located at 460 Swede Alley. The proposed KPCW expansion is consistent with the approved 2007 Conditional Use Permit and 2007 Conditional Use Permit Modification.
5. The KPCW Expansion Conditional Use Permit Modification application was deemed complete on January 18, 2019.
6. The Conditional Use Permit Modification proposal has triggered a Plat Amendment and Condominium Amendment.
7. The City received an application for the Marsac-Swede Condominiums – First Amended which will memorialize the proposed expansion area into the KPCW condominium unit (Unit 200).

8. The City received an application for the Marsac Parking Structure Subdivision Plat - Second Amended which will amend the three-lot subdivision. Lot 1 contains the Marsac City Hall. Lot 2 contains the parking structure, radio station, and the liquor store space. Lot 3 contains a plaza. The proposed KPCW expansion will expand into Lot 3 so the applicant is requesting to subdivide Lot 3 into two (2) lots 3A and 3B.
9. In 1986 the Building Permit for phase I of the China Bridge Parking Structure was issued (today, this section is south of the China Bridge central staircase).
10. In 1989 a Conditional Use Permit for the China Bridge Parking Structure was reviewed and approved by the Planning Commission to allow for parking on the top level of the parking structure.
11. In 2003 City Council initiated the Downtown Task Force to review capital project needs in the downtown core.
12. During the spring 2004 City Budget Review, funding was allocated for three (3) major downtown capital improvements including an expansion of the China Bridge Parking Structure.
13. The China Bridge central staircase running from Swede Alley to the Marsac Avenue entrance to the City Hall parking lot dissects the two (2) phases of the China Bridge Parking Structure.
14. The original 1986 phase is south of the central staircase.
15. North of the central staircase was approved through the Conditional Use Permit process in 2005.
16. As a supplement to the Conditional Use Permit approval, a pedestrian access and circulation plan for the area between the newly expanded parking structure and Main Street was approved by Planning Commission.
17. In April of 2007, the Planning Commission approved a Conditional Use Permit for a 4,535 SF one (1) and two (2) story building for retail (2,535 SF) and public/quasi-public (2,000 SF) uses to be located adjacent to the north wall of the new China Bridge Parking Structure. A portion of the retail space was identified for the Utah State Liquor Store and the public/quasi-public space was identified for a radio station (KPCW). 915 SF of "Expandable Office" space was identified.
18. In July of 2007, the City requested to modify the Conditional Use Permit that they had received approval for in April of that year due to financial constraints. The City requested to postpone the construction of a 900 SF general commercial and retail space, thus creating the "retail shell space". The Conditional Use Permit modification was approved by Planning staff after a disclosure was made to the Planning Commission in August.
19. The un-built portion of the structure includes the "Expandable Office" space identified in the April 2007 CUP and the "Retail Shell Space" identified in the August 2007 CUP Modification. Current staff's research has determined that these are referencing the same space, but using different identifying names.

20. A Building Permit was issued in 2007 for the "Park City Municipal Corporation China Bridge Shell".

21. In 2008, the City Council approved the Marsac-Swede Condominiums memorializing the individual units in the China Bridge Shell Space.

22. In 2008, The City Council approved the Marsac Parking Structure Subdivision Plat which created three (3) from one (1) lot of record.

23. The proposed KPCW expansion is consistent with the purpose of the PUT Zone.

24. There are no unmitigated impacts to LMC 15-1-10(E)(1) as the maximum height of the expansion is less than the CUP specified 26'4" above existing grade. The lot containing the KPCW building does not abut a residential district; therefore, there is no minimum setback requirement. All Setbacks, height, parking, Open Space, and architectural requirements are met.

25. There are no unmitigated impacts to LMC 15-1-10(E)(2) as staff expects a minor increase in traffic from the approved 2007 CUP. There are four (4) additional employees that will be at the KPCW space while the Liquor Store operations will remain the same. Traffic flow to the building has a variety of access points as the China Bridge Parking Structure can be accessed from Marsac Avenue, Swede Alley, and Main Street. Staff finds that this will not have any adverse effects on the surrounding streets as the typical peak hours of operation for KPCW are weekdays from 10:00 a.m. to 4:00 p.m. which would not have much overlap (if any) with the peak parking demand for the Main Street core in the evenings and on weekends.

26. There are no unmitigated impacts to LMC 15-1-10(E)(3) as no issues have been identified at this time by the applicant or the utility providers.

27. There are no unmitigated impacts to LMC 15-1-10(E)(4) as emergency vehicle access will remain the same as existing. Emergency vehicles will access the site directly from Swede Alley, with additional access available through the China Bridge Parking structure via access off of Marsac Avenue.

28. There are no unmitigated impacts to LMC 15-1-10(E)(5) as the applicant has provided a detailed Parking Study which analyzes and compares the Parking Ratio Requirements of the 2007 CUP approval versus the 2019 proposed CUP Modification and no additional Parking Spaces are required.

29. The 2007 CUP was approved with a Parking Ratio Requirement of 14 parking spaces which were all satisfied in the attached China Bridge Parking Structure. The applicant was required to satisfy the Parking Requirements for all shell spaces at the time of construction, even those which were not constructed in the first phase.

30. The 2007 CUP approval calculated the Liquor Store Parking Requirements based on the Gross Square Footage because the interior layout of the shell space had not been determined (no tenant improvements had occurred); however, according to the Parking Ratio Requirements above, Retail and Service Commercial, Minor is calculated based on net leasable floor area. In this case, the Parking Ratio Requirement would have been based on the 1,080 square feet of net leasable area for the Liquor Store

resulting in an actual Parking Ratio Requirement of four (4) Parking Spaces, although five (5) spaces were provided.

31. The “Retail Shell Space” / “Expandable Office” space was not constructed resulting in an additional three (3) spaces provided. In total, staff finds that the current building form has resulted in an additional four (4) spaces beyond the actual Parking Ratio Requirement of the as-built structure.

32. The 2019 Parking Ratio Requirement calculation is based on the known uses of the building, expandable area, tenant improvements, and leasable floor area. In total, the Parking Ratio Requirement has not increased from the 14 Parking Spaces required in 2007 based on the proposed expansion and updated square footage calculations. Therefore, staff finds that no additional Parking Ratio Requirement is required beyond what was satisfied as a part of the 2007 CUP approval.

33. There are no unmitigated impacts to LMC 15-1-10(E)(6) as vehicular and pedestrian access to the site is from Swede Alley (a public road) as well as from the internal public parking garage (which can be accessed from Swede Alley, Main Street, and Marsac Avenue). The internal public parking garage pedestrian entrance is being maintained. Vehicular access will be from Swede Alley and the internal circulation of the parking structure after construction. Pedestrian access will be maintained on the east side of the structure from the public staircase.

34. There are no unmitigated impacts to LMC 15-1-10(E)(7) as no Fencing, Screening and landscaping is proposed. This is consistent with the approved 2007 CUP as this is a public space and separation from adjoining Uses are not needed. Any landscaping that is disturbed during construction will be replaced.

35. There are no unmitigated impacts to LMC 15-1-10(E)(8) as one of the primary purposes of the building as proposed and approved in 2007 was to provide a pedestrian based link in terms of scale and streetscape from the China Bridge Parking Structure to the anticipated downtown plaza (between O.C. Tanner and Café Terigo). The as-built structure has accomplished this. The proposed expansion will increase this pedestrian orientation by providing an entrance to KPCW along Swede Alley. Currently, the only accesses are within the China Bridge Parking Structure (which can prove hard to located by members of the public) and the east facing door off of the public access stairs. The goal of the expansion is to provide more space for the expanding KPCW operation as well as increase the front-facing accessibility of the local radio station offices.

36. There are no unmitigated impacts to LMC 15-1-10(E)(9) as no minimum open space is required in the PUT District. The useable open space remains unchanged by the proposed expansion. The open space on this site includes the plaza areas, landscaped areas adjacent to the China Bridge Parking Structure and adjacent sloped areas.

37. There are no unmitigated impacts to LMC 15-1-10(E)(10) as the project has not yet proposed any new signs for the project. The PUT District allows signs as provided in the Park City Sign Code, Title 12. The applicant does plan on installing lighting in the

ceiling of the cantilevered expansion above the Liquor Store entrance. This will help with the visibility of the Liquor Store entrance and adjacent public staircase while also providing a level of safety for pedestrians. Any building lighting will be required to comply with the Park City lighting regulations.

38. There are no unmitigated impacts to LMC 15-1-10(E)(11) as the proposed design is architecturally compatible with all surrounding structures. The goal of the approved 2007 design was to complement the existing China Bridge Parking Structure and the adjacent Historic Main Street Core. The proposed expansion is well articulated through façade variations and provides architectural compatibility in terms of physical design, mass, scale and style, and architectural detailing. The expansion does not compete with the architecture of the existing structure.

39. There are no unmitigated impacts to LMC 15-1-10(E)(12) as the applicant will be required to meet all standards and codes in regards to mechanical systems.

40. There are no unmitigated impacts to LMC 15-1-10(E)(13) as the Service area for the Liquor Store is to remain the same. Vehicular access for delivery and service vehicles is located off of Swede Alley on the west façade of the structure. The new staircase access to KPCW will not impact this loading/delivery access point.

41. There are no unmitigated impacts to LMC 15-1-10(E)(14) as the Marsac-Swede Condominiums will be amended to reflect the expansion of Unit 200 (KPCW). The remaining ownership will remain unchanged.

42. There are no unmitigated impacts to LMC 15-1-10(E)(15) as the site is located within the Soils Ordinance. The applicant will be required to obtain a Certificate of Compliance from the City during construction.

43. There are no unmitigated impacts to LMC 15-1-10(E)(16) as the proposed CUP Modification fulfills Goals, Objectives, and/or Implementation Strategies of the General Plan, specifically Goal 11 and Goal 12.

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

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

Conclusions of Law – 460 Swede Alley – CUP

1. The application complies with all requirements of the LMC and satisfies all Conditional Use Permit review criteria established by LMC 15-1-10.
2. The Use, as conditioned, is Compatible with surrounding Structures in Use, scale, mass and circulation; and
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval – 460 Swede Alley – CUP

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards, to include driveway and Parking Area layout, is a condition precedent to building permit issuance. An approved shoring plan is required prior to excavation.
4. A landscape plan is required to be submitted with the building permit. Changes to an approved landscape plan must be reviewed and approved by the Planning Department prior to landscape installation.
5. This approval will expire on March 27, 2020, if a complete building permit submittal has not been received, unless a written request for an extension is received and approved by the Planning Director prior to the date of expiration
6. Recordation of the Plat and Condominium Plat is required prior to building permit issuance.
7. Any modification of approved unit layout which changes the interior configuration or unit size will require a modification to the Conditional Use Permit.
8. All above grade utility facilities shall be located on the property and properly screened.
9. If contaminated soils are encountered, the applicant shall obtain a Certificate of Compliance from the City during construction.

Findings of Fact – Marsac Parking Structure Subdivision Plat

1. The proposed site is located at 460 Swede Alley within the Marsac Parking Structure Subdivision Plat and Marsac-Swede Condominiums.
2. The property is located within the Public Use Transition (PUT) Zoning District.
3. KPCW is proposing to expand their unit (Unit 200) within the Marsac-Swede Condominiums located at 460 Swede Alley.
4. The current building was approved through the Conditional Use Permit process in April of 2007 as the “Park City Municipal Corporation China Bridge Shell.” The building was approved as a shell for three (3) spaces containing retail and public/quasi-public uses, and a 915 SF “Expandable Office” space totaling 4,535 SF.
5. The applicant has submitted a Conditional Use Permit Modification for the proposed KPCW expansion which will fulfill the postponed phase (un-built “Expandable Office” / “retail shell space”).
6. The proposed KPCW expansion is consistent with the approved 2007 CUP and 2007 CUP Modification.
7. The proposed expansion includes a 1,311 square foot expansion (as measured by

the proposed Marsac-Swede Condominium Plat First Amended). The expansion will occur to the north and west sides of the structure on the second level only. The expansion will cantilever above the sidewalk area creating a covered walkway leading into the State Liquor Store in Unit 100.

8. The proposed Marsac-Swede Condominiums First Amended memorializes the expansion of Unit 200 (KPCW) of the existing Marsac-Swede Condominiums.

9. The KPCW expansion complies with applicable LMC requirements of the PUT Zoning District.

10. The Marsac Parking Structure Subdivision plat was approved by City Council on March 24, 2005 (Staff Report, Page 76 and Minutes, Page 8) and recorded at Summit County in November of 2005. The Subdivision plat combined multiple City-owned metes and bounds parcels.

11. In 2008, City Council approved the Marsac Parking Structure Subdivision Amended Plat which created three (3) from one (1) lot of record (Staff Report, Page 19 and Minutes, Page 5) and was recorded on November 25, 2008.

12. The proposed Marsac Parking Structure Subdivision Second Amended Plat amends the existing three-lot subdivision.

13. The PUT Zoning District has no minimum setbacks except where structures abut residential zoning districts.

14. As proposed, the lots, existing facilities, and proposed expansion comply with the requirements of the PUT Zoning District, except in areas where City Hall and existing China Bridge parking structure exist as legal non-complying structures because they do not meet required building setbacks abutting the HR-1 district along Marsac Avenue. This condition existed at the time of the Marsac Parking Structure Subdivision Plat (2005) and Marsac Parking Structure Subdivision Amended Plat (2008) and the buildings exist as non-complying structures.

15. The KPCW expansion complies with applicable LMC requirements of the PUT Zoning District. In addition, the KPCW expansion is being reviewed for compliance with the Land Management Code through the Conditional Use Permit Modification process (in this meeting packet).

16. The lot arrangement, proposed expansion, square footage, lot dimensions, access, easements, utilities, parking, and street frontage are consistent with the Land Management Code.

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

Conclusions of Law – Marsac Parking Structure Subdivision Plat

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

2. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
3. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
4. There is good cause for this Plat Amendment.\

Conditions of Approval – Marsac Parking Structure Subdivision Plat

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be added to the plat prior to recordation stating that all conditions of approval of the Conditional Use Permits shall continue to apply.

Findings of Fact – Marsac-Swede Condominiums – First Amended

1. The proposed site is located at 460 Swede Alley within the Marsac Parking Structure Subdivision Plat and Marsac-Swede Condominiums.
2. The property is located within the Public Use Transition (PUT) Zoning District.
3. KPCW is proposing to expand their unit (Unit 200) within the Marsac-Swede Condominiums located at 460 Swede Alley.
4. The applicant submitted a letter from the manager of the Marsac-Swede Condominium Owners Association presenting that the members conducted a vote and unanimously approved for the project to move forward with the land use process.
5. The current building was approved through the Conditional Use Permit process in April of 2007 as the "Park City Municipal Corporation China Bridge Shell." The building was approved as a shell for three (3) spaces containing retail and public/quasi-public uses, and a 915 SF "Expandable Office" space totaling 4,535 SF.
6. The applicant has submitted a Conditional Use Permit Modification for the proposed KPCW expansion which will fulfill the postponed phase (un-built "Expandable Office" / "retail shell space").
7. The proposed KPCW expansion is consistent with the approved 2007 CUP and 2007 CUP Modification.
8. The proposed expansion includes a 1,311 square foot expansion (as measured by the proposed Marsac-Swede Condominium Plat First Amended). The expansion will occur to the north and west sides of the structure on the second level only. The

expansion will cantilever above the sidewalk area creating a covered walkway leading into the State Liquor Store in Unit 100.

9. The lot arrangement, proposed expansion, square footage, lot dimensions, access, easements, utilities, parking, and street frontage are consistent with the Land Management Code.

10. The proposed expansion complies with the Parking Ratio Requirements outlined in LMC 15-3. The 2019 CUP Modification Parking Ratio Requirement calculation is based on the known uses of the building, expandable area, tenant improvements, and leasable floor area. In total, the Parking Ratio Requirement has not increased based on the proposed expansion and updated square footage calculations. Therefore, staff finds that no additional Parking Ratio Requirement is required beyond what was satisfied as a part of the 2007 CUP approval.

11. The PUT Zoning District has no minimum setbacks except where structures abut residential zoning districts. As proposed, the lots, existing facilities, and proposed expansion comply with the requirements of the PUT Zoning District, except in areas where City Hall and existing China Bridge parking structure exist as legal noncomplying structures because they do not meet required building setbacks abutting the HR-1 district along Marsac Avenue. This condition existed at the time of the Marsac Parking Structure Subdivision Plat (2005) and Marsac Parking Structure Subdivision Amended Plat (2008) and the buildings exist as non-complying structures.

12. The proposed Marsac-Swede Condominiums First Amended memorializes the expansion of Unit 200 (KPCW) of the existing Marsac-Swede Condominiums.

13. The KPCW expansion complies with applicable LMC requirements of the PUT Zoning District.

14. The current square footage of Unit 200 is 1,960 square feet.

15. Unit 200 will expand to a total of 3,271 square feet.

16. Unit 100 and Unit 300 will not be impacted by the proposed KPCW expansion.

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

Conclusions of Law – Marsac-Swede Condominiums – First Amended

1. There is good cause for this Condominium Plat.

2. The Condominium Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium plat amendments.

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

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

City.

Conditions of Approval – Marsac-Swede Condominiums – First Amended

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat and CC&Rs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the Plat at the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval or 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 note shall be added to the plat prior to recordation stating that all conditions of approval of the Conditional Use Permits and Marsac-Swede Condominiums shall continue to apply.

**5. 84 Daly Avenue – Plat Amendment
(Application PL-18-04039)**

Planner Tippe Morlan reviewed the application request to combine portions of two Old Town lots and a portion of vacated Anchor Avenue to the rear of the property. None of the property lines cut through the existing home on the site; however, they do cut through the existing sheds on the site. Planner Morlan noted that this was a standard Old Town lot combination.

Planner Morlan reported that no development applications had been submitted at this time.

Commissioner Kenworthy wanted to know what happened to the historic structure on the site. Planner Morlan stated that the existing house was built in 1989 with the same footprint as the original historic house. The historic house had been remodeled to the point that the 2009 Reconnaissance Level Survey did not include the structure because the exterior alterations diminished the historic characteristics of the home. It was also noted in 2009 that the home was demolished and rebuilt in 1989. Even though it had the same footprint as the original house, the had been completely removed and rebuilt.

Commissioner Kenworthy understood that in 1989 a rock slide destroyed the historic structure. Planner Morlan was not sure of the reason for the demolition. She also understood there had been landslides on the property, and the owner was concerned about damage to the existing structure. Because the house does not meet the current setbacks of the zone, this lot combination would be necessary before any remodels could occur.

Commissioner Sletten asked if plans had been discussed with respect to building a new home or reconstructing the existing home. Planner Morlan replied that currently there were no plans.

Vice-Chair Suesser opened the public hearing.

There were no comments.

Vice-Chair Suesser closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the 84 Daly Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 84 Daly Plat Amendment

1. The property is located at 84 Daly Avenue.
2. The property consists of the majority of Lot 11, a portion of Lot 12, and a portion of vacated Anchor Avenue of Block 74 of the Millsite Reservation to Park City.
3. The property is in the Historic Residential (HR-1) District.
4. There is an existing non-historic structure at this address.
5. The applicant proposes to combine the subject lots into one lot of record.
6. The original structure on this site was constructed on this site between 1899 and 1900 according to the Summit County Records, and it first appeared on the 1900 Sanborn Fire Insurance map.
7. The existing home was constructed in 1989. A Building Permit dated August 21, 1989 was issued for the demolition of the historic structure and the construction of a new single-family dwelling in the same location as the historic structure.
8. On February 5, 2019, the City received a complete Plat Amendment application for the 84 Daly Plat Amendment.
9. Along the southeast corner of the lot, the larger of the two existing sheds encroaches onto the neighboring property at 96 Daly Avenue by 0.7 feet.
10. The existing home is a single-family dwelling which is an allowed use in the HR-1 district.
11. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lot has an area of 3,858 square feet.
12. This lot size is large enough to permit a duplex with a required Conditional Use

Permit application and approval.

13. The minimum lot width in the HR-1 zone is 25 feet. The proposed lot meets the requirements of this zone at 42 feet wide.

14. The proposed lot will also be 91.87 feet deep.

15. The minimum front setback is 10 feet. The existing house has a 13-foot front setback.

16. The minimum rear setback is 10 feet. The existing house has a 44-foot rear setback.

17. The minimum side setback is 5 feet on each side. The existing house has a 0.3 foot side setback on the north side and a 13.5-foot side setback on the south side.

18. The only setback requirement which is not currently met is the north side setback. The existing structure is between 0.3 to 1.5 feet from the property line along the north side of the lot which does not comply with the 5-foot requirement.

19. All new construction is required to meet the current LMC lot and site requirements including setbacks.

20. LMC Section 15.2.2-3(K) Snow Release requires that "site plans and building design must resolve snow release issues to the satisfaction of the Chief Building Official."

This may require a snow shedding agreement with the property to the north at the time of any building permit application, due to proximity of the existing structure to the north property line with a roof that sheds in the direction of that neighboring property.

21. All new construction is required to meet the current LMC lot and site requirements including setbacks.

22. The maximum building footprint for a lot this size is 1,553.04 square feet. The existing footprint meets this standard at approximately 551.5 square feet.

23. The proposed lot size of 3,858 square feet is compatible with existing lots in the neighborhood.

a. This lot is directly adjacent to the Daly Doubles Condominiums to the south, which is comprised of 4 units on a lot 8,427 square feet in size, and a vacant lot 3,443.12 square feet in size to the north, which was a part of the 74 & 80 Daly Avenue Plat Amendment.

b. This lot also sits across the street from another vacant lot at 81 Daly Avenue comprised of Lots 11, 12, and a majority of Lot 13 of Block 73 of the Millsite Reservation.

c. There are a mix of single-family structures and multi-family duplexes and condominiums in the immediate vicinity of this lot on Daly Avenue.

24. A Historic District Design Review will be required, and any changes to the site must be conducted in accordance with the Land Management Code and with the Historic District Design Guidelines.

25. Any development to the rear of the lot may require an Administrative Conditional Use Permit for development on a steep slope if more than 200 square feet of building footprint is located on or projecting over an existing Slope of 30 percent or

greater.

Conclusions of Law – 84 Daly Plat Amendment

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 lot combinations.
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 – 84 Daly Plat Amendment

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. New construction shall meet site and lot requirements of the HR-1 District per the Land Management Code in effect at the time of application submittal.
5. A Historic District Design Review application is required for any new construction proposed at the existing site, and any development to the rear of the lot may require an Administrative Conditional Use Permit for development on a steep slope if more than 200 square feet of building footprint is located on or projecting over an existing Slope of 30 percent or greater.
6. A 10-foot-wide public snow storage easement will be required along Daly Avenue.
7. An encroachment agreement is required for the shed along the southeast corner of the property which encroaches onto the neighboring property at 96 Daly Avenue by 0.7 feet, or the encroaching portion of the shed needs to be removed before the plat can be recorded.

**6. 1000 Ability Way National Ability Center Master Planned Development
(Application PL-16-03096)**

Commissioner Thimm recused himself and left the room.

Planner Kirsten Whetstone introduced Michael Barille, John Serio, and Kevin Stickleman, representatives for the National Ability Center.

Planner Whetstone reviewed the application for a Master Planned Development identifying and approving a site plan, uses, and density for the 26-acre National Ability Center Campus. It is also known as Lot 1 of the National Ability Center Subdivision. The property is located at 1000 Ability Way near the City Ice Arena.

Planner Whetstone stated that the Master Planned Development is broken into five sections. The first is that it memorializes the existing uses that were approved through a Specially Planned Area (SPA) that was approved in Summit County prior to be annexed into Park City. The second is a conditional use permit that was also approved by Summit County. The third part memorializes the uses that were approved by the Planning Commission in 2017. The fourth is an additional 1122 square feet for the equestrian center and 332 square feet for the recreation building. Those were approved with the CUP; however, the square footage did not work with what was proposed and with the building permits that were submitted.

Planner Whetstone noted that the swimming pool that was approved with the SPA was not included in this MPD.

Planner Whetstone stated that the fifth part of the MPD is that the NAC was proposing a future three-story lodge building at approximately 22,000 square feet; consisting of 25 suites and 13 lockouts for a total of 38 keys. And additional 104 parking spaces would be phased over the construction time frame. The final total would be 225 parking spaces when the project is completed.

Planner Whetstone remarked that the Development Agreement, which is usually ratified by the Planning Commission following approval of the MPD, would come back to the Planning Commission for ratification. Planner Whetstone noted that the Housing Mitigation Plan will be tentatively scheduled for Planning Commission review and recommendation to the Housing Authority at the April 24th meeting. The water agreement is pending State Engineer review of a change order for water rights. When the Final Development Agreement comes back to the Planning Commission it will also include the Water Agreement.

The Staff had reviewed the proposed Master Planned Development, the plans and the submittal against the criteria for Master Planned Developments in the LMC; as well as for consistency with the 2014 Pre-MPD that was approved by the Planning Commission. The Staff recommended that the Planning Commission conduct a public hearing and

consider approving the requested Master Planned Development for the National Ability Center pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval as outlined in the Staff report.

Michael Barille stated that the National Ability Center is an organization that provides recreational opportunities for people of all different abilities. The Mission Statement is to empower individuals of all abilities building confidence, self-esteem, and lifetime skills through sports, recreation, and educational programs. Mr. Barille remarked that thousands of volunteers support the organization and make it successful. The National Ability Center has tried to expand the mission to be inclusive of anyone who wants to recreate and has some barrier for whatever reason. Many things have become part of the NAC's mission and has contributed to its growth over the last few years.

Mr. Barille presented numbers of those who were served on an annual basis over the last two years. The numbers reflected over 6600 individuals and over 37,000 different experiences. People come from all 50 states and 18 different countries. The NAC provides education, training, and programming for similar programs in other countries. Volunteers are used to support those services.

Mr. Barille described the growth as building the adaptive nation, which means expanding what people are able to do no matter where they come from and no matter their need. He stated that the proposal that started as a pre-MPD in 2016 and was brought back again as a CUP in 2017 is back before the Planning Commission as an MPD proposal. The goal is to create additional facilities on the main campus to accommodate program growth that has already occurred. The staffing to accommodate that growth has already occurred. If the Commissioners were to visit the facility on a busy day they will see people working standing up next to those sitting down in order to accomplish the needs of the organization.

Mr. Barille reviewed the site plan, noting that the items highlighted in pink hatch were pieces of this proposal. Some were new buildings and other pieces were additions to existing buildings.

Mr. Barille identified the new buildings. The main building in the center of the campus is the recreation center. The idea of that building is to provide open floor space, as well as support spaces with restrooms and a check-in area for that use. He stated that currently there is no indoor recreational space other than the equestrian center. If there is a ball sport or adaptive learning activity that requires people to move around and interact, there is no space for that to occur. The proposed recreation building will serve that purpose. The building will also be used for larger presentations and educational items from time to time. It was designed with storage around the edges to store tables

and chairs and items that can be available on an as-needed basis. Currently, conference rooms in the main administration building are dual purposed for that need.

Mr. Barille pointed to another new building. It is a community programs building that is meant to serve as a starting point for some of the outdoor activities. Currently, a small yurt in a corner of the property houses all the Nordic programming, some cycling programs, archery, and a number of programs that occur in that corner of the campus. The community programs building will provide a more permanent home for those activities, including equipment storage and restrooms and showers. Those spaces will also support the campground in the upper corner of the plan.

Mr. Barille stated that another new building is the lodge that Planner Whetstone had mentioned. He remarked that "lodge" is a misnomer for people and means something different in a resort community than what is intended for the NAC. The existing Lodge is called the "lodge" and they kept the name. Mr. Barille noted that the existing lodge is more of a dormitory. There are many rooms with double bunks and small restroom facilities, and a shared kitchen on the ground floor. The idea of the new lodge is to provide a higher level of service and rooms with kitchenettes to accommodate those who need to stay on site longer for a specific program.

Mr. Barille indicate the location of the campground he previously mentioned. The campground is meant to be open with a series of pathways with tent platforms, a couple of yurts, and a few enclosed cabins. The enclosed cabins would not have kitchen facilities or heating or cooling. Mr. Barille stated that the idea came from a discussion with the Governor's Office regarding recreation and grant funding that was available. Some with the State Parks who partner with the NAC commented on the difficulty of anticipating the needs of all abilities from a camping standpoint. The purpose of the campground at NAC is to put the same environment they would find at a State or National Park within their campus so a family can have the same facilities they would find anywhere else, but have coaching and support nearby for their first experience. Mr. Barille emphasized that neither the lodge nor the campground would be used for commercial uses. It strictly supports the existing programming at NAC.

Mr. Barille referred to the corners shown in pink on the Administration and Office Building that supports all NAC programming. They would like the potential ability to add a few more desks and office spaces to give everyone a little more space. Mr. Barille pointed to a center square and explained that the concept is to give the climbing wall that currently sits in the middle of the receiving area lobby its own space. Mr. Barille stated that the addition to the equestrian center is meant to be a support space to the existing use. Currently, when someone walks into that building they walk on to the actual riding arena floor. There is very little waiting or observation space except right at

the rail. What was being proposed would provide separate viewing area/gathering space/lounge/waiting space for parents; as well as additional meeting space, a check-in area, cubbies and lockers.

Kevin Stickleman reiterated that the primary concern is that they have outgrown so many of the spaces, especially during the summer. Summer is the busiest season of the year and people are crammed into every space. Mr. Stickleman clarified that the purpose of this proposal was to accommodate the present as well as provide for the future.

Mr. Barille remarked that the pre-MPD was done in anticipation of reaching this point with the MPD. They received direction that with the exception of the lodge use, everything could be handled with a CUP. However, there were procedure issues with the housing and water agreements. As they started to build the addition to the equestrian facility, which is currently under construction, it was determined that a different process was necessary in order to build the other facilities. That was the reason they were before the Planning Commission this evening.

Mr. Barille reiterated that the facilities are definitely needed and they have been in process for a long time to make them a reality. Most are fully funded. A general contractor has been selected and is on-site. They hope to be able to move the general contractor from the equestrian arena expansion into constructing the recreation building.

Mr. Barille presented a slide of the open space plan. He noted that parking areas, driveways, or other areas outlined in black were exempted from the open space calculation. Mr. Barille presented a detailed site plan showing the landscaping, circulation, and lighting details. He presented perspective drawings that were prepared as required by the MPD. The purpose was to show that they were trying to maintain the true intent of the original approvals to have a settlement style clustered development. Mr. Barille presented a slide of the opening page with all the calculations on the square footage. Mr. Barille believed the NAC was a huge component of the City Council's goals to promote inclusion and diversity. The NAC recreational programs are an additive and support what happens at the resorts because the skiing and snowboard programming occurs at Park City Mountain Resort. There is also cooperation with Public Parks and rec to enhance their programming and provide training and coaching where possible. Mr. Barille stated that all NAC participants, families, volunteers, and donors have stories to tell and every time he hears a story it inspires him to be a better individual and think more broadly about how they want to live in this community as a whole. He hoped that message resonated with others.

Mr. Barille remarked that throughout the process the Planning Staff and the Planning Commission have always been supportive of the NAC mission. He invited them to continue to be involved and to ask about volunteer opportunities.

Commissioner Kenworthy offered a thank you. The NAC is the heart of the community and they have done a tremendous job and continue to do so.

Commissioner Kenworthy asked for clarification on the 104 parking spaces and where they would be located. He also wanted to know why they were proposing a 32% parking reduction. Mr. Barille stated that the most intense EUs on the property under normal conditions would be the lodge. However, in this case, everyone who shows up and utilizes the lodge is a member of an NAC group either because of their abilities or because they are coming for a week-long program. They arrive in a shuttle bus or other means of mass transit that brings them directly to the site. Very few lodge guests bring their own vehicle. Mr. Barille remarked that for day-to-day programs, most participants are dropped off or they come via public transit that make regular trips to the facility. For those reasons, they felt a parking reduction was appropriate. Another reason was an effort to be respectful to site boundaries and to maintain as much open space as possible.

Mr. Barille noted that the NAC would be back to the Planning Commission with a CUP for the lodge. Additional parking could be added at that time if needed. Mr. Barille reported that a private consultant had done an analysis of the use and employee generated vehicular trips. Based on the trip counters that were placed on the property and their experience in parking planning, the consultants felt this plan was adequate for the facilities proposed.

John Serio, the Facilities Director at NAC noted that there there was a condition of approval to revisit the parking one year after the first phase is completed. Planner Whetstone noted that it was Condition #24, which states that an updated parking plan would be submitted with the conditional use permit for the Lodge Building. If it is determined that additional parking is needed, the NAC can propose parking with the CUP.

Commissioner Kenworthy asked where the proposed areas would be for parking. Mr. Barille presented an overlay of the site plan on to the actual property. He indicated the current parking area at the front of the facility in front of the existing Admin Building and the existing Lodge. That parking would be expanded out into the buffer area, and the parking will be angled to allow for additional capacity. He pointed to another area of additional parking, which was an extension of the existing property at the edge of one of the pastures that is not heavily utilized.

Commissioner Hall noted that the 2015 summary of the recommendation states that 500 parking stalls should provide ample parking based on daily use. She asked if that was the study's recommendation. Planner Whetstone stated that the Staff used the LMC parking requirements because they were more specific than the study recommendations. It was based on the overlapping uses, the shuttles, and the fact that most of the facility users do not drive.

Vice-Chair Suesser understood that the current parking was approximately 100 spaces and they were proposing to add an additional 100 spaces. Planner Whetstone replied that she was correct. The actual parking would total 225 spaces.

Mr. Barille asked Commissioner Hall to read from the summary she referred to so he could understand her question. Commissioner Hall read, "The recommended parking supply was approximated using the time of day analysis based on daily trip generation numbers previously presented in this report. We believe that due to the high number of land uses in this proposed project, 500 parking stalls should provide ample parking supply on a daily basis".

Mr. Stickleman stated that they have never had 500 people on site. Commissioner Hall clarified that she was reading the summary from the traffic study that was included in the Staff report. Planner Whetstone recalled that the traffic study was done at the time of the pre-MPD and a parking reduction of 28% was done at that time.

Mr. Barille thought the number reflected in the summary was more like daily trips than a parking requirement. He was confused by it as well. Mr. Barille offered to research it further and clean it up. Director Erickson suggested that they could make a Finding on what the actual parking should be as part of the MPD action; and the Staff would clean it up before the Development Agreement. Director Erickson clarified that the Hales Traffic Study was part of the pre-application. Until the new buildings are built, there is not enough activity on the site to predict the accurate number of parking spaces. Director Erickson pointed out that the NAC is a unique facility and there are no models for this type of campus. However, he did not believe there have been parking complaints.

Director Erickson remarked that the mitigation strategy at Empire Pass is a 25% reduction, and they do not have nearly as much bus service as NAC. He was comfortable with the 32% reduction.

Vice-Chair Suesser asked if there were any changes to the public trails going through the property. Mr. Barille replied that there were no changes to public trails. Easements

were in place with the Recreation District for recreational uses. He noted that the NAC has proposed a pathway that winds through the campground, as well as a perimeter trails that is set inside the public trail, with the idea of separating some of the NAC on as needed basis if someone is learning to use a new piece of equipment. In general, the two user groups are mixed on the public trails and people are very respectful.

Planner Whetstone remarked that the Summary of Parking was included on page 434 of the Staff report. She noted that the Summary states that 170 parking stalls should provide enough parking supply on a daily basis. Commissioner Hall had read that, but it conflicted with language in the Summary of Key Findings and Recommendations. She also thought it was unclear whether that was an additional 170 spaces or 70 spaces in addition to the existing 100 spaces.

Mr. Barille stated that they would take direction from Director Erickson and Planner Whetstone. He would get an updated statement from the consultant if necessary. Commissioner Hall has been at the NAC and she did not think the verbal description was consistent with the Summary.

Vice-Chair Suesser opened the public hearing.

Ron Spratling stated that as an owner of a property in Park City, he thought this was amazing. To have this in a community and to serve that need is phenomenal. Mr. Spratling was impressed with the project and he was anxious for the opportunity to participate.

Vice-Chair Suesser closed the public hearing.

Commissioner Sletten asked how they would juxtapose the added condition of approval.

Director Erickson suggested adding an additional condition of approval, or attaching the language to Condition of Approval #24 stating, "The information in the Hales Traffic Study shall be updated at the time of the ratification of the Development Agreement."

City Attorney Harrington remarked that the traffic study is just a study that the Planning Commission can accept for whatever analysis is appropriate. The Commissioners did not need to affirmatively modify it in the future or disregard it because of the unique circumstances. The Planning Commission had the discretion to augment additional language in the condition regarding the parking study to validate that the assumptions they relied on for the parking reduction today were correct. The other option is to leave it to a future review. Commissioner Hall was comfortable leaving it to a future review.

City Attorney Harrington suggested that instead of just saying "An updated parking study shall be reviewed" they should add, "and actual operational requirements", because they were relying more on the operation representations than the parking study.

Commissioner Hall asked if the applicant would need to come back to the Planning Commission if they build 104 spaces but find it is not enough parking for everyone and they want 170 spaces. Director Erickson replied that they would come back to the Planning Commission. Director Erickson stated that the applicant would have the option of submitting an updated operational and parking mitigation plan so the Commissioners would know the operational requirements of the units and the number of times the parking spaces were exceeded; and what operation caused that to exceed. They would then offer recommendations to mitigate that strategy.

Mr. Barille supported what Director Erickson and City Attorney Harrington had suggested. However, he requested that it be conditioned such that the updated study would occur at the time they come back to the Planning Commission with the Lodge CUP. If the 104 spaces are working well, the Commissioners can feel comfortable that the additional use can be accommodated. If it is not sufficient, the parking can be adjusted at that time and the applicant can request additional parking and show proposed locations.

Director Erickson favored Mr. Barille's suggestion to push it to the Lodge CUP process. At that time the applicant should know whether they have enough parking. Commissioner Hall believed they were all thinking the same way and it was only a matter of procedure. Director Erickson was comfortable having the parking study and traffic mitigation updated when the Lodge building is approved as a conditional use.

Commissioner Kenworthy remarked that there would be plenty of room with 78% open space if additional parking is necessary.

Planner Whetstone revised Condition #24 to add the suggested language. The revised condition would read, "An updated parking study of actual operational trips and parking demand shall be submitted with the CUP for the future lodging building and if additional parking is recommended, it shall be reviewed with the future lodging building CUP."

Vice-Chair Suesser asked Planner Whetstone to address the housing mitigation plan and the water agreement she previously mentioned. Planner Whetstone stated that Condition of Approval #8 addresses the housing mitigation plan, which was still being reviewed by the Housing Department. She explained that the housing mitigation plan needs to have a recommendation from the Planning Commission. She believed it was

tentatively scheduled to come back to the Planning Commission on April 24th for review and recommendation to the Housing Authority. Sometime in May, the Housing Authority will finalize the housing mitigation plan. Planner Whetstone remarked that the housing mitigation plan must be attached to the Development Agreement.

Vice-Chair Suesser asked if this development triggers an affordable housing component. Planner Whetstone replied that a Master Planned Development triggers affordable housing. Vice-Chair Suesser asked if the affordable housing would be onsite. Director Erickson noted that the Housing Authority would prefer it onsite. This is a unique situation and the applicant has offered to deed restrict some of the existing units for affordability. However, they need to understand the rental rate and number of units to meet the employee housing demand. When the new lodge is built, the deed restrictions would be transferred to the new lodge square footage. There would always be a couple of deed restricted units to meet their requirement. Director Erickson liked the idea, but the Staff was not able to put all the numbers together until it is finalized.

Regarding the water agreement, Director Erickson stated that there are supposed to be water rights that were transferred to Park City from another creek. Those water rights were transferred but required involvement by the State Engineer has not occurred. The Water Department is still working on that issue. A new water agreement will be added to address the water right and also determines how to pay the impact fees for additional water.

Mr. Barille stated that the Water Department had evaluated the ability to supply the facilities that are in the plan and found no issues. Once the change application is processed by the State Water Engineer and they go from a paper right to a right in the City's system, they will know how much water is left at that point and whether or not it provides a credit.

Vice-Chair Suesser asked if the Planning Commission was comfortable approving the MPD without having those agreements in place. The Commissioners were comfortable with it.

Commissioner Hall understood the calculation for square footage for affordable and employee housing was based off of employees and it excludes volunteers. Mr. Barille stated that affordable housing requirements typically do not include volunteers. It only addresses full and part-time employees. One way to look at it is based on the square footage of the two buildings proposed. Another way is based on the actual employees being generated. Mr. Barille remarked that information on both those avenues had been submitted to Jason Glidden and they were working through the numbers.

MOTION: Commissioner Kenworthy moved to APPROVE the request for a Master Planned Development for the National Ability Center located at 1000 Ability Way, within the ROS MPD zone, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the Staff report and as amended with the revision to Condition #24. Commissioner Van Dine seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – NAC MPD

1. The property is located at 1000 Ability Way and is within the Recreation Open Space Master Planned Development (ROS-MPD) Zoning District.
2. Access to the property is from Round Valley Drive and Gillmor Way, public streets, and Ability Way. Ability Way is public to the NAC property line and private within the NAC property. No new streets are proposed.
3. The property is located in the Quinn's Junction neighborhood of Park City and is identified as Lot 1 of the National Ability Center Subdivision.
4. In the mid-1990s, the parcel was deeded to the NAC by Florence Gillmor and restricted to adaptive recreational programs, including equestrian, fitness, therapy and various related and complementary recreational activity facilities.
5. The 26.2-acre parcel was annexed to Park City in 2004 as part of the National Ability Center and Quinn's Recreation Complex Annexation and MPD.
6. The National Ability Center is a non-profit organization specializing in community sports, recreation, therapy, and education programming.
7. In July of 1999, prior to annexation, the property received approval of a Specially Planned Area (SPA) from Summit County, which is similar to a Master Planned Development (MPD) in the City.
8. The NAC Specially Planned Area (SPA) and CUP allowed for development of various uses and buildings (50,750 sf), including 20,500 sf equestrian center (17,000 sf equestrian arena and 3,500 sf of barns/stalls), an outdoor challenge/ropes course, a playground and outdoor activity area, an outdoor equestrian arena, an archery pavilion, a gazebo, various barns/stalls and storage buildings, 21,000 sf of residential dormitory/lodging uses with 25 rooms on two levels, 7,570 sf support administrative building, a possible future swimming pool, and 121 parking spaces.
9. A July 15, 1999, Development and Water Service Agreement between NAC and the City was entered into prior to the annexation. The Agreement describes conditions of water service and the need to transfer and convert a water right. The change application was filed with the State Engineer on February 12, 2019 and is pending review.
10. A new water agreement, updating requirements and conditions for water service, will be included as an attachment to the NAC MPD Development Agreement to be ratified

by the Planning Commission prior to recordation.

11. On October 21, 2004, the Park City Council adopted Ordinance #04-50 to amend the Park City Zoning Map to include the annexed NAC parcel into the ROS-MPD District.

12. The ROS zone allows for a variety of conservation, open space, and recreation uses.

13. The proposed uses are support uses to the primary use of the National Ability Center and are consistent with the purpose and uses of the ROS District and in support of the mission of the NAC.

14. The NAC is located in the Quinn's Junction neighborhood, as described in the Park City General Plan.

15. The Joint Planning Principles for the Quinn's Junction area recommend development patterns of clustered development balanced with preservation of open space. Public preserved open space and recreation is the predominant existing land use. Clustered development should be designed to enhance public access through interconnection of trails, preserve public use and enjoyment of these areas, and continue to advance these goals along with the preservation of identified view sheds and passive open space areas. New development should be set back in compliance with the Entry Corridor Protection Overlay. Sensitive Lands should be considered in design and protected. Uses contemplated for this neighborhood include institutional development limited to hospital, educational facilities, recreation, sports training, arts, cultural heritage, etc.

16. On September 2, 2014, the applicant submitted a pre-MPD application for proposed additions to the NAC. On December 10, 2014, the Planning Commission held a public hearing, discussed and approved the pre-MPD application and found the proposal to be in compliance with the General Plan and underlying zoning district. The MPD is consistent with the Pre-MPD and meets the goals and objectives of the General Plan as further outlined in the staff report.

17. On January 26, 2016, the City received an application for a Master Planned Development (MPD) identifying and approving an MPD concept site plan, uses and density for the 26.2-acre National Ability Center campus consistent with the pre-MPD.

18. Between February 2016 and October 2017, the applicant worked on getting the subdivision plat approved and recorded and worked to address staff's comments regarding water service, as it relates to a July 15, 1999 Development and Water Service Agreement, as well as on a housing mitigation strategy.

19. The National Ability Center (NAC) Subdivision plat was approved by City Council on July 21, 2016 and recorded at Summit County on March 28, 2017.

20. On November 29, 2017, the Planning Commission approved a Conditional Use Permit for the following (29,818 sf total):

- Indoor Equestrian Arena additions (10,910 sf)
- Program Services building addition (1,250 sf) and climbing wall (377 sf)
- Community and Programs building (new) (4,962 sf)
- Recreation Center/gymnasium (new) (7,613 sf)
- Cycling Center (storage addition) (783 sf)

- Archery Pavilion and Range (relocated)
- Camping (new) - 3 recreational cabins (444 sf each), 6 graded tent sites, 3 yurt platforms and 1 restroom building (2,274 sf total)
- Greenhouse and gardening area (new) (400 sf)
- Maintenance shop and storage (additions) (1,250 sf)
- Additional parking (104 spaces), snow storage and landscaping

21. The NAC MPD memorializes existing uses (49,707 sf) approved through a Specially Planned Area (SPA) (Exhibit Q) and Conditional Use Permit (CUP) by Summit County prior to annexation of the site into Park City (50,750 sf were approved), as well as uses approved through a CUP by the Planning Commission in November of 2017 (29,819 sf) (Exhibit S). The MPD also includes a future three story lodging building (22,266 sf) consisting of 25 suites with 13 lockouts (38 keys). The MPD also includes an additional 1,122 sf for the equestrian center and 332 sf to the recreation building that were not counted in the square footages approved with the 2017 CUP.

22. A total of 103,246 sf are included in the NAC MPD including administration and programs (13,865 sf), indoor recreation and equestrian center (36,853 sf), lodging (36,567 sf) as well as accessory support uses and storage (15,961 sf). A swimming pool is not included in this MPD approval. Accessory and support uses include barn/stables, camping cabins/yurts/tent platforms, maintenance shop, Nordic center yurt, gardening center and greenhouse and cycling center.

23. The lot is sufficient in area for the proposed uses.

24. The plans indicate that 78% of the site will remain as open space. This area includes all pervious areas such as horse pastures, outdoor arenas, landscaped common areas, campground area (excluding buildings), challenge course, and other outdoor recreation activity areas and includes the hardscaped patio area west of the program services building.

25. The proposed building location minimizes grading. Buildings are grouped on the site, providing greater expanses of open space and separation of activities. Specific site plans, as well as landscaping and exterior lighting details, will be provided with the future lodging building CUP and building permits.

26. The proposed landscape plans indicate compliance criteria to maintain native vegetation and plant appropriate drought tolerant species that require limited irrigation. Prior to issuance of building permits a final landscape and irrigation plan, and an exterior lighting plan, will be reviewed by Planning Department staff for compliance with the MPD landscape plans. Additional landscaping and lighting plans will be submitted for review as part of the Conditional Use Permit applications for the new lodging building and parking lot expansion. Parking lot lighting is noted to be down directed with cut-off fixtures and will be on a clock timer to be able to reduce overall lighting when use of parking lots is reduced.

27. The MPD is proposed to be developed in two primary phases. Phase 1 is identified as additions to the program services building and indoor equestrian center, a new

indoor recreation building, a new community and programs building, additional storage and maintenance areas as well as various outdoor uses and phased parking and landscaping. Phase 1 is essentially the additions, buildings and uses approved with the 2017 CUP to be constructed within the next 1 to 5 years. Phase II consists of the proposed 3 story lodging building. Phase II is projected to begin by 2024, upon completion of Phase I.

28. Proposed uses are consistent with the uses allowed by the National Ability Center MPD (SPA) and the LMC, as support uses to the primary use as a Public and Quasi-Public Institution and as a Private Recreation Facility.

29. A traffic study (Hales Engineering, November 2015) was provided by the applicant and reviewed with the 2017 CUP indicating that study intersections are anticipated to continue operating at acceptable levels of service. Capacity of existing streets can handle anticipated normal traffic, however during special events and activities additional traffic enforcement and Special Event permits maybe required.

30. The 2017 CUP approved 104 additional parking spaces to provide a total of 225 spaces for the entire site (there are currently 121 spaces). Staff reviewed a 32% reduction as uses of the NAC overlap and NAC participants use multiple buildings per visit. Parking reductions are consistent with transportation goals and the General Plan. Parking will be phased with construction of elements of the CUP and MPD.

31. Staff recommends an updated parking study be submitted with the CUP for the future lodging building and if additional parking is recommended, it will be reviewed with the future lodging building CUP.

32. The final parking layout will be reviewed at the time of building permit review to ensure compliance with the LMC regarding interior and perimeter landscaping, lighting, and use of landscaped islands to break up expanses of parking. Lighting is proposed to be sharp cut-off and on a time clock to allow the NAC to reduce lighting when not in use.

33. Utilities necessary for this use are available at or near the site.

34. The proposed additions and uses have been reviewed for potential interference with access routes for emergency vehicles. Fire District has reviewed and approved the emergency access routes and final Fire District approval of building plans is required prior to building permit issuance.

35. Existing internal vehicular and pedestrian circulation systems will be modified and enhanced by this project to provide accessible routes and connections to surrounding City open space, trails and recreation amenities, as well as to public transit routes (currently dial-a-ride service).

36. No outdoor storage of goods or mechanical/utility equipment is proposed or allowed onsite.

37. Impacts of the adaptive camping tents site, cabins, and connected trail system on the open space are proposed to be mitigated by limiting the number and size of the tent platforms and cabins, by installing natural pathways (not concrete or asphalt) where

accessibility issue allows, and by minimizing grading and vegetation disturbance. LOD fencing will be installed prior to building permit issuance to contain disturbance for all construction sites. Any exterior lighting will be subdued, fully shielded and down directed.

38.Additions to the Arena and Program Services buildings are located in areas that are already disturbed with pavement and hardscape. The proposed recreation building will impact an area that has been previously disturbed and re-seeded.

39.No signs are proposed at this time and sign permits are required prior to installation of new signs.

40.Exterior lighting fixtures will be reviewed at the time of building permit review for compliance with the City's lighting ordinances.

41.The MPD area contains wetlands and streams and a wetlands delineation report was included with the application. The plans demonstrate that the required fifty-foot buffer from delineated wetlands and streams can be met. Storm water plans are required to be submitted with all building permit applications and conditions of approval note requirements for MS4 plans. Wetlands will be protected during construction as required by the Building Department and Construction Mitigation Plans. Wetlands delineations are valid for a five-year period when applying for a general permit to the Army Corps of Engineers.

42.There are no known physical mine hazards, historic mine waste, or historic structures on the site.

43.The site is not within the Park City Soils Ordinance boundary.

44.A construction mitigation plan will be provided with all building permits and will consider the safety of NAC participants, in addition to all standard requirements.

45.An affordable housing mitigation plan is being drafted by the Applicant and will be submitted to the City's Housing Department. The plan will be presented to the Planning Commission for review and then forwarded to the Park City Housing Authority for review and approval. An approved housing mitigation plan will be an attachment to the Development Agreement at the time of Planning Commission ratification and recordation.

46.The Development Agreement will address specific requirements of the City's Water Department regarding water rights, impact fees, timing, etc.

47.The Development Agreement requires Planning Commission ratification, City Council approval and recordation at Summit County.

48.The proposed mass and scale of buildings and additions, as well as the architectural design, materials, and colors are consistent with existing buildings on the property and in the surrounding area.

49.Proposed buildings and additions are setback more than 25' from all property lines.

50.The MPD proposes a future three story lodging building with a pitched roof at a maximum building height of 45 feet (to the ridge).

51.An addition to the Program Services Building, for expansion of the climbing wall, was

approved with the 2017 CUP to maintain the height exception allowed by the Specially Planned Area approvals (43'4" in height from existing grade).

52. All other additions and structures will not exceed the maximum zone height of 28' with LMC height exceptions permitted for pitched roofs, mechanical, elevators, etc.

53. The height exception is requested to minimize building footprint; reduce overall site disturbance; and provide variation in height, massing, and architectural interest.

54. The height request does not increase allowed density in that there is sufficient lot area to accommodate the lodging expansion floor area over a greater footprint and stay within the 33' allowed building height.

55. Potential problems on neighboring property (City Open Space) caused by shadows, loss of solar Access, and loss or air circulation are mitigated by increased building setbacks and orientation of the proposed building. There are no adjacent structures within close proximity to the property lines. The lodge building is shown with a 125' setback to the property line. At the time of CUP review setbacks to adjacent City property may be adjusted provided that plans demonstrate impacts on adjacent City property, due to shadows, noise and nuisances, can be mitigated.

56. Proposed open space of 78% is greater than the minimum of 60% and the three story design results in additional usable open space on the site.

57. Final design of the lodge building is subject to Planning Commission approval during review of the CUP, at which time the design will be reviewed for compliance with Chapter 5, Architectural Guidelines, including architectural design, exterior materials, façade variation and landscaping requirements.

58. The applicant stipulates to the conditions of approval.

59. The property was posted and notice posted, published and mailed to property owners within 300' as required by the Land Management Code.

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

Conclusions of Law – NAC MPD

Conclusions of Law

1. The MPD, as conditioned, is consistent with the Park City General Plan and Recreation Open Space (ROS-MPD) zoning.
2. The MPD, as conditioned meets required conclusions of law of LMC Section 15-6-6) as stated below:
 - A. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
 - B. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
 - C. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
 - D. The MPD, as conditioned, strengthens and enhances the resort character of Park

City;

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

Conditions of Approval – NAC MPD

1. All standard project conditions shall apply.
2. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall consider the safety of NAC participants. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail

closures, limits of disturbance fencing, protection of existing vegetation, erosion control. Storm-water management and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.

3. A storm water run-off and drainage plan shall be submitted with building permit applications and approved prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed predevelopment drainage conditions and special consideration shall be made to protect any wetlands delineated on and adjacent to the site. This development is part of a common development that is greater than one (1) acre. This development shall meet the MS4 storm water requirements.

4. Final utility plans, consistent with utility plans reviewed by the Planning Commission during the MPD and CUP review, shall be submitted with building permit applications.

5. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.

6. Snyderville Basin Water Reclamation District's review and approval of building permits and utility plans for conformance with the District's standards for review, is a condition precedent to building permit issuance.

7. An Affordable Housing Mitigation Plan shall be reviewed by the Planning Commission and approved by the Park City Housing Authority prior to issuance of any building permits for the lodging building and any applicable deed restrictions shall be recorded according to the final approved Affordable Housing Mitigation Plan.

8. The Affordable Housing Mitigation Plan shall be recorded with the final ratified Development Agreement.

9. As a condition precedent to receiving a certificate of occupancy for the proposed lodging building, the City shall be provided with proof of compliance with the approved Affordable Housing Mitigation Plan.

10. A master sign plan for the project shall be submitted, reviewed for compliance with the Park City Sign Code, and approved by the City, as a condition precedent to issuance of any new sign permits.

11. Once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement. The Development Agreement must be submitted to the Planning Department for ratification by the Planning Commission within 6 months of this approval. The Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.

12. Approval of this Master Planned Development is subject to LMC Chapter 6- Master Planned Developments and shall expire two years from the date of execution of the

Development Agreement or as further conditioned by the Development Agreement, unless Construction, as defined by the Uniform Building Code, has commenced on the project.

13. Vegetation and landscaping will be planted in such a manner that screening of adjacent properties is to be consistent with approved landscape plans. The applicant recognizes that the City Engineer has final authority on landscape placement in any required easement areas.

14. The access road is private to the NAC property line and is maintained by the property owner. From the property line to Gillmor Way the road is public.

15. Any changes to Ability Way shall be approved by the City Engineer, including specifications such as final grade, width, pavement depth, materials, signs, and storm drainage.

16. Access to public trails on City Open Space shall be maintained in coordination with the Park City Open Space and Trails Manager/Department consistent with the Park City Trails Master Plan. Any new access points shall be coordinated with Park City Open Space and Trails Manager/Department.

17. The proposal shall comply with Architectural Design Guidelines outlined in LMC § 15-5-5 which includes prohibited architectural styles and motifs, prohibited siding materials, design ornamentation, number of exterior wall materials, roofing materials, roof shapes, solar panels and skylights, window treatments, Lighting, trash and recycling enclosures, mechanical equipment, patios and driveways, and landscaping. Materials color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission during approval of the Conditional Use Permit on November 29, 2017 and with plans to be reviewed with the future Conditional Use Permit for the new lodging building.

18. The proposal shall comply with the trash storage and collection parameters with the language outlined in LMC § 15-5-5(G).

19. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements shall be submitted with building permit applications for approval by the Planning, Building, and Engineering Department.

20. All noxious weeds, as identified by Summit County, shall be removed from the Property in accordance with the Summit County Weed Ordinance prior to issuance of final Certificate of Occupancy for the Lodging Building.

21. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.

22. Best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application shall be incorporated into

all plans submitted for building permits.

23. At the time of CUP review of the lodge building, setbacks to the adjacent City property may be adjusted provided that plans demonstrate impacts on the adjacent City property, due to shadows, noise and nuisances, can be mitigated.

24. An updated parking study of actual operational trips and parking demand shall be submitted with the CUP for the future lodging building and if additional parking is recommended, it shall be reviewed with the future lodging building CUP."

25. Ten (10) bikes shall be accommodated with bike racks to be installed prior to issuance of the first certificate of occupancy.

26. Prior to issuance of a building permit for development impacting wetlands or the associated buffer areas, an updated wetlands delineation shall be conducted and presented to the City for review.

27. The Water Agreement shall be recorded with the final ratified Development Agreement.

28. All future development, including CUPs and building permit applications shall comply with terms of the recorded Development Agreement and Water Agreement.

The Park City Planning Commission Meeting adjourned at 8:00 p.m.

Approved by Planning Commission: _____



Planning Commission Staff Report

Application: PL-17-03664
Subject: Twisted Branch Subdivision
Author: Kirsten Whetstone, MS, AICP, Senior Planner
Date: April 24, 2019
Type of Item: Continuation

Summary Recommendations

Staff recommends that the Planning Commission conduct a public hearing and continue this item to May 22, 2019.

Description

Owner: REDUS Park City LLC and Park City Municipal Corporation
Applicant: Michael Demkowics - Alliance Engineering
Location: Metes and bounds property adjacent to Twisted Branch Road within the Flagstaff Annexation area
Zoning: Residential Development (RD-MPD) and Recreation Open Space (ROS), subject to the Flagstaff Annexation and Development Agreement
Adjacent Land Uses: Deer Valley Resort, SR 224, B2 East Subdivision (undeveloped condominium residential), Red Cloud Subdivision (single family residential), open space areas, conservation easements, and trails.

Proposal

This is a request for a subdivision plat to create three (3) platted lots of record for, 1) a City water tank, 2) an on-mountain, private "Beano's" style restaurant as described in the amended Flagstaff Development Agreement and 3) a city water pump house. The plat identifies the Twisted Branch Road and creates parcels for Deer Valley Resort (ski runs, trails, bridges, snowmaking, access, etc.), open space, trailhead parking, utilities and access. No residential development density is proposed or assigned to any of the proposed lots or parcels. Staff is recommending continuation to May 22, 2019.

Planning Commission Staff Report

Subject: 269 Daly Avenue – Addition to a Historic Structure located within a Building Setback
Author: Laura Newberry, Planner I
Project Number: PL-19-04144
Date: April 24, 2019
Type of Item: Administrative – Conditional Use Permit (CUP)

Summary Recommendations

Staff recommends continuing this item to a date uncertain. The Engineering Department has requested an elevation certificate completed by a licensed surveyor showing compliance with 44CFR 60.3, prior to the review of this Conditional Use Permit.

Description

Applicant: David & Harriet Henry (Represented by Rick Otto, Architect)
Location: 269 Daly Avenue
Designation: Historic “Significant” Structure
Zoning District: Historic Residential (HR-1) Zoning District
Adjacent Land Uses: Single-Family, Multi-Family, Open Space
Reason for Review: Conditional Use Permit applications are reviewed and approved by the Planning Commission

Proposal

The applicant requests to add a basement addition directly beneath the footprint of the Historic Structure that is partially located within the Side Setback area on the north side of the property.

Recommendation

Staff recommends continuing this item to a date uncertain. The Engineering Department has requested an elevation certificate completed by a licensed surveyor showing compliance with 44CFR 60.3, prior to the review of this Conditional Use Permit.



PLANNING DEPARTMENT

Planning Commission Staff Report

Application: PL-18-04018
Subject: Gravel, Water Wise Landscaping, and Xeriscape Municipal Code Amendments
Author: Liz Jackson, Planner I
Date: April 24, 2019
Type of Item: Legislative – LMC Amendments

Recommendation

Staff recommends the Planning Commission review the proposed Municipal Code amendments, open a public hearing and consider forwarding a positive recommendation to City Council on the Municipal Code amendments to Titles 11-15-3 and 14-2-7, as well as Title 15 (Land Management Code) Sections 15-3-3, 15-5-1, 15-5-5(N), and 15-15-1 as outlined in the Draft Ordinance.

Description

Project Name: Gravel and Landscaping Municipal Code Amendments
Location: Park City – Citywide
Proposal: Revisions to the Municipal Code defining Gravel, Hydrozoning, and Pervious Surface; replace the term Xeriscape with Water Wise Landscape, and specify appropriate landscaping materials.
Reason for Review: Land Management Code (LMC) Amendments require Planning Commission review and City Council review and action.

Background

The [2014 General Plan's Natural Setting Section](#) includes objectives intended for the City to respect and conserve the natural environment. Objectives directing how the City creates regulations to further this goal include:

- 1) Objective 4.22 (page 55) states, "Protect natural vegetation and require new vegetation to complement the existing vegetative character of a site."
- 2) Objective 5.3 (page 58) states, "Adopt new landscaping requirements (in the LMC) to decrease water utilization and preserve the native landscape."
- 3) Objective 5.20 (page 59) states, "Continue to review and investigate best practices that have the potential of substantially improving the environment."

As Park City aims to be a leader in sustainability and mitigate the impacts of the built environment on the natural environment, staff finds it necessary to update the Municipal Code sections listed in this report to better align with the objectives of the General Plan. This comes due to the City's need to proactively respond to climate change and its impacts on the community and natural environment; staff's research findings of clearer

guidelines regarding sustainable landscaping; and a need to better serve the community by clarifying what is allowed to be used for landscaping and parking area materials.

Staff has been working with Planning Commission, City Council, and community members to update landscape regulations since 2016. This conversation started in conjunction with Recreational Vehicle (RV) parking and storage, as gravel's use as a parking area impacts these regulations. Staff has since decided to separate RV parking to be its own topic. Not only has RV parking received the most public comment and inquiry, but staff has found it necessary to do more thorough research of other communities' regulations of this type of vehicle. To ensure that the City continues to enforce and promote best practices for sustainability and landscaping, staff proposes to move forward with these gravel and Water Wise Landscaping amendments without RV parking included. The amendments are timely as staff consistently reviews grading permits throughout the year, which often propose landscaping and the use of gravel, so combining landscaping and gravel as a separate LMC Amendment is necessary. The redlines proposed in this report relate to landscaping and gravel, and do not include RV parking.

Meetings regarding gravel and landscaping include:

<u>Meeting Date</u>	<u>Summary</u>	<u>Links</u>
July 21, 2016	City Council held work session on the use of throughout the City, focusing on xeriscaping and parking.	Work Session Staff Report (starting on page 18) Minutes (starting on page 4)
October 26, 2016	Planning Commission held work session to discuss parking as requested by City Council. This included a general discussion about gravel in the City.	Work Session Staff Report (starting page 201) Minutes (starting page 49)
April 26, 2017	Additional Planning Commission work session held to solicit feedback on RV parking, gravel, and xeriscaping.	Work Session Staff Report (starting page 83) Minutes (starting page 4)
August 7, 2018	Public open house held to review RV parking, gravel, and Xeriscape/landscape. No public comment received regarding landscaping and gravel.	
October 11, 2018	RV parking work session. Council agreed with staff to separate RV Parking from gravel and landscaping.	Work Session Staff Report (starting on page 4) Minutes (starting on page 1)
November 29, 2018	Update to City Council showing staff's intentions for Municipal Code Amendments	Staff Communication Report

The overall direction given to staff, regarding gravel and Xeriscape, at the meetings listed above includes:

- 1) Define hard surfaces;
- 2) Define gravel;
- 3) Using rock for landscaping is a concern, although the community should conserve water;
- 4) Be aware of gravel alternatives and their impacts – grass or sod requires water;
- 5) Consider grandfathering in properties with existing gravel;
- 6) Write code that is easier to enforce;
- 7) Use terms the public can understand;
- 8) Consider how to educate the public on changes.

Not only has staff conducted research on landscaping regulations in similar municipalities to determine appropriate updates to the Municipal Code, but has also collaborated with the City Building, Engineering, and Sustainability Departments to determine which updates can be feasibly regulated.

Community landscape regulations that staff has researched include:

- 1) Summit County, Utah
- 2) Taos, New Mexico
- 3) La Mesa, California
- 4) Sun Valley, Idaho
- 5) Vail, Colorado
- 6) Boulder, Colorado
- 7) Denver, Colorado. Staff members visited the Denver Botanic Gardens in September of 2018 to learn about native and drought tolerant plantings.

On November 29, 2018 City Council approved [Ordinance 2018-59](#). This ordinance added a drought tolerant and native plant material list to be utilized when working in the City rights-of-way and public spaces. This ordinance is in alignment with the Municipal Code amendments proposed in this report, creating a framework for sustainable species to be used in future projects. The plant list is also recommended to the Sustainability Departments for use in applicable projects.

Analysis

Staff finds that as the Municipal Code reads currently, regulating gravel and Xeriscape has proven to be problematic. Community members are uncertain of what can be proposed in landscape plans and staff finds it difficult to regulate landscape materials consistently due to the lack of specificity in the Code. If staff cannot utilize the current landscaping regulations effectively, it prolongs the length of time and consistency of application reviews. Sustainability is also an ever present thought for staff as the City strives to be a leader in this area. Being proactive and innovative toward our climate

goals, while simultaneously making our regulation and review processes simpler for staff and the community, is the intention of the proposed revisions.

The goals of the proposed revisions include:

- 1) Better define the parameters for regulating landscaping materials for Park City residents; and
- 2) Lessen the impacts of landscaping on neighborhoods and the natural environment; and
- 3) Continue efforts to reduce water use by utilizing concepts of Water Wise Landscaping; and
- 4) Address the directions given to staff by the Planning Commission and City Council, as listed in the Background section of this report.

Revision Topic 1: Gravel

Gravel is not defined and is often argued by permit applicants on what it classifies. When gravel is used as a ground cover without a majority of plantings, it can negatively impact public services, safety, the surrounding environment, and the natural aesthetic of the community. Examples of this include, but are not limited to:

- 1) When used as a ground cover in the right-of-way or near a driveway, gravel encourages parking on impervious surfaces. This is not allowed per Municipal Code Title 15-3-3(B).
- 2) When parked or driven on, gravel is easily displaced onto the road. This is troublesome for snow removal, hazardous for cyclists, and difficult to remove from the water system when washed into the storm drains.
- 3) Without the inclusion of plantings, a majority gravel landscape:
 - a. Is out of place aesthetically among the natural, mountain environment of Park City;
 - b. Can accumulate organic matter which looks unappealing if not cleaned out regularly, detracting from the character of the neighborhood;
 - c. Can allow gathering of organic matter to decompose and grow weeds, if not maintained.
- 4) Bark and other organic mulches can improve the soil on which they are placed through aeration and water absorption, whereas gravel does not have the same effect.¹
- 5) Gravel and stone have less of an impact on urban heat island effect if plants are included in the landscape design.² As this effect raises temperatures, which has negative impacts on the environment³, utilizing at least 50% of plantings in mulches and gravel are less likely to add to this heat island effect. Plantings also add to the aesthetic and cohesiveness of the neighborhood, as opposed to a lot covered predominantly in gravel and other mulches.

¹ Njue, G. (2016, March 4). *Hort Notes: Selecting the Right Landscape Mulch*. Retrieved from <http://ag.umass.edu/landscape/news/hort-notes-selecting-right-landscape-mulch>.

² Moss, W. *Heat Island Effect*. Retrieved from <https://garden.org/learn/articles/view/4389/>.

³ Environmental Protection Agency (EPA). *Heat Island Impacts*. Retrieved from <https://www.epa.gov/heat-islands/heat-island-impacts>.

Revision Topic 2: Xeriscape

The City aims to promote drought tolerant and native landscapes, conserving water and reducing negative impacts of non-native and invasive species on Park City's environment. Municipal Code Title 15-15 defines Xeriscape as "A landscaping method developed especially for arid and semiarid climates utilizing water-conserving techniques (such as the use of drought-tolerant plants, mulch, and efficient irrigation)." Staff has found that this definition is confusing for community members. Many interchange Xeriscape with Zeroscape, which is often defined as a yard that uses gravel or dirt and contains little to no plantings. Zeroscape is not an allowed method of landscaping per the Municipal Code. Staff has experienced community members erroneously arguing that landscaping only consisting of rocks is Xeriscape.

In order to address the Planning Commission and City Council's points of direction listed in the Background section of this report, staff proposes to:

- 1) Specify the minimum diameter of stones allowed in City rights-of-way as four inches (4"). Stones this size or greater have been determined by the Engineering Department to be less likely to transfer into the road. Additionally, larger stones are less likely to encourage parking on a pervious surface.
- 2) Define Hydrozoning, Gravel, and Pervious Surface.
 - a. Hydrozoning is a technique that plants with similar water needs be placed in the same areas, reducing excess water usage. Other communities utilize this technique to limit water waste.
 - b. Defining Gravel and Pervious Surface will better clarify the size of gravel stones that can be used for landscaping and that they cannot be used for parking.
 - c. Staff also proposes to replace the term Xeriscape with Water Wise Landscape/Landscaping, and refine its definition to be clearer for members of the public and staff. The goal of this update is to clarify what a Water Wise Landscape is and what is considered appropriate for landscaping on private property, specific to the climate and growing season in Park City. Staff has found that landscape materials can affect not only the homeowner, but the neighborhood and surrounding ecosystem, so proper material selection is critical to have as little impact on the community and the natural environment as possible.
- 3) Specify the circumstances when gravel is appropriate in a landscaped area. Staff recognizes that gravel can be beneficial when utilized as a pathway, patio, drainage, and as a method of defensible space (i.e. wildfire suppression). Utilizing gravel as a ground cover, and not in a manner listed above, is not considered landscaping, detracts from the aesthetic of Park City neighborhoods, and would not be code compliant.
- 4) Suggest appropriate plant materials and stipulate the percentage of plantings to be used in a Water Wise Landscape. This is not only intended to limit invasive and non-native species, but lessen the impact of ground cover heat retention by requiring a greater ratio of plantings to keep the Water Wise Landscape areas cool. This will assist in limiting urban heat island effect due to plants' ability of transpiration (i.e. releasing a cooling vapor into the atmosphere). Utilizing Water

Wise and native species will conserve water, add to the aesthetic of the lot and neighborhood, and further the City's mission of respecting and conserving natural landscapes.

- 5) Regulate artificial turf. Although it does not need to be watered, artificial turf can do significant damage to soil beneath it and can get extremely hot. Furthermore, artificial turf is petroleum-based and only partially biodegradable⁴. Staff has determined that adding a restriction on artificial turf to deck space only will limit urban heat island effect and help to maintain the aesthetic of Park City by not allowing artificial turf on the majority of a site.
- 6) Require WaterSense labeled smart irrigation controllers to limit water usage and waste. The City currently utilizes WaterSense controllers to limit water waste on select City owned properties and participates in the Utah Water Savers Smart Controller Rebate Program that offers rebates for homeowners if they purchase an eligible WaterSense smart controller.
- 7) Implement these revisions moving forward on new and revised projects, and respond to complaints filed with the City. Complaints about the Land Management Code are directed to the City's Code Enforcement officers to review. Code Enforcement is primarily complaint based.

Staff finds that the proposed amendments to the Municipal Code will clarify the City's landscape plan review process, enable staff to consistently regulate community members' landscaping, and further the City's efforts of water conservation and native landscape preservation.

In conjunction with the proposed amendments, the Planning, Building, Engineering, and Sustainability Departments drafted a combined policy to explain how the City regulates select ground covers and plantings within private landscapes, grading, driveway materials, and City rights-of-way encroachments (see Exhibit C). This policy outlines frequent topics that arise when the City is reviewing permit applications and enforcing the Municipal Code, and furthers staff's efforts of more efficient application review. Staff has also created a landscape plan checklist (see Exhibit D) to be included in Building Permit applications, which will make plan submittals simpler for community members and more efficient for staff to review. This checklist is in alignment with the proposed amendments in this report.

Staff has attached a complete set of redlines applicable to gravel, Water Wise Landscaping, and Xeriscape as Exhibit A to this staff report.

Process

LMC amendments are processed according to LMC § 15-1-7. Amendments to the LMC require Planning Commission review and recommendation and City Council review and adoption. City Council final action may be appealed to a court of competent jurisdiction

⁴ Australia, Department of Local Government, Sport, and Cultural Industries. Chapter 7 of the Natural Grass vs Synthetic Turf Surfaces Study Final Report. Retrieved April 1, 2019 from <https://www.dsr.wa.gov.au>

per LMC § 15-1-18. A public hearing is required by both the Planning Commission and City Council, with proper notice.

Department Review

This report has been reviewed by Sustainability, Public Utilities, Legal, and Community Development Departments.

Notice

Legal notice of a public hearing was posted in the required public spaces and public notice websites and published in the Park Record by April 6, 2019, per the requirements of the Land Management Code.

Public Input

- 1) Public input has been provided in the past during Planning Commission and City Council meetings, and at the City-held open house noted in this report. One comment was received regarding gravel. It is included as Exhibit B.
- 2) Staff sent out an email on April 5, 2019 to select Landscape Architects and members of the public that had expressed interest in gravel and landscaping Municipal Code and LMC amendments in the past, informing them that these amendments were going to be reviewed by the Planning Commission. Three responses were received and are also included as Exhibit B.

Recommendation

Staff recommends the Planning Commission review the proposed Municipal Code amendments, open a public hearing and consider forwarding a positive recommendation to City Council on the Municipal Code amendments to Titles 11-15-3 and 14-2-7, as well as Title 15 (Land Management Code) Sections 15-3-3, 15-5-1, 15-5-5(N), and 15-15-1 as outlined in the Draft Ordinance.

Exhibits

Exhibit A – Draft Ordinance

Exhibit B – Public Comment

Exhibit C – Policy of Planning, Building, and Engineering Departments regarding Landscaping, Grading, Driveways Material Use, Encroachments / Retaining Walls in Rights of Way (ROW) and Private Lands

Exhibit D – Building Permit Landscape Plan Checklist

AN ORDINANCE AMENDING TITLES 11, 14 AND 15 OF THE MUNICIPAL CODE OF PARK CITY, UTAH, SPECIFICALLY AMENDING SECTIONS 11-15-3 ACCEPTABLE COVER, 14-2-7 PARK STRIPS, 15-3-3 GENERAL PARKING AREA AND DRIVEWAY STANDARDS, 15-5-1 POLICY AND PURPOSE, 15-5-5 ARCHITECTURAL DESIGN GUIDELINES, AND 15-15-1 DEFINITIONS

WHEREAS, the Municipal Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents, visitors, and property owners of Park City; and

WHEREAS, the Municipal Code Title 11 reserves the City's authority to regulate landscaping and maintenance of soil cover within Park City; and

WHEREAS, the Municipal Code Title 14 implements standards of trees and landscaping within Park City; and

WHEREAS, the Land Management Code is codified as Title 15 of the Municipal Code and implements the goals, objectives and policies of the Park City General Plan to maintain the quality of life and experiences for its residents and visitors and to preserve the community's unique character and values; and

WHEREAS, it is in the best interest of the residents of Park City, Utah to amend the Municipal Code to be consistent with the values and goals of the Park City General Plan and the Park City Council; to protect health and safety and maintain the quality of life for its residents and visitors; and to preserve and protect the community's visual and environmental character; and

WHEREAS, the proposed Municipal Code amendments enhance the landscape standards for water conservation and to maintain the aesthetic experience of Park City; and

WHEREAS, these proposed Municipal Code amendments were reviewed for consistency with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed changes to the Municipal Code are necessary to update existing zoning regulations to better conserve natural resources within Park City;

WHEREAS, the Planning Commission duly noticed and conducted public hearings at the regularly scheduled meetings on April 24, 2019 and forwarded a recommendation to City Council; and

WHEREAS, the City Council duly noticed and conducted a public hearing at the regularly scheduled meeting on May 16, 2019.

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

SECTION 1. APPROVAL OF AMENDMENTS TO THE MUNICIPAL CODE OF PARK CITY- TITLE 11 – Section 11-15-3; TITLE 14 – Section 14-2-7; and TITLE 15 – Sections 15-3-3, 15-5-1, 15-5-5, and 15-15-1. The recitals above are incorporated herein as findings of fact. The applicable Sections of Title 11, Title 14, and Title 15 of the Municipal Code of Park City are hereby amended as redlined in Attachment A.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this ____ day of _____, 2019

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, Mayor

Attest:

City Recorder

Approved as to form:

Mark Harrington, City Attorney

Attachment A

11-15-3 Acceptable Cover

- A. All areas within the Soils Ordinance Boundary where real property is covered with six inches (6") or more of "approved topsoil" defined in Section 11-15-2 (B) must be vegetated with grass or other suitable vegetation to prevent erosion of the 6" topsoil layer as determined by the Building Department.
- B. Owners ~~who that~~ practice **Water Wise Landscaping** ~~"xeriscape"~~ as defined in the Land Management Code 15-15 are allowed to employ a weed barrier fabric if the property is covered with six inches (6") of rock or bark and maintained to prevent soil break through.
- C. As used in this Chapter, "soil break through" is defined as soil migrating through the fabric and cover in a manner that exposes the public and shall be deemed in violation of this Chapter.
- D. As used in this Chapter, **Water Wise Landscaping** – as defined in the Land Management Code 15-15 – within the Soils Ordinance Boundary remains subject to the regulations within this Chapter. ~~"xeriscape" is defined as a landscaping practice that uses plants that grow successfully in arid climates and a landscaping design intended to conserve City water resources.~~

14-2-7 Park Strips

No portion of any park strip shall be paved or surfaced except sidewalks and driveways. **No portion of any park strip or Right-of-Way may contain Gravel. Any rock used must be at least four inches (4") in diameter.** A park strip is defined as the portion between the front or side lot line and the actual or designated curb line.

15-3-3 General Parking Area And Driveway Standards

Off-Street parking shall meet the following standards:

A. **GRADING AND DRAINAGE.**

- 1. Parking Areas must be Graded for proper drainage with surface water diverted to a specified Area approved by the City Engineer, to keep the Parking Area free of accumulated water and ice.
- 2. Adequate control curbs must be installed to control drainage and direct vehicle movement.
- 3. Parking Area drainage must be detained on Site, treated if required under NPDES (National Pollution Discharge Elimination Standards), and channeled to a storm drain or gutter as approved by the City Engineer.
- 4. Driveways must not exceed a fourteen percent (14%) Slope.
- 5. Drives serving more than one Single-Family Dwelling shall provide a minimum twenty foot (20') transition Area at no greater than two percent

(2%) Slope beginning at the back of the curb, or as otherwise approved by the City Engineer, in anticipation of future Street improvements.

- B. **SURFACING**. Parking Areas and driveways must be Hard-Surfaced, **impervious**, maintained in good condition, and clear of obstructions at all times. See Required Setback Exceptions in Chapter 2 for further drive and parking requirements in specific Zoning Districts.

15-5-1 Policy And Purpose

As a community dependent upon the tourism industry, the atmosphere and aesthetic features of the community take on an economic value for the residents and Property Owners of Park City.

It is in the best interests of the general welfare of the community to protect the aesthetic values of the community through the elimination of those architectural styles, and those Building and Landscape materials, which, by their nature, are foreign to this Area, and this climate, and therefore tend to detract from the appearance of the community.

Most of Park City's Main Street and many homes in Park City's older neighborhoods are listed on the National Register of Historic Places as well as being locally designated as Historic Sites, which is a point of considerable importance to the tourism industry. New Development, while distinct from surrounding Historic Sites, should not detract from them. Park City is densely developed due to the shortage of level, buildable land.

The effect of one Development is felt on the community as a whole. It is the policy of the City to foster good design within the constraints imposed by climate, land ownership patterns, and a Compatible architectural theme.

It is also the intent of this section to encourage lighting practices and systems which will minimize light pollution, glare, and light trespass; conserve energy and resources while maintaining night time safety, utility, and security; and curtail the degradation of the night time visual environment.

It is recognized that the topography, atmospheric conditions and resort nature of Park City are unique and valuable to the community. The enjoyment of a starry night is an experience the community desires to preserve. The City of Park City, through the provisions herein contained, promotes the reduction of light pollution that interferes with enjoyment of the night sky.

It is also the intent of this section to encourage and implement water conservation practices for landscaping, **as it is in the public's best interest to conserve water resources and promote Water Wise Landscaping**. Park City is in a mountainous, semi-desert environment where much of the precipitation occurs as snow during the winter

months and the highest demand for water occurs during the summer months. The largest single water demand is for irrigation of landscaping. The use of ~~Water Wise Landscaping~~ ~~Xeriscaping~~ will protect the health, safety, and welfare of the community from impacts of water shortages likely to occur during cycles of drought. ~~Xeriscaping~~ ~~Water Wise Landscaping~~ is a concept of landscaping with plants that use little or no supplemental irrigation and are typically native to the region. The concept also requires water conserving irrigation practices, such as drip irrigation, ~~Hydrozoning~~, and effective mulching with plant based mulches.

15-5-5(N) Landscaping

LANDSCAPING. A complete landscape plan must be prepared for the limits of disturbance area for all ~~Building Permit applications and Historic District Design Review projects for all exterior work that impacts existing vegetation within the limits of disturbance~~ Development activity. The landscape plan shall utilize the concept of ~~Xeriscaping~~ ~~Water Wise Landscaping~~ for plant selection and location, irrigation, and mulching of all landscaped areas. The plan shall include foundation plantings and ground cover, in addition to landscaping for the remainder of the lot. The plan shall indicate the percentage of the lot that is landscaped, ~~and~~ the percentage of the landscaping that is irrigated, ~~the type of irrigation to be used, and Hydrozones~~. The plan shall identify all existing Significant Vegetation. ~~The plan shall also identify the 50 percent (50%) of any Water Wise Landscaped area comprised of appropriate plants, trees, and shrubs. Any proposed boulders or rocks greater than two inches (2") in diameter and Gravel must be identified.~~

Materials proposed for driveways, parking areas, patios, decks, and other hard-scaped areas shall be identified on the plan. A list of plant materials indicating the botanical name, the common name, quantity, and container or caliper size and/or height shall be provided on the plan. ~~Refer to the Municipal Code of Park City Title 14-1-5 for a City approved Plant List. A diverse selection of plantings is suggested to provide plantings appropriate to the Park City climate and growing season, to provide aesthetic variety and to prevent the spread of disease between the same species. Artificial turf is only allowed on Deck areas.~~

Areas of mulch shall be identified on the plan. Approved mulches include natural organic plant based or recycled materials. ~~Stone-based mulch is not permitted. Gravel is only allowed in the following applications: as an approved walkway, patio, drainage plan, and/or defensible space. The Planning Director or his/her designee may determine if proposed defensible space areas are not required to include plantings. Any Gravel or stone within the HRL, HR-1, HR-2, HRM, HRC, or HCB Zoning Districts must meet the requirements of Park City's Design Guidelines for Historic District and Historic Sites. Gravel is not an allowed surface for parking, ground cover on berms or finished grade~~

with a ratio greater than 3:1, within platted or zoned open space, or as a material in parking strips or City rights-of-way.

To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved to be removed, based on a Site Specific plan, Conditional Use, Master Planned Development, or Historic District Design Review approval, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. The Forestry Manager or Planning Director may grant exceptions to this if upon their review it is found that equivalent replacement is impossible or would be detrimental to the site's existing and/or proposed vegetation. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size. Where landscaping does occur, it should consist primarily of native and drought tolerant species, drip irrigation, and all plantings shall be adequately mulched.

A detailed irrigation plan shall be drawn at the same scale as the landscape plan including, but not limited to: a layout of the heads, lines, valves, controller, backflow preventer, and a corresponding legend and key. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.

Irrigated lawn and turf areas are limited to a maximum percentage of the allowed Limits of Disturbance Area of a Lot or Property that is not covered by Buildings, Structures, or other Impervious paving, based on the size of the Lot or Property according to the following table:

Lot Size	Maximum Turf or Lawn Area as a percentage of the allowed Limits of Disturbance Area of the Lot that is not covered by Buildings, Structures, or other Impervious paving
Greater than one (1) acre	25%
0.50 acres to one (1) acre	35%
0.10 acres to 0.49 acres	45%
Less than 0.10	No limitation

acres	
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Where rock and boulders are allowed and identified on the Landscape Plan, these shall be from local sources. All noxious weeds, as identified by Summit County, shall be removed from the Property in a manner acceptable to the City and Summit County, prior to issuance of Certificates of Occupancy.

15-15-1 Definitions

GRAVEL. Round rock or crushed stone less than two inches (2”) in diameter.

HYDROZONING. Landscaping technique in which plants, trees, and shrubs with similar water needs are planted in the same area.

PERVIOUS SURFACE. A surface that presents an opportunity for water to infiltrate or percolate into the ground.

WATER WISE LANDSCAPE/LANDSCAPING ~~XERISCAPE~~. A landscaping method developed especially for arid and semiarid climates, utilizing water–conserving techniques (such as the use of drought-tolerant plants, mulch, and efficient irrigation) that reduces the need for supplemental irrigation. “Xeriscape” is a form of Water Wise Landscaping. Plants, trees, and shrubs that are appropriate to the local climate are used, and care is taken to avoid losing water to evaporation and run-off. A Water Wise Landscape is a mix of plantings, boulders, and other landscaping materials with at least fifty percent (50%) of the landscaped area containing plants, trees, and shrubs. The use of mulch coverings, organic or stone-based, without fifty percent (50%) plantings does not constitute a Water Wise Landscape.

EXHIBIT B Public Comment 1 of 4

Tippe Morlan

From: Marianne Cone <chapcone@gmail.com>
Sent: Sunday, August 05, 2018 8:17 AM
To: Tippe Morlan
Subject: New Parking Surface

Follow Up Flag: Follow up
Flag Status: Completed

I will be at the Open House on Tuesday but I wanted you to explore this parking surface, which is a brilliant concept for a permeable but sturdy surface for parking vehicles. It is especially appropriate for vehicles without motors where there is no toxic substance which might leak into the ground water. The product representative has promised to send me a sample by Tuesday and I will share that with you.

My husband and I personally installed and used this material at our lot in Old Town and it has held up for 10 years without a problem.

I am out of town until Tuesday afternoon and will see you at the meeting.

Marianne Cone

<http://www.invisiblestructures.com/gravelpave2/>



Gravelpave2 porous gravel paver allows you to park, drive, walk, or ride on a beautiful decorative gravel surface.

Porous Gravel Paver

- Pervious Load Bearing Surface
- Stormwater Pollution Filtration and Treatment
- Heat Energy Reflection Reduction, "Cool" Surface
- Tree Growth within Parking Areas
- 15,940 psi Compressive Strength (2.29 million psf / 109,906 kPa) – see test
- Large Rolls for Easy Installation
- 92% Void Space for Increased Porosity and Gravel Integrateion

Applications

- All Parking Aisles and Bays
- Handicap Parking Spaces
- Automobile and Truck Storage Yards
- All Service and Access Drives
- Loading Dock Areas
- Trails for Multiple Uses
- Boat Ramps
- Outdoor Bulk Storage Areas
- Infiltration Basins
- High-Use Pedestrian Areas



*Gravelpave2 consists of a geotextile fabric injection molded to the ring and grid structure. Gravelpave2 comes in **four colors** to match your **aggregate fill**.*

Gravelpave2 also requires a base course (not shown).



Unlimited traffic volume, low speed parking lots are perfect for Gravelpave2.

Gravelpave2 is a structure to provide heavy load bearing support and true containment of gravel to create a [porous](#) surface with unlimited traffic volume and/or duration time for parking. The system can be used for storage and filtration of rainwater. For example, a cross-section with an 12" deep base course (at 20% void space) and the one inch of Gravelpave2 (at 35%) would store 2.75" of rain. Although bacteria concentrations are lower than with [Grasspave2](#), polluted runoff and [vehicle drippings](#) are consumed prior to reaching the water table.



Gravelpave2 has been tested as a wheelchair accessible surface (ADA) for use in public spaces such as the Pentagon Memorial, Arlington, VA. [View the Test.](#)

32 12 43 Porous Flexible Paving

Gravelpave2 is listed in the Construction Specifiers Master Spec Format predominantly in Section **32 12 43** [Porous Flexible Paving](#). You may also place it in the 1995 Master Format Version in section **02795** [Porous Pavements](#).

Sizes

Manufactured in 1 square meter units (3.3' x 3.3') or quarter-meter units (1.65 feet x 1.65 feet) and assembled into [rolls](#). Please view our [Roll Chart](#) for dimensions. [Some curves](#) can be achieved without cutting.



Gravelpave2 makes an attractive and [permeable](#) roadway at the National Garden in Washington, D.C..

Gravelpave2 Estimator

Elizabeth Jackson

From: Sally Cousins Elliott <sallycousinselliott@gmail.com>
Sent: Friday, April 5, 2019 1:58 PM
To: Elizabeth Jackson
Subject: Re: Landscape and Gravel LMC Proposed Amendments

Thanks. I'm good on the gravel issue. It's just motorhomes seasonally parked in driveways.

On Fri, Apr 5, 2019 at 11:54 AM Elizabeth Jackson <elizabeth.jackson@parkcity.org> wrote:

Hello everyone,

I wanted to keep you in the loop as you had expressed interest in our updates to the Park City Land Management Code (LMC) regarding landscaping and gravel. We will be taking our updates to the Planning Commission on 4/24/19. To be clear, **this will not include amendments regarding parking of recreational vehicles (RVs)**. The proposed updates are regarding Water Wise Landscaping, gravel in general, and general landscaping.

We will publish the agenda and packet the Friday (4/19/19) before that meeting, which will include the staff report for the LMC amendments. You can find that information on this [page](#), when the packet is published. The packet will be under Planning Commission tab for the 4/24/19 meeting date. See image of site below.

EXHIBIT B Public Comment 3 of 4

Elizabeth Jackson

From: Seth Bockholt <seth@bockholtla.com>
Sent: Monday, April 8, 2019 1:49 PM
To: Elizabeth Jackson
Subject: RE: Landscape and Gravel LMC Proposed Amendments
Attachments: gravel planting edge.jpg; crusher fine patio.jpg

Liz, Sorry for the delay. I responded to you Friday, and took off for the weekend. My email got kicked back to me due to file size (attached images have been reduced) and I didn't notice till now.

Let me clarify.

We think mineral mulch should be allowed. Understanding that there are a couple variants of how I have seen this code interpreted by PCMC planners over the years..."A" rock in the right of way has been a focus and disallowed in all scenario's and "B" Landscape meaning planters, and not paths or patios, so rock allowed in some cases.

Generally we think mineral or rock mulch should be allowed depending upon the size of rock used regardless of the location it is used. We discourage the use of rock 1" to 12" (larger sizes are more or less considered boulders) in planters & Right of way for the following reasons:

1. They seem not to fit with the sense of place in this mountain community, and belong mainly in desert-scapes. They are really a bi-product of the extraction industry spread over the surface.
2. They create anaerobic soils (especially when used in conjunction with weed barrier fabric) which is not conducive intentionally planted long-term vegetation. Rather, dust and debris gather in the crevice's becoming a gestation bed for invasive weeds over the top of weed barrier and rock.
3. The rocks, when disrupted by plows during snow removal often become dangerous projectiles from car tires. If rock and weed barrier are used, and the plow snags...the entire weed blanket the length of a property frontage can be pulled out creating extensive damage.

Because of 3&4 above we discourage the use of weed-barrier unless you are talking about a pathway. Ban Weed-barrier not rocks.

We do encourage the use of small size (1" minus) mineral mulch for creating permeable landscape elements in lieu of concrete or asphalt. This can be in the design of roads, drives, patio's, paths, drip strips below roofs, banding along roadside, and even typical landscape edging.

For example a 3/8" minus Crushed rock can be compacted to a patio, and even edge between lawn and plantings. Example pics attached.

As far as Saline damage to landscapes go, this is a very big concern in our area of practice, and plants and trees suffer much damage. The research shows that the best way to mitigate saline in soils is through flushing. This means inundating the grounds alongside roads, and walks with water in the spring to dilute the saline. When this is planned for and executed, larger size organic mulches such as bark float and migrate downhill. Mineral mulch because of its density doesn't do that as much. And in both cases established vegetation is the best reduction of that erosion potential.

Hope that helps. I will plan on paying close attention to this as it develops.

Seth Bockholt, PLA GRP ASLA

Principal Landscape Architect + Planner

435.649.3856 | seth@bockholtla.com | www.Bockholtinc.com



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From: Elizabeth Jackson <elizabeth.jackson@parkcity.org>
Sent: Friday, April 5, 2019 1:06 PM
To: Seth Bockholt <seth@bockholtla.com>
Subject: RE: Landscape and Gravel LMC Proposed Amendments

Thanks Seth. We appreciate your feedback. To be clear, are you saying the “permeable patios, paths, or banding along drives to mitigate damage to landscape from snow removal implements and chemical/ saline runoff from impermeable surfaces” are problematic or are you saying they should be allowed?

Liz

From: Seth Bockholt [<mailto:seth@bockholtla.com>]
Sent: Friday, April 5, 2019 1:00 PM
To: Elizabeth Jackson
Subject: Re: Landscape and Gravel LMC Proposed Amendments

Thank you Liz. As you may already know our main issue is not gravel or stone on the landscape per se, but mineral mulch such as decomposed granite, crushed vines or chert used to make permeable patios, paths, or banding along drives to mitigate damage to landscape from snow removal implements and chemical/ saline runoff from impermeable surfaces.

I think the city agrees permeable surfaces are always preferable to impermeable; however under the current code, more impermeable surfaces are the result.

Seth Bockholt PLA GRP ASLA
Principal Landscape Architect + Planner

www.bockholtinc.com

Sent via the Samsung Galaxy Note8, an AT&T 4G LTE smartphone

----- Original message -----

From: Elizabeth Jackson <elizabeth.jackson@parkcity.org>
Date: 4/5/19 11:54 AM (GMT-07:00)
To:
Subject: Landscape and Gravel LMC Proposed Amendments

Hello everyone,

I wanted to keep you in the loop as you had expressed interest in our updates to the Park City Land Management Code (LMC) regarding landscaping and gravel. We will be taking our updates to the Planning Commission on 4/24/19. To be clear, **this will not include amendments regarding parking of recreational vehicles (RVs)**. The proposed updates are regarding Water Wise Landscaping, gravel in general, and general landscaping.

We will publish the agenda and packet the Friday (4/19/19) before that meeting, which will include the staff report for the LMC amendments. You can find that information on this [page](#), when the packet is published. The packet will be under Planning Commission tab for the 4/24/19 meeting date. See image of site below.

Available Archives

 City Council

 Historic Preservation Board

 Planning Commission

2019

2018

Name	Date	Duration	Agenda	Minutes/Closed Captioning Text	Audio	Agenda Packe
Planning Commission	March 27, 2019 - 5:21 PM	02h 30m	Agenda		Audio	Agenda Pac
Planning Commission	March 13, 2019 - 5:58 PM	01h 12m	Agenda		Audio	Agenda Pac
Planning Commission	February 27, 2019 - 5:22 PM	01h 36m	Agenda	February 27, 2019 Minutes	Audio	Agenda Pac
Planning Commission	February 13, 2019 - 5:26 PM	01h 23m	Agenda	February 13, 2019 Minutes	Audio	Agenda Pac
Planning Commission	January 23, 2019 - 5:23 PM	00h 59m	Agenda	January 23, 2019 Minutes	Audio	Agenda Pac
Planning Commission	January 09, 2019 - 5:23 PM	01h 08m	Agenda	January 9, 2019 Minutes	Audio	Agenda Pac

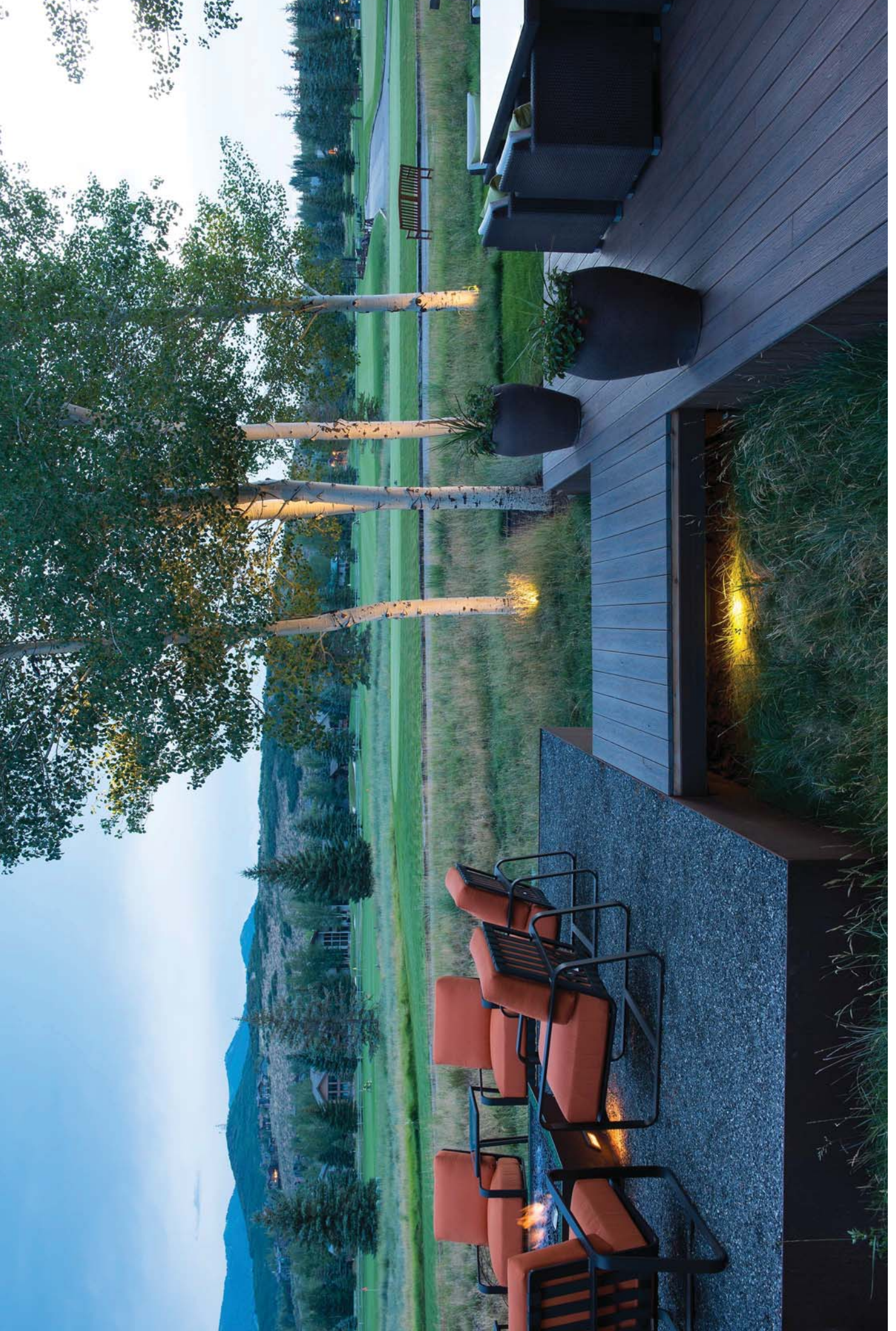
Let me know if you have questions. If you have comments, please send them to me the Tuesday prior to the meeting (4/23/19).

Liz Jackson
Planner

Park City Planning Department
435-615-5065
PO Box 1480
Park City, UT 84060



Disclaimer: The Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk.





Elizabeth Jackson

From: Seth Bockholt <seth@bockholtla.com>
Sent: Thursday, April 11, 2019 1:20 PM
To: Elizabeth Jackson
Subject: Salinity Issue
Attachments: USU Saline Soils.pdf

Hi Liz, here is a doc from USU that helps build a case for mineral mulch banding along paved surfaces to increase drainage, allowing Salinity to be more easily diluted...keeping a healthier landscape.

Regards,

Seth Bockholt, PLA GRP ASLA
Principal Landscape Architect + Planner
[435.649.3856](tel:435.649.3856) | seth@bockholtla.com | www.Bockholtinc.com



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Reviewed December 2010

SOLUTIONS TO SOIL PROBLEMS

I. High Salinity (soluble salts)

Vernon Parent, Washington County Extension Agent
Rich Koenig, Extension Soil Specialist

Salinity is a measure of the total amount of soluble salts in soil. As soluble salt levels increase, it becomes more difficult for plants to extract water from soil. Some plants are more resistant than other's, but as the salt levels exceed their ability to extract water, they become water stressed. This is known as *chemical drought*, since affected plants show visual symptoms similar to those plants suffering from a lack of water.

Solutions to Soil Problems is a series of short fact sheets targeting common soil problems in Utah landscapes. Other publications in the series can be found on the Utah State University Extension web site (extension.usu.edu) under *Publications*.

Saline (high salt) soils are common throughout Utah due in part to the arid climate and inadequate rainfall necessary to leach salts out of the plant root zone. Higher salt concentrations can be created by poor soil drainage, improper irrigation (short increments, often), irrigation water with high levels of salts (house water run through a water softener), when excessive amounts of fertilizer, manure or compost are applied, or when de-icing salts used on sidewalks and roads run off and enter the soil.

MEASURING SOIL SALINITY

A commercial testing laboratory can measure soil salinity for a few dollars per sample. Contact a local county Extension office for information on collecting soil samples and sending them to a laboratory for analysis. It is not possible to measure soil salinity with home test kits. Since soil salinity is a common problem throughout Utah, it is important to have soils tested before making large and expensive landscape plantings.

Soil salinity is expressed as the electrical conductivity of solution extracted from the soil at water saturation. Salinity values are given in units of millimhos per centimeter (mmhos/cm) or decisiemens per meter (dS/m). Soil salinity values below 1 dS/m are normal in



Turf damage created by deicing salts running off a sidewalk.

Utah. Salinity values above 2 dS/m begin to cause problems with salt sensitive plants, and values above 4 dS/m are problems for many garden and landscape plants.

LIVING WITH SALINE SOILS

Plants vary widely in their salinity tolerance. One method of addressing a soil salinity problem is to select and plant salt-tolerant vegetation in saline soil areas. Table 1 lists common garden and landscape plants and their tolerance to soil salinity.

Table 1. Salinity tolerance of some common garden and landscape plants.^a

Low tolerance (< 2 dS/m)		Medium tolerance 2 to 4 dS/m		High tolerance 4 to 6 dS/m	
Beans Cabbage Carrot Celery Sweet corn, Lettuce, Onion Sugar/red maples Scots/Scotch pine	Peas Peppers Potato Radish Turnips Most tree fruit and berries Norway spruce	Broccoli Melons Cauliflower Cucumber Boxelder, London planetree Firs Oaks Walnut	Spinach Squash Pumpkin Tomato Kentucky bluegrass Blue spruce Pines Cottonwoods Honeylocust	Asparagus Tall fescue Buffalograss Bermudagrass	Beets

^aFor a more comprehensive list of plant salinity tolerance see the publication AG-SO-03, *Salinity and Plant Tolerance*. For complete listings of the tolerance of trees to saline soil conditions see publication NR 460, *Selecting and Planting Landscape Trees* (Utah State University Extension web site: extension.usu.edu).

RECLAIMING SALINE SOILS

Soluble salts can be leached (washed) from the soil if there is adequate drainage and a clean source of irrigation water available. Drainage is essential for reclaiming saline soils since water must move *through* the soil, (rather than run off the surface), to leach salts below the plant root zone. If the soil is poorly drained because of compaction, a restrictive layer such as a plow pan, poor structure, or fine (silt or clay) texture, first till the soil and add an amendment like organic matter to improve drainage. A subsurface (tile) drain may also be necessary in high clay soils or in areas with a high water table.

Once drainage has been established, apply clean irrigation water to the site to leach salts. A rule of thumb for leaching salts is to apply 6 inches of water to reduce salinity levels by 50%, 12 inches to reduce salinity levels by 80%, and 24 inches to reduce salinity levels by 90%. Based on the initial soil test, estimate the amount of water necessary to reduce salinity to desirable levels for the plants to be grown. The total amount of water necessary should be applied over a period of several days.

Sprinklers can be used to leach salts as long as the system is cycled on and off to minimize runoff. Flood irrigation is also effective if the area is level, and a berm or basin can be created to contain the water.

Utah State University is committed to providing an environment free from harassment and other forms of illegal discrimination based on race, color, religion, sex, national origin, age (40 and older), disability, and veteran's status. USU's policy also prohibits discrimination on the basis of sexual orientation in employment and academic related practices and decisions.

Utah State University employees and students cannot, because of race, color, religion, sex, national origin, age, disability, or veteran's status, refuse to hire; discharge; promote; demote; terminate; discriminate in compensation; or discriminate regarding terms, privileges, or conditions of employment, against any person otherwise qualified. Employees and students also cannot discriminate in the classroom, residence halls, or in on/off campus, USU-sponsored events and activities.

This publication is issued in furtherance of Cooperative Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture, Noelle E. Cockett, Vice President for Extension and Agriculture, Utah State University. AG/Soils/2003-01

EXHIBIT C

The Departments of Planning, Building and City Engineer Joint Combined Policy Directive

Landscaping, Grading, Driveways Material Use, Encroachments / Retaining Walls in Rights of Way (ROW) and Private Lands

Effective June 6, 2018

The following is a summary of the combined agreements between the named Departments.
Please refer questions to the appropriate Department:

- For questions regarding buildings or Structures contact Building Department
- For questions regarding Grading, Landscaping Plant Materials, including rocks and gravel on private property contact Planning Department.
- For questions regarding Rights of Way or City Property, including driveways, materials, encroachment, contact City Engineer.
- For all other questions, contact Planning Department.

- Installing or replacing landscaping (plants, trees, ground covers) on private property does not require a permit, except as below:
- If a Development Activity is underway (defined as a Building Permit or Grading Permit) the landscaping must be approved as part of the required permit. For the purposes of a Grading Permit, ground disturbance or vegetation removal /disturbance of more than 500 square feet or 25% of a Yard area, a permit is required. On slopes greater than 30% a Grading Permit is always required.
- Any work in the Right of Way, requires a Permit from the City Engineer, including placement of landscaping materials, rock or gravel or plant materials. No rock less than 4" in diameter is allowed in Right of Way on slopes greater than 3 horizontal to 1 vertical.

- Gravel is defined as rock material less than 2" in diameter. Rock is rock material 2" or greater. Rock smaller than 4" in diameter is not allowed in Right of Way.
- Gravel is currently prohibited in Landscape Plans except for pathways, drains (e.g. French drains), and within 10 feet of the perimeter of a Structure for reduction of wildfire damage risk.
- Parking on gravel is prohibited.
- All areas with the Park City Soil Ordinance Boundary must comply with ground cover and excavated material cover requirements. Parking on hard surface is required.
- Hard Surface Parking is defined as asphalt, concrete, or similar "impervious surfaces". Impervious means that no fluids from vehicles may be transmitted to ground water through the surface. Pavers are acceptable outside Soils Ordinance Boundary. Turf block is allowed for driveway to a legal Parking Area (except within the Soil Ordinance Area) but not for parking areas.
- Turf Block, or similar may not be allowed to expand a driveway width within the Right of Way.
- No grading, landscaping, recreation equipment or similar is allowed in platted open space or City property.



PLANNING LANDSCAPE PLAN REVIEW CHECKLIST

Park City Municipal Corporation, Planning Department, 445 Marsac Avenue, Park City, UT 84060
planning@parkcity.org, 435-615-5060



Please check off all boxes. Planning will not review plan submissions without this checklist first being complete. This checklist should be in conjunction with a current Building Permit that is completely filled out and signed with all applicable documentation (i.e. HOA approval letter, property owner signature, etc.). By signing this form the applicant is also confirming that they have reviewed the most current plat recorded with [Summit County](#) and this plan is designed in accordance with any restrictions on the property. Planning Department reserves the right to determine adequacy of plans/information submitted and may require further information. Ground disturbance is not allowed outside of property lines or an approved Limits of Disturbance, whether determined by a plat or permit. A landscape plan is required for any Development Activity that requires a permit. Replacement of approved plant materials or irrigation without additional grading may not require a landscape plan. Contact the Building Department at 435-615-5100 to confirm if a permit is needed. If other permits are required, it is the responsibility of the applicant to obtain the forms needed to avoid a STOP WORK ORDER.

TODAY'S DATE:

PROJECT ADDRESS/LOCATION:

Building Permit # _____ - _____ - _____

TYPE OF WORK

Brief Written Description – State entire scope of work

- ☐ SFD
☐ Demo/Rebuild
☐ Addition ☐ Grading
☐ Other _____

LANDSCAPE PLAN: Site plan is required for all building permits that require Planning approval. Please check the following minimum:

This permit may require multiple site plans that separate plantings, grading, and/or irrigation if the required information becomes unclear for the plan reviewer to interpret. The Planning Department will only review and approve application information, construction documents, and/or plans drawn upon suitable material. These documents shall be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show in detail that it will conform to the provisions of applicable codes, relevant laws, ordinances, rules and regulations, as determined by the Chief Building Official and/or Planning Director. Any area disturbed on the site that is not proposed in the landscape plan must be replaced in-kind and be in conformance with Land Management Code Section 15-5-5(N).

- ☐ Every drawing should be at 1":20', 1":30', or larger scale (1/8" or 1/4"), include a north arrow, location of project; name, email, and phone number of the **property owner and contractor/landscape architect**, property lines with corners clearly indicated.
- ☐ Existing and proposed landscape, natural, and built features compared to proposed changes clearly called out. This includes:
- All plant materials labeled or keyed to the plant list and the quantity for that group shown.
 - Complete plant list showing botanical name, common name, quantity, size and spacing.
 - Identify significant vegetation that is being removed and demonstrate where it will be replaced, as defined by Land Management Code (LMC) 15-5-5(N).
 - All constructed features such as roads, sidewalks, paving, retaining walls, building pad(s), fences, planters, dumpster pads, and recreation facilities.
 - Seed mix for ground cover listed, if applicable.
 - All ground cover materials listed and shown on plan, existing and proposed. Gravel/rock mulch is not an allowed ground cover.
 - Plant materials make up at least 50% of proposed landscape areas (i.e. area is not only covered in bark mulch or sod, must incorporate other plant materials).
 - Outdoor lighting locations and lighting fixture details listed. Must be down-directed and shielded per LMC 15-5-5.
 - Hydrozone locations and information table including watering frequency per month per zone.
- ☐ All easements, encroachments, and setbacks required for front, sides and rear (measured from property line). Generally, this information is easily obtainable if the lot is part of a platted subdivision.
- ☐ Grading plan including:
- Proposed and existing grades at no greater than 5' (five foot) contour intervals with the "limits of disturbance" clearly delineated.
 - Spot elevations for buildings, intersections, high and low points, etc.
 - Any special grading considerations such as streams, easements, drainage channels, retaining walls, etc.
- ☐ Irrigation plan that includes a layout of proposed heads, lines, valves, controller and backflow preventer with corresponding legend and key.

Please keep copies of your submitted plans, should any revisions need to be resubmitted to the Building Department.

I certify that I have completed this form to the best of my knowledge. It is recognized that Planning may provide additional comments and/or need more information upon further review of the submitted plans. Please keep copies of your submitted plans, should any revisions need to be resubmitted to the Building Department. 90

Print Name:

Signature:

Date:

Planning Commission Staff Report

Subject: 3000 N. Highway 224, McPolin Farm
Author: Laura Newberry, Planner
Date: April 24, 2019
Type of Item: Modification to a previously approved Conditional Use Permit for events to be held at the McPolin Farm

Summary Recommendation

Staff recommends the Planning Commission discuss the proposed application for a modification to a Conditional Use Permit (CUP) to allow the public monitored access to the Barn and Farm House, conduct a public hearing, and consider **approving** the CUP according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated in this report.

Description

Applicant: Friends of the Farm (Represented by Minda Stockdale, Farm Manager)
Location: 3000 N. Highway 224 (McPolin Farm)
Designation: Historic “Landmark” & “Significant” Structure
Zoning District: Recreation Open Space (ROS) Zoning District
Adjacent Land Uses: Open Space, Single-Family
Reason for Review: The proposed uses require a Conditional Use Permit in the Recreation Open Space (ROS) District with review and final action by the Planning Commission.

Disclosure: Park City Municipal Corporation is the current property owner of the McPolin Farm.

Proposal

The applicant is requesting a modification to an existing Conditional Use Permit (CUP) to modify the CUP language to match existing City Codes and to allow the public monitored access to two additional buildings (the Barn and the Farm House) which were not previously included in the CUP approvals.

Background

The original Conditional Use Permit (CUP) was approved in 2001, with subsequent extensions and modifications. Staff has provided a chart that provides an overview of the history of this CUP.

Table 1: Overview of CUP History

Date	Action/Item	Description/Comments
March 28, 2001	Original CUP Approval	The City Council approved a Conditional Use Permit (CUP) to hold up to a total of eight (8) Park City sponsored one-day events per year at the barn. The original CUP allowed use of the McPolin shed and outdoor areas with a maximum of 100 persons attending each event. This CUP was valid for two (2) years.
March 26, 2003	Extension & Modification	The Planning Commission approved an extension and modification of the original Conditional Use Permit (CUP). The modifications approved included increasing the number of events per calendar year from eight (8) to twelve (12) and increasing the maximum attendant count from 100 to 150 persons per event.
March 1, 2006	Extension & Modification	The Planning Commission re-approved the CUP only modifying the CUP by eliminating the requirement for review of the permit every two years to allow the current uses to continue.
March 12, 2019	Modification	The City received a complete application for a modification of the approved CUP.

The applicant is requesting to modify the language to include “Special Event Permit” in place of the outdated “Master Festival License” which is no used longer in the Municipal Code. Further, the applicant is requesting to allow the public monitored, temporary access to the Barn and Farm House. The request specifies that the maximum number of people allowed in the Barn and/or Farm House at one time would be twenty-five (25) and they would be accompanied by a City official for educational or community events.

Purpose

The [purpose of the Recreation and Open Space \(ROS\) District](#) is to:

- A. establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
- B. permit recreational Uses and preserve recreational Open Space land,
- C. encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
- D. preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
- E. encourage sustainability, conservation, and renewable energy.

Analysis

The applicant is proposing a modification to the existing Conditional Use Permit (CUP) for events at the McPolin Farm. They are requesting to remove outdated language (i.e. "Master Festival License") that is no longer used in the Municipal Code, and replace it with current language (i.e. "Special Event Permit"). The applicant is also requesting to now include two (2) additional buildings, the Barn and the Farm House, both of which were not originally included in the CUP. The applicant proposes additional conditions for the use of these two buildings to limit the number of people to twenty-five (25) and to require a City official to accompany the guests.

The events inside these two buildings would be limited to tours and educational community events only. The Friends of the Farm are currently proposing to host three Tour Days, with a number of tours given each day. The total number of people at the McPolin Farm would not exceed 150 per Tour Day, and the total number of people inside the Barn and/or Farm House would not exceed 25 at any tour. Each Tour Day would count as one of the twelve (12) events permitted through this CUP. Each Tour Day would require a Special Event Permit and Parking and Transit Plan.

On [April 6, 2016, the Historic Preservation Board](#) approved the Material Deconstruction for the McPolin Barn. The City renovated the McPolin Barn and brought the building into compliance with current Codes. The renovations were done to allow limited human occupancy (less than 50 persons) and to add seismic upgrades and fire suppression to satisfy life and safety requirements. In 2017, the Chief Building Official supported approving the Barn and Farm House for limited and guided tours for up to 25 persons, so long as they are accompanied by an authorized City official.

Staff supports opening the Barn and Farm House to allow the public monitored and limited tours of the interior of these Historic Structures. Staff has provided an analysis for each Conditional Use Permit (CUP) Criteria below.

[Land Management Code \(LMC\) 15-1-10\(E\)](#) Review: The Planning Department and/or Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use(s) mitigates impacts of and addresses the following items:

1. Size and location of the site

No Unmitigated Impacts

There are no proposed changes to the size or location of the Site.

2. Traffic considerations including capacity of the existing Streets in the Area

No Unmitigated Impacts

As conditioned, the traffic will be mitigated by Conditions of Approval # 4 and 6 as well as through the Special Event Permitting process. Each Special Event requires a parking and transit plan. As of the date of

publishing no complaints for parking have been received.

3. Utility capacity, including Storm Water run-off

No Unmitigated Impacts

There are no proposed changes that would affect the utility capacity or Storm Water run-off.

4. Emergency Vehicle Access

No Unmitigated Impacts

As conditioned, there are no unmitigated impacts as the Staff is working with the Fire Department and Emergency Management to install a key lock box to allow Emergency vehicles access to the Site.

5. Location and amount of off-street parking

No Unmitigated Impacts

As conditioned, the traffic will be mitigated by Conditions of Approval # 4 and 6 as well as through the Special Event Permitting process. Each Special Event requires a parking and transit plan. As of the date of publishing no complaints for parking have been received.

6. Internal vehicular and pedestrian circulation system

No Unmitigated Impacts

There are no proposed changes that would affect internal vehicular and pedestrian circulation. Specific circulation, traffic and parking for each Special Event will be reviewed and approved by City Council under individual Special Event Permits.

7. Fencing, screening, and landscaping to separate the Use from adjoining Uses

No Unmitigated Impacts

There are no proposed changes that would affect fencing, screening, and landscaping that separates the Use from adjoining Uses.

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

No Unmitigated Impacts

There are no proposed changes to the existing building mass, bulk, or orientation.

9. Usable Open Space

No Unmitigated Impacts

There are no proposed changes to Usable Open Space.

10. Signs and lighting

No Unmitigated Impacts

There are no proposed changes to Signs or Lighting.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design and architectural detailing
No Unmitigated Impacts
There are no proposed changes to the physical design of the Site or any of its Structures.
12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site
No Unmitigated Impacts
There are no proposed changes that would affect noise, vibration, odors, steam, or other mechanical factors. As conditioned, the noise, vibration, odors, steam and other mechanical factors are mitigated.
13. Control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas
No Unmitigated Impacts
There are no proposed changes to delivery, service vehicle loading and unloading, or trash and recycling.
14. Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities
No Unmitigated Impacts
There are no proposed changes to ownership.
15. Within and adjoining the Site, Environmentally 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
No Unmitigated Impacts
There are no proposed changes that would affect Environmentally 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.
16. Reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding
No Unmitigated Impacts
The proposed CUP Modification fulfills the following Goals, Objectives, and/or Implementation Strategies of the General Plan
- [Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations](#), page 4.
 - Objective 15A, page 5

- Maintain the integrity of historic resources within Park City as a community asset for future generations, including historic resources locally designated on the Park City Historic Sites Inventory and its two National Register Historic Districts – the Main Street Historic District and the Mining Boom Era Residences Thematic District.
- Objective 15C, page 5
 - Increase local knowledge of historic preservation principles and accepted standards through increased public education and programming.
- Objective 15D, page 5
 - Provide additional public education/programming to connect property owners and financial incentives in an effort to offset the high cost of restoration.
- City Implementation Strategies 15.13, page 7
 - Conduct annual training related to historic preservation and design regulations for staff, boards, design professionals, commissions, and the public; include tours as a learning opportunity.

Compliance with the current Conditions of Approval

The applicant has followed all conditions of approval set forth in their most recent CUP approval as indicated below.

1. Up to twelve (12) one-day, City Council-sponsored, special public events per year are permitted. Special event permits shall be processed by staff under a Master Festival License and reviewed and approved/denied by the City Council.
There have been twelve (12) or fewer events each calendar year.
2. Use of the farm complex may include the newly reconstructed McPolin shed and appurtenant outdoor spaces. Use of the McPolin Barn is not permitted under this conditional use permit. Use of the Farm House shall be allowed only if the structure is brought into building code and ADA compliance for public occupancy, subject to approval and occupancy limits set by the Chief Building Official.
Events have only been held in the permitted areas.
3. No single event shall exceed 150 persons maximum per event.
No events have exceeded the maximum guest count of 150 persons.
4. Each special event shall include a City-approved event transit plan to transport event patrons to and from the farm site. No event patron parking will be permitted on the Farm property, including the east side of 224.
Each Special Event has included a transit plan, as of the date of publishing no complaints for parking have been received.
5. Parking along SR 224 during City-sponsored events is prohibited.

As the date of publishing, no complaints for parking have been received.

6. No additional exterior lighting shall be permitted for special events.
As the date of publishing, no complaints for lighting have been received.
7. All special events must comply with the municipal noise ordinance.
As the date of publishing, no complaints for noise have been received.
8. Special events shall not preclude public trail use of the property. Use of the existing trail system for cross-country ski races shall not count towards the 12 permitted events.
No events have precluded public trail use.
9. The City's Special Events Department shall review all event components under a Master Festival License such as traffic, parking, transportation, signs, food service, attendance, lighting, and noise. Review of such items are coordinated with all City Departments as well as the Park City Fire District and Summit County Health Department.
All Special Events are reviewed and approved by the appropriate City Departments, Park City Fire District, and Summit County Health Department.
10. Sales may be permitted if they are subordinate to the primary event, and no event shall be considered expressly for the purpose of selling merchandise for commercial enterprise.
No events have been expressly for the purpose of selling merchandise for commercial enterprise.
11. Sale of merchandise shall be identified in the Master Festival License.
Sale of merchandise has been included in Master Festival Licenses/Special Events Permits as required.
12. All Standard Project Conditions shall apply.
The McPolin Farm has met all applicable Standard Project Conditions.

Process

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

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments regarding this proposal that have not been addressed by the conditions of approval.

Notice

On April 10, 2019, the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park

Record on April 6, 2019.

Public Input

As of this date no public input has been received by Staff.

Alternatives

- The Planning Commission may approve the modification to the CUP as proposed and conditioned; or
- The Planning Commission may deny the modification to the CUP and direct staff to prepare findings supporting this recommendation; or
- The Planning Commission may continue the discussion to a date certain to allow the applicant time to respond to any additional concerns or issues raised at the Planning Commission hearing.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The existing CUP would remain in effect and the public would not be able to access the renovated Barn and/or Farm House for tours.

Recommendation

Staff recommends the Planning Commission discuss the proposed application for modification to a CUP for twelve events per calendar year to be held at the McPolin Farm, located at 3000 N. Highway 224, conduct a public hearing, and consider **approving** the CUP according to the following findings of fact, conclusions of law, and recommended conditions of approval, as follows:

Findings of Fact:

1. The subject property is located at 3000 N Highway 224.
2. The property is located within the Recreation and Open Space (ROS) Zoning District.
3. On March 28, 2001, the City Council approved the original Conditional Use Permit (CUP) for the McPolin Farm. This CUP allowed up to eight (8) one-day, City sponsored events per year. It included a maximum guest count of 100 persons and required re-review after two years.
4. On March 26, 2003, the Planning Commission approved an extension and modification of the original Conditional Use Permit (CUP). The modifications approved included increasing the number of events per calendar year from eight (8) to twelve (12) and increasing the maximum attendant count from 100 to 150 persons per event.
5. On March 1, 2006, the Planning Commission re-approved the CUP only modifying the CUP by eliminating the requirement for review of the permit every two years to allow the current uses to continue.
6. On March 12, 2019, the City received a complete application for a modification of the approved CUP.

7. The modifications include removal of outdated language (Master Festival License) and replacement of new language (Special Event Permit) as well as allowing the public limited and monitored access to the Barn and Farm House.
8. Modifications also include an additional two (2) buildings (McPolin Barn and Farm House) to be included with separate conditions for Use.
9. The additional conditions of approval placed on the McPolin Barn and Farm House include limiting the number of guests to twenty-five (25) at any time and requiring a City official to accompany the guests inside the buildings.
10. The applicant has not violated any terms of the original CUP approval and all original conditions of approval not modified by this application continue to apply.
11. As conditioned, the proposed modifications meet the criteria for Conditional Uses as stated in LMC Section 15-1-10(E).
12. There are no unmitigated impacts to LMC 15-1-10(E)(1) as there are no proposed changes to the size or location of the Site.
13. There are no unmitigated impacts to LMC 15-1-10(E)(2) as conditioned, as the traffic will be mitigated through the Special Event Permitting process. Each Special Event requires a Transit Plan to be reviewed and approved by City Council.
14. There are no unmitigated impacts to LMC 15-1-10(E)(3) as there are no proposed changes that would affect the utility capacity or Storm Water run-off.
15. There are no unmitigated impacts to LMC 15-1-10(E)(4) as conditioned, as the Staff is working with the Fire Department and Emergency Management to install a key lock box to allow Emergency vehicles access to the Site.
16. There are no unmitigated impacts to LMC 15-1-10(E)(5) as conditioned, as the traffic will be mitigated through the Special Event Permitting process. Each Special Event requires a Transit and Parking Plan to be reviewed and approved by City Council. As of the date of publishing, no complaints for parking have been received.
17. There are no unmitigated impacts to LMC 15-1-10(E)(6) as there are no proposed changes that would affect internal vehicular and pedestrian circulation.
18. There are no unmitigated impacts to LMC 15-1-10(E)(7) as there are no proposed changes that would affect fencing, screening, and landscaping that separates the Use from adjoining Uses.
19. There are no unmitigated impacts to LMC 15-1-10(E)(8) as there are no proposed changes to the existing building mass, bulk, or orientation.
20. There are no unmitigated impacts to LMC 15-1-10(E)(9) as there are no proposed changes to Usable Open Space.
21. There are no unmitigated impacts to LMC 15-1-10(E)(10) as there are no proposed changes to Signs or Lighting. Any signs or lighting proposed for specific Special Events will be reviewed and approved by City Council under the Special Event Permit.
22. There are no unmitigated impacts to LMC 15-1-10(E)(11) as there are no proposed changes to the physical design of the Site or any of its Structures.
23. There are no unmitigated impacts to LMC 15-1-10(E)(12) as there are no proposed changes that would affect noise, vibration, odors, steam, or other

mechanical factors. As conditioned, the mitigation of noise, vibration, odors, steam and other mechanical factors shall be reviewed and approved by City Council under each Special Event Permit.

24. There are no unmitigated impacts to LMC 15-1-10(E)(13) as there are no proposed changes to delivery, service vehicle loading and unloading, or trash and recycling.
25. There are no unmitigated impacts to LMC 15-1-10(E)(14) as there are no proposed changes to ownership.
26. There are no unmitigated impacts to LMC 15-1-10(E)(15) as there are no proposed changes that would affect Environmentally 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.
27. There are no unmitigated impacts to LMC 15-1-10(E)(16) as the proposed CUP Modification fulfills Goals, Objectives, and/or Implementation Strategies of the General Plan. Specifically the CUP fulfills Goal 15: Preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations.
28. On April 10, 2019, the property was posted and notice was mailed to affected property owners within 300 feet.
29. Legal notice was published in the Park Record on April 6, 2019.
30. As of this date, no public input has been received by Staff.
31. All Findings in the Analysis Section are incorporated herein.

Conclusions of Law:

1. The Use, as conditioned complies with all requirements of the Land Management Code, Section 15-1-10.
2. The Use, as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.
4. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review criteria for Conditional Use Permits.

Conditions of Approval:

1. Up to twelve (12) one-day, City Council-sponsored, special public events per year are permitted. Special event permits shall be processed by staff under a Special Event Permit and reviewed and approved/denied by the City Council.
2. No single event shall exceed 150 persons maximum per event.
3. Use of the farm complex may include the reconstructed McPolin shed and appurtenant outdoor spaces.
4. Each special event shall include a City-approved event transit plan to transport event patrons to and from the farm site. No event patron parking will be permitted on the Farm property, including the east side of 224.

5. Parking along SR 224 during City-sponsored events is prohibited.
6. Use of the McPolin Barn and Farm House shall be allowed for monitored tours and education community events only, subject to approval and occupancy limits set by the Chief Building Official.
 - a. Each Tour Day, regardless of number of tours, will count as one (1) of the twelve (12) events per calendar year.
 - b. Each Tour Day may not exceed 150 persons per day.
 - c. The Barn and Farm House may only hold up to twenty-five (25) persons inside the building at one time.
 - d. A City Official is required to accompany each Tour inside the Barn and/or Farm House.
 - e. Each Tour Day will require a Special Event Permit and Transit Plan, to be reviewed and approved by City Council.
7. No additional exterior lighting shall be permitted for special events.
8. All special events must comply with the municipal noise ordinance.
9. Special Events shall not preclude public trail use of the property. Use of the existing trail system for cross-country ski races shall not count towards the twelve (12) permitted events.
10. The City's Special Events Department shall review all event components under a Special Event Permit such as traffic, parking, transportation, signs, food service, attendance, lighting, and noise. Review of such items shall be coordinated with all City Departments as well as the Park City Fire District and Summit County Health Department.
11. A key lock box for Emergency Services shall be installed on site to allow for Emergency Vehicle Access.
12. Sales may be permitted if they are subordinate to the primary event, and no event shall be considered expressly for the purpose of selling merchandise for commercial enterprise.
13. Sale of merchandise shall be identified in the Special Event Permit.
14. All Standard Project Conditions shall apply.

Exhibits

Exhibit A – Applicant Statement

Exhibit B – Site Plan

Exhibit C – Aerial Photo

Exhibit D – McPolin Farm CUP Original Action Letter (2001)

Exhibit E – McPolin Farm CUP Modified Action Letter (2003)

Exhibit F – McPolin Farm CUP Modified Action Letter (2006)

Exhibit G – Standard Project Conditions

Exhibit A – Applicant Statement



Dear Park City Planning Commissioners,

Please accept the following written statement describing the reason for the request for modification of the [McPolin Farm Conditional Use Permit](#) (CUP).

The City requests modifications to allow the public limited and monitored tours of the barn and farm house, which is not currently allowed in the existing CUP. Specifically, we request temporary occupancy of the historic structure for up to 25 people provided they are accompanied by a City official for educational or community events.

This modification will better align the governing land use documents with the practical results of the 2016 renovation of the McPolin Barn. The extensive upgrades were completed in 2016 and allowed for limited human occupancy of less than 50 people, and brought seismic upgrades and fire suppression to satisfy life safety requirements. In 2017, the Chief Building Official approved the Barn and the Farm House for limited and guided tours for up to 25 people or less, so long as accompanied by an authorized City official. City officials have dedicated countless hours and resources to preserving our history and the Barn, and wish to offer the public limited and monitored opportunity to explore inside.

Second, the City requests to remove outdated 'Master Festival License' language within the CUP to better reflect more current language in [Municipal Code section 4A: Special Events](#) ('Special Event Permit'). The requested modifications will align governing land use documents with amendments to Park City Municipal Code section 4A: Special Events approved by the City Council in January 2015 and September 2018.

It is important to note that the City is not seeking to amend use of the site beyond the current allowance of up to twelve (12) one-day, City Council sponsored special public events per year and existing conditions of approval, including transportation requirements for permitted events. We believe the volume of activity should remain unchanged and in accordance with the original CUP.

To summarize, the City requests the Planning Commission update the McPolin Farm CUP to better align with amendments to Park City Municipal Code section 4A: Special Events and respect the 2016 renovation of the McPolin Barn.

Thank you for your consideration.

Respectfully,

Minda Stockdale
McPolin Farm Manager

Exhibit B – Site Plan

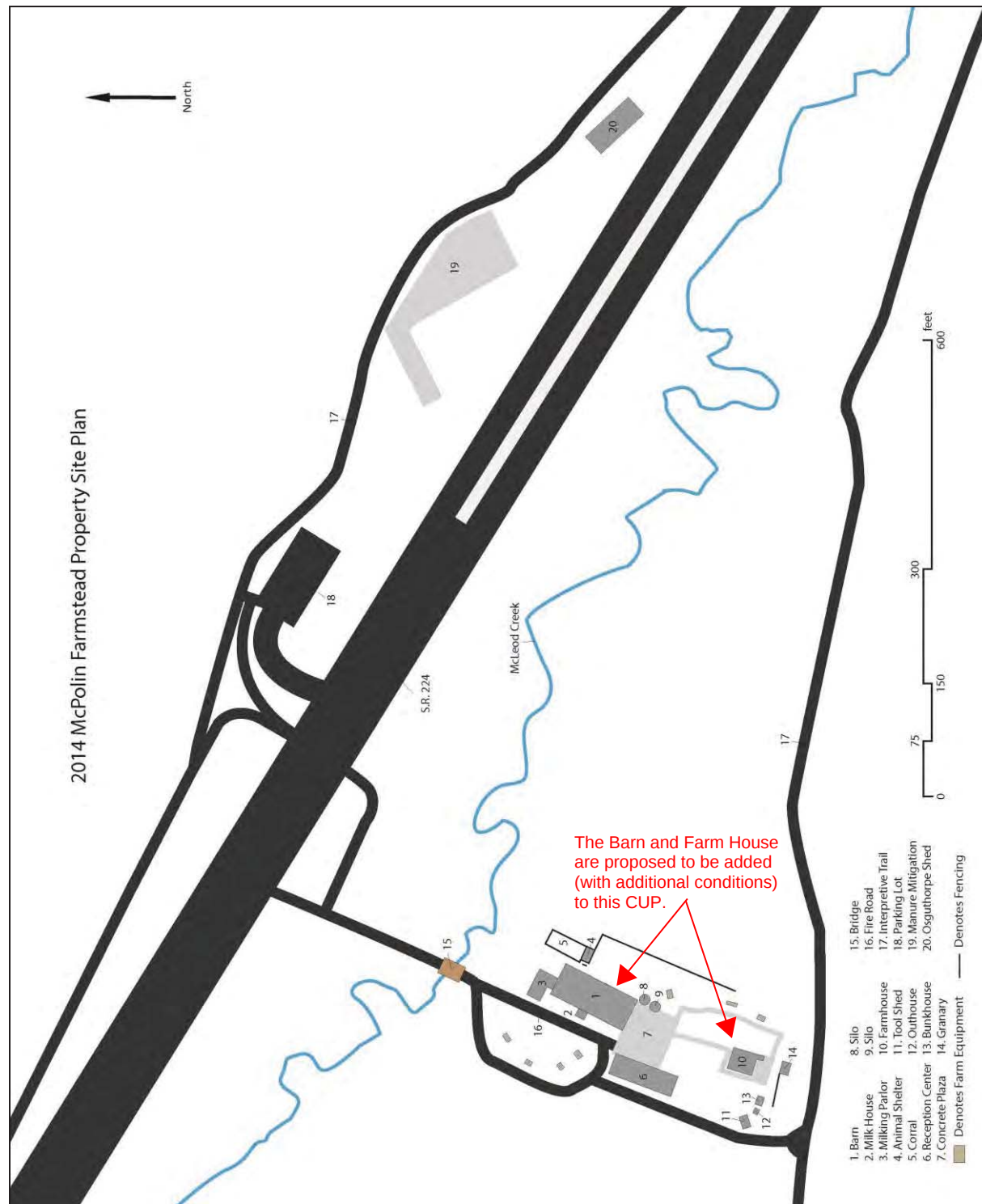


Figure 12a. Reception center, facing southwest.

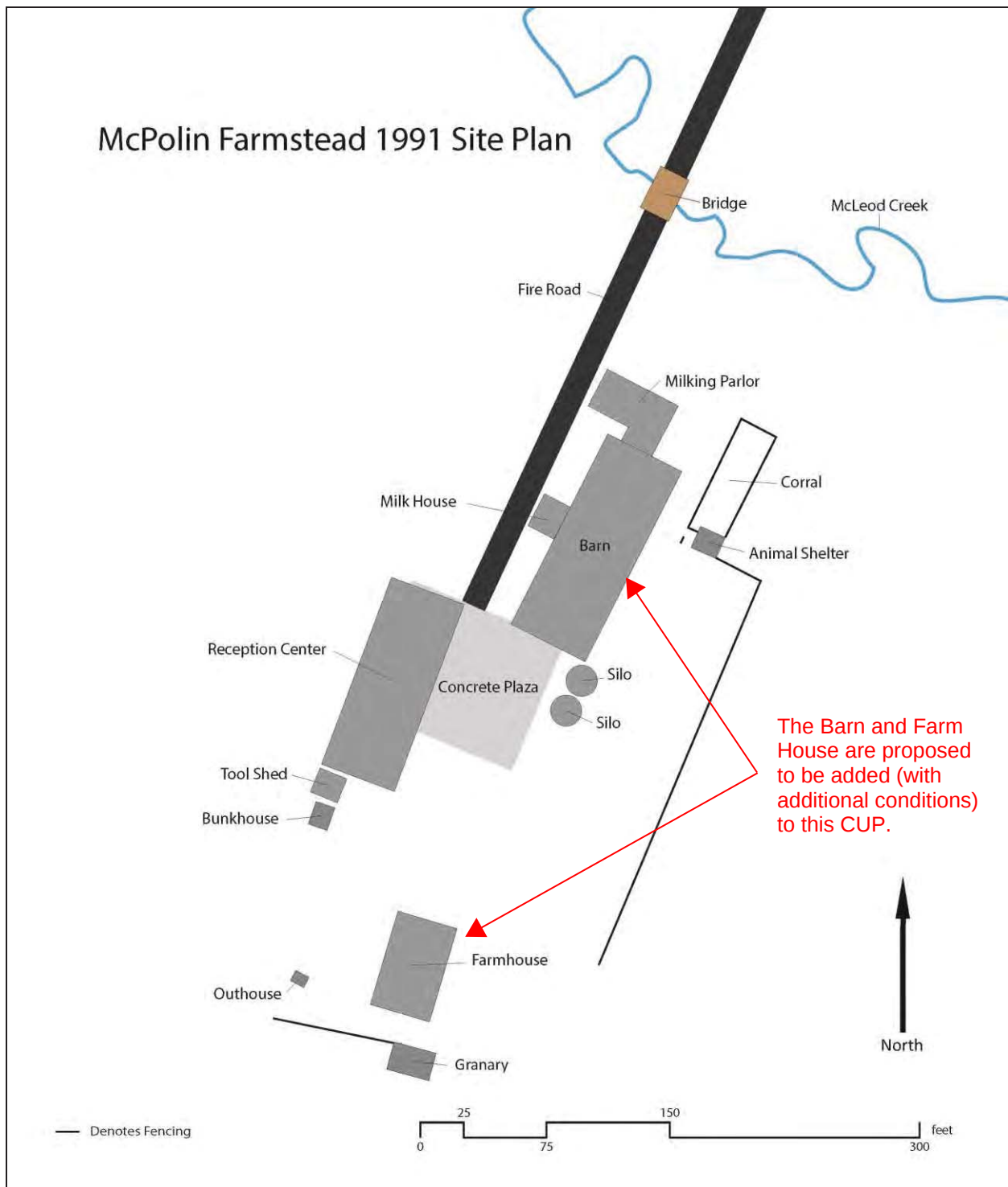


Figure 1. McPolin Farm site plan, 1991.

Exhibit C – Aerial Photo



Exhibit D – McPolin Farm CUP Original Action Letter (2001)



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

April 27, 2001

Park City Municipal Corporation
Leisure Services Department
Post Office Box 1480
Park City, Utah 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Project Name</u>	McPolin Farm Conditional Use Permit
<u>Project Description</u>	Public Assembly Use of the McPolin Farm for eight (8) City Council Sponsored one-day special events per year.
<u>Date of Meeting</u>	March 28, 2001

Action Taken By Planning Commission Approved in accordance with the findings of fact and conclusions of law outlined in the staff report. The conditions of approval are listed below.

Finding of Facts:

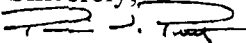
1. The McPolin Farm is a 135 acre property located in the Recreation Open Space District. Eighty-five acres is located west of Hwy. 224. Approximately 50 acres is located east of Hwy. 224.
2. The purpose of the ROS District is to establish and preserve districts for land uses requiring substantial areas of open land covered with vegetation and substantially free from structures, streets and parking lots; permit recreational uses and preserve open space lands; encourage parks, trails, golf courses and other private or public recreational uses; and preserve and enhance environmentally sensitive lands, such as wetlands, streams, corridors and forests.
3. The proposed special events will not be located within the Frontage Protection Zone (FPZ).
4. The property is owned by Park City Municipal Building Authority, a.k.a. the City.

5. City Council Resolution 19-95 sets forth parameters for passive use and event use of the farm property. The resolution states that special events are to be limited as to not interfere with the open space character of the Farm.
6. The property includes several important historic structures which have been restored, rehabilitated, and/or reconstructed at considerable public expense.
7. The reconstructed McPolin farm house and the barn are not currently improved for public occupancy.
8. Public trails are located on the property.
9. McLeod Creek meanders through the property.
10. Public restrooms are located in the reconstructed shed building.
11. The McPolin Farm property is a highly visible open space area on the entry to Park City.
12. The McPolin Farm has been consistently used for open space and public trail use since its acquisition by the City.
13. The proposed conditional use permit for a period of two (2) years;
14. The proposed conditional use permit will allow up to eight (8) one-day, City Council-sponsored, special public events per year.
15. Special event permits will be processed by City staff and reviewed and approved/denied by City Council.
16. The proposed conditional use permit allows for the use of the farm complex including the newly reconstructed McPolin shed and appurtenant outdoor areas.
17. The conditional use permit establishes a 100 person maximum per special event. Maximum Building Occupancy is to be set by Chief Building Official;
18. Each special event application is to include a City-approved event transit plan to transport event patrons to and from the farm site.
19. No special event patron parking is permitted on the Farm property, including on the east side of 224.

2. Up to eight (8) one-day, City Council-sponsored, special public events per year are permitted. Special event permits shall be processed by staff and reviewed and approved/denied by City Council.
3. Use of the farm complex may include the newly reconstructed McPolin shed and appurtenant outdoor areas. Use of the McPolin Barn and house are not permitted under this conditional use permit at this time.
4. No single event shall exceed a 100 person maximum per event.
5. Building Occupancy shall be set by Chief Building Official.
6. Each special event shall include a City-approved event transit plan to transport event patrons to and from the farm site. No event patron parking will be permitted on the Farm property, including on the east side of 224.
7. No additional exterior lighting shall be permitted for special events.
8. All special events must comply with the municipal noise ordinance.
9. Special events shall not preclude public trail use of the property. Use of the existing trail system for cross-country ski races shall not count towards the 8 permitted events.
10. All standard conditions of approval apply.
11. Use of the McPolin Farm property during the 2002 Winter Olympic games shall require City Council approval of a master festival license and/or City services agreement. Such Olympic activity shall not be counted toward the approved eight allowed uses per year. All other Master festival events shall count toward the eight allowed events per year.

Please feel free to contact me should you have any questions,

Sincerely,



Patrick J. Putt
Planning and Zoning Administrator

20. No additional special event exterior lighting will be permitted.
21. Outdoor special events are limited to daylight hours. Indoor special events shall conclude by 10:00 PM.
22. All events are subject to the municipal noise ordinance.
23. Public trail use of the property is permitted, including cross-country ski events. A winter trail pass may be required.
24. The restroom facilities in reconstructed shed building are to be open to the public trail users.
25. The Planning Commission shall review this application in one-year from the date of the CUP approval to monitor the use of the property, specifically issues related to:
 - * implementation of the transit plans;
 - * traffic circulation/conflicts on SR224;
 - * community access to trails/restrooms during events; and
 - * visual integrity of farm during special events;
26. The findings from the analysis section are incorporated herein.
27. The applicant stipulates to all conditions of approval.
28. Park City is a Olympic Venue City for the Salt Lake City 2002 Winter Olympic Games.

Conclusions of Law:

1. The application complies with all requirements of the Land Management Code, specifically Section 15-1-10.
2. The use, as conditioned is compatible with surrounding structures in use, scale, mass and circulation.
3. Any negative effects of the project have been mitigated through careful planning and conditions of approval.
4. The proposal is consistent with Park City General Plan.

Conditions of Approval:

1. The proposed conditional use permit is for a period of two (2) calendar years and expires on March 14, 2003.

Exhibit E – McPolin Farm CUP Modified Action Letter (2003)

7. The property includes several important historic structures which have been restored, rehabilitated, and/or reconstructed at considerable public expense.
8. The reconstructed McPolin farm house and the barn are not approved for human occupancy.
9. Public trails are located on the property.
10. McLeod Creek meanders through the property.
11. Public restrooms are located in the reconstructed shed building.
12. The McPolin Farm property is a highly visible open space area on the entry to Park City.
13. The McPolin Farm has been consistently used for open space and public trail use since its acquisition by the City.
14. The proposed conditional use permit is for a period of two (2) years.
15. The proposed conditional use permit will allow up to twelve (12) one-day, City Council-sponsored, special public events per year.
16. Special event permits will be processed by City staff and reviewed and approved/denied by City Council. Event specific issues such as transportation parking, vending and health requirements are reviewed through a Master Festival License process.
17. The proposed conditional use permit allows for the use of the farm complex including the newly reconstructed McPolin shed and appurtenant outdoor areas.
18. Any proposed changes to Resolution 19-95 will require an amendment to the resolution.
19. Each Master Festival License application is to include a City-approved event transit plan to transport event patrons to and from the farm site.
20. No special event patron parking is permitted on the Farm property, including on the east side of 224.
21. No additional special event exterior lighting will be permitted.
22. All events are subject to the municipal noise ordinance.
23. Public trail use of the property is permitted, including cross-country ski events. A winter trail pass may be required.
24. The restroom facilities in reconstructed shed building are to be open to the public trail users.

25. The findings from the analysis section are incorporated herein.

26. The applicant stipulates to all conditions of approval.

27. The Park City Police Department has not received any complaints at the McPolin Farm since the Planning Commission approved the conditional use permit at their March 28, 2001 meeting.

Conclusions of Law:

1. The application complies with all requirements of the Land Management Code, specifically Section 15-1-10.

2. The use, as conditioned is compatible with surrounding structures in use, scale, mass and circulation.

3. Any negative effects of the project have been mitigated through careful planning and conditions of approval.

4. The proposal is consistent with Park City General Plan.

Conditions of Approval:

1. The proposed conditional use permit is for a period of two (2) calendar years and expires on May 14, 2005.

2. Up to twelve (12) one-day, City Council-sponsored, special public events per year are permitted. Special event permits shall be processed by staff under a Master Festival License and reviewed and approved/denied by City Council.

3. Use of the farm complex may include the newly reconstructed McPolin shed and appurtenant outdoor areas. Use of the McPolin Barn and house are not permitted under this conditional use permit at this time.

4. No single event shall exceed a 100 person maximum per event. Resolution 19-95 would need to be amended by the City Council to allow any increase.

5. Each special event shall include a City-approved event transit plan to transport event patrons to and from the farm site. No event patron parking will be permitted on the Farm property, including on the east side of 224.

6. Parking along SR224 during City-sponsored events is prohibited.

7. No additional exterior lighting shall be permitted for special events.

8. All special events must comply with the municipal noise ordinance.

9. Special events shall not preclude public trail use of the property. Use of the existing trail system for cross-country ski races shall not count towards the 12 permitted events.

10. The City's Special Events Department shall review all event components under a Master Festival License such as traffic, parking, transportation, signs, food service, attendance, lighting and noise. Review of such items are coordinated with all City Departments as well as the Park City Fire District and Summit County Health Department.

11. Sales are subordinate to the primary event, and no event shall be considered expressly for the purpose of selling merchandise for commercial enterprise.

12. Sale of merchandise shall be identified in the Master Festival License.

13. All standard conditions of approval apply.

Please call me if you have questions. My phone number is 435-615-5068

Sincerely,

A handwritten signature in blue ink, appearing to read 'K. Lo Piccolo', written over a horizontal line.

Kevin Lo Piccolo
Project Planner

Exhibit F – McPolin Farm CUP Modified Action Letter (2006)



Building Department • City Engineer • Planning and Zoning

March 8, 2006

Tom Bakaly
City Manager
445 Marsac Avenue
PO Box 1480
Park City, Utah 84060

NOTICE OF PLANNING COMMISSION ACTION

<u>Project Name</u>	McPolin Farm
<u>Project Description</u>	Review of Conditional Use Permit
<u>Date of Action</u>	March 1, 2006

Action Taken By Planning Commission: The Planning Commission APPROVED the proposed amendment (to remove the previous specific conditions of the approval which required the permit to be re-issued every 2 years) to the McPolin Farm Conditional Use Permit based on the following:

Findings of Fact

1. The McPolin Farm is a 135 acre property located in the Recreation Open Space District. Eighty-five acres are located west of Hwy 224. Approximately 50 acres are located east of Hwy 224.
2. The Planning Commission has approved two year Conditional Use Permits for the use of the building on March 28, 2001 and May 14, 2003.
3. The purpose of the ROS District is to establish and preserve districts for land uses requiring substantial areas of open land covered with vegetation and substantially free from structures, streets and parking lots; permit recreational uses and preserve open space lands; encourage parks, trails, golf courses and other private or public recreational uses; and preserve and enhance environmentally sensitive lands, such as wetlands, streams, corridors, and forests.

4. The proposed special events will not be located within the Frontage Protection Zone (FPZ).
5. The property is owned by Park City Municipal Building Authority, a.k.a. The City.
6. On June 5, 2003 the City Council passed and adopted Resolution No. 15-03, which amends Resolution 19-95. Resolution 15-03 states that special events are to be limited as to not interfere with the open space character of the Farm, and provides a guideline of "not more than 150 people" for passive summer events.
7. The property includes several important historic structures which have been restored, rehabilitated, and/or reconstructed at considerable public expense.
8. As of June 5, 2003, the McPolin farm house and the barn are not approved for human occupancy; however plans are underway to bring the farm house into building code and ADA compliance.
9. Public trails are located on the property.
10. McLeod Creek meanders through the property.
11. Public restrooms are located in the reconstructed shed building.
12. The McPolin Farm property is highly visible open space area on the entry to Park City.
13. The McPolin Farm has been consistently used for open space and public trail use since its acquisition by the City.
14. The Conditional Use Permit allows up to twelve (12) one-day, City Council-sponsored special public events per year.
15. Special event permits will be processed by City staff and reviewed and approved/denied by City Council. Event specific issues such as transportation parking, vending, and health requirements are reviewed through a Master Festival License process.
16. The proposed conditional use permit allows for the use of the farm complex including the newly reconstructed McPolin shed and appurtenant outdoor areas, and the farm house, subject to the conditions of the approval herein.
17. Each Master Festival License application is to include a City-approved event transit plan to transport event patrons to and from the farm site.
18. No additional special event exterior lighting will be permitted.
19. Public trail use of the property is permitted, including cross-country ski events. A winter trail pass may be required.
20. The restroom facilities in reconstructed shed building are to be open to the public trail users.
21. The findings from the analysis section are incorporated herein.
22. The applicant stipulates to all conditions of approval.
23. The Park City Police Department has not received any complaints at the McPolin Farm since the Planning Commission approved the conditional use permit at their March 28, 2001 meeting.

Conclusions of Law

1. The application complies with all requirements of the Land Management Code, specifically Section 15-1-10.
2. The use, as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.

3. Any negative effects of the project have been mitigated through careful planning and conditions of approval.
4. The proposal is consistent with the Park City General Plan.

Conditions of Approval

1. Up to twelve (12) one-day, City Council-sponsored, special public events per year are permitted. Special event permits shall be processed by staff under a Master Festival License and reviewed and approved/denied by the City Council.
2. Use of the farm complex may include the newly reconstructed McPolin shed and appurtenant outdoor areas. Use of the McPolin Barn is not permitted under this conditional use permit. Use of the Farm house shall be allowed only if the structure is brought into building code and ADA compliance for public occupancy, subject to approval and occupancy limits set by the Chief Building Official.
3. No single event shall exceed 150 persons maximum per event.
4. Each special event shall include a City-approved event transit plan to transport event patrons to and from the farm site. No event patron parking will be permitted on the Farm property, including the east side of 224.
5. Parking along SR 224 during City-sponsored events is prohibited.
6. No additional exterior lighting shall be permitted for special events.
7. All special events must comply with the municipal noise ordinance.
8. Special events shall not preclude public trail use of the property. Use of the existing trail system for cross-country ski races shall not count towards the 12 permitted events.
9. The City's Special Events Department shall review all event components under a Master Festival License such as traffic, parking, transportation, signs, food service, attendance, lighting, and noise. Review of such items are coordinated with all City Departments as well as the Park City Fire District and Summit County Health Department.
10. Sales may be permitted if they are subordinate to the primary event, and no event shall be considered expressly for the purpose of selling merchandise for commercial enterprise.
11. Sale of merchandise shall be identified in the Master Festival License.
12. All standard conditions of approval apply.
13. All uses of the property shall comply with any deed restrictions the City Council places on the property.

Sincerely,



Ben Davis
Intern

Exhibit G – Standard Project Conditions

**PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS**

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

the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval is transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

Planning Commission Staff Report

Subject: Stag Lodge Phase IV, Third Amended
Plat, Amending Unit 46
Author: Tippe Morlan, MS, AICP, Planner II
Date: April 24, 2019
Type of Item: Legislative – Plat Amendment

Project Number:	PL-19-04160
Applicant:	Anu Leeman
Location:	8200 Royal Street #46
Zoning:	Residential Development (RD)
Adjacent Land Uses:	Condominiums
Reason for Review:	Plat Amendments require Planning Commission review and City Council approval.

Proposal

The applicant is requesting an amendment to the existing Stag Lodge Phase IV condominium plat to convert 1,520 square feet of unexcavated Common Ownership area to Private Ownership Area C belonging to Unit 46. The proposed amendment will allow the applicant to expand the lower level to the footprint of the unit and to add a new level below the existing lower level, also within the existing building footprint. The existing footprint of the unit will not change and no additional parking is required. The unit is proposed to have a total Floor Area of 4,700 square feet, up from 3,180 square feet.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 located at 8200 Royal Street #46 and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Background

July 30, 1992 – The original Stag Lodge Phase IV condominium plat was recorded as a 6-unit condominium project in the Silver Lake area of Deer Valley after City Council approval on March 5, 1992. The overall Stag Lodge Condominium project consists of a total of 52 units ranging in size from 2,213 square feet to 6,806.8 square feet.

1996 – The existing structures within Stag Lodge Phase IV, including Unit 46, were constructed on this site according to Summit County records.

January 22, 2003 – The Stag Lodge Phase IV First Amended plat was recorded after receiving City Council approval on June 6, 2002. This amendment created additional private area for all units and established two types of ownership for the Units for all phases of Stag Lodge. Private Ownership Area A is identified as all previously existing privately owned property, and Private Ownership Area B is identified as property which has changed from Common Area or Limited Common Area to private ownership with any plat amendments; however, the plat notes indicate that Private Ownership Area B cannot be used to create a lockout unit or additional bedrooms.

April 3, 2014 – The Stag Lodge Phase IV Unit 52 Second Amended plat was recorded after receiving City Council approval on October 17, 2013.

March 18, 2019 – The City received a complete Plat Amendment application for the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46. The proposed changes include the creation of Private Ownership Area C to indicate newly created private area which may be used to create additional bedrooms.

Additionally, outside of Phase IV, several additional Stag Lodge plat amendments have been recorded which have created additional private space within the existing footprint of individual Stag Lodge units. All such amendments to the Stag Lodge development are summarized in the following table:

Phase	Unit Number	Recordation
II – 3 rd Amended	35	January 12, 2015
II – 4 th Amended	49	August 31, 2018
III – 5 th Amended	47 and 48	November 11, 2012
IV – 2 nd Amended	52	April 3, 2014

Analysis

The purpose of the proposed plat amendment is to convert 1,520 square feet of unexcavated Common Ownership area to Private Ownership Area C belonging to Unit 46. The proposed amendment will allow the applicant to expand the lower level and add one level below that up to the footprint of the unit. The applicant would like to expand the lower level by 493 square feet and to create a new lowest level of 1,021 square feet (see Exhibit C – Project Intent). No other units will be affected by this proposal.

Additionally, the applicant is proposing to excavate a 232 square feet patio for the new lowest level beneath the footprint of the existing patio/deck of the lower level to be identified as Private Ownership Area B. There is also a 403 square foot crawl space area, identified as having common ownership, proposed on the lowest level within the existing footprint of the structure.

All changes proposed are internal and will not alter the exterior appearance of Unit 46. Sheet 1 of Stag Lodge Phase IV, recorded July 30, 1992 (Exhibit B) will not be affected

as this proposal does not alter the footprint of the building in any way and does not change the number of units.

The proposed amendment increases the size of Unit 46 from 3,180 square feet to 4,700 square feet. With the addition, the Unit will be compatible in size to surrounding units at Stag Lodge that range from 2,213 square feet to 6,806.8 square feet. The parking requirement for this unit is 2 spaces and is based on Residential Parking Ratio Requirements in LMC Section 15-3-6 requiring 2 spaces per Dwelling Unit for Apartments and Condominiums with an Area of 2,000 or more square feet. The unit has an attached two car garage; no additional parking is required.

12th Amended Deer Valley MPD Requirements

This property is subject to the 12th Amended Deer Valley Master Plan Development as a part of the Stag Lodge Condominium development. Stag Lodge was a part of the original Deer Valley MPD, and Phase IV was zoned RD-MPD at the time of the MPD approval. While many subdivisions within Deer Valley use a Unit Equivalent (UE) system with 2,000 square feet per UE, this development is limited to a maximum of 52 units with no Unit Equivalent or unit size restrictions. There are currently 52 Stag Lodge units, and the proposed amendment does not change the number of units.

The existing condominium unit was constructed in 1996 and is accessed via private road. The development sits within the Sensitive Lands Overlay and is required to have 60 percent open space. There is no change to the open space because the footprint of the affected unit will not be changing. The property is subject to the following criteria:

	Required 12th Amended Deer Valley MPD	Proposed
Height	28-35 feet	No changes
	Per the record of survey plat	No changes
Setbacks		
Units/UEs	52 Units	No changes
Parking	2 spaces	2 spaces (No changes)

Good Cause

Planning Staff finds that there is good cause for this plat amendment as it will allow the owner to utilize the basement area as private living area in a manner consistent with other existing units, and consistent with provisions of the Deer Valley MPD. Staff finds that the plat will not cause undue harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met.

Process

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

Department Review

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

Notice

On April 10, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on April 6, 2019, according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on Stag Lodge Phase IV Third Amended Plat, Amending Unit 46.

Significant Impacts

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

Consequences of not taking recommended action

The subject property would remain as is and the existing unit would stay at 3,180 square feet in size.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)
Exhibit B – Existing Plat
Exhibit C – Project Intent
Exhibit D – HOA Approval
Exhibit E – Aerial
Exhibit F – Site Photographs

Ordinance No. 2019-XX

AN ORDINANCE APPROVING THE STAG LODGE PHASE IV THIRD AMENDED PLAT, AMENDING UNIT 46 LOCATED AT 8200 ROYAL STREET #46, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 8200 Royal Street #46 has petitioned the City Council for approval of a Plat Amendment; and

WHEREAS, on April 10, 2019, the property was properly noticed and posted, and courtesy letters were sent to surrounding property owners according to the requirements of the Land Management Code; and

WHEREAS, on April 6, 2019, proper legal notice was published according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 24, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 24, 2019, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on May 16, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 located at 8200 Royal Street #46.

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

SECTION 1. APPROVAL. The Stag Lodge Phase IV Third Amended Plat, Amending Unit 46, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 8200 Royal Street #46.
2. The site consists of Unit 46 of the Stag Lodge Phase IV Condominium development.
3. The property is in the Residential Development (RD) District.
4. The property is within the 12th Amended Deer Valley Master Planned Development.
5. On April 10, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the

Utah Public Notice Website on April 6, 2019, according to requirements of the Land Management Code.

6. The City received a complete Plat Amendment application for the Stag Lodge Phase IV Third Amended Plat, Amending Unit 46 on March 18, 2019.
7. The proposed changes include the creation of Private Ownership Area C to indicate newly created private area which may be used to create additional bedrooms.
8. The applicant is proposing to convert 1,520 square feet of unexcavated Common Ownership area to Private Ownership Area C belonging to Unit 46.
9. The proposal is to expand the lower level by 493 square feet and to create a new lowest level of 1,021 square feet.
10. The applicant is also proposing to excavate a 232 square feet patio for the new lowest level beneath the footprint of the patio/deck of the lower level to be identified as Private Ownership Area B.
11. There is also a 403 square foot crawl space area, identified as having common ownership, proposed on the lowest level within the existing footprint of the structure.
12. No other units will be affected by this proposal.
13. The footprint of the structure will not change.
14. All changes proposed are internal and will not alter the exterior appearance of Unit 46.
15. The proposed amendment increases the size of Unit 46 from 3,180 square feet to 4,700 square feet.
16. With the addition, the Unit will be compatible in size to surrounding units at Stag Lodge that range from 2,213 square feet to 6,806.8 square feet.
17. Two parking spaces are required. Unit 46 has an existing attached two car garage, and no additional parking is required.
18. The overall Stag Lodge Condominium project consists of a total of 52 units ranging in size from 2,213 square feet to 6,806.8 square feet.
19. Stag Lodge is limited to a maximum of 52 units with no Unit Equivalent or unit size restrictions.
20. There are currently 52 Stag Lodge units, and the proposed amendment does not change the number of units.
21. On July 30, 1992, the original Stag Lodge Phase IV condominium plat was recorded as a 6-unit condominium project in the Silver Lake area of Deer Valley after City Council approval on March 5, 1992.
22. The existing structure was constructed on this site in 1996 according to Summit County records.
23. On January 22, 2003, the Stag Lodge Phase IV First Amended plat was recorded after receiving City Council approval on June 6, 2002 and created two types of ownership for the Units.
24. On April 3, 2014, the Stag Lodge Phase IV Unit 52 Second Amended plat was recorded after receiving City Council approval on October 17, 2013.
25. Additionally, several additional Stag Lodge plat amendments have been recorded which have created additional private space within the existing footprint of individual Stag Lodge units including units 35, 47, 48, 49, and 52.
26. The subject property is within the Sensitive Lands Overlay.

27. There is no change to the open space because the footprint of the affected unit will not be changing.
28. The height and setbacks of the existing structure will not change.

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 lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. All other conditions of approval of the Stag Lodge Condominium plats as amended and the Deer Valley MPD shall continue to apply.

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

PASSED AND ADOPTED this 16th day of May, 2019.

PARK CITY MUNICIPAL CORPORATION

MAYOR

ATTEST:

City Recorder

APPROVED AS TO FORM:

City Attorney

Attachment 1 – Proposed Plat

Exhibit A - Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, STAG LODGE PHASE IV, THIRD AMENDED, AMENDING UNIT 46, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

LEGAL DESCRIPTION

PARCEL 1

UNIT 46, STAG LODGE CONDOMINIUMS, A Utah expandable condominium project, together with an undivided appurtenant ownership interest in and to the common areas and facilities of the project as the same are identified and established in the Record of Survey Map recorded March 4, 1985, as Entry No. 231328 and the Declaration of Condominium for Stag Lodge recorded March 4, 1985, as Entry No. 231329 in Book 333 at Page 435, the Amendment to Declaration of Condominium for Stag Lodge recorded June 1, 1988, as Entry No. 290987 in Book 479 at Page 216, the Record of Survey Map for Stag Lodge Phase II recorded January 17, 1989, as Entry No. 303348 and the Second Amendment to Declaration of Condominium for Stag Lodge recorded January 17, 1989, as Entry No. 303349 in Book 508 at Page 636 of the Official Records, and the Record of Survey Map of Stag Lodge Phase III, recorded March 1, 1990 as Entry No. 321286 and the Third Amendment to Condominium Declaration for Stag Lodge recorded March 1, 1990 as Entry No. 321287 in Book 556 at Page 536 and the Amended Record of Survey Map Stag Lodge Phase III, recorded December 3, 1990 as Entry No. 333684 and the Fourth Amendment to Condominium Declaration for Stag Lodge recorded December 3, 1990 as Entry No. 333685 in Book 589 at Page 188 and the Second Amendment Sheet 2 of 4 Record of Survey Map recorded January 6, 1992 as Entry No. 352470 and the Fifth Amendment to Declaration of Condominium for Stag Lodge recorded January 6, 1992 as Entry No. 352471 in Book 640 at Page 765 and the Record of Survey Map for Stag Lodge Phase IV recorded July 30, 1992 as Entry No. 363084 and the Sixth Amendment and Supplemental Declaration of Condominium for Stag Lodge recorded July 30, 1992 as Entry No. 363086 in Book 675 at Page 214 and the First Amended sheet 2 of 6 Record of Survey Map recorded, January 17, 2003, as Entry No. 645059 and the Amendment to Declaration of Condominium for Stag Lodge recorded January 17, 2003 as Entry No. 645062 in Book 1504 at Page 1845, and the Second Amended pages 2, 4 and 5 Record of Survey Map recorded May 25, 2005, as Entry No. 737279, and the Stag Lodge Common Area Record of Survey Map recorded March 21, 2008, as Entry No. 840403, of the Official Records in the Office of the Summit County Recorder.

PARCEL 2

Together with a 25 foot wide private roadway and non-exclusive public utility easement as set forth on said Record of Survey Map for Stag Lodge Phase II recorded January 17, 1989, as Entry No. 303348. And the Record of Survey Map for Stag Lodge Phase III recorded March 1, 1990 as Entry No. 321286.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that, Ali Leemann and Anuradha Leemann, Co-Trustees of the 2008 Leemann Family Trust, dated November 11, 2008, hereby certify that they have caused this plat amendment to be made and hereby consent to the recordation of this plat amendment.

In witness whereof, the undersigned set his hand

this _____ day of _____, 2019.

By: _____

Ali Leemann, Trustee

In witness whereof, the undersigned set her hand

this _____ day of _____, 2019.

By: _____

Anuradha Leemann, Trustee

ACKNOWLEDGMENT

State of _____

: ss.

County of _____

On this _____ day of _____, 2019, Ali Leemann personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Co-trustee of the 2008 Leemann Family Trust, dated November 11, 2018, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the STAG LODGE PHASE IV, THIRD AMENDED, AMENDING UNIT 46.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No: _____

ACKNOWLEDGMENT

State of _____

: ss.

County of _____

On this _____ day of _____, 2019, Anuradha Leemann personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Co-trustee of the 2008 Leemann Family Trust, dated November 11, 2018, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that she executed the STAG LODGE PHASE IV, THIRD AMENDED, AMENDING UNIT 46.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

Commission No: _____

ASSOCIATION CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned, on behalf of Stag Lodge Owners Association, a Utah nonprofit corporation, having complied with the requirements of both Statutes and the Recorded Declaration hereby consents to the recording of this Condominium Plat Amendment.

Michael Dejarrette, President
Stag Lodge Owners Association, a Utah nonprofit corporation

ACKNOWLEDGMENT

State of _____

: ss.

County of _____

On this _____ day of _____, 2019, personally appeared before me, the undersigned Notary Public, in and for said County and State, Michael Dejarrette, being duly sworn, acknowledged to me that he is the president of the Stag Lodge Owners Association, a Utah nonprofit corporation, and that he signed the above Consent to Record for, on, and in behalf of all of the unit owners at the Stag Lodge Condominium Project acting as a group (under the name of the Stag Lodge Owners Association, a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Stag Lodge Condominium.

A Notary Public Commissioned in _____

Printed Name _____

Residing in: _____

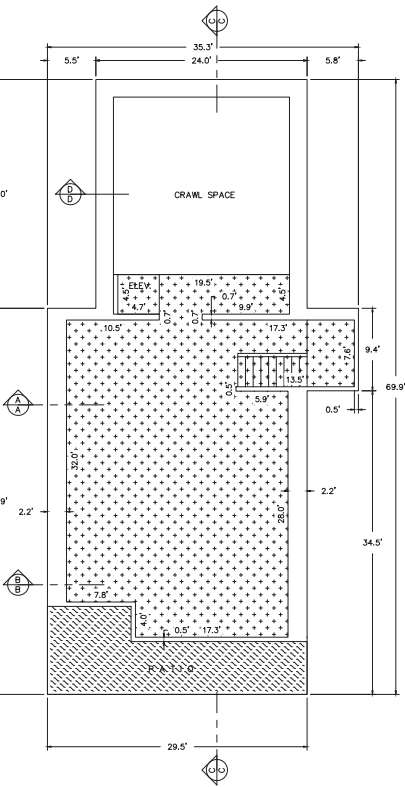
My commission expires: _____

Commission No: _____

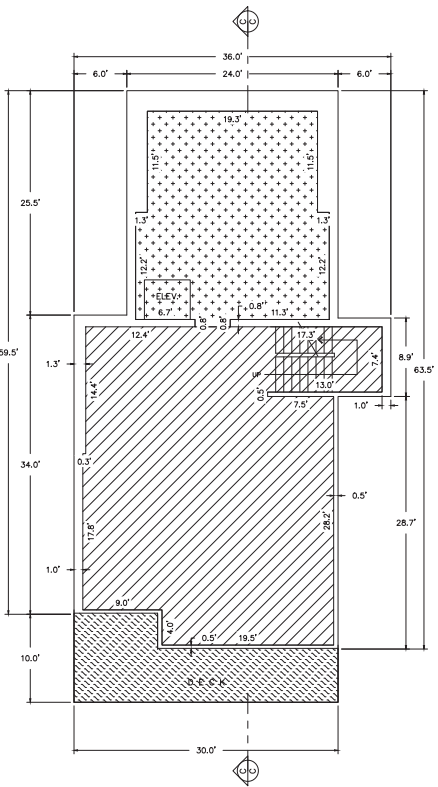
STAG LODGE PHASE IV
THIRD AMENDED
AMENDING UNIT 46

LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

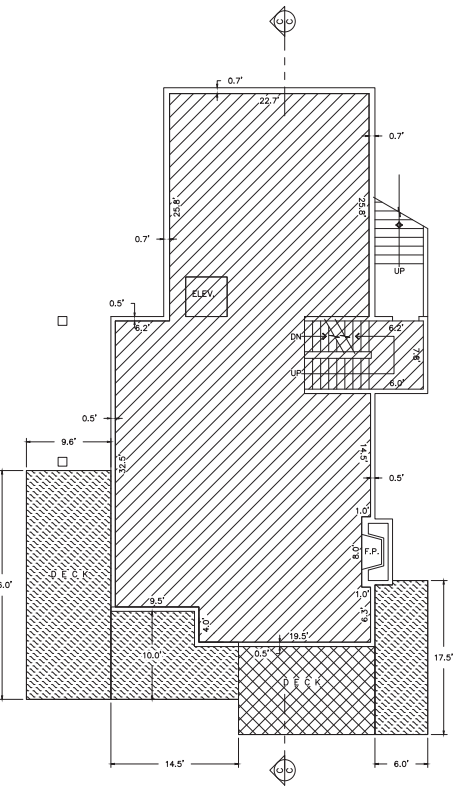
SHEET 1 OF 1



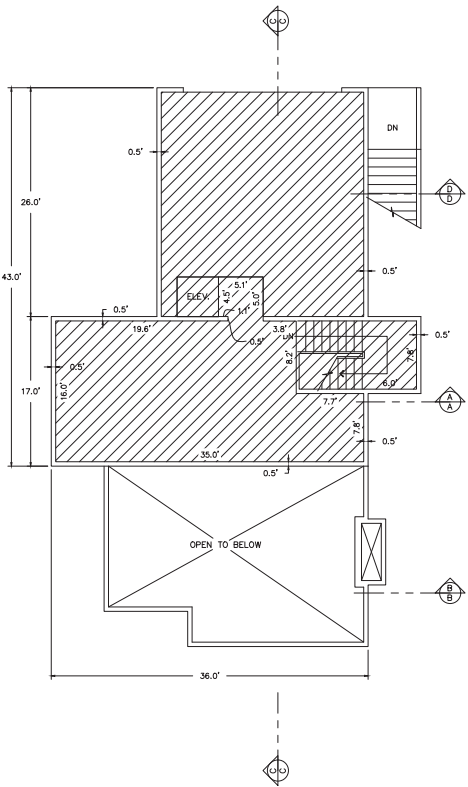
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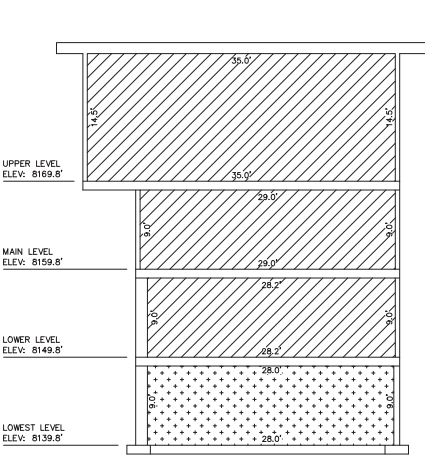
LOWER LEVEL



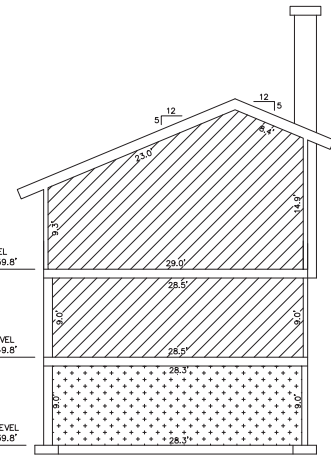
MAIN LEVEL



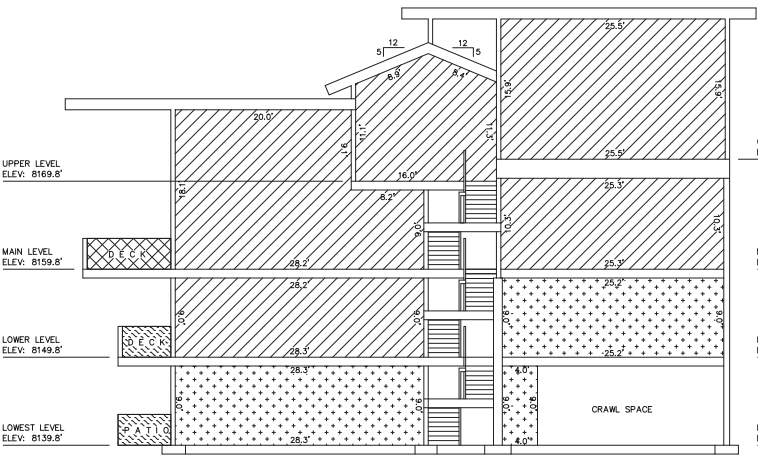
UPPER & GARAGE LEVEL



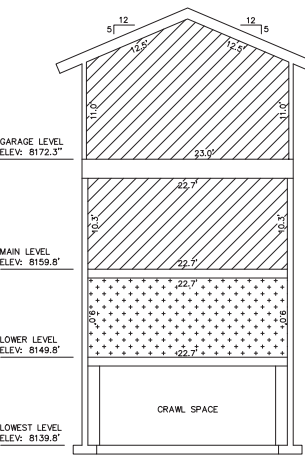
SECTION 'A'



SECTION 'B'



SECTION 'C'



SECTION 'D'

NOTES

- Interior dimensions shown are to finished surfaces.
- All structural elements are designated as common areas.
- All physical features and improvements not shown are designated as common area.
- Refer to Declaration of Condominium for complete description of ownership.
- Benchmark: See Sheet 1 of the Stag Lodge Phase IV Condominium, recorded July 30, 1992, as Entry No. 363084 in the Summit County Recorder's Office for location and elevation.
- This plat is subject to the Conditions of Approval in Ordinance 2019-_____.

NOTES (cont'd)

- All conditions of approval of the Stag Lodge Condominium Record Of Survey plats, as amended, shall continue to apply.
- This plat amendment consists of the conversion of "Common Ownership" to "Private Ownership" on the Lower Level and the addition of the Lowest Level to "Private Ownership."
- The two primary changes reflected on this plat that are different from the previous plat are: 1) The crawl space shown as common area on the Lower Level of the previous plat has been converted to private ownership on this plat. 2) The Lowest Level as shown on this plat did not exist on the previous plat and has been added and is shown as private ownership and common ownership.

OWNERSHIP DESIGNATIONS

- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- "PRIVATE OWNERSHIP AREA A"
- "PRIVATE OWNERSHIP AREA B"
- "PRIVATE OWNERSHIP AREA C"

FLOOR AREA TABLE

LOWEST LEVEL	1,021 SQ. FT.
LOWER LEVEL	1,524 SQ. FT.
MAIN LEVEL	1,533 SQ. FT.
UPPER LEVEL	622 SQ. FT.
TOTAL SQ. FT.	4,700 SQ. FT.



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____

OF _____, 2019

BY _____

S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019

BY _____

CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2019

BY _____

PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2019

BY _____

PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019

BY _____

PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019

BY _____

MAYOR

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ BOOK _____ PAGE _____

ENTRY NO. _____ FEE _____ RECORDER _____

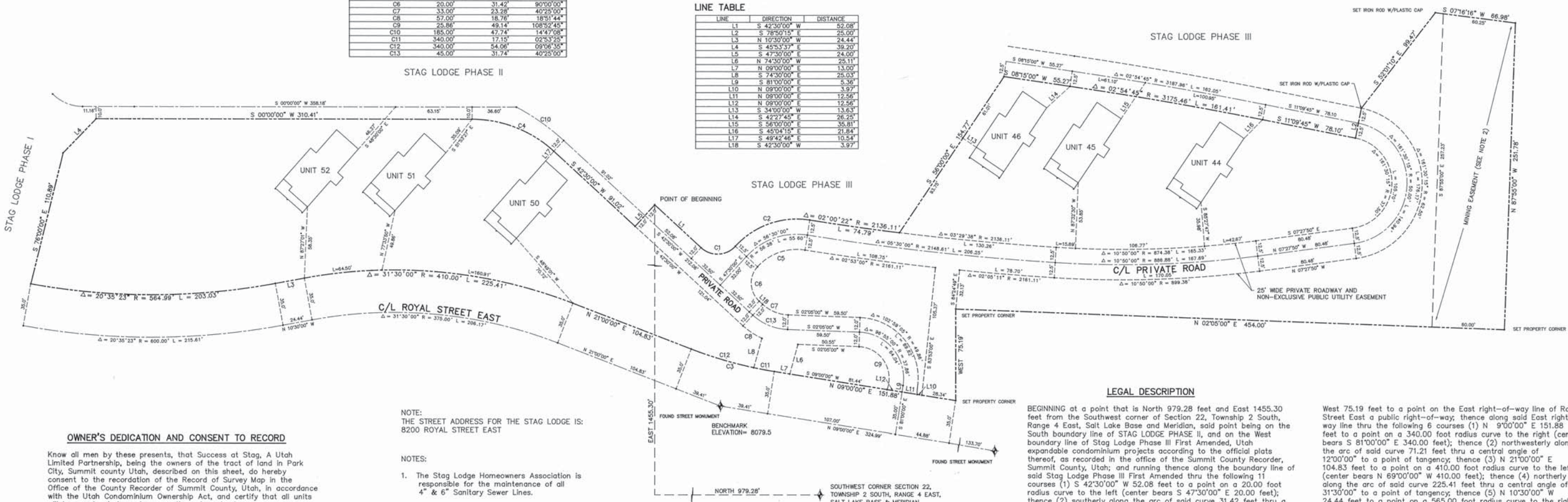
Exhibit B - Existing Plat

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	20.00'	31.42'	90°00'00"
C2	68.88'	67.93'	56°30'00"
C3	340.00'	71.21'	12°00'00"
C4	99.83'	74.05'	42°30'00"
C5	43.88'	43.27'	56°30'00"
C6	20.00'	31.42'	90°00'00"
C7	33.00'	23.28'	40°25'00"
C8	57.00'	18.78'	18°51'44"
C9	25.86'	49.14'	108°52'45"
C10	185.00'	47.74'	14°47'08"
C11	340.00'	17.15'	02°53'25"
C12	340.00'	54.06'	09°08'55"
C13	45.00'	31.74'	40°25'00"

LINE TABLE

LINE	DIRECTION	DISTANCE
L1	S 42°30'00" W	52.08'
L2	S 78°50'15" E	25.00'
L3	N 10°30'00" W	24.44'
L4	S 45°53'37" E	39.20'
L5	S 47°30'00" E	24.00'
L6	N 74°30'00" W	25.11'
L7	N 09°00'00" E	13.00'
L8	S 74°30'00" E	25.03'
L9	S 81°00'00" E	5.36'
L10	N 09°00'00" E	3.97'
L11	N 09°00'00" E	12.56'
L12	N 09°00'00" E	12.56'
L13	S 34°00'00" W	13.63'
L14	S 42°27'45" E	26.25'
L15	S 56°00'00" E	35.81'
L16	S 45°04'15" E	21.84'
L17	S 49°42'48" E	10.54'
L18	S 42°30'00" W	3.97'



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that Success at Stag, A Utah Limited Partnership, being the owners of the tract of land in Park City, Summit county Utah, described on this sheet, do hereby consent to the recordation of the Record of Survey Map in the Office of the County Recorder of Summit County, Utah, in accordance with the Utah Condominium Ownership Act, and certify that all units will be constructed as shown on these two sheets.

Executed the 2nd day of June, 1992.

Success at Stag
A Utah Limited Partnership

By Harry F. Reed
General Partner

By Stephen M. Schirf
General Partner

ACKNOWLEDGEMENT

State of Utah } ss
County of Summit }

On the 2nd day of June, 1992, personally appeared before me Harry F. Reed, who, being by me duly sworn, did say that he is a General Partner of Success at Stag, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Limited Partnership as such general partner, and said Harry F. Reed duly acknowledged to me that said partnership executed the same.

Valerie S. Marchant
Notary Public
My Commission Expires: 8/28/94
Residing at: James, UT

ACKNOWLEDGEMENT

State of Utah } ss
County of Summit }

On the 2nd day of June, 1992, personally appeared before me Stephen M. Schirf, who, being by me duly sworn, did say that he is a General Partner of Success at Stag, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Limited Partnership as such general partner, and said Stephen M. Schirf duly acknowledged to me that said partnership executed the same.

Valerie S. Marchant
Notary Public
My Commission Expires: 8/28/94
Residing at: James, UT

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 6164 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by authority of the owner(s), this Record of Survey Map of Stag Lodge Phase IV, a Utah Expandable Condominium Project, in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act.

John Demkowicz
JOHN DEMKOWICZ L.S. NO. 6164

6-2-92
DATE:



LEGAL DESCRIPTION

BEGINNING at a point that is North 979.28 feet and East 1455.30 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the South boundary line of STAG LODGE PHASE II, and on the West boundary line of Stag Lodge Phase III First Amended, Utah expandable condominium projects according to the official plats thereof, as recorded in the office of the Summit County Recorder, Summit County, Utah; and running thence along the boundary line of said Stag Lodge Phase III First Amended thru the following 11 courses (1) S 42°30'00" W 52.08 feet to a point on a 20.00 foot radius curve to the left (center bears S 47°30'00" E 20.00 feet); thence (2) southerly along the arc of said curve 31.42 feet thru a central angle of 90°00'00" to a point on a 68.88 foot radius reverse curve to the right (center bears S 42°30'00" W 68.88 feet); thence (3) southeasterly along the arc of said curve 67.93 feet thru a central angle of 56°30'00" to a point on a 2136.11 foot radius reverse curve to the left (center bears S 81°00'00" E 2136.11 feet); thence (4) southerly along the arc of said curve 74.79 feet thru a central angle of 2°00'22"; thence (5) S 56°00'00" E 154.77 feet; thence (6) S 81°50'00" W 55.27 feet to a point on a 3175.46 foot radius curve to the right (center bears N 81°45'00" W 3175.46 feet); thence (7) southwesterly along the arc of said curve 161.41 feet thru a central angle of 2°54'45" to a point of tangency; thence (8) S 11°09'45" W 78.10 feet; thence (9) S 78°50'15" E 25.00 feet; thence (10) S 52°01'00" E 99.47 feet; thence (11) S 7°16'16" W 66.98 feet; thence N 87°55'00" W 251.78 feet to a point on the East line of the Cache Condominium Project according to the official plat thereof on file in the office of the Summit County Recorder, Summit County, Utah; thence along the boundary line of said Cache Condominium Project thru the following 2 courses (1) N 2°05'00" E 454.00 feet; thence (2)

West 75.19 feet to a point on the East right-of-way line of Royal Street East a public right-of-way; thence along said East right-of-way line thru the following 6 courses (1) N 9°00'00" E 151.88 feet to a point on a 340.00 foot radius curve to the right (center bears S 81°00'00" E 340.00 feet); thence (2) northwesterly along the arc of said curve 71.21 feet thru a central angle of 12°00'00" to a point of tangency; thence (3) N 21°00'00" E 104.83 feet to a point on a 410.00 foot radius curve to the left (center bears N 69°00'00" W 410.00 feet); thence (4) northerly along the arc of said curve 225.41 feet thru a central angle of 31°30'00" to a point of tangency; thence (5) N 10°30'00" W 24.44 feet to a point on a 565.00 foot radius curve to the right (center bears N 79°30'00" E 565.00 feet); thence (6) northerly along the arc of said curve 203.03 feet thru a central angle of 20°35'20" to the southwest corner of STAG LODGE PHASE I a Utah expandable condominium project according to the official plat thereof on file in the office of the Summit County Recorder, Summit County, Utah; thence along the boundary line of said Stag Lodge Phase I thru the following 2 courses (1) S 76°00'00" E 110.89 feet; thence (2) S 45°53'37" E 39.20 feet to a point on the West line of STAG LODGE PHASE II a Utah expandable condominium project according to the official plat thereof on file in the office of the Summit County Recorder, Summit County, Utah; thence along the boundary line of said Stag Lodge Phase II thru the following 4 courses (1) South 310.41 feet to a point on a 99.83 foot radius curve to the right (center bears West 99.83 feet); thence (2) southwesterly along the arc of said curve 74.05 feet thru a central angle of 42°30'00" to a point of tangency; thence (3) S 42°30'00" W 91.02 feet; thence (4) S 47°30'00" E 24.00 feet to the point of beginning. CONTAINS 4.165 ACRES.

RECORD OF SURVEY MAP OF:
STAG LODGE PHASE IV

A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN
SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH



ALLIANCE ENGINEERING INC.

P.O. BOX 2664
323 MAIN STREET
PARK CITY, UTAH 84060
(801) 649-9467

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 17
DAY OF July, 1992 A.D.

BY [Signature]
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 20TH
DAY OF July, 1992 A.D.

BY Eric W. DeHaven P.E.
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 22nd
DAY OF July, 1992 A.D.

BY [Signature]
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST & COUNCIL APPROVAL AND ACCEPTANCE

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY
COUNCIL THIS 5TH DAY OF MARCH,
1992 A.D.

BY Anita L. Sheldahl
PARK CITY RECORDER

BY [Signature]
MAYOR

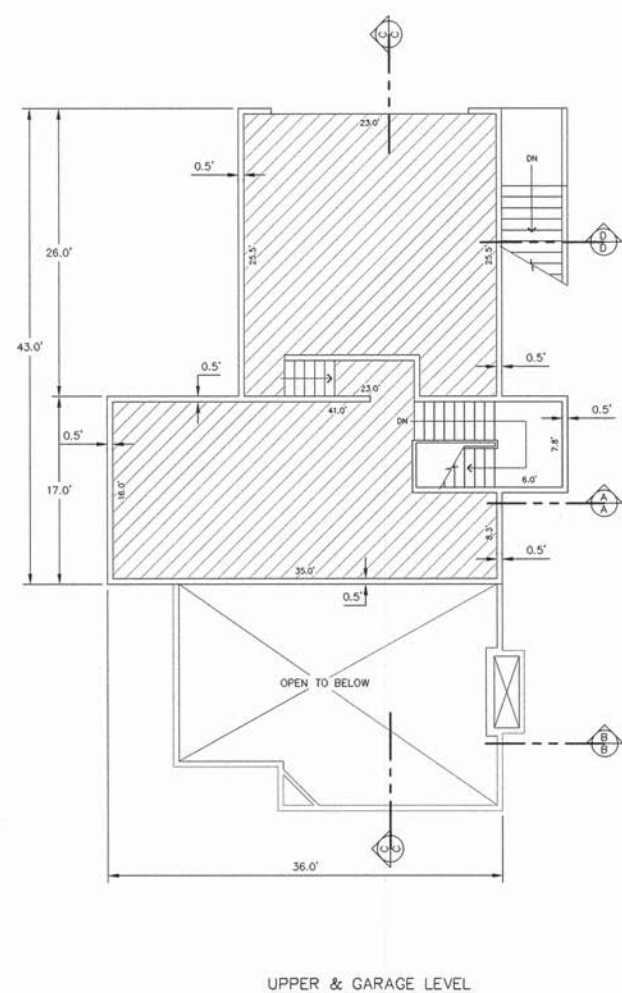
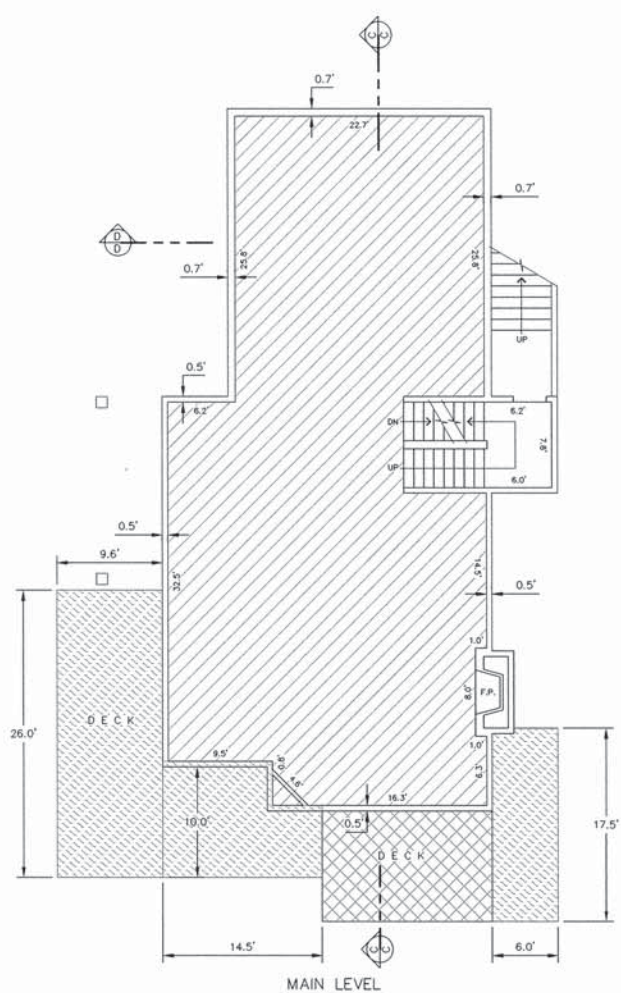
363084

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF High County Title
DATE 07-30-92 TIME 03:50 PM BOOK 71-50 PAGE

4100

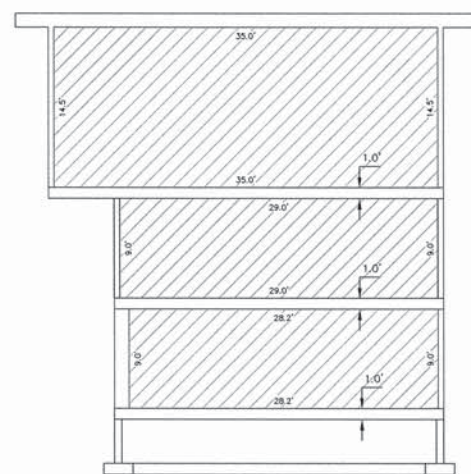
Alan Spriggs
RECORDER

[illegible]

REGISTERED LAND SURVEYOR
No. 154491
JOHN
DEMKOWICZ
State of Utah

Mary J. Carney
Notary Public
Residing in: Park City
My commission expires: 6-1-2004

4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of Stag Lodge Condominium (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed.

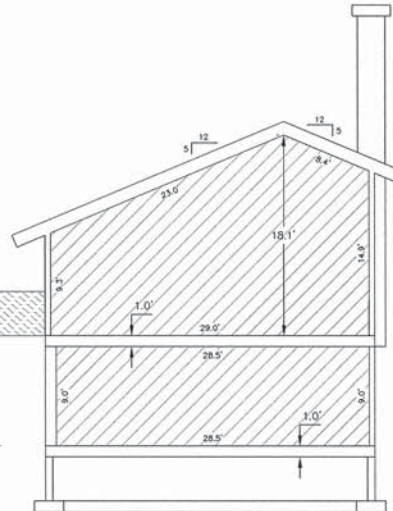


UPPER LEVEL = SEE CHART

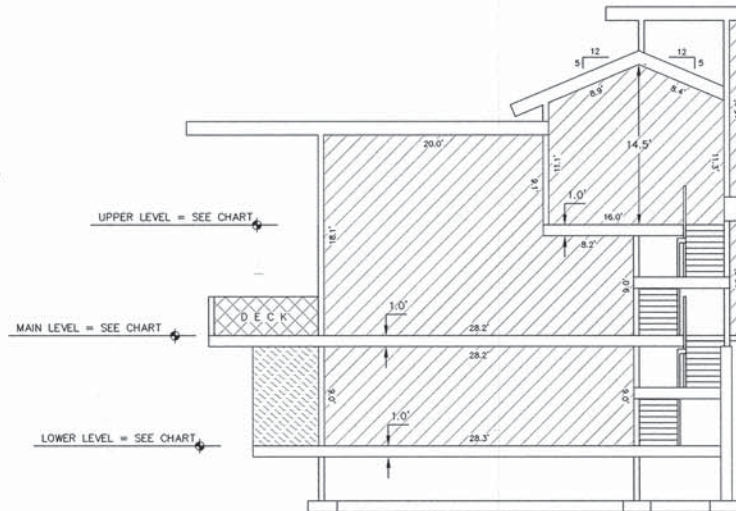
UNITS 50 & 52 ONLY

MAIN LEVEL = SEE CHART

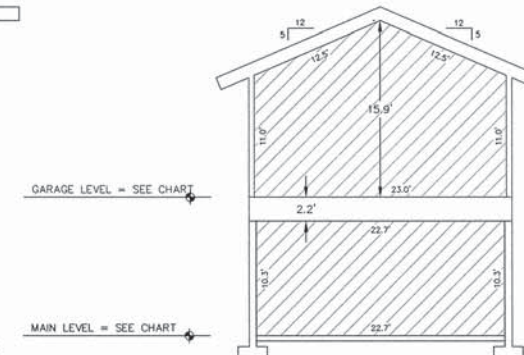
LOWER LEVEL = SEE CHART



SECTION "B"



SECTION "C"



SECTION "D"

NOTE:

1. INTERIOR DIMENSIONS SHOWN ARE TO FINISH SURFACES.
2. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
3. ALL PHYSICAL FEATURES AND IMPROVEMENTS NOT SHOWN AREA DESIGNATED AS COMMON AREA.
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. BENCHMARK: SEE SHEET 1 FOR LOCATION AND ELEVATION.

OWNERSHIP DESIGNATIONS

	*PRIVATE OWNERSHIP AREA
	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP
	*PRIVATE OWNERSHIP AREA

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH



Alliance Engineering Inc.
(435) 649-9467—PHONE
(435) 649-9475—FAX
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

BY B. R. W. R. D.
S. B. W. R. D.

BY [Signature]
CHAIRMAN

BY Nic W DeHaan 2003

BY T. C. T. T.
PARK CITY ATTORNEY

BY Janet M. Scott

BY Dana Williams
MAYOR

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF High Country Title
DATE 1-23-2023 TIME 8:39 AM BOOK --- PAGE ---
4 66 Joe M. Durr
RECORDER

137

Stag Lodge Ph IV 20F3

THIRD AMENDED STAG LODGE PHASE IV, UNIT 46

March 12, 2019

PROJECT INTENT

Stag Lodge Phase IV, originally recorded July 30, 1992, as Entry No. 363084, is a 6-unit condominium project located in the Silver Lake area of Deer Valley.

The purpose of this application is to amend Unit 46. The proposal is to enlarge Unit 46 by expanding the Lower Level as shown on Page 2 of 3, First Amended Stag Lodge Phase IV, recorded January 22, 2003, as Entry No. 645383, to encompass the entire existing building footprint. The area on the Lower Level to be changed is currently designated as Common Ownership and is indicated as "Crawl Space". It is proposed that this new area be designated as "Private Ownership Area A". In addition, it is also being proposed that another level be added below the Lower Level to be designated as "Lowest Level". Approximately 70% of the Lowest Level will be "Private Ownership Area A" and the remainder will continue to be Common Ownership and will be designated as Crawl Space. A patio is also proposed adjacent to the Lowest Level.

The majority of proposed changes taking place are internal and the only external change will be at the rear of the Lowest Level where exterior doors will be placed as well as the patio.

Sheet 1 of 2 of Stag Lodge Phase IV, recorded July 30, 1992, as Entry No. 363084 will not be affected, as it is not being proposed to alter the footprint of the building in any way.

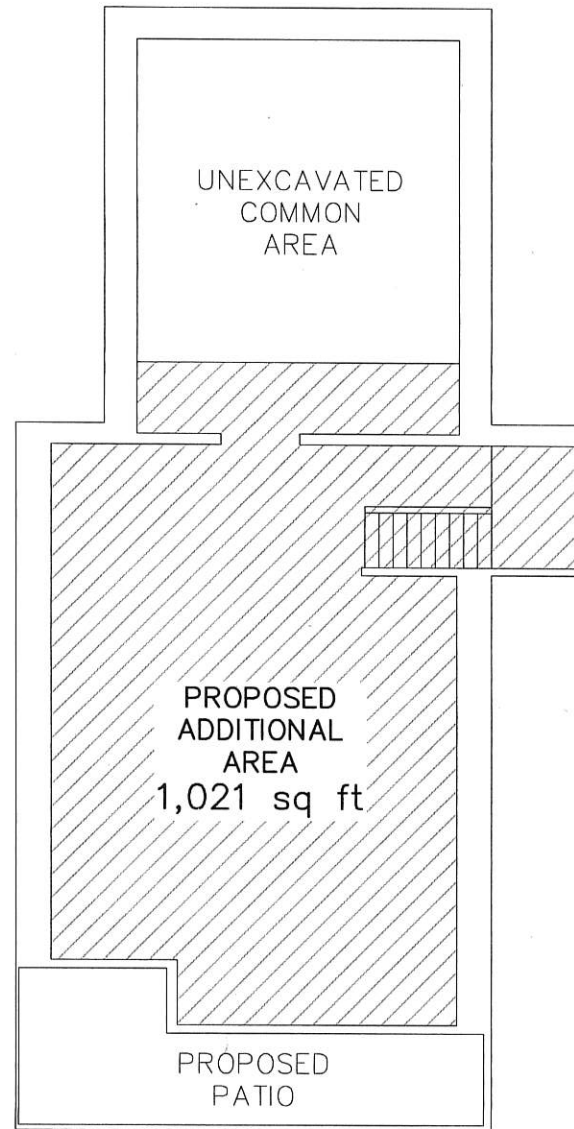
RECEIVED

MAR 12 2019

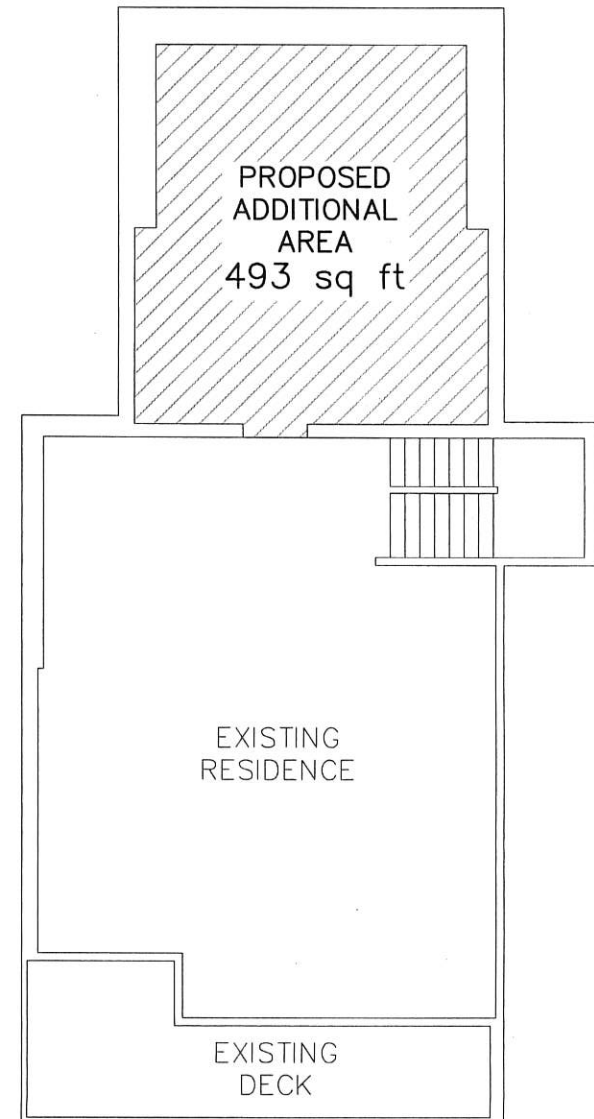
PARK CITY
PLANNING DEPT.

PROPOSED ADDITION TO STAG LODGE UNIT 46

$$\begin{array}{r}
 493 \text{ sq ft} \\
 + 1,021 \text{ sq ft} \\
 \hline
 = 1,514 \text{ sq ft} \\
 \text{TOTAL ADDITION}
 \end{array}$$



PROPOSED LOWEST LEVEL
(CURRENTLY NOT EXISTING)



EXISTING LOWER LEVEL
(PLUS ADDITION)

RECEIVED
MAR 12 2019
PARK CITY
PLANNING DEPT.

RL | Richards Law^{PC}

4141 S. Highland Drive
Ste. 225
Salt Lake City, UT 84124

Tel 801.274.6800
Fax 801.274.6805
Email john@richardshoalaw.com
Web www.richardshoalaw.com

March 7, 2019

Marshall King
Plat Coordinator
323 Main Street
Park City, Utah 84060

Via email only: marshall@alliance-engr.com

RE: Stag Lodge Owners Association, Inc.
Certification of Vote to Modify Unit 46

Dear Mr. King and Municipal Officials:

This firm represents Stag Lodge Homeowners Association, Inc. ("Association"). We were recently authorized by the Association's Board of Directors to oversee a vote of its membership regarding the proposed modifications to Stag Lodge Unit 46.

Pursuant to the voting provisions of the Association's governing documents and Utah Code, voting for the proposed modifications to Unit 46, owned by Ali and Anuradha Leemann, commenced on February 15, 2019 with a closing date to vote of March 8, 2019. A ballot instructions and introductory letters were delivered to each homeowner via FedEx and email at the last known address.

Stated on the ballot was notification that Owners holding more than fifty percent (50%) of the total votes must return ballots to establish a quorum and that sixty-seven (67%) of the total voting interest of the Association must be received to approve and pass the proposal.

THIS LETTER CERTIFIES THE PROCEDURE AND RESULTS OF THE VOTING AND HEREBY CONFIRMS THAT THE QUORUM REQUIREMENT WAS MET AND THAT THE PROPOSAL WAS APPROVED BY THE MEMBERS. As of March 8, 2018, 75.297% of the total voting interest had submitted ballots. Of the ballots received, 72.677% approved the proposal and 2.62% disagreed.

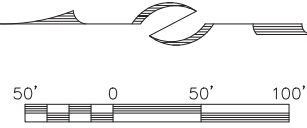
Sincerely,

John D. Richards

RECEIVED

MAR 12 2019

PARK CITY
PLANNING DEPT.



Alliance Engineering Inc.
(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
JESSICA HALL
MARSHALL KING
DATE: 10/11/18

AERIAL PHOTOGRAPH
STAG LODGE PHASE IV
UNIT 46
FOR: ALI AND ANURADHA LEEMANN
JOB NO.: 11-4-18
FILE: X:\SilverLakeVillage\dwg\Exhibits\Stag 46-ortho.dwg

SHEET
1
OF
1

142



Stag Lodge Phase II Unit 49 - looking northerly





Stage Lodge Phase IV Unit 46 – Looking Northerly



Stage Lodge Phase IV Unit 46 – Looking Southwesterly



Stage Lodge Phase IV Unit 46 – Looking Northeasterly

Exhibit F - Site Photographs



Stage Lodge Phase IV Unit 46 – Looking Southeasterly

Planning Commission Staff Report

Subject: Double H Plat Amendment - An Amendment of Lots 5, 6, 7, 8, and the south one-half (½) of Lot 9, Block 56, Snyder's Addition to the Park City Survey
Address: 1120 / 1124 / 1128 Park Avenue
Author: Francisco Astorga, AICP, Senior Planner
Project Number: PL-19-04128
Date: 24 April 2019
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission review and hold a public hearing for the Double H Plat Amendment, located at 1120, 1124, 1128 Park Avenue, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: Hosenfeld/Holt, LLC
represented by Marshall King, Alliance Engineering, Inc.
Location: 120, 1124, 1128 Park Avenue
Zoning: Historic Residential-Medium Density District (HRM) District
Adjacent Land Uses: Residential
Historic Designation: 1128 and 1124 Park Avenue are Landmark sites
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Proposal

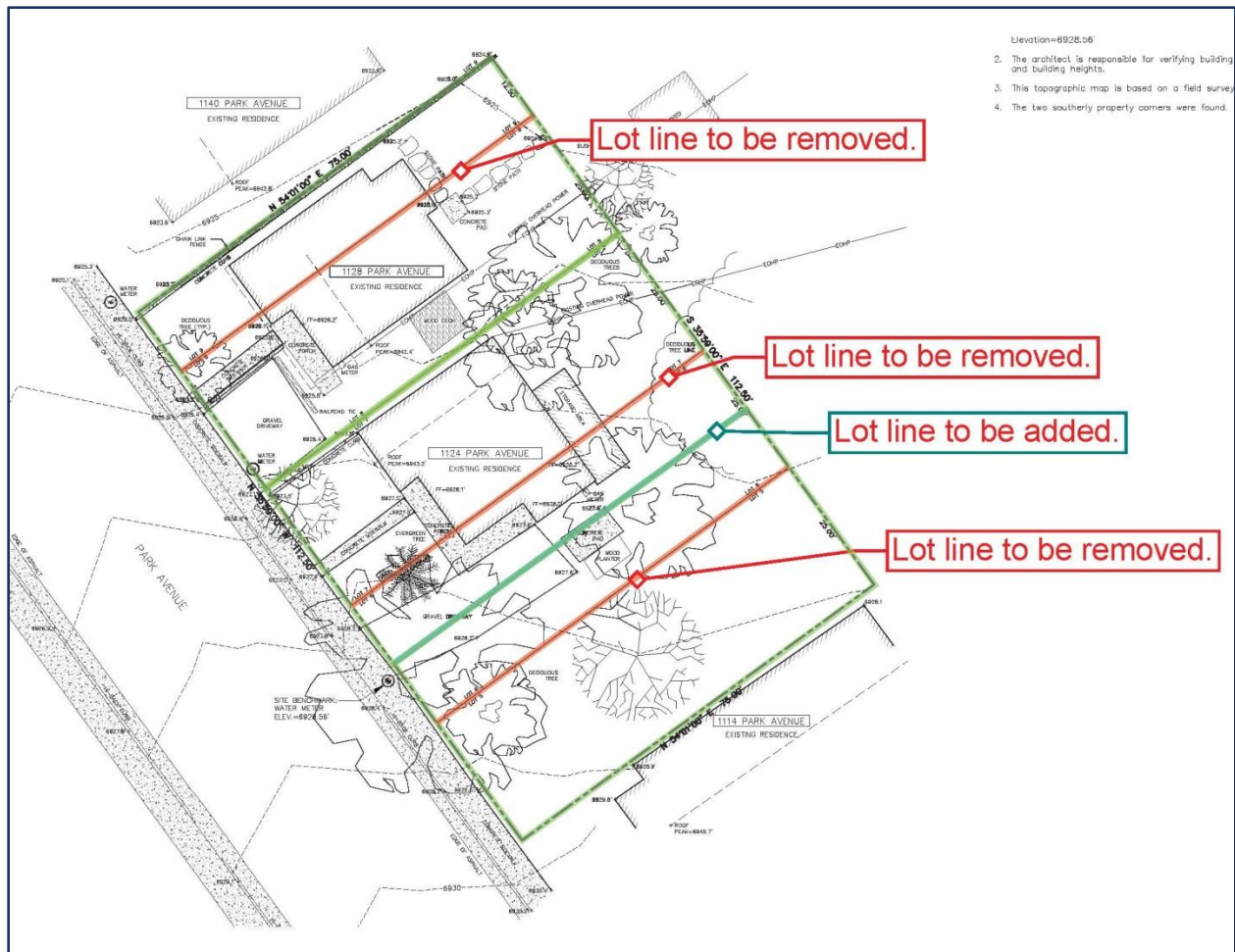
Plat Amendment request to reconfigure four and a half (4½) Old Town lots into three (3) lots of record, by removing three (3) interior site lot lines and adding one (1) interior lot side lot line.

Background

On February 5, 2019 a complete Plat Amendment application was submitted to the City. The subject site consists of Lots 5, 6, 7, 8, and the south one-half (½) of Lot 9, Block 56, Snyder's Addition to the Park City Survey. Lot 5, 6 and 7 are identified by Summit County as Parcel # SA-364. Lot 8 and ½ of Lot 9 are identified by Summit County as Parcel # SA-365. The property consists of two (2) historic landmark designated sites at 1124 and 1128 Park Avenue with a side lot line going through each historic structure, as well as a vacant site towards the south at 1120 Park Avenue. The proposal consists of the following (from north to south):

- Removing the side lot line between ½ of Lot 9 and Lot 8, going through the historic structure, creating one (1) lot of record; this site remains 1128 Park Avenue.
- Removing the side lot line between Lot 7 and Lot 6, going through the historic structure, and adding a new lot line halfway through platted Lot 6, creating one (1) lot of record; this site remains 1124 Park Avenue.
- Removing the lot line between Lot 6 and Lot 5, in conjunction with the newly added lot line halfway through platted Lot 6, creating one (1) lot of record; this sites would remain vacant, and it would be recognized as 1120 Park Avenue.

The proposal is represented graphically with the following diagram:



Purpose

The purpose of the Historic Residential Medium Density (HRM) District is to:

1. allow continuation of permanent residential and transient housing in original residential Areas of Park City,
2. encourage new Development along an important corridor that is Compatible with Historic Structures in the surrounding Area,
3. encourage the rehabilitation of existing Historic Structures,

4. encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
5. encourage Affordable Housing,
6. encourage Development which minimizes the number of new driveways Accessing existing thoroughfares and minimizes the visibility of Parking Areas, and
7. establish specific criteria for the review of Neighborhood Commercial Uses in Historic Structures along Park Avenue.

Analysis

The subject site is located at 1120, 1124, 1128 Park Avenue. The site is within the HRM District. The proposed Plat Amendment creates three (3) lots of record from 4½ Old Town lots. The applicant's proposed reconfiguration includes the removal of two (2) side lot lines going through one historic structure each.

The minimum lot size within the HRM District for single family dwellings is 1,875 square feet. The proposed lot size of all three (3) lots is 2,812.5 square feet. The minimum lot width within the HRM District is thirty-seven and half feet (37.5'). The proposed lot width of all three (3) lots is thirty-seven and half feet (37.5'). The proposed lot reconfiguration meets lot and site requirements of the HRM District. The following table contains development parameters of the HRM District:

Parameter	Permitted
Minimum Front Setback	15 feet
Minimum Rear Setbacks	10 feet
Minimum Side Setbacks	5 feet
Maximum Building Height	27 feet

Existing Gravel Driveways

Gravel is not an authorized material as it needs to be hard-surfaced (concrete, asphalt, etc.).

The survey shows an existing gravel driveway at 1128 Park Avenue (proposed Lot C). Staff recommends adding the following condition of approval: Prior to Plat recordation, the applicant shall file appropriate City permits/applications and complete the following options: i) replace the gravel of the driveway with an approved hard-surfaced material, or ii) remove the gravel driveway and add landscaping in its place to prevent a vehicle from parking.

The survey shows an existing gravel driveway at 1124 Park Avenue (proposed Lot B) between the newly proposed side lot line adjacent to 1120 Park Avenue (proposed Lot A). Staff recommends adding the following condition of approval: Prior to Plat recordation, the applicant shall file appropriate City permits/applications and complete one of the following options: i) replace the gravel of the driveway with an approved hard-surfaced material in compliance with the newly created side lot line between 1124 Park

and 1120 Park Avenue; or ii) remove the gravel driveway and add landscaping in its place to prevent a vehicle from parking.

Existing Shed at Boo Radley Alley (Parcel # SA-360-A-X)

The survey shows an existing shed off the subject property located approximately thirteen feet (13') towards the east, on Park City Municipal Property, parcel # SA-360-A-X, location informal known as Boo Radley alley. The shed is approximately 120 square feet, and is not listed on the City's Historic Sites Inventory (HSI). When asked about the shed, the property owner responded that the shed behind 1128 Park Avenue has indeed been and probably is currently being used for storage by his renters at 1128 Park Ave. In coordination with the City's Property, Real Estate, Trails & Open Space Manager Heinrich Deters, the City will separately address the use of its property.

Good Cause

Staff finds that there is good cause for this Plat Amendment as two (2) interior lot lines running through existing historic structures will be removed, creating two (2) lots of record for the two (2) historic designated sites. The three (3) lots will meet minimum lot size of the HRM District. Existing non-compliant driveways will be resolved prior to Plat recordation. Standard conditions of approval have been added regarding residential fire sprinklers and public snow storage.

Miscellaneous

Staff contacted Summit County Recorder's office regarding the unusual name of the proposed Plat Amendment. The County reported that they had no issues with the proposed name as it was not already taken and it complied with their current guidelines, policy, etc., for naming plats.

Process

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

Department Review

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

Notice

On April 10, 2018, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on April 6, 2018, according to requirements of the LMC.

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the proposed Plat Amendment, as conditioned or amended; or

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

Significant Impacts

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

Consequences of not taking recommended action

Consequences of not taking the recommended action is that the two (2) historic designated sites would continue to be one and a half (1½) lots containing a lot line going through the historic structure with two (2) gravel driveways.

Summary Recommendation

Staff recommends the Planning Commission review and hold a public hearing for the Double H Plat Amendment, located at 1120, 1124, 1128 Park Avenue, and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance

Attachment 1 – Proposed Plat Amendment

Exhibit B – Applicant's Project Description

Exhibit C – Survey

Exhibit D – County Tax Map

Exhibit E – Aerial Photograph

Exhibit F – Site Photographs

Exhibit G – Survey with Proposed Side Property Lines

Exhibit A – Draft Ordinance

Ordinance No. 19-XX

AN ORDINANCE APPROVING THE DOUBLE H PLAT AMENDMENT, AN AMENDMENT OF LOTS 5, 6, 7, 8 AND THE SOUTH ONE-HALF (1/2) OF LOT 9, BLOCK 56, SNYDER'S ADDITION TO THE PARK CITY SURVEY, LOCATED AT 1120, 1124 & 1128 PARK AVENUE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at 1120, 1124 & 1128 Park Avenue have petitioned the City Council for approval of this Plat Amendment; and

WHEREAS, on April 10, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on April 6, 2019, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on April 24, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 24, 2019, forwarded a recommendation to the City Council; and,

WHEREAS, on May 16, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Double H Plat Amendment, located at the same address.

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

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

Findings of Fact:

1. The subject site is located at 1120, 1124, 1128 Park Avenue.
2. The site is within the HRM District.
3. The subject site consists of Lots 5, 6, 7, 8, and the south one-half (½) of Lot 9, Block 56, Snyder's Addition to the Park City Survey.
4. Lot 5, 6 and 7 are identified by Summit County as Parcel # SA-364.

5. Lot 8 and ½ of Lot 9 are identified by Summit County as Parcel # SA-365. The proposed Plat Amendment creates three (3) lots of record from 4½ Old Town lots.
6. The applicant's proposed reconfiguration includes the removal of two (2) side lot lines going through one historic structure each.
7. The property consists of two (2) historic landmark designated sites at 1124 and 1128 Park Avenue with a side lot line going through each historic structure, as well as a vacant site towards the south at 1120 Park Avenue.
8. The minimum lot size within the HRM District for single family dwellings is 1,875 square feet.
9. The proposed lot size of all three (3) lots is 2,812.5 square feet.
10. The minimum lot width within the HRM District is thirty-seven and half feet (37.5').
11. The proposed lot width of all three (3) lots is thirty-seven and half feet (37.5').
12. The proposed lot reconfiguration meets lot and site requirements of the HRM District.
13. There are two (2) gravel driveways on the property.
14. Gravel is not an authorized material parking areas and driveways as it needs to be hard-surfaced (concrete, asphalt, etc.).
15. Prior to Plat recordation the applicant shall address the two (2) gravel non-compliances through Condition of Approval no. 3 and 4.
16. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. Regarding the 1128 Park Avenue site: Prior to Plat recordation, the applicant shall file appropriate City permits/applications and complete the following options:
 - i) replace the gravel of the driveway with an approved hard-surfaced material, or
 - ii) remove the gravel driveway and add landscaping in its place to prevent a vehicle from parking.
4. Regarding the 1120 and 1124 Park Avenue site: Prior to Plat recordation, the applicant shall file appropriate City permits/applications and complete one of the following options: i) replace the gravel of the driveway with an approved hard-surfaced material in compliance with the newly created side lot line between 1124 Park and 1120 Park Avenue; or ii) remove the gravel driveway and add landscaping in its place to prevent a vehicle from parking.
5. Residential fire sprinklers are required for all new construction per requirements of the Chief Building Official, and shall be noted on the plat.
6. Ten foot (10') public snow storage easement shall be granted along the Park Avenue Right-of-Way.

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

PASSED AND ADOPTED this 16th day of May, 2019.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

VICINITY MAP

SCALE: 1"=300'

PROFESSIONAL LAND SURVEYOR

No. 7248891

CHARLES GALATI

State of Utah

SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owner, DOUBLE H PLAT AMENDMENT has been reviewed under my direction, 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.

LEGAL DESCRIPTION

Lots 5, 6, 7, 8, and the South one-half (1/2) of Lot 9, Block 56, Snyder's Addition to Park City Survey, according to the official plat thereof on file and of record in the Office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Jason Hosenfeld, Manager of Hosenfeld/Holt Family, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, does hereby certify that it has caused this plat to be prepared, and does hereby consent to the recordation of this plat.

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

By: Jason Hosenfeld, Manager
Hosenfeld/Holt Family, LLC, a Utah limited liability company

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this _____ day of _____, 2019, Jason Hosenfeld personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of Hosenfeld/Holt Family, LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the DOUBLE H PLAT AMENDMENT.

By: _____
Notary Public

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

NOTES

1. This plat is subject to the Conditions of Approval in Ordinance 2019-_____, and removes the existing historical lot lines to create three new lots of record.

DOUBLE H PLAT AMENDMENT

LOCATED IN BLOCK 56, SNYDER'S ADDITION TO PARK CITY,
WITHIN THE NORTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

2/1/19 JOB NO.: 7-8-16 FILE: X:\SnydersAddition\dwg\env\plat2016\070816.dwg

(435) 648-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street, P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____
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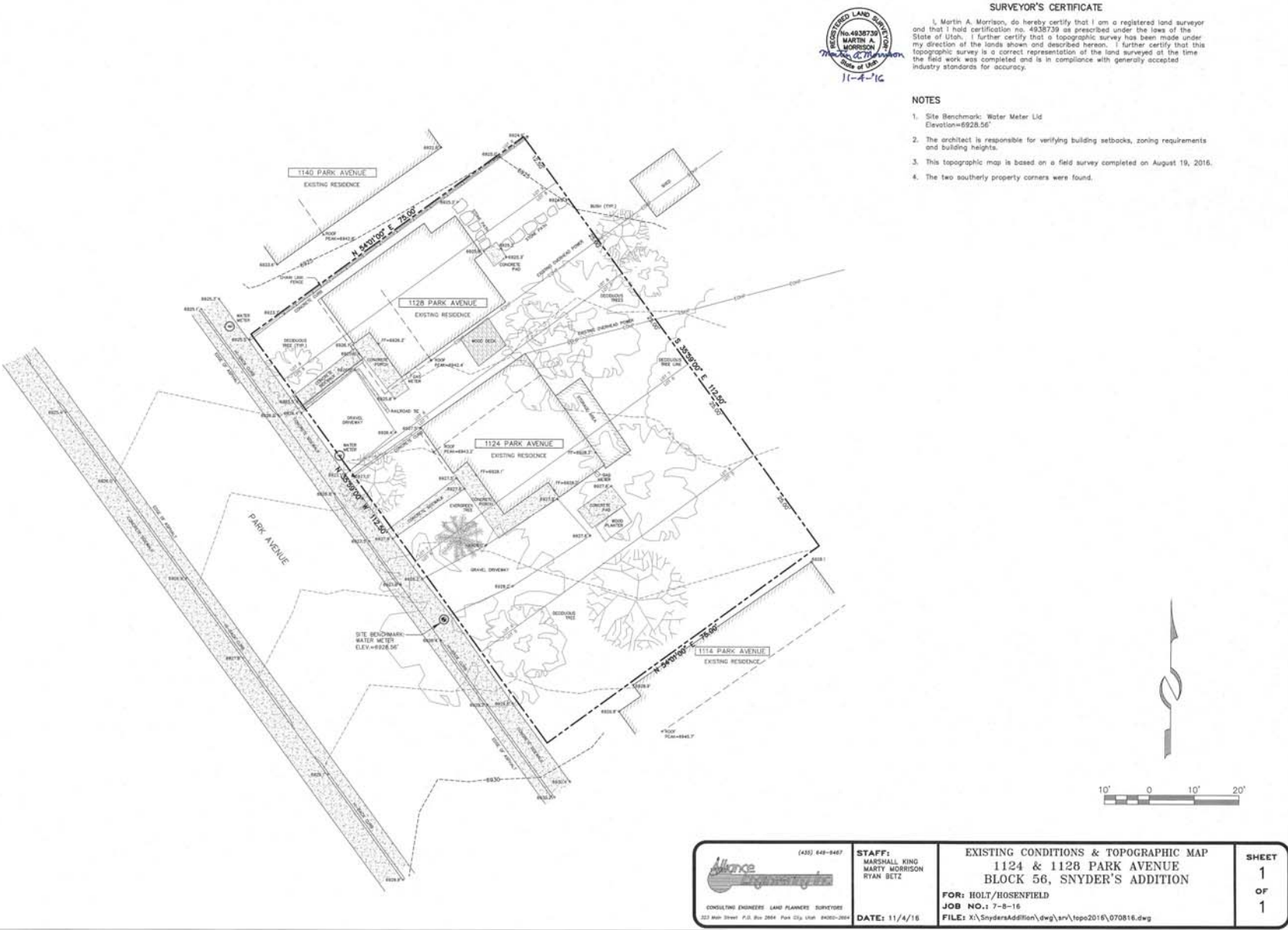
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SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 56,
LOTS 5, 6, 7, 8, AND THE SOUTH ONE-HALF (1/2) OF LOT 9

(1120, 1124 & 1128 Park Avenue)

PROJECT INTENT

Lots 5, 6, 7, 8, and the south one-half (1/2) of Lot 9, Block 56, are owned by Hosenfeld/Holt Family, LLC. The lot lines still exist from the original Snyder's Addition to Park City Survey plat, and the owner desires to reconfigure the four and a half lots and create three new lots of record. The line common to Lots 7 & 8 will remain as currently platted, while the remaining lot lines will be removed and a new lot line added. Existing single family residences occupy 1124 & 1128 Park Avenue, while 1120 Park Avenue is vacant. The owner is pursuing this plat amendment to facilitate sale of the property and has no plans for remodeling or development.





 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2654 Park City Utah 84060-2654	(435) 648-0487	STAFF: RYAN BETZ MARSHALL KING	AERIAL PHOTOGRAPH A PORTION OF BLOCK 56 SNYDER'S ADDITION TO PARK CITY SURVEY FOR: HOSENFELD/HOLT FAMILY LLC JOB NO.: 7-8-16 FILE: X:\SnydersAddition\dwg\Plot Exhibit\1124&1128 Park Avenue\ortho.dwg	SHEET 1 OF 1	



1124 & 1128 Park Avenue - looking easterly



1124 & 1128 Park Avenue - looking northerly



1124 & 1128 Park Avenue - looking northeasterly



1124 & 1128 Park Avenue - looking westerly



1124 & 1128 Park Avenue - looking southerly

Exhibit G – Surveyors with Proposed Side Property Lines

