PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
April 12, 2017

AGENDA

MEETING CALLED TO ORDER AT 5:30PM
ROLL CALL
ADOPTION OF MINUTES OF March 22, 2017
PUBLIC COMMUNICATIONS – ***Items not scheduled on the regular agenda***
STAFF BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATIONS

1302 Norfolk Avenue – Appeal of a building permit (BD-17-23686) denial based upon the Community Development Director's determination that there was already an active land use application for a Determination of Significance (DOS). *Quasi-Judicial hearing and continuation to July 26, 2017*	PL-17-03487 *Planner Grahn*	*44*
Land Management Code (LMC) amendments - Administrative and substantive amendments to the Park City Development Code, specifically amending Land Management Code Chapter 15-2.7 Recreation and Open Space (ROS) District; 15-2.13 Residential Development (RD) District; 15-6 Master Planned Developments; and Chapter 15-15 Defined Terms *Public hearing and continuation to a date uncertain*	*Planner Astorga*	*45*

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

2467 Iron Mountain Drive –The applicant is proposing to adjust dimensions of the Building Pad on Lot 43 Iron Canyon Subdivision without increasing the 4,000 sf. allowed area. *Public hearing and possible recommendation to City Council April 27, 2017*	PL-17-03478 *Planner Hawley*	*46*
2700 Deer Valley Drive B101 – A condominium plat amendment requesting to convert the existing common attic area into private area for Unit B101. *Public hearing and possible recommendation to City Council on April 27, 2017*	PL-16-03208 *Planner Morlan*	*74*
Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties Master Plan - PL-08-00370 *Public hearing and consideration of motion to continue public hearing to a future date*	PL-08-00370 *Planner Astorga*	*104*
Alice Claim Subdivision and Plat Amendment, south of intersection of King Road and Ridge Avenue – Request to subdivide their property into nine (9) lots of record and combine platted lots to deed to the City, review of the "updated entry Gully Plan" as remanded by the City Council on March 9, 2017. *Public hearing and possible recommendation to the City Council*	PL-08-00371 *Planner Astorga*	*125*

ADJOURN

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC BUILDING
MARCH 22, 2017

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO:

Bruce Erickson, Planning Director, Kirsten Whetstone, Planner; Ashley Scarff, Planner; Makena Hawley, Planner; Polly Samuels McLean, Assistant City Attorney

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REGULAR MEETING

ROLL CALL

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

ADOPTION OF MINUTES

March 8, 2017

MOTION: Commissioner Thimm moved to APPROVE the Minutes of March 8, 2017. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the appeal of the Planning Commission action for the special events facility at the Kimball Garage will be heard by the City Council on March 30, 2017.

The Staff was preparing for the next Treasure Hill meeting on April 12, 2017.

Assistant City Attorney McLean noted that in the past, a member from the Planning Commission attends the City Council meeting when their action is being appealed. However, it is not mandatory. Commissioners Phillips and Suesser offered to attend.

Board Member Band disclosed that she was a Verizon customer, however, it would not affect her decision.

Commissioner Member Band stated that should be out of town for the April 12th meeting. Chair Strachan announced that he would be out of town on April 12th as well. Commissioner Suesser stated that she would attend the meeting on April 12th, but she would be absent from the meeting on April 26th.

Commissioner Suesser disclosed that she would be recusing herself from the Intermountain Health Care item on the agenda this evening.

CONSENT AGENDA

1. 1335 Lowell Avenue – Conditional Use Permit (CUP) application for the installation of telecommunication facilities on the rooftop, and within the parking garage, of the Lowell Condominiums. (Application PL-17-03458)

This item was pulled from the Consent Agenda for revisions to the conditions of approval.

2. 280 Daly Avenue – Steep Slope Conditional Use Permit (SS CUP) application for the construction of a new single-family home with at least 200 square feet of the Building Footprint proposed to be built upon an existing slope of 30% or greater. (Application PL-17-03423)

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

MOTION: Commissioner Phillips moved to APPROVE the Consent Agenda. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 280 Daly Avenue

1. On January 3, 2017, the Planning Department received an application for a Steep Slope Conditional Use Permit (CUP); the application was deemed complete on January 19, 2017.

2. The subject property is located at 280 Daly Avenue, Lot 1 of the Washington Mill Subdivision.
3. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
4. The lot is currently vacant, and the applicant is proposing to construct a new single-family home with a proposed footprint of 1,672 square feet.
5. A single family dwelling is an allowed use in the HR-1 District.
6. The lot contains 10,522 square feet. It is an uphill lot with a relatively flat portion at the front near Daly Avenue with an approximate grade of 13 percent (13%). The west and southwest (rear of structure) corner of the footprint is proposed in an area with grades ranging from 80-100 percent (80-100%). The rear of the lot slopes steeply upward, but will remain undeveloped due to the proposed design of the structure.
7. A Historic District Design Review (HDDR) application for a single-family dwelling is currently under review.
8. Access to the property is from Daly Avenue, a public street.
9. Two (2) off-street parking spaces are proposed on site. The applicant is proposing a double-car garage that is recessed under a cantilevered deck on the front façade.
10. The neighborhood is characterized by a mix of historic and non-historic residential structures, single family homes, and duplexes.
11. The Washington Mill Subdivision plat includes a note that restricts Maximum House Size to 2,500 square feet.
12. The proposal will create a single-family dwelling with a total floor area of approximately 4,220 square feet, including all garage, basement, and exterior wall areas. Based on Land Management Code definitions, the structure will have a gross residential floor area of 2,461 square feet, which satisfies the plat note.
13. The proposed construction complies with all minimum required setbacks. The minimum front and rear yard setbacks are both fifteen feet (15’). The minimum side yard setbacks are ten feet (10’) minimum, 24 feet (24’) total.
14. The proposed construction complies with the twenty-seven foot (27’) maximum building height requirement measured from existing grade. It also meets the thirty-five foot (35’) maximum interior height requirement.
15. The proposed structure has been designed so that its mass is centered on the flattest portion of the lot, in an attempt to avoid the steepest slopes. The structure is wider than it is long, with roof lines that follow the natural contours of the site. The wide façade has been designed with horizontal and vertical steps in the building wall to break up mass along the street front, and to avoid an undesirable wall effect.
16. The large lot size combined with the platted restriction on maximum house size has resulted in a structure that provides greater setbacks to the south and rear of the structure than what is required. The back half of the lot will remain largely undeveloped, preserving a significant amount of vegetation, and avoiding cuts into

extremely steep slopes (grades greater than 100 percent (100%)). The proposed footprint is also below what is typically allowed by the LMC.
17. As required, the applicant submitted both uphill and downhill street views of the site, with and without renderings of the single-family structure in its proposed location. The visuals show that the applicant has made an effort to mitigate potential impacts of the proposed access and building mass and design as much as possible. The structure will be accessed off Daly Avenue, and because the structure is located at the front of the lot, there will be minimal impact from construction of the driveway and garage. This analysis shows that the structure will complement existing conditions along Daly Avenue.
18. The proposed design includes a driveway that is twelve feet (12') in width where it intersects with the right-of-way, and becomes wider as it moves back toward the two-car garage doors, which are approximately 19.5 feet (19.5') in from the front property line. The visual impact of the two garage doors is mitigated by recessing them under a cantilevered deck area. The project architect has stated that the driveway location minimizes the amount of cutting into the bank off the street.
19. Current plans show three (3) retaining structures at the front of the home with the purpose of retaining grade for the driveway and front entry access points. Terraced walls have also been introduced at the rear and south sides of the home to capture two (2) separate patio areas.
20. No lighting has been proposed at this time. Lighting will be reviewed at the time of the HDDR and Building Permit application for compliance with the LMC lighting code standards.
21. The property was posted and notice was mailed to property owners within 300 feet on March 8, 2017. Legal notice was also published in the Park Record in accordance with requirements of the LMC on March 8th.
22. The property is located outside of the Soils Ordinance boundary.
23. The findings in the Analysis section of this report are incorporated herein.

<u>Conclusions of Law – 280 Daly Avenue</u>

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6.
2. The CUP, as conditioned, is consistent with the goals and objectives of the Park City General Plan.
3. The proposed use will be compatible with the surrounding structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

<u>Conditions of Approval – 280 Daly Avenue</u>

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. The CMP shall include language regarding the method of protecting adjacent structures.
3. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. This approval will expire on March 22, 2018, if a building permit has not yet been issued by the building department, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
5. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on March 22, 2017, and the Final HDDR Design.
6. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade, except that retaining walls in the front yard shall not exceed four feet (4') in height, unless an exception is granted by the City Engineer per the LMC, Chapter 4.
7. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
8. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
9. Construction waste should be diverted from the landfill and recycled when possible.
10. All excavation work to construct the foundation shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, he determines that it is necessary based upon specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
11. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
12. On-site storm water detention shall be required.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 1335 Lowell Avenue – Conditional Use Permit (CUP) application for the installation of telecommunication facilities on the rooftop, and within the parking garage, of the Lowell Condominiums. (Application PL-17-03458)

Planner Ashley Scarff reviewed the request for a conditional use permit for Verizon Wireless to establish a new telecommunication facility. She explained that Telecommunication Facilities can be amended administratively if they are already established; however, this was a new location on top of the Lowell Condominium at 1335 Lowell Avenue. The intent is to provide improved capacity at the base of PCMR.

Planner Scarff requested to amend the Conditions of Approval in the Staff report by striking Condition #2, which states, "Panel Antennas shall be no more than five square feet (5 sq. ft.) in Area per face". She explained that in this situation all rooftop equipment would be completely screened from the adjacent properties. Limiting to that area would impact Verizon's ability to complete their project. Planner Scarff also added a sentence to Condition of Approval #3 stating that the rooftop equipment shall not exceed the height of the antenna skids.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to APPROVE the Conditional Use Permit application for the installation of Telecommunication Facilities on the Rooftop and within the parking garage of the Lowell Avenue condominiums, in accordance with the Findings of Fact, Conclusions of Law and Conditions of Approval as amended by the Staff. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

Director Erickson remarked that the telecommunication industry is increasing and the Staff is starting to relook at the Code with respect to the proliferation of antennas, small cells, densification antennas, underground transmission devices, and franchise agreements for connection to fiber.

Commissioner Thimm liked how the one they just approved is completely screened. He commended the Planning Department if they had any part in working with the applicant to accomplish that. If they continue to look at this in the future, screening would be an important factor.

Planner Scarff stated that two antenna proposals would be coming before the Planning Commission next month. She believed that the Industry has improved on ways to disguise the antennas. In this case screening was part of Verizon's proposal and she had nothing to do with it.

Findings of Fact – 1335 Lowell Avenue

1. On January 31, 2017, the Planning Department received an application for a Conditional Use Permit (CUP) to allow Verizon Wireless to establish a new Telecommunication Facility on the roof and within the underground parking garage of The Lowell Condominiums, located at 1335 Lowell Avenue. The application was considered complete on February 22, 2017.

2. The subject property falls within the Recreation Commercial (RC) District.

3. The Land Management Code (LMC) states that, within the RC District, Telecommunication Antennas are a Conditional Use, subject to LMC Section 15-4-14, Supplemental Regulations for Telecommunication Facilities, in addition to the standard Conditional Use review criteria of Section 15-1-10(E).

4. The proposed rooftop equipment will consist of two (2) screened antenna skids that will match the building wall of The Lowell Condominiums to mitigate visual impact. These screened skids will have a ten foot (10') setback from the roof edge, and the screen walls will be 9 feet, 6 inches (9', 6") in height above the flat roofline. The skids will contain nine (9) total panel antennas, nine (9) remote radio heads to provide service to the antennas, and three (3) MOVP boxes. All cable chases will also be painted to match the building's exterior.

5. The necessary ground equipment will be located within the first sub-level of the underground parking garage of The Lowell. The applicant proposes to screen off a 121.5 square foot area located behind a stairwell in the parking garage, which is designated as having Limited Common ownership on the plat. The HOA has consented to this project, and indicated that the space is currently used by cleaning crews for laundry purposes. This is not designated for parking on the plat. No parking will be eliminated with this project.

6. Staff finds that the project, as proposed and conditioned, meets all requirements related to setbacks, height, and design found in LMC Section 15-4-14, Supplemental Regulations for Telecommunications Facilities.

7. On March 8, 2017, 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 March 8th.

8. This application has been reviewed under Land Management Code Section 15-1-10 (E).

9. The Findings in the Analysis Section are incorporated herein.

Conclusions of Law – 1335 Lowell Avenue

1. The application satisfies all Conditional Use Permit review criteria as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-16);
2. The Use, as conditioned, is compatible with surrounding structures in use, scale, mass, and circulation;
3. The Application complies with all requirements of the LMC; and
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 1335 Lowell Avenue

1. The scope of this approval includes two (2) screened antenna skids on the rooftop of The Lowell Condominiums that will contain nine (9) total panel antennas, nine (9) remote radio heads to provide service to the antennas, and three (3) MOVP boxes, as well as associated cable chases and ground equipment, which will be located behind a stairwell in the first sub-level of the underground parking garage.

2. The rooftop antenna skids shall be set back ten feet (10') from the roof edge, and the screen walls shall not exceed 10' in height, measured from the plane of the flat roofline. the rooftop equipment shall not exceed the height of the antenna skids

3. The antenna skids shall be painted to match the building wall of the existing condominium building.

4. All necessary cable chases shall also be painted to match the existing building.

5. All equipment located within the underground parking garage shall be screened off to separate uses, and to ensure the health and safety of the parking garage users.

6. Signs shall only be installed on site if necessary for the health and safety of the general public.

7. Prior to installing the equipment, the applicant must apply for and procure a Building Permit from the Building Department

2. 1003 Woodside Avenue – A plat amendment requesting to combine the property into one lot of record. 1003 Woodside Avenue consists of Lot 1 and Lot 2 of Block 9, Section 16 of Snyder's Addition to Park City. The non-historic structure sits over Lots 1 and 2. (Application PL-17-03473)

Planner Makena Hawley reviewed the request for a plat amendment to combine Lots 1 and 2 of the Block9, Section 16 of Snyder's Addition to Park City. The Staff supports this request because it would remove a lot line that goes through a house. The applicant would be doing encroachment agreements with the City to address the encroachments in the right-of way. They would also be given snow storage easements.

Planner Hawley remarked that the plan is to tear down the house and build a new house. Unless the lot line is removed, the applicant would not be able to do any reconstruction or additions.

Chair Strachan asked where this home fits into a previous discussion about the inventory of Significant and Historical and the reclassification of structures based on the mishap on Park Avenue that occurred months earlier. Planner Hawley stated that the existing house was not historic. It was built in 1967 and was never considered for Determination of Significance by the Planning Department. Director Erickson asked if it could be considered a skier house. Planner Hawley replied that it was an A-frame shape; however, she had done the research and spoken with the Preservation Planners, and at this time there was no intent of doing a Determination of Significance.

Chair Strachan clarified that he was referencing a demolition that was allowed on Park Avenue that sparked a review of how the City handles demolitions of not only historic homes, but also non-historic homes which have some level of significance. Commissioner Phillips understood that it now requires engineering before demolition can be considered.

Director Erickson explained that last year the LMC was revised to change the criteria for structures in the Historic Districts, and they added a new classification of Contributory structures. However, there is no prohibition against the demolition of a Contributory structure and Contributory structures are not listed on the Historic Sites Inventory. Director Erickson emphasized that at this time there was not a lot of regulatory control on this type of structure, and the City Council has not indicated an increased level of management. Director Erickson stated that the Planning Department would prefer to curate the ski era homes and be able to tell the story going forward. In the meantime, when a building on Park Avenue fell over they added two clauses. One was the Engineering clause that Commissioner Phillips had referenced, and the second was criteria on steep slopes requiring that excavation for raising a building could not be done between October 15 through April 15. He pointed out that this home at 1003 Park Avenue was not a historic site.

Planner Hawley stated that through the HDDR process, before they demolish the structure the applicant is asked to show how the house looked and to provide the designs, the plans, and the elevations.

Chair Strachan wanted to know who decides whether a structure is Contributory. Director Erickson recalled that a 40-year threshold was the only criteria. He reiterated that currently there is no regulatory control on a Contributory building. Chair Strachan asked if anyone had tried to classify this structure as Contributory. He understood that the classification may not have any repercussions on what could be done with the home. If they have a new classification, he thought they should try to classify the structures to see if it fits.

Commissioner Thimm pointed out that the Planning Commission was only being asked to approve a lot consolidation. Chair Strachan stated that if the City was supposed to put this building under the Contributory classification procedurally under the Code and it was not done, they should catch that error. Commissioner Thimm believed that issue was separate from consolidating two lots where the building crosses the property line. Chair Strachan was unsure what the Code language actually says about designating the classification so he was not able to determine whether one affects the other.

Commissioner Suesser noted that the Staff reports states that the applicant intends to demolish the home. It also states that it is a non-historic structure; so that would need to be redefined. Chair Strachan agreed that it may be an exercise in futility if being classifies as Contributory results in absolutely no change in the process.

Commissioner Band understood that the Staff has the right to ask for plans and other items to document the history of the home.

Assistant City Attorney McLean pulled up the Code 15-11-10 and read that a Contributory structure is eligible for historic district grant funding. It also says that they are eligible for demolition. Ms. McLean thought the Contributory classification was adopted with the idea of being a middle section, and a means of talking to the homeowners before a structure is demolished to offer incentives such as grant funding to keep the structure.

Director Erickson noted Planner Hawley had discussed this with the Historic Preservation Planners, Anya Grahn and Hannah Tyler, and they would have clearly informed Director Erickson or Planner Hawley if they thought a different process should be followed. Ms. Hawley had done her due diligence and if she had not already spoken with the Preservation Planners he would be more willing to relook at this. He asked Planner Hawley if her conversation with the Preservation Planners was noted in the Findings. Planner Hawley replied that the Finding only stated that it was not a historic site.

Chair Strachan noted that Section 15-11-10 says, “The Historic Preservation Board may designate sites”. He thought the HPB need to make that decision. Chair Strachan pointed out that the definition of a Contributory site is that it is 40 years or older and meet one of two criteria. He thought the most applicable was Criteria 2, “It is important in local, regional, history architecture or culture associated with at least one era of historic importance to the community. Chair Strachan remarked that this structure was the classic ski era architecture.

Director Erickson referred to Commissioner Thimm’s comment that this was a subdivision application. The Planning Commission could add a condition of approval requiring that the building be reviewed for a Contributory site. He did not believe the HPB needed to be involved until there is a determination of Contributory. Director Erickson stated that it would be up to him to make an application to the HPB to list the house. He did not believe there were any Contributory structures listed on the HSI.

Director Erickson asked if the Planning Commission was willing to proceed with the subdivision with Planning Department review for the Contributory nature of the structure. Chair Strachan was comfortable with that approach.

Assistant City Attorney McLean stated that they could also add a Finding of Fact stating that the structure is over 40 years old and may qualify as Contributory. Chair Strachan stated that if it is black and white he was comfortable with the Staff could make that determination. However, if it is on the edge or there is any question, he preferred that it go to the HPB for a determination.

Chair Strachan thought the condition of approval should read, “The Staff shall review it pursuant to 15-11-10, A-3; and if necessary recommend Historic Preservation Board review.” Assistant City Attorney McLean suggested a Finding linked to the Condition of Approval stating that “The home is more than 40 years old and built in 1967, and based on its age it may qualify to be Contributory. Chair Strachan suggested adding that it may have important local or regional history or architecture, and be associated with an Era of historic important.

Commissioner Suesser asked if the City right-of-way was just on the stair side. She noted that Finding #14 describes an encroachment on the northwest property line into the City right-of-way. Planner Hawley indicated the encroachment. Everything on the street side is the City right-of-way.

Chair Strachan opened the public hearing.

Cheryl Sosnick, a resident at 1007 Woodside, stated that he originally intended to voice her objections due to the issues that the Commissioners had raised. However, after hearing their discussion she was comfortable with the suggested approach and thanked them for going in that direction. Ms. Sosnick regretted that in the past the City had not treated the historic ski era A-frames in a loving manner. She cried when the historic ski era A-frame at 1031 was demolished in a day and a McMansion was built. Having lived next door to this particular ski era A-frame since 1986, she has become fond of it. Ms. Sosnick commented on the ski era A-frames. She is a volunteer at the Museum and she gives walking tours on Main Street. One of the things that she stresses and that the tourists really appreciate is the variety of buildings up and down Main Street from many different eras. It combines to make a very unique and loving Main Street, and she would be sad if all of the buildings on Main Street looked the same. Ms. Sosnick felt the same was true for the residential areas. She thought it was important to keep the old A-frame houses. The house next door to her is not beautiful, but it is one of the few remaining, recognizable ski era A-frames. The others have either been torn down or remodeled. Ms. Sosnick appreciated the Planning Commission for sending this back for review. She pointed out that the house was built in 1967 which makes it 50 years old this year. She was unsure whether that would move it to the historic category and asked them to keep that in mind.

Chair Strachan encouraged Ms. Sosnick to follow the website so she would know when this item is scheduled to either come back to the Planning Commission or placed on the HPB agenda in the future. He understood that the people who want to protect the A-frames are a silent and often unheard minority, but they do exist. He encouraged public comment and appreciated that Ms. Sosnick came to speak this evening.

Chair Strachan closed the public hearing.

Director Erickson summarized that the direction from the Planning Commission is for the Staff to review the house against the criteria for Contributory designation. The added condition of approval would give him the authority to review it as the Planning Director. If anything is questionable, it could go to the HPB. Director Erickson pointed out that regardless of that outcome, the HDDR is publicly noticed and the lot is posted. If they have to go through a Determination of Significance, the Staff would not begin the HDDR and it would be scheduled on the HPB agenda.

Director Erickson clarified that the Planning Commission could forward a recommendation to the City Council, and in the meantime the Planning Department would review it as a Contributory site, or under the Procedure for Designating Sites to the Historic Sites Inventory.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for a plat amendment at 1003 Woodside Avenue, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 100 Woodside

1. The property is located at 1003 Woodside Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of Lot 1 and Lot 2, Block 9 of Snyders Addition to Park City. The proposed plat amendment creates one (1) lot of record.
4. The Plat Amendment removes one (1) lot line going through the existing structure.
5. The proposed Plat Amendment combines the property into one (1) lot measuring 3,750 square feet.
6. A single-family dwelling is an allowed use in the District.
7. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lots meet the minimum lot area for single-family dwellings as well as for a duplex which is a conditional use in the HR-1 District.
8. The proposed lot width is width is 50 feet along Woodside Avenue.
9. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.
10. The maximum building footprint allowed based on proposed lot size of 3,750 square feet is 1,519 square feet. The existing house equates to a footprint of approximately 880 square feet.

11. The minimum front/rear yard setbacks are ten feet (10'); the minimum total front/rear yard setbacks are twenty feet (20'). The existing house has a front yard setback of 23 feet and a 15 foot rear yard setback.
12. The minimum side yard setbacks are five feet (5'); the minimum total front/rear yard setbacks are 10 feet. The existing house has a front yard setback of 23 feet and a 15 foot rear yard setback. The existing structure does not meet the north side yard setback. The structure has not been deemed legal non-complying, no research could be found on past building permits. The south side yard setback is met utilizing 9 feet to the property line.
13. The degree of non-conformity isn't increased by the plat amendment
14. There is a stone retaining wall along the northwest front property line that encroaches into the City Right of Way. There are also stone retaining walls, railroad ties and a slat wood fence along the south side yard property line encroaching into the City Right of Way.
15. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.
16. The existing house was built in 1967.

Conclusions of Law – 1003 Woodside Avenue

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 – 1003 Woodside Avenue

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 date and an extension is granted by the City Council.

3. A ten foot (10') wide public snow storage easement along the front (Woodside Avenue) as well as a five foot (5') public snow storage easement along the side (10th

street) property lines to address street frontages will be required.

4. A five foot (5') wide utility easement may be required along Woodside Avenue if the existing storm drain is found to be crossing the property.

5. Prior to plat recordation, the property owner shall resolve the encroachment of the stone retaining walls over the front (east) property line into the City Right-of-Way (ROW) by either removing the retaining walls or entering into a recorded agreement with the City Engineer.

6. Prior to plat recordation, the property owner shall resolve the encroachment of the stone retaining walls, the railroad ties, and the slat wood fence over the side (north) property line into the City Right-of-Way (ROW) by either removing them or entering into a recorded agreement with the City Engineer.

7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

8. New construction shall comply with Land Management Code Section 15-2.2 regarding setbacks, building height, building envelope, building footprint, etc. and historic district guidelines.

9. Planning Commission requires Staff provide an additional review of the existing home at 1003 Woodside Avenue of Section 15-11-10 (A) -3 and if necessary recommend HPB review due to the possibility that the existing home may possess local or regional history, architecture, engineering, or cultural associated with (A) An era of Historic importance to the community; or (B) Lives of Persons who were of historic importance to the community, or (C) Noteworthy methods of construction, materials, or craftsmanship used during the historic period.

3. Intermountain Healthcare Amended Master Planned Development (MPD)- Ratification of Development Agreement – Ratification of Development Agreement. (Application PL-15-02999)

Commissioner Suesser recused herself and left the room.

Planner Kirsten Whetstone reviewed the request for a Ratification of the Development Agreement for the Intermountain Healthcare (IHC) approved Master Planned Development, and the two amended approvals. The amended approvals occurred in

October 2014 and January 2016. The action letters were attached to the proposed Development Agreement. Planner Whetstone explained that ratify the Development Agreement memorializes the Planning Commissions' approvals.

Planner Kirsten stated that this was originally under the Annexation Agreement for the Burbidge Annexation. An annexation agreement is harder to amend and it does not capture everything that is specific to the Master Planned Development. One of the conditions of the second approval was to create a Development Agreement that could be ratified by the Planning Commission and recorded. She noted that parts of the Annexation Agreement were linked throughout the Development Agreement.

Planner Kirsten stated that the final revised Agreement was emailed to the Planning Commissioners earlier in the week.

Planner Whetstone reviewed a few changes. The first was in Section 1 under Property. "Lot 4, originally identified for the 28 deed restricted housing units, is identified for public safety uses", and she added "…such as a fire station or other public safety buildings".

Planner Whetstone noted that the second change was in Section 2.5. It did not change specific language but it qualified the section because the LMC states that a Development Agreement must have these specific items. One was the Developer's Obligation. However, the language says, "Developer exactions and agreed upon public dedications". Planner Whetstone had added that language to Section 2.5 so it would conform to the requirements of the LMC.

Planner Whetstone referred to the Water Agreement in Section 7. She noted that they did not have confirmation from the attorney, Tom Bailey, as to whether they satisfied all the water obligations with the Annexation Agreement. Therefore, that language was not included but it could be added if they receive confirmation.

The final change related to Affordable Housing. Planner Kirsten revised the language to clarify that it is subject to the original affordable housing plan mitigation plan, as well as the one that was amended with the Peace House. It collects all of the affordable housing mitigation plans that were subject to the Master Planned Development. Planner Whetstone had also added the notary statement at the end of the Agreement.

Director Erickson clarified that the changes were delivered to the Planning Department and reviewed by the Staff, but they were not included at the time the Staff report was prepared due to a glitch in the new system. The Planning Staff had been reviewing these changes for over a month and the Legal Department had completed their review.

Planner Whetstone noted that a public hearing is not required, but the Planning Commission had the discretion to take public comment. The Staff recommended that the Planning Commission ratify the IHC Development Agreement as revised in Exhibit A that was posted on the website and provided to the Planning Commission via email on March 20, 2017, pursuant to the Findings of Fact outlined in the Staff report.

Morgan Bush, representing IHC, stated that after reading through the changes, he had three suggestions. Under 2.5, the sentence reading, "The following are outstanding developer obligations…." He proposed adding to the sentence additional language stating, "The following are outstanding developer obligations from the Annexation Agreement, the MPD, and the MPD Amendments". He thought the suggested language better clarified because changes since the original annexation agreement were reflected in this list.

Chair Strachan stated that they could make a new paragraph 2.6 and have it say, "The following are outstanding development obligations that are tied to the Annexation Agreement…" Mr. Bush was comfortable with different language as long as the intent was clear. Assistant City Attorney McLean thought Mr. Bush had drafted sufficient language to show the source of those obligations. She also favored Chair Strachan's suggestion to make it a separate paragraph as 2.6. Mr. Bush stated that if they were making it a separate paragraph 2.6, he preferred to say, "The following are the outstanding developer obligations from the MPD and the MPD Amendments". A through D comes from the Annexation Agreement. The new language would be E. Assistant City Attorney McLean preferred to keep the obligations together.

Planner Whetstone clarified the language as "The following are the outstanding developer obligations outlined in the Annexation Agreement, the MPD and amended MPDs".

Mr. Bush questioned the language in D, The Silver Summit Frontage Road Easement. He noted that Finding 19 in the Annexation Agreement said that they were to cooperate with Park City Municipal Corporation. The timing of it was not linked to the certificate of occupancy of any phase of the construction. Ms. McLean stated that she would have to look at the Annexation Agreement before she could comment. He recalled that the City wanted that and the easement was shown on the Second Amended Subdivision Plat. They have agreed that if the City requests, IHC would do the actual dedication and grant that. However, the timing was not tied to anything specific. The City was to decide and work with the County on when or if that frontage road is ever built.

Mr. Bush referred to the Notary for Intermountain Health Care and noted that it should read Vice-President because they do not have Managing Partners.

Assistant City Attorney McLean referred to Finding 19 on page 184 of the Staff report and read the last sentence, “To the extent that the property is adjacent to the Frontage Road to Silver Summit, the petitioner shall cooperate with the City in the dedication of a non-exclusive right-of-way over and across the property to access such frontage road”. She suggested that they remove the second part beginning with “and….” and just say “subject to the Annexation Agreement Finding 19”. Mr. Bush was comfortable with that revision. Planner Whetstone clarified that once the Hospital and everything else is completed it would still be an obligation in the Annexation Agreement. Mr. Bush stated that it was the reason for putting it on the subdivision plat because it memorialized the agreement in the Annexation. Whenever the City requests, they would go ahead and do the actual dedication.

Chair Strachan stated that he would be more comfortable if the language under D said, “Silver Summit Frontage Road easement as required by Finding 19 of the Annexation Agreement”. Mr. Bush and Ms. Mclean were comfortable with that revision.

Chair Strachan stated that typically he is not comfortable with a Development Agreement that appears to be in draft form; however, he realized that they were up against a deadline for having a Development Agreement in place and the delay was partially caused by the City. He would normally support sending this back to the Staff and waiting for a clean copy, but he felt they needed to move forward this evening. Assistant City Attorney McLean was comfortable moving forward. These changes were not real substantive and she had reviewed the highlighted changes last week. The problem is that there was an issue with which version ended up in the Staff report.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to RATIFY the Intermountain Healthcare Development Agreement to memorialize the Amended MPD, with the additional amendments discussed this evening. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously. Commissioner Suesser was recused.

<u>Findings of Fact – IHC</u>

1. The IHC MPD was approved by the Planning Commission on May 23, 2007, subject

to the Annexation Agreement recorded at Summit County on January 23, 2007.

2. The IHC MPD consists of Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of the Intermountain Healthcare Park City Medical Campus / USSA Headquarters and Training Facility Subdivision (IHC/USSA Subdivision), and generally includes an Intermountain Healthcare Hospital of 300,000 square feet (180 Unit Equivalents) located on Lot 1 and Support Medical Office space of 150,000 square feet (150 Unit Equivalents) located on Lots 1, 7, and 10, as well as the Peace House CUP located on Lot 8.

3. The property is generally located on Round Valley Drive west of US 40 and east of Round Valley in the Quinn's Junction neighborhood of Park City.

4. The property is located in the Community Transition (CT) Zoning District.

5. The First Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat was approved by the City Council on October 11, 2007 and recorded at Summit County on May 20, 2008. The first amended plat memorialized various easements and road layouts and adjusted the location of various lots consistent with the approved MPD. The plat consisted of nine lots of record.

6. The Second Amended Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Subdivision plat was approved by the City Council on July 31, 2008 and recorded at Summit County on November 25, 2008. The second amended plat created new Lots 10 and 11 out of the previous Lot 8. Lot 10 was created for the Summit County Health Department and the People's Health Clinic building and Lot 11 was created as a separate lot for IHC as it was located south of Victory Lane. This plat consists of eleven lots of record.

7. Lot 2 of the IHC/USSA Subdivision plat is dedicated as open space.

8. Lot 3 is not part of the IHC MPD and is owned by and the location of the USSA Headquarters and Training Center MPD.

9. Lot 4 was the original location of 28 affordable, deed restricted townhouse units incorporated into the Park City Heights neighborhood during the Park City Heights MPD approval. Lot 4 currently has no designated density and was transferred to Park City.

10. Lot 5 was dedicated and transferred to Park City for future recreation uses and has

no designated density.

11. The density initially designated for Lots 6 and 8 was transferred to Lot 1 with the First Amendment to the MPD. A Conditional Use Permit for the Peace House was approved on Lot 8. Lot 6 currently has no designated density.

12. Lot 7 contains the 25,000 sf of medical support office uses and is also known as Physician Holdings or MOB (Medical Office Building).

13. Lot 9 contains a small Questar gas regulating facility.

14. Lot 10 is the location of the Summit County Health Department and People's Health Clinic utilizing 25,000 sf of support medical office density. Summit County has a ground lease from IHC on this lot.

15. Lot 11 is the one acre lot around Lot 9, owned by IHC and not designated as to use or density.

16. A Third Amended Subdivision plat to subdivide Lot 8 into two lots (Lot 8 and Lot 12) was approved by the City Council on July 21, 2016. Recordation of this twelve lot plat amendment is pending.

17. The Annexation Agreement sets forth maximum building floor areas, development location, and conditions related to developer-provided amenities on the various lots of the IHC/USSA subdivision plat, such as roads, utilities, trails, and affordable housing.

18. A Development Agreement reflecting the approved Master Planned Development and subsequent amendments is required to be ratified by the Planning Commission and recorded at Summit County.

19. A First Amended IHC MPD was approved by the Planning Commission on October 8, 2014, transferring assigned medical support density from Lots 6 and 8 to Lot 1, along with other amendments related to Phase 2 of the Medical Center construction.

20. The Second Amended IHC MPD was approved by the Planning Commission on January 13, 2016, approving administrative corrections to conditions #16 and #17 of the October 8, 2014 First Amended IHC MPD, acknowledging that a Fire Station is an appropriate use within the MPD, as contemplated on Lot 4, allowing the subdivision of Lot 8 into two lots, and allowing the Peace House use on amended Lot 8.

21. One additional item included in the Second IHC MPD Amendment application, regarding additional density for support medical uses, was continued to a date uncertain, and final action on this item submitted with the IHC pre-MPD application has not yet occurred.

22. The January 13, 2016, approved MPD Amendments included the following conditions of approval:

1. All applicable conditions of approval of the IHC/USSA Annexation Agreement shall apply to this MPD amendment.
2. All applicable conditions of approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility Second Amended subdivision plat shall apply.
3. Construction of the Peace House facility on Lot 8 is subject to the Conditional Use Permit approved on January 13, 2016, as well as to all applicable conditions of approval of the MPD, as amended, the Annexation Agreement, and the Subdivision plat. Peace House facility consists of approximately 37,600 square feet of new construction for an emergency shelter for victims of domestic violence; including emergency and transitional housing, support uses (day care, counseling, training, common kitchen and living areas, laundry, storage) and administrative offices.
4. A Development Agreement specifically for the IHC Master Planned Development, as amended, shall be ratified by the Planning Commission within 6 months of final action on the MPD Amendment application.
5. The Development Agreement shall reiterate all applicable requirements of the Annexation Agreement, as well as zoning requirements related to findings, conclusions, and conditions of approval of the MPD, included the approved amendments.
6. The Development Agreement shall include an express reservation of the future legislative power and zoning authority of the City, a copy of the approved MPD plans and any other plans that are a part of the Planning Commission approval, a description of all Developer exactions or agreed upon public dedications, an agreement to pay all specified impact fees; a description of the form of ownership anticipated for the project; and a list and map of all known Physical Mine Hazards on the property.
7. All construction within the IHC MPD is subject to the plat notes and conditions of approval of the Intermountain Healthcare Park City Medical Campus/USSA Headquarters and Training Facility amended subdivision plat recorded at Summit County on November 25, 2008, as well as conditions of approval of the IHC MPD, as amended, including amendments to Conditions #16 and #17 of the October 8, 2014 MPD Amendment approval, as described in #8 below.

8. Conditions #16 and #17 of the October 8, 2014 approval of the First Amended IHC MPD shall be amended, and reflected in the Development Agreement, as follows:

a) Condition #16 shall be deleted.

b) Condition #17 shall be amended to state the following: The applicant shall submit a parking study as part of an application for the next Medical Center expansion. The study shall include qualified transportation professionals recommendations addressing the potential impact of reduced parking ratios in future phases and a comprehensive program to increase utilization of underutilized parking areas; along with impacts to street intersections out to and including SR-248.

23. The applicant and Staff were waiting for the density issue requested with the Second MPD Amendment application to be considered by the Planning Commission prior to drafting the a Development Agreement. This amendment requires further density discussion and possible Land Management Code amendments, and has been continued to a date uncertain.

24. On October 12, 2016, Staff and the applicant met and the applicant requested that a Development Agreement be ratified for the MPD amendments approved to date.

25. As the 6 month timeframe has passed, based on the January 13, 2016 approval date of the Second Amendment, the applicant requested an extension to the ratification timeframe.

26. On December 14, 2016, the Planning Commission approved an extension to the ratification timeframe to July 13, 2017.

27. A draft Development Agreement consistent with the MPD Amendments approved on October 8, 2014 and January 13, 2016 was prepared and reviewed by the City Legal Department, City Engineer, and Planning Director.

28. Following ratification and approval as to final form by the City Attorney, the Development Agreement will be executed and recorded at Summit County.

29. If final action is taken to approve the request for additional density an amended Development Agreement shall be ratified and recorded per the Land Management Code.

30. The MPD is subject to the amended IHC Housing Mitigation Plan approved by the Park City Housing Authority on February 3, 2017.

31. Development on Lot 8 is subject to the January 13 2016 Peace House Conditional Use Permit, and any approved amendments. There is no assigned Unit Equivalent (UE) density on Lot 8. Density on Lot 8 is related to Affordable Unit Equivalents(AUE) and the Peace House facility.

Commissioner Suesser returned to the meeting.

4. Request by Deer Crest Associates to amend the Deer Crest Settlement Agreement/Master Planned Development approved on December 29, 1995, to eliminate a required physical disconnect of Deer Hollow Road (aka Keetley Road) at the Slalom Village (aka Deer Hollow) development parcel location. (Application PL-16-03209)

The Planning Commission previously reviewed this application on February 8, 2017.

Planner Whetstone reviewed the request to amend the Deer Crest Settlement Agreement. The Staff recommended approval of the Master Plan Amendment for Deer Crest, and requested that the Planning Commission forward a positive recommendation to the City Council regarding the Third Amended Deer Crest Settlement Agreement pursuant to the Findings in the Staff report.

Tom Bennett, representing the applicant, stated that the only change since the last meeting was to modify the Amendment to the Settlement Agreement to incorporate the issues that were recommended and discussed at that meeting.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Commissioner Campbell stated that if there was an agreement and one party wants to change it for their benefit, even if the other party agrees with the change, in order to forward a positive recommendation to the City Council there should be a benefit. He referred to a color coded map and understood that the portion in red was what the applicant wanted to protect. It was the private neighborhood that should remain that way. Commissioner Campbell asked if the gates would serve the same purpose if they were moved to the intersection of the roads shown in blue, green and red. They would still be able to use the green road for deliveries; and at some point in the future, that road could potentially be used by the rest of the City if it was ever necessary.

Commissioner Campbell stated that if the City was being asked to amend the agreement he thought the City should get something in return. Commissioner Campbell clarified that the Planning Commission did not have the authority to negotiate a benefit, but as part of their recommendation they could ask the City Council to negotiate that change.

Mr. Zacaro understood that Commissioner Campbell was suggesting that they move the Queen Esther gate to the intersection of Deer Hollow Road and Deer Crest Estates; and that he was proposing the same for the Jordanelle gate. Commissioner Campbell replied that he was correct. Mr. Zacaro clarified that there are two developments within Deer Crest and others to be built that have restricted gate access. If they follow Commission Campbell's suggestion, that access would be located outside of the gates and access to those communities would be open to everyone. Mr. Zacaro noted that people purchases their property with the understanding that the community would be private and gated. He did not believe it would be appropriate for the Master Association to take portions of what is currently the Deer Crest community and open it to traffic.

Commissioner Campbell asked which end it would be accessed from. Mr. Zacaro used the map to indicate the location of 15 townhomes and noted that more would be built. They are currently located within the gate; however, if the gate is moved as proposed by Commissioner Campbell, the area would be open to traffic. In terms of the concerns that were raised at the last meeting regarding opening the road to vehicle traffic during traffic emergencies, Mr. Zacaro was unsure what would be accomplished by moving the gate. The gates are substantial structures and it would be a significant cost to move them. He did not believe the Master Association would be in agreement with moving the gates.

Commissioner Campbell noted that the two communities that his proposal would remove from protection inside the gate could be accessed from Highway 40 or from Queen Esther. Mr. Zacaro answered yes. Commissioner Campbell stated that if the road is broken in half, which the current agreement forces them to do, each community would be forced to come in from one side. Mr. Zacaro replied that the people living in the townhomes could still come from both sides. However, if the disconnect were ever to occur, they would still be inside a gated community. Moving the gates would remove that protection. Commissioner Campbell understood that the idea of the disconnect was that the gates would be temporary and at some points the gates would be taken down and the disconnect would serve the function of keeping traffic from using that as an entry into Park City. He thought the developer wanted to remove the disconnect because of construction access. Planner Whetstone pointed out that the east and west perimeter gates were listed in the settlement agreement as required gates. The settlement talks about uses outside the east perimeter gate and access through the

west perimeter gate. The Queen Esther Settlement Agreement talks specifically about the two gates.

Commissioner Band understood that the disconnect was not required in the beginning because it was only something that could be done in case the gates did not work. The gates were always in the MPD and they were intended to serve a purpose. However, in case the gates did not do serve that purpose, they did not want the traffic coming from Wasatch. If the gates did not work, the road would be disconnected to keep people from using it to get into Lower Deer Valley.

Assistant City Attorney McLean stated that based on the conversation from the last meeting, the City was asking that the "give" would be that the City could use that access for traffic emergencies. Commissioner Campbell clarified that his reason for raising the issue was to give the City more measure of control. Ms. McLean recalled from the last meeting that the majority of the Commissioners did not support giving access for traffic emergencies.

Commissioner Suesser stated that it was her position at the last meeting that the City should be granted access in the event of a traffic emergency as determined by the City Police Chief. She still held that position.

Planner Whetstone thought there was consensus at the last meeting that there should be access in the event of an emergency declared by the Police, the Sheriff or the Fire Departments, but not because of heavy ski traffic.

Commissioner Phillips questioned whether it would be a public safety issue if Deer Valley had a good ski day and an ambulance could not get from Point A to Point B. Planner Whetstone replied that such a circumstance could be determined by the Fire District.

Director Erickson referred to Exhibit A, the Agreement, on page 259 of the Staff report and noted that Item 5 allows for the Park City Fire Marshall, Park City Police Chief, Wasatch County Fire Chief or other public safety officer in Park City or Wasatch County to declare an emergency. The language makes the specific distinction that other non-life endangering causes would not be an emergency. He believed that any case where an emergency vehicle is delayed becomes life-endangering. However, it could not be opened up to alleviate traffic congestion.

Commissioner Suesser objected to the last sentence that Director Erickson referenced regarding non-life endangering. Commissioner Campbell agreed. He stated that sometimes the traffic gets so bad at the bottom of Bonanza Drive that it becomes an

emergency for everyone, because by time they know an ambulance cannot get through it is too late. When the traffic reaches a certain density at the intersection of Bonanza and Kearns, the Police Chief should be able to open up the back road.

Director Erickson asked if the other Commissioners concurred. Commissioners Band and Phillips did not concur. Commissioner Phillips did not believe that road was a safe route for excess traffic. Commissioner Band thought it was a “can of worms”. If they intend to renegotiate the Agreement they needed to talk to the Queen Esther HOA and Wasatch County. If they intend to put a significant amount of traffic on potentially a regular basis she questioned how those roads and Highway 40 would handle it. Commissioner Band noted that the reason for putting the disconnect in place was to keep people from doing that. If they intend to make the change, she thought they should first look at why the disconnect was considered in the first place. Commissioner Band thought the conversation should involve the City Council, Wasatch County, Queen Esther, and possibly UDOT.

Commissioner Campbell agreed with Commissioner Band and he did not believe they would be able to settle the matter this evening. If they forward a recommendation to the City Council, it should include the recommendation to discuss it with all the parties mentioned.

Commissioner Phillip stated that removing the disconnect would add traffic through that area. However, if it was used only by the people living in the neighborhood it would not be significant. Commissioner Phillips favored removing the disconnect because it would be better for the traffic to go through that road rather than congesting the entry corridor roads. He believed it was a benefit to the City in that regard. Commissioner Phillips agreed that it would be great to have another way to get people out of town, but he did not think this was the right place to do that. Commissioner Campbell agreed.

Commissioner Campbell clarified that he was not proposing that the road would be open to workers or service vehicles. His point is that long term it may be one of the only primary entrances into town. Because the applicant wants to make a change to the MPD and the Agreement, now is the time to negotiate something that could be good for the City. He completely agreed that this was not the place to do it. Commissioner Campbell did not believe this should be settled by the Planning Commission. The City Council needed to work with other parties to develop a long-term plan that works for everyone.

Mr. Bennett stated that the applicant was not asking the Planning Commission to re-negotiate an agreement. They were required to come before the Planning Commission and request a recommendation to the City Council. Mr. Bennett clarified that they

wanted to go directly to the City Council but they were told to come to the Planning Commission first.

Mr. Bennett thought the Commissioners made it sound like the applicant was trying to take something away from the City, therefore, the City needed to take something back for itself. He noted that they made a concerted effort to go to the various governmental agencies that are impacted by this request. He understood from their response that they would rather have the disconnect requirement eliminated. They believe it would be a benefit to the City and the County. Mr. Bennett clarified that the intent is to eliminate something that was overkill in the first place. It was an extra step that did not make sense.

Commissioner Campbell believed that all the Commissioners agreed that the disconnect should be eliminated. He clarified that he was not suggesting that the applicant was trying to take something from the City. His point is that that piece of property is one of two or three long-term possibilities for traffic access into Park City. In the near term, traffic congestion is the biggest issue they face, and they need to look at all options. If they are going to renegotiate, he would like a conversation about more than just the disconnect, because it is an opportunity to look long-term.

Assistant City Attorney McLean recalled that the Transportation Manager, Alfred Knotts, had given Planner Whetstone language that he thought would be helpful to the City for traffic management. Ms. McLean understood that the applicant was willing to allow something more than just full-on emergency. She recalled discussions about some allowances for using the disconnect under very limited circumstances. Ms. McLean thought it would be helpful for Mr. Bennett to explain to the Planning Commission what the applicant was willing to allow.

Planner Whetstone stated that Mr. Knotts had suggested opening it for traffic flow if another access point was needed. Based on the comments at the last meeting, she understood that the Planning Commission would not support that recommendation and she had articulated that to the City Engineer and the Transportation Manager. Planner Whetstone remarked that the point of the Agreement was to prevent through traffic.

Director Erickson outlined the options. The first option is that the Planning Commission could make a motion with the additional condition of approval that the City Council consider a request for additional traffic capacity during emergencies. The second option is that the Planning Commission could make a motion with a slightly variable requirement. Director Erickson remarked that in both cases, should the City Council elect to take their recommendation, it would come back to the Planning Commission with a request to debate it in the format suggested by Commissioner Band, which was

to include Park City, Wasatch County, UDOT, Queen Esther, and all other affected parties. If the City Council chooses to send it back to the Planning Commission, that discussion would occur in a Work Session.

Commissioner Campbell clarified that the City Council could reject their recommendation and approve the request. Director Erickson replied that he was correct.

Director recommended that the Planning Commission forward the recommendation outlined in the Staff report to eliminate the disconnect and recommend that the City Council consider amending the Development Agreement. However, the motion should also include a recommendation for the City Council to consider additional traffic mitigation for either emergency services or through-traffic.

Commissioner Campbell stated that he would be comfortable with a motion as suggested by Director Erickson. Chair Strachan stated that if the Planning Commission made that motion, it should specifically reference the last sentence in Item 5 of the Agreement on page 259 of the Staff report.

Commissioner Suesser asked if the applicant would be willing to consider different language as opposed to going through the process Director Erickson had outlined. Mr. Zacaro noted that Commissioner Joyce spoke at great length about this same matter at the last meeting, and the direction from the Planning Commission resulted from that conversation. As reflected in the Minutes, Commissioner Joyce spoke strongly against allowing traffic, and only thought that the road should be opened in the case of a life safety/fire safety type of emergency; and he wanted a commitment from the applicant to do that. In response to Commissioner Campbell, Mr. Zacaro pointed out that currently there was no requirement at this time to do the disconnect. The disconnect requirement is triggered when the Deer Hollow Development is completed. He explained that the only thing different since 1995 is that the Master Association owns the road. Mr. Zacaro emphasized that the Master Association would never allow that road to be disconnected, even if it means that the Deer Hollow Development could never occur. He stated that there is no trigger right now, and the trigger may not come up for ten years. Mr. Zacaro noted that the Master Association Board talked about this prior to the last Planning Commission, and the Board was willing to go along with a recommendation consistent with what Commissioner Joyce had discussed on February 8th. The Board had a follow-up meeting and agreed to go along with the amendment that was proposed before the meeting this evening. Mr. Zacaro remarked that if the amendment changes to say that the Deer Hollow road could be opened in a traffic emergency, the Master Association Board would not agree to that or any amendment that includes that requirement. Mr. Zacaro stated that Wasatch County also would

never let that road be disconnected. Fire safety for Deer Crest comes primarily through the Jordanelle Gate. They would not jeopardize lives by allowing someone to put in a disconnect that is not needed simply because the alternative put before the Deer Crest Master Association was either the disconnect requirement or an agreement to open the gates any time someone thinks there is a traffic emergency. Mr. Zacaro was only willing to entertain additional conversations regarding life-safety and similar emergencies.

Commissioner Thimm stated that when this was previously discussed he spoke against the disconnect because it is a public safety-issue. He believed having another path to get an emergency vehicle in quickly is important. Commissioner Thimm stated that if there is a traffic emergency because a glut of vehicles was clogging SR248 and the road was opened up to reduce that glut, this path would become clogged as well, and they would lose the ability to have a safe route for an emergency vehicle. Commissioner Thimm was not concerned about whether or not Deer Crest Master Association would endorse this because the issue is access for emergency vehicles.

Commissioner Campbell agreed with Commissioner Thimm. He believed everyone agreed that it would be difficult to define a traffic emergency and that would have to be negotiated. Commissioner Campbell clarified that no one was talking about a daily or weekly occurrence. It would be used very infrequently. He pointed out that those types of “emergencies” usually occur in the afternoon, and most of the traffic would be going out, which would leave the uphill road free for an emergency vehicle. He could not see both the uphill and the downhills sides being clogged at the same time.

Commissioner Thimm agreed that it was unlikely that both sides would be clogged at the same time, but he questioned whether that was a risk they were willing to take when they have the opportunity to keep it open to emergency vehicles only.

Commissioner Phillips noted that at some point the emergency vehicle would also have to leave in the other direction. In his opinion, this was a public safety benefit and he supported it.

Chair Strachan called for a motion. Assistant City Attorney McLean explained that the Planning Commission would be making a recommendation to the City Council on amending the Settlement Agreement because the MPD is tied to the Settlement Agreement. In addition, it also came to the Planning Commission because it was an MPD. The Planning Commission would be voting to approve it and make a recommendation to the City Council in order to amend the Settlement Agreement.

Director Erickson stated that the motion would be to recommend an amendment to the MPD to eliminate the required physical disconnection of the Deer Hollow Road at the Slalom Village Development parcel location; and forward a POSITIVE recommendation to the City Council to amend the Settlement Agreement in accordance with the recommendations, with a further recommendation to consider expanding the uses of Deer Hollow Road for additional emergency services and/or high traffic exiting requirements.

Mr. Bennett stated that the amendment to the Settlement Agreement as currently proposed already has a provision for emergency access. Director Erickson clarified that he had crafted the language to include an expansion of that to eliminate the last sentence of Item 5 on page 259, Item 5.

Commissioner Suesser proposed replacing the last sentence of Item 5 with language to read, “With regard to the immediately preceding sentence, the parties acknowledge and agree that traffic congestion or delays caused by weather, public or private events and gatherings, and other non-life endangering causes may be considered events sufficient to justify or allow occasional access to public traffic over Deer Hollow Drive”.

Chair Strachan believed there either needed to be a clean motion with the language proposed by Commissioner Suesser; or a motion to approve the draft settlement agreement as outlined in the Staff report.

Commissioner Campbell understood that if a motion is made to forward a recommendation to the City Council and include the language drafted by Commissioner Suesser, the City Council would have the opportunity to accept or reject that language, or to revise it. Assistant City Attorney McLean replied that he was correct. Commissioner Band pointed out that through their motion to the City Council the Planning Commission would be agreeing to that language.

MOTION: Commissioner Suesser moved to APPROVE the Third Amendment to the Deer Crest Master Planned Development; and forward a POSITIVE recommendation to the City Council to amend the Settlement Agreement to suspend the requirement that Deer Hollow Road be physically disconnected at the time of development of the Deer Hollow Village aka Slalom Village parcel, pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval with the amendment that the last sentence of paragraph 5 of the Third Amendment to the Settlement Agreement be replaced with “With regard to the immediately preceding sentence, the parties acknowledge and agree that traffic congestion or delays caused by weather, public or private events and gatherings and other non-life endangering causes may be considered events sufficient

to justify or allow occasional access to public traffic over Deer Hollow Drive". Chair Strachan seconded the motion.

VOTE: The motion failed. Commissioners Suesser and Campbell voted in favor of the motion. Commissioners Thimm, Phillips and Band voted against the motion.

MOTION: Commissioner Phillips moved to APPROVE the Third Amendment to the Deer Crest Master Planned Development; and forward a POSITIVE recommendation to the City Council to amend the Settlement Agreement to suspend a requirement that Deer Hollow Road may physically be disconnected at the time of development of Deer Hollow Village parcel, pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval. Commissioner Band seconded the motion.

VOTE: The motion passed. Commissioners Thimm, Phillips and Band voted in favor of the motion. Commissioners Suesser and Campbell voted against the motion.

Findings of Fact

1. The Deer Crest Settlement Agreement (Agreement) by and between Park City Consolidated Mines Company and Trans-Wasatch Company, L.L.C and Park City Municipal Corporation was executed on December 29, 1995.

2. A requirement for a physical disconnection of Keetley Road (aka Deer Hollow Road) in the vicinity of a development parcel known as the Slalom Village parcel (aka Deer Hollow Village) was included in this original Agreement.

3. The original purpose of the disconnect requirement was to prevent direct public through traffic between Jordanelle basin/US 40 and Park City.

4. During development of Deer Crest, permanent gates were installed on the east and west entrances. These east and west gates are guard controlled and are known as the east and west perimeter gates.

5. In 1996 a Settlement Agreement and Release was executed between the Queen Ester Village Project Owners Association, Trans Wasatch LLC, Deer Crest Associates I, L.C., and Park City Consolidated Mines (PCCM) (Trans Wasatch, Deer Crest and PCCM were the developers).

6. Included in this Queen Ester Settlement Agreement was a provision that allowed the removal of the physical disconnect at Slalom Village, if approved by Park City, "so as to permit and encourage the use of the east control gate as the point

of entry and exit for commercial, oversized or trailering vehicles, and vehicles operating outside of specified hours of operation, subject to Developer's agreement to implement gate controls no less stringent than those set forth on Exhibit B hereto in the master covenants, conditions and restrictions for the Deer Crest Project…"

7. A First Amendment to the 1995 Deer Crest Settlement Agreement (aka the First Amendment to the Telemark Park Settlement Agreement) was approved by City Council on April 8, 1997.

8. Items of the First Amendment included the following: 1) clarified density, use and configuration, and location of the development areas; 2) addressed timing of annexation of and permit issuance for the Snowtop/Hidden Hollow, Slalom Village, and Roosevelt Gap Areas; 3) moved the previous 20,000 sf ski academy (and parking limitation) from the Slalom Village Area to Telemark Park Village (aka Jordanelle Village Resort) outside of the east perimeter gate and increased the single family lots by one to five (5); 4) added right to construct ski runs and lifts to the section pertaining to the right to construct roads under certain conditions, and 5) included additional stipulations related to ski lifts, ski runs, open space, trails, other road construction, gates, utilities, and ski runs.

9. A Second Amendment to the 1995 Deer Crest Settlement Agreement (aka the Second Amendment to the Telemark Park Settlement Agreement) was approved by City Council on April 6, 2001.

10. The purpose of the Second Amendment was to increase the density of Hidden Hollow subdivision by one single family lot, thus increasing the total number of single family lots lying west of the east perimeter gate by one to 151 (from 150) and increasing the total number of units by one to 546 units (from 545); amending related exhibits, and amending the annexation agreement for Alternative A for the Roosevelt Gap/Snow Park Hotel Area (now known as the St. Regis Resort approved with the Deer Crest Hotel Conditional Use Permit) to allow the Planning Commission to approve up to 105 overnight parking spaces at Roosevelt Gap.

11. The 1995 Deer Crest Settlement Agreement property consists of approximately 678 acres, of which 523 are located within Wasatch County and 155 acres are located within Summit County.

12. The property is generally located between Deer Valley Drive East and US 40.

13. At the time of the Agreement a majority of the property was located within the unincorporated areas of these counties.

14. The Deer Crest Settlement Agreement requires Property Owner and/or Homeowners' Association responsibility for the permanent maintenance of all perimeter gates, roads, hard surfaced pedestrian and bike pathways, including snow removal.

15. On December 17th, 1998, Park City annexed 253 acres of this property as the Deer Crest Annexation (Ordinance 98-53) and 84 acres as the Hidden Hollow Annexation (Ordinance 98-52).The remaining property was developed in unincorporated Wasatch County.

16. Access to a majority of the Deer Crest Community is from US 40 at the Mayflower interchange via the east perimeter control gate (also known as the Jordanelle gate house). Access from Park City to the Deer Crest Community is from Deer Valley Drive to Queen Ester Drive and to Deer Hollow Road via the west perimeter control gates (also known as the Queen Ester gate house).

17. Two other parcels were developed in Park City, namely the Roosevelt Gap parcel with the Deer Crest Hotel CUP (St. Regis Hotel) and the Snow Park Hotel parcel with the funicular connecting to Roosevelt Gap, parking, and two employee housing units and one residential condominium unit within the funicular building, also as part of the approved Deer Crest Hotel CUP.

18. Phases 2 and 3 of the St. Regis Hotel (aka Deer Crest Hotel CUP) (future residential condominiums) are also approved at the Snow Park Hotel site but have not been constructed. Parking and access through the west perimeter gates for the St. Regis Hotel (approved as the Deer Crest Hotel CUP) is subject to the Settlement Agreement, as amended, and as reflected in the Deer Crest Hotel CUP conditions of approval.

19. Access through the gates is also described in the Queen Ester Settlement Agreement executed on August 1, 1996.

20. The applicant, Deer Crest Associates I, L.C., developer of the Deer Crest Master Planned Development community, is successor in interest to Trans Wasatch Company, L.L.C. and Park City Consolidated Mines Company in matters related to the Deer Crest Settlement Agreement dated December 29, 1995.

21. On June 9, 2016, the applicant submitted a request for a Third Amendment to the Settlement Agreement (which acts as the Master Planned Development for the property) to suspend a requirement for a physical disconnection of Keetley Road (aka Deer Hollow Road) in the vicinity of a development parcel known as the Slalom Village parcel (aka Deer Hollow Village).

22. The application was considered complete on November 22, 2016 upon submittal of a revised surrounding property owner mailing list and envelopes on November 22, 2016.

23. Subject property, e.g. the general location of the required disconnect, is zoned Recreation Commercial- Master Planned Development (RC-MPD).

24. Deer Crest Master Association (DCMA), as owner and responsible party for the roads and gates within the Deer Crest Development, is party to this Third Amendment.

25. Wasatch County, Deer Valley Resort, JSSD special service district, the Deer Crest Master Association, and Deer Valley Resort submitted letters in support of this amendment.

26. Staff received numerous letters in support of this amendment from home owners within Deer Crest Estates.

27. This proposed Third Amended Settlement Agreement does not request changes to the approved Deer Crest Hotel CUP, or any of the other development parcels within the Deer Crest Development area.

28. On February 8, 2017, the Planning Commission conducted a public hearing on the Third Amended Settlement Agreement and Deer Crest Development MPD.

29. A representative from Deer Valley Resort spoke in favor of the requested Third Amendment to suspend the disconnect requirement.

30. A property owner from the Deer Crest community also spoke in favor of the requested Third Amendment to suspend the disconnect requirement, reiterating the adverse effects of the requirement, as stated in many of the letters received regarding this amendment.

31. A property owner from the Snow Top Subdivision also expressed many of the same concerns with the requirement to disconnect Deer Hollow Road.

32. The managing partner of the St. Regis Resort, a property that is located within the east and west perimeter gates, also spoke in favor of the requested amendment.

33. No changes are proposed to approved parcel densities outlined in the Settlement Agreement, as amended. Slalom Village (aka Deer Hollow Village) is one of the remaining undeveloped areas of the MPD. Section 5.2.3.1 states the density "shall not exceed 83 multi-family units (maximum 2,400 square feet per unit) with support commercial space up to 5% of the gross square footage and appropriate amenities and five (5) single-family lots (per 1st Amendment)". Alternatively, the Agreement states "in the event Property Owners elect not to construct the development described in Section 5.2.3 above, then Property Owners shall have the right to develop a single family subdivision not to exceed twelve (12) lots in place of the 83 multi-family units. The twelve (12) single-family lots are in addition to the five (5) original lots.

34. No changes are proposed to setbacks, open space, off-street parking, building height, landscaping, sensitive lands compliance, affordable housing requirements, child care, trails, clustered development site planning, grading and retaining walls, as outlined in the Settlement Agreement, as amended.

35. The proposed MPD and Third Settlement Agreement Amendment allows internal vehicular and pedestrian/bicycle circulation for residents within the Deer Crest/Hidden Hollow/Snowtop/St Regis Hotel Neighborhood area, by keeping the loop open within the area (keeping the perimeter gates in place). There will continue to be relatively direct access between the various subdivisions and hotels within the development.

36. Additionally, service and delivery, employee vans, guests and owners of the St. Regis Hotel, approaching from US 40 and the east gate, will take a more direct route using Deer Hollow Road, as opposed to Deer Crest Estates Drive, a more circuitous route through a residential neighborhood. Creation of two dead end roads interrupts a loop route for internal circulation within (inside the two gates) the Deer Crest/Hidden Hollow/Snowtop/St. Regis Hotel Neighborhood.

37. The MPD and Third Settlement Agreement amendment includes a provision for a gated emergency /utility road at the Deer Hollow Village location (one that does not allow general public access) in the event a permanent disconnect is required at some time in the future.

38. Snow removal and snow storage for the Deer Hollow Village parcel are not

changed with the proposed MPD Amendment. Specifics of snow removal and snow storage are reviewed at the time of the Conditional Use Permit review. Creation of two dead end roads interrupts a more efficient loop route for snow removal services, and requires two large turn around areas to be constructed. The road is relatively steep (about 10%) in this area and the terrain within the Slalom Village parcel slopes down from north to south at a 50-60% slope with the north side of the road steeper than the south.

39. Creation of two dead end roads at Deer Hollow Village interrupts a loop route for refuse and recycling collection within the Deer Crest neighborhood. Specifics of trash dumpsters and recycling containers, and the screening of these facilities, are reviewed at the time of the Conditional Use Permit review.

40. The MPD and Third Settlement Agreement Amendment encourages reduction of vehicular trips. A more direct route from US 40 to the Hotel for van and shuttle service and employee shuttles will contribute to a reduction in vehicular trips within the Deer Crest Development area and the west entrance gates.

41. Site specific items regarding service and delivery and loading/unloading areas are reviewed at the time of a Conditional Use Permit.

42. Mine Hazards and Historic Mine Waste mitigation will be identified and reviewed at the time of the Conditional Use Permit.

43. Historic Structures and any required mitigation measures will be identified and reviewed at the time of the Conditional Use Permit.

44. 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 programs and codes adopted by the Park City Building Department in effect at the time of the Conditional Use Permit Application, will be reviewed at the time of the Conditional Use Permit.

45. The MPD and Third Settlement Agreement Amendment were reviewed for consistency with goals and objectives of the Park City General Plan and found to maintain Park City's resort and neighborhood character, protect neighborhoods from impacts of development, provide pedestrian amenities and connections, promote efficient delivery of services and emergency response, provide efficient vehicular circulation and promote reduction of vehicular trips.

46. On November 30, 2016, the property was posted and notices of the public hearing were mailed to property owners within the Deer Crest Master HOA as well as to property owners within 300 feet of the lower west perimeter gate, including the Queen Ester and lower Solamere neighborhoods.

47. Legal notice was published in the Park Record, on the City Website, and on the Utah Public Notice Website on November 26, 2016.

Conclusions of Law

1. The MPD and Settlement Agreement amendment complies with all the requirements of the Land Management Code.
2. The MPD and Settlement Agreement amendment meets the minimum requirements of Section 15-6-5 of the LMC Code.
3. The MPD and Settlement Agreement amendment provides the highest value of open space, as determined by the Planning Commission.
4. The MPD and Settlement Agreement amendment strengthens and enhances the resort character of Park City.
5. The MPD and Settlement Agreement amendment compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
6. The MPD and Settlement Agreement amendment is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility and protects residential neighborhoods and Uses.
7. The MPD and Settlement Agreement amendment provides amenities to the community so that there is no net loss of community amenities.
8. The MPD and Settlement Agreement amendment is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
9. The MPD and Settlement Agreement amendment meets the provisions of the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable Land and least visually obtrusive portions of the Site.
10. The MPD and Settlement Agreement amendment promotes the Use of non-vehicular forms of transportation through design and by providing trail connections.
11. The MPD and Settlement Agreement amendment has been noticed and public hearing held in accordance with this Code.
12. The MPD and Settlement Agreement amendment 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 programs and codes adopted by the Park City Building Department in effect at the time of the Application.
13. The MPD and Settlement Agreement Amendment, as conditioned, addresses Historic Sites and Mine Hazard Waste.

Conditions of Approval

1. All provisions, requirements, regulations, and conditions of approval of the 1995 Deer Crest Settlement Agreement, as amended, continue to apply.

2. Historic Sites and Structures on the property shall be identified and any required mitigation measures shall be taken into consideration during Planning Commission review of the Conditional Use Permit application for the Deer Hollow Village parcels.

3. Mine Hazard Waste shall be identified and any required mitigation shall be taken into consideration during Planning Commission review of the Conditional Use Permit application for the Deer Hollow Village parcels.

4. 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 programs and codes adopted by the Park City Building Department in effect at the time of the Conditional Use Permit application, shall be reviewed by the Planning Commission during review of the Conditional Use Permit application for Deer Hollow Village parcels.

5. Approval of the Third Amendment to the Settlement Agreement by the City Council is a condition precedent to submittal of a Conditional Use Permit for development of the Deer Hollow Village parcels.

6. The Third Amendment to the Settlement Agreement shall be fully executed and recorded at Summit County within six (6) months of approval by City Council or this approval shall be null and void, unless a written request for an extension is submitted to the Planning Department and approved by the Planning Commission.

The Planning Commission adjourned the Regular Meeting and moved into Work Session for general legal training and the Open Public Meetings Act.

WORK SESSION

Annual Legal Training

Assistant City Attorney McLean reviewed general legal training issues.

Commissioner Band stated that she had attended the Board of Adjustment meeting as the Planning Commission liaison. When the public hearing was opened she had things she wanted to say as a private citizen, but decided against it because she was unsure if it was appropriate. Ms. McLean explained that it would not have been appropriate for Commissioner Band to comment on behalf of the Planning Commission due to a potential conflict of having the matter come back to the Planning Commission. Commissioner Band assumed that even if she had made comments as an individual, she would have to recuse herself if it did come back to the Planning Commission. Ms. McLean answered yes. She cautioned them to avoid the appearance of conflict.

Assistant City Attorney McLean stated that there were major changes to the State Code resulting from the recent legislative session. Many of the changes related to historic and nightly rentals. It was not an overhaul of LUDMA, but there were many tweaks that affect cities and how they administer policy. The Planning Commission should expect to see changes from the Legal and Planning Departments to comply with the legislative changes. She stated that the changes do not go into effect until May and they will give them to the Commissioners prior to that time.

Commissioner Campbell asked if there was an urgency to change the LMC to comply with the new changes. Ms. McLean stated that if the State Code supersedes Municipal law, the State Code would control.

Commissioner Thimm stated that if there is a conflict between the LMC and recently adopted legislation by the State, he thought that should be transparent and the Planning Commission should adhere strictly to the LMC. Ms. McLean replied that if the State Code supersedes the City Code, they need to abide by State law. She had not had the opportunity to review all of the changes; however, by the time it goes into effect she would be prepared to advise the Planning Commission on the relevant Code sections to make sure the applications are reviewed within the requirements of the State Code, even if the LMC still needed to be updated to reflect those changes.

Assistant City Attorney McLean stated that in an effort to make their decisions more defensible in Court, the Commissioners should stay away from the tendency of saying I like…, I think…, we don't need this. She recommended that they use phrases such as, "this use complies, this application meets the criteria because…, etc." They should try

to remove themselves personally and center their comments based on the Code and their interpretation of the Code. Commissioner Suesser struggled with this because she felt like they were expressing their understanding rather than just stating a fact. Because their opinions vary, she sometimes phrases her comments as “it’s my understanding or my read of this”. Ms. McLean suggested that a better phrase would be, “my interpretation of criteria….is supported by findings of fact #....” Ms. McLean explained that the Courts look at whether the Planning Commission’s decision was arbitrary and capricious. Their decision can be overturned if it is based on an illegal Code section, or if it is just arbitrary or capricious. If their decision is based on facts and evidence, the Legal Department has more evidence to show to the Court to defend it.

Commissioner Campbell understood that if there is a specific case they feel is important, they are allowed to read a written statement during the meeting. He asked if it would be appropriate to bring it to the Legal Department for editing and advice before the meeting. Ms. McLean stated that she would be able to look at it first. Chair Strachan suggested that if a Commissioner intends to draft a written statement, they should meet with Ms. McLean privately first to discuss what they would like to write to make sure it is appropriate.

Assistant City Attorney McLean encouraged the Commissioners to come to the Legal Department and talk with her on an individual basis. There is nothing to preclude one on one counsel and their conversation is protected and privileged. Ms. McLean reminded the Planning Commission that anything they submit in an open meeting becomes part of the record.

Commissioner Band wanted to know the procedure for making comments if a Commissioner has read through the packet but could not attend the meeting. Ms. McLean stated that she would have to look at wording in terms of entering it into the record. She thought the best way would be to talk to one Commissioner and ask that person to relay their comments. Another option would be for the Planning Commission to start with electronic meetings. This currently has not been done, because despite all of the technological advances there are still failures.

Commissioner Thimm stated that he has been at hearings with electronic participation and it does not work well. Chair Strachan recalled that in the past, if a Commissioner was unable to attend a meeting they could submit their comments in writing to the Chair, and the Chair would make it part of the record. Ms. McLean believed that was still an appropriate procedure, but she would double-check to make sure.

Assistant City Attorney McLean reminded the Planning Commission of the requirement to update their disclosure statement. She noted that the Municipal Code was now online. If any of the Commissioners wanted a hard copy they should ask the Planning Department.

Assistant City Attorney McLean talked about media training in terms of speaking for themselves versus speaking for the Planning Commission. This group is good about communicating with the radio and newspaper to do recaps of the meeting. It is important not to talk about open applications. The record speaks for itself. Regardless of one person's opinion, the focus should be on how the Planning Commission voted.

Assistant City Attorney McLean thanked the Commissioners for being diligent in attending the meetings. If they cannot attend a meeting they should notify the Planning Department as soon as possible.

Assistant City Attorney McLean noted that the written Minutes are the official record of their meeting. She commented on the number of "hats" the Commissioners wear. In terms of legislative they look at LMC and General Plan matters, as well as plat amendments. Administrative are MPDs and CUPs. Quasi-judicial are appeals of the Planning Director or Planning Department determinations. Based on the "hat" they are wearing, the type of public input changes. It is acceptable to listen to public clamor on legislative matters. Public input on administrative matters are more restrictive. The Planning Commission is bound by the law and not public opinion. Quasi-judicial is the most restrictive because the Planning Commissioner has the role of judge. All comments should take place at the meeting so both sides have the ability to hear all the evidence. The Commissioners never have to recuse on legislative matters, but they do have to disclose if the change may affect them. The Commissioners definitely need to disclose and/or recuse on administrative or quasi-judicial matters if they have a personal interest or conflict. Whether or not to disclose is up to the individual Commissioner; however, if a Commissioner is unsure about whether or not to disclose or recuse they could talk to her prior to the meeting and she would help advise them.

Assistant City Attorney McLean remarked that the training on the Open Public Meetings Act was the same as previous years.

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

Approved by Planning Commission: _____

PARK CITY 1884

PLANNING DEPARTMENT

Planning Commission Staff Report

Subject: **1302 Norfolk Avenue**
Project Number: **PL-16-03181**
Author: **Anya Grahn, Historic Preservation Planner**
Date: **April 12, 2017**
Type of Item: **Quasi-Judicial Appeal**

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing and continue the item to July 26, 2017. Staff has received a request from the applicant that they were unavailable on April 12th.

Description

Appellant(s):	418 Centennial Circle LLC, represented by Attorney Jodi Hoffman
Location:	1302 Norfolk Avenue
Zoning:	Recreation Commercial (RC)
Adjacent Land Use:	Residential single-family and multi-family; recreation open space (Library field), Park City Library
Reason for review:	Appeals of Community Development Director's determinations are reviewed by the Planning Commission

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject:	**Land Management Code Amendments:** **Chapter 15-2.7 Recreation and Open Space (ROS) District;** **Chapter 15-2.13 Residential Development (RD) District;** **Chapter 15-6 Master Planned Developments; and** **Chapter 15-15 Defined Terms.**
Author:	**Francisco Astorga, AICP, Senior Planner**
Date:	**12 April 2017**
Types of Item:	**Legislative – Land Management Code Amendments**

Summary Recommendations

Staff recommends that the Planning Commission open and continue the public hearing for Land Management Code Amendments to a date uncertain to allow staff additional time for research.

Topic

Applicant:	Park City Planning Department
Location:	Citywide
Reason for Review:	Land Management Code Amendments require Planning Commission review and recommendation to City Council.

Summary

The Planning Department is reviewing administrative and substantive amendments to the Park City Development Code, specifically amending Land Management Code Chapter 15-2.7 Recreation and Open Space (ROS) District; 15-2.13 Residential Development (RD) District; 15-6 Master Planned Developments; and Chapter 15-15 Defined Terms. Staff recommends that the Planning Commission allow additional time for research and vetting prior to presenting amendments to the Planning Commission for review.

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Iron Canyon Subdivision Building Pad Adjustment for Lot 43**
Author: **Makena Hawley, City Planner**
Project Number: **PL-17-03478**
Date: **April 12, 2017**
Type of Item: **Legislative – Plat Amendment**

Summary Recommendations

Staff recommends the Planning Commission holds a public hearing for the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 located at 2467 Iron Mountain Drive and considers 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:	Kyle Conti, represented by Steve Schueler
Location:	2467 Iron Mountain Drive
Zoning:	Single Family (SF)
Adjacent Land Uses:	Residential
Reason for Review:	Plat Amendments require Planning Commission review and City Council review and action.

Proposal

The site known as 2467 Iron Mountain Drive consists of Lot 43 of the Iron Canyon Subdivision. The property owner requests to adjust the "Building Pad" area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence. The new building pad is proposed to be the same square footage as the platted building pad (4,000 sf.) and in the same general location. The entire site contains a total area of 3.1308 acres.

Background

On February 16, 2017, the City received a Plat Amendment application for the Iron Canyon Subdivision Amendment to Lot 43; the application was deemed complete on February 27, 2016. The property is located at 2467 Iron Mountain Drive. The property is in the Single Family (SF) District. The subject property consists of Lot 43 of the Iron Canyon Subdivision, approved in 1983.

There are a number of lots within the Iron Canyon Subdivision that have completed similar building pad adjustments including the following:

Lot 29 – Completed in 2005 (See Exhibit G)
Lot 11 – Completed in 2006 (See Exhibit H)
Lot 5 – Completed in 2006 (See Exhibit I)

Lot 4 – Completed in 2006 (See Exhibit J)

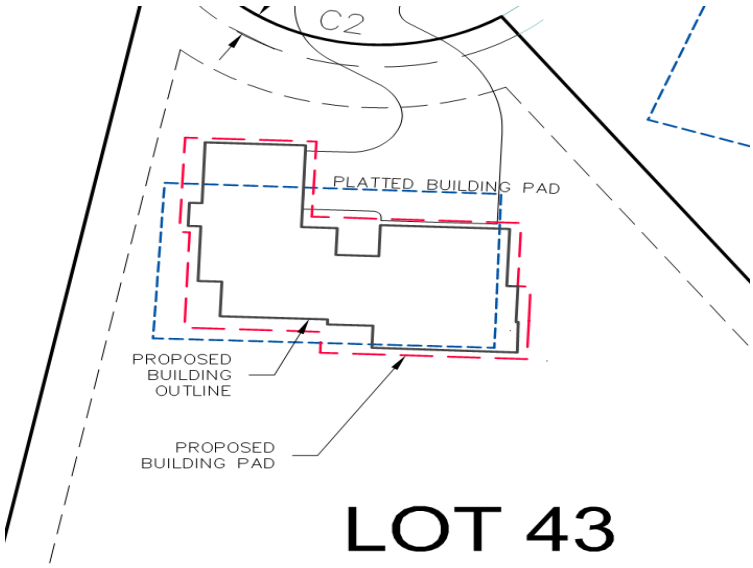
Purpose

The purpose of the Single Family SF District is to:

A. maintain existing predominately Single Family detached residential neighborhoods,
B. allow for Single Family Development Compatible with existing Developments,
C. maintain the character of mountain resort neighborhoods with Compatible residential design; and
D. require Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile.

Analysis

The Plat Amendment proposes to adjust the building pad of Lot 43 of the Iron Canyon Subdivision. The square footage of the existing building pad is 4,000 square feet and the proposed building pad will also be 4,000 square feet. The proposed changes to the building pad take place towards the front of the lot by expanding the building pad by approximately 12 feet on the west side. The proposal also pushes the building pad towards the rear (east) approximately 3 feet and finally pushes the building pad approximately 8 feet towards the east side yard. All the building pad changes meet the Land Management Code setback requirements. Staff finds that the proposed plat amendment would be consistent with the pattern of development in the neighborhood. Please see below drawing:



A single-family dwelling is an allowed use in the SF District. The following table shows applicable Land Management Code (LMC) development parameters in the SF District:

Required	Existing	Permitted
Allowed Building Pad	The plat requires 4,000	4,000 square feet maximum.

Size	sf.	***Complies***
Front yard setbacks	20 ft. front yard with 25 ft. for front facing garages.	33 feet to the building pad from the front property line. ***Complies.***
Rear yard setbacks	15 feet rear yard	357 feet to the building pad from the rear property line. ***Complies.***
Side yard setbacks	12 feet	19 feet to west side property line, 44 feet to east side property line. ***Complies.***

The City Engineer will require a ten foot public snow storage easement.

The Building Department is requiring Condition of Approval #5 to provide modified 13-D sprinklers for new construction by the Chief Building Official at the time of review of the building permit submittal.

Good Cause
Staff finds good cause for this Plat Amendment as the proposed modification to the building pad does not increase its area nor the general location of the building pad.

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 raised.

Notice
On March 23, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on March 29, 2017 according to requirements of the Land Management Code.

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

Alternatives
- The Planning Commission may forward a positive recommendation to the City Council for the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Iron Canyon Subdivision Building Pad Adjustment for Lot 43.

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

Consequences of not taking recommended action
Consequences of not taking the Planning Department's recommendation are that plat would remain as is and any proposed design would need to comply within the limitations of the existing building pad.

Summary Recommendation
Staff recommends the Planning Commission holds a public hearing for the Iron Canyon Subdivision Building Pad Adjustment for Lot 43 located at 2467 Iron Mountain Drive and considers 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 with Proposed Plat (Attachment 1)
Exhibit B – Survey with Existing Conditions
Exhibit C – Applicant Project Description
Exhibit D – Aerial Photograph
Exhibit E – Site Photographs
Exhibit F– Iron Canyon Subdivision Plat
Exhibit G – Iron Canyon Subdivision Lot 29 Building Pad Adjustment
Exhibit H – Iron Canyon Subdivision Amendment to Lot 11
Exhibit I – Iron Canyon Lot 5 Amended Subdivision
Exhibit J – Iron Canyon Subdivision Lot 4 Plat Amendment

Exhibit A – Draft Ordinance

Ordinance No. 2017-XX

AN ORDINANCE APPROVING THE IRON CANYON SUBDIVISION BUILDING PAD ADJUSTMENT FOR LOT 43 LOCATED AT 2467 IRON MOUNTAIN DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 2467 Iron Mountain Drive have petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on March 23, 2017, the property was properly noticed and posted in the Park Record; and

WHEREAS, on March 23, 2017, proper legal notice was sent to all affected property owners and the property was posted according the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 12, 2017, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 12, 2017, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on April 27, 2017 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 2467 Iron Mountain Drive Plat Amendment.

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

SECTION 1. APPROVAL. The Iron Canyon Subdivision Building Pad Adjustment for Lot 43, 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 2467 Iron Mountain Drive.
2. The property is in the Single Family (SF) District.
3. Adjacent land uses are single family residential.
4. The subject property consists of Lot 43 of the Iron Canyon Subdivision, approved in 1983.

5. The plat amendment changes small portions of the “Building Pad” area shown on the Iron Canyon Subdivision plat (recorded in 1983) to adapt to the current proposed design of the new residence.
6. The building pad is proposed to be the same square footage as the platted building pad (4,000 sf.) and in the same general location.
7. The entire site contains a total area of 3.1308 acres.
8. On February 16, 2017, the City received a Plat Amendment application for the Iron Canyon Subdivision Amendment to Lot 43; the application was deemed complete on February 27, 2016.
9. Four (4) lots within the Iron Canyon Subdivision have completed similar building pad adjustments including the following: Lots 4, 5, 11 and 29.
10. Staff finds that the proposed plat amendment results in a building pad that is consistent with the pattern of development in the neighborhood.
11. Per the existing plat, the maximum building pad is 4,000 sf. and this plat amendment results in a building pad that is not greater than 4,000 sf.
12. 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 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 date and an extension is granted by the City Council.
3. A ten feet (10’) wide public snow storage easement along the frontage of Iron Mountain Drive shall be shown on the plat.
4. Modified 13-D sprinklers are required by the Chief Building Official for new construction at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
5. New construction shall comply with Land Management Code Section 15-2.2 regarding setbacks, building height, building envelope, building pad, etc.
6. All other conditions of approval and platted requirements for the Iron Canyon Subdivision continue to apply and shall be noted on the plat.

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

PASSED AND ADOPTED this 27h day of April 2017.

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR

ATTEST:

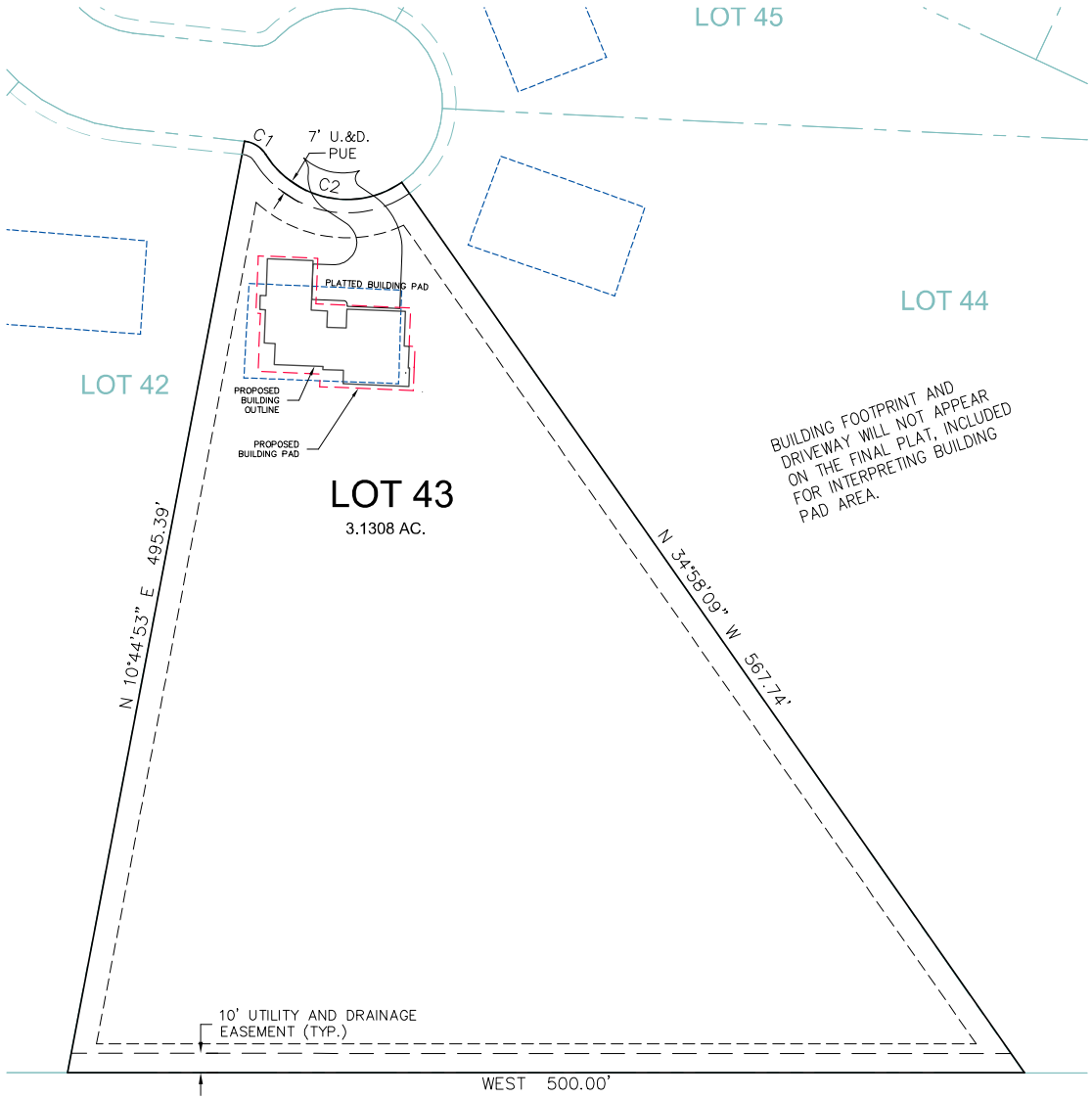
_____
City Recorder

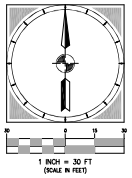
APPROVED AS TO FORM:

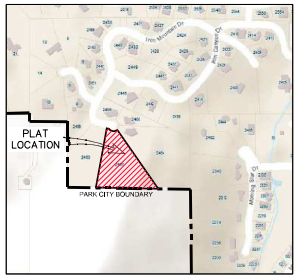
_____
Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Exhibit A – Draft Ordinance with Proposed Plat Attachment 1







VICINITY MAP

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	13.62'	15.00'	52°01'12"	N 57°59'08" W	13.16'
C2	81.15'	50.00'	92°59'21"	S 78°28'13" E	72.53'

PLAT NOTES

1. THE BUILDING PAD ON THIS LOT MUST BE WITHIN THE SETBACK LINES AS PER THE LAND MANAGEMENT CODE, "SECTION 15-2.11-3 LOT AND SITE REQUIREMENTS" UNLESS OTHERWISE NOTED. THE MAXIMUM AREA AREA MUST BE LESS THAN OR EQUAL TO THE ORIGINAL BUILDING PAD'S 4000 SQ. FEET.
2. THE PROPOSED BUILDING PAD SIZE: 4,000 SQ. FEET
3. ALL OTHER CONDITIONS OF APPROVAL AND PLATTED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION WILL CONTINUE TO APPLY.
4. THE STREET ADDRESS OF LOT 43 IS 2467 IRON MOUNTAIN DRIVE.

LEGEND

- LOT 43 PROPERTY LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- SETBACKS PER LMC

BOUNDARY DESCRIPTION

ALL OF LOT 43 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFF

SURVEYOR'S CERTIFICATE

IN ACCORDANCE WITH SECTION 10-9a-603 OF THE UTAH CODE, I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR HOLDING LICENSE NUMBER 145796 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT.

I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THE PLAT IN ACCORDANCE WITH SECTION 17-23-17 OF THE UTAH CODE, AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THE PLAT.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE

SURVEYOR'S SEAL

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I(WE) THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND, HEREAFTER TO BE KNOWN AS IRON CANYON LOT 43 AMENDED.

IN WITNESS THEREOF, I(WE) HAVE HEREUNTO SET MY HAND THIS_____ DAY OF_____, 2017.

FEE OWNER (OR AGENT) — PRINTED NAME — DATE

FEE OWNER (OR AGENT) — PRINTED NAME — DATE

ACKNOWLEDGEMENT

STATE OF_____)
COUNTY OF_____) S.S.

ON THIS_____DAY OF_____, 2017, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF_____, IN SAID STATE OF_____, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS THE OWNER OOF THE HEREIN DESCRIBED TRACT OF LAND AND HE SIGNED THE ABOVE OWNER'S DEDICATION AND CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC

APPROVAL AS TO FORM

APPROVED AT TO FORM ON THIS _____ DAY OF _____, 2017.

PARK CITY ATTORNEY

PARK CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, 2017.

CHAIRMAN

PARK CITY COUNCIL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS _____ DAY OF _____, 2017. AT WHICH TIME THIS PLAT AMENDMENT WAS APPROVED.

MAYOR

CITY RECORDER

PARK CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____, 2017.

PARK CITY ENGINEER

SEWER DISTRICT APPROVAL

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS _____ DAY OF _____, 2017.

S.B.W.R.D.

RECORDED

ENTRY # _____ DATE _____ TIME _____

STATE OF _____ COUNTY OF _____

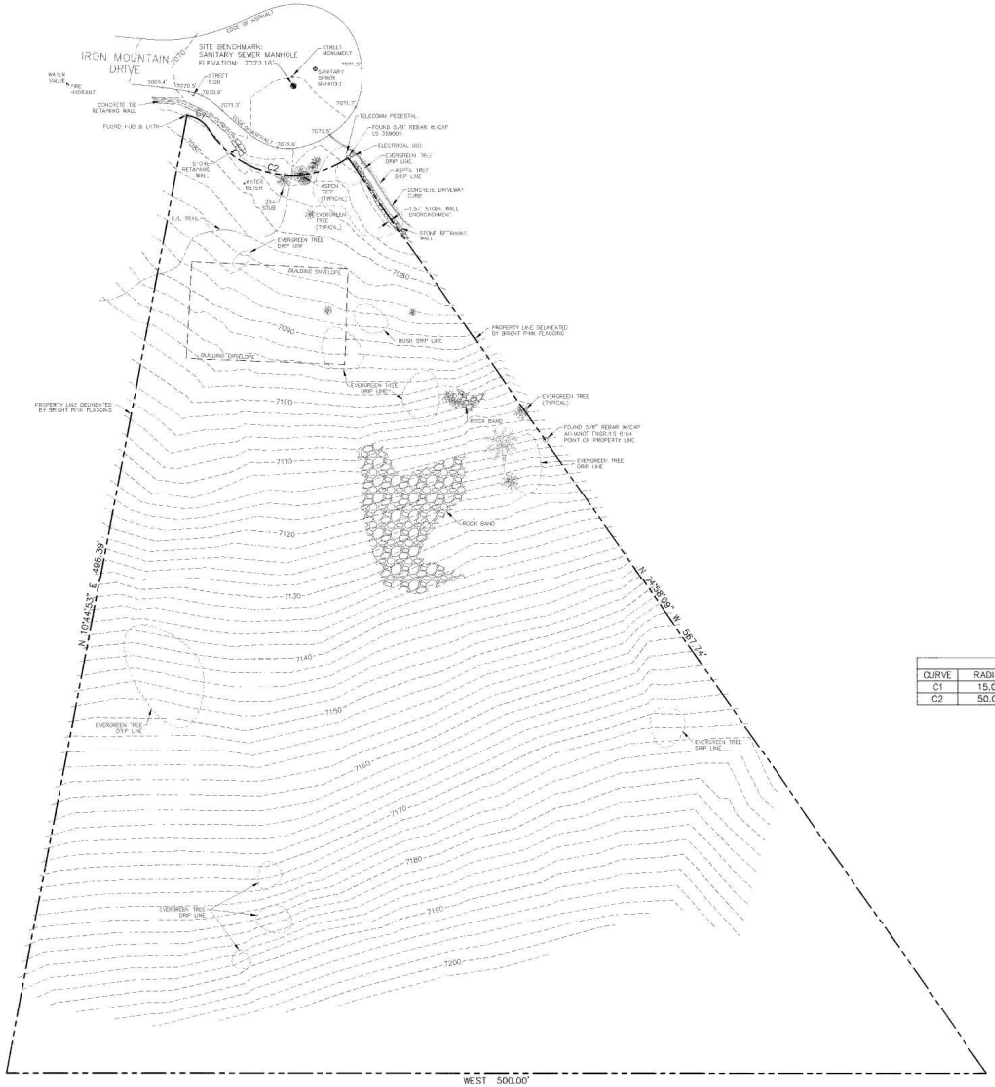
RECORDED AND FILED AT THE REQUEST OF:

COUNTY RECORDER

PROJECT	PROJECT			
C16-041	LOT 43-IRON CANYON SUBDIVISION	LOCATED IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M	DRAWN BY: SCS	Summit Engineering Group Inc.
SHEET 1	BUILDING PAD ADJUSTMENT	SUMMIT COUNTY, UTAH	REVIEWED BY: BC	Structural • Civil • Surveying
			SCALE: 1" = 30' / ISSUE DATE 01/24/2017	55 WEST CENTER • P.O. BOX 176 HEBER CITY, UTAH 84032 P: 435-654-9239 • F: 435-654-9231

COPYRIGHT © 2016 SUMMIT ENGINEERING GROUP, INC.
DRAWING ALTERATION
IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF LICENSED PROFESSIONAL ENGINEER OR LICENSED PROFESSIONAL ARCHITECT OR PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT IN ANY WAY. ALL LICENSEE PROFESSIONALS ARE ALSO REQUIRED BY LAW TO AFFIX THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION.

Exhibit B – Survey with Existing Conditions



SURVEYOR'S CERTIFICATE

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

REGISTERED LAND SURVEYOR No. 4938739 MARTIN A. MORRISON State of Utah

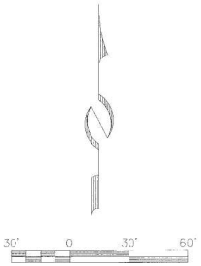
7-8-'14

NOTES

1. Site Benchmark: Sanitary Sewer Manhole
   Elevation=7077.15'
2. See record of survey plat for easements and restrictions
3. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
4. This topographic map is based on a field survey performed on July 1, 2014.
5. Property corners were not set.
6. Additional rock bands exist which are not shown on this survey, particularly in the southeasterly portion of the property.

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	15.00	13.62	52°01'12"
C2	50.00	81.15	92°59'21"



(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
MARSHALL KING
MARTY MORRISON
HARRISON HOLLEY

DATE: 7/8/14

EXISITING CONDITIONS & TOPOGRAPHIC MAP
IRON CANYON, LOT 43

FOR: GEOFF GOTTLIEB
JOB NO.: 5-6-14
FILE: X:\ThayresCanyon\dwg\srv\topo2014\050614.dwg

SHEET 1 OF 1

Exhibit C – Applicant Project Description

TO : Park City Planning Department

FR: Steve Schueler; Summit Engineering Group

RE: Plat Amendment, Lot 43, Iron Canyon Subdivision

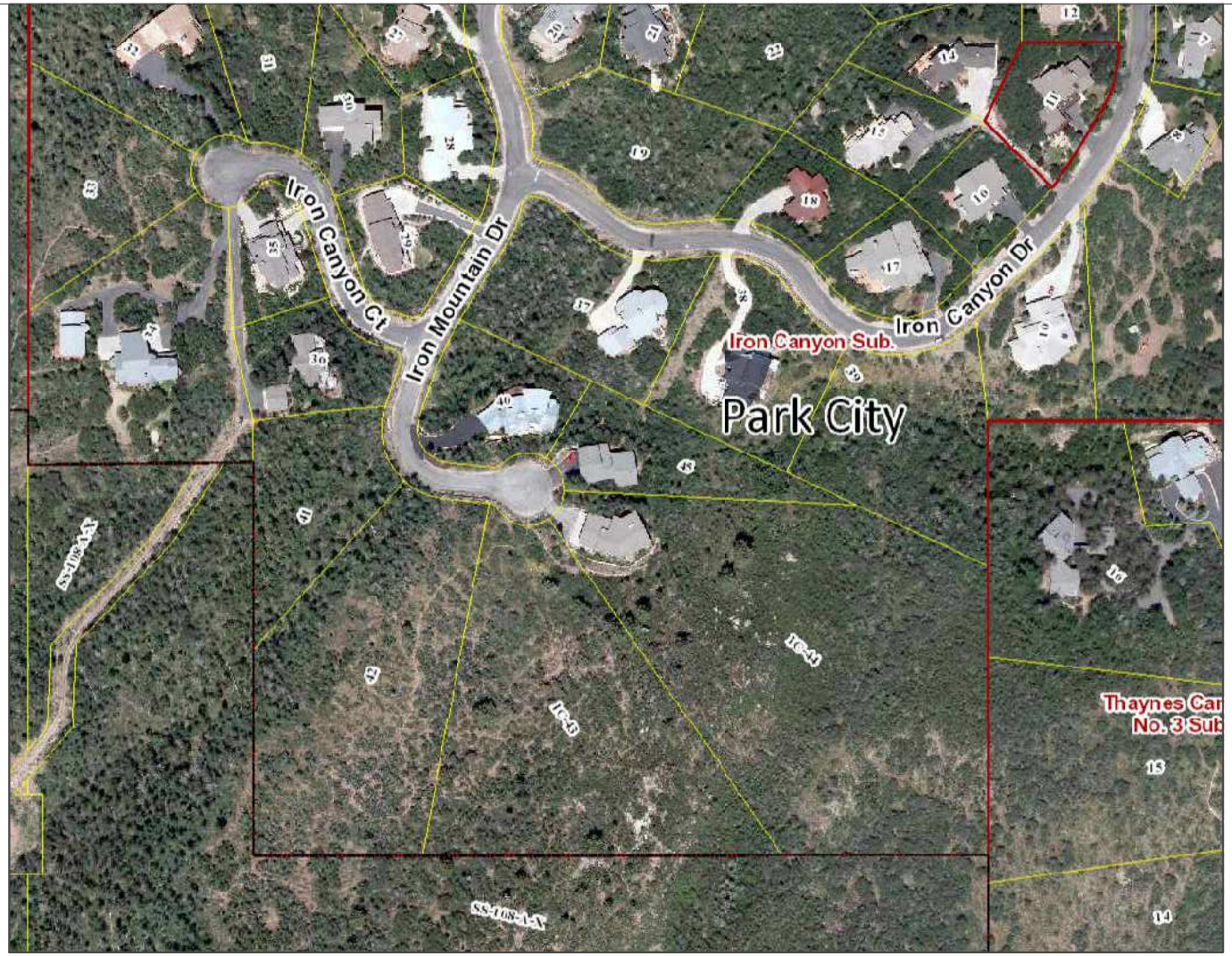
Project Description-Building Pad Adjustment

DT: 2/16/2017

This plat amendment is to adjust the "Building Pad" area as shown on the Iron Canyon plat (recorded 1983). building pads are shown on the recorded plat, for each lot, but not legally located such that a licensed surveyor could re-create the location of a given building pad. Nor is the building pad defined in the plat, however, through scaling the building pad appears to be about 50' X 80' or approximately 4,000 SF.

This plat amendment proposes to adjust the building pad to adapt to the current design for a proposed residence. The new building pad is proposed to be the same square footage as the platted building pad and in the same location.

Exhibit D – Aerial Photograph



PROJECT C16–041	LOT 43-IRON CANYON SUBDIVISION	LOCATED IN THE NORTHWEST 1/4 OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SLB&M	SCS	Summit Engineering Group Inc.
SHEET 1	500 FOOT AERIAL IMAGE	SUMMIT COUNTY, UTAH	REVIEWED BY: BC	Structural • Civil • Surveying
			SCALE: 1" = 30' / ISSUE DATE 01/24/2017	55 WEST CENTER • P.O. BOX 176 HOMER CITY, UTAH 84032 Ph. 435-654-9229 • Fl. 435-654-9231

Exhibit E – Site Photographs

Conti Plat Amendment Application

Conti Property-North Boundary Looking South

Conti Property-North Boundary Looking Southwest

Conti-mid-property-Looking Southwest

February 16, 2017

Conti Plat Amendment Application

Conti-mid-property-Looking Southeast

Conti-mid-property-Looking Southwest

February 16, 2017

Conti Plat Amendment Application

Conti Property-Northwest Boundary Looking East

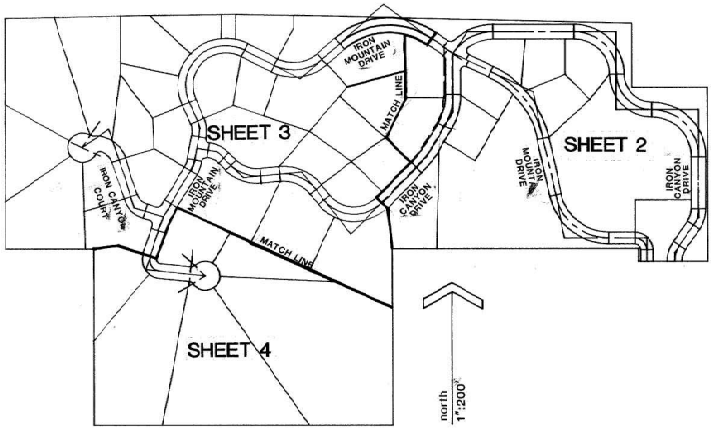
February 16, 2017

Conti Plat Amendment Application

Conti-mid-property-Looking Southwest

February 16, 2017

Exhibit F– Iron Canyon Subdivision Plat



INDEX MAP

SURVEYOR'S CERTIFICATE

I KENNETH W. WATSON, A REGISTERED PROFESSIONAL ENGINEER AND/OR LAND SURVEYOR, HOLD CERTIFICATE NO. 5190 AS PRESCRIBED BY THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED HEREWITH, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, TO BE HEREAFTER KNOWN AS IRON CANYON, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

SIGNED ON THIS 29 DAY OF Sept., 1983

Kenneth W. Watson
REGISTERED LAND SURVEYOR

REGISTERED PROFESSIONAL ENGINEER KENNETH WATSON No. 4303 STATE OF UTAH

REGISTERED LAND SURVEYOR KENNETH W. WATSON No. 5190 STATE OF UTAH

NOTE

1. LOTS 12, 14, 15, 27, 33, 34, 40, 42 AND 43 MAY TAKE ADVANTAGE OF SETBACK VARIANCE ALLOWED AS PER SECTION 4-5.5.3 OF THE LAND MANAGEMENT CODE.
2. PARK CITY WILL NOT ACCEPT STREETS FOR DEDICATION UNTIL 24 OF THE 45 LOTS HAVE BEEN OCCUPIED.
3. ALL EXTERIOR BUILDING MATERIALS SHALL BE CLASS 1-RATED FLAME-SPREAD MATERIALS IN ACCORDANCE WITH UBC 4202. ALL RESIDENCES SHALL BE FIRE SPRINKLED IN ACCORDANCE WITH UBC 38-1-82.

LEGAL DESCRIPTION

IRON CANYON LEGAL DESCRIPTION

A parcel of land located in the S.W. 1/4 of Section 5 and the N.W. 1/4 of Section 8, T2S, R4E, Salt Lake Base and Meridian being further described as follows:

Beginning at a point on the south line of the S.W. 1/4 of said Section 5, said point being South 89°22' 00" West 245.55 feet from the South 1/4 corner of said Section 5 to the prolongation of an existing wood rail fence running northerly; thence along the prolongation of said fence South 0°04'12" West 11.37 feet to the northerly line of the Quitclaim deed exhibit "B" as stated in book M 58 page 60 of recorded document in the Summit County recorder's office; thence West 244.02 feet; thence North 44.00 feet to the Northeast corner parcel of land described in Book F page 389 as recorded in the Summit County recorder's office; thence West 840.00 feet to the N.W. corner of Thaynes Canyon subdivision No. 3 as shown on said subdivision plat; thence South 600.00 feet; thence West 1020.00 feet; thence North 543.50 feet to the South line of said Section 5; thence South 89°21'00" West 278.64 feet to the S.W. corner of said Section 5; thence North 0°12'32" West along said section line 842.84 feet, to a point on the boundary line agreement as stated in book M 230 page 626 and recorded in the Summit County recorder's office; thence North 88°50'23" East 376.77 feet; thence North 89°19'58" East 395.03 feet; thence South 88°50'22" East 1350.28 feet to a point that is defined in the boundary line agreement recorded in book M 230 page 626 in the Summit County recorder's office, the South 1/4 corner of said Section 5 as referenced in said boundary line agreement is located West 2639.77 feet from the S.E. corner of said Section 5; thence South 222.96 feet to the prolongation of an existing fence running easterly; thence along said fence and the prolongation of said fence North 85°34'50" East 264.75 feet to the prolongation of an existing rail fence running southerly; thence along said prolongation and said fence line South 0°04'12" West 579.55 feet to the point of beginning. Containing 56.21 acres more or less.

Basis of bearings being the south line of Section 4, T2S, R4E, Salt Lake Base and Meridian which has a bearing of South 89°45'21" West.

OWNER'S DEDICATION

KNOW ALL BY THESE PRESENT THAT WE THE UNDERSIGNED OWNERS OF THE DESCRIBED TRACT OF LAND BELOW, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO HEREAFTER BE KNOWN AS IRON CANYON, DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, AND DO WARRANT, DEFEND, AND SAVE THE CITY HARMLESS AGAINST ANY EASEMENTS OR OTHER INCUMBRANCES ON THE DEDICATED STREETS WHICH WILL INTERFERE WITH THE CITY'S USE, OPERATION, AND MAINTENANCE OF THE STREETS AND DO FURTHER DEDICATE THE EASEMENTS AS SHOWN.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS 13th DAY OF October, 1983.

SIGNED [illegible] SIGNED _____

SIGNED _____ SIGNED _____

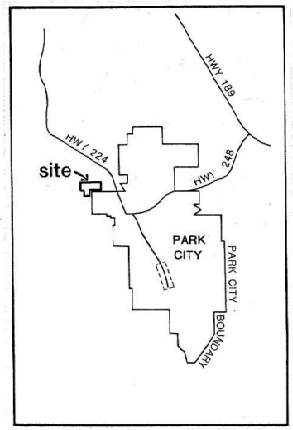
SIGNED _____ SIGNED _____

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF Salt Lake } S.S.

ON THE 13th DAY OF October A.D. 1983, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY OF Salt Lake, IN THE STATE OF UTAH, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, two IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THAT they SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

[illegible]
NOTARY PUBLIC
RESIDING AT Salt Lake City
MY COMMISSION EXPIRES 4-25-85



VICINITY MAP

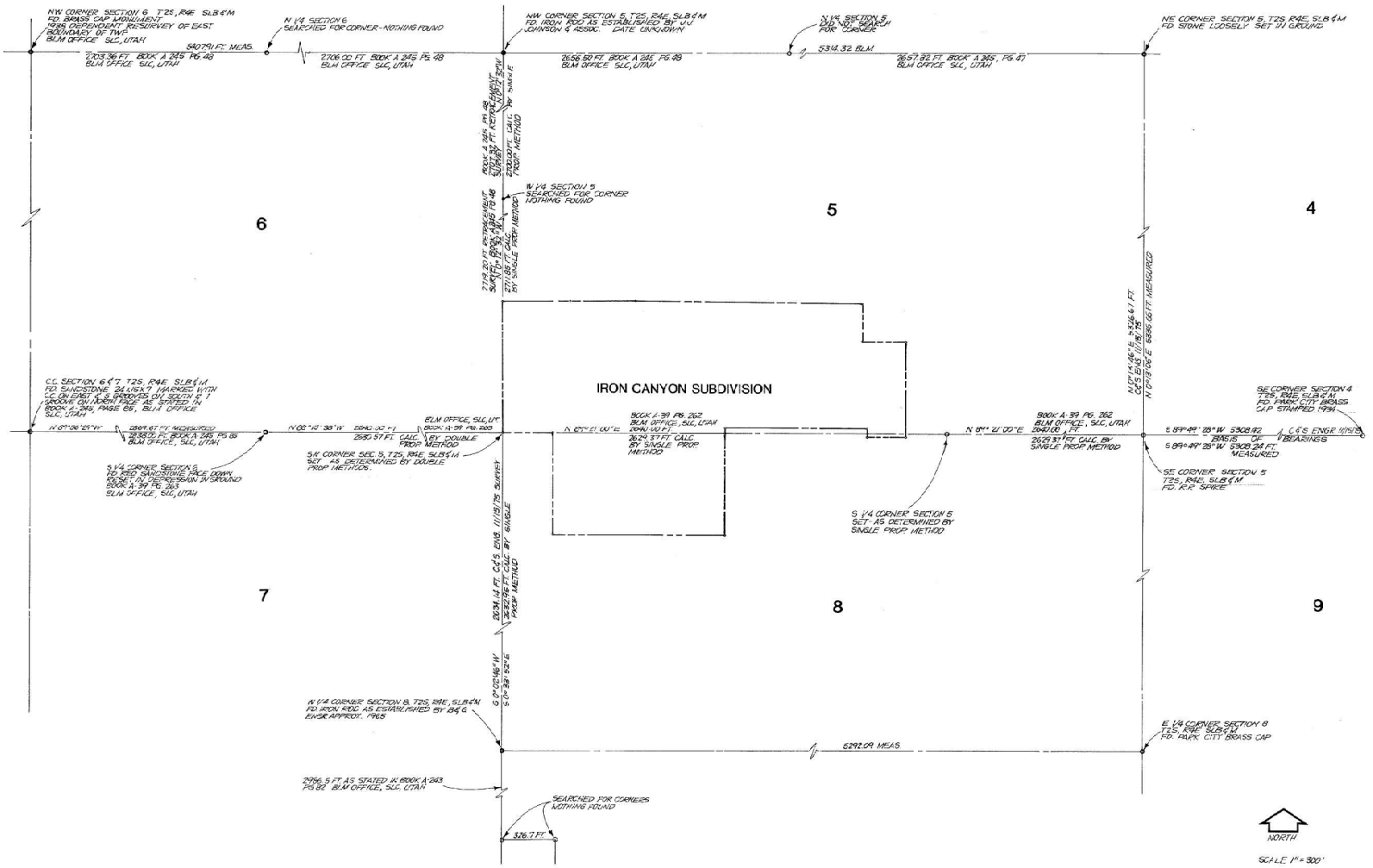
IRON CANYON

PREPARED FOR
THE BOYER COMPANY
675 EAST 500 SOUTH
SALT LAKE CITY, UTAH

PREPARED BY
ECKHOFF, WATSON & PREATOR
1798 SOUTH WEST TEMPLE
SALT LAKE CITY, UTAH

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED
PRESENTED TO PARK CITY CITY COUNCIL THIS 27th DAY OF OCTOBER A.D. 1983. [illegible] Mayor. ATTEST: William R. Stevens, Recorder	APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 20TH DAY OF OCTOBER A.D. 1983. Eric W. DeHaan, P.E. CITY ENGINEER	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 20th DAY OF OCTOBER A.D. 1983. [illegible]	APPROVED AS TO FORM ON THIS 27 DAY OF October A.D. 1983. Thomas E. Clyde CITY ATTORNEY	No. 212520 Date 10-28-83 At 2:03 Fee $47.00 STATE OF Utah COUNTY OF Summit RECORDED AND FILED AT THE REQUEST OF Western States Title Co. Alan Spriggs COUNTY RECORDER

ECKHOFF, WATSON and PREATOR ENGINEERING
ENGINEERS
PLANNERS
SURVEYORS



ECKHOFF, WATSON and PREATOR ENGINEERING

ENGINEERS • PLANNERS • SURVEYORS

Revision

Date 9/5/23

Drawn VAW

Approved

Scale

Project Manager

Drawn by

The Boyer Company 615 East 500 South Salt Lake City, Utah 84102

IRON CANYON

SECTION CONTROL

SHEET 2 OF 5

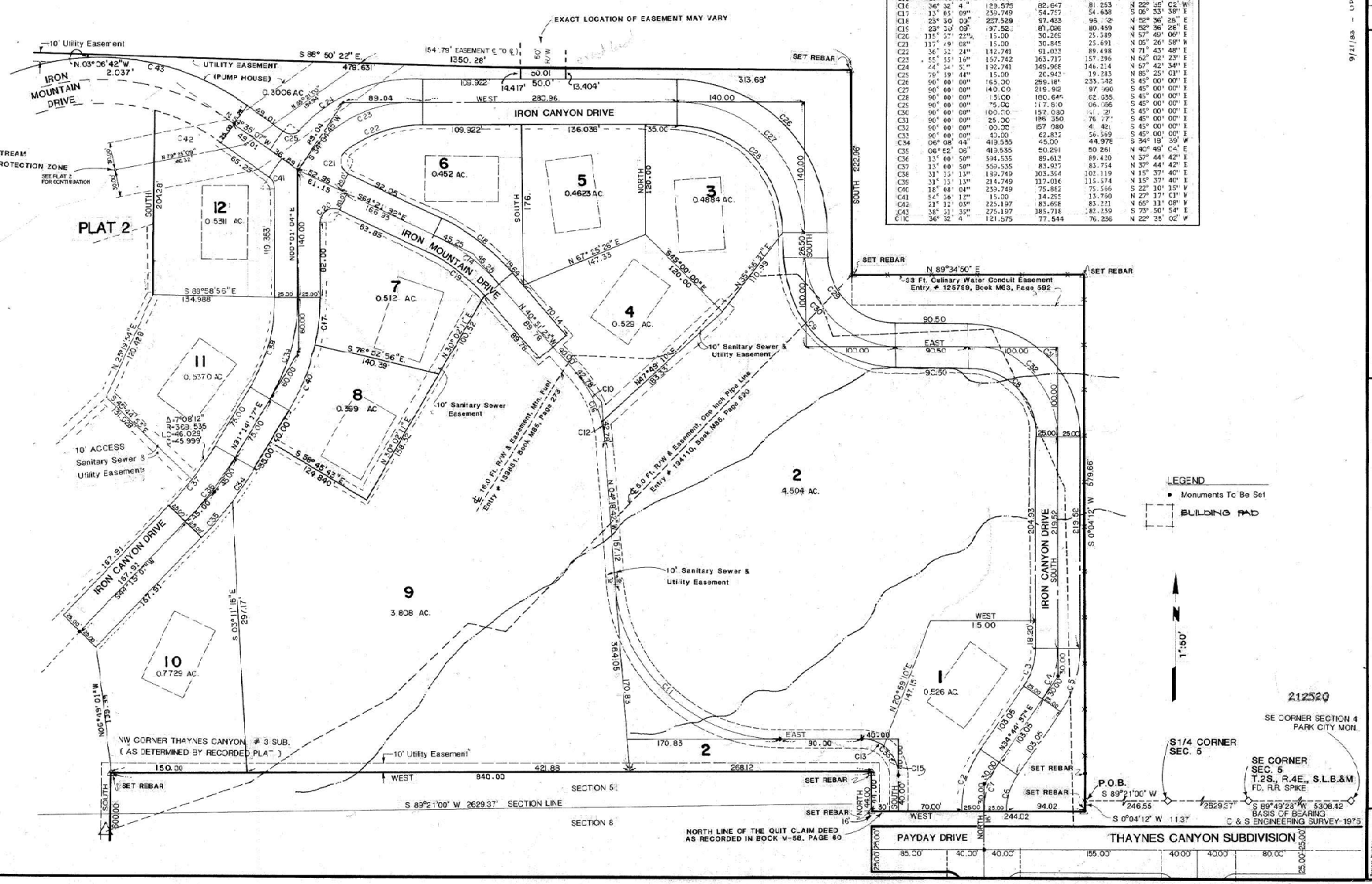
Packet Pg. 66

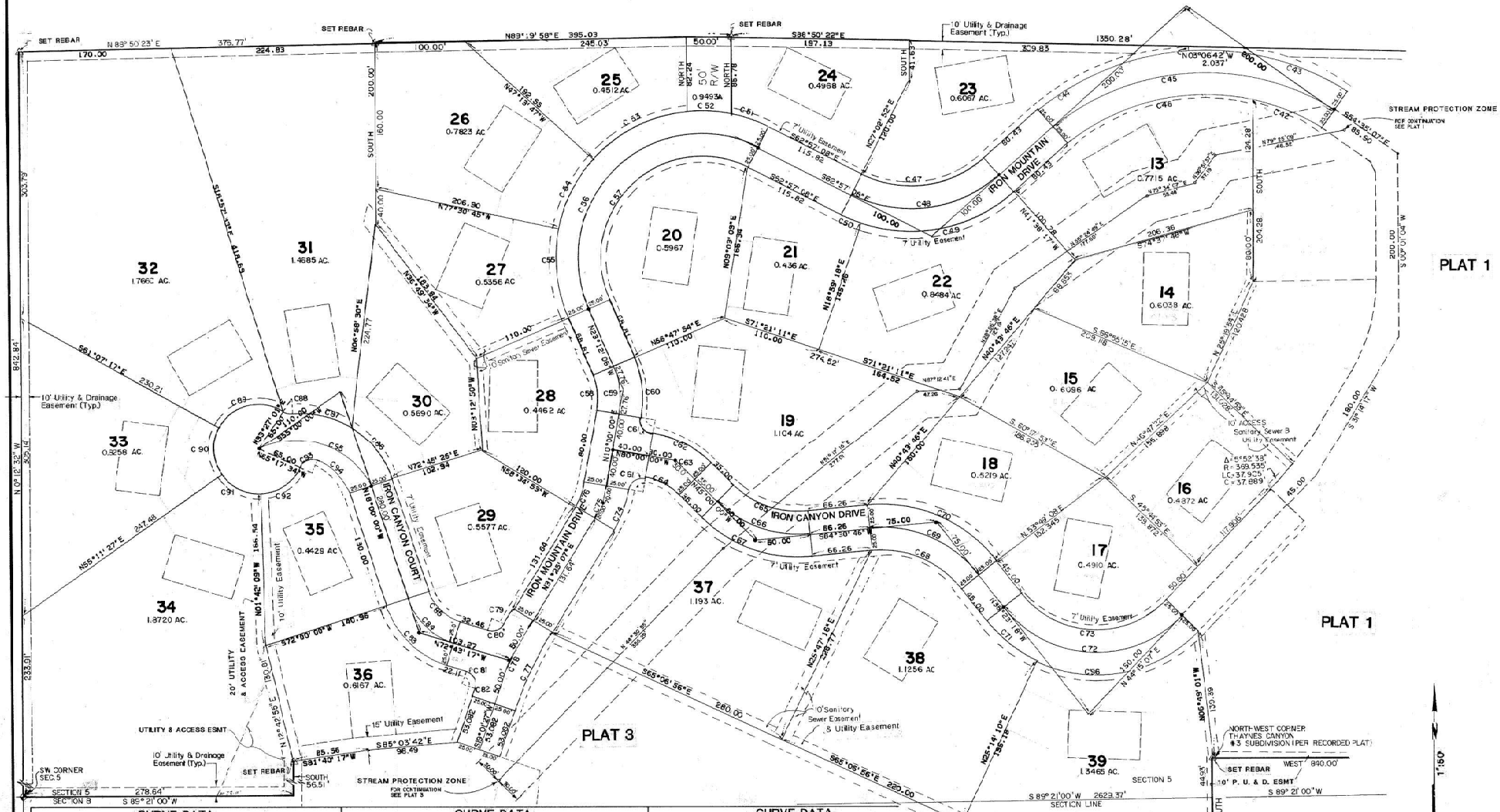
Osborne 1800-3/C-92382

IRON CANYON

CURVE DATA

	Δ	R	L	C	CHORD BEARING
C2	34° 44' 37"	120.896	73.31	72.192	N 17° 22' 18" E
C3	34° 44' 37"	70.896	42.95	42.335	N 17° 22' 18" E
C4	34° 44' 37"	95.896	58.15	57.263	N 17° 22' 18" E
C5	34° 44' 37"	120.896	73.31	72.192	N 17° 22' 18" E
C6	34° 44' 37"	70.896	42.95	42.335	N 17° 22' 18" E
C7	34° 44' 37"	95.896	58.15	57.263	N 17° 22' 18" E
C8	90° 00' 00"	75.00	117.81	106.066	N 45° 00' 00" W
C9	90° 00' 00"	125.00	196.350	176.777	N 45° 00' 00" W
C10	27° 34' 43"	129.575	62.369	61.759	S 27° 04' 01" E
C11	85° 41' 18"	184.195	275.472	250.508	N 47° 09' 21" E
C12	08° 57' 58"	129.575	20.277	20.275	S 08° 47' 41" E
C13	39° 10' 09"	40.00	26.647	26.157	S 70° 54' 56" E
C14	23° 30' 09"	217.529	89.230	88.606	N 52° 36' 28" W
C15	51° 49' 51"	40.00	36.185	34.964	S 25° 54' 56" E
C16	36° 32' 4"	129.575	82.647	81.253	N 22° 35' 23" W
C17	113° 05' 09"	259.749	54.759	54.638	S 06° 53' 38" E
C18	23° 30' 09"	237.529	97.433	96.720	N 52° 36' 28" E
C19	23° 30' 09"	197.529	80.086	80.459	N 52° 36' 28" E
C20	115° 37' 22"	15.00	30.265	25.389	N 57° 49' 06" E
C21	117° 49' 08"	15.00	30.845	25.691	N 05° 26' 58" W
C22	36° 32' 24"	142.741	91.033	89.498	N 71° 43' 48" E
C23	55° 55' 16"	157.742	163.717	157.296	N 62° 02' 23" E
C24	44° 34' 57"	192.741	149.968	146.214	N 57° 42' 54" E
C25	79° 39' 44"	15.00	20.942	19.283	N 85° 25' 03" E
C26	90° 00' 00"	165.00	259.181	233.542	S 45° 00' 00" E
C27	90° 00' 00"	140.00	219.911	197.990	S 45° 00' 00" E
C28	90° 00' 00"	115.00	180.642	162.635	S 45° 00' 00" E
C29	90° 00' 00"	75.00	117.810	106.066	S 45° 00' 00" E
C30	90° 00' 00"	100.00	157.080	[illegible]	S 45° 00' 00" E
C31	90° 00' 00"	25.00	196.350	176.777	S 45° 00' 00" E
C32	90° 00' 00"	100.00	157.080	141.421	S 45° 00' 00" E
C33	90° 00' 00"	40.00	62.832	56.569	S 45° 00' 00" E
C34	065° 08' 44"	419.535	45.00	44.976	S 34° 19' 39" W
C35	068° 52' 06"	419.535	50.291	50.261	N 40° 49' 04" E
C36	13° 00' 50"	394.535	89.612	89.420	N 37° 44' 42" E
C37	13° 00' 50"	359.535	83.927	83.734	N 37° 44' 42" E
C38	33° 13' 13"	189.749	103.354	102.119	N 15° 37' 40" E
C39	33° 13' 13"	214.749	117.016	115.574	N 15° 37' 40" E
C40	18° 08' 04"	239.749	75.882	75.566	S 22° 10' 15" W
C41	54° 36' 27"	15.00	14.295	13.760	N 27° 17' 01" W
C42	21° 12' 05"	225.197	83.658	83.221	N 65° 11' 08" W
C43	38° 31' 35"	275.197	185.718	182.339	S 73° 50' 54" E
C110	36° 32' 4"	121.575	77.544	76.236	N 22° 35' 02" W





CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C44	38° 31' 35"	276.197	185.718	182.239	N 67° 37' 31" E
C45	77° 03'10"	251.197	337.815	312.526	N 86° 53' 28" E
C46	55° 53' 07"	226.197	220.497	211.806	N 76° 17' 57" E
C47	68° 41' 05"	131.359	145.485	136.928	N 82° 42' 28" E
C48	68° 41' 05"	146.359	175.454	165.135	N 82° 42' 28" E
C49	60° 37' 35"	171.359	181.320	172.976	N 78° 40' 30" E
C50	8° 03' 34"	171.359	24.104	24.084	S 66° 58' 55" E
C51	14° 47' 29"	162.375	41.918	41.802	S 70° 20' 53" E
C52	17° 44' 37"	162.375	50.285	50.084	S 86° 36' 56" E
C53	41° 44' 37"	162.375	118.296	115.667	N 63° 38' 29" E
C54	30° 16' 57"	162.375	85.829	84.824	N 27° 37' 44" E
C55	35° 41' 22"	162.375	101.142	99.514	N 05° 21' 25" W
C56	143° 55' 23"	337.375	536.264	258.381	N 46° 55' 23" E
C57	143° 14' 58"	112.375	275.069	211.359	N 46° 55' 23" E
C58	33° 12' 00"	68.121	39.475	38.925	N 66° 36' 03" W

CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C59	33° 12' 05"	93.121	53.962	53.210	N 06° 36' 03" W
C60	33° 12' 05"	118.121	68.448	67.495	N 06° 36' 03" W
C61	90° 00' 00"	15.00	23.56	21.21	N 34° 59' 57" W
C62	35° 00' 00"	120.148	73.394	72.238	N 62° 30' 00" W
C63	35° 00' 00"	95.148	58.123	57.223	S 62° 30' 00" E
C64	35° 00' 00"	70.148	42.851	42.188	S 62° 30' 00" E
C65	50° 29' 14"	102.255	90.104	87.217	N 70° 14' 37" W
C66	50° 29' 14"	127.255	112.133	108.540	S 70° 14' 37" E
C67	50° 29' 14"	152.255	134.162	129.864	S 70° 14' 37" E
C68	57° 05' 56"	112.849	112.463	107.865	S 66° 56' 16" E
C69	57° 05' 56"	137.849	137.375	131.761	S 66° 56' 16" E
C70	57° 05' 56"	162.849	162.289	155.656	S 66° 56' 16" E
C71	26° 22' 32"	156.872	72.214	71.578	S 51° 34' 34" E
C72	97° 21' 55"	131.872	224.083	198.080	S 87° 04' 05" E

CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C73	97° 21' 35"	106.872	181.501	160.528	S 87° 04' 05" E
C74	21° 25' 07"	130.753	48.879	48.595	N 20° 42' 34" E
C75	21° 25' 07"	105.753	39.533	39.303	N 20° 42' 34" E
C76	21° 25' 07"	80.753	30.187	30.012	N 20° 42' 34" E
C77	12° 23' 40"	455.466	94.202	94.018	N 25° 13' 17" E
C78	12° 23' 40"	460.466	99.61	99.416	S 52° 29' 17" E
C79	02° 08' 45"	485.466	18.181	18.18	N 30° 20' 44" E
C80	78° 00' 23"	15.00	20.422	18.881	N 68° 16' 32" E
C81	92° 44' 57"	15.00	24.282	21.736	S 26° 20' 39" E
C82	01° 00' 13"	485.466	8.502	8.502	S 19° 31' 33" W
C83	54° 43' 16"	102.298	97.708	94.006	S 49° 21' 39" E
C84	54° 43' 16"	77.298	73.828	71.050	N 49° 21' 39" W
C85	54° 43' 16"	52.298	49.948	48.073	S 49° 21' 39" E
C86	40° 05' 26"	106.396	74.445	72.937	N 58° 02' 43" W
C87	37° 02' 28"	106.396	68.785	67.562	N 79° 36' 40" W
C88	38° 34' 54"	15.00	10.101	9.911	N 79° 50' 26" W

CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C89	94° 34' 18"	50.00	82.529	73.475	S 76° 09' 52" E
C90	53° 41' 15"	50.00	55.578	52.761	S 62° 57' 55" E
C91	55° 53' 36"	50.00	49.649	47.534	S 63° 35' 23" E
C92	55° 35' 25"	50.00	55.495	52.588	N 56° 36' 08" E
C93	92° 40' 10"	13.00	21.643	19.314	N 66° 02' 33" E
C94	34° 37' 24"	56.256	55.766	51.752	S 45° 18' 43" E
C95	107° 03' 00"	83.356	152.007	130.851	N 73° 36' 00" E
C96	70° 59' 09"	156.872	194.350	182.157	N 44° 35' 00" E

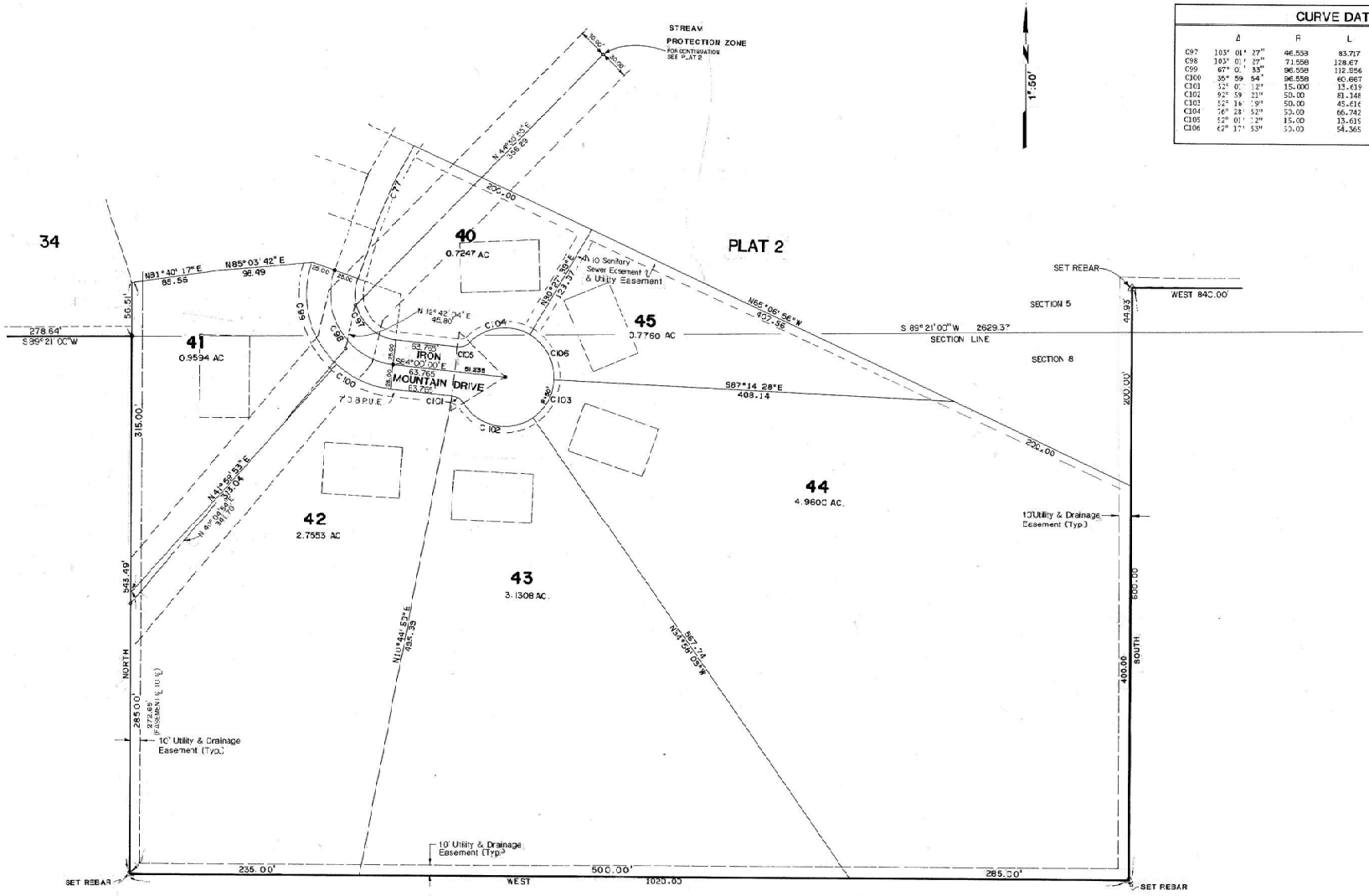
ECKHOFF, WATSON and PREATOR ENGINEERING
1798 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS

The Boyer Company 675 East 500 South Salt Lake City, Utah 84102

IRON CANYON

SHEET 4 OF 5

IRON CANYON



CURVE DATA					
	Δ	R	L	C	CHORD BRG.
C97	103° 01' 27"	46.558	83.717	72.886	S 32° 25' 17" E
C98	103° 01' 27"	71.558	128.67	112.023	S 32° 25' 17" E
C99	67° 0[illegible]' 33"	96.558	112.956	106.625	S 14° 25' 20" E
C100	35° 59' 54"	96.558	60.667	59.674	S 85° 00' 02" E
C101	52° 0[illegible]' 12"	15.000	13.619	13.[illegible]56	S 57° 59' 24" E
C102	92° 59' 21"	50.00	81.148	72.5[illegible]	S 78° 28' 28" E
C103	52° 16' [illegible]9"	50.00	45.61[illegible]	44.050	N 28° 53' 42" E
C104	76° 28' 52"	50.00	66.742	61.896	S 82° 13' 13" W
C105	52° 01' 12"	15.00	13.615	13.156	S 57° 59' 24" E
C106	62° 37' 53"	50.00	54.365	51.727	N 23° 25' 24" W

212520

EWP ECKHOFF, WATSON and PREATOR ENGINEERING
1786 SOUTH WEST TEMPLE SALT LAKE CITY, UTAH 84115
ENGINEERS • PLANNERS • SURVEYORS

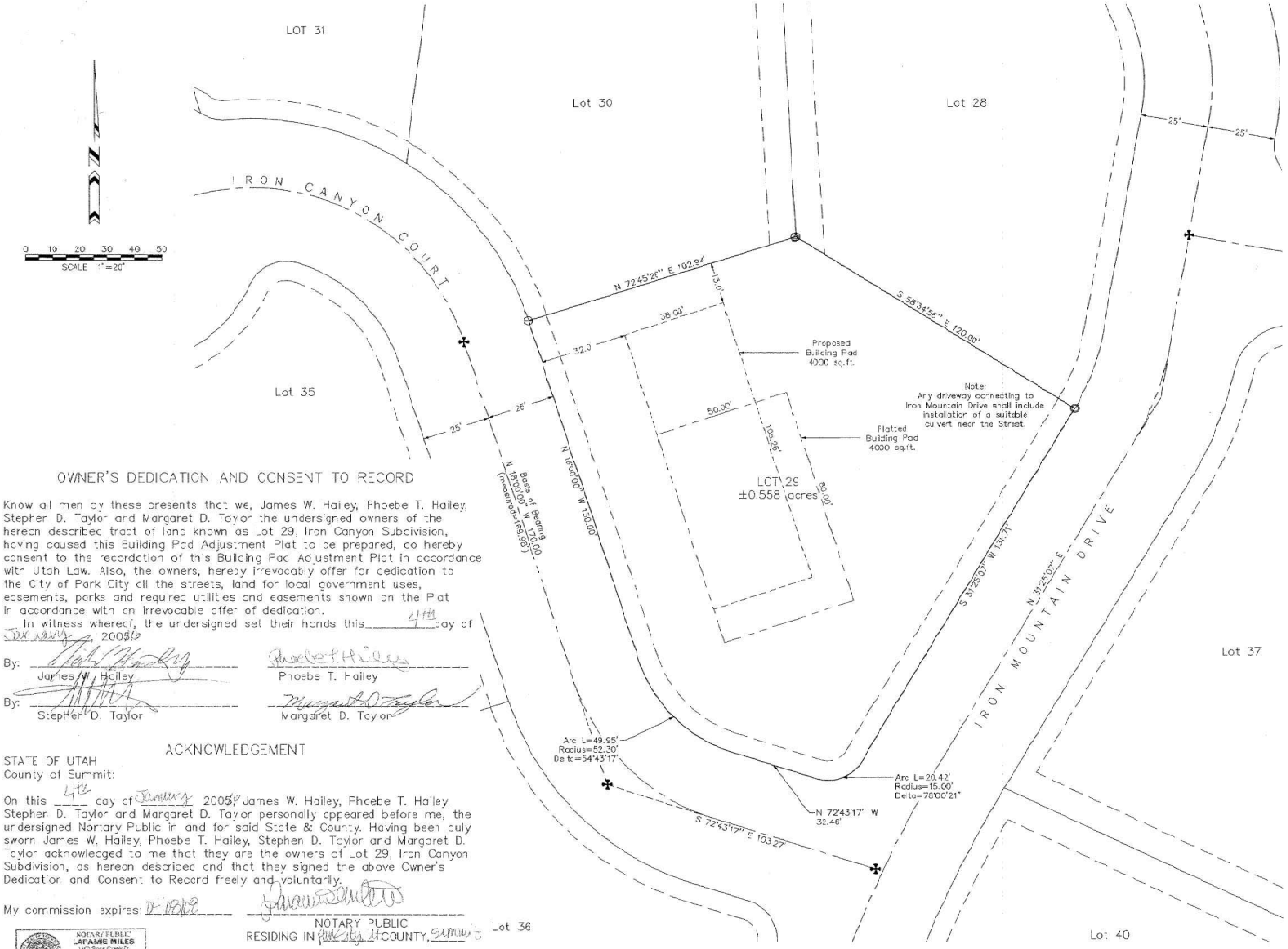
The Boyer Company 675 East 500 South Salt Lake City, Utah 84102

IRON CANYON

SHEET 5 OF 5

Exhibit G – Iron Canyon Subdivision Lot 29 Building Pad Adjustment

Iron Canyon Subdivision
Lot 29
Building Pad Adjustment



NARRATIVE

1. Survey requested by: James W. Hailey, et al.
2. Purpose of survey: building pad adjustment.
3. Basis of survey: found Street Monuments as shown.
4. Property monuments found as shown.
5. Located in the Southwest Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
6. See the official plat of Iron Canyon Subdivision, for other ~~possible~~ easements, restrictions or setbacks
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. The Street address of the Lot is 2461 Iron Mountain Drive.

LEGAL DESCRIPTION

All of Lot 29, Iron Canyon Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; containing 0.558 acres, more or less.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that we, James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor the undersigned owners of the hereon described tract of land known as Lot 29, Iron Canyon Subdivision, having caused this Building Pad Adjustment Plat to be prepared, do hereby consent to the recordation of this Building Pad Adjustment Plat in accordance with Utah Law. Also, the owners, hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the Plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set their hands this 4th day of January, 2005

By: James W. Hailey — Phoebe T. Hailey

By: Stephen D. Taylor — Margaret D. Taylor

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this 4th day of January 2005 James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor personally appeared before me, the undersigned Notary Public in and for said State & County. Having been duly sworn James W. Hailey, Phoebe T. Hailey, Stephen D. Taylor and Margaret D. Taylor acknowledged to me that they are the owners of Lot 29, Iron Canyon Subdivision, as hereon described and that they signed the above Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: Dec 2006

NOTARY PUBLIC
RESIDING IN Park City, UT COUNTY, Summit

NOTARY PUBLIC LAFAMIE WILES 1400 Bear Creek Dr. Park City, UT 84060 My Commission Expires Dec. 2006 STATE OF UTAH

SURVEYOR'S CERTIFICATE

I, J.D. Galey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.

Dec. 13, 05 — Date

J.D. Galey LS #359005

Legend

- ✠ Found Street Monument
- ⊕ Found rebar & cap–LS 359005
- ◎ Found rebar & cap–LS 163861
- O Found rebar & cap–LS 187521
- Utility & Drainage Easement
- Platted Building Pad
- Proposed Building Pad

Alpine Survey, Inc.
15 Prospector Dr.
Park City, Utah 84060
(435) 655-8016

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS, ON THIS 4th DAY OF July, 2006
BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 12 DAY OF January, 2006 A.D.
BY: CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 5TH DAY OF January, 2006 A.D.
BY: PE
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 17 DAY OF January, 2006 A.D.
BY: PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 10 DAY OF November, 2005 A.D.
BY: PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 10th DAY OF November, 2005 A.D.
BY: Dana Williams
MAYOR

RECORDED
#767452
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF First American Title
DATE 2/8/06 TIME 12:37PM BOOK — PAGE —
31.00 FEE
Mary Ann Trivell - deputy
RECORDER

Exhibit H – Iron Canyon Subdivision Amendment to Lot 11

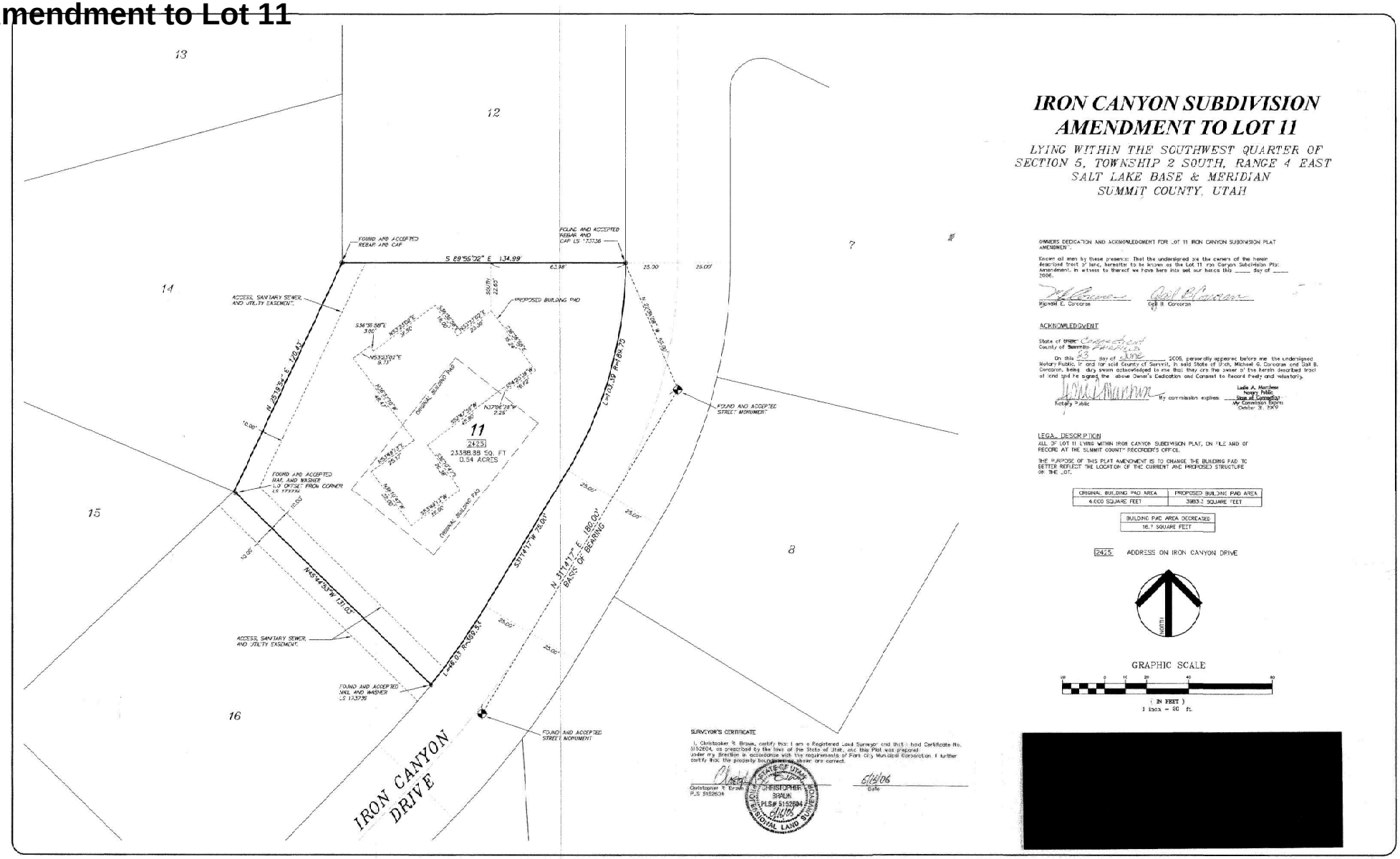
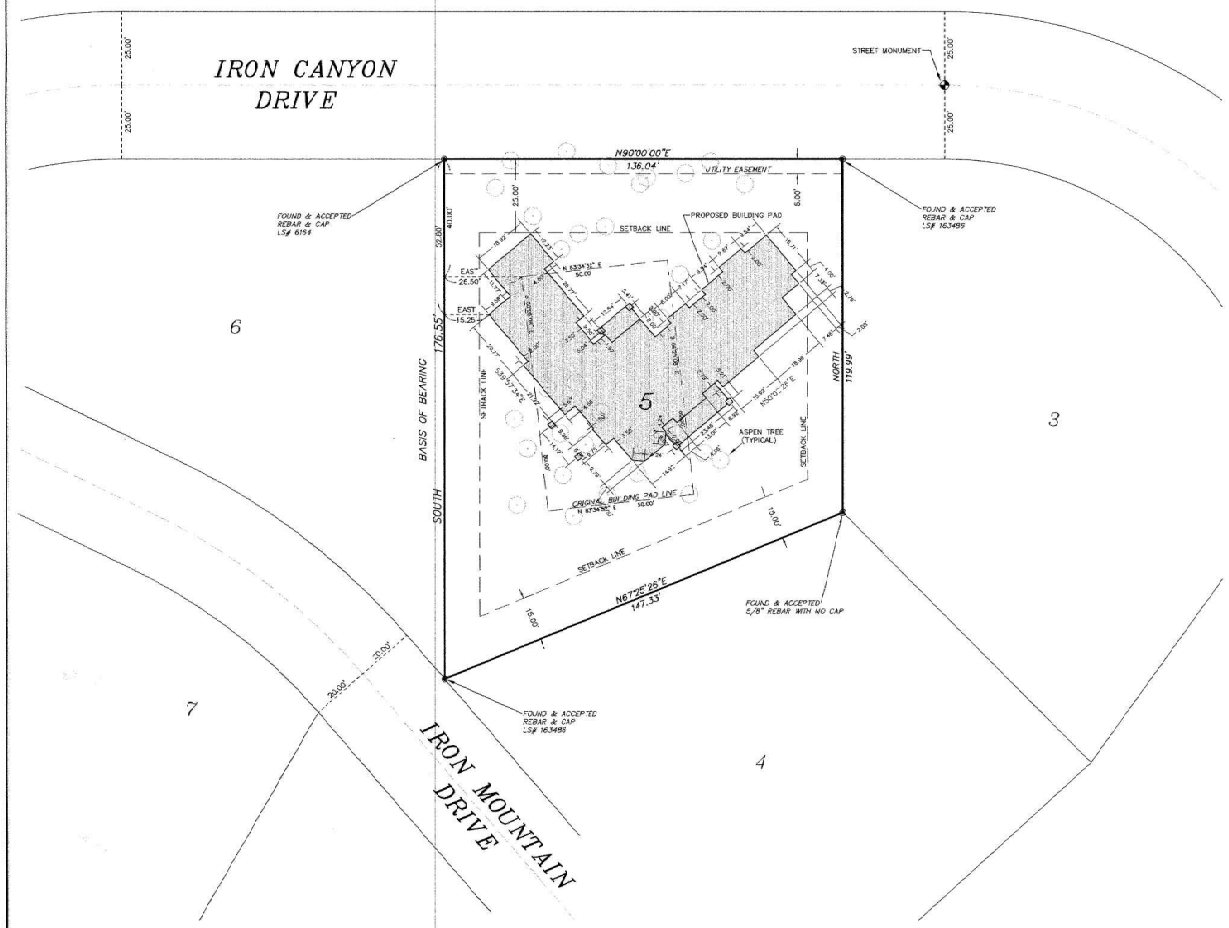


Exhibit I – Iron Canyon Lot 5 Amended Subdivision

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.



IRON CANYON LOT 5 AMENDED SUBDIVISION

LYING WITHIN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN SUMMIT COUNTY, UTAH

NORTH

SURVEYOR'S CERTIFICATE

I, Christopher R. Braun, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5152804, as prescribed by the laws of the State of Utah, and this Plat was prepared under my direction in accordance with the requirements of Park City Municipal Corporation. I further certify that the property boundaries as shown are correct.

Christopher R. Braun
PLS # 5152804

CHRISTOPHER R. BRAUN PLS# 5152804

10/16/06
Date

OWNERS DEDICATION AND ACKNOWLEDGMENT FOR LOT 5 IRON CANYON SUBDIVISION PLAT AMENDMENT.

Known all men by these presents: That the undersigned are the owners of this herein described tract of land, hereafter to be cover as IRON CANYON LOT 5 AMENDED SUBDIVISION

In witness whereof we have here into set our hands this ____ day of ____ 2006.

~~Keith G. Bernhard, Trustee of The Bernhard Family Trust / ated February 28, 2001~~
SCOTT L. JAFFA NOVEMBER 30, 2006

~~Connie R. Bernhard, Trustee of The Bernhard Family Trust dated February 28, 2001,~~

ACKNOWLEDGMENT

State of Utah:
County of Summit:

On this 30 day of November 2006, personally appeared before me, the undersigned Notary Public, in and for said County of Summit, in said State of Utah ~~Keith G. Bernhard and Connie R. Bernhard, Trustees of the Bernhard Family Trust dated February 28, 2001,~~ being duly sworn acknowledged to me that they are the owner of the herein described tract of land and he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public
My commission expires: 7-13-2010

LEGAL DESCRIPTION
ALL OF LOT 5 LYING WITHIN IRON CANYON SUBDIVISION PLAT, ON FILE AND OF RECORD AT THE SUMMIT COUNTY RECORDER'S OFFICE.

THE BUILDING PAD ON THIS LOT MUST BE WITHIN THE SETBACK LINES SHOWN ON THE RECORDED IRON CANYON SUBDIVISION PLAT AND MUST MAINTAIN A MAXIMUM AREA EQUAL TO OR LESS THAN THE ORIGINAL BUILDING PAD'S 4000 SQ. FEET

PROPOSED BUILDING PAD SIZE: 3824 SQ. FEET

ALL OTHER CONDITIONS OF APPROVAL AND PLATTED REQUIREMENTS FOR THE IRON CANYON SUBDIVISION WILL CONTINUE TO APPLY.

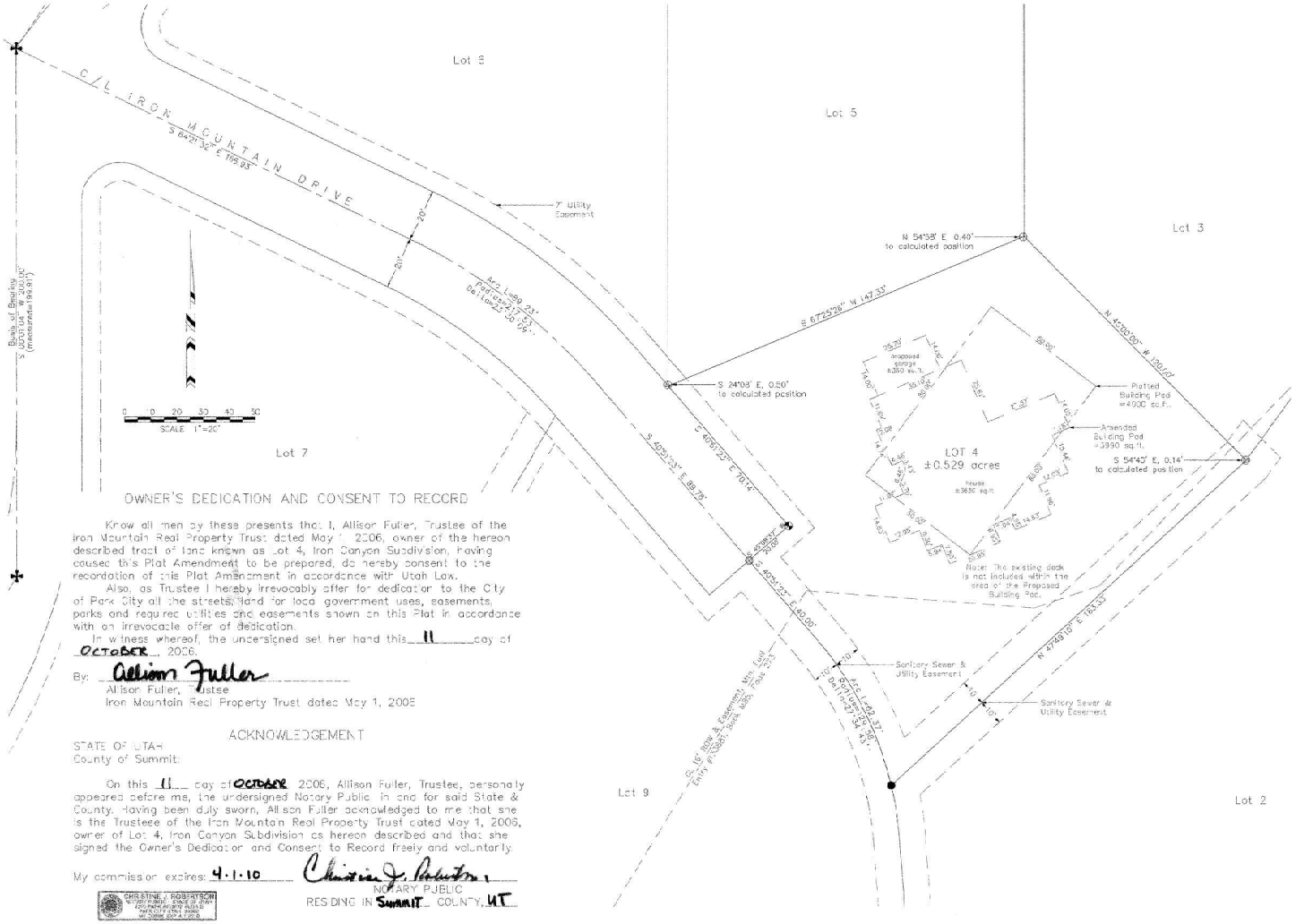
THE STREET ADDRESS OF LOT 5 IS 2414 IRON CANYON DRIVE

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	SEWER DISTRICT APPROVAL	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS 28th DAY OF SEPTEMBER A.D. 2006. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 30TH DAY OF NOVEMBER A.D. 2006	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF SEPTEMBER A.D. 2006.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS 05 DAY OF November A.D. 2006	APPROVED AS TO FORM ON THIS 12TH DAY OF December A.D. 2006	Nº 299969 DATE 12/22/06 TIME 3:19 PM STATE OF UTAH. COUNTY OF SUMMIT. RECORDED AND FILED AT THE REQUEST OF: FIRST AMERICAN TITLE CO OF UTAH FEE $31.00
CITY RECORDER	CITY ENGINEER	CHAIRMAN	S.B.W.R.C.	CITY ATTORNEY	COUNTY RECORDER

PARK CITY SURVEYING, INC.
P.O BOX 3003 PARK CITY, UTAH 84060
435-649-2818 FAX 649-4637

Exhibit J – Iron Canyon Subdivision Lot 4 Plat Amendment

Iron Canyon Subdivision
Lot 4
Plat Amendment



NARRATIVE

1. Survey requested by: Allison Fuller.
2. Purpose of survey: building pad adjustment.
3. Basis of survey: found Street Monuments as shown.
4. Property monuments found as shown.
5. Located in the Southwest Quarter of Section 5, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
6. See the official plat of Iron Canyon Subdivision, for other possible easements, restrictions or setbacks.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. The Street address of Lot 4 is 2409 Iron Mountain Drive.

LEGAL DESCRIPTION

All of Lot 4, Iron Canyon Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder; containing 0.529 acres, more or less.

SURVEYOR'S CERTIFICATE

I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said property.

10/6/06
Date

J.D. Gailey 359005

STATE OF UTAH 10/6/06 J.D. GAILEY 359005 REGISTERED PROFESSIONAL LAND SURVEYOR

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that I, Allison Fuller, Trustee of the Iron Mountain Real Property Trust dated May 1, 2006, owner of the hereon described tract of land known as Lot 4, Iron Canyon Subdivision, having caused this Plat Amendment to be prepared, do hereby consent to the recordation of this Plat Amendment in accordance with Utah Law.

Also, as Trustee I hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on this Plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set her hand this 11 day of OCTOBER, 2006.

By: Allison Fuller
Allison Fuller, Trustee
Iron Mountain Real Property Trust dated May 1, 2006

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit:

On this 11 day of OCTOBER 2006, Allison Fuller, Trustee, personally appeared before me, the undersigned Notary Public in and for said State & County, having been duly sworn, Allison Fuller acknowledged to me that she is the Trustee of the Iron Mountain Real Property Trust dated May 1, 2006, owner of Lot 4, Iron Canyon Subdivision as hereon described and that she signed the Owner's Dedication and Consent to Record freely and voluntarily.

My commission expires: 4-1-10 Christine J. Robertson
NOTARY PUBLIC
RESIDING IN SUMMIT COUNTY, UT

CHRISTINE J. ROBERTSON NOTARY PUBLIC STATE OF UTAH 2010 NORTH MAIN ALLEN PARK, UT 84060 MY COMM. EXP. 4-1-2010

Legend

- Found Street Monument
- Found rebar & cap–LS 173736
- Found rebar & cap–LS 154491
- Found rebar & cap–LS 163486
- Found rebar & cap–unreadable
- Found 5/8" rebar–no cap
- Found rebar & cap–LS 359005
- Utility & Drainage Easement
- Platted Building Pad
- Proposed Building Pad

Alpine Survey, Inc. 19 Prospector Dr. Park City, Utah 84060 (435) 655-8018	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 11th DAY OF Oct, 2006. BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 23rd DAY OF August, 2006 A.D. BY: CHAIRMAN	ENGINEER'S CERTIFICATE I AME THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 17TH DAY OF OCTOBER, 2006 A.D. BY: PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS 27th DAY OF October, 2006 A.D. BY: PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 14th DAY OF September, 2006 A.D. BY: PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 14th DAY OF September, 2006 A.D. BY: Dana Williams MAYOR	# 795864 RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Equity Title DATE 11-16-06 TIME 10:57 AM BOOK ____ PAGE ____ $31.00 FEE Jeanette Bowen, Deputy RECORDER

Planning Commission
Staff Report

PLANNING DEPARTMENT

Subject: **Courchevel Condominiums at Deer Valley Sixth Amended**
Authors: **Tippe Morlan, Planner II**
Date: **April 12, 2017**
Type of Item: **Legislative – Condominium Plat Amendment**

Project Number:	PL-16-03208
Applicant:	Summit Engineering Group, Michael Johnston, representative of owner
Location:	2700 Deer Valley Drive East, Unit B101
Zoning:	Residential Development (RD-MPD) as part of the Deer Valley MPD
Adjacent Land Uses:	Condominium units, Deer Valley resort parking, open space
Reason for Review:	Condominium Amendments require Planning Commission review and City Council approval.

Proposal
The applicant is requesting to amend the existing Courchevel Condominiums at Deer Valley condominium plat for Unit B101 (Exhibit A). The amendment is a request to convert the existing common attic area into private area for Unit B101.

Summary Recommendations
Staff recommends that the Planning Commission holds a public hearing and considers forwarding a **positive recommendation** to the City Council for the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Background
December 27, 1984 – The Courchevel Condominiums at Deer Valley plat was initially approved by the City Council. It was recorded at Summit County on December 31, 1984 (see Exhibit B) with 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.

November 1989 – A **plat amendment** was approved and recorded increasing the number of residential condominium units to forty-one (41) (see Exhibit B).

February 2012 – A **second plat amendment** was recorded converting 608 square feet of common attic area above each of Units B301 and B303 – 1,216 square feet total – to private area. The only exterior changes during this second amendment were the addition of windows on the south side of Building B (see Exhibit B). Additionally, this amendment removed Building A, an unbuilt building, from the original plat leaving 27 condominium units and 29 parking spaces in this development. Buildings B and C were completed in 1988.

December 2012 – A **third plat amendment** was recorded converting 470 square feet of common attic area above Unit B202 to private area for an additional bedroom and bathroom (see Exhibit B).

January 14, 2013 – A **fourth plat amendment** was recorded converting 608 square feet of common attic area above Unit B304 to private area for an additional bedroom and bathroom. The only exterior change during the fourth amendment was the addition of a matching window on the south side of Building B (see Exhibit B).

September 4, 2014 – A **fifth plat amendment** was recorded converting 139 square feet of common space to private area for Unit C301 to construct a private loft space with no exterior changes.

June 2016 - The City received an application for a **sixth amendment** to the Courchevel Condominiums at Deer Valley plat (Exhibit A). However, after the application was received, City staff noted that there was no HOA approval for the application.

February 2017 – The Courchevel Condominium Owner's Association voted to approve the conversion of Common Area to Private Area for Unit B101, with more than two thirds of members voting in favor of this amendment. At that point the application was complete and go move forward.

Residential District Zone Purpose

The purpose of the Residential Development RD District is to:

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

Analysis

The Courchevel Condominiums are located at 2700 Deer Valley Drive East within the Deer Valley community portion of the Deer Valley Resort Master Planned Development (MPD). This current application requests conversion of 314.4 square feet of common attic space above Unit B101 to private area for an additional bedroom and bathroom. There are no exterior changes proposed, although a new window will be required in order to use this as living space.

The proposed amendment is consistent with the purpose statements of the district in that the use as residential condominiums is unchanged, the additional floor area is proposed within the existing structure minimizing site disturbance, preserving the

existing natural open space, and minimizing impacts of development. The additional floor area exists as loft space and there are no exterior changes.

Deer Valley MPD Requirements
The property is subject to the following criteria:

	Permitted through MPD	Proposed
Height	Height allowed in the Deer Valley Master Plan for the Courchevel parcel is 35' from existing grade.	No additional building height is proposed. All proposed construction is within the existing building envelope and roof. Building complies with the 35' height allowance.
Front setback	Twenty feet (20')	No construction is proposed into the existing 20' front setbacks.
Rear setback	Fifteen feet (15')	No construction is proposed into the existing 15' rear setbacks.
Side setbacks	Twelve (12')	No construction is proposed into the existing 12' side setbacks.
Residential Unit Equivalents	Allowed: 13.5 UEs Existing: 11.39 UEs 22 units at 759 square feet, 3 units at 1,367 square feet, 1 unit at 1,229 square feet, and 1 unit at 898 square feet for an existing total of 22,926 square feet	Proposed increase of 314.4 square feet totaling 23,240.4 square feet. (11.62 UE). Unit B101 will be 1,073.4 square feet in area with approval of this plat amendment.
Commercial and Office uses Support uses	No commercial or office uses exist	No commercial or office uses are proposed.
Parking	Existing: 31 spaces underground for 27 units Required: 29 spaces 1 space per unit less than 1,000 SF (23 units), and 1.5 spaces per unit between 1,000 SF and 2,000 SF (4 units).	One half space of additional parking is required for the additional 314.4 square feet added to B101 since the unit increases to a size above 1,000 total square feet and under 2,000 total square feet.

The building does not exceed the allowable 35' building height and there are no non-conforming setback issues. All construction is proposed within the existing building envelope.

Unit Equivalents
The property is subject to requirements and restrictions of the Deer Valley Resort 12th Amended and Restated Large Scale Master Planned Development (MPD). Under this MPD, Unit Equivalents (UEs) are calculated at 2,000 square feet for each UE. The MPD originally allowed up to 20.5 UEs, or 41,000 square feet of residential floor area (within units), for the Courchevel parcel. The MPD was amended in 2001 to transfer seven (7)

UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 22,926 square feet.

In reviewing the density and unit equivalent calculations, staff finds that there are currently 11.46 UEs, and there would be 11.62 UEs if the Sixth Amendment is approved. Unit B101 would increase by 314.4 square feet from 759 square feet to 1,073.4 square feet, and the total square feet would increase to 23,240.4 square feet (11.62 UEs) for the project. The proposed plat amendment would increase the total residential floor area by 314.4 square feet to 23,240.4 square feet; therefore, the request would not exceed the allowed 13.5 UEs (27,000 square feet) for the property. There are 3,759.6 square feet (1.88 UEs) remaining allocated to this project.

Parking

The current LMC requires one (1) parking space for any unit under 1,000 square feet and one and a half (1.5) spaces for any units greater than 1,000 square feet and less than 2,000 square feet. Since the proposed change increases the affected unit to 1,073.4 square feet, this adds a half parking space to the parking requirements for this project. The total number of required parking spaces would be 29.5 including the additional half space which would be required by this plat amendment.

This development has an underground parking structure beneath the condominium buildings with two (2) access driveways from to Deer Valley Drive East. Since there are thirty-one (31) existing parking spaces provided in this parking area, no new parking will be required.

There is undeveloped land on the property available for construction of additional off-street surface parking should it be necessary in the future; however lack of parking for this property has not been an issue in the past and sufficient parking for the proposed addition to Unit B101 can be provided within the existing parking structure. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.

Good Cause

Planning Staff finds that there is good cause for this plat amendment to reflect the as-built conditions and allow the owner to utilize the existing common attic space in Unit B101as private area without increasing the building footprint and without requiring additional parking, 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.

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 March 30, 2017, the property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. On March 25, 2017, legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input
Staff has not received public input on this application at the time of this report.

Process
Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. A Building Permit is publicly noticed by posting of the permit.

Alternatives
- The Planning Commission may recommend for approval the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 as conditioned or amended; or
- The Planning Commission may recommend denial of the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101 to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

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

Consequences of not taking the Suggested Recommendation
The unit and loft would remain as is and no construction could take place across the existing lot lines or into the common area.

Recommendation
Staff recommends the Planning Commission hold a public hearing, consider input and consider forwarding a positive recommendation to City Council for the Sixth Amendment to Courchevel Condominiums at Deer Valley plat amending Unit B101, based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Exhibits
Ordinance
Exhibit A – Proposed 6th amended plat
Exhibit B – Existing plats
Exhibit C – Aerial photographs
Exhibit D – Applicant letter

Ordinance No. 17-

AN ORDINANCE APPROVING THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY SIXTH AMENDED, LOCATED AT 2700 DEER VALLEY DRIVE EAST, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Courchevel Condominiums, located within the Deer Valley Community of the Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development (MPD) has petitioned the City Council for approval of a request for an amendment to the plat to convert the common attic space in Unit B101 to private area; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 12, 2017, to receive input on the amended plat;

WHEREAS, the Planning Commission, on April 12, 2017, forwarded a recommendation to the City Council; and,

WHEREAS, on ___, 2017, the City Council held a public hearing on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Courchevel Condominiums at Deer Valley Sixth Amended plat to reflect as-built conditions and allow the owner to utilize the attic space in Unit B101 as private area without increasing the building footprint or parking requirements beyond existing conditions, consistent with provisions of the Deer Valley MPD, as amended (12th Amended MPD).

WHEREAS, 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.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Sixth Amended Courchevel Condominiums plat, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 2700 Deer Valley Drive East.
2. The Courchevel Condominium at Deer Valley plat was approved by the City Council on December 27, 1984 and recorded at Summit County on December 31, 1984.

3. The Courchevel Condominiums at Deer Valley plat recorded 40 residential condominium units of 759 square feet each with 60 parking spaces in a shared underground garage.
4. There are two (2) access driveways from the garage to Deer Valley Drive East.
5. In November of 1989, an amended plat was approved and recorded increasing the number of residential condominium units to forty-one (41).
6. In February of 2012, a second plat amendment was recorded. This second amendment converted 608 square feet of common attic area above each of Units B301 and B303, 1,216 square feet total, to private area.
7. Two of the three approved Courchevel buildings (Buildings B and C) were constructed beginning in 1984 and completed in 1988. Building A was never constructed.
8. The second amendment reflected that Building A was not built and removed it from the plat.
9. In December of 2012, a third plat amendment was recorded. This third amendment converted 470 square feet of common attic area above Unit B304 to private area.
10. In January of 2013, a fourth plat amendment was recorded. This fourth amendment converted 608 square feet of common attic area above Unit B202 to private area.
11. In January of 2013, a fifth plat amendment was recorded. This fifth amendment converted 139 square feet of common space to private area for Unit C301.
12. Currently there are 27 condominium units and 31 underground parking spaces.
13. Each existing condominium unit contains 759 square feet, except for Units B301, B303, and B304, which contain a total of 1,367 square feet, Unit B202 which contains 1,229 square feet, and Unit C301 which contains 898 square feet. Unit B101, if approved, will contain 1073.4 square feet.
14. The property is subject to requirements and restrictions of the Deer Valley Resort 12th Amended and Restated Large Scale MPD.
15. The MPD originally allowed up to 20.5 UEs for the Courchevel parcel.
16. The MPD was amended in 2001 to transfer seven (7) UEs as 14,000 square feet to the Silver Baron condominium project, adjacent to the north, leaving 13.5 UEs for the Courchevel property.
17. At 2,000 square feet per UE, the total allowable residential square footage is 27,000 square feet. The existing residential square footage for the 27 condominium units is 23,240.4 square feet, including the pending 314.4 square feet for Unit B101 subject to approval of the Sixth Amendment.
18. On June 9, 2016, the City received a completed application for a Sixth Amendment to the Courchevel Condominiums at Deer Valley plat requesting conversion of 314.4 square feet of common attic space above Unit B101 to private area.
19. Unit B101 is located on the second floor of Building B.
20. In February 2017, Courchevel Condominium owner's association voted unanimously (with more than 2/3rds of members voting) to approve the conversion of 314.4 square feet of common attic space to private area for Unit B101.
21. There are no exterior changes proposed.
22. The proposed amendment is consistent with the purpose statements of the district.
23. Unit B101 would increase by 314.4 square feet from 759 square feet to 1,073.4 square feet, and the total floor area would become 23,240.4 square feet.
24. The total proposed UEs for the project, including the pending Sixth Amendment, would be 11.62 UEs.

25. The current Deer Valley MPD allows 13.5 UE for Courchevel Condominiums. If this amendment is approved and recorded there will be 3,759 square feet (1.88 UEs) of floor area remaining for future conversion of common area to private area. An additional 0.5 parking space would be required for each unit that exceeds 1,000 square feet, unless a parking exception is approved by the Planning Commission per LMC Section 15-3-7.
26. The building does not exceed the allowable 35' building height and there are no non-conforming setback issues.
27. All construction is proposed within the existing building envelope.
28. The current LMC requires one and a half (1.5) spaces for each unit greater than 1,000 square feet and less than 2,000 square feet. The proposed Sixth Amendment complies with this requirement.
29. Twenty-nine and a half (29.5) parking spaces will be required and thirty-one (31) spaces will exist with approval of the Sixth Amendment.
30. The property is located at the base area for Deer Valley Ski Resort and on the Park City bus route.
31. The expanded unit would comply with the current parking code.

Conclusions of Law:

1. There is good cause for this amendment to the plat.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended plat is consistent with the 12th Amended and Restated Deer Valley Master Planned Development.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the plat amendment, subject to the conditions of approval, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended 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 complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Deer Valley Resort 12th Amended and Restated Large Scale MPD and the amended Courchevel Condominiums at Deer Valley plats shall continue to apply.
4. The applicant may submit an application for a building permit according to City procedures after this plat amendment has been recorded.

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

PASSED AND ADOPTED this __ day of _____, 2017.

PARK CITY MUNICIPAL CORPORATION

_____

Jack Thomas, MAYOR

ATTEST:

_____

City Recorder

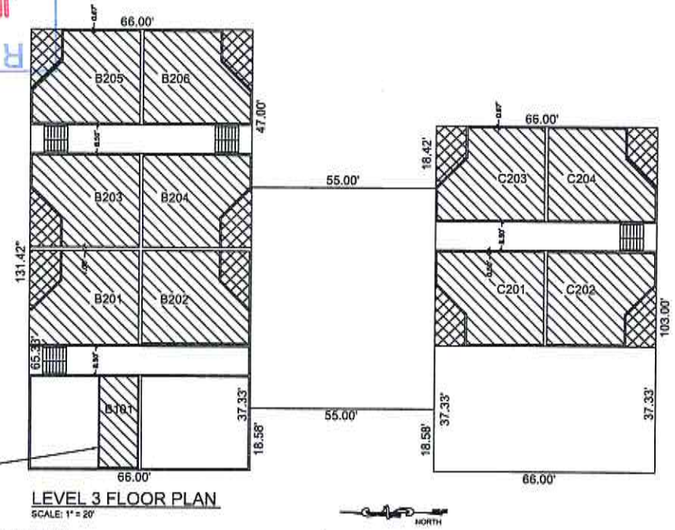
APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney

EXHIBIT A

RECEIVED
JUN 09 2016
PLANNING DEPT.
PARK CITY



LEVEL 3 FLOOR PLAN
SCALE: 1" = 20'

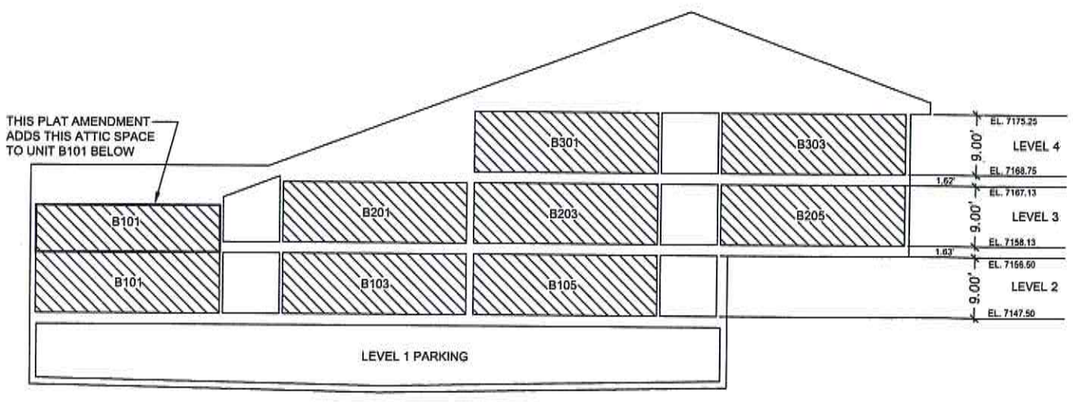
THIS PLAT AMENDMENT ADDS THIS ATTIC SPACE TO UNIT B-101 BELOW

OWNERSHIP LEGEND

- PRIVATE
- LIMITED COMMON
- COMMON

TABULATIONS

UNIT B-101
PRIVATE AREA = 813.8 SQ.FT. ON LEVEL 2
PRIVATE AREA = 314.4 SQ.FT. ON LEVEL 3
LIMITED COMMON AREA = 124 SQ.FT.



CROSS-SECTION 'B' - NORTH
SCALE: 1" = 10'

PLAT NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 329039.) THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B-101. THE ATTIC SPACE IS LOCATED ON LEVEL 3 AS NOTED AND SHOWN HEREON.
2. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY, AND ARE NOT CHANGED WITH THIS DOCUMENT. FOR INFORMATION ON ANY UNIT OTHER THAN B-101, REFER TO "COURCHEVEL CONDOMINIUMS AT DEER VALLEY" WITH RECORDATION NO. 22003, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED" WITH RECORDATION NO. 315608, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED" WITH RECORDATION NO. 939912, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY THIRD AMENDMENT" WITH RECORDATION NO. 959542, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED" WITH RECORDATION NO. 961550, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FIFTH AMENDED" WITH RECORDATION NO. 1002100,ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
3. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
4. ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 10TH AMENDED AND RESTATED LARGE SCALE MPD AND THE SECOND AMENDED COURCHEVEL CONDOMINIUMS AT DEER VALLEY SHALL CONTINUE TO APPLY.
5. THIS CONDOMINIUM PROJECT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 16-____
6. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION, AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.

CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY SIXTH AMENDMENT

-A UTAH CONDOMINIUM PROJECT-

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION OF COURCHEVEL CONDOMINIUMS AT DEER VALLEY

THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY 329039, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 938.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS LINE BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 06°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.83 FEET; THENCE NORTH 00°40'00" EAST 251.63 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00011'40" EAST 168.00 TO THE POINT OF BEGINNING.
CONTAINING 1.8226 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE 145796 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE AMENDED SAID CONDO UNIT B-101 AS SHOWN HEREON. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT AMENDMENT IS A CORRECT REPRESENTATION OF THE PROPERTY SURVEYED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8 OF THE CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57.

SURVEYOR'S SEAL

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

DATE

OWNER'S CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: _____
SCOTT POWELL, PRESIDENT

ACKNOWLEDGEMENT

STATE OF UTAH

COUNTY OF SUMMIT

ON THIS _____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME SCOTT POWELL, WHO BEING DULY SWORN, DID SAY THAT HE IS PRESIDENT OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

_____
NOTARY PUBLIC

OWNER'S CONSENT TO RECORD - UNIT B-101

KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: _____
MICHAEL DEASY

ACKNOWLEDGEMENT

STATE OF UTAH

COUNTY OF SUMMIT

ON THIS _____ DAY OF _____, 2016, PERSONALLY APPEARED BEFORE ME MICHAEL DEASY, WHO BEING DULY SWORN, DID SAY THAT HE IS THE OWNER OF UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT HE SIGNED THE FOREGOING INSTRUMENT.

_____
NOTARY PUBLIC

Summit Engineering Group Inc.
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-654-9229 • F: 435-654-9231

PROJECT NO.: 518-007
DRAWN BY: MPJ
REVIEWED BY: BC
APPROVED BY: BC
DATE: MAR 31, 2016

PARK CITY PLANNING COMMISSION	PARK CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PARK CITY ATTORNEY	CITY COUNCIL APPROVAL	CERTIFICATE OF ATTEST	RECORDER
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016.	THIS PLAT IS IN CONFORMANCE WITH THE INFORMATION IN FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPT. ON THIS _____ DAY OF _____ 2016.	REVIEWED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ____ DAY OF _____, 2016.	APPROVED AS TO FORM ON THIS ____ DAY OF _____ 2016.	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS _____ DAY OF _____, 2016.	I CERTIFY THAT THIS PLAT AMENDMENT WAS APPROVED BY THE PARK CITY COUNCIL ON THE _____ DAY OF _____, 2016.	ENTRY NO. _____ BOOK: _____ PAGE _____ STATE OF UTAH, COUNTY OF SUMMIT DATE RECORDED AT THE REQUEST OF _____
CHAIR	CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY ATTORNEY	MAYOR	CITY RECORDER	SUMMIT COUNTY RECORDER

EXHIBIT B

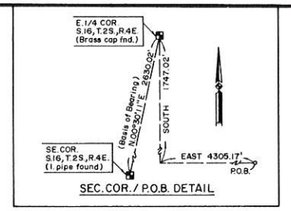
SURVEYOR'S CERTIFICATE

I, James G. West, a Registered Land Surveyor holding License No. 3082 as prescribed under the laws of the State of Utah, do hereby certify that at the request of the owner identified hereon, I have prepared this Record of Survey Map, consisting of three pages. I further certify that the information shown hereon, to the best of my knowledge and belief, is accurate and complies with the provisions of Section 57-8-13 (1) of the Utah Code Annotated, as amended to date.

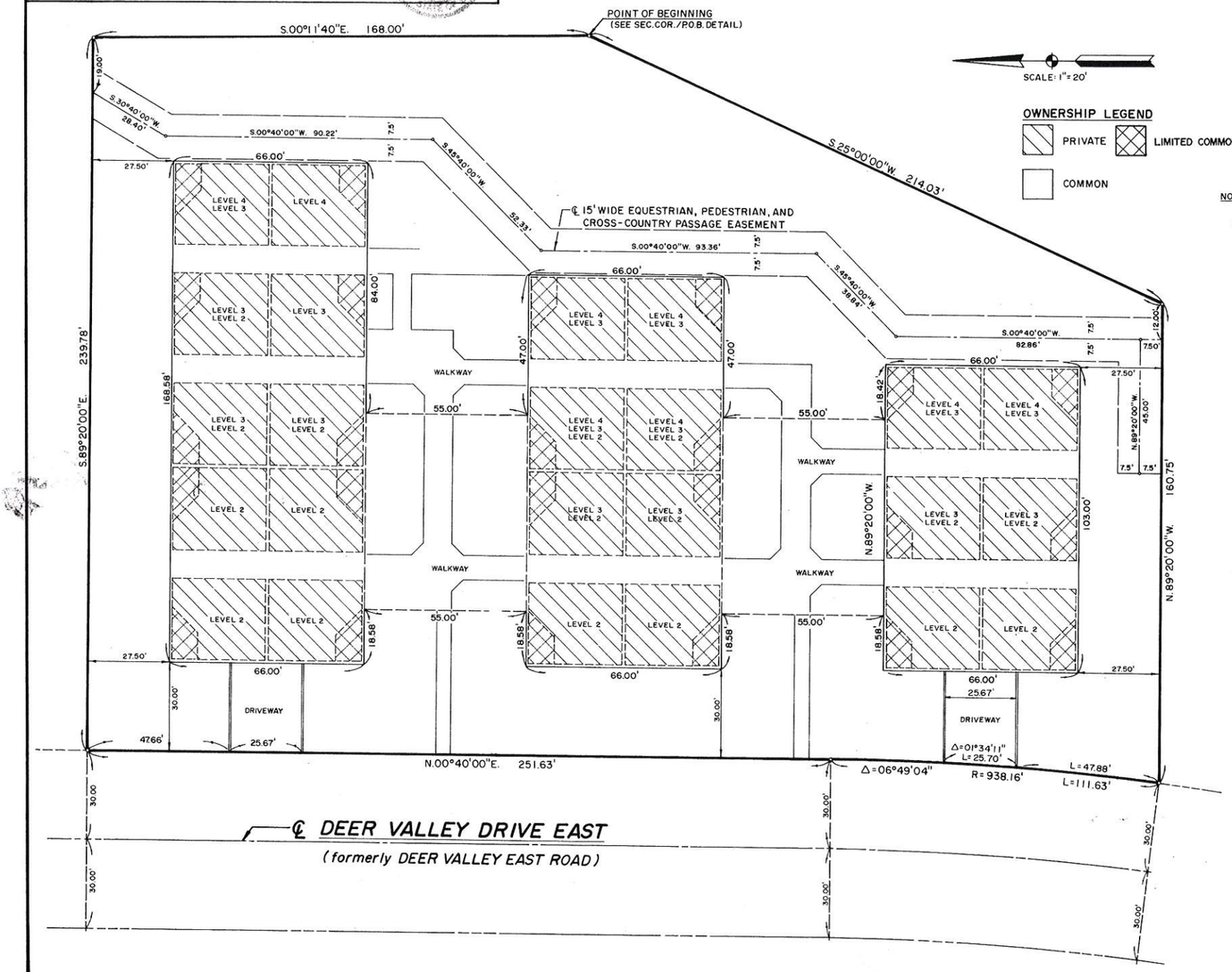
Dated this 11th day of July, 1984

James G. West

James G. West, R.L.S. No. 3082 - Utah



SEC.COR./P.O.B. DETAIL



SCALE: 1"=20'

OWNERSHIP LEGEND

PRIVATE — LIMITED COMMON — COMMON

NOTES:

1. The homeowners association is to maintain the sanitary sewer improvements.
2. "o" indicates 5/8" rebar set at boundary corner.

COURCHEVEL CONDOMINIUMS

Beginning at a point which is South 1747.02 feet and East 4305.17 feet from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 25° 00' 00" West 214.03 feet; thence North 89° 20' 00" West 160.75 feet to a point on a 938.16 foot radius curve to the left, the radius point bears North 82° 30' 56" West, of which the central angle is 06° 49' 04"; thence northerly along the arc of said curve 111.63 feet; thence North 00° 40' 00" East 251.63 feet; thence South 89° 20' 00" East 239.78 feet; thence South 00° 11' 40" East 168.00 feet to the point of beginning; containing 1.8226 acres, more or less.

OWNER'S CERTIFICATE AND CONSENT TO RECORD

KNOW ALL MEN THESE PRESENTS, that the undersigned declarant, Howe Development Utah, Inc., a Utah corporation, being the owner of the land described and shown hereon, having caused this Record of Survey Map to be prepared, does hereby consent to the recordation of the same hereafter to be known as Courchevel Condominiums at Deer Valley. Declarant hereby submits the property shown and described hereon, including the tract of land, buildings and other improvements constructed hereon or hereafter to be constructed, together with all appurtenances thereto, to the provisions of the Utah Condominium Ownership Act, as a condominium project and subject to the Declaration of Condominium recorded concurrently herewith. Owner hereby dedicates all easements as shown, and further certifies that buildings shown on this plat, but which are not yet under construction, will, when completed, be substantially as shown on this plat.

Executed this 12th day of July, 1984

Howe Development Utah, Inc., a Utah corporation

By: Richard P. Howe

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF Summit) } ss.

On this 12 day of July, 1984, personally appeared before me Richard P. Howe who being by me duly sworn, did say that he is the President of Howe Development Utah, Inc., a Utah corporation, and the signer of the foregoing Owner's Declaration and Consent to Record, and that said instrument was signed in behalf of said corporation and he acknowledged to me that said corporation executed the same.

Notary Public: Marilyn Burrell
Residing at: Park City, Utah
My Commission: 9-16-88

NOTARY PUBLIC MARILYN BURRELL STATE OF UTAH

COURCHEVEL CONDOMINIUMS
AT DEER VALLEY

LOCATED IN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN IN PARK CITY, SUMMIT COUNTY, UTAH.

SHEET 1 OF 3

original plat

CITY COUNCIL APPROVAL

PRESENTED TO THE PARK CITY COUNCIL THIS 27th DAY OF December A.D. 1984, AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED

William Coleman
MAYOR Pro Tempore

ATTEST: CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY ENGINEERING DEPARTMENT ON THIS 18TH DAY OF DECEMBER A.D. 1984.

Eric W. DeHaan, P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 26th DAY OF December A.D. 1984.

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 31 DAY OF December A.D. 1984.

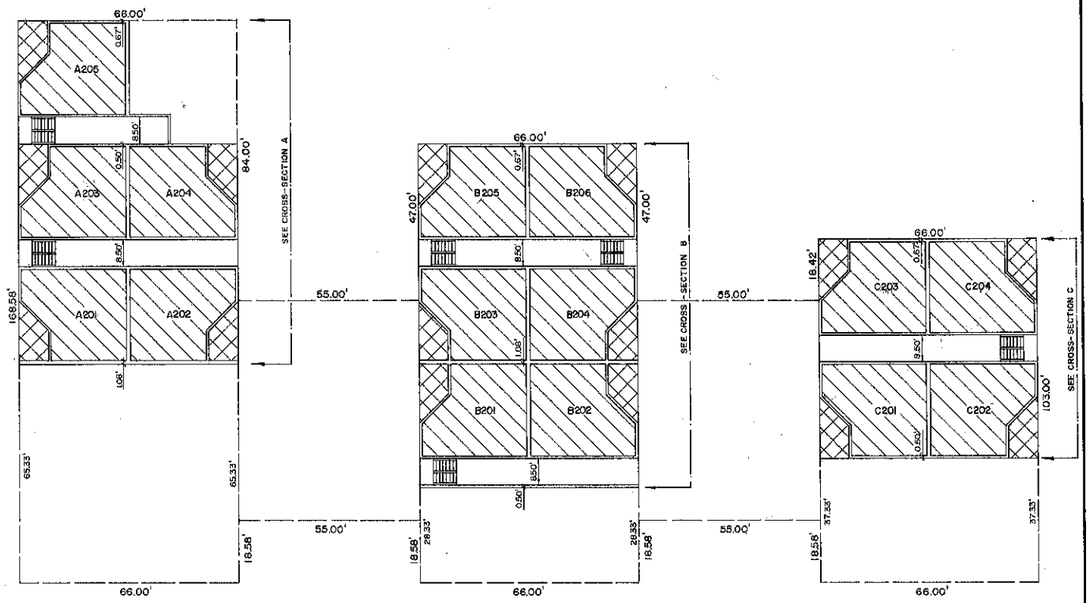
Asst. CITY ATTORNEY

RECORDED

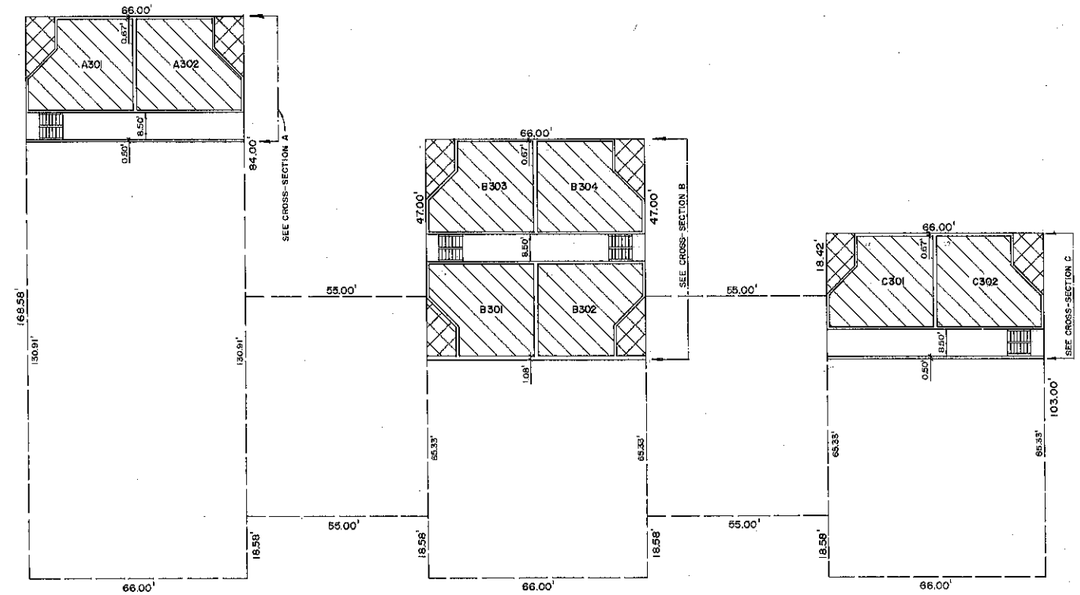
Nº 229039 recorded: 12-31-84 at: 4:35
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF: Summit County Title
65.00
FEES
COUNTY RECORDER

J.J.Johnson & Associates
Park Meadows Plaza,
Highway 248
Park City, Utah 84060
(801) 649-9811

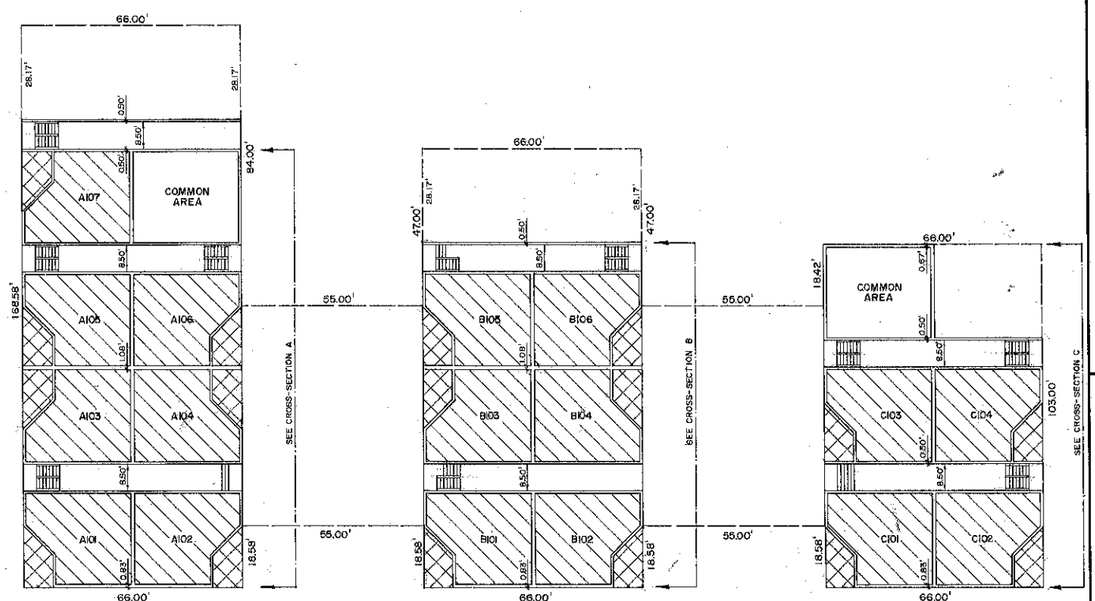
JOB No. 1-402-84



LEVEL 3 FLOOR PLAN SCALE: 1" = 20'



LEVEL 4 FLOOR PLAN SCALE: 1" = 20'



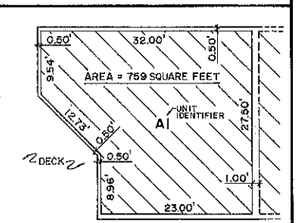
LEVEL 2 FLOOR PLAN SCALE: 1" = 20'

PRIVATE

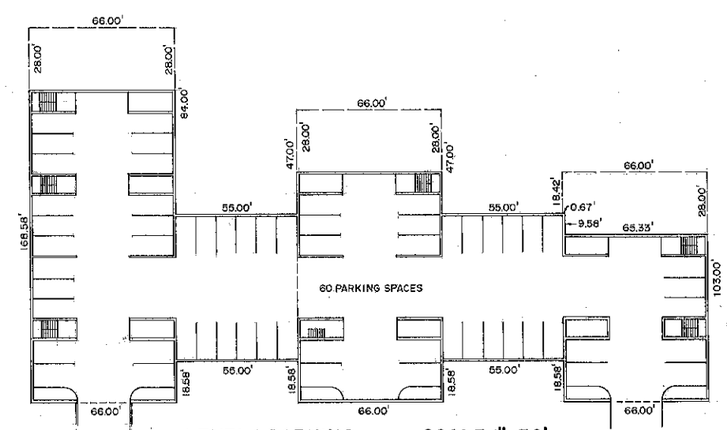
COMMON

LIMITED COMMON

OWNERSHIP LEGEND



TYPICAL UNIT DETAIL



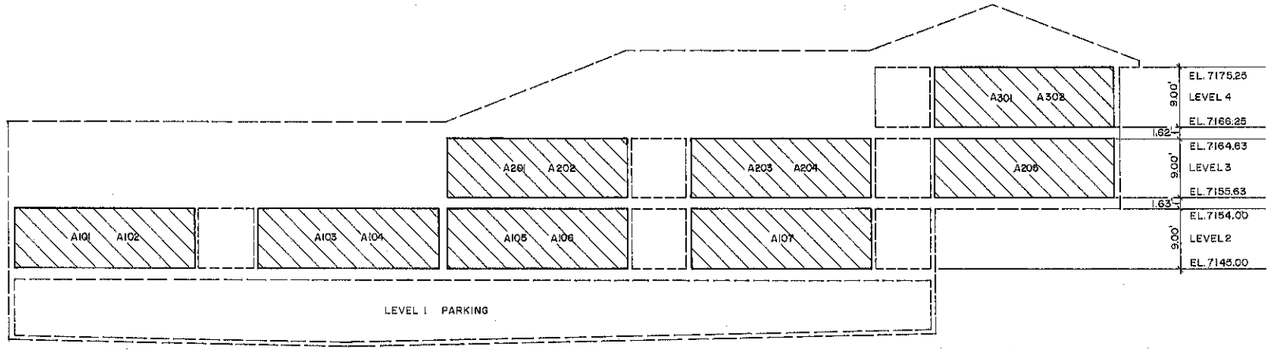
LEVEL 1 PARKING SCALE: 1" = 30'

COURCHEVEL CONDOMINIUMS
SHEET 2 OF 3

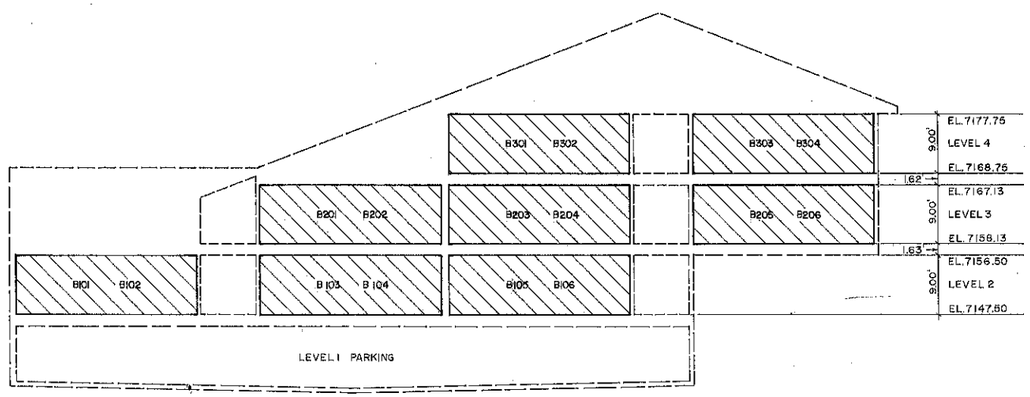
RECORDED
№ 229039 Recorded: 12-30-87 at: 4:35
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
Summit County Title
15.00
FEES
COUNTY RECORDER

J.J.Johnson & Associates
Park Meadows Plaza,
Highway 248
Park City, Utah 84060
(801) 649-9811

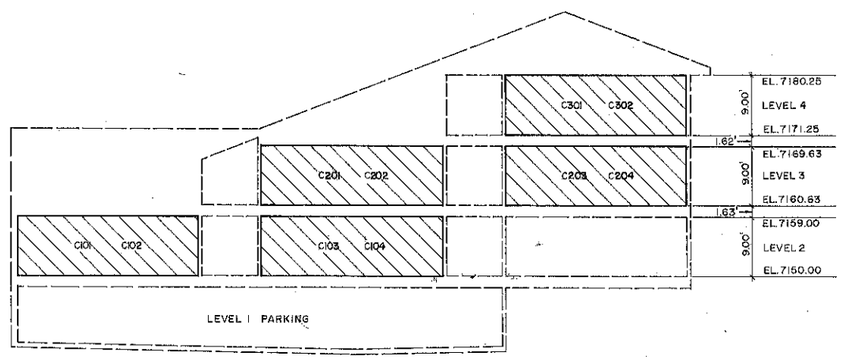
JOB No. 1-402-84



CROSS-SECTION A SCALE 1" = 10'



CROSS-SECTION B SCALE 1" = 10'



CROSS-SECTION C SCALE 1" = 10'

OWNERSHIP LEGEND

PRIVATE

COMMON

BENCH MARK
TOP OF BRASS CAP IN MONUMENT BOX LOCATED AT THE INTERSECTION OF DEER VALLEY DRIVE EAST AND DOE PASS ROAD. ELEVATION: 7145.42.

ODD NUMBERED UNITS - NORTH
EVEN NUMBERED UNITS - SOUTH

COURCHEVEL CONDOMINIUMS
SHEET 3 OF 3

RECORDED
№ 229039 recorded 12-31-84 at 4:35
STATE OF UTAH
COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF:
Summit County Title
FEES 15.00
Alan Spriggs
COUNTY RECORDER

J.J.Johnson & Associates
Park Meadows Plaza,
Highway 248
Park City, Utah 84060
(801) 649-9811
JOB No. 1-402-84

COURCHEVEL CONDOMINIUMS

Beginning at a point which is South 1747.02 feet and East 4305.17 feet from the east quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 25° 00'00" West 214.03 feet; thence North 89° 20' 00" West 160.75 feet to a point on a 938.16 foot radius curve to the left, the radius point bears North 82° 30' 56" West, of which the central angle is 06° 49' 04"; thence northerly along the arc of said curve 111.63 feet; thence North 00° 40' 00" East 251.63 feet; thence South 89° 20' 00" East 239.78 feet; thence South 00° 11' 40" East 168.00 feet to the point of beginning; containing 1.8226 acres, more or less.

SURVEYOR'S CERTIFICATE

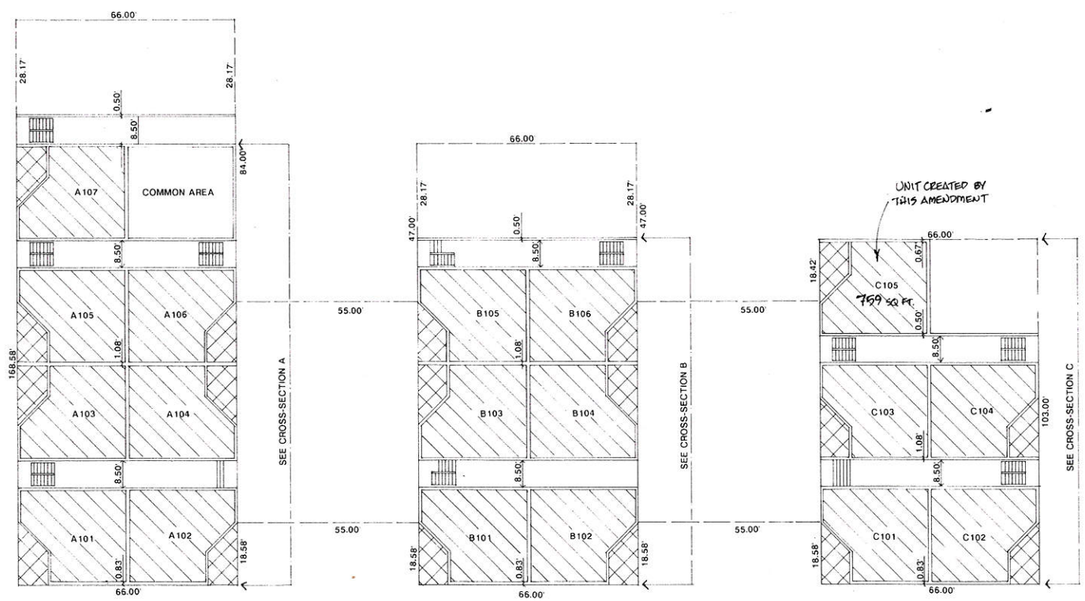
I, Rick S. Dunford, a Registered Land Surveyor holding License No. 5861 as prescribed under the laws of the State of Utah, do hereby certify that at the request of the owner's identified hereon, I have prepared the amended Record of Survey Map, Consisting of this one page amending the existing Courchevel Condominiums at Deer Valley Sheet No. 2 of 3 as recorded in the office of the Summit County Recorder on 12/31/84, instrument No. 229039. I further certify that the information shown hereon, to the best of my knowledge and belief, is accurate and complies with the provisions of section 57-8-13 (1) of the Utah Code Annotated, as amended to date.

Dated this 12TH day of OCTOBER, 1989

Rick S. Dunford, R.L.S. No. 5861 - Utah

REGISTERED LAND SURVEYOR RICK S. DUNFORD License Number 5861 STATE OF UTAH

NOTE: THE CERTIFICATIONS FOR THIS PLAT ARE CONTAINED ON SEPERATE PAGES LOCATED IN FILE CABINET #1 CONDOMINIUMS



LEVEL 2 FLOOR PLAN SCALE: 1" = 20'

SCALE 1" = 20'

OWNERSHIP LEGEND

PRIVATE

LIMITED COMMON

COMMON

We the undersigned do hereby consent to the recordation of the first amendment to record of survey map Courchevel Condominiums.

By [signature]
Deer Valley Resort Company
By Royal Street of Utah, a Corporation, Thereof
Robert W. Wells
Vice President

COURCHEVEL CONDOMINIUMS

AT DEER VALLEY

AMENDED SHEET 2 OF 3

1ST AMENDED

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED
PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 5th DAY OF OCTOBER A.D. 1989 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.	APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 11TH DAY OF OCTOBER A.D. 1989	APPROVED AND ACCEPTED BY THE 6th CITY PLANNING COMMISSION ON THIS DAY OF October A.D. 1989	APPROVED AS TO FORM ON THIS 6th DAY OF October A.D. 1989	Nº. 315603 STATE OF Utah. COUNTY OF Summit. RECORDED AND FILED AT THE REQUEST OF: Western States Title 11-9-89 11:25 am. #46.
MAYOR	Eric W. Ostfeld, P.E. CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	Alan Spriggs COUNTY RECORDER
Anita L. Sheldon CITY RECORDER				

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

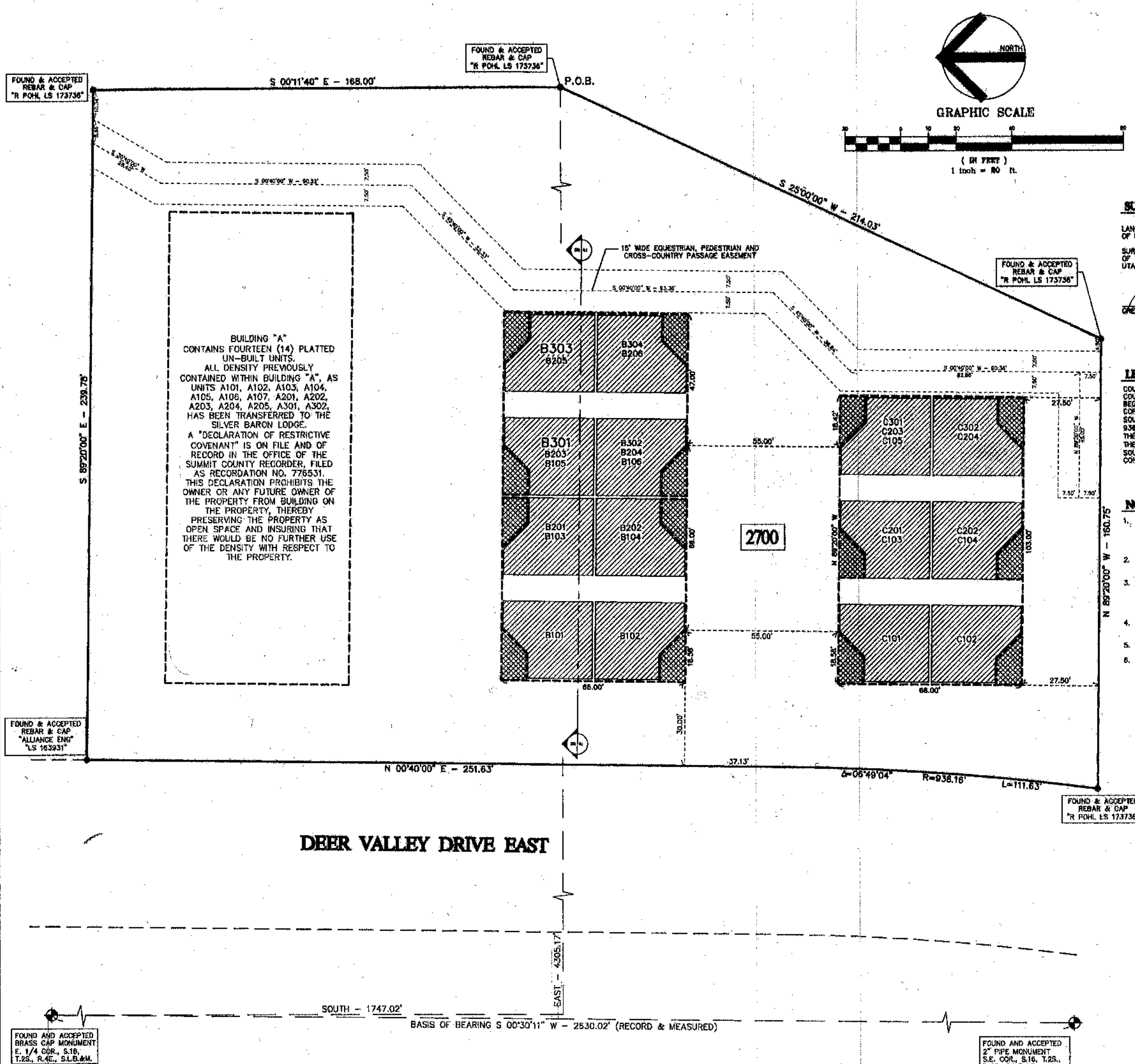
JACK JOHNSON COMPANY
Land Planning Architecture Civil Engineering
1910 Prospector Ave.,Suite 200 Park City, Utah 84060
801-645-9000 FAX 801-649-1620

CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED

– A UTAH CONDOMINIUM PROJECT –

A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY.
I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT. UTAH CODE TITLE 57. REAL ESTATE.

[signature] GREGORY R. WOLBACH — [seal: STATE OF UTAH, 9-21-11, GREGORY R. WOLBACH, NO. 187788, PROFESSIONAL LAND SURVEYOR]

JULY 21, 2011
DATE:

LEGAL DESCRIPTION

COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, NO. 229039, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 938.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 06°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.63 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 168.00 FEET TO THE POINT OF BEGINNING;
CONTAINING 1.8228 ACRES, MORE OR LESS.

NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B301 AND UNIT B303, "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NUMBER 229039. THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B301 AND UNIT B303. THE ATTIC SPACE IS ON LEVEL 5, AS NOTED AND SHOWN HEREON.
2. Note Removed.
3. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFFERENCE ONLY. FOR INFORMATION ON ANY UNIT OTHER THAN UNIT B301 AND UNIT B303, PLEASE SEE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", RECORDATION NUMBER 229039 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED SHEET 2 OF 3", RECORDATION NUMBER 315605, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
4. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
5. THE DEER VALLEY MASTER PLAN CONTINUES TO APPLY AS WELL AS ANY CONDITIONS ON THE COURCHEVEL CONDOMINIUM PLAT.
6. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.

AREA TABULATIONS

UNIT B301:	
PRIVATE AREA:	1,367 SF
LIMITED COMMON AREA:	119 SF
UNIT B303:	
PRIVATE AREA:	1,367 SF
LIMITED COMMON AREA:	125 SF

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

2700 STREET ADDRESS

OWNERS DEDICATION AND CONSENT TO RECORD – H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AAND THIS RECORD OF SURVEY TO BE PREPARED. THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: [signature]
SCOTT POWELL, PRESIDENT

ACKNOWLEDGMENT

STATE OF California)
COUNTY OF Sacramento) SCOTT POWELL, PRESIDENT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION

ON THE 16th DAY OF August, 2011, PERSONALLY APPEARED BEFORE ME SCOTT POWELL, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS PRESIDENT OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC Sonia Muñoz
MY COMMISSION EXPIRES: March 19, 2015
RESIDING IN Sacramento, CA
COUNTY, STATE

[Notary stamp: SONIA MUNOZ, Commission # 1926900, Notary Public - California, Sacramento County, My Comm. Expires Mar 19, 2015]

OWNERS DEDICATION AND CONSENT TO RECORD – UNIT B301

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED", CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. WE DO HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS AMENDED CONDOMINIUM PLAT.

BY: [signature]
RICHARD ALLAYE CHAN, JR. as co-trustee of the ALLAYE CHAN TRUST under that certain Declaration of Trust dated JULY 23, 2009

BY: Antoinette Elizabeth Allaye-Chan
ANTOINETTE ELIZABETH ALLAYE-CHAN as co-trustee of the ALLAYE CHAN TRUST under that certain Declaration of Trust dated JULY 23, 2009

ACKNOWLEDGMENT

STATE OF California) RICHARD ALLAYE CHAN, JR. and ANTOINETTE ELIZABETH ALLAYE-CHAN,
COUNTY OF Sacramento) as co-trustees or their successor(s) of the ALLAYE CHAN TRUST under that certain Declaration of Trust dated July 23, 2009

ON THE 16th DAY OF August, 2011, PERSONALLY APPEARED BEFORE ME RICHARD ALLAYE CHAN, JR. and ANTOINETTE ELIZABETH-ALLAYE CHAN, as co-trustees or their successor(s) of the ALLAYE CHAN TRUST under that certain Declaration of Trust dated JULY 23, 2009, WHO BEING BY ME DULY SWORN, DID SAY THAT THEY, AS CO-TRUSTEES, REPRESENT THE "ALLAYE CHAN TRUST", AS OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT THEY, AS CO-TRUSTEES, AUTHORIZE THE FOREGOING INSTRUMENT.

NOTARY PUBLIC Sonia Muñoz
MY COMMISSION EXPIRES: March 19, 2015
RESIDING IN Sacramento, CA
COUNTY, STATE

[Notary stamp: SONIA MUNOZ, Commission # 1926900, Notary Public - California, Sacramento County, My Comm. Expires Mar 19, 2015]

OWNERS DEDICATION AND CONSENT TO RECORD – UNIT B303

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED", CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. WE DO HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS AMENDED CONDOMINIUM PLAT.

BY: [signature]
SCOTT POWELL, A Married Person

ACKNOWLEDGMENT

STATE OF California) SCOTT POWELL, A Married Person
COUNTY OF Sacramento)

ON THE 16th DAY OF August, 2011, PERSONALLY APPEARED BEFORE ME SCOTT POWELL, A married Person, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE AUTHORIZES THE FOREGOING INSTRUMENT.

NOTARY PUBLIC Sonia Muñoz
MY COMMISSION EXPIRES: March 19, 2015
RESIDING IN Sacramento, CA
COUNTY, STATE

[Notary stamp: SONIA MUNOZ, Commission # 1926900, Notary Public - California, Sacramento County, My Comm. Expires Mar 19, 2015]

SHEET 1 OF 2
PLOT DATE: JULY 21, 2011
DRAWING: CCAmend-ROS.DWG

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
1670 Bonanza Drive * Suite 104
P.O. Box 2861 * Park City * Utah * 84060
Phone: 435.649.4667 * Fax: 435.649.9219
E-mail: office@evergreen-eng.com

CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS 10TH DAY OF OCTOBER A.D. 2011.
[signature] CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 24th DAY OF August AD 2011.
BY: [signature] SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

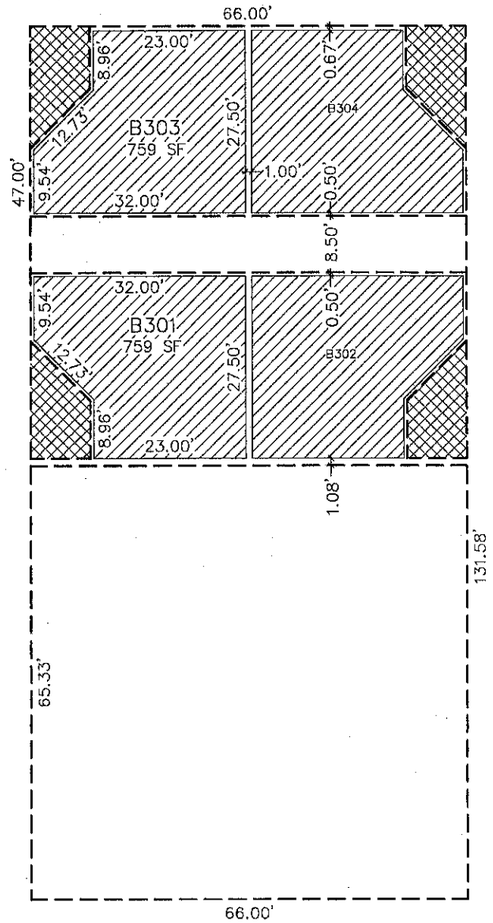
CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 13th DAY OF OCTOBER A.D. 2010.
[signature] CHAIRMAN

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS 1st DAY OF February A.D. 2012.
[signature] CITY ATTORNEY

COUNCIL APPROVAL & ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 4th DAY OF NOVEMBER A.D. 2010
Dana Williams
MAYOR

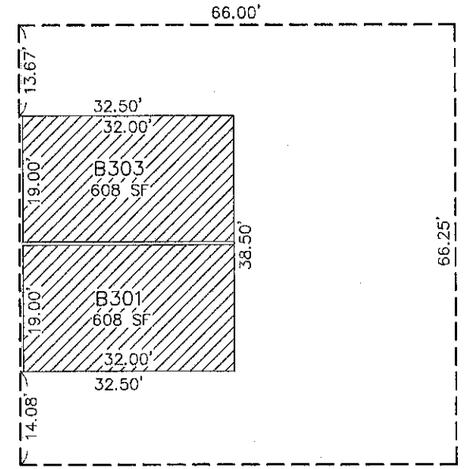
CERTIFICATE OF ATTEST
I CERTIFIY THIS WAS APPROVED BY PARK CITY COUNCIL THIS 4th DAY OF NOVEMBER A.D. 2010
[signature] CITY RECORDER

RECORDED
Nº. 939912 . Date 2/22/2012
STATE OF Utah . Time 1:48 PM
COUNTY OF Summit .
RECORDED AND FILED AT THE REQUEST OF: Park City Title Company
$62.00 C. Willoughby - deputy
COUNTY RECORDER



FLOOR PLAN - LEVEL 4
UNIT B301 / UNIT B303

0 5' 10' 20'

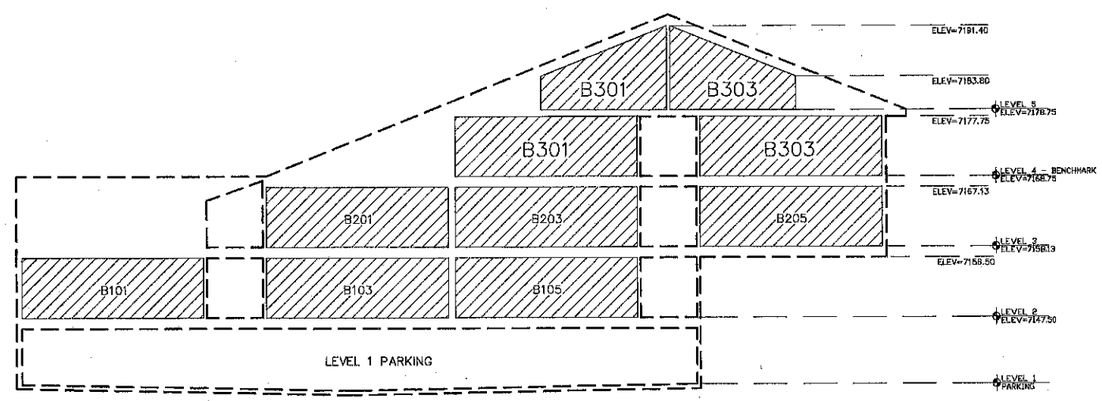


FLOOR PLAN - LEVEL 5
UNIT B301 / UNIT B303

0 5' 10' 20'

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA



B SECTION - BLDG. B

0 5' 10' 20'

PLOT DATE: JULY 31, 2011

NO. 939912 RECORDED
DATE Date 2/22/2012
STATE OF Utah Time 1:48 PM
CITY OF
RECORDED AT THE REQUEST OF Park City Title Company
$102.00 C. Willoughby - deputy
FEES CITY RECORDER

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1970 Bonanza Drive • Suite 104
P.O. Box 2665 • Park City, Utah • 84060
Phone: 435.649.4667 • Fax: 435.649.9219
E-mail: office@evergreen-eng.com

DATE	BY	REVISIONS COMMENTS

© 2010 Evergreen Engineering, Inc.

STATE OF UTAH
GREGORY R. WOLBACH
NO. 187786
3-21-11
PROFESSIONAL LAND SURVEYOR

SURVEYED BY: GRW
DRAWN BY: GRW
CHECKED BY: ADM/GRW

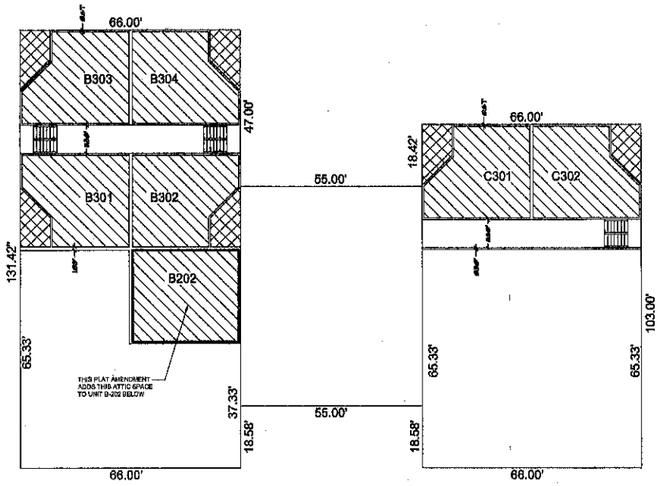
COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED

FOR: RICHARD CHAN & SCOTT POWELL

DWG: CCAMEND-ROS

DSF NO: XIII

SHEET 2 OF 2



LEVEL 4 FLOOR PLAN
SCALE: 1" = 20'

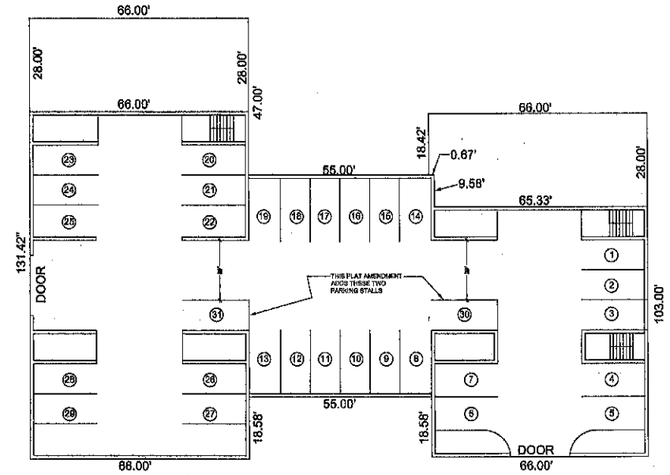
OWNERSHIP LEGEND

- PRIVATE
- LIMITED COMMON
- COMMON

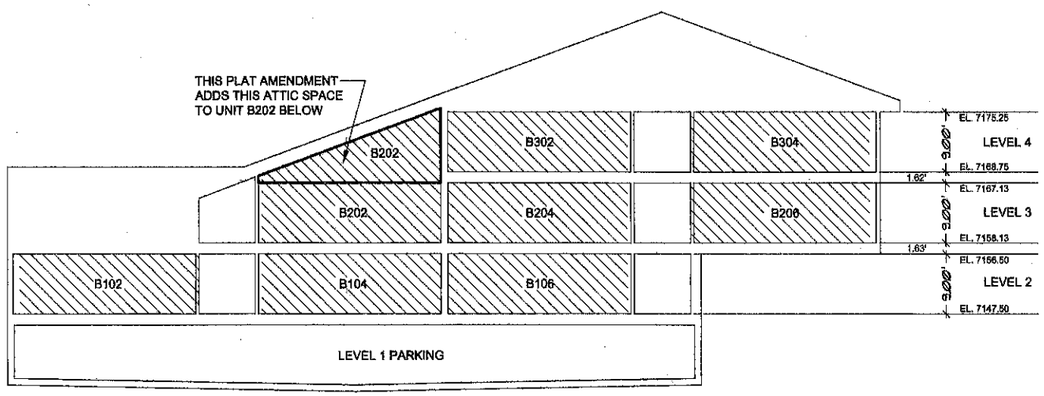
TABULATIONS

UNIT B-202
PRIVATE AREA = 789 SQ.FT. ON LEVEL 3
PRIVATE AREA = 993 SQ.FT. ON LEVEL 4
LIMITED COMMON AREA = 124 SQ.FT.

NORTH



LEVEL 1 PARKING
SCALE: 1" = 20'



CROSS-SECTION 'B' - SOUTH
SCALE: 1" = 10'

PLAT NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B-202 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 229039.) THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B-202. THE ATTIC SPACE IS LOCATED ON LEVEL 4 AS NOTED AND SHOWN HEREON.
2. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY, AND ARE NOT CHANGED WITH THIS DOCUMENT. FOR INFORMATION ON ANY UNIT OTHER THAN B-202, REFER TO "COURCHEVEL CONDOMINIUMS AT DEER VALLEY" WITH RECORDATION NO. 229039, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED" WITH RECORDATION NO. 315605, AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY SECOND AMENDED" WITH RECORDATION NO. 939912, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
3. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
4. ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 10TH AMENDED AND RESTATED LARGE SCALE MPD AND THE SECOND AMENDED COURCHEVEL CONDOMINIUMS AT DEER VALLEY SHALL CONTINUE TO APPLY.
5. THIS CONDOMINIUM PROJECT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 12-19.
6. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION, AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.

CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY THIRD AMENDMENT

-A UTAH CONDOMINIUM PROJECT-

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION OF COURCHEVEL CONDOMINIUMS AT DEER VALLEY

THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER AS ENTRY 229039, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 828.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS LINE BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 08°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.83 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 188.00 TO THE POINT OF BEGINNING.
CONTAINING 1.5226 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I, BING CHRISTENSEN, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE 145798 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE PROPERTY SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE AMENDED SAID CONDO UNIT B202 AS SHOWN HEREON. I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT AMENDMENT IS A CORRECT REPRESENTATION OF THE PROPERTY SURVEYED, AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8 OF THE CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57.

BING CHRISTENSEN
PROFESSIONAL LAND SURVEYOR

9.11.12
DATE

SURVEYOR'S SEAL
PROFESSIONAL LAND SURVEYOR No. 145798 BING CHRISTENSEN 9.11.12 State of Utah

OWNER'S CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE ASSOCIATION), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS APPROVED THIS PLAT AMENDMENT TO BE PREPARED, AND ON BEHALF OF ALL OF THE UNIT OWNERS DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION,
A UTAH NON-PROFIT CORPORATION

BY: SCOTT POWELL, PRESIDENT

ACKNOWLEDGEMENT

STATE OF ~~UTAH~~ California
COUNTY OF ~~SUMMIT~~ Sacramento

ON THIS 6th DAY OF November, 2012, PERSONALLY APPEARED BEFORE ME SCOTT POWELL WHO BEING DULY SWORN, DID SAY THAT HE IS PRESIDENT OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION, AND DULY ACKNOWLEDGED TO ME THAT HE IS AUTHORIZED TO SIGN THE FOREGOING INSTRUMENT ON BEHALF OF THE CORPORATION, AND FURTHER ACKNOWLEDGED TO ME THAT THE CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC

CHANG TOAN COMLA FAGONDE NOTARY PUBLIC-CALIFORNIA Sacramento County My Comm. Exp. Dec. 7, 2015

OWNER'S CONSENT TO RECORD - UNIT B202

KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF UNIT B-202 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFY THAT I CAUSED THIS PLAT AMENDMENT TO BE PREPARED, AND DO HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

BY: Roberta Ann Slusar
ROBERTA ANN SLUSAR

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF ~~SUMMIT~~ Washtenaw

ON THIS 21 DAY OF SEPTEMBER, 2012, PERSONALLY APPEARED BEFORE ME ROBERTA ANN SLUSAR, WHO BEING DULY SWORN, DID SAY THAT SHE IS THE OWNER OF UNIT B-202 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AND DULY ACKNOWLEDGED TO ME THAT SHE SIGNED THE FOREGOING INSTRUMENT.

NOTARY PUBLIC LANNETTE CWILSON NOTARY PUBLIC COMMISSIONED IN UTAH.
COMMISSION #601089 EXP: 09-29-2014

Summit Engineering Group Inc.
55 WEST CENTER • P.O. BOX 176
HEBER CITY, UTAH 84032
P: 435-654-6229 • F: 435-654-9231

PROJECT NO.: L12-021
DRAWN BY: MPJ
REVIEWED BY: BC
APPROVED BY: BC
DATE: SEPT 10, 2012

PARK CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION THIS 13th DAY OF JUNE, 2012.
CHAIR

PARK CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH THE INFORMATION IN FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPT. ON THIS 30TH DAY OF ~~JUNE~~ SEPT 2012.
CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO THE SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 18 DAY OF Sept 2012.
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PARK CITY ATTORNEY
APPROVED AS TO FORM ON THIS 18th DAY OF December 2012.
CITY ATTORNEY

CITY COUNCIL APPROVAL
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL ON THIS 28th DAY OF JUNE, 2012.
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THAT THIS PLAT AMENDMENT WAS APPROVED BY THE PARK CITY COUNCIL ON THIS 28 DAY OF JUNE 2012.
CITY RECORDER

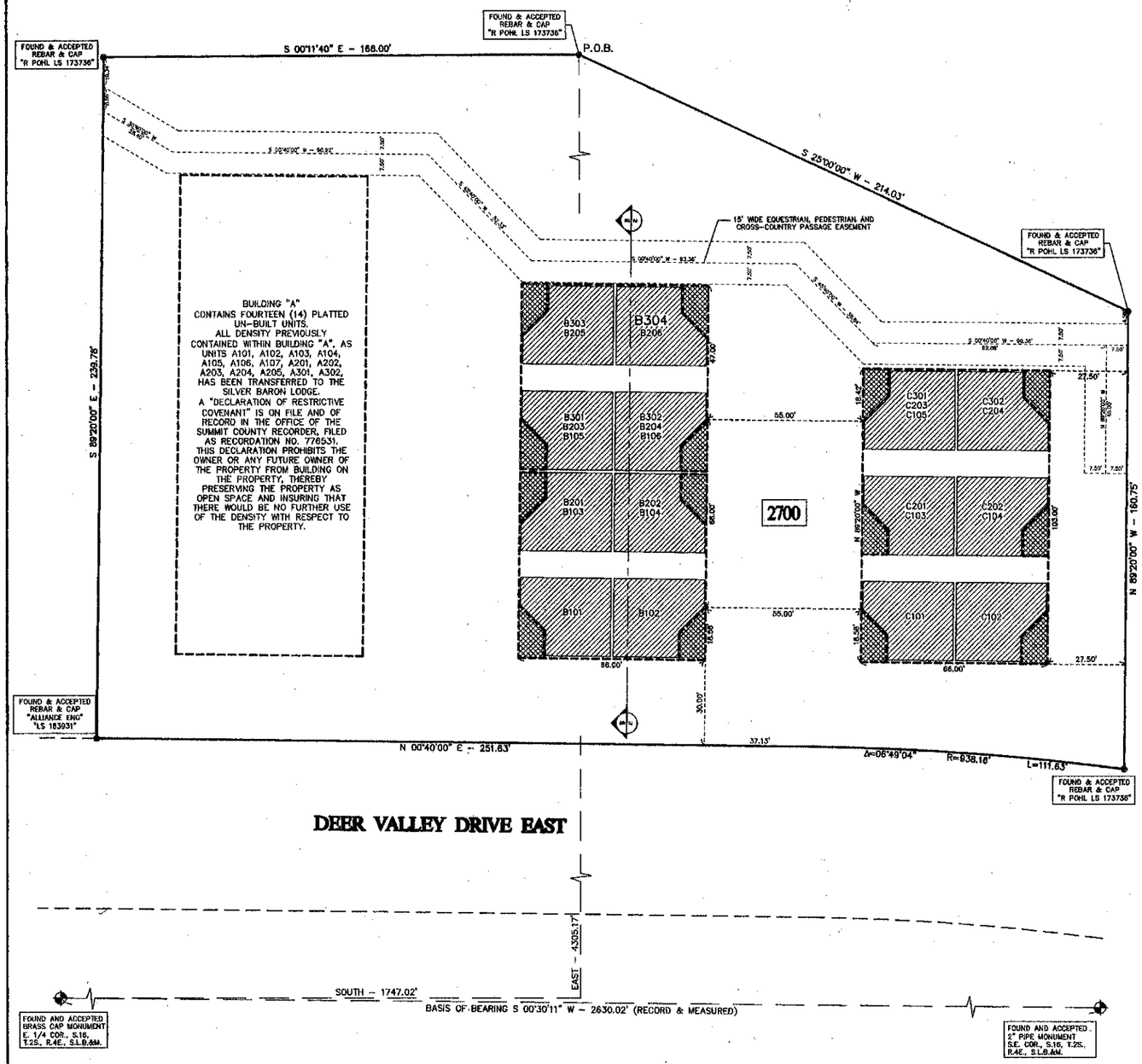
RECORDER
Fee 31.00
ENTRY NO. 959842 BOOK — PAGE — .
STATE OF UTAH, COUNTY OF SUMMIT 3:42 pm
DATE: 12/11/12
RECORDED AT THE REQUEST OF Parkcity Title
C Willoughby deputy
SUMMIT COUNTY RECORDER

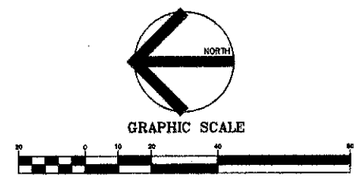
CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED

— A UTAH CONDOMINIUM PROJECT —

A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH





SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT, UTAH CODE TITLE 57, REAL ESTATE.

STATE OF UTAH · GREGORY R. WOLBACH · NO. 187788 · 11-20-12 · CARLSON LAND SURVEYING

GREGORY R. WOLBACH — DATE: NOVEMBER 20, 2012

LEGAL DESCRIPTION

COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, NO. 229039, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.2 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 938.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 06°49'04"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.83 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 188.00 FEET TO THE POINT OF BEGINNING;
CONTAINING 1.8226 ACRES, MORE OR LESS.

NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT B304, "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NUMBER 229039. THIS AMENDMENT CONVERTS EXISTING COMMON AREA ATTIC SPACE INTO PRIVATE AREA FOR UNIT B304. THE ATTIC SPACE IS ON LEVEL 5, AS NOTED AND SHOWN HEREON.
2. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFERENCE ONLY. FOR INFORMATION ON ANY UNIT OTHER THAN UNIT B304, PLEASE SEE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", RECORDATION NUMBER 229039 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED SHEET 2 OF 3", RECORDATION NUMBER 310605, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
3. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
4. THE DEER VALLEY MASTER PLAN CONTINUES TO APPLY AS WELL AS ANY CONDITIONS ON THE COURCHEVEL CONDOMINIUM PLAT.
5. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.
6. RESIDENTIAL FIRE SPRINKLERS ARE REQUIRED FOR ANY EXPANSION.
7. THIS PLAT AMENDMENT IS SUBJECT TO ORDINANCE 12-20.

AREA TABULATIONS

UNIT B304:

PRIVATE AREA:	1,387 SF
LIMITED COMMON AREA:	125 SF

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

2700 STREET ADDRESS

OWNERS DEDICATION AND CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS RECORD OF SURVEY TO BE PREPARED. THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: [signature] PRESIDENT
(Name of document signer) (Title or Office)
Scott Powell, President

ACKNOWLEDGMENT

STATE OF California)
COUNTY OF Sacramento)

Scott Powell, PRESIDENT (name of document signer) COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION

ON THE 17th DAY OF December, 2012, PERSONALLY APPEARED BEFORE ME, Scott Powell (name of document signer), 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/SHE IS THE President (Title or Office) OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (Name of Corporation) AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID *CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID Condo Plat (name of document signer) Scott Powell ACKNOWLEDGED TO ME THAT SAID *CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC
MY COMMISSION EXPIRES 12-27-2015
RESIDING IN Sacramento CA
COUNTY, STATE

CHANG HAAN · COMM. # 1990006 · NOTARY PUBLIC-CALIFORNIA · Sacramento County · My Comm. Exp. Dec. 7, 2015

* Signing in a Representative Capacity: An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity.
The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

OWNERS DEDICATION AND CONSENT TO RECORD - UNIT B304

KNOW ALL MEN BY THESE PRESENT THAT WE, THE UNDERSIGNED OWNERS OF THE UNITS, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED", CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. WE DO HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS AMENDED CONDOMINIUM PLAT.

BY: [signature] (name of document signer), DIRECTOR (Title or Office) THE ARGO SUPERFUND
TANYA ELIZABETH FELTON

ACKNOWLEDGMENT

STATE OF Utah)
COUNTY OF Summit)

Tanya Elizabeth Felton (name of document signer), Director (Title or Office) ARGO SUPERFUND,

ON THE 21st DAY OF November, 2012, PERSONALLY APPEARED BEFORE ME, Tanya Elizabeth Felton (name of document signer), 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/SHE IS THE Director (Title or Office) OF ARGO SUPERFUND (Name of Corporation or Partnership) AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID ARGO SUPERFUND, BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID Tanya Elizabeth Felton (name of document signer) ACKNOWLEDGED TO ME THAT SAID ARGO SUPERFUND EXECUTED THE SAME.

NOTARY PUBLIC Stephanie Bowen
MY COMMISSION EXPIRES 7-8-2015
RESIDING IN Summit County, Utah
COUNTY, STATE

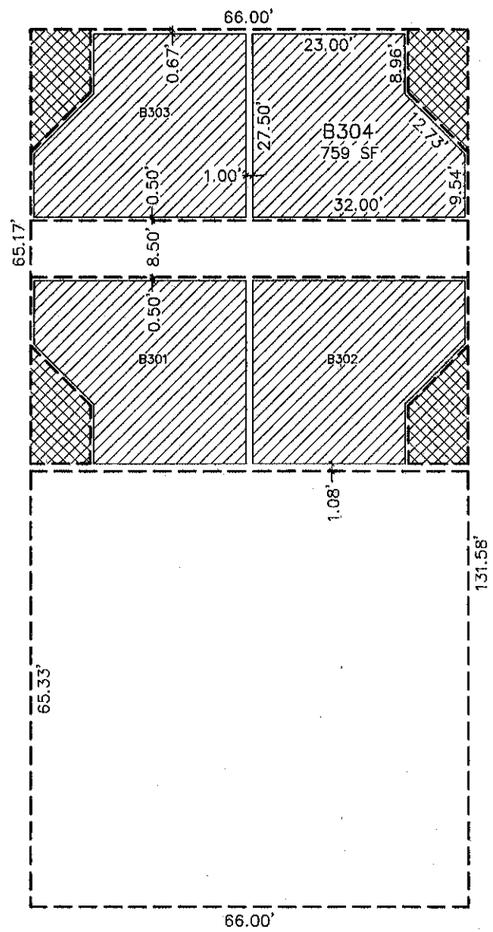
STEPHANIE BOWEN · NOTARY PUBLIC • STATE OF UTAH · COMMISSION NO. 664667 · COMM. EXP. 07-08-2015

* Signing in a Representative Capacity: An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity.
The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

SHEET 1 OF 2
PLOT DATE: NOVEMBER 7, 2012
DRAWING: CCAmend-B304.DWG

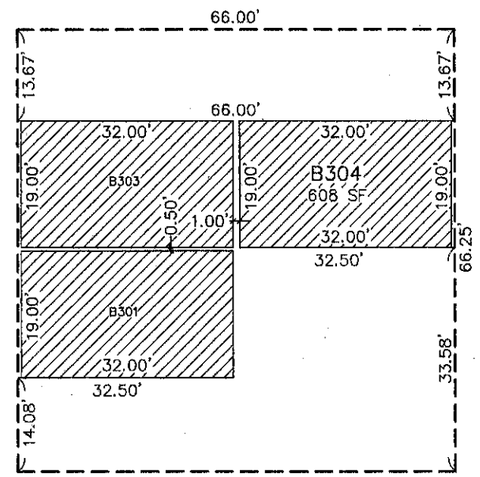
Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1670 Bonanza Drive • Suite 104
P.O. Box 2861 • Park City • Utah • 84060
Phone: 435.649.4667 • Fax: 435.649.9218
E-mail: office@evergreen-eng.com

CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	COUNCIL APPROVAL & ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS 4th DAY OF January A.D. 2013	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 20th DAY OF December AD 2012. BY:	APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 27 DAY OF June A.D. 2012.	APPROVED AS TO FORM ON THIS 9th DAY OF January A.D. 2013	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 12th DAY OF July A.D. 2012	I CERTIFY THIS WAS APPROVED BY PARK CITY COUNCIL THIS 12 DAY OF July A.D. 2012	Nº. 461550 01/14/13 STATE OF Utah · 11:27 a.m. COUNTY OF Summit RECORDED AND FILED AT THE REQUEST OF: Park City Title Company $61.00 Becky Harrald deputy
CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CHAIRMAN	CITY ATTORNEY	MAYOR	CITY RECORDER	COUNTY RECORDER



FLOOR PLAN - LEVEL 4
UNIT B304

0 5' 10' 20'

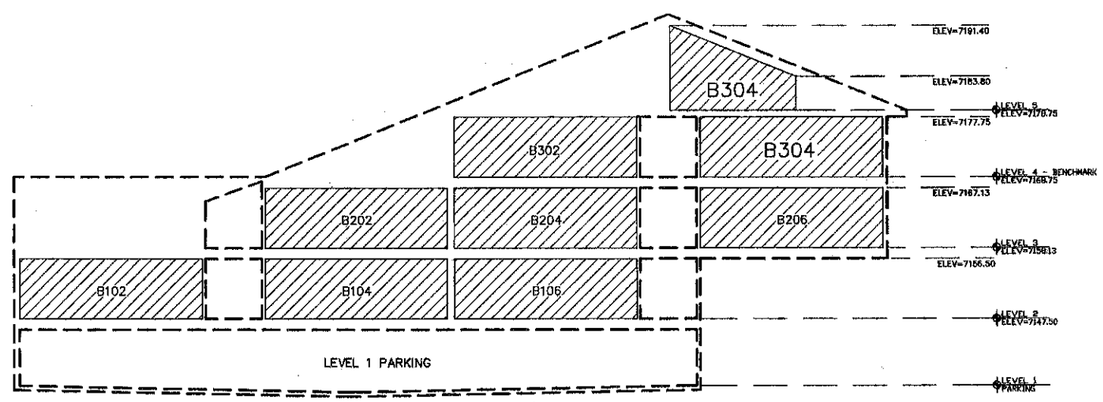


FLOOR PLAN - LEVEL 5
UNIT B304

0 5' 10' 20'

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA



(B) SECTION - BLDG. B

0 5' 10' 20'

PLOT DATE: NOVEMBER 7, 2012

NO. 961550 RECORDED
DATE 01/14/13 11:27a.m
STATE OF Utah
CITY OF
RECORDED AT THE REQUEST OF Park City Title Company
$61.00
FEES
Brooke Howard deputy
CITY RECORDER

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1670 Bonanza Drive • Suite 104
P.O. Box 2861 • Park City • Utah • 84060
Phone: 435-649-9467 • Fax: 435-649-8219
E-mail: office@evergreen-eng.com

REVISIONS		
DATE	BY	COMMENTS

© 2012 Evergreen Engineering, Inc.

STATE OF UTAH
GREGORY R. WALBRUCH
No. 187788
11-20-12
PROFESSIONAL LAND SURVEYOR

SURVEYED BY: GRW
DRAWN BY: GRW
CHECKED BY: ADM/GRW

COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED

FIRM: GRAVITY CONSTRUCTION
DWG: CCAMEND-B304
DWF NO. 1127

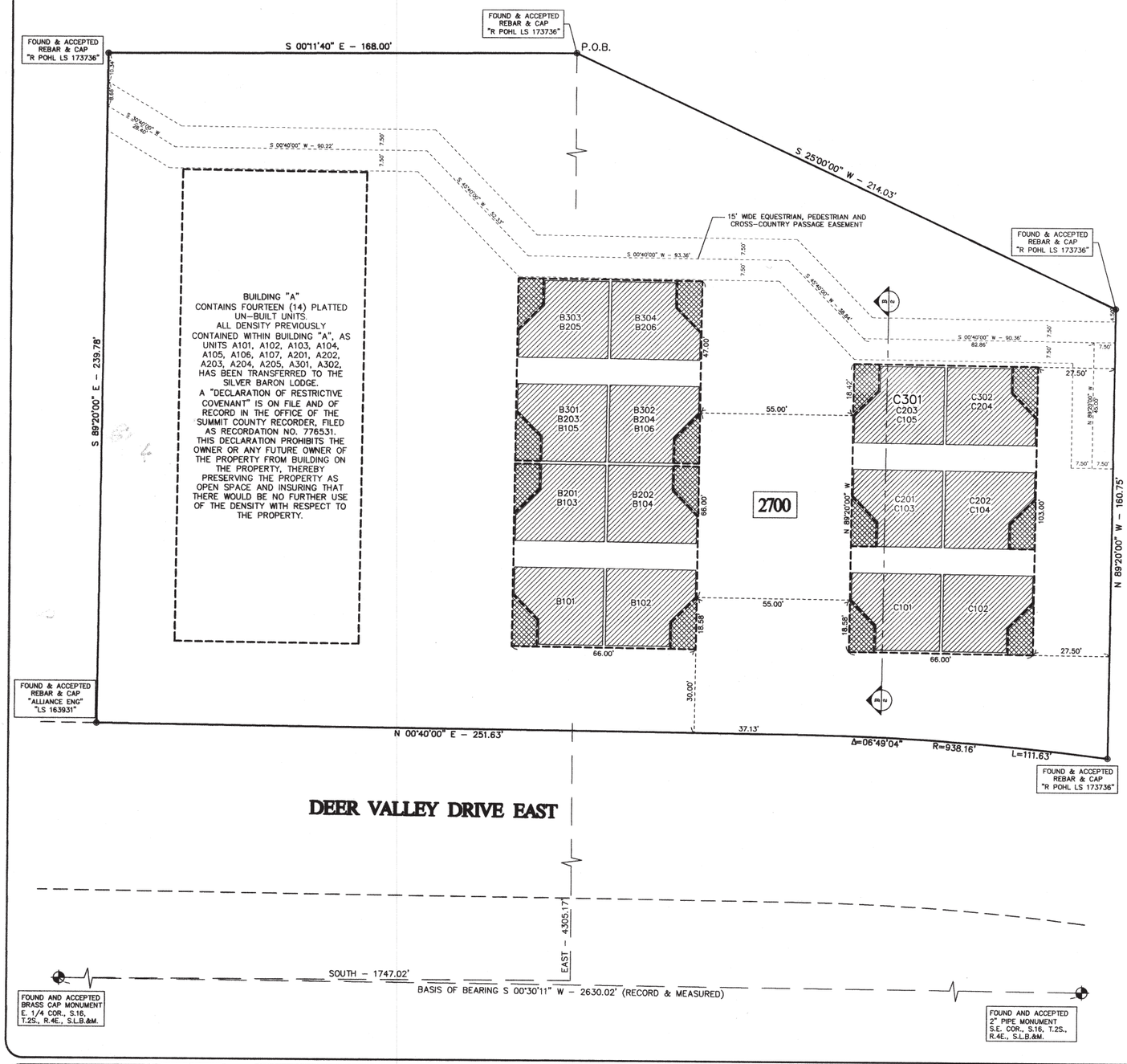
SHEET 2 OF 2

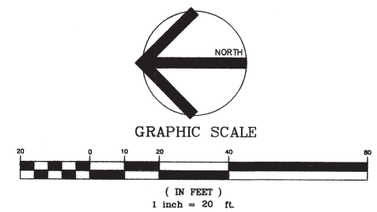
CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY FIFTH AMENDED

— A UTAH CONDOMINIUM PROJECT —

A PARCEL OF LAND LOCATED WITHIN SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH





SURVEYOR'S CERTIFICATE

I, GREGORY R. WOLBACH, OF PARK CITY, UTAH, CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 187788, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE PERFORMED A SURVEY OF THE HEREON DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THIS CONDOMINIUM PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REGULATIONS OF THE LAW AND AS SPECIFIED IN SECTION 57-8-13 OF CHAPTER 8, CONDOMINIUM OWNERSHIP ACT. UTAH CODE TITLE 57. REAL ESTATE.

STATE OF UTAH GREGORY R. WOLBACH NO. 187788 5-29-14 PROFESSIONAL LAND SURVEYOR

GREGORY R. WOLBACH — DATE: MAY 29, 2014

LEGAL DESCRIPTION

COURCHEVEL CONDOMINIUMS AT DEER VALLEY, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, NO. 229039, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHICH IS SOUTH 1747.02 FEET AND EAST 4305.17 FEET FROM THE EAST QUARTER CORNER OF SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE SOUTH 25°00'00" WEST 214.03 FEET; THENCE NORTH 89°20'00" WEST 160.75 FEET TO A POINT ON A 938.16 FOOT RADIUS CURVE TO THE LEFT, THE RADIUS POINT BEARS NORTH 82°30'56" WEST, OF WHICH THE CENTRAL ANGLE IS 06°49'04", THENCE NORTHERLY ALONG THE ARC OF SAID CURVE 111.63 FEET; THENCE NORTH 00°40'00" EAST 251.63 FEET; THENCE SOUTH 89°20'00" EAST 239.78 FEET; THENCE SOUTH 00°11'40" EAST 168.00 FEET TO THE POINT OF BEGINNING;
CONTAINING 1.8226 ACRES, MORE OR LESS.

NOTES

1. THIS PLAT REPRESENTS AN AMENDMENT OF UNIT C301, "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, RECORDATION NUMBER 229039. THIS AMENDMENT CONVERTS EXISTING LOFT SPACE, ORIGINALLY SHOWN AND PLATTED AS COMMON AREA, INTO PRIVATE AREA FOR UNIT C301. THE EXISTING LOFT SPACE IS ON LEVEL 5, AS NOTED AND SHOWN HEREON. ALSO, EXISTING VAULTED CEILINGS WITHIN UNIT C301, NOT PREVIOUSLY SHOWN ON ORIGINAL PLAT, ARE HEREBY CONVERTED TO PRIVATE AREA/SPACE FOR SAID UNIT C301.
2. ADDITIONAL UNITS ARE SHOWN HEREON FOR REFFERENCE ONLY. FOR INFORMATION ON ANY UNIT OTHER THAN UNIT C301, PLEASE SEE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY", RECORDATION NUMBER 229039 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, AMENDED SHEET 2 OF 3", RECORDATION NUMBER 315605 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY, SECOND AMENDED", RECORDATION NUMBER 939912 AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY THIRD AMENDMENT", RECORDATION NUMBER 959842 AND AND "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FOURTH AMENDED", RECORDATION NUMBER 961550, ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.
3. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS AMENDMENT ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
4. ALL CONDITIONS OF APPROVAL OF THE DEER VALLEY RESORT 11th AMENDED AND RESTATED LARGE SCALE MPD AND THE AMENDED COURCHEVEL CONDOMINIUMS AT DEER VALLEY RECORD OF SURVEY PLATS SHALL CONTINUE TO APPLY.
5. THE UNITS OF THIS CONDOMINIUM ARE SERVED BY A COMMON PRIVATE LATERAL WASTEWATER LINE. THE "COURCHEVEL CONDOMINIUMS AT DEER VALLEY OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF ALL COMMON PRIVATE LATERAL WASTEWATER LINES.
6. RESIDENTIAL FIRE SPRINKLERS ARE REQUIRED FOR ANY EXPANSION.
7. THIS PLAT AMENDMENT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE NO. 13-50.

AREA TABULATIONS

UNIT C301:

PRIVATE AREA:	898 SF
LIMITED COMMON AREA:	125 SF

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

2700 **STREET ADDRESS**

OWNERS DEDICATION AND CONSENT TO RECORD - H.O.A.

KNOW ALL MEN BY THESE PRESENT THAT COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION (THE "ASSOCIATION"), THE AUTHORIZED REPRESENTATIVE OF ALL OF THE UNIT OWNERS HOLDING AT LEAST A TWO-THIRDS OWNERSHIP INTEREST IN THE COMMON AREA AND FACILITIES OF THE PROJECT PURSUANT TO THE PROVISIONS OF SECTION 27 OF THE DECLARATION OF CONDOMINIUM OF THE COURCHEVEL CONDOMINIUMS AT DEER VALLEY, CERTIFIES THAT IT HAS CAUSED THIS SURVEY TO BE MADE AND THIS RECORD OF SURVEY TO BE PREPARED. THE ASSOCIATION, ON BEHALF OF ALL OF THE UNIT OWNERS, DOES HEREBY CONSENT TO THE RECORDATION OF THE PLAT.

COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION
A UTAH NON-PROFIT CORPORATION

BY: _____
(name of document signer), (Title or Office)

ACKNOWLEDGMENT

STATE OF Utah)
COUNTY OF Summit) — Richard Brown, PRESIDENT, COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, A UTAH NON-PROFIT CORPORATION

ON THE 6th DAY OF August, 2014, PERSONALLY APPEARED BEFORE ME Richard Brown (name of document signer), 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/SHE IS THE President (Title or Office) OF COURCHEVEL CONDOMINIUM OWNERS ASSOCIATION, (Name of Corporation) AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID *CORPORATION BY AUTHORITY OF ITS BYLAWS, OR (RESOLUTION OF ITS BOARD OF DIRECTORS), AND SAID _____ (name of document signer) ACKNOWLEDGED TO ME THAT SAID *CORPORATION EXECUTED THE SAME.

NOTARY PUBLIC Katherine Khaleel
MY COMMISSION EXPIRES: 12/23/15
RESIDING IN Summit COUNTY, Utah STATE

KATHERINE KHALEEL Notary Public State of Utah My Commission Expires December 23, 2015 Commission Number 691241

* Signing in a Representative Capacity: An authorized officer, agent, partner, trustee, member or other representative may sign on behalf of their representative business, be it a corporation, partnership, trust, limited liability company or other entity providing they have been given authority to sign in their representative capacity.
The notary must require the signer to present satisfactory documentary evidence and administer an oath or affirmation.

OWNERS DEDICATION AND CONSENT TO RECORD - UNIT C301

KNOW ALL MEN BY THESE PRESENT THAT I, THE UNDERSIGNED OWNER OF THE UNIT, COMMON AND LIMITED COMMON AREAS CONTAINED WITHIN THE HEREON DESCRIBED TRACT OF LAND, TO BE HEREAFTER KNOWN AS "COURCHEVEL CONDOMINIUMS AT DEER VALLEY FIFTH AMENDED", CERTIFY THAT I HAVE CAUSED THIS SURVEY TO BE MADE AND THIS CONDOMINIUM PLAT TO BE PREPARED. I DO HEREBY CONSENT TO THE RECORDATION OF THIS CONDOMINIUM AND CERTIFY THAT THE UNITS ARE AS SHOWN ON THIS AMENDED CONDOMINIUM PLAT.

BY: _____
DAVID P. HANNAY

ACKNOWLEDGMENT

STATE OF NEW JERSEY) DAVID P. HANNAY
COUNTY OF ESSEX)

ON THE 9th DAY OF JUNE, 2014, PERSONALLY APPEARED BEFORE ME DAVID P. HANNAY, WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, AND DULY ACKNOWLEDGED TO ME THAT HE AUTHORIZES THE FOREGOING INSTRUMENT.

NOTARY PUBLIC Daniel S. O'Connell
MY COMMISSION EXPIRES:
RESIDING IN ESSEX COUNTY, NEW JERSEY STATE

DANIEL S. O'CONNELL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires April 27, 2015

SHEET 1 OF 2
PLOT DATE: MAY 29, 2014
DRAWING: CCAmend-C301.DWG

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
1670 Bonanza Drive * Suite 104
P.O. Box 2861 * Park City * Utah * 84060
Phone: 435.649.4667 * Fax: 435.649.9219
E-mail: office@evergreen-eng.com

CITY ENGINEER
THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS 19th DAY OF August A.D. 2014
CITY ENGINEER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 6th DAY OF August AD 2014.
BY: _____
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

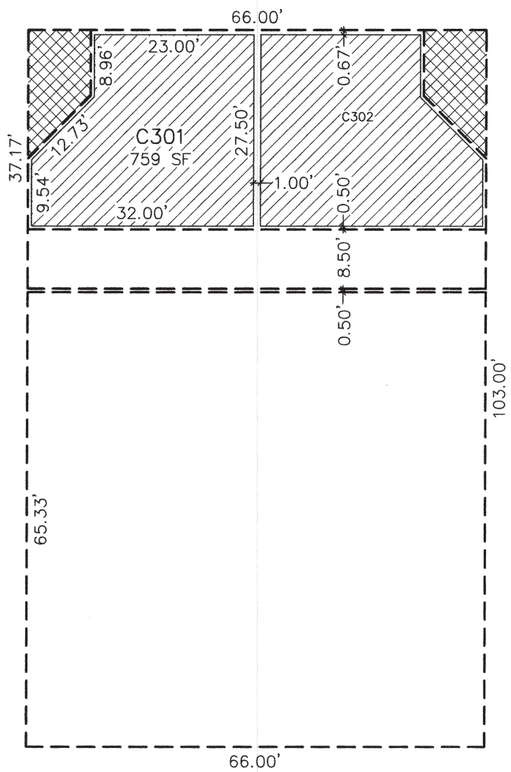
CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 20TH DAY OF NOVEMBER A.D. 2013.
CHAIRMAN

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS 29th DAY OF August A.D. 2014.
CITY ATTORNEY

COUNCIL APPROVAL & ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 12TH DAY OF DECEMBER A.D. 2013
MAYOR

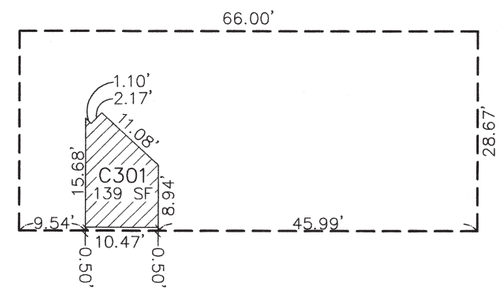
CERTIFICATE OF ATTEST
I CERTIFIY THIS WAS APPROVED BY PARK CITY COUNCIL THIS 2nd DAY OF September A.D. 2014
CITY RECORDER

RECORDED
Nº. 1002100 Date: 9/4/14
STATE OF Utah Time: 10:16 a.m.
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF: Park City Title
$61.00 Becky Y. Dennard deputy
COUNTY RECORDER



FLOOR PLAN - LEVEL 4
UNIT C301

0 5' 10' 20'

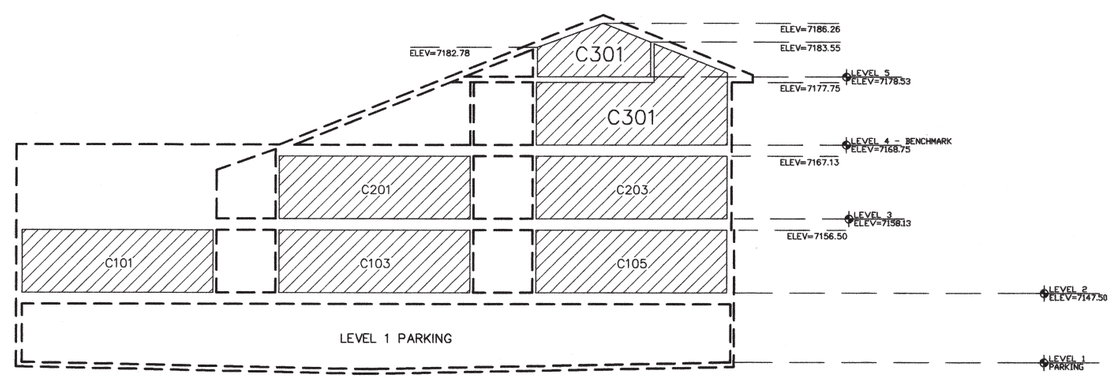


FLOOR PLAN - LEVEL 5
UNIT C301

0 5' 10' 20'

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA



B SECTION - BLDG. C

0 5' 10' 20'

PLOT DATE: MAY 29, 2014

NO. 1002100 RECORDED Time: 10:16am
DATE 9/4/14
STATE OF Utah
CITY OF -
RECORDED AT THE REQUEST OF Park City Title
$61.00
FEES
Becky J. Doonan deputy
CITY RECORDER

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
1670 Bonanza Drive * Suite 104
P.O. Box 2861 * Park City, Utah * 84060
Phone: 435.649.4867 * Fax: 435.649.9219
E-mail: office@evergreen-eng.com

REVISIONS		
DATE	BY	COMMENTS

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STATE OF UTAH
GARY R. WIMBACH
NO. 187788
5-29-14
PROFESSIONAL LAND SURVEYOR

SURVEYED BY: GRW
DRAWN BY: GRW
CHECKED BY: ADM/GRW

COURCHEVEL CONDOMINIUMS AT DEER VALLEY FIFTH AMENDED

FOR: MR. DAVID HANNAY
DWG: CCAMEND-C301
JOB NO. 1226

SHEET 2 OF 2

EXHIBIT C

Courchevel Condominiums Vicinity Map

located in Lower Deer Valley

© Copyright 2010 Park City Municipal Printed on Wed Oct 30 2013 10:29:04 AM.

Google earth

feet 200

meters 80

EXHIBIT D

CONDOMINIUM PLAT

COURCHEVEL CONDOMINIUMS AT DEER VALLEY

SIXTH AMENDMENT

-A UTAH CONDOMINIUM PROJECT-

THE PROJECT INTENT AND SCOPE OF WORK:

THIS PLAT REPRESENTS AN AMENDMENT OF COMMON SPACE TO PRIVATE SPACE FOR UNIT B-101 AT COURCHEVEL CONDOMINIUMS AT DEER VALLEY ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER (RECORDATION NUMBER 229039.) THIS AMENDMENT ADDS THE ATTIC SPACE ABOVE UNIT B-101 TO PRIVATE OWNERSHIP OF SAID CONDO UNIT.

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PLANNING DEPT.

Overall Project Intent and Scope of Work

This plat amendment converts common area attic space above Unit B-101 into Private Area for Unit B-101. This attic space is located on level 3 of the existing condominium area. This change will add 314.4 square feet of private area to Unit B-101.

Required Parking Analysis

	Sq. Ft.	Req'd Spaces		Sq. Ft.	Req'd Spaces
B303	1367	1.5	B304	1367	1.5
B205	759	1	B206	759	1
B301	1367	1.5	B302	759	1
B203	759	1	B204	759	1
B105	759	1	B106	759	1
B201	759	1	B202	1262	1.5
B103	759	1	B104	759	1
B101	759	1	B102	759	1

	Sq. Ft.	Req'd Spaces		Sq. Ft.	Req'd Spaces
C301	898	1	C302	759	1
C203	759	1	C204	759	1
C105	759	1			
C201	759	1	C202	759	1
C103	759	1	C104	759	1
C101	759	1	C102	759	1

total required parking=	29
total spaces available=	31

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PARK CITY
PLANNING DEPT.

(D) The driveway must not pre-empt any existing physical parking, which may occur in the platted Street. If the platted Street has been improved to provide Public Parking, then any driveway proposal must replace such parking with new Public Parking of equal or better convenience and construction.

(E) The driveway and related improvements such as retaining walls shall be designed and built to minimize present and future conflicts with public utilities and stairs.

(F) The driveway construction requires a Conditional Use permit, Section 15-1-10.

(G) An encroachment permit for the driveway is required.

(H) Private utilities, including snow melt devices, within the platted City Street require approval by the City Engineer.

15-3 -6. PARKING RATIO REQUIREMENTS FOR SPECIFIC LAND USE CATEGORIES.

(A) **RESIDENTIAL USES**. Off-Street parking shall be provided for each land Use as listed in this section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure. Specific Uses, and the related parking ratio requirements are also shown below: Also refer to 15-15 Definitions for clarification of Uses.

RESIDENTIAL PARKING RATIO REQUIREMENTS		
USE	**PARKING RATIO (NUMBER SPACES)**	
Accessory Apartment	1 per bedroom	
Lockout Unit in Single Family and Duplex Dwellings	1 per bedroom	
Single Family Dwelling	2 per Dwelling Unit	
Duplex Dwelling	2 per Dwelling Unit (4 total)	
Triplex Dwelling	2 per Dwelling Unit (6 total)	
Multi-Unit Dwelling	Apartment/ Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
	Apartment/ Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
	Apartment/ Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit
Dormitory	1 per 200 sf floor Area devoted to accommodations	
Boarding House, Hostel,	1 per 2 beds; and 1 per manager's unit	

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2 BL UNITS = 759 SQFT
B 301/ 938 /830t
B 2 2 1367 SQFT
1 1262
C 2 3L = 898 602

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JUN 09 2016
PARK CITY
PLANNING DEPT

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Treasure**
Project #: **PL-08-00370**
Author: **Francisco Astorga, AICP, Senior Planner**
Date: **12 April 2017**
Type of Item: **Administrative – Conditional Use Permit**
Introduction to CUP Criteria 7, 9, 10, & 12

Summary Recommendations

Staff recommends that the Planning Commission review the Treasure Conditional Use Permit (CUP) CUP criteria as introduced:

- (7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
- (9) usable Open Space;
- (10) signs and lighting;
- (12) noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

Staff recommends that the Planning Commission conduct a public hearing and continue the Conditional Use Permit to the May 10, 2017 Planning Commission meeting.

Description

Property Owner:	Sweeney Land Company and Park City II, LLC represented by Patrick Sweeney
Location:	Creole-Gulch and Mid-station Sites Sweeney Properties Master Plan (SPMP)
Zoning:	Estate (E) District – Master Planned Development
Adjacent Land Use:	Ski resort area and residential
Topic of Discussion:	Introduction to CUP Criteria 7, 9, 10 & 12
Reason for Review:	Conditional Use Permits are required for development per the SPMP. Conditional Use Permits are reviewed by the Park City Planning Commission.

Background

The Planning Commission reviewed this application during the March 8, 2017 Planning Commission meeting, which the Planning Department presented an introduction to the following CUP items:

(4) emergency vehicle Access;
(5) location and Amount of off-Street parking;
(6) internal vehicular and pedestrian circulation system;
(13) control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

(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.

The Planning Commission held a public hearing during the March 8, 2017 Planning Commission meeting and reviewed the prepared staff report. During this meeting, the Park City Planning Department focused on CUP item no. 5 location and amount of off-street parking. The Planning Department presented parking provisions in the Sweeney Properties Master Plan (SPMP), presented the applicant's parking proposal, and requested that the Planning Commission provide direction regarding off-street parking management. Staff requested to further understand how the applicant plans on managing off-street (on-site) parking to assure compliance with Finding no. 4 and Development Parameter/Condition no. 3 in that all support commercial uses are oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas. The Planning Commission agreed with staff in that the applicant needs to show how off-street parking will be managed to assure compliance with the Master Plan.

The applicant presented four (4) items for discussion: CUP item no. 4 emergency vehicle access; CUP item no. 6 internal vehicle pedestrian and circulation systems; CUP item no. 13 control of delivery and service vehicles, loading/unloading zones, and screening of trash pickup areas; and CUP item no. 14 and 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.

The Planning Commission continued the item to the April 12, 2017 meeting in preparation for the anticipated traffic/transportation document updated by the applicant to reflect traffic count during President's Day Weekend 2017. The applicant has indicated that they need more time to finalize their traffic/transportation update as they request to postpone the 2017 traffic/transportation update to the May 10, 2017 meeting. The applicant explains that their traffic engineer needs sufficient time necessary to finish the traffic study addendum, allow Park City Staff to review it, and to submit a final version to Staff will in advance of presentation to the Planning Commission. Applicant explains that their engineer simply has run out of time in order to meet the April 12, 2017 meeting. For clarity sakes, Staff communicates that by the draft of this staff report no traffic/transportation update has been submitted to the City.

Purpose/Introduction

As indicated on the LMC 50th Edition (2004 LMC), § 15-1-10(D) Standard for Review, the City shall not issue a Conditional Use permit unless the Planning Commission concludes that:

(1) the Application complies with all requirements of this LMC;
(2) the Use will be Compatible with surrounding Structures in Use, scale, mass and circulation;

(3) the Use is consistent with the Park City General Plan, as amended; and
(4) the effects of any differences in Use or scale have been mitigated through careful planning

The Community Development Department and the Planning Commission must review all of the CUP criteria when considering whether or not the proposed conditional use mitigates impacts. The focus of this staff report is to provide an **introduction** to the Planning Commission relevant to the following CUP criteria:

- (7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
- (9) usable Open Space;
- (10) signs and lighting;
- (12) noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

The applicant requests that the following exhibits to be presented to the Planning Commission:

- Criteria #7 – Fencing, Screening, and landscaping to separate the Use from adjoining Uses
  - Sheet V-12 - Separation – Fencing, Screening, & Landscape Plan, main exhibit
  - Sheet V-04 - Plaza and Street Entry Plan, accompanying background exhibit

- Criteria #9 – usable Open Space
  - Sheet V-11 - Usable Open Space within Development Parcels, main exhibit
  - Sheet SP.1 - Site & Circulation Plan, accompanying background exhibit

- Criteria #10 – Signs and Lighting
  - Sheet V-14 - Signage & Lighting

- Criteria #12 – noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site
  - Sheet V-13 - Noise Mitigation Diagrams, main exhibit
  - Sheet P.2 - Level 2 Use Plan, accompanying background exhibit

For a general reference and a written explanation the applicant includes the following exhibits: V-1 Illustrative Plan and A.1 Written & Pictorial Explanation. The applicant requests to walk through these exhibits with the Planning Commission and answer questions.

Analysis – Criteria #7, 10, & 12

Staff has thoroughly reviewed the exhibits as requested by the Applicant as outlined above regarding these specific CUP items, which also include the written and pictorial explanation. The provided exhibits do not contain specific information about the proposal or specific mitigation associate with each item:

- Criteria #7 – Fencing, Screening, and landscaping to separate the Use from adjoining Uses. The referenced exhibit consists of the site plan with the location of the skier safety and perimeter fending, pool area with safety fencing, and landscaping screening area. The referenced exhibit and the written/pictorial explanation do not indicate specifics about the proposal, but rather focus on preliminary concepts.

  Specifics components need to be reflected on the plans. These components include, but are not limited to, each proposed fence to indicate its proposed material and detail, landscape plan to show proposed plant name (botanical name, common name, etc.), quantity, size location, and spacing, etc., each proposed mitigation strategy needs to be listed and identified**.**

- Criteria #10 – Signs and Lighting. The referenced exhibit consists of the site plan with the location of various entry monuments, information kiosks, signage of several types, building identification, and existing/proposed bike and pedestrian trails. The referenced exhibit and the written/pictorial explanation do not indicate specifics about the proposed signs and lighting. Specifics components need to be reflected such as types of lighting to show compliance with the 2004 LMC. While a Master Sign Permit is a separate administrative permit through the Planning Department, Staff is unable to comment on this until supplemental information is submitted for review to show compliance with applicable Codes, i.e., signs types, dimensions, descriptions of proposed materials, etc., were not included in conjunction with this application.

  The referenced exhibits contains these two (2) notes showing the preliminary/conceptual nature of the exhibit:

  - *Note: This plan is conceptual. Final design shall be subject to the signage and lighting codes in effect at the time of the final design and shall furthermore adhere to the principles set forth in Appendix 13 of this updated submittal.*
  - *General Site Lighting Notes:*
    Site lighting to support the goals of effective nighttime lighting in accordance the Park City Lighting Ordinance and with the goals and recommendations of the International Dark-Sky Association.
    To the extent possible reduce light trespass, glare, light pollution, and energy use while still providing for a safe and secure nighttime environment for vehicles and pedestrians.

Use properly designed lighting fixtures with shielding that reduces sideways and upward leakage of light onto neighboring properties and into the night sky.
Selection of light sources to be appropriate for type of use and activities that are to be supported as well as to be energy efficient. Fixtures to be properly aimed and utilize appropriate light distribution patterns to maximize effectiveness.
Location and arrangement of site lighting fixtures to be thoughtful and seek to reduce visual clutter.
Where practical timers and/or sensors to be employed to control lighting utilization.

While the first note on this exhibit refers to Appendix 13 (Signage & lighting), see Link Q – Signage & Lighting (appendix A-13), It focus, as indicated on the same note and the document, is to follow the principles set forth in this document. Specifics for signage and lighting have not been submitted.

Buildings with multiple tenants require a Master Sign Plan application to be submitted for review. Master Sign Plans are reviewed administratively by Planning Staff. The Master Sign Plan has not been submitted at this stage as it is usually submitted after CUP approval. The applicant stipulates that all signs are to be in compliance with Sign Code (Municipal Code Title 12) once the application is submitted.

Applicant stipulates that all lighting shall be in compliance with applicable lighting provisions found within the 2004 Land Management Code, see 2004 LMC § 15-5-5(I).

- Criteria #12 – noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site. The referenced exhibit consists of seven (7) cross sections with recognized potential sound source at proposed outdoor use areas and the distance to adjacent residences outside the development. The referenced exhibit and the written/pictorial explanation do not indicate specifics about the proposed mitigation for vibration, odors, steam, or other mechanical factors that might affect people and property off-site, other than the distance from potential sound source at proposed outdoor use areas.

As indicated on Sheet V-04 - Plaza and Street Entry Plan, accompanying background exhibit, the proposal contains outdoor areas including several outdoor dining areas, two (2) outdoor ballroom areas, etc. While these areas are indeed currently part of the proposal, they need to be recognized as outdoor spaces, which were not originally indicated on the Sweeney Property Master Plan. While Staff does consider them to be subordinate to the overall project, they need to be property recognized, reviewed, and regulated by applicable Codes. Other than this exhibit presented, staff finds that specific information needs to be presented and reviewed in order for approval before these outdoor areas can be activated. Staff recommends that these areas be follow

standard procedures through their required permit, e.g. outdoor dining administrative Conditional Use Permit. These permits can be entertained once tenants are selected but prior to any outdoor use.

Analysis - Criteria #9 – Usable Open Space

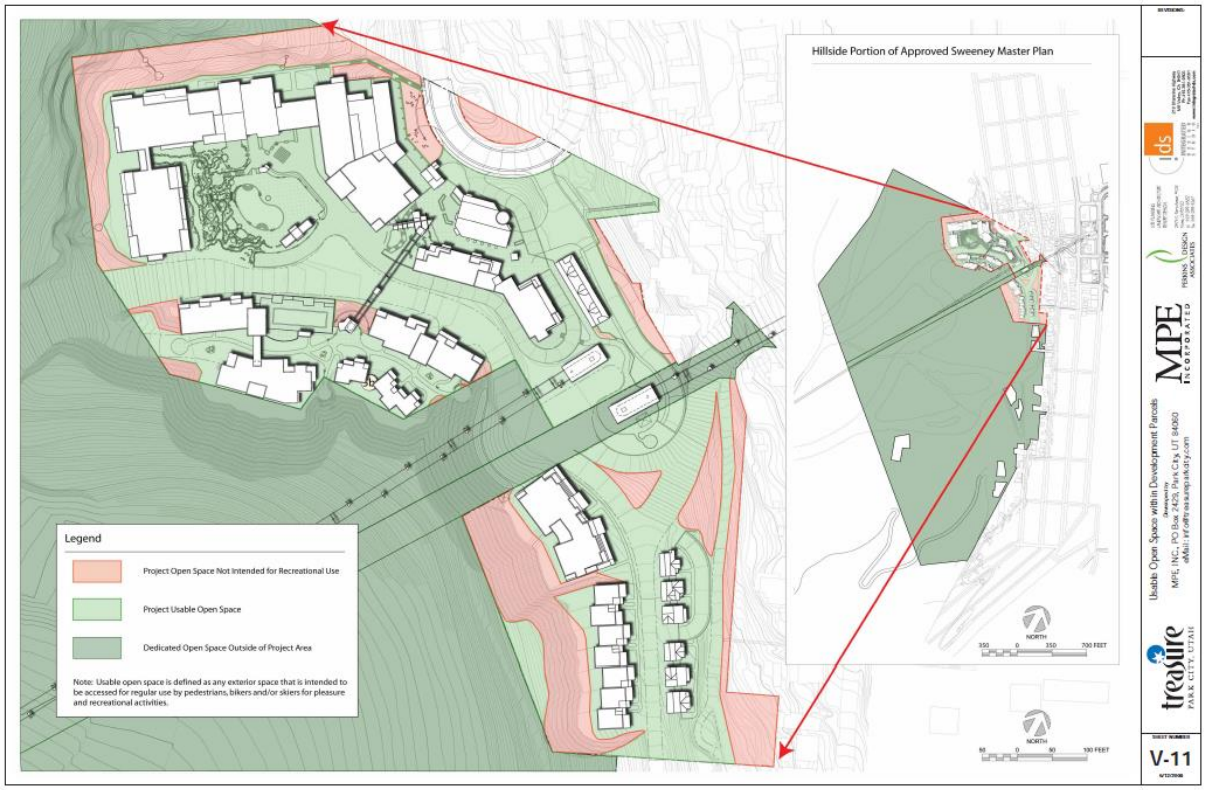
The approved Master Plan indicates that the Creole Gulch and Town Lift Mid-Station sites are to have a minimum of 70% open space. When the Master Plan was approved it included the rezoning of the hillside (approximately 110 acres) to Recreation Open Space (ROS) District. Finding of Fact no. 3 states:

> *The open space preserved and conceptual site planning attributes resulting from the cluster approach to the development of the hillside is sufficient justification for the requested height variation necessary, and that the review criteria outlined in Section 10.9 (e) have been duly considered.*"

The following narrative below is the Open Space section written under section VI Major Issues:

> *Open Space - A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as a part of the proposed Master Plan. In excess of 110 acres will actually be rezoned to Recreation Open Space (ROS) in addition to 70% open space provided within each of the development parcels. Alternative concepts reviewed involving the extension of Norfolk Avenue would significantly have reduced the amount of open space retained. The potential for the subdivision and scattered development of the hillside would also have drastically affected the goal of preserving the mountain substantially intact and pristine.*

The applicant indicates that the two (2) sites contain a combined of 70% open space. Sheet SP.1 - Site & Circulation Plan shows that the Mid-station site is 3.75 acres and contains 84.94% of open space. The same sheet SP.1 shows that the Creole Gulch site is 7.75 acres and contains 70.58% of open space. The entire area consisting of 500,928 square feet or 11.5 acres contain a total of 75.26% open space. The applicant submitted the referenced exhibit Sheet V-11 - Usable Open Space within Development Parcels which shows the three (3) categories identified as Open Space not intended for Recreation use, usable Open Space, and dedicated open space outside of project area:



The 2004 LMC contains the following Open Space definition:

> *15-15-1.151. Open Space.*
>
> *(A) Open Space, Landscaped. Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, but excluding Buildings or Structures.*
>
> *(B) Open Space, Natural. A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge Line Area, Slopes over thirty percent (30%), wetlands, Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.*
>
> *(C) Open Space, Transferred Development Right (TDR). That portion of a Master Planned Development, PUD, Cluster Plan or other Development plan from which Density is permanently transferred. This Area may be either Natural or Landscaped Open Space.*

Discussion Requested: Staff finds that the proposal complies with the open space requirements identified in the Sweeney Properties Master Plan. Does the Planning Commission agree with this?

Update

The Planning Department's transportation team (City Engineer's office, Transportation

Planning Department, Public Works Dept., etc.) is waiting on the supplemental information regarding traffic and transportation, i.e., road capacity, volume, counts, etc. The Planning Department will provide an official recommendation to the Planning Commission once the studies are updated. The Planning Department does not recommend promoting a specific Planning Commission date to review the traffic/transportation update. The Planning Department will commit to present the traffic/transportation update once it has been submitted to the City.

The Planning Department will provide an update of outstanding items that need resolution in order for the Planning Commission to take action on the requested CUP. The Planning Department will provide such list during the May 10, 2017 Planning Commission meeting.

Notice

The property was posted and notice was mailed to property owners within 300 feet on May 11, 2016 for the initial meeting held on June 8, 2106. Legal notice was published in the Park Record according to requirements of the Land Management Code prior to every meeting.

Public Input

Public input has been received by the time of this report (See Link A - Public Comments). All public comments are forwarded to the Planning Commission via the staff report link above and kept on file at the Planning Office. Planning Staff will not typically respond directly to the public comments, but may choose to address substantive review issues in subsequent staff reports. There are four (4) methods for public input to the Planning Commission:

- Attending the Planning Commission meetings and giving comments in the public hearing portion of the meeting
- Preparing comments in an e-mail to treasure.comments@parkcity.org
- Visiting the Planning office and filling out a Treasure CUP project Comment Card
- Preparing a letter and mailing/delivering it to the Planning Office

Summary Recommendations

Staff recommends that the Planning Commission review the Treasure Conditional Use Permit (CUP) CUP criteria as introduced. Staff recommends that the Planning Commission conduct a public hearing and continue the Conditional Use Permit to the May 10, 2017 Planning Commission meeting

Exhibits (printed)

Exhibit A – Sheet V-12 - Separation – Fencing, Screening, & Landscape Plan
Exhibit B – Sheet V-04 - Plaza and Street Entry Plan
Exhibit C – Sheet V-11 - Usable Open Space within Development Parcels
Exhibit D – Sheet SP.1 - Site & Circulation Plan
Exhibit E – Sheet V-14 - Signage & Lighting

Exhibit F – Link Q – Signage & Lighting (appendix A-13)
Exhibit G – Sheet V-13 - Noise Mitigation Diagrams
Exhibit H – Sheet P.2 - Level 2 Use Plan
Exhibit I – Sheet V-1 Illustrative Plan
Exhibit J – A.1 Written & Pictorial Explanation (exhibit not printed)

Hyperlinks

Link A - Public Comments
Link B - Approved Sweeney Properties Master Plan (Narrative)
Link C - Approved MPD Plans
Link D - Proposed Plans – Visualization Drawings1

Sheet BP-01	The Big Picture
Sheet V-1	Illustrative Plan
Sheet V-2	Illustrative Pool Plaza Plan
Sheet V-3	Upper Area 5 Pathways
Sheet V-4	Plaza and Street Entry Plan
Sheet V-5	Building 4b Cliffscape Area
Sheet V-6	Exterior Circulation Plan
Sheet V-7	Parking and Emergency Vehicular Access
Sheet V-8	Internal Emergency Access Plan
Sheet V-9	Internal Service Circulation
Sheet V-10	Site Amenities Plan
Sheet V-11	Usable Open Space with Development Parcels
Sheet V-12	Separation-Fencing, Screening & Landscaping
Sheet V-13	Noise Mitigation Diagrams
Sheet V-14	Signage & Lighting
Sheet V-15	Contextual Site Sections - Sheet 1
Sheet V-16	Contextual Site Sections - Sheet 2

Link E - Proposed Plans – Visualization Drawings2

Sheet V-17	Cliffscapes
Sheet V-18	Retaining Systems
Sheet V-19	Selected Views of 3D Model - 1
Sheet V-20	Selected Views of 3D Model – 2
Sheet V-21	Viewpoints Index
Sheet V-22	Camera Viewpoints 1 & 2
Sheet V-23	Camera Viewpoints 3 & 4
Sheet V-24	Camera Viewpoints 5 & 6
Sheet V-25	Camera Viewpoints 7 & 8
Sheet V-26	Camera Viewpoints 9 & 10
Sheet V-27	Camera Viewpoint 11
Sheet V-28	Illustrative Plan – Setback

Link F - Proposed Plans – Architectural/Engineering Drawings 1a

Sheet VM-1	Vicinity & Proposed Ski Run Map
Sheet EC.1	Existing Conditions
Sheet SP.1	Site & Circulation Plan Sheet
Sheet GP.1	Grading Plan

Sheet HL.1	Height Limits Plan
Sheet HL.2	Roof Heights Relative to Existing Grade
Sheet FD.1	Fire Department Access Plan

Link G - Proposed Plans – Architectural/Engineering Drawings 1b

Sheet P.1	Level 1 Use Plan
Sheet P.2	Level 2 Use Plan
Sheet P.3	Level 3 Use Plan
Sheet P.4	Level 4 Use Plan
Sheet P.5	Level 5 Use Plan
Sheet P.6	Level 6 Use Plan
Sheet P.7	Level 7 Use Plan
Sheet P.8	Level 8 Use Plan
Sheet P.9	Level 9 Use Plan
Sheet P.10	Level 10 Use Plan
Sheet P.11	Level 11 Use Plan
Sheet P.12	Level 12 Use Plan
Sheet P.13	Level 13 Use Plan
Sheet P.14	Level 14 Use Plan
Sheet P.15	Level 15 Use Plan
Sheet P.16	Area, Unit Equivalent & Parking Calculations

Link H – Proposed Plans – Architectural/Engineering Drawings 2

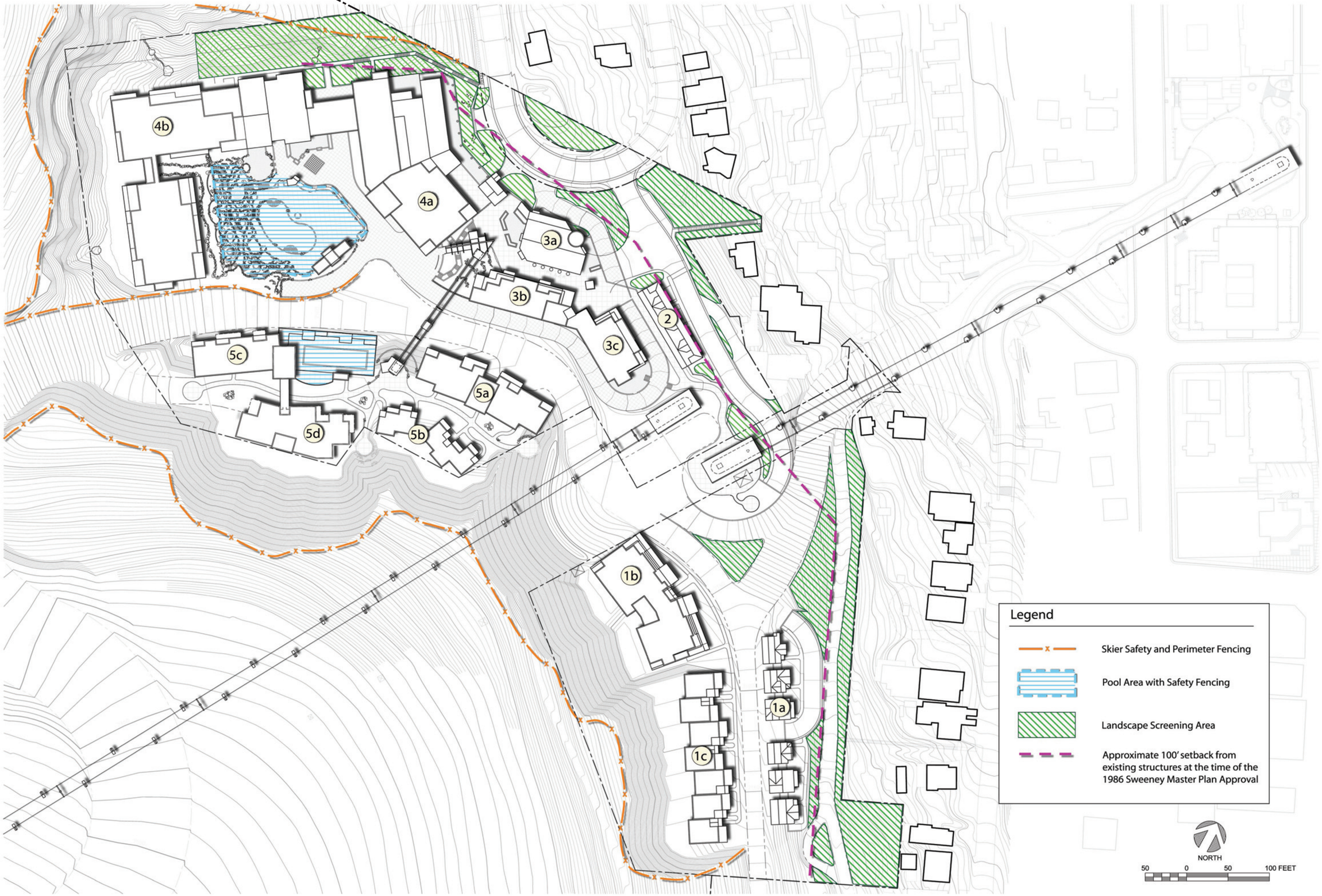
Sheet E.1AC2.1	Buildings 1A, 1C& 2 Exterior Elevations
Sheet E.1B.1	Building 1B Exterior Elevations
Sheet E.3A.1	Building & Parking Garage Exterior Elevations
Sheet E.3BC.1	Building 3BC Exterior Elevations
Sheet E.3BC.2	Building 3BC Exterior Elevations
Sheet E.3BC.3	Building 3BC Exterior Elevations
Sheet E.4A.1	Building 4A Exterior Elevations
Sheet E.4A.2	Building 4A Exterior Elevations
Sheet E.4B.1	Building 4B Exterior Elevations
Sheet E.4B.2	Building 4B Exterior Elevations
Sheet E.4B.3	Building 4B Exterior Elevations
Sheet E.4B.4	Building 4B Exterior Elevations
Sheet E.5A.1	Building 5A Exterior Elevations
Sheet E.5B.1	Building 5B Exterior Elevations
Sheet E.5C.1	Building 5C Exterior Elevations
Sheet E.5C.2	Building 5C Exterior Elevations
Sheet E.5D.1	Building 5D Exterior Elevations
Sheet S.1	Cross Section
Sheet S.2	Cross Section
Sheet S.3	Cross Section
Sheet S.4	Cross Section
Sheet S.5	Cross Section
Sheet S.6	Cross Section
Sheet S.7	Cross Section
Sheet S.8	Cross Section

Sheet S.9 Cross Section
Sheet UP.1 Concept Utility Plan

Link I – Applicant's Written & Pictorial Explanation
Link J – Fire Protection Plan (Appendix A-2)
Link K – Utility Capacity Letters (Appendix A-4)
Link L – Soils Capacity Letters (Appendix A-5)
Link M – Mine Waste Mitigation Plan (Appendix (A-6)
Link N – Employee Housing Contribution (Appendix A-7)
Link O – Proposed Finish Materials (Appendix A-9)
Link P – Economic Impact Analysis (Appendix A-10)
Link Q – Signage & Lighting (appendix A-13)
Link R – LEED (Appendix A-14)
Link S – Worklist (Appendix A-15)
Link T – Excavation Management Plan (Appendix A-16)
Link U – Project Mitigators (Appendix A-18)
Link V – Outside The Box (Appendix A-20)

Additional Hyperlinks

2009.04.22 Jody Burnett MPD Vesting Letter
Staff Reports and Minutes 2016
Staff Reports and Minutes 2009-2010
Staff Reports and Minutes 2006
Staff Reports and Minutes 2005
Staff Reports and Minutes 2004
2004 LMC 50th Edition
1997 General Plan
1986.10.16 City Council Minutes
1985.12.18 Planning Commission Minutes
1986 Comprehensive Plan
1985 Minutes
1985 LMC 3rd Edition
1983 Park City Historic District Design Guidelines
Parking, Traffic Reports and Documents
MPD Amendments:
- October 14, 1987 - Woodside (ski) Trail
- December 30, 1992 - Town Lift Base
- November 7, 1996 – Town Bridge



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12/9/2008

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fax. 559-299-5287
PERKINS DESIGN ASSOCIATES

MPE INCORPORATED

Separation – Fencing, Screening, & Landscape Plan

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PARK CITY, UTAH

SHEET NUMBER

V-12

6/12/2008

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Plaza and Street Entry Plan

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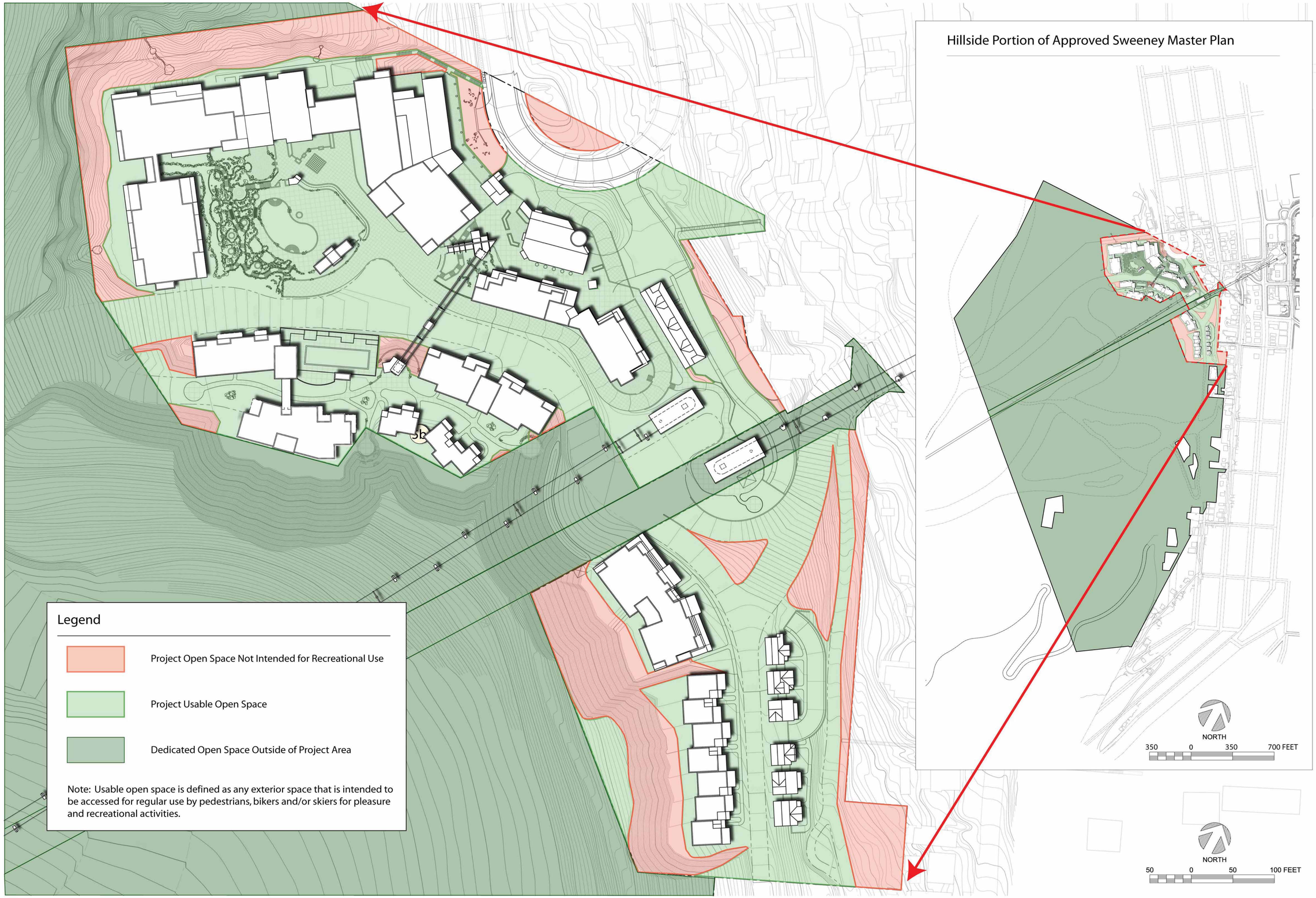
V-4

6/12/2008



Legend

- Project Open Space Not Intended for Recreational Use
- Project Usable Open Space
- Dedicated Open Space Outside of Project Area

Note: Usable open space is defined as any exterior space that is intended to be accessed for regular use by pedestrians, bikers and/or skiers for pleasure and recreational activities.

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Usable Open Space within Development Parcels

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V-11

6/12/2008

OPEN SPACE CALC.

BLDG. NO.	BLDG. FOOTPRINT (1)
MIDSTATION SITE - LOT #8	
1A	5,026 S.F.
1B	10,608
1C	8,960
TOTAL	**24,594 S.F.**
SITE AREA	163,337 S.F. (3.75 ACRES)
OPEN SPACE	**84.94 %**
CREOLE SITE - LOT #9	
2	3,142 S.F.
EMP. HOUSING	651
3A	3,746
3B	5,291
3C	4,575
PLAZA STAIR/ELEV.	630
4A	21,293
4B	31,170
POOL BLDG.	792
5A	7,221
5B	3,655
5C	9,812
5D	6,340
TOTAL	**99,318 S.F.**
SITE AREA	337,591 S.F. (7.75 ACRES)
OPEN SPACE	**70.58 %**
PROJECT TOTAL	
BLDG. AREA	**123,912 S.F.**
SITE AREA	500,928 S.F.
OPEN SPACE	**75.26 %**

(1) BUILDING FOOTPRINTS USED IN THE OPEN SPACE CALCULATION (SHOWN SHADED) ARE EXTERIOR FACE OF WALL AT FINISH GRADE, EXCEPT AT BUILDING 3C THE HABITABLE SPACE ABOVE THE PLAZA (SHOWN DASHED) IS INCLUDED. EXCLUDED ARE DRIVEWAYS, ROOF OVERHANGS, PRIVATE BALCONIES NOT ABOVE HABITABLE SPACE AND OPEN ON AT LEAST TWO SIDES, AND STRUCTURES BELOW LANDSCAPING OR PUBLIC PLAZAS.

REVISIONS:

ELDREDGE & NICHOLSON ARCHITECTS
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STUDIO 204
SALT LAKE CITY, UTAH 84101
(801) 363-4667

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Site & Circulation Plan

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SHEET NUMBER

SP.1

6/12/2008

REVISIONS:

12/9/2008

Legend

- Entry Monument
- Information Kiosk
- Transit Signage
- Project Identification
- Interperative Signage
- Direction Signage
- Trail Signage
- Building Identification
- Commercial Signage
- Temporary Signs and Bannars
- Proposed Bike and Pedestrian Trails
- Existing Bike and Pedestrian Trails

Note: This plan is conceptual. Final design shall be subject to the signage and lighting codes in effect at the time of the final design and shall furthermore adhere to the principles set forth in Appendix 13 of this updated submittal.

NORTH

50 0 50 100 FEET

General Site Lighting Notes:
Site lighting to support the goals of effective nighttime lighting in accordance the Park City Lighting Ordinance and with the goals and recommendations of the International Dark-Sky Association.
To the extent possible reduce light trespass, glare, light pollution, and energy use while still providing for a safe and secure nighttime environment for vehicles and pedestrians.
Use properly designed lighting fixtures with shielding that reduces sideways and upward leakage of light onto neighboring properties and into the night sky.
Selection of light sources to be appropriate for type of use and activities that are to be supported as well as to be energy efficient. Fixtures to be properly aimed and utilize appropriate light distribution patterns to maximize effectiveness.
Location and arrangement of site lighting fixtures to be thoughtful and seek to reduce visual clutter.
Where practical timers and/or sensors to be employed to control lighting utilization.

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Signage & Lighting

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PARK CITY, UTAH

SHEET NUMBER

V-14

6/12/2008

Signage & Lighting

General Principles that apply to all signage, unless noted otherwise, are as follows. Snow depth will be taken into account. All sign materials will be durable and resistant to deterioration. A comprehensive graphic program will be developed for the entire project. All signs will reflect this to some degree. As part of final design, a detailed signage plan will be submitted for each building as required by the Park City Municipal Code. Lighting will be externally mounted and/or integral to sign design and adhere to principals directed at avoiding light pollution on neighboring properties and the planet in accordance with the recommendations of the International Dark-Sky Association, as detailed on its website under Approved Fixtures and Best Choice Lighting. Anticipated signage needs and locations are shown on V.14. Treasure Signage & Lighting

Entry Monument refers to the entry monument that will be the main project identifier. It will be bold, simple, and direct. It will include project identification elements – text, logo, etc. and be of sufficient height to be visible above winter snows. It will be located between the primary vehicular and pedestrian arrival points as shown on V.14. It will be constructed of materials consistent with the building exteriors and site work – stone, steel, wood, and concrete. It will establish the thematic character of the project – mining heritage, nature, skiing, and metro on the mountain.

Information Kiosk refers to the information kiosk as located on V.14 that will be freestanding and serve for all kinds of information. It will be constructed of wood, steel, and stone. It may have an overhead roof or awning for weather protection and shade. It will house a variety of informational exhibits – project map and directory, event and activity descriptions, commercial services and location, public notices, etc. It may be interactive and include monitors and user interface devices. Lighting will be internally or externally mounted and provide structure as well as exhibit specific illumination. Light sources will be shielded to mitigate glare or spill into adjacent areas. Project thematic elements, logo, color scheme, etc. will be utilized.

Transit Signage refers to signage for the project funicular, cabriolet and lift. Information will include schedules, safety warnings, user instructions, and route info for connecting public transit at the Town Lift Base. It will be integrated into funicular, cabriolet, and lift terminal structures. Lighting will be integrated into the structures or associated shelters. Light sources will be shielded to mitigate glare or spill onto adjacent areas. The materials will be consistent with project character.

Project Identification refers to simple signage elements identifying project locations at primary public interfaces - public stairs, pedestrian and vehicular entries. These will incorporate the project logo, graphics, colors etc. and may be integrated with directional

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signage. Lighting will be external and shielded to mitigate glare or spill into adjacent areas. Lighting may be provided by other sources - street lighting, path lighting, etc. Materials will be metal, wood, and/or stone.

Interpretive Signage is informational and educational signage related to historic or other cultural interests, views and local landmarks, artifacts, etc. Signs will be constructed of metal, wood, stone, etc. and incorporate graphics and text in format suitable to describe points of interest and consistent with project character. Displays may be interactive where practical (i.e. as part of mining exhibit or museum entrance). Lighting will be internal or external using shielded sources to mitigate glare or spill into adjacent areas.

Directional Signage is way-finding signage to help vehicles and pedestrians move through project. The signs will be metal, wood, and stone and include project thematic elements, logo, color scheme, etc. Lighting will be external or internal and may be from secondary lighting sources, i.e. street or pedestrian lighting. Signage may be attached to buildings or freestanding. Lighting will be internal or external using shielded sources to mitigate glare or spill into adjacent areas.

Trail Signage is signage related to ski area trail management including maps, safety and speed regulations, trail names and directions, etc. Signage will be coordinated with Park City Ski Area and be consistent with the existing on mountain signage programs. Some signs will be permanent and others seasonal.

Building Identification is signage for identification and addressing of individual buildings. It will include building names and addressing necessary for public safety purposes. It will incorporate the architectural character and color of each building. It will be internally or externally lit and light sources will be shielded to mitigate light spill or glare.

Commercial Signage is signage placed on commercial storefronts identifying individual commercial, retail and service establishments within project. Signage will be integrated into storefront elements and oriented to the pedestrian eye. Signage may be integral to awnings or canopies over pedestrian entries to shop. Signs will be consistent with the colors, materials, and style of building architecture. Lighting will be external or internal and light sources shall be shielded to prevent glare and light spill into adjacent areas. Sign brackets should will be designed and detailed to match architectural character.

Temporary Signs and Banners is signage for special events and festivals. It will be used only during approved time periods for special events or festivals as dictated in event permits issued by the City. It will also consist of temporary commercial signage for sales, promotions, etc. in conformance with City codes.

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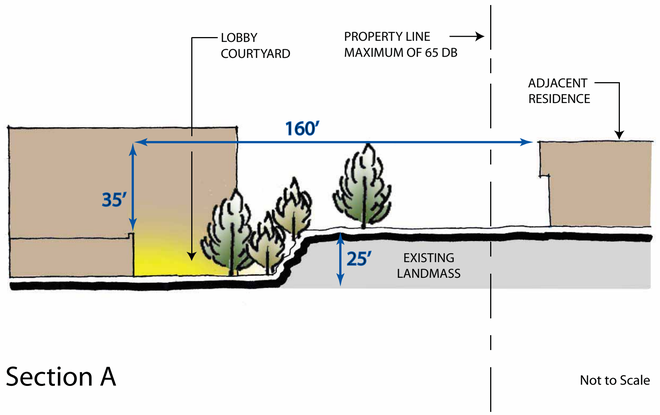

Section A

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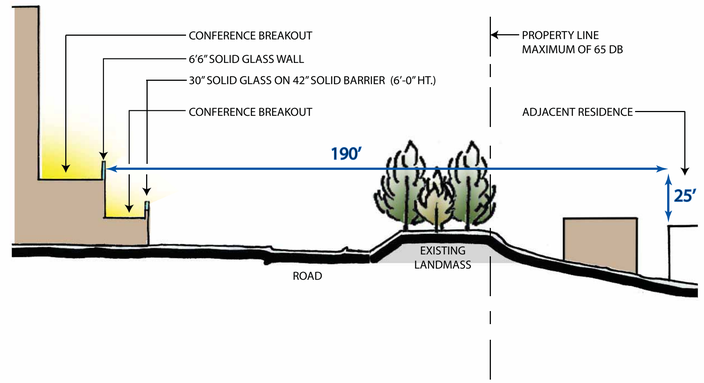

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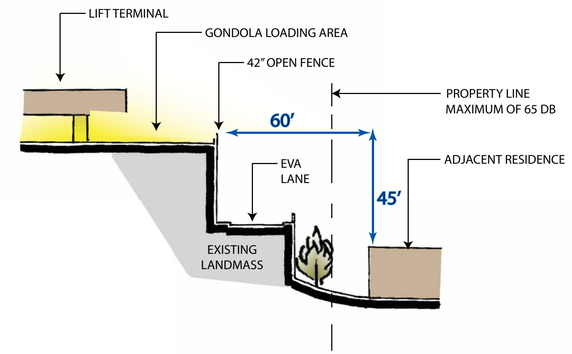

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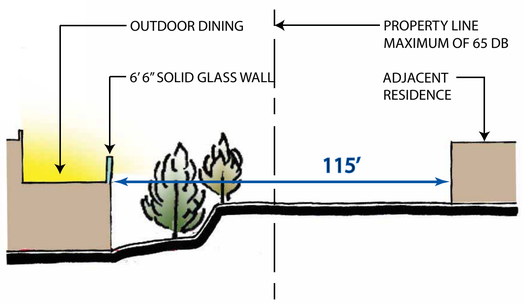

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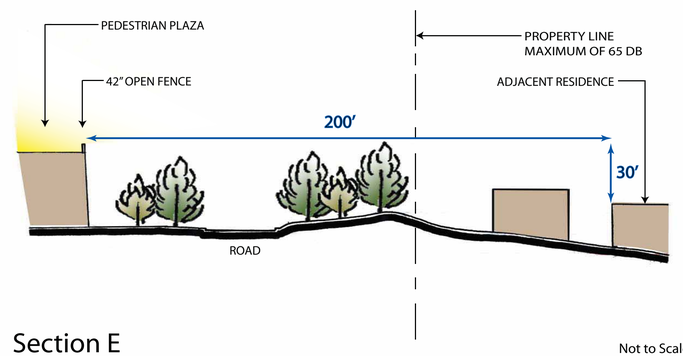

Section E

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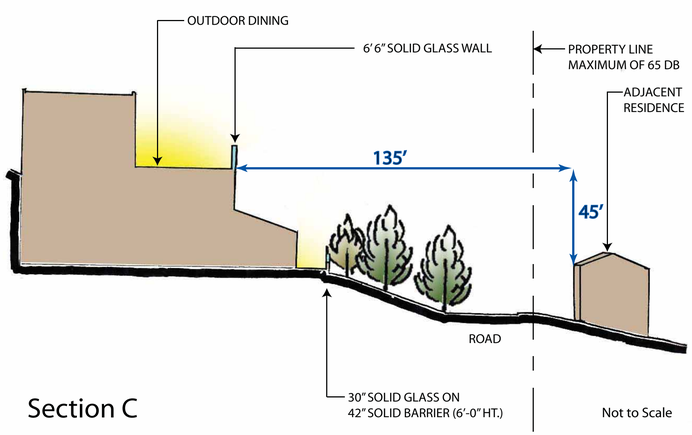

Section C

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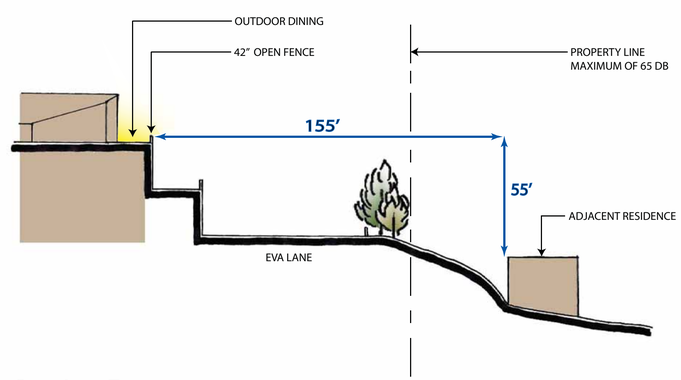

Section F

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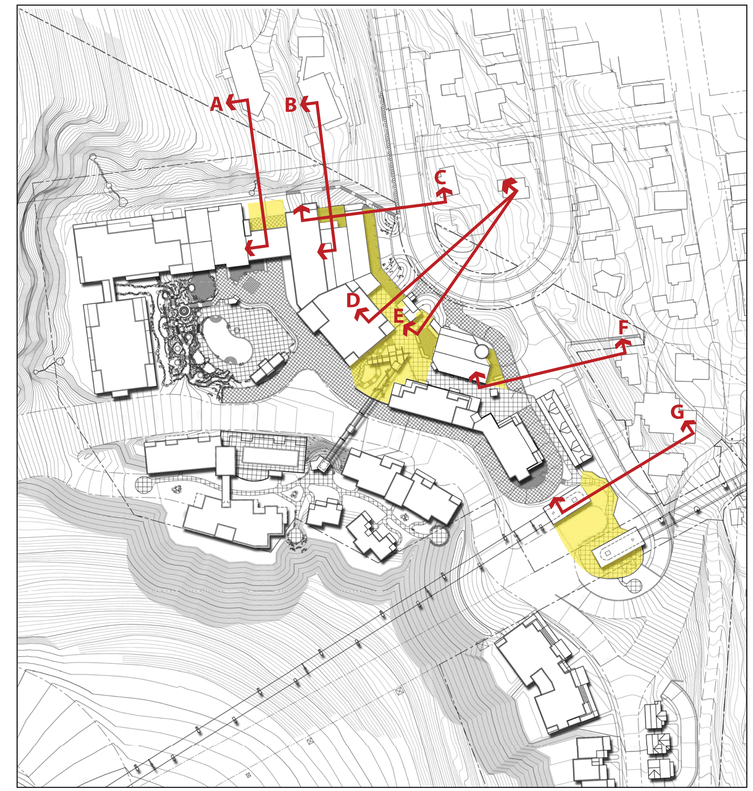

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Legend

Potential Sound Source at Proposed Outdoor Use Areas

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Noise Mitigation Diagrams

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PARK CITY, UTAH

SHEET NUMBER

V-13

6/12/2008

USE LEGEND

- RESIDENTIAL: Hotel (Net Area)
- RESIDENTIAL: Club (Net Area)
- RESIDENTIAL: Residences (Net Area)
- CIRCULATION & COMMON SPACE
- ALLOTTED COMMERCIAL
- SUPPORT COMMERCIAL
- MEETING SPACE
- ACCESSORY SPACES
  Includes Residential and Resort Accessory Uses not specifically designated as "Circulation".

5d — BUILDING NUMBER
L1 (7215') 5,458 S.F. — BUILDING AREA
NOTE: All areas are gross unless in [brackets] which are net, measured from inside face of perimeter walls.
FINISH FLOOR ELEVATION
LEVEL NUMBER

PERIMETER OF BLDG. WHERE FINISH FLOOR > 48" BELOW FINISH GRADE
More than 50% of perimeter, therefore area classified as "Basement" and excluded from Gross Area

PERIMETER OF BLDG. WHERE FINISH FLOOR > 48" BELOW FINISH GRADE;
Less than 50% of perimeter, or because of use, not classified as "Basement"

REVISIONS:

March 20, 2009

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EMAIL: david@eldredge.com

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Level 2 Use Plan

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treasure PARK CITY, UTAH

SHEET NUMBER

P.2

6/12/2008

REVISIONS:
12/9/8008

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Illustrative Plan

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PARK CITY, UTAH

SHEET NUMBER
V-1
6/12/2008

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Alice Claim Subdivision & Plat Amendment**
Project #: **PL-08-00371**
Author: **Francisco Astorga, AICP, Senior Planner**
Date: **12 April 2017**
Types of Item: **Legislative – Subdivision & Plat Amendment**

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review the remanded Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue with the amended entrance way. Staff recommends that the Planning Commission forward positive recommendation based on the Findings of Fact, Conclusion of Law as found in the Draft Ordinance.

Topic

Applicant:	King Development Group LLC 123-129 Ridge LLC represented by Brad Cahoon, Marc Diemer, Gregg Brown, and Jerry Fiat
Location:	Alice Claim south of intersection of King Road, Ridge Avenue and Sampson Avenue
Zoning:	Historic Residential (HR-1), Historic Residential-Low Density (HRL), and Estate (E) Districts
Adjacent Land Uses:	Open Space and Residential (developed and undeveloped)
Reason for Review:	Subdivisions/Plat Amendments require Planning Commission review and recommendation to City Council.

Proposal

The applicant is proposing that the Planning Commission review the application of a nine (9) lot Preliminary and Final Subdivision and a Plat Amendment on 9.034 acres, located at approximately the intersection King Road and Sampson Avenue within the City's Historic Residential (HR-1), Historic Residential-Low Density (HRL) and Estate (E) Districts. Proposed Lot 1 is within the E District and is 3.009 acres (131,083 square feet) in size. Proposed Lots 2 - 9 are within the HR-1 District and are each 0.104 acres (4,510 square feet) in size, totaling 0.832 acres (33,200 square feet).

The proposal also includes four (4) open space lots, totaling 4.697 acres (204,612 square feet) consisting of Lot A, 2.069 acres (90,123 square feet); Lot B, 1.097 acres (47,791 square feet); Lot C, 0.004 acres (173 square feet); and Lot D, 1.527 acres (66,525 square feet). The proposal also includes a Plat Amendment, Parcel 4 which is 0.378 acres (16,486 square feet) that will remove existing lot lines on contiguous platted lots in the HR-L District encumbered by existing King Road and Sampson Avenue. If

approved, Parcel 4 would be dedicated to the City for open space and roadway purposes. Parcel 5 consists of the Water Tank property as it extends from the tank down to Sampson Avenue and serves as the main access to the lots as the majority of proposed Alice Court sits on it. Parcel 5 is owned by Park City Municipal Corporation (PCMC) and is not included in this subdivision as no development is being proposed although an easement is contemplated for the use of an access road on a portion of Parcel 5. The applicant requests to use this property to provide access. The applicant also requests Drive Lot A of 0.118 acres (5,150 square feet) which is the turn-around hammerhead area between Proposed Lot 1 and 2 be for access. Drive Lot A is owned by the Applicant. The following table is a Lot by Lot break-out:

Table 1:

Description	Acreage	Combined Acreage
Estate Lot 1 (one single-family dwelling)	3.009	**3.841**
HR-1 Lots 2-9 (8 single-family dwellings)	0.832	
Parcel A (open space)	2.069	**4.697**
Parcel B (open space)	1.097	
Parcel C (open space)	0.004	
Parcel D (open space)	1.527	
Drive Lot A (turn-around hammerhead	0.118	**0.118**
Parcel 4 (HRL Lots, to be open space and roadway)	0.378	**0.378**
Parcel 5 (City owned, not included in the subdivision)	1.540	**N/A**
	Total	**9.034**

The updated submittal consists of +200 sheets as described below:

Link A - 2017.02.01 Letter to the City
Link B - Alice Claim Gully Plan w/ Modified Entry Project Description
Link C - Easement Agreement No. 01062990
Link D - Proposed Alice Claim Sub. & Plat Amendment Sheet 1
Link E - Proposed Alice Claim Sub. & Plat Amendment Sheet 2
Link F - Aerial
Link G - Aerial 100 Scale
Link H - Panoramic views
Link I - Entry Plan Modified Entry
Link J - Entry Plan King Road ROW Extended
Link K - Road and walls on Public Land
Link L - Alice Claim Subdivision Gully with Modified Entry-Vicinity & Zoning
Link M - Alice Claim Subdivision Gully with Modified Entry-Vegetative Cover
Link N - Alice Claim Subdivision Gully with Modified Entry-Slope Analysis Plan
Link O - Alice Claim Subdivision Gully with Modified Entry-Site Plan
Link P - Alice Claim Subdivision Gully with Modified Entry-Section Key Map
Link Q - Alice Claim Subdivision Gully with Modified Entry-Open Space& Trail
Link R - Alice Claim Subdivision Gully with Modified Entry- Zoning Map Diagram
Link S - Alice Claim Subdivision Gully with Modified Entry- Sections

Link T - Ridge Ave Plat Amendment Project Description
Link U - Ridge Ave Sub Property Exchange Enlargement
Link V - Proposed Ridge Avenue Plat Amendment
Link W - 123 Ridge Avenue Survey
Link X - 123 Ridge Ave Plat w Aerial
Link Y - Density Review for Planning Commission
Link Z - Alice Claim Engineering Documents
Link AA - Alice Claim Build-ability Documents
Link BB - July 27, 2016 Planning Commission Staff Report
Link CC - 27 July 2016 Planning Commission Meeting Minutes

Background

On July 27, 2016, the applicant received Planning Commission approval of a Conditional Use Permit (CUP) for three (3) retaining walls up to 10' in height to stabilize cut and fill slopes for the main entry. On that same date, the Planning Commission forwarded a positive recommendation of the then proposed Alice Claim Subdivision and Plat Amendment as conditioned, and forwarded a positive recommendation of the proposed Ridge Avenue Plat Amendment (property swap). The City Council remanded the Alice Claim Subdivision and Plat Amendment because the applicant proposed a new entry plan that eliminates the need for retaining walls over six feet (6') in height (from final grade) that follows the existing entry into Alice Claim over 135 Ridge Avenue.

In the previous plan the retaining walls were located on the west side of the development and were associated with access to the project from the built King Road that is no longer needed. The Planning Commission approved the Conditional Use Permit on July 27, 2016 and that approval was appealed by two (2) parties. After the newly proposed access was acquired, via easement agreement, one appeal was withdrawn. The applicant and the appellants stipulated to a stay of the other appeal while this Subdivision and Plat Amendment with the new entry does not require retaining walls over six feet (6') in height.

The applicant secured an access easement over adjacent property, 135 Ridge Avenue, so that they would not need to build their proposed retaining walls subject to the CUP, consisting of three (3) ten foot (10') retaining walls right at the entry of the project. On February 1, 2017, the applicant submitted to the City a copy of their executed easement agreement which took place mid-January 2017 between the applicant and the property owner of 135 Ridge Avenue. The Alice Claim Subdivision and Plat Amendment application was amended in conjunction to the newly obtained easement agreement over adjacent property so that the construction of the retaining walls at the entry is no longer necessary.

On March 9, 2017 the City Council remanded the Alice Claim Subdivision and Plat Amendment to the Planning Commission, stayed the appealed Conditional Use Permit, and continued Ridge Avenue Plat Amendment to a date uncertain.

Please refer to the following Subdivision/Plat Amendment staff reports and minutes listed below for the history of this application, most recently being:

- October 8, 2014 Planning Commission work session and minutes
- April 8, 2015 Planning Commission meeting and minutes
- June 10, 2015 Planning Commission meeting and minutes
- July 8, 2015 Planning Commission meeting and minutes
- July 22, 2015 Planning Commission meeting and minutes
- August 12, 2015 Planning Commission meeting and minutes (Negative recommendation forwarded to City Council)
- October 8, 2015 City Council work session meeting and minutes
- October 29, 2015 City Council meeting and minutes (Application amended and remanded back to Planning Commission)
- December 9, 2015 Planning Commission work session and minutes
- May 25, 2016 Planning Commission meeting and minutes
- July 13, 2016 Planning Commission meeting and minutes
- July 27, 2016 Planning Commission meeting and minutes (Positive recommendation forwarded to City Council)
- March 9, 2017 City Council meeting and minutes (Application amended and remanded back to Planning Commission

Please refer to the following Conditional Use Permit staff reports and minutes listed below for the history of this application, most recently being:

- June 10, 2015 Planning Commission meeting and minutes
- July 8, 2015 Planning Commission meeting and minutes
- July 22, 2015 Planning Commission meeting and minutes
- August 12, 2015 Planning Commission meeting and minutes (Denial)
- May 19, 2016 City Council meeting (CUP Denial remanded back to Planning Commission)
- May 25, 2015 Planning Commission meeting and minutes
- July 13, 2016 Planning Commission meeting and minutes
- July 27, 2016 Planning Commission meeting and minutes (Positive recommendation forwarded to City Council)
- March 9, 2017 City Council meeting and minutes (Application amended and remanded back to Planning Commission

Based on the discussions of the June 10, 2015, and July 22, 2015 Planning Commission meetings, staff prepared findings for denial. On August 12, 2015 the Planning Commission forwarded a negative recommendation to the City Council. Also on August 12, 2015, the Planning Commission denied the submitted Conditional Use Permit for retaining walls over six feet (6') in height. Within the ten (10) day appeal period, the applicant submitted an appeal of the denied CUP.

On October 8, 2015, the City Council held a work session discussion regarding the Subdivision/Plat Amendment. The applicant amended their application with an updated plan, the "Gully Site Plan" concept which was presented by the applicant to the City Council. Based upon the changes to the plan, the City Council remanded the application with the updated Gully Site Plan back to the Planning Commission on October 29, 2015. The Applicant worked on updating their submittals based on the amended plan and asked for this first hearing to be schedule on May 25, 2016. On May 19, 2016, the City Council remanded the appeal of the denied CUP back to the Planning Commission for review and Action because the CUP and the Subdivision/Plat Amendment are inextricable intertwined.

On May 25, 2016 the Gully Site Plan was presented to the Planning Commission. The update was similar to the Alternative B presented years back to the Commission. The Commission indicated that the applicant was moving in the right direction; however, they had concerns with the retaining wall.

In preparation for the July 13, 2016 Planning Commission meeting, the applicant submitted four (4) separate responses addressing the Planning Commission concerns made on May 25, 2016. During this meeting, the Applicant presented the hyperlinked presentation which also included the following simulation. The Planning Commission made several comments regarding the proposed Gully Site Plan and a motion was made during the July 13, 2016 Planning Commission meeting to continue the applications to the July 27, 2016 Planning Commission meeting and to direct Staff to prepare findings of fact, conclusions of law, and conditions of approval for positive recommendation (Subdivision and Plat Amendment) and approval (Conditional Use Permit).

During the July 27, 2016 Planning Commission meeting, the proposal was discussed at length and the Planning Commission approved the Conditional Use Permit, forwarded positive recommendations to the City Council for the Alice Claim Subdivision/Plat Amendment and the Ridge Avenue Plat Amendment (property swap), after changes were made to the drafted findings of fact, conclusions of law, and conditions of approval for positive recommendation (Subdivision and Plat Amendment) and approval (Conditional Use Permit).

District Purpose

The purpose of the Historic Residential Low-Density District is to:

A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
B. provide an Area of lower density Residential Use within the old portion of Park City,
C. preserve the character of Historic residential Development in Park City,
D. encourage the preservation of Historic Structures,
E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.

F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
G. define Development parameters that are consistent with the General Plan policies for the Historic core.

The purpose of the Historic Residential-1 District is to:

A. preserve present land Uses and character of the Historic residential Areas of Park City,
B. encourage the preservation of Historic Structures,
C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
D. encourage single family Development on combinations of 25' x 75' Historic Lots,
E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

The purpose of the Estate District is to:

1) allow very low density, environmentally sensitive residential Development which:
    - preserves ridge tops, meadows, and visible hillsides,
    - preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
    - preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
    - mitigates geologic and flood hazards,
    - protects views along the City's entry corridors, and
    - decreases fire risk by keeping Development out of sensitive wild land interface Areas.
2) incorporate pedestrian trail linkages between and through neighborhoods; and
3) encourage comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

Analysis

The applicant requests that the City review and approve the *entry-modified* development proposal for the Alice Claim property that has been coined the "*gully site plan*." The *entry-modified gully site plan* illustrates the lots to be relocated to the bottom of the canyon found onsite. The gully site plan consists of nine (9) residential lots. The current gully site plan is similar to previous Plan B which was the most preferred plan by the Planning Commission. The only change to the application from what was reviewed and approved by the Planning Commission on July 27, 2016 is the entry way to the project. The Lot configurations remain the same.

The resulting land pattern is more compatible with the pattern found throughout the Historic District. The gully site plan proposes eight (8) lots of record at the bottom of the

canyon with four (4) on each side. Each lot is exactly 0.104 acres (4,510 square feet) or 2.41 Old Town lots. A standard Old Town lot is 1,875 square feet, which is the minimum lot size in the HR-1. Each lot is restricted, as shown on the proposed plat, to a maximum Building Footprint of 1,750 square feet (which is equivalent to the maximum standard Building Footprint Formula found in the Land Management Code). Proposed Lot 1 within the Estate District is 3.009 acres (131,083 square feet) in size. The applicant indicates that it will have a maximum disturbance area of approximately 0.15 acres (6,534 square feet).

The applicant notes that the *gully site plan with modified entry* preserves several existing large evergreen trees, moves home sites down into the bottom of the gully, clusters the home sites closer together, reduces the amount of disturbance within the subject property, provides trail access, places the lots on less steep areas, and makes the lots compatible with the surrounding neighborhood. Vehicular access to the property is via existing King Road and then uses the driveway on 135 Ridge Avenue. The access to the property is a significant improvement over the access recommended for approval by the Planning Commission which was based on the submitted updated request by the applicant. The applicant, several times, updated the Planning Commission its advancement in their request to obtain this easement over the neighboring site. The updated modified entry was also encouraged by the Planning Commission. The easement has now been granted by the at property owner. The new modified entry does not require retaining walls greater than six feet (6') in height; therefore, the project/proposal does not require a Conditional Use Permit and its associated site disturbance.

The applicant requests the access road to align onto the existing City property along the existing gravel road that then crosses an easement over applicant's property to the water tank. The existing road is currently constructed at approximately 14% grade and the applicant requests to place asphalt on the road at the same gradient with a maximum of 14% slope. Access to all lots, and to re-platted lot 1 of the Ridge Avenue Subdivision, will be from this private road. The applicant shows a hammerhead turn-around designed for emergency vehicles proposed across from Lot 1 of Alice Claim.

The applicant requests to dedicate to the City, Parcel 4 consisting of 0.378 acres (16,486 square feet), platted lots within the HRL District that contains the existing King Road. The applicant also submitted a plan to make improvements to the existing intersection. According to the applicant, their traffic engineer has demonstrated that the addition of 9 houses in this area has minimal traffic impact.

The applicant states that as part of the cleanup project, the drainage channel that runs through the site and carries seasonal run off was completely relocated and reconstructed as a rip rap channel. That channel will be piped and relocated beyond fifty feet (50') from the Proposed Lot 1. Utility services are located near the entry point to the site. The applicant's engineer has studied the projected water pressure to all home sites in the previous plans in detail and found that all lots will have adequate pressure for domestic use and fire suppression. The newly proposed gully site plan with modified

entry lowers the houses, some by as much as seventy feet (70') in elevation, further improving water pressure to the houses. The Applicant's engineer will work with the City Engineer to assure utilities for the Alice Claim subdivision will not conflict with other utilities and can be provided in accordance with the City standards.

The site is currently used by recreation enthusiasts to access several recreational trails. Access to these trails will be allowed to continue across Alice Claim and enhanced with trail signage and trailhead markers. Large portions of the site will be platted as open space or no disturbance areas, and prohibited for development.

Estate Lot

In the Estate District, the proposed Subdivision creates one (1) lot of record consisting of 3.009 acres (131,083 square feet). A single-family dwelling is an allowed use in the Estate District. The minimum lot area for a single-family dwelling in the Estate District is three (3) acres. The proposed lot meets the minimum lot area for single-family dwellings in the Estate District. A duplex dwelling is an allowed use in the Estate District. The minimum lot area for a duplex dwelling in the Estate District is six (6) acres. The proposed lot does not meet the minimum lot area for duplex dwelling; therefore, a duplex dwelling would not be allowed.

The minimum lot width allowed in the Estate District is one hundred feet (100'). The shortest lot width is approximately 235 feet. The proposed lot meets the minimum lot width requirement in the Estate District. Table 2 shows applicable development parameters in the E District:

Table 2:

LMC Regulation	Requirements
Front/Side/Rear Yard Setbacks	The minimum Front, Side and Rear Yard for all Structures is thirty feet (30'). The Planning Commission may vary required yards in Subdivisions and Master Planned Developments. In no case shall the Planning Commission reduce Side Yards to allow less than ten feet (10') between Structures.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-eight feet (28') from Existing Grade.
Building Height Exception	Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

Historic Residential Lots

In the HR-1 District, the proposed Subdivision creates eight (8) lots of record consisting of 4,510 square feet, each. A single-family dwelling is an allowed use in the Historic Residential-1 District. The minimum lot area for a single-family dwelling in the HR-1 District is 1,875 square feet. The proposed lots meet the minimum lot area for single-family dwellings. A duplex dwelling is a conditional use in the Historic Residential-1 District. The minimum lot area for a duplex dwelling in the HR-1 District is 3,750 square

feet. The proposed lot meets the minimum lot area for duplex dwellings. Conditional uses are reviewed and approved by the Planning Commission.

The minimum lot width allowed in the Historic Residential-1 District is twenty-five feet (25'). The proposed lot widths of the HR-1 District lots vary from 41.91 to 62.89 feet. The proposed lots meet the minimum lot width requirement. Table 3 shows applicable development parameters in the Historic Residential-1 District:

Table 3:

LMC Regulation	Requirements
Building Footprint	**All lots:** 1,750 square feet, maximum based on lot size.
Front/Rear Yard Setbacks	**Lot 4 & 5:** 10 feet minimum, 20 feet total. **Lot 2, 3, 6, 7, 8, & 9:** 12 feet minimum, 25 feet total. Based on lot depth per LMC table 15-2.2.
Side Yard Setbacks	**Lot 2, 3, 6 & 7:** 5 feet minimum, 10 feet total. **Lot 8 & 9:** 5 feet minimum, 14 feet total. **Lot 4 & 5:** 5 feet minimum, 18 feet total. Based on lot width per LMC table 15-2.2a.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery […].
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate […].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required […].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

All dwellings in the HR-1 District will need to go through the Historic District Design Review (HDDR) process as described in the LMC. HDDRs are reviewed and approved by the Park City Planning Department. Staff anticipates, based on the submitted slope analysis, that all lots, except Proposed Lot 2, will require Steep Slope Conditional Use Permit review. As indicated in the LMC, Steep Slope CUP review is required for development over grades that are thirty percent (30%) or greater. Steep Slope Conditional Use Permits are reviewed and approved by the Park City Planning Commission. Staff does not make this determination until specific site plans are prepared in conjunction with required site surveys for development of each lot through the HDDR application process.

--Updated Access--
Currently, access to the property is proposed to be gained through the existing Woodside Gulch road, thus avoiding the need to build a new road where the un-built right of way exists; access has been secured over the private property at 135 Ridge Avenue making this modified access possible. Applicant indicates that the existing

road, internal drive, will be widened to City standards and drainage improved. In order to accomplish these improvements, a retaining wall is proposed that is not higher than six feet (6'). The proposed access to the Alice Claim Subdivision is at a point, where essentially four (4) existing roadways meet, King Road, Sampson Avenue, Ridge Avenue, and Woodside Gulch.

As indicated on the June 10, 2016 Staff Report:

> *The Applicant does not propose to dedicate streets within the proposed development to the City but will complete the proposed Alice Court to meet City Standards for emergency access and parking. If the Applicant decides to offer the streets for dedication at a later date, all of the streets will need to meet all City Standards, including right-of-way widths, minimum street widths, cul-de-sac standards, stubbed street standards, grading requirements, etc. (Even if the streets are offered for dedication, the City is not required to accept the dedication). All of the roads within the proposed subdivision are proposed to be private drives at this time. Private drives shall not exceed 14% gradients and the applicant has shown the drives meeting this requirement at 14% or less.*

The existing City's easement for access has been revised on the plat to incorporate trails and the City's access easement changed by the Alice Court road. The Applicant requests City Council's approval to give them an access over the City's property through Alice Court, which will have water lines, storm drainage, sewer, etc. as well as use of the City property for the Alice Court road. This will need to occur prior to plat recordation and is **listed as a condition of approval. Staff finds that the proposed access is much better as the formerly proposed access that created another driveway/road east of existing Woodside Gulch which no longer necessitates the need to construct three (3) ten foot (10') retaining walls.**

Restriction due to Character of the Land
LMC § 15-7.3-19(D) indicates the following:

> ***RESTRICTIONS DUE TO CHARACTER OF THE LAND****. Land which the Planning Commission finds to be unsuitable for Subdivision or Development due to flooding, improper drainage, Steep Slopes, rock formations, Physical Mine Hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the Subdivision and/or its surrounding Areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendation of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for Uses as shall not involve such a danger.*

The Applicant has provided information regarding the mitigation of potential hazards due to the Steep and Very Steep Slopes**.** Staff had previous concerns on developments over 40% slopes with the soils and massing of houses. The Geotechnical report reviewed by the City Engineer demonstrated that the soils are acceptable and staff finds that the Steep Slope CUPs in the HR-1 District will mitigate the massing of houses on such steep slopes and the Planning Commission will have full review of those applications just as they have previously with other lots that are steep within the HR-1 District.

Staff had concerns for existing mine hazards that may be open as a historic mine shaft exists on this property to which the applicant submitted the Geotechnical Consultation Letter - December 2006 demonstrating that the mine shaft is filled. Any structures near the mine shaft shall be setback ten feet (10') if the mine shaft is filled, which the current plans and engineer's letter show that it is filled. The mine shaft needs to be shown on the plat. The geotechnical report (which addressed the site holistically considering all steep slopes and not individual house locations) and mine shaft conditions report (which is just about the mine) and indicates that the ground is stable, with bedrock below. The City Engineer found that the report reflects that the ground conditions, existing mine shaft, and slopes are safe to build upon. Prior to Building permit approval, the applicant will be required to submit Geotechnical reports for individual sites which meet the City's Engineer's approval. After the City Engineer's office reviews of the geotechnical report and future review of each structure by the Planning Commission for Steep Slope CUPs, staff recommends allowing the applicant to develop on such steep slopes with the conditions of approval listed in the Draft Ordinance.

Ridgelines and Clustering

The proposed updated gully site plan with modified entry brings the eight (8) dwellings towards the bottom of the gulch. Staff does not find that ridgeline development is requested. The gully site plan with modified entry complies with General Subdivision Requirements (LMC 15-7.3-2(E)) Open Space which states:

> *Units should be clustered in the most developable and least visually sensitive portions of the Site with common open space corridors separating clusters. This applies to both multi-family and single family projects. The open space corridors should be designed to coincide with Significant Vegetation and in many cases, should be left in the natural state.*

The applicant responded to concerns raised by the Planning Commission during the April 8, 2015 meeting questioning the '*build-ability'* of the proposal as it relates to LMC § 15-7.3(D) Requirements for Improvements, Reservations, and Design. The applicant wrote a response to the following items:

- Flooding
- Improper Drainage
- Slopes
- Rock Formations
- Mine Hazards
- Potential Toxic Waste
- Adverse Earth Formations or Topography

- Wetlands
- Geologic Hazards
- Utility Easements
- Ridgeline

Water Delivery

The City's Department of Public Utilities has made the Planning Department aware that all of the Alice Claim property proposed for development may not be serviceable by the current City water system due to low water pressure. The low water pressure is due to the small elevation difference between the proposed development's elevation and Woodside Water Tank's elevation. The applicant was informed about this issue and is responsible for modeling water service to the development and if it is still insufficient they will need to provide a remedy. The applicant has prepared a water model addressing the limitations of the current water system on the proposed development, including factors such as the ability to meet: acceptable water system pressures and fire flow requirements to each home site (indoor and outdoor pressures are not adequate), the Fire Marshal's site specific requirements, and Division of Drinking Water regulations).

The applicant is to confirm the elevation of each of the proposed building sites to determine the affected sites and either redesign the project accordingly, or work with the Department of Public Utilities to determine the best solution. At the time of this report, the Department of Public Utilities, Fire, Building and Engineering have received a revised letter from the applicant's engineer addressing the previously submitted Water Model that will meet the City's requirements. Any revisions to the previously submitted model will need to meet acceptable water pressure flows in order for the subdivision to meet water requirements. **This is listed as a specific condition of approval.**

Water Reclamation District

Snyderville Basin Water Reclamation District (SBWRD) has concerns regarding the placement of the sewer lines in relation to the retaining walls and in relation to other utilities. **This will need to be remedied before the proposed plat can be signed by SBWRD prior to plat recordation and is recommended as a specific condition of approval.** The Applicant is aware of SBWRD's concerns and will work to obtain a Line Extension Agreement. The utility design could affect the layout of the subdivision, and if any changes are made to the layout of the subdivision upon SBWRD's approval, this approval shall be null and void and an application to amend the draft ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.

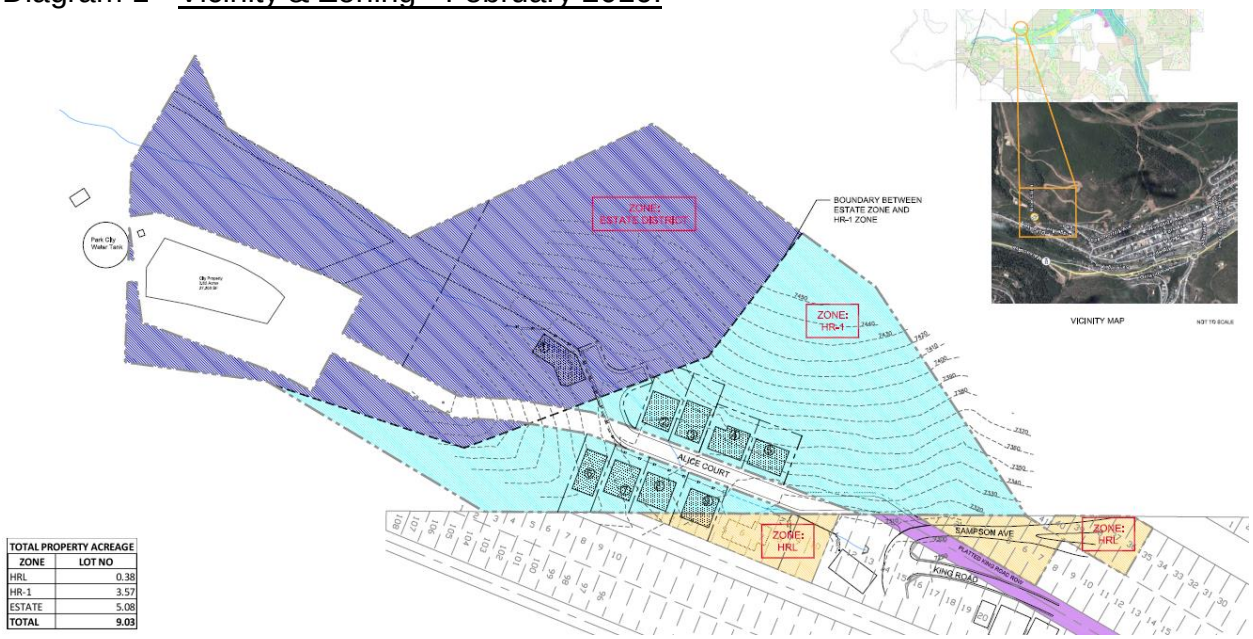
Density

On June 17, 2016, the applicant submitted the their density explanation, which contains the applicant's supporting documentation regarding this topic including the July 27, 2005 work session Staff Report, October 30, 2008 Applicant's Memo to the Legal Dept., January 20, 2009 City e-mail correspondence from Legal Dept. to the Applicant, and County Plat Maps with the outline of the site.

The entire project site consists of the following:

- 12 HRL Old town lots: Lot 1, 2, 3, 4, 5, 6, 7, 36, 38, 39 & 40, within Block 77 of the Millsite Reservation. None of these lots meet the minimum lot area required for development consisting of 3,750 square feet. This combined HRL area consists of 0.38 acres (16,486 SF). These lots also contain built King Road and Sampson Avenue.
- Parcel no. PC-S-55 consisting of approximately 8.65 acres (5.08 acres in the Estate District and 3.57 acres in the HR-1 District).
- Parcel no. PC-S-55-X (Parcel 5) is the City owned property consisting of 1.540 acres. A good portion of this site is in the Estate District while the other portion is in the HR-1 District. This parcel is not part of the project.

Diagram 1 - Vicinity & Zoning - February 2016:



TOTAL PROPERTY ACREAGE	
ZONE	LOT NO
HRL	0.38
HR-1	3.57
ESTATE	5.08
TOTAL	9.03

The density associated with these three (3) areas, excluding the City owned parcel, is as follows assuming that optimal conditions for development exist and that **every requirement** in the Land Management Code required can be met:

- HR-L Old Town platted lots consisting 16,486 SF. The minimum lot area is 3,750 SF. Hypothetically, based on minimum lot area only, the site could accommodate 4 HR-L District lots; however, these lots also contain built King Road and Sampson Avenue.
- HR-1 area consisting of 3.57 acres or 155,509 SF. The minimum lot area is 1,875 SF. Hypothetically, based on minimum lot area only, this site could accommodate 82 HR-1 District lots.
- Estate area consisting of 5.08 acres. The minimum lot area is 3.0 acres. Hypothetically, based on minimum lot area only, this site could accommodate one (1) Estate District lot.

One must understand that the entire site contains various challenges including, but not limited to, access, slope, ridgeline protection, built roads, etc., and that the density provided above is not vested or entitled as the entire Estate, HRL, and HR-1 areas require subdivision approval. Development over the HR-L area requires plat amendment approval as not one (1) lot of record currently meets the minimum lot area of that District.

Significant Vegetation

The Land Management Code indicates the following regarding vegetation protection in the HR-1 District Chapter 2.2 and Estate District Chapter 2.10:

> ***15-2.2-10 Vegetation Protection*** *&* ***15-2.10-10 Vegetation Protection***
> *The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.*
>
> *Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3 and Title 14.*

The current proposal does not request to remove any trees. Staff is concerned that three (3) coniferous trees will be affected as their corresponding drip-lines are shown on the proposed retaining wall. Planning Staff acknowledges the practice that whenever an improvement is placed within the drip-line of a tree, it affects its life expectancy. Staff recommends that the applicant submit the caliper size of this tree to document its measurement. In working with the applicant regarding tree removal, specifically for the former plan, the applicant committed to a tree its replacement ratio of four to one (4:1) and the extensive site clean-up and re-vegetation.

Staff recommends keeping the same standard should the retaining wall construction affect the existing vegetation. Staff recommends adding the following condition of approval:

- Existing Significant Vegetation and mature landscaping shall be preserved per a tree preservation plan completed by a certified arborist and approved by the City prior to issuance of a building permit. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Good Cause
The LMC defines Good Cause as the following:

> Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Planning Staff finds there is good cause for this Subdivision/Plat Amendment with the appropriate items described in the analysis being incorporated as conditions of approval. There may be future geographical visual impacts to the City as a result of this application with respect to additional site stabilization, proposed retaining walls, and other unforeseen issues related to development within steep slope areas that can be addressed at the time of Steep Slope Conditional Use Permit applications. The proposed access is much better as the formerly proposed access that created another driveway/road east of existing Woodside Gulch which no longer necessitates the need to construct three (3) ten foot (10') retaining walls.

Department Review
SBWRD continues to express concern with lack of sewer lateral design but the applicant will need to continue to work with them until all requirements are satisfied in order for SBWRD to sign the plat. Each of these concerns has been incorporated into conditions of approval.

Notice
On March 29, 2017 the site was posted, courtesy notice was mailed to property owners within 300 feet, and legal notice was published in the Park Record, all in accordance with requirements of the Land Management Code. On March 28, 2017 the item was noticed on the state's public notice website, also in accordance with requirements of the Land Management Code

Public Input
Public comment was taken during the various past meetings held to discuss the project. The various Planning Commission meeting minutes (see links provided above) reflect public input received on these proposals to date. Any public comment received prior to this meeting will be forwarded to the Planning Commission.

Alternatives
- The Planning Commission may forward a positive recommendation to the City Council for the Alice Claim Subdivision and Plat Amendment as conditioned or amended; or

- The Planning Commission may forward a negative recommendation to the City Council for the Alice Claim Subdivision and Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the subdivision and plat amendment to a date certain and provide specific direction to the applicant and/or staff to provide additional information necessary to make a recommendation on this item.

Process

This application is for a major Subdivision and Plat amendment as defined in LMC § 15-7.1-3(A)(2). A major Subdivision requires a Preliminary Plat and a Final Plat although the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval. Staff is recommending the hearings be combined and a final Subdivision Plat is considered. The approval or denial of a subdivision and plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 1-18. Any new structure may require a Steep Slope CUP and all will require a Historic District Design Review. A Building Permit is publicly noticed by posting of the permit.

Significant Impacts

There are no immediate significant fiscal impacts to the City from this application. If construction on the site was permitted, it will require a detailed Construction Mitigation Plan (CMP) to protect existing development located near the proposed subdivision. Site stabilization might also be an important consideration depending upon the amounts of vegetation proposed to be removed as a result of the proposed development. A geotechnical report has been previously submitted and reviewed. Previous mining activities, strong ground motion, slope stability, debris flow and avalanche, shallow bedrock and perched groundwater are the most significant engineering geology and geotechnical aspects which could affect design and construction at the site. Most, if not all of the lots in the HR-1 District will require Steep Slope Conditional Use Permits. Each house, including the house within the Estate District, will require a Historic District Design Review prior to house design and construction.

Consequences of not taking the Suggested Recommendation

The lots and parcels would remain as is and no construction could take place.

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review the remanded Alice Claim Subdivision and Plat Amendment located at approximately Alice Claim south of intersection of King Road, Ridge Avenue, and Sampson Avenue with the amended entrance way. Staff recommends that the Planning Commission forward positive recommendation based on the Findings of Fact, Conclusion of Law as found in the Draft Ordinance.

Hyperlinks

Link A - 2017.02.01 Letter to the City

Link B - Alice Claim Gully Plan w/ Modified Entry Project Description
Link C - Easement Agreement No. 01062990
Link D - Proposed Alice Claim Sub. & Plat Amendment Sheet 1
Link E - Proposed Alice Claim Sub. & Plat Amendment Sheet 2
Link F - Aerial
Link G - Aerial 100 Scale
Link H - Panoramic views
Link I - Entry Plan Modified Entry
Link J - Entry Plan King Road ROW Extended
Link K - Road and walls on Public Land
Link L - Alice Claim Subdivision Gully with Modified Entry-Vicinity & Zoning
Link M - Alice Claim Subdivision Gully with Modified Entry-Vegetative Cover
Link N - Alice Claim Subdivision Gully with Modified Entry-Slope Analysis Plan
Link O - Alice Claim Subdivision Gully with Modified Entry-Site Plan
Link P - Alice Claim Subdivision Gully with Modified Entry-Section Key Map
Link Q - Alice Claim Subdivision Gully with Modified Entry-Open Space& Trail
Link R - Alice Claim Subdivision Gully with Modified Entry- Zoning Map Diagram
Link S - Alice Claim Subdivision Gully with Modified Entry- Sections
Link T - Ridge Ave Plat Amendment Project Description
Link U - Ridge Ave Sub Property Exchange Enlargement
Link V - Proposed Ridge Avenue Plat Amendment
Link W - 123 Ridge Avenue Survey
Link X - 123 Ridge Ave Plat w Aerial
Link Y - Density Review for Planning Commission
Link Z - Alice Claim Engineering Documents
Link AA - Alice Claim Build-ability Documents
Link BB - July 27, 2016 Planning Commission Staff Report
Link CC - 27 July 2016 Planning Commission Meeting Minutes

Exhibits

Exhibit A - Draft Alice Claim Subdivision and Plat Amendment
Attachment 1 – Proposed Subdivision and Plat Amendment
Exhibit B - Former Entry
Exhibit C - Updated Entry

Ordinance 17-XX

AN ORDINANCE APPROVING THE ALICE CLAIM PLAT AMENDMENT AND SUBDIVISION PLAT, LOCATED AT THE INTERSECTION OF KING ROAD, RIDGE AVENUE, SAMPSON AVENUE, AND WOODSIDE GULCH, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Alice Claim Subdivision and Plat Amendment located at the intersection of King Road, Ridge Avenue, Sampson Avenue, and Woodside Gulch, have petitioned the City Council for approval of the Alice Claim Subdivision and Plat Amendment; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on October 25, 2006, January 28, 2009, February 25, 2009, April 8, 2015, May 27, 2015, June 10, 2015, July 8, 2015, July 22, 2015, August 12, 2015, December 9, 2015, May 25, 2016, July 13, 2016, July 27, 2016, and April 12, 2017 to receive input on the proposed subdivision;

WHEREAS, on October 8, 2015, October 29, 2015, March 9, 2017, and _____ the City Council held a public hearing on the proposed Alice Claim Subdivision; and

WHEREAS, on October 29, 2015, and March 9, 2017 the City Council remanded amended application on the proposed Alice Claim Subdivision back to Planning Commission; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed Alice Claim Subdivision and Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Alice Claim Subdivision and 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 – Alice Claim Subdivision and Plat Amendment

1. The plat is located at the intersection of King Road, Ridge Avenue, Woodside Gulch and Sampson Avenue (approximately), within the Historic Residential (HR-1) and Estate (E) Districts.

2. The proposal includes nine (9) lots on approximately 9.034 acres which will not be allowed to be subdivided further.

3. The property is a “metes and bounds" parcel with contiguous platted lots.

4. A City water tank and land owned by the City is adjacent to the subject property on the south end, and a City-owned parcel bisects the subject property. The City water line does run within the City owned property.

5. The applicant previously undertook a voluntary remediation of the regulated soils on the site, which included soil remediation both in the Alice Claim 8.49 acre portion and within a 1.7 acre portion of the adjoining City property.

6. **The owner secured legal access through an easement to the property through the Woodside Gulch access. As proposed, the access will not require retaining walls greater than 6 feet and therefore, no conditional use permit would be required.**

7. The Woodside Gulch stream runs through the property and any changes to the stream will require a Stream Alteration Permit. The Applicant previously applied for this permit and will need to amend their existing Stream Alteration Permit from the US Army Corp of Engineers. Any changes to the stream may also require an amendment to the Voluntary Clean-up Program remediation with the Utah Department of Environmental Quality.

8. The property, which was once the site of the Alice Lode Mine, was previously the site of mining activities, which have since undergone recent remediation.

9. A Voluntary Clean Up of the property was initiated by the Applicant.

10. Most of the remainder of the site has mature stands of oak, maple and aspen trees in addition to areas of smaller shrubs and grasses.

11. A culvert for the stream is proposed in order to meet the 50’ setback regulations from streams within the Estate District, otherwise the culvert would not be necessary.

12. This development is located upstream of the FEMA Flood Plain Studies.

13. The applicant does not request any setback reductions from the Planning Commission for the Estate District Lot.

14. Water Service is available and as proposed can meet required water pressure to all of the proposed development sites (proposed Lots) within the development. The applicant will be responsible to propose acceptable mitigation should the water model or utility plans be further revised.

15. The utility plan does not show how each of the wet and dry utilities will be able to be placed within the drives with required separations or with special conditions as approved by the proper regulatory agencies and approved by the City Engineer.

16. A Debris Flow Study has not been completed for the stream to determine if a debris basin is required.

17. Existing trails are shown on the plat and granted a public easement.

18. Proposed utilities have not been engineered to meet City Engineer's approval but shall be prior to plat recordation.

19. All roads are proposed over 10% grades and will not be eligible to be converted to public ROWs in the future.

20. Building pads/limits of disturbance are shown in Attachment 1. All other property as open space should be protected by conservation easement held by the City and the HOA to maintain the land.

21. Applicant does not have an approved Sewer Service Plan. Sewer Service must be designed to service the proposed development sites in accordance with the Snyderville Basin Water Reclamation District's requirements. The applicant will be responsible to determine this with Snyderville Basin Water Reclamation District prior to plat recordation.

22. Proposed drives with utilities that are not private driveways are required to be 20' wide and are shown as such on the plat. The drive grades are proposed to be 14%.

23. Public trails are shown on Attachment 1 with a 15' public recreational trail easement.

24. The proposed lot within the Estate District is 3.009 acres.

25. The proposed eight (8) proposed lots within the HR-1 District are 5,410 square feet each.

26. A geotechnical report has been reviewed by the City Engineer for the overall site but individual geotechnical reports have not been submitted for each lot.

27. The applicant owns other adjoining properties within the Historic Residential Low-Density (HRL) District. Two (2) of these contiguous properties are lots 1 and 2 of the Ridge Avenue Subdivision.

28. The existing encumbered Lots 1-7 and 36-40, Block 77 of the Millsite Reservation will be dedicated to the City as right-of-way upon plat recordation as they current have a road over them.

29. The lots are positioned as proposed to avoid ridgelines and allow for drives that contour with the topography in order to meet the required grades.

30. The existing mine shaft on the property is currently filled as stated on the site plan dated May 18, 2015.

31. The application for the Alice Claim subdivision was deemed “complete” by the Planning Department on May 23, 2005.

32. Between 2006 and 2009, the Planning Commission conducted three (3) work sessions to discuss the project and visited the property during two site visits.

33. On October 8, 2014 the Planning Commission conducted a site visit and work session to discuss the history and 2009 site plan proposed for this project.

34. The Applicant submitted a revised site plan, plat and all required submittals for the subdivision and plat amendment on January 23, 2015.

35. The Planning Commission reviewed the request and held public hearings on April 8, 2015, June 10, 2015, July 8, 2015, and July 22, 2015.

36. During this time consisting of October 2014 and July 2015 the applicant submitted further revisions to the plat to address City concerns as well as to address plat discrepancies.

37. On August 12, 2015 the Planning Commission forwarded a negative recommendation to the City Council.

38. On October 8, 2015 the City Council reviewed the proposal.

39. On October 29, 2015 the applicant submitted an amended site plan which moved the lots closer to the gully. The City Council reviewed that amended site plan and remanded the application back to Planning Commission for their review.

40. The Planning Commission held a work session on December 9, 2015.

41. The Planning Commission held public hearings and reviewed the updated proposal on May 25, 2016, July 13, 2016, July 27, 2016, and April 12, 2017.

42. After Applicant secured access on Woodside Gulch and proposed a modification to the Application based on the new access, **the City Council remanded the updated gully site plan with modified entry back to Planning Commission on March 9, 2017**.

43. **The Planning Commission held a public hearings and reviewed the updated proposal with the new access through Woodside Gulch on April 12, 201**7

44. It order to ensure all site improvements are made the applicant must either complete all Site Improvements prior to plat recordation, or if that is not possible, provide adequate financial Guarantees for completion, together with a right of entry to the Property to complete that work be granted to the City.

Conclusions of Law – Subdivision and Plat Amendment

1. There is good cause for this subdivision and plat amendment.

2. The subdivision and plat amendment are consistent with the Park City Land Management Code and applicable State law regarding subdivisions and plat amendments.

3. Neither the public nor any person will be materially injured by the subdivision or plat amendment.

4. Approval of the subdivision plat and 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 – Alice Claim Subdivision and Plat Amendment

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

2. The applicant will record the subdivision and plat amendment at the County within two (2) years from the date of City Council approval. If recordation has not occurred within two (2) years' time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council. If the plat is not recorded within this time period, it shall be null and void and any resubmittal shall be a new application which is subject to all review requirements, zoning restrictions and subdivision regulations at the time of the submittal.

3. Recordation of this plat and completion and approval of final Historic District Design Review (HDDR) and Steep Slope CUP, if required, applications are required prior to building permit issuance for any construction of buildings within this subdivision. Completion and approval of final HDDR applications are required prior to building permit issuance for any construction of retaining walls.

4. Lot 1 in the Estate District shall be subject to HDDR process.

5. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

6. Snow storage of roads and private drives must be addressed and approved by the City Engineer throughout the development prior to plat recordation. Snow storage sites cannot discharge immediately into the stream.

7. Sewer lateral design and service will need to meet Snyderville Basin's requirements and receive written approval by SBWRD before the proposed plat can be signed by SBWRD. If the sewer lateral design requires a substantial change, as determined by the Planning Director, to the layout of this subdivision plat, this approval shall be null and void and a an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.

8. The submitted water model will need to be revised with the submitted updates to the layout and receive written approval from the Water, Building, Engineering and Fire Departments in order for the subdivision to meet water requirements prior to plat recordation. If the water system requires a substantial change, as determined by the Planning Director, to the layout of this subdivision plat, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.

9. There shall not be any further subdivision of any additional lots in this subdivision. A plat note shall reflect this condition.

10. All state requirements must be met, state permits must be obtained and the culvert must be fully installed by the applicant prior to plat recordation, and the culvert will be owned and maintained by the City.

11. This development is located upstream of the FEMA Flood Plain Studies. A study shall be completed extending the FEMA Flood Plains through this development prior to plat recordation. Any lots located in a FEMA Zone A will require an Elevation Certificate showing the lowest occupied floor is at or above base flood elevation prior to building permit approval.

12. A Stream Alteration Permit from the State will be required for the culvert along with the Flood Plain Study to identify the culverts upstream and downstream impacts prior to plat recordation. The Stream Alteration Permit and Flood Plain Study must be completed and approved prior to Planning and Engineering approval.

13. The culvert inlet shall be at least 50' away from any structure on Lot 1 and the culvert shall be owned and maintained by the HOA.

14. A Debris Flow Study must be completed prior to plat recordation for the stream to determine if a debris basin is required.

15. Limits of disturbance as shown on Attachment 1 shall be clarified on the plat prior to plat recordation to be able to quantify the square footage upon which shall remain in place and no changes shall be made. All other property shall be restricted as open space and/or protected by 3rd party conservation easement.

16. The utility plan will need to be revised to show how each of the wet and dry utilities will be able to be placed within the drives with required separations or with special conditions as approved by the proper regulatory agencies and approved by the City Engineer prior to plat recordation.

17. Any roads over 10% grade will not be eligible to be converted to public ROWs in the future.

18. Drives must provide 20 feet wide of clear space to meet Fire Code. If parking impacts this 20 feet wide clear space, it will not be allowed and shall be signed No Parking. Roads less than 26 feet wide shall be marked NO Parking on both sides of the road.

19. The Applicant will need to receive City Council's approval to give them an access over the City's property for Alice Court and where they may cross water lines, storm drainage, sewer, etc. This will need to occur prior to plat recordation.

20. Applicant must still provide recommendations to the City Engineer for which scenario **on King Road and the Alice Court** most satisfies turning movements and minimizes conflicts and implement the recommendations prior to plat recordation.

21. The Applicant will need to receive, from the Utah Department of Environmental Quality ("UDEQ") under the UDEQ Voluntary Cleanup Program, a final Certificate of Completion for remediated soils within the Applicant's property prior to building permit approval.

22. If a Site Management Plan is required for the UDEQ Certificate of Completion for Alice Claim, the UDEQ approved Site Management Plan must be submitted to the Building Department prior to building permit approval.

23. The applicant shall obtain an easement for use of city property for Alice Court drive prior to plat recordation.

24. Public trails are shown with a 15' public recreational trail easement.

25. Any structures built near the existing mine shaft shall be setback at least 10' if the shaft is filled up to the ground surface with soil and/or gravel and at least 40' setback if the shaft is not filled. The mine shaft shall be shown on the plat and the setback noted.

26. If the site plan is substantially altered, as determined by the Planning Director, due to any utility redesign or retaining wall redesign or other unforeseen issues, this approval shall be null and void and an application to amend the Ordinance and plat shall need to be submitted and be reviewed and go through the entire process including internal review, planning commission and city council review.

27. All Public Improvements, except the Lot 1 culvert, may be completed after plat recordation but prior to the first home building permit. An adequate financial Guarantee for all Public Improvements shall be submitted prior to permitting.

28. **All engineering for utilities must be approved prior to plat recordation.**

29. City utility maintenance access is required across the drives for Lots A.

30. Individual water booster or fire sprinkler system pumps to increase water pressure will not be allowed.

31. Individual geotechnical reports will be required for each lot prior to issuance of a building permit.

32. All mature trees that will be lost due to the subdivision, retaining walls, addition of drives and building pads, shall be approved by the Planning Department and be replaced in kind or with three smaller trees as close to the original location as possible within 1 year of tree removal.

33. No duplexes will be allowed.

34. Existing utility and access easements may be added, adjusted, vacated or remain in their current location. Changes to these easements and/or addition of easements shall be shown on the plat.

35. **The Alice Claim development exceeds one (1) acre and shall meet the requirements of the MS4 storm water program. Each lot within this common development shall be required to obtain a MS4 storm water permit prior to any construction activity.**

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

PASSED AND ADOPTED this ___day of _____, 2017

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR

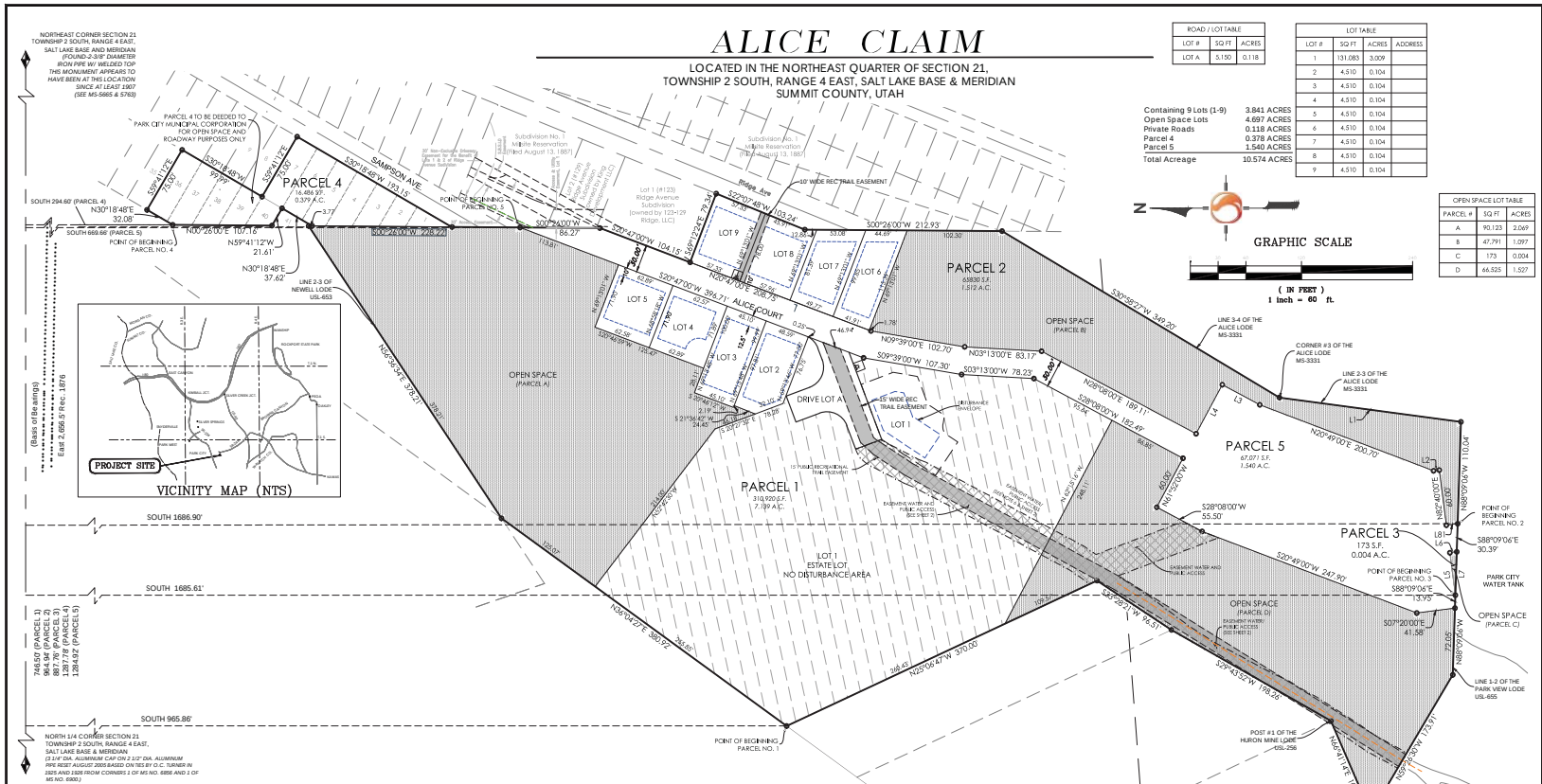
ATTEST:

_____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

Attachment 1 – Proposed Subdivision and Plat Amendment



ROAD / LOT TABLE		
LOT #	SQ FT	ACRES
LOT A	5,150	0.118

LOT TABLE			
LOT #	SQ FT	ACRES	ADDRESS
1	131,083	3.009	
2	4,510	0.104	
3	4,510	0.104	
4	4,510	0.104	
5	4,510	0.104	
6	4,510	0.104	
7	4,510	0.104	
8	4,510	0.104	
9	4,510	0.104	

Containing 9 Lots (1-9)	3.841 ACRES
Open Space Lots	4.697 ACRES
Private Roads	0.118 ACRES
Parcel 4	0.378 ACRES
Parcel 5	1.540 ACRES
Total Acreage	10.574 ACRES

OPEN SPACE LOT TABLE		
PARCEL #	SQ FT	ACRES
A	90,123	2.069
B	47,791	1.097
C	173	0.004
D	66,525	1.527

PLAT NOTES:

1. THE MAXIMUM SQUARE FOOTAGE OF A BUILDING FOOTPRINT IN THE HR-1 ZONE IS 1,750 SQUARE FEET.
2. DRIVE LOTS A, AND B CONTAIN A PUBLIC / PRIVATE EASEMENT ACROSS THE ENTIRE LOT FOR ACCESS AND THE INSTALLATION, OPERATION, & MAINTENANCE OF UTILITIES.
3. THE PUBLIC RECREATIONAL TRAIL EASEMENT SHOWN HEREON IS 15 FEET WIDE AND IS FOR PUBLIC, NON-MOTORIZED ACCESS.
4. THE HOMEOWNER'S ASSOCIATION WILL OWN AND MAINTAIN DRIVE LOTS A, AND B INCLUDING ASSOCIATED STORM DRAINAGE SYSTEMS AND CULVERTS. DRIVE LOTS A, AND B ARE FOR ROADWAY ACCESS AND THE PUBLIC SHALL HAVE THE ABILITY TO USE THIS LETTERED LOT FOR PEDESTRIAN NON-MOTORIZED ACCESS.
5. THE WATER/PUBLIC ACCESS EASEMENT ALLOWS FOR PUBLIC ACCESS THRU THE ALICE CLAIM SUBDIVISION AS WELL AS INSTALLATION, OPERATION, & MAINTENANCE OF THE PUBLIC WATER SYSTEM.
6. HOA WILL MAINTAIN ALL STORM WATER DETENTION FACILITIES ON THIS PROPERTY.
7. COMPLIANCE WITH RESTRICTIONS OF THE STATE VOLUNTARY CLEANUP CERTIFICATE OF COMPLETION IS REQUIRED, AND NO DEVELOPMENT IS ALLOWED IN OPEN SPACE PARCELS OR NON-DISTURBANCE AREAS.
8. DETENTION AND DEBRIS FLOW FACILITIES SHALL BE ALLOWED IN OPEN SPACE AND NO DISTURBANCE AREA.

WATER SYSTEM NOTES:

1. _____
2. _____
3. _____ City systems will be approved.

LEGEND

- SUBDIVISION BOUNDARY
- LIMIT OF DISTURBANCE (LOT 1)
- LOT LINE
- LOT SET BACK LINE (LOTS 2 TO 9)
- SECTION LINE
- FOUND SECTION CORNER
- SUBDIVISION BOUNDARY CORNER
- STREET MONUMENT
- PROPOSED STREET LIGHT
- PROPOSED FIRE HYDRANT
- OPEN SPACE
- NO DISTURBANCE AREA
- EASEMENT FOR WATER AND PUBLIC ACCESS
- PUBLIC RECREATIONAL TRAIL EASEMENT

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	197.78'	S07°38'27"W
L2	6.20'	N07°20'00"W
L3	45.90'	N28°08'00"E
L4	60.00'	N61°52'00"W
L5	46.22'	N82°40'00"E
L6	7.47'	S07°20'00"E
L7	46.83'	N88°09'06"W
L54	13.42'	N69°28'21"E
L55	26.99'	S20°29'52"E
L56	30.00'	N69°28'21"E
L57	27.00'	N20°31'39"W
L58	27.00'	N69°28'21"E
L59	30.00'	N20°31'39"W
L60	100.45'	S69°28'21"W
L81	12.32'	N07°20'00"W

CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C2	23.00'	16.13'	40°10'54"	N49°22'34"E	15.80'
C3	23.00'	36.14'	90°01'47"	S65°30'45"E	32.54'
C4	23.00'	36.13'	90°00'00"	N24°28'21"E	32.53'

SURVEYOR'S CERTIFICATE

I, Jerron R. Atkin II, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 5992546 as prescribed under the laws of the State of Utah. I certify that the boundary and adjoining information of this survey is based on the Mineral Survey Replacement Plat Record of Survey for Alice Lode performed by Loyal D. Olson III. I further certify that by authority of the Owners, I have subdivided said tract of land into lots and streets, hereafter to be known as

ALICE CLAIM

and that same has been surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Parcel No.1

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

746.50 feet, along the Section Line, and South 965.86 feet from the North Quarter Corner of said Section 21,

Line of Subdivision No.1 of Millsite Reservation (Filed Aug. 13, 1887); thence, along said Westerly Boundary

the Park City Property; thence, along the Westerly Boundary Line of said Park City Property, the following four

41.58 feet to a point on Line 1-2 of the Park View Lode USL-655; thence, along said Line 1-2, Park View Lode,

Containing 310,920 square feet or 7.139 acres.

Parcel No.2

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Easterly Boundary Line of the Park City Property, said point being also on the Line

South 1686.90 feet from the North Quarter Corner of said Section 21, and running thence, along said Easterly

the Easterly Right-of-Way Line of the Park City Water Company Access Road; thence, along said Easterly

Subdivision No.1 of Millsite Reservation (Filed Aug. 13, 1887)

thence, along said Westerly Boundary Line, [illegible] Line 3-4 of the Alice Lode

of Beginning.

Containing 65,830 square feet or 1.512 acres.

Parcel No.3

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Southerly Boundary Line of the Park City Property, said point being also on

Section 21, and South 1685.61 feet from the North Quarter Corner of said Section 21, and running

S88°09'06"E 30.39'

Containing 173 square feet or 0.004 acres.

Parcel No.4

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Lots 1 through 7 inclusive and Lots 36 through 40 inclusive, block 77, Millsite Reservation to Park City, according to the official plat thereof filed in the office of the Summit County Recorder, being more particularly described as follows:

Beginning at a point on the Westerly Boundary Line of Subdivision No.1 of Millsite Reservation (dated 06/25/1887), said point being also on the Northwesterly Line of Lot 37 of said Millsite Reservation, said point

32.08 feet to the Northerly Corner of said Lot 36, thence along the Northeasterly Line of Said Lot 36,

Corner of said Lot 7; thence, along the Southeasterly Line of Lots 7 through 1 inclusive of said Millsite

Corner of Lot 41 of said Millsite Reservation; thence, along the Southeasterly and Northeasterly Lines of said

the Point of Beginning.

Containing 16,486 square feet or 0.379 acres.

Parcel No.5

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Containing 67,071 square feet or 1.540 acres.

DATE

Jerron R. Atkin II
P.L.S. 5992546

LICENSED PROFESSIONAL LAND SURVEYOR No. 5992546 JERRON R. ATKIN II STATE OF UTAH

OWNER'S DEDICATION

Know all men by these presents that _____, the _____ undersigned owner(s) of the above described tract of land having caused same to be subdivided into lots and streets to be hereafter known as

ALICE CLAIM

do hereby dedicate for perpetual use of the public all parcels of land, right-of-ways and easements as shown on this plat as intended for Public use.

In witness whereof _____ have hereunto set ____ this _____ day of _____, AD 20 _____.

KING DEVELOPMENT GROUP L.L.C

PARK CITY MUNICIPAL CORPORATION (PARCEL NO. 5 ONLY)

SHEET 1 OF 2

ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN SUMMIT COUNTY, UTAH

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF _____ }

On the _____ day of _____, A.D., 20 _____ personally appeared before me, _____, who being duly sworn or affirmed, did say that he/she is the _____ of _____, and that the within owner's dedication was signed by him/her in behalf of the said corporation by authority of its bylaws, or Board of Directors, and that said corporation executed the same.

My commission number: _____

My commission expires: _____ Name _____ Notary Public commissioned in Utah

MUNICIPAL ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF _____ }

On this _____ day of _____, A.D. 20 _____ personally appeared before me, the undersigned Notary Public, in and for said County of _____ in said State of Utah, _____ who, being by me duly sworn or affirmed, did say that he/she is the _____ of _____ a municipal corporation of the State of Utah, and that he/she signed the Owner's Dedication freely and voluntarily for and in behalf of said municipal corporation, for the purposes therein mentioned, and he/she acknowledged to me that said municipal corporation executed the same.

My commission number: _____

My commission expires: _____ Name _____ Notary Public commissioned in Utah

Stantec

Stantec Consulting Services Inc.
3995 S 700 E Ste. 300
Salt Lake City, UT
84107-2540
Tel. 801.261.0090
Fax. 801.266.1671
www.stantec.com

No.	Revisions	By	Date
3	Lot Line Adjustments	JA	2-15-17
2	Total plat revision	BD	2-02-16
1	Total plat revision	SV	5-06-15

Project Number	PM
205305057	SB
Filename	Plot Date
03057v_fb.dwg	02/09/17
Designed By	Drawn By
SB	DS
Checked By	Date
JRA	02/09/17
Scale	Date Issued
1"= 60'	Date

OWNER/SUBDIVIDER:

KING DEVELOPMENT GROUP L.L.C

P.O. BOX 244
PARK CITY, UTAH
84060

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEW FOR CONFORMANCE ON THIS _____ DAY OF _____ A.D., 20 _____

S.B.W.R.D.

MAYOR

APPROVED AND ACCEPTED BY THE SUMMIT COUNTY PLANNING COMMISSION THIS _____ DAY OF _____ A.D., 20_____

MAYOR

PARK CITY ENGINEER

I _____, PARK CITY ENGINEER HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

DATE PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D., 20 _____.

ATTORNEY

RECORDED #

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

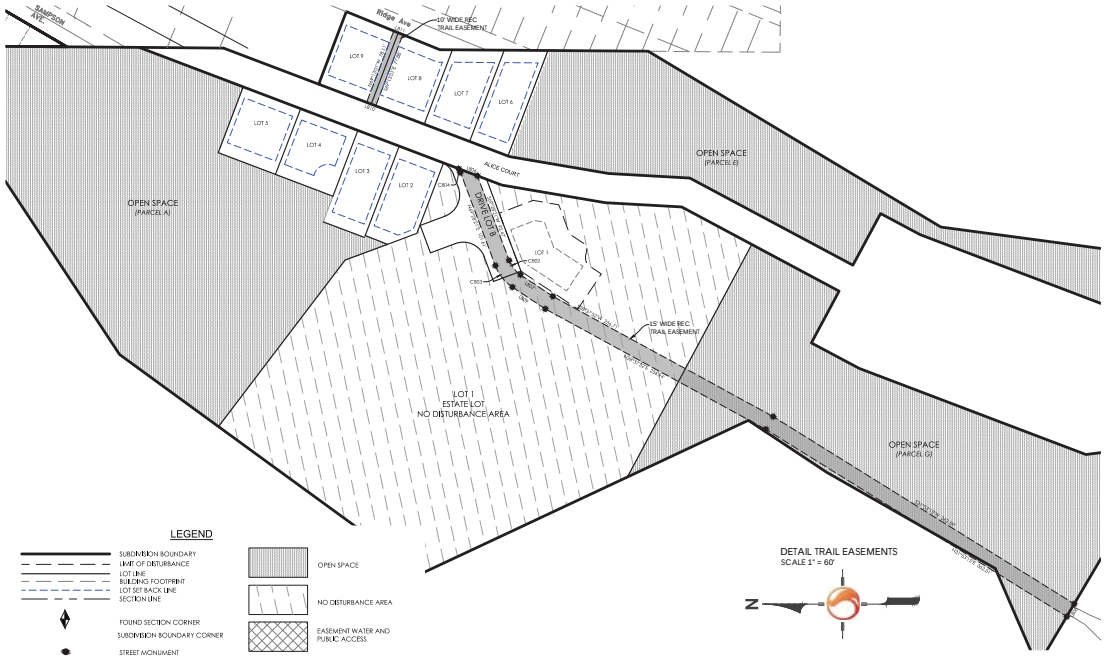
DATE _____ TIME _____ BOOK _____ PAGE _____

FEES _____ COUNTY RECORDER

PRELIMINARY

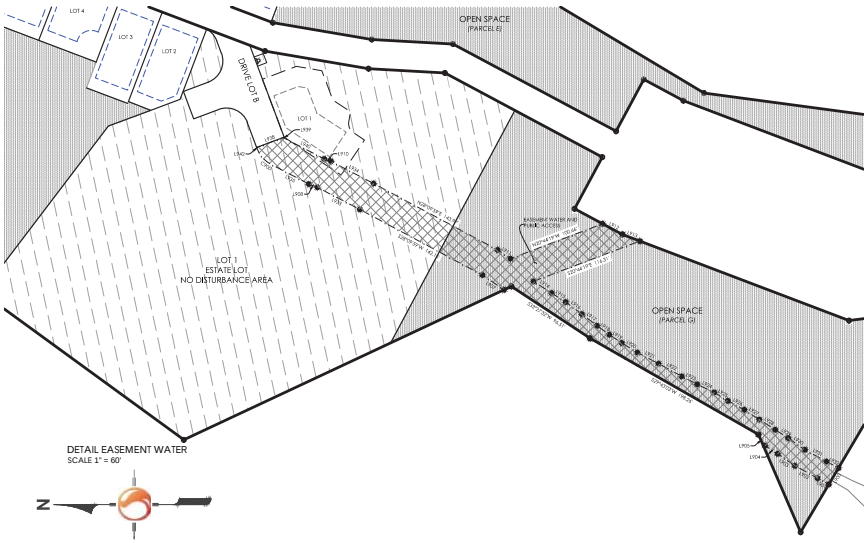
ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH



LEGEND

- SUBDIVISION BOUNDARY
- LIMIT OF DISTURBANCE
- LOT LINE
- BUILDING FOOTPRINT
- LOT SET BACK LINE
- SECTION LINE
- FOUND SECTION CORNER
- SUBDIVISION BOUNDARY CORNER
- STREET MONUMENT
- PROPOSED FIRE HYDRANT
- OPEN SPACE
- NO DISTURBANCE AREA
- EASEMENT WATER AND PUBLIC ACCESS
- PUBLIC RECREATIONAL TRAIL EASEMENT
- DRAINAGE EASEMENT



DRAINAGE EASEMENT LINE TABLE		
LINE #	DIRECTION	LENGTH
L600	S84°51'37"W	10.08'
L601	N03°58'07"W	40.77'
L602	N03°58'07"W	39.47'
L603	N35°15'48"E	66.54'
L604	N35°15'48"E	28.98'
L605	N69°32'44"E	90.58'
L606	N69°32'44"E	102.62'
L607	S32°45'07"W	13.27'
L608	N70°05'07"E	15.82'
L609	S32°45'07"W	270.86'
L610	N32°47'00"E	271.29'
L611	N00°58'06"E	3.96'
L612	S67°55'07"E	13.47'
L613	S38°50'00"W	1.71'

TRAIL EASEMENT CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C602	30.00'	19.09'	36°26'07"	S51°05'06"W	18.78'
C603	45.00'	28.64'	36°26'07"	N51°05'06"E	28.15'
C604	30.00'	4.32'	8°06'50"	N69°34'34"E	4.32'

TRAIL EASEMENT LINE TABLE		
LINE #	DIRECTION	LENGTH
L606	S39°47'00"W	20.58'
L607	S32°57'12"W	39.77'
L608	N39°58'07"W	15.02'
L609	N35°57'12"E	40.04'
L610	S39°47'00"W	10.02'
L611	N32°57'48"E	10.02'

WATER / PUBLIC EASEMENT ACCESS LINE TABLE		
LINE #	DIRECTION	LENGTH
L900	S39°57'19"E	19.32'
L901	S28°43'47"W	13.32'
L902	S28°33'44"W	24.21'
L903	S34°51'18"W	21.51'
L904	S32°55'07"W	15.64'
L905	S66°40'22"W	10.66'
L907	S34°23'17"W	24.72'
L908	S22°03'07"W	9.86'
L910	N39°58'46"E	6.88'
L911	N34°07'17"E	15.88'
L912	N39°57'17"E	22.88'
L913	N32°48'17"E	19.14'
L914	N32°48'07"E	21.64'
L915	N32°08'40"E	17.04'
L916	N36°52'03"E	20.64'
L917	N37°11'32"E	19.30'
L918	N36°17'07"E	15.58'
L919	N33°17'07"E	15.23'
L920	N31°54'07"E	18.84'
L921	N27°54'03"E	24.44'
L922	N28°44'42"E	26.82'
L923	N27°54'41"E	17.82'

WATER / PUBLIC EASEMENT ACCESS LINE TABLE		
LINE #	DIRECTION	LENGTH
L924	N29°05'37"E	19.31'
L925	N31°55'05"E	16.49'
L926	N28°35'05"E	19.27'
L927	N35°14'48"E	18.14'
L928	N32°55'48"E	19.32'
L929	N32°55'07"E	15.82'
L930	N34°51'17"E	20.84'
L931	N28°32'44"E	25.17'
L932	N28°43'47"E	13.94'
L933	S27°39'20"W	48.99'
L934	N27°39'55"E	49.07'
L935	N27°39'42"E	42.49'
L938	S32°31'39"E	10.00'
L939	N68°28'55"E	1.00'
L940	N27°54'03"E	44.84'
L942	N68°28'55"E	1.00'

WATER / PUBLIC EASEMENT CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD DISTANCE
C900	30.00'	21.34'	41°16'47"	N68°31'16"E	21.49'

SHEET 2 OF 2

ALICE CLAIM

LOCATED IN THE NORTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
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PRELIMINARY

RECORDED #

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

DATE: ____ TIME: ____ BOOK: ____ PAGE: ____

FEE: ____ COUNTY RECORDER

S:\2053\85\205303057\Drawings\survey\plat\03057v_1b_alt2.dwg
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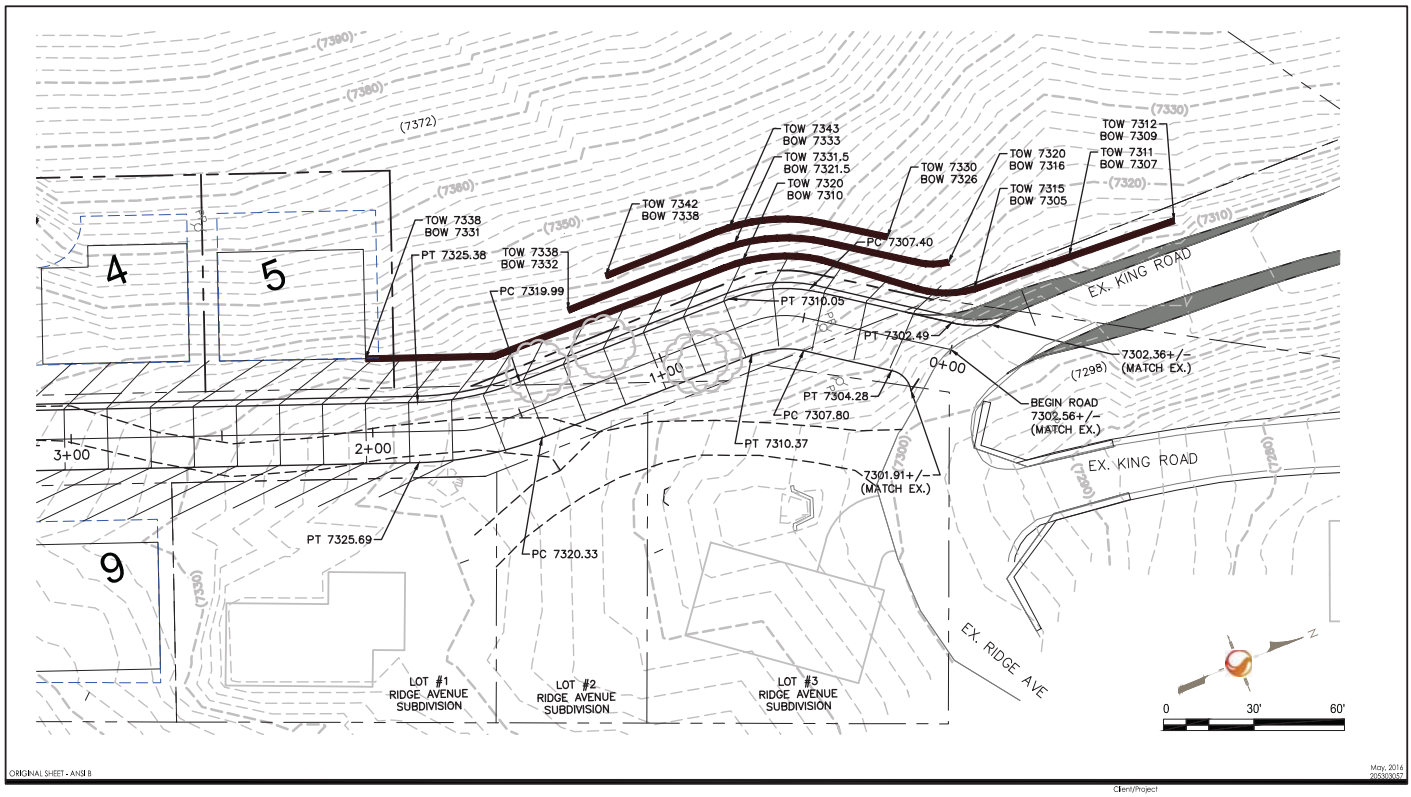
Exhibit B - Former Entry



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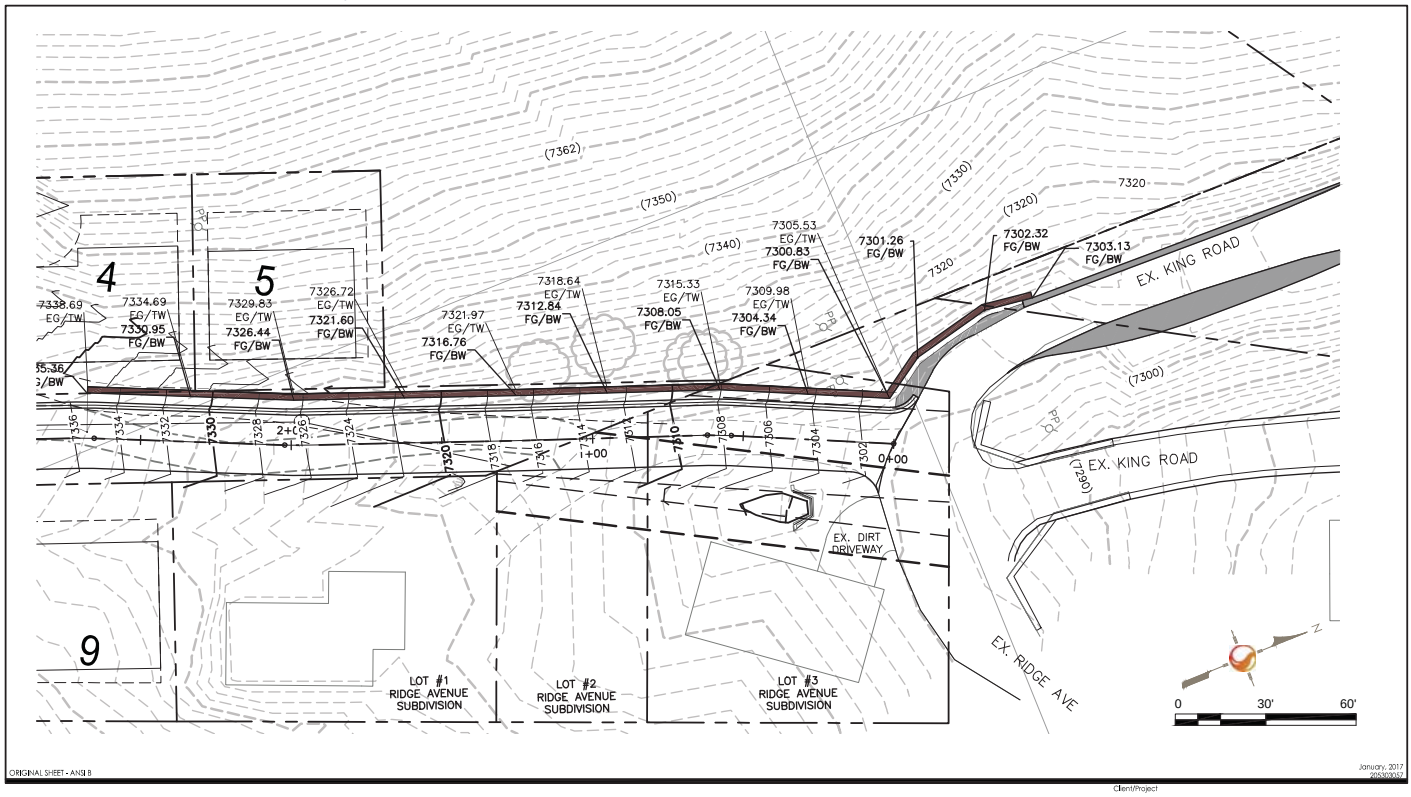
Client/Project
KING DEVELOPMENT L.L.C.
ALICE CLAIM
PARK CITY, UTAH

Figure No.
1

Title
PREVIOUS ENTRY PLAN

Exhibit C - Updated Entry



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Stantec

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Salt Lake City UT
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Client/Project
KING DEVELOPMENT L.L.C.
ALICE CLAIM
PARK CITY, UTAH

Figure No.
2

Title
PROPOSED ENTRY PLAN