

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
April 9, 2014**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF MARCH 26, 2014

PUBLIC COMMUNICATIONS – *Items not scheduled on the regular agenda*

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

CONTINUATION(S) – *Open public hearing and continue as outlined*

Round Valley Park City Annexation – Annexation of 1,368 acres located in Sections 28, 33, 34 and 35 T1SR4E and Sections 2 and 3, T2SR4E East of US 40 and North of SR 248 requested zoning is ROS, Recreational Open Space (1,363 acres) and LI, Limited Industrial (5 acres).

Public Hearing and continue to May 14, 2014

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

Page

520 Park Avenue – Steep Slope Conditional Use Permit <i>Public hearing and possible action</i>	PL-14-02242 <i>Planner Wassum</i>	17
670 Deer Valley Loop Road – Condominium Plat Amendment <i>Public Hearing and possible recommendation to City Council on April 24, 2014</i>	PL-14-02254 <i>Planner Whetstone</i>	51
491 Echo Spur – Steep Slope Conditional Use Permit <i>Public Hearing and possible action</i>	PL-14-02276 <i>Planner Astorga</i>	81
Echo Spur Subdivision– Lot 21-32, Block 58, Park City Survey – Plat Amendment <i>Public hearing and possible recommendation to City Council May 8, 2014</i>	PL-14-02292 <i>Planner Astorga</i>	121
7101 Silver Lake Drive, North Silver Lake Condominium Plat – Condominium Record of Survey <i>Public Hearing and possible recommendation to City Council on May 8, 2014</i>	PL-14-02225 <i>Planner Astorga</i>	141
469 Ontario Avenue –Steep Slope Conditional Use Permit <i>Public hearing and possible action</i>	PL-14-02243 <i>Planner Alexander</i>	237
901 Norfolk Avenue Subdivision, 901 and 907 Norfolk Avenue – Plat Amendment <i>Public hearing and possible recommendation to City Council on May 8, 2014</i>	PL-13-02180 <i>Planner Alexander</i>	267
300 Deer Valley Loop Road, Roundabout Condominiums- Condominium Plat Amendment <i>Public Hearing and possible recommendation to City Council on April 24, 2014</i>	PL-13-02147 <i>Planner Alexander</i>	289

ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MINUTES
SPECIAL GENERAL PLAN MEETING
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 26, 2014

COMMISSIONERS IN ATTENDANCE:

Chair Nann Worel, Preston Campbell, Stewart Gross, Steve Joyce, John Phillips, Adam Strachan, Clay Stuard

EX OFFICIO:

Planning Manager, Kayla Sintz; Francisco Astorga, Planner; Polly Samuels McLean,
Assistant City Attorney

=====

REGULAR MEETING

ROLL CALL

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

ADOPTION OF MINUTES

March 12, 2014

Commissioner Stuard referred to page 10 of the Staff report, page 8 of the minutes, and removed the word and from the second line of the fourth paragraph.

Commissioner Stuard referred to page 11 of the Staff report, page 9 of the minutes, fifth paragraph, second line and replaced the word safe family residential neighborhoods with **single** family residential neighborhoods.

Commissioner Stuard referred to page 18 of the Staff report, page 16 of the minutes, second paragraph, second line and replaced accepted the amendment with **seconded** the amendment.

Commissioner Stuard referred to page 36 of the Staff report, page 34 of the minutes, last paragraph, first line, and corrected "...was a better solution that the previous proposal." to correctly read, "...was a better solution **than** the previous proposal."

Commissioner Stuard referred to page 40 of the Staff report, page 38 of the minutes, middle of the fifth paragraph and changed southwest to correctly read **southeast**.

MOTION: Commissioner Stuard moved to APPROVE the minutes of March 12, 2014 as amended. Commissioner Strachan seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

Lisa Wilson apologized to the Planning Commission for her comments regarding the Silver Lake plat at the last meeting. She was under the impression that on February 26th the the Planning Commission had approved the proposed plat for 7101 Silver Lake Drive. She had since been informed that she was incorrect and that the approval was only for the lockout units. Ms. Wilson stated that she had filed an appeal to City Council but it was obviously unnecessary at this point and her filing fee was reimbursed.

Ms. Wilson commented on an email she received during the week which stated that the applicant has requested to amend the 6 unit lot as convertible land to reflect the 54 units approved in 2010. She has been reading Staff reports and other documents since 2009 and while she is not an expert, she could not recall ever hearing or seeing the term convertible plat. Ms. Wilson had corresponded with the Summit County Tax Assessor and she was told that there are only rights on the lot for six homes. She had a copy of the plat showing the six homes. She understood that the boundaries of the units represent the boundaries in which all buildings and associated construction disturbance shall occur. In looking at the plat, she believed building would only be allowed to occur within the building boundary. Ms. Wilson read from the tax letter, "The rest of the lot outside the building boundary is common area, and the common area has never been taxed." According to the letter from Summit County there are no rights to build in the common area. Mr. Wilson read an excerpt from the auditor's letter and the tax assessor. "The conditional use rights exist only on paper if they are developed at all. Until a subsequent plat is recorded determining and fixing the rights to this parcel, it would be unwise to attach value to undetermined, speculative future potential as yet realized." She previously presented tax receipts and tax bills showing that in 2005 this lot was taxed over \$100,000. The current tax bill is significantly less. If they turn the property into a Stein Eriksen Lodge Residence, it would be worth over \$100 million dollars. A property with an estimated value today of \$1.2 million will be worth \$100 million plus. Ms. Wilson understood that the value is great for the developer and it would bring in money for the School District; however, the problem is the change in building rights. Another problem was all the money that lost from 2005 until a new plat is recorded.

Ms. Wilson noted that the Summit County Council was accused of improper management and she questioned whether it was due to recording plats and not collecting taxes. Ms. Wilson remarked that the school district has lost millions of dollars due to the changes allowed to the property. Based on her calculations, \$14 million has been lost on this one lot alone. Mr. Wilson believed that the Planning Commission would be opening a can of worms if they allow the proposed plat to be recorded. She also felt that the Planning Commission and the City Council were causing the potential problems.

Ms. Wilson stated that another problem with the potential recorded plat is that it uses Lot 2D toward development. Lot 2D is owned by Deer Valley and the tax receipt designates Lot 2D as dedicated open space. Ms. Wilson believed the public would be very upset if they realized that the Stein Eriksen Lodge site uses 3.78 acres of dedicated open space towards development. It would be setting a dangerous precedent, particularly since the use of Lot 2D has been questioned throughout the process.

Assistant City Attorney McLean noted that the Silver Lake plat amendment was still pending with the Planning Commission and it was scheduled on the April 9th agenda. She thought it was more appropriate for Ms. Wilson to make her comments at that time when the item is actually being heard by the Planning Commission. Ms. Wilson explained that she was making her comments this evening because she should would be in Mexico on April 9th and unable to attend the meeting. Planner Francisco informed Ms. Wilson that she would also have the opportunity to speak on the plat amendment during the City Council public hearing in May.

Ms. Wilson stated that if the Planning Commission forwards a positive recommendation to the City Council and she was not allowed to speak, the City Council could make their decision based upon the recommendation. She felt like she is always being shut down whenever she tries to speak. She requested the opportunity to continue with her comments this evening.

Assistant City Attorney McLean stated that legally the Planning Commission could hear her comments but they did not have the benefit of the Staff report or other materials to address Ms. Wilson's concerns.

Chair Worel gave Ms. Wilson three minutes to finish her comments.

Ms. Wilson stated that using Lot 2D towards development takes away dedicated open space. Removing Lot 2D from the open space calculation results in less than the 60% open space requirement. Therefore, the project would not comply with Code. In her

research she found that there was not a conservation easement and she confirmed it again this week with Cheryl Fox. Ms. Wilson felt they were misled by former Mayor Dana Williams during a City Council appeal hearing when he implied that Lot 2D had a conservation easement and that dedicated open space could be used for development. Ms. Wilson stated that she did not want to create a ruckus or hurt anyone, but she would if she had to.

Ms. Wilson submitted her written comments since she would be out-of town on April 9th.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Manager Sintz reported that the City Council had scheduled a joint meeting with the Planning Commission on Tuesday, May 13th to discuss Form Based Code and the Bonanza Park Area Plan. She believed the Form Based Code discussion was scheduled for noon and the Bonanza Park Area Plan discussion would be held at 6:00 p.m. Ms. Sintz remarked that Form Based Code would be a preliminary introduction for anyone who needed additional information. An email would be sent to the Commissioners once the agenda is finalized. The Planning Commission would still hold their regular meeting on Wednesday, May 14th.

Commissioner Strachan announced a pot-luck party at his house on March 29th. The Staff and the public were invited. It was strictly social and no business would take place.

REGULAR AGENDA (public hearing and possible action)

520 Park Avenue – Steep Slope Conditional Use Permit **(Application PL-14-02242)**

The Staff requested that this item be continued to April 9, 2014. The Planning Commission would take public input since the item was noticed.

Chair Worel opened the public hearing.

There were no comments.

Chair Worel closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE 520 Park Avenue – Steep Slope CUP to April 9, 2014. Commissioner Gross seconded the motion.

VOTE: The motion passed unanimously.

**4001 Kearns Boulevard - Park City Film Studio Subdivision Plat
(Application PL-14-02263)**

Planner Francisco Astorga stated that Kirsten Whetstone was the project planner. Planner Whetstone was out of the office this week and he would be presenting on her behalf.

Planner Astorga reviewed the application for a final subdivision plat for the Park City Film Studio Subdivision, which creates a 29.55 platted lot of record for the Park City Film Studio project, pursuant to the Quinn's Junction Partnership annexation and the approved master plan for the Park City Film Studio. All the conditions of approval from both the annexation and the MPD continue to apply. The Staff report included the annexation ordinance.

Planner Astorga noted that the property is zoned CT, Community Transition, with RCO, Original Commercial Overlay. As reviewed by Staff there are no non-conforming conditions created by the requested subdivision plat. The plat memorializes the existing property boundary as one lot of record.

The Staff recommended that the Planning Commission conduct a public hearing for the subdivision plat and consider forwarding a positive recommendation to the City Council.

The applicant was not present and the applicant's representative arrived later in the discussion.

Commissioner Strachan wanted to know who had submitted the application. Planner Astorga replied that according to the Staff report, the contractor, Sahara Construction, submitted the application.

Commissioner Stuard had sent an email to Planner Whetstone on Monday but she had not responded. He was unaware that she had been away from the office. Commissioner Stuard had asked her about a stipulation in the Annexation Ordinance 12-12, which states that final subdivision approval shall contain CC&Rs. Commissioner Stuard asked if the action they were being asked to take this evening was considered to be the final subdivision approval, and if the CC&Rs would be associated with the approval.

Planner Astorga understood that it was the final subdivision approval. He explained that certain components of CC&Rs have to be reviewed in order for plats and subdivisions to be approved; however, it was not the entire document.

Commissioner Stuard was concerned that it was possibly putting the cart before the horse.

Assistant City Attorney McLean understood that the project has been phased. She was unsure how the CC&Rs were connected, but if the Subdivision Plat is forwarded to the City Council she would make sure the issue was addressed and clarified.

Commissioner Stuard commented on the prominent berming plan on the highway 248 side of the project. He assumed that was to provide screening from the parking and the tall buildings. Commissioner Stuard remarked that coming down Highway 40, once you come over the summit between Mayflower and the Park City exit, the parcel is very much in the line of sight. While there is a little bit of landscaping in the site plan, the southeast edge of the project is very exposed. As they go through the administrative CUP, Commissioner Stuard suggested that the Planning Department consider ways to screen the back side of the tall buildings and the large amount of surface parking behind the buildings from Highway 40 with something other than tall trees.

Planner Astorga remarked that screening was addressed during the MPD process. Commissioner Strachan recalled that there was significant discussion during the MPD regarding fencing and vegetation, particularly coming down the hill from Mayflower towards the Park City exit. They did what they could to make the project aesthetically pleasing, but there was no way to completely shield a six-foot building or the vast amounts of surface parking. Commissioner Strachan stated that the Planning Commission also tried to encourage a structure parking to eliminate surface parking.

Commissioner Strachan agreed that through the administrative CUP process they should revisit the issue and consider whether there are ways to improve the berm and screening.

Chair Worel opened the public hearing.

Lisa Wilson asked Commissioner Stuard to clarify his question regarding the CC&Rs.

Commissioner Stuard stated that condition of approval #34 in the annexation ordinance indicates that approval of the CC&Rs would occur at the time of the final subdivision approval. He had asked whether the action the Planning Commission would take this evening was in fact the final subdivision approval. He understood from the response that

the CC&Rs were not complete and there would be a final opportunity to review them when the final plat is reviewed by the City Council.

Assistant City Attorney McLean clarified that it was also due to the phasing of the project. The action this evening was Phase I and the CC&Rs would be part of a subsequent phase.

Commissioner Stuard asked if the CC&Rs are recorded concurrently with final maps. Ms. McLean answered yes.

Commissioner Joyce noted that Commissioner Stuard had used the word approved. However the actual phrasing in the Condition was, "The final subdivision shall contain Covenants and Restrictions in compliance with the annexation agreement." He assumed the language was written because there was an annexation agreement; and that it was not applicable to all plat submissions. Commissioner Joyce pointed out that the Planning Commission does not address or approve the CC&Rs, other than to determine whether it meets the requirements defined in the annexation agreement. He emphasized that the language regarding CC&Rs did not apply to all plats.

Ms. Wilson thanked Commissioner Joyce for the clarification.

Chair Worel closed the public hearing.

Doug Rosecrans, representing the applicant, stated that he had reviewed the Staff report with Planner Whetstone and he had nothing further to add.

Commissioner Joyce stated that he did not have any issues with this application given that most of the issues were addressed and the battles were fought as part of the annexation agreement.

Commissioners Gross and Phillips did not have further questions.

Commissioner Strachan stated the Planning Commission is required to make a finding that the plat is consistent with the Park City Land Management Code, that no person will be materially injured, and that the project would not adversely affect the health, safety and welfare of the citizens of Park City. He remarked that those battles occurred over and over again and he consistently voted the same, that it does not meet the LMC and it was not good for the health safety and welfare of the community, and it would materially and adversely affect the community. For all the reasons he stated in all the meetings he would incorporate and reference those now. Commissioner Strachan remarked that normally the Conclusions of Law require that everything complies with the General Plan. However

there was not a Conclusion of Law for this action saying that it complies with the General Plan. He found that interesting because the Planning Commission voted a year and a half ago and every Commissioner agreed that it did not meet the General Plan. It was a unanimous decision by the Planning Commission that was overturned by the City Council.

Commissioner Strachan questioned why this plat did not have a Conclusion of Law saying that it meets the General Plan. Commissioner Strachan still believed that it did not meet the General Plan, but this was the time or place to have that fight again. The MPD was approved and the damage was already done.

Commissioner Stuard stated that he had removed the project name on the site plan and asked some of his developer friends what they thought the project looked like. They all thought it was a shopping center. He hoped the film studio was successful; otherwise the City would be looking at an adaptive re-use for a shopping center in the future.

MOTION: Commissioner Phillips moved to forward a positive recommendation to the City Council for the Final Subdivision Plat for the Park City Film Studios, based on the Findings of Fact, Conclusions of Law and Conditions of Approval stated in the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed 4-3. Commissioners Joyce, Gross, Phillips and Worel voted in favor of the motion. Commissioners Strachan, Campbell and Stuard voted against the motion.

Findings of Fact – 4001 Kearns Boulevard

1. The property is located at 4001 Kearns Boulevard in Park City, Utah.
2. The property is located north of Richardson Flat Road, east of SR 248 and west of US Highway 40.
3. The property contains 29.55 acres.
4. The property was annexed into Park City with the Quinn's Junction Partnership (QJP) Annexation on May 12, 2012, and is subject to Ordinance 12-12. The property was zoned Community Transition (CT) with Regional Commercial Overlay (RCO).
5. On May 24, 2012 a Development Agreement was executed and recorded at Summit County.

6. The Development Agreement includes concept plans for a film studio campus, a 100 key hotel, and commercial and support uses, as further defined in the Development Agreement, consistent with the prior January 17, 2012 Annexation Agreement, a pre-annexation agreement between the City and the property owner.
7. The Annexation Agreement and Ordinance 12-12 include a condition of approval that an Administrative Conditional Use Permit is required for the Park City Film Studio project prior to issuance of any building permits.
8. On December 5, 2013, the City Council approved an amended phasing plan for Phase 1 allowing it to be broken into three sub-phases (1-A, 1-B, 1-C).
9. On December 11, 2013, the applicant submitted an Administrative Conditional Use Permit (CUP) application for Phase 1-A of the Park City Film Studios project.
10. On March 11, 2014, the Planning Director conducted an administrative public hearing to receive public comment on the Administrative Conditional Use permit. No public comment was provided.
11. No portion of this plat is within the Park City Soils Ordinance boundary.
12. The proposed subdivision plat creates a lot of record for the Park City Film Studios project that is planned to be maintained under the common ownership of Quinn's Junction Properties, LC, the current owner.
13. No non-conforming conditions are created by the subdivision plat.
14. The property is accessed from Kearns Blvd, aka SR 248, a State Highway. The MPD access point is at an existing signalized intersection with Round Valley Way as contemplated by the February 1, 2007 Cooperative Corridor Preservation Agreement between UDOT and Park City. A traffic signal for the entrance/exit to the Film Studio site will be installed as part of the Studio project. The cost associated with the traffic signal shall be worked out between the applicant and UDOT.
15. All roads will be designated as private drives and streets. Easements are provided as needed for public utilities. A shared access easement with the City's parcel to the south is provided for possible future shared access point with SR 248.

16. There are no public streets within the subdivision. Each phase is designed to accommodate fire and emergency vehicle circulation through the phase.
17. The subdivision plat application complies with the Land Management Code regarding final subdivision plats.
18. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
19. The Annexation Ordinance applies to this plat. The Ordinance requires LEED construction at the certified level without commissioning per the Annexation Agreement and at a minimum, the Hotel shall include a "Green" operational policy within industry standards and a door key activated light shut-off (or similar system) in all of the rooms.
20. Sanitary sewer facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
21. There are wetlands adjacent to the site to the north and east, as identified on the National Wetlands Inventory. The Inventory does not identify wetlands on the property.
22. There are remnants of an irrigation ditch running through the property. No water has been diverted through the ditch since 1995. If the applicant intends to use the ditch for irrigation of landscaping for Phase Two, there would first need to be resolution of water right and water source issues.
23. A Riparian Analysis prepared by Psomas and submitted with the CUP application, concludes that no riparian conditions exist within the property boundaries.
24. Water service is provided by Summit Water for this property.
25. There is good cause for this subdivision plat in that it creates a legal lot of record from metes and bounds described parcel for a future film studios project.

26. Trails and sidewalks are provided consistent with the MPD Development Agreement. The applicant has provided the City with the required \$75,000 for trails to be constructed to the site by the City.
27. The findings in the Analysis section are incorporated herein.

Conclusions of Law – 4001 Kearns Boulevard

1. The subdivision complies with LMC 15-7.3 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the May 12, 2012, Quinn's Junction Partnership Annexation and May 24, 2012 MPD Development Agreement, as amended with the December 5, 2013 Council approved phasing plan for Phase 1-A.
4. Neither the public nor any person will be materially injured as a result of approval of the proposed subdivision plat, as conditioned herein.
5. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – 4001 Kearns Boulevard

1. City Attorney and City Engineer review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Conditions of approval of the May 12, 2012, Quinn's Junction Partnership Annexation, as stated in the Annexation Agreement and Ordinance 12-12, continue to apply, and shall be noted on the plat.

4. Conditions of approval of the May 24, 2012, MPD Development Agreement, as amended by the City Council on December 5, 2013, continue to apply, and shall be noted on the plat.
5. A final utility plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.
6. A final grading plan shall be approved by the City Engineer prior to issuance of permits for site work for each phase.
7. Any proposed impacts to the off-site wetland areas require prior approval from the Army Corps of Engineers and/or UDOT. All proposed impacts shall be identified with the building permit application.
8. UDOT approval is required for any off-site storm-water detention facilities and/or landscaping and fencing proposed within the UDOT right-of-way areas, prior to approval of final utility plans by the City Engineer for each phase.
9. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to issuance of a building permit. A construction recycling area and excavation materials storage area within the development shall be utilized and identified on the CMP.
10. A financial guarantee, in a form and amount acceptable to the City and in conformance MPD conditions of approvals, for the value of all public improvements, including landscaping, shall be provided to the City prior to building permit issuance for new construction within each phase. All public improvements shall be completed according to City standards and accepted by the City Council prior to release of this guarantee.
11. Water sufficient for adequate redundancy and fire flows per the Park City Fire District is required prior to issuance of building permits for vertical construction for each phase.
12. A certificate of occupancy for Buildings 7, 7A, and 7B (as identified on the approved revised phasing plan) shall be issued by the Park City Building Department prior to requesting a certificate of occupancy for Buildings 6 and 8 as identified on the approved revised phasing plan per the MPD Agreement.

13. Topsoil shall be stockpiled on site for use on the property and export of excess material from the site shall be minimized.
14. A note shall be added to the plat indicating that a shared access easement will be granted by the Property owner and the City for possible future shared access to SR 248 at the southwest corner of the property. The City Engineer shall identify the easement requirements prior to recordation of the easements at such time that the easements are needed.
15. Due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures, utilities, and roads, and shall be reviewed by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.

Planning Commission Meeting
March 26, 2014
Page 14

The Planning Commission adjourned the regular meeting and moved into Work Session where Assistant City Attorney, Polly Samuels-McLean, provided legal training on conditional use permits and due process.

The Park City Planning Commission meeting adjourned at 7:10 p.m.

Approved by Planning Commission: _____

Planning Commission Staff Report



Subject: 520 Park Avenue
Project #: PL-14-02242
Author: Ryan Wassum, Planner
Date: April 9, 2014
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 520 Park Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Owner/ Applicant: Trent Timmons, Owner; represented by Hal Timmons
Architect: Craig Kitterman, Craig Kitterman & Associates
Location: 520 Park Avenue
Zoning: Historic Residential (HR-2, Subzone A)
Adjacent Land Uses: Residential single family and duplexes, commercial, and a church
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for a new single family home with a proposed square footage of 4,015 square feet (sf) (including the 288 sf single car garage) on a vacant 3,704.2 sf lot located at 520 Park Avenue. The total floor area exceeds 1,000 sf and the construction is proposed on a slope of 30% or greater.

Background

On January 22, 2014, the City received an application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 520 Park Avenue. The application was deemed complete on January 31, 2014. However, more information was needed from the applicant to complete the height analysis and revised plans were submitted on February 25, 2014. The property is located in the Historic Residential (HR-2, Subzone A) District.

This application is a request for a Conditional Use Permit for construction of a new single family dwelling on a platted lot of record. The 520 Park Avenue Replat was approved by City Council on March 14, 2013, and is a resubdivision of Lot 44 and part of Lot 43, in Block 9 of the Park City Survey amended. The property is two lots combined to make a 50' by 75' Old Town lot that contains 3,704.2 sf of lot area abutting a historic building on Main Street.

Because the total proposed structure is greater than 1,000 sf, and construction is proposed on an area of the lot that has a thirty percent (30%) or greater slope, the applicant is required to file a Conditional Use Permit (CUP) application. The CUP is required to be reviewed by the Planning Commission, pursuant to LMC § 15-2.3-7, prior to issuance of a building permit.

The lot is a vacant, platted lot with existing grasses and little other vegetation. The lot is located between two existing single family homes, one of which is a historic Landmark structure, and is located across from an existing single family home and a historic small church. There are no existing structures or foundations on the lot, however a small encroachment of approximately 45 sf in the northeast corner from a shed of the adjacent property exists. Access to this downhill lot is from Park Avenue. Utility services are available for this lot.

A Historic District Design Review (HDDR) application was reviewed concurrently with this application and found to be in compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. Staff reviewed the final design, included as Exhibit A.

Purpose

The purpose of the Historic Residential (HR-2, Subzone A) District is to:

- A. allow for adaptive reuse of Historic Structures by allowing commercial and office Uses in Historic Structures in the following Areas:
 - 1) Upper Main Street;
 - 2) Upper Swede Alley; and
 - 3) Grant Avenue,
- B. encourage and provide incentives for the preservation and renovation of Historic Structures,
- C. establish a transition in Use and scale between the HCB, HR-1, and HR-2 Districts, by allowing Master Planning Developments in the HR-2, Subzone A,
- D. encourage the preservation of Historic Structures and construction of historically Compatible additions and new construction that contributes to the unique character of the Historic District,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core that result in Development that is Compatible with Historic Structures and the Historic character of the surrounding residential neighborhoods and consistent with the Design Guidelines for Park City's Historic Districts and Historic Sites and the HR-2 regulations for Lot size, coverage, and Building Height, and

- F. provide opportunities for small scale, pedestrian oriented, incubator retail space in Historic Structures on Upper Main Street, Swede Alley, and Grant Avenue,
- G. ensure improved livability of residential areas around the historic commercial core,
- H. encourage and promote Development that supports and completes upper Park Avenue as a pedestrian friendly residential street in Use, scale, character and design that is Compatible with the historic character of the surrounding residential neighborhood,
- I. encourage residential development that provides a range of housing opportunities with the community's housing, transportation, and historic preservation objectives,
- J. minimize visual impacts of the automobile and parking by encouraging alternatives parking solutions,
- K. minimize impacts of Commercial Uses on surrounding residential neighborhood.

Analysis

The proposed house contains a total of 4,015 sf of floor area, including the 288 sf single car garage proposed on the main level. The proposed building footprint is 1,503 sf. The 3,704 sf lot size, which removes the 45 sf encroachment, allows a building footprint of 1504.3 sf. The house complies with all setbacks, building footprint, and building height requirements of the HR-2, Subzone A, zone. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	3,704 sf, <u>complies.</u>
Building Footprint	1,504.3 square feet (based on lot area) <u>maximum</u>	1,503 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (20 feet total)	12 feet (front) to entry and 18 feet (front) to garage, <u>complies.</u> 12 feet (rear), <u>complies.</u>
Side Yard	5 feet minimum	5' on each side, <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u> 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval.	26-27 feet, <u>complies.</u> 28.25 feet for the single car garage area (approved by Planning Director), <u>complies.</u>
Height (continued)	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.	34.3 feet, <u>complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around	Maximum difference is 48" (4 feet) with most of the

	the periphery of the structure.	difference much less than 48", <u>complies.</u>
Vertical articulation	A ten foot (10") minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.	Horizontal step occurs at 21.3 feet, <u>complies.</u>
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch	The main roofs have 7:12 pitches, <u>complies.</u> A rear gable has a 5:12 pitch, <u>complies.</u>
Parking	Two (2) off-street parking spaces required.	One (1) space within a single car garage and one uncovered space on the driveway, within the lot area, compliant with required dimensions, <u>complies.</u>

LMC § 15-2.3-7 requires a Conditional Use permit for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sf) of floor area, including the garage, and stipulates that the Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of the construction on the steep slope can be mitigated:

Criteria 1: Location of Development.

Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed single family house is located on a platted lot of record in a manner that reduces the visual and environmental impacts of the Structure. The foundation is stepped with the grade and the amount of excavation is reduced. The Main Level of the Proposed Structure will sit below the Street Level. The single car garage will provide elevation proportions more in keeping with existing homes on that side of the street. The proposed footprint is less than that allowed for the lot area, setbacks are complied with, and overall height is less than allowable.

Criteria 2: Visual Analysis.

The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.**

The applicant submitted a photographic visual analysis, including street views, to show the proposed streetscape and how the proposed house fits within the context of the slope, neighboring structures, and existing vegetation.

The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the neighborhood, smaller in scale and mass than surrounding structures, and visual impacts are mitigated. Potential impacts of the design are mitigated with minimized excavation and the lower profile of the roof height. Additionally, the garage door is located approximately 18 feet back from the edge of the property.

Criteria 3: Access.

Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. The garage sits below the street level reducing the fill needed to access the garage and the front door. Common driveways and Parking Areas, and side Access to garages are strongly encouraged; however a side access garage is not possible on this site. **No unmitigated impacts.**

The proposed design incorporates a relatively level driveway from Park Avenue to the single car garage. Grading is minimized for both the driveway and the stepped foundation. Due to the greater than 30% slope and lot width a side access garage would not minimize grading and would require a massive retaining wall. The proposed driveway has a slope of less than 14%. The driveway is designed to minimize Grading of the natural topography and to reduce overall Building scale.

Criteria 4: Terracing.

The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

The lot has a steeper grade at the front property line with a slope of 40%. The average slope is 25% across the entire length of the lot. The foundation is terraced to regain Natural Grade without exceeding the allowed four (4') foot of difference between final and existing grade. Stepped low retaining walls are proposed on the sides at the front portion of the lot to regain Natural Grade and to create the driveway. New retaining walls will not exceed six feet (6') in height, with the majority of the walls less than four feet (4').

Criteria 5: Building Location.

Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The Final Grade will be almost identical to the Existing Grade. The site design and building footprint provide an increased front setback area in front of the garage. Side setbacks and

building footprints are maintained consistent with the pattern of development and separation of structures in the neighborhood. The driveway width is 12 feet.

Criteria 6: Building Form and Scale.

Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The house steps with the grade and is broken into a series of smaller components that are compatible and consistent with the pattern in the District and surrounding structures. The garage is subordinate in design in that it is recessed from the entry and set back slightly beneath the roof element. In addition, the garage sits below the street level reducing the fill needed to access the garage and the front door, and will also provide elevation proportions more in keeping with existing homes on that side of the street. This both decreases the visibility of the garage and decreases the perceived bulk of the house. The split level design matches the existing topography quite closely. Horizontal stepping, as required by the LMC, also decreases the perceived bulk as viewed from the street.

Staff finds that the structure complies with the Design Guidelines for Historic Districts and Historic Sites. The structure reflects the historic character of Park City's Historic Sites such as simple building forms, unadorned materials, and restrained ornamentation. The style of architecture should be selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. Exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc—are of human scale and are compatible with the neighborhood and even traditional architecture. The scale and height of the new structure follows the predominant pattern of the neighborhood.

Criteria 7: Setbacks.

The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

Front setbacks are increased as the garage portion of the house is set back 18 feet from the property line and nearly 26 feet from the edge of the street, to accommodate the code required parking space entirely on the lot. The entry area is moved forward to the 10 foot setback area (approximately 20 feet from the edge of the street). Side setbacks are consistent with the pattern of development and separation in the neighborhood. The profile roof and overall reduced mass of the design does not create a wall effect along the street front or rear lot line.

Criteria 8: Dwelling Volume.

The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed massing and architectural design components are compatible with both the volume and massing of existing structures. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and existing historic structures. The building volume is almost maxed out in terms of footprint; however most of the height of the structure is lower than the maximum height of 27', with some portions exactly at a height of 27'. The majority of the mass and volume of the proposed house is located behind the front façade and below Park Avenue. The rear of the house backs to commercial lots and structures on Main Street.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-2A District is twenty-seven feet (27') (and up to a maximum of thirty-five feet for a single car garage on a downhill lot per Planning Director approval). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure complies with the 27 feet maximum building height requirement measured from existing grade. The tallest portion of the house at the northwest corner is 27 feet with much of the house at 26 feet or less from existing grade. Overall the proposed height is less than the allowed height. While a 35 foot height is allowed for a garage on a downhill lot per Planning Director approval, this design proposes a maximum of 28.25 feet for the garage area. To minimize the amount of roof that is over the 27' height limit, a single car garage is proposed rather than a tandem car garage allowed by code. A ten foot (10') minimum horizontal step in the downhill façade is required below 23 feet and the proposed horizontal step takes place at 22.3 feet. The proposed height measurement from the lowest finish floor plane to the point of the highest wall top plate is 34.8 feet in height, slightly lower than the allowable maximum of 35 feet.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application was noticed separately.

Department Review

This project has gone through an interdepartmental review. During the Development Review Committee meeting, SBWRD stated that the site will need to install an injector pump to pump sewage to Park Avenue. In addition, since the site is within the Soil Ordinance Boundary, the applicant will need to put together a plan addressing how the soil will be handled onsite (including a soil acceptance letter from the disposal facility),

as well landscaping plans that will conform with the Soils Ordinance. No further issues were brought up other than standards items that have been addressed by revisions and/or conditions of approval.

Notice

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

Public Input

No input has been received regarding the Steep Slope CUP.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for 520 Park Avenue as conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and provide staff with Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is an existing platted residential lot that contains native grasses and shrubs. A storm water management plan will be required to handle storm water run-off at historic release rates.

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur and the applicant would have to revise the plans.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 520 Park Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact

1. The property is located at 520 Park Avenue.
2. The property is described as a resubdivision of Lot 44 and part of Lot 43, in Block 9 of the Park City Survey. The lot is a 50' by 75' "Old Town" lot and contains 3,704.2 sf of lot area. The allowable building footprint is 1504.3 sf for a lot of this size. The proposed building footprint is 1,503 sf.
3. The site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.
4. The property is located in the HR-2, Subzone A, zoning district, and is subject to all requirements of the Park City Land Management Code (LMC) and the 2009 Design Guidelines for Historic Districts and Historic Sites.
5. Access to the property is from Park Avenue, a public street. The lot is a downhill lot.

6. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.
7. The neighborhood is characterized by primarily historic and non-historic single family and duplex houses. Commercial lots and structures on Main Street back to the rear yard.
8. A Historic District Design Review (HDDR) application was reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. The design was found to comply with the Guidelines.
9. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.
10. There is a 45 sf shed encroachment in the northeast corner of the lot from the adjacent property that currently exists.
11. The proposed design is a single family dwelling consisting of 4,015 square feet of living area (including the 288 sf single car garage) with a proposed building footprint of 1,503 sf.
12. The driveway is proposed to be a maximum of 12 feet in width and 20 feet in length from the edge of the street to the garage in order to place the entire length of the second parking space entirely within the lot. The garage door complies with the maximum width and height of nine feet (9').
13. The proposed structure complies with all setbacks.
14. The proposed structure complies with allowable height limits and height envelopes for the HR-2A zoning as the three (3) story split-level house measures less than 27 feet in height from existing grade, the structure is less than the maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters, and the design includes a 10 foot step back at a height slightly below 23 feet.
15. The proposal, as conditioned, complies with the Historic District Design Guidelines as well as the requirements of 15-5-5 of the LMC.
16. The proposed materials reflect the historic character of Park City's Historic Sites, incorporating simple forms, unadorned materials, and restrained ornamentation. The exterior elements are of human scale and the scale and height follows the predominant pattern of the neighborhood, in particular the pattern of houses on the downhill side of Park Avenue.
17. The structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as the foundation, roofing, materials, as well as window and door openings. The single car attached garage and off-street parking area also complies with the Design Guidelines and is consistent with the pattern established on the downhill side of Park Avenue.
18. No lighting has been proposed at this time. Lighting will be reviewed at the time of the building permit for compliance with the Land Management Code lighting standards.
19. The applicant submitted a visual analysis/ perspective, cross canyon view from the east, and a streetscape showing a contextual analysis of visual impacts on adjacent streetscape.

20. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at four feet (4') or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.
21. The site design, stepping of the building mass, articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% slope areas.
22. The plans include setback variations, increased setbacks, decreased building heights and an overall decrease in building volume and massing.
23. The proposed massing, articulation, and architectural design components are compatible with the massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.
24. The garage height is 28.25 feet on a downhill lot; garage height may exceed up to 35' on a downhill lot subject to Planning Director approval.
25. The findings in the Analysis section of this report are incorporated herein.
26. The applicant stipulates to the conditions of approval.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.3-7(B).
2. The CUP, as conditioned, is consistent with 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.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. No Building permit shall be issued until the Plat has been recorded.
3. 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 the historic house to the north from damage.
4. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
5. 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.
6. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation. Lawn area shall be limited in area.
7. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared,

stamped, and signed by a licensed structural engineer. The shoring plan shall take into consideration protection of the historic structure to the north.

8. This approval will expire on March 26, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
9. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
10. 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.
11. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
12. 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.
13. Construction waste should be diverted from the landfill and recycled when possible.
14. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain.

Exhibits

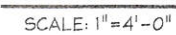
Exhibit A- Plans (existing conditions, site plan, elevations, floor plans)

Exhibit B- Existing Conditions Survey

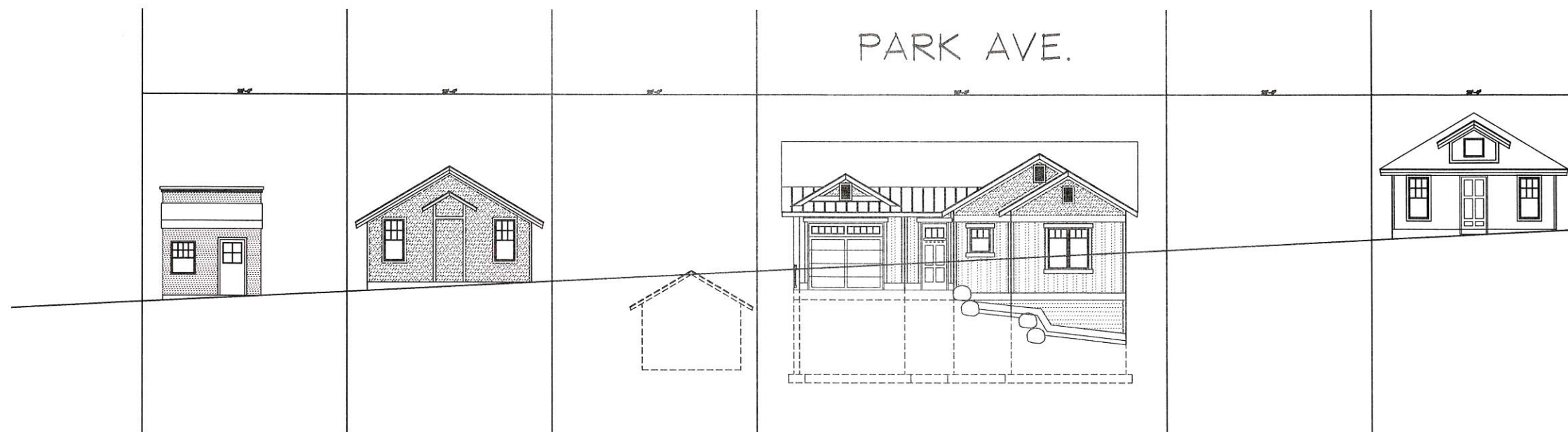
Exhibit C- Visual Analysis/ Streetscape

Exhibit D- Existing Photographs

Exhibit E- Notice of Planning Director Determination (height exception)



Page 28 of 368
PARK CITY
PLANNING DEPT.



STREETSCAPE

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

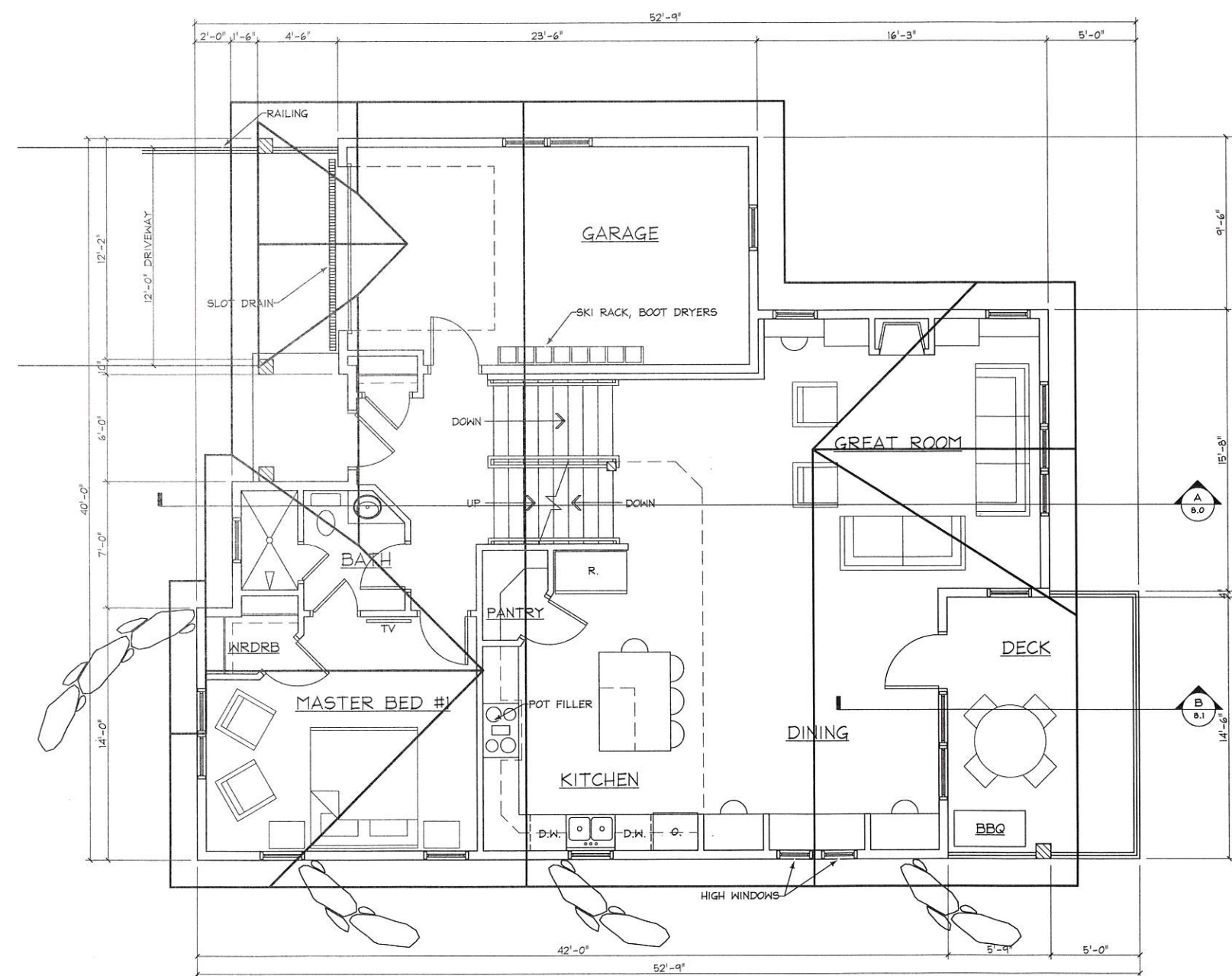
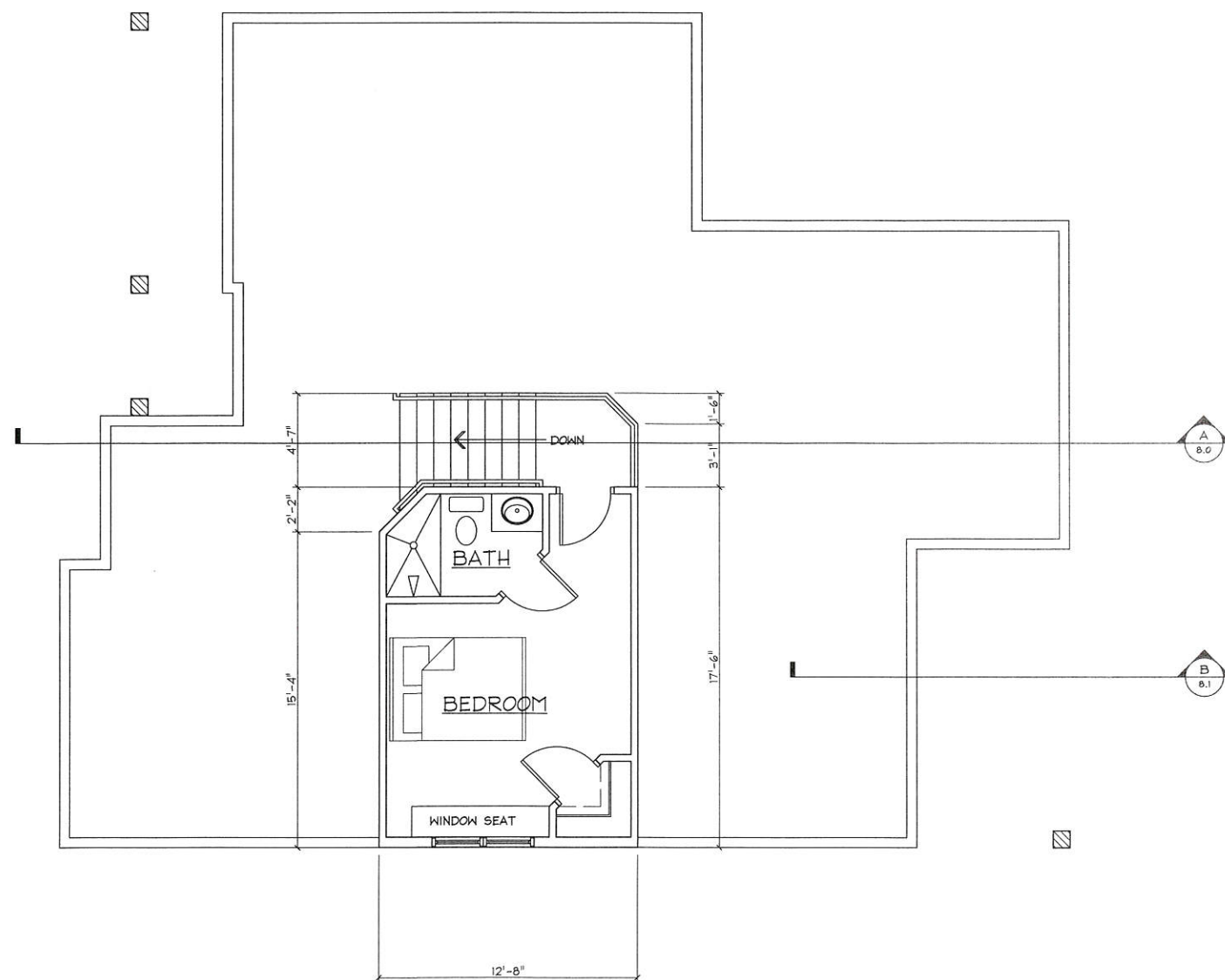
FOOTPRINT INCLUDING GARAGE	
TOTAL	1,503 SQ. FT

FLOOR AREA	
GROSS	
MAIN	1,102 SQ. FT
UPPER	242 SQ. FT
LOWER	1,282 SQ. FT
BASEMENT	602 SQ. FT
TOTAL	3,228 SQ. FT

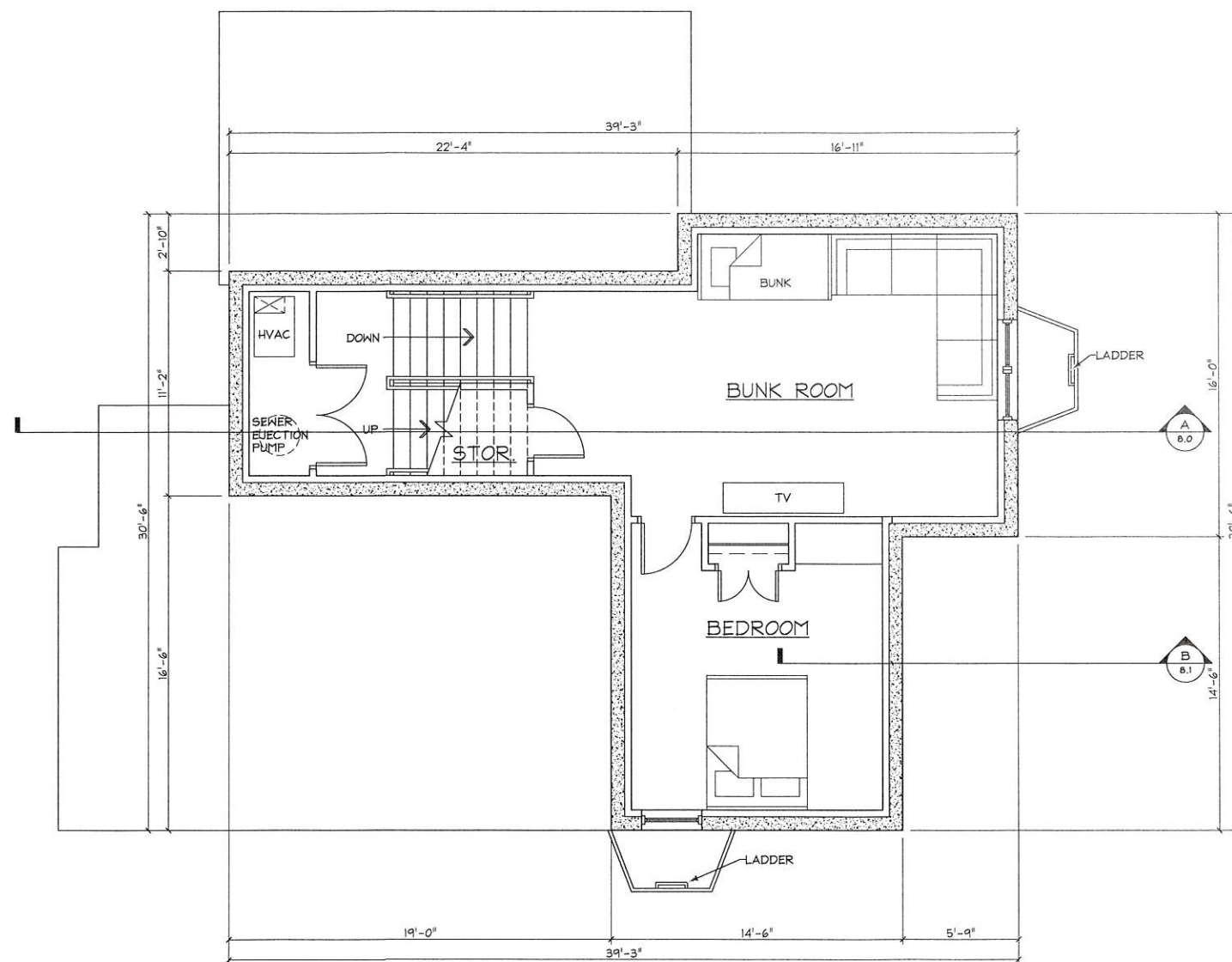
SQUARE FOOTAGE	
GROSS	
MAIN	1,215 SQ. FT
UPPER	272 SQ. FT
LOWER	1,503 SQ. FT
BASEMENT	737 SQ. FT
GARAGE	288 SQ. FT
TOTAL	4,015 SQ. FT

SEE SHEET #A-2 FOR ADD. NOTES

SEE GENERAL GARAGE NOTES ON SHEET 2 FOR SPECIAL GARAGE CODE REQUIREMENTS.

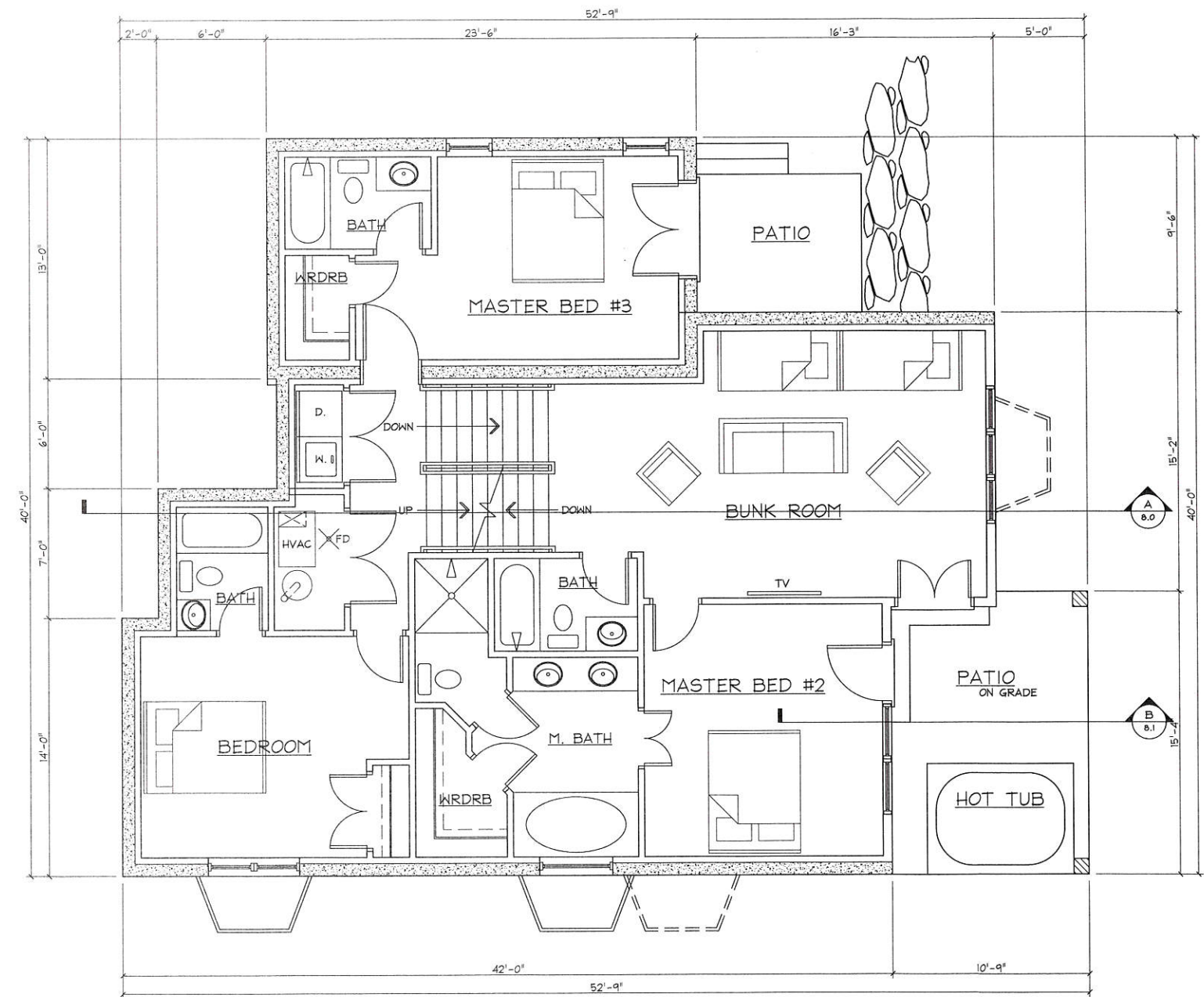


RECEIVED
APR 03 2014



BASEMENT FLOOR PLAN

SCALE: 1/4"=1'-0" 737#



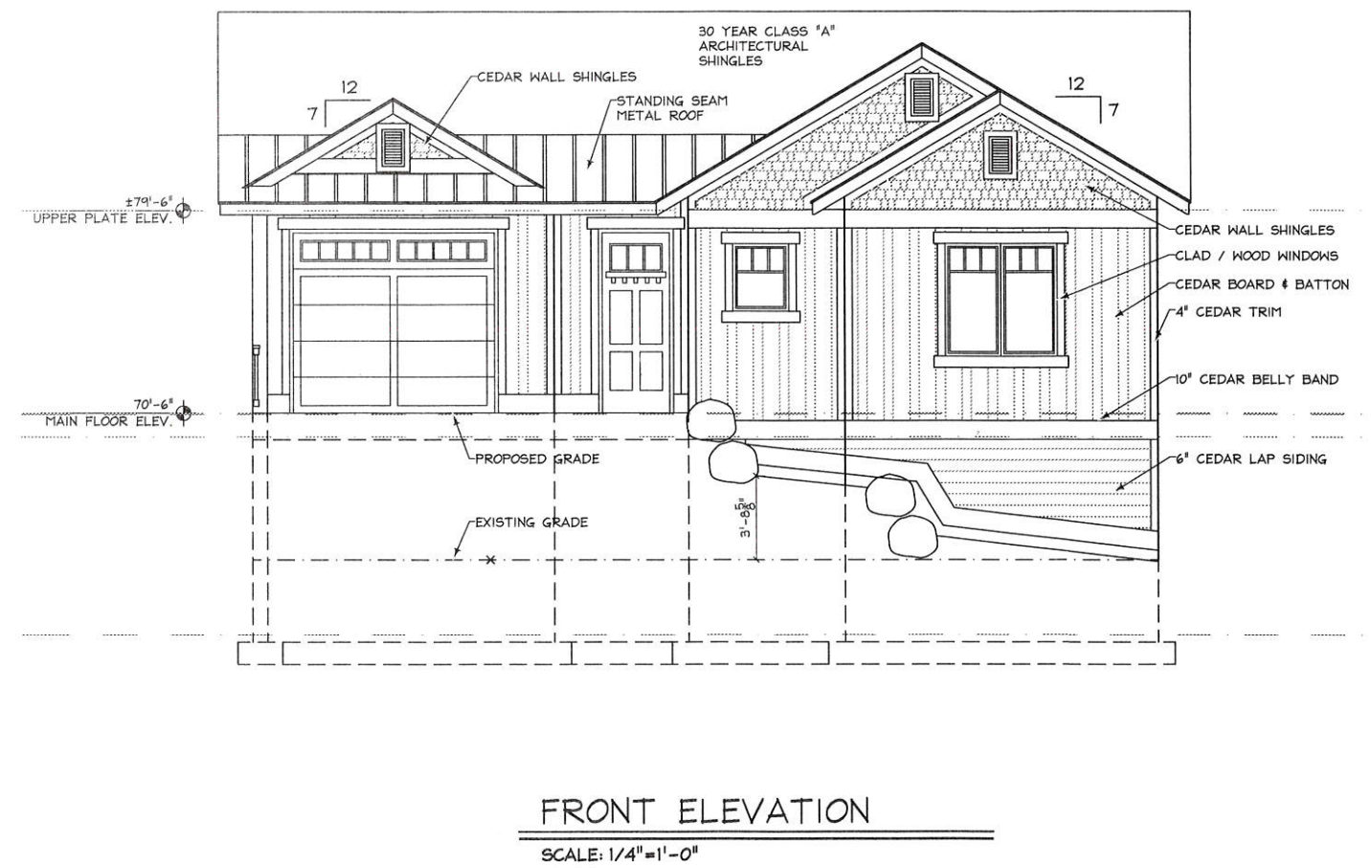
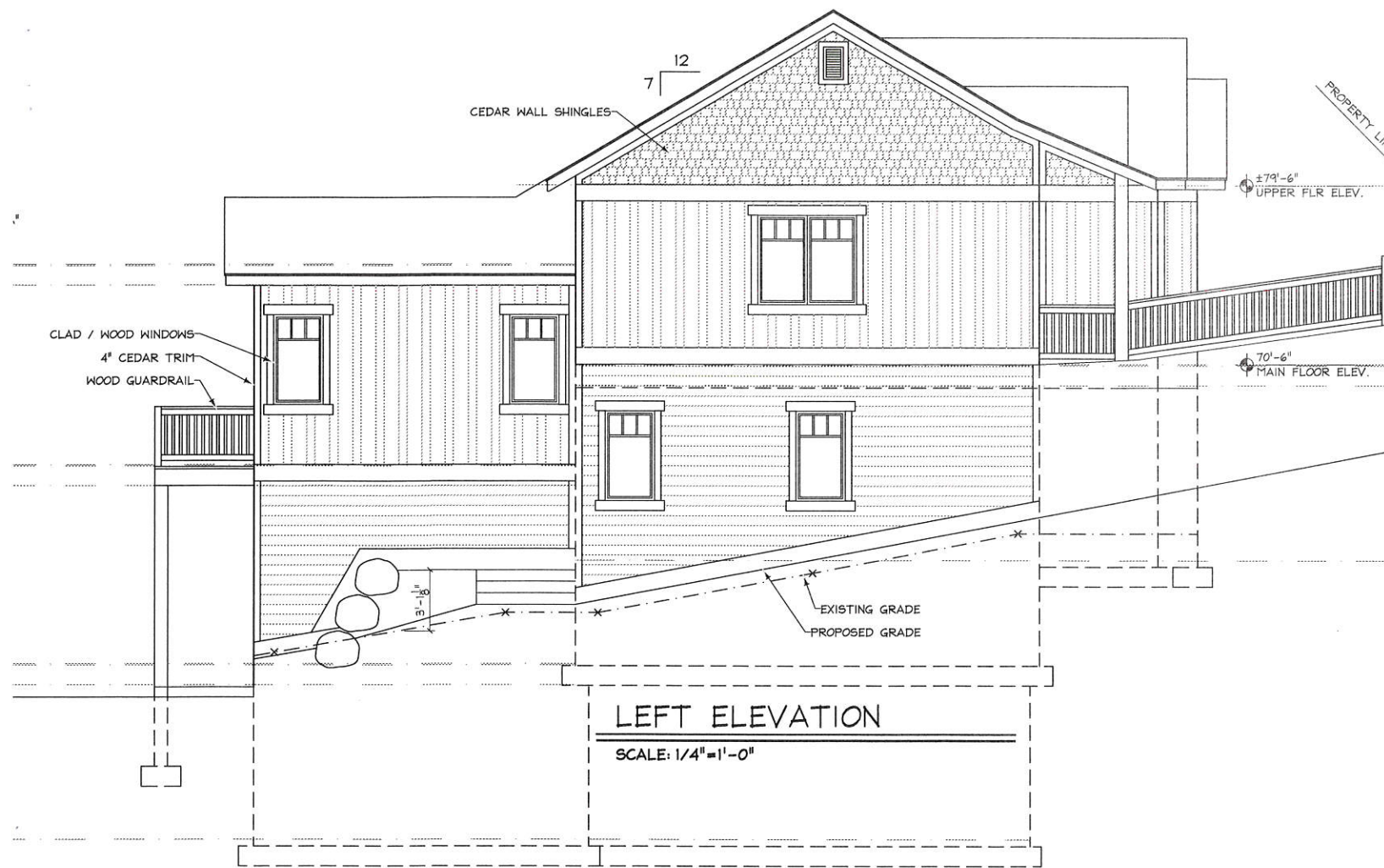
LOWER FLOOR PLAN

SCALE: 1/4"=1'-0" 1,503#

SEE SHEET #A-2 FOR ADD. NOTES

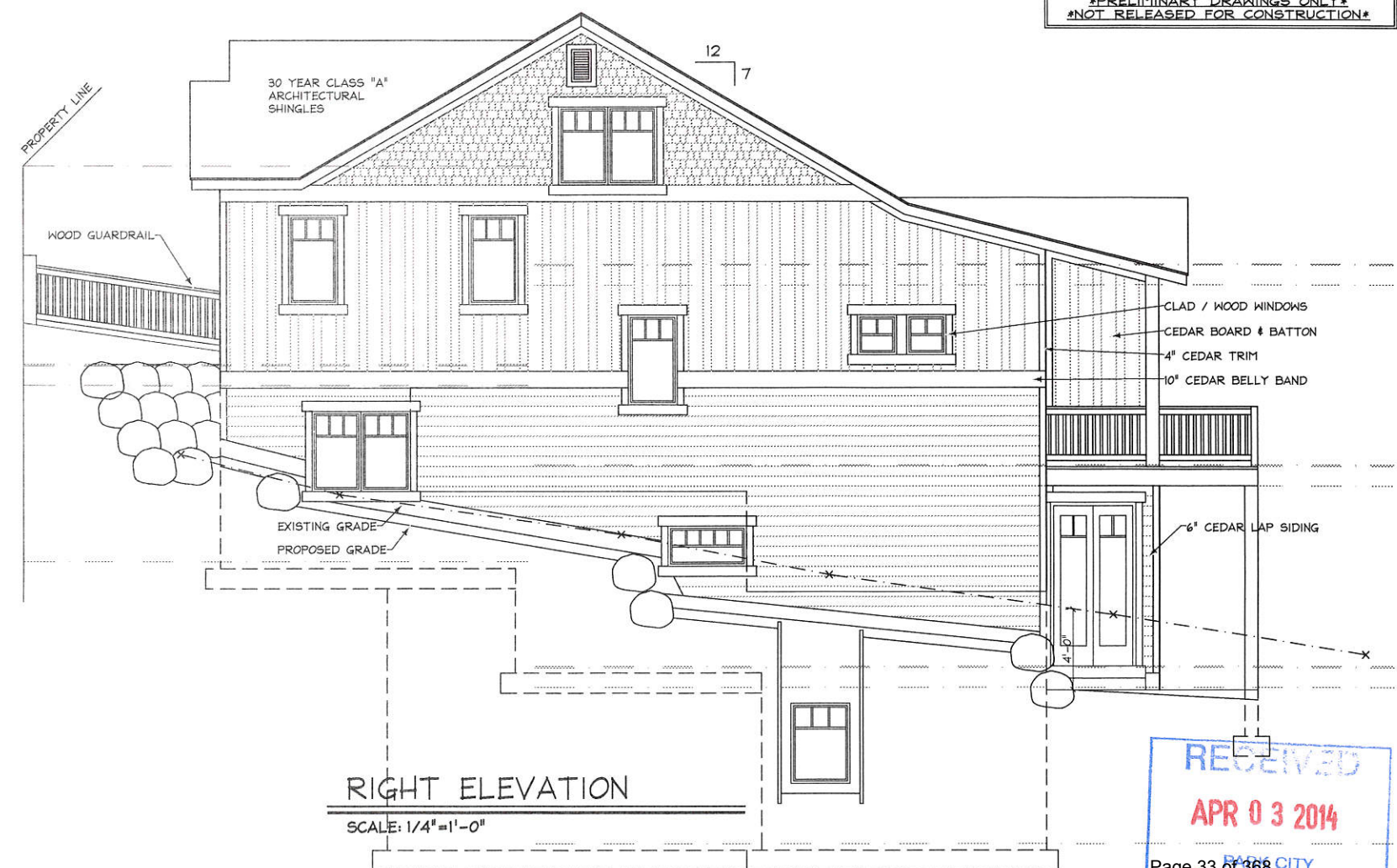
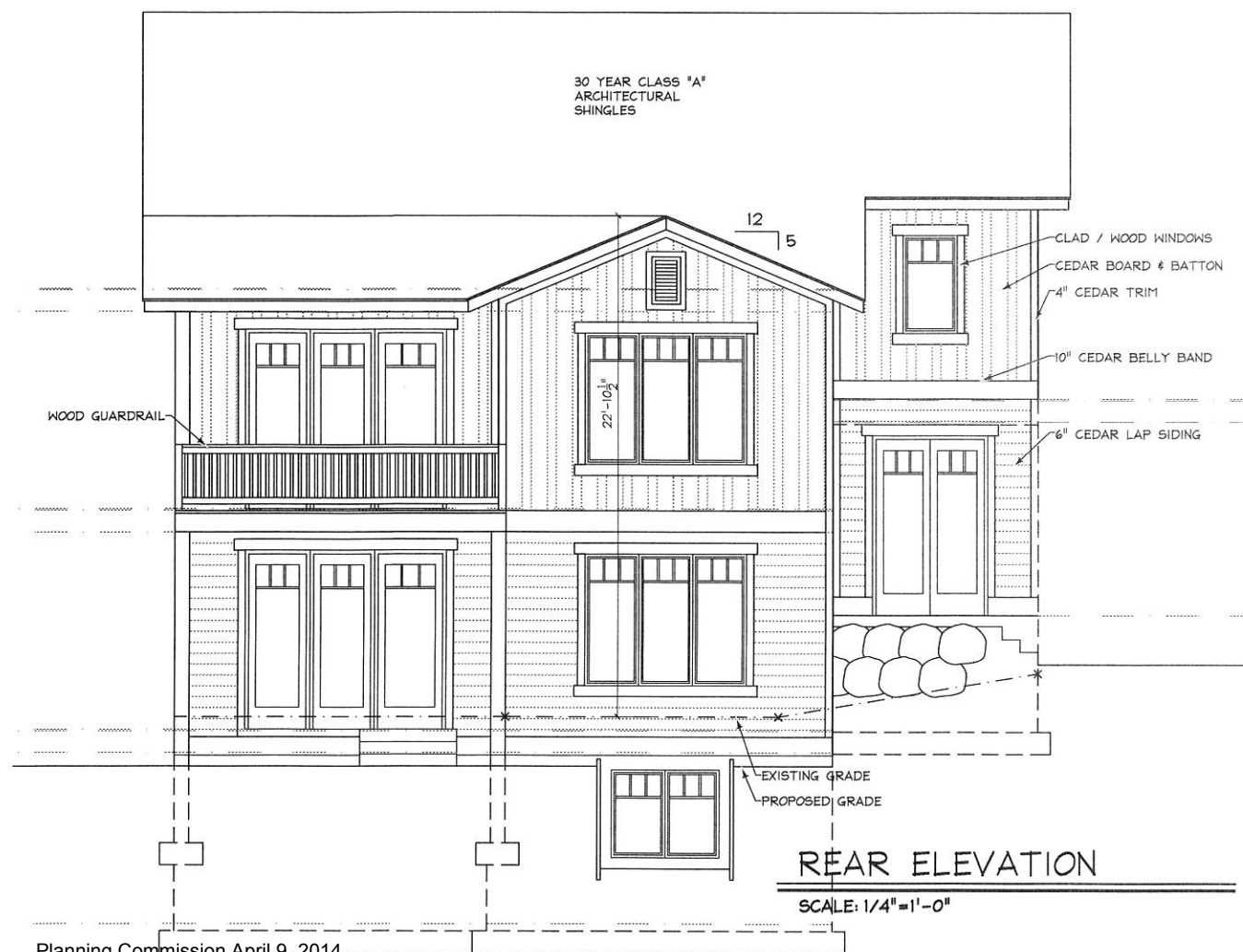
RECEIVED
APR 03 2014
PARK CITY
PLANNING DEPT.

PRELIMINARY DRAWINGS ONLY
NOT RELY ON FOR CONSTRUCTION



SEE SHEET #A-2 FOR ADD. NOTES

PRELIMINARY DRAWINGS ONLY
NOT RELEASED FOR CONSTRUCTION



PROPERTY LINE

PROPERTY LINE

110

100

90

80

70

60

50

40

PARK
AVE.

UPPER PLATE ELEV.

SHR. BATH

UPPER FLOOR ELEV.

GREAT ROOM

MAIN FLOOR ELEV.

DRIVEWAY
13'-0" 10% SLOPE

DRIVEWAY
13'-0" 14% SLOPE

DRIVEWAY
8'-0" 5% SLOPE

BATH

MECH.

BUNK-ROOM

60'-7.875"
SLAB ELEV.

50'-7.25"
MAIN FLOOR ELEV.

MECH.

BUNK ROOM

65'-6"
MAIN FLOOR ELEV.

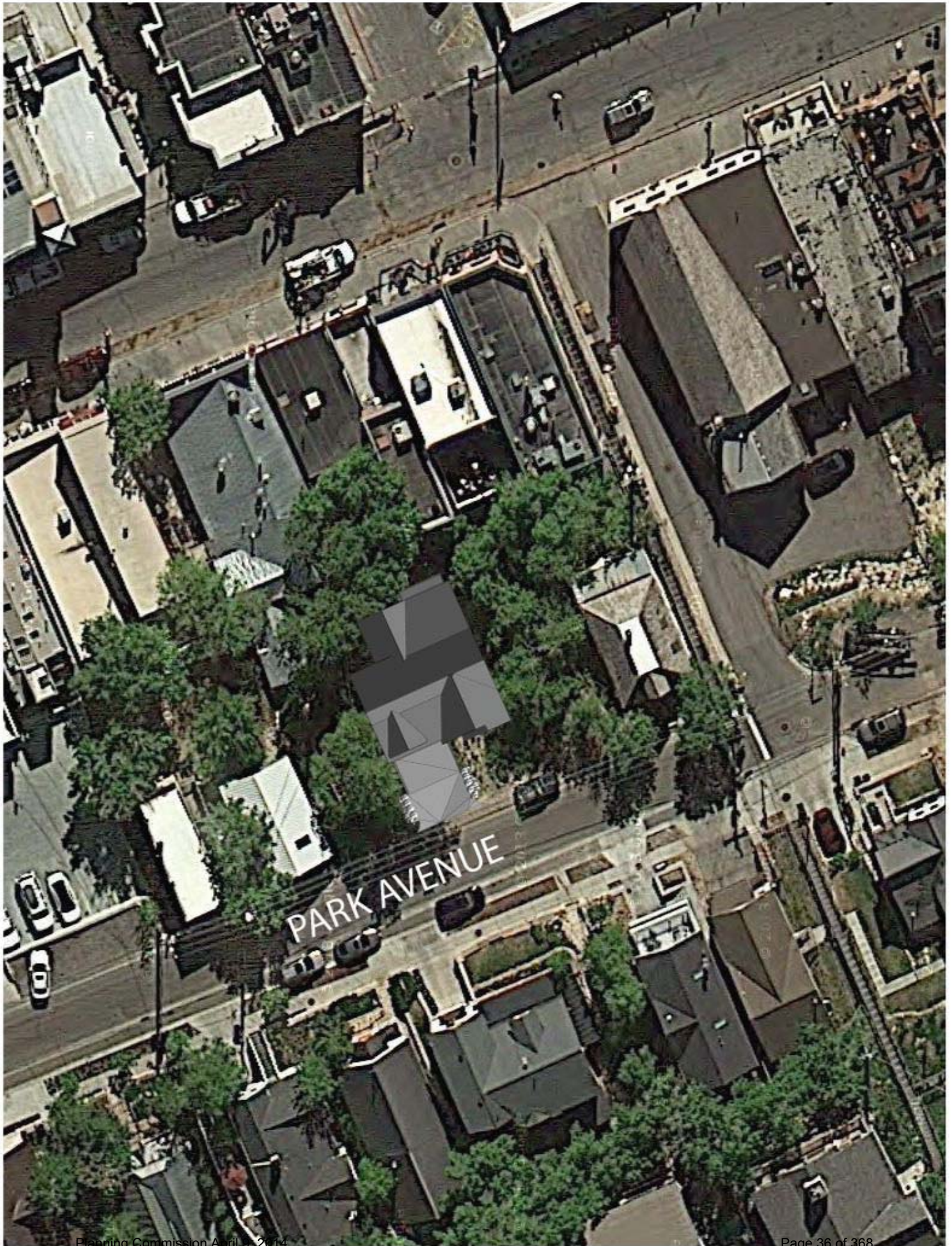
55'-5"
LOWER FLOOR ELEV.

46'-7"
SLAB ELEV.

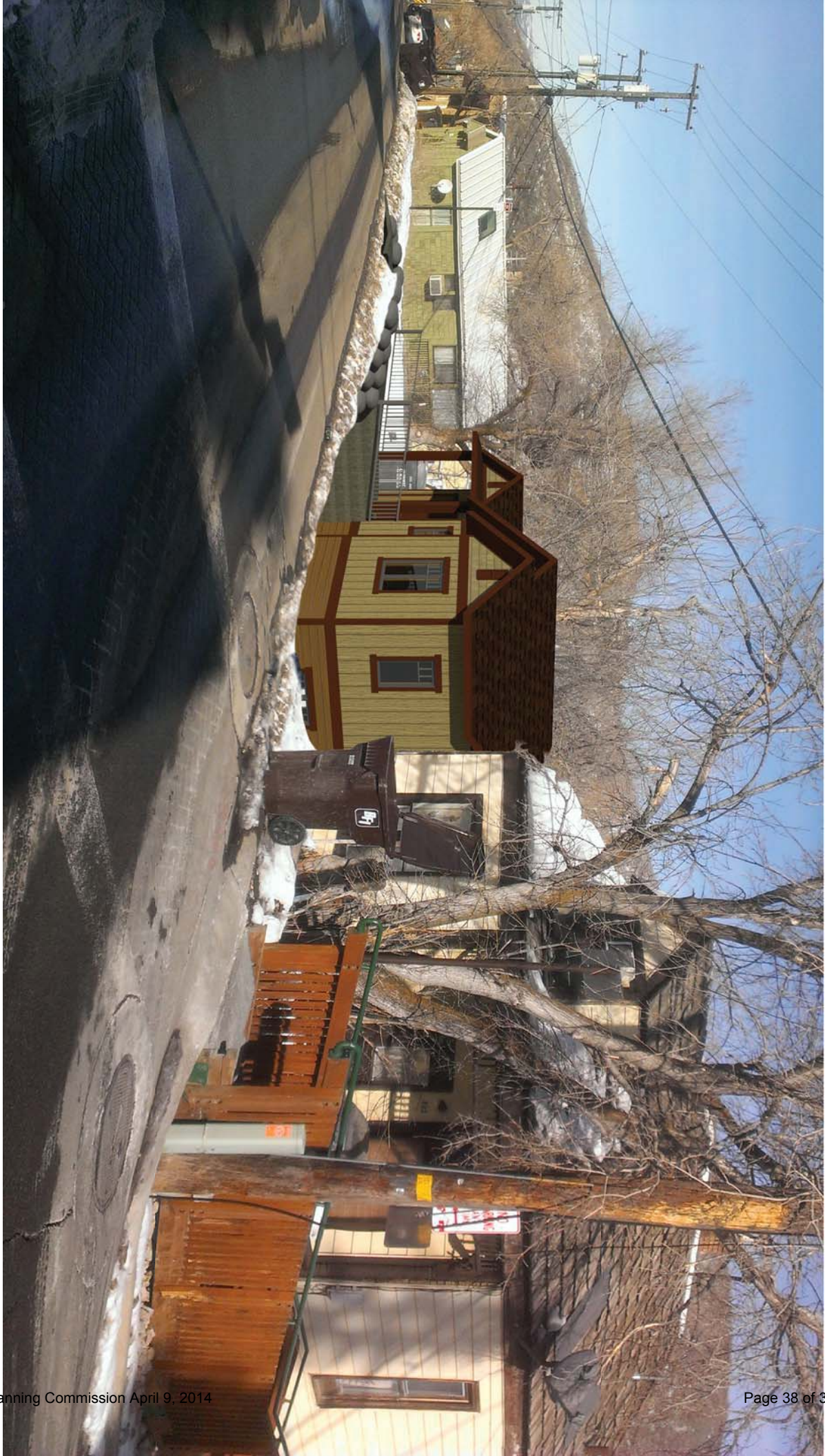
BUILDING SECTION

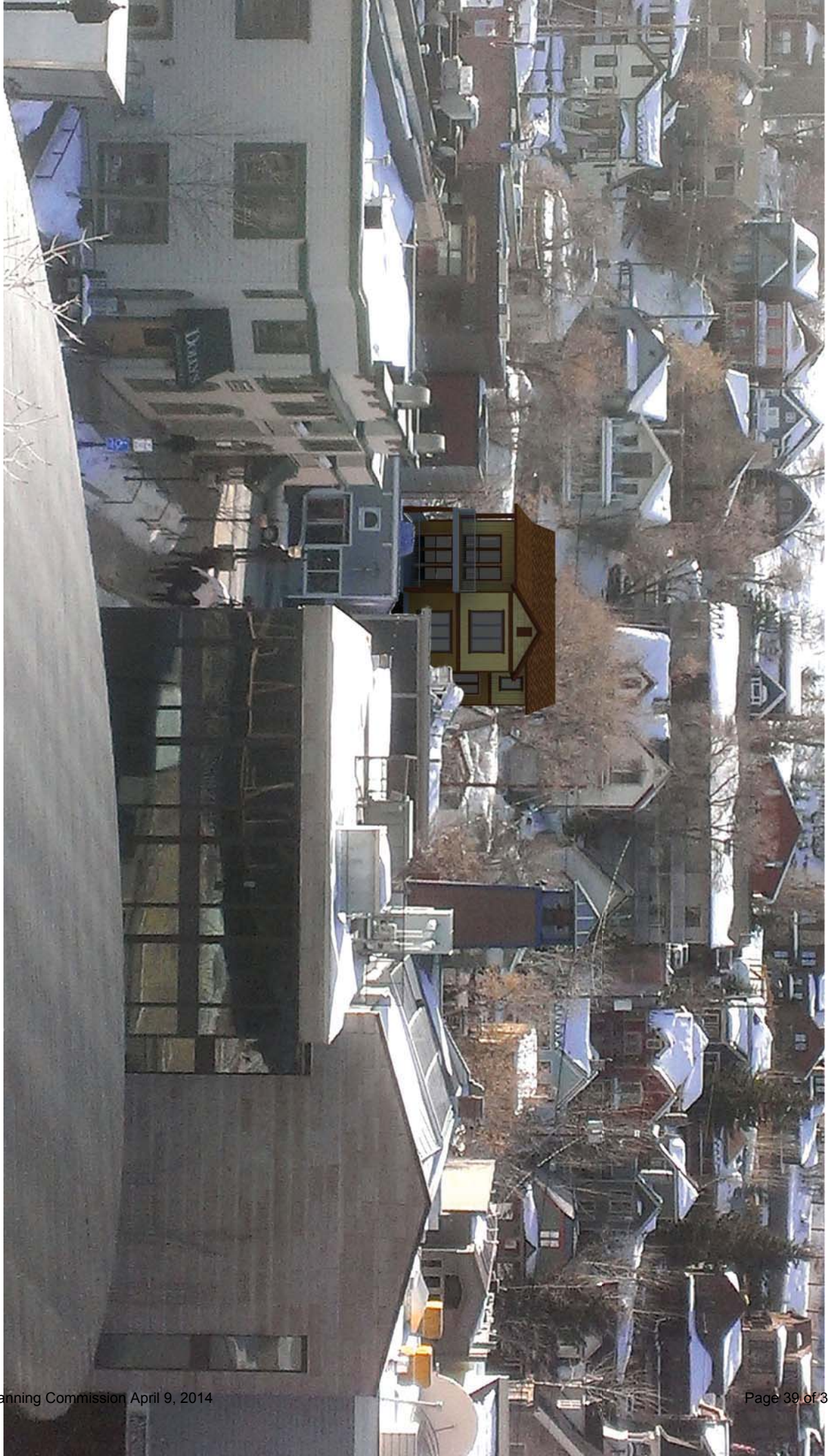
SCALE: 1/4"=1'-0"

RECEIVED
APR 03 2014
PARK CITY
PLANNING DEPT.

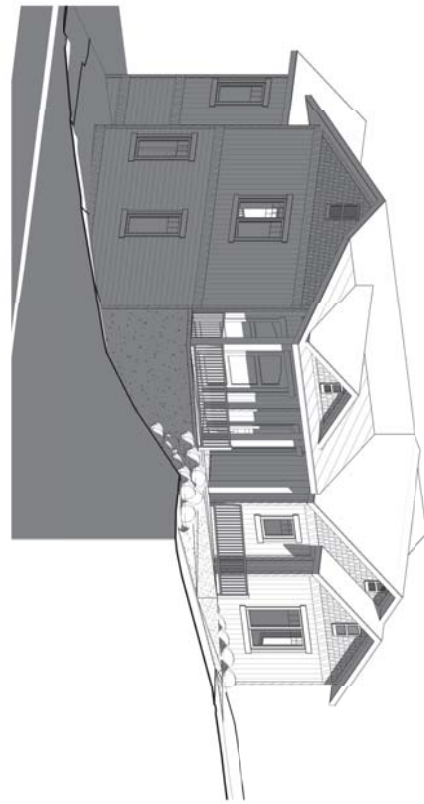




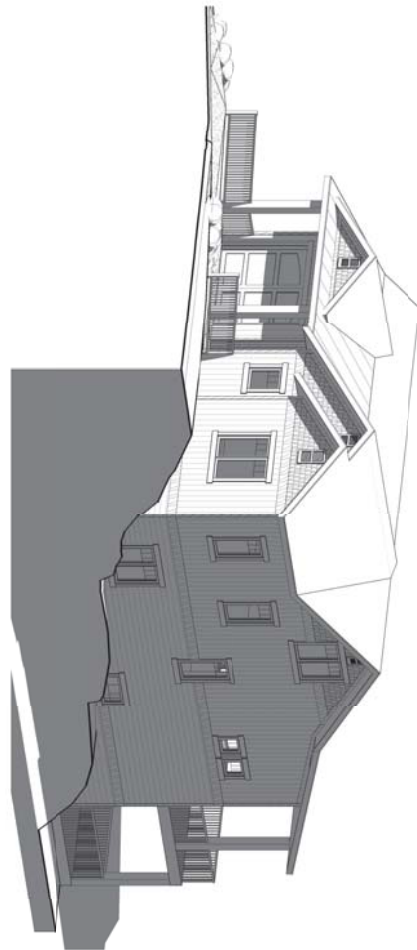




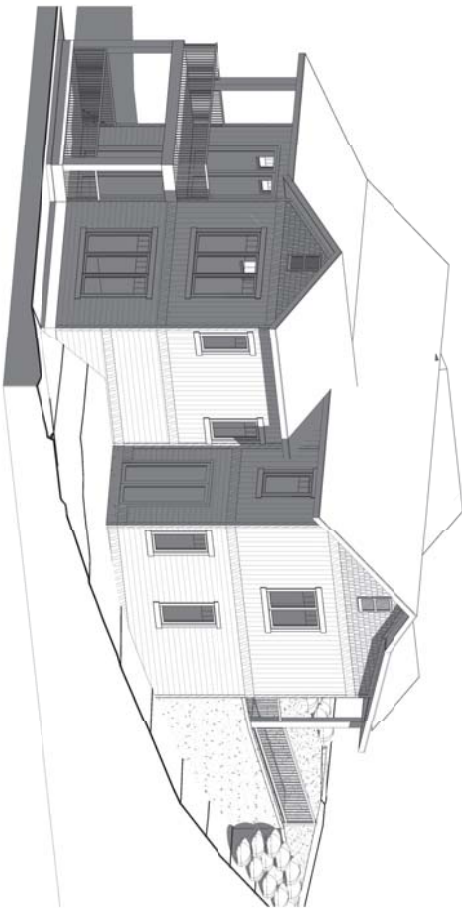




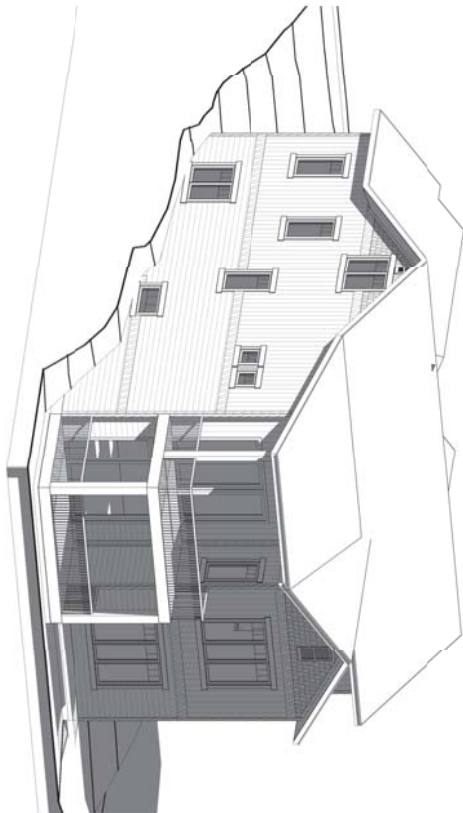
④ FRONT LEFT VIEW



③ FRONT RIGHT VIEW



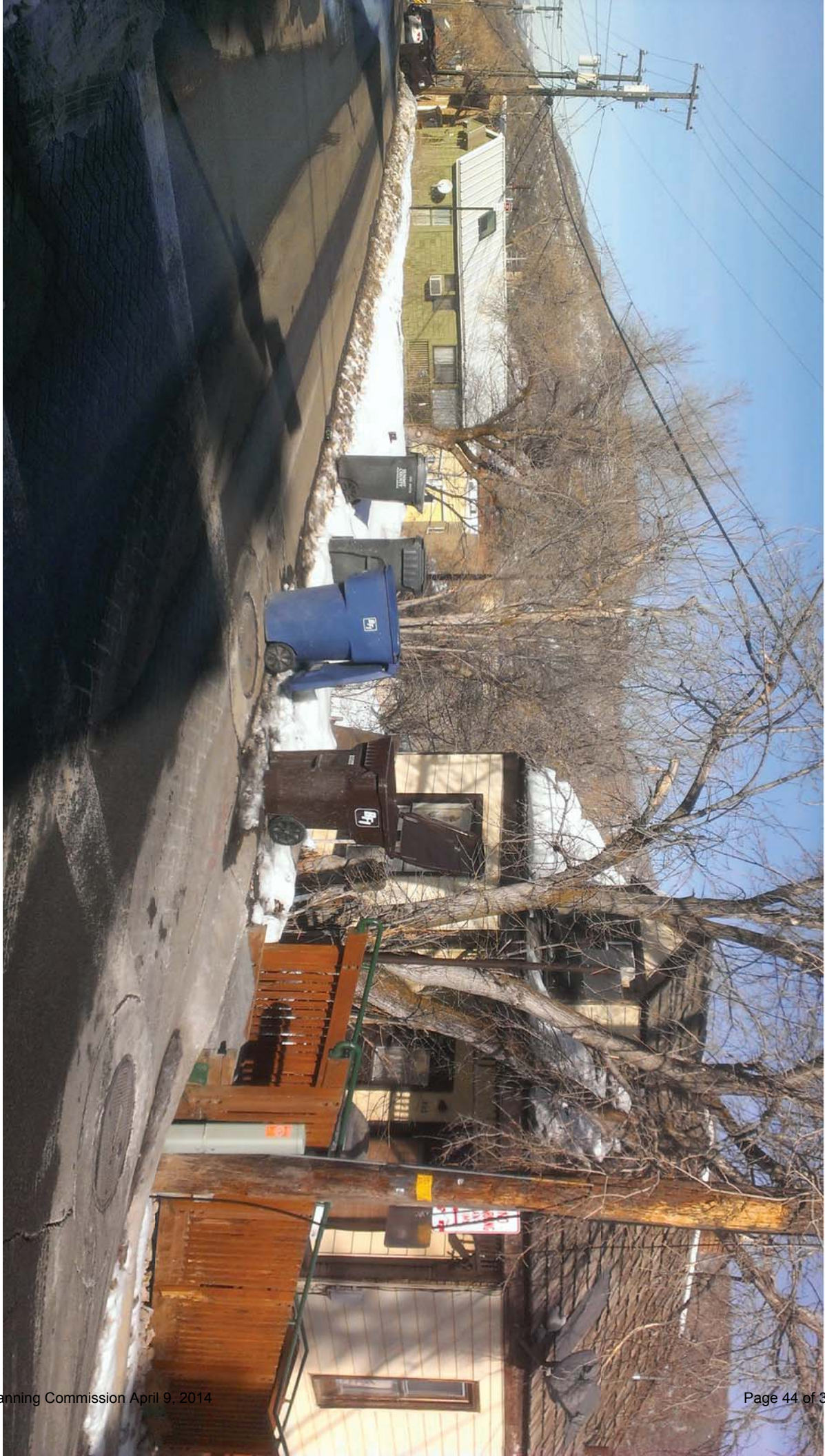
① REAR LEFT VIEW



② REAR RIGHT VIEW



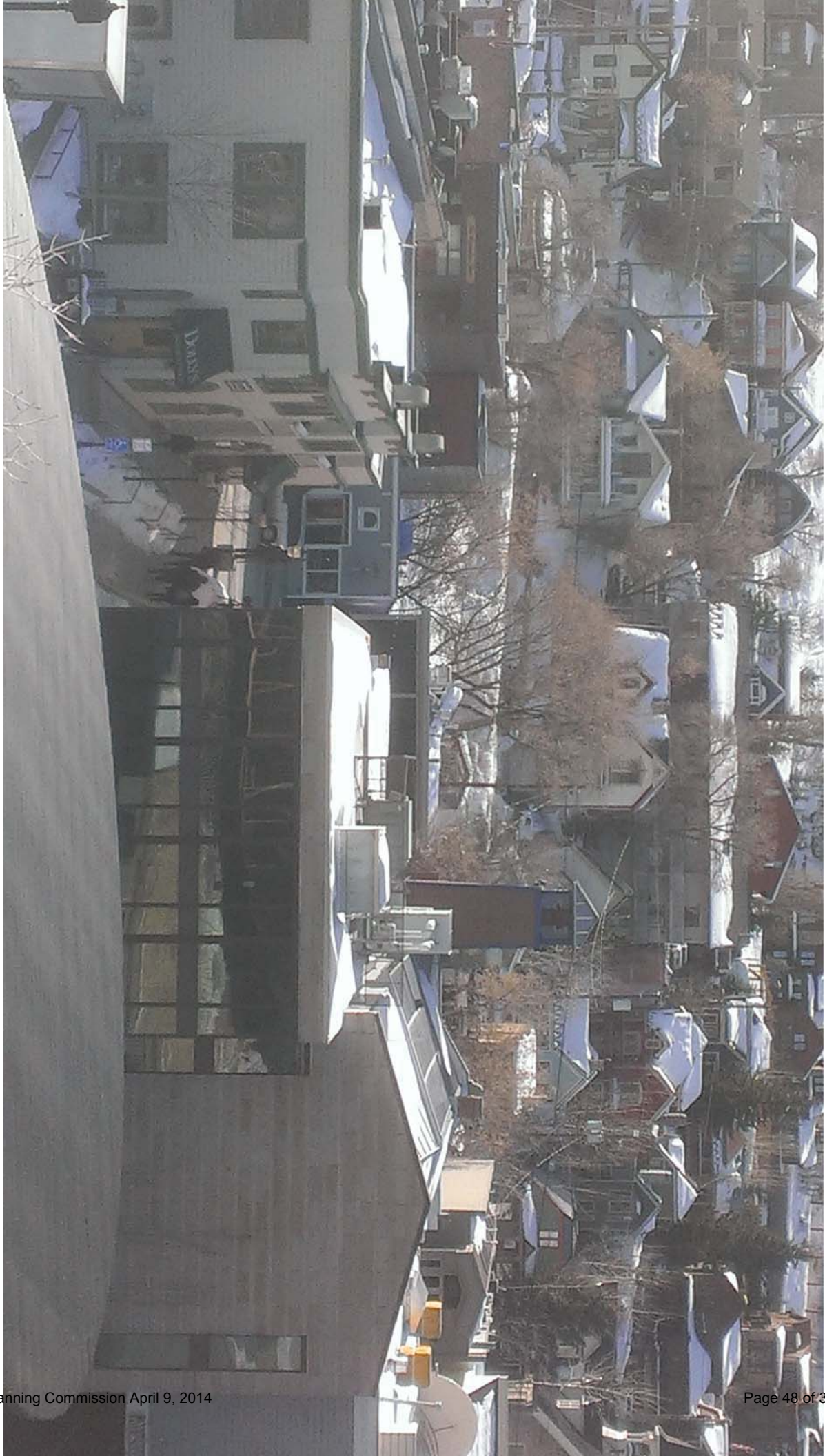














20 March 2014

Trent Timmons
46 Kuinehe Place
Pukalani, HI 96768

NOTICE OF PLANNING DIRECTOR DETERMINATION

Project Address: 520 Park Avenue
Project Description: Planning Director Determination for garage height exception above 27 feet
Project Number: HHDR: PL-13-02194 and SS CUP: PL-14-02242
Date of Action: March 20, 2014

Action Taken by Planning Director:

Per Land Management Code (LMC) 15-2.3-6 Building Height, no structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade. This is the Zone Height; however, the following Building Height exception applies:

4. Garage on a Downhill Lot. The Planning Director may allow additional height on a downhill Lot to accommodate a single car garage in a tandem configuration. The depth of the garage may not exceed the minimum depth for an internal Parking Space as dimensioned within this Code, Section 15-3. Additional width may be utilized only to accommodate circulation and an ADA elevator. The additional height may not exceed thirty-five (35') from existing grade.

The Planning Director finds that the garage on the downhill lot located at 520 Park Avenue may exceed the twenty-seven feet (27') height limit with a proposed height of 28.25 feet due to the following Findings of Fact:

Findings of Fact:

1. The intent of this regulation is to accommodate a single car garage in a tandem

configuration and to avoid garages wider than single-car width

2. The proposed garage height is 28.25 feet, 6.75 feet under the allowable 35 feet height exception subject to approval by the Planning Director.
3. The garage is a single car garage in a tandem configuration with single-car width driveway.
4. The Lot slopes downhill on the east elevation.

Conditions of Approval

1. All standard conditions of approval shall apply.

If you have any questions regarding this determination, please don't hesitate to contact the Planning Department at 435-615-5060.

Sincerely,

A handwritten signature in black ink, appearing to read 'Th. Eddington Jr.', with a stylized flourish at the end.

Thomas E. Eddington Jr., AICP, LLA
Planning Director

CC: Ryan Wassum, Planner

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 670 Deer Valley Loop Road- First Amended Portico Condominiums plat for Units 1 and 2
Author: Kirsten A. Whetstone, MS, AICP
Project Number: PL-14-02254
Date: April 9, 2014
Type of Item: Administrative – Condominium Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the First Amended Portico Condominiums plat amending Units 1 and 2, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Topic

Applicant: Thomas F. and Andrea M. Warner, owners
Location: 670 Deer Valley Loop Road Units 1 and 2
Zoning: Residential Medium Density (RM)
Adjacent Land Uses: Multi-family condominium units, single family houses, and duplex dwellings.
Reason for Review: Plat amendments require Planning Commission review and City Council approval.

Proposal

The purpose of this application is to amend the condominium plat to combine Units 1 and 2 as one unit and to record a revised plat that is consistent with the as-built conditions of the aforementioned property.

Purpose

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

- (A) Allow continuation of permanent residential and transient housing in original residential Areas of Park City,
- (B) Encourage new Development along an important corridor, that is Compatible with Historic Structures in the surrounding Area,
- (C) Encourage the rehabilitation of existing Historic Structures,
- (D) Encourage Development that provides a transition in Use and scale between the Historic District and the resort Developments,
- (E) Encourage affordable housing,

- (F) Encourage Development that minimizes the number of new driveways accessing existing thoroughfares and minimizes the visibility of Parking Areas,

Background

On February 7, 2014, the City received an application for a plat amendment to combine Units 1 and 2 of the Portico Condominiums to memorialize as-built conditions for Units 1 and 2 as one residential condominium unit (Exhibit A). The application was deemed complete on March 31, 2014. The applicant submitted recorded CCRs indicating that the combination of units is permitted by the CCRs. The HOA is a co-applicant (Exhibit D). On November 20, 1996 the Planning Commission approved the Portico Conditional Use Permit (CUP) for nineteen (19) multi-family townhouse type units on a 36,210 square feet parcel (Exhibit E). The Portico Condominium plat was approved by City Council on December 9, 1999 and recorded at Summit County on February 7, 2000 (Exhibit B).

The units were constructed starting in 1999 and certificates of occupancy were issued for all of the units upon final inspection of the project. The Building Department has not found any records indicating that any construction was done without a permit. The CCRs state that the original developer/declarant could combine units within one year of recordation of the CCRs. The plat notes indicate that the units are served by common sewer laterals. The HOA is responsible for all sewer laterals. All conditions of the underlying approvals continue to apply and are reflected as conditions of approval and plat notes on the amended plat.

Units 1 & 2 were recently purchased by Thomas and Andrea Warner as one condominium unit. The units had been combined as one unit previously, either by the original developer or by a subsequent owner. Records related to the combination of units have not been located by the Building Department. The CCRs allow combination of units per Article VII (2) (f):

“Any Unit Owner who owns multiple adjacent Units in a building in the Project may structurally alter his Units to unify them or to permit internal communication between them, but only to the extent that the structural integrity of the building is unimpaired and the external appearance of the building is unaffected. Penetration of the Post-Tension concrete slabs is extremely dangerous and is strictly prohibited.”

Consistent with the Portico Condominiums CCRs, the HOA, by a required vote of the members, has provided consent to this plat amendment to memorialize the combination of Units 1 and 2.

Portico Condominiums consist of a total of nineteen condominium units in three buildings. Fifteen of the units (Units 5-19) are within a multi-dwelling unit structure built over a common parking garage/structure. Four of the units (Units 1 and 2 and Units 3 and 4) are configured as two duplex structures, each with two units and a two car garage for each unit. Units 3 and 4 were constructed as two individual units and will remain as two units. Units 1 and 2 were combined as one unit by a previous owner, possible during construction under the original developer. No exterior changes are

proposed (Exhibit C).

Analysis

This request for a First Amended Portico Condominiums plat for Units 1 and 2 documents the final as built conditions of these constructed units in accordance with the Utah Condominium Act. The zoning district is Residential Medium Density (RM). The proposed amendment is consistent with the purpose statements of the district in that the use as residential condominiums is unchanged, the combination of units and minor change in overall unit square footage is within the existing exterior walls minimizing site disturbance, preserving the existing natural open space, and minimizing impacts of development. There are no exterior changes. The garage area for amended Unit 1 will remain as garage area. Amended Unit 1 requires two (2) parking spaces.

New Unit 1 increases by 119 square feet over the total square footage of platted Units 1 and 2 due to decreased common wall area between units. Not all of the walls between units 1 and 2 were removed, however condominium plats don't show interior walls within units, and therefore the entire floor area between existing units 1 and 2 are included in the total square footage of proposed Unit 1 because they are located within the new unit. The CUP was approved for up to 19 units and the unit equivalent density formula was not used for the CUP. Therefore the resulting 18 units comply with the CUP. The property is subject to the following LMC criteria:

RM zone	Permitted	Proposed
Height	28 feet (+5' for pitched roof) total maximum of 33'	33 feet max with pitched roof. Building complies.
Front setback	Minimum of 20 feet.	20 feet. Complies.
Rear setback	10 feet.	10 feet. Complies.
Side setbacks	5 feet.	5 feet. Complies.
Parking	Two (2) spaces required per unit.	Two (2) per unit. Unit 1 is required a minimum of 2 parking spaces. Complies.
Platted Unit 1		
Level	Original Plat	
1	575	
2	578	
3	467	
Garage	553	
Storage	142	
Total for Unit 1	2315	
Platted Unit 2		
Level	Original Plat	
1	575	.
2	578	
3	467	
Garage	421	
Storage	133	

Total for Unit 2	2174	
Total for Units 1 and 2	4489	
Proposed Unit 1		Proposed Plat
Level		
1		1182
2		1185
3	.	960
Garage		996
Storage		285
Total for Proposed Unit 1		4608

Conditions of Approval from the original recorded Portico Condominium plat continue to apply, including conditions of approval from the November 20, 1996 Portico Conditional Use Permit (CUP) and notes indicating that the units are served by Common sewer laterals. The HOA is responsible for all sewer laterals.

Good Cause

Staff finds good cause for this record of survey amendment as it reflects the as-built conditions for these units. Staff finds that the plat will not cause undo harm to adjacent property owners and all requirements of the Land Management Code for any future development can be met. The amended plat does not change any perimeter property lines, existing ROW dedication, or make any exterior changes.

Department Review

This project has gone through interdepartmental review. Issues raised, including water and sewer service and HOA approval, have been resolved by revisions to the applications and conditions of approval.

Notice

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

Public Input

Staff has not received 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.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council to approve the application for the First Amended Portico Condominiums plat for Units 1 and 2, as conditioned or amended, or
- The Planning Commission may forward a negative recommendation to the City Council to deny the application and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion and provide Staff and the

Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

Significant Impacts

There are no significant fiscal or environmental impacts from this application as there are no exterior changes. The unit density is reduced by one.

Consequences of not taking the Suggested Recommendation

No certificate of occupancy may be granted until the plat is recorded.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the First Amended Portico Condominiums plat amending Units 1 and 2, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Ordinance

Exhibit A- Proposed Plat amending Units 1 and 2

Exhibit B- Original approved Portico Condominium plat

Exhibit C- Photographs

Exhibit D- HOA approved amended CCRs

Exhibit E- Portico CUP action letter

AN ORDINANCE APPROVING THE FIRST AMENDED PORTICO CONDOMINIUMS PLAT AMENDING UNITS 1 AND 2, LOCATED AT 670 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Portico Condominiums Units 1 and 2, have petitioned the City Council for approval of the First Amended Portico Condominiums plat amending Units 1 and 2, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 9, 2014, to receive input on the amended plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a recommendation to the City Council; and,

WHEREAS, on April 24, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Portico Condominiums plat amending Units 1 and 2, to document the as-built condition that physically combined Units 1 and 2 into one unit.

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 First Amended Portico Condominiums plat amending Units 1 and 2, a Utah Condominium project, 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, Units 1 and 2 of the Portico Condominiums plat are located at 670 Deer Valley Loop Road.
2. The property is located within the Residential Medium Density (RM) zoning district.
3. On November 20, 1996, the Planning Commission approved the Portico CUP for 19 townhouse units on the 36,210 sf parcel.
4. On December 9, 1999, the City Council approved the Portico Condominiums Plat. This plat was recorded at Summit County on February 7, 2000.
5. On February 7, 2014, the Planning Department received an application for an amended condominium plat. The application was deemed complete upon receipt of

the HOA letter and signature on the application.

6. The purpose of the amended condominium plat is to describe and document the as-built conditions for constructed Units 1 and 2 that were combined as proposed Unit 1.
7. No non-conforming conditions will result from this plat amendment.
8. The amended plat complies with the conditions of approval of the Portico CUP and the Portico Condominium plat and restrictions in the RM zone.
9. Unit 1 contains a total of 2,315 square feet. Unit 2 contains 2,174 square feet, including the garage, storage area, and living area on three levels. Proposed Unit 1 contains 4,608 square feet, including the garage, storage area, living area, and all of the common walls on three levels.
10. No exterior changes are proposed.
11. The Portico Condominiums are served by common sewer laterals. The Portico Condominium HOA is responsible for all sewer laterals.
12. As conditioned, this amended plat is consistent with the conditions of approval of the Portico Condominium plat.
13. Consistent with the amended Portico Condominiums CCRs, the HOA, by a required vote of the members, has provided consent to this plat amendment to memorialize the combination of Units 1 and 2.

Conclusions of Law:

1. There is good cause for this amended supplemental plat as it memorializes the as-built conditions that combined Units 1 and 2 into a single residential condominium unit.
2. The amended plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the amended plat.
4. Approval of the amended supplemental plat, subject to the conditions of approval stated below, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form of the supplemental plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year timeframe, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All conditions of approval of the Portico Condominium CUP and of the Condominium plat, recorded at Summit County on February 7, 2000, shall continue to apply, and shall be noted on the amended plat.

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

PASSED AND ADOPTED this _____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

LEGEND

PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

SURVEYOR'S STATE

I, Jack J. Johnson, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 14738 as provided under the laws of the State of Utah. I further certify that the Condominium Plat shown herein is a correct representation of the land surveyed and has been prepared in conformity with the applicable standards and requirements of the law.

Jack J. Johnson

Date

DEER VALLEY LOOP ROAD

UNIT 1

Building Exterior

VICINITY MAP

PROJECT LOCATION

FIRST FLOOR

FIN. FLOOR = 7123.58

FIN. CEILING = 7132.00

UNIT 1

1182 SQ. FT.

SECOND FLOOR

FIN. FLOOR = 7153.25

FIN. CEILING = 7161.25

UNIT 1

1185 SQ. FT.

PARKING GARAGE

GARAGE FIN. FLOOR=7115.00

GARAGE FIN. CEILING=7122.00

UNIT 1 PARKING

287 SQ. FT.

THIRD FLOOR

FIN. FLOOR = 7142.48

FIN. CEILING = 7154.17

UNIT 1

960 SQ. FT.

SCALE: 1"=10'

NOTE: FIN. CEILING ELEVATIONS ON THIRD FLOOR ARE TO TOP OF CEILING RIDGE SUPPORT BEAM.

LOCATION MAP

NTS

UNIT ONE

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D.

BY _____

MAYOR

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS DAY OF _____, 2014 A.D.

BY _____

PARK CITY ENGINEER

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS DAY OF _____, 2014 A.D.

BY _____

CHAIRMAN

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2014 A.D.

BY _____

S.B.S.I.D.

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2014

BY _____

PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2014 A.D.

PARK CITY RECORDER

RECORDED

ENTRY NO. _____ BOOK _____ PAGE _____

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

DATE _____ TIME _____

COUNTY RECORDER

RECEIVED

FEB 07 2014

PARK CITY PLANNING DEPT.

UNIT ONE AMENDED OF PORTICO CONDOMINIUMS A CONDOMINIUM PROJECT

LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

Jack Johnson Consulting

8400 N. PACE FRONTAGE ROAD

PARK CITY, UTAH 84090

(435) 645-0051

THE PURPOSE OF THIS PLAT IS TO RECORD THE INTERNAL CHANGES TO UNIT ONE AND TWO, COMBINING SAID UNITS INTO ONE UNIT TO BE DESIGNATED AS UNIT ONE AND RENOVATING NO UNIT TWO. EXISTING IN THIS PROJECT. THE LOCATION OF UNIT ONE REMAINS THE SAME, BUT ALSO ENCOMPASSES THE AREA PREVIOUSLY IDENTIFIED AS UNIT TWO. ALL OTHER UNITS AND INTERESTS IN THIS PROJECT CONDOMINIUM PLAT RECORDED FEBRUARY 1, 2014, REMAIN UNCHANGED.

EAST QUARTER CORNER
OF SECTION 16, TOWNSHIP
2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
FOUND PIPE
BENCHMARK=7194.33



LEGEND

- SECTION CORNER
- BOUNDARY CORNERS - 5/8" IRON PIPE w/ CAP
- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

NOTES

- The Street Address of Portico Condominium Units are 670 Deer Valley Loop Road, Unit #.
- All conditions from the Nov. 20, 1996, Planning Commission Approved for the Portico Condominium CDP continue to apply.
- Portico Condominiums is served by "Common" sewer laterals. The Portico Condominium Homeowners Association shall be responsible for all sewer laterals.

LEGAL DESCRIPTION:

Beginning at a point which is South 718.36 feet and East 328.61 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, (base of bearing being South 05°30'11" West between said East Quarter Corner and the Southeast Corner of said Section 16), said point also being on a fence line, thence South 51°31'30" East 75.90 feet; thence North 87°13'00" East 271.80 feet; thence South 14°53'00" West 143.53 feet to the North Right-of-Way line of Ross Hill Road, thence South 74°00'00" West 13.95 feet along said North Right-of-Way line, thence North 02°58'00" West 28.07 feet, thence South 82°53'30" West 22.24 feet to a point on a 363.51 foot radius curve to the right, the radius point of which bears North 07°42'30" West 363.51 feet; thence Northwesterly along the arc of said curve 215.82 feet to a point of tangency, thence North 83°39'30" West 95.90 feet to a point on a 452.77 foot radius curve to the right, the radius point of which bears North 23°51'12" East 452.77 feet; thence Northwesterly along the arc of said curve 22.10 feet to a point on a fence line, thence along said fence line North 17°22'00" East 78.25 feet to the point of beginning.

Containing 36,210 Sq.Ft. or 0.83 acre more or less.

SURVEYOR'S CERTIFICATE

I, Jack Johnson, do hereby certify that I am a Registered Land Surveyor and that I have Certificate No. 147581 as prescribed under the laws of the State of Utah. I further certify that the Condominium Plat shown herein is a correct representation of the land surveyed and has been prepared in conformity with the minimum standards and requirements of the law.

Jack Johnson
Jack Johnson
No. 147581
JANUARY 7, 2000
State of Utah

OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that Regina Durazzo, President of Portico Development Corporation, Manager of D.V. Development LLC, a Utah limited liability company, the owner of record of the herein described tract of land and pursuant to the Utah Condominium Ownership Act, hereby consents to the Declaration of Condominium, Covenants, and Restrictions, which will be recorded in the office of the County Recorder of Summit County, Utah, concurrently with the recording of this plat. The undersigned further dedicates to the public that portion of the property described herein adjoining Deer Valley Loop Road as shown on this plat. The Owner, or his representative, hereby irrevocably offers 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 Portico Condominium Plat and construction plans in accordance with an irrevocable offer of dedication.

D.V. Development LLC, a Utah Limited Liability Company
By: Portico Development Corporation, its Manager

Regina Durazzo
By: Regina Durazzo, its President
JAN 6, 2000

ACKNOWLEDGEMENT

STATE of Utah
COUNTY of Summit

On this 6th day of January, 2000, Personally appeared before me, Regina Durazzo, who being by me duly sworn, did say she is the President of Portico Development Corporation, Manager of D.V. Development Corporation, a Utah Limited Liability Company, the Owner of Record, and that the within and foregoing Consent to Record was signed on behalf of said Company and said Regina Durazzo duly acknowledged that said Company executed the same.

Notary Public, *Regina Durazzo*
My Commission expires 01/06/00

PORTICO CONDOMINIUMS
A CONDOMINIUM PROJECT
LOCATED IN
THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SHEET 1 OF 5



UNIT	PARKING	STD. & MECH.	FIRST FLR.	SECOND FLR.	THIRD FLR.	TOTAL SQ.FT.
1	353	143	575	578	467	2315
2	421	133	575	578	467	2174
3	429	133	578	578	467	2185
4	461	133	578	578	467	2217
5	345	142	586	603	467	2153
6	345	142	589	595	446	2117
7	374	193	589	587	476	2229
8	355	193	589	595	446	2178
9	355	193	589	595	469	2201
10	381	194	562	562	464	2163
11	404	162	580	595	469	2219
12	341	564	585	407	476	2077
13	352	567	565	565	475	2521
14	351	472	565	565	439	2392
15	352	470	589	600	442	2453
16	393	365	571	605	481	2415
17	374	220	544	570	477	2185
18	361	224	544	570	439	2138
19	349	208	559	568	442	2146

CITY COUNCIL

PRESENTED TO THE PARK CITY COUNCIL
THIS 9 DAY OF DECEMBER, 2000
AT WHICH TIME THIS PLAT WAS APPROVED.

Bradley Cole
Mayor
JAN 9, 2000
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE
PARK CITY ENGINEERING DEPARTMENT
ON THIS 19 DAY OF JANUARY, 2000.

Orville O. O'Brien
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK
CITY PLANNING COMMISSION ON THIS 24
DAY OF JANUARY, 2000.

Michael Wilson
CHAIRMAN

SEWER DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE
BASIN SEWER IMPROVEMENT DISTRICT STANDARDS
THIS 13 DAY OF JANUARY, 2000.

David A. ...
S.D.I.G.

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 26TH
DAY OF JANUARY, 2000.

Michael P. Hyatt
CITY ATTORNEY

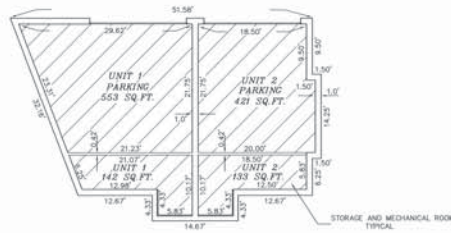
RECORDED

ENTRY NO. 558663 BOOK ... PAGE ...
STATE OF UTAH COUNTY OF SUMMIT
DATE 02-02-00 TIME 15:00 PM
RECORDED AND FILED AT THE REQUEST OF:

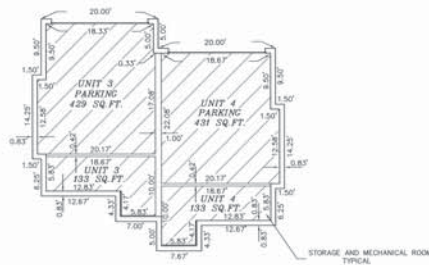
John Lehmer
FEB 16, 2000
COUNTY RECORDER

THE JACK JOHNSON COMPANY
1777 Sun Peak Dr. • Park City, Utah 84098
(435) 645-9000 • Fax (435) 649-1620

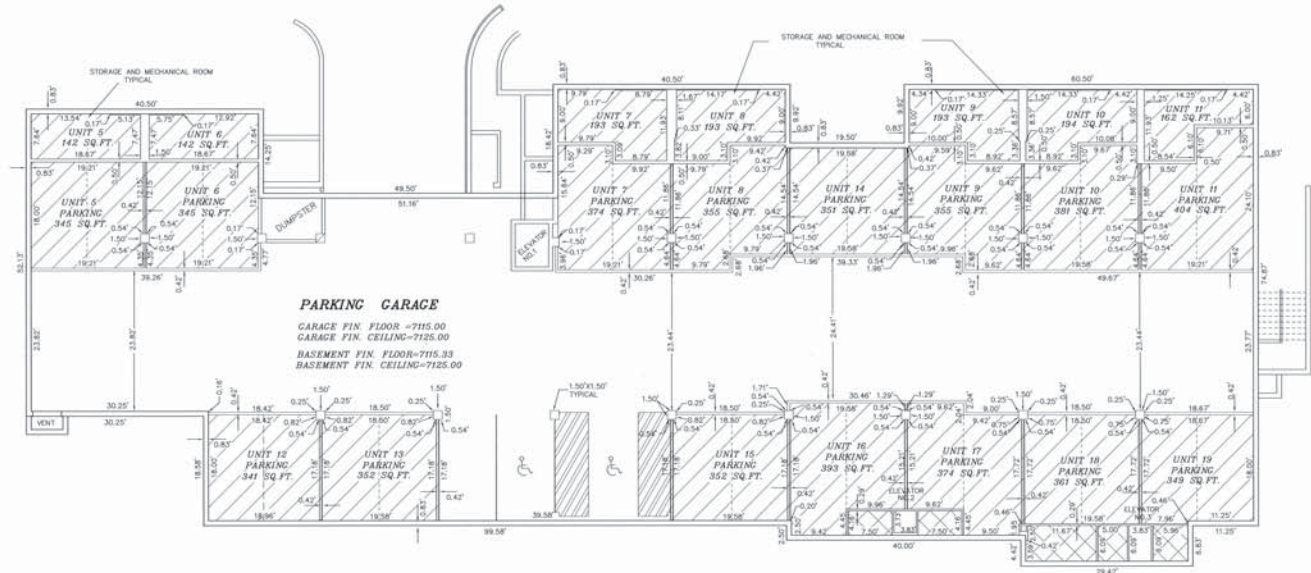
SCALE: 1"=10'



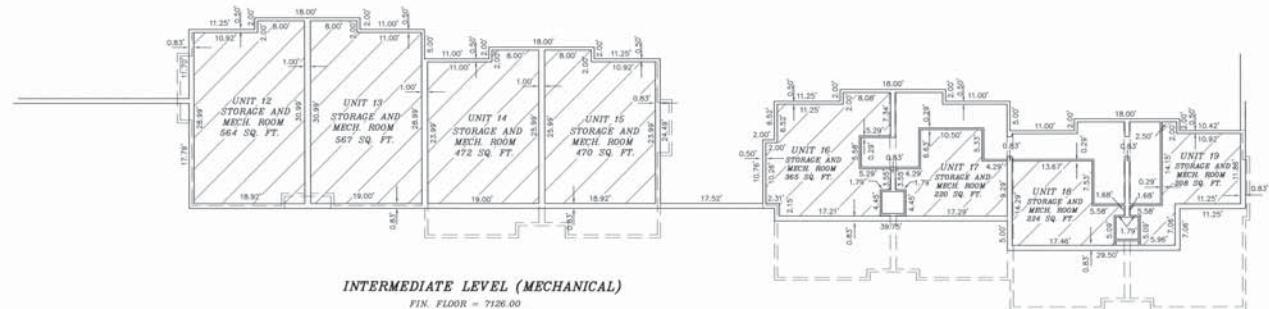
PARKING GARAGE
GARAGE FIN. FLOOR=7115.00
GARAGE FIN. CEILING=7122.00



PARKING GARAGE
GARAGE FIN. FLOOR=7115.00
GARAGE FIN. CEILING=7122.00



PARKING GARAGE
GARAGE FIN. FLOOR=7115.00
GARAGE FIN. CEILING=7125.00
BASEMENT FIN. FLOOR=7115.33
BASEMENT FIN. CEILING=7125.00



INTERMEDIATE LEVEL (MECHANICAL)
FIN. FLOOR = 7126.00
FIN. CEILING = 7131.50

INTERMEDIATE LEVEL (MECHANICAL)
FIN. FLOOR = 7126.00
FIN. CEILING = 7133.00

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

PORTICO CONDOMINIUMS A CONDOMINIUM PROJECT

LOCATED IN
THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SHEET 2 OF 5

RECORDED

ENTRY NO. 558663 BOOK - PAGE -

STATE OF UTAH COUNTY OF SUMMIT

DATE: 02-07-00 TIME: 15:00 P.M.

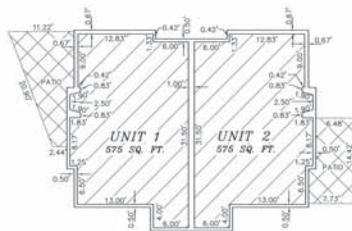
RECORDED AND FILED AT THE REQUEST OF:

JOHN LEHMER

FEE: 16.75

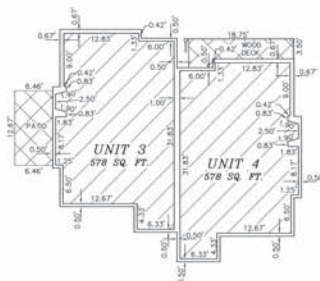
COUNTY RECORDER





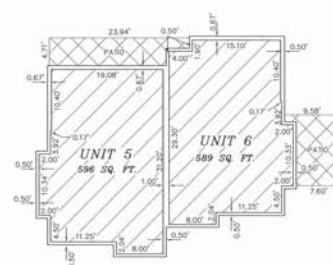
FIRST FLOOR

FIN. FLOOR = 7123.58
FIN. CEILING = 7132.08



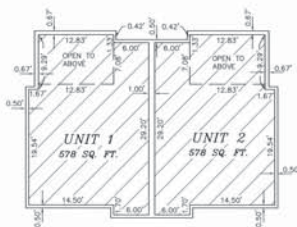
FIRST FLOOR

FIN. FLOOR = 7123.58
FIN. CEILING = 7132.08



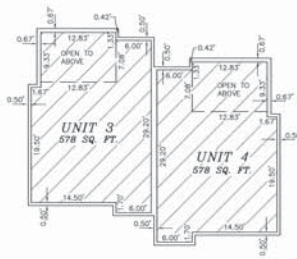
FIRST FLOOR

FIN. FLOOR = 7126.58
FIN. CEILING = 7134.83



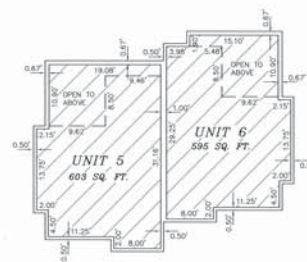
SECOND FLOOR

FIN. FLOOR = 7133.25
FIN. CEILING = 7141.25



SECOND FLOOR

FIN. FLOOR = 7133.25
FIN. CEILING = 7140.08



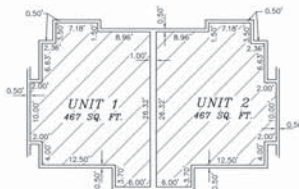
SECOND FLOOR

FIN. FLOOR = 7136.00
FIN. CEILING = 7144.00

SCALE: 1"=10'

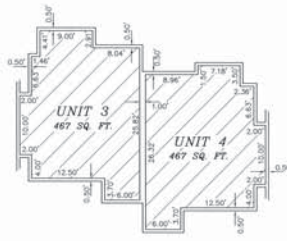
- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

NOTE:
FIN. CEILING ELEVATIONS ON THIRD FLOOR ARE TO
TOP OF CEILING RIDGE SUPPORT BEAM.



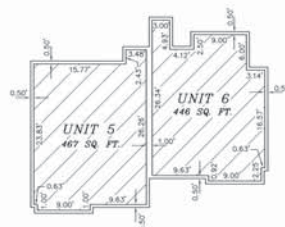
THIRD FLOOR

FIN. FLOOR = 7142.42
FIN. CEILING = 7154.17



THIRD FLOOR

FIN. FLOOR = 7141.25
FIN. CEILING = 7152.92



THIRD FLOOR

FIN. FLOOR = 7145.17
FIN. CEILING = 7155.75

PORTICO CONDOMINIUMS
A CONDOMINIUM PROJECT

LOCATED IN
THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SHEET 3 OF 5

RECORDED

ENTRY NO. 551463 BOOK _____ PAGE _____

STATE OF UTAH COUNTY OF SUMMIT

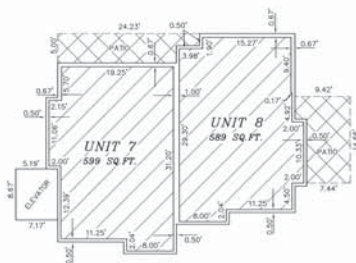
DATE 02-07-2014 TIME 15:00 PM

RECORDED AND FILED AT THE REQUEST OF:

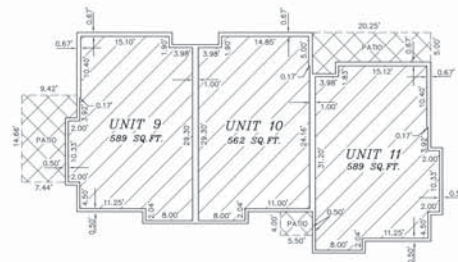
JOHN LEHMER

FEB 16 9 55 AM 2014

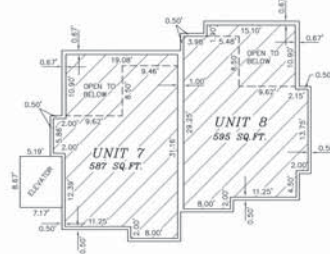




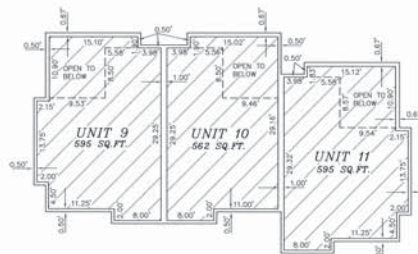
FIRST FLOOR
FIN. FLOOR = 7126.58
FIN. CEILING = 7134.83



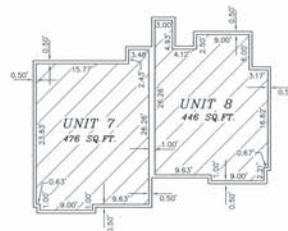
FIRST FLOOR
FIN. FLOOR = 7132.50
FIN. CEILING = 7140.75



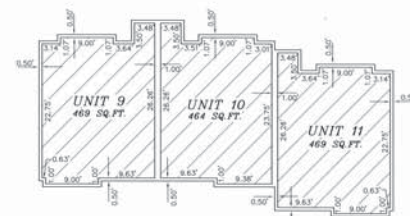
SECOND FLOOR
FIN. FLOOR = 7136.00
FIN. CEILING = 7144.90



SECOND FLOOR
FIN. FLOOR = 7141.92
FIN. CEILING = 7149.92



THIRD FLOOR
FIN. FLOOR = 7145.17
FIN. CEILING = 7155.75



THIRD FLOOR
FIN. FLOOR = 7151.08
FIN. CEILING = 7160.75

SCALE: 1"=10'

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

NOTE:
FIN. CEILING ELEVATIONS ON THIRD FLOOR ARE TO
TOP OF CEILING RIDGE SUPPORT BEAM.

PORTICO CONDOMINIUMS A CONDOMINIUM PROJECT

LOCATED IN
THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SHEET 4 OF 5

RECORDED

ENTRY NO. 558663 BOOK 2 PAGE 5

STATE OF UTAH COUNTY OF SUMMIT

DATE 03-07-00 TIME 15:00 PM

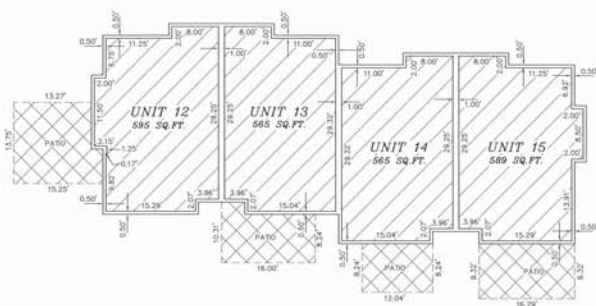
RECORDED AND FILED AT THE REQUEST OF:

JOHN LEHMER

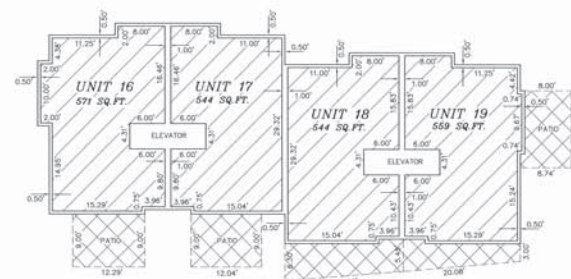
Fee: 16.95

COUNTY RECORDER





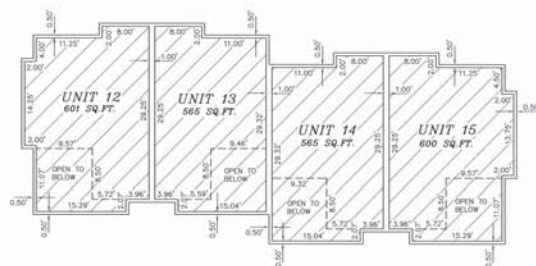
FIRST FLOOR
FIN. FLOOR = 7132.50
FIN. CEILING = 7140.75



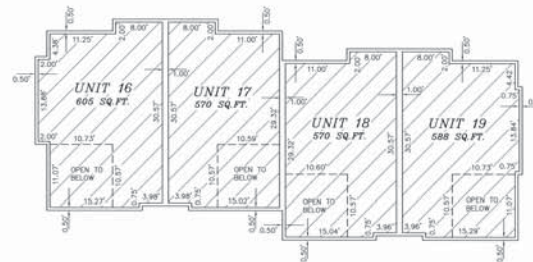
FIRST FLOOR
FIN. FLOOR = 7134.00
FIN. CEILING = 7142.25

SCALE: 1"=10'

- PRIVATE OWNERSHIP
- LIMITED COMMON AREA
- COMMON AREA

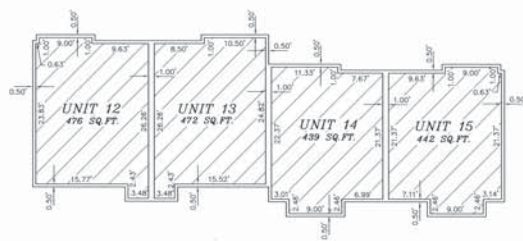


SECOND FLOOR
FIN. FLOOR = 7141.92
FIN. CEILING = 7149.92

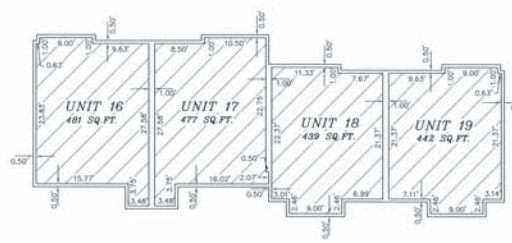


SECOND FLOOR
FIN. FLOOR = 7143.42
FIN. CEILING = 7151.42

NOTE:
FIN. CEILING ELEVATIONS ON THIRD FLOOR ARE TO
TOP OF CEILING RIDGE SUPPORT BEAM.



THIRD FLOOR
UNIT 12 AND 13 } FIN. FLOOR = 7151.08 } FIN. FLOOR = 7151.08
FIN. CEILING = 7161.66 } FIN. CEILING = 7160.75



THIRD FLOOR
FIN. FLOOR = 7152.58
FIN. CEILING = 7162.25

PORTICO CONDOMINIUMS A CONDOMINIUM PROJECT

LOCATED IN
THE NORTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH
SHEET 5 OF 5

RECORDED

ENTRY NO. 558663 BOOK PAGE

STATE OF UTAH COUNTY OF SUMMIT

DATE 02-07-00 TIME 15:00 P.M.

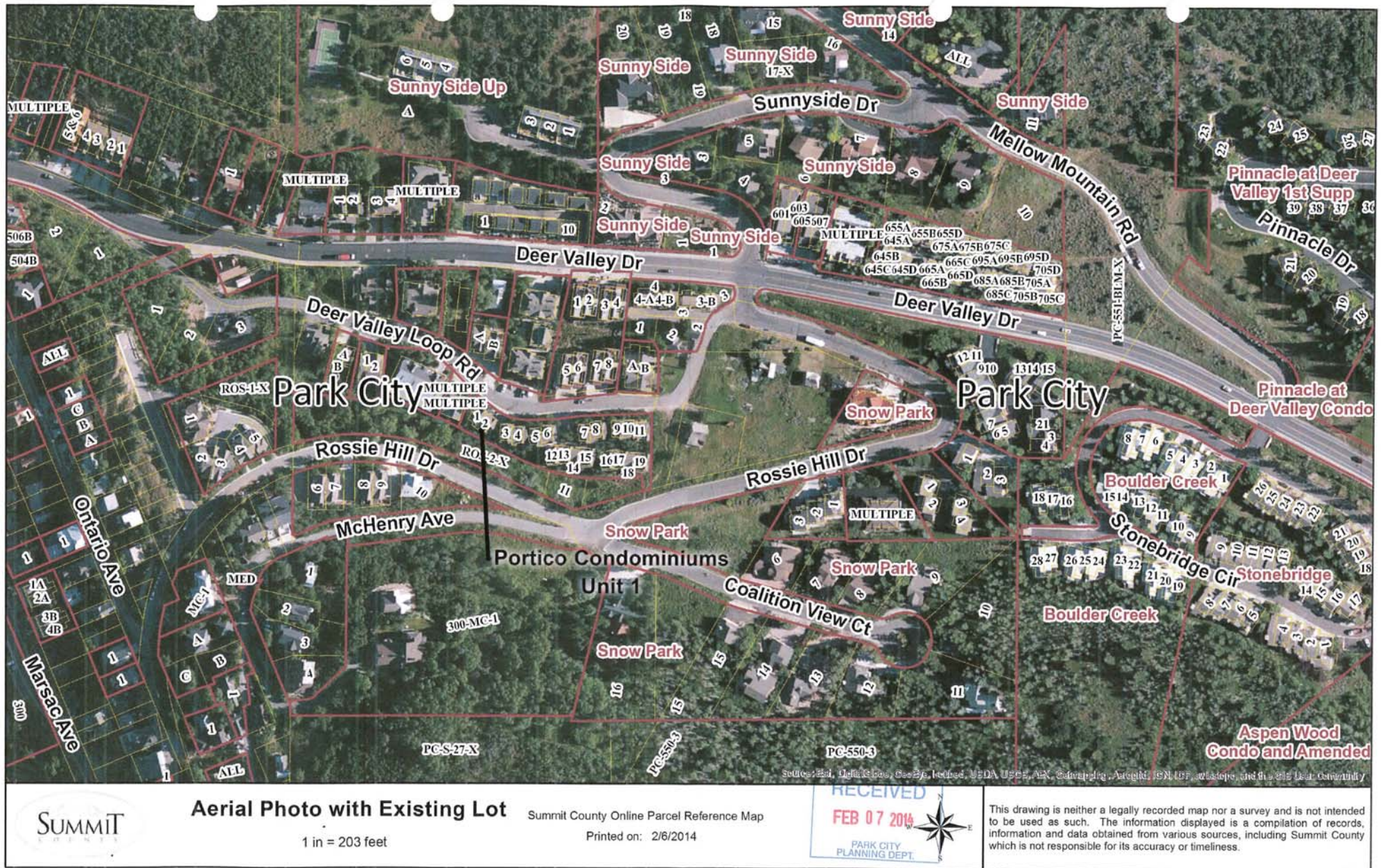
RECORDED AND FILED AT THE REQUEST OF:

JOHN LENNER

FEB 16 2002

COUNTY CLERK





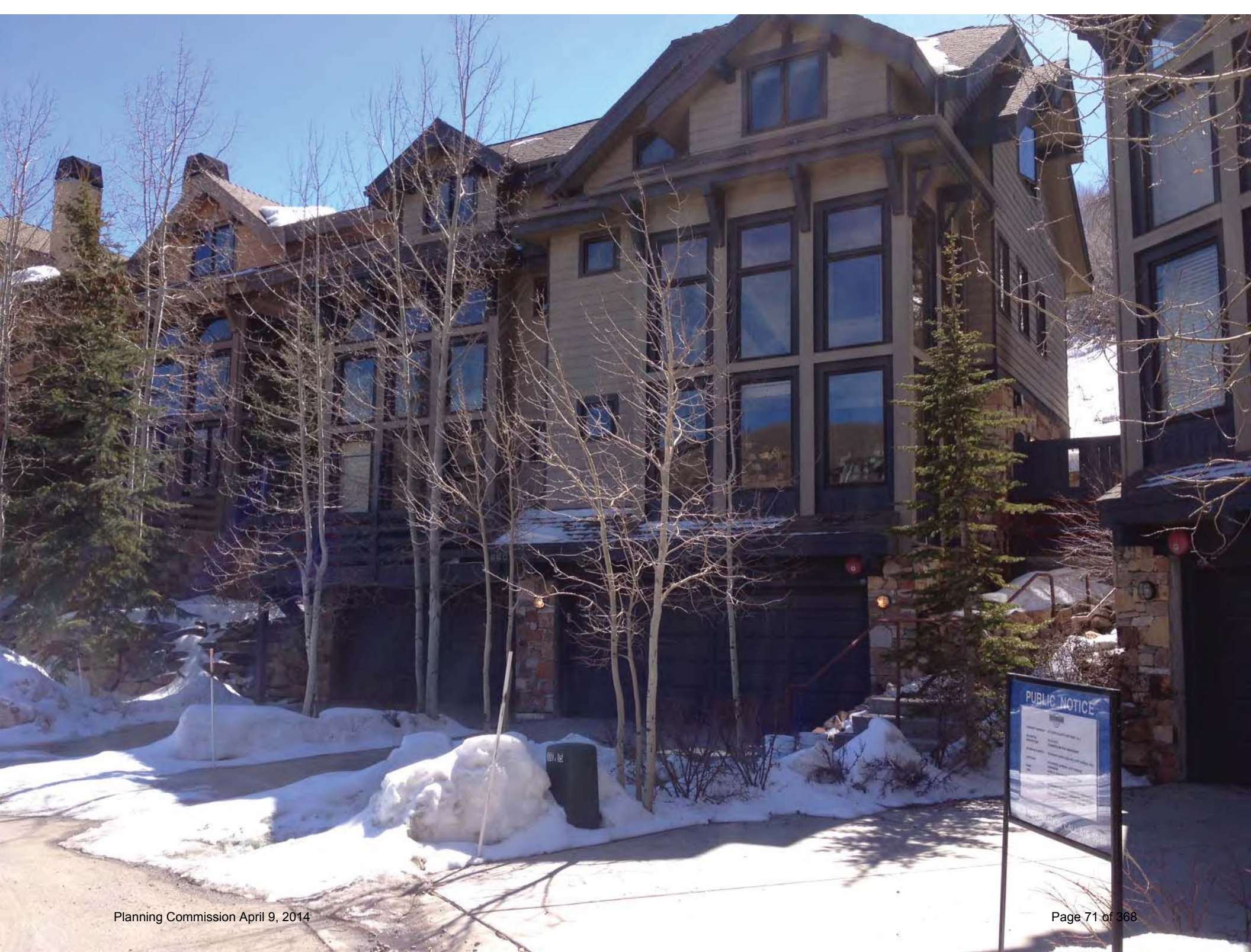














WHEN RECORDED MAIL TO:

Gregory L. Cropper, Esq.
JONES WALDO, ET. AL.
1441 West Ute Blvd.
Suite 330
Park City, UT 84098

**FIRST AMENDMENT TO DECLARATION OF
CONDOMINIUM WITH CONDITIONS, COVENANTS AND
RESTRICTIONS FOR THE PORTICO TOWNHOUSE
CONDOMINIUMS**

THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM WITH CONDITIONS, COVENANTS AND RESTRICTIONS FOR THE PORTICO TOWNHOUSE CONDOMINIUMS (this "Amendment") is made as of the 31 day of March, 2014, by the OWNERS ASSOCIATION FOR THE PORTICO TOWNHOUSE CONDOMINIUMS, INC., a Utah non-profit corporation (the "Association").

RECITALS:

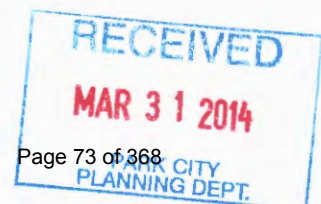
A. The Association is the "Association" under that certain Declaration of Condominium with Conditions, Covenants and Restrictions for the Portico Townhouse Condominiums dated the 6th day of January, 2000, and recorded February 7, 2000, as Instrument No. 00558664, in Book 01306, Page 00730-00781, of the Official Records of Summit County, Utah (the "Declaration").

B. The Declaration applies to and governs that certain real property and improvements located in the Park City, Summit County, Utah, and commonly known as "Portico Condominiums", the legal description of which is attached hereto as Exhibit "A" and incorporated herein by reference (as described on Exhibit "A" and defined in the Declaration, the "Property").

C. Unit 1 and Unit 2 are owned by a single Owner (the "Owner of Units 1 and 2") and are, and have historically been, designed, constructed, owned and occupied as one (1) integrated Unit.

D. By way of consent in lieu of vote pursuant to Article XXVIII of the Declaration, this Amendment was approved upon the affirmative consent of greater than two-thirds (2/3) of the Unit Owners.

E. Based on the foregoing and Article XII, Paragraph 1 (b) of the Declaration, the Association has the authority to execute and record this Amendment in the Official Records of Summit County, Utah.



NOW, THEREFORE, the Declaration are hereby amended as follows, and the Property and every Unit (as defined in the Declaration) or interest therein is now held and shall be held, transferred, sold, leased, conveyed and occupied subject to the covenants, conditions, restrictions and easements set forth in the Declaration, as amended by this Amendment, each and all of which is and are for, and shall inure to the benefit of and pass with, each Unit and every portion of or interest in the Property and shall apply to every Owner and Occupant (as both are defined in the Declaration) thereof and their successors and assigns. The covenants, conditions, restrictions and easements contained in the Declaration, as amended by this Amendment, shall run with the Property and every part thereof.

ARTICLE I

AMENDMENTS

Section 1.1 Consolidation of Units. Article XII, Section 2, Paragraph (f) is hereby amended by adding the following thereto:

Unit 1 and Unit 2 were originally constructed, owned and occupied as a single integrated Unit, but have not been shown as such on the Map. The Owner of Units 1 and 2 shall have the right to cause the Map to be amended to show Unit 1 and Unit 2 as a single consolidated, integrated Unit as a legal matter of record, subject to and in accordance with the following:

(i) The Management Committee shall co-operate with the Owner of Units 1 and 2 in connection amending the Map as contemplated herein (at no expense to the Management Committee, the Association or any other Owner), including the execution of such plat amendment amending the Map as required under applicable law, and the adoption of this Amendment and this paragraph shall constitute the consent of such Owners as are necessary under the Declaration to adopt this Amendment and approve such amendment of the Map; and

(ii) The resulting integrated Unit, while legally one (1) condominium unit following the amendment of the Map, shall continue to be treated as the two (2) original Units for all purposes under the Declaration and under the Bylaws, including proportionate interests, the calculation and payment of assessments, voting rights, voting percentage requirements and parking rights.

ARTICLE II

GENERAL PROVISIONS

Section 2.1 Constructive Notice and Acceptance. Every person who now or hereafter owns or acquires any right, title or interest in or to any portion of the Property is and shall be conclusively deemed to have consented and agreed to every covenant, condition, restriction and easement contained herein, by reference and otherwise, whether or not any reference to the Declaration or this Amendment is contained in the instrument by which such person acquired an interest in the Property.

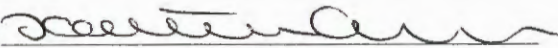
Section 2.2 Mutuality; Reciprocity; Runs with Land. All restrictions, conditions, covenants and easements contained herein, by reference or otherwise, (i) are made for the direct, mutual and reciprocal benefit of each and every portion of the Property, (ii) shall create mutual, equitable servitudes upon each portion of the Property in favor of every other portion, (iii) shall create privity of estate between all grantees of said portions or interests therein, their heirs, successors and assigns, and (iv) shall, as to each Owner and the heirs, successors and assigns of said Owner, operate as covenants running with the land for the benefit of all other portions of the Property.

Section 2.3 Attorneys' Fees and Costs. If any Owner brings or commences any legal action or proceeding, or takes any other action, to enforce any of the terms of this Amendment (or for damages by reason of an alleged breach of this Amendment) or in connection with any of the transactions contemplated in this Amendment against any other Owner(s), the prevailing Owner(s) in such action shall be entitled to recover from the other Owner(s) all costs and expenses incurred in connection therewith, including reasonable attorneys' fees and costs.

Section 2.4 Recordation. This Amendment shall be recorded in the Official Records of Summit County, Utah.

IN WITNESS WHEREOF, the Association has executed this Amendment as of the date first above written.

OWNERS ASSOCIATION FOR THE PORTICO
TOWNHOUSE CONDOMINIUMS, INC.,
a Utah non-corporation

By: 
Name: KATHARINE NOBLE
Title: VICE PRESIDENT

"Association"

STATE OF Utah

COUNTY OF Summit

This instrument was acknowledged before me on March 31, 2014, by
Katharine Noble as Vice President of the OWNERS ASSOCIATION FOR THE
PORTICO TOWNHOUSE CONDOMINIUMS INC., a Utah non-profit corporation.

Elizabeth M. Thompson

Notary Public

My appointment expires:

July 10, 2016

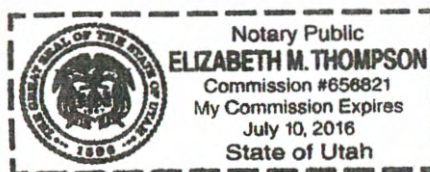


EXHIBIT A

LEGAL DESCRIPTION:

PORTICO CONDOMINIUM PROJECT
670 Deer Valley Loop Road
Park City, Summit County, Utah

Beginning at a point which is South 718.36 feet and East 328.61 feet from the East quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, (basis of bearing being South 00°30'11" West between said East quarter corner and the southeast corner of said Section 16); said point also being on a fence line, and running thence South 51°31'30" East 75.90 feet; thence North 87°13'30" East 271.80 feet; thence South 147.93 feet to the north right-of-way line of Rossi Hill Road; thence South 74°00'00" West 13.95 feet along said north right-of-way line; thence North 5°58'00" West 28.07 feet; thence South 82°19'30" West 22.24 feet to a point on a 363.51 foot radius curve to the right; the radius point of which bears North 7°40'30" West 363.51 feet; thence northwesterly along the arc of said curve 215.82 feet to a point of tangency; thence North 63°39'30" West 95.90 feet to a point on a 452.77 foot radius curve to the right, the radius point of which bears North 23°15'12" East 452.77 feet; thence northwesterly along the arc of said curve 22.10 feet to a point on a fence line; thence along said fence line North 17°22'00" East 78.20 feet to the point of beginning.

Contains 36,210 square feet more or less.

ACKNOWLEDGEMENT OF RESPONSIBILITY

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

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

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

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

Signature of Applicant: [Signature]
Name of Applicant: KATHARINE NOBLE, HOA VICE - PRESIDENT
Mailing Address: P.O. BOX 2121
PARK CITY, UT 84060
Phone: 435-640-9553 Fax: N/A
Email: KATIE.NOBLE@GMAIL.COM
Type of Application: Amendment to Record of Survey

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner: PORTICO TOWNHOUSE CONDOMINIUMS
Mailing Address: P.O. BOX 2121
PARK CITY, UT 84060
Street Address/ Legal Description of Subject Property: 670 DEER VALLEY LOOP ROAD, #1 + #2
Park City, UT
Signature: [Signature] Date: 3/31/2014
HOA VICE - PRESIDENT

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.
4. If a Home Owner's Association is the applicant then the representative/president must attach a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CCRs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

Note: The CCRs require a 2/3 vote to approve, or 13 votes. We received 14 votes to approve the CCR Amendment and Plat Amendment.
If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.





Department of Community Development
Engineering • Building Inspection • Planning

December 3, 1996

Rick Dunford
Jack Johnson Company
1777 Sun Peak Drive
Park City, UT 84098

NOTICE OF PLANNING COMMISSION ACTION

Project Name: 670 Deer Valley Loop Road, Portico Condominiums

Project Description: Conditional Use Permit for a condominium development of 19 townhouse style units on a .83 acre parcel.

Date of Meeting: November 20, 1996

Action Taken By Planning Commission: Approved with the following conditions of approval.

Conditions of Approval:

1. All standard project conditions shall apply. ✓
2. A financial guarantee, for the value of all public improvements, landscaping, and trails to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee. ✓
3. A final plat or record of survey shall be submitted to the City for review and approval and shall be recorded at the County prior to issuance of certificate of occupancy for any unit. Conditions, Covenants, and Restrictions for this project shall be submitted to the City Attorney for review and shall be recorded at the time of plat recordation. All required dedication of right-of-way for Deer Valley Loop shall be indicated on the plat. ✓
4. The Planning Department's review and approval of an overall landscape plan, showing existing and proposed vegetation, and including a detailed limits of disturbance plan, is a condition precedent to issuance of a building permit for any of the units. The landscape plan shall also contain all information regarding project lighting. ✓
5. The Developer shall submit a detailed Construction Management Plan (CMP) for review and approval by the Chief Building Official, prior to issuance of any building permits, that addresses at a minimum the following: ✓

Rick Dunford
Page two
December 3, 1996

- a.) A construction staging, storage, circulation and parking plan.
 - b.) The developer shall instruct respective contractors that there is to be no wash out of concrete trucks on-site landscape areas. Further, the developer shall identify any off-site dirt storage sites, obtain written permission by the owner and post a financial surety, to the satisfaction of the City, that will provide for the rehabilitation of the said storage site.
 - c.) A landscape plan shall be submitted and approved prior to any construction activity on site.
 - d.) Any temporary parking signs, subject to Public Works Director and City Engineer approval, shall be addressed in the CMP.
 - e.) An existing conditions survey that identifies and determines existing grade shall be conducted by the applicant and submitted prior to issuance of a footing and foundation permit. This survey shall assist the Community Development Department in determining the grade for measurement of height of this project as defined in the Land Management Code.
-
- 6. The applicant shall obtain all necessary permits required by the Bureau of Land Management and the City for any disturbance or construction staging on the adjacent Bureau of Land Management parcel. ✓
 - 7. Final architectural design and colors will be reviewed and approved by the Community Development staff, prior to building permit issuance. ✓
 - 8. All proposed signs require a sign permit, reviewed and approved by the Community Development Department. ✓
 - 9. The City Engineer shall review and approve appropriate grading, utility, public improvements and drainage plans for compliance with City standards as a condition precedent to permit issuance. ✓
 - 10. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans. ✓

Date of Expiration: November 20, 1997

Your approval also requires City Council action. This plat approval has not yet been scheduled on a City Council Agenda.

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 491 Echo Spur
Project #: PL-14-02276
Author: Francisco Astorga, Planner
Date: April 9, 2014
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit for a single family dwelling at 491 Echo Spur based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

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

Description

Applicant/Owner: Leeto Tlou represented by Scott Jaffa
Location: 491 Echo Spur (formerly known as platted McHenry Ave.)
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Construction of structures greater than 1,000 square feet on a steep slope requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit for new single family dwelling on a vacant lot of record.

Background

On March 7, 2014 the City received a completed application for a Steep Slope Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 491 Echo Spur. The property is located in the Historic Residential (HR-1) District. The property, Lot A of the Lot 17, 18, and 19 Echo Spur Development Replat was forwarded by the Planning Commission with a negative recommendation but approved by the City Council in October 2013, which included a three (3) Old Town Lot combination. The applicant is working with the City to finalize the recordation of the recently approved Plat Amendment. The approved lot contains 5,625 square feet. No building permits may be issued prior to the plat being recorded.

This application is a request for a Steep Slope CUP for construction of new single family dwelling. Because the total proposed structure square footage is greater than 1,000 square feet, and would be constructed on areas containing slopes greater than thirty percent (30%), the applicant is required to file a Steep Slope CUP application for review by the Planning Commission, pursuant to Land Management Code (LMC) § 15-2.2-6. A

Historic District Design Review (HDDR) application is concurrently being reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites.

Purpose

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

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

Analysis

A single family dwelling is an allowed use in the HR-1 District. The proposed structure is 2,701 square feet in terms of Gross Floor Area and 5,118 square feet in terms of overall floor area. Gross residential floor area is defined as the area of a building, including all enclosed areas, excluding 400 square feet of the garage and basement areas below final grade. Floor area is measured from the finished surface of the interior of the exterior boundary. The proposed upper floor is 640 square feet. The garage is 596 square feet. The main level is 1,865 square feet. The basement level is 2,017 square feet. See table prepared by the applicant showing square footages:

SQUARE FOOTAGE	
<u>BASEMENT LEVEL:</u>	
BASEMENT LIVING SF:	1814 SF
MECH. AREA:	<u>203 SF</u>
TOTAL BASEMENT SF:	2017 SF
(MAIN LEVEL ABOVE):	32 SF
BUILDING FOOTPRINT:	2049 SF
<u>MAIN LEVEL:</u>	
GROSS LIVING SF:	1865 SF
DECK AREA:	<u>483 SF</u>
TOTAL GROSS MAIN LEVEL SF:	1865 SF
<u>UPPER LEVEL:</u>	
GROSS LIVING SF:	640 SF
GARAGE SF:	<u>596 SF</u>
TOTAL UPPER LEVEL SF:	1236 SF
EXEMPT HISTORICAL GARAGE SF:	-400 SF
TOTAL GROSS UPPER LEVEL SF:	836 SF
TOTAL SF:	5118 SF
TOTAL GROSS SF:	2701 SF

Staff made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Building Footprint	2,050 square feet maximum, (based on lot area)	2,049 square feet, <u>complies.</u>
Front/Rear Yard Setbacks	10 feet minimum, 20 feet total	10 feet (front and rear), <u>complies.</u> 20 feet total, <u>complies.</u>
Side Yard Setbacks	5 feet minimum, 18 feet total	15 feet (north), <u>complies.</u> 5 feet (south), <u>complies.</u> 20 feet total, <u>complies.</u>
Building Height: Zone Height	No structure shall be erected to a height greater than 27 feet from existing grade.	Various heights all under 27 feet, <u>complies.</u>
Building Height: Final Grade	Final grade must be within four vertical feet (4') of existing grade around the periphery of the structure, except for the placement of approved window wells, emergency egress, and a garage entrance.	4 feet or less, <u>complies.</u>
Building Height: Internal Massing Height	A structure shall have a maximum height of 35 feet measured from the lowest finish place to the point of the highest wall top place that supports the ceiling joists or roof rafters.	31.5 feet or less, <u>complies.</u>
Building Height: Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [.] The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.	23 feet, <u>complies.</u>
Building Height: Roof Pitch	The primary roof pitch must be between 7:12 and 12:12 for primary roofs. [...] A roof that is not part of the primary roof design may be below the required 7:12 roof pitch.	All primary roof forms contain a 7:12 roof pitch, <u>complies.</u>
Parking	2 off-street parking spaces, minimum	2 interior spaces, <u>complies.</u>

LMC § 15-2.2-6 provides for development on steep sloping lots in excess of one thousand square feet (1,000 sq. ft.) within the HR-1 District, subject to the following Steep Slope Conditional Use Permit criteria:

1. **Location of Development.** Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.**

The proposed structure and driveway is located in the center of the lot. The structure has an L shaped footprint. The proposed single family dwelling meets all setbacks and has increased setbacks from the minimum towards the north side yard area. The driveway is placed on southeast corner, the only logical place due to the retaining walls for the Echo Spur road.

The proposed building coverage (footprint) is 36%. The impermeable lot coverage of the proposal is approximately 41%, which include the driveway, porch/entry, building footprint, and rear deck.

2. **Visual Analysis.** The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the proposed Access, and Building mass and design; and to identified the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities. **No unmitigated impacts.**

The applicant submitted a visual analysis, including a model, and renderings showing a contextual analysis of visual impacts, see Exhibit D.

The proposed structure cannot be seen from the key vantage points as indicated in the LMC § 15-15-1.283, with the exception of across canyon view. The cross canyon view contains a back drop of the surrounding geography which does not break the skyline. The proposed building is surrounded by undeveloped lots.

3. **Access.** Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.**

The project will be accessed by a concrete slab on grade off the end of built Echo Spur. The driveway leads vehicles to the west directly to the two car garage. The proposed driveway is placed over gentler slopes found on site which reduces the grading of the existing topography.

4. **Terracing.** The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.**

Minor retaining is necessary to regain natural grade around the proposed structure to provide for egress on the lower level as well as the rear patio. Limited retaining is also being requested around the driveway located in the front yard area. Both of these areas will meet the LMC development standards of retaining walls in setback areas which range from four feet (4') to the maximum height of six feet (6') above final grade.

5. **Building Location.** Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation,

to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.**

The proposed structure is located towards the center of the site as the building has an L shape footprint. The driveway access was designed to come right off the built road leading towards the two car garage.

6. **Building Form and Scale.** Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The main ridge orients with the contours. The size of the lot allows the design to not offend the natural character of the site as seen on the submitted model. See Exhibit D.

7. **Setbacks.** The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.**

The proposed structure meets the standard LMC setbacks for a lot this size consisting of a minimum of ten feet front/rear yard setbacks. The minimum side yard setbacks are five feet (5') minimum and eighteen feet (18') total. The applicant increased the north side yard setback by two feet (2') providing a twenty foot (20') total setback. All of the Echo Spur lots on the west side of the street are vacant.

8. **Dwelling Volume.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in [LMC Chapter 2.2 – HR-1]. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed structure is both horizontally and vertically articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings and mitigates differences in scale between proposed Structure and existing Structures in the neighborhood.

9. **Building Height (Steep Slope).** The maximum Building Height in the HR-1 District is twenty-seven feet (27'). The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.**

The proposed structure meets the twenty-seven feet (27') maximum building height requirement measured from existing grade. The height of the main ridges ranges from 20 – 26 feet above existing grade. The proposed building height minimizes the visual mass of the proposed structure.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in LMC § 15-1-18. Approval of the Historic District Design Guideline compliance is noticed separately and is a condition of building permit issuance.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that would have to be addressed during building permit review.

Public Input

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

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 491 Echo Spur as conditioned or amended, or
- The Planning Commission may deny the Steep Slope Conditional Use Permit and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur. The applicant would have to revise their plans.

Recommendations

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit for a single family dwelling at 491 Echo Spur based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The property is located at 491 Echo Spur.
2. The property is located in the Historic Residential (HR-1) District.
3. The property, Lot A of the Lot 17, 18, and 19 Echo Spur Redevelopment Replat.
4. The lot contains 5,625 square feet.
5. A single family dwelling is an allowed use in the HR-1 District.
6. The proposed structure is 2,701 square feet in terms of gross residential floor area.
7. The proposed upper floor is 640 square feet in size.
8. The proposed garage is 596 square feet in size.
9. The main level is 1,865 square feet.
10. The basement level which does not count as gross residential floor area is 2,017 square feet in size.
11. The maximum building footprint for the lot is 2,050 square feet.
12. The proposed structure building footprint is 2,049 square feet.
13. The minimum front/rear setbacks are ten feet (10').
14. The front/rear yard setbacks are ten feet (10').
15. The minimum side yard setbacks are five feet (5') minimum and eighteen feet (18') total.
16. The side yard setbacks on the north side are fifteen feet (15').
17. The side yard setbacks on the south side are five feet (5').
18. The maximum building height is twenty-seven feet (27') from existing grade.
19. The proposed structure complies with the maximum building height and the other building height parameters outlined in the staff report.
20. The proposed use requires two off street parking spaces.
21. The proposed structure contains a two car garage.
22. The proposed structure and driveway are located in the center of the lot. The structure has an L shaped footprint.
23. The proposed single family dwelling meets all setbacks and has increased setbacks from the minimum towards the north side yard area.
24. The driveway is placed on southeast corner, the only logical place due to the retaining walls for the Echo Spur road.
25. The proposed building coverage (footprint) is 36%.
26. The impermeable lot coverage of the proposal is approximately 41%, which include the driveway, porch/entry, building footprint, and rear deck.
27. The applicant submitted a visual analysis, including a model, and renderings showing a contextual analysis of visual impacts.
28. The proposed structure cannot be seen from the key vantage points as indicated in the LMC § 15-15-1.283, with the exception of across canyon view.
29. The cross canyon view contains a back drop of the surrounding geography which does not break the skyline. The proposed building is surrounded by undeveloped lots.
30. The project will be accessed by a concrete slab on grade off the end of built Echo Spur. The driveway leads vehicles to the west directly to the two car garage.
31. The proposed driveway is placed over gentler slopes found on site which reduces the grading of the existing topography.
32. Minor retaining is necessary to regain natural grade around the proposed structure to provide for egress on the lower level as well as the rear patio.

33. Limited retaining is being requested around the driveway located in the front yard area.
34. The proposed structure will meet the LMC development standards of retaining walls in setback areas which range from four feet (4') to the maximum height of six feet (6') above final grade.
35. The driveway access was designed to come right off the built road leading towards the two car garage.
36. The main ridge orients with the contours.
37. The size of the lot allows the design to not offend the natural character of the site as seen on the submitted model.
38. All of the Echo Spur lots on the west side of the street are vacant.
39. The proposed structure is both horizontally and vertically articulated and broken into compatible massing components.
40. The design includes setback variations and lower building heights for portions of the structure.
41. The proposed massing and architectural design components are compatible with both the volume and massing of single family dwellings and mitigates differences in scale between proposed Structure and existing Structures in the neighborhood.
42. The height of the main ridges ranges from 20 – 26 feet above existing grade.
43. The proposed building height minimizes the visual mass of the proposed structure.
44. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law:

1. The Steep Slope CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).
2. The Steep Slope CUP, as conditioned, is consistent with 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.

Conditions of Approval:

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
3. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.
4. 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.
5. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
6. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.

7. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
8. If required by the Chief Building official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on April 9, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval is requested in writing and is granted by the Planning Director per LMC§ 15-1-10(G) .
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes made during the Historic District Design Review.

Exhibits

Exhibit A – Project Description

Exhibit B – Survey

Exhibit C – Proposed Plans

Exhibit D – Visual analysis, including a model and renderings

Exhibit A – Project Description



The intent of the project is to combine Lots 17, 18, and 19 of Block 58 of the Park City Survey for the construction of a single family primary residence. Including the planning department early on in the design development process was beneficial in creating a project that adheres to the requirements set forth in the Land Management Code and also reflects the steep nature of the site.

The new residence will provide transition between the neighborhood on Ontario and Marsac Avenue and the much larger lots of the Gateway Estates Replat Subdivision. The proposed home's 2,049 square foot footprint and 2,822 gross residential floor area help maintain compatibility with the surrounding areas.

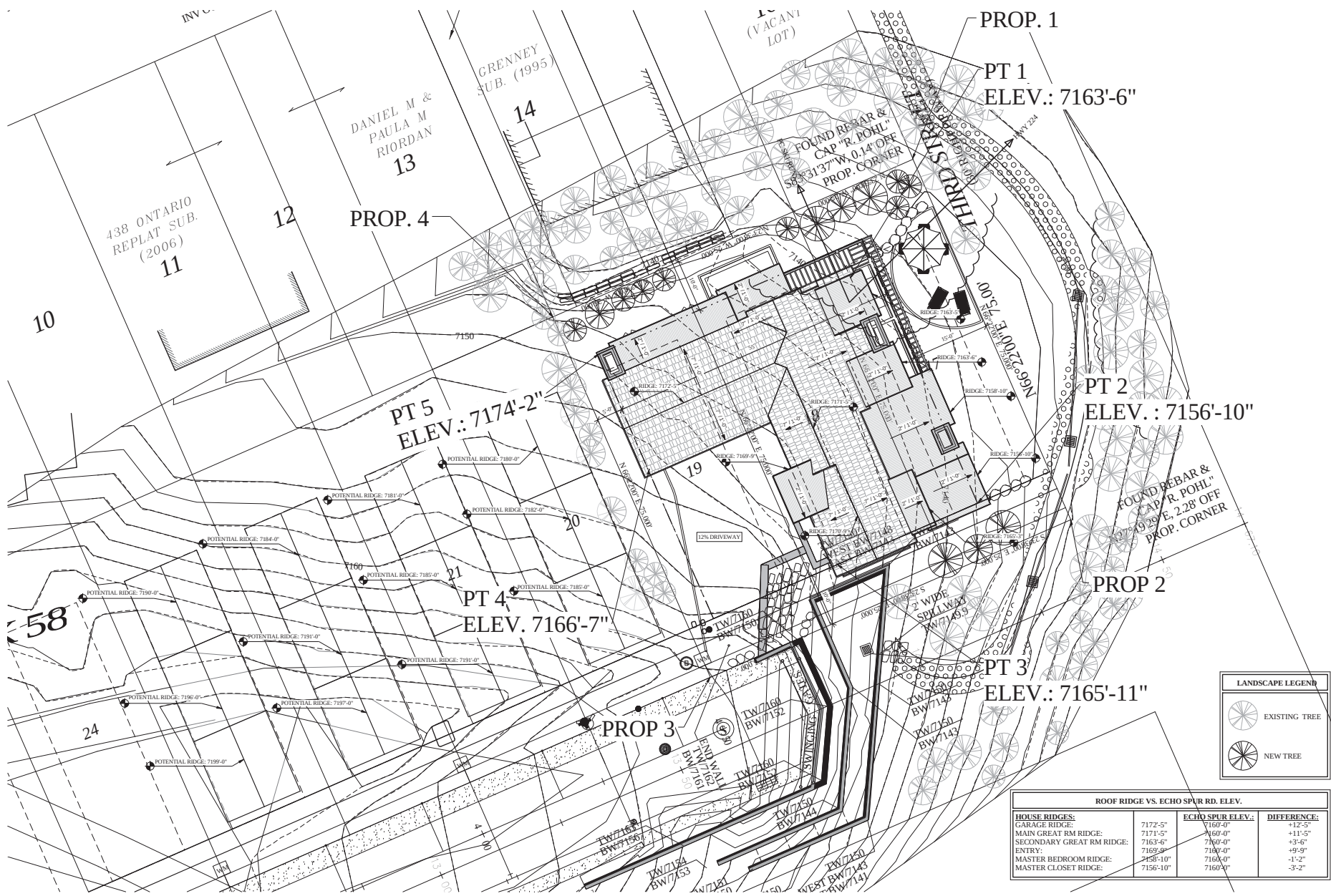
To further blend with the property's surroundings, the house incorporates the Old Town mining vernacular with more contemporary elements. The stepping volumes allow the home to follow the contours of the site, with the third story stepping back 10'-0" horizontally from the downhill façade. The design maintains the 27'-0" height restriction as it cascades down the property.

Although access to the property occurs on the steepest part of the site, it occurs at the top of the property, shielding the 2 car garage from Old Town. The proposed driveway is located off of Echo Spur Drive on lot 19. The 2 car garage will be completely hidden from views looking up from Old Town and Deer Valley Drive. Garage views from Echo Spur Drive will be minimized due to the garage being offset from the street by 40'-0" and being a lower elevation than the street.

An additional point of concern is the visual impact and privacy of the new residence. The north side yard setback has been increased to 15'-0" to address this. A large landscaping buffer in this area will help minimize the visual impact of both the home and the existing concrete retaining walls. Exact species and locations of the new landscaping will be determined in the future. However, existing surrounding vegetation and drought tolerant types will serve as reference in choosing the new landscaping. In addition, preserving as much of the existing vegetation as possible will be a key priority during construction.

In conclusion, the proposed home is intended to meet the city's and client's expectations of blending in seamlessly with the surrounding environment, while providing a transition between the two contrasting neighborhoods. The proposed home's design and landscaping will help minimize the visual impact as well as provide the client with the privacy they desire.

1960 Sidewinder Drive, Suite #101 - Park City, Utah 84060 - 435-615-6873 - FAX 435-615-6917 -
www.jaffagroup.com



ENLARGED SITE PLAN
1/8" = 1'-0"



JAFFA GROUP
1960 SIDWINDER DRIVE, SUITE 101
PARK CITY, UT 84090
(435) 615-6875

ECHO SPUR
489 MCCHENY AVE. PARK CITY, UT
DESIGNED BY JAFFA GROUP
LOT 17-19
PLAT 137-19

REVISION SCHEDULE

DRAWN BY: DO
PROJECT #: 17-19
2/20/2013 1:37:33 PM
SCALE: 1/8" = 1'-0"

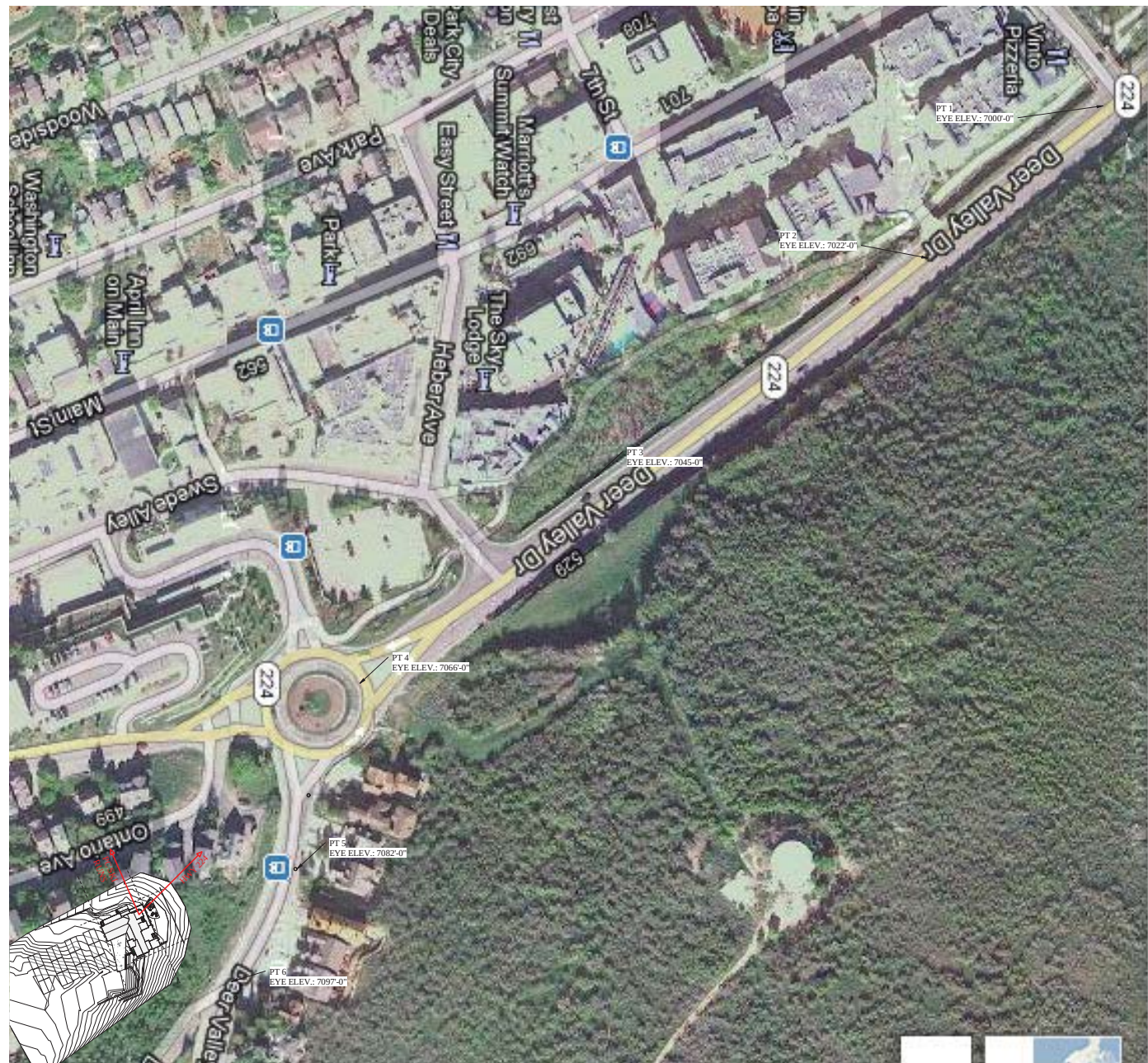
SITE PLAN

A1.0

***PLEASE SEE 11X17
DOCUMENTS FOR VANTAGE
PT RENDERINGS***



2 GARAGE VIEW FROM ECHO SPUR
12" = 1'-0"



VANTAGE POINT LOCATIONS AND ELEVATIONS
1" = 60'-0"



JAFFA GROUP

1960 SIDEWINDER DRIVE,
SUITE 101
PARK CITY, UT 84060
(435) 615-6873

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THE PROPERTY OF THE GOVERNMENT. IT IS THE POLICY OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION TO RELEASE INFORMATION TO THE PUBLIC AS SOON AS POSSIBLE AFTER THE INFORMATION HAS BEEN DETERMINED TO BE UNCLASSIFIED. IT IS THE POLICY OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION TO RELEASE INFORMATION TO THE PUBLIC AS SOON AS POSSIBLE AFTER THE INFORMATION HAS BEEN DETERMINED TO BE UNCLASSIFIED. IT IS THE POLICY OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION TO RELEASE INFORMATION TO THE PUBLIC AS SOON AS POSSIBLE AFTER THE INFORMATION HAS BEEN DETERMINED TO BE UNCLASSIFIED.

ECHO SPUR
489 MCHENRY AVE., PARK CITY, UT

REVISION SCHEDULE

DRAWN BY: Author

PROJECT #:17-19

2/20/2013 1:37:34 PM

SCALE:As indicated

DEER VALLEY
DRIVE

100% of the respondents were female, and 90% were aged 18 years or older. The majority of respondents were employed (70%), and 60% were married. The majority of respondents were from the United States (70%), and 60% were from the Midwest region. The majority of respondents were from the United States (70%), and 60% were from the Midwest region.

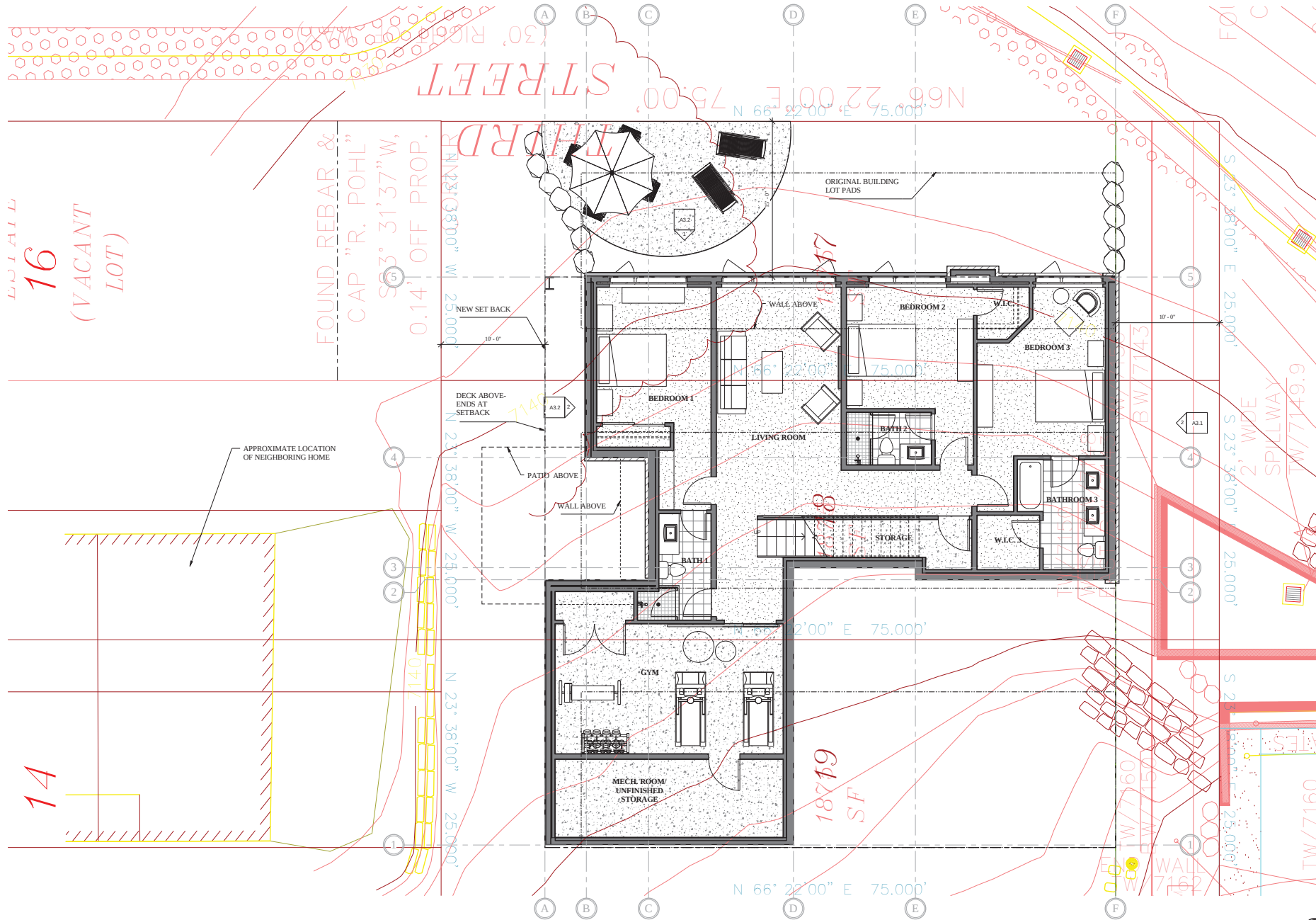
100% of the respondents were female, and 90% were aged 18 years or older. The majority of respondents were employed (70%), and 60% were married. The majority of respondents were from the United States (70%), and 60% were from the Midwest region. The majority of respondents were from the United States (70%), and 60% were from the Midwest region.

--	--

A 105

A1.0a

--	--



1 A2.1 BASEMENT LEVEL
1/4" = 1'-0"



JAFFA GROUP

1960 SIDERWINDER DRIVE, SUITE 101
PARK CITY, UT 84090
(435) 615-6875

THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT FOR THE CLIENT'S USE. THE ARCHITECT MAKES NO WARRANTY, REPRESENTATION OR GUARANTEE, EXPRESS OR IMPLIED, AS TO THE ACCURACY, COMPLETENESS OR SUITABILITY OF THESE PLANS AND SPECIFICATIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING. THE ARCHITECT DOES NOT TAKE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE, THE DESIGN OF THE MECHANICAL, ELECTRICAL, PLUMBING, OR OTHER SPECIALTIES, OR FOR THE DESIGN OF THE LANDSCAPE, OR FOR THE DESIGN OF THE INTERIOR FINISHES. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT DOES NOT TAKE RESPONSIBILITY FOR THE DESIGN OF THE STRUCTURE, THE DESIGN OF THE MECHANICAL, ELECTRICAL, PLUMBING, OR OTHER SPECIALTIES, OR FOR THE DESIGN OF THE LANDSCAPE, OR FOR THE DESIGN OF THE INTERIOR FINISHES. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT.

ECHO SPUR

489 MCHENRY AVE. PARK CITY, UT

DEVELOPMENT/ECHO SPUR

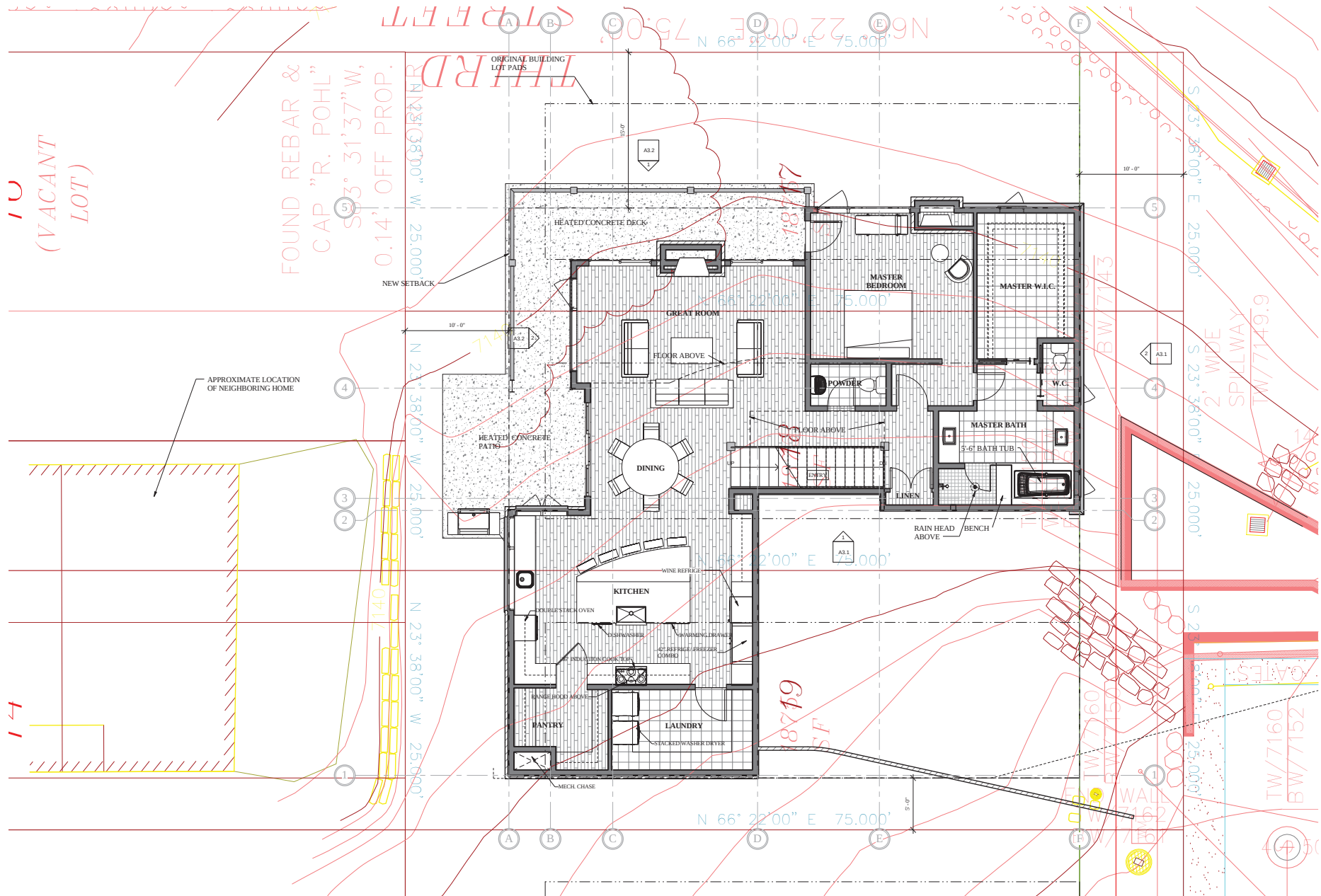
LOT 17-19
PLAT 17-19

REVISION SCHEDULE

DRAWN BY: DO
PROJECT #: 17-19
11/13/2012 4:12:07 PM
SCALE: 1/4" = 1'-0"

LOWER LEVEL

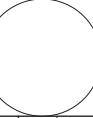
A2.1



JAFFA GROUP

1900 SIDERWIND DRIVE, SUITE 101
PARK CITY, UT 84090
(435) 615-6875

THESE PLANS AND SPECIFICATIONS ARE PREPARED BY THE ARCHITECT FOR THE CLIENT'S USE ONLY. THEY ARE NOT TO BE USED FOR ANY OTHER PROJECT OR FOR ANY OTHER PURPOSE. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY, OR FOR ANY LOSS OF PROFITS OR BUSINESS, ARISING OUT OF THE USE OF THESE PLANS AND SPECIFICATIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THESE PLANS AND SPECIFICATIONS. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED BY THE CLIENT OR ANY OTHER SOURCE. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE ARCHITECT'S DESIGN IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE ARCHITECT'S DESIGN IS NOT TO BE USED FOR ANY OTHER PURPOSE.

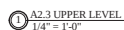


ECHO SPUR
489 MCHENRY AVE. PARK CITY, UT
DEVELOPMENT/ECHO SPUR
LOT 17-19
PLAT 17-19

REVISION SCHEDULE
DRAWN BY: Author
PROJECT #: 17-19
11/13/2012 4:12:08 PM
SCALE: 1/4" = 1'-0"
MAIN LEVEL



A2.2



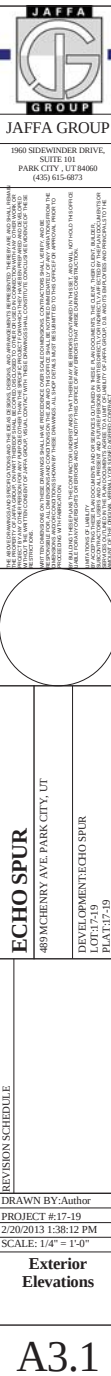
1960 SIDEWINDER DRIVE,
SUITE 101
PARK CITY, UT 84060
(435) 615-6873

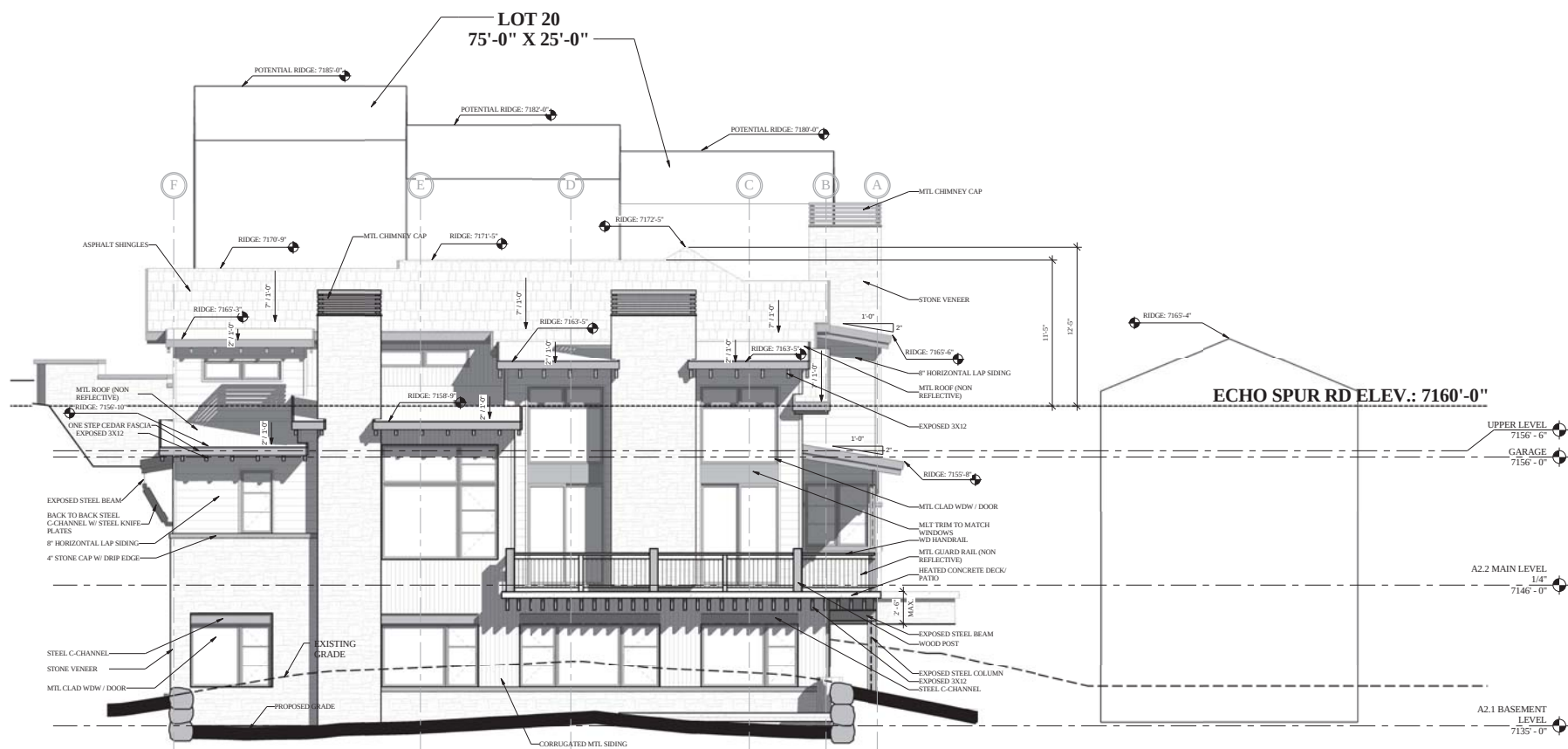
[illegible]

LOT:17-19
PLAT:17-19

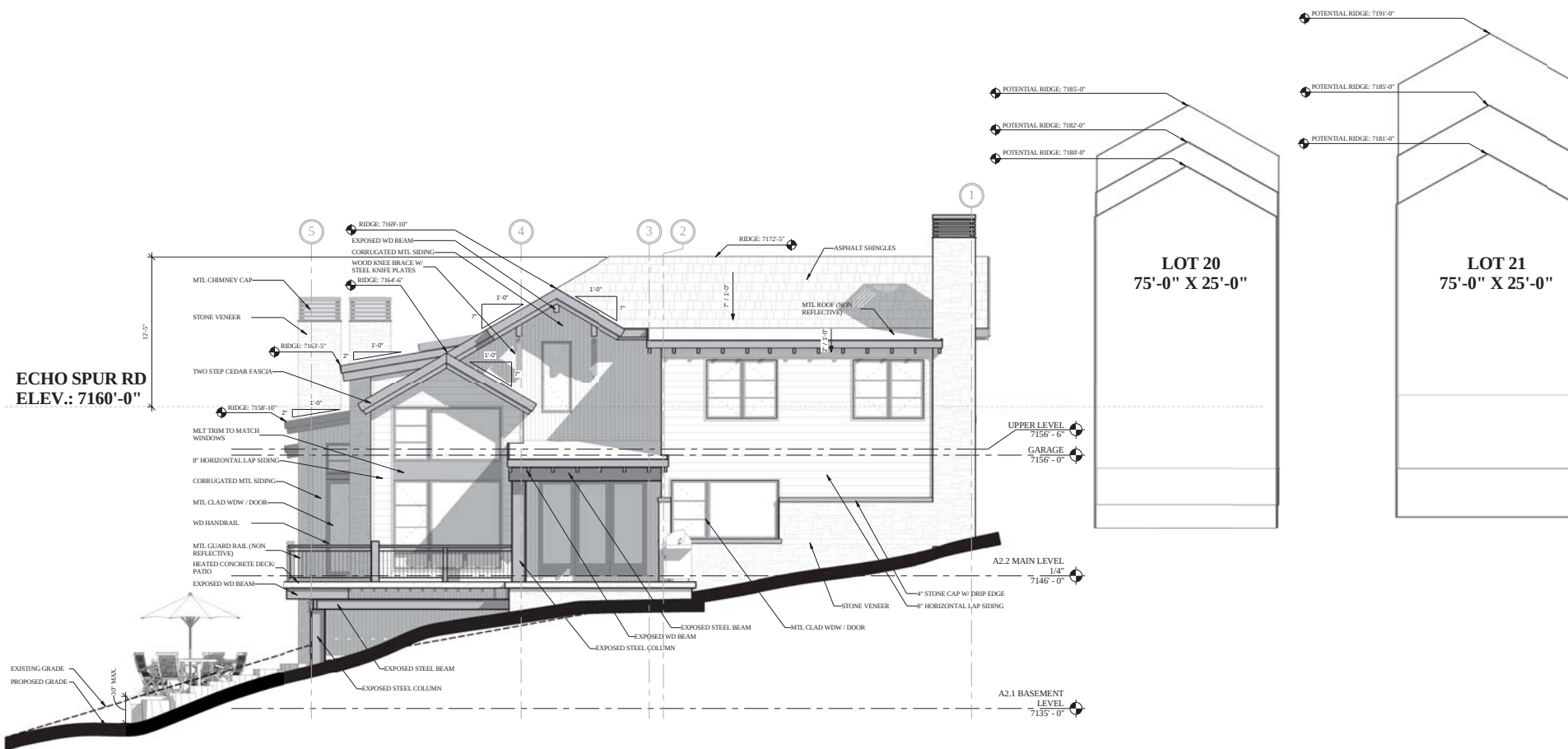
UPPER LEVEL

A2.3





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





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING- LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 1: EYE ELEVATION 7000'-0"
 LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 1: EYE ELEVATION 7000'-0"
 LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 2: EYE ELEVATION 7022'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 2: EYE ELEVATION 7022'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES

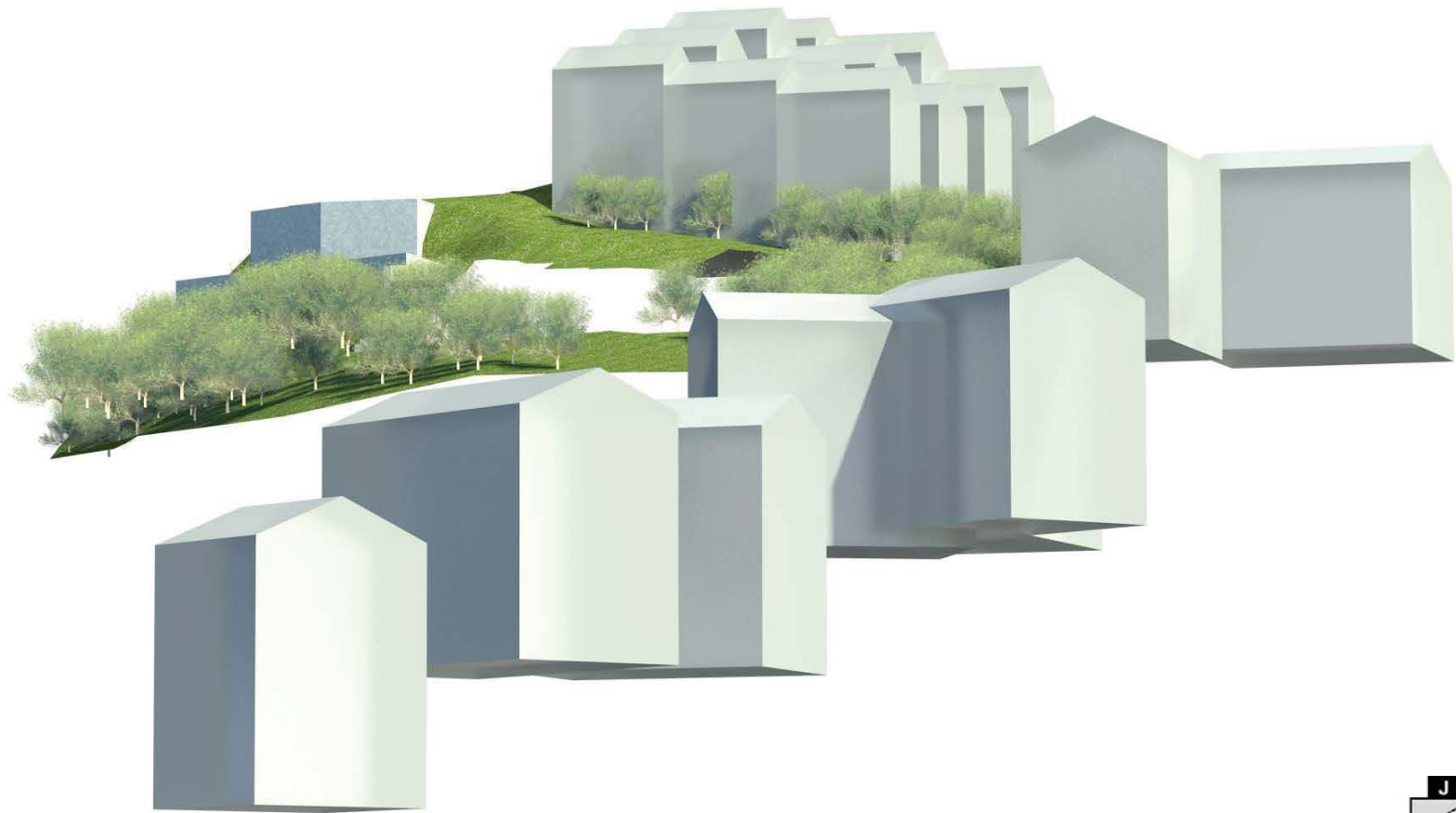




ENLARGED ARTISTIC RENDERING-

PT 3: EYE ELEVATION 7045'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 3: EYE ELEVATION 7045'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES

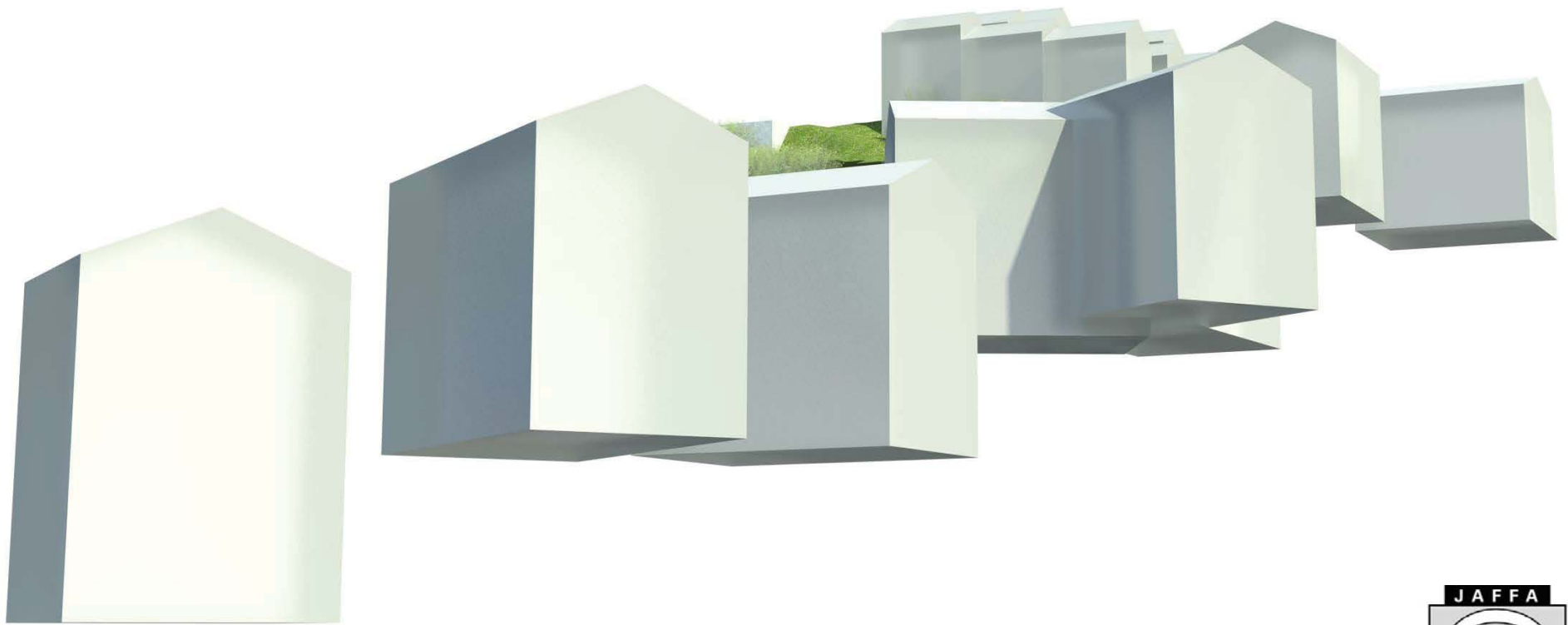




ENLARGED ARTISTIC RENDERING-

PT 4: EYE ELEVATION 7066'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 4: EYE ELEVATION 7066'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 5: EYE ELEVATION 7082'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 5: EYE ELEVATION 7082'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 6: EYE ELEVATION 7097'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES





ENLARGED ARTISTIC RENDERING-

PT 6: EYE ELEVATION 7097'-0"
LANDSCAPE REPRESENTED WITH 8'-12' TREES



Planning Commission Staff Report

Subject: Echo Spur Subdivision
Author: Francisco J. Astorga, Planner
Project Number: PL-14-02292
Date: April 9, 2014
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staffs recommends the Planning Commission hold a public hearing for the Echo Spur Subdivision Plat Amendment located on Echo Spur and Rossi Hill Road and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

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

Description

Applicant: Sean Kelleher - JGC Beach Properties, LLC
Location: Northwest corner of Echo Spur and Rossi Hill Road
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and City Council review and action

Proposal

The subject property is twelve (12) contiguous lots located on Echo Spur. Three (3) of those lots have been slightly reduced due to a settlement agreement with a neighbor in 2008. The property owner requests to replat all the lots so they comply with the minimum lot size of the District and reduce the overall density to seven (7) Lots.

Background

On March 14, 2014 the City received a completed application for the Echo Spur Subdivision plat amendment. The property is located on Echo Spur between platted Fourth Street (Rossi Hill Road) and platted Third Street in the Historic Residential (HR-1) District. The plat amendment entails lots 21 – 32, Block 58 of the Park City Survey. The proposed plat creates a total of seven (7) lots of record from the twelve (12) Old Town lots. Three (3) of the existing twelve (12) lots, do not meet the minimum lot size due to a 2008 property ownership dispute and settlement. The subject property is vacant.

The applicant request to create seven (7) lots of record. It is their intention to build seven (7) single family dwellings, one (1) on of each lot. At this time, the applicant has

indicated that most dwellings will be 2,500 to 3,000 square feet; several will be 3,500 to 4,000 square. A building permit cannot be issued for construction across a lot line.

In 2013 the applicant submitted a Plat Amendment application to combine the subject area and a Conditional Use Permit for a shared underground parking garage. This concept was reviewed by the Planning Commission a couple of times in 2013. The applicant withdrew that application and instead submitted the subject Plat Amendment application. The former Staff Report can be found by clicking on the following link: <http://www.parkcity.org/Modules/ShowDocument.aspx?documentid=11385>, page 357.

District Purpose

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

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

Analysis

Lot and Site Requirements

The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling, which is the configuration of a typical Old Town lot measuring twenty five feet in width and seventy five feet in depth (25' x 75'). The minimum width of a lot is twenty five feet (25'). The maximum building footprint of any structure located on a lot is calculated according to the formula for building footprint, illustrated in Table 15-2.2 of the Land Management Code (LMC). The front and rear yard setbacks are determined by the depth of each lot. The side yard setbacks are determined according to the width of each lot.

Existing Conditions

Lots 21-25, and 29-32 (nine lots) all comply with the LMC minimum lot and site requirements. These lots have the existing configuration of a typical Old Town Lot (25'x75'). The maximum building footprint for a lot of this configuration is 844 square feet.

Currently, Lots 26-28 (three lots) do not have the minimum lot area of 1,875 square feet. These three (3) lots had the same configuration of 25 feet in width and 75 feet in depth. However, due to a shed and wire fence encroachment located on the rear (west) portion of these lots, the applicant deeded this area to the rear property owner in a recent land dispute settlement agreement.

Currently these three (3) lots do not comply with the minimum lot size. The size of Lots 26, 27, and 28 are approximately 1,723, 1,475, and 1,619 square feet, respectively. .

Proposed Lot Configuration

The proposed plat amendment reconfigures the thirteen (12) lots of record into seven (7) complying lots. All lots currently have access to Echo Spur. See Exhibit A, Attachment 1 – Proposed Plat Amendment. The table below explains the approximate configuration of the seven (7) proposed lots

	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7
Lot width	37.5			56.25'		37.5'	
Lot depth	75'			59.32' /75'		75'	
Lot size	2,812.5 SF			3,772 SF	3,858 SF	2,812.5 SF	
Maximum footprint	1,200.7 SF			1,525.8 SF	1,553.0 SF	1,200.7 SF	
Front/rear setbacks	10' minimum 20' total						
Side setbacks	3' minimum 6' total			5' minimum 14' total		3' minimum 6' total	

Single family dwellings are an allowed use within the district. If a lot is large enough to be eligible for a duplex, it is a conditional use, which are reviewed and approved by the Planning Commission. According to the proposed layout of the requested plat amendment the only proposed lots eligible for a conditional use for a duplex will be Lot 4 and 5. At this time the property owner has indicated that they would build seven (7) single-family dwellings.

Also a Steep Slope Conditional Use Permit (CUP) is required for any structure in excess of one thousand square feet (1,000 sq. ft.) if said structure and/or access is located upon any existing slope of thirty percent (30%) or greater.

Overall Footprint

If variances were able to be obtained for the three (3) substandard lots, the combined building footprint of the existing lot configuration is currently 9,798 square feet. The combined footprint of the proposed lot configuration is 9,082.3 square feet if approved. The reconfiguration of the existing twelve (12) lots into the proposed seven (7) lot configuration will reduce the overall footprint by 715.7 square feet.

Road Dedication

The existing improvements have complied with the required warranty period. The City Council accepted the improvements on September 26, 2013. The City Council also

officially changed the name of the Right-of-Way to Echo Spur. The street was known as platted McHenry Avenue.

Ridgeline Development/Vantage Point Examination

LMC § 15-7.3-1(D), under general subdivision requirements, indicates that the Planning Commission may place restrictions due to the character of the land:

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

The LMC indicates that Ridges shall be protected from Development, which Development would be visible on the skyline from the designated Vantage Points in Park City (LMC § 15-7.3-2[D]). The LMC defines vantage points as the following:

A height of five feet (5') above a set reference marker in the following designated Vantage Points within Park City that function to assist in analyzing the visual impact of Development on hillsides and Steep Slopes:

- (A) Osguthorpe Barn;
- (B) Treasure Mountain Middle School;
- (C)Intersection of Main Street and Heber Avenue;
- (D) Park City Ski Area Base;
- (E) Snow Park Lodge;
- (F) Park City Golf Course Clubhouse;
- (G) Park Meadows Golf Course Clubhouse;
- (H) State Road 248 at the turn-out one quarter mile west from U.S. Highway 40;
- (I) State Road 224, one-half mile south of the intersection with Kilby Road;
- (J) Intersection of Thaynes Canyon Drive and State Road 224; and
- (K) Across valley view.

The LMC definition of Vantage Points includes ten (10) specific sites plus across valley view. The LMC defines a Ridge Line Area as the “top, ridge or Crest of Hill, or Slope” plus the land located within one hundred fifty feet (150') on both sides of the top, crest or ridge. Staff considers this area to be a ridge, however, the proposed development activity including replatting these twelve (12) lots of record to accommodate the requested seven (7) single-family dwelling, cannot be viewed from any of the eleven (11) vantage points including Vantage Point K, across valley view.

Staff has analyzed the site and finds that when viewing the site from across canyon (or any of the other ten [10] LMC defined vantage points), at approximately the same elevation, the site is framed by the existing higher topography behind the proposed development and the skyline is not broken. This fact can be confirmed by **Exhibit E**, which shows higher contour lines behind the subject site.

Staff also finds that there are set ridges that were part of the Sensitive Lands Overlay (SLO) Ordinance. The SLO protects waterways, steep topography, ridges, etc. No construction is allowed on ridges. This subject site is outside of the SLO boundary.

Square Footage

LMC § 15-7.3-3(C) under General Lot Design Requirements indicates that maximum dwelling or unit square footage may be required. Limited building heights may also be required for visually sensitive areas.

Originally there were sixteen (16) lots of record on the east side of Ontario Avenue, west of the subject site. Most of Old Town was platted with 32 lots of record within each block, 16 on each side, measuring twenty-five feet in width and seventy-five feet (25' x 75') in length. The east side of Ontario contains the following:

Address	Lot Width	Lot Area	Subdivision	Misc.
498 Ontario	37.5	2,812.5	Not re-platted*	vacant site
490 Ontario	37.5	2,812.5	Greeney Sub. (1995)	-
444 Ontario	37.5	2,812.5	Not re-platted*	vacant site
438 Ontario	37.5	2,812.5	438 Ontario Replat (2006)	-
432 Ontario	29.17	2187.5	Elevator Sub. (2007)	-
430 Ontario	29.17	2187.5	Elevator Sub. (2007)	-
428 Ontario	30	2281.3	Elevator Sub. (2007)	-
422 Ontario	50	4464.25	Not re-platted*	Historic sig. site
416 Ontario	37.5	2,812.5	Not re-platted*	-
410 Ontario	37.5	2,812.5	Not re-platted*	-
402 Ontario	37.5	2,812.5	Not re-platted*	-

*These lots have not had a plat amendment lot combination. If in the future the property owner requests to remodel to add additional space they will have to file a plat amendment to "remove" the lot line through their building.

The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36'). The average lot area (including un-platted lot combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.

The lots on the east side of platted McHenry Avenue, Gateway Estates Replat Subdivision (Amended), and Silver Pointe Subdivision, also within the HR-1 District, consist of much larger lots. From north to south they have the following areas in square feet: 12,521, 9,707, 5,033, and 3,203. The average lot size on the east side of Echo Spur is 7,616 square feet, which equates to approximately four (4) Old Town Lots.

The proposed plat amendment consists of five (5) lots containing 2,812.5 square feet and two bigger (2) lots consisting 3,772 square feet (lot 4) and 3,858 square feet (lot 5). The proposed five (5) lots are 1½ Old Town lot combinations while the other two (2) bigger lots are approximately 2 (2) Old Town Lot combinations.

Staff finds the requested plat amendment to be appropriate for this neighborhood. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures. The west side of Echo Spur, east Ontario Avenue contains a pattern of 1½ Old Town lot combination sites. If this plat amendment is approved Echo Spur would have the following lots sizes:

Site/Address	Plat Amendment	Lot Combination
491 Echo Spur	approved plat amendment (2013)	3 lots
Lot 20, Block 58	none required	none - 1 lot
Lot 1	subject plat	1½ lots
Lot 2	subject plat	1½ lots
Lot 3	subject plat	1½ lots
Lot 4	subject plat	2 lots, approx.
Lot 5	subject plat	2 lots, approx.
Lot 6	subject plat	1½ lots
Lot 7	subject plat	1½ lots

Staff finds that the mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.

Traffic & Access

Staff finds that traffic will be minimized from the potential development of the twelve (12) lots as the applicant proposes to decrease the density from twelve (12) lots to seven (7) lots of record for the purpose of constructing single-family dwellings. In the past the Planning Commission has expressed concerns with access over platted Fifth Street (formerly Third Street). This ROW has not been built and the City does not plan to build this road. In terms of the entire street, if this plat amendment is approved, the overall density would drop from the potential of sixteen (16) Old Town lots to nine (9) Lots of record.

Height/Topography

The applicant submitted an existing conditions & topographic survey of the subject site, certified by a surveyor, which indicates the boundary and topography of the site. The LMC currently indicates that no structure shall be erected to a height greater than twenty seven feet (27') from existing grade. There are areas on the proposed lots that contain slopes thirty percent (30%) or greater. Prior to the issuance of a Historic District Design Review (HDDR) and a building permit, the applicant will have to submit Steep Slope Conditional Use Permit application which will have to be reviewed and approved

by the Planning Commission if said construction and/or access takes place on the steep slopes governed by the LMC.

When the road and utilities were built in 2009, the topography was heavily altered. By comparing a topographic survey on file dated October 2006, the lowest elevation located on this site was 7,156 feet and the highest elevation was 7,208 feet. The current survey submitted with this plat amendment application indicates that the lowest elevation is the same at 7,156 feet while the highest is 7,202 feet.

Process

Prior to issuance of any building permits for these lots, the applicant will have to submit a Historic District Design Review application, which is reviewed administratively by the Planning Department. A Steep Slope Conditional Use Permit application may also be required depending on the location of the proposed structure and/or access, which is reviewed by the Planning Commission. The applicant will also have to submit a building permit application. The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review

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

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the Echo Spur Subdivision plat amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the Echo Spur Subdivision plat amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on Echo Spur Subdivision plat amendment.

Significant Impacts

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

Consequences of taking the Planning Commission's Recommendation

The lots would remain as is and no construction could take place across the existing lot

lines. The twelve (12) lots are currently platted Old Town lots of record and each one could be built upon with the exception of the three (3) that would either have to receive variances prior to construction or be re-platted separately.

Summary Recommendation

Staffs recommends the Planning Commission hold a public hearing for the Echo Spur Subdivision Plat Amendment located on Echo Spur and Rossi Hill Road and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

- Exhibit A – Draft Ordinance with Proposed Plat
- Exhibit B – Survey
- Exhibit C – 2006 ALTA/ACSM Survey
- Exhibit D – Applicant's Project Description
- Exhibit E – Topographic Analysis Map
- Exhibit F – County Tax Map

Ordinance No. 14-XX

**AN ORDINANCE APPROVING THE ECHO SPUR SUBDIVISION PLAT
AMENDMENT LOCATED ON LOT 21-32, BLOCK 58, PARK CITY SURVEY,
PARK CITY, UTAH.**

WHEREAS, the owner of the property located on Lot 21-32, Block 58, Park City Survey has petitioned the City Council for approval of the plat amendment; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 9, 2014, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 8, 2014, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Echo Spur Subdivision Plat Amendment.

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

SECTION 1. APPROVAL. The Echo Spur Subdivision Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located on Echo Spur between platted Fourth Street (Rossi Hill Road) and platted Third Street.
2. The property is in the Historic Residential (HR-1) District.
3. The property entails lots 21 – 32, Block 58 of the Park City Survey.
4. The proposed plat creates a total of seven (7) lots of record from the twelve (12) Old Town lots. Three (3) of the existing twelve (12) lots, do not meet the minimum lot size due to a 2008 property ownership dispute and settlement.
5. The subject property is vacant.
6. Lot 1, 2, 3, 6, and 7 are 2,812.5 square feet.

7. Lot 4 is 3,772 square feet.
8. Lot 5 is 3,858 square feet.
9. The minimum lot area in the HR-1 District is 1,875 square feet for a single-family dwelling.
10. The seven (7) proposed lots meet the minimum lot area for single-family dwellings.
11. The lot width of lot 1, 2, 3, 6, and 7 is thirty-seven and a half feet (37.5').
12. The lot width of lot 4 and 5 is 56.25 feet.
13. The minimum width of a lot is twenty five feet (25').
14. The seven (7) proposed lots meet the minimum lot width.
15. The maximum building footprint of any structure located on a lot is calculated according to the formula for building footprint, illustrated in Table 15-2.2 of the Land Management Code (LMC).
16. The maximum building footprint for Lot 1, 2, 3, 6, and 7 are 1,200.7 square feet.
17. The maximum building footprint for Lot 4 is 1,525.8 SF square feet.
18. The maximum building footprint for Lot 5 is 1,553.0 SF square feet.
19. Front and rear yard setbacks are determined by the depth of each lot.
20. The minimum front and rear yard setbacks are ten feet (10'). The total front/rear yard setback is twenty feet (20').
21. Side yard setbacks are determined according to the width of each lot.
22. The minimum side yard setbacks for Lots 1, 2, 3, 6, and 7 are three feet (3'). The total side yard setbacks are six feet (6').
23. The minimum side yard setbacks for Lots 4 and 5 are five feet (5'). The total side yard setbacks are fourteen feet (14').
24. Single-family dwellings are an allowed use within the district.
25. Duplex dwellings are a conditional use, which are reviewed and approved by the Planning Commission.
26. The proposed layout of the requested plat amendment allows lot 4 and 5 to have a duplex pending Planning Commission review and approval.
27. At this time the property owner has indicated that they would build seven (7) single-family dwellings.
28. Steep Slope Conditional Use Permit (CUP) is required for any structure in excess of one thousand square feet (1,000 sq. ft.) if said structure and/or access is located upon any existing slope of thirty percent (30%) or greater.
29. The combined building footprint of the existing lot configuration is currently 9,798 square feet.
30. The combined footprint of the proposed lot configuration is 9,082.3 square feet if approved.
31. The reconfiguration of the existing twelve (12) lots into the proposed seven (7) lot configuration will reduce the overall footprint by 715.7 square feet.
32. Staff has analyzed the site and finds that when viewing the site from across canyon (or any of the other ten [10] LMC defined vantage points), at approximately the same elevation, the site is framed by the existing higher topography behind the proposed development and the skyline is not broken.
33. The average lot width on the east side of Ontario Avenue is approximately thirty-six feet (36').
34. The average lot area on the east side of Ontario Avenue (including un-platted lot

combinations) is approximately 2,800.7 square feet, which equates to 1.49 Old Town Lots.

35. The lots on the east side of Echo Spur, Gateway Estates Replat Subdivision (Amended), and Silver Pointe Subdivision, also within the HR-1 District, consist of much larger lots.
36. The proposed plat amendment consists of five (5) lots containing 2,812.5 square feet and two bigger (2) lots consisting 3,772 square feet (lot 4) and 3,858 square feet (lot 5).
37. The proposed five (5) lots are 1½ Old Town lot combinations while the other two (2) bigger lots are approximately 2 (2) Old Town Lot combinations.
38. The requested plat amendment is appropriate for this new neighborhood.
39. The east side of Echo Spur, also within the HR-1 District contains significantly larger lots that yield larger structures.
40. The west side of Echo Spur, east Ontario Avenue, contains a pattern of 1½ Old Town lot combination sites.
41. The mix of lot sizes provides appropriate transition between the larger lots and home sizes on the east side of Echo Spur towards the east side of Ontario Avenue.
42. The proposed plat amendment provides a good mix of different lot sizes within Echo Spur.
43. Traffic increases will be minimized from the potential development of the twelve (12) lots as the applicant proposes to decrease the density from twelve (12) lots to seven (7) lots of record for the purpose of constructing single-family dwellings.
44. In terms of the entire street the overall density would drop from the potential of sixteen (16) Old Town lots to nine (9) Lots of record.
45. When the road and utilities were built in 2009, the topography was slightly altered. By comparing a topographic survey on file dated October 2006, the lowest elevation located on this site was 7,156 feet and the highest elevation was 7,208 feet.
46. The current survey submitted with this plat amendment application indicates that the lowest elevation is the same at 7,156 feet while the highest is 7,202 feet.
47. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

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

2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten foot (10') snow storage easement shall be dedicated to Park City across the lot's frontage.
4. Modified 13-d sprinklers will be required for all new construction.

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

PASSED AND ADOPTED this 8th day of May, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat

Attachment 1 - Proposed Plat

ECHO SPUR SUBDIVISION

LOCATED IN
BLOCK 58, PARK CITY SURVEY AMENDED
SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION

BEGINNING AT A POINT ON THE WESTERLY RIGHT OF WAY LINE OF MCHENRY STREET AND THE LINE COMMON TO LOTS 20 & 21, BLOCK 58, PARK CITY SURVEY, ACCORDING TO THE AMENDED PLAT THEREOF, AND RUNNING THENCE SOUTH 23°30'00" EAST 300.00 FEET; THENCE SOUTH 69°22'00" WEST 75.00 FEET; THENCE NORTH 23°30'00" WEST 109.23 FEET; THENCE NORTH 72°11'03" EAST 15.70 FEET; THENCE NORTH 21°14'47" WEST 8.81 FEET; THENCE NORTH 24°50'20" WEST 15.71 FEET; THENCE NORTH 26°29'04" WEST 16.16 FEET; THENCE NORTH 16°42'10" WEST 11.00 FEET; THENCE SOUTH 75°17'50" WEST 16.30 FEET; THENCE NORTH 23°30'00" WEST 138.77 FEET; THENCE NORTH 66°22'00" EAST 75.00 FEET TO THE POINT OF BEGINNING.

CONTAINS: 21,633 SQUARE FEET OR 0.498 ACRES NET
7 LOTS

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: THAT THE OWNERS OF THE HEREON DESCRIBED TRACTS OF LAND, HEREBY CAUSES THE SAME TO BE DIVIDED INTO LOTS AND PRIVATE STREETS, AS SET FORTH IN THIS PLAT, HEREINAFTER TO BE KNOWN AS

ECHO SPUR SUBDIVISION

ALSO, THE OWNERS HEREBY DEDICATE TO SUMMIT COUNTY, SHEDDENVILLE BASIN WATER RECLAMATION DISTRICT, MOUNTAIN REGIONAL WATER SERVICE DISTRICT, AND PARK CITY FIRE DEPARTMENT, A NON-EXCLUSIVE EASEMENT OVER THE ROADWAYS AND UTILITY EASEMENTS SHOWN ON THIS PLAT FOR THE PURPOSE OF PROVIDING ACCESS FOR UTILITY INSTALLATION, MAINTENANCE USE AND EVENTUAL REPLACEMENT, AND TO PROVIDE ACCESS FOR EMERGENCY SERVICES. THOSE AREAS THAT ARE INTENDED FOR PUBLIC USE ARE HEREBY DEDICATED TO SUMMIT COUNTY.

EXECUTED THIS _____ DAY OF _____

REPRESENTATIVE OF JGC BEACH PROPERTIES, L.L.C., OWNER

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SUMMIT }

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____

BY _____ REPRESENTATIVE OF JGC BEACH PROPERTIES L.L.C., THE OWNER OF THE ABOVE DESCRIBED PROPERTY.

NOTARY PUBLIC
RESIDING AT: _____
MY COMMISSION EXPIRES: _____

CONSENT TO RECORD

STATE OF UTAH }
COUNTY OF SUMMIT }

THE UNDERSIGNED LIEN HOLDER CONSENTS TO THE RECORDATION OF THE PLAT.

BY: _____ AUTHORIZED OFFICIAL

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____

BY _____ REPRESENTATIVE OF JGC BEACH PROPERTIES L.L.C., THE OWNER OF THE ABOVE DESCRIBED PROPERTY.

NOTARY PUBLIC
RESIDING AT: _____
MY COMMISSION EXPIRES: _____

SURVEYOR'S CERTIFICATE

I, JOHN W. FRANCOM, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 156213 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A BOUNDARY SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON AND THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH MODERN STANDARDS AND REQUIREMENTS OF THE LAW AS OF THE DATE OF SURVEY, MARCH, 2014.

JOHN W. FRANCOM
DATE _____

JOHN W. FRANCOM & ASSOCIATES, INC.

LAND SURVEYORS
BOUNDARY, TOPOGRAPHIC & CONSTRUCTION SURVEYS
505 SOUTH MAIN STREET, BOONVILLE, UTAH 84010
BOV(801)295-7500 FAX(801)295-7524
EMAIL: FRANCONSURVEY@BOVNETSTATE.UT

LINE TABLE

LINE	BEARING	LENGTH
L1	S73°17'50"W	16.30
L2	N16°42'50"W	11.00
L3	N26°29'04"W	16.16
L4	N24°50'20"W	15.71
L5	N21°14'47"W	8.81
L6	N22°11'53"E	15.70

SCALE: 1" = 20'

MONUMENT (FOUND BRASS CAP)

MONUMENT AT THE INTERSECTION OF FOURTH STREET & MARSH AVENUE (FOUND BRASS CAP)

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ A.D.

BY: _____ PARK CITY RECORDER

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ A.D.

BY: _____ CHAIRMAN

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D.

BY: _____ MAYOR

CITY ENGINEER

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____ A.D.

BY: _____ PARK CITY ENGINEER

SEWER DISTRICT

REVIEWED FOR CONFORMANCE TO JORDANVILLE SPECIAL SERVICE DISTRICT STANDARDS ON THIS _____ DAY OF _____ A.D.

BY: _____ JORDANVILLE SPECIAL SERVICE DISTRICT

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D.

BY: _____ PARK CITY ATTORNEY

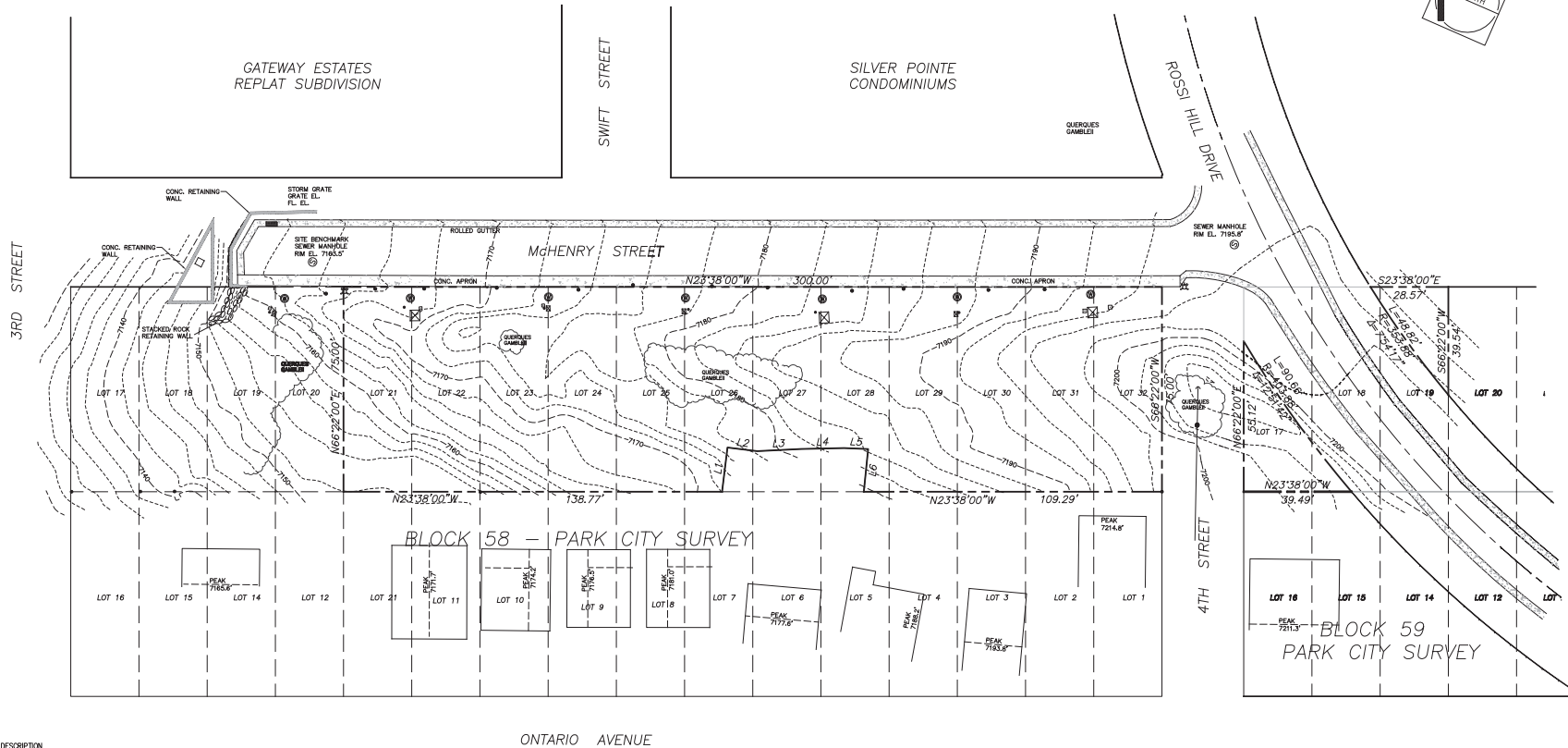
RECORDER

STATE OF UTAH, COUNTY OF SUMMIT, FILED AT _____

REQUEST OF _____

DATE _____ TIME _____ BOOK _____

RECORDED BY _____



LEGAL DESCRIPTION

All of Lots 19 through 32, Block 58, Park City Survey, according to the Amended Plat thereof, on file and of record in the Office of the Summit County Recorder.

Excepting therefrom:

Beginning at a point South 23°38'00" East 13.77 feet from the corner common to Lots 7, 8, 25 & 26, Block 58, Park City Survey, according to the Amended Plat thereof, and running thence North 73°17'50" East 16.30 feet; thence South 16°42'10" East 11.00 feet; thence South 26°29'04" East 16.18 feet; thence South 24°50'20" East 15.71 feet; thence South 21°44'47" East 8.81 feet; thence South 72°11'53" West 15.70 feet; thence North 23°38'00" West 51.34 feet to the point of beginning.

Together with:

All of Lots 17, 18 & 19, Block 59, Park City Survey, according to the Amended Plat thereof, on file and of record in the Office of the Summit County Recorder.

Excepting therefrom any portion located within the Railroad Right of Way as described in those certain documents as Entry No. 8176 in Book O at Page 401, Entry No. 13316 in Book H at Page 328 and Entry No. 13610 in Book H at Page 373 records of Summit County, Utah.

SURVEYOR'S CERTIFICATE

I, Russell E. Campbell, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 316833 as prescribed under the laws of the State of Utah. I further certify that a topographic survey has been made of the land shown on this plat and described herein, and that this plat is a correct representation of the land surveyed and has been prepared in conformity with the minimum standards and requirements of the law as of the date of survey, May 5, 2012.

Russell E. Campbell
Date

NARRATIVE

The survey was prepared for Go West Construction

The purpose of the survey is to locate the topography, utilities, and roadway on the Lots shown.

The site benchmark is the sewer manhole opposite Lot 20 as shown, El. 7163.5' NAVD 88 Datum.

This survey does not show building setbacks, easements, or underground utilities. The locations of which should be verified prior to any construction.

The Owner of the property should be aware of any items affecting the property that may appear in a Title Insurance Report. The Surveyor has found no obvious evidence of easements, encroachments, or encumbrances on the property surveyed except as shown herein.

LINE TABLE		
LINE	LENGTH	BEARING
L1	16.30'	S73°17'50"W
L2	11.00'	N16°42'10"W
L3	16.18'	N26°29'04"W
L4	15.71'	N24°50'20"W
L5	8.81'	N21°44'47"W
L6	15.70'	N72°11'53"E

LEGEND

- SET REBAR & CAP LS 316833
- FOUND CORNER (AS NOTED)
- ⊕ EXISTING STREET MONUMENT
- ⦿ POWER POLE
- ⊗ WATER METER
- ⊕ HYDRANT
- ⊙ U.S. WEST BOX
- ⊙ SEWER CLEANOUT
- ⊙ CABLE BOX
- ⊗ POWER BOX



LOCATED IN
BLOCKS 58 & 59,
PARK CITY SURVEY
SUMMIT COUNTY, UTAH

BASELINE SURVEYING, Inc

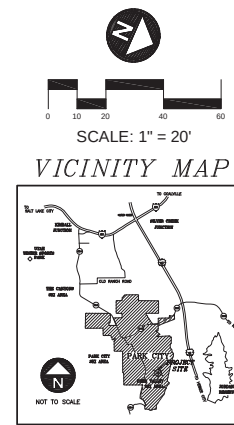
REVISIONS	
DATE	BY

JOB No.
884
SURVEY BY:
RC
DRAWN BY:
RC

TOPOGRAPHIC SURVEY
PARTS OF BLOCK 58 & 59,
PARK CITY SURVEY
PARK CITY, UTAH

SHEET
1 of 1

1008 E. 4th - 2100 South
SALT LAKE CITY, UT 84108
(801) 209-2152

[illegible]

PANEL 1:
ALL OF LOTS 17,18,19,20,21,22,23,24,25,26,27,28,30,31 AND 32, BLOCK 88, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

TOGETHER WITH AN EASEMENT FOR UTILITIES, INCLUDING SEWER AND WATER LINES OVER THE SOUTHERLY FIVE FEET AND THE NORTHERLY FIVE FEET OF LOT 14 AND THE SOUTH HALF OF LOT 15, BLOCK 88, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE.

PANEL 2:
ALL OF LOTS 17,18 AND 19, BLOCK 59, PARK CITY SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDERS OFFICE, EXCEPTING THEREFROM ANY PORTION LOCATED WITHIN THE BROADBAND RIGHTS OF WAY AS DESCRIBED IN THOSE CERTAIN DOCUMENTS IDENTIFIED BY THE BROADBAND RIGHTS OF WAY AS: ENTRY NO. 13316 IN BOOK 61 AT PAGE 326, AND ENTRY NO. 15810 IN BOOK 61 AT PAGE 373, RECORDS OF SUMMIT COUNTY, UTAH.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2000, AND INCLUDES ITEMS 1, 2, 4, 5, 7a, 8, 9, 10, 13 & 18 OF A THEREOF. PURSUANT TO THE ACCURACY FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF UTAH, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

Exhibit D – Applicant's Project Description

Project Statement and Intent

The subject property is twelve contiguous lots located on the new Echo Spur Drive on Rossi Hill in the Old Town district of Park City. Several of the lots have been slightly reduced due to a settlement with a neighbor in 2008. The owner wishes to replat these lots so they are compliant with lot sizes in HR-1 and to reduce the overall density of the street by combining lots in a manner which allows for the development of ___ single family homes. Most will be 2500 – 3000 square feet; several will be 3500 – 4000 square feet. The owner believes that these scales will provide an appropriate size transition between the large homes immediately east and south of Echo Spur Drive and those west of the Drive.

Aerial Photo

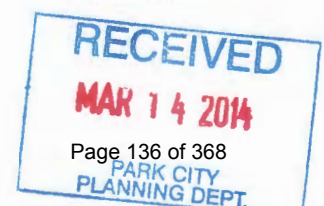


Four Corner Photos of Property

- From the southeast:



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.



From the Southwest:



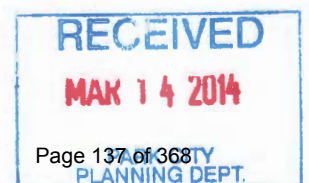
From the Northeast



From the Northwest



If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.





Echo Spur Subdivision Topography Analysis

Subject Site

Countour 7,150'

Countour 7,200'

Legend

— 10ft Contours

▭ Parcels

0 250 500 1,000 1,500 2,000
Feet

Planning Commission April 9, 2014

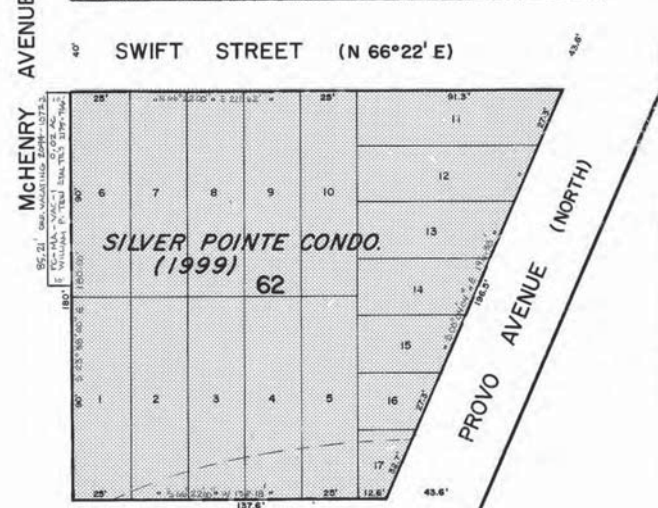
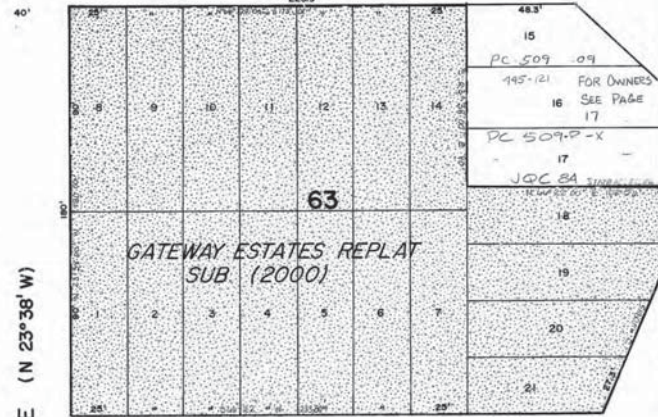
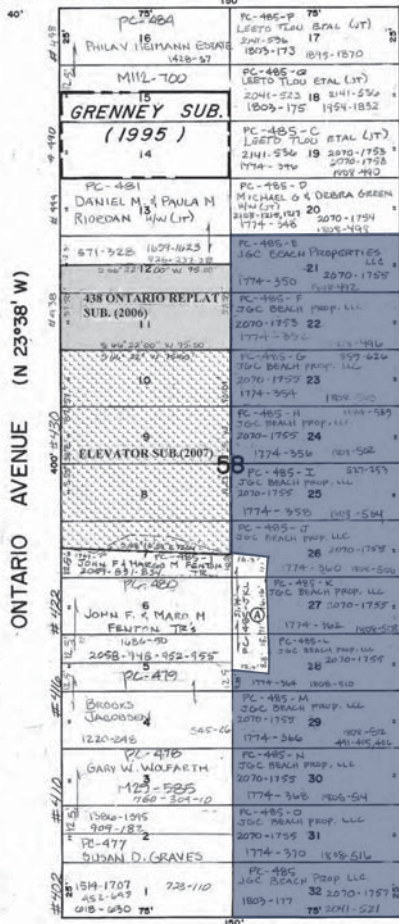
Exhibit F – County Tax Map

PARK CITY – BLOCKS 55,58,62,63,SECTION 16,T2S R4E,S.L.B.&M.

57

NOTE: # REFERS TO STREET ADDRESS

THIRD STREET (N 66°22' E)
AKA FIFTH ST



FOURTH STREET (N 66°22' E)

54

59

61

Approved	REVISIONS - DATE AND INITIAL	(In Pencil)
Utah State Tax Comm	Sept 7, 1996	
Date	By	
	Engineering Associates Inc.	

SUMMIT COUNTY, UTAH

SCALE
ONE INCH = 40 FEET
BOOK PAGE

Planning Commission Staff Report



PLANNING DEPARTMENT

Project Number: PL-14-02225
Subject: North Silver Lake Condominium Plat
Author: Francisco Astorga, Planner
Date: April 9, 2014
Type of Item: Administrative – Condominium Record of Survey

Summary Recommendations

Staff recommends that the Planning Commission conduct a public hearing for a Condominium Record of Survey for the North Silver Lake Condominium Plat, located at 7101 Silver Lake Drive, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

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

Description

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

Proposal

Under the Deer Valley Resort Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial/support space. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units: sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private dwelling units. The applicant requests the approval of their proposed Condominium Record of Survey plat which is consistent with the approved CUP (2010).

Background

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

District. The proposed Record of Survey identifies private and common space and allows the applicant to sell the units. On March 14, 2014 the application was revised to include twelve (12) stand alone single family dwelling units and (1) stand alone duplex dwelling (containing 2 units) instead of the original sixteen (16) stand along dwellings consisting of stand alone single family dwelling units and two (2) stand alone duplex dwellings and forty (40) units within the previous four condominium buildings instead of the original thirty eight (38).

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

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

On February 26, 2014 the Planning Commission approved the applicant's request of thirty eight (38) Lockout Units (nightly rentals) modifying the Conditional Use Permit (CUP) approved by the City in 2010. The modified CUP is subject to the findings of fact, conclusion of law, and conditions of approval of the Planning Commission action letter dated March 3, 2014. See Exhibit F. During the February 26, 2014 meeting the applicant and a group of neighbors stipulated to specific conditions of approval that were approved by the Planning Commission and reflected on the March 3, 2014 Planning Commission action letter. Since then the applicant and the same group of neighbors have also stipulated to certain conditions related to this Condo Plat application which have been incorporated as specific provisions within the CC&Rs which have been updated by the applicant and would be recorded concurrently with the proposed condo plat.

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

Under the Deer Valley Resort Master Plan Development (MPD) the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space. The Deer Valley MPD requires that all developments are subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the conditional use review of LMC Section 15-1-10.

The original CUP application was before Planning Commission several times and approved in July 2009. That CUP was appealed. The City Council reviewed the appeal

in October/November 2009 and remanded it to the Planning Commission with specific items included in the Order to be addressed.

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

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

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

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

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

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

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

District Purpose

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

- A. allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,
- B. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,

- C. allow commercial and recreational activities that are in harmony with residential neighborhoods,
- D. minimize impacts of the automobile on architectural design,
- E. promote pedestrian connections within Developments and between adjacent Areas; and
- F. provide opportunities for variation in architectural design and housing types

Analysis

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

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

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

Unit #	Dwelling type	Private square footage	Number of floors
1	SFD	6,505	4
2	SFD	5,851	4
3	Duplex	5,824	3
4	Duplex	5,824	3
5	SFD	6,559	3
6	SFD	8,589	3
7	SFD	6,529	3
8	SFD	8,591	3
9	SFD	6,296	3
10	SFD	6,180	4
11	SFD	6,706	4
12	SFD	6,431	5
13	SFD	5,046	3
14	SFD	6,646	3

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

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

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

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

Height of the single family dwellings and duplexes

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

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

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

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

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

The following exhibit was presented to the Planning Commission during the May 27, 2009 Planning Commission meeting:



On March 14, 2014 the applicant submitted a schematic site, floor, and elevation plans to reflect the 33 foot limit for the purpose of comparing the various plans, fog studies, etc., similar to the one above to ensure that the height of all of the structures match what the City approved. This includes the self-imposed height condition of the single family dwellings and duplexes as the CUP was approved with this understanding. The proposed Record of Survey shall indicate the appropriate heights per the previous minutes, staff reports, and submitted exhibits reflect such self-imposed regulation.

Density Discussion

The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings/duplex and thirty eight (38) units within the multi-unit dwellings. The applicant with the agreement from a group of neighbors is shifting that density slightly and is requesting to plat twelve (12) single family dwellings, one duplex with two (2) units, totaling fourteen (14) dwelling units and forty (40) units within the same multi-unit dwelling. The footprint and size of the multi-unit dwelling is not expanding. The

applicant requests to add the two (2) units from the single family dwelling/duplex pool. Staff does not find any detrimental impacts with this modification as the plat will still be in substantial compliance with the 2010 CUP, the size of the multi-unit dwelling is not expanding, and the overall density will remain at fifty-four (54) units. **Does the Planning Commission concur with these findings?**

Department Review

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

Notice

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

Public Input

Lisa Wilson has submitted comments in opposition of the condominium plat. See Exhibit G – Public Comments. Many other public comments regarding the CUP Modification to allow Lockout Units were sent in support and opposition which can be found online by clicking [here](#). These public comments can also be downloaded by visiting www.parkcity.org and clicking on the following path: Doing Business > Document Central > Planning > Planning Commission > 2014 > PC Packet 2.26.14.

Process

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

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the North Silver Lake Condominium Plat as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for North Silver Lake Condominium Plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on North Silver Lake Condominium Plat.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

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

Recommendation

Staff recommends that the Planning Commission conduct a public hearing for a

Condominium Record of Survey for the North Silver Lake Condominium Plat, located at 7101 Silver Lake Drive, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Proposed Ordinance with Propose Condominium Record of Survey

Exhibit B – Project Description

Exhibit C – North Silver Lake Subdivision (1993)

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

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

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

Exhibit G – Public Comments

Ordinance No. 14-XX

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

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

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

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

WHEREAS, the Planning Commission held a public hearing on February 12, 2014, February 26, 2014, and April 9, 2014 to receive input on the North Silver Lake Condominium Record of Survey Plat record of survey plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a recommendation to the City Council;

WHEREAS, the City Council on _____ conducted a public hearing to receive input on the North Silver Lake Condominium Plat ; and

WHEREAS, it is in the best interest of Park City, Utah to approve the North Silver Lake Condominium Plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. North Silver Lake Condominium Plat as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The site is located at 7101 Silver Lake Drive.
2. The site is located in the Residential Development (RD) District.
3. A subdivision plat, known as the North Silver Lake Subdivision, was recorded in 1993. The subdivision created two (2) lots of record. According to this subdivision, Lot 2 was contemplated for further subdivision and future development.
4. Lot 2 North Silver Lake Subdivision was recorded in 1997. This subdivision

further amended Lot 2 into four (4) separate lots. This record of survey plat is development of Lot 2B of the Lot 2 North Silver Lake Subdivision plat.

5. In 2005 the North Silver Lake Lodge Record of Survey Plat was recorded. This Plat subdivided Lot 2B into six (6) condominium units and identified convertible land
6. At this time the applicant requests to replace the North Silver Lake Lodge Record of Survey Plat (2005) with the proposed Record of Survey. Upon recordation of this current condominium plat, the North Silver Lake Lodge Record of Survey plat (2005) shall be retired.
7. The proposed Condominium Record of Survey plat identifies private, limited common, common areas, etc., within the project.
8. Under the Deer Valley Resort Master Plan the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
9. In 2010 the Park City Planning Commission approved a Conditional Use Permit (CUP) for the development consisting of fifty four (54) private total units.
10. The proposed Condominium Record of Survey Plat amends Lot 2B of North Silver Lake Subdivision.
11. The boundary lines of each private unit are set forth on the proposed plat. The proposed Condominium Record of Survey plat consists of twelve (12) single-family dwellings, one (1) duplex unit, forty (40) multi-unit dwellings, two (2) American with Disabilities Act (ADA) compliant units (platted as common areas), three (3) commercial units, and corresponding common areas and facilities, limited common areas and facilities, support unit, and commercial units.
12. The support commercial areas mentioned above and all of the other amenities identified on the plat are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, lockers, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
13. The Deer Valley Master Planned Development allocated 14,525 square feet of commercial/support commercial for the Silver Lake Community.
14. The 2010 approved CUP accommodated 5,140 square feet of support commercial space.
15. At this time the updated CUP plans and this Record of Survey indicates a combined area of 4,913 square feet of support commercial.
16. All findings in the analysis section of the staff report are incorporated herein.
17. The 2010 approved CUP include the fifty-four (54) units in the form of sixteen (16) single family dwellings and 38 units within the multi-unit dwellings.
18. Currently the applicant is requesting to plat fourteen (14) single family dwellings and forty (40) units within the same multi-unit dwelling.
19. The size of the multi-unit dwelling footprint is not expanding. The overall density is not increasing as the applicant requests to add the two (2) units from the single family dwelling/duplex pool.
20. The condominium record of survey plat is in substantial compliance with the 2010 CUP. The size of the multi-unit dwelling is not expanding, and the overall density will remain at fifty-four (54) units.

Conclusions of Law:

1. There is good cause for this Condominium Record of Survey.
2. The Condominium Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium record of survey plats.
3. Neither the public nor any person will be materially injured by the proposed condominium record of survey plat.
4. Approval of the condominium record of survey plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The condominium record of survey plat is consistent with the approved North Silver Lake Conditional Use Permit.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium record of survey plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A note shall be added to the plat referencing that the conditions of approval of the Deer Valley MPD and the 2010 North Silver Lake CUP apply to this plat.
4. The applicant shall be responsible of filing the proper documentation with Summit County to retire the North Silver Lake Lodge Record of Survey Plat recorded in 2005.
5. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.
6. All conditions of approval of the Planning Commission's February 26, 2014 action modifying the CUP to allow Lockout Units shall continue to apply.

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

PASSED AND ADOPTED this ____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

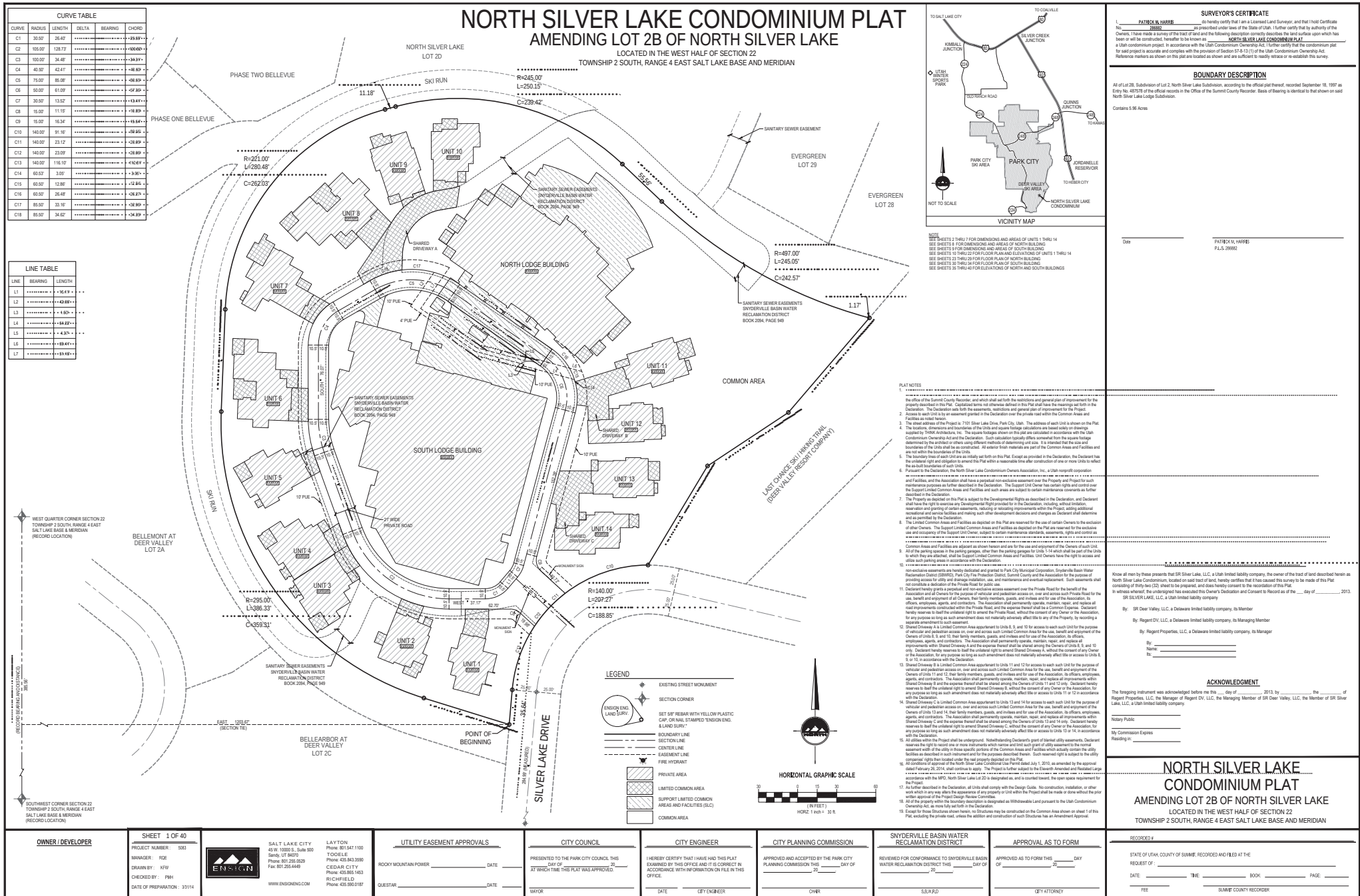
Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

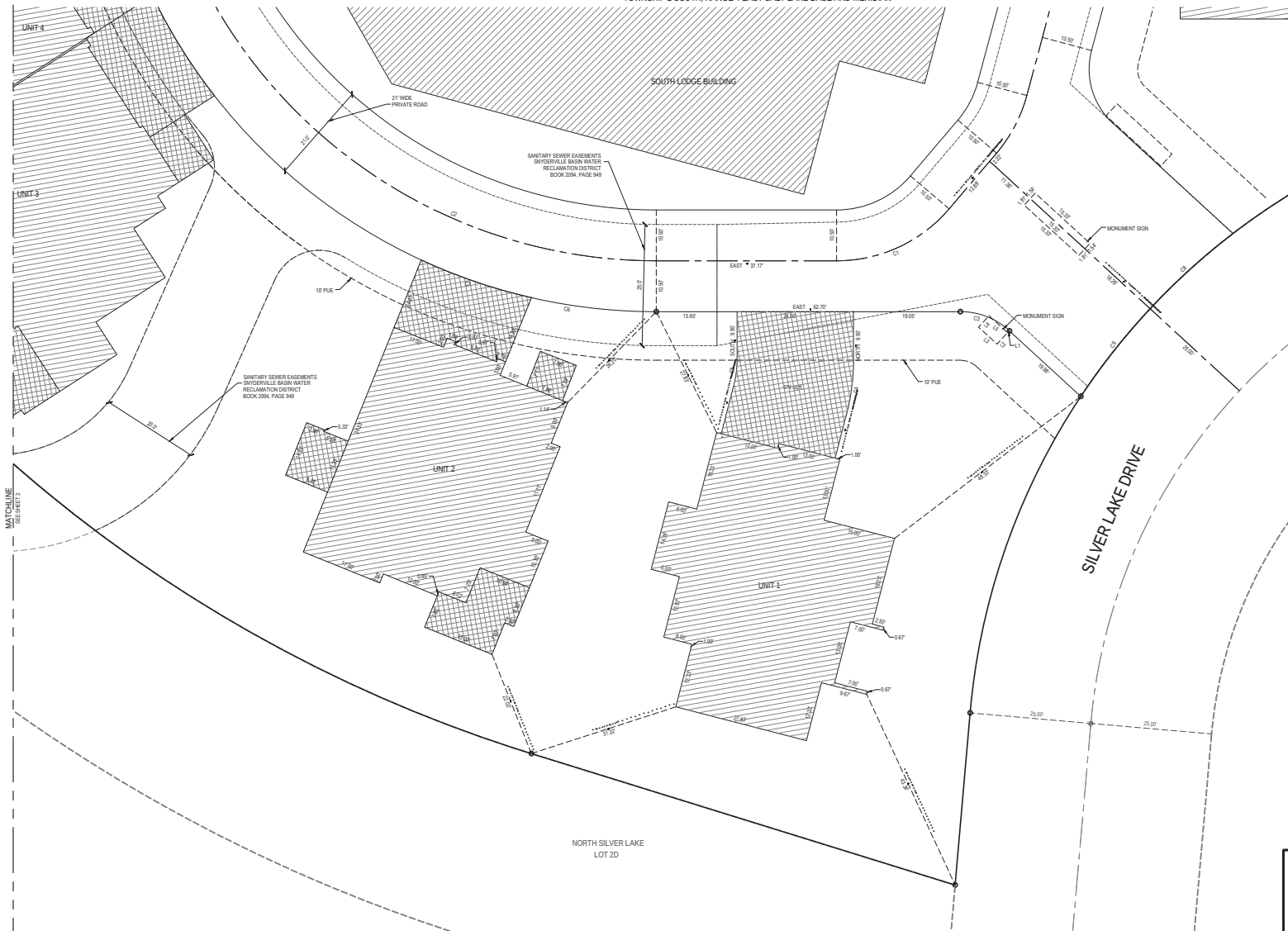
APPROVED AS TO FORM:

Mark Harrington, City Attorney



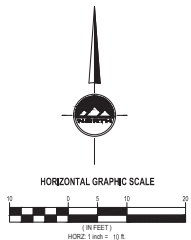
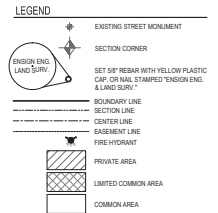
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	30.00'	28.40'	10.00'	S 28.89° E	28.89'
C2	100.00'	128.73'	10.00'	S 28.89° E	128.73'
C3	15.00'	11.10'	10.00'	S 28.89° E	11.10'
C4	44.00'	11.20'	10.00'	S 28.89° E	11.20'
C5	20.33'	5.13'	10.00'	S 28.89° E	5.13'
C6	115.00'	32.12'	10.00'	S 28.89° E	32.12'
C7	115.00'	24.08'	10.00'	S 28.89° E	24.08'
C8	140.00'	23.12'	10.00'	S 28.89° E	23.12'
C9	140.00'	23.08'	10.00'	S 28.89° E	23.08'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S 28.89° E	6.80'
L2	S 28.89° E	6.35'
L3	S 28.89° E	6.35'
L4	S 28.89° E	6.35'
L5	S 28.89° E	6.35'



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 2 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



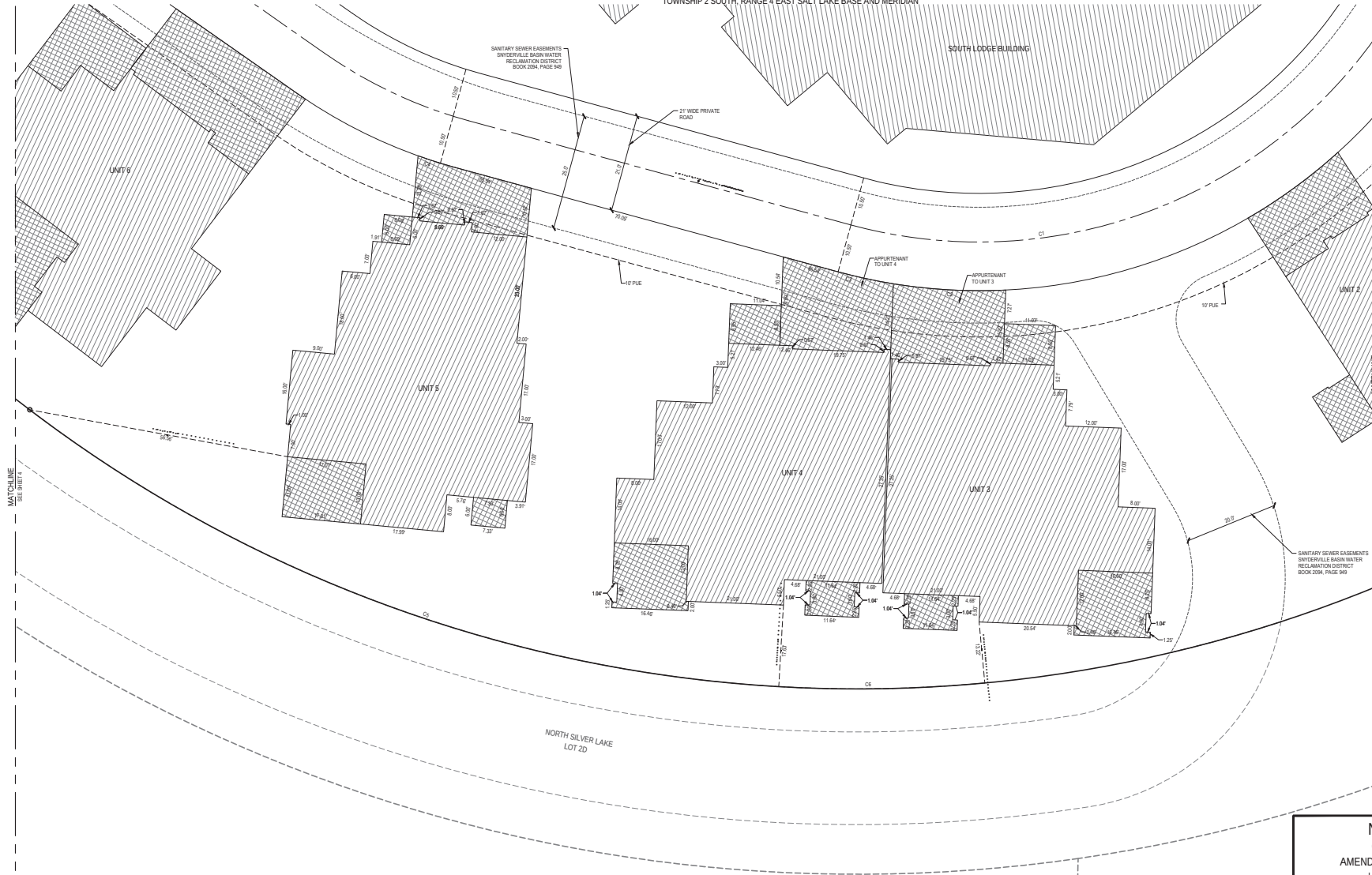
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.ensonutah.com

LAYTON
Phone: 801.547.1100
TODDLE
Phone: 435.643.3050
CEDAR CITY
Phone: 435.865.1453

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

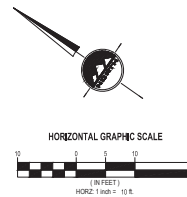
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	105.00	128.73	110.00	110.00	105.00
C2	115.00	141.61	110.00	110.00	115.00
C3	115.00	141.61	110.00	110.00	115.00
C4	115.00	38.10	110.00	110.00	115.00
C5	280.00	174.86	110.00	110.00	280.00
C6	280.00	44.52	110.00	110.00	280.00

LEGEND	
	EXISTING STREET MONUMENT
	SECTION CORNER
	SET 60' REBAR WITH YELLOW PLASTIC CAP, ORIGINAL STAMPED "ENGINEER & LAND SURVY"
	BOUNDARY LINE
	SECTION LINE
	CENTER LINE
	EASEMENT LINE
	FIRE HYDRANT
	PRIVATE AREA
	LIMITED COMMON AREA
	COMMON AREA



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 3 OF 40
PROJECT NUMBER: 503
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/15/14



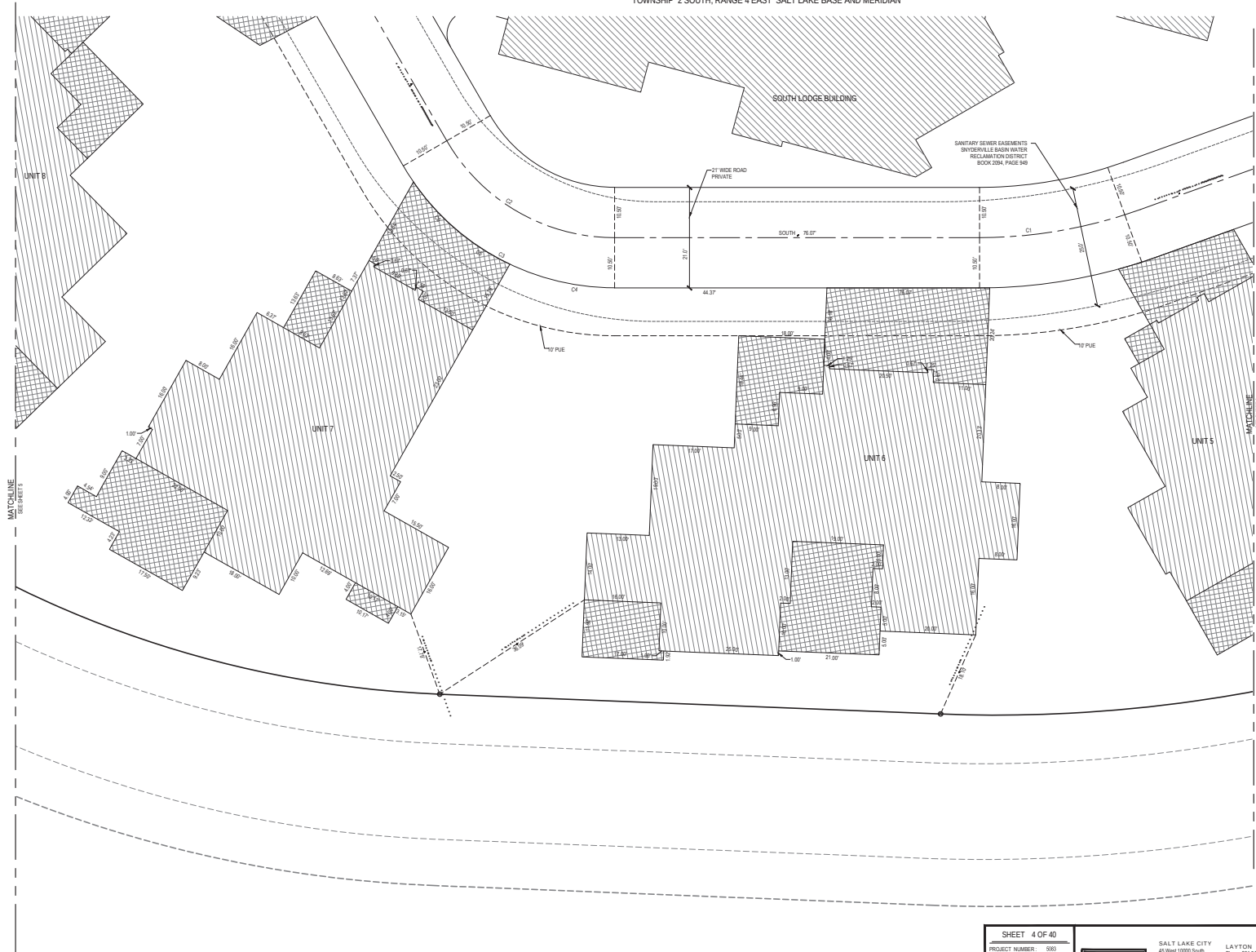
SALT LAKE CITY
45 West 1000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.engin.com

LAYTON
Phone: 801.547.1100
TODDLE
Phone: 435.843.1050
CEDAR CITY
Phone: 435.865.1453

RECORDED IN
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

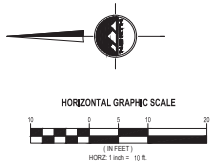
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	100.00'	34.42'	10.00°	S 89.50° E	33.33'
C2	40.00'	42.41'	10.00°	S 89.50° E	41.80'
C3	51.00'	53.41'	10.00°	S 89.50° E	51.80'
C4	51.00'	17.17'	10.00°	S 89.50° E	16.80'
C5	51.00'	53.41'	10.00°	S 89.50° E	51.80'
C6	51.00'	13.00'	10.00°	S 89.50° E	12.80'

LEGEND	
	EXISTING STREET MONUMENT
	SECTION CORNER
	SET 90° REBAR WITH YELLOW PLASTIC CAP OR ORIGINAL STAMPED 'TENSION ENG. & LAND SURV.'
	BOUNDARY LINE
	SECTION LINE
	CENTER LINE
	EASEMENT LINE
	FIRE HYDRANT
	PRIVATE AREA
	LIMITED COMMON AREA
	COMMON AREA



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF THE NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 4 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENSONENTRY.COM

LAYTON
Phone: 801.547.1100
TODDLE
Phone: 435.643.3050
CEDAR CITY
Phone: 435.865.1453

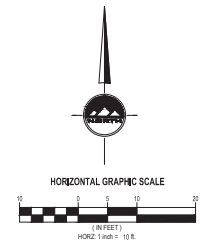
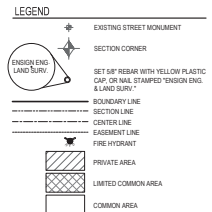
RECORDED IN
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	75.00	85.00	113.10°	S 88.43° E	145.00
C2	85.00	62.37	113.10°	S 88.43° E	145.00
C3	85.00	34.62	113.10°	S 88.43° E	145.00
C4	67.00	91.29	113.10°	S 88.43° E	145.00
C5	67.00	14.88	113.10°	S 88.43° E	145.00
C6	67.00	91.29	113.10°	S 88.43° E	145.00
C7	221.00	116.57	113.10°	S 88.43° E	145.00
C8	67.00	91.29	113.10°	S 88.43° E	145.00
C9	40.00	15.37	113.10°	S 88.43° E	145.00
C10	40.00	6.66	113.10°	S 88.43° E	145.00
C11	40.00	15.37	113.10°	S 88.43° E	145.00
C12	67.00	91.29	113.10°	S 88.43° E	145.00



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 5 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/15/14



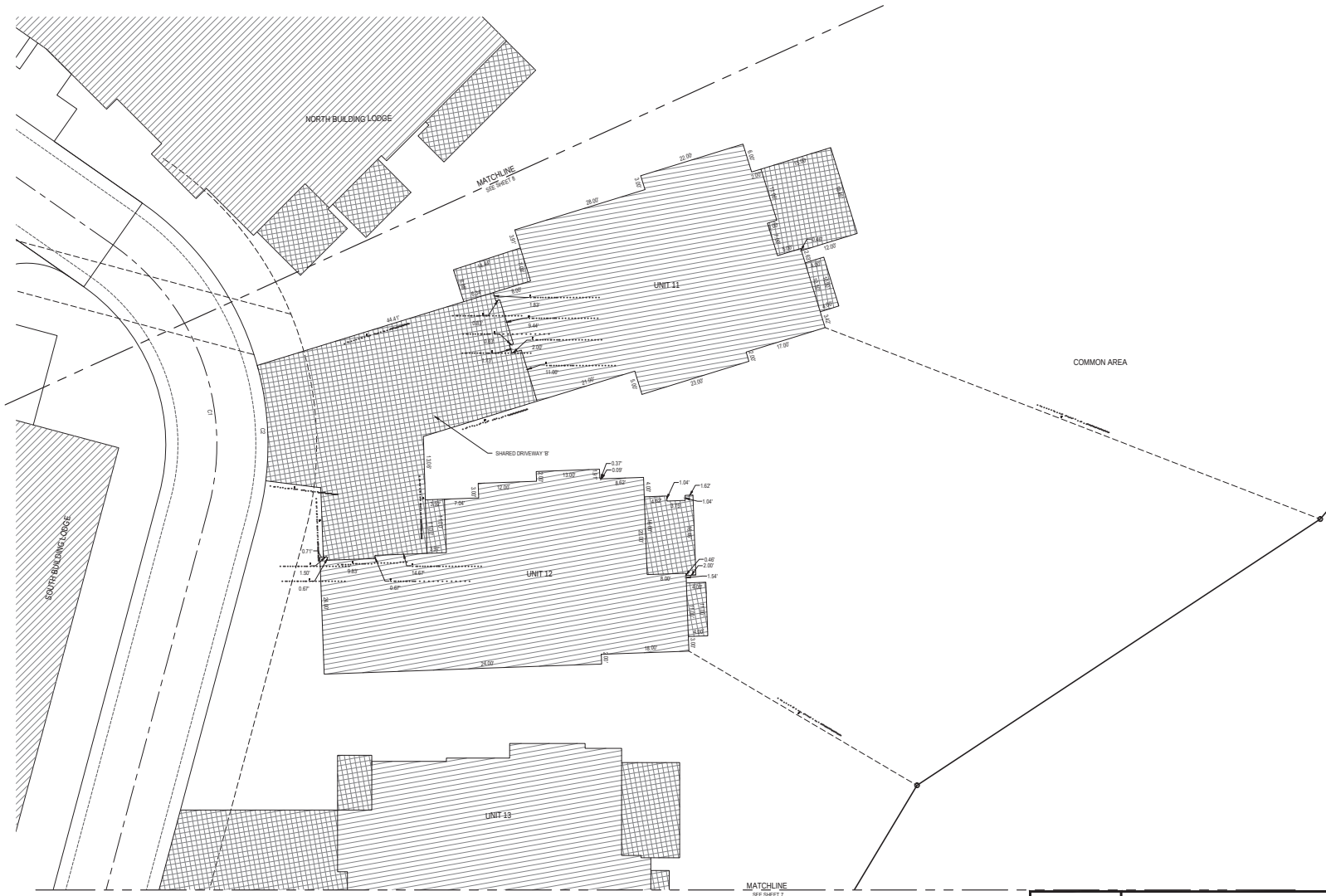
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.ensonutah.com

LAYTON
Phone: 801.547.1100
TODDLE
Phone: 435.843.3550
Cedar City
Phone: 435.865.1453

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

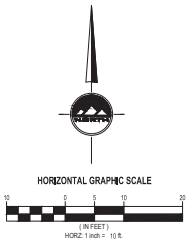
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	50.00'	61.00'	115.00°	N 52° 30' E	61.00'
C2	60.00'	32.27'	115.00°	N 52° 30' E	32.27'

LEGEND	
	EXISTING STREET MONUMENT
	SECTION CORNER
	SET 5/8\"/>
	BOUNDARY LINE
	SECTION LINE
	CENTER LINE
	EASEMENT LINE
	FIRE HYDRANT
	PRIVATE AREA
	LIMITED COMMON AREA
	COMMON AREA



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 6 OF 40

PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFM
CHECKED BY: PMH
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3090
CEDAR CITY
Phone: 435.865.1463

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

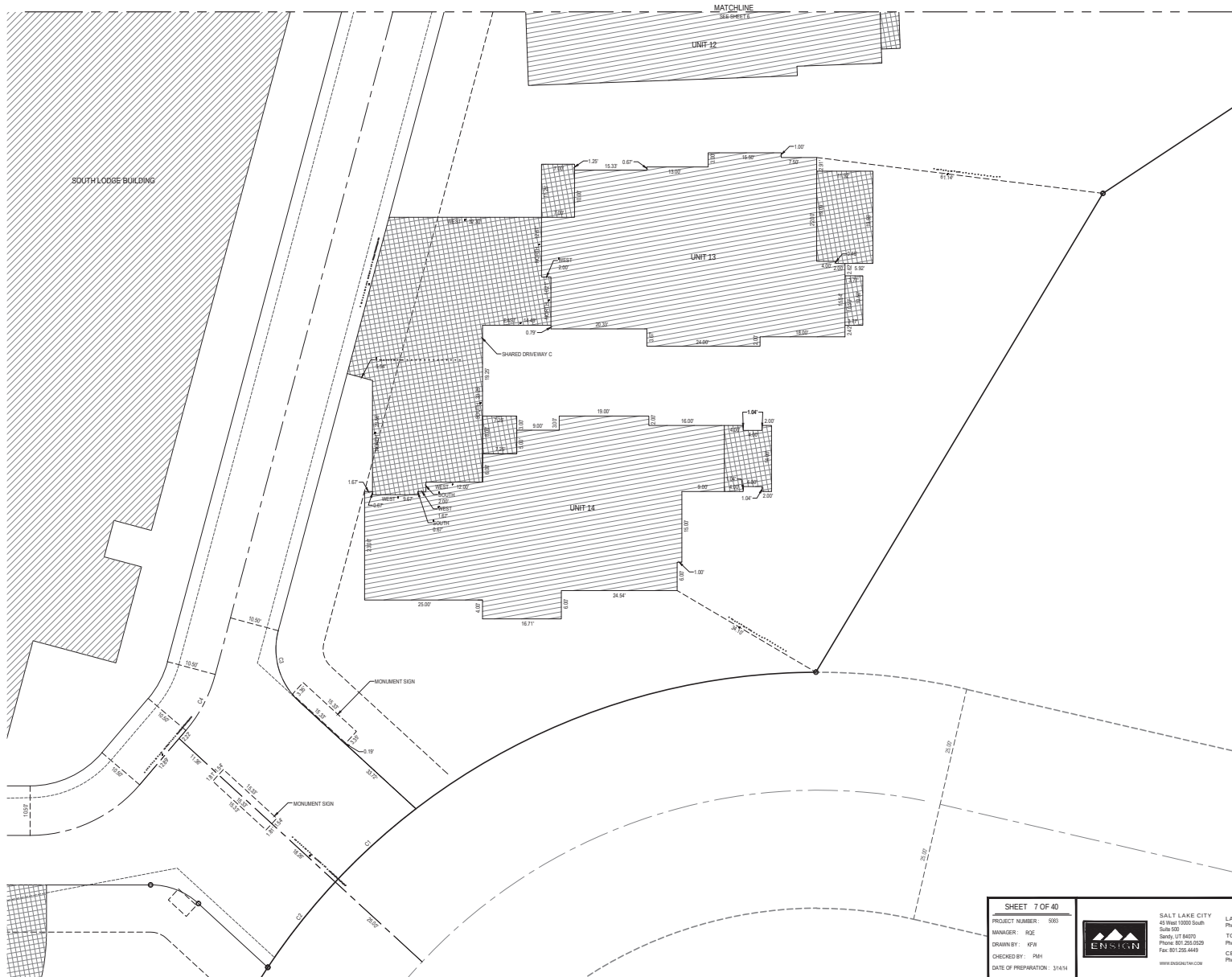
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

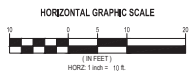
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	140.00'	23.12'	138.60'	138.60'	138.60'
C2	140.00'	23.09'	138.60'	138.60'	138.60'
C3	15.00'	16.34'	15.94'	15.94'	15.94'
C4	30.00'	13.02'	13.47'	13.47'	13.47'

LEGEND	
	EXISTING STREET MONUMENT
	SECTION CORNER
	SET 5/8\"/>
	BOUNDARY LINE
	SECTION LINE
	CENTER LINE
	EASEMENT LINE
	FIRE HYDRANT
	PRIVATE AREA
	LIMITED COMMON AREA
	COMMON AREA



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 7 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.ensonfirm.com

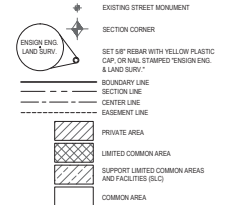
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3090
CEDAR CITY
Phone: 435.865.1463

RECORDED IN
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

LEGEND



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	75.00'	85.00'	90.00°	S 89.9° E	148.89'
C2	50.00'	61.00'	90.00°	S 89.9° E	148.89'
C3	60.00'	41.00'	90.00°	S 89.9° E	148.89'



HORIZONTAL GRAPHIC SCALE



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 8 OF 40

PROJECT NUMBER: 5083
MANAGER: ROE
DRAWN BY: KFM
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0020
Fax: 801.225.4440
WWW.ENGIN.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.840.3090
CEDAR CITY
Phone: 435.868.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

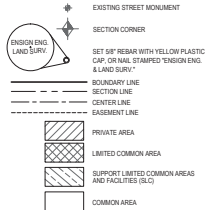
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

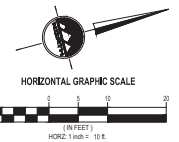
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE LOCATED IN THE WEST HALF OF SECTION 22 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

LEGEND



CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	CHORD
C1	20.00	3.97	11.31°	3.97
C2	20.00	17.31	33.69°	16.99
C3	54.00	115.86	111.86°	108.00
C4	83.00	30.85	33.69°	30.29
C5	54.00	73.17	111.86°	68.81
C6	38.00	48.26	111.86°	46.81



SHEET 9 OF 40
PROJECT NUMBER: 590
MANAGER: RJS
DRAWN BY: KTW
CHECKED BY: PRH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 500
Salt Lake UT 84170
Phone: 801.255.4459
Fax: 801.255.4459
WWW.ENR.COM

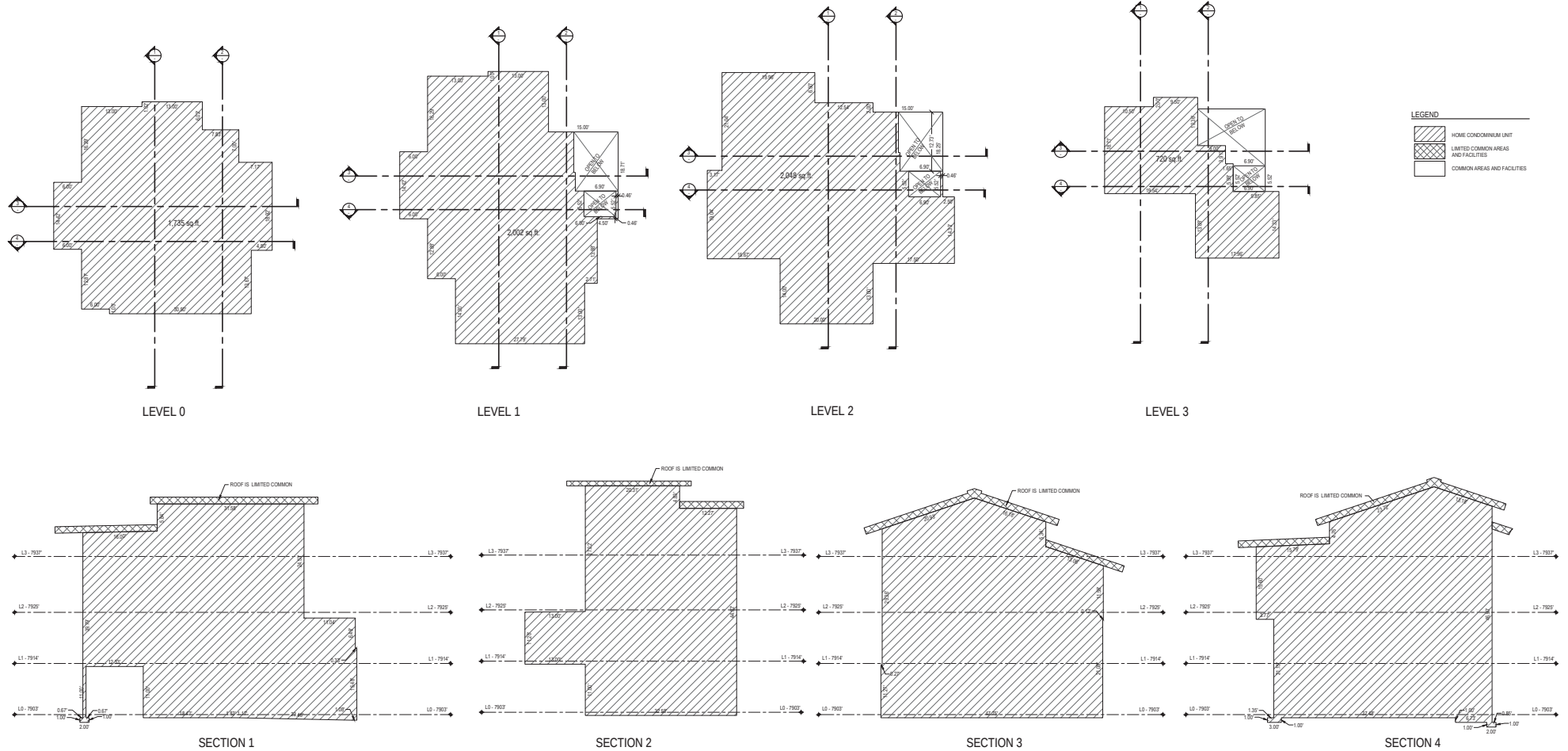
LAYTON
Phone: 801.547.1100
TUCULE
Phone: 435.843.3500
CECILIAR CITY
Phone: 435.865.1453

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

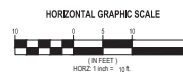
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT 1



SHEET 10 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFM
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



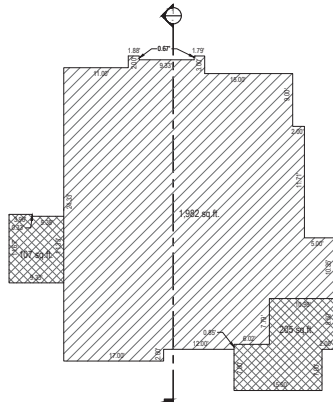
SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
CEDAR CITY
Phone: 435.865.1453
WWW.ENSONUTAH.COM

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

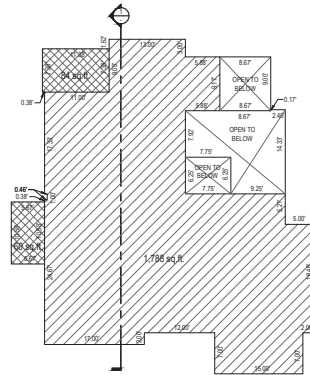
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

AMENDING LOT 2B OF THE NORTH SILVER LAKE

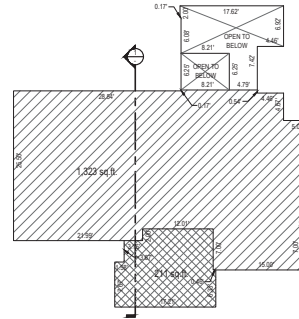
LOCATED IN THE WEST HALF OF SECTION 22



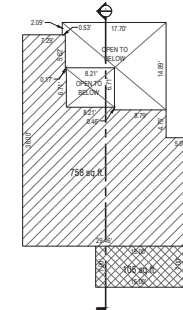
LEVEL 0



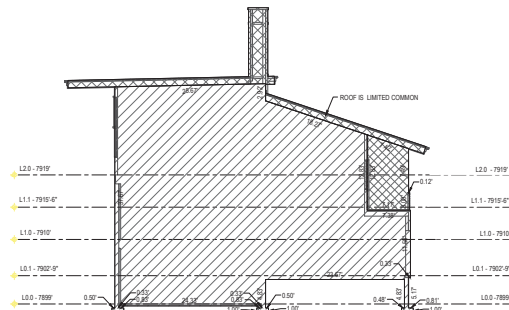
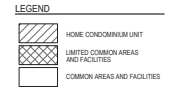
LEVEL 1



LEVEL 2

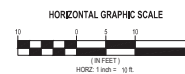


LEVEL 3



SECTION 1

UNIT 2



SHEET 11 OF 40

PROJECT NUMBER : 5083
MANAGER : ROE
DRAWN BY : KPW
CHECKED BY : PMH
DATE OF PREPARATION : 3/14/9



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENGINUTAH.COM

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED W

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

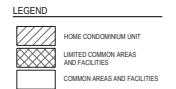
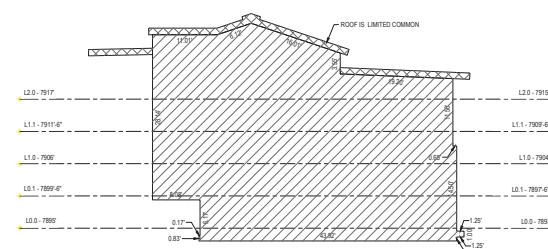
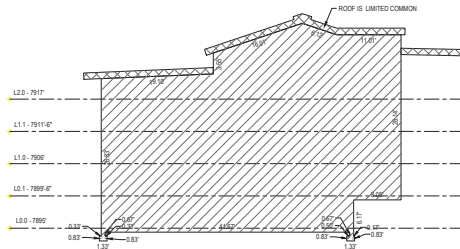
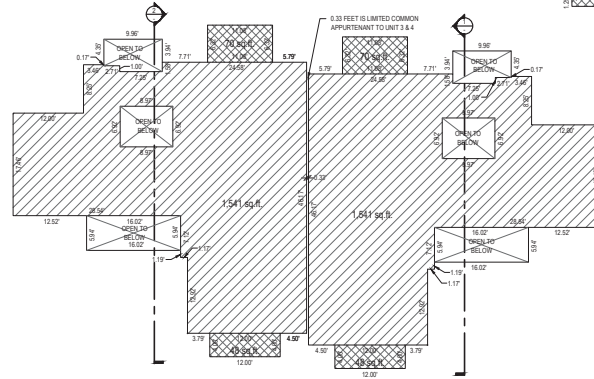
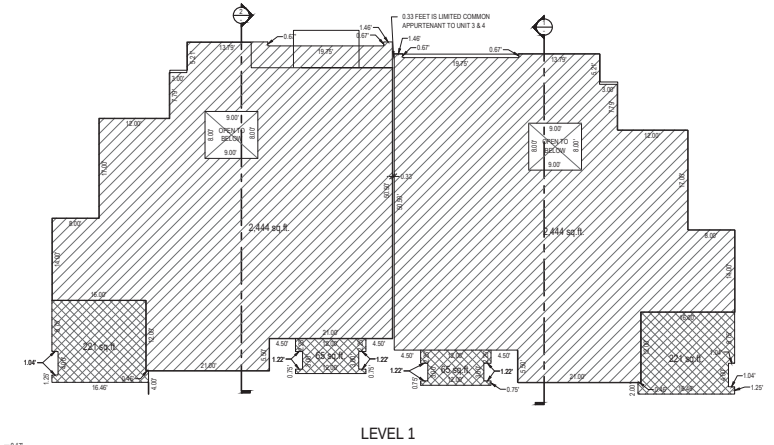
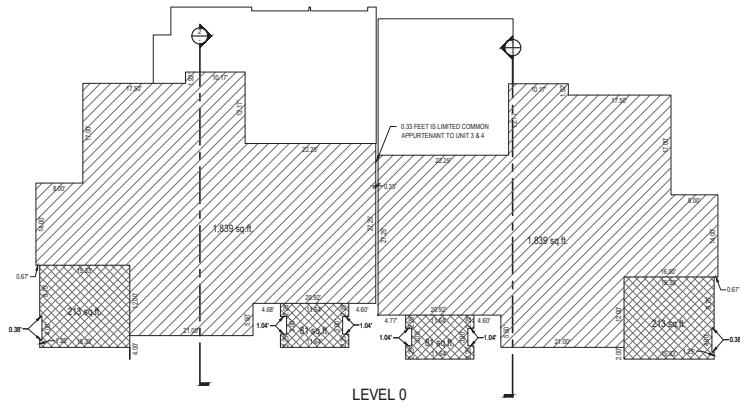
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

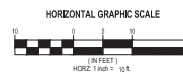
FFF SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNITS 3 & 4



SHEET 12 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.engin.com

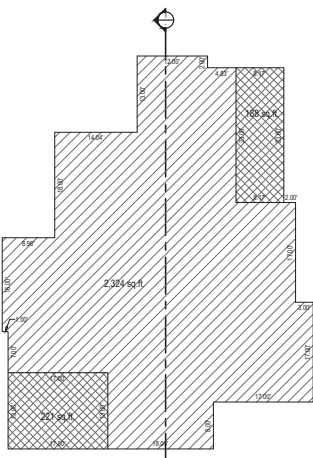
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3990
CEDAR CITY
Phone: 435.865.1453

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

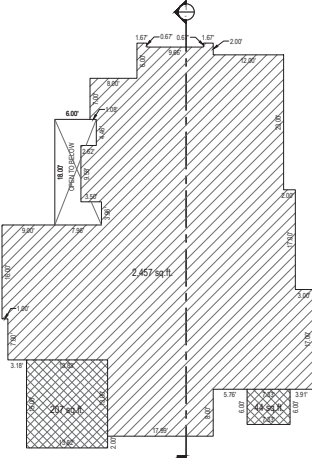
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

AMENDING LOT 2B OF THE NORTH SILVER LAKE

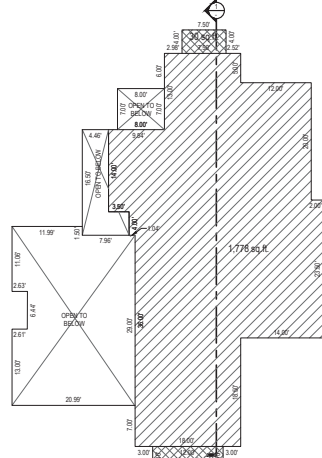
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



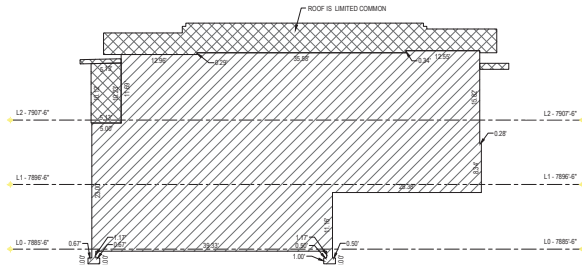
LEVEL C



LEVEL 1

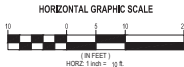


LEVEL



SECTION 1

UNIT 5



SHEET 13 OF 40

PROJECT NUMBER: 5063
MANAGER: RQE
DRAWN BY: KPW
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/95



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENGINTA.COM

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3990

CEDAR CITY
Phone: 435.865.1453

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

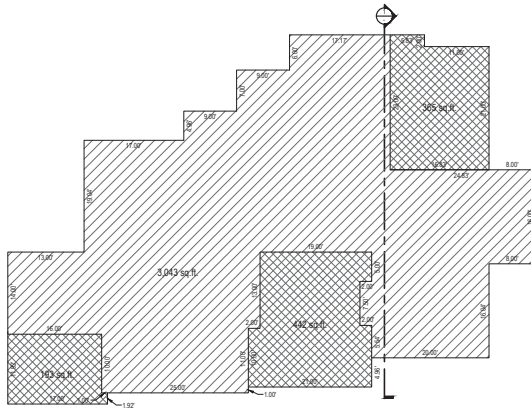
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

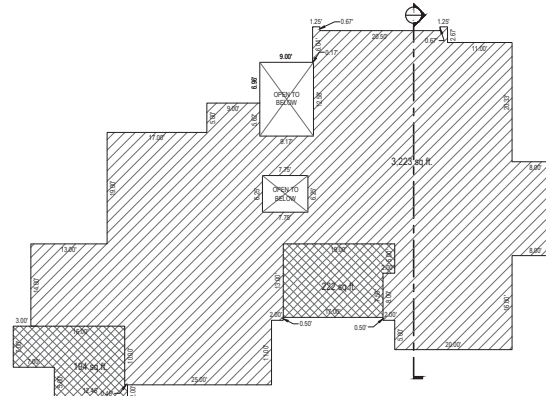
 FFF SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

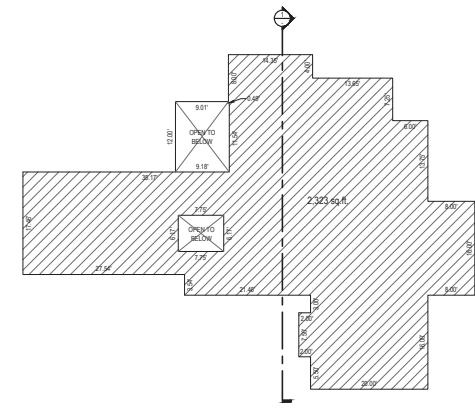
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



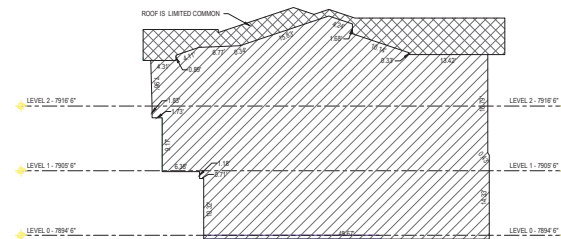
LEVEL 0



LEVEL 1

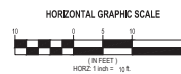


LEVEL 2



SECTION 1

UNIT 6



LEGEND	
	HOME CONDOMINIUM UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 14 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.engin.com

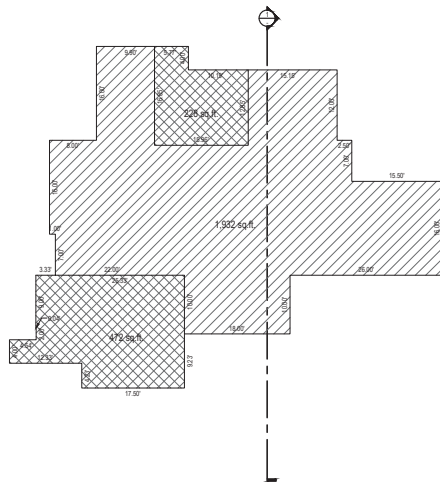
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3050
CEDAR CITY
Phone: 435.865.1453

RECORDED

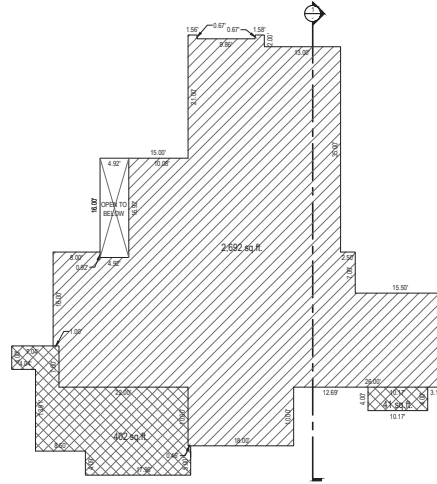
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

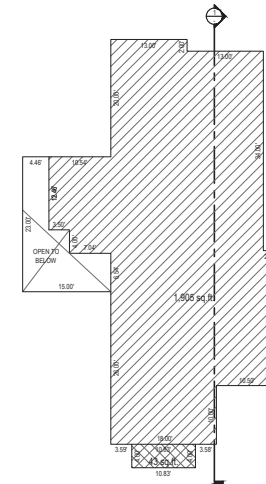
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



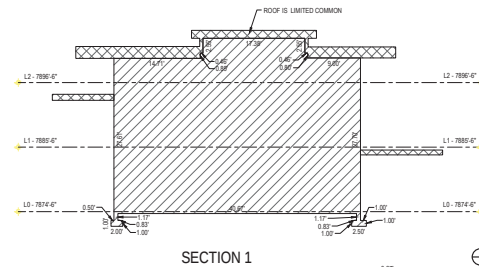
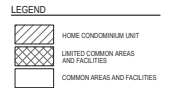
LEVEL 0



LEVEL 1

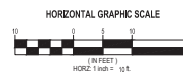


LEVEL 2



SECTION 1

UNIT 7



SHEET 15 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENGIN.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3090
CEDAR CITY
Phone: 435.865.1463

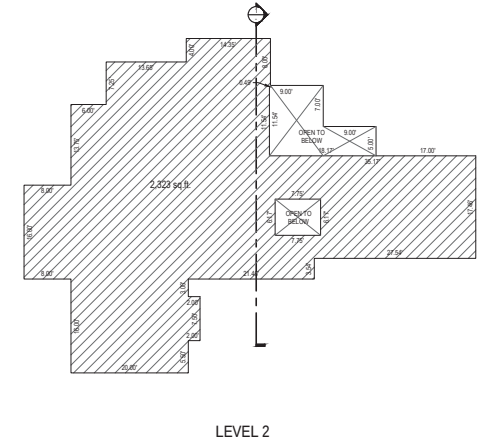
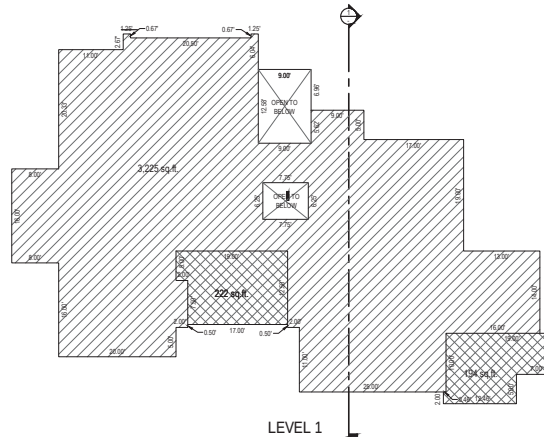
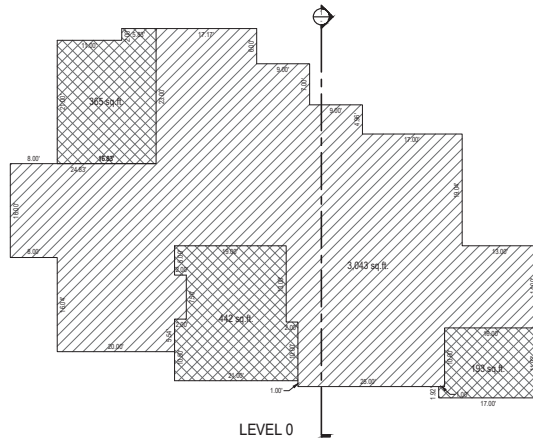
NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

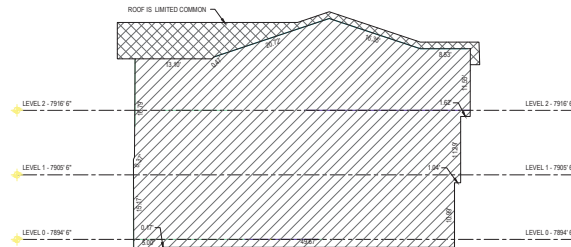
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

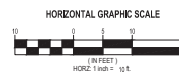


LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



UNIT 8



SHEET 16 OF 40

PROJECT NUMBER: 5063

MANAGER: ROE

DRAWN BY: KFH

CHECKED BY: PMH

DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.engin.com

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3090

CEDEAR CITY
Phone: 435.865.1463

NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

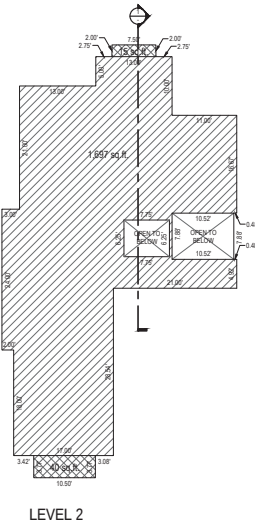
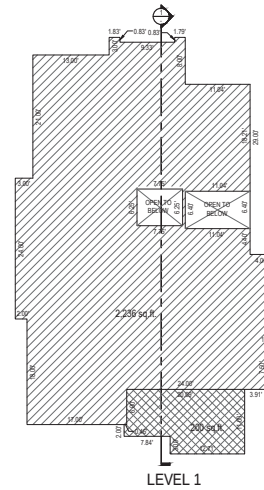
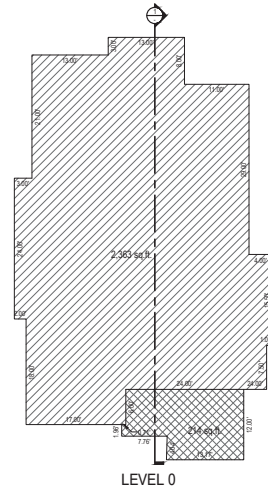
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____

SUMMIT COUNTY RECORDER

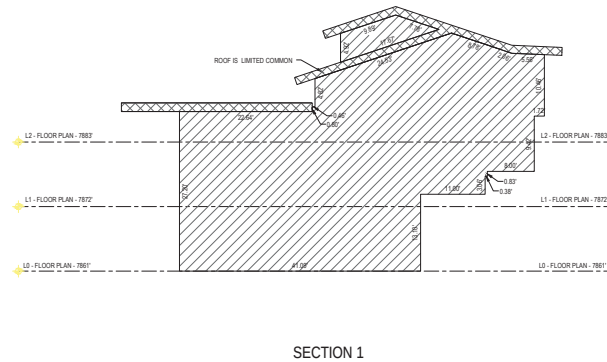
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

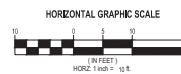


LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



UNIT 9



SHEET 17 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0229
Fax: 801.225.4443
WWW.ENSONUTAH.COM

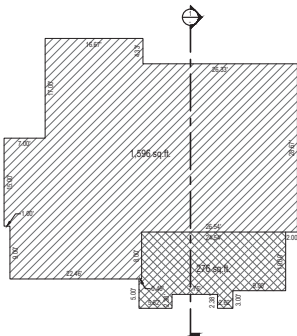
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3550
CEDAR CITY
Phone: 435.865.1453

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

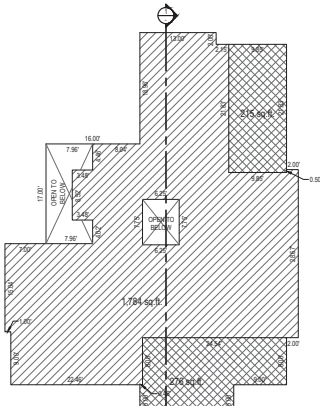
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

AMENDING LOT 2B OF THE NORTH SILVER LAKE

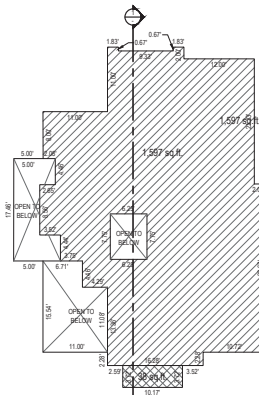
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



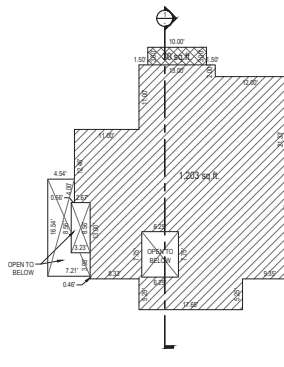
LEVEL -1



LEVEL 0



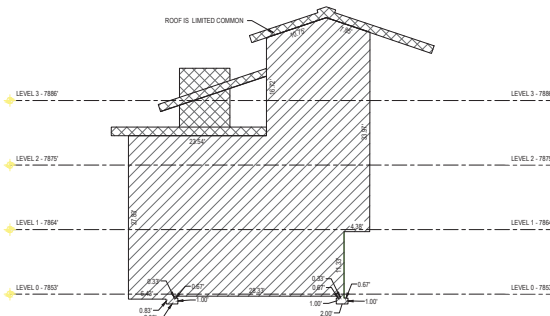
LEVEL 1



LEVEL 2

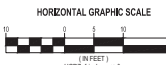
LEGEND

-  HOME CONDOMINIUM UNIT
 LIMITED COMMON AREAS AND FACILITIES
 COMMON AREAS AND FACILITIES



SECTION 1

UNIT 10



SHEET 18 OF 40

PROJECT NUMBER: 5063
MANAGER: RQE
DRAWN BY: KPW
CHECKED BY: PMH
DATE OF PREPARATION: 11/11/01



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.DWICM.UTAH.COM

LAYTON
Phone: 801.547.1111

TOOELE
Phone: 435.843.3555

CEDAR CITY
Phone: 435.825.1444

**NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH RANGE 4 EAST SALT LAKE BASIN AND MERIDIAN

RECORDED

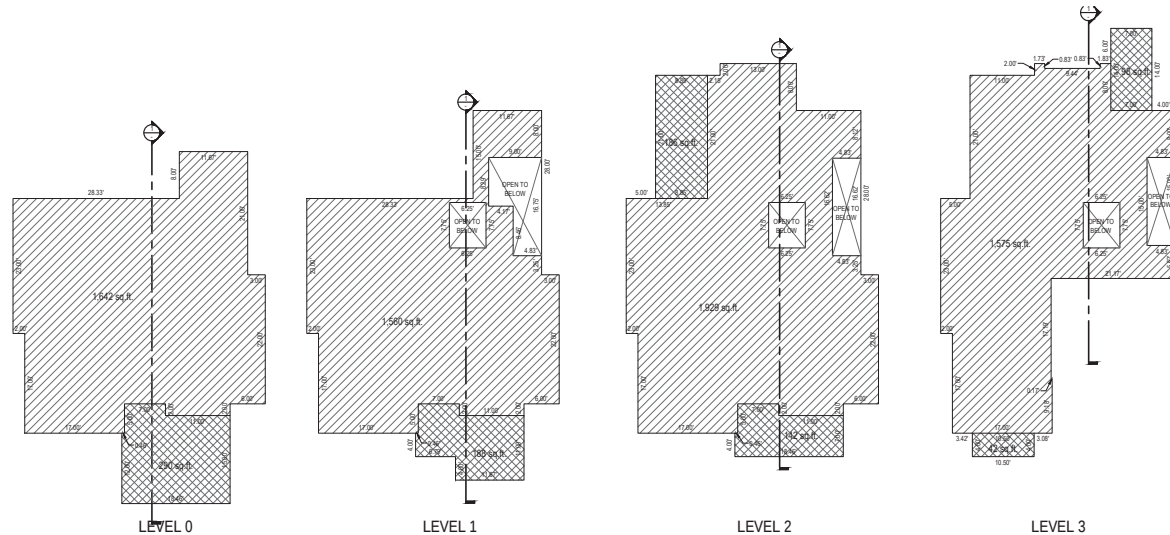
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

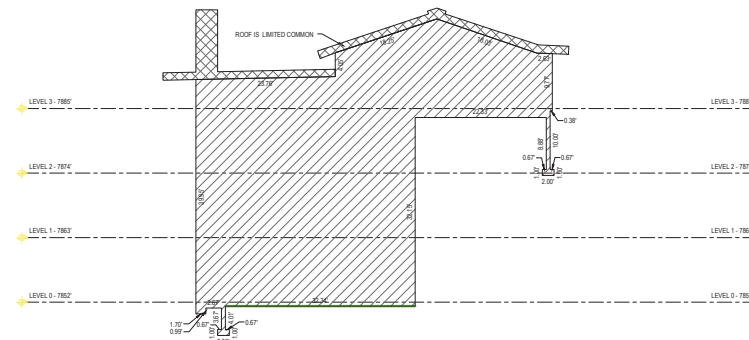
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

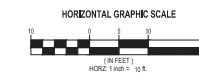


LEGEND

- HOME CONDOMINIUM UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



UNIT 11



SHEET 19 OF 41

PROJECT NUMBER: 5063

MANAGER: ROE

DRAWN BY: KFH

CHECKED BY: PMH

DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENSONTEAM.COM

LAYTON
Phone: 801.547.1100

TODDLE
Phone: 435.843.3050
Phone: 435.885.1453

NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

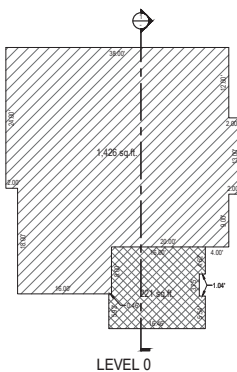
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____

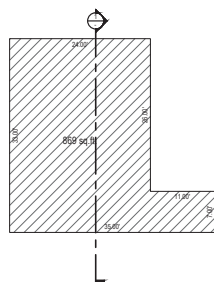
SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT
AMENDING LOT 2B OF THE NORTH SILVER LAKE

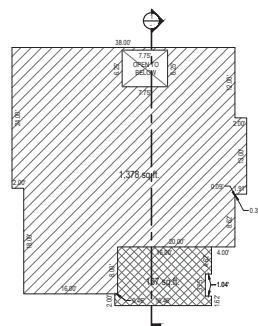
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



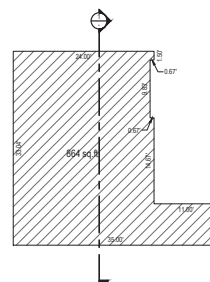
LEVEL 0



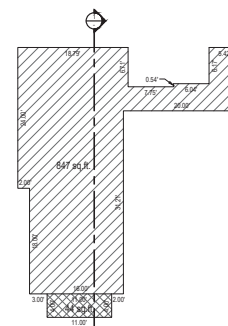
LEVEL 0.5



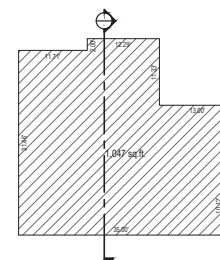
LEVEL 1



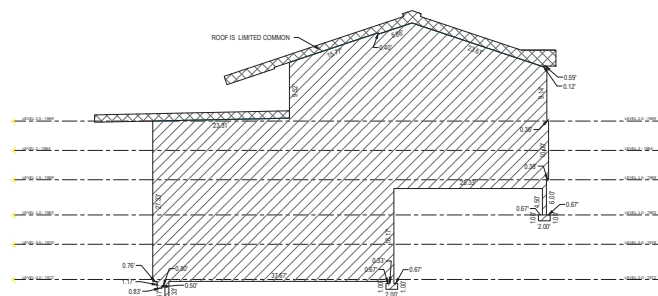
LEVEL 1.5



LEVEL 2

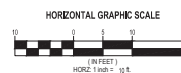


LEVEL 2.5



SECTION 1

UNIT 12



SHEET 20 OF 40

PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KPW
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/91



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENGIN/ITAL.COM

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

**NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE**
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED W

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

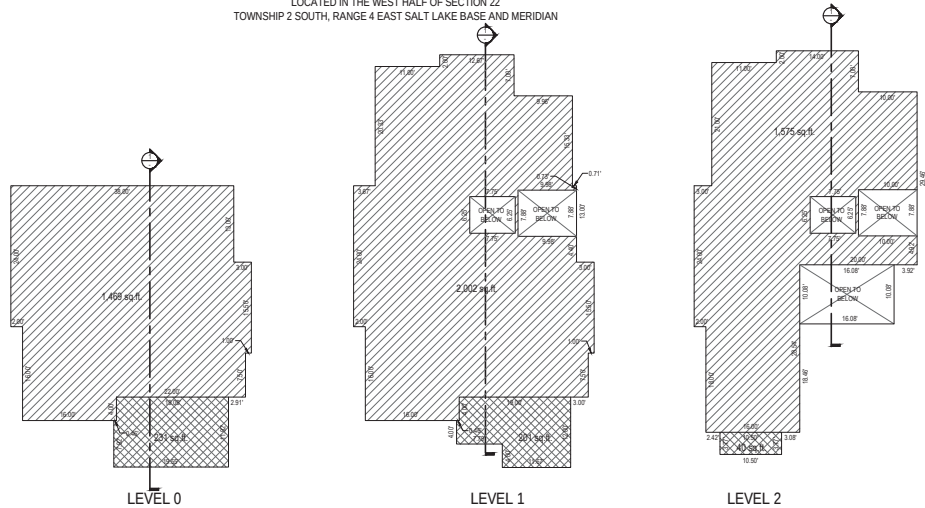
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE

SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

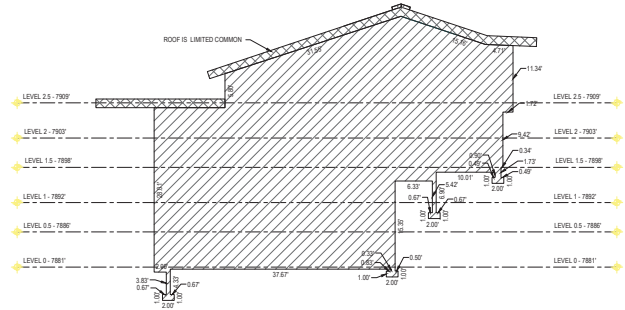
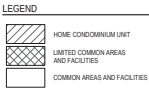
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEVEL 0

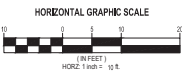
LEVEL 1

LEVEL 2



SECTION 1

UNIT 13



SHEET 21 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFH
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENSONUTAH.COM

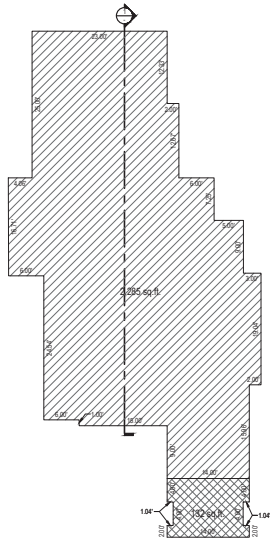
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3050
CEDAR CITY
Phone: 435.865.1453

NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

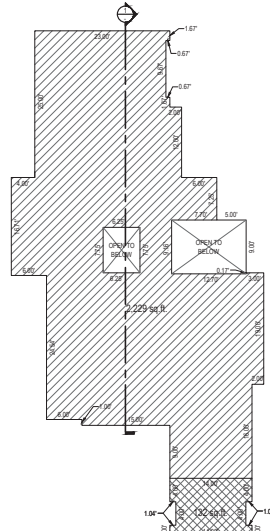
RECORDED IN
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE

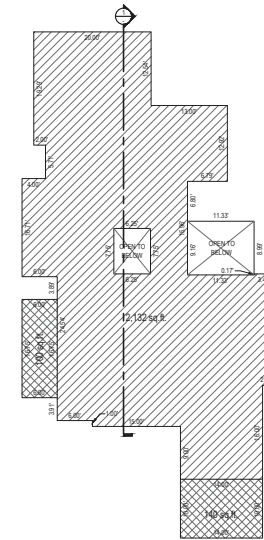
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



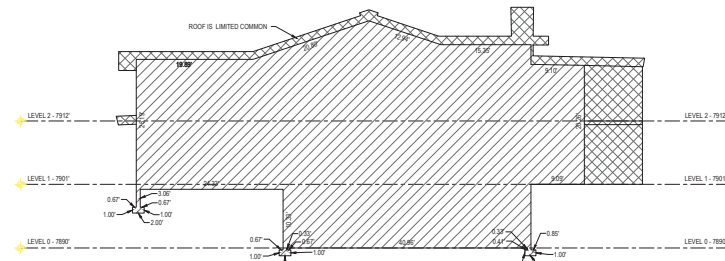
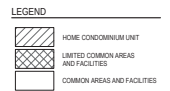
LEVEL 0



LEVEL 1

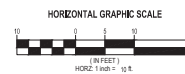


LEVEL 2



SECTION 1

UNIT 14



SHEET 22 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFM
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0029
Fax: 801.225.4449
www.engin.com

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3050
CEDAR CITY
Phone: 435.865.1453

NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED

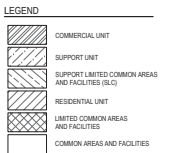
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

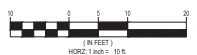
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



HORIZONTAL GRAPHIC SCALE



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

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

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE _____ SUMMIT COUNTY RECORDER

NORTH BUILDING
LEVEL SUBLEVEL 1 FLOOR PLAN

SHEET 23 OF 40

PROJECT NUMBER : 5063
MANAGER : ROE
DRAWN BY : KPW
CHECKED BY : PMH
DATE OF PREPARATION : 3/12/91



SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
WWW.ENSIGNUTAH.COM

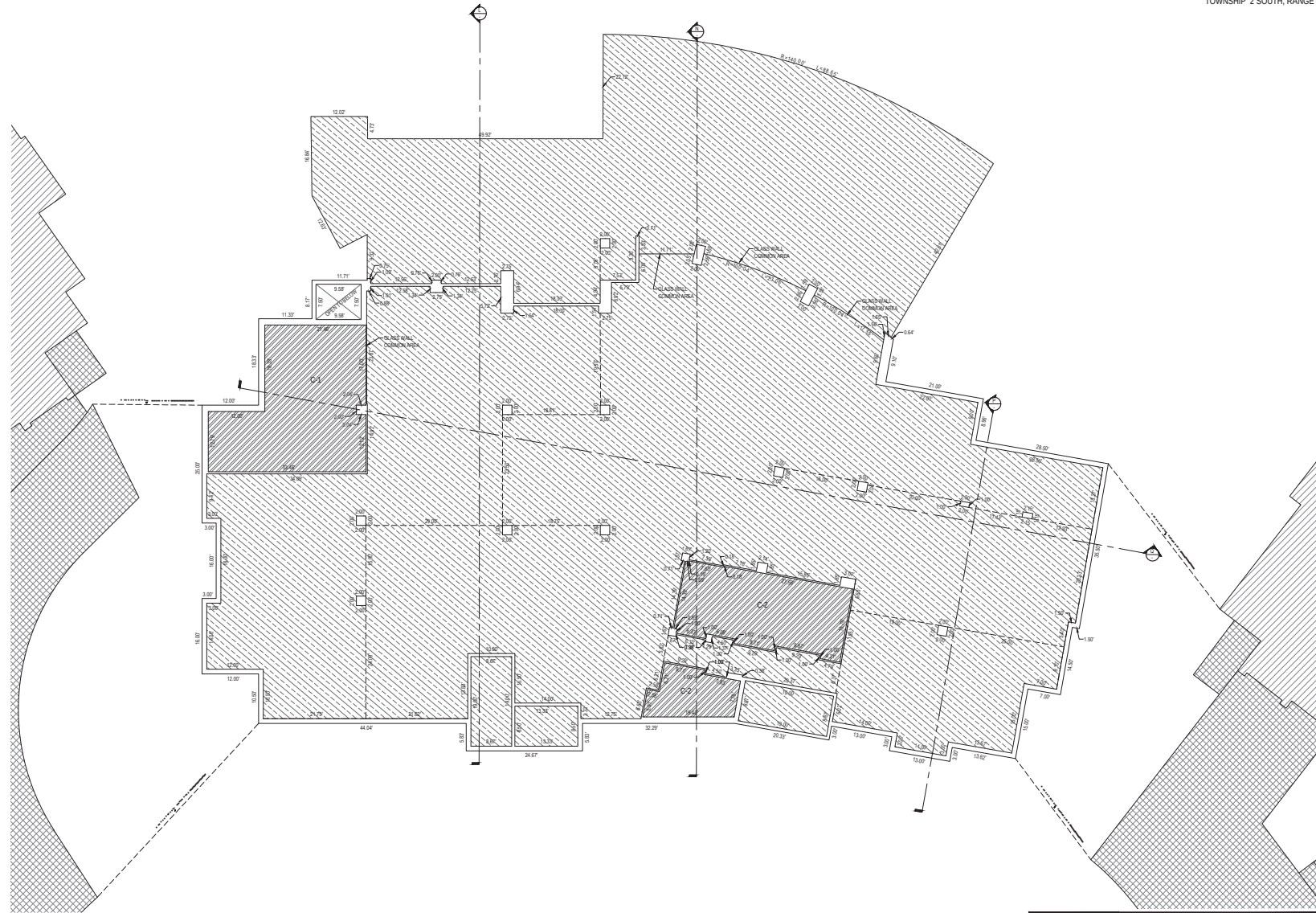
LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

CEDAR CITY
Phone: 435.865.1453

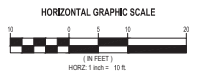
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE		
UNIT NAME	AREA (SQT.)	
1	C-1	817
2	C-2	723

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 0 FLOOR PLAN**

SHEET 24 OF 40
PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0020
Fax: 801.225.4449
WWW.ENSIGNTEAM.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3030
CEDAR CITY
Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

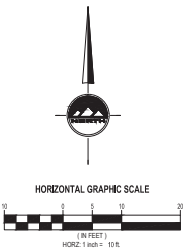
FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

UNIT TABLE	
UNIT NAME	AREA (S.F.)
1 C-3	3,244
2 UNIT 131	4,101
3 UNIT 132	4,603

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**NORTH BUILDING
LEVEL 1 FLOOR PLAN**

SHEET 25 OF 40

PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
45 West 10000 South
Suite 300
Sandy, UT 84070
Phone: 801.255.0020
Fax: 801.255.4443
WWW.ENSION.COM

LAYTON
Phone: 801.947.1100
TOOELE
Phone: 435.843.0050
CEDAR CITY
Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

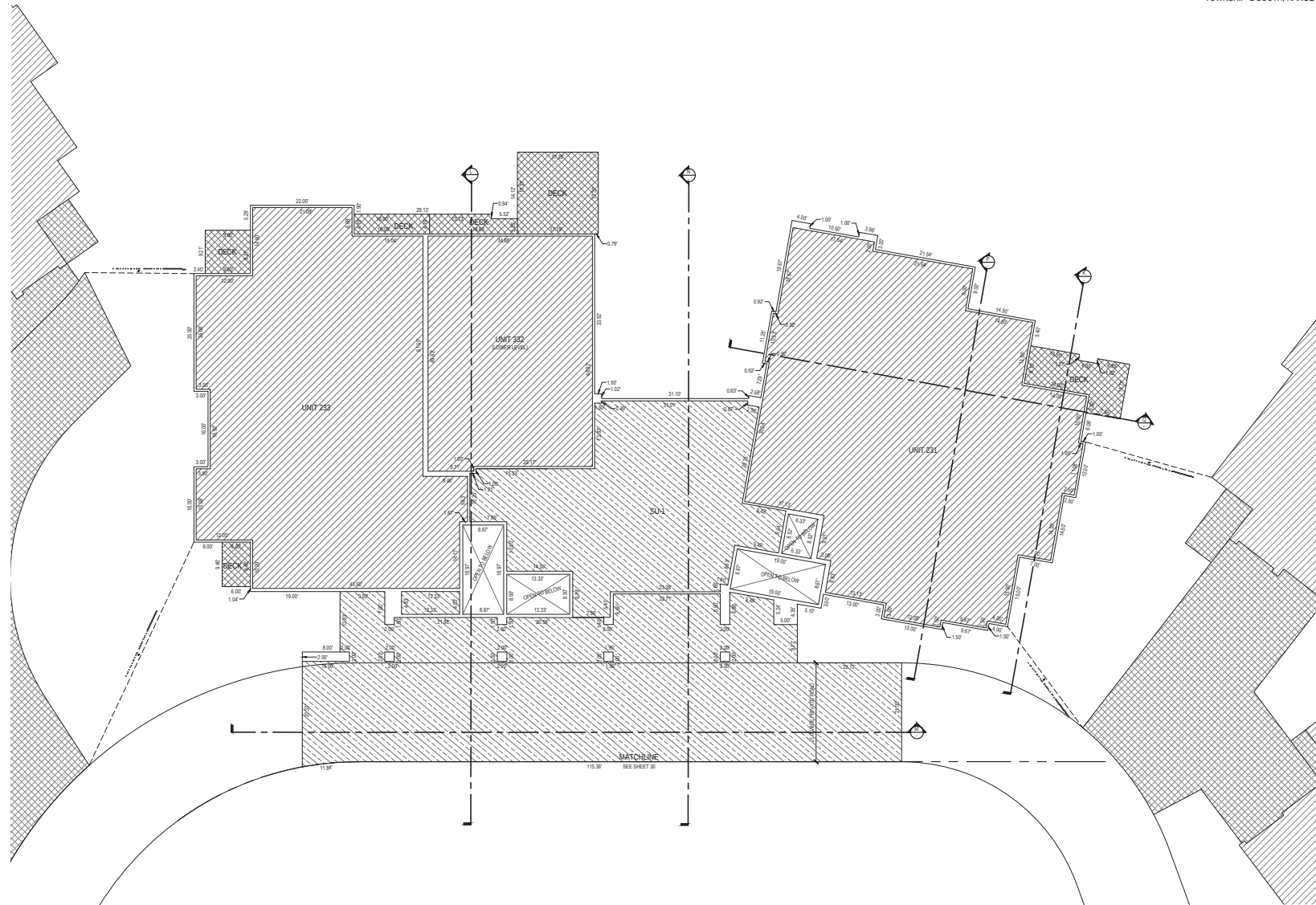
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

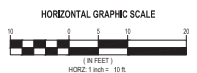
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE		
UNIT NAME	AREA (S.F.)	
UNIT 231	1,914	
UNIT 232	4,155	
UNIT 233	1,716	
UNIT 234	3,654	

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 2 FLOOR PLAN**

SHEET 26 OF 40
PROJECT NUMBER: 5063
MANAGER: ROE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
45 West 1000 South
Suite 300
Salt Lake City, UT 84107
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENSIGNUT.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3030
CEDAR CITY
Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

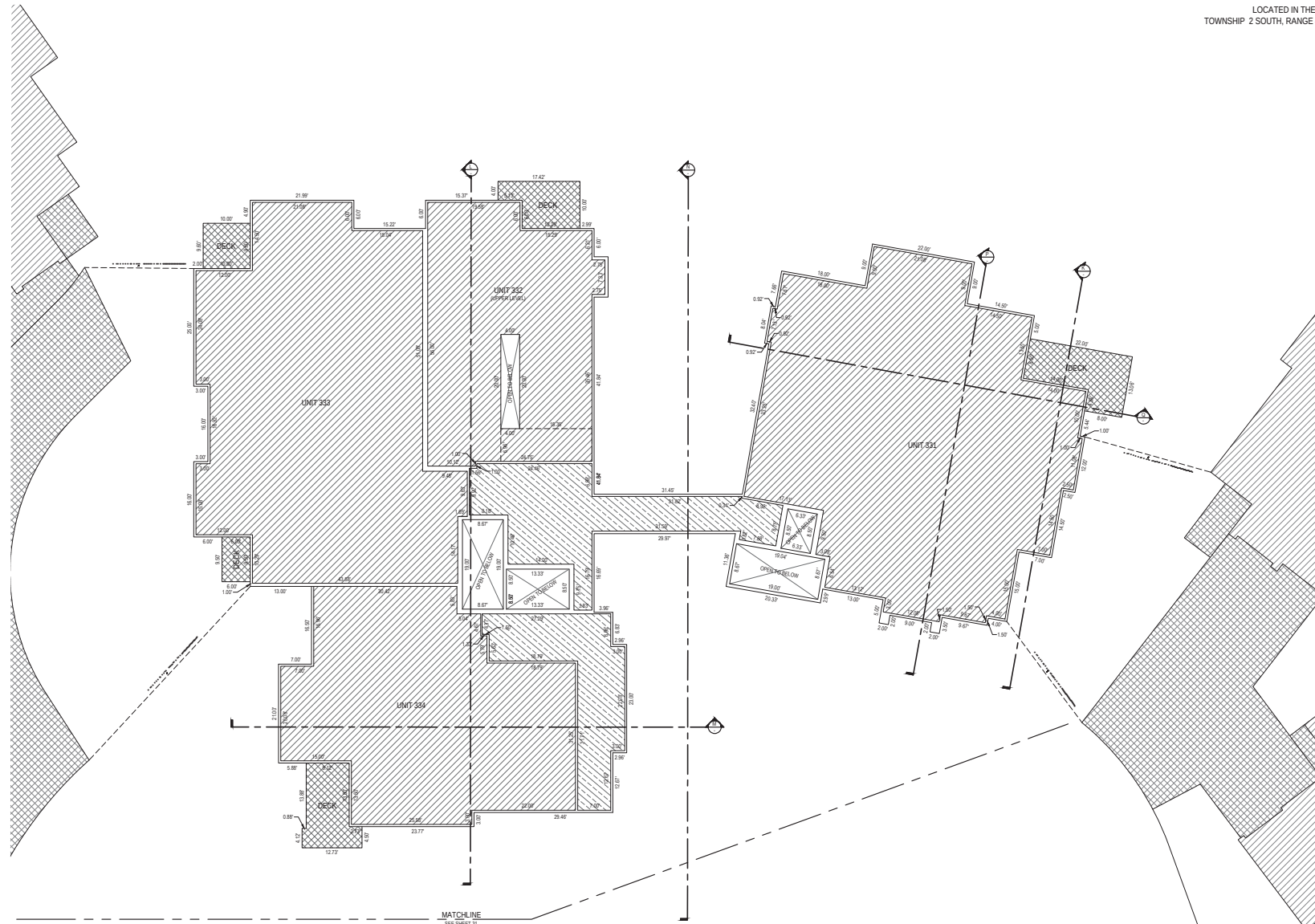
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

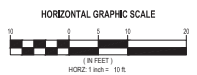
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE	
UNIT NAME	AREA (S.F.)
UNIT 331	3,996
UNIT 332	1,777
UNIT 333	3,661
UNIT 334	2,426

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 3 FLOOR PLAN**

SHEET 27 OF 40
PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14



SALT LAKE CITY
45 West 1000 South
Suite 300
Sandy, UT 84070
Phone: 801.225.0020
Fax: 801.225.4449
WWW.ENSIGNUTAH.COM

LAYTON
Phone: 801.947.1100
TOOELE
Phone: 435.843.3030
CEDAR CITY
Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

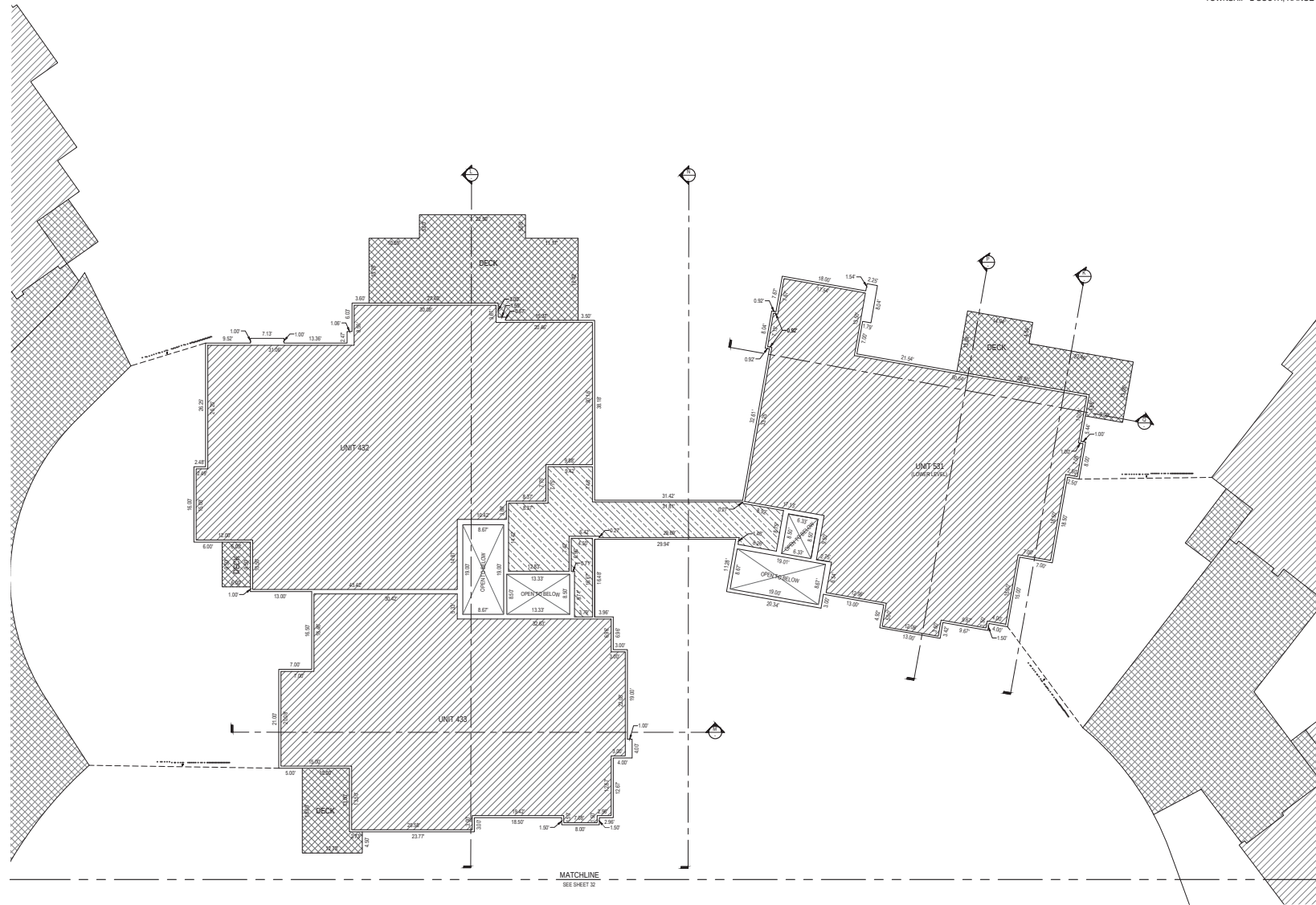
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

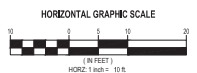
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE	
UNIT NAME	AREA (S.F.)
UNIT 432	3,948
UNIT 433	3,002
UNIT 531	5,293

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

**NORTH BUILDING
LEVEL 4 FLOOR PLAN**

SHEET 28 OF 40
PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
45 West 1000 South
Suite 300
Salt Lake City, UT 84107
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENSION.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3030
CEDAR CITY
Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

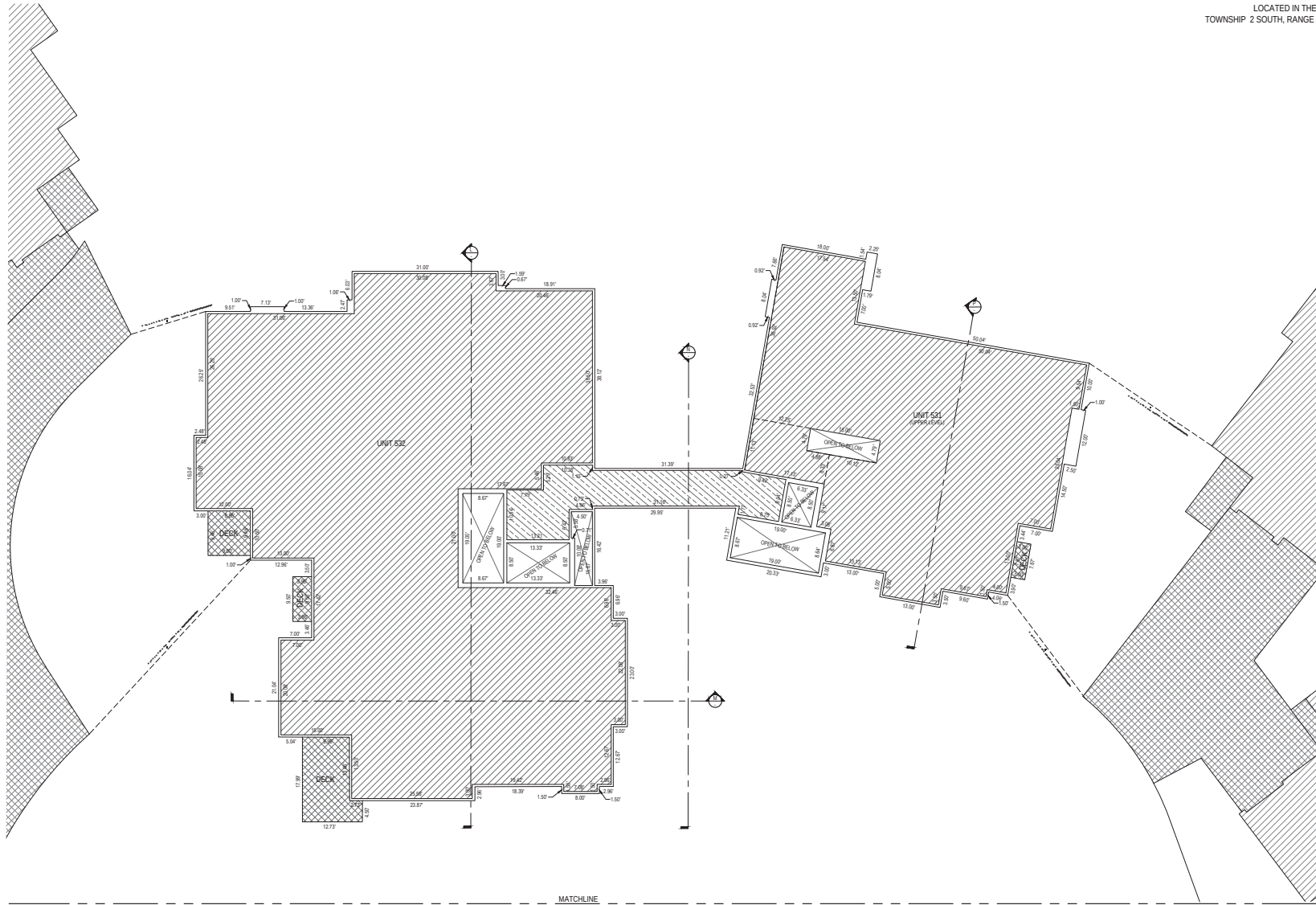
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

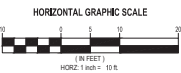
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE	
UNIT NAME	AREA (S.F.)
1 UNIT 531	3,196
2 UNIT 532	7,075

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



MATCHLINE
SEE SHEET 13

NORTH BUILDING
LEVEL 5 FLOOR PLAN

SHEET 29 OF 40
PROJECT NUMBER: 5063
MANAGER: RGE
DRAWN BY: KFW
CHECKED BY: PMH
DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
45 West 1000 South
Suite 300
Salt Lake, UT 84107
Phone: 801.225.0029
Fax: 801.225.4449
WWW.ENSION.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3030
CEDAR CITY
Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE

REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE: _____ SUMMIT COUNTY RECORDER

NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	20.00'	8.87'	10.00°	S 89.00° E	8.87'
C2	20.00'	17.37'	19.28°	S 89.00° E	17.37'
C3	94.50'	115.86'	109.00°	S 89.00° E	115.86'
C4	85.50'	30.85'	33.73°	S 89.00° E	30.85'
C5	64.50'	73.17'	45.83°	S 89.00° E	73.17'
C6	39.50'	48.20'	45.83°	S 89.00° E	48.20'
C7	64.50'	8.62'	10.00°	S 89.00° E	8.62'

LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



HORIZONTAL GRAPHIC SCALE

SOUTH BUILDING
LEVEL 2 FLOOR PLAN

SHEET 30 OF 40
PROJECT NUMBER: 590
MANAGER: ROE
DRAWN BY: KTH
CHECKED BY: RSH
DATE OF PREPARATION: 3/13/14

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



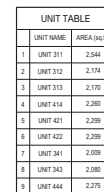
SALT LAKE CITY
45 West 1000 South
Suite 500
Salt Lake City, UT 84103
Phone: 801.255.0529
Fax: 801.255.1440
WWW.ENSKIN.COM

LAYTON
Phone: 801.541.1100
TOOELE
Phone: 435.443.3300
CEDAR CITY
Phone: 435.965.1463

RECORDED

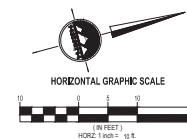
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



LEGEND

	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 3 FLOOR PLAN

SHEET 31 OF 40

PROJECT NUMBER : 9383

MANAGER : RCE

DRAWN BY : KFW

CHECKED BY : PMH

DATE OF DEPOSITION : 2000

**NORTH SILVER LAKE
CONDOMINIUM PLAT**
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

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

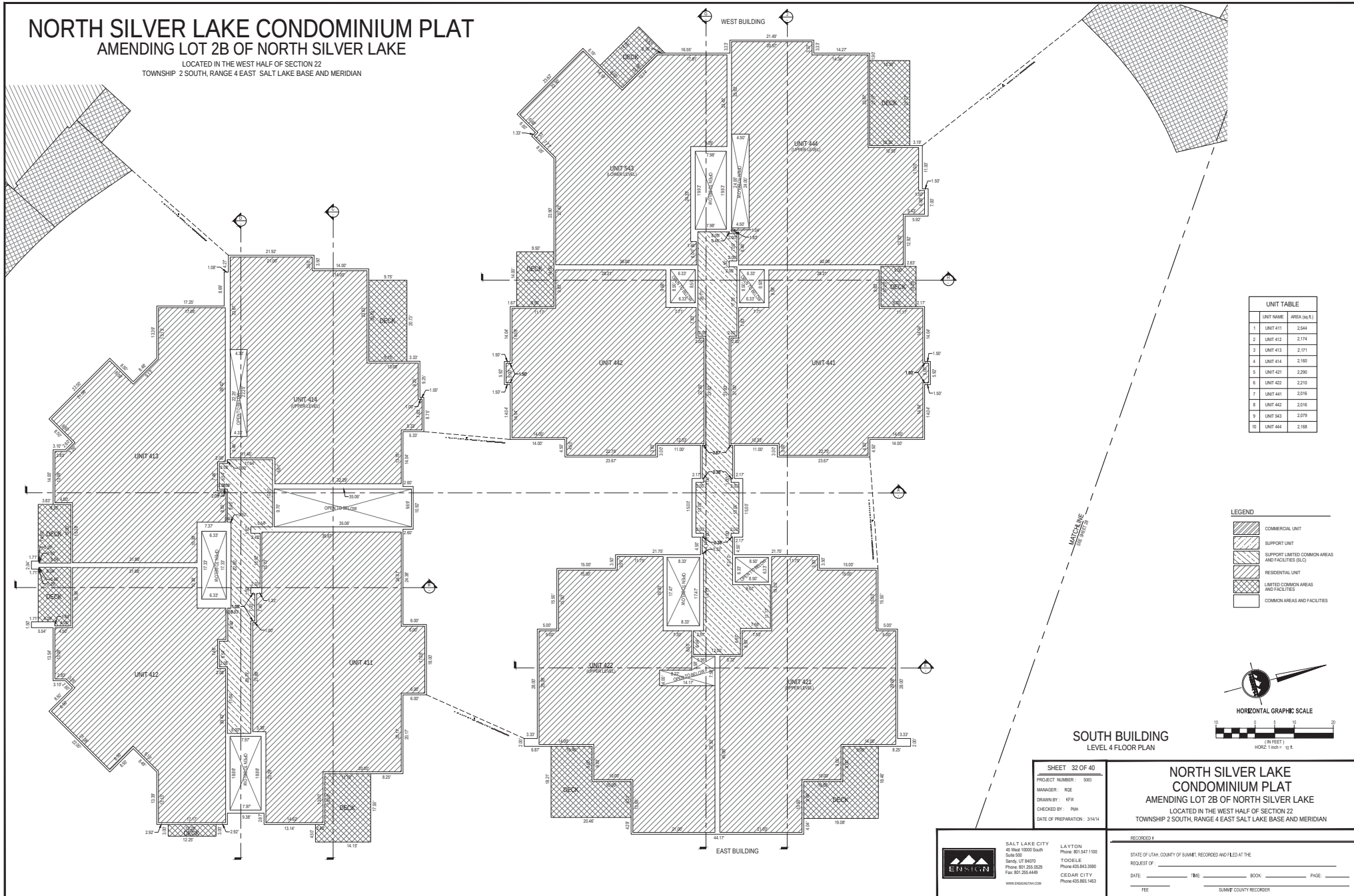
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

ITF

SUMMIT COUNTY RECORDER

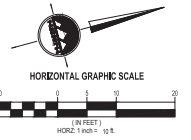
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE		
UNIT NAME	AREA (sq.ft.)	
UNIT 411	2,544	
UNIT 412	2,174	
UNIT 413	2,171	
UNIT 414	2,160	
UNIT 421	2,290	
UNIT 422	2,210	
UNIT 423	2,016	
UNIT 424	2,016	
UNIT 425	2,079	
UNIT 444	2,168	

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (S.L.C.)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 4 FLOOR PLAN

SHEET 32 OF 40
PROJECT NUMBER: 590
MANAGER: ROE
DRAWN BY: KTH
CHECKED BY: RSH
DATE OF PREPARATION: 3/14/14

NORTH SILVER LAKE CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

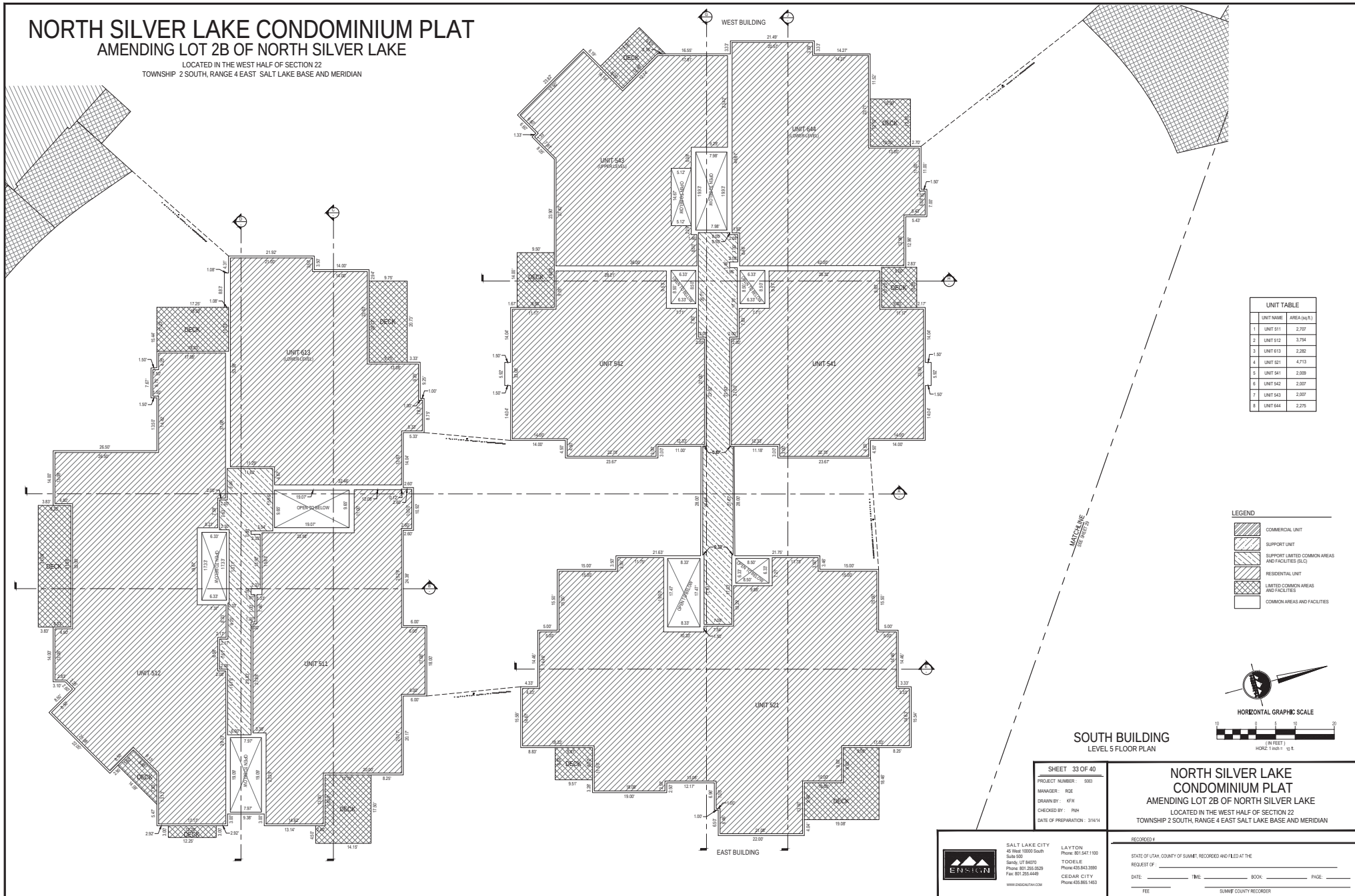


SALT LAKE CITY
45 West 1000 South
Suite 500
Shed, UT 84070
Phone: 801.255.0529
Fax: 801.255.1440
WWW.ENKINARCH.COM

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

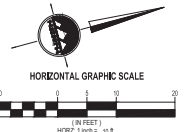
NORTH SILVER LAKE CONDOMINIUM PLAT AMENDING LOT 2B OF NORTH SILVER LAKE

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



UNIT TABLE		
UNIT NAME	AREA (sq.ft.)	
1 UNIT 511	2,750	
2 UNIT 512	3,754	
3 UNIT 513	2,280	
4 UNIT 521	4,713	
5 UNIT 541	2,009	
6 UNIT 542	2,007	
7 UNIT 543	2,007	
8 UNIT 544	2,275	

LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES



SOUTH BUILDING
LEVEL 5 FLOOR PLAN

SHEET 33 OF 40
PROJECT NUMBER: 590
DRAWN BY: ROE
CHECKED BY: PMH
DATE OF PREPARATION: 3/14/14

NORTH SILVER LAKE CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

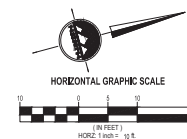


SALT LAKE CITY
45 West 10000 South
Suite 500
Shed, UT 84070
Phone: 801.255.0529
Fax: 801.255.1440
WWW.ENKINARCH.COM

LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.443.3200
CEDAR CITY
Phone: 435.965.1403

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____
DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
FEE: _____ SUMMIT COUNTY RECORDER

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



**NORTH SILVER LAKE
CONDOMINIUM PLAT
AMENDING LOT 2B OF NORTH SILVER LAKE**

LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

RECORDED # _____

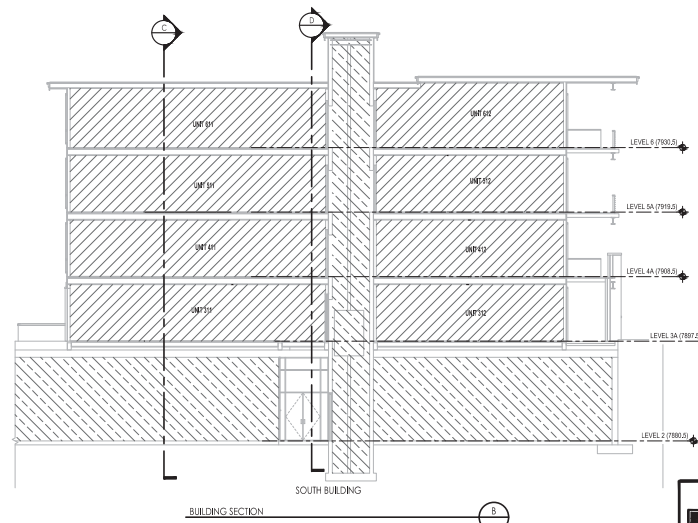
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
REQUEST OF: _____

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

JTF SUMMIT COUNTY RECORDER



A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



LEGEND	
	COMMERCIAL UNIT
	SUPPORT UNIT
	SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
	RESIDENTIAL UNIT
	LIMITED COMMON AREAS AND FACILITIES
	COMMON AREAS AND FACILITIES

HORIZONTAL GRAPHIC SCALE

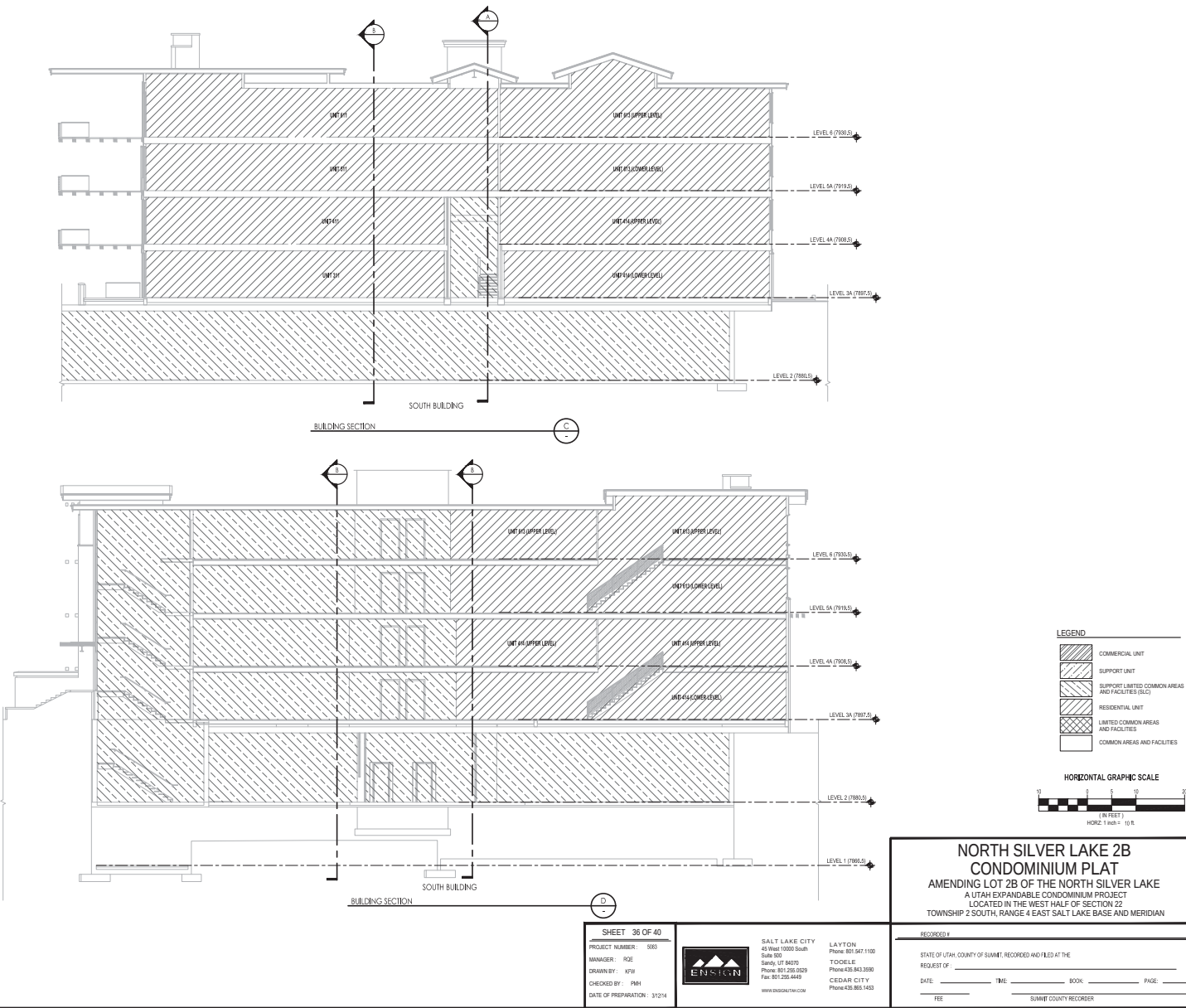
(IN FEET)
HORIZ: 1 inch = 10 ft

SHEET 35 OF 40 PROJECT NUMBER: 3303 MANAGER: ROZ DRAINAGE: K7H CHECKED BY: PMH DATE OF PREPARATION: 3/5/14	NORTH SILVER LAKE 2B CONDOMINIUM PLAT AMENDING LOT 2B OF THE NORTH SILVER LAKE A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN THE WEST HALF OF SECTION 22 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN
---	--

NORTH SILVER LAKE 2B CONDOMINIUM PLAT

AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

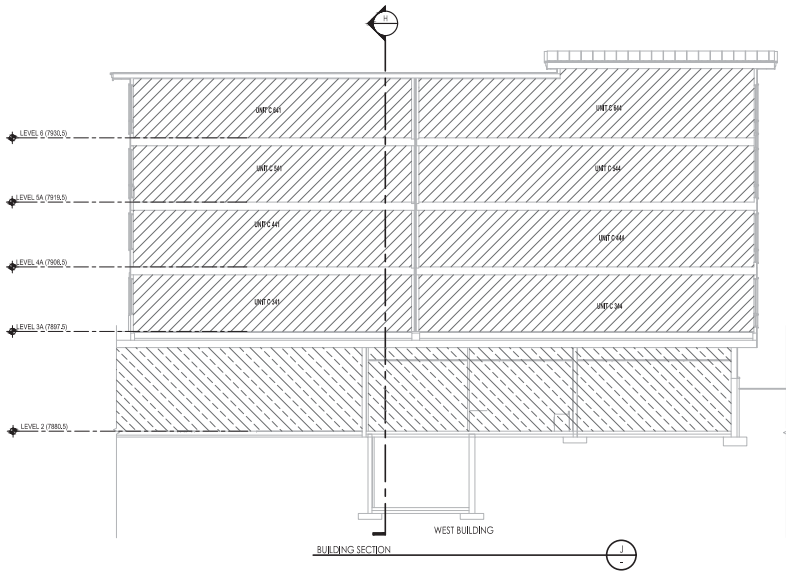
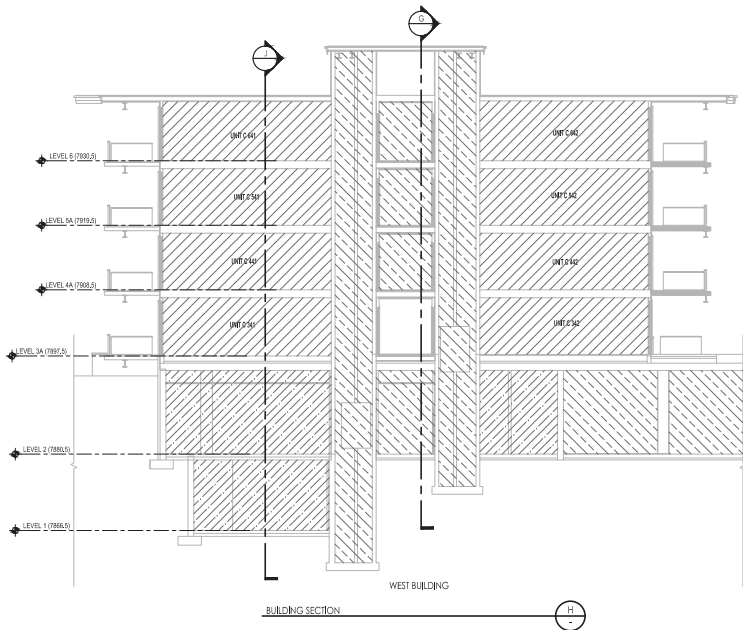


A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

NORTH SILVER LAKE 2B CONDOMINIUM PLAT

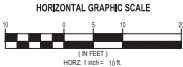
AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



LEGEND

- COMMERCIAL UNIT
- SUPPORT UNIT
- SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
- RESIDENTIAL UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



SHEET 38 OF 40
 PROJECT NUMBER: 5903
 MANAGER: RJB
 DRAWN BY: KTH
 CHECKED BY: RMH
 DATE OF PREPARATION: 3/13/14

**NORTH SILVER LAKE 2B
 CONDOMINIUM PLAT**
 AMENDING LOT 2B OF THE NORTH SILVER LAKE
 A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



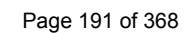
SALT LAKE CITY
 45 West 10000 South
 Suite 300
 Sandy, UT 84070
 Phone: 801.225.0020
 Fax: 801.225.4443
 WWW.ENSIGN.COM

LAYTON
 Phone: 801.547.1100
 TOOELE
 Phone: 435.843.3030
 CEDAR CITY
 Phone: 435.865.1403

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
 REQUEST OF: _____
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
 FEE: _____ SUMMIT COUNTY RECORDER

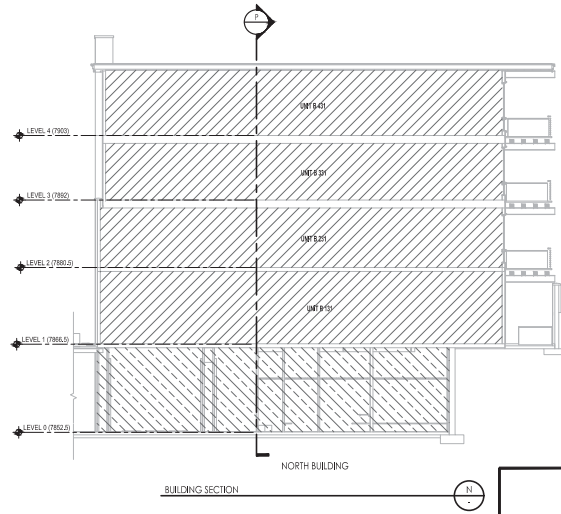
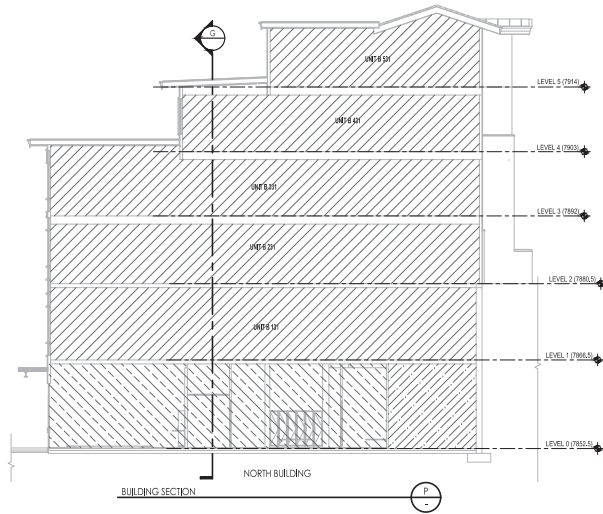
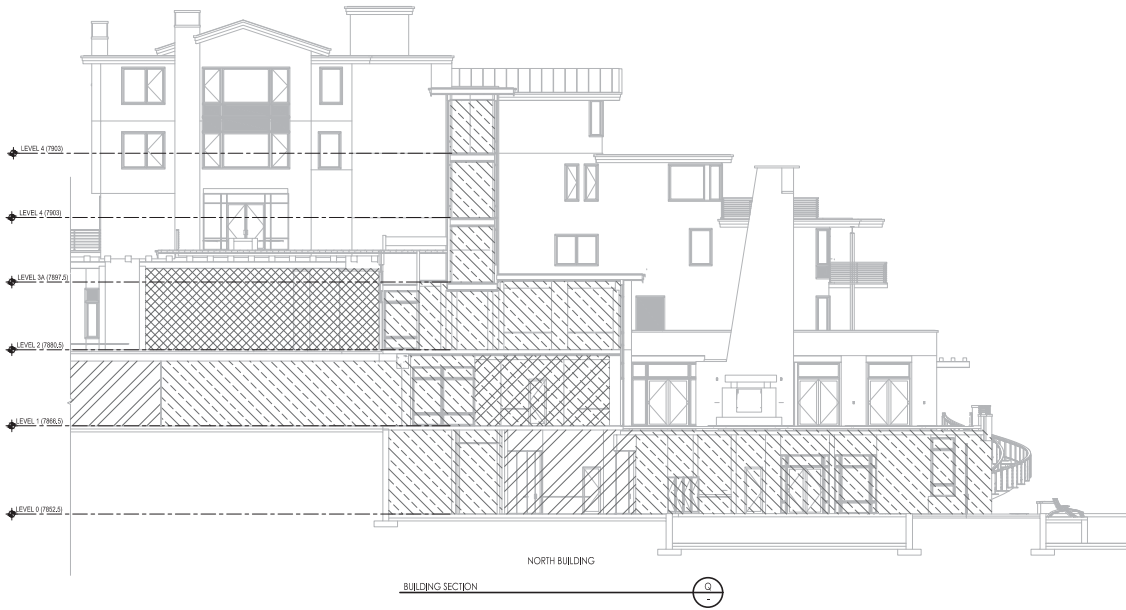
A UTAH EXPANDABLE CONDOMINIUM PROJECT
LOCATED IN THE WEST HALF OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN



NORTH SILVER LAKE 2B CONDOMINIUM PLAT

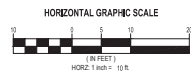
AMENDING LOT 2B OF THE NORTH SILVER LAKE

A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN



LEGEND

- COMMERCIAL UNIT
- SUPPORT UNIT
- SUPPORT LIMITED COMMON AREAS AND FACILITIES (SLC)
- RESIDENTIAL UNIT
- LIMITED COMMON AREAS AND FACILITIES
- COMMON AREAS AND FACILITIES



NORTH SILVER LAKE 2B CONDOMINIUM PLAT
 AMENDING LOT 2B OF THE NORTH SILVER LAKE
 A UTAH EXPANDABLE CONDOMINIUM PROJECT
 LOCATED IN THE WEST HALF OF SECTION 22
 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

SHEET 40 OF 40
 PROJECT NUMBER: 5063
 MANAGER: RGE
 DRAWN BY: KFW
 CHECKED BY: PMH
 DATE OF PREPARATION: 3/12/14



SALT LAKE CITY
 45 West 1000 South
 Suite 300
 Sandy, UT 84070
 Phone: 801.225.0020
 Fax: 801.225.4449
 WWW.ENSIGNTAM.COM

LAYTON
 Phone: 801.547.1100
TODDLE
 Phone: 435.843.3050
 CEDAR CITY
 Phone: 435.865.1403

RECORDED
 STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE
 REQUEST OF: _____
 DATE: _____ TIME: _____ BOOK: _____ PAGE: _____
 FEE: _____ SUMMIT COUNTY RECORDER

PROJECT AND PLAT DESCRIPTION

North Silver Lake Condominiums

This is an application for the approval of a condominium plat for North Silver Lake Condominiums.

Lot 2B of the North Silver Lake subdivision was originally created pursuant to the plat entitled “Subdivision of Lot 2 North Silver Lake Subdivision”, which was recorded on September 18, 1997. The plat submitted with this application is a further subdivision of Lot 2B, in accordance with the terms and conditions of a Conditional Use Permit approved on July 1, 2010 (“CUP”). The CUP authorized the development on this property of 54 units, consisting of 16 single-family homes (in detached or duplex configurations) and four stacked condominium buildings containing 38 additional residential condominium units. The stacked condominium buildings also include 3 commercial condominium units and 1 support condominium unit.

This plat divides the property into 54 condominium units and common areas including: (i) 4 single family units, (ii) 3 duplex buildings each with 2 units, (iii) 6 units currently shown as 2-dimensional lots that will be amended later to depict the 3-dimensional unit locations, (iv) 38 stacked flats in 2 buildings (North Lodge Building and South Lodge Building), and (v) a private road that is part of the common area. The condominium buildings have been designed to be consistent with the project plans submitted with, and approved as part of, the 2010 CUP.

Lot 2B is currently encumbered by a Record of Survey Plat for North Silver Lake Lodge that was recorded on April 19, 2005. That plat will be terminated of record immediately prior to the recordation of the condominium plat submitted with this application.

LOCATED IN THE WEST 1/2 OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

Being the Total Boundary per this map, except for Lot 1.
Lot 2 CONTAINS 22.00 ACRES.

- 10 FOUND STANDARD STREET MONUMENT
- 11 FOUND & ACCEPTED BRASS TAG AND NAIL, L.S. 6184
- 12 FOUND AND ACCEPTED 5/8" IRON ROD WITH PLASTIC CAP, L.S. NUMBER AS INDICATED
- 13 SET 5/8" IRON ROD WITH PLASTIC CAP, L.S. 8934
- 14 SET NAIL AND BRASS TAG, L.S. 8934
- (R) RECORD DATA PER RECORDED MAPS
- (M) MEASURED

The Resort Planners

P.O. BOX 1726 PARK CITY, UTAH 84030
801-649-4777

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

Page 194 of 368

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

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163931 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots to be hereafter known as SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION and that the same has been or will be correctly surveyed and staked on the ground as shown on this plat.

DATE: 9-9-97 *John Demkowicz*
JOHN DEMKOWICZ

BOUNDARY DESCRIPTION

LOT 2 OF THE NORTH SILVER LAKE SUBDIVISION, according to the official plat on file and recorded as Entry #374325 (Feb. 19, 1993) in the office of the Summit County Recorder.

The above property is also described as follows:
Beginning at a point on the easterly right-of-way line of Silver Lake Drive, said point is located north 1994.18 feet and East 711.87 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence N 22°00'00" W 428.41 feet to a point on a 473.50 foot radius curve to the right, whose radius point bears N 69°28'00" E; thence along the arc of said curve 117.73 feet thru a central angle of 14°16'36"; thence S 62°44'36" W 3.20 feet; thence N 04°30'00" E 40.40 feet to a point on a 192.00 foot radius curve to the right, whose radius point bears S 89°30'00" E; thence along the arc of said curve 241.27 feet thru a central angle of 72°00'00"; thence N 76°30'00" E 58.96 feet to a point on a 283.00 foot radius curve to the left, whose radius point bears N 1°30'00" W; thence along the arc of said curve 105.28 feet thru a central angle of 20°30'00"; thence N 56°00'00" E 98.89 feet to a point on a 100.00 foot radius curve to the right, whose radius point bears S 34°00'00" E; thence along the arc of said curve 67.12 feet thru a central angle of 39°27'31"; thence N 63°24'33" E 87.69 feet; thence N 12°49'47" E 384.49 feet; thence S 67°54'06" E 41.18 feet; to a point on a 1175.00 foot radius curve to the right, whose radius point bears S 22°25'54" W; thence along the arc of said curve 287.11 feet thru a central angle of 14°00'00"; thence S 53°30'00" E 143.15 feet; thence S 23°36'31" W 156.70 feet; thence S 62°38'32" E 116.32 feet; thence S 74°02'00" E 90.71 feet; thence S 42°33'00" W 195.90 feet; thence S 56°33'19" W 99.26 feet; thence S 30°56'43" W 115.54 feet to a point on a 140.00 foot radius curve to the left, whose radius point bears S 07°15'54" E; thence along the arc of said curve 207.27 feet thru a central angle of 84°30'00"; thence S 04°50'34" W 284.99 feet to a point on a 499.89 foot radius curve to the right, whose radius point bears N 80°12'47" W; thence along the arc of said curve 305.24 feet thru a central angle of 30°00'00"; thence S 40°00'00" W 59.61 feet to a point on a 200.17 foot radius curve to the right, whose radius point bears N 50°00'00" W; thence along the arc of said curve 174.68 feet thru a central angle of 50°00'00"; to a point on a 95.00 foot radius curve to the left, whose radius point bears South; thence along the arc of said curve 116.06 feet thru a central angle of 70°00'00"; thence S 20°00'00" W 15.00 feet to a point on a 797.86 foot radius curve to the right, whose radius point bears N 14°53'45" E; thence along the arc of said curve 95.59 feet thru a central angle of 06°51'52"; thence N 88°00'00" W 40.20 feet; thence N 30°00'43" W 361.06 feet to a point on a 115.00 foot radius curve to the left, whose radius point bears N 04°30'40" E; thence along the arc of said curve 87.19 feet thru a central angle of 47°36'30"; thence S 01°40'00" E 12.86 feet to a point on a 95.00 foot radius curve to the left, whose radius point bears N 30°57'00" E; thence along the arc of said curve 248.12 feet thru a central angle of 150°15'00" to the point of beginning. Description contains 21.99 Acres.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that the undersigned is the Owner of the herein described tract of land, and hereby causes the same to be divided into lots together with easements as set forth on the attached Plat, hereafter to be known as SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION.

Also the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, and Park City Fire Protection District, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use, and eventual replacement.

The owner, or his/her representative, hereby irrevocably offer for dedication to the City of Park City all of the streets land for local government uses, easements, parks, required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

I, witness whereof the undersigned has set its hand on this day of September, 1997.

DEER VALLEY RESORT COMPANY, a Utah Limited Partnership,
By: *Robert W. Wells*, General Partner,
Robert W. Wells, Vice President

ACKNOWLEDGEMENT

STATE OF UTAH ss.
COUNTY OF WASATCH ss.

On this 9 day of September, 1997, personally appeared before me, the undersigned Notary Public, in and for said State and County, Robert W. Wells, who after being duly sworn, acknowledged to me that he is the Vice-President of Royal Street of Utah, a Utah Corporation, that he signed the foregoing Owner's Consent, to Record on behalf of the corporation with full authority of its bylaws.

Robert W. Wells
NOTARY PUBLIC
Residing at: _____

My Commission Expires: May 30, 1999

SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION

A SUBDIVISION
LOCATED IN THE WEST 1/2 OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY,
SUMMIT COUNTY, UTAH

1-6-96 \NSL\PC\PC-P-NSL2

ALLIANCE ENGINEERING INC.

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

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 9 DAY OF September, 1997 A.D.

By: *Paul S. J.*
S.B.S.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 6 DAY OF September, 1997 A.D.

By: *Chairman*
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12 DAY OF September, 1997 A.D.

By: *Paul S. J.*
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 17 DAY OF September, 1997 A.D.

By: *M. L. H.*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 26 DAY OF JUNE, 1997 A.D.

By: *Paul S. J.*
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 26 DAY OF JUNE, 1997 A.D.

By: *Paul S. J.*
MAYOR

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Paul S. J. DATE 09-09-97 TIME 1:55 PAGE 1

Fee: 35.00 Recorder: *Paul S. J.*



04 March 2014

SR Silver Lake LLC
Daniel Gryczman
11990 San Vicente Blvd. Suite 200
Los Angeles, CA 90049

NOTICE OF PLANNING COMMISSION ACTION

Application #: PL-13-02034
Subject: North Silver Lake
Address: 7101 Silver Lake Drive
Description: Conditional Use Permit for Lockout Units (nightly rentals)
Action Taken: Approved
Date of Action: February 26, 2014

On February 26, 2014 the Planning Commission of Park City approved your request of 38 Lockout Units (nightly rentals) to be located within the Stein Eriksen Residences formerly known as the North Silver Lake Development, located at 7101 Silver Lake Drive. Your approval is subject to the following Findings of Fact, Conclusion of Law, and Conditions of Approval:

Findings of Fact

1. The subject property is at 7101 North Silver Lake Drive, Lot 2B of the North Silver Lake Subdivision.
2. The property is known as Stein Eriksen Residences, formerly known as North Silver Lake Lodge
3. The proposed development is located within the Deer Valley Master Plan Development.
4. Within the Deer Valley Master Plan, the North Silver Lake Subdivision Lot 2B is permitted a density of 54 residential units and 14,552 square feet of commercial and support space.
5. In 2010 the Planning Commission approved a Conditional Use Permit (CUP) consisting of fifty four (54) total units; sixteen (16) detached single family dwellings/duplexes and four (4) condominium buildings containing thirty eight (38) private units.

6. The conditions of approval for the CUP reflect that lockout units were not requested at that time, and would require Planning Commission approval, if requested in the future.
7. At this time the applicant requests the use of thirty eight (38) Lockout Units to be located in the four (4) stacked flats, condominium buildings and that nightly rentals be permitted for the lockout units.
8. The original CUP application was before Planning Commission on five (5) different occasions: August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009. The Planning Commission approved the CUP on July 8, 2009.
9. On July 17, 2009, the neighboring property owners submitted an appeal of the CUP approval. The City Council reviewed the appeal on October 15, 2009 and November 12, 2009. During the November 12, 2009 meeting, the City Council remanded the CUP application to the Planning Commission with specific items to be addressed.
10. The Planning Commission reviewed the remand during two (2) work sessions on November 11, 2009 and January 13, 2010 and two (2) Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010 to address specific findings of the City Council. The Planning Commission approved the revised CUP with a four to one (4 - 1) vote on April 28, 2010.
11. The April 28, 2010 CUP approval was appealed. The City Council reviewed the appeals on June 24, 2010. All parties stipulated to additional condition of approval #19 that "no lockouts are permitted within this approval". The City Council affirmed and denied in part the Planning Commission's decision to approve the North Silver Lake Lot 2B CUP. The City Council findings were ratified on July 1, 2010.
12. The Land Management Code § 15-1-10(G) allows for two (2) extensions of an approved CUP.
13. On March 17, 2011, the Planning Department received a Request for Extension of the Conditional Use Permit approval. On April 28, 2011, the Planning Director approved the Extension of the Conditional Use Permit for an additional year as conditioned.
14. The Planning Director's approval of the extension was appealed on June 8, 2011. The Planning Commission reviewed the matter de novo and rendered a decision to uphold the Planning Director's decision and grant the extension of the Conditional Use Permit to July 1, 2012.
15. On June 20, 2011, the City Council received a written appeal of the Planning Commission's final action upholding the Planning Director's decision to approve an extension of the development.
16. On July 21, 2011, the appeal was heard by the City Council, who held a quasi-judicial hearing before voting unanimously to uphold the Planning Commission's decision to uphold the Planning Director's issuance of an extension of time for the July 1, 2010 Conditional Use Permit. Because the appeal to uphold the Planning Director's decision was decided on July 21, 2011, the extension of the Conditional Use Permit was extended to July 21, 2012.
17. On October 27, 2011, Staff received an application to extend the CUP for an

- additional year, and on January 11, 2012, the Planning Commission heard the applicants request for an additional and final one-year extension from July 21, 2012 to July 21, 2013.
18. On February 9, 2012, the City Council received a written appeal of the Planning Commission's final action of January 11, 2012, approving the request for the one-year extension to July 21, 2013.
 19. The second appeal of the second extension was originally scheduled for the March 22, 2012 City Council meeting. The appellant was unable to make it to the meeting due to an accident. The City Council voted to continue the item to the April 5, 2012 City Council meeting and directed Staff not to accept any additional materials from the appellant or the applicant.
 20. On April 5, 2012 the City Council conducted a public hearing and voted unanimously to deny the appeal and approve the extension of the CUP and upheld with the following conditions of approval:
 - a. All conditions of approval of the City Council's July 21, 2011 order continue to apply.
 - b. This approval will expire July 21, 2013, 12 months from the first extension of the CUP.
 - c. Approval is based on plans reviewed by the City Council on June 24, 2010. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
 21. In March 2013, the applicant received a building permit for the first single family dwelling. This structure will be used as their model home.
 22. The LMC defines a dwelling unit as a Building or portion thereof designed for Use as the residence or sleeping place of one (1) or more Persons or families and includes a Kitchen, but does not include a Hotel, Motel, Lodge, Nursing Home, or Lockout Unit.
 23. The LMC defines a Lockout Unit as an Area of a dwelling with separate exterior Access and toilet facilities, but no Kitchen.
 24. The requested use meets the LMC definition of a Lockout Unit, which is an area of a dwelling unit and not a separate dwelling unit.
 25. Staff does not consider the proposed use to be a hotel due to the specific provision found in the Hotel definition which indicates that Lockout Units are not Hotels.
 26. The site will have accessory facilities in the development: a spa, ski rentals, and a dining area that were shown on the approved 2010 CUP plans. The use of these areas further reiterates that the use is not consistent with one of a hotel. These areas are for the exclusive use of the unit owners and their visitors, e.g. the only patrons allowed to use the spa, ski rentals, and the dining areas, are patrons staying at the development through the ownership or possible rental of the private units.
 27. The proposal is in substantial compliance with the reviewed and approved CUP plans as the Lockout Units are designed within the existing floor area of each unit formerly reviewed and approved, located in the stacked flats.
 28. No Lockout Units are being requested within the sixteen (16) single family

dwelling/duplexes.

29. The number of Lockout Units within each unit range from one to three (1 - 3).
30. The floor plans have had minor alterations. The number of units has not changed and the plans are in substantial compliance with the approved 2010 CUP plans.
31. The Planning Commission must review LMC § 15-1-10(E) when considering whether or not the proposed conditional use mitigates impacts.
32. The proposed modification, the requested Lockout Units, does not require additional mitigation related to size and location of the site which was not already addressed in the originally approved CUP (2010).
33. Regarding traffic considerations including capacity of the existing streets in the area, Staff received an updated Addendum to Traffic Impact Analysis prepared by Riley Traffic Consultants, LLC, dated November 2013.
34. The updated 2013 traffic analysis indicates that under the maximum trip scenario with all of the lockouts occupied, all traffic is still projected to function at LOS (level of service) A, which is acceptable for a roadway of this classification.
35. The Applicant needs to work with the City Engineer to ensure proper site distance per the 2009 Existing Traffic Counts and Traffic Projections which indicates the following under Sight Distance conclusion and Recommendations which indicates that special warning signage is recommended during the construction period. Also mitigation for the limited sight distance could include a warning sign, or clearing of the slope area across the street.
36. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to utility capacity, including storm water run-off which has already been addressed in the originally approved CUP (2010).
37. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to emergency vehicle access which has already been addressed in the originally approved CUP (2010).
38. Regarding location and amount of off-street parking, parking for all fifty four (54) units must be provided within the North Silver Lake development.
39. According to the Deer Valley MPD off-street parking requirements shall be determined in accordance with the LMC at the time of application for Conditional Use approval.
40. The North Silver Lake development has a mix of single family dwellings/duplexes and multi-unit dwellings. There is also support commercial space within the project. No parking is required for the support commercial area.
41. The current LMC requires 1 parking space per dwelling unit if the apartment or condominium is not greater than 1,000 sf floor area.
42. The current LMC requires 1.5 parking spaces per dwelling unit if the apartment or condominium is greater than 1,000 sf and less than 2,000 sf floor area.
43. The current LMC requires 2 parking spaces per dwelling unit if the apartment or condominium is 2,000 sf floor area or greater.
44. The required parking for the multi-unit dwellings is 76 parking spaces without any parking reduction.
45. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to the internal vehicular and pedestrian circulation

system which has already been addressed in the originally approved CUP (2010).

46. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to fencing, screening and landscaping to separate the use from adjoining uses which has already been addressed in the originally approved CUP (2010).
47. The proposed modification, the requested Lockout Units, does not require additional mitigation related to building mass, bulk, and orientation and the location of buildings on the site, including orientation to buildings on adjoining lots which has already been addressed in the originally approved CUP (2010).
48. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to usable open space which has already been addressed in the originally approved CUP (2010) and condition of approval no. 8.
49. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to signs and lighting which has already been addressed in the originally approved CUP (2010).
50. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing which has already been addressed in the originally approved CUP (2010).
51. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site which has already been addressed in the originally approved CUP (2010).
52. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas which has already been addressed in the originally approved CUP (2010).
53. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities which has already been addressed in the originally approved CUP (2010).
54. The proposed use modification, the requested Lockout Units, does not require additional mitigation related to within and adjoining the site, environmental sensitive lands, physical mine hazards, historic mine waste and Park City Soils Ordinance, steep slopes, and appropriateness of the proposed structure to the existing topography of the site which has already been addressed in the originally approved CUP (2010).

Conclusions of Law

1. The application is consistent with the Deer Valley Master Planned Development and the Park City Land Management Code, particularly section 15-1-10, Conditional Use Permits.
2. The Use is compatible with surrounding structures in use and circulation.
3. The Use is consistent with the Park City General Plan.

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

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. All conditions of approval of the City Council's July 21, 2011 order shall continue to apply.
3. Approval is based on plans reviewed by the City Council on June 24, 2010 and the Planning Commission on December 11, 2013. Building Permit plans must substantially comply with the reviewed and approved plans. Any substantial deviation from this plan must be reviewed by the Planning Commission.
4. The applicant shall work with the City Engineer to ensure proper compliance with the recommendations outlined in this staff report regarding site distance and special warning signage during the construction period.
5. The maximum number of Lockout rooms permitted in the project is 38, all of which shall be located in the units in the stacked condominium buildings as determined by the Applicant. The condominium declaration for the project shall contain a use restriction with this limitation, which use restriction shall not be modified without the written consent of 67% of the owners of residences located in the following adjacent subdivisions: (i) Evergreen; (ii) Bellemont; (iii) Belle Harbor; (iv) Bellevue; and (v) Belleterre.
6. The project is approved as a Multi-Family Dwelling project and not as a Hotel, and the inclusion of 38 Lockouts is deemed not to be a change in said Use. All commercial and support units with appurtenant limited common areas shall be restricted to the exclusive use of the owners of units and renters of units (or Lockouts) currently in residence at the time of use, and their guests. No advertising of the amenities to the public is permitted. The parking garage for the stacked condominium buildings shall contain 80 spaces, and all parking access for such buildings during the period in which Deer Valley Resort is open and operating for public skiing each year shall be limited to valet parking at the main porte cochere for the project. At all other times the parking garage may be accessed only by on-site owners of units or renters of a unit or Lockout, and their guests, as well as employees at the project, either by valet service or a mechanized entry system.
7. Group events hosted in the common areas at the Project shall only be permitted if all invited guests are staying at the Project or the host of the event owns a unit at the Project. Such restriction, together with other reasonable restrictions on event hours, use of amplified sound and other precautions typical of those found in CC&Rs for other condominium projects in Deer Valley shall be included in the condominium declaration.
8. The condominium declaration for the project shall prohibit construction of Structures in the outdoor open space shown on the submitted plat for the project.
9. Applicant shall install a dimmer in the project monument sign to allow the brightness to be reduced as appropriate for better compatibility with the neighborhood.
10. The condominium declaration for the project shall contain the use restrictions

described in conditions of approval 5-9.

Please be aware that the approval of a Conditional Use Permit by Park City in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

As the applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission are available in the Planning Department.

If you have questions regarding your application or the action taken please don't hesitate to contact me at 435-615-5064 or fastorga@parkcity.org.

Sincerely,

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

Francisco Astorga
City Planner

APPEAL AT 7101 Silver Lake Drive

The 2.865 sq. ft. building footprint approved in the Conditional Use public process at 7101 Silver Lake Drive, the site of the proposed Stein Erickson Residences, is in non-compliance with code.

The open space calculation utilizes Dedicated Open Space toward development in error. Dedicated Open Space has been provided in the Conditional Use Permit in error.

The Master Plan forbids the use of Dedicated Open space toward development.

A public process verifying notification of hearings and meetings for the use of Dedicated Open Space toward development in North Silver Lake has not occurred.

The project at 7101 Silver Lake Drive is in non-compliance according to information provided to Council by the Summit County Recorder, Summit County Tax Assessor and Utah State Ombudsman.

In 2012 the Summit County Auditor and Tax Assessor wrote a letter to Council stating Dedicated Open space used in the Conditional Use Permit at 7101 Silver Lake Drive does not have "rights" toward development.

Notification of a public process to allow development at 7101 Silver Lake Drive to use Dedicated Open space tax-free toward massive Condo Hotel development has not taken place.

Council was made aware by Summit County Officials that North Silver Lake recorded plats as of 2012 did not give rights for development outside of the .92 acre recorded building footprint at 7101 Silver Lake Dr.

The State Ombudsman in an Opinion sent to Council identified a flaw in the 2010 Conditional Use Permit at 7101 Silver Lake Drive. Brent Bateman identified a flaw of .76 acre in the open space calculation. He identified a 3.02 acres remainder, instead of 3.78 acres Finding of Fact reported in the 2010 CUP.

$3.78 - 3.02 = .76$ acre math calculation error identified by the State of Utah

The Finding of Facts in the 2010 Approval and 2011 Appeal incorrectly assume the project is 70.6% open space. According to Government experts multiple Findings of Fact, most notably that the project is 70.6% open space, are FALSE.

The project is less than 45% open space using expert information provided by Government officials: Allan Spriggs - Summit County Recorder, Steve Martin -

Summit County Tax Assessor and Brent Bateman - Utah State Ombudsman.

Without the use of 4.03 acres Dedicated Open Space, and subtracting out the .76 acres math error discovered by the Utah State Ombudsman, the project is out of compliance at 45% open space.

The July 2010 CUP Findings of Fact found the project to be 70.6% open space in error.

$$\frac{2.865}{5.96 + 3.78} = \frac{2.865}{9.74} = .2941$$

$$1 - .2941 = .7059 \text{ or } 70.6\%$$

Subtracting out 4.03 acres of Dedicated Open Space and subtracting out the .76-acre open space calculation error discovered by the Utah State Ombudsman the project is less than 45% open space.

$$\frac{2.865}{5.96 - .76} = \frac{2.865}{5.20} = .55$$

$$1 - .55 = .4490 \text{ or } 45\% \text{ open space}$$

The project is less than 45% open space.

A private ski bridge at Bellemont #12 was constructed after the State Ombudsman discovered a .76-acre math error in the developer's open space calculation. The Bellemont #12 private ski bridge would increase the .76-acre open space miscalculation for 7101 Silver Lake Drive.

The project is non-compliance with the 60% open space requirement. The Finding of Fact math calculation of 70.6% used in the public process to approve the project is incorrect. There is a miscalculation of 26%.

$$.7059 - .4490 = .2569 \text{ or } 26\%$$

History

The protection of the forest on 7101 Silver Lake Drive was of importance to City Council, Planning Commission and the public at the time of the 2009 and 2010 Approval.

The argument by the developer's legal Council was the project is 70.6% open space and exceeded the 60% open space requirement.

The developers 70.6% open space math calculation Finding of Fact used to gain approval is FALSE.

The project does not exceed the open space requirement by 10%. The project is in non-compliance. The developer miscalculated and is short in the open space calculation by over 25%.

$70.6\% - 45\% = 25.6\%$

Misconceptions stated by Real Estate Agents of the Stein Erickson Residences to buyers today.

1. "The project has vested rights based on the Harrison Horn CUP to build a big project". This realtor sales pitch to buyers is false. The Harrison Horn CUP expired in 2006.

2. "The developer has paid their property taxes and can build on the property if they want." This real estate sales pitch is false. The Conditional Use Permit utilizes a total of 9.99 acres toward the permit. The developer has paid property taxes on .92 acres out of a total of 9.99 acres utilized in the Conditional Use Permit. The 9.99 acres approved in the Conditional Use permit in 2009 has not been assessed as a Condo Hotel site. 9.07 acres will have been given to the developer tax-free by City Council from 2009 to 2014 if City Council approves the new plat in 2014.

4.03 acres is Deer Valley ski area used in the Conditional Use Permit. The developer has paid zero in property taxes for the use of 4.03 acres of Deer Valley ski area, that is Dedicated Open Space toward development. Deer Valley pays on average \$55 dollars a year in taxes on Dedicated Open Space approved for use in the Conditional Use Permit.

The project has paid property taxes on .92 acres out of a total of 5.96 acres at 7101 Silver Lake Drive. 5.04 acres at 7101 Silver Lake Drive is common area on the recorded plat and tax-free since 2005.

$4.03 \text{ acres} + (5.96 - .92) = 9.07$ is property tax free, or will be a gift by the City Council to the developer in 2014 if approved by City Council.

6 Lot owners have paid property taxes on 6 home sites to be built on .92-acre building footprint at 7101 Silver Lake Dr.

Property taxes have not paid by the North Silver Lake LLC on 9.07 acres of ski frontage used as development right in the Conditional Use Permit.

If approved by City Council 9.07 acres will be given to the developer of the proposed Stein Erickson Residences. Most of the area given tax-free toward development is mature forest or Dedicated Open space and Deer Valley Resort ski area.

Opinion

If 7101 Silver Lake Drive is a Hotel site, why hasn't it been taxed like one since 2005?

Since 2005 the vacant lot at 7101 Silver Lake Drive has been taxed like a lot for a single-family homes.

For comparison, a one-acre vacant Single family home lot on the same street has an assessed value of around \$1.2 million and is assessed taxes of approximately \$11,000 in property taxes annually (See Summit County property tax records for Silver Lake Drive).

The total assessed value for 6 home sites at 7101 Silver Lake Drive is \$1.2 million. The total property taxes assessed annually since 2005 is approximately \$11,000.

The developer of the proposed Stein Erickson Residences utilizes 9.99 acres of ski frontage in the permit.

9.99 acres approved for use in the Conditional Use permit is predominantly forest and Deer Valley ski area that is recorded as Dedicated Open space. The total 9.99 acres used in the permit is taxed a total of approximately \$11,000 a year. \$11,000 in taxes annually is similar to a single home 1-acre lot on the same street with an estimated value of \$1.2 million.

The developer argues there are vested rights to build a massive Condo-Hotel.

Meanwhile owners of 6 single-family home lots have paid a total of approximately \$11,000 in property taxes annually with an estimated total value of \$1.2 million for 6 house lots since 2005.

How can the developer's Council argue 7101 Silver Lake Drive is a Condo Hotel site when it has been taxed as 6 individual home sites since 2005?

Taxes area based on the 2005 recorded plat to build single-family homes, instead of an assessment for a massive Condo-Hotel.

The developer suggests they have a "vested right" to build a major hotel based upon the Harrison Horn Conditional Use Permit. The Harrison Horn CUP expired in 2006.

Although the Harrison Horn CUP permitted a 450,000 sq. ft. project, the property owner in 2005 (Val E. Southwick owner of VesCor) recorded a plat for 6 individual homes.

The 5.96 acres lot at 7101 Silver Lake Drive has been taxed as a site for 6 single-family homes since 2005.

The recorded building pad permits a total of 6 homes on .92 acres.

The 7101 Silver Lake Drive Recorded Plat #733182 records a .92-acre building pad. The .92 acre recorded building pad has NOT been included by the City in a Staff Report or disclosed during public hearings, meetings or the Appeal process.

Facts

The developer does not have development rights based upon the 2006 expired Harrison Horn Conditional Use Permit. (See 2009 Appeal available on the City's web site parkcity.org).

The developer does not have rights to utilize Dedicated Open Space, that is Deer Valley ski area, toward development. (See 2012 Summit County Letter to Council and Summit County Tax record available on summitcounty.org).

There is a .76 acres discrepancy in the open space math calculation according to the State of Utah (See Brent Bateman State Ombudsman Opinion provided to City Hall).

6 home sites, with a total building footprint of .92 acres, on 7101 Silver Lake Drive is what the owner has a right to build (See Summit County Recorder Plat #733182 building footprint available to the public on the web site summitcounty.org).

The City has failed to notify affected property owners of the removal of the recorded building footprints for 6 homes on plat #733182 at 7101 Silver Lake Drive.

The Planning Commission has approved a massive Condo Hotel in the midst of a residential neighborhood in error.

7101 is a 5.96-acre vacant lot, once heavily forested, with 6-recorded building pads for single-family homes. (See recorder plat #733182 on the County's web site summitcounty.org).

A public process with notification, hearings and meetings to remove the .92-acre building pads at 7101 Silver Lake Drive has yet to take place.

Planning Commission has attempted to create a massive Condo Hotel site on a lot recorded for 6 single-family homes from 2005 to date.

7101 Silver Lake Drive's estimated value for Summit County Tax purposes since 2005 is \$1.2 million (See Summit County tax records).

If City Council approves the Stein Erickson Residences and increases the building footprint from .92 acres to around 2.865 acres, vested rights will be created at 7101 Silver Lake Drive worth in excess of \$85 million.

If approved City Council will have turned a lot worth \$1.2 million according to Summit County into a lot worth over \$85 million.

If approved City Council will be complicit in creating a gain for the owners of 7101 Silver Lake Drive in excess of \$83 million.

If approved the City will have changed a lot with vested rights for 6 single family homes into a massive Condo Hotel site with potential vested rights.

If approved City Council in 2014 will have created a new hotel site in Park City in the midst of a built out residential neighborhood.

City Hall will have created a new Condo Hotel site worth in excess of \$85 million by hiding the fact that 9.07 acres of Dedicated Open Space and mature forest have been tax-free for the project since 2005.

FYI - The Securities and Exchange Commission has identified the North Silver Lake LLC's involvement in a fraud scheme. See the VesCor Receivership web site and the North Silver Lake LLC's involvement at 7101 Silver Lake Drive for more information.

See <http://www.vescorreceivership.com>.
Please prevent a Treasure Hill the Second.

Respectfully
Lisa Wilson
P. O. Box 1718
Park City, UT 84060
(435) 901-0629

March 24, 2014

Dear Planning Dept.,

Re: Convertible Land? Non-Compliance with Code and Corruption
Scandal Potential

I am confused with the term "*convertible land plat*". A "*convertible land plat*" was not disclosed in the Planning and City Council Staff reports, meetings, hearings or minutes from 2008 until now. Your email says: "*In other words, the applicant has requested to amend the 6 unit + convertible land plat to reflect the 54 units approved in 2010.*"

What is a "convertible land plat"?

Rights for a condo hotel do not exist today at 7101 Silver Lake Drive. The 5.96 acres lot has been approved for a maximum 6 homes since 2005. A residential homes lot is will be converted in to massive Condo Hotel site if the proposed plat is approved for NSL Lot 2B. A Condo Hotel site is being created within the midst of a well established built out residential neighborhood.

I believe the Recorder Plat #733182 has been included in a Staff Report only once. On Feb 26th a request for lockouts included plat #733182. No one from the public gave public comment on Feb 26th, 2014. Is it because plat #733182 is on the back page in a lockouts request?

The public has not been made aware Recorder Plat #733182 exists over the many years of public process. An important plat has been withheld from the public.

The City and developer have succeeded in hiding the fact that 7101 has recorded rights for a maximum of 6 homes. This developer is clever. The City has abetted the developer in hiding facts that could prevent a Condo Hotel approval on what is a lot for homes only today.

Summit County experts define the land outside the 6 units building boundary as "Common Area" instead of "convertible land". Summit County experts in a letter to Council (Oct 22, 2012) state:

"NSL-2-2B-AM (7101 Silver Lake Drive)

Is an inactive parcel that was broken out of Lot 2 in 1997? It subsequently was further subdivided in 2005 as the North Silver Lake Lodge Condominium of 6 units on the original 5.96 acres. According to the recorded plat received from the Records Office, the remaining acreage under discussion was determined to be Common Area as per plat (lower left hand legend). And since the value of any common area is assumed in the combined undivided ownership of the project units, no Serial or Account number was created for tax assessment purposes.

The lower left hand legend on the Recorder Plat #733182 defines the area outside of the building envelope as Common Area and not convertible land. The legend looks like the property next door on the Belle Harbor Plat.

The notes on the Recorder Plat #733182 confirm the area outside the building envelope is Common Area and not convertible land. The Plat Note states:

"THE BOUNDARIES OF THE UNITS REPRESENT THE BOUNDARIES WITHIN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION SHALL OCCUR WHEN THE ACTUAL BUILDING FOOTPRINTS FOR THE UNITS ARE ESTABLISHED...THE BUILDING FOOTPRINT CAN SHIFT WITHIN THE UNIT BOUNDARY."

Rights for 54 units + commercial space do not exist today. Staff Reports, hearings, meetings and minutes neglected to mention the maximum-recorded right currently at 7101 Silver Lake Drive is 6 units.

Construction is allowed "WITHIN THE UNIT BOUNDARY". The Recorder Plat does not give rights for construction outside the recorded "BOUNDARIES OF THE UNITS" or converting the land to a Condo Hotel site.

The legend on the Recorder Plat #733182 and plat Notes are proof that new rights are being created on 7101 Silver Lake Drive. 6 units has been the maximum right since 2005. If the proposed recorder plat is approved new rights will be created for 56 units + 38 lockouts + commercial space.

The developer of the North Silver Lake area is primarily Perkins Timberlake. Perkins Timberlake developed Bellevue, Belleterre, Bellemont and Belle Arbor. Currently Perkins Timberlake developments are assessed property taxes for Common Area. Bellevue, Bellemont and Belle Arbor all are taxed for Common Area. 7101 Silver Lake Drive Common Area has been tax-free since 2005. If development rights actually exist on Common Area at 7101 Silver Lake Drive Summit County would have taxed them.

7101 Silver Lake Drive is another Perkins Timberlake home development. A Trust Deed is recorded in the name of Gayle Perkins at 7101 Silver Lake. See the Perkins Trust Deed Recorded document.

The recorded development rights are for 6 homes only. There are no recorded rights for commercial space. There are no recorded rights for construction of units outside of the 6-unit boundary.

Any rights for a Condo Hotel, additional units or additional Commercial space will be new rights created by City Council if a new Recorder Plat is approved. City Council will have created a Condo Hotel site within the midst of a residential neighborhood in 2014.

Could another Treasure Hill type battle begin? Perhaps a solution down the road to prevent a massive project, around the size of the St. Regis, above Main St. will be to transfer development rights down to the Snow

Park parking lot.

If the proposed Recorder Plat is approved the City will have created new development rights that benefit Deer Valley Resort. New rights will be created that benefit Deer Valley even if a TDR does not occur to transfer rights to Snow Park. 94 rental units + Commercial space will be created instead of the 6 home maximum permitted today. The proposed Recorder Plat potentially means more skiers on the mountain and revenue.

The 2010 North Silver Lake Lodge CUP is in non-compliance with code

The North Silver Lake CUP utilizes Dedicated Open Space in error. The Dedicated Open Space in the 2010 CUP is Deer Valley Resort ski area.

The Lot 2D tax bill is additional proof from Summit County experts that the 4.03 acres on Lot 2D is Dedicated Open Space. The Oct. 22, 2012 letter from County Officials proves that rights do not exist for the use of Dedicated Open Space toward development. See Lot 2D tax bill.

The project is less than the 60% required when 4.03 acres of Dedicated Open Space is removed from the calculation. The project was sold to the public and City Council as 70.6% open space. The 2010 CUP is in non-compliance as approved.

Re-evaluate

Please re-evaluate the entire North Silver Lake MPD to protect the City from any potential legal liability.

Please check all Perkins-Timberlake projects for verification that they conform to the open space code requirements in place at the time of their approvals. For example, Bellemont without the use of Lot 2D toward development is in non-compliance with code.

Multiple homes within Perkins Timberlake projects (Bellevue, Bellemont,

and Belle Arbor) have added private ski bridges to access homes from the ski run. The ski bridges were constructed after plats were recorded. Ski bridge foundations have changed the building footprint and the open space calculations for Perkins Timberlake developments.

Any additional land required to meet the open space code will need to come from within the North Silver Lake MPD. 7101 Silver Lake Drive is the last major lot within the NSL MPD.

Perkins-Timberlake is aware that development rights do not exist on Lot 2D toward development. The 2010 North Silver Lake Lodge CUP permits Bellemont to use land from 7101 Silver Lake Drive toward Bellemont's open space calculation. See Finding of Fact #9.

Finding of Fact #9...*"The Bellemont subdivision utilized 1/4 acre of the Lot 2B parcel to comply with the open space requirement."*

Lot 2B is 7101 Silver Lake Drive.

Mark Prothro owns the lot next to his Belleterre home on Silver Lake Drive. Could Prothro try to use his residential single-family home lot toward the deficiency in open space for Bellemont, use his lot for an open space deficiency at 7101 Silver Lake Drive, or other open space deficiencies in Perkins Timberlake projects within the North Silver Lake MPD?

Mark Prothro signed the Plat for Belleterre, Bellvue, Bellmont and Belle Arbor on behalf of Perkins Timberlake. Gayle Perkins has a Trust Deed at 7101 Silver Lake Dr.

The Developer is trying to create rights for a Condo Hotel on a lot with rights for a maximum of 6 homes exist today. Park City has abetted this process by withholding the Recorded Plat map #733182 from the public until Feb 26th, 2014.

Typically on Silver Lake Drive a plat amendment takes place first to expand the building boundaries on a lot. Multiple plat amendments are recorded on Silver Lake Drive to expand the building boundaries for single-family homes.

The plat amendment process has been reversed at 7101 Silver Lake Drive. A CUP was approved for the North Silver Lake Lodge prior to expanding the building boundary at 7101 Silver Lake.

It appears Park City Municipal has played an integral role in allowing a smoke and mirrors public process to create another massive Condo Hotel in Park City.

Please be vigilant and verify all information provided to the City by this developer. The 7101 Silver Lake LLC is a VesCor Receivership Entity. The LLC is suspected of ties to Val E. Southwick and his associate's fraud scheme. VesCor was accused by the Securities and Exchange Commission of bilking banks, investors, etc out of \$450 million. Val E. Southwick and some of his associates are currently serving prison time for fraud. This page is from the VesCor Receivership website. The site shows that 7101 Silver Lake LLC is a Receivership Entity.

ENTITIES IN THE VESCOR RECEIVERSHIP

Development Advisory Services, LLC

Horizon Ridge Office Park, LLC

7101 Silver Lake, LLC

7101 Silver Lake/40, LLC

7101 Silver Lake/60, LLC

ADL 1, LLC

Annenberg Capital, LLC

Apex 3, LLC

Apex Capital 1, LLC

Apex Capital 3, LLC

Apex Capital CCN 1, LLC

Apex Capital CCN 2, LLC

Apex Capital CCN 23, LLC

Apex Capital CCN 3, LLC

Apex Capital CCN 4, LLC

Apex Capital CCN 5, LLC

Apex Capital CCN 6, LLC

Apex Central, LLC

Apex Foot Hills, LLC

Apex Holdings 1, LLC

Apex Holdings 2, LLC

Apex Holdings 23, LLC

Apex Holdings 3, LLC

Apex Holdings 4, LLC

Apex Holdings 5, LLC

Apex Holdings 6, LLC

Apex Land Holdings, LLC

Apex Industrial Properties, LLC

Apex MM, Inc.

Apex Miners Mesa, LLC

Apex Northern Highlands, LLC

Apex Number One, LLC

Apex Solo Mountain, LLC

Apex Vegas Vista, LLC

BDL 2, LLC

Baron Von Tiltup, LLC

Bay View Community Center, LLC
Berkshire Assets, LLC
Cromwell Property Management, LLC
CLP Properties, LLC
Consulting Alternatives, LLC
Commercial Center North, LLC
DKR Holdings, LLC
Development Advisory Services, LLC
EDL 5, LLC
Edgewood Assets, LLC
Eleuthera Equity, LLC
Emerald Crest Condominium Association, LLC
Emerald Crest Holdings, LLC
Five Star Lending, LLC
GHC Equities, LLC
Glenbrook Capital, LLC
Growth Vision, LLC
HB Equities, LLC
Horizon Ridge Office Park, LLC
IDL 9, LLC
Industrial Rail Owners Association (Corp.)
International Transitional Housing, LLC

SV Assets, LLC
SV Lending, LLC
Towicks, LLC
Transitional Alternatives LLC
Trillium Assets, LLC
Val Edmund Southwick Family
VDC Commercial Mortgage,
VesCor Capital Corp.
VesCor Capital Inc.
VesCor Development, LLC
VesCor Development 2, LLC
VesCor Development 3, LLC
VesCor Preferred Equity, LLC
VesCor, Ltd.
VesCorp Capital IV-A, LLC
VesCorp Capital IV-HR, LLC
VesCorp Capital IV-M, LLC
VesCorp Capital IV-ND, LLC
VesCorp Capital, LLC
Vescorp IV, Inc.
Vegas Vista VI, LLC
Vegas Vista 6 Holdings, LLC

Hypothesis

Could this be a strategy to reimburse banks, investors and more bilked by Vescor?

Facts

The Recorded documents and the Oct 22, 2012 letter from Summit County experts to Council make it clear rights do not exist for development beyond 6 units at 7101 Silver Lake Drive today.

The Recorded documents and the Oct 22, 2012 letter from Summit County experts to Council make it clear development rights do not exist for the use of Dedicated Open Space on Lot 2D toward development.

The proposed SEL Residences Recorder Plat requires the use of Dedicated Open Space toward development to meet the 70.6% open space approved in the CUP. Dedicated Open Space has been approved toward development in the 2010 North Silver Lake Lodge CUP.

The Fact that Dedicated Open Space is approved toward development in the 2010 North Silver Lake Lodge CUP has not been disclosed to the public in a Staff Report, hearing, meeting or minutes.

Rights for a massive Condo Hotel will only exist if City Council approves a new Recorder Plat.

A new plat will turn a lot with an estimated value today of \$1.2 million into a lot worth potentially more than \$100 million dollars. Permitting the use of Dedicated Open Space toward development will create a new \$100 million dollar Condo Hotel site in Park City.

Potential Outcome

If the proposed SEL Residences Recorder Plat is approved new rights will be created and another Treasure Hill type battle will begin.

City Hall could be accused of corrupt practices and withholding vital information from the public.

Those in Deer Valley and Park City have the wealth, resources and the time for a legal battle.

FYI

I am no longer receiving email notifications for City Council and Planning meetings. I did not request email notifications be discontinued.

My check for the Appeal to City Council concerning the Recorder Plat change at 7101 Silver Lake Drive was cashed 3/11/2014. Please include my Appeal to City Council in the Staff Report for the April 9th meeting.

The Appeal was given to Sharon Bauman and the entire Planning Commission. Supporting documents for the Appeal were given to the Planning Commission during public comment on March 12th, 2014.

If the proposed recorded plat is on the Agenda on April 9th please include my Appeal and ALL supporting documents provided to Planning Commission on March 12th and given to Sharon Bauman March 10, 2014 in the Staff Report. Please include this email also in the Staff Report for the April 9th meeting. I will be in Mexico.

Please include the 3 emails sent to Diane Sintz on Feb 12th in the Staff Report for the proposed Recorder Plat at 7101 Silver Lake. 3 emails were sent to Diane Sintz and Francisco Astroga for the Feb 12th & 26th Planning meeting. The Feb 12th meeting was postponed until Feb 26th.

I have been out of town for one Planning meeting all year, the Feb 26th meeting. The second time I will be out of town for a Planning meeting is April 9th. It looks as if the developer may know when I am out of town.

Please put me back on the email notification list for City Council and Planning meetings.

Apparently a public hearing is scheduled for April 9th to create new Condo Hotel site at 7101 Silver Lake Drive. If at all possible could this take place when I am in town?

Staff Report for the new Recorder Plat at 7101 Silver Lake's

Will the Staff Report include the fact that Dedicated Open Space is used toward development in the proposed Recorder Plat?

Will the Staff Report include the fact that the site permits 6 homes only today?

Regards, Lisa Wilson

To the Council:

October 22, 2012

Re: "tax free property in Park City"

The properties under discussion are:

NSL-2-2D-am.

North Silver lake Subdivision lot 2d of lot 2 re-subdivision which is a 4.03 acre parcel designated as open space on the recorded plat. This parcel is valued as "open Space" and as such no further development rights are attached to the property. It is currently assessed at "open Space" value of \$1,500 per acre which is identical to all platted open space in the resort area. What Park City allows as its use (open space for adjoining condo projects) is up to the Park City authority; however it has little effect on the valuation since the property itself is stripped of any usage other than buffer and green space.

NSL-2-2B-AM

Is an inactive parcel that was broken out of lot 2 in 1997. It subsequently was further subdivided in 2005 as the North Silver Lake Lodge Condominium of 6 units on the original 5.96 acres. According to the recorded plat received from the Records Office, the remaining acreage under discussion was determined to be Common Area as per plat (lower left hand legend). And since the value of any common area is assumed in the combined undivided ownership of the project units, no Serial or Account number was created for tax assessment purposes.

The 85 million trust deed is irrelevant to assessment purposes and may mean something to the bank or the borrower or may cover multiple properties or other assets of the LLC for whom the deed was executed.

The conditional use development rights exist only on paper and only until 2013, if they are developed at all. Until a subsequent plat is recorded determining and fixing the "rights" to this parcel it would be unwise to attach value to undetermined, speculative, future potential as yet unrealized.

It appears that in 2010 Ms. Wilson and other adjacent property owners filed an appeal of the CUP (Conditional Use Permit) and were denied on the whole and may be attempting a different route to slow the development of the parcel.

Alan Spriggs , Summit County Recorder

Steve Martin, Summit County Assessor

Tax Record Proof Lot 2D is Dedicated Open Space

Tax Account

3/22/14, 4:31

Tax Account

Summary

Account Id 0338065
Parcel Number **NSL-2-2D-AM**
Owners DEER VALLEY RESORT COMPANY
Address PO BOX 889
PARK CITY, UT 84060-0889
Situs Address
Legal LOT 2D OF THE SUBDIVISION OF LOT 2 NORTH SILVER LAKE SUBDIVISION; ACCORDING TO
THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 4.03 ACRES

Inquiry

As Of

Total Due \$0.00

Value

Area Id		Tax Rate
07 - 07 - PARK CITY A,J,K,U (D-D)		0.0090960000
	Actual	Assessed
OPEN SPACE/DON'T FACTOR (DEDICATED - 02D)	6,045	6,045
Taxes		\$54.99

The amounts of taxes due on this page are based on 2013 property value assessments.

13 of 17

Lot 2D dedicated open space used in error toward development

room or lodge room shall constitute one-half a dwelling unit. The Deer Valley MPD does not limit the size of units constructed provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

8. Within the Deer Valley MPD development parcels exhibit there is a note for the NSL Subdivision Lot 2D Open Space stating "This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B." Lot 2D is 4.03 acres in size.
9. Within the original North Silver Lake Subdivision, the Bellemont subdivision was allowed to also utilize Lot 2B towards the 60% open space requirement. The Bellemont Subdivision utilized $\frac{1}{4}$ acre of the Lot 2B parcel to comply with the open space requirement.
10. The current application site plan contains 70.6% of open space on the site including the remainder 3.78 acres of open space on Lot 2D.
11. The property is located in the Residential Development zoning district (RD) and complies with the Residential Development ordinance.
12. The property is within the Sensitive Lands Overlay Zone and complies with the Sensitive Lands Ordinance.
13. The height limit for Lot 2B was established at 45 feet within the Deer Valley Master Plan. The development complies with the established height limit, with the allowance of five feet for a pitched roof.
14. The onsite parking requirements for the four stacked flat condominiums have decreased 25% in compliance with section 15-3-7 of the Land Management Code. The Planning Commission supports a 25% reduction in the parking for the stacked flats within the development.
15. The Planning Commission held public hearings on August 13, 2008, October 22, 2008, February 25, 2009, May 27, 2009, and July 8, 2009.
16. The Planning Commission approved the CUP on July 8, 2009.
17. An appeal of the CUP approval was received July 17, 2009 within ten days per LMC 15-1-18.
18. The City Council reviewed the appeal of North Silver Lake lot 2B on October 15, 2009 and on November 12, 2009.
19. On November 12, 2009, the City Council remanded the Conditional Use Permit back to the Planning Commission with three specific items to be addressed within the order.
20. The Planning Commission reviewed the North Silver Lake Conditional Use Permit remand on November 11, 2009 and January 13, 2010 and two Planning Commission regular agenda meetings on March 10, 2010 and April 28, 2010. The Planning Commission approved the revised Conditional Use Permit on April 28, 2010.
21. The Conditional Use Permit was appealed by two separate parties within ten days of the Planning Commission approval.
22. The design for Building 3 decreased the overall square footage of the Building 3 twenty-five percent (25 %), reoriented the building on the site, and divided the building into two interconnected buildings of smaller scale and building.

North Silver Lake Lodge CUP

14 of 17

Developments within North Silver Lake are Perkins Timberlake



March 25, 1997

NOTICE TO ADJOINING PROPERTY OWNERS

Dear Property Owner:

The Park City Planning Department has received an application for a project to be located in your neighborhood as described below. The Planning Commission will review this proposal at their regularly scheduled meeting on Wednesday, April 9, at 7:00 p.m. in the City Council Chambers at City Hall (The Marsac Building), 445 Marsac Avenue and you are welcome to attend.

Project Location: Lot 2-North Silver Lake Subdivision
and
Bellemont at Deer Valley, North Silver Lake Subdivision Lot 2A

Applicant: Perkins Timberlake Company

Project Description: A request for a plat amendment and a small scale MPD for a 12-lot subdivision.

If you have any questions or comments regarding the proposal, please contact this office at (801) 645-5021 during normal business hours. You are invited to attend the meeting and address the Commissioners with your comments and questions, or send them to the Planning Staff and we will forward them for you.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kevin G. LoPiccolo".

Kevin G. LoPiccolo
Planner

CONDONIT
Subd: NOR
LAKE LO
CONDON
Subd: NC
LAKE L
CONDON

Subd:
LAK
CON
Sub
LA
C
S
I

NSLLC-1, From: PERKINS GAYLE To: SR SMDV LLC
NSLLC-2, TRUSTEE, PERKINS
NSLLC-3, ... MICHAEL TRUSTEE

B: 1862 P: 1552,
05/02/2007
10:20:37 AM
Related: 00624320

ENTITIES IN THE VESCOR RECEIVERSHIP

Development Advisory Services, LLC
 Horizon Ridge Office Park, LLC
 7101 Silver Lake, LLC
 7101 Silver Lake/40, LLC
 7101 Silver Lake/60, LLC
 ADL 1, LLC
 Annenberg Capital, LLC
 Apex 3, LLC
 Apex Capital 1, LLC
 Apex Capital 3, LLC
 Apex Capital CCN 1, LLC
 Apex Capital CCN 2, LLC
 Apex Capital CCN 23, LLC
 Apex Capital CCN 3, LLC
 Apex Capital CCN 4, LLC
 Apex Capital CCN 5, LLC
 Apex Capital CCN 6, LLC
 Apex Central, LLC
 Apex Foot Hills, LLC
 Apex Holdings 1, LLC
 Apex Holdings 2, LLC
 Apex Holdings 23, LLC
 Apex Holdings 3, LLC
 Apex Holdings 4, LLC
 Apex Holdings 5, LLC
 Apex Holdings 6, LLC
 Apex Land Holdings, LLC
 Apex Industrial Properties, LLC
 Apex MM, Inc.
 Apex Miners Mesa, LLC
 Apex Northern Highlands, LLC
 Apex Number One, LLC
 Apex Solo Mountain, LLC
 Apex Vegas Vista, LLC
 • BDL 2, LLC
 Baron Von Tiltup, LLC
 Bay View Community Center, LLC
 Berkshire Assets, LLC
 Cromwell Property Management, LLC
 CLP Properties, LLC
 Consulting Alternatives, LLC
 Commercial Center North, LLC
 DKR Holdings, LLC
 Development Advisory Services, LLC
 EDL 5, LLC
 Edgewood Assets, LLC
 Eleuthera Equity, LLC
 Emerald Crest Condominium Association, LLC
 Emerald Crest Holdings, LLC
 Five Star Lending, LLC
 GHC Equities, LLC
 Glenbrook Capital, LLC
 Growth Vision, LLC
 HB Equities, LLC
 Horizon Ridge Office Park, LLC
 IDL 9, LLC
 Industrial Rail Owners Association (Corp.)
 International Transitional Housing, LLC
 IR Holdings I, LLC
 IR Holdings III, LLC
 JDL 10, LLC
 J & V, LLC
 Kenton Investments, LLC
 Kojo Seacliff, LLC
 London I, LLC
 MMS Capital Investments, LLC
 MMS Holdings, LLC
 Montana Freeport Holdings, LLC
 Nevada Development Advisory, LLC
 Odyssey Equity, LLC
 One Mortgage Ltd., Inc.
 OS, LLC
 Oxford First Capital, LLC
 Paladin Development Services, LLC
 R.O.C.S.E.V. Capital, LLC
 Santa Clara, LLC
 SEV Administrative Trust
 Siena Executive Suites Holdings, LLC
 Siena Heights II, LLC
 Siena Heights, LLC
 Siena Office Park 1, LLC
 Siena Office Park 2, LLC
 Siena Office Park 3, LLC
 Siena Office Park 4, LLC
 Siena Office Park, LLC
 Siena Vista, LLC
 Signatory, LLC
 Silver State Lending, LLC
 SOP 871, LLC
 SOP Capital, LLC
 SOP MM, Inc.
 Southwick Insurance Trust
 Stonefield Holdings, LLC
 Sunset Curve Holdings, LLC
 SV Assets, LLC
 SV Lending, LLC
 Towicks, LLC
 Transitional Alternatives LLC
 Trillium Assets, LLC
 Val Edmund Southwick Family Trust dtd 8
 VDC Commercial Mortgage, LLC
 VesCor Capital Corp
 VesCor Capital Inc.
 VesCor Development, LLC
 VesCor Development 2, LLC
 VesCor Development 3, LLC
 VesCor Preferred Equity, LLC
 VesCor, Ltd
 VesCorp Capital IV-A, LLC
 VesCorp Capital IV-HR, LLC
 VesCorp Capital IV-M, LLC
 VesCorp Capital IV-ND, LLC
 VesCorp Capital, LLC
 VesCorp IV, Inc.
 Vegas Vista VI, LLC
 Vegas Vista 6 Holdings, LLC

April 3, 2014

Dear Planning Commission and City Council,

This letter is to request the new recorder plat at 7101 Silver Lake Drive be denied. The proposed recorder plat will allow the use of Dedicated Open Space toward development. This will set a precedent. A new plat will change a lot approved for 6 homes today to a Condo Hotel site that includes commercial space.

FYI - A courtesy notice was **not** sent to adjacent homeowners to let them know about the April 9th proposed Recorder Plat agenda item. The Recorder Plat agenda item has been continued multiple times.

FYI -A sign has **not** been posted on 7101 Silver Lake Drive or Lot 2D Dedicated Open Space to inform the public a Planning Commission discussion will take place regarding both properties on April 9th, 2014.

The current 7101 Silver Lake recorder or Lot 2B plat is for 6 homes only, no commercial space and nothing to be constructed outside the building envelope.

The proposed plat will require the use of Dedicated Open Space on Lot 2D. Lot 2D Dedicated Open Space is adjacent to 7101 Silver Lake. Summit County confirmed in a letter to Council there no rights for the use of Dedicated Open Space toward development on Lot 2D. Currently 4.03 acres of Dedicate Open Space on Lot 2D is approved toward development in the North Silver Lake Lodge CUP. The NSLL CUP is used in the proposed Recorder Plat request for the SEL Residences.

If the City approves the Recorder Plat new rights will be created that will permit the use of Dedicated Open Space toward development in Park City. This will set precedent.

Lot 2D is ski area Dedicated Open Space. Like most ski area in Park City Lot 2D is Dedicated Open Space. Without the use of Lot 2D toward development the projects open space calculation is around 42% open space, rather than the 60% required.

A copy of the 2014 taxes for Lot 2D provided previously is proof that Lot 2D is Dedicated Open Space.

During the 2009 North Silver Lake Lodge Appeal it was suggested a Conservation Easement existed that permitted the use of Lot 2D Open Space toward development. **There is no Conservation Easement that allows Dedicated Open Space on Lot 2D to be used toward development.** After multiple GRAMA Requests the Planning Department has been unable to locate a Conservation Easement. Cheryl Fox, the head of Summit Land Conservancy, concurred there is no Conservation Easement. Planner Brooks Robinson of the Park City Planning Department also does not recall a Conservation Easement on Lot 2D.

It seems the public has been misled. At this point it has not been revealed in a Staff Report that Dedicated Open Space is approved toward development at 7101 Silver Lake Drive in the North Silver Lake Lodge CUP.

In addition the Staff Reports over many years failed to disclose the recorded maximum number of units permitted today at 7101 Silver Lake is 6 units. Plat map #733182 was not included during the CUP process.

The current Recorder Plat for 7101 Silver Lake is Plat #733182. The legend in the left hand corner defines the area outside the building boundary for the 6 units as common area, not convertible land. The plat note reads: *"THE BOUNDARIES OF THE UNITS REPRESENT THE BOUNDARIES WITHIN WHICH ALL BUILDING AND ASSOCIATED CONSTRUCTION DISTURBANCE SHALL OCCUR."*

According to the plat note construction is to take place within the 6-unit building envelope only. Last summer the developer destroyed the forest on much of the lot. Destruction took place outside the .92 acre building envelope defined on the Recorder Plat.

If the City records the proposed SEL Residences Recorder Plat this will be a major gift to the property owners of 7101 Silver Lake Drive.

The value of the land could increase by nearly \$100 million dollars with the new rights recorded.

Summit County's estimated value of the SEL Residences site is \$1.2 million today. The value is based upon the 6-unit Recorder Plat #733182.

Major developers suggest if the SEL Residences Recorder Plat is approved the lot will increase in value, and could be worth in excess of \$100 million dollars because of the new rights recorded.

If the lot is changed from the 6 units recorded today into a 54 units + 2 ADA units + 38 lockouts + commercial space, there will be approximately \$100 million in value created for the 7101 Silver Lake lot owner's Condo Hotel.

Taking

56% of Park City property tax revenue collected goes to the Park City School District. The Park City School District been faced with major budget shortfalls recently. The School Board was accused of mismanaging the budget. Recently the Park City School District increased property taxes to make-up for the budget shortfall.

Summit County gets a portion of their revenue from Park City property taxes. Summit County recently experienced a budget shortfall. Summit County Council raised property taxes to cover the shortfall. County Voters gathered enough signatures on a petition for a tax referendum to stop the tax increase. Taxpayers accused the Summit County Council of mismanagement.

Could Park City Municipal's new Recorder Plats approvals in the 2000's be a contributing factor to the budget shortfalls in the Park City School District and in the Summit County's budget?

In 2005 the property tax bill for 7101 Silver Lake Drive was over \$100,000. After the approval for new recorder plat in 2005 for 7101 Silver Lake the number of units was reduced from 54 to 6 units. Prior to 2005 there were entitlements for commercial space on 7101 Silver Lake. The 2005 Recorder Plat is for 6 homes only and no commercial

space. The property tax bill went from over \$100,000 in 2005 to approximately \$11,000 annually from 2005 to date.

In addition 4 acres of ski frontage is taxed minimally. The taxes on 4.03 acres of Dedicated Open Space on Lot 2D used in the North Silver Lake Lodge Conditional Use Permit and toward the SEL Residence are approximately \$56 a year.

Are City Officials giving favors to well connected developers by approving Recorder Plats that significantly reduce property taxes, and culminate in budget shortfalls for the Park City School District and Summit County?

When a developer is ready to build, as in the case of the SEL Residences, a new Recorder plat is requested to give back development rights that have **not** been taxed for years.

7101 Silver Lake Drive has a Summit County estimated value of \$1.2 million based upon the 6-units recorded on the plat today. If a new recorder plat is approved for 56 units + commercial space, the estimated value for the lot could increase to \$100 million dollars.

The proposed SEL Residence plat request "takes" a Lot approved for 6 units since 2005 and creates new rights for a Condo Hotel site for the future. If approved these new rights will be argued for years to come. If a new recorder plat is approved it could create a Treasure Hill the second.

Teachers, kids and staff in the Park City School District could argue there has been a "taking" of property tax revenue. Significant revenue will have been lost from 2005 to date if a new Recorder Plat is approved.

It could be argued that significant property tax revenue has been taken from Summit County from 2005 to date if a new recorder plat is approved. Summit County gets a portion of their revenue from Park City Municipal.

In 2012 a letter was emailed to Candidates calculating how \$14 million dollars in tax revenue may have been lost by changing the

7101 Silver Lake Drive Recorder Plat from 54 units + commercial space and reducing the rights to 6 units in the 2005 Recorder Plat #733182.

Mayor Dana Williams Accomplishment

Mayor Dana Williams stated one of the accomplishments he is most proud of is the amount of Dedicated Open Space created while he was in office. Will Dedicated Open Space be "taken" and given to massive development in the future? The proposed SEL Residences Recorder Plat takes 4.03 acres of Dedicated Open Space and gives it to massive development.

Will City Council officials take the rights for residential units only at 7101 Silver Lake, and create rights for a massive Condo Hotel within the midst of a nearly built out residential neighborhood?

District Court? Road map to Property Tax Scheme?

If this matter goes to District Court these letters and pleas to Planning Commission and City Council will be important. In addition, this information could be a roadmap to find other projects given preferential tax treatment or permitted the use of Dedicated Open Space toward development.

FYI - The Park Record reported Attorney Snow is representing Attorney General John Swallow in the accusations against him for wrongdoing. Tom Bennett, attorney for the developer, works for Clyde & Snow. The North Silver Lake LLC has been identified as a VesCor Receivership Entity.

Above is the short version of what has taken place. Please include the following in the Staff Report for the proposed SEL Residences Recorder Plat. I understand there is repetition and errors. There is a learning curve and frustration that questions regarding non-compliance and the lack of reporting remain. On my own time as a private citizen I have tried to prevent a legal action.

Please include the following in the Staff Report for a new Recorder Plat at 7101 Silver Lake Drive.

- Please include this email April 3, 2014
- Please include my public comments given to Planning Commission on March 12, 2014 & March 26, 2014
- Please include the Appeal to Planning Commission emailed March 10, 2014 regarding the proposed Recorder Plat. A copy was given to Sharon Baumen on March 10th, 2014.
- Please include the 35 supporting documents given to Planning Commission on March 12th, 2014 for the Recorder Plat Appeal. The 35 documents go with the 3/10/14 City Council Appeal.
- Please include the March 24th email sent to City Council. The supporting documents and another copy of the March 24th email was given to Planning Commission at the March 26th Planning Commission meeting.
- Please include the email sent Feb 21st, 2014 to Planner Francisco Astorga and City Council to be given to Planning Commission for the Feb. 26th Planning Meeting. The Subject: SEL in Non Compliance.
- Please provide the following emails sent to Kayla Sintz on Feb 12th, 2014 to be provided to Planning Commission for the Feb 12th, 2014 Planning Meeting. These emails were sent previously to Francisco Astorga.

Kayla Sintz was sent the following on Feb 12, 2014 Subject:

1. SEL Residences/Quadrupled in size
2. SEL in non-compliance with 2010 code
3. Scam or Corruption? SEL Residences

Please be certain the 35 Supporting Documents provided to Planning Commission on March 12th in the list below are included in the March 10th Appeal and in the Staff Report for new Recorder Plat.

List of Documents Provided

1. Oct 22, 2012 Letter from Summit County to Council
2. Proposed Condo Recorder Plat

3. 7101 Silver Lake Drive Recorder Plat #733182
4. 7101 Silver Lake Drive Tax bill for \$116,874.85
5. 7101 Silver Lake Drive Tax bill for 10,941.60 (1 of 6 units)
6. Dedicated Open Space Tax Bill, Deer Valley Resort Land on Lot 2D for \$55.76
7. LMC for 2009 & 2010 Open Space 60% minimum, Type of Open Space
8. North Silver Lake Lodge 2010 CUP showing 7101 Silver Lake Drive, Lot 2B, is open space for Bellemont (Lot 2A) See #9
9. Trust Deed in 2001 showing \$85 million dollar Trust Deed
10. Utah State Ombudsman Advisory Opinion. Pg 3 shows an open space calculation error. Pg 8. Says the Opinion is not admissible as evidence.
11. Email from Planner Katie Cattan showing the project is 48% open space without the use of Dedicated open space on Lot 2D.
12. Map showing Deer Valley Land, Lot 2D, Dedicated open space parcel.
13. North Silver Lake Condition of Approval that forbids the use of Dedicated open space toward development
14. Total Square footage of NSLL
15. Open Space Map provided by developer
16. 1997 Park City LMC. Homeowner's signatures are required for a substantive change or plat amendment. There are not homeowner signatures for plat note that allows the use of Dedicated Open Space on Lot 2D toward development.

- 17, Recorder Plat #733182, 7101 Silver Lake Drive Recorder Plat, Jan Scott Recorder
18. Recorder Plat #733182, 7101 Silver Lake Drive Recorder Plat, Val E. Southwick signature. Southwick convicted of fraud and currently serving time in Utah prison.
19. Tom Bennet letter (Council for North Silver Lake LLC). Bennett involved in the project since 2001.
20. Photo of proposed Ritz on 7101 Silver Lake Drive from Main St.
21. Photo of proposed Ritz on 7101 Silver Lake Drive from Park Ave
22. What Lot looked like prior to excavation in 2013
23. Account numbers for 6 units at 7101 Silver Lake Dr
24. Developer model of NSLL
25. Jack Thomas tree map
26. Legend for Jack Thomas tree map
27. JSA Architects on Tree Map
28. Jack Thomas Assoc. on Tree Map
29. Notice to allow the use of Dedicated Open Space toward development, March 25, 1997
30. Notice to allow the use of Dedicated Open Space toward development April 12, 1997
31. Letter to Planning Dept., Kevin LoPiccolo, from Deer Valley Resort, Bob Wells Nov 16, 1996
32. 7101 Silver Lake Dr. photo
33. Notice of Default. Tom Bennett, Legal council for developer,

trustee

34. Brooks Robinson email. There is no conservation easement. Mayor Dana Williams in an Appeal hearing stated the Dedicated Open space parcel (Lot 2D) may be used toward development. As Judge and Jury, the Mayor made false statements during and Appeal hearing. Cheryl Fox of Summit Land Conservancy confirmed there is not a Conservation Easement Recorded against North Silver Lake Lot 2d.

35. Lisa Wilson Letter to candidates showing how I arrived at \$14 million dollars being taken from Park City School District, Summit County and Municipal Employees.

Regards,
Lisa Wilson

lisa@winco.us
P. O. Box 1718
Park City, UT 84060
21-year owner of property in Deer Valley

Planning Commission Staff Report



Subject: 469 Ontario Avenue
Project #: PL-14-02243
Author: Christy Alexander, AICP, Planner II
Date: April 9, 2014
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 469 Ontario Avenue and conduct a public hearing. Staff recommends approval of the Steep Slope CUP permit per the findings of fact, conclusions of law, and conditions of approval outlined in this staff report.

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

Description

Applicant/Owner: Jeremy Pack, owner
Architect: Dymond Design
Location: 469 Ontario Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential single family homes
Reason for Review: Construction of structures with greater than 1,000 square feet of floor area and located on a steep slope (30% or greater) requires a Conditional Use Permit

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for a new single family home containing 3,000 square feet (sf) (including the single car garage) on a vacant 3,650 sf lot located at 469 Ontario Avenue. The total floor area exceeds 1,000 sf and the construction is proposed on a slope of 30% or greater.

Background

On January 27, 2014, the City received an application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 469 Ontario Avenue. The application was deemed complete on March 13, 2014. The property is located in the Historic Residential (HR-1) District.

This application is a request for a Steep Slope Conditional Use Permit for construction of a new single family dwelling on a platted lot that was approved by City Council October 17, 2013 and is currently being routed to the County for recording. The property

is described as Lot 1 of the Ontario Pack Subdivision. The lot is a combination of one regular and one substandard Old Town lots and contains 3,650 sf of lot area.

Because the total proposed structure is greater than 1,000 sf, and construction is proposed on an area of the lot that has a thirty percent (30%) or greater slope, the applicant is required to file a Conditional Use Permit (CUP) application. The CUP is required to be reviewed by the Planning Commission, pursuant to LMC § 15-2.2-6, prior to issuance of a building permit.

The lot is vacant with existing grasses, a few trees and little other vegetation. The lot is located between two existing non-historic single family homes and is located across from a vacant lot and other single family homes on Ontario Avenue. There are also single family homes located on the adjacent lot to the west (rear yard), on Marsac Avenue. There are no existing structures or foundations on the lot and no encroachments onto the property from adjacent properties. There are no historic structures located near this home on Ontario Avenue. There are historic structures on Marsac Avenue located within three hundred (300') feet of the property. Access to the lot is from Ontario Avenue. This is a downhill lot. Utility services are available for this lot.

A Historic District Design Review (HDDR) application is being reviewed concurrently with this application for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. The applicant is providing revisions to window details. They are currently in the process of updating the type of windows in order to receive final HDDR approval. Staff reviewed several iterations of the design. The most recent design submittal is included as Exhibit A.

Purpose

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

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

Analysis

The proposed house contains a total of 3,000 sf of floor area, including the single car garage proposed on the upper level. The proposed building footprint is 1,435 square feet. The 3,650 sf lot size allows a building footprint of 1,486.58 sf. The house complies with all setbacks, building footprint, and building height requirements of the HR-1 zone. The third story includes horizontal stepping of ten feet (10') from the lower façade as

required by the Land Management Code. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 1,875 sf	3,650 sf, <u>complies.</u>
Building Footprint	1,486 square feet (based on lot area) <u>maximum</u>	1,435 square feet, <u>complies.</u>
Front and Rear Yard	10 feet minimum (20 feet total)	10 feet (front) to entry and 18 feet (front) to garage, <u>complies.</u> 10 feet (rear), <u>complies.</u>
Side Yard	5 feet minimum	5' on each side, <u>complies.</u>
Height	27 feet above existing grade, <u>maximum.</u> 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval.	27 feet, <u>complies.</u> 35 feet for the single car garage area (approved by Planning Director), <u>complies.</u>
Height (continued)	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.	35 feet, <u>complies.</u>
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	Maximum difference is 48" (4 feet), <u>complies.</u>
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.	Horizontal step occurs at 21feet, <u>complies.</u>
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof design may be below the required 7:12 roof pitch.	The roof is a typical 8:12 pitch, <u>complies.</u>
Parking	Two (2) off-street parking spaces required	One (1) space within a single car garage and one uncovered space on the driveway, within the lot area, compliant with required dimensions,

		<u>complies.</u>
--	--	------------------

LMC § 15-2.2-6 requires a Conditional Use permit for development on steep sloping lots (30% or greater) if the structure contains more than one thousand square feet (1,000 sf) of floor area, including the garage, and stipulates that the Conditional Use permit can be granted provided the proposed application and design comply with the following criteria and impacts of the construction on the steep slope can be mitigated:

Criteria 1: Location of Development.

*Development is located and designed to reduce visual and environmental impacts of the Structure. **No unmitigated impacts.***

The proposed single family house is located on a platted lot in a manner that reduces the visual and environmental impacts of the Structure. The foundation is stepped with the grade and the amount of excavation is reduced. The proposed footprint is less than that allowed for the lot area which reduces the visual impacts on the neighborhood as well as reduces the amount of natural vegetation along the hillside that is impacted, thus reducing environmental impacts. The setbacks are complied with and over all height complies with the LMC requirements.

Criteria 2: Visual Analysis.

*The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points to determine potential impacts of the project and identify potential for screening, slope stabilization, erosion mitigation, vegetation protection, and other items. **No unmitigated impacts.***

The applicant submitted a photographic visual analysis, including a “cross canyon view”, to show the proposed streetscape and how the proposed house fits within the context of the slope, neighboring structures, and existing vegetation.

The visual analysis and streetscape demonstrate that the proposed design is visually compatible with the neighborhood, compatible in scale and mass with surrounding structures, and visual impacts are mitigated. Potential impacts of the design are mitigated with architectural stepping, stepped retaining walls, and minimized excavation. Additionally, the garage door is located approximately 18 feet back from the edge of street.

Criteria 3: Access.

*Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Common driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible. **No unmitigated impacts.***

The proposed design incorporates a relatively level/bridged driveway from Ontario Avenue to the single car garage. Grading is minimized for both the driveway and the stepped foundation. Due to the more than 30% slope and lot width a side access garage would not minimize grading and would require a massive retaining wall. The

proposed level/bridged driveway has a slope of less than 1%. The driveway is designed to minimize Grading of the natural topography and to reduce overall Building scale. The parking requirements will be met with tandem parking.

Criteria 4: Terracing.

*The project may include terraced retaining Structures if necessary to regain Natural Grade. **No unmitigated impacts.***

The lot has a steeper grade at the front property line than through the central portion and also at the rear. The overall slope is 33% across the length of the lot. The foundation is terraced to regain Natural Grade without exceeding the allowed four (4') foot of difference between final and existing grade. Stepped low retaining walls are proposed on the sides at the front portion of the lot to regain Natural Grade. New retaining walls will not exceed six feet (6') in height, with the majority of the walls less than four feet (4').

Criteria 5: Building Location.

*Buildings, access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and provide variation of the Front Yard. **No unmitigated impacts.***

The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The site design and building footprint provide an increased front setback area in front of the garage. Side setbacks and building footprints are maintained consistent with the pattern of development and separation of structures in the neighborhood. The driveway width is 12 feet. The front yard area adjacent to and below the driveway is proposed to be landscaped with native and drought tolerant plants.

Criteria 6: Building Form and Scale.

*Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.***

The house steps with the grade and is broken into a series of smaller components that are compatible and consistent with the pattern in the District and surrounding structures. The garage is subordinate in design in that it is recessed from the entry, in addition to the use of compatible siding materials that reduce the visual impacts of the garage door. This both decreases the visibility of the garage and decreases the perceived bulk of the house. Horizontal stepping, as required by the LMC, also decreases the perceived bulk as viewed from the street. The architectural articulation and detailing, and massing

broken into smaller components, contributes to the smaller scale and bulk of the overall structure in a manner that is compatible with historic structures in the District.

Though very modern in its interpretation, staff finds that the structure complies with the Design Guidelines for Historic Districts and Historic Sites. The structure reflects the historic character of Park City's Historic Sites such as simple building forms, unadorned materials, and restrained ornamentation. The style of architecture should be selected and all elevations of the building are designed in a manner consistent with a contemporary interpretation of the chosen style. Exterior elements of the new development—roofs, entrances, eaves, chimneys, porches, windows, doors, steps, retaining walls, garages, etc—are of human scale and are compatible with the neighborhood and even traditional architecture. The scale and height of the new structure follows the predominant pattern of the neighborhood.

Criteria 7: Setbacks.

*The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures. **No unmitigated impacts.***

Front setbacks are increased as the garage portion of the house is setback 18 feet from the property line, to accommodate the code required parking space entirely on the lot. The entry area is moved forward to the 10 foot setback area. Side setbacks are consistent with the pattern of development and separation in the neighborhood. The low profile roof and overall reduced mass of the design does not create a wall effect along the street front or rear lot line. Rear elevation is consistent with the neighborhood and articulated with setbacks from 10' from both sides of the rear property line.

Criteria 8: Dwelling Volume.

*The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.***

The proposed house is both horizontally and vertically articulated and broken into compatible massing components that reduce the overall bulk and volume of the structure. The design includes setback variations, as well as lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of existing structures. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and existing historic structures. The building volume is not maxed out in terms of footprint, height, or potential floor area.

Criteria 9: Building Height (Steep Slope).

The maximum Building Height in the HR-1 District is twenty-seven feet (27') (and up to a maximum of thirty-five feet for a single car garage on a downhill lot). The Planning Commission may require a reduction in Building Height for all, or portions, of a

*proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing residential Structures. **No unmitigated impacts.***

The proposed structure complies with the 27 feet maximum building height requirement measured from existing grade. The tallest portion of the house is 27 feet from existing grade. A 35 foot height is allowed for the single car garage on a downhill lot, this design proposes a maximum of 35 feet for the garage area, as approved by the Planning Director. Overall the proposed height is less than the allowed height. The required ten foot (10') horizontal step back is provided at 21 feet on the uphill façade that further decreases height and mitigates visual mass of the structure. The proposed structure has a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters as required.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. Approval of the Historic District Design Review application was noticed separately.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time other than standards items that have been addressed by revisions and/or conditions of approval.

Notice

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

Public Input

No input has been received regarding the Steep Slope CUP. No public comment was provided regarding the Design Review.

Alternatives

- The Planning Commission may approve the Steep Slope Conditional Use Permit for 469 Ontario Avenue as conditioned or amended, or
- The Planning Commission may deny the Steep Slope Conditional Use Permit and provide staff with Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date certain or a date uncertain.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is an existing platted residential lot that contains native grasses and shrubs. A storm water management plan will be required to handle storm water run-off at historic release rates.

Consequences of not taking the Suggested Recommendation

The construction as proposed could not occur and the applicant would have to revise the plans.

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit at 469 Ontario Avenue and conduct a public hearing. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact

1. The property is located at 469 Ontario Avenue.
2. The property is described as Lot 1 of the Ontario Pack Subdivision. The lot contains 3,650 sf of lot area. The allowable building footprint is 1,486.58 sf for a lot of this size.
3. The site is not listed as historically significant on the Park City Historic Sites Inventory and there are no structures on the lot.
4. The property is located in the HR-1 zoning district, and is subject to all requirements of the Park City Land Management Code (LMC) and the 2009 Design Guidelines for Historic Districts and Historic Sites.
5. Access to the property is from Ontario Avenue, a public street. The lot is a downhill lot.
6. Two parking spaces are proposed on site. One space is proposed within an attached garage and the second is on the driveway in a tandem configuration to the garage.
7. The neighborhood is characterized by primarily non-historic single family and duplex houses. There are historic structures on Marsac Avenue, the street to the west of Ontario Avenue.
8. A Historic District Design Review (HDDR) application is being reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009. The design complies with the Guidelines except for the windows which are being revised.
9. The lot is an undeveloped lot containing primarily grasses, weeds, and shrubs that are not classified as significant vegetation.
10. There are no encroachments onto the Lot and there are no structures or wall on the Lot that encroach onto neighboring Lots.
11. The proposed design is for a single family dwelling consisting of 3,000 square feet (includes the single car garage) with a proposed building footprint of 1,435 sf.
12. The driveway is proposed to be a maximum of 12 feet in width and 18 feet in length from the edge of the street to the garage in order to place the entire length of the second parking space entirely within the lot. The garage door complies with the maximum width and height of nine feet (9').
13. The proposed structure complies with all setbacks.
14. The proposed structure complies with allowable height limits and height envelopes for the HR-1 zoning as the house measuring less than 27 feet in height from existing grade and the design includes a 10 foot step back at 23 feet on the rear elevation.
15. The proposal, as conditioned, complies with the requirements of 15-5-5 of the LMC. It is currently under review for compliance with the Historic District Design Guidelines.

16. The proposed materials reflect the historic character of Park City's Historic Sites, incorporating simple forms, unadorned materials, and restrained ornamentation. Though modern, the architectural style is a contemporary interpretation and complements the scale of historic buildings in Park City. The exterior elements are of human scale and the scale and height follows the predominant pattern of the neighborhood, in particular the pattern of houses on the downhill side of Ontario Avenue.
17. The structure follows the predominant pattern of buildings along the street, maintaining traditional setbacks, orientation, and alignment. Lot coverage, site grading, and steep slope issues are also compatible with neighboring sites. The size and mass of the structure is compatible with surrounding sites, as are details such as the foundation, roofing, materials, as well as window and door openings. The single car attached garage and off-street parking area also complies with the Design Guidelines and is consistent with the pattern established on the downhill side of Ontario Avenue.
18. No lighting has been proposed at this time. Lighting will be reviewed at the time of the building permit for compliance with the Land Management Code lighting standards.
19. The applicant submitted a visual analysis/ perspective, cross canyon view from the east, and a streetscape showing a contextual analysis of visual impacts on adjacent streetscape.
20. There will be no free-standing retaining walls that exceed six feet in height with the majority of retaining walls proposed at four feet (4') or less. The building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography.
21. The site design, stepping of the building mass, articulation, and decrease in the allowed difference between the existing and final grade for much of the structure mitigates impacts of construction on the 30% slope areas.
22. The plans include setback variations, increased setbacks, decreased building heights and an overall decrease in building volume and massing.
23. The proposed massing, articulation, and architectural design components are compatible with the massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to the stepping, articulation, and placement of the house.
24. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade and the highest portion is 27' from existing grade.
25. The findings in the Analysis section of this report are incorporated herein.
26. The applicant stipulates to the conditions of approval.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).
2. The CUP, as conditioned, is consistent with 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.

Conditions of Approval

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 permit.
3. A final utility plan, including a drainage plan, for utility installation, public improvements, and storm drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers, including Snyderville Basin Water Reclamation District, prior to issuance of a building permit.
4. 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.
5. A final Landscape Plan shall be submitted to the City for review prior to building permit issuance. Such plan will include water efficient landscaping and drip irrigation. Lawn area shall be limited in area.
6. The plat must be recorded prior to building permit issuance.
7. An HDDR approval must be received prior to building permit issuance.
8. If required by the Chief Building Official based on a review of the soils and geotechnical report submitted with the building permit, the applicant shall submit a detailed shoring plan prior to the issue of a building permit. If required by the Chief Building Official, the shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on April 9, 2015, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
10. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission and the Final HDDR Design.
11. 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.
12. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
13. 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.
14. Construction waste should be diverted from the landfill and recycled when possible.
15. All electrical service equipment and sub-panels and all mechanical equipment, except those owned and maintained by public utility companies and solar panels, shall be painted to match the surrounding wall color or painted and screened to blend with the surrounding natural terrain.

Exhibits

Exhibit A- Plans (existing conditions, site plan, elevations, floor plans, sections)

Exhibit B- Plat

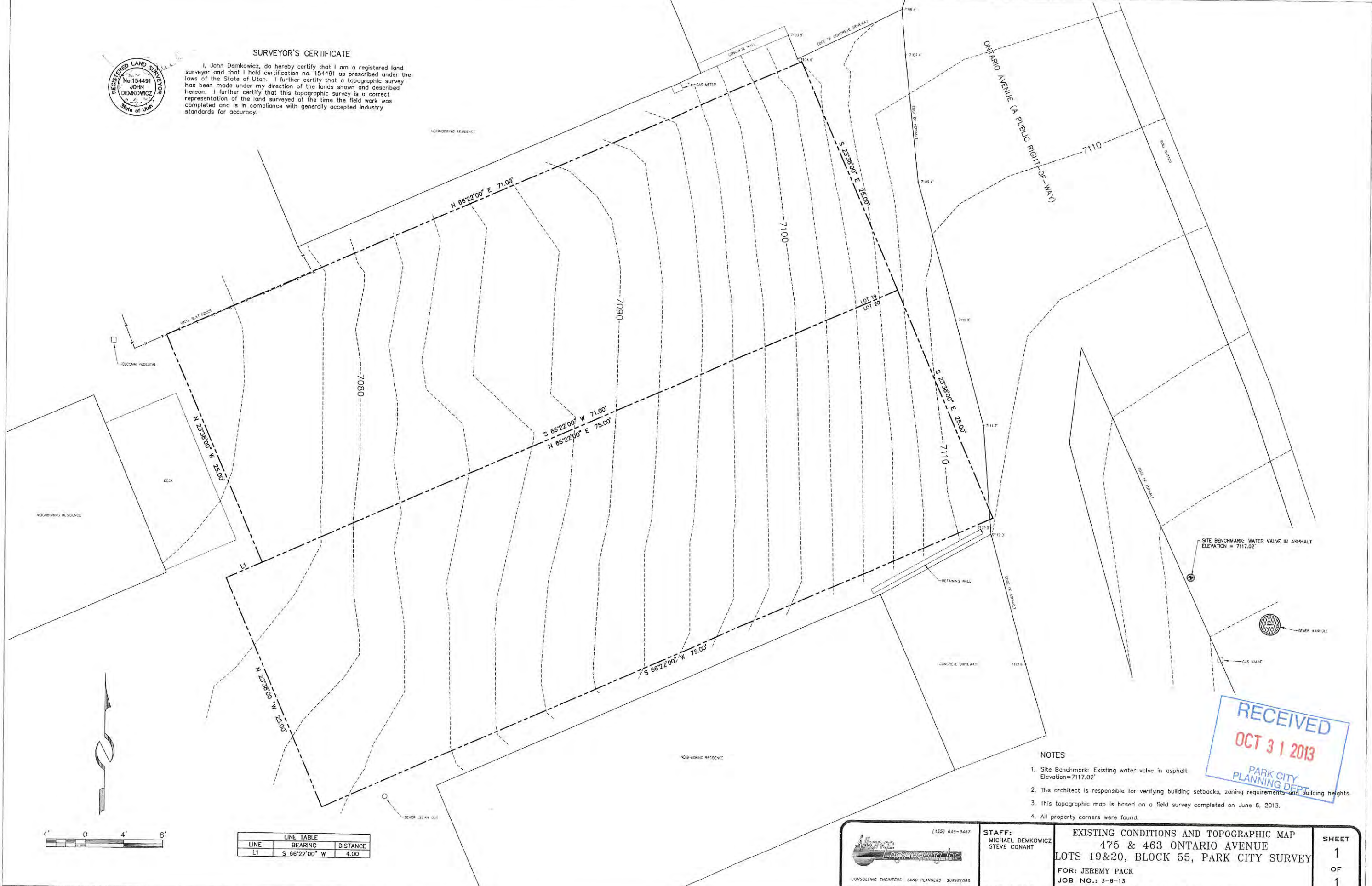
Exhibit C- Visual Analysis/Streetscape
Exhibit D- Photographs

EXHIBIT A



SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a registered land surveyor and that I hold certification no. 154491 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.



RECEIVED
OCT 31 2013
PARK CITY
PLANNING DEPT.

NOTES

1. Site Benchmark: Existing water valve in asphalt
Elevation=7117.02'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey completed on June 6, 2013.
4. All property corners were found.

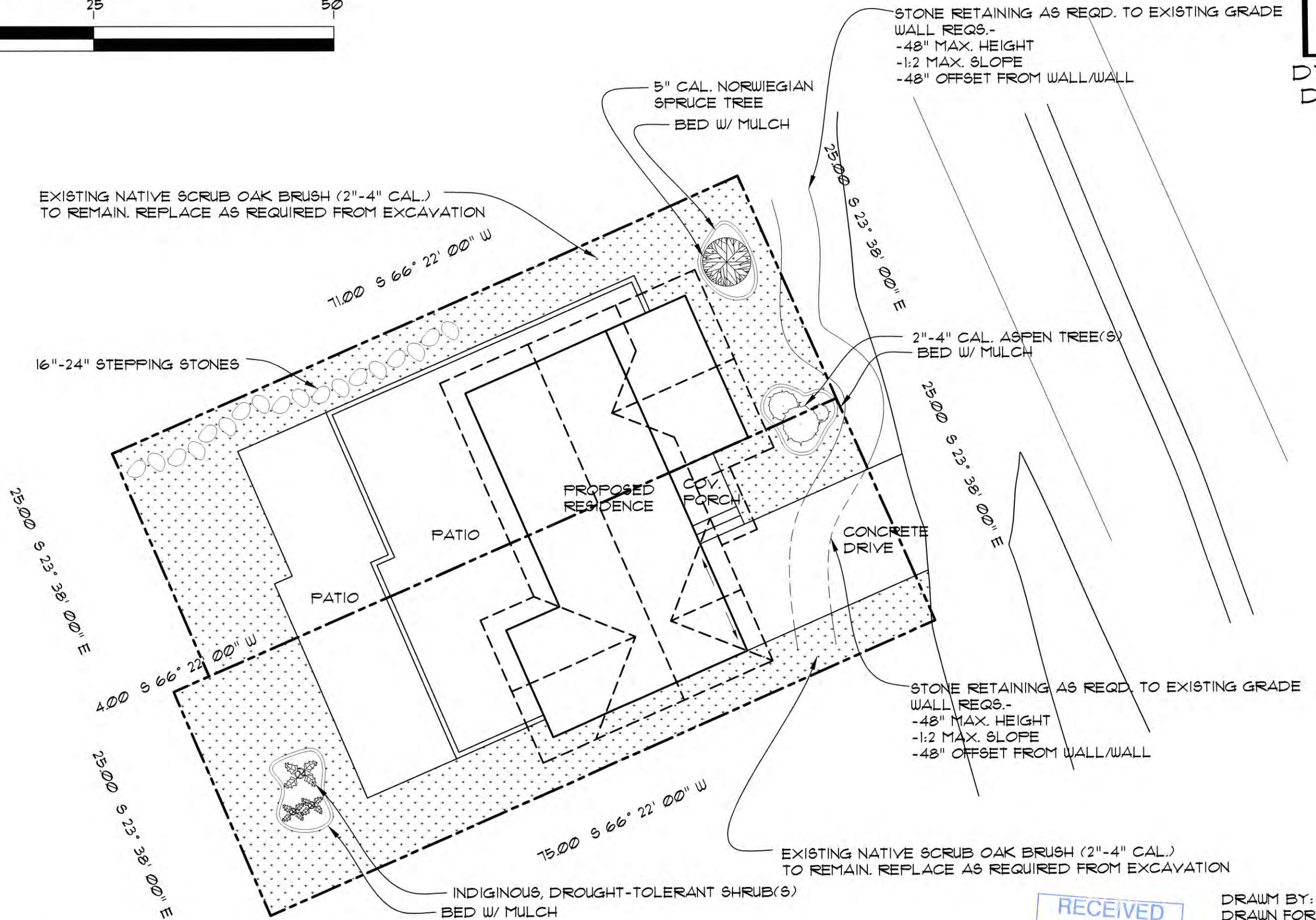
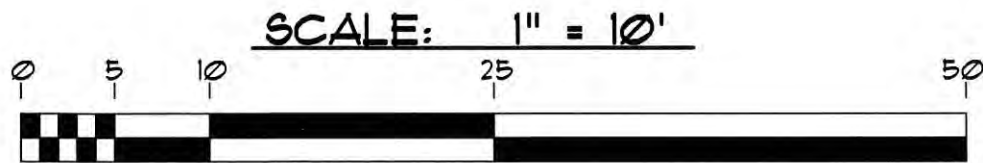


STAFF:
MICHAEL DEMKOWICZ
STEVE CONANT

DATE: 8/5/13

EXISTING CONDITIONS AND TOPOGRAPHIC MAP
475 & 463 ONTARIO AVENUE
LOTS 19&20, BLOCK 55, PARK CITY SURVEY
FOR: JEREMY PACK
JOB NO.: 3-6-13
FILE: X:\ParkCitySurvey\dwg\sr\topo2013\030613.dwg

SHEET
1
OF
1



LOT'S 18 & 19, BLOCK 55, PARK CITY SURVEY

PARK CITY, UTAH
Planning Commission April 9, 2014

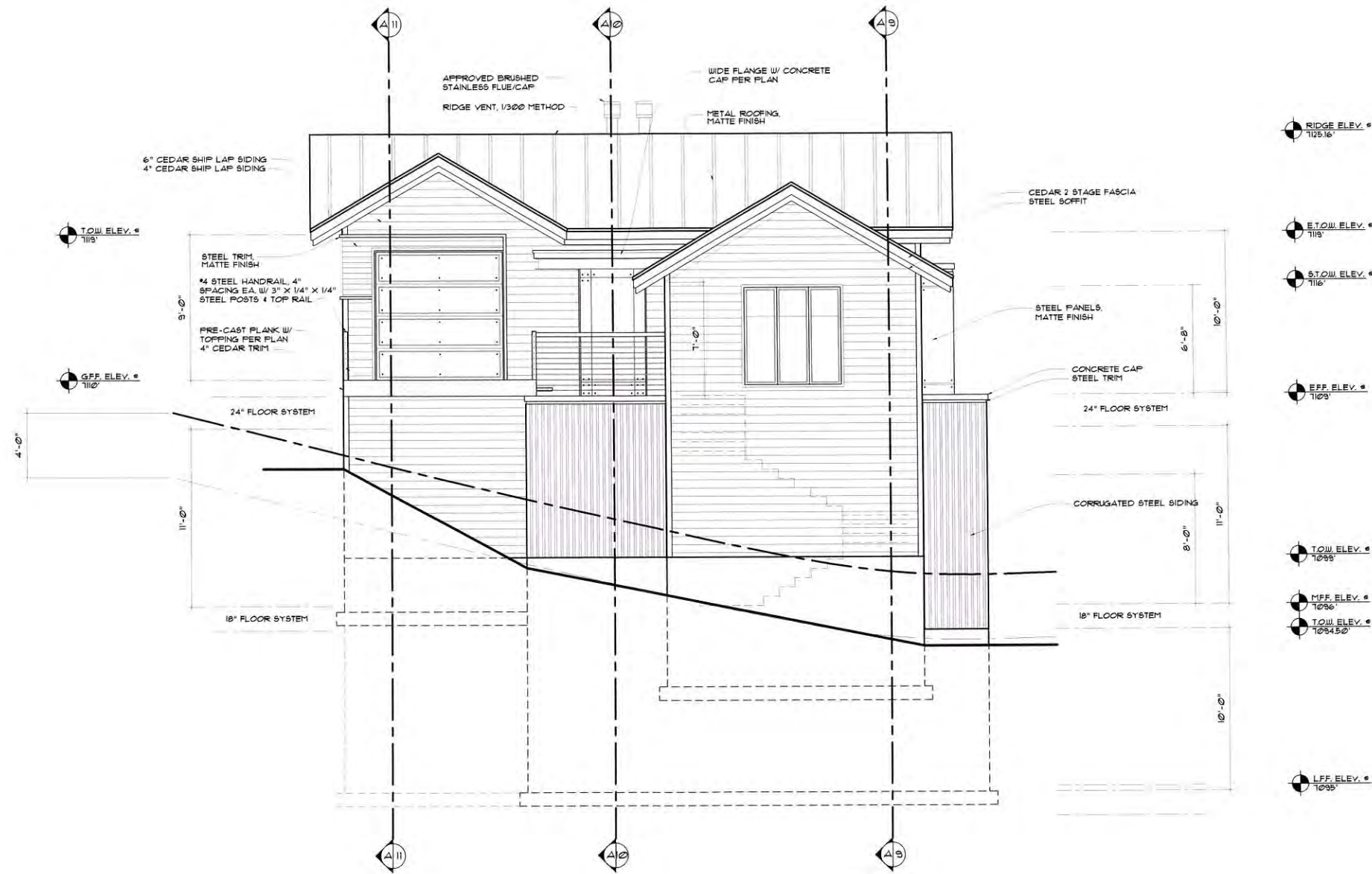
LANDSCAPING PLAN



DRAWN BY: BD
DRAWN FOR: J. PACK
FILE: 19-20-BLOCK-55
DATE: 01/24/14
REVISION: 02/20/14



DYMOND
DESIGN



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
4 ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS 4 SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT. DIMENSIONS HAVE PRECEDENCE OVER SCALE.

ALL DESIGN, DRAWINGS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND WERE CREATED BY AND
AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE PROJECT AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL,
WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN. ANY REPRODUCTION OR TRANSMISSION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN IS A CRIMINAL
OFFENSE UNDER 18 U.S.C. SECTION 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 18 U.S.C. SECTION 1832 AND OTHER LAWS.

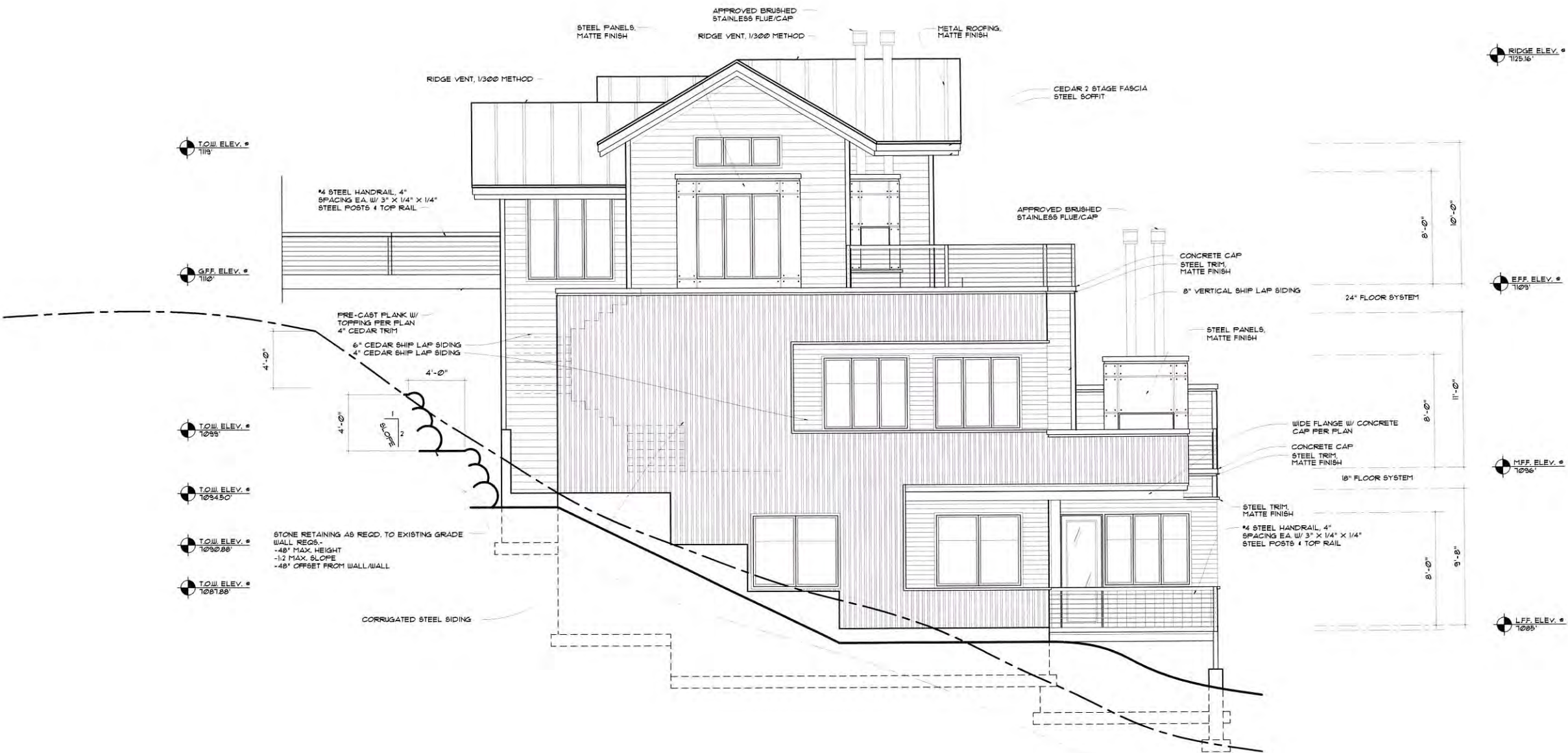
A NEW HOME FOR JEREMY PACK
LOCATED AT 415 ONTARIO AVE.
PARK CITY, UTAH

FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:





DYMOND
DESIGN



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
+ ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS + SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
FOR ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT. DIMENSIONS HAVE PRECEDENCE OVER SCALE.

ALL DESIGN, DRAWINGS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND WERE CREATED BY, AND
AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIC PROJECT, NONE OF WHICH MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS
OFFENSE UNDER 18 U.S.C. SECTION 506. UNAUTHORIZED DISCLOSURE MAY CONSTITUTE TRADE SECRET VIOLATION IN VIOLATION OF 18 U.S.C. SECTION 1832 AND OTHER LAWS.

A NEW HOME FOR JEREMY PACK
LOCATED AT 415 ONTARIO AVE.
PARK CITY, UTAH

FILE NO. 1213-1

DRAWN BY: B.D.

CHECKED BY: B.D.

ORIGINAL DATE: 02/10/14

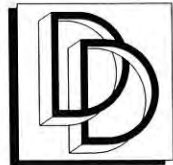
REVISION 1:

REVISION 2:

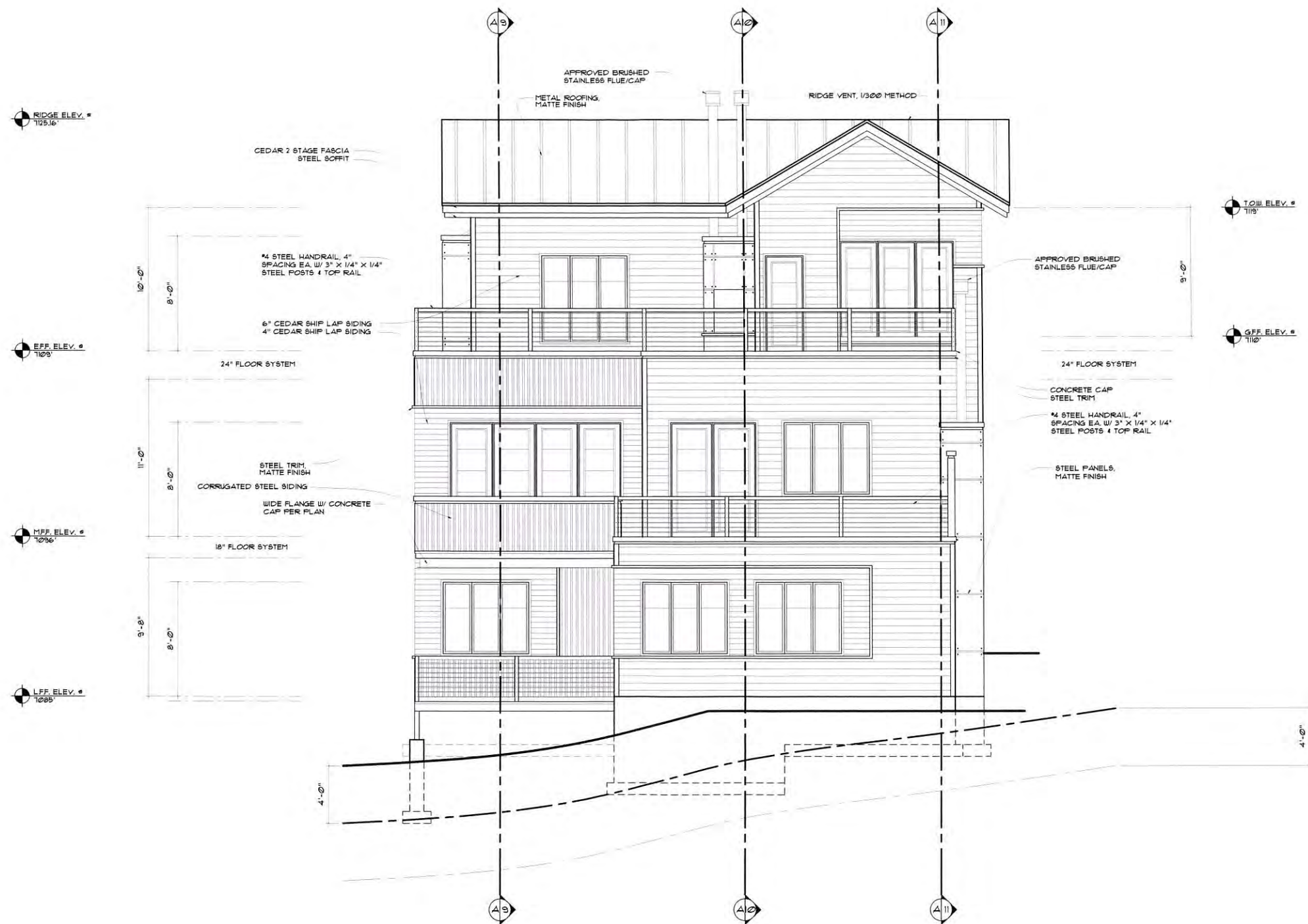
REVISION 3:

Page 252 of 368

PARK CITY
PLANNING DEPT.



DYMOND
DESIGN



REAR ELEVATION

SCALE: 1/4" = 1'-0"

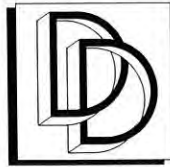
NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS & SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT.
Planning Commission April 9, 2014

ALL DESIGN, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND WERE CREATED, EVOLVED
AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIC PROJECT. NONE OF THE DESIGN OR DRAWING INFORMATION OR ANY INFORMATION CONTAINED
HEREIN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY
INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN. ANY VIOLATION OF THIS NOTICE SHALL BE CONSIDERED A
VIOLATION OF THE U.S.C. SECTION 1030, UNAUTHORIZED DISCLOSURE THAT CONSTITUTE TRADE SECRET, MISAPPROPRIATION, IN VIOLATION OF 12 C.F.R. 1.12-3-1 ET SEQUENCE AND OTHER LAWS.

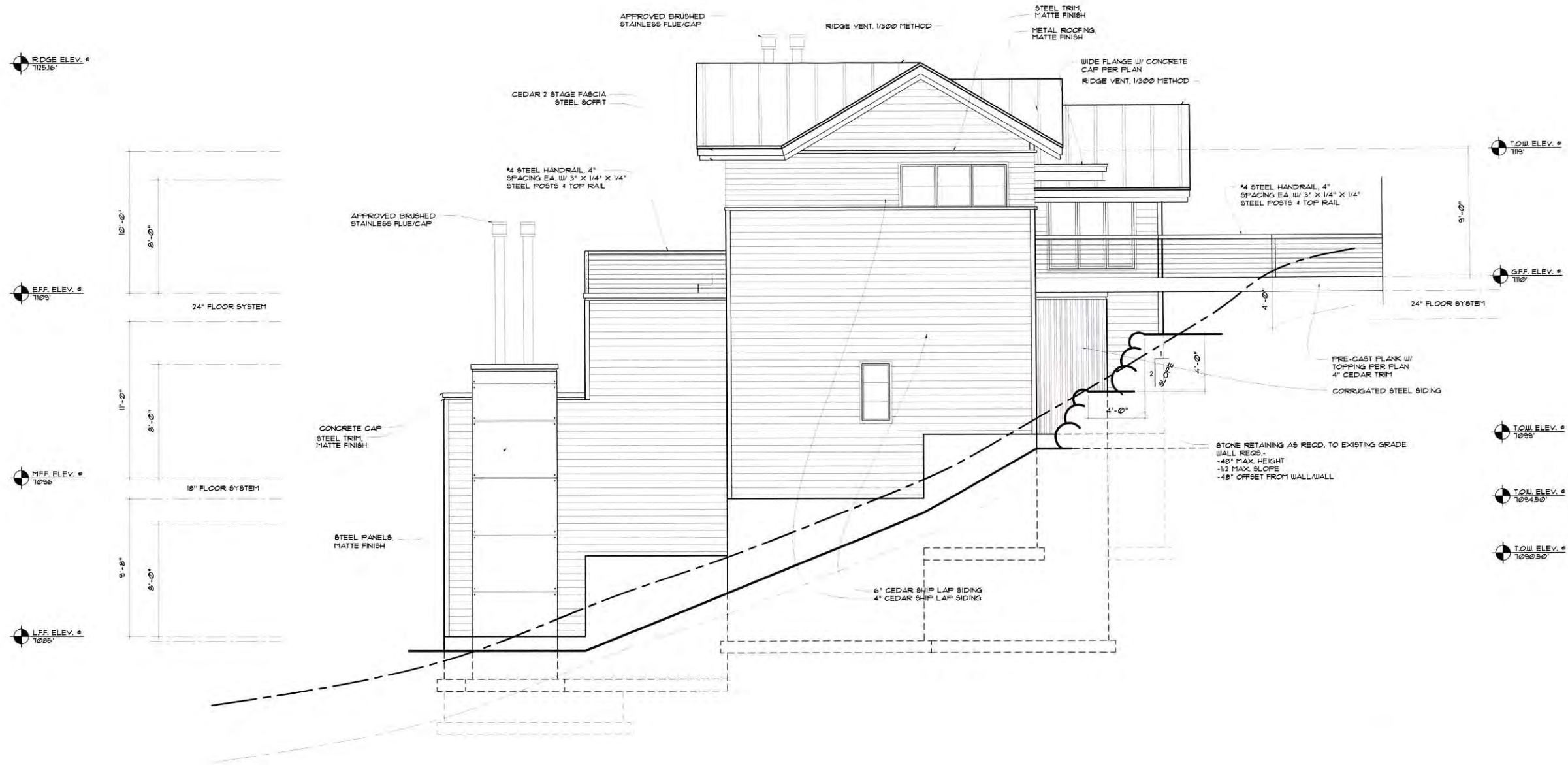
A NEW HOME FOR JEREMY PACK
LOCATED AT 475 ONTARIO AVE.
PARK CITY, UTAH

FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:





DYMOND
DESIGN



LEFT ELEVATION

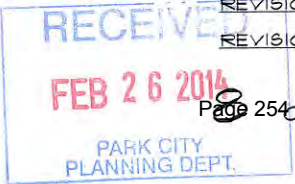
SCALE: 1/4" = 1'-0"

NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
& ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS & SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT. APPROVED FOR THE CITY OF PARK CITY, UTAH
PLANNING COMMISSION APRIL 9, 2014

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND WERE CREATED, EVOLVED
AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THIS SPECIFIC PROJECT. NO PART OF THIS DRAWING OR ANY INFORMATION CONTAINED HEREIN IS TO BE REPRODUCED
OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL
SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION OF THIS DRAWING OR ANY INFORMATION CONTAINED
HEREIN IS A VIOLATION OF U.S. COPYRIGHT LAW AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION
OF THIS DRAWING OR ANY INFORMATION CONTAINED HEREIN IS A VIOLATION OF U.S. COPYRIGHT LAW AND WILL BE PROSECUTED TO THE FULL EXTENT OF THE LAW.

A NEW HOME FOR JEREMY PACK
LOCATED AT 475 ONTARIO AVE.
PARK CITY, UTAH

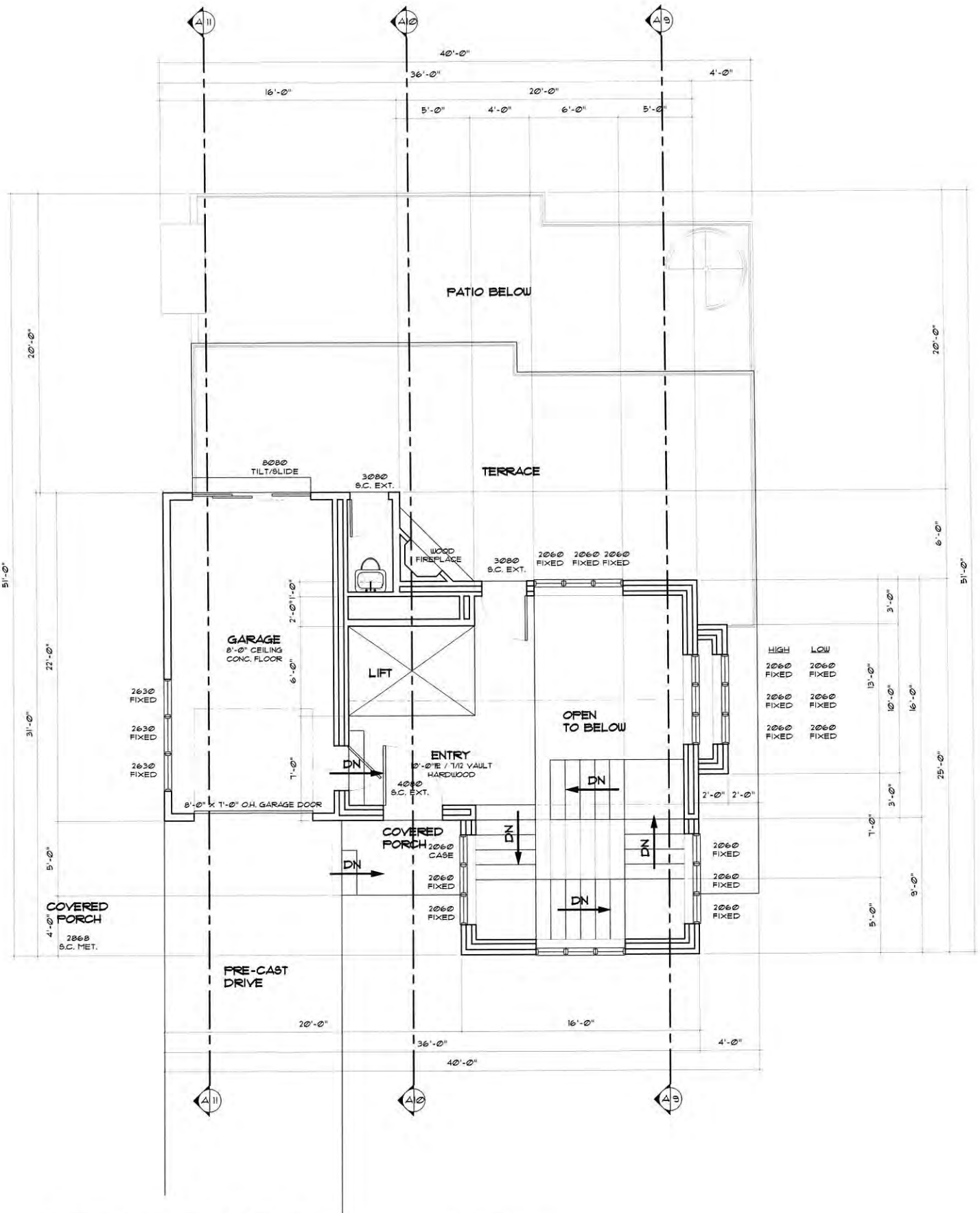
FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:





ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIC PROJECT. NONE OF THE IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN. VIOLATION OF THIS NOTICE MAY CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 12-2-2-31 ET. SEQUENCE AND OTHER LAWS.

A NEW HOME FOR JEREMY PACK
LOCATED AT 475 ONTARIO AVE.
PARK CITY, UTAH



TERRACE FLOOR PLAN

SCALE: 1/4" = 1'-0"
160 SQUARE FEET

NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
4 ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS & SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT. DIMENSIONS ARE THE GOVERNOR OVER SCALE.

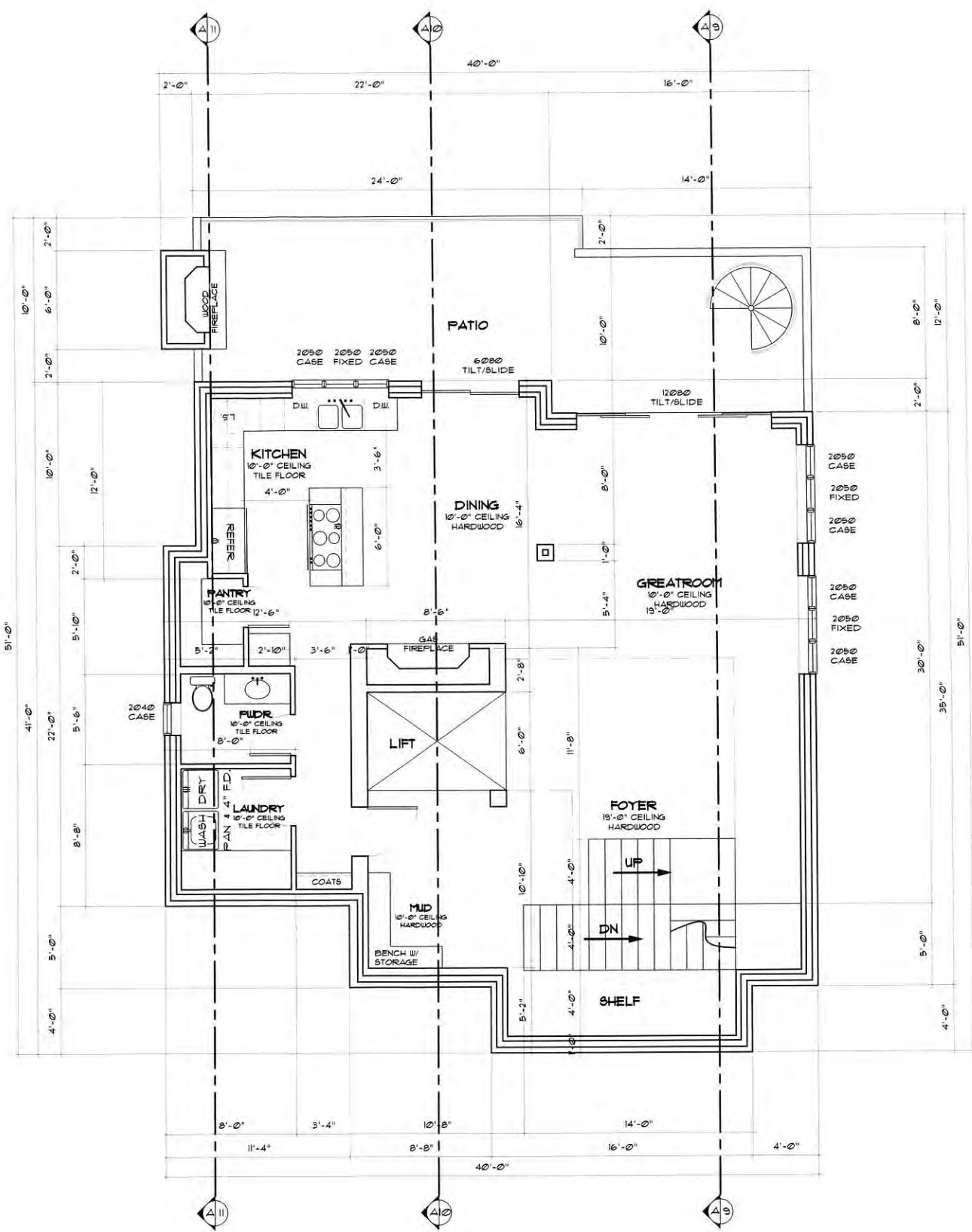
FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:





ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND WERE CREATED BY DYMOND DESIGN. ANY REUSE, REPRODUCTION, OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN IS A VIOLATION OF THE COPYRIGHT AND TRADE SECRET LAWS. REPRODUCTION HEREOF IS A CRIMINAL OFFENSE UNDER 18 U.S.C. SECTION 1832. UNAUTHORIZED DISCLOSURE THAT CONSTITUTE TRADE SECRET, MISAPPROPRIATION, IN VIOLATION OF 12 C.F.R. 1.101 ET SEQUENCE AND OTHER LAWS.

A NEW HOME FOR JEREMY PACK
LOCATED AT 475 ONTARIO AVE.
PARK CITY, UTAH

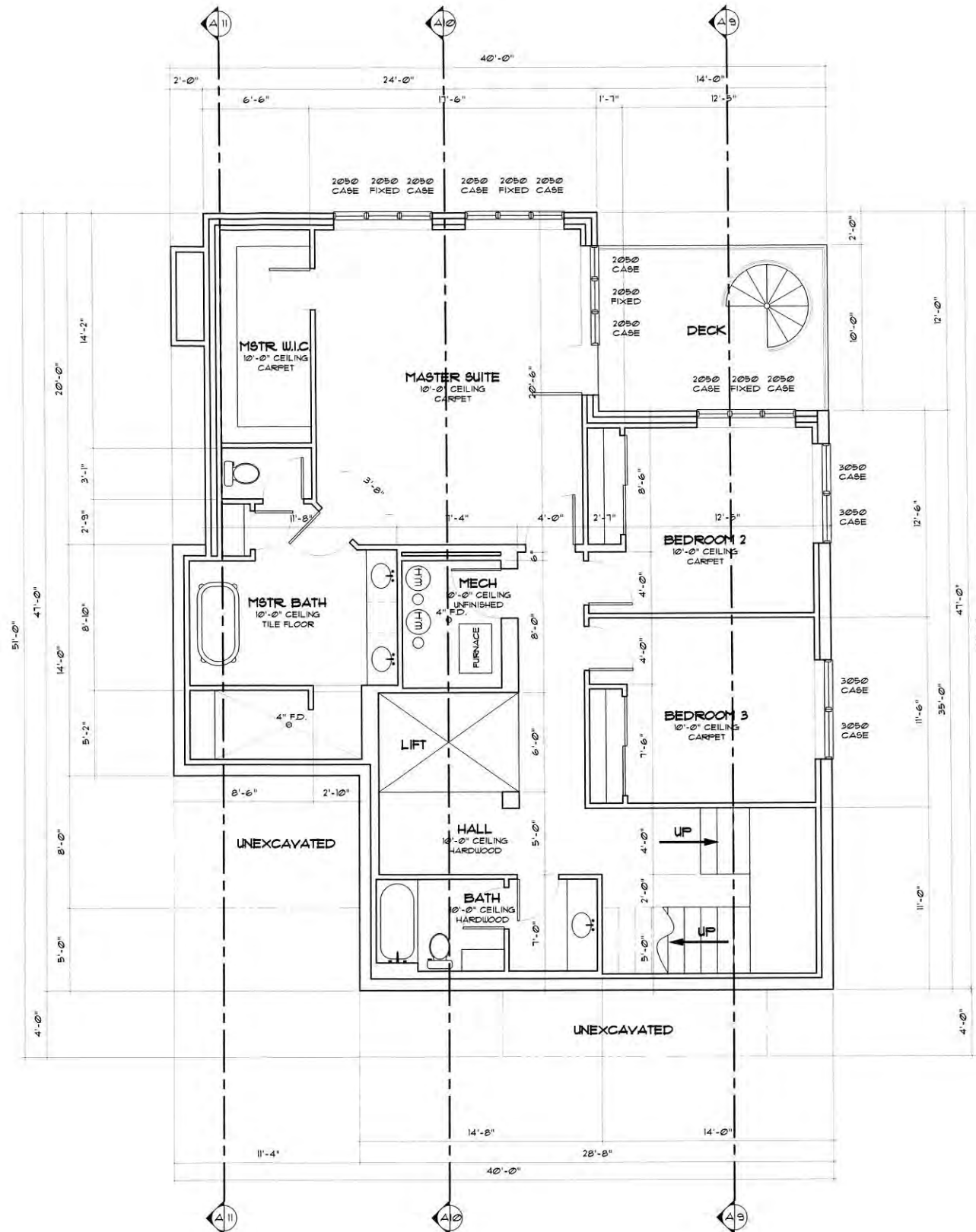


MAIN FLOOR PLAN
SCALE: 1/4" = 1'-0"
1435 SQUARE FEET

NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
4 ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS 4 SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT.
Planning Commission April 9, 2014

FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:





NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR & ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE PLANS FOR DIMENSIONS & SIZES PRIOR TO ANY CONSTRUCTION OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE PLACEMENT. **Planning Commission April 9, 2014**

ALL DESIGNS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYNACORP, INC. AND ARE NOT TO BE REPRODUCED, COPIED, REPRODUCED, TRANSMITTED, DISSEMINATED OR DISCLOSED TO ANY OTHER PERSON OR ENTITY WITHOUT THE WRITTEN PERMISSION OF DYNACORP, INC. ANY REPRODUCTION, COPIING, REPRODUCTION, TRANSMISSION, DISSEMINATION OR DISCLOSURE OF THIS DRAWING OR ANY PART OF IT TO ANY OTHER PERSON OR ENTITY WITHOUT THE WRITTEN PERMISSION OF DYNACORP, INC. SHALL BE CONSIDERED A VIOLATION OF THE PATENT RIGHTS OF DYNACORP, INC. AND SHALL BE SUBJECT TO THE PENALTIES PROVIDED IN 35 U.S.C. SECTION 292, 293 AND 295.

A NEW HOME FOR JEREMY PACK
LOCATED AT 475 ONTARIO AVE.
PARK CITY, UTAH

FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:

RECEIVED
FEB 26 2014
PARK CITY
PLANNING DEPT.



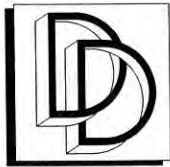
NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
4 ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS & SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY PLANNING REVISIONS PRIOR TO ANY CONSTRUCTION OR CONCRETE
PLACEMENT. DIMENSIONS TAKE PRECEDENCE OVER SCALE.

[illegible]

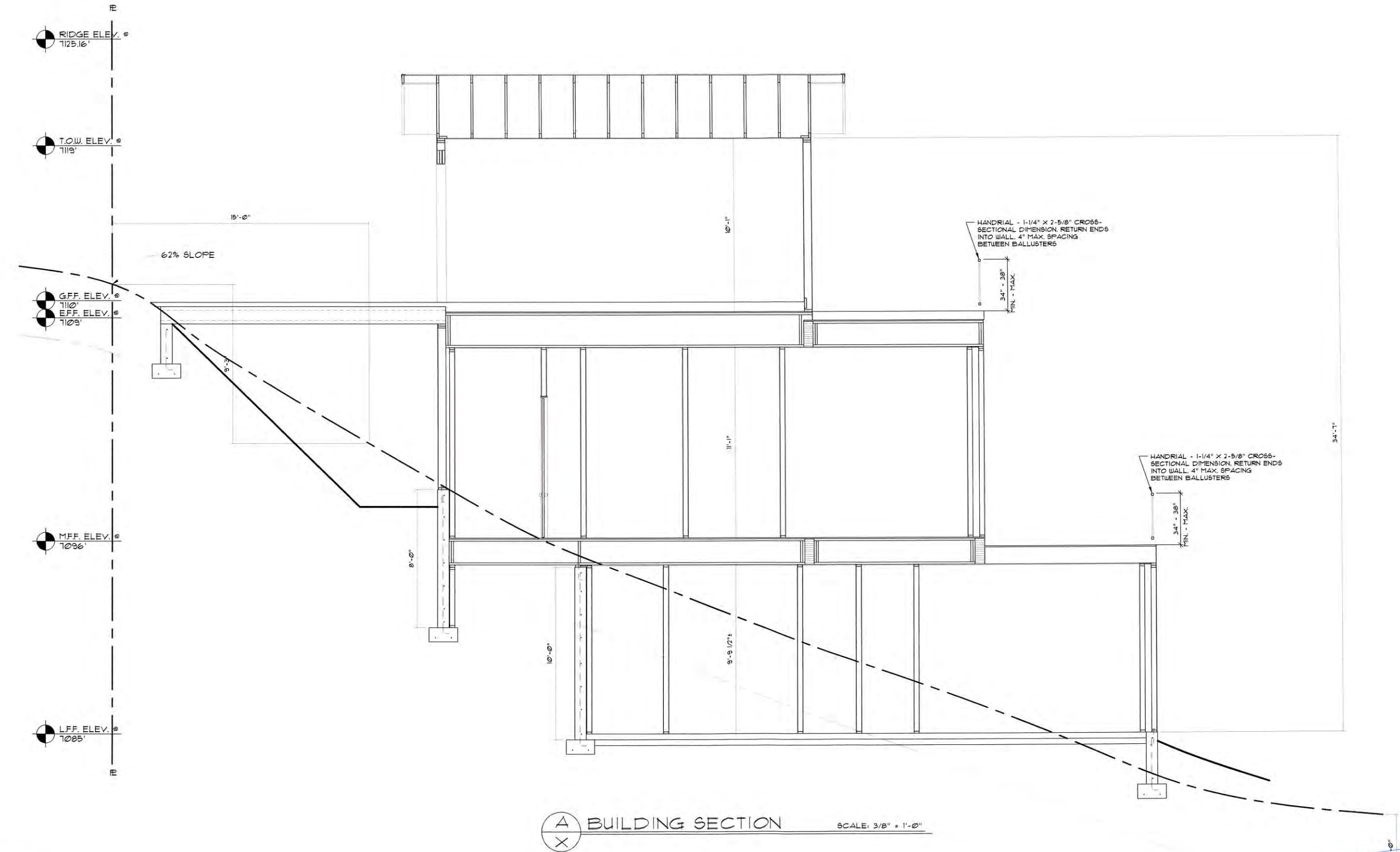
A NEW HOME FOR JEREMY PACK
LOCATED AT 475 ONTARIO AVE.
PARK CITY, UTAH

FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:

RECEIVED
FEB 26 2014
PARK CITY
PLANNING DEPT.



DYMOND
DESIGN



NOTE:
IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR
4 ALL SUB-CONTRACTORS TO THOROUGHLY REVIEW THESE
PLANS FOR DIMENSIONS 4 SIZES PRIOR TO ANY CONSTRUCTION
OR CONCRETE PLACEMENT. PLEASE CONTACT DYMOND DESIGN
WITH ANY DISCREPANCIES PRIOR TO CONSTRUCTION OR CONCRETE
PLACEMENT. NO DISCREPANCIES WILL BE ACCEPTED OVER SCALE.

ALL DESIGN, DIMENSIONS, AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED AND THE PROPERTY OF DYMOND DESIGN AND SHALL BE KEPT IN CONFIDENTIALITY. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DYMOND DESIGN. VIOLATION OF THIS NOTICE SHALL BE CONSIDERED A VIOLATION OF THE U.S. PATENT AND TRADEMARK OFFICE UNDER 35 U.S.C. SECTION 101. UNAUTHORIZED DISCLOSURE THAT CONSTITUTE TRADE SECRET MISAPPROPRIATION IN VIOLATION OF 18 U.S.C. 1839.

A NEW HOME FOR JEREMY PACK
LOCATED AT 415 ONTARIO AVE.
PARK CITY, UTAH

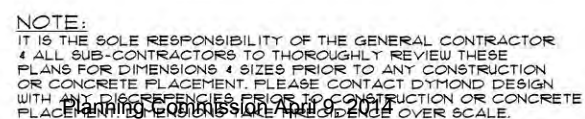
FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:





FILE NO. 1213-1
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/10/14
REVISION 1:
REVISION 2:
REVISION 3:

Page 260 of 368





SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owner, I have prepared this Record of Survey map of the ONTARIO PACK SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

LOT 19, BLOCK 55, except the westerly 4 feet thereof lying within the PARK CITY SURVEY, according to the official plat thereof, on file and of record in the Summit County Recorder's Office.
LOT 20, BLOCK 55, PARK CITY SURVEY, according to the official plat thereof, on file and of record in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Jeremy Pack, the undersigned owner of the herein described tract of land, to be known hereafter as ONTARIO PACK SUBDIVISION, does hereby certify that he has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.
ALSO, the owner or his representative, hereby irrevocably offers 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 his hand this _____ day of _____, 2013.

Jeremy Pack, Owner

ACKNOWLEDGMENT

State of _____
County of _____

On this _____ day of _____, 2013, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that he is the owner of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____

Residing in: _____

My commission expires: _____

NOTE

See recorded survey S-_____ for detailed on found corners



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 66°22'00" W	4.00

A PARCEL COMBINATION PLAT
A COMBINATION OF A PORTION OF LOT 19 & LOT 20 IN BLOCK 55, PARK CITY SURVEY

ONTARIO PACK SUBDIVISION

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



SHEET 1 OF 1

 (435) 649-9487 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS Planning Commission April 9, 2014	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2013 A.D. BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2013 A.D. BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2013 A.D. BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2013 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D. BY _____ PARK CITY RECORDER	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2013 A.D. BY _____ MAYOR	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ ENTRY NO. _____ FEE _____
---	--	--	---	---	---	---	---



500 FOOT EXHIBIT



A scale bar with markings for 100', 0, 100', and 200'.



10 SCALE ORTHO-PHOTO



A scale bar with markings for 10', 0, 10', and 20'.

475 & 463 ONTARIO AVE.

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



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 102 West 200 East, P.O. Box 2004, Park City, Utah 84060-7943 (435) 649-9467	STAFF: MARSHALL KING STEVE SCHUELER DATE: 7/23/13	ORTHO-PHOTOS 475 & 463 ONTARIO AVE. PARK CITY SURVEY FOR: JEREMY PACK JOB NO.: 3-6-13 FILE: X:\ParkCitySurvey\dwg\src\plot2013\030613.dwg	SHEET 1 OF 1
---	---	---	---------------------------------



500 FOOT EXHIBIT



10 SCALE ORTHO-PHOTO



475 & 463 ONTARIO AVE.

LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED
FEB 26 2014
PARK CITY
PLANNING DEPT.



LOOKING NORTH FROM ONTARIO AVE.



LOOKING WEST FROM ONTARIO AVE.



LOOKING SOUTH FROM ONTARIO AVE.

NOTE:
EXISTING HOUSES ON MARSAC AVE. PRECLUDE
VIEWS OF THE WEST PROPERTY LINE

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street, P.O. Box 2004, Park City, Utah 84050-7004 (435) 649-9467	STAFF: MARSHALL KING STEVE SCHUELER	STREETSCAPE IMAGES 475 & 463 ONTARIO AVE. PARK CITY SURVEY	SHEET 1
		FOR: JEREMY PACK JOB NO.: 3-6-13	OF 1
	DATE: 7/23/13	FILE: X:\ParkCitySurvey\dwg\srvt\plat2013\030613.dwg	

Planning Commission Staff Report



Subject: 901 Norfolk Avenue Subdivision
Author: Christy J. Alexander, AICP, Planner II
Date: April 9, 2014
Type of Item: Administrative – Plat Amendment
Project Number: PL-13-02180

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and consider forwarding a positive recommendation to the City Council for the 901 Norfolk Avenue Subdivision, located at 901 and 907 Norfolk Avenue, based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Description

Applicant: Tim Zweiback and Andrew Caplan, represented by Jonathan DeGray
Location: 901 and 907 Norfolk Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Single-Family Residential
Reason for Review: Plat amendments require Planning Commission review and City Council action

Proposal

The applicant is requesting a Plat Amendment for the purpose of correcting the existing northerly lot line of Lot 1 on Block 15 of the Snyder's Addition to the Park City survey to match the found rebar & cap as well as the ownership of property to Lot 1. The northerly lot line will move one (1) foot to the north to correctly portray Lot 1 as twenty-six (26') feet wide and Lot 2 as being twenty-four (24') feet wide. The plat amendment will also remove the lot line between the existing Lots 2 and 3 which contain one non-historic, single-family home over both lots. The lots are zoned Historic Residential 1 (HR1). The amendment is a request to reconfigure three (3) platted lots into two (2).

Purpose

The purpose of the HR-1 District is to:

(A) Preserve present land Uses and character of the Historic residential areas of

Park City,

(B) Encourage the preservation of Historic Structures,

(C) Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,

(D) Encourage single family development on combinations of 25' x 75' Historic Lots,

(E) Define development parameters that are consistent with the General Plan policies for the Historic core, and

(F) Establish development review criteria for new development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Background

On December 17, 2013 the applicant submitted a complete application for the 901 Norfolk Avenue Subdivision plat amendment, to combine three (3) lots into two (2) lots of record. The property is located at 901 and 907 Norfolk Avenue in the Historic Residential (HR-1) District. During the internal development review it was identified that their proposal to shift the northerly lot line of Lot 1 one (1') foot to the north may create a substandard and therefore non-compliant lot out of Lot 2. However, the house at 907 Norfolk Ave currently sits on Lot 2 and Lot 3 therefore while Lot 2 alone would be substandard together they meet the minimum lot size for the HR1 zone. The north 24' of Lot 2 and the existing lot 3 are owned by the same person but have never been officially combined. This plat amendment will also remove the lot line between Lots 2 and 3, thus creating one (1) new lot of record. The existing home at 907 Norfolk received design review approval back in 1991 and was built shortly thereafter.

The ownership of both properties was checked and 901 Norfolk's legal description says:

ALL OF LOT 1, AND THE SOUTHERLY 1 FOOT OF LOT 2, PARALLEL WITH THE LOT LINE COMMON TO SAID LOTS, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

908 Norfolk's legal description says:

THE NORTH 24 FEET OF LOT 2, BLOCK 15, AND ALL OF THE LOT 3, BLOCK 15, SNYDERS ADDITION TO PARK CITY, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE SUMMIT COUNTY RECORDER'S OFFICE.

It appears that this lot line adjustment between Lots 1 and 2 was made at a previous unknown date.

Analysis

The proposed plat amendment creates two (2) lots of record consisting of 5,625 square feet total. The proposed Lot 1 will contain 1,950 square feet and Lot 2 will contain 3,675 square feet. The minimum lot area for a single family dwelling is 1,875 square feet. The

minimum lot area for a duplex is 3,750 square feet. There is currently a single family home on each of the proposed lots.

The minimum lot width allowed in the district is twenty-five feet (25'). The proposed width for Lot 1 will be twenty-six (26') feet. The proposed width for Lot 2 will be forty-nine (49') feet. The proposed lots will meet the lot and site requirements of the HR-1 District described below.

Required	Permitted by LMC
Lot Size	Minimum of 1,875 square feet. Lot 1 as proposed will contain 1,950 square feet and Lot 2 will contain 3,675 square feet.
Building Footprint	873.8 square feet for Lot 1(based on the lot area of 1,950 square feet) and 1,494.7 square feet for Lot 2 (based on the lot area of 3,675 square feet).
Front/rear yard setbacks	10 feet minimum, 20 feet total (based on the lot depths of 75 feet).
Side yard setbacks	3 feet minimum, 6 feet total (based on the lot widths of 26 and 49 feet).
Height	27 feet above existing grade, maximum. 35 feet above existing grade is permitted for a single car garage on a downhill lot upon Planning Director approval.
Height (continued)	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the final Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade.
Roof Pitch	Between 7:12 and 12:12. A roof that is not part of the primary roof

	design may be below the required 7:12 roof pitch
Parking	Two (2) off-street parking spaces per dwelling required.

Staff has identified that the existing historic single-family home on Lot 1 does not meet current LMC standards outlined above such as the side yard setbacks, but because it's historic, it is a valid complying structure. The southerly façade of the home encroaches by less than one foot (1') into the 9th Street ROW (which is currently not being used as a road but is filled with utilities) and the northerly façade of the home straddles the existing property line. No encroachment agreements have been found on record. If the plat amendment is approved the north side of the home will be one foot off of the property line instead of directly on it. The existing home at 901 Norfolk Ave. is a valid complying structure. The plat amendment will not create any new non-conforming situations. An encroachment agreement will be required with the City for the existing encroachments into the 9th Street ROW prior to plat recordation.

With the addition of the one foot of property along the northerly lot line, the maximum building footprint allowed will increase from 844 square feet to 873.8 square feet. With this increase in allowed building footprint the property owner could potentially apply to build an addition on the home as long as it complies with the City's LMC standards including its current setback, height and footprint standards, historic district design guidelines and steep slope development criteria if applicable. The applicant states his intentions are to renovate and build an addition onto the existing historic miner's cabin which was built in 1900 which is currently located at 901 Norfolk Ave.

The existing single-family home on the proposed Lot 2 does not meet the current 10 feet LMC standards for front yard and rear yard setbacks as they are each 4.53 feet and 9.78 feet respectively, but meets the 3 feet standards for side yard setbacks. A non-complying structure may continue to be used and maintained subject to the standards and limitation of LMC Chapter §15-9. If the owner of the proposed Lot 2 were to propose an addition or renovation to the existing home, it would need to comply with the City's LMC standards including its current setback, height and footprint standards, historic district design guidelines and steep slope development criteria, if applicable. Staff finds good cause for this plat amendment to rectify and portray on the plat the correct lot lines as stated in the title to the properties and identified by the licensed surveyor. The proposed plat amendment does not create any new non-conforming situations. This plat amendment is consistent with the Park City LMC and applicable State law regarding subdivision plats.

Good Cause

Planning Staff finds there is good cause for this plat amendment. Correcting the recorded plat to reflect that which is found on the title reports and identified by the licensed surveyor will rectify that the ownership lines don't match the existing lot lines. The plat amendment will also utilize best planning and design practices, while

preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.

Staff finds that the plat will not cause undo harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code, and Historic requirements. Existing encroachments will be resolved with recorded easements.

Department Review

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

Notice

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

Public Input

Staff has not received public input on this application at the time of this report. Public input may be taken at the regularly scheduled Planning Commission public hearing and at the Council meeting scheduled for May 8, 2014.

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 forward a positive recommendation to the City Council for the 901 Norfolk Avenue Subdivision as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 901 Norfolk Avenue Subdivision and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 901 Norfolk Avenue Subdivision to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item. .

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The proposed plat amendment would not be recorded and the lots at 901 and 907 Norfolk Avenue would remain as is with the title to the properties reading different than the plat.

Recommendation

Staff recommends the Planning Commission hold a public hearing, consider input, and consider forwarding a positive recommendation to the City Council for the 901 Norfolk Avenue Subdivision based on the findings of fact, conclusions of law, and conditions of approval as stated in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat

Exhibit B – Topographical Survey/Existing Conditions Survey

Exhibit C – Vicinity Map/Aerial Photographs

Exhibit D – Streetscape Images

Exhibit A – Draft Ordinance with Proposed Plat

Ordinance 14-

AN ORDINANCE APPROVING THE 901 NORFOLK AVENUE SUBDIVISION PLAT LOCATED AT 901 AND 907 NORFOLK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the properties known as the Snyder's Addition to Park City Amended Lots 1, 2 , and 3, Block 15 located at 901and 907 Norfolk Avenue, have petitioned the City Council for approval of the 901 Norfolk Avenue Subdivision; and

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

WHEREAS, proper legal notice was sent to all affected property owners according to the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on April 9, 2014 to receive input on the proposed subdivision;

WHEREAS, on April 9, 2014 the Planning Commission forwarded a recommendation to the City Council; and,

WHEREAS, on May 1, 2014 the City Council held a public hearing on the proposed 901 Norfolk Avenue Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the proposed 901 Norfolk Avenue Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The 901 Norfolk Avenue Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 901 and 907 Norfolk Avenue within the Historic Residential (HR-1) District.
2. On December 17, 2013, the applicant submitted an application for a plat amendment to amend three (3) lots containing a total of 5,625 square feet into two (2) lots of record in order to conform to the found rebar and cap and the existing ownership for 901 Norfolk Avenue and 907 Norfolk Avenue.
3. The proposed Lot 1 will contain 1,950 square feet and Lot 2 will contain 3,675 square feet.

4. The application was deemed complete on January 2, 2014.
5. The HR-1 zone requires a minimum lot area of 1,875 square feet for a single-family dwelling and 3,750 square feet for a duplex.
6. Based on the lot areas, the maximum footprint allowed for Lot 1 is 873.8 square feet and for Lot 2 is 1,494.7 square feet.
7. The properties have frontage on and access from Norfolk Avenue.
8. Lot 1 contains an existing historic single family dwelling and Lot 2 contains an existing non-historic single family dwelling.
9. As conditioned, the proposed plat amendment does not create any new non-complying or non-conforming situations.
10. The historic home at 901 Norfolk encroaches into the 9th Street ROW by less than one foot (1') and must obtain an encroachment agreement with the City for that encroachment prior to plat recordation.
11. The plat amendment secures public snow storage easements across the frontage of the lots.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit for any work shall be issued unless the applicant has first made application for a Historic District Design Review and a Steep Slope CUP application if applicable.
4. The applicant shall obtain an encroachment agreement from the City prior to recording the plat for the encroachments into the 9th Street ROW.
5. Modified 13-D sprinklers may be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
6. A 10 foot (10') wide public snow storage easement is required along the frontage of the lots with Woodside Avenue and shall be shown on the plat.

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

publication.

PASSED AND ADOPTED this ____ day of May, 2014

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

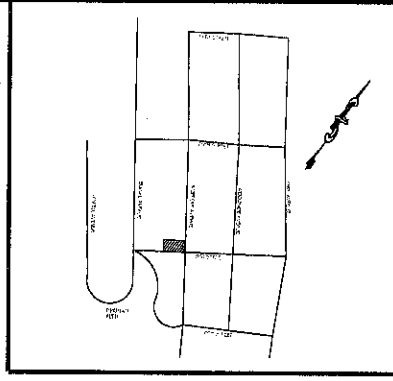
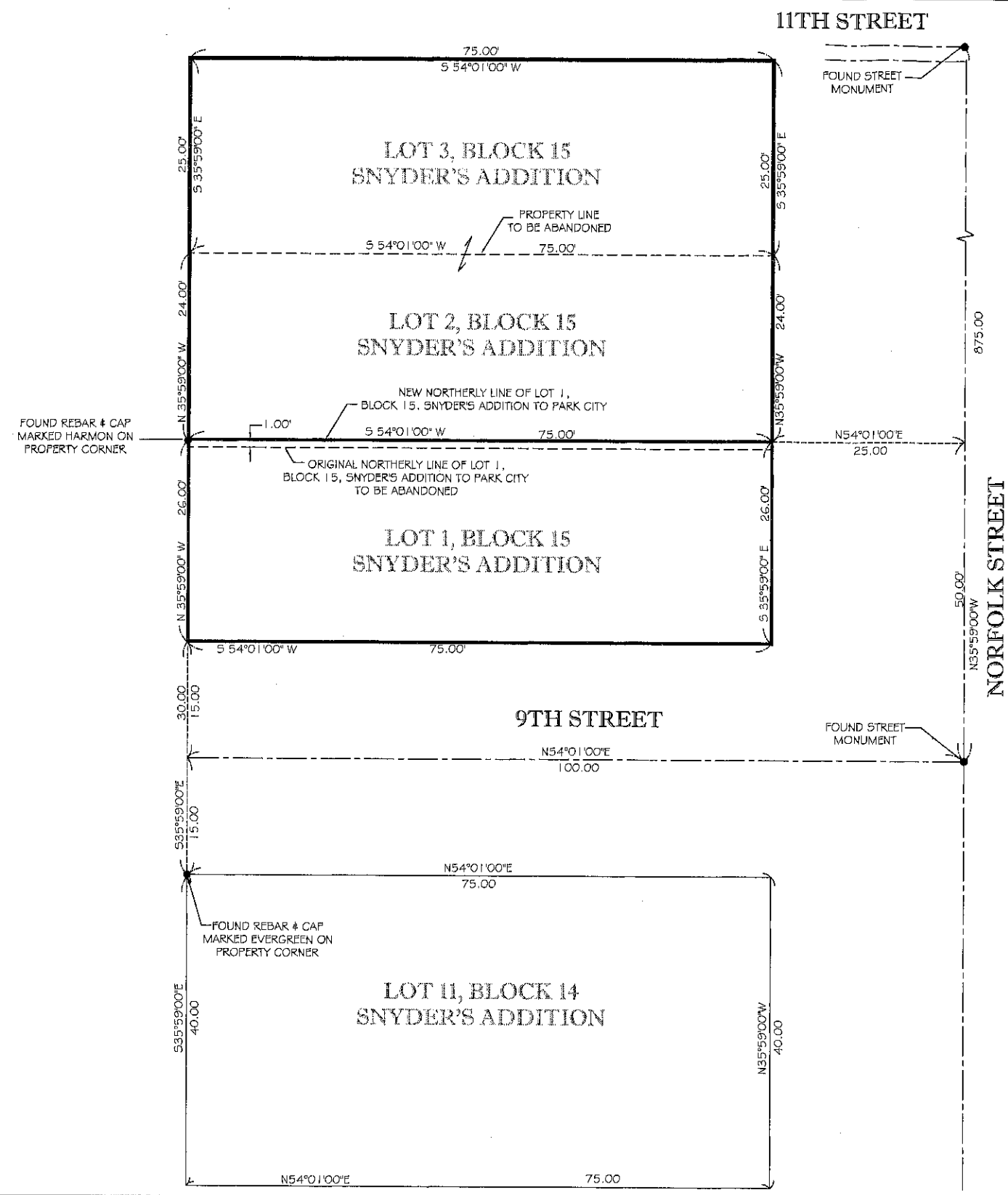
ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A



VICINITY MAP

SURVEYOR'S CERTIFICATE

I, SHAWN CHRISTENSEN, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH AND THAT I HOLD CERTIFICATE NUMBER 354373 IN ACCORDANCE WITH TITLE 90, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT. I FURTHER CERTIFY THAT, BY AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY AND AMENDMENT OF LOTS 1 OF SNYDER'S ADDITION TO PARK CITY BY MOVING THE COMMON PROPERTY LINE BETWEEN LOTS 1 & 2 OF SNYDER'S ADDITION TO PARK CITY, 1.0' NORTHEASTERLY AS SHOWN HEREON.



Shawn D. Christensen
SHAWN D. CHRISTENSEN, PLS 354373

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT I/WE, THE UNDERSIGNED OWNER(S) OF THE HEREIN DESCRIBED TRACT OF LAND KNOWN AS LOT 1 OF SNYDER'S ADDITION TO PARK CITY, TO BE KNOWN HEREFTER AS, SNYDER'S ADDITION TO PARK CITY SUBDIVISION, AMENDED LOTS 1, 2 & 3, DO HEREBY CERTIFY THAT I HAVE CAUSED THIS PLAT TO BE PREPARED AND THAT I, TIM SZWEIBACK, REPRESENTATIVE FOR 801 NORFOLK AVENUE, LLC, HEREBY CONSENT TO THE RECORDATION OF THIS PLAT. ALSO, THE OWNERS, OR THEIR REPRESENTATIVES, HEREBY IRREVOCABLY OFFER FOR DEDICATION TO SUMMIT COUNTY ALL THE STREETS, LAND FOR LOCAL GOVERNMENT USES, EASEMENTS, PARKS, AND REQUIRED UTILITIES AND EASEMENTS SHOWN ON THE PLAT AND CONSTRUCTION DRAWINGS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND

THIS _____ DAY OF _____, AD. _____

SIGNATURE _____	SIGNATURE _____
NAME _____	NAME _____
SIGNATURE _____	
NAME _____	

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF SUMMIT

ON THE _____ DAY OF _____, AD. 2014, PERSONALLY APPEARED BEFORE ME, THE SIGNERS OF THE FOREGOING DEDICATION WHO DULY ACKNOWLEDGE THAT THEY EXECUTE THE SAME.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SEE SEAL BELOW)

SIGNATURE _____
NAME _____



CHRISTENSEN & PLOUFF
LAND SURVEYING
• 136 HEBER AVENUE, SUITE 204 •
• P.O. BOX 849 PARK CITY, UT 84060 •
• 435-314-7088 •
• WWW.CPLANDSURVEYING.COM •

BOUNDARY DESCRIPTION

BEING LOT 1 AND THE SOUTHERLY 1.0 FOOT OF LOT 2 OF BLOCK 15 SNYDER'S ADDITION TO PARK CITY ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, SUMMIT COUNTY, UTAH.

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS SURVEY IS SOUTH 38°59'00" EAST BETWEEN STREET MONUMENTS IN NORFOLK AVENUE AS SHOWN HEREON.

NOTES

1. THE PURPOSE OF THIS AMENDED PLAT IS TO REVISE THE DESCRIPTION OF LOT 1, BLOCK 15 OF SNYDER'S ADDITION TO PARK CITY TO INCLUDE THE SOUTHERLY 1.0' OF LOT 2, BLOCK 15 OF SNYDER'S ADDITION TO PARK CITY.
2. ALL NOTES AND COVENANTS OF SNYDER'S ADDITION TO PARK CITY SHALL REMAIN IN EFFECT ON THIS PLAT AMENDMENT.

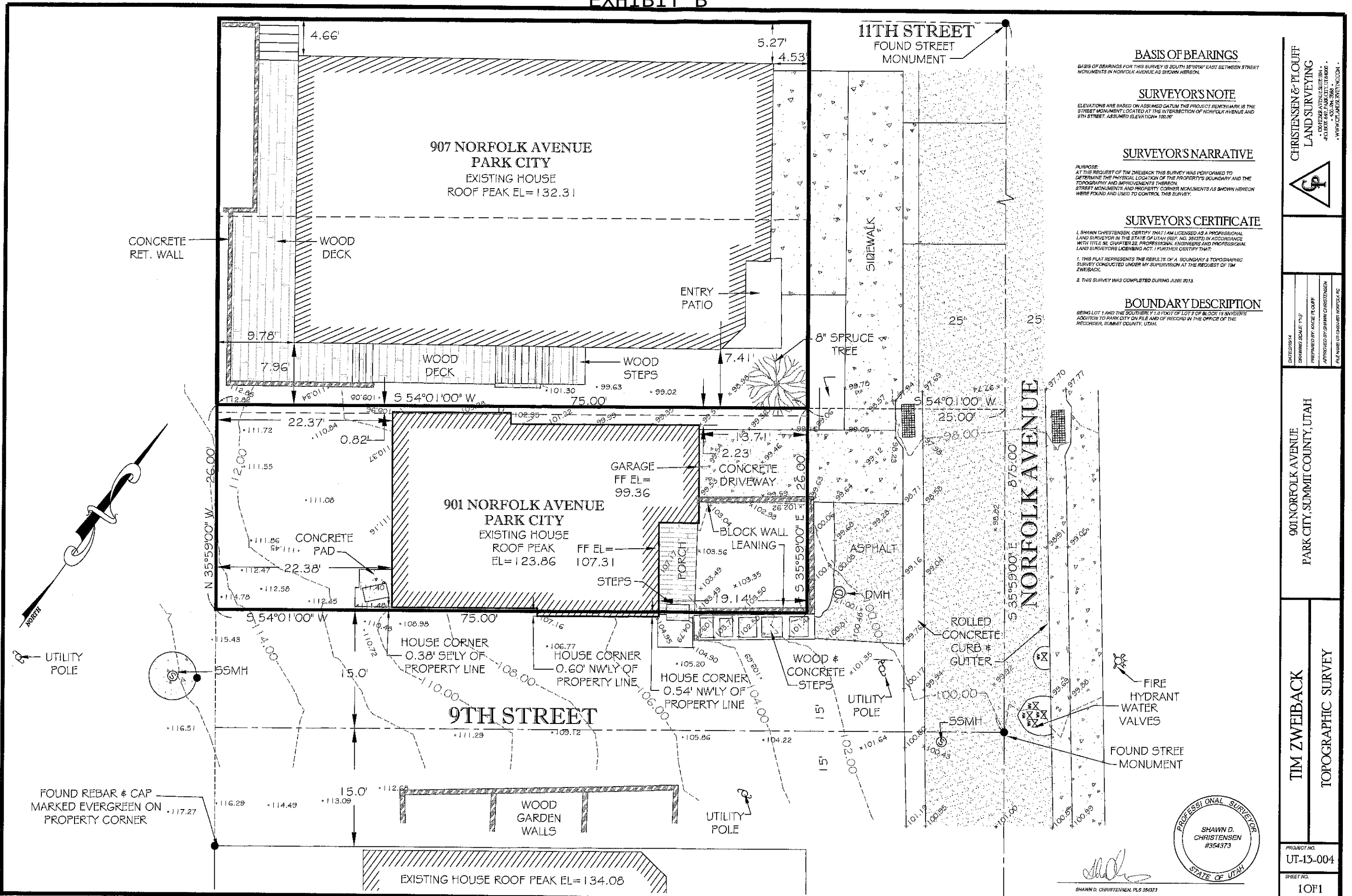
LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CENTERLINE
- ABANDONED PROPERTY LINE
- FOUND MONUMENT AS NOTED

RECORDED ENTRY NUMBER _____ BOOK _____ PAGE _____ STATE OF UTAH, COUNTY OF _____ DATE: _____ TIME: _____ FEE PAID: _____ RECORDED AND FILED AT THE REQUEST OF: _____ COUNTY RECORDER _____	SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, AD. _____ BY: _____ S.B.S.I.D. _____	ENGINEER'S CERTIFICATE I FOUND THIS MAP TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY, OF _____, AD. _____ ON BEHALF OF THE PARK CITY COUNCIL REPRESENTATIVE _____	COUNTY ASSESSOR APPROVED AND ACCEPTED BY: _____ HEREBY CERTIFY THAT ALL TAXES, INTERESTS, AND PENALTIES OWING ON THE LAND INCLUDED IN THIS PLAT HAVE BEEN PAID. COUNTY ASSESSOR _____ DATE _____	PLANNING COMMISSION APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____, AD. _____ BY: _____ CHAIRMAN _____ DATE _____	APPROVAL AS TO FORM THIS PLAT HAS BEEN REVIEWED AND APPROVED AS TO FORM. BY: _____ PARK CITY ATTORNEY _____ DATE _____	PARK CITY APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COMMUNITY DEVELOPMENT DIRECTOR THIS _____ DAY OF _____, AD. _____ BY: _____
--	---	---	--	--	--	---

901 NORFOLK AVENUE SUBDIVISION
SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN
SCALE: 1"=8'

EXHIBIT B





Google earth

feet
meters

Planning Commission April 9, 2014

100

500

DEC 17 2013

PARK CITY
PLANNING DEPT.

Page 278 of 368

NOTE: * RELATIVE TO
LEFT AND RIGHT

HALLADAY STREET (N 54°01'E)

10TH. 30' STREET

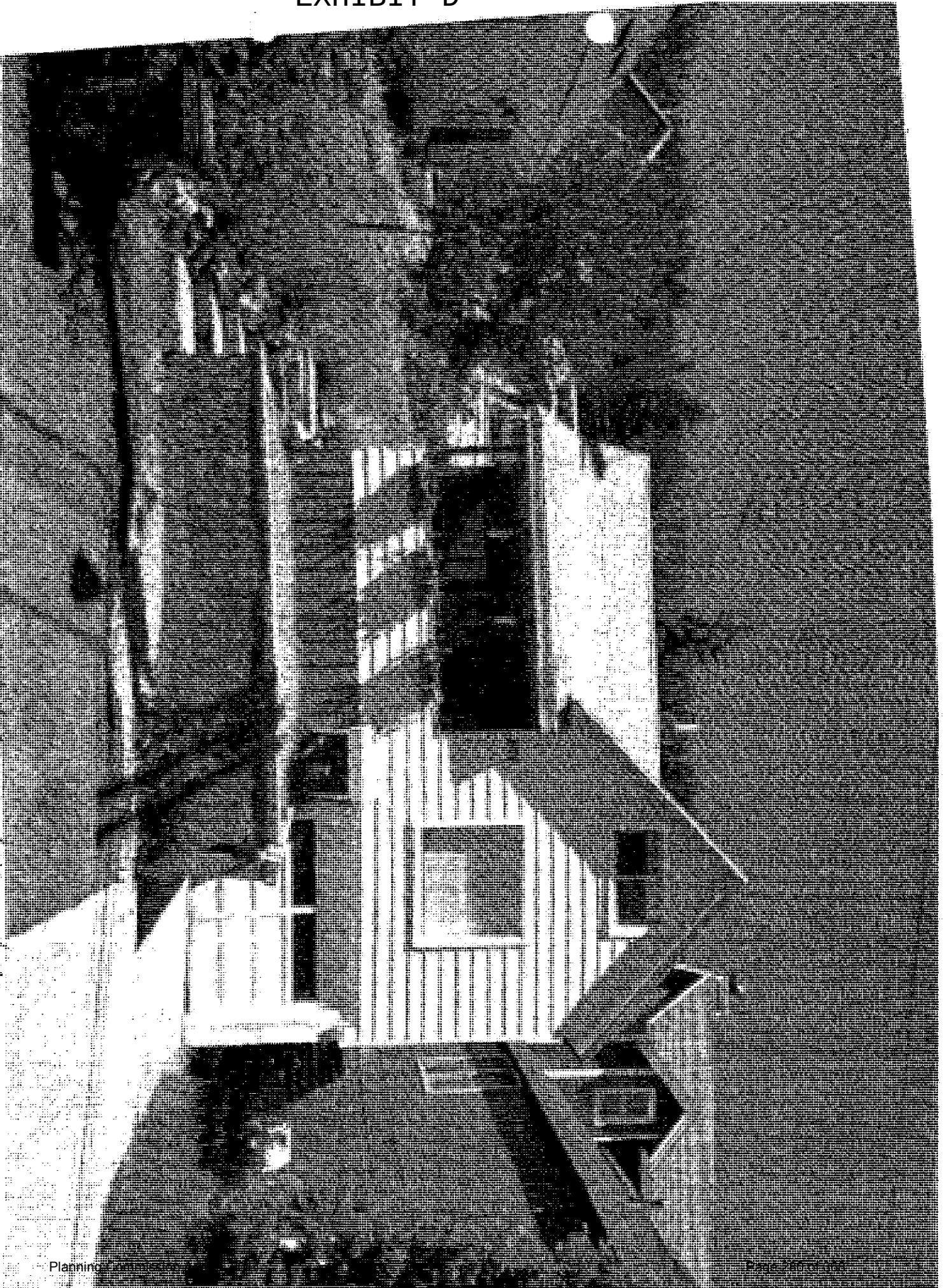


8	7
30	

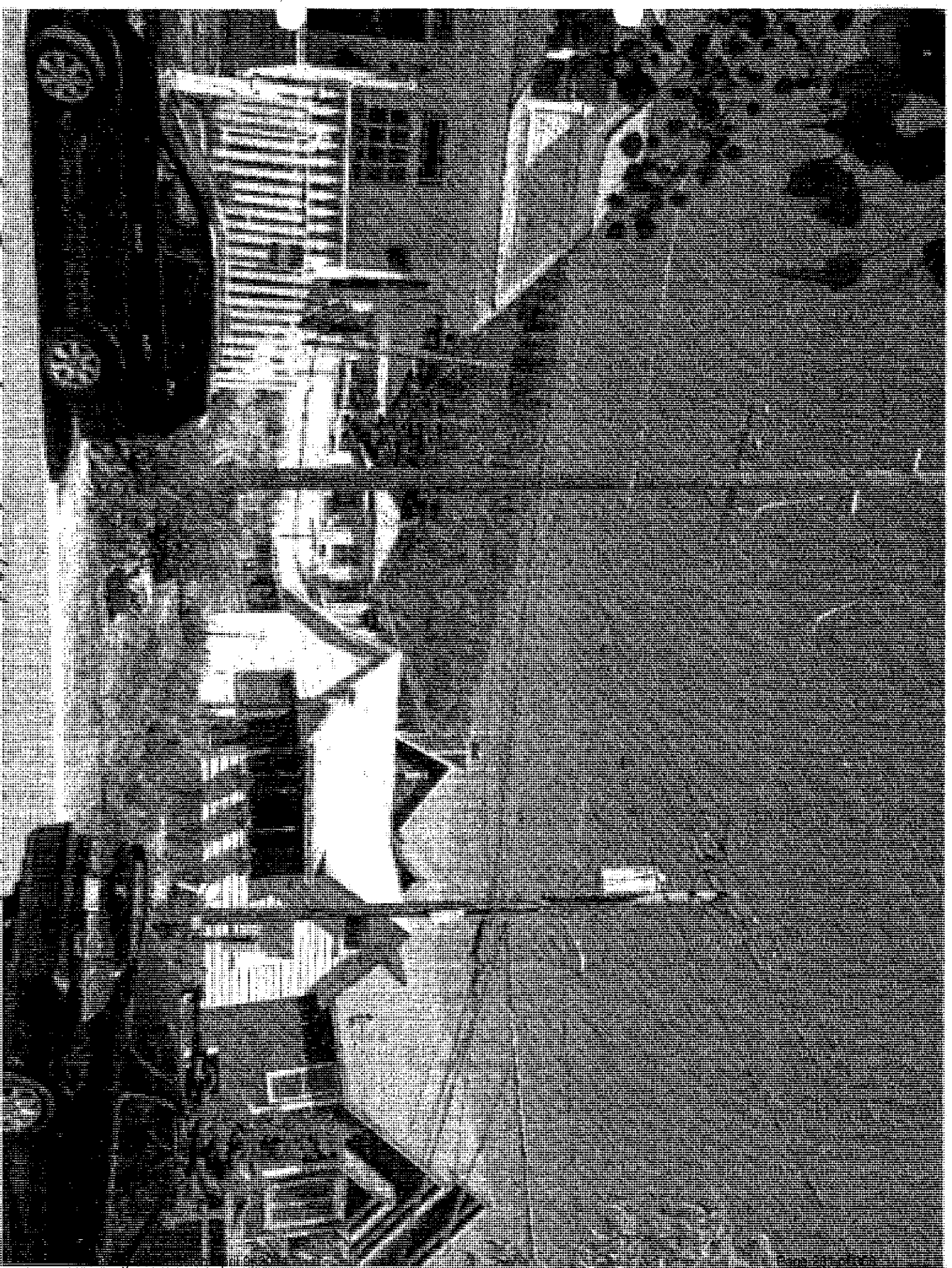
11	4	12
----	---	----

Approved	REVISIONS - DATE AND INITIAL (In Pencil)						SUMMIT COUNTY, UTAH SCALE ONE INCH = 40 FEET BOOK PAGE 7
Utah State Tax Comm	<i>W.H. HARRIS</i>						
Date							
By							

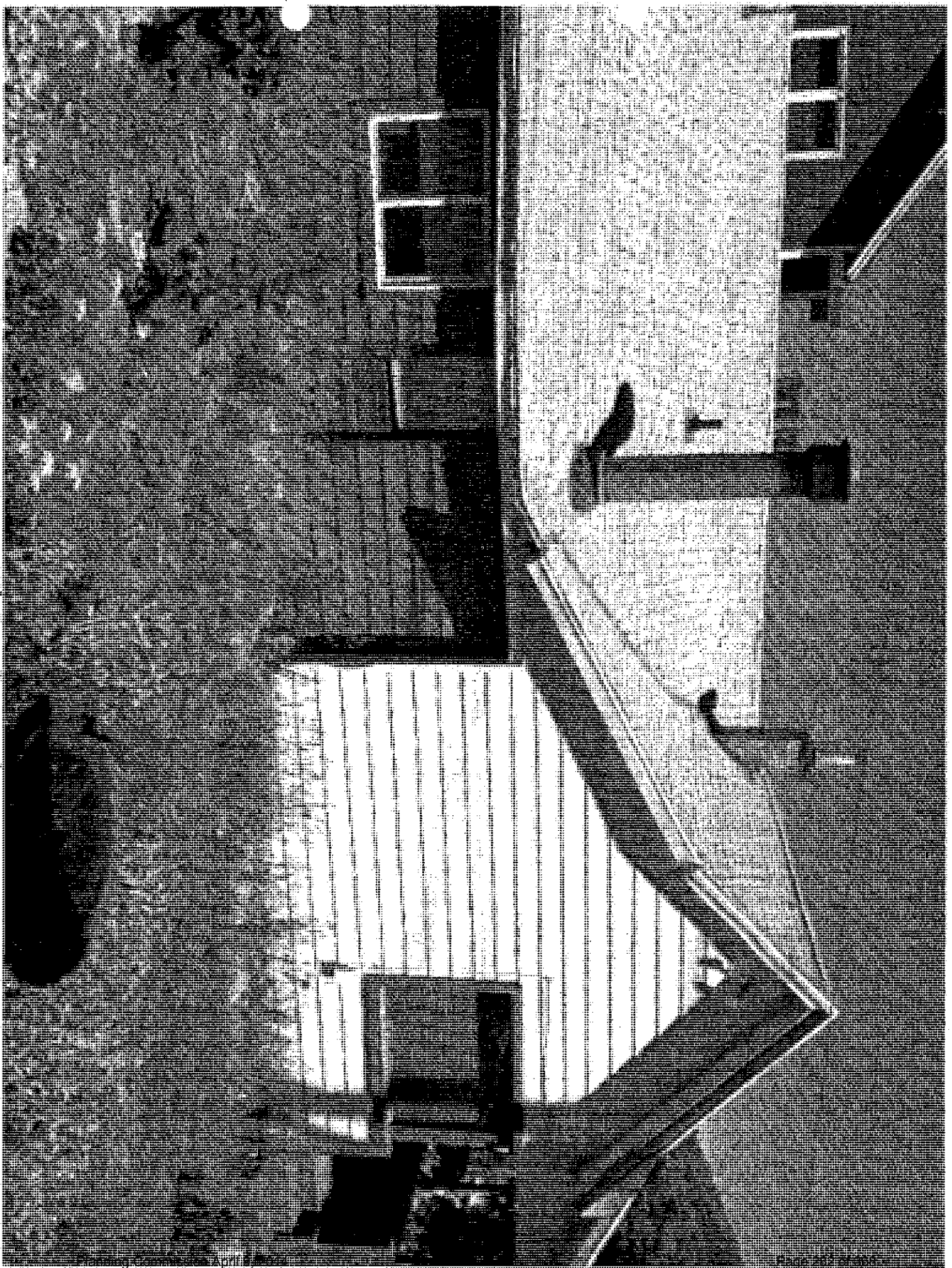
FRONT VIEW FROM PARKWAY DR - LOOKING WEST



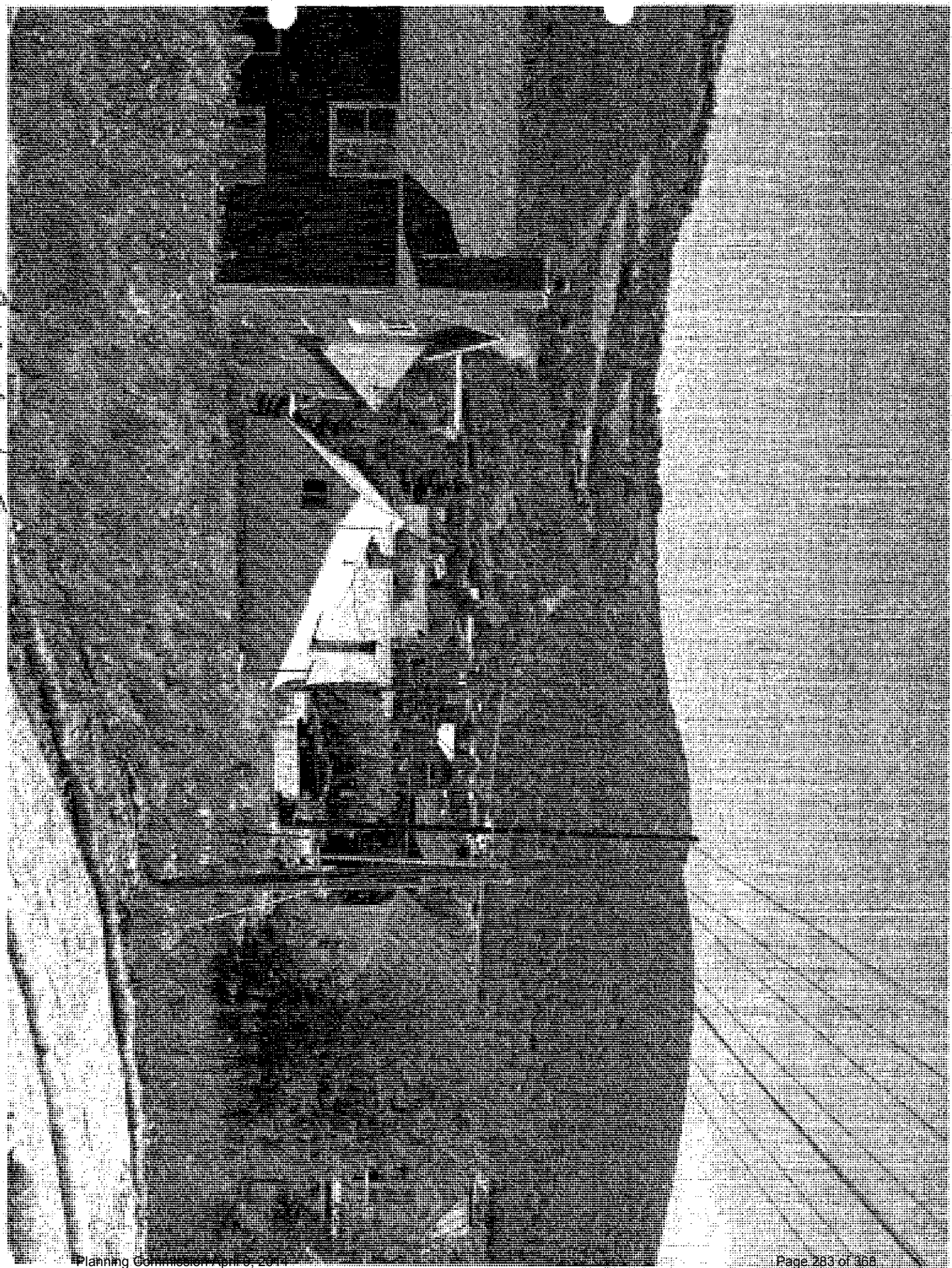
Front view from road north of 4th St. - Association of Merchants



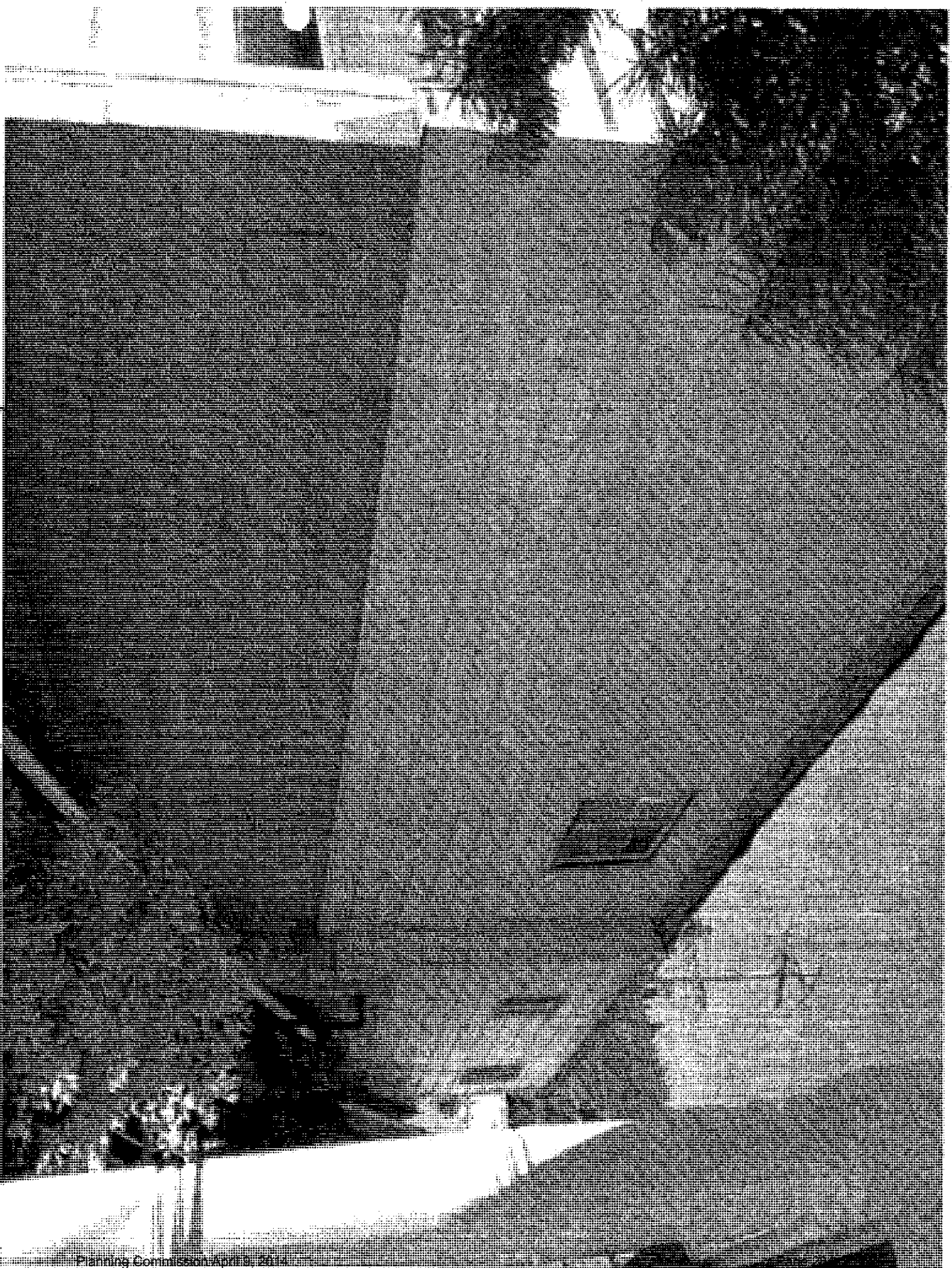
5103 VIEW FROM 9th ST. AS WE WALK - LOOKING EASTWARD



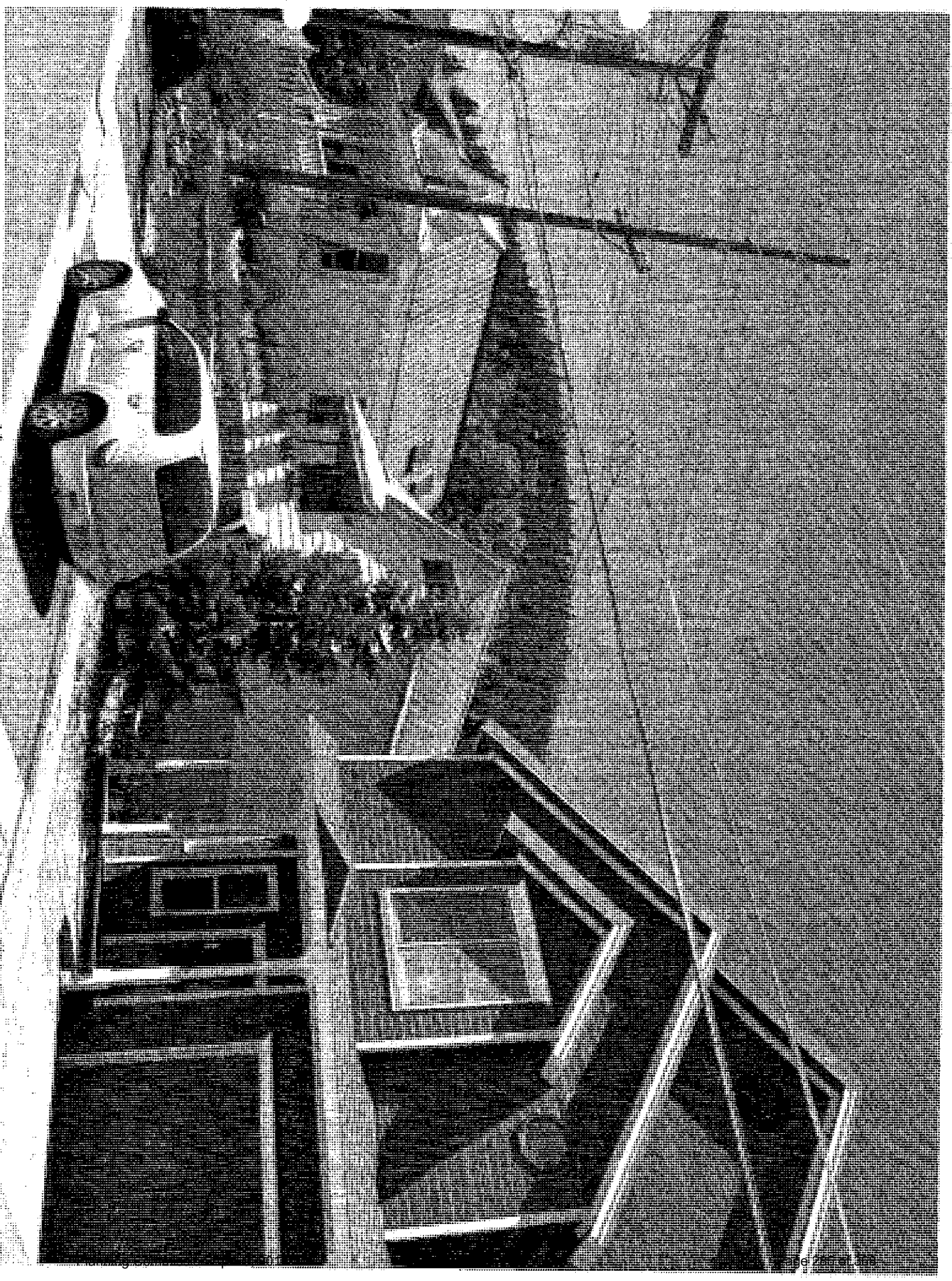
View from Lane



Side View - Looking South West -



PHOTOGRAPHED BY S. J. B. 1964



STREET VIEW

902 Norfolk Ave
Park City, UT 84060 -- approximate address



Norfolk Avenue © 2014 Google

STREET VIEW

901-907 Norfolk Ave
Park City, UT 84060 -- approximate address



STREET VIEW

907-915 Norfolk Ave
Park City, UT 84060 -- approximate address



Norfolk Avenue © 2014 Google

Planning Commission Staff Report



Subject: Roundabout Condominiums, 300
Deer Valley Loop Road
Author: Christy J. Alexander, AICP, Planner II
Project Number: PL-13-02147
Date: April 9, 2014 (This report has been updated since the March
12, 2014 meeting. All changes are highlighted.)
Type of Item: Administrative – Condominium Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the Roundabout Condominiums plat, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Staff reports reflect the professional recommendation of the planning department. The Planning Commission, as an independent body, may consider the recommendation but should make its decisions independently.

Topic

Applicant: Blake Henderson, Roundabout LLC
Location: 300 Deer Valley Loop Road
Zoning: Residential (R-1)
Adjacent Land Uses: Single family condominium units, multi-family condominium units, single family and duplex dwellings.
Reason for Review: Plat amendments require Planning Commission review and City Council approval.

Proposal

The purpose of this application is to amend the existing Roundabout Subdivision plat consisting of two (2) duplexes on two (2) lots and remove the lot line to convert it to two (2) condominium buildings consisting of two (2) units in each building for a total of four (4) units.

Purpose

The purpose of the Residential (R-1) District is to:

- (A) Allow continuation of land Uses and architectural scale and styles of the original Park City residential Area,
- (B) Encourage Densities that preserve the existing residential environment and that allow safe and convenient traffic circulation,
- (C) Require Building and Streetscape design that minimizes impacts on existing residents and reduces architectural impacts of the automobile,

- (D) Require Building design that is Compatible with the topographic terrain and steps with the hillsides to minimize Grading,
- (E) Encourage Development that protects and enhances the entry corridor to the Deer Valley Resort Area,
- (F) Provide a transition in Use and scale between the Historic Districts and the Deer Valley Resort; and
- (G) Encourage designs that minimize the number of driveways accessing directly onto Deer Valley Drive.

Background

On November 13, 2013, the City received a complete application for this condominium plat to combine the two (2) existing lots into one Condominium lot of record from the Roundabout Subdivision plat that was approved by City Council on June 14, 2007 and recorded at Summit County on February 21, 2008 (Exhibit E).

The Roundabout Subdivision created two (2) lots from one (1) metes and bounds parcel of Block 57 of the Park City Survey. The metes and bounds parcel was .64 of an acre, or 24,877 square feet of land. No previous applications had been received for this property prior to the Roundabout Subdivision in 2007.

The applicant wished to create the subdivision to facilitate the new construction of one duplex on each of the lots. A duplex is an allowed use in the R-1 district. However, a building permit cannot be issued for metes and bounds parcels of land so the property was subdivided.

The Planning Commission held a public hearing during the May 2007 regular meeting and unanimously forwarded a positive recommendation. Public input from concerned neighbors was focused primarily on the impact of construction on the neighborhood. A Construction Mitigation Plan (CMP) is a requirement for all building permits. Council heard the application on June 14, 2007 and voted to approve the subdivision. The plat was recorded on February 21, 2008. As conditioned, the proposed plat (Exhibit A) is consistent with the conditions of approval of the existing Roundabout Subdivision plat (Exhibit K).

The Roundabout Subdivision plat created two (2) new lots, Lot 1 being 12,658 square feet and Lot 2 being 12,219 square feet (Lot 2) in size. Conditions of Approval that were specific to this plat approval (see Exhibit K) were: 5) The applicant stipulates to restricting the development to a single family home or duplex dwelling on each lot; 6) The footprint on each lot will not exceed 3,200 square feet; 7) Shared access for the proposed lots will be accessed off of Deer Valley Loop Road; 8) An encroachment agreement will be created for improvements to the platted 3rd Street prior to building permit issuance on either lot; and 9) The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including the fire hydrant, bus pull-off, improvements to Deer Valley Drive, and lighting, prior to plat recordation.

The duplexes have not been built to date and the applicant now wishes to amend the plat, convert it to a condominium plat, remove the existing lot line and put two condominium buildings that each contain two (2) units (four (4) units total) but have an updated and more compatible design and architecture than previously proposed when the original plat was recorded. The applicant also proposes to build a shared parking structure underground instead of having four (4) garage doors facing Deer Valley Drive as was previously proposed with the original plat. The applicant will operate the properties as a Condominium HOA managed four-unit residential property. The development concept is intended to be a high-end residential first or second home with mountain contemporary design using clean lines with natural and local finishes. The underground parking structure allows for 2 cars per unit plus 6 additional guest parking spaces.

At the March 12, 2014 Planning Commission meeting the Planning Commission voted unanimously to continue the item to the April 9, 2014 meeting. Commissioner Gross requested to see updated plans so that all drawings show the driveway in the correct place. Commissioner Stuard was concerned as to how high the retaining walls would need to be with regards to the vertical cuts during excavation. He requested an accurate site plan that depicts the locations and heights of all the retaining walls on the site. He suggested placing a condition of approval to the Construction Mitigation Plan that addresses the hours and methods of hauling. Commissioner Strachan requested to see larger plans that show the topographical data, existing grade, finished grade, heights to each floor and each setback level as well as an estimation of the amount of dirt that would be removed. Commissioner Strachan also requested to see the Construction Mitigation Plan and Geo-technical report. The complete Planning Commission meeting minutes from March 12, 2014 may be obtained from the March 26, 2014 packet.

The applicant has submitted all items as requested in the attached exhibits with the exception of the full Construction Mitigation Plan which is required at time of Building Permit application. The applicant intends to stage the project entirely on his property and already received the approvals to build two (2) duplex dwellings in 2007 which will have more impact on the property than the proposed two (2) condominium buildings. The Conditions of Approval stipulate that all staging of the project must be done entirely on the applicant's property and that the hours of hauling shall be between 8 am and 6 pm Monday through Friday throughout the duration of the project. The Planning Commission may place additional conditions of approval that should be included in the Construction Mitigation Plan as deemed necessary. Staff finds with the existing approvals of the two (2) platted lots and current submittal of the Geo-technical report, the applicant has provided enough information to move forward and all requirements of the Construction Mitigation Plan will be adhered to and strictly enforced by the Building Department.

Analysis

This request for the Roundabout Condominiums plat removes the existing lot line and combines the existing two (2) lots into one condominium plat with two (2) condominium buildings that each contain two (2) units (four (4) units total) with a common parking

structure in accordance with the Utah Condominium Act. The zoning district is Residential District (R-1). The proposed amendment is consistent with the purpose statements of the district in that the use as residences is unchanged, however they will now be condominium units. A change in unit square footage is proposed minimizing site disturbance, preserving the existing natural open space, and minimizing impacts of development.

The Roundabout Condominiums is a residential four (4) unit - two (2) condominium building development that meets Park City's current R-1 zoning and code requirements. The property is subject to the following criteria:

	Required	Approved in 2007	Currently Proposed
Site Requirements	Lot has frontage on the streets master plan, or on private easement connecting the lot to a street shown on the streets master plan	Frontage is adjacent to Deer Valley Drive and Deer Valley Loop Road. Access is proposed off of Deer Valley Loop Road.	Frontage is adjacent to Deer Valley Drive and Deer Valley Loop Road. Access is proposed off of Deer Valley Drive.
Lot Size	Duplex Dwelling: 3750 square feet minimum lot size	Lot 1: 12,658 square feet; Lot 2: 12,219 square feet (total for subdivision is 24,877 square feet).	27,779.15 square feet total lot size. Duplex Dwellings & Condominium Buildings are allowed uses. (Difference of 2,902.15 sf of lot size is due to proposed bus pull out location and is dependent on Council's approval of the vacation of ROW which was previously dedicated by applicant in exchange for other land for the ROW.
Minimum width of Lot	37.5 feet for a duplex dwelling	Lot 1: 130 feet; Lot 2: 150 feet buildable width.	Approximately 280 feet buildable width; complies.
Maximum Footprint	Determined by setbacks (i.e. can be as big as the building pad)	3,200 square feet per duplex dwelling	2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined; complies.
Front yard setback	15 feet minimum; 20 feet for garage	20 feet	20 feet; complies.

Rear yard setback	10 feet minimum	10 feet	10 feet; complies.
Side yard setback	5 feet minimum	10 feet	10 feet; complies.
Height	28 feet above existing grade, maximum	32 feet above existing grade (Gabled, hip and similar pitched roofs may extend up to five feet (5') above the Zone Height).	22 feet above existing grade; complies.
Parking	2 off-street spaces per dwelling unit	2 off-street spaces per dwelling unit with 4 double-wide garage doors facing Deer Valley Drive.	14 spaces proposed in underground parking structure with 1 double-wide garage door facing Deer Valley Drive, complies.
Architecture	N/A	• Significant amount of exposed retaining • Less set back – limited green space between Deer Valley Drive and homes • Less building step back • More massing	• Minimal amount of exposed retaining • More set back – more green space between Deer Valley Drive and homes • More building step back • Less massing

The R-1 District of Park City is a transitional zone leaving Old Town entering the Deer Valley Resort area. Under the purpose statement of this zone, the LMC clearly describes the encouragement of densities that preserve the existing residential environment and that allow safe and convenient traffic circulation. In terms of safe and convenient traffic circulation, the purpose statement also notes that designs that minimize the number of driveways accessing directly onto Deer Valley Drive are encouraged. Another goal of the R-1 District is to require building designs that are compatible with the topographic terrain and steps with the hillsides to minimize grading. The applicant has worked with Staff to comply with the purpose statement of the R-1 District and mitigate the issues of access, density, and steep slope. Architectural design guidelines as found in the LMC will need to be adhered to and will be reviewed upon building permit submittal.

The Roundabout Condominiums meet all zoning and code requirements. The applicant is proposing density at three times less than what is allowed within the zone. As part of the 2007 Roundabout Subdivision, the applicant stipulated to conditions of approval

which limited density from 14 old town-style development lots to two (2) lots with four (4) units. As mentioned in the background the Roundabout Subdivision contained five Conditions of Approval that were specific to that plat. As per COA #5, the applicant still stipulates to restricting development to duplex dwellings (condominium buildings with two units). As per COA #6, the applicant still stipulates to restricting the footprint of each duplex to 3,200 square feet, in fact the proposed footprints will be much smaller. As per COA #7, the shared access for the proposed new lot will change to be off of Deer Valley Drive instead of off of Deer Valley Loop Road as was previously approved. As per COA #8, The City Engineer decided that the encroachment agreement for improvements to the platted 3rd Street is no longer necessary as the access point has changed to Deer Valley Drive. As per COA #9, the applicant still stipulates to submitting a financial guarantee for the public improvements to Deer Valley Drive. The driveway access easement across the property off of Deer Valley Loop Road and Third Street as shown on the existing plat (Exhibit E) will be removed on the proposed plat as there will be a shared underground parking structure accessed off of Deer Valley Drive and no driveway will be needed across the entire property at grade. The encroachments onto the applicant's property by the owner of 510 Ontario Avenue were never previously addressed. These encroachments from the asphalt driveway, rock retaining wall and hot tub will either need to be removed or else the parties will need to enter into an encroachment agreement prior to plat recordation. The proposed condominium buildings are also under the height and footprint maximum requirements, have reduced massing and added relief to the building elevations from what was contemplated in 2007. The new proposed building design significantly limits the amount of free standing retaining walls thus allowing the natural vegetation to remain in place (Exhibit H).

The proposed parking is almost double what is required and sits underground in a parking structure thus reducing the view of vehicles from the street and reducing the number of garage doors from the previously proposed four to one (viewable from Deer Valley Drive). Vehicles exiting the property on the common driveway are required to exit head first onto Deer Valley Drive, thus making it much safer on a flat and shorter driveway than the previous proposed plans which were to back out on a much longer and steeper driveway onto the already substandard Deer Valley Loop Road (Exhibit I). The shared parking structure consists of 8,997.3 square feet which includes two (2) parking spaces per unit and a total of six (6) guest parking spaces.

The applicant previously gave the city significant amount of land easements to improve Deer Valley Loop Road and the Deer Valley Drive bus stop as part of the prior subdivision. The new proposal with the driveway entrance off of Deer Valley Drive causes the applicant to move the newly built bus pull-out further to the west, as per the City Engineer's request and approval. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. Exhibit C shows the 875 square feet that will be dedicated to the applicant and 164 square feet that will be dedicated to the City. The applicant previously dedicated 3,152.54 square feet to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements (Exhibit E). In order for this to

occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW. This should occur concurrent with the plat amendment request at City Council.

Steep Slope and Density

One defining characteristic of the property is the steepness of the slope. Steep slopes in the R-1 zone do not require a steep slope analysis. A point of discussion that was brought up at the March 12, 2014 Planning Commission meeting revolved around LMC Section 15-7.3(D) which explains the role of the developer and planning commission in the instance of Land being restricted due to the character of the land. This section states "Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, mine hazards, potentially toxic wastes, adverse earth formations or topography, wetlands, geologic hazards, utility easements, or other features, including ridge lines, which will reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the Developer and approved by the Planning Commission, upon recommendations of a qualified engineer, to solve the problems created by the unsuitable land conditions. The burden of the proof shall lie with the Developer. Such land shall be set aside or reserved for uses as shall not involve such a danger."

This land, when it was previously approved to be subdivided in 2007, was deemed suitable by qualified engineers, those of the applicant's as well as the City Engineer, based upon the building design and retaining proposed. Currently two duplexes are approved to be developed should the applicant decide to not proceed forward with the current application. Staff feels that the provided Geotechnical report and the CMP due at time of Building Permit application will be sufficient to meet the requirements of the statute for this application.

City staff has not overlooked this element but has worked with the applicant on the proposed condominium plat in an effort to mitigate the impact of developing on a steep slope. Prior development on neighboring lots also provides evidence that this land is situated on stable ground, and the developer has hired Applied Geotechnical Environmental Company and has provided a certified geotechnical report that provides soil structure analysis for the structural design. During the building department review of the project, a CMP will be required and will be thoroughly reviewed by those qualified within the Building Department. The applicant must adhere to the CMP in order to obtain a Building Permit.

The applicant is aware of the limitations of working on a steep slope. In 2007, the applicant voluntarily proposed less density in the subdivision given these limitations. Under the LMC, a duplex requires 3,750 square feet of lot area. The applicant agrees to a limitation of two condominium buildings on the entire condominium lot for a total of four (4) units. The lot is much greater than the lot requirement of 3,750 square feet times two which would total 7,500 square feet.

The Park City General Plan discussed the current trend of density in the area and states that “the zone’s permitted density is resulting in more density and larger scale than the neighborhood is comfortable with.” One recommendation within the General Plan to address the issue is to “re-evaluate the zoning in the area and make changes necessary to decrease the density and scale of structures.” The LMC defined density as “The intensity or number of non-residential and residential uses expressed in terms of unit equivalents per acre or lot or units per acre. Density is a function of both number and type of dwelling units and/or non-residential units and the land area.”

The surrounding land use in the area is made up of single family and multi-family units. The applicant has introduced plans for two condominium buildings on the lot. Planning staff had previously analyzed the density of the surrounding development and had found that the proposed density is appropriate for the surrounding scale and use. In an analysis of the surrounding properties and the percent of land utilized for footprint completed in 2007 (Exhibit J), the applicant was just below the average of 27 percent. Percent of footprint of the analyzed lots ranged from 11.7% to 38.9%. The applicant was proposing 25.3% and 26.2% for each of the lots. This is consistent with the density of the adjacent properties. In terms of number of dwelling units per lot area, the applicant’s property will be much less dense than the neighboring developments with an extra 2000 square feet of lot area per dwelling unit (Exhibit J).

The footprint of a dwelling is not regulated in the R-1 zone, however, the applicant stipulated to a maximum footprint of 3,200 square feet as part of the 2007 Subdivision. Setback requirements in the R-1 zone determine the allowable footprint of dwellings. In the neighboring HR-1 zone the footprint of a building is determined using the maximum footprint formula. In 2007 an analysis was made by applying this formula from the HR-1 District to the two existing lots to see what the allowed footprint would be: 12,658 square foot lot results in a 3107.63 square foot footprint, 12,219 square foot lot area results in a 3074 square foot footprint. These amounts were within 125 square feet of the 3,200 square foot footprint that the applicant requested in 2007 and the current proposal shows footprints that are much smaller: 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined. Staff has incorporated a condition of approval that the footprint of each building will not exceed 3,200 square feet, as was previously conditioned.

Good Cause

Staff finds good cause for this record of survey amendment as it removes the lot line to create an underground connected parking structure and makes it so four garage doors will not be seen from Deer Valley Drive as was previously approved. One common driveway off of Deer Valley Drive that vehicles can pull out front-facing will be much safer and a better alternative to backing out onto the already dangerous Deer Valley Loop Road, as was previously approved in 2007.

The proposed plat would allow for smaller footprints, lower building heights, more setbacks, a significantly smaller amount of exposed retaining walls, less massing, more building step backs verses what was previously approved. Staff finds that the plat will

not cause undo harm on any adjacent property owners because the proposal mitigates the issues of density, scale, and access addressed within the General Plan and LMC for this area. Staff finds that all requirements of the Land Management Code for any future development can be met. All encroachments will be remedied by agreement before the plat will be recorded.

Department Review

This project has gone through interdepartmental review. No issues were raised, pertaining to the requested plat amendment, that have not been mitigated.

Notice

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

Public Input

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

Process

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

Alternatives

- The Planning Commission may recommend that the City Council approve the application for the Roundabout Condominiums plat, as conditioned or amended, or
- The Planning Commission may recommend that the City deny the application and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion and provide Staff and the Applicant with specific direction regarding additional information necessary to make a recommendation on this item.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

The two (2) lots would remain separate, only allowing for two (2) duplexes as previously proposed and approved. The existing approvals would allow for larger footprints, higher building heights, less setbacks, significant amount of exposed retaining walls, more massing, less building step backs, and four double-wide garage doors facing Deer Valley Drive verses what is currently proposed.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Roundabout Condominiums plat, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law, and conditions of approval as found in the draft ordinance.

Exhibits

Exhibit A – Proposed Ordinance and Proposed Plat for the Roundabout Condominiums

Exhibit B – Proposed Grading Exhibit

Exhibit C – Proposed Property Line Exhibit (lands to be deeded to and from City ROW)

Exhibit D – Proposed Elevations, Floor Plans and Section

Exhibit E – Aerial Photograph with proposed Site Plan superimposed

Exhibit F – Existing Conditions – Topography with existing plat superimposed

Exhibit G – Previously approved Roundabout Subdivision Plat recorded on February 21, 2008

Exhibit H – Ordinance No.07-33 approved with the Roundabout Subdivision Plat in 2007

Exhibit I – Existing Site Photographs

Exhibit J – Previously proposed and approved in 2007 – Two Lot Duplex Site Plan, Elevation, and Rendering

Exhibit K – Neighborhood Analysis completed in 2007

Exhibit L – Planning Commission Meeting Minutes from April & May 2007

Exhibit M – Geo-technical Report

Ordinance No. 14-

**AN ORDINANCE APPROVING THE ROUNDABOUT CONDOMINIUMS PLAT,
LOCATED AT 300 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Roundabout Subdivision, have petitioned the City Council for approval of the Roundabout Condominiums plat, a Utah Condominium project; and

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

WHEREAS, proper legal notice was published in the Park Record and notice letters were sent to all affected property owners, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, to receive input on the supplemental plat;

WHEREAS, the Planning Commission held a second public hearing on April 9, 2014, to receive additional input on the supplemental plat;

WHEREAS, the Planning Commission, on April 9, 2014, forwarded a recommendation to the City Council; and,

WHEREAS, on April 24, 2014, the City Council held a public hearing on the amended record of survey plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Roundabout Condominiums plat, a Utah Condominium project.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Roundabout Condominiums plat, a Utah Condominium project, as shown in Attachment A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 300 Deer Valley Loop Road.
2. The property is located within the Residential (R-1) District.
3. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
4. The condominium plat will create one (1) condominium lot of record containing a total of 27,779.15 square feet.

5. There are no existing structures on the property.
6. Access to the property will be from Deer Valley Drive in a single access point on a common driveway for all units to a shared underground parking structure.
7. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
8. A duplex dwelling is an allowed use in the R-1 zone.
9. The total private area of the condominiums consists of 5,230.2 square feet; the Limited Common Area consists of 306 square feet.
10. Unit A consists of 3,769.6 square feet of private area and 2,852.3 square feet of limited common area. Unit B consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit C consists of 2,581.2 square feet of private area and 2,013 square feet of limited common area. Unit D consists of 3,076.7 square feet of private area and 2,385.8 square feet of limited common area.
11. The entire project including the parking structure contains 9,446.1 square feet of common area, 12,008.7 square feet of private area, and 9,264.1 square feet of limited common area.
12. The footprints total 2,613 square feet for Units A&B combined and 2,286 square feet for Units C&D combined; with a total footprint of the project being 4,899 square feet.
13. The height of the buildings will be 22 feet above existing grade.
14. The front yard setback will be 20 feet, the rear yard setback will be 10 feet and the side yard setbacks will be 10 feet each.
15. The shared parking structure contains a total of 14 parking spaces, exceeding the eight (8) parking space requirement.
16. There are existing encroachments on the property from the owner of 510 Ontario Avenue.
17. The existing shared access easement will be removed with the approval of this plat.
18. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.
19. The Geo-technical report has been reviewed and approved.
20. A Construction Mitigation Plan will be required upon submittal of a Building Permit application.
21. On June 14, 2007, the City Council approved the Roundabout Subdivision Plat. This plat was recorded February 21, 2008.
22. On November 13, 2013, the Planning Department received a complete application for the Roundabout Condominiums plat.
23. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. Exhibit C shows the 875 square feet that will be dedicated to the applicant and 164 square feet that will be dedicated to the City. The applicant previously dedicated 3,152.54 square feet to the City with the 2007 Subdivision for the bus pull-out and Deer Valley Drive and Deer Valley Loop ROW improvements (Exhibit E). In order for this to occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW.
24. As conditioned, this condominium plat is consistent with the conditions of approval of the Roundabout Subdivision plat as per the findings in the Analysis section.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form of the condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one (1) year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant stipulates restricting the development to two (2) condominium buildings with one (1) underground shared parking structure. This shall be noted on the plat.
4. The footprint of each condominium building will not exceed 3,200 square feet, to be noted on the plat.
5. Shared access for the four units will be a single access point for all units on a common driveway into a shared underground parking structure, accessed from Deer Valley Drive, to be noted on the plat.
6. All vehicles exiting the common driveway must pull out of the driveway onto Deer Valley Drive front-facing, to be noted on the plat.
7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final mylar prior to recordation.
8. A 10 foot (10') wide public snow storage easement is required along the frontage of the lot with Deer Valley Drive and Deer Valley Loop Road and shall be shown on the plat.
9. A five foot (5') wide public utility easement is required along the rear and side lot lines.
10. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including, but not limited to, the fire hydrant, storm drain box, bus pull-out, improvements to Deer Valley Drive, and lighting, prior to plat recordation.
11. An encroachment agreement between the applicant and the owner of 510 Ontario Avenue that addresses all current encroachments (asphalt driveway, rock retaining wall and hot tub) onto the applicant's property shall be remedied prior to plat recordation.
12. The Construction Mitigation Plan required at Building Permit application shall stipulate that all staging of the project must be done entirely on the applicant's

property and that the hours of hauling shall be between 8 am and 6 pm Monday through Friday throughout the duration of the project.

13. There shall be a tie breaker mechanism in the CCR's.

14. Due to the bus pull-out modifications along Deer Valley Drive, the applicant will need to deed a portion of property to the City for ROW improvements and receive another portion of existing ROW improvements back from the City. In order for this to occur, the applicant will need to petition the City Council to vacate the 875 square feet of ROW prior to plat recordation.

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

PASSED AND ADOPTED this _____ day of _____, 2014.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

EXHIBIT A - PROPOSED PLAT

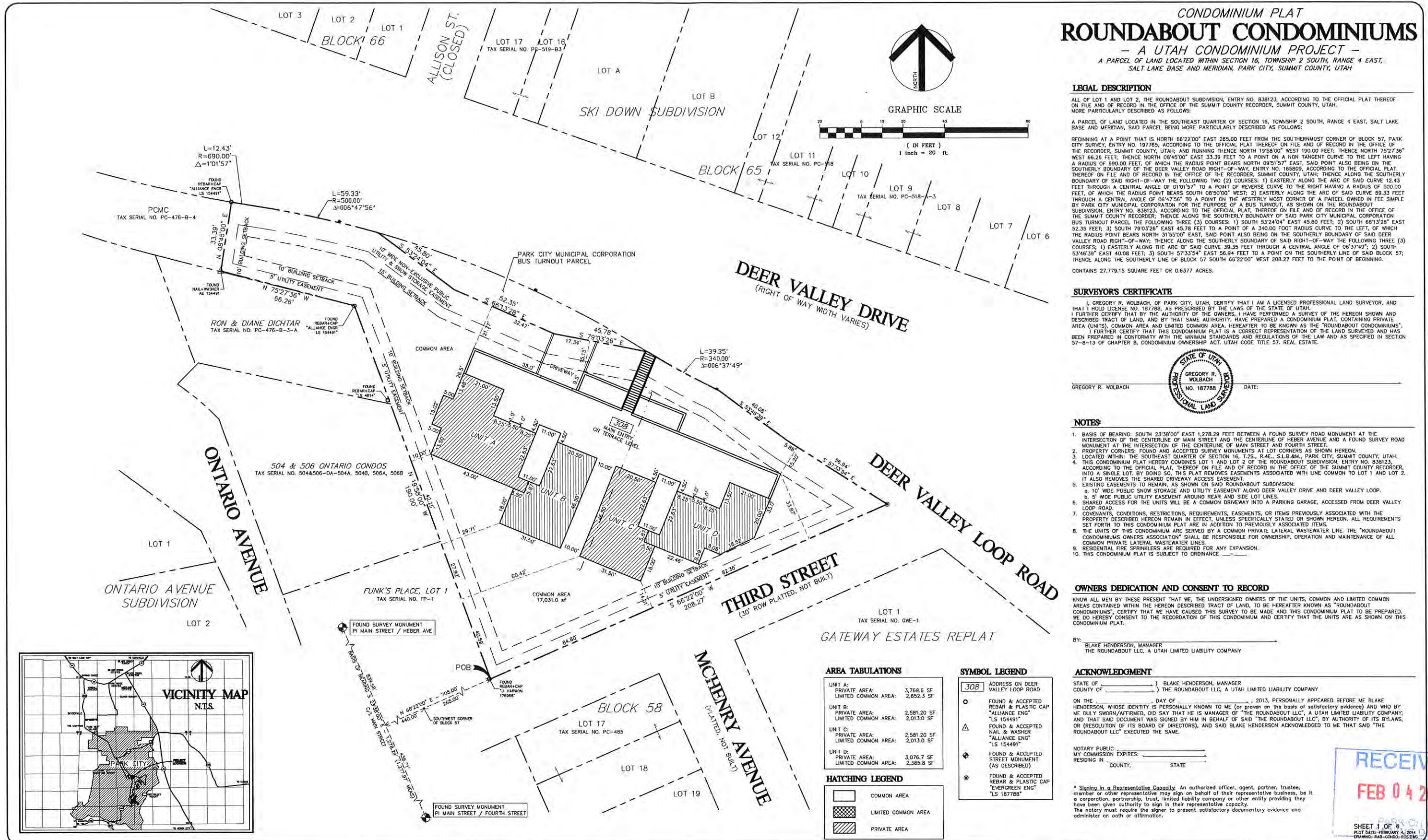
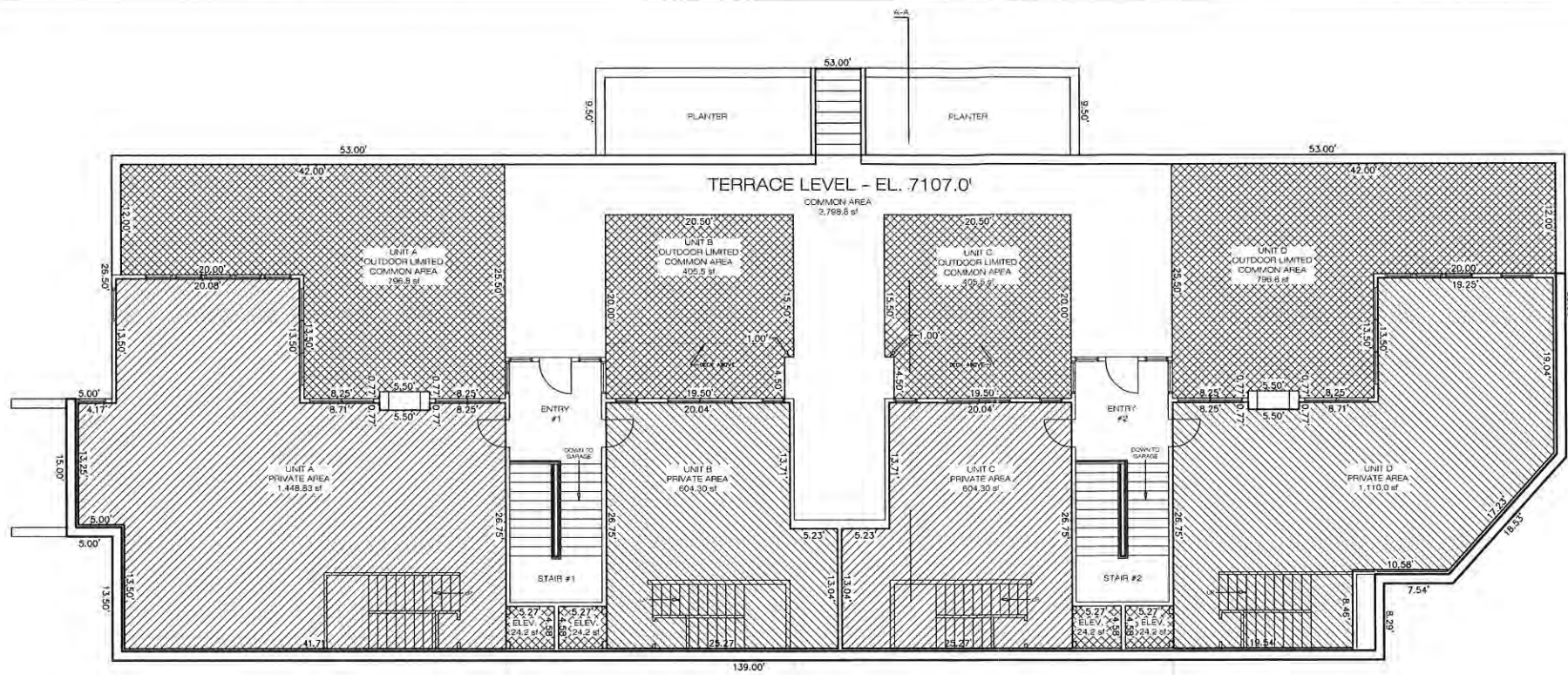


EXHIBIT A - PROPOSED PLAT



TERRACE LEVEL
FLOOR EL.=7107.0'
SCALE: 1" = 8'

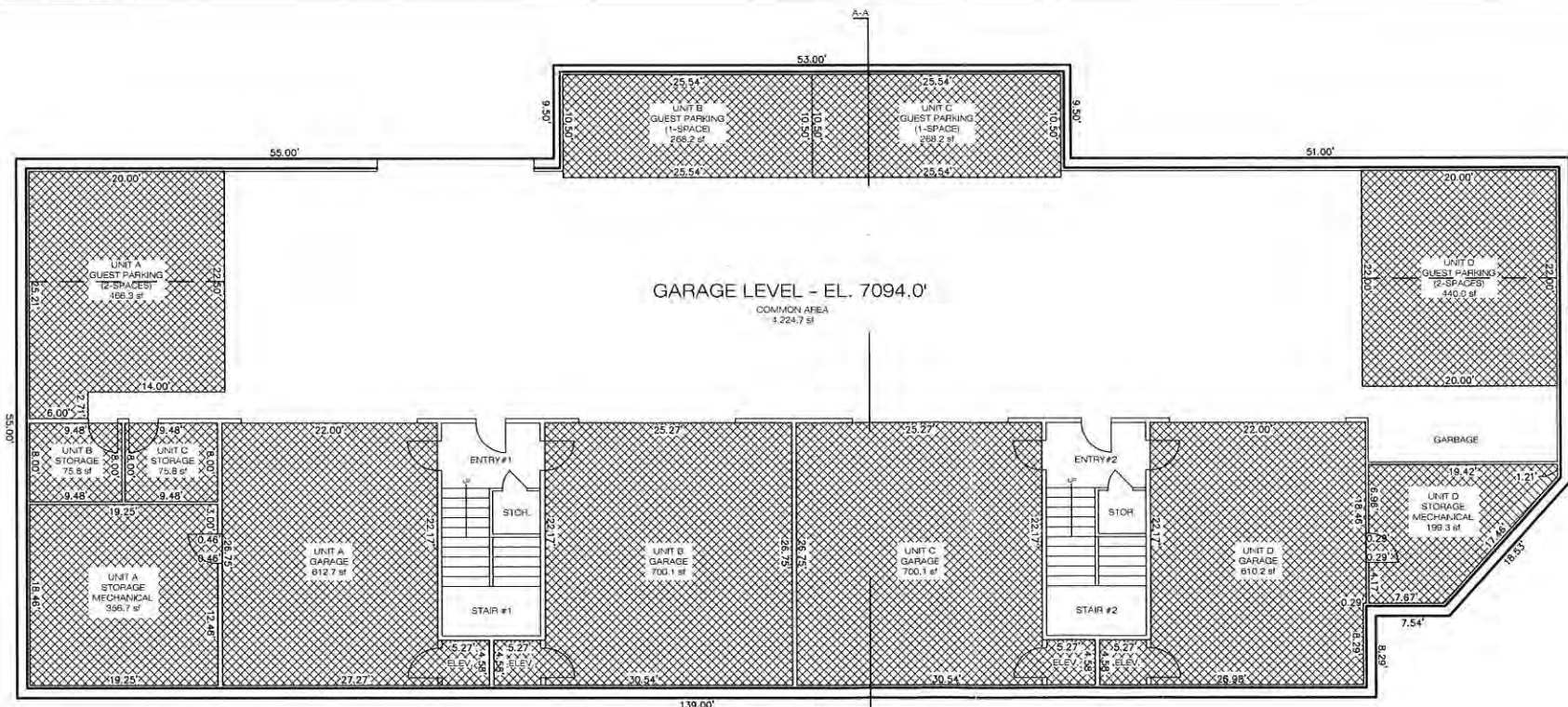


AREA TABULATIONS
* TERRACE LEVEL

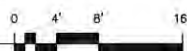
UNIT A		
PRIVATE AREA	-	1,448.8 SF
LIMITED COMMON AREA	-	821.0 SF
UNIT B		
PRIVATE AREA	-	604.3 SF
LIMITED COMMON AREA	-	429.7 SF
UNIT C		
PRIVATE AREA	-	604.3 SF
LIMITED COMMON AREA	-	429.7 SF
UNIT D		
PRIVATE AREA	-	1,100.0 SF
LIMITED COMMON AREA	-	821.0 SF
COMBINED TOTAL		
PRIVATE AREA	-	3,757.4 SF
LIMITED COMMON AREA	-	2,501.4 SF
COMMON AREA	-	2,813.5 SF

HATCHING LEGEND

[Hatched Box]	COMMON AREA
[Cross-hatched Box]	LIMITED COMMON AREA
[Diagonal-hatched Box]	PRIVATE AREA - UNIT



GARAGE LEVEL
FLOOR EL.=7094.0'
SCALE: 1" = 8'



AREA TABULATIONS
* GARAGE LEVEL

UNIT A		
PRIVATE AREA	-	0.00 SF
LIMITED COMMON AREA	-	1,435.7 SF
UNIT B		
PRIVATE AREA	-	0.00 SF
LIMITED COMMON AREA	-	1,044.1 SF
UNIT C		
PRIVATE AREA	-	0.00 SF
LIMITED COMMON AREA	-	1,044.1 SF
UNIT D		
PRIVATE AREA	-	0.00 SF
LIMITED COMMON AREA	-	1,249.5 SF
COMBINED TOTAL		
PRIVATE AREA	-	0.00 SF
LIMITED COMMON AREA	-	4,773.4 SF
COMMON AREA	-	4,223.9 SF

NO. _____
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____

FEES _____ CITY RECORDER



REVISIONS	DATE	BY	COMMENTS

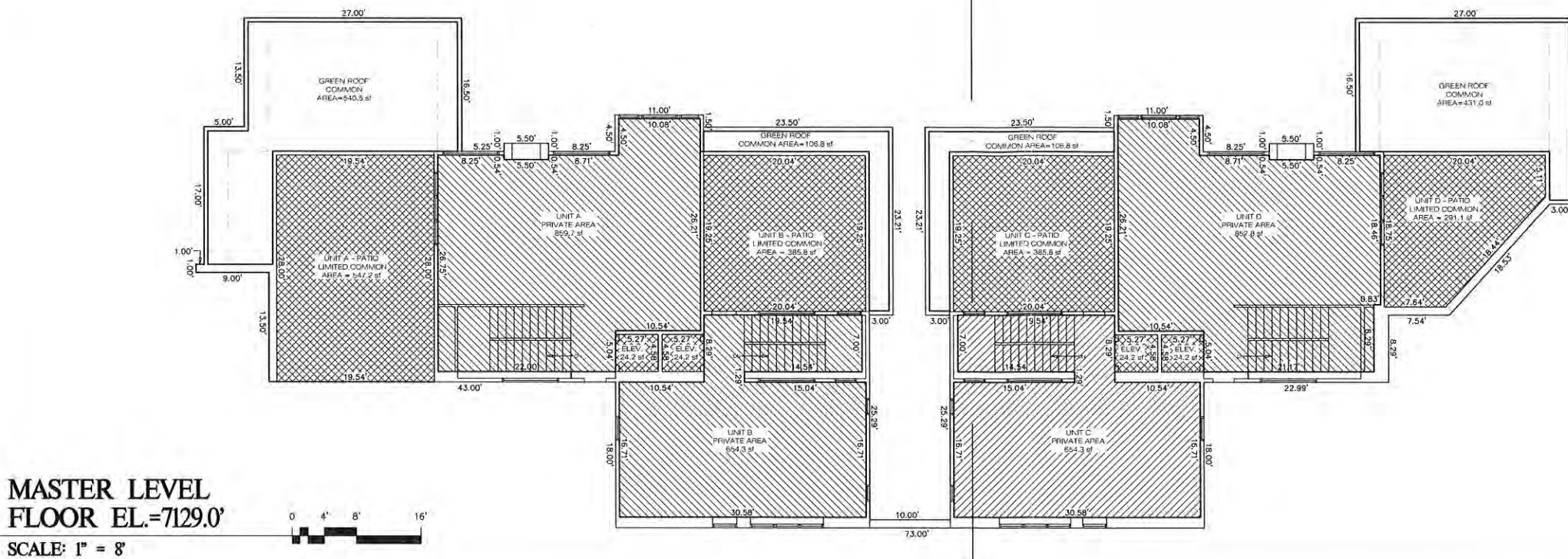


SURVEYED BY: GRW/ADM
DRAWN BY: GRW
CHECKED BY: GRW

ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
GARAGE LEVEL AND TERRACE LEVEL
DATE: FEBRUARY 4, 2014
DRAWN BY: BLAKE HENDERSON, THE ROUNDABOUT LLC
PROJECT NO: 0609

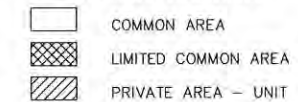
SHEET 2 OF 4

EXHIBIT A - PROPOSED PLAT



AREA TABULATIONS ★ MASTER LEVEL		
UNIT A		
PRIVATE AREA	—	859.7 SF
LIMITED COMMON AREA	—	571.4 SF
UNIT B		
PRIVATE AREA	—	654.3 SF
LIMITED COMMON AREA	—	410.0 SF
UNIT C		
PRIVATE AREA	—	654.3 SF
LIMITED COMMON AREA	—	410.0 SF
UNIT D		
PRIVATE AREA	—	852.8 SF
LIMITED COMMON AREA	—	291.1 SF
COMBINED TOTAL		
PRIVATE AREA	—	3,021.1 SF
LIMITED COMMON AREA	—	1,682.5 SF
COMMON AREA	—	1,854.4 SF

HATCHING LEGEND

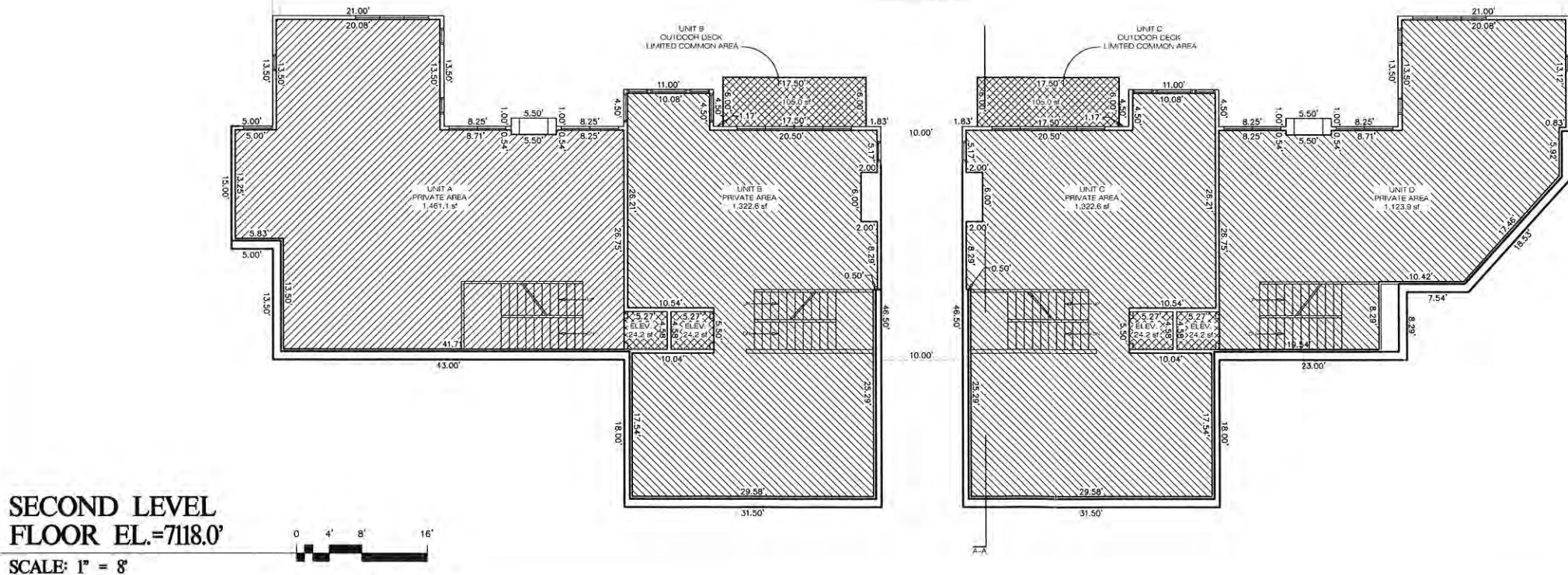


AREA TABULATIONS * SECOND LEVEL		
UNIT A		
PRIVATE AREA	—	1,461.1 SF
LIMITED COMMON AREA	—	24.2 SF
UNIT B		
PRIVATE AREA	—	1,322.6 SF
LIMITED COMMON AREA	—	129.2 SF
UNIT C		
PRIVATE AREA	—	1,322.6 SF
LIMITED COMMON AREA	—	129.2 SF
UNIT D		
PRIVATE AREA	—	1,123.9 SF
LIMITED COMMON AREA	—	24.2 SF
COMBINED TOTAL		
PRIVATE AREA	—	5,230.2 SF
LIMITED COMMON AREA	—	306.8 SF
COMMON AREA	—	554.3 SF

PLOTTED: FEBRUARY 4, 2014

NO. _____ RECORDED
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____

FFFS CITY RECORDER



**SECOND LEVEL
FLOOR EL.=7118.0'**
SCALE: 1" = 8'

**ROUNDABOUT CONDOMINIUMS
FLOOR PLANS
SECOND LEVEL AND MASTER LEVEL**

SHEET 3 OF 4

Page 305 of 368

Planning Commission April 9, 2014

EXHIBIT A - PROPOSED PLAT



HATCHING LEGEND

	COMMON AREA
	LIMITED COMMON AREA
	PRIVATE AREA — UNIT

NO. _____	RECORDED _____
DATE _____	
STATE OF _____	
CITY OF _____	
RECORDED AT THE REQUEST OF _____	
FEE \$ _____	CITY RECORDER _____

ROUNDABOUT CONDOMINIUMS BUILDING SECTION

AA

DATE: 08/14/2013

PROJECT: RAB-CONDO-SEC

OWNER: BLAKE HENDERSON, THE ROUNDABOUT LLC

SURVEYED BY: GRW/ADM

DRAWN BY: GRW

CHECKED BY: GRW

DATE: 08/14/2013

PROJECT: RAB-CONDO-SEC

OWNER: BLAKE HENDERSON, THE ROUNDABOUT LLC

DATE: 08/14/2013

PROJECT: RAB-CONDO-SEC

OWNER: BLAKE HENDERSON, THE ROUNDABOUT LLC

DATE: 08/14/2013

PROJECT: RAB-CONDO-SEC

OWNER: BLAKE HENDERSON, THE ROUNDABOUT LLC

DATE: 08/14/2013

PROJECT: RAB-CONDO-SEC

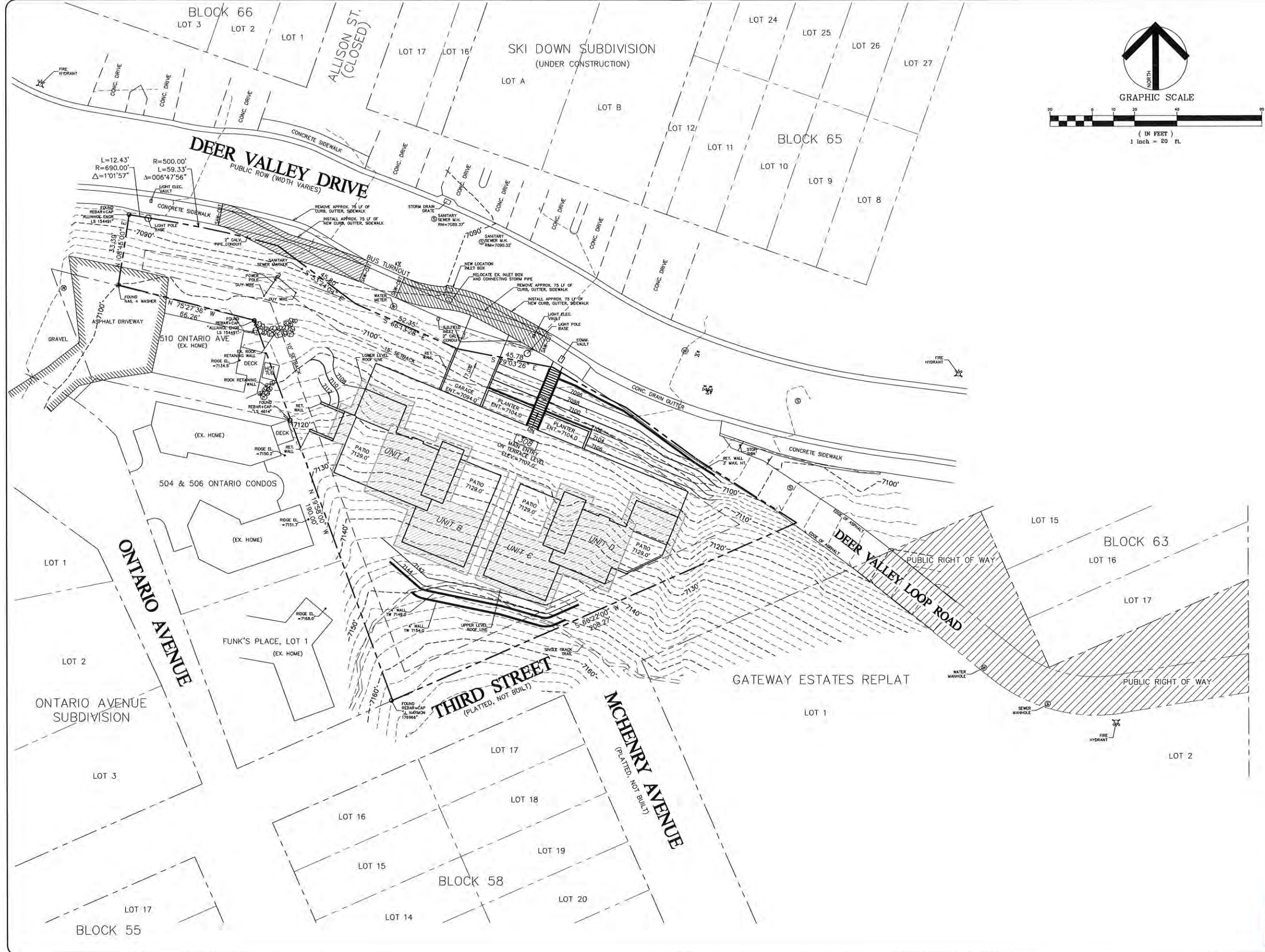
OWNER: BLAKE HENDERSON, THE ROUNDABOUT LLC

DATE: 08/14/2013

PROJECT: RAB-CONDO-SEC

OWNER: BLAKE HENDERSON, THE ROUNDABOUT LLC

EXHIBIT B - PROPOSED GRADING EXHIBIT



Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1670 Bonanza Drive • Suite 104 • Uden • 84000
P.O. Box 28818 • Park City • UT • 84321
E-mail: office@evergreen-eng.com

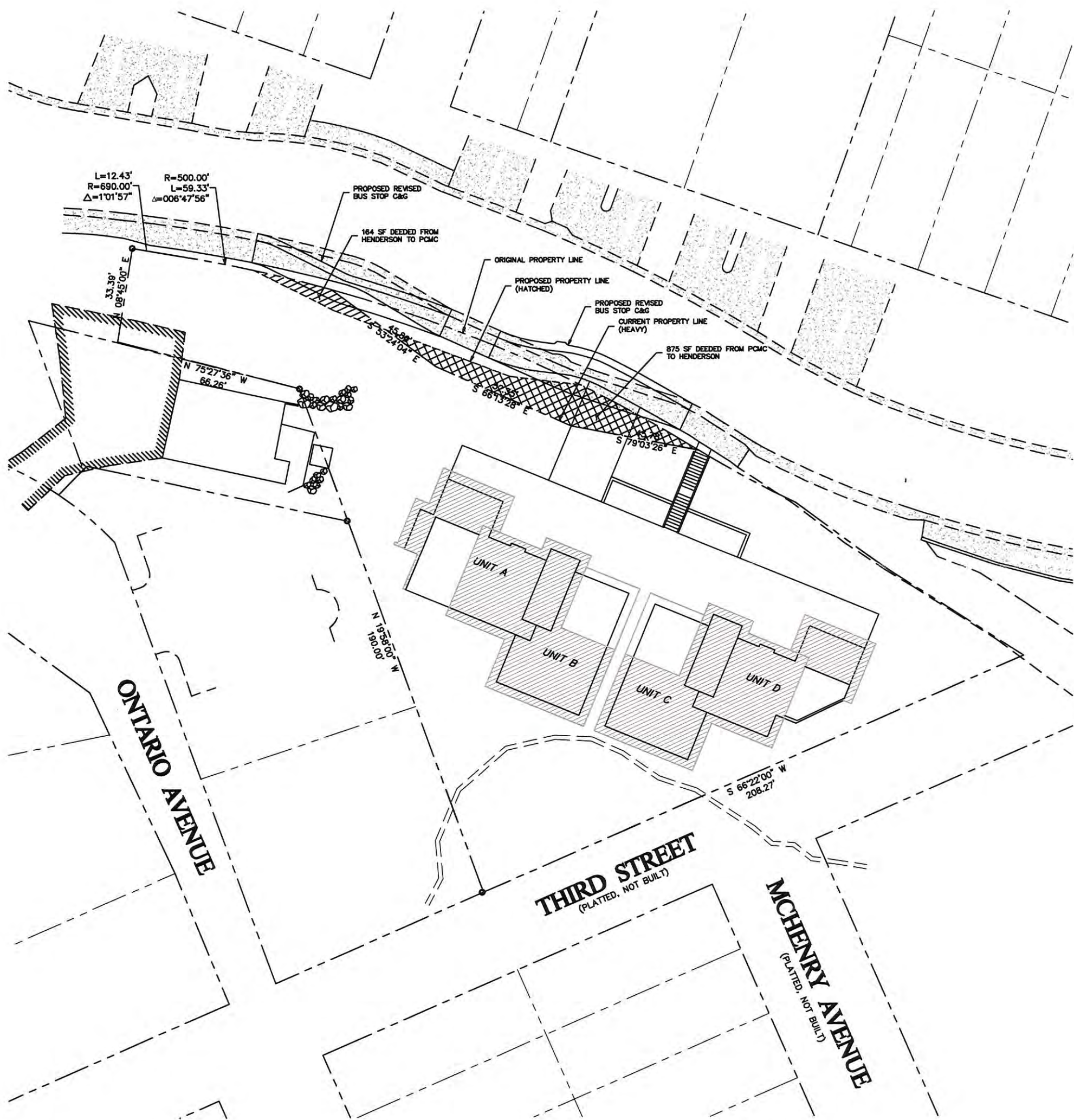
REVISIONS	DATE	BY	COMMENTS

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

PROPOSED GRADING EXHIBIT
ROUNDABOUT CONDOMINIUMS
RAB-CONDO-GRADE
JOB NO. 0609
BLAKE HENDERSON, THE ROUNDABOUT LLC

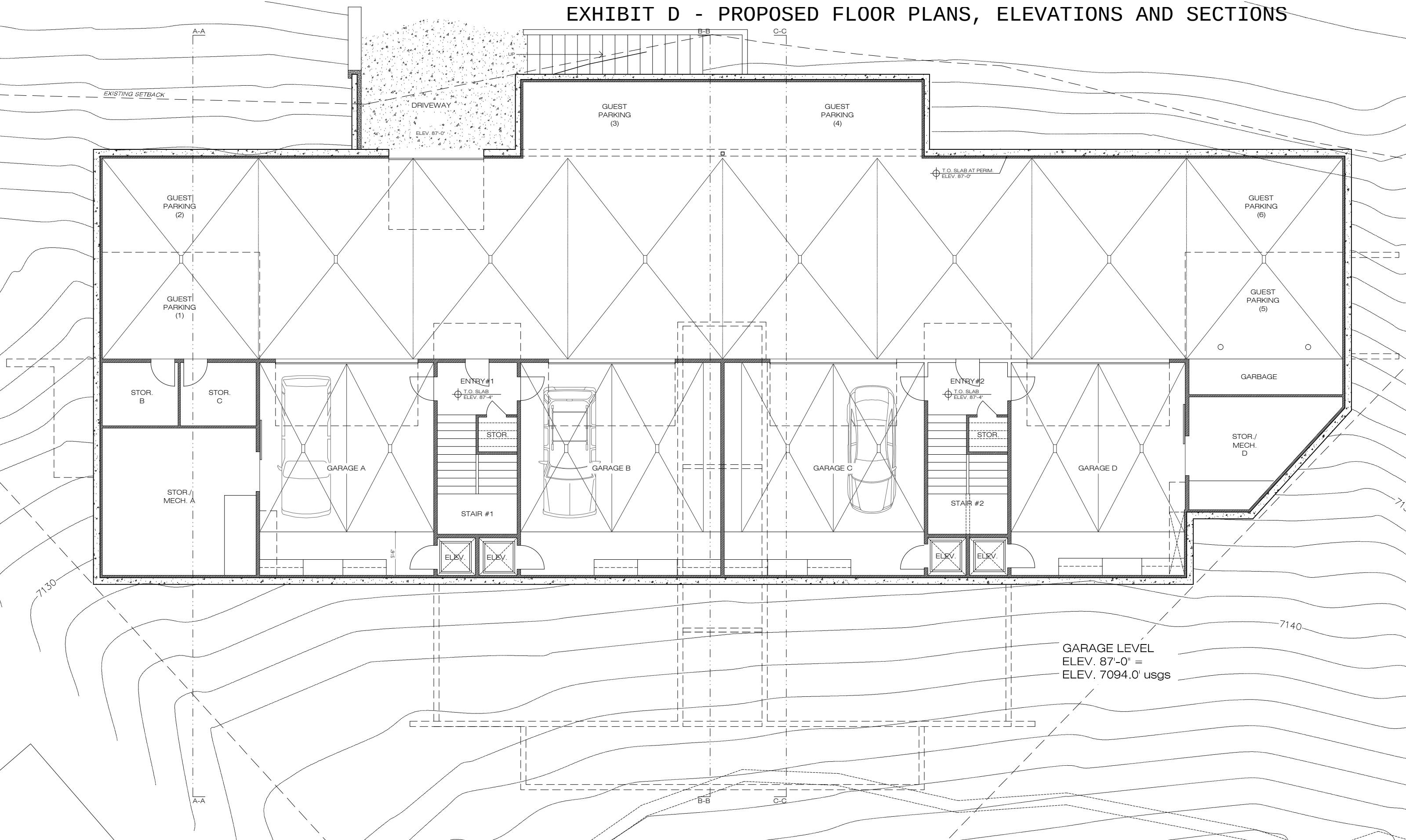
RECEIVED
FEB 18 2014
PARK CITY PLANNING DEPT
PLOTTED: FEBRUARY 18, 2014

EXHIBIT C - PROPOSED PROPERTY LINE EXHIBIT



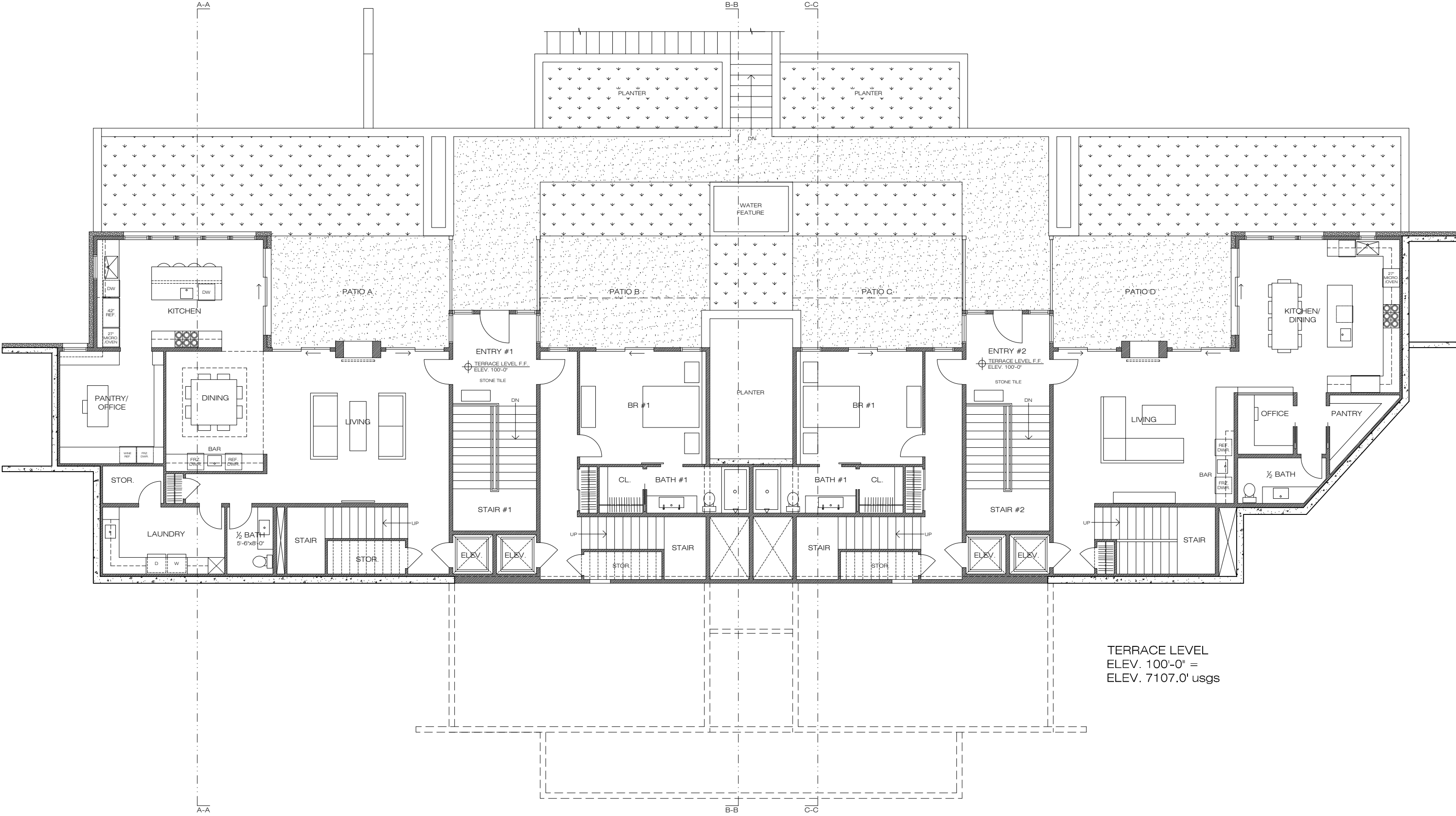
RECEIVED
FEB 18 2014
H.C. CITY
PLANNING DEPT.

EXHIBIT D - PROPOSED FLOOR PLANS, ELEVATIONS AND SECTIONS



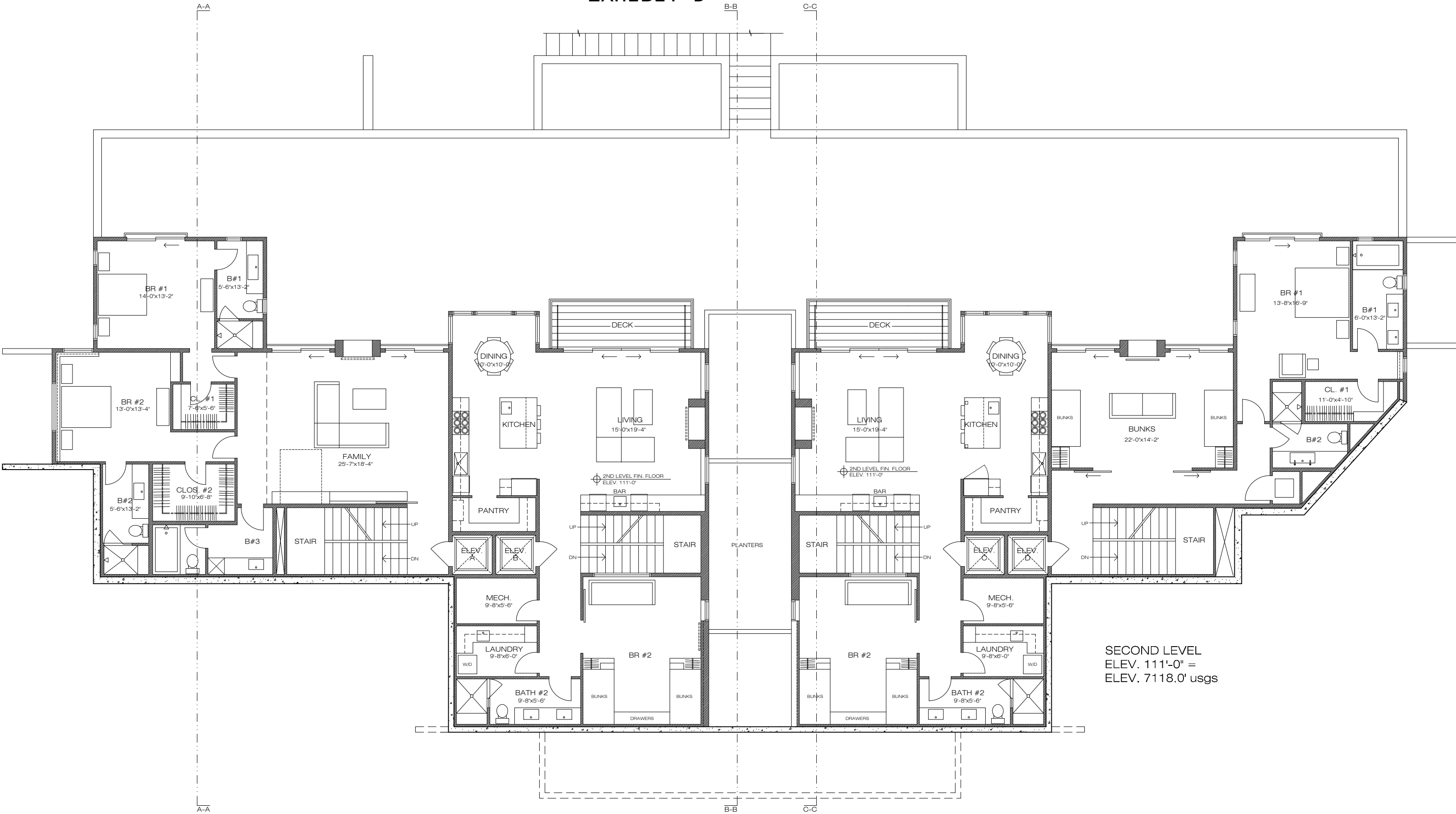
GARAGE LEVEL
ELEV. 87'-0" =
ELEV. 7094.0' usgs

EXHIBIT D



TERRACE LEVEL
ELEV. 100'-0" =
ELEV. 7107.0' usgs

EXHIBIT D



SECOND LEVEL
ELEV. 111'-0" =
ELEV. 7118.0' usgs

EXHIBIT D

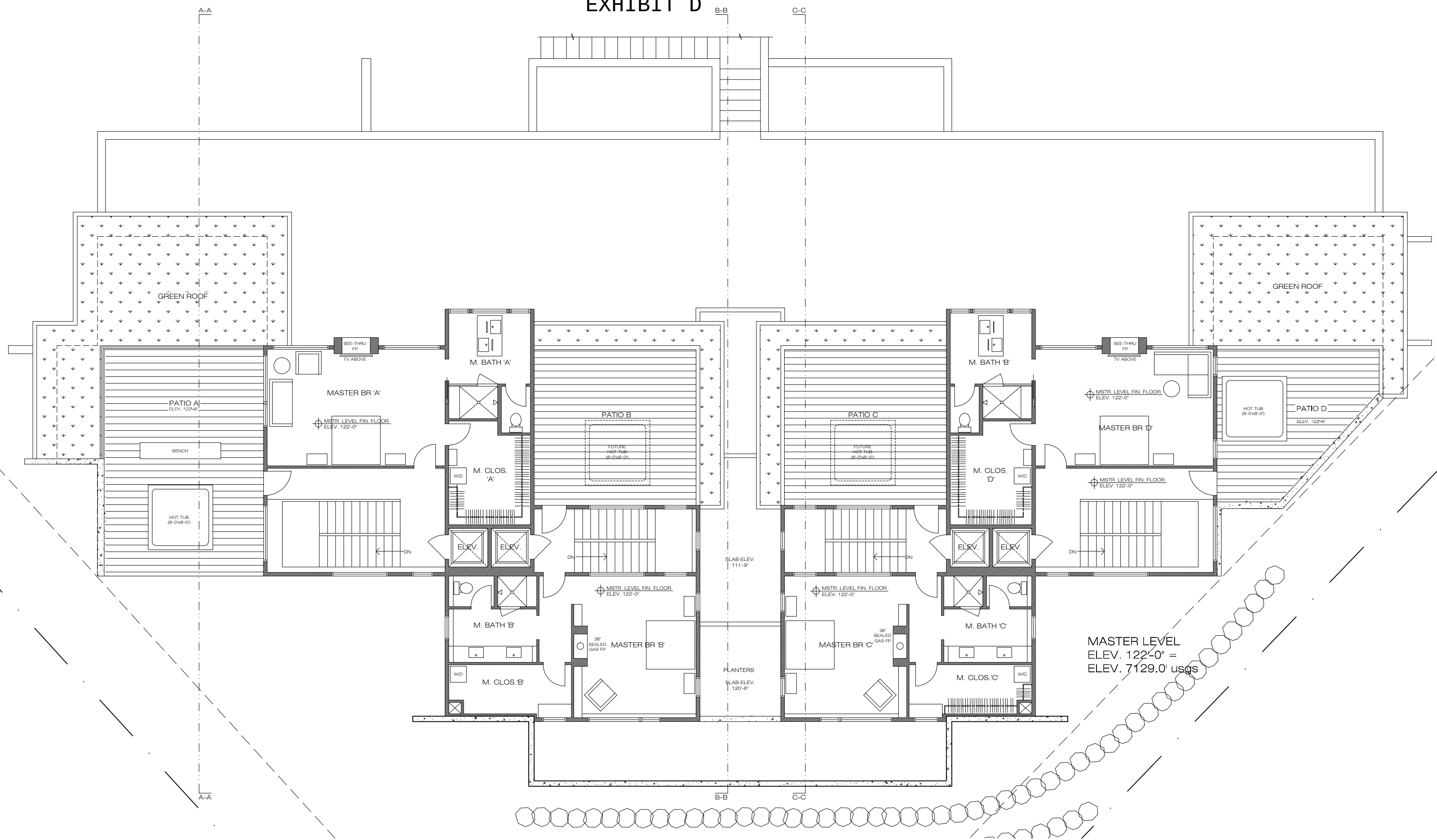


EXHIBIT D

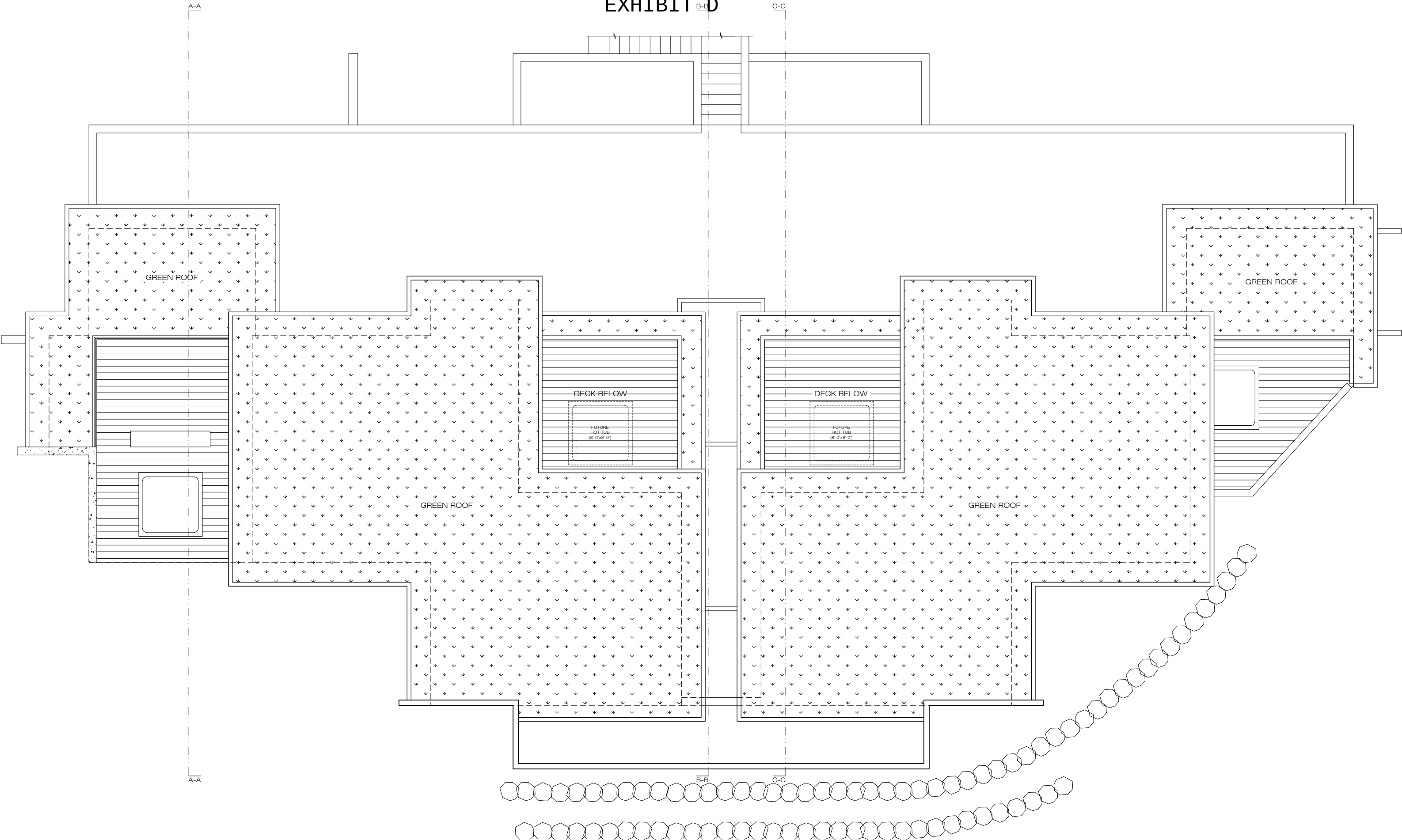


EXHIBIT D



NORTH ELEVATION

EXHIBIT D

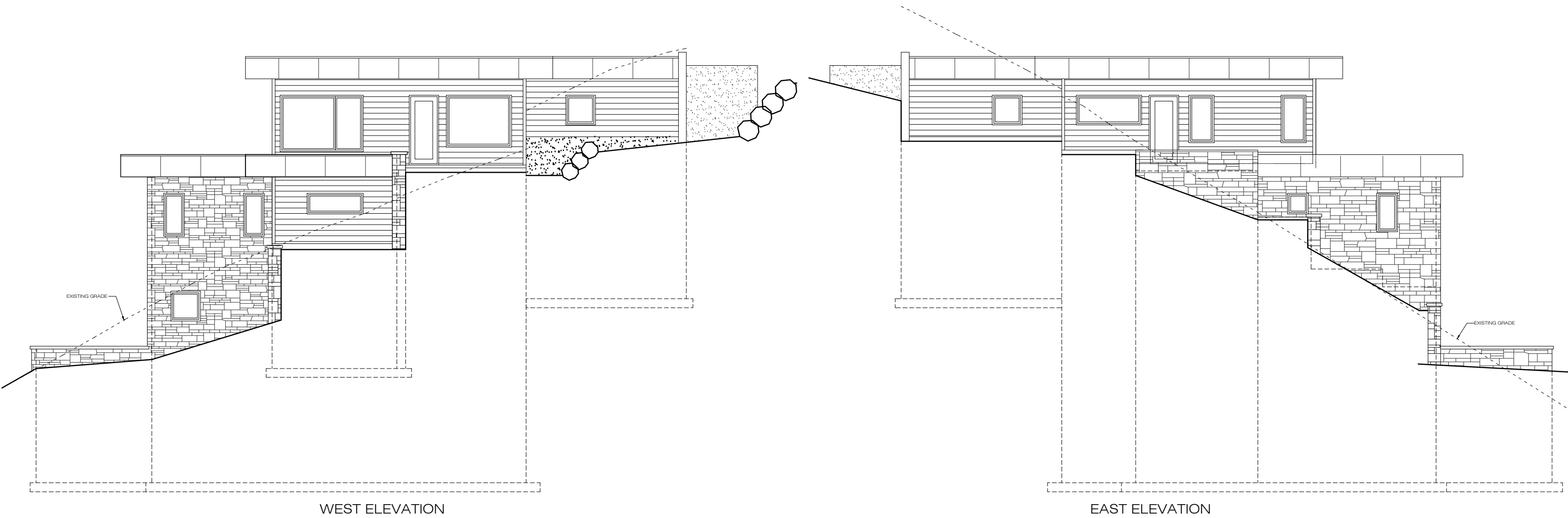


EXHIBIT D

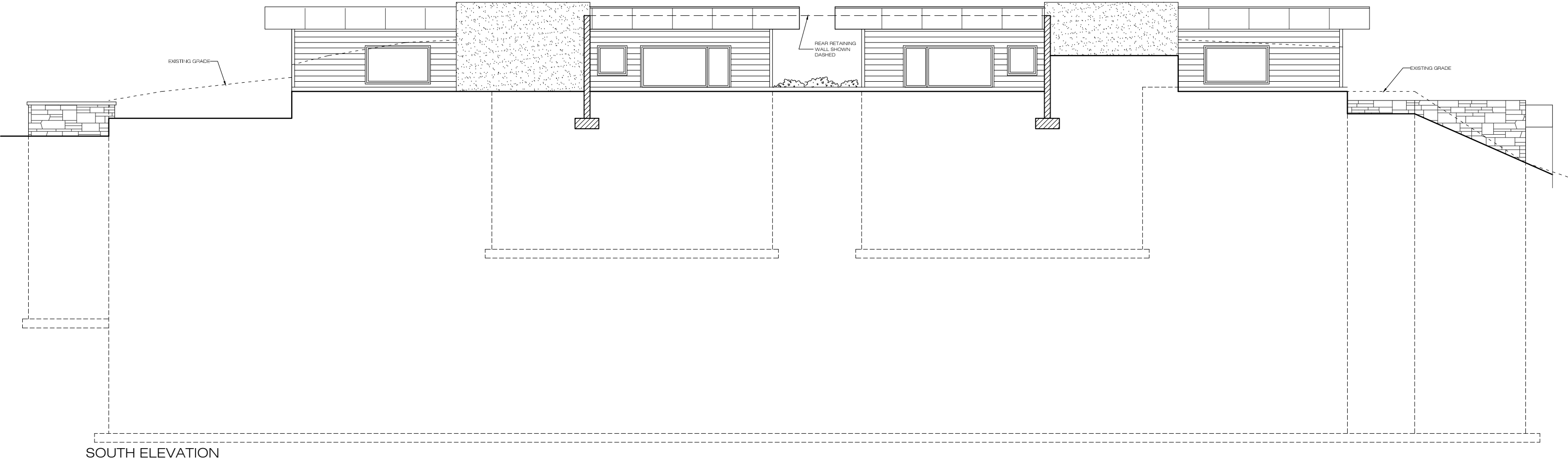


EXHIBIT D

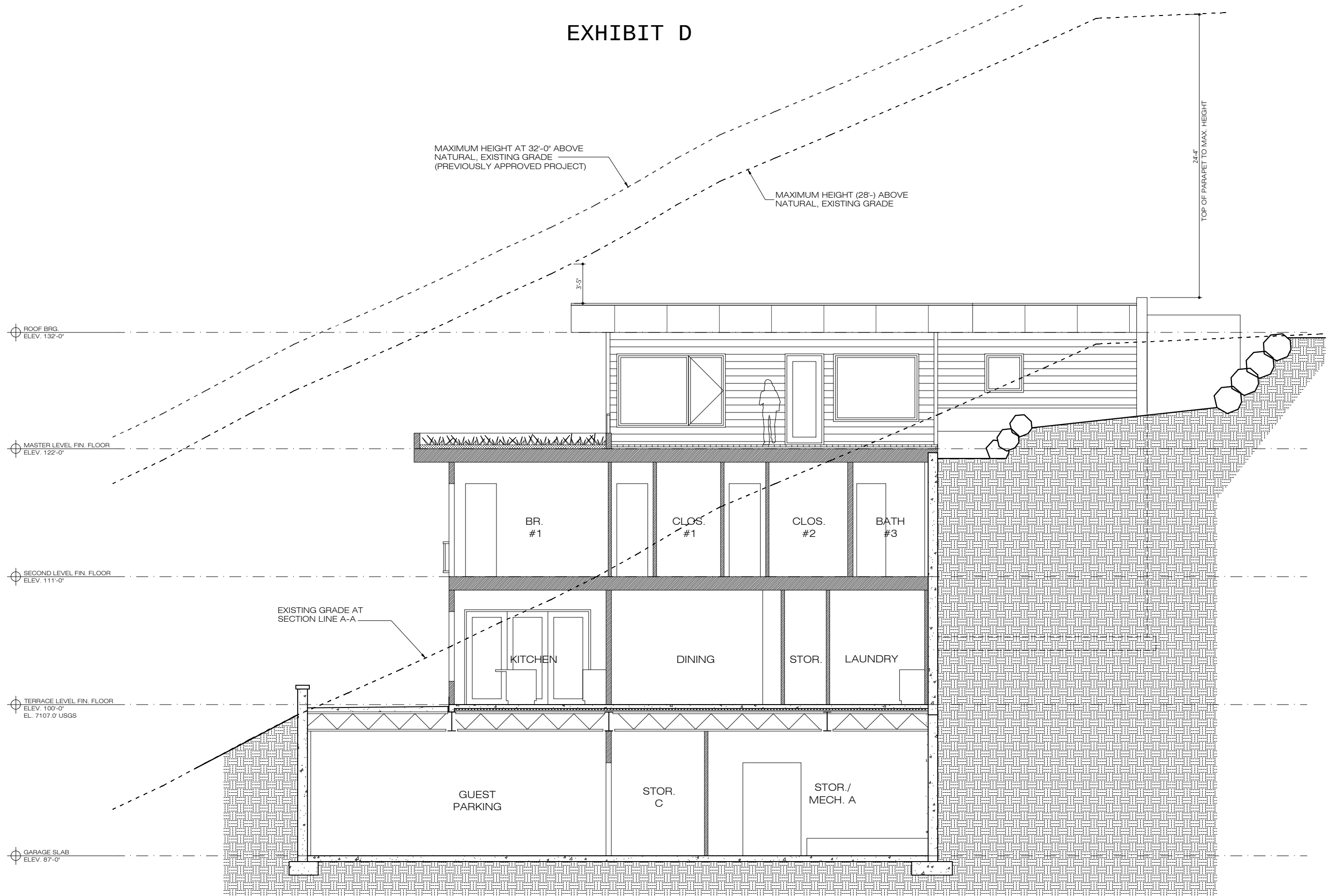
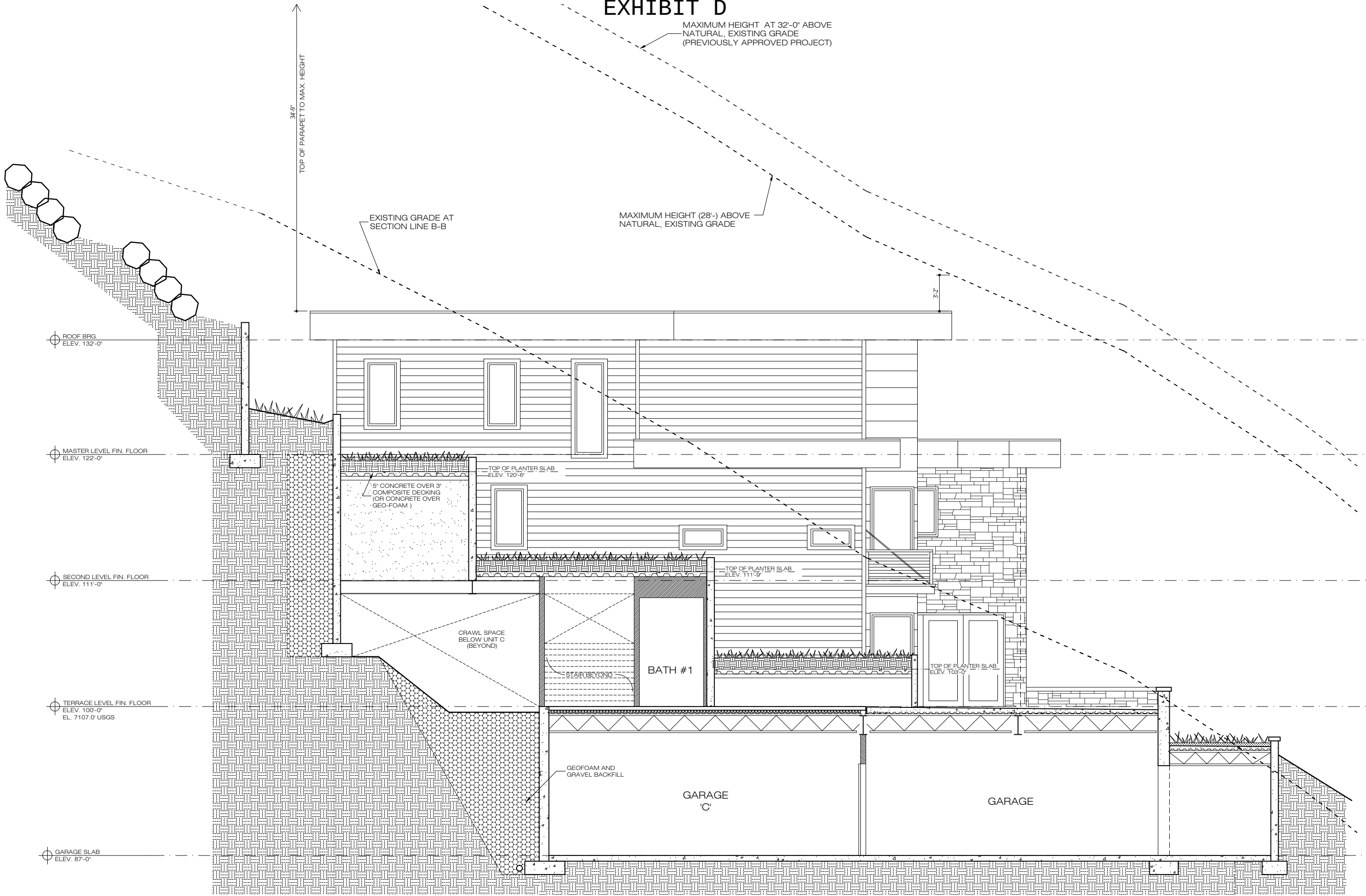


EXHIBIT D

MAXIMUM HEIGHT AT 32'-0" ABOVE
NATURAL, EXISTING GRADE
(PREVIOUSLY APPROVED PROJECT)

EXISTING GRADE AT
SECTION LINE B-B

MAXIMUM HEIGHT (28'-) ABOVE
NATURAL, EXISTING GRADE



SECTION B-B

SCALE 1/8" = 1'-0"

Planning Commission April 9, 2014

COSTANTINO
GRANDJACQUET
ARCHITECT

03.20.14

THE ROUNDABOUT
LOT 1+2 ROUNDABOUT SUBDIVISION

EXHIBIT D

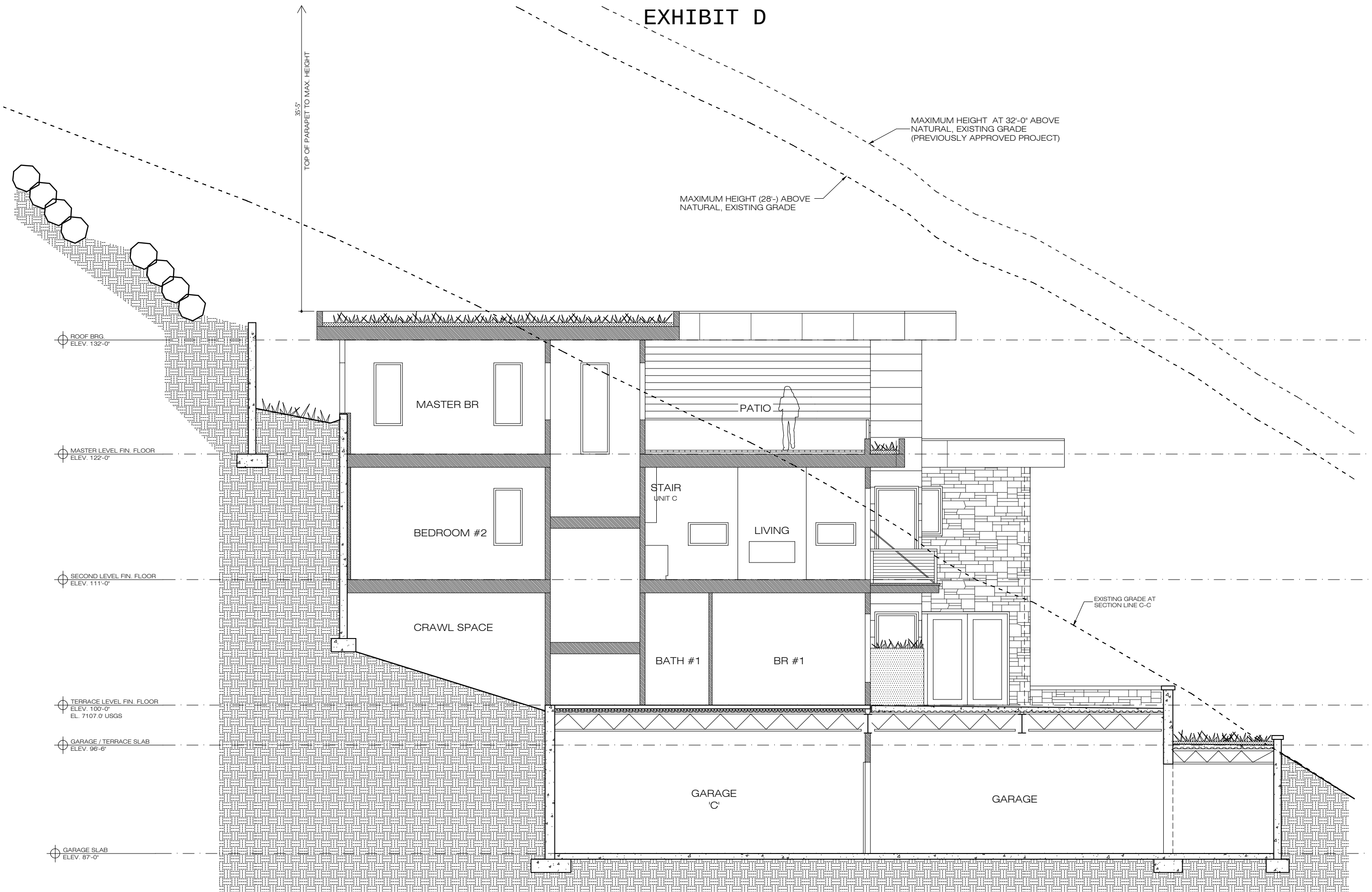
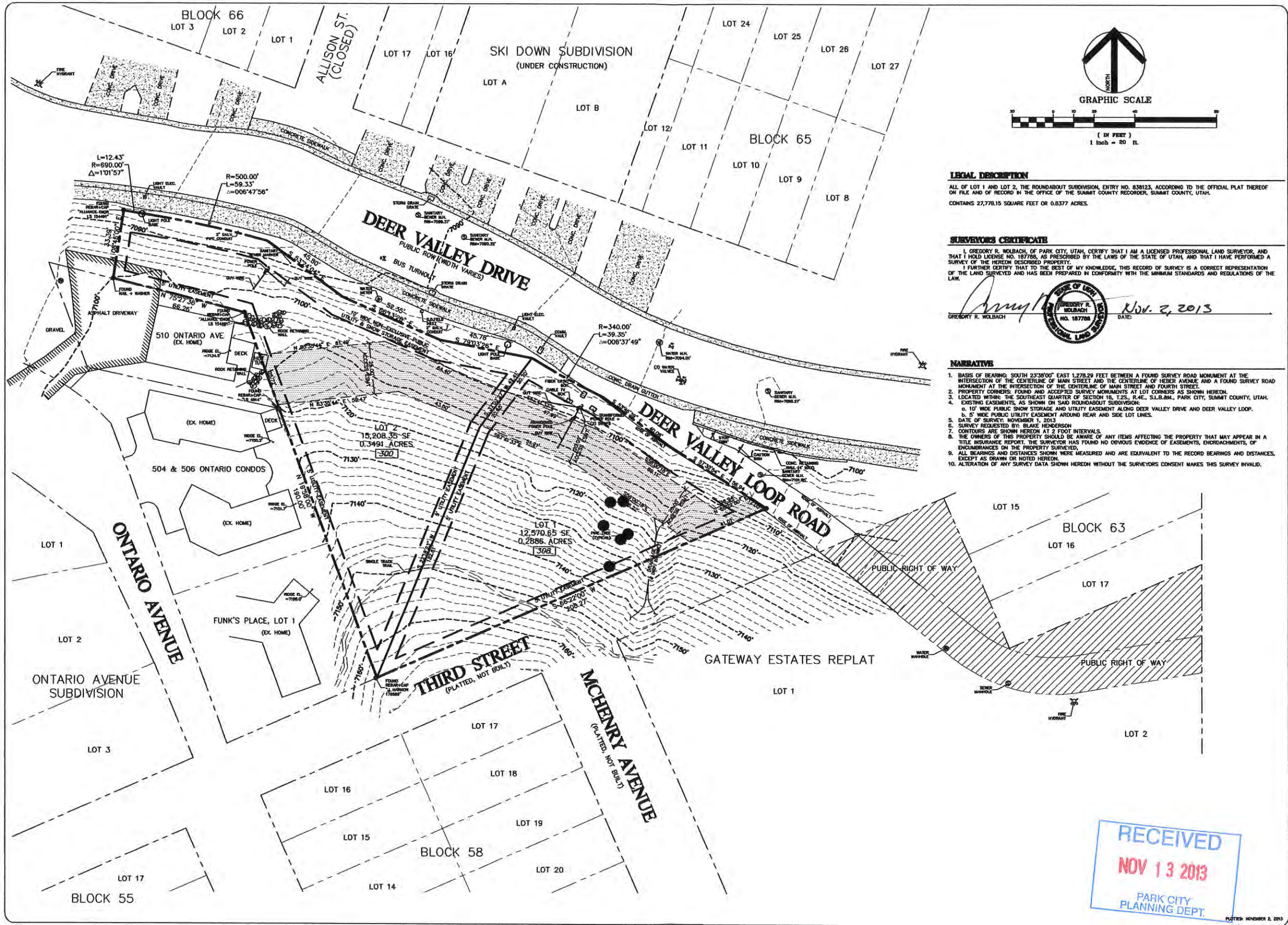




EXHIBIT F - EXISTING CONDITIONS/TOPOGRAPHY WITH EXISTING PLAT



Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
1570 Benarosa Drive • Suite 100 • Park City, UT 84090
Phone: 435.648.4687 • Fax: 435.648.6219
E-mail: office@evergreen-eng.com

REVISIONS
DATE BY COMMENTS

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

RECORD OF SURVEY
EXISTING CONDITIONS - TOPOGRAPHY
ROUNDABOUT SUBDIVISION, LOTS 1 & 2
BLAKE HENDERSON, THE ROUNDABOUT LLC
JOB NO. 0609
PLOT NO. 0609

RECEIVED
NOV 13 2013
PARK CITY PLANNING DEPT.

SHEET 1 OF 1

EXHIBIT H

Ordinance No. 07-33

AN ORDINANCE APPROVING THE ROUNDABOUT SUBDIVISION CREATING TWO LOTS OF RECORD AT 300 DEER VALLEY LOOP ROAD, PARK CITY, UTAH.

WHEREAS, the owner of the property known as 300 Deer Valley Loop Road, has petitioned the City Council for approval of a subdivision; and

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

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

WHEREAS, the Planning Commission held a public hearing on April 11, 2007 and May 23, 2007 to receive input on the Roundabout Subdivision.

WHEREAS, the Planning Commission, on May 23, 2007, forwarded a positive recommendation to the City Council; and

WHEREAS, on June 14, 2007 the City Council approved the Roundabout Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Roundabout Subdivision.

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

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

Findings of Fact:

1. The property is located at 300 Deer Valley Loop Road.
2. The metes and bounds parcel is 24,877 square feet in size.
3. The property is located in the Residential (R-1) District.
4. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
5. The subdivision will create two lots of record. Lot One will be 12,658 square feet. Lot Two will be 12,219 square feet.
6. There are no existing structures on the metes and bounds parcel.
7. Access to the property is from Deer Valley Loop Road within 50 feet of Deer Valley Drive.
8. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
9. A duplex dwelling is an allowed use in the R-1 zone.
10. The maximum height limit in the HR-1 zone is 28 feet from existing grade.
11. Minimum setbacks for the lots are 5' on the side yard, 15' in the front yard, and 10 feet in the rear yard.
12. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.

EXHIBIT H

Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

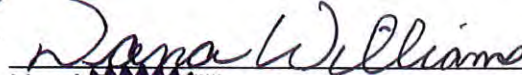
Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing vegetation shall be included in the Construction Mitigation Plan (CMP).
3. Prior to the receipt of a building permit for construction on the lots, the applicant shall submit a building application that will be reviewed by the Planning Department for compliance with applicable Architectural Design Guidelines and the Land Management Code.
4. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
5. The applicant stipulates to restricting the development to a single family home or duplex dwelling on each lot.
6. The footprint on each lot will not exceed 3200 square feet.
7. Shared access for the proposed lots will be accessed off of Deer Valley Loop Road.
8. An encroachment agreement will be created for improvements to the platted 3rd Street prior to building permit issuance on either lot.
9. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including the fire hydrant, bus pull-off, improvements to Deer Valley Drive, and lighting, prior to plat recordation.

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

PASSED AND ADOPTED this 14th day of June 2007.

PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:

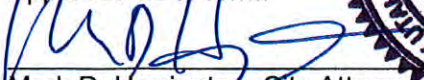

Mark D. Harrington, City Attorney



EXHIBIT I - SITE PHOTOS



EXHIBIT I



EXHIBIT J - PREVIOUSLY APPROVED SITE PLAN, ELEVATIONS & RENDERING FROM 2007

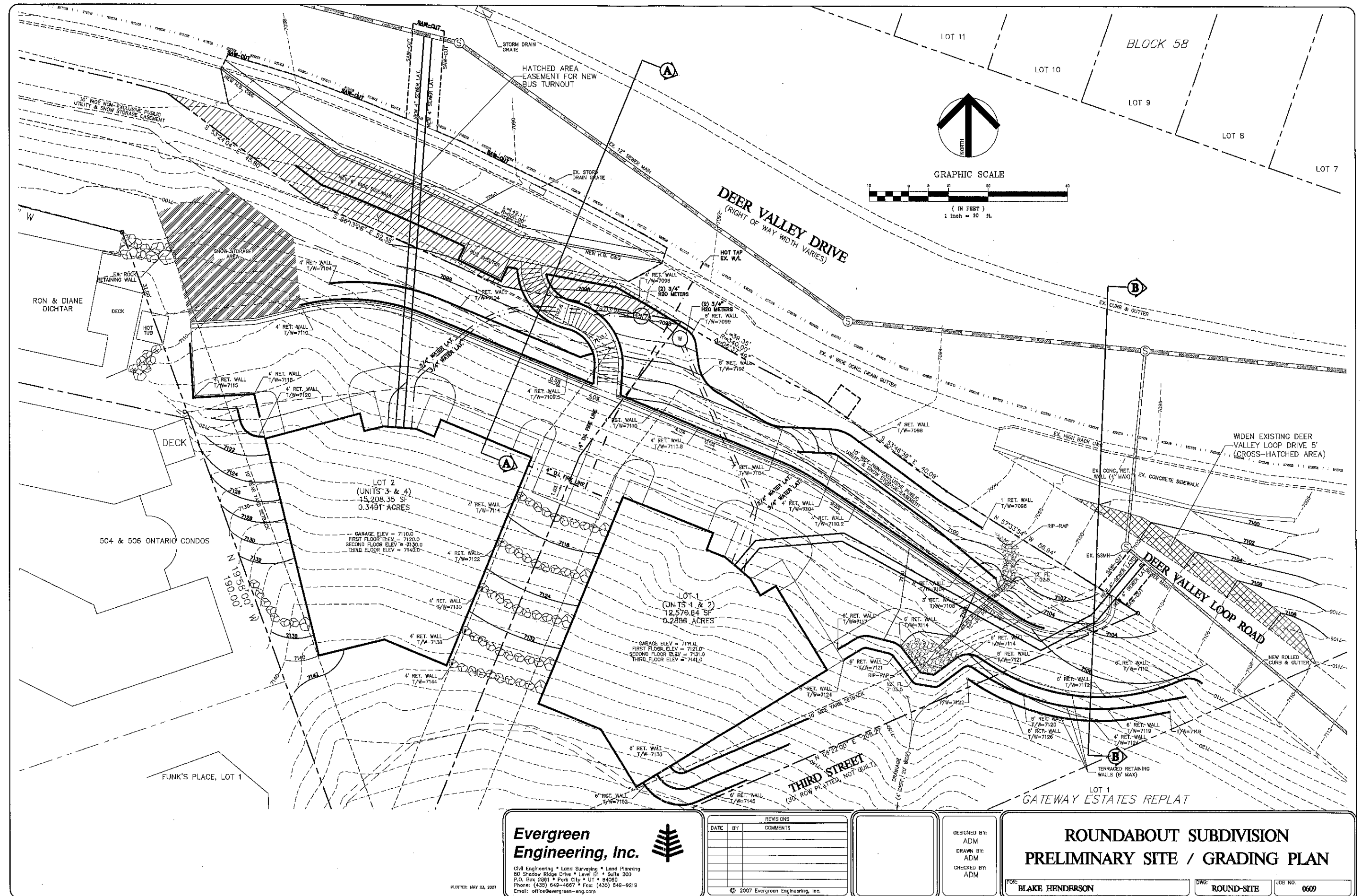
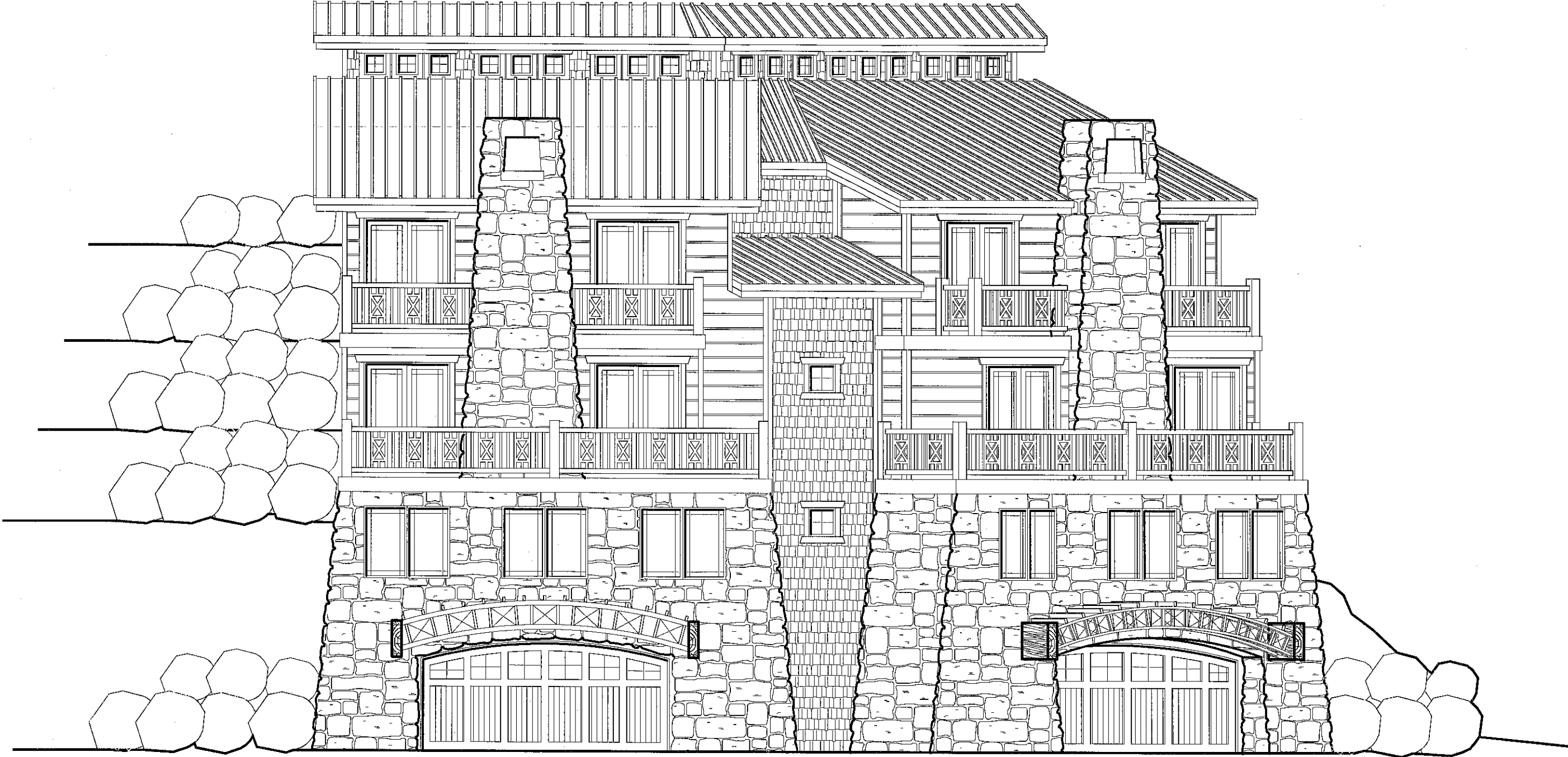


EXHIBIT J - APPROVED ELEVATIONS FROM 2007



1 NORTHWEST EXTERIOR ELEVATION - FRONT
A-201 SCALE 1/4" = 1'-0" (24X36)
SCALE 1/8" = 1'-0" (11X17)

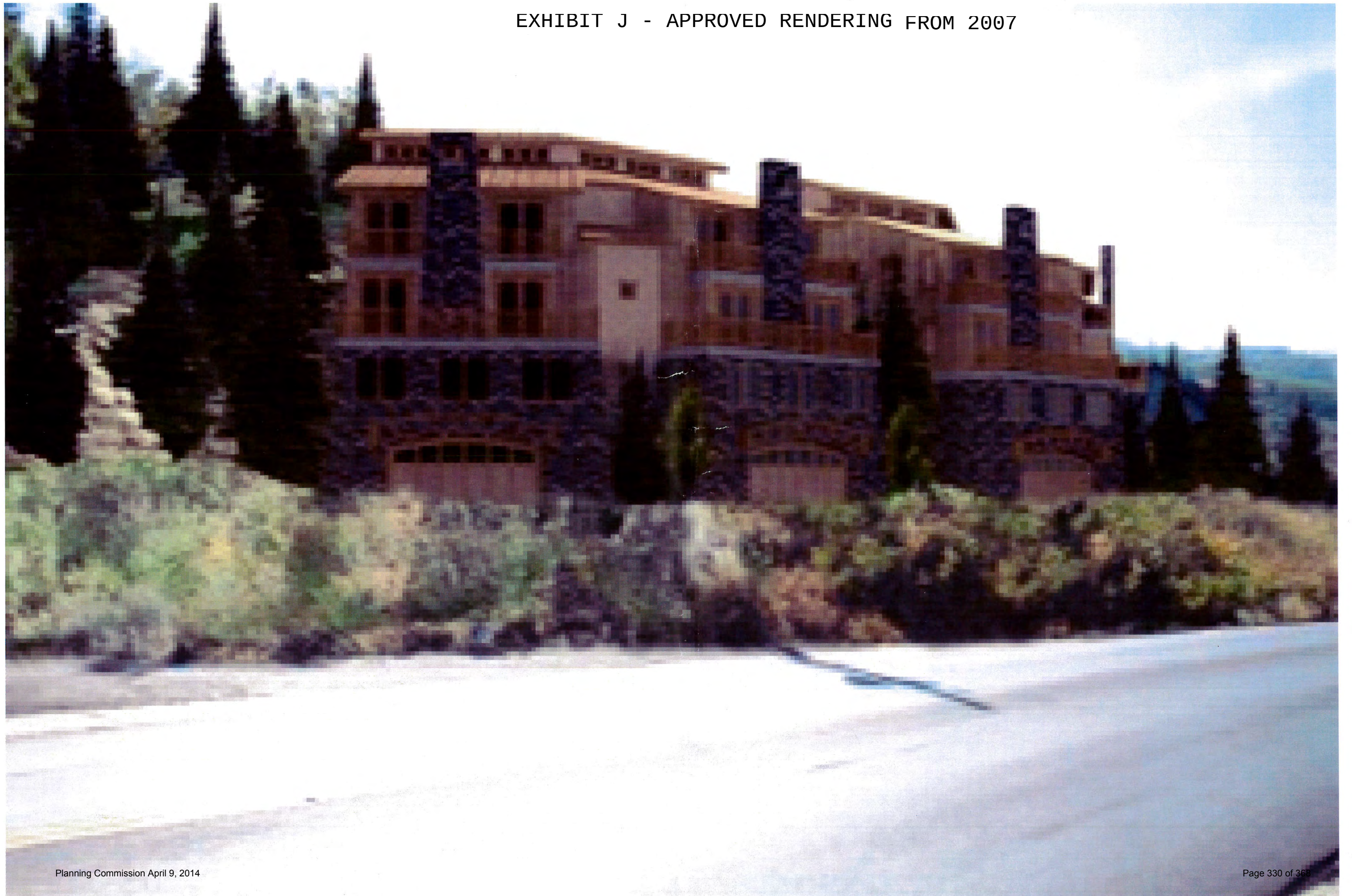


EXHIBIT K

~~Exhibit~~ - Neighborhood Analysis

Address	Lot Size	Footprint	Total SF	Units		zone	Percent footprint of total lot area	Square feet of lot area per unit
504 & 506 Ontario Ave	7676	2441	6021	4	2 duplexes	R-1	31.8	1919
510 & 511 Ontario Ave	4791	954	2507	2	1 duplex	R-1	19.9	2396
408 Deer Valley Loop Rd	27007	3150				HR-1	11.7	
412 Deer Valley Loop Rd	12196	2593				HR-1	21.3	
267/269 Deer Valley Drive	6400	2412	4653	2	1 duplex	R-1	37.7	3200
345 Deer Valley Drive (Posner)	5625	2187	8161	3	1 duplex and 1 mother-in-law	R-1	38.9	2250
355 Deer Valley Drive (Posner)	7500	2248	6270	2	1 duplex	R-1	30.0	3750
365 Deer Valley Drive (Posner)	7500	2248	6270			R-1	30.0	
300 Deer Valley Loop Rd (Lot 1)	12658	3200		2	1 duplex	R-1	25.3	6329
300 Deer Valley Loop Rd (Lot 2)	12219	3200		2	1 duplex	R-1	26.2	6110
Average							27.3	3707.6

EXHIBIT L

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
APRIL 11, 2007

COMMISSIONERS IN ATTENDANCE:

Chair Michael O'Hara, Jim Barth, Julia Pettit, Evan Russack, Mark Sletten, Jack Thomas, Charlie Wintzer

EX OFFICIO:

Brooks Robinson, Principal Planner; Ray Milliner, Planner; Katie Cattan, Planner; Kirsten Whetstone, Planner; Katie Cattan, Planner; Polly Samuels McLean, Assistant City Attorney

REGULAR AGENDA/PUBLIC HEARINGS

1. 300 Deer Valley Loop, Roundabout - Subdivision

Chair O'Hara stated that the Planning Commission discussed this item during the work session. One issue was to have a discussion during the regular meeting about whether or not to limit a triplex in the future on that site.

Planner Katie Cattan made two corrections to the Staff report. The first is that the metes and bounds parcel is .64 of an acre. The square footage was correct. The second was on page 45 and the statement, "The Staff has incorporated a condition of approval that the footprint of each dwelling on each lot will not exceed 2100 square feet". She corrected that to read "3200 square feet".

Planner Cattan reported that the Roundabout Subdivision is currently a metes and bounds parcel that is .64 of an acre. Access to the subdivision will be off of Deer Valley Loop drive and through platted Third Street. The subdivision is proposing two lots of record; Lot 1 will be 12,658 square feet; and the second lot will be 12,219 square feet. Single family homes and duplexes are allowed uses in the R-1 zone. Planner Cattan stated that all the requirements for a lot in the R-1 zone have been met with this application.

Planner Cattan remarked that the applicant has worked closely with the City Staff on this subdivision to mitigate the challenges of the lot because it is on a steep slope. Access and steep slope are two of the main issues. One issue raised by the Fire Department was fire access, since the large trucks cannot get up the road. The applicant is willing to create a bus pull off area off of Deer Valley Drive, which would be a public improvement for the City. A staircase would access the two duplexes or single family home from the bus pull-off area for fire access. A fire hydrant will be located at the bus pull off area.

Planner Cattan reported that the R-1 zone does not require a steep slope CUP. Therefore, the applicant has worked with Staff to lessen the impact of the steep slope and proposes less density than allowed on that land. Planner Cattan remarked that the proposal supports the General Plan recommendation for the area. The General Plan recommends that the zoning in

this area be reevaluated and that changes are made as necessary to decrease density and scale of structures in that area.

Planner Cattan stated that the dwelling footprint is not regulated in the R-1 zone and the setback requirements determine the allowable footprint. The Staff had incorporated a condition of approval stating that the footprint of each dwelling on each lot will not exceed 3200 square feet, as agreed upon in preliminary meetings with the applicant. Planner Cattan remarked that based on her analysis of density of the surrounding properties and the percent of land utilized for a footprint, the proposal is slightly below the average of 27%. In terms of dwelling units per the lot acreage, this proposal provides 2,000 square feet more open space than the surrounding lots.

The Staff finds good cause for this application as the subdivision will bring the parcels into compliance with State law by creating two lots of record and will create a new bus pull off area for the enjoyment of the public. The Staff finds that the plat will not cause undue harm on adjacent property owners because the proposal mitigates density, scale, and access issues addressed within the General Plan for this area.

Blake Henderson, the applicant, stated his agreement with the Staff report. Mr. Henderson remarked that he previously lived in Deer Valley and has travels Deer Valley Drive. He is now a resident of Old Town and he is very much involved and aware of all the development issues. In developing this piece of land, he carefully considered what would be appropriate after gathering information from friends, neighbors, and other developers in the area. Mr. Henderson stated that he spent a tremendous amount of time with the Planning Staff in an effort to put an appropriate project on this site with appropriate design and density. He noted that the proposal puts these structures above Deer Valley Drive, which will limit the massing visible from the street. Open space and green space will be provided between the duplexes and Deer Valley Drive. Mr. Henderson stated that they also considered traffic issues and the flow of traffic in terms of speed and congestion on Deer Valley Drive. They worked with Staff to find another entrance and proposed to use the Third Street access easement. He noted that no driveways are proposed off of Deer Valley Drive. Mr. Henderson commented on their plan to provide a bus pull out so buses can pull off of Deer Valley Drive and eliminate traffic congestion. They are also working with the Fire Marshall to use the bus pull out for fire trucks in the event of an emergency.

Chair O'Hara questioned a statement in the Staff report that a building permit cannot be issued for metes and bounds parcels. Planner Robinson replied that this statement was correct. The City prefers to have legal lots of record rather than parcels.

Mr. Henderson clarified that the metes and bounds parcel was .71 of an acre when the application was filed; however, the bus pullout reduced the size to .64 acres.

Commissioner Barth noted that Condition of Approval #8, states that the applicant will submit a financial guarantee. He understood that the applicant is planning on paying for the public improvements and wanted clarification that the applicant would be doing both. Planner Robinson stated that typically the City Engineer requires a financial guarantee for financial improvements. Commissioner Barth asked if the Fire District has signed off on the turn out solution for fire protection. Planner Cattan replied that Ron Ivie concluded that this solution would work.

Planner Cattan stated that with the access off of Platted Third Street, the applicant is proposing to install a 6 foot high retaining wall due to the slope. Normally the side retaining wall is only allowed to be 4 feet high. Finding of Fact #13 indicates that the Planning Commission finds in favor of a 6 foot high retaining wall if this application is approved.

Commissioner Barth noted that the Staff report indicates that triplexes could be allowed in this zone. He understood that the applicant is requesting two duplexes; but he did not see where triplexes were restricted in the conditions of approval. Mr. Henderson was willing to restrict the development to two duplexes.

Chair O'Hara opened the public hearing.

Ed Brophy, a resident at 500 Deer Valley Drive, wanted to know what would happen to the trees in the area when the road is widened and whether the salt on the road would impact the trees. Mr. Brophy wondered how the snow storage will be affected if the road is widened, since there is very little space now when the City plows. He currently has an easement for his property on platted Third Street for snow storage. He hoped that the snow coming down from that development will go into their designated snow storage areas and not overflow onto his.

Joe Still, a resident at 415 Deer Valley Drive, stated that he has been in the real estate business for over 20 years and he has done a number of development projects in Seattle. Mr. Still remarked that development is not a bad thing and he is a proponent more than an opponent. Although he is a stakeholder in the neighborhood, if he puts that aside and only looks at this piece of property and the applicant's proposal, it appears that they are trying to put something on that land because it is allowed in the zone. Mr. Still believes a variety of issues need serious consideration. He referred to the Staff report and the paragraph regarding steep slope density. He concurred with the Staff determination that the footprint density on the property is significantly less than what is allowed. Mr. Still remarked that in a more global view, there is already a lot of density and this project will put more in the neighborhood. He suggested that they address the steep slope element before granting approval for this application. Mr. Still explained why he believes this is important. The land across the street is moving and his driveway has sunk 1-1/2 inches since mid-December. His neighbors driveway is also moving and the area does not appear to be stable. Mr. Still referred to page 47 of the Staff report and the statement that there are no significant fiscal or environmental impacts from the application. He was unsure how the Staff defines environmental impacts but he had his own issues. He believes the bus pull out is a good idea. Two summers ago there was a fire right above his house and it took the Fire Department fifteen to twenty minutes to respond. Fire burns up and not down, so if there was a fire in this proposed area, it would most likely burn straight up to the dwellings above before fire suppression could get there. Mr. Still commented on the amount of wildlife on that parcel. Mr. Still commented on traffic mitigation. Construction for this project and all that is going on up Empire will worsen the problem for both ingress and egress up and down Deer Valley Drive. Mr. Still recommended that the Planning Commission choose Alternative #3 in the Staff report and continue the discussion on the Roundabout subdivision, as opposed to approving or denying the application this evening. He believes the issues are important for the people who live there.

Bob Wells, representing Royal Street Land Company, the parent company of Deer Valley, stated that Lot 57 was owned by Royal Street Land Company for 35 years until the property was conveyed to Blake Henderson last year. Mr. Wells provided a brief history which he believed contributed to the pot of community benefits that have occurred over the years and resulted in the present parcel. One benefit was the improvement of Ontario Avenue. Another benefit

was that a number of years ago portions of this property was deeded to the Clifford Funk subdivision and the adjacent subdivision, which resolved property issues and enabled those developments to occur. In addition, a provision of additional right-of-way for Deer Valley Drive and a portion of land that was carved out of Block 57 enabled the roundabout to be constructed. Mr. Wells stated that this is the last piece to be developed and it is always harder when you are the last person on the block. He supports this application and believes that Mr. Henderson and the Staff did a good job of mitigating the effects of the development.

Melissa Still, a resident at 415 Deer Valley Drive, reiterated her husband's comments and expressed concerns and objections of her own. Ms. Still mentioned the impacts from the Posner project and how the excavation and the process of compacting the soil has affected neighboring properties. She was concerned about further affects to their properties when development occurs at 300 Deer Valley Loop. Ms. Still commented on the amount of vehicle parking that occurs on Deer Valley Drive during construction and the problems this has created. She had parking concerns associated with this project and wondered where more cars would park. Snow storage and pedestrian safety were also major concerns. She expressed concern for the wildlife because moose frequent the area and fox live there during the winter. Ms. Still was bothered by the idea of 6 foot tall retaining walls and she found it disheartening to see the town explode for the sake of building. Ms. Still proposed that the City purchase the land for open space.

Jim Hauser, a resident at 395 Deer Valley Drive, echoed the comments regarding safety. He was forced to put a fence in his backyard because when he moved there five years he and his wife were continually chased off by speeding cars using the roundabout. Mr. Hauser opposed changing the metes and bounds parcel to a platted lot because it creates more density. Mr. Hauser asked if building on a steep slope is a safety issue and if that is why a CUP is required.

Planner Robinson replied that all conditional use permits are allowed uses with impacts that need to be mitigated. The steep slope CUP requirement is only in place in Old Town because of the narrow lots and three foot setbacks, excavation impacts, and mass and scale of the buildings to surrounding structures in close proximity.

Mr. Hauser clarified that the steep slope CUP addresses neighborhood impacts rather than safety issues. Planner Robinson replied that this was correct. He noted that excavation impacts could be considered safety issues.

Mr. Hauser remarked that creating two lots out of one and doubling the density will increase congestion and decrease safety in an area that is already incredibly unsafe.

Chair O'Hara closed the public hearing.

Chair O'Hara noted that the Planning Commission had this same discussion about a bus pull out when they reviewed the affordable housing project on Deer Valley Drive. At first glance a bus pull out appears to be a safe alternative for moving the bus out of the traffic area. In his opinion, a bus pull out is not a good idea because having a bus parked at the curb creates a traffic calming device.

Commissioner Thomas did not favor widening the road for a bus pullout for the same reason expressed by Chair O'Hara. If the bus can pull over, the traffic speed will increase. Commissioner Sletten understood that the bus pullout would serve a dual purpose. One is for the bus and the other is for fire access.

Planner Cattan clarified that the applicant proposes to widen the road for a bus pullout; however, they are also planning to widen the road 5 feet as you come up Deer Valley Loop in order to make the access in and out of this subdivision more user friendly.

Commissioner Wintzer stated that once again the Planning Commission is being asked to approve something without knowing the design or what is intended for the property. He understands that the Land Management Code does not provide them an option, but he felt like their decision was being made in a vacuum.

Commissioner Russack agreed with Commissioner Wintzer, particularly on this parcel, given the steepness of the slope and the fact that it is in the R-1 zone and does not require a steep slope review. In other instances where there is a steep slope, they usually know they can rely on the steep slope process. Commissioner Russack read the purpose statement for the R-1 District, "Encourage development that protects and enhances the entry corridor of the Deer Valley Resort area". He wondered how they could do that without knowing more specifically what is proposed for the site.

Planner Cattan reviewed a drawing that the applicant presented to Staff when discussing mitigation and the bus pullout. Commissioner Thomas noted that the drawing was not included in the Staff report even though it was a pertinent part of the information being reviewed this evening. Planner Robinson stated that omitting the drawing from the Staff report was a conscious decision because the Planning Commission recommendation for approval or denial should be based on the Subdivision Code and not the building.

Commissioner Thomas stated that a component of their decision relates to significant environmental impacts of the application and being able to see a drawing helps with their evaluation.

Assistant City Attorney, Polly Samuels McLean, redirected the Planning Commission to the criteria of the Subdivision portion of the Land Management Code. She read from Section 15-7-6, Regulations of the Subdivision of Land and the attachment of reasonable conditions to land, "subdivision is an exercise of valid police power delegated by the State to this municipality. The developer has the duty of compliance with reasonable conditions for design, dedication, improvement, and restrictive use of the land so as to conform to the physical and economical development of Park City and to the safety and general welfare of the future lot owners in the subdivision and of the community at large." She also read from Section 15-7.3-1(d), Restrictions Due to the Character of the Land, "Land which the Planning Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, rock formations, mine hazards, potentially toxic waste, adverse earth formations or topography, wetlands, geological hazards, utility easements, or other features, including ridgelines, which will reasonably be harmful to the safety, health, or general welfare of the present or future inhabitants of the subdivision or its surrounding areas, shall not be subdivided or development 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 proof shall lie with the developer. Such land shall be set aside or reserved for uses as shall not involve such danger."

Chair O'Hara asked to what extent the Planning Commission should apply Section 15-7-2, The Purpose. Ms. McLean stated that the Planning Commission could also consider the purpose of that area. Commissioner Thomas reiterated his previous comment that a drawing like the one presented this evening would help the Planning Commission in evaluating the criteria read by Ms. McLean. Ms. McLean replied that the Planning Commission could request a drawing for the purpose of evaluating the criteria.

Chair O'Hara summarized that the Planning Commission was still questioning whether this property should be subdivided at all based on the Land Management Code. Commissioner Sletten felt that he did not have enough information to make a decision this evening and wanted the opportunity to spend time reviewing the drawings. Chair O'Hara recommended a motion for continuance if the Commissioners wanted to discuss this further.

MOTION: Commissioner Sletten moved to CONTINUE this item. Commissioner Russack seconded the motion.

Planner Cattan asked if the Planning Commission needed additional information besides the drawing. Commissioner Wintzer wanted to know what would happen to Deer Valley Loop Road if the road is widened, as well as the plan to egress the property if it is subdivided. He believed this addresses safety issues.

Commissioner Russack asked the applicant to provide information based on the two citations of the Land Management Code. He put the onus on the applicant to provide enough information to make an accurate decision based on those criteria.

Commissioner Barth stated that he was very frustrated. They have wasted the applicant's time and money, as well as Staff and Planning Commission time, because the Staff report was not complete enough for an appropriate discussion to make a decision.

Commissioner Pettit remarked that because the site is challenged due to the steep slope, adequate information is essential for the Planning Commission to make a decision on whether the subdivision makes sense under the provisions of the Land Management Code.

Planner Robinson requested that the matter be continued to May 9th.

Commissioner Sletten amended his motion to continue the matter to May 9, 2007.
Commissioner Russack accepted the amendment.

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

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

Conditions of Approval - IHC- CUP

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A water efficient landscape and irrigation plan that indicates snow storage areas and meets the defensible space requirement is required prior to building permit issuance.
3. All exterior lights must conform to the City lighting ordinance.
4. All exterior signs require a sign permit.
5. Materials color samples and final design details must be in substantial compliance with the samples reviewed by the Planning Commission and approved by Staff prior to building permit issuance.
6. The final building plans and construction details for the project shall meet substantial compliance with the drawings as reviewed by the Planning Commission.
7. Utility and grading plans must be approved by the City Engineer prior to building permit issuance.
8. The amended Subdivision Plat must be approved prior to full building permit. Excavation and Footings and Foundation may proceed prior to approval of the amended subdivision plat.
9. The applicant, at its expense, will install a signalized intersection on SR 248 and improvements to SR 248, Round Valley Drive, and Florence Gilmore Way as reasonably required by the City Engineer. A temporary paved road connection between SR 248 and F.J. Gilmore Drive, subject to approval by UDOT and Park City, shall be installed. Directional signs and way finding signs shall be part of the road improvements. During construction of the road improvements, access to the National Ability Center and the Recreation Complex shall not be interrupted. Trail and sidewalk connections as required in the Annexation Agreement and Master Planned Development approval are required.
10. All conditions of the Master Planned Development continue to apply.
7. 300 Deer Valley Loop, Roundabout Subdivision

The Planning Commission discussed this item during work session.

Planner Katie Cattan reported that the applicant is proposing two lots of record on a metes and bounds parcel. Each lot would be approximately 12,000 square feet. The applicant is proposing a duplex on each lot. Planner Cattan noted that the proposal decreases density from what could be approved on these lots. The proposal also adds a bus pull off area that is supported by the Park City Municipal Transportation Department.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council for this subdivision, according to the findings of fact, conclusions of law, and conditions of approval contained in the Staff report. Planner Cattan noted that Condition of Approval #6 should be modified to strike "of each dwelling on" The amended condition would read, "The footprint of each lot will not exceed 3200 square feet".

Blake Henderson, the applicant, stated that he had given his presentation during the work session and was available to answer any questions on the site plan.

Chair Pro Tem Barth opened the public hearing.

Melissa Still, a resident at 415 Deer Valley Drive, read specific sections from the LMC that she believed pertains to this project. She presented photographs to help support the points she was making from the Land Management Code. Ms. Still remarked that the architectural renderings are fantastic and she thinks the structures are in keeping with Park City. Her concerns related to Section 15-2.12-1, which is the purpose statement of the residential district for R-1. Subsection (c) talks about requiring building and streetscape designs that minimizes impacts on existing residents and reduces architectural impacts of the automobile. Ms. Still believes that besides being loud, dusty, and unsafe, this project will cut through a major hill, eliminating trees, and widening the roads to accommodate cars. She finds this to be in conflict with the Land Management Code. Ms. Still referred to Section 15-2-12-1(e), encourage development that protects and enhances the entry corridor of Deer Valley Resort. She stated that construction parking and staging has been on that corner for 2-1/2 years. The residents have had to deal with cement trucks parked on the entrance of their properties and having the ingress and egress of their own driveways become unsafe. A huge concern is the staging for the construction project.

Chair Pro Tem Barth asked if the construction mitigation plan would be required at the CUP stage. Planner Robinson pointed out that the R-1 zone does not require a conditional use permit. However a construction mitigation plan is required for all building projects in Park City to be reviewed by the Building Department. This would occur at the building permit stage.

Ms. Still commented on the proposed bus pullout and expressed her concern with safety. Currently the buses slow or stop the traffic on Deer Valley Drive and with a bus pullout, the drivers will speed up to get ahead of the bus. She did not favor the bus pullout. Ms. Still understood that the Constables, who also live on her street, had submitted a letter addressing that point. Ms. Still felt that vegetation is a big issue and noted that there is a large mass of aspen trees. She noted that Section 15-2.12-10 states that significant vegetation includes trees 6" in diameter. She remarked that the average tree on that property is approximately 14-1/2 inches. Ms. Still asked if an arborist has been considered with this project. She did not favor disturbing all the vegetation to put in a road. Ms. Still referred to Section 15-7.3-1(d), restrictions due to character of land and assumed that the Planning Commission was familiar with that language. She pointed out that there is a ridge line and the property is on a steep slope. Utilities will need to be re-routed and there is a mine shaft on the property. Ms. Still hoped the Planning Commission would agree that these are significant components of the application and they should be addressed in the way the Land Management Code requires the Planning Commission to address them. She does not support this project for all the reasons stated this evening and at previous public hearings. The project is currently zoned R-1. She does not think development is a bad thing but a piece of property should not be subdivided just because it can be.

Chair Pro Tem Barth closed the public hearing.

Commissioner Wintzer indicated the area where the stairs come down to the road and asked for the grade change between the road and the driveway. Mr. Henderson believed the grade change is approximately 14 feet.

Mr. Henderson clarified that the mine shaft is not on his property. It is located on the adjacent property to the north.

Commissioner Pettit wanted to know who from the City Mr. Henderson worked with on the bus stop concept. Mr. Henderson stated that he worked with the Park City Transportation Department and met with them on-site. He also spent time with the City Engineer in looking at the entire street. Mr. Henderson remarked that currently the bus stop is located closer to the roundabout. There is not a lot of room and you come up on the bus stop rather quickly. The first request was to move the bus stop further down Deer Valley Drive to allow for more room and more visibility. It was determined that a bus pullout is a much safer option and it will alleviate congestion. Mr. Henderson was happy to leave the bus stop in the middle of the street and not have to pay the significant cost for the pullout and other public improvements. He is proposing to do it because he thinks it will add to the safety of the street.

Planner Catten noted that the bus pullout is also favored by Ron Ivie based on fire safety, which was another reason for moving it further down the road. The pullout would also provide a place for fire trucks to park and access the stairway.

Commissioner Pettit noted that a number of public comments were geared toward construction mitigation issues. She wondered if Mr. Henderson had preliminarily discussed this with the Building Department in terms of minimizing the impacts to the neighborhood. Mr. Henderson stated that he has not yet had that specific discussion with the Building Department. He has built other projects in Park City and that has always been a big discussion and strictly enforced. He stated that the photo presented by Ms. Still showing all the construction staging was actually on his property. It is not ideal but the trucks are off of Deer Valley Drive, which is better than some projects where construction staging occurs on the street. Mr. Henderson intended to work with the Building Department on construction staging and strictly follow all building codes in their construction mitigation plan.

Mr. Henderson stated that development of the structures themselves would not impact the aspen trees. The road will be cut through some of those trees and he plans to minimize as much disturbance as possible.

Chair Pro Tem Barth clarified that additional density could be allowed and this application proposes less density. He asked if the density was addressed in a condition of approval. Planner Catten stated that approval is conditioned to a single family home or a duplex on each lot, with a condition that the footprint not exceed 3200 square feet.

Commissioner Wintzer asked if retaining would be required on the downhill side. Mr. Henderson did not think so. It will be curb and guttered so any snow melt or salt will not flow into the vegetation. Commissioner Russack asked about snow removal. Mr. Henderson identified a very large at grade section anticipated for snow removal, noting that snow from their property will not be put on to the Loop. Commissioner Russack asked Mr. Henderson to point out the referenced terracing that would retain 18 feet of height along the driveway. Mr. Henderson noted that three different terraces would equal 18 feet. He indicated the location of the walls on the site plan. There was some discrepancy on the actual total height since Mr. Henderson thought the three walls were 6 feet, 6 feet, and 4 feet; for a total of 16 feet rather than the 18 feet specified in the Staff report. He reviewed the cross sections and clarified that he was correct. Mr. Henderson stated that there was at least a 3 foot separation between each wall, allowing room for vegetation and trees.

MOTION: Commissioner Pettit moved to forward a POSITIVE recommendation to the City Council for the Roundabout Subdivision at 300 Deer Valley Loop in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the attached ordinance in the Staff report, with the amendment to Condition of Approval #6 to read,

"The footprint on each lot will not exceed 3200 square feet." Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Roundabout Subdivision

1. The property is located at 300 Deer Valley Loop Road.
2. The metes and bounds parcel is 24,877 square feet in size.
3. The property is located in the Residential (R-1) District.
4. The R-1 zone is a transitional zone in use and scale between the historic district and the Deer Valley Resort.
5. The subdivision will create two lots of record. Lot One will be 12,658 square feet. Lot Two will be 12,219 square feet.
6. There are no existing structures on the metes and bounds parcel.
7. Access to the property is from Deer Valley Loop Road within 50 feet of Deer Valley Drive.
8. The minimum lot size in the R-1 zone is 3,750 square feet for a duplex dwelling.
9. A duplex dwelling is an allowed use in the R-1 zone.
10. The maximum height limit in the HR-1 zone is 28 feet from existing grade.
11. Minimum setbacks for the lots are 5' on the side yard, 15' in the front yard, and 10 feet in the rear yard.
12. Minimal construction staging area is available along Deer Valley Loop Road and Deer Valley Drive.

Conclusions of Law - Roundabout Subdivision

1. There is good cause for this subdivision.
2. The Subdivision is consistent with the Park City Land Management code and applicable State law.

3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

Conditions of Approval - Roundabout Subdivision

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing vegetation shall be included in the Construction Mitigation Plan (CMP).
3. Prior to the receipt of a building permit for construction on the lots, the applicant shall submit a building application that will be reviewed by the Planning department for compliance with applicable Architectural Design Guidelines and the Land Management Code.
4. The applicant will record the subdivision at the County within one year from the date of city Council approval. If recordation has not occurred within one year's time, this approval and the plat will be void.
5. The applicant stipulates to restricting the development to a single family home or duplex dwelling on each lot.
6. The footprint on each lot will not exceed 3200 square feet.
7. Shared access for the proposed lots will be accessed off of Deer Valley Loop Road.
8. An encroachment agreement will be created for improvements to the platted 3rd Street prior to building permit issuance on either lot.
9. The applicant shall submit a financial guarantee, in an amount approved by the City Engineer and in a form approved by the City Attorney, for the public improvements including the fire hydrant, bus pull-off, improvements to Deer Valley Drive, and lighting, prior to plat recordation.

The Park City Planning Commission meeting adjourned at 9:30 p.m.

Approved by Planning Commission _____



GEOTECHNICAL INVESTIGATION

ROUNDAABOUT DEVELOPMENT

**308 DEER VALLEY LOOP ROAD
PARK CITY, UTAH**

PREPARED FOR:

**HENDERSON DEVELOPMENT
3967 TWO CREEKS LANE
PARK CITY, UTAH 84098**

ATTENTION: BLAKE HENDERSON

PROJECT NO. 1130277

JANUARY 29, 2014

TABLE OF CONTENTS

EXECUTIVE SUMMARY	Page 1
SCOPE	Page 3
SITE CONDITIONS	Page 3
FIELD STUDY	Page 4
ANTICIPATED SUBSURFACE CONDITIONS	Page 4
PROPOSED CONSTRUCTION	Page 5
RECOMMENDATIONS	Page 5
A. Site Grading	Page 5
B. Foundations	Page 10
C. Concrete Slab-on-Grade	Page 11
D. Lateral Earth Pressures	Page 12
E. Seismicity, Faulting, Liquefaction	Page 14
F. Water Soluble Sulfates	Page 15
G. Subsurface Drain	Page 15
H. Additional Services	Page 16
LIMITATIONS	Page 18
REFERENCES	Page 19
FIGURE	
SITE PLAN	Figure 1

EXECUTIVE SUMMARY

1. It is currently difficult to access the property due to slopes and heavy vegetation. The site conditions were observed during a visit to the site on November 13, 2013.

Based on previous experience in the area, we have assumed that the subsurface soil at the site will consist of clayey gravel and possibly bedrock at depth. Subsurface investigation should be conducted to verify the assumed subsurface conditions. Investigation could be conducted at the time of construction.

2. We understand that a condominium building is planned to be constructed on the property. The proposed building is planned to contain four residential units. The building is planned to consist of a four level concrete and wood-framed structure.

We have assumed structural loads for the building consisting of column loads less than 100 kips and wall loads less than 5 kips per lineal foot.

3. Footings bearing on the undisturbed natural clayey gravel, bedrock, or compacted structural fill extending down to these materials may be designed using a net allowable bearing pressure of 3,500 pounds per square foot. If relatively intact bedrock is encountered during construction, a higher bearing pressure could be provided, if needed.

4. Available construction plans indicate cuts up to approximately 45 feet are planned to accommodate the proposed construction.

Temporary excavation slopes in the natural clayey gravel or weathered bedrock may be constructed at a slope of 1 horizontal to 1 vertical or flatter. Steeper slopes may be possible in bedrock if the jointing and fracture planes are not adverse to stability of the excavation.

Shoring will likely be needed to accommodate the proposed construction. Recommendations for design and construction of temporary excavation slopes and shoring are presented in the report.

5. Difficult excavation conditions should be expected, especially if bedrock is encountered. Jack-hammering and other rock excavation methods will likely be needed.

Executive Summary (continued)

6. Based on previous experience in the area, there is a potential for subsurface water to flow through more permeable layers of the subsurface soil in a perched condition. Subsurface drains should be constructed around the below-grade floor portion of the proposed building.
7. Site grading should be carefully planned so that cuts and fills for the proposed building will not result in stability problems for the slopes on the property or for nearby structures including adjacent residences and roads. Site grading plans should be reviewed by AGECEC prior to construction.
8. Geotechnical information related to foundations, subgrade preparation, compaction and materials is included in the report.

SCOPE

This report presents the results of a geotechnical investigation for the Roundabout development that is planned to be constructed at 308 Deer Valley Loop Road in Park City, Utah. The report presents the conditions observed at the time of our site visit.

Subsurface conditions have been assumed based on previous experience in the area and based on observations at the site. The assumed subsurface conditions were used for our engineering analysis and to develop recommendations for the proposed foundation. Subsurface investigation should be conducted to verify the assumed soil and bedrock conditions. The investigation could be conducted at the time of construction.

This report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the assumed subsurface conditions. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

SITE CONDITIONS

The site was visited on November 13, 2013. The site encompasses an area of approximately ½ acre and consists of undeveloped property on the south side of Deer Valley Loop Road.

There were no structures or pavement on the property at the time of our site visit. Vegetation on the property consists of trees, scrub oak and grass.

The ground surface on the property slopes down to the northeast at a slope of approximately 2 horizontal to 1 vertical.

The property is surrounded by residential development. Residences typically consist of one to three story structures. Deer Valley Drive and Deer Valley Loop Road extend along the northeast side of the property. The north end of McHenry Avenue is near the south edge of the property. The roads are asphalt-paved.

FIELD STUDY

An engineer from AGECC visited the site on November 13, 2013 to observe conditions on the property. It is currently difficult to access the property due to the slopes, heavy vegetation and piles of fill.

ANTICIPATED SUBSURFACE CONDITIONS

Based on previous experience in the area, we have assumed that the subsurface soil at the site will consist of clayey gravel and possibly bedrock at depth. Bedrock encountered in the area for previous projects consists of quartzite. This is consistent with a geology map of the area which indicates the bedrock is mapped as being part of the Weber Quartzite formation which is described as pale gray and tan weathering quartzite and limy sandstone with some interbedded gray to white limestone and dolomite (Bromfield and others, 1971).

Subsurface investigation should be conducted to verify the assumed subsurface conditions. Investigation could be conducted at the time of construction.

PROPOSED CONSTRUCTION

We understand that a condominium building is planned to be constructed. The building is planned to consist of a four level concrete and wood-framed structure. A site plan showing the building is included on Figure 1. We have assumed that structural loads for residences will consist of column loads up to 100 kips and wall loads of up to 5 kips per lineal foot.

With the slopes present at the site, we anticipate retaining walls will need to be constructed. The height and location of retaining walls has not been determined. Design of retaining walls is beyond the scope of this report.

If the proposed construction or building loads are significantly different from those described above, we should be notified so that we can reevaluate our recommendations.

RECOMMENDATIONS

Assuming the subsurface conditions consist of clayey gravel or bedrock and the proposed construction is as described above, the following recommendations are given:

A. Site Grading

We anticipate that cuts of up to approximately 45 feet will be needed to accommodate construction of the proposed building.

1. Slopes

Temporary, unretained excavation slopes up to 45 feet in height in the natural clayey gravel or weathered bedrock may be planned at 1 horizontal to 1 vertical or flatter, except where adjacent residences, retaining walls, roads or other structures are located near the slope. Steeper excavation slopes may

be possible if more intact bedrock is encountered and the jointing/fracture planes are not adverse to the stability of the excavation.

Flatter excavation slopes will be needed if the soil in the slopes consists of fill. Flatter excavation slopes or shoring will be needed if subsurface water is encountered. Subsurface water is more likely to occur during the spring and early summer due to snowmelt.

Excavation slopes should be evaluated by an engineer during construction. The engineer should make periodic visits to the site during excavation so slopes can be modified, if needed.

Permanent, unretained fill slopes may be constructed at 2 horizontal to 1 vertical or flatter. Fill placed on slopes steeper than 5 horizontal to 1 vertical should be keyed into the slope with a key for every 2 feet of vertical rise. Prior to placement of fill, the subgrade should be prepared by removing topsoil, unsuitable fill, debris and other deleterious materials.

2. Shoring

If there is not sufficient space to allow excavations to be sloped, or if excavations extend near other structures, it may be necessary to construct shoring. Shoring could consist of soil nails with a shotcrete facing or soldier piles with timber lagging or a shotcrete facing.

Subsurface investigation would be needed to investigate the type of soil/bedrock that would be retained.

The shoring would need to be designed to retain the load of the soil, bedrock, adjacent structures and any surcharge loads.

A passive retaining system, such as soldier piles and lagging and soil nails, relies on the soil to move in order for the reinforcement to engage. If movements (horizontal and vertical), approximately 0.003 times the height of the retained soil is tolerable, a passive system may be considered.

An active system (pre-tensioned tie-backs and structural members) will be needed if deflections need to be less than indicated for a passive system. An active system will also need to be designed for a desired deflection.

Lateral loads used in design of walls should be increased if the ground surface slopes up above the top of the wall. This load will be dependent on the steepness of the slope and height of material above the wall. Sloping will result in lateral pressures on the wall ranging from nil to 50 percent of the unit weight of the soil times the maximum height of the soil above the wall.

Particular care should be taken to prevent loss of material from below adjacent structures.

We recommend that a shoring design be provided by others. Often, the shoring contractor will retain a consultant to design the shoring. Details and calculations of proposed shoring, bracing and excavation should be submitted to the geotechnical engineer for review prior to commencement of the excavation.

3. Subgrade Preparation

Prior to placing structural fill, the topsoil, organic material, existing fill and other deleterious materials should be removed from areas of the proposed building, retaining walls and other structures.

4. Excavation

We anticipate that excavation at the site will be difficult, especially if bedrock is encountered at depth. Additional difficulty should be expected in confined excavations, such as utility trenches. Excavation may require jack-hammering or other rock excavation methods.

Care should be taken to not disturb the soil and/or bedrock to remain below the proposed residence.

5. Compaction

Compaction of materials placed at the site should equal or exceed the minimum densities as indicated below when compared to the maximum dry density as determined by ASTM D 1557.

Fill to Location	Compaction
Below Foundations	≥ 95 %
Below Concrete Flatwork	≥ 90 %
Retaining Wall Backfill	≥ 90 %
Landscaping Areas	≥ 85 %

To facilitate the compaction process, fill should be compacted to a moisture content within 2 percent of the optimum.

Fill placed for the project should be frequently tested for compaction.

6. Materials

Listed below are materials recommended for imported structural fill.

Fill to Support	Recommendation
Footings	Non-expansive granular soil Passing No. 200 sieve < 35% Liquid Limit < 30% Maximum size 4 inches
Floor Slabs (Upper 4 inches)	Sand and/or Gravel Passing No. 200 sieve < 5% Maximum size 2 inches
Slab Support	Non-expansive granular soil Passing No. 200 sieve < 50% Liquid Limit < 30% Maximum size 6 inches

The bedrock, which is broken down to a size that will allow for compaction, and clayey gravel may be considered for use as structural fill below the building, as site grading fill around the building and as utility trench backfill if they meet the criteria given above for imported fill. Topsoil, organic material, oversize rock and other deleterious material should be removed from the materials prior to use as fill.

The moisture content of the clayey gravel, existing fill and bedrock will likely need to be adjusted to near the optimum moisture content prior to use as fill. This may result in the need to add water or dry the materials. Drying of the materials may not be practical during wet or cold times of the year.

7. Drainage

The ground surface surrounding the proposed residences should be sloped to drain away from residences in all directions. Roof downspouts should discharge beyond the limits of backfill.

8. Retaining Walls

With the sloping ground surface at the site, we anticipate retaining walls will need to be constructed. Several types of retaining walls could be considered including reinforced concrete, mechanically stabilized earth (MSE), soldier piles with lagging and rockeries. If needed, AGECC can provide consultation regarding the types of retaining walls that may be most appropriate for the development.

B. Foundations

1. Bearing Material

With the proposed construction and the assumed subsurface conditions, the residence may be supported on spread footings bearing on the undisturbed natural soil, bedrock or on compacted structural fill which extends down to these materials. Footings should not be supported partially on bedrock and partially on soil. If a footing would bear partially on bedrock, at least 2 feet of the bedrock should be removed and replaced with compacted structural fill. Structural fill placed below foundations should extend out away from the edge of the footings at least a distance equal to the depth of fill beneath the footings.

2. Bearing Pressure

Footings bearing on clayey gravel, upper weathered and fractured bedrock, or compacted structural fill extending down to these materials may be designed using a net allowable bearing pressure of 3,500 pounds per square foot. If more intact bedrock is encountered during construction, a higher bearing pressure could be provided, if needed.

3. Settlement

We estimate that total and differential settlement will be less than ½ inch for footings supported on the natural clayey gravel, bedrock or on compacted structural fill extending down to these materials.

Care should be taken to minimize the disturbance of the natural soil to remain below footings so that settlement can be maintained within tolerable limits.

4. Temporary Loading Conditions

The allowable bearing pressure may be increased by one-half for temporary loading conditions such as wind or seismic loads.

5. Frost Depth

Exterior footings and footings beneath unheated areas should be placed at least 40 inches below grade for frost protection.

6. Foundation Base

The base of foundation excavations should be cleared of loose or deleterious material prior to fill or concrete placement.

7. Construction Observation

A representative of the geotechnical engineer should observe footing excavations prior to structural fill or concrete placement. The subsurface conditions should be determined with subsurface investigation at the time of or prior to foundation excavation.

C. Concrete Slab-on-Grade

1. Slab Support

Concrete slabs may be supported on the undisturbed natural soil, bedrock or on compacted structural fill extending down to these materials. Topsoil,

organic material, unsuitable fill and other deleterious material should be removed from below proposed floor slab areas.

2. Underslab Sand and/or Gravel

A 4-inch layer of free draining sand and/or gravel (less than 5 percent passing the No. 200 sieve) should be placed below the floor slab for ease of construction and to promote even curing of the floor slab concrete.

3. Vapor Barrier

A vapor barrier should be placed under the concrete floor if the floor will receive an impermeable floor covering. The barrier will reduce the amount of water vapor passing from below the slab to the floor covering.

D. Lateral Earth Pressures

1. Lateral Resistance for Footings

Lateral resistance for spread footings placed on the natural soil or on compacted structural fill is controlled by sliding resistance between the footing and the foundation soils. A friction value of 0.45 may be used in design for ultimate lateral resistance for footings bearing on at least 3 feet of compacted structural fill, natural clayey gravel or bedrock.

2. Foundation Walls and Retaining Structures

The following equivalent fluid weights are given for design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil and the at-rest condition is where the wall does not move. The values listed assume the retained soil consists of clayey gravel and that the ground surface at the base of the wall is horizontal.

Slope at Top of Wall	Active	At-Rest	Passive
Horizontal	40 pcf	55 pcf	300 pcf
4H:1V	45 pcf	75 pcf	--
3H:1V	50 pcf	85 pcf	--
2H:1V	55 pcf	105 pcf	--

3. Reduction of Lateral Earth Pressure

With the large amount of cut planned to accommodate construction of the building, we anticipate the load due to the lateral earth pressure will be relatively large. Several items could be considered to reduce the lateral earth pressure including:

- a. Consideration may be given to designing the shoring to function as the foundation wall of the proposed building. In this case, the lateral loads will be retained by the shoring.
- b. Lateral earth pressures may be reduced if a narrow backfill zone is formed between the building foundation wall and the shoring or bedrock in the side of the excavation. If shoring is present, it would need to be designed as permanent shoring. If there is a narrow backfill zone, the lateral earth pressure would increase from zero at the ground surface to a depth of two times the width of the backfill zone. Below this depth, the lateral pressure would remain constant.
- c. Geofoam could be placed as foundation wall backfill to reduce the lateral earth pressure. For example, the equivalent fluid weight for a 20 foot tall wall can be reduced to 10 pcf if a thickness of at least 4 feet of geofoam is placed adjacent the wall. The amount of reduction in the lateral earth pressure depends on the thickness of geofoam

placed. If geofoam is planned to be used for the project, additional analysis can be performed and recommendations provided.

3. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be increased by 16 pcf for active, no increase for at-rest conditions and decreased by 16 pcf for the passive condition. This assumes a horizontal ground acceleration of 0.25g which represents a 2 percent probability of exceedance in a 50-year period (IBC, 2012).

4. Safety Factors

The values recommended above for active and passive pressures assume mobilization of the soil to achieve the assumed soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

E. Seismicity, Faulting, Liquefaction

1. Seismicity

Listed below is a summary of the site parameters for the 2009 International Building Code:

a.	Site Class	C*
b.	Short Period Spectral Response Acceleration, S_s	0.64g
c.	One Second Period Spectral Response Acceleration, S_1	0.21g

**A Site Class B may be used if bedrock is encountered at the base of the foundation excavation for the building.*

2. Faulting

There are no mapped active faults extending through the project site. The nearest mapped fault, which is considered active, is the Wasatch Fault located approximately 17 miles west of the site (Black and others, 2003).

3. Liquefaction

The site is located in an area mapped as having a "very low" liquefaction potential (Anderson and others, 1989).

Based on our understanding of the geology of the area and the assumed subsurface conditions, it is our professional opinion that liquefaction is not a hazard at the site.

F. Water Soluble Sulfates

Based on previous experience in the area and published literature, the natural materials in the area generally possess a negligible sulfate attack potential on concrete. No special cement type would be required for concrete placed in contact with the soil for such conditions. Other conditions may dictate the type of cement to be used for the project.

G. Subsurface Drain

With the potential for perched water conditions to develop during the wet times of the year, we recommend that a subsurface drain be provided around the below grade portion of the building. This includes basement and crawl-space areas. The subsurface drain system should consist of at least the following items:

1. The subsurface drain system should consist of a perforated pipe installed in a gravel filled trench around the perimeter of the subgrade floor portion of

residences. The gravel should extend up foundation walls high enough to intercept potential subsurface water. A geotextile drain could be considered for the portion of the drain which extends up the foundation wall.

2. The flow line of the pipe should be placed at least 14 inches below the finished floor level and should slope to a sump or outlet where water can be removed by pumping or by gravity flow.
3. If placing the gravel and drain pipe requires excavation below the bearing level of the footing, the excavation for the drain pipe and gravel should have a slope no steeper than 1 horizontal to 1 vertical so as not to disturb the soil below the building.
4. A filter fabric should be placed between the natural soil and the drain gravel. This will help reduce the potential for fine grained material filling in the void spaces of the gravel.
5. Consideration should be given to installing cleanouts to allow access into the perimeter drain should cleaning of the pipe be required in the future.

H. Additional Services

We recommend that the following additional services be provided in order to verify that information provided in this report is incorporated into design and construction of the subdivision and to help reduce the potential for problems.

1. Construction Plan Review - The final construction plans should be reviewed including plans for site grading and construction of residences.

2. Preconstruction Meeting - A meeting should be conducted with the contractor, owner and AGECH to discuss the planned construction of the subdivision and to discuss information presented in this report.
3. Foundation Excavation Observation - An engineer from AGECH should observe foundation excavations for structures to determine if recommendations presented in this report are followed, especially for moisture-sensitive soil.
4. Construction Observation and Testing - AGECH should observe placement and test compaction of fill placed for site grading, utility trench backfill and areas of concrete flatwork.

LIMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the information obtained from a visit to the site and our experience in the area. Variations in the subsurface conditions may not become evident until exploration or excavation is conducted. If the subsurface conditions or groundwater level is found to be significantly different from what is described above, we should be notified to reevaluate the recommendations given.

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



Scott D. Anderson, P.E.

Reviewed by DRH, P.E., P.G.

SDA/rs

REFERENCES

Anderson, L., Keaton, J., Rice, J., 1989; Liquefaction Potential, Central Utah, Park City - Heber, U.S. Geological Survey, Contract Report 94-10.

Black, B.D., Hecker, S., Hylland, M.D., Christenson, G.E., and McDonald, G.N., 2003; Quaternary fault and fold database and map of Utah;

Bromfield, C.S. and Crittenden, M.D. Jr. 1971; Geologic map of the Park City east quadrangle, Summit and Wasatch Counties, Utah; US Geological Survey Map GQ-852.

International Building Code, 2012; International Code Council, Inc. Falls Church, Virginia.

DATE: January 29, 2014

TO: Henderson Development
3967 Two Creeks Lane
Park City, Utah 84098

PROJECT: Roundabout Development

LOCATION: 308 Deer Valley Loop Road
Park City, Utah

PROJECT NO: 1130277

Your Action Please:

As Checked below:

Via:

- ☒ For your use
☐ For your approval & signature
☐ Please return one copy
☐ Please return
☐ For your review & comment
☐ Other

- ☐ As Requested
☒ Report
☐ Proposal/Agreement
☐ Change Order
☐ Task Order
☐ Letter
☐ Laboratory Test Results
☐ Field Testing (Inspection Report)
☐ Other

- ☒ Regular Mail
☐ UPS/Express Mail
☐ Hand Delivered
☐ Fax
☒ Email
☐ Pick Up
 Client: Have them sign
 Other:

Quantity

Description of Items Sent

Quantity	Description of Items Sent
3 Copies	Report

Notes/Remarks:

From: Scott D. Anderson, P.E.