

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
March 25, 2015**



AGENDA

MEETING CALLED TO ORDER AT 5:30PM

ROLL CALL

ADOPTION OF MINUTES OF March 11, 2015

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

STAFF/BOARD COMMUNICATIONS AND DISCLOSURES

Election of New Chair

CONTINUATIONS

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

1119 Park Avenue – Plat Amendment to combine one and a half lots into a single lot of record PL-15-02672 23
Planner
Public hearing and possible recommendation to City Council on April 16, 2015 Turpen

1893 Prospector Avenue –Pre-Master Planned Development for 10 residential units PL-14-02586 37
Planner
Public hearing and possible action Whetstone

1893 Prospector Avenue – Conditional Use Permit for residential uses in the GC zone PL-14-02584 37
Planner
Public hearing, discussion and continuation to May 13, 2015 Whetstone

1345 Lowell Avenue – Amendments to Master Planned Development and Mountain Upgrade Plan; and Conditional Use Permits – Proposed Interconnect Gondola between Canyons and PCMR & Snow Hut on-mountain restaurant expansion. PL-14-02600 85
Planner
Public hearing and possible action Astorga

429 Ontario Avenue – Steep Slope Conditional Use Permit – Construction of a new single-family dwelling. PL-14-02351 271
Planner
Public hearing and possible action Astorga

259, 261, 263 Norfolk Avenue – Consideration of the First Amended Upper Norfolk Subdivision Plat – Amending Conditions of Approval on Ordinance No. 06-55. PL-15-02665 315
Planner
Public hearing and possible recommendation to City Council on April 16, 2015 Astorga

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 MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
MARCH 11, 2015

COMMISSIONERS IN ATTENDANCE:

Chair Pro Tem Steve Joyce, Melissa Band, Preston Campbell, John Phillips, Doug Thimm

EX OFFICIO:

Planning Director Thomas Eddington; John Boehm, Planner, Polly Samuels McLean,
Assistant City Attorney

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REGULAR MEETING

Chair Worel and Vice-Chair Strachan were absent this evening.

MOTION: Melissa Band nominated Commissioner Joyce to conduct the meeting this evening as the Chair Pro Tem. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously. Commissioner Campbell was not present for the vote.

Assistant City Attorney McLean noted that the Planning Commission would be meeting in closed session this evening and she explained the process.

Chair Pro Tem Joyce stated that the Planning Commission would be voting to move into closed session in the Council Chambers to discuss security and safety issues.

MOTION: Commissioner Thimm made a motion to move into closed session. Commissioner Band seconded the motion.

VOTE: The Motion passed. Commissioners Band, Phillips, Joyce and Thimm voted in favor of the motion. Commissioner Campbell was not present for the vote.

The Commissioners went into closed session at 5:10 p.m.

Chair Pro Tem re-opened the Regular Meeting. Commissioner Campbell was present.

ROLL CALL

Chair Pro Tem Worel called the meeting to order at 6:00 p.m. and noted that all Commissioners were present except Commissioners Worel and Strachan who were excused.

ADOPTION OF MINUTES

February 25, 2015

MOTION: Commissioner Thimm moved to APPROVE the minutes of February 25, 2015 as written. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT

There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Thomas Eddington announced that he had submitted his letter of resignation to the City after seven years as Planning Director. He wanted to say “good-bye” this evening because he was unsure whether he would be at the next meeting. Director Eddington stated that he was opening a small planning and design firm in Park City. He would miss everyone. The Planning Department is well-staffed and they have great planners, which made it an easier time for him to depart. Director Eddington expected to see the Staff and the Planning Commission in his new endeavor on the other side of the dais in the near future.

Commissioner Phillips and the Commissioners thanked Director Eddington for everything he has done.

Assistant City Attorney noted that the Planning Commission would be electing a new Chair and Vice-Chair at the next meeting. She had researched procedure and found that Commissioner Worel, as the sitting Chairperson, would not be allowed to vote unless her vote is needed to break a tie.

REGULAR AGENDA – Discussion, public hearing, action.

1. **1016 Lowell Avenue – Steep Slope Conditional Use Permit for Construction on a New Single Family Home in Historic Residential (HR-1) Zoning District. (Application PL-14-02595)**

Planner John Boehm reviewed the application for construction on a steep slope at 1016 Lowell Avenue. The applicant was requesting a Steep Slope CUP for a new single family home on a vacant lot. The Staff had reviewed the application and found that it met all nine review criteria and there were no unmitigated impacts.

The Staff recommended that the Planning Commission conduct a public hearing and consider approving the Steep Slope CUP for 1016 Lowell Avenue based on the findings of fact, conclusions of law and conditions of approval found in the Staff report.

Chair Pro Tem Joyce opened the public hearing.

There were no comments.

Chair Pro Tem Joyce closed the public hearing.

Commissioner Phillips thought the application looked clean and straightforward.

Commissioner Thimm had visited the site. The drawings appear to maintain the building height, and the front façade is in keeping with the street scene. Commissioner Thimm believed it would be a good addition to the streetscape.

Chair Pro Tem Joyce noted that the Staff report states that the proposed driveway has a maximum slope of 14% with sections at 5%. The overall slope is 9.7%. He asked if the restriction was on the average slope of a driveway or the maximum slope of the driveway.

Planner Boehm stated that the maximum slope of the driveway would be the average of the entire driveway. Chair Pro Tem understood from that explanation that any steeper spots would be irrelevant as long as the overall slope meets the average. Director Eddington replied that this was correct. The maximum average is 14% for a driveway and 10% for a local road.

MOTION: Commissioner Phillips moved to APPROVE the Steep Slope Conditional Use Permit for 1610 Lowell Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Staff report. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 1610 Lowell Avenue

1. The property is located at 1016 Lowell Avenue.
2. The property is located within the Historic Residential (HR-1) District and meets the purpose of the zone.
3. The property is described as Lot 28, Block 28 of the Snyder's Addition to the Park City Survey. The lot area is 1,875 square feet. The lot is vacant.
4. A Historic District Design Review (HDDR) application is required and will be reviewed by staff for compliance with the Design Guidelines for Historic Districts and Historic Sites adopted in 2009.
5. This is a vacant infill "Old Town" lot. There is no existing significant vegetation on this lot. This is an downhill lot.
6. Access to the property is from Lowell Avenue, a public street.
7. 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, within the lot area.
8. The neighborhood is characterized by a mix of historic and non-historic residential structures, single family homes and duplexes.
9. The proposal consists of a single family dwelling of 2,003 square feet, including the basement area and a single car garage.
10. The driveway is designed with a maximum width of twelve feet and is approximately thirty feet in length from the garage to the existing edge of street with a minimum of eighteen feet of driveway located on the property. The garage door complies with the maximum height and width of nine feet by nine feet.
11. The proposed driveway has a maximum slope of 14% with sections at 5% (in front of the garage) and 10% (from property line to edge of street). Overall slope is 9.7% as measured from the front of the garage to the edge of the paved street.
12. An overall building footprint of 812 square feet is proposed. The maximum allowed footprint for this lot is 844 square feet.
13. The proposed structure complies with the ten foot (10') front and rear yard setbacks as well as the three foot (3') side yard setbacks required in the HR-1 zoning district.

The front of the structure will be ten feet (10') from the front property line. The rear of the structure will be ten and a half feet (10.5') from the rear property line. The sides of the structure will be three feet (3') from the side property lines.

14. The proposed structure complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade. Portions of the house are less than 27' in height.

15. The proposed home includes a split level configuration created by a mezzanine level for the front interior entry area. The proposed structure complies with the LMC required total building height of 35' from the lowest floor plane to the highest wall plate and is in compliance with the LMC amendments adopted by City Council on November 21, 2013.

16. There is a fourteen and one-half foot (14.5') step back from the first two stories. The stepping occurs within the first twenty- three feet (23') of the rear (lower) facade.

17. The applicant submitted a visual analysis, cross valley views and a streetscape showing a contextual analysis of visual impacts of this house on the cross canyon views and the Lowell Avenue streetscape. Staff finds that the proposed house is compatible with the surrounding structures based on this analysis.

18. 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. There is no existing significant vegetation on the lot.

19. The site design, stepping of the foundation and building mass, increased articulation, and decrease in the allowed difference between the existing and final grade mitigates impacts of construction on the 30% slope areas.

20. The design includes setback variations in the front and back and lower building heights for portions of the structure in both the front and back where facades are less than twenty-seven feet in height.

21. The proposed massing and architectural design components are compatible with both the volume and massing of other single family dwellings in the area. No wall effect is created with adjacent structures due to stepping, articulation, and placement of the house on the lot.

22. The proposed 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 foundation, roofing, materials, window and door openings, and single car garages.

23. This property is required to have independent utility services for water, sewer, power, etc. Stubbing of these utilities was completed during the Lowell Avenue reconstruction project.

24. No lighting has been proposed at this time. Lighting will be reviewed at the time of the HDDR and Building Permit application for compliance with the LMC lighting code standards

25. The applicant submitted a visual analysis, cross canyon view, and streetscape showing a contextual analysis of visual impacts of the proposed structure on the adjacent streetscape.

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

27. The applicant stipulates to the conditions of approval.

Conclusions of Law – 1016 Lowell Avenue

1. The Steep Slope CUP application is consistent with requirements of the Park City Land Management Code, specifically Section 15-2.2 for the HR-1 zoning district.

2. The Steep Slope CUP application is consistent with the Park City General Plan.

3. The application is consistent with requirements of the Park City LMC, specifically Section 15-2.2-6 (B) (1-10) regarding development on Steep Slopes.

4. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.

5. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 1016 Lowell Avenue

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 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. Separate, individual utility service is required for 1016 Lowell Avenue.
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 for review and approval by the City Planning Department, prior to building permit issuance.
7. 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, the 2009 Design Guidelines for Historic Districts and Historic Sites (Historic District Design Review) and the Land Management Code.
8. 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 and that the driveway complies with the required slope restrictions.
9. 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 and existing retaining wall on the south property line.
10. This approval will expire on March 11, 2016, 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 the request is

granted by the Planning Director.

11. Modified 13-D residential fire sprinklers are required for all new structures on the lot.

12. All exterior lighting, on porches, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way. Light trespass into the night sky is prohibited.

2. Land Management Code Amendments – Chapter 2.24 Regarding Transfer of Development Rights (TDR) (Application PL-14-02595)

Director Eddington recalled that the Planning Commission had discussed Transfer of Development Rights at the last meeting. The discussion primarily focused on the issue of the lots in the HRL Sections of Old Town, which was Old Town 1, 2, 3 and 4, and specific sending opportunities for those areas. Director Eddington clarified that they are Old Town lots; however, the minimum lot size for the HRL zone is 3,750 square feet, which is two Old Town lots. Per the Code as currently written, those only get one development credit if they send. The Staff was recommending a change to two development credits, which would mean that for all of the Old Town District, every typical 25' x 75' Old Town lot would get one development credit.

Director Eddington clarified that the intent is to give equity to those HRL zones and to make sure there was an understanding of the development credits. He noted that proposed language was added to make that clarification.

Director Eddington noted that at the last meeting the Planning Commission talked about revisiting TDRs overall. The Staff had noted that when the TDR ordinance was first implemented three or four years ago there were a number of additional aspects such as multipliers, bonus opportunities, a TDR bank, etc. He pointed out that those elements were not included in the ordinance. He understood that some people believe it is a dull tool without those elements, but it was still a good tool to start with. Director Eddington stated that the Staff would come back and address TDRs more comprehensively in the next few months.

Chair Pro Tem Joyce opened the public hearing.

Bill Coleman stated that he had not read the changes since the last meeting.

Director Eddington referred to page 70 of the Staff report and noted that at the last meeting Bill Coleman had discussed a question regarding a couple of lots outside of the Historic District zones. The Staff had researched those lots and found that they were in the Estate

Zone, which is why they were never considered part of sending for Old Town Historic Districts. However, it was noted in the Staff report that the Staff would relook at those lots when they do the overall TDR ordinance amendments review and revisions.

Mr. Coleman suggested that as they go through the next steps the discussions should focus on the receiving areas separately from the sending areas because they have very different dynamics. Mr. Coleman believed the real problem were the receiving areas. He pointed out that someone would be hesitant to purchase the property without knowing what they would be allowed to put on it. Because the City can slow down the process and reduce what can be put on the lot, they are forcing the buyer to sell back a portion of the lot. Mr. Coleman remarked that it would stifle the marketplace because no one would buy the property subject to that vague set of rules; particularly when the City controls it on both sides. Mr. Coleman thought TDRs was a fabulous idea. He liked it in urban environments where a lot of things are happening. However, for the purposes of a receiving area, he thought it would be better to deal with a density bonus and to create an employee housing or affordable housing incentive. In order to get the density they want in specific areas, they need to find a better way, because right now those people are disincentivized rather than incentivized. He believed they could look at it in other ways and achieve the same benefit.

Mr. Coleman recommended that they also relook at the sending areas comprehensively. He understood that grade and steepness is an important issue, but there are other ways to address that without having to send away the density. Mr. Coleman was interested in discussing other ideas, but he was unsure how to do it outside of the public input process. He stated that if the City were to set up a subcommittee that includes citizens, he wanted to be the first to volunteer.

Sydney Reed stated that if someone needs the density they might not need all of the density that is offered. She pointed out that currently all an owner has to offer all the density they have. Ms. Reed did not understand how the sending/receiving would work if someone did not want all of the density. She also wanted to know how TDRs would work if several parties own a specific area being considered.

Director Eddington responded to some of the questions raised by Ms. Reed. He believed it was important to consider a TDR bank. He provided an example to show how the TDR bank would work. As they look at TDRs more holistically, he thought that would be an easy way to address the question. The second question regarding the sending zone where Ms. Reed owns property with other property owners in SOT2, Director Eddington stated that four years ago the Planning Commission approved SOT2 with the understanding that this area of Ridge Avenue was challenged with steep slopes, inadequate infrastructure for the road widths, etc. They decided that all of those property owners would need to commit to selling their development rights; otherwise there would still be impacts to the road, the

steep slopes, erosion, etc. Director Eddington stated that SOT1, 3 and 4 have single property owners in each section.

Commissioner Phillips asked if all of the SOT zones have different rules. Director Eddington stated that 1, 2, 3 and 4 are much the same in that it has to be all or none in terms of sending. Sending Old Town 2 has an additional challenge because multiple owners have to agree on whether or not to send. Commissioner Phillips wanted to know why it was SOT1, 2, 3, 4 and not just one. Director Eddington stated that these areas were identified as topographically challenged, steep slopes and inadequate infrastructure. The properties are bigger than just one lot and the Planning Commission targeted them as areas where density could be moved off.

Mr. Coleman questioned how they could isolate SOT2 and zone it differently from all the other properties. Director Eddington stated that at the time those owners wanted to be viewed as one. He understood that in retrospect they may now prefer to be individual. Mr. Coleman believed the City was walking itself into a problem by treating one property different from the rest.

Chair Pro Tem Joyce disagreed that they were treated differently, because each of the SOT areas were the same in that it was all or nothing.

Chair Pro Tem Joyce closed the public hearing.

Commissioner Phillips stated that he knows of several properties where an owner owns two lots adjacent to one another. One lot has the house and the second lot is their yard. He asked if the owner could sell the development rights to the lot they use as a yard, but still continue to use it as a yard. Director Eddington answered yes. He explained that in the areas of Old Town outside of SOT1, 2, 3, 4, an owner could sell either a portion or all of their Old Town lot.

Commissioner Campbell asked what they could do in SOT1, 2, 3, 4 if it was a separate lot. Director Eddington replied that those are under single ownership. Three or four years ago the Planning Commission felt it was better to take an "all or nothing" approach because of the development challenges on some of the lots. If someone owns three or four lots in one of those sections it has to be all or none. Director Eddington clarified that currently in SOT1, 2, 3, 4 the lots are vacant lots of record. Commissioner Campbell asked if there were houses in any of those four zones. Director Eddington replied that currently there are no houses, but the owners can choose to either build on their property or transfer the density.

Commissioner Campbell preferred to simplify the language in four paragraphs down to one paragraph. Director Eddington stated that the language in one paragraphs pertains to all four SOT zones with the same parameters. However, there are four different sections because there are four different property owners or development groups. Commissioner Campbell stated that development is development and density is density. He thought they should find a way to bring those four zones into the rest of Old Town. He noted that the Planning Commission did not have the authority to set up the TDR banks. Commissioner Campbell thought they should make this process as simple as possible. He questioned whether the whole idea of sending and receiving was too complicated. He did not understand why any part of town could not send or receive. Director Eddington stated that it would require significant discussion in terms of density. Based on Commissioner Campbell's suggestion the City Council would have to pro-actively get involved and create the bank. If the City wanted to move the density, the City or a private owner could buy the density and drop it into the bank to sit until it is used somewhere else. Director Eddington noted that other communities do that, but the City would have to be pro-active in the process. When it was discussed three years ago there was a desire by both the Planning Commission and the City Council not to be that pro-active; however, that opinion may have changed.

Commissioner Band asked if the Planning Commission was only discussing the one component this evening or whether they were talking about all of TDRs. She had done some research, and of the top 20, approximately 350,000 acres have been saved through TDRs. There are 20 successful programs and she was willing to share her article. Commissioner Band pointed out that of the 20, only four have banks. Three things were considered necessary for TDRs to be successful and a bank was not one of them. Commissioner Band stated that the first three were demand; customized receiving areas, and transfer ratios.

Director Eddington stated that demand cannot be controlled. Commissioner Band stated that according to the article, if developers are getting what they need density-wise out of the Code, then there is no demand. Director Eddington cited scenarios that would help induce demand. He believed the Code has good parameters for both sending and receiving zones which would help keep demand high in Park City.

Director Eddington commented on the second point; customized receiving areas. He stated that three years ago the Staff recommended including ratios, multipliers, bonus, and other benefits in the Transfer of Development Right Ordinance; but both the Planning Commission and the City Council requested that they be taken out. Director Eddington stated that those elements had the benefit of making the TDR process equalize and work. In his opinion, taking those out dulled the tool. Commissioner Band stated that the more she reads about it and understands what it takes to actually have a successful TDR

program she questions whether Park City can actually pull it off. Director Eddington stated that this is where multipliers come into play. If someone already bought their land to build three stories, the question is how much they are willing to pay for a credit to add the fourth story. If the fourth story yields so much ROI they might buy that credit. It is an equalization of supply and demand and he believed multipliers could help that.

Commissioner Campbell understood that the only reason for the multiplier was to try to make the unit more valuable. He could see no reason for the City to get involved because the buyer and the seller could work it out. Director Eddington stated that determining the value is difficult because the lands have different functions and different uses. One party would probably want a bonus or multiplier to be satisfied, and the other party might want to pay less because they already paid for their land. It is a complex formula based on real estate value. Otherwise, the buyer and seller would argue over the property value and they might be talking about very different pieces of property. Either way, there has to be a bonus for either the sender or the receiver.

Commissioner Campbell did not think it would work unless the buyer and the seller were the same room figuring out the price. Director Eddington agreed that they do need to be in the same room. He stated that they have had people talk about development credits and there have been discussions about the value of a credit. No one has used it yet because the economy has not been strong.

Chair Pro Tem Joyce stated that if the seller and the buyer do not have any concept of a multiplier, they each may have a different idea of value because they are not valuing the same thing. Currently, the answer is that they will trade one for one, because the multiplier does not exist. It is not dollars and sense yet, other than the fact that the buyer is valuing the unit and the seller is valuing the unit. They may actually be in agreement but there is no multiplier to achieve a number. Director Eddington agreed that a multiplier would even that out.

Director Eddington stated that as the economy picks up, he believed more people would approach the Planning Department looking for more development space in the near future.

Commissioner Band asked why only 22 units from Treasure Hill were identified for sending. Director Eddington stated that when the Planning Commission discussed it, they did not want all of Treasure Hill to be transferred because they were concerned about flooding the density in Bonanza Park if all the density went there. Commissioner Band pointed out that it already caps out in the Code. Director Eddington confirmed that it does cap out; and there has to be provisions to allow for more as they allow master planned developments or incentivized density via the Form Based Code. He pointed out that the previous Planning

Commission was concerned about how much is too much density in Bonanza Park and how much starts to impact the traffic or create other impacts. At that time they decided to start with 10% and see what happened.

Chair Pro Tem Joyce referred to page 84 of the Staff report and the language, "...for property within SOT1, overlay zoning district, where the underlying zoning designation is Estate, development credits shall be calculated per...." He understood from an earlier comment that they were leaving out the extra lots they discussed at the last meeting because they were in the Estate Zone. Director Eddington explained that there was an odd area in the Alice Claim area where some of the Estate zone is tucked in behind the HR1 zone. This language was always included in the Old Town Sending District. It simply says that an Estate Zone cannot be divided into a bunch of credits for Old Town lots. There is only one credit for an Estate lot.

Chair Pro Tem Joyce clarified that the proposed change fixes the equity problem for the SOT1, 2, 3, 4, but they were not fixing the equity for an Estate lot. An Estate lot is treated the same as a historic Old Town lot. Director Eddington answered yes.

Director Eddington commented on other issues related to TDRs that this Planning Commission may want to discuss in their broader discussion of TDRs. He noted that the Staff had proposed other things at the time the ordinance was written, but the Planning Commission and the City Council chose to go more conservative.

Chair Pro Tem Joyce could see how TDRs could get fairly complex based on having a number of different priorities for both sending and receiving. Director Eddington remarked that getting to that level of specificity when looking at TDRs holistically would be good, and he would recommend it.

MOTION: Commissioner Phillips moved to forward a positive recommendation to the City Council to adopt the attached ordinance for LMC Amendments regarding Transfer of Density Rights in Chapter 15-2.24. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission adjourned the regular meeting and moved into Work Session to discuss General Plan Implementation. That discussion can be found in the Work Session Minutes dated March 11, 2015.

Park City Planning Commission meeting adjourned at 7:15 p.m.

Approved by Planning Commission: _____

**PARK CITY PLANNING COMMISSION
WORK SESSION MINUTES
March 11, 2015**

PRESENT: Chair Pro tem Steve Joyce, Melissa Band, Preston Campbell, John Phillips, Doug Thimm, Thomas Eddington, John Boehm, Polly Samuels McLean, Assistant City Attorney

Commissioners Worel and Strachan were excused.

WORK SESSION ITEMS

General Plan Implementation

Director Eddington stated that the objective this evening was to have a casual discussion about the General Plan and some of the strategies that the Staff had selected as important and timely for implementation.

Planner Boehm provided a brief overview of the four core values of the General Plan.

Small Town Core Value

Planner Boehm stated that Transfer of Development Rights was a current topic and the Staff intended to work on TDRs extensively in the future. Planner Boehm noted that annexation was also mentioned in the General Plan as a tool to prioritize open space parcels on the periphery of the City. The intent is to look more in-depth at the annexation expansion area and ensuring that it is mapped out properly.

Chair Pro Tem Joyce asked if the Clark Ranch property that was recently acquired was part of the annexation area. Planner Boehm stated that in order to be annexed it would have to be part of the existing annexation area. Director Eddington clarified that the property was included in the proposed expansion area in the General Plan.

Planner Boehm stated that another strategy for Small Town would be requiring developments to at least account for how they would encourage multi-modal transportation use. Currently, they do not ask developers to address that issue and they would like to ask future developments to at least acknowledge it in future applications in terms of how they would encourage people to walk or bike, or how close the development is located to transit stops.

Natural Setting Core Value

Planner Boehm stated that TDRs and Annexations were tools they could use to protect the natural setting on the periphery, as well as some of the open spaces that exist within the City. Planner Boehm remarked that he personally would like to work on the landscaping

requirements in the LMC. The current requirements are vague and there is a lot of opportunity to tighten it up, specifically for water conservation use. He would be taking an in-depth look at what other cities are doing and how to strengthen the requirements. Planner Boehm noted that the City was in the process of trying to adopt a new Forestry Plan and once that is approved the landscape requirement would dovetail off of that plan.

Director Eddington stated that it also delves into the issue of grading and grubbing prior to development, people cutting trees down for views, and many other challenging issues for the Building Department. The intent is to add those into the Code as well as talking about xeriscape and landscaping. The Forestry Plan will outline a number of acceptable plants and their watering ratios. It will be presented to the public as an educational feature.

Chair Pro Tem Joyce asked if there has been any talk about water conservation and potentially restricting what people can do either in square footage or types of plants versus a list of recommended plants. Director Eddington replied that a Code amendment was implemented approximately ten months ago that cleaned up the landscape ordinance and restricted the amount of turf that could be used for residential or commercial development. They also talked about percentages of the property that should be xeriscaped, and that would be better explained in the Forestry Plan. Director Eddington clarified that xeriscaping means plants and not gravel. Gravel produces a heat island effect and works against the reason for xeriscaping. He remarked that looking more comprehensively at the landscaping ordinance was a great opportunity.

Commissioner Thimm asked if it would address different methods of irrigation. Director Eddington recalled that the current ordinance requires drip irrigation. Planner Boehm stated that the Staff would try to be as comprehensive as possible in bringing the amendments forward because the changes do not occur often. He stated that irrigation would definitely be included.

Planner Boehm stated that currently there is no provision in the LMC for allowing community gardens. There has been a lot of talk about the difficulty of growing anything in Park City; however, research has shown that many things can be grown in the Park City environment. Community gardens in the County have been successful. The Staff would like to look at ways to get community gardens into local neighborhoods as an LMC amendment.

Commissioner Band questioned whether there was enough space for community gardens. Planner Boehm replied that community gardens vary in size and they do not always require a lot of space. Commissioner Band asked if they were talking about private yards or a vacant lot. Director Eddington stated that people are allowed to have private gardens in their own yard. One idea for a community garden is to use a lot along one of the east-west walkways in Old Town. He pointed out that lots in other areas in Park City would also

be considered. It would not be restricted to Old Town.

Sense of Community Core Value

Planner Boehm stated that affordable/attainable housing has been a discussion topic for a long time. The Staff would like to go more in-depth and identify possible locations for more density, smaller units, PUDs, etc. They also intend to look at potential neighborhood recreational opportunities such as micro-parks and other more-localized recreation opportunities. Planner Boehm stated that there was also interest by the Planning Staff to begin looking at public art installation and utilizing some of the current right-of-ways for public art.

Commissioner Band understood that bus stop art was something that came out of the City Council retreat. Director Eddington answered yes.

Historic Character Core Value

Planner Boehm stated that the Staff was currently working on updates to the Design Guidelines. They would like to continue those updates and bring them to the Planning Commission very soon. Director Eddington noted that the Historic District Design Guidelines were redone in 2009. At that time the decision was made to revisit the Guidelines every three to five years. They were reaching the end of the five year mark and it was time to consider updates. He stated that Hannah Turpen and Anya Grahn were looking at recommended changes for the Historic District Design Guidelines. They are working with the Historic Preservation Board, but the Planning Commission will have the opportunity to review the changes.

Planner Boehm stated that the last recommended strategy would be additional education and training for all Staff, all Boards and more public outreach on the Guidelines, the Grant Programs, and anything else pertaining to the Historic District.

Chair Pro Tem Joyce asked about the "Love Your Historic District" open house. Director Eddington stated that the turnout was tremendous. He estimated over 100 people had attended. It was a great discussion and there was a lot of good input. He noted that some people were still concerned about the rigidity of the Design Guidelines, but the number was far less than those who were concerned in 2009.

Planner Boehm asked if the Planning Commission had other priorities that they would like the Staff to work on immediately. Commissioner Band liked how Planner Boehm went through the strategies individually, but she thought it would be helpful to see all of them on one list to help the Commissioners prioritize. Chair Pro Tem Joyce noted that all the strategies presented this evening were listed on page 94 of the Staff report.

Chair Pro Tem Joyce stated that the City Council was clear that their two priority items for this year are affordable housing/attainable housing and transportation. He thought those items should also be near the top of the list for the Planning Commission to make sure that what they do fits with what the City Council was trying to accomplish. Commissioner Band concurred.

Chair Pro Tem Joyce remarked that he personally was not convinced that there was enough demand for TDRs at this point to justify the enormous amount of time and work it would take to make it successful. He was uncomfortable talking about multipliers because it is a matter of injecting their philosophies into the public market in terms of units and values. If that gets codified, the question is how often they would change it to keep up with the pace of the market. Unless they hear a lot of public input in favor of TDRs, it would not be at the top of his list.

Chair Pro Tem Joyce stated that in addition to the two priorities identified by City Council, he was also very interested in water usage and conservation. He thought the issue was being neglected and that water was over-subscribed when looking at the growth numbers for Summit County. He liked the idea of codifying restrictions beyond just having a list of suggested plants. Chair Pro Tem Joyce thought it was important to make a difference now.

Commissioner Campbell asked if the Planning Commission could look at a plan to recommend to City Council regarding water usage and fees. Director Eddington stated that the City had already done a good analysis. In the past it was the more you used the less you paid. However, that has since been reversed and people pay a premium. Commissioner Campbell noted that they had not reached the main threshold because people are still watering their lawns.

Commissioner Band reported on a discussion in the last year that resulted in some recommendations. She noted that Boulder has one of the most restrictive water use plans. Everyone uses and is charged for a specified minimal amount. Once that amount is exceeded, the charge increases significantly. Commissioner Band remarked that the discussion also included Empire Pass and similar places where it costs more money to send the water uphill, but they are paying the same as everyone else.

Chair Pro Tem Joyce stated that he also attended those meetings and he was disappointed in both Water Works and the City Council because there was a reluctance to raise rates. The concern was that if they raise the prices too much people would conserve too much and the City would not have enough money to pay for the new infrastructure. He disagreed with that concept and felt there was much more that could be done. Director Eddington believed that issue would begin to come to the forefront as they see growth

occur internally and around them. Chair Pro Tem Joyce was unsure whether the Planning Commission had much influence on water issues. Commissioner Campbell believed they would only have the ability to make a recommendation.

Commissioner Campbell did not think the Planning Commission should be telling people how many plants they could have and what type. He thought it was way beyond the scope of their purview or how they should be spending their time.

Director Eddington reported that ten months ago the LMC amendments clarified drip irrigation, not spray; reducing the percent of Kentucky Bluegrass Turf, and other things. He clarified that it was only for new construction and it did not pertain to existing landscaping.

Commissioner Campbell stated that addressing the root cause, which is the cost of water, would encourage people with landscaping already in place to modify their behavior. Director Eddington remarked that the Forestry Plan will be an educational tool for people with existing landscaping to retrofit. Director Eddington noted that Planner Boehm would be working with Jason Christensen and others in the Water Department who are well-versed on the matter and were trying to do the right thing.

Commissioner Thimm stated that inter-modal transportation was one of his priorities. At the last meeting they talked about traffic jams and getting in and out of the ski resort, and he thought it was important to start to address some of those issues.

Director Eddington reported that the transportation group recently sent out an RFP to hire a firm to help the City understand how parking should work, how to make transportation efficient, and alternative modes to consider. He would ask Brooks Robinson to update the Planning Commission so they would have an idea of what was being discussed.

Commissioner Thimm thought it was also important look at how Park City how exists in terms of the region. A lot is happening regionally and they need to understand how it fits or does not fit moving forward.

Commissioner Phillips stated that water was at the top of his list. On the list provided, his primary concern was transportation. Housing was his second priority. Commissioner Phillips wanted to get a handle on transportation and begin telling everyone what they like. He would also like the developers to have to think about it as well. He anticipated a number of large projects in the near future and the sooner they addressed it the better.

Commissioner Band stated that affordable housing and multi-modal transportation in line with what the City Council identified as their two major priorities was a good place to start.

Director Eddington reported that at the last City Council meeting, the Council asked the

Staff to look at the two city-owned houses at 1450 and 1460 Park Avenue as an opportunity for single family or small cottage housing. The City Council was starting to move forward with proactively addressing some of the affordable housing issues.

The Work Session was adjourned.



Planning Commission Staff Report

Subject: 1119 Park Avenue
Author: Hannah Turpen, Planner
Project Number: PL-15-02672
Date: March 25, 2015
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 1119 Park Avenue Subdivision Plat Amendment located at 1119 Park Avenue and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

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: Nigor, LLC (represented by Marshall King)
Location: 1119 Park Avenue
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

Lot 5 and the southerly ½ of Lot 6, Block 5, Snyder's Addition to the Park City Survey are owned by the same entity. The original lot lines from the historic survey still exist on said lots. The owner desires to unify the property into one (1) lot of record by removing the existing interior lot lines.

Background

On January 27, 2015, the City received a Plat Amendment application for 1119 Park Avenue; the application was deemed complete on January 29, 2015. The property is located at 1119 Park Avenue. The property is in the Historic Residential (HR-1) District. The subject property consists of all of Lot 5 and the southerly ½ of Lot 6, Block 5, Snyder's Addition. The entire area is recognized by the County as Parcel SA-48 (Tax ID).

Currently the site contains a historic two-story frame hall-parlor house. According to Summit County records the structure was built in 1894. The site is listed as a "Landmark" structure on the City's Historic Sites Inventory (HSI).

In May 2012, the City issued a Notice and Order from the Building Department requiring

the property owner to stabilize the building. Work began in the spring of 2013 to stabilize the dilapidated landmark building with new footings and foundation. Inspections on this work began on May 1, 2013 and the most recent inspection was conducted on July 26, 2013. This first phase of stabilization eliminated dangerous conditions and stabilized the structure, but did not make the structure habitable or permit any changes to the form of the historic structure. The only stabilization work that was completed and received a final inspection was the new foundation.

The former property owner had obtained Building Permits for stabilization; however, staff finds that the work was not completed in whole before the owner sold the property to the current owner, Ningor, LLC. A Pre-Historic District Design Review (Pre-HDDR) application for the renovation and construction of an addition to the historic structure was completed on October 2, 2014. The applicant applied for a Historic District Design Review (HDDR) application to renovate and construct an addition to the historic structure on January 6, 2015. Staff recommends that the current property owner finish the 2012 Notice and Order stabilization as a part of the HDDR application.

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 plat amendment creates one (1) lot of record from the existing one and one-half lots equaling 2,812.5 square feet. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lot meets the minimum lot area for a single-family dwelling. The minimum lot width allowed in the HR-1 District is twenty-five feet (25'). The proposed lot is thirty-seven and one-half feet (37.5') wide. The proposed lot meets the minimum lot width requirement. The following table shows applicable development parameters in the Historic Residential (HR-1) District:

	Existing Parcel	Existing Conditions
<i>Lot Size (as proposed)</i>	2,812.5 sf.	2,812.5 sf.
<i>Setbacks</i>		
Front (East)	10 ft.	26 ft.
Rear (West)	10 ft.	36.5 ft.

Side (North)	3 ft.	1 ft.
Side (South)	3 ft.	1 ft. –.75 ft. (from west to east)
<i>Allowed Footprint</i>	1,201 sf.	522 sf.

In accordance with the Land Management Code (LMC) 15-2.2-4, Historic Structures that do not comply with Building Setbacks are valid Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.

Staff finds good cause for this plat amendment as it will eliminate the existing interior lot line and create one (1) new legal lot of record from 1-1/2 existing lots. The existing structure straddles the lot line between Lots 5 and Lot 6; therefore, this plat amendment would allow the structure to be on one (1) lot of record. Without a plat amendment, any new development would be confined to Lot 5 (the 25' x 75' lot) as no new development would be permitted to straddle an interior lot line. This plat amendment allows the remnant portion of Lot 6 to be combined with Lot 5 as both are commonly owned.

The existing chain link fence and wood slat fence extend into the property of 1125 Park Avenue to the north. The wood slat fence also extends into the property of 1120 Woodside Avenue to the west. The applicant can either remove the existing chain link fence and wood slat fences from the properties of 1125 Park Avenue and 1120 Woodside Avenue, or enter into an encroachment agreement with the respective property owners, as dictated by Condition of Approval #4.

The applicant does not have ownership of the northerly ½ of Lot 6. Lot 5 and the northerly ½ of Lot 6 are owned by the same entity. To redeveloping the lot, a Historic District Design Review (HDDR) application shall be reviewed and approved by the Planning Staff.

Process

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

Department Review

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

Notice

On March 11, 2015, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on March 11, according to requirements of the Land Management Code.

Public Input

No public input has been received by the time of this report. A public hearing is noticed for both the Planning Commission and City Council meetings.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the 1119 Park Avenue Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 1119 Park Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on 1119 Park Avenue Plat Amendment.
- There is not a null alternative for plat amendments.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The site would remain as is. The site would contain one (1) single Old Town lot (25' x 75') and one half (12.5' x 75') of a lot as a remnant parcel. The existing structure would continue to straddle the interior lot lines, and any new development would be confined to Lot 5, as Lot 6 is a remnant lot by itself.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the 1119 Park Avenue Plat Amendment located at 1119 Park Avenue and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat
Exhibit B – Existing Survey
Exhibit C – Aerial Photograph
Exhibit D – Site Photographs

Ordinance No. 15-XX

**AN ORDINANCE APPROVING THE 1119 PARK AVENUE PLAT AMENDMENT
LOCATED AT 1119 PARK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 1119 Park Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, the property was properly noticed and posted on March 11, 2015, according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was sent to all affected property owners on March 11, 2015; and

WHEREAS, the Planning Commission held a public hearing on March 25, 2015, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on March 25, 2015, forwarded a recommendation to the City Council; and,

WHEREAS, on April 16, 2015, 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 1119 Park Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 1119 Park Avenue 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 at 1119 Park Avenue.
2. The property is in the Historic Residential (HR-1) District.
3. The subject property consists of all of Lot 5 and the southerly half (1/2) of Lot 6, Block 5, Snyder's Addition. The applicant does not have ownership of the northerly half (1/2) of Lot 6.
4. The entire area is recognized by the County as Parcel SA-48.
5. The site is designated as a "Landmark" historic structure by the Historic Sites Inventory (HSI).
6. The building footprint of the existing historic structure is approximately 522 square feet.

7. The proposed plat amendment creates one (1) lot of record from the existing area consisting of approximately 2,812.5 square feet.
8. A single-family dwelling is an allowed use in the Historic Residential (HR-1) District.
9. The minimum lot area for a single-family dwelling is 1,875 square feet; the lot at 1119 Park Avenue will be 2,812.5 square feet. The proposed lot meets the minimum lot area for a single-family dwelling.
10. The minimum lot width allowed in the district is twenty-five feet (25'). The proposed lot is thirty-seven and one-half feet (37.5') wide. The proposed lot meets the minimum lot width requirement.
11. The existing historic structure does not meet the required side yard setbacks on the north and south. The side yard setback on the south side is 1 ft. to .75 ft. (from west to east). The side yard setback on the north side is 1 ft. The existing historic structure meets all requirements for front and rear setbacks. The front yard setback is 26 ft. The rear yard setback is 36.5 ft. In accordance with the Land Management Code (LMC) 15-2.2-4, Historic Structures that do not comply with Building Setbacks are valid Complying Structures. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height.
12. There is an existing concrete driveway and concrete sidewalk that encroaches into the Park Avenue right-of-way.
13. In May 2012, the City issued a Notice and Order from the Building Department for the property owner to stabilize the building. Work began in the spring of 2013 to stabilize the dilapidated landmark building with new footings and foundation. Inspections on this work began on May 1, 2013 and the most recent inspection was conducted on July 26, 2013.
14. The applicant applied for a Historic District Design Review (HDDR) application to renovate and construct an addition on January 6, 2015. A Pre-Historic District Design Review (Pre-HDDR) application for the renovation and addition was completed on October 2, 2014. The applicant applied for a Plat Amendment application on January 27, 2015. The Plat Amendment application was deemed complete on January 29, 2015.
15. The property is located in a FEMA Flood Zone A which requires the lowest occupied floor to be equal to or above the base flood elevation. An elevation certificate will be required.
16. 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 for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten feet (10') wide public snow storage easement will be required along the Park Avenue frontage of the property and shall be shown on the plat prior to recordation.
4. The applicant can either remove the existing chain link fence and wood slat fence from the properties of 1125 Park Avenue and 1120 Woodside Avenue, or enter into an encroachment agreement with the respective property owners prior to final recordation of this plat.
5. Modified 13-D sprinklers will be required,
6. An elevation certificate will be required for any major modifications verifying the lowest occupied floor is at or above base flood elevation.

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

PASSED AND ADOPTED this 16th day of April, 2015.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat



BLOCK 5, SNYDER'S ADDITION TO PARK CITY SURVEY
1119 PARK AVENUE SUBDIVISION
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, 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 1119 PARK AVENUE SUBDIVISION and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTION

All of Lot 5 and the southerly 1/2 of Lot 6, Block 5, Snyder's Addition to Park City, according to the official plat thereof, on file and of record in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Ningor, LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 1119 PARK AVENUE SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this ____ day of _____, 2015.

Michael J Stecher, Manager
Ningor, LLC, a Utah limited liability company

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2015, Michael J Stecher personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Michael J Stecher acknowledged to me that he is the managing member of Ningor, LLC, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

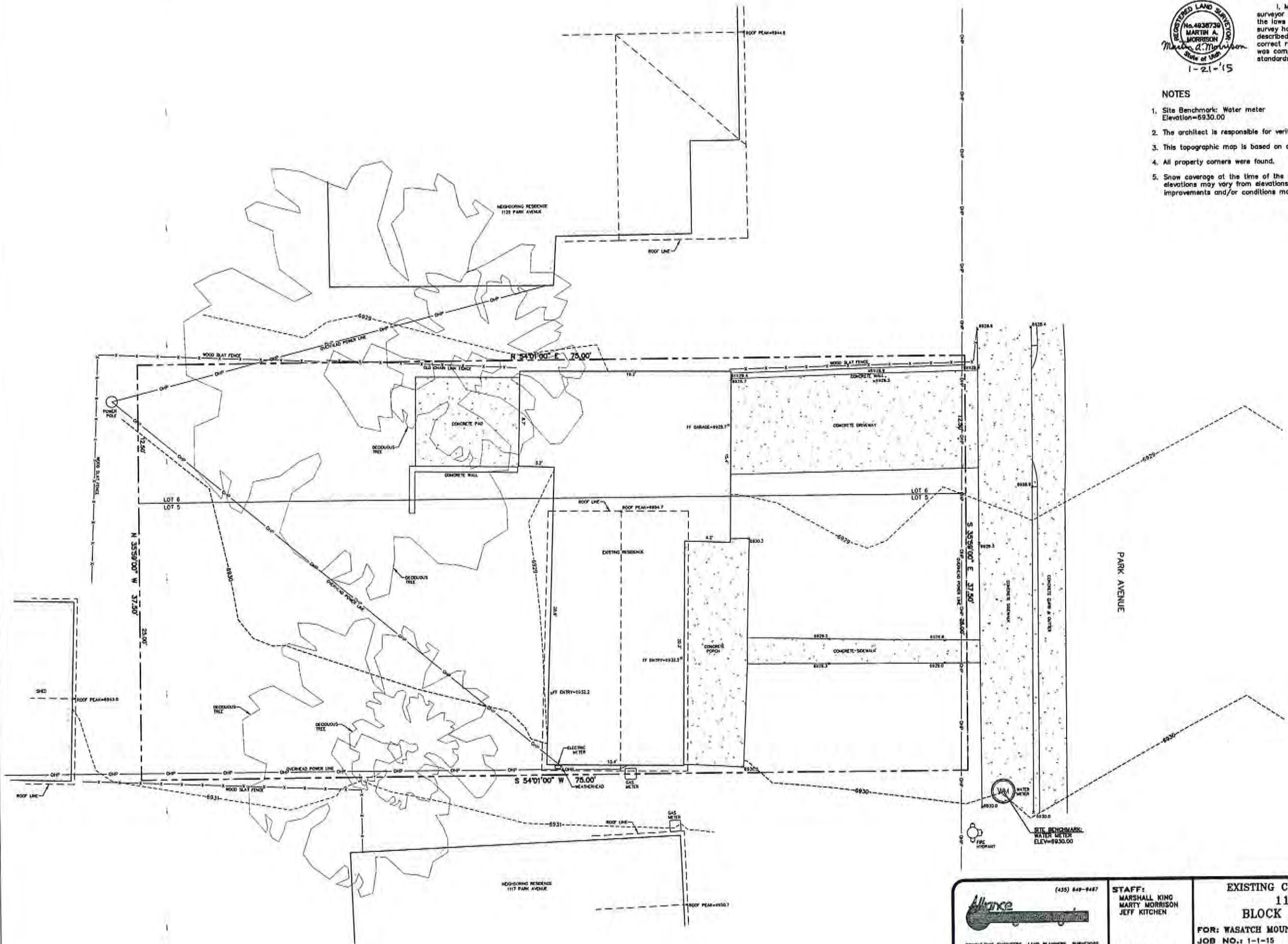
A Notary Public commissioned in _____
Printed Name _____
Residing in: _____
My commission expires: _____



- NOTES**
- The survey monument shown on the Park City Monument Control Map at 11th Street and Park Avenue (Recorded on December 30, 1982 as Entry No.: 199887) was destroyed. Control which was set from this monument prior to its destruction was used for this survey.
 - This record of survey is subject to the conditions of approval in Ordinance 15-____.



 323 Main Street P.O. Box 2684 Park City, Utah 84060-2684 Planning Commission Meeting - March 25, 2015	(435) 649-9487 SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2015 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2015 BY _____ CHAIR	ENGINEER'S CERTIFICATE I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2015 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2015 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2015 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2015 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ Page 31 of 365 ENTRY NO. _____ FEE _____ RECORDER _____
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SURVEYOR'S CERTIFICATE

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

NOTES

1. Site Benchmark: Water meter
Elevation=6930.00
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on January 14 & 15, 2015.
4. All property corners were found.
5. Snow coverage at the time of the survey was approximately 0" to 15". As a result, actual elevations may vary from elevations shown on this survey. In addition, monuments, improvements and/or conditions may exist which are not shown on this survey.



STAFF:
MARSHALL KING
MARTY MORRISON
JEFF KITCHEN

DATE: 1/21/15

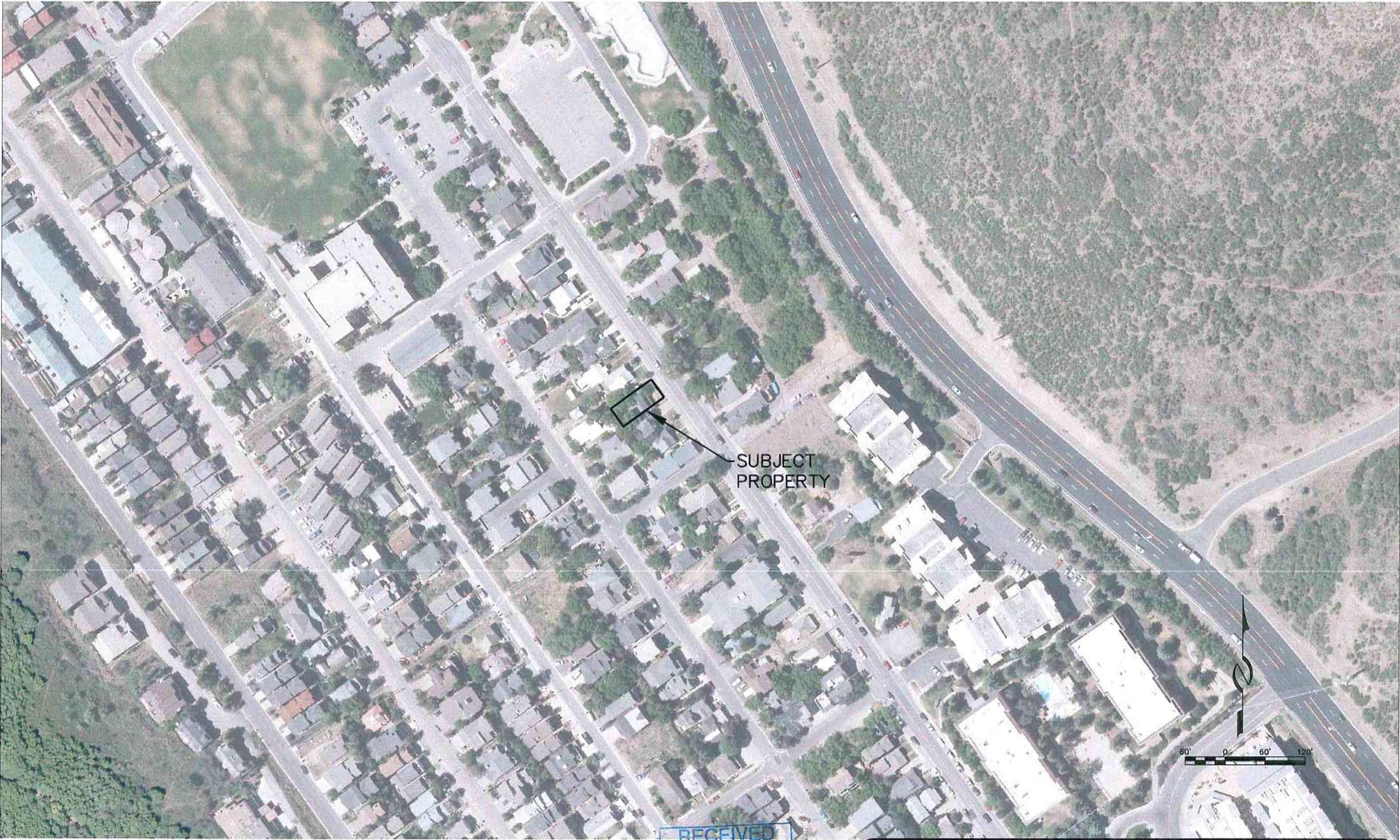
EXISTING CONDITIONS/TOPOGRAPHIC MAP
1119 PARK AVENUE
BLOCK 5, SNYDER'S ADDITION

FOR: WASATCH MOUNTAIN CONTRACTORS

JOB NO.: 1-1-15

FILE: X:\Snydersaddition\dwg\env\topo2015\010115.dwg Page 32 of 365

SHEET
1
OF
1



SUBJECT
PROPERTY



RECEIVED
JAN 27 2015
PARK CITY
PLANNING DEPT.

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 222 Main Street, P.O. Box 2084 Park City, Utah 84060-2084	(435) 849-9467	STAFF: MARSHALL KING JEFF KITCHEN	AERIAL PHOTOGRAPH LOT 5 & A PORTION OF LOT 6, BLK 5 SNYDER'S ADDITION, 1119 PARK AVENUE	SHEET 1 OF 1
			FOR: NINGOR, LLC, A UTAH LIMITED LIABILITY COMPANY	
			JOB NO.: 10-9-14	
	DATE: 1/9/15	FILE: X:\SnydersAddition\dwg\Exhibits\1119 park ave-ortho.dwg		







Planning Commission Staff Report

Subject: Central Park Apartments MPD
Author: Kirsten Whetstone, MS, AICP
Project Numbers: PL-14-02586 and PL-14-02584
Date: March 25, 2015
Type of Items: Pre-Master Planned Development and
Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission holds public hearings and considers the applications for 1) a Pre-Master Planned Development and 2) a Conditional Use Permit for ten (10) residential units within a new building to be located at 1893 Prospector Avenue on an existing platted lot of record. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Note: The posted and mailed notice letters included both the pre-MPD and CUP information, however the published notice included only the pre-MPD and therefore Staff recommends review and action on the Pre-MPD with review and continuation to the next meeting following April 8, 2015, for the CUP.

Description

Applicant: Mr. Peabody LLC, Hank Louis, Ehlias Louis, CDR
Development, owners
Location: 1893 Prospector Avenue
Zoning: General Commercial (GC)
Adjacent Land Uses: Residential condominiums to the west and east, Rail Trail and open space to the south, and commercial/offices to the north and west.
Reason for Review: Pre-Applications for MPDs require Planning Commission review and a finding of compliance with the Park City General Plan prior to submittal of a Master Planned Development application. Residential projects with 10 or more units require a Master Planned Development.
Residential uses in the General Commercial (GC) zone require a Conditional Use Permit (CUP) with review and final action by the Planning Commission.

Proposal

The applicant requests review of applications for 1) a pre-Master Planned Development and 2) a Conditional Use Permit for a ten residential unit building proposed to be constructed on Lot 25b of the Gigaplat Replat, a replat of the

Prospector Square Subdivision reviewed by the Planning Commission and approved by the City Council in June of 2014. The Pre-MPD application is submitted for Planning Commission review prior to submittal of the full MPD application. The Conditional Use Permit (CUP) is required for residential uses in the General Commercial (GC) zoning district.

The pre-MPD/CUP proposal is for a ten unit, energy efficient, affordably priced, residential project located within the Prospector Square neighborhood. The project incorporates multi-level design elements, open and green common deck areas, pedestrian connections to the Rail Trail, covered parking located on the first level, no reduction of existing parking, good solar access and building design, and a site design that diminishes the visual impacts of the existing vast parking area that is Park Lot F (Exhibits A-H).

Each of the ten (10) units has two (2) bedrooms, one or two baths, a storage closet on the lowest level, and one (1) covered parking space (twelve (12) total covered parking spaces are provided under the building). The units range in size from 810 to 1,010 square feet.

The approximately 11,500 sf building complies with the Prospector Square Floor Area Ratio of 2.0 (11,520 square feet for the 5,760 sf lot area). The building is three and four stories in height and the applicant is requesting a height exception of approximately six feet six inches (6'6") for the eastern portion of the building with the remainder of the building less than the allowed zone height. A green planted roof garden and roof top deck provide outdoor space for the residents. An affordable housing mitigation plan will be submitted with the MPD application describing how the 15% affordable housing obligation (1.5 Affordable Unit Equivalents (AUE)) will be met.

Background

The property is located within the General Commercial (GC) zoning district subject to the Prospector Square overlay requirements. The subject property, located at 1893 Prospector Avenue, consists of a 5,760 square foot lot, amended Lot 25b of the Gigaplat replat, being a replat of Lots 25a, 25b, and Parking Lot F (Prospector Square) of the Prospector Square Supplemental Amended Plat. Amended Lot 25b is a vacant, undeveloped privately owned development lot.

Parking Lot F is owned by and utilized as a shared parking lot for Prospector Square Property Owners Association (POA). A total of 103 parking spaces will result upon completion of this project, including the 12 spaces located under the building. The applicant and POA have signed an agreement stipulating that upon completion of this project there will be a total of 103 parking spaces.

On June 5, 2014, the City Council voted to approve the Gigaplat replat that reconfigures Lots 25a, 25b and Parking Lot F of the Prospector Square Supplemental Amended Plat (Exhibit C). The final mylar plat is being circulated for signatures and has not yet been recorded at Summit County.

On June 25, 2014, the Planning Commission approved a Conditional Use Permit for residential uses within a mixed use building proposed to be constructed at 1897 Prospector Avenue, located on Lot 25a of the Gigaplat replat. A building permit application for the 1897 Prospector project was received by the City in February and the plans are currently under review. The owners of these two projects would like to coordinate construction of the two projects simultaneously in order to reduce construction impacts on the neighborhood. The two owners are responsible for reconstruction of Parking Lot F and coordinating of utility installation as well as providing an interim parking plan during construction. These items will be spelled out in the Construction Mitigation Plans for each individual building permit.

On December 15, 2014, Staff received an application for a pre-MPD for the ten residential units building located in the General Commercial zoning district. The application was considered complete on February 24, 2015. On February 24, 2015 the applicant submitted a complete application for the Conditional Use Permit for residential uses in the GC District.

Purpose

The purpose of the General Commercial (GC) District is to:

- (A) allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is convenient to transit, employment centers, resort centers, and permanent residential Areas,
- (B) allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,
- (C) protect views along the City's entry corridors,
- (D) encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,
- (E) allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,
- (F) encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and
- (G) encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

Process

A requirement for any Master Planned Development (MPD) (or amendment to an MPD) is a pre-application public meeting and determination of compliance with the Park City General Plan and the specific zoning district (GC zone). The Land Management Code (LMC 15-6-4(B)) describes the pre-Application process as follows:

“At the pre-Application public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development. This preliminary review will focus on General Plan and zoning compliance for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.

The Planning Commission shall review the preliminary information for compliance with the General Plan and will make a finding that the project complies with the General Plan. Such finding is to be made prior to the Applicant filing a formal MPD Application. If no such finding can be made, the applicant must submit a modified application or the General Plan would have to be modified prior to formal acceptance and processing of the Application.”

Review of Conditional Use Permit with Pre-MPD

Staff is presenting the Conditional Use Permit application as a work session item simultaneously with the pre-MPD hearing to allow the Commission to review the request for residential uses in the GC zone within the context of the pre-MPD application discussion. The Conditional Use Permit plans requesting approval of residential uses within the GC zone include much of the same information reviewed with the pre-Master Planned Development.

Review of final MPD application

The final MPD application will be presented to the Commission at the next meeting following the April 8, 2015 meeting, provided that the Commission concurs with Staff that the pre-MPD complies with the General Plan and specific requirements of the GC Zone. MPD plans, including site plan and landscape plan details, architectural elevations and height exception analysis, a phasing plan, utility and grading plan, soils and mine hazard review, affordable housing mitigation plan, and other MPD requirements will be reviewed with the final MPD application.

Analysis and Discussion for Pre-MPD

The purpose of the pre-application public meeting is to have the applicant present preliminary concepts and to give the public an opportunity to respond to those concepts prior to submittal of the MPD amendment application. Staff provided the GC Chapter from the Land Management Code (Exhibit I). The Commission should also refer to relevant Goals and Strategies, as well as the Prospector Neighborhood Section, of the General Plan (Exhibit J- Park City General Plan-not attached). Due to the level of detail required for the Conditional Use Permit and the relatively uncomplicated MPD proposal, the pre-MPD contains more detail than typical

preliminary concept plans.

GC Zoning

The purpose of the General Commercial (GC) District is listed above. The GC zone (Exhibit I) allows for a variety of land uses. Residential uses are permitted with a Conditional Use Permit approved by the Planning Commission. The applicant has submitted a Conditional Use Permit for residential uses within the GC zone for simultaneous review with the MPD application. Review of the Conditional Use Permit is outlined in this report and Staff finds that as conditioned, impacts of the proposed residential uses (primarily location and type of residential uses, traffic and parking) can be mitigated. Providing housing opportunities, as proposed with this application, in an area with employment opportunities and in close proximity to open space, trails, the bus system, shopping, recreation, schools, daycare, and dining, promotes the mixed land use concepts and vitality as allowed by the GC zoning and as identified in the new General Plan for this neighborhood.

General Plan

The proposed MPD for 10 residential units is located within the Prospector neighborhood, as described in the new Park City General Plan. Specific elements of the General Plan (Exhibit J) that apply to this project include the following: (*Staff analysis and comments in italics*)

Prospector Neighborhood- The property is located within the Prospector Neighborhood section of the General Plan. Uses contemplated for this neighborhood include a variety of retail commercial and residential uses to create a vibrant mixed use neighborhood.

The proposed MPD proposes energy efficient construction, green roofs, and connections to the trails and open space areas. The close proximity to employment, retail, dining, recreation, trails, schools, and the bus system support goals identified in the Prospector Neighborhood section of the General Plan.

Small Town- Goals include protect undeveloped land; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. Goals also include encourage alternative modes of transportation.

This neighborhood is identified as a Development Node. The proposed MPD includes small, energy efficient residential units that support the desired mix use neighborhood concepts by providing smaller residential units that are in close proximity to employment, retail, dining, recreation, trails, schools, and the bus system. The elements of the proposed development support goals identified in the Small Town sections of the General Plan and maintain the general character of Park City.

Natural Setting- Goals include conserve a healthy network of open space for continued access to and respect for the natural setting. Goals also include energy efficiency and conservation of natural resources.

The proposed MPD is located on an infill property that is an existing platted development lot of record. The proposed MPD proposes energy efficient construction, green roofs, and connections to the trails and open space areas. The close proximity to employment, retail, dining, recreation, trails, schools, and the bus system support goals identified in the Natural Setting section of the General Plan. Additional information related to “green building” strategies for the proposed buildings will be addressed with the MPD application.

Sense of Community- Goals include creation of diversity of housing, including affordable housing; provision of parks and recreation opportunities; and provision of world class recreation and infrastructure to host local, regional, national, and international events while maintaining a balance with the sense of community.

A primary reason for the proposed MPD is to provide energy efficient, smaller affordable housing units in close proximity to employment, retail, dining, recreation, open space, trails, and the bus system. The MPD creates a diversity of housing for Park City and contributes to the sense of community by providing housing for full time residents.

Discussion requested.

Does the Planning Commission find the proposed MPD complies with the General Plan? The Commission should discuss the pre-MPD concept plans, including the request for a height exception to 41’6” for a portion of the building, from the GC allowed height of 35’ (up to 40’ is allowed in the GC zone for pitched roofs), and provide direction to the applicant and staff. The remainder of the building is less than 35’ in height.

Analysis of the Conditional Use Permit

The proposal complies with lot and site requirements of the GC District as described below.

GC Zone	Permitted by LMC for Prospector Overlay of the GC zone 15-2.18-3 (I)
Lot Size	No minimum lot size. Lot is 5,760 sf
Building Footprint- Floor Area Ratio (FAR)	FAR must not exceed two (2). All Uses in the Bldg. except enclosed parking areas are subject to the FAR. Approximately 11,500 sf total of building floor area is proposed (FAR of 1.99). 6 units at approx 810 sf 4 units at approx 1,010 sf
Front/rear yard setbacks	Zero lot line development permitted.
Side yard setbacks	Zero lot line development permitted.

Building Height	Allowed Building Height is 35'. A 6'6" building Height exception to 41'6" is requested through the MPD for the fourth story at the eastern portion of the building. The remainder of the building is less than 35' in height. Building Height exceptions of LMC 15-2.18-4 apply. Building height will be verified at the time of Building Permit review.
Parking	Per Prospector Square Subdivision Overlay all parking on the Parking Lots A-K is shared parking for residential and commercial uses. Additional private parking for specific lots may be provided entirely within the individual lot boundary. There is a Parking agreement with PSOA to maintain a total of 103 parking spaces, including the 12 spaces provided under the building. The 10 residential units require a total of 12 parking spaces, 12 spaces are provided.
Architectural Design	All construction is subject to LMC Chapter 15-5- Architectural Design Guidelines with final review conducted at the time of the Building Permit.
Uses	All uses listed in 15-2.18-2 (A) Allowed Uses are permitted unless otherwise noted. All uses listed in 15-2.18-2 (B) Conditional Uses, including residential uses, require approval by the Planning Commission. Residential projects with 10 or more units require a Master Planned Development.

Residential Uses in the General Commercial (GC) zoning district are a Conditional Use subject to review of the following criteria (potential impacts) set forth in the LMC 15-1-10(E):

1. Size and location of Site:

The 11,500 sf three and four story building is proposed on a 5,760 sf lot within the Prospector Square area. There are six units at approximately 810 sf and four units at 1,010 sf. The units are designed to be smaller, more affordable dwelling units for full time residents. The Prospector Square area is characterized by individual businesses on small lots, as well as larger residential condominium buildings, and mixed use buildings with commercial

on the ground floor and offices and/or residential uses on the upper floors. Within the Prospector Square Overlay district of the GC zone, the maximum Floor Area Ratio (FAR) for all lots is two (2). The proposed building yields a Floor Area Ratio (FAR) of 1.99, which is within the maximum size allowed in the zone. The existing lot is sufficient in size for the proposed residential uses. The lot is ideally located for smaller residential uses. It is located approximately 104' back from the sidewalk along Prospector Avenue and is located adjacent to existing residential uses to the east and west and to the Rail Trail open space to the south. **No unmitigated impacts.**

2. Traffic considerations including capacity of the existing Streets in the area;

At times the streets and intersections in Prospector Square area are congested and development of this vacant lot has the potential to add traffic to this area. The lot is an existing platted lot that is part of the approved planned mixed use Prospector Square neighborhood. This is not unanticipated development.

Allowed development with a floor area ratio (FAR) of 2.0 has been anticipated since approval of the Prospector Square subdivision. The capacity of streets, intersections, and shared parking lots were designed with the Prospector Square planned area to accommodate build out of all the development parcels. This lot is one of the last five or six lots to develop.

The proposed building has an FAR of 1.99 which is within the anticipated Floor Area Ratio and allowed development parameters. Commercial buildings in Prospector Square most often include office uses on the second and third floors. Development on this lot includes only small (800 – 1,010 sf) residential units with no commercial or office uses. Allowing additional smaller, more affordable residential uses in an area of high employment opportunities and within walking distance of the bus lines, shops, restaurants, schools, and recreation amenities is one method of mitigating vehicular trips. **No unmitigated impacts**

3. Utility capacity;

Utilities necessary for this use are available at or near the site. Prior to recordation of the plat amendment for this property a utility plan and utility easements are required to be approved by the City Engineer and utility providers. Final utility plan will be reviewed by the City Engineer prior to issuance of building permits. Existing water service will need to be evaluated for fire requirements for the residential uses, and any required fire sprinkler systems. **No unmitigated impacts.**

4. Emergency vehicle access;

The proposed development will not interfere with existing access routes for emergency vehicles. **No unmitigated impacts.**

5. Location and amount of off-street parking;

The parking spaces located on Parking Lot F are intended for common use by all of the Prospector Square lots in the area. The parking lots were designed to accommodate all anticipated development on all of the Prospector Square lots. This CUP is proposed on an existing, platted lot within the Prospector Square master planned area.

The ten residential units require twelve (12) spaces according to the LMC (1 space up to 1,000 sf and 1.5 for up to 2,000 sf). Twelve covered parking spaces are provided on the main level. These are in addition to the shared spaces located on Parking Lot F. A total of 103 parking spaces will be provided upon reconfiguration of the Parking Lot in compliance with the Parking Agreement between the owner and the Prospector Square Owner Association (PSOA).

Parking demand for an 11,500 sf commercial/office building would be 35 spaces. Parking demand for a one story 5,760 sf restaurant would be 58 spaces. Parking demand (in terms of timing) for residential uses is generally opposite the demand for retail and office uses. The residential uses require significantly less parking than commercial/office/restaurant uses and residential demand times typically occur at different times of the day than retail/office uses.

Staff recommends a condition of approval that prior to issuance of a certificate of occupancy for the building; the reconfigured Parking Lot F shall be completed, including paving, striping, and landscaping.

Staff also recommends as a condition of approval that the Construction Mitigation Plan, submitted prior to building permit issuance, shall include detailed information regarding coordination of utility installation, reconstruction of Parking Lot F, and the provision of an interim parking plan during construction. **No unmitigated impacts, as conditioned.**

6. Internal vehicular and pedestrian circulation system:
Internal vehicular and pedestrian circulation system includes existing sidewalks along Prospector Avenue, a Prospector Association walkway located to the west of the parking lot, and the Rail Trail bike path located to the south, with informal access that will not be altered. Circulation within the Parking Lot will be improved with the reconfigured parking lot. **No unmitigated impacts.**
7. Fencing, Screening, and Landscaping to separate the use from adjoining uses:
No outdoor storage of goods or mechanical equipment is proposed or allowed onsite. No fencing is proposed. Additional landscaping areas are proposed within Lot F to provide areas for trees and landscaping close to the building to buffer and soften the central portion of the parking lot and building. Landscaping on the south side of the building and on the green roofs will be provided for shade as well as to buffer the views from the Rail Trail. **No**

unmitigated impacts.

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

The three and four story building is proposed to be located north of the Rail Trail fully within platted Lot 25b. The Prospector Overlay within the GC zone allows zero setbacks to property lines. The building is oriented more towards the Rail Trail than to Parking lot F or adjacent buildings and is well separated from the Rail Trail and adjacent buildings so as not to cause adverse shadowing on existing units, or on the Rail Trail. Covered parking for the units is located on the first level, it is not underground parking. The building includes façade shifts on all elevations. Residential uses are located on the second, third, and fourth floors with common outdoor terraces and green roof elements oriented to the south.

Maximum building height in the GC zone is 35' and the applicant has requested through the MPD application, a building height exception of six feet six inches (6'6") for the eastern portion of the building to a height of 41'6". The remainder of the building is less than the allowed building height. The building would not exceed the allowable density or maximum floor area ratio (FAR of 2) as allowed by the GC zone. **No unmitigated impacts as conditioned.**

This design requires Planning Commission approval of the requested Height Exception as part of the MPD. Staff recommends a condition of approval for the CUP that Building Height shall be verified for compliance with the approved MPD plans prior building permit issuance.

9. Usable open space;

Not applicable there are no changes to the existing open space within the Prospector Square area associated with the residential uses or new building proposed to be constructed on an existing re-platted lot. Common decks and terraces are provided as community open areas for the units to share. **No unmitigated impacts.**

10. Signs and Lighting;

There are no signs or exterior lighting proposed for the building at this time. Any new exterior signs or lighting must be approved by the Planning Department for compliance with the LMC prior to installation. All exterior lighting on the terraces and porches will be down directed, shielded, and will not include bare bulbs. **No unmitigated impacts**

11. Physical Design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

The physical design of the building, in terms of mass, scale, style, designs and architectural detailing complies with Title 15-5-5- Architectural Design Guidelines of the Land Management Code and is compatible with the

surrounding buildings. The proposed building is contemporary in design and compliments the variety of building styles in the area. Materials consist of wood, metal, concrete and glass. Green planted roofs and roof terraces provide outdoor space for the residents. Textures, materials, and colors meet architectural design guidelines and will be reviewed for compliance with the Architectural Design Guidelines at the time of building permit submittal. The building is an allowed use in the zone and the CUP is for the residential uses. The smaller, more affordable residential units are compatible with the uses in the neighborhood. **No unmitigated impacts.**

12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site;

The residential uses will not create noise, vibration, odors, steam or other mechanical factors that might affect people and property off-site. **No unmitigated impacts.**

13. Control of delivery and service vehicles, loading and unloading zones, and screening of trash pickup area;

The applicants propose to design and construct an enclosure for the existing trash dumpster located at the southwest corner of the parking lot. The service area within the enclosed parking area will include a recycling area. There are no loading docks associated with these uses. **No unmitigated impacts.**

14. Expected ownership and management of the project as primary residences, condominiums, time interval ownership, nightly rental, or commercial tenancies, how the form of ownership affects taxing entities;

The entire building will be owned by the applicants and units will be rented. If the owner desires to sell individual units in the future, a condominium record of survey plat will need to be applied for and recorded at Summit County upon approval. **No unmitigated impacts.**

15. Within and adjoining the site, impacts on Environmentally Sensitive Lands, slope retention, and appropriateness of the proposed structure to the topography of the site.

The site exists within the Park City Soil Ordinance Boundary, therefore any soil disturbance or proposed landscaping must adhere to Park City Municipal Code 11-15-1. Failure to comply with the Soil Ordinance is a Class B misdemeanor.

The site is located within a FEMA Flood Zone A. Along with requiring an elevation certificate, a study must be completed to show the effects of the development on the upstream and downstream sections of Silver Creek. Any significant impacts upstream or downstream will need to be mitigated.

The site is located immediately adjacent to a stream with wetlands. Wetland delineation may be required to identify any wetlands. Any excavation within

the stream banks will require a stream alteration permit from the State of Utah and possibly a 404 permit from the Army Corps of Engineers. **No unmitigated impacts, as conditioned.**

Department Review

This project has gone through an interdepartmental review at a Development Review Committee meeting and issues raised, namely regarding adequate water service to meet fire flow requirements, utility service locations, floodplain, and soils ordinance issues, have been addressed with the conditions of approval. No further issues were brought up at that time.

Notice

On March 11, 2015, the property was posted and notices of the public hearings for the Pre-MPD and CUP were mailed to property owners within 300 feet. Legal notice of the pre-MPD public hearing was published in the Park Record on March 7, 2015. The legal published notice did not include specific information about the CUP public hearing. Staff will provide legal published notice of both the CUP and the full MPD for concurrent review at the next meeting following the April 8, 2015 Planning Commission meeting.

Public Input

No public input has been received by the time of this report on either the CUP or the Pre-MPD.

Alternatives for the CUP

- The Planning Commission should hold a public hearing and provide Staff and the applicant with input on the Conditional Use Permit (CUP) and continue the discussion of the CUP to allow for proper legal published notice of the CUP for a public hearing to occur concurrent with the final MPD.

Alternatives for the Pre-MPD

- The Planning Commission may approve the Pre-MPD as conditioned or amended.
- The Planning Commission may deny the Pre-MPD and direct staff to make Findings for this decision.
- The Planning Commission may continue the CUP to a date certain and provide staff and the applicant with direction on additional information required in order to make a final decision.

Significant Impacts

There are no significant impacts to the City or neighborhood as a result of the pre-MPD or proposed Conditional Use Permit for residential uses.

Consequences of not taking the Suggested Recommendation

If the MPD is not approved then the applicant can either amend the project to include fewer than 10 residential units or modify the project to comply with the General Plan

goals. If the CUP is not approved the residential uses would not be allowed, however the building could be constructed for other allowed uses in the GC zone, such as retail, office, restaurant, property management, etc.

Recommendation

Staff recommends the Planning Commission hold a public hearing and consider the applications for 1) a Pre-Master Planned Development and 2) a Conditional Use Permit for ten (10) residential units within a new building to be located at 1893 Prospector Avenue. Staff has prepared the following findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Staff recommends review and action on the Pre-MPD with review and continuation to the next meeting following April 8, 2015, for the CUP to be reviewed concurrent with the final MPD.

Pre-MPD Application

Findings of Fact for pre-MPD application

1. On December 15, 2014, the Planning Department received a completed application for a pre- Application for a Master Planned Development (MPD) is located at 1893 Prospector Avenue.
2. The proposed MPD is for a ten unit residential building within the Prospector Neighborhood (Prospector Square).
3. Units range in size from 800 square feet to 1,010 square feet.
4. A phasing plan for this MPD is not necessary as the single building will be constructed in one phase.
5. The property is zoned General Commercial (GC) and residential uses require a Conditional Use Permit. The applicant has submitted an application for a Conditional Use Permit for residential uses to be reviewed simultaneously with this pre-MPD.
6. Access to the property is from Prospector Avenue, an existing public street. .
7. The site is described as Lot 25b of the Gigaplat replat of the Prospector Square Amended Subdivision plat. The lot contains 5,760 square feet.
8. A requirement for any Master Planned Development (MPD) is a pre-application public meeting and determination of compliance with the Park City General Plan and the GC zone.
9. The Land Management Code (LMC 15-6-4(B)) describes the pre-MPD application process.
10. The purpose of the pre-application public meeting is to have the applicant present preliminary concepts and give the public an opportunity to respond to those concepts prior to submittal of the MPD amendment application.
11. The property is located in the Prospector neighborhood, as described in the new Park City General Plan. The proposed MPD proposes energy efficient construction, green roofs, and connections to the trails and open space areas. The close proximity to employment, retail, dining, recreation, trails, schools, and the bus system support goals identified in

- the Prospector Neighborhood section of the General Plan.
12. Small Town Goals of the General Plan include protection of undeveloped land; discourage sprawl, and direct growth inward to strengthen existing neighborhoods. Alternative modes of transportation are encouraged.
 13. This neighborhood is identified as a Development Node. The proposed MPD includes small, energy efficient residential units that support the desired mix use neighborhood concepts by providing smaller residential units that are in close proximity to employment, retail, dining, recreation, trails, schools, and the bus system. The development is proposed on an existing development lot as infill development. The elements of the proposed development support goals identified in the Small Town sections of the General Plan and maintain the general character of Park City.
 14. Natural Setting Goals of the General Plan include conserve a healthy network of open space for continued access to and respect for the natural setting. Goals also include energy efficiency and conservation of natural resources.
 15. The proposed MPD is located on an infill property that is an existing platted development lot of record. The proposed MPD proposes energy efficient construction, green roofs, and connections to the trails and open space areas. The close proximity to employment, retail, dining, recreation, trails, schools, and the bus system support goals identified in the Natural Setting section of the General Plan. Additional information related to “green building” strategies for the proposed buildings will be addressed with the MPD application.
 16. Sense of Community Goals of the General Plan include creation of diversity of housing, including affordable housing; provision of parks and recreation opportunities; and provision of world class recreation and infrastructure to host local, regional, national, and international events while maintaining a balance with the sense of community.
 17. A primary reason for the proposed MPD is to provide energy efficient, smaller more affordable housing units in close proximity to employment, retail, dining, recreation, open space, trails, schools, and the bus system. The MPD creates a diversity of housing for Park City and contributes to the sense of community by providing housing for full time residents.
 18. On March 25, 2015, the Planning Commission held a public hearing and discussed the pre-MPD for the residential project at 1983 Prospector Avenue.

Conclusions of Law for the Pre-MPD Application

1. The preliminary MPD plans for the 10 unit residential building proposed to be located at 1893 Prospector Avenue, within the Prospector Neighborhood and the General Commercial (GC) Zone, comply with the Park City General Plan and are consistent with the General Commercial (GC) zoning.

Conditional Use Permit

Staff has provided the following findings of fact, conclusions of law, and conditions of approval for the Planning Commission's review and discussion. Written and posted notice of the public hearing was provided per requirements of the Land Management Code. The published legal notice did not include the Conditional Use permit and therefore Staff recommends the Commission review, provide input and continue the public hearing for the CUP to the next meeting following the April 8, 2015 meeting where the CUP can be reviewed simultaneously with the full Master Planned Development Application.

Findings of Fact for the Conditional Use Permit

1. The subject property is located at 1893 Prospector Avenue.
2. The property is located in the General Commercial (GC) zone and within the Prospector Square Subdivision overlay.
3. Residential uses, including multi-dwelling units, are required to be reviewed per the Conditional Use Permit criteria in the Land Management Code (LMC) and require approval by the Planning Commission.
4. An FAR of 2 is allowed for buildings within the Prospector Square Subdivision overlay.
5. The building consists of a total of approximately 11,500 sf of residential uses and the proposed FAR is 1.99.
6. Twelve (12) parking spaces are required for the proposed residential uses. Twelve covered parking spaces are proposed on the main level. Parking within Prospector Square is shared and upon completion of the reconfigured Parking Lot F, there will be a total of 103 parking spaces, including the 12 spaces located under the building as per the Owner's parking agreement with the Prospector Square Property Owner Association.
7. No outdoor storage of goods or mechanical equipment is proposed.
8. There are no significant traffic impacts associated with the proposed uses as build out of these platted lots is anticipated.
9. The residential uses create a reduced parking impact from the allowed uses of retail and office which have a 34.5 parking space requirement as opposed to 12 parking spaces for the 10 residential units.
10. Any additional utility capacity, in terms of fire flows, will be reviewed by the Fire District, Water Department, and Building Department prior to issuance of a building permit and prior to recordation of the subdivision plat. .
11. The proposed development will not interfere with access routes for emergency vehicles.
12. No signs are proposed at this time.
13. Exterior lighting will be reviewed at the time of the building permit review.
14. The proposal exists within the Park City Soil Ordinance Boundary.
15. The findings in the Analysis section of this report are incorporated herein.
16. The development is located in a FEMA Flood Zone A.

Conclusions of Law

1. The application satisfies all Conditional Use Permit review criteria for

residential uses as established by the LMC's Conditional Use Review process [Section 15-1-10(E) (1-15)] and all requirements of the LMC.

2. The use as conditioned will be compatible with surrounding structures in use, scale, mass, and circulation.
3. The use as conditioned is consistent with the Park City General Plan.
4. The effects of any differences in use or scale have been mitigated through careful planning and conditions of approval.

Conditions of Approval

1. All standard conditions of project approval shall apply to this project.
2. All signs associated with the use of the property must comply with the City's Sign Code.
3. No outdoor storage of goods or mechanical equipment is allowed on-site.
4. Review and approval of a final drainage plan by the City Engineer is required prior to building permit issuance.
5. Review and approval of the final utility plans, including review to ensure adequate fire flows for the building, is required prior to building permit issuance.
6. Prior to issuance of a certificate of occupancy for the building, the reconfigured Parking Lot F shall be completed, including paving, striping, and landscaping.
7. Building Height will be verified for compliance with the approved MPD plans prior building permit issuance.
8. The Construction Mitigation Plan, submitted prior to building permit issuance, shall include detailed information regarding coordination of utility installation, reconstruction of Parking Lot F, and the provision of an interim parking plan during construction.
9. A stream alteration permit and/or 404 permit will be required for any work in the stream area,
10. An elevation certificate will be required showing the lowest occupied floor is at or above the base flood elevation,
11. A stream study will be required to determine the upstream and downstream flood plain impacts. Impacts will be required to be mitigated,
12. A wetland delineation study by a certified wetland delineator will be required prior to building permit issuance to verify if any wetlands will be disturbed with construction of the building.
13. As part of the final utility plan and prior to issuance of a building permit, the water system must be modeled to verify that adequate fire flows and pressures can be provided to this building.

Exhibits

Exhibit A- Applicant's letter
Exhibit B- Existing Conditions Survey
Exhibit C- Gigaplat re-plat
Exhibit D- Grading Plan
Exhibit E- Utilities Plan
Exhibit F- Site Plan

Exhibit G- Floor Plans

Exhibit H- Elevations

Exhibit I- LMC Section 2.18- General Commercial (GC) District

Exhibit J- Park City General Plan (not attached) - available at www.parkcity.org

EXHIBIT A

Park City Municipal Corporation
Planning Department
445 Marsac Ave
PO Box 1480
Park City, UT 84060

RE: Central Park City Condominium Master Planned Development Application, submittal requirement #3.

Applicant: Mr. Peabody LLC, (Hank Louis, Ehlias Louis, CDR Development)

Project: Central Park City Condominiums

Location: 1893 Prospector Ave, Lot 25-B of the Gigaplat Replat

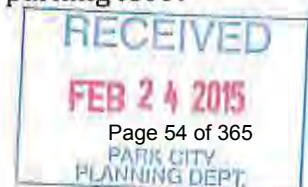
General Project Description

Central Park City Condominiums is a project to build ten (10) two bedroom units on Lot 25-B of the Gigaplat Replat of Parking Lot F, 1897 Prospector Square. The aim of the project is to provide housing in Central Park City that promotes its proximity as the main benefit to both the community and owners. With the connection to the Rail Trail and its close proximity to the local bus route, alternative transportation is available decreasing the reliability of automobiles around Park City. The design of the building incorporates multi-level design with vast open/communal space and decks to promote a community within the building. In addition, the project provides a new building with a design incorporating a visual aesthetic to improve the Prospector Avenue corridor.

Gigaplat Replat is a development agreement between Queeksdraw LLC (Hank Louis, Rhonda Sideris) and the Prospector Square Property Owners Association (PSPOA) to reconfigure parking Lot F, 1897 Prospector Ave. The reconfiguration is an effort to create an organic infill for the developments of Prospector Square Lot F providing a more urban feel for the area. This is accomplished by providing housing infrastructure on the existing "tarmac" like parking lot, therefore providing a natural feel to the area including true circulation and logical building sites. Current zoning of Lot 25-B is General Commercial (GC), however Queeksdraw LLC (Hank Louis & Rhonda Sider) is submitting an application for a Conditional Use Permit for Lot 25-B via the Planning Department.

The conceptual design of the Central Park City Condo building, drawings herein, incorporates the necessary requirements from the development agreement between Queeksdraw LLC & PSPOA, stating that the Gigaplat Replat shall include no fewer than the existing parking spaces in Lot F (99 spaces). In addition, careful consideration of the F.A.R. (2.0) and benefits to both the surrounding area and potential tenants were balanced. The resulting building has the following design characteristics:

- To conform to the parking space requirement the majority of the building is "on stilts" to provide the necessary parking required in Lot F. 12 parking slots under the building on will be on existing grade with residential units on floor two (2), three (3), and four (4). This configuration provides 104 parking slots on parking lot F.



- The ten (10) units consist of: four (4) two (2) bedrooms, two (2) bathrooms units, and six (6) two (2) bedrooms, one (1) bathroom units.
- Each unit will have a storage closet on grade adjacent to the main circulation column (stairs and elevator to units) and parking stalls.
- The South side of the building includes a bridge, connected walkway, to the Rail Trail path connecting to the main bike/walk paths for Park City.
- The design incorporates natural light through each unit by using a L shape global floor plan allowing corners for windows and views of Park City Mountain Resort, or the "PC" mountain adjacent to Park City's public schools
- A large common space deck and a common space rooftop deck for the building residents incorporating a green-planted roof garden.

Central Park City Condo building is within the F.A.R. regulation: Lot 25-B is 5760 square feet with a F.A.R. of 2.0, resulting with an allowance of 11,520 square feet.

MPD Applicability

The Central Park City Condo project, upon completion, will result in a building with the following characteristics that align with the purpose of MPD in the Land Management Code (Chapter 6, Section 15-6-1):

- Lot 25-B in Lot F backs up to the Rail Trail and Open Space to the south. Project incorporates both features with views and design to compliment the use.
- Neighborhood consists of Residential Condominiums to the west and east, and commercial/offices and planned residential (Rhonda Sideris project on lot 25-A) to the north and west. Food, residential shops, and Athletic club all within walking distance. Development agreement with PSPOA results in more parking for lot F, from existing 99 spaces to 104 spaces. Gigaplat Replat accommodates the required (1) spot per bedroom. There are 12 parking slots under the building.
- With the connection to the Rail Trail, and location to public transportation bus route, the project promotes the community goals of less automobile usage and community resort feel of Park City.
- A positive contribution to the city through the addition of residential volume on the market. Project promotes the use of the Rail Trail for transportation to the main path artery to Main Street, and Park City Mountain Resort.
- Two different floor plan configurations provide diversity for the potential owners, with the goal of providing housing in Central Park City.
- Project promotes sustainable development through best practices of design through green rooftop, and plans of energy efficient building and appliances. Furthermore, the location and proximity to alternate transportation limiting the need for automobile use via free bus and the Rail Trail link.

Lot 25-B on Parking Lot F is in the General Commercial (GC) zoning designation with zero lot line development permitted. To optimize the Central Park City Condo project for the lot and development agreements (views, parking, flood plain, etc.), the design results in an "L" shape global plan. This allows the majority of the common space to face the Rail Trail and open space

to the south. The project is within the F.A.R. limits (2.0), however with exception to the circulation column and storage spaces, all interior space begins on level two (the level connected to the Rail Trail). Therefore the building is four (4) stories on the northeastern corner, level 1 parking (on grade) and levels 2-4 residential, and three (3) stories along the northwestern wing, level 1 parking (on grade) and levels 2-3 residential.

MDP Requirement Applicability

The following is our response and vision to the MPD Requirements listed in Chapter 6, Section 15-6-5.

- A. DENSITY: Maximum density is governed by the F.A.R. Lot 25-B has a F.A.R. of 2.0 resulting in allowable of 11,520 square feet. Central Park City Condo building is within this restriction.
- B. BUILDING FOOTPRINT IN HR-1 & HR-2: Not Applicable. Lot 25-B is in a General Commercial (GC) zone.
- C. SETBACKS: Not Applicable. Lot 25-B is in zone GC that allows a Lot-line-to-Lot-line building envelope.
- D. OPEN SPACE: Not Applicable. Lot 25-B is in zone GC, and per definition GC zone is exempt.
- E. OFF-STREET PARKING: Development Agreement between Queeksdrow LLC and PSPOA regulates the Gigaplat Replat to provide no fewer than 99 parking slots for new configured Lot F. The design of Central Park City Condo building is "on stilts" to help conform and exceed the parking slot restriction. With the aid of the 12 slots under Central Park City Condo building the Gigaplat Replat provides 104 parking slots for the reconfigured Lot F.
- F. BUILDING HEIGHT: Central Park City Condo project is asking for a building height exemption. The reason for the request is due to the design solution that allows the building to be constructed and still be in agreement with PSPOA parking slot requirements, and reserve the architecturally interesting aesthetics for the project. The building is using the existing grade as parking, therefore only the circulation column and storage closets are touching the existing grade. Raising the building living floor and the open communal decks provide openness aesthetic and characteristic that will help to provide a new feel for the Prospector Avenue corridor. Residential units comprise of floors 2, 3, and 4. The maximum roof height is 41'-6", the General Commercial code limit is 35'. Due to the multi-level design approach only a portion of the entire building exceeds the limit. Only the north east section of the building has the 4th level which is the reason for our height exemption request.
 - 1. Our request for the height exemption does NOT result in an increase of square footage. Central Park City Condos will NOT exceed current F.A.R. restriction.
 - 2. Conceptual design of the building is not believed to create shadows or loss of solar access to adjacent structures. Additionally the Gigaplat Replat positioned Lot 25-B with ample parking lot buffers and circulation for air in the surrounding area.
 - 3. Gigaplat Replat incorporates landscaping that currently does not exist on Lot F, and the site plan does provide advantageous buffering to adjacent structures.
 - 4. Open space is not affected by the height exemption request.

5. Lot 25-B is in a GC zone.
- G. SITE PLANNING: Gigaplat Replat was completed to provide a more organic infill to Lot F to give a more urban feel to any developments on the site. Lot 25-B is both a beneficiary and active participant to this favorable development approach.
1. The building sites were arranged to provide a flow to the area and break up the "tarmac" looks of parking Lot F.
 2. Minimal grading is accomplished by using the grade as the parking level.
 3. Minimal grading will be performed to improve the flow of water from its current state, around the building and appropriately directed toward existing drainage routes.
 4. Central Park City Condo building will be physically connected to the rail trail providing alternate modes of transportation around town.
 5. Gigaplat Replat and the development agreement between Queeksdraw LLC and PSPOA has resulted in the addition of pedestrian walkways and improved vehicle flow around Lot F. Additionally, landscaping will be added to the Lot F to help visually direct and soften the developments.
 6. Gigaplat Replat has provided the necessary allotment for snow removal and snow storage areas for Lot F.
 7. Gigaplat Replat designates the necessary trash collection and recycling facilities for Lot F and Central Park City Condo project.
 8. Local bus stop on Prospector Ave. is called out on the site plan.
 9. Service and delivery access loading and unloading for the Gigaplat Replat is called out on site plan.
- H. LANDSCAPE AND STREET SCAPES: Gigaplat Replat includes added landscaping for Lot F.
- I. SENSITIVE LANDS COMPLIANCE: Lot 25-B is not in a sensitive lands zone.
- J. EMPLOYEE/AFFORDABLE HOUSING: Not applicable
- K. CHILD CARE: Not applicable.
- L. MINE HAZARDS: Not applicable.
- M. HISTORIC MINE WASTE MITIGATION: Have a soils report for Lot 25-B, using minimal grading and capping techniques and leaving the soil on site.

Park City Municipal Corporation
Planning Department
445 Marsac Ave
PO Box 1480
Park City, UT 84060

RE: Application for Master Planned Development, submittal requirement #2

Applicant: Queeksdrow LLC, (Hank Louis & Rhonda Sideris)
Project: Central Park Apartments
Location: 1917 Prospector Ave, Lot 25b of the Gigaplat Replat

General Project Description

Central Park City Apartments is a project to build ten (10) two bedroom units to be leased with 12-month terms on the Lot 25b of the Gigaplat Replat of Parking Lot F, 1897 Prospector Square. Current zoning of the lot is General Commercial (GC), however Queeksdrow LLC is submitting an application for a Conditional Use Permit via the Planning Department.

The conceptual design, drawings herein, incorporates the necessary requirements from the development agreement between Queeksdrow LLC & PSPOA (Prospector Square Property Owners Association), stating that the Gigaplat Replat shall include no fewer than the existing parking spaces in Lot F (99 spaces). In addition, careful consideration of the F.A.R. (2.0) and benefits to both the surrounding area and potential tenants were balanced. The resulting building has the following design characteristics:

- The entire building is "on stilts" to provide the necessary parking required on Lot F. The parking will be on existing grade with first residential units on floor two (2).
- The ten (10) units consist of: four (4) two (2) bedrooms, two (2) bathrooms units, and six (6) two (2) bedrooms, one (1) bathroom units.
- 12 parking spaces are retained under the building on grade.
- Each unit will have a storage closet on grade adjacent to the main circulation column (stairs and elevator to units) and parking stalls.
- The South side of the building includes a bridge, connected walkway, to the Rails Trails path connecting to the main bike/walk paths for Park City.
- The design incorporates natural light through each unit by using a L shape global floor plan allowing corners for windows and views of Park City Mountain Resort, or the "PC" mountain adjacent to Park City's public schools
- A large second floor (first residential floor) common space deck and a common space rooftop deck for the building residents incorporating a green-planted roof garden.

The goal of the project is to provide needed housing in Central Park City that promotes its proximity as the main benefit to both the community and to the tenants. With the connection to the Rail Trail and its close proximity to the local bus route, alternative transportation is available decreasing the reliability of automobiles around Park City.

MPD Applicability



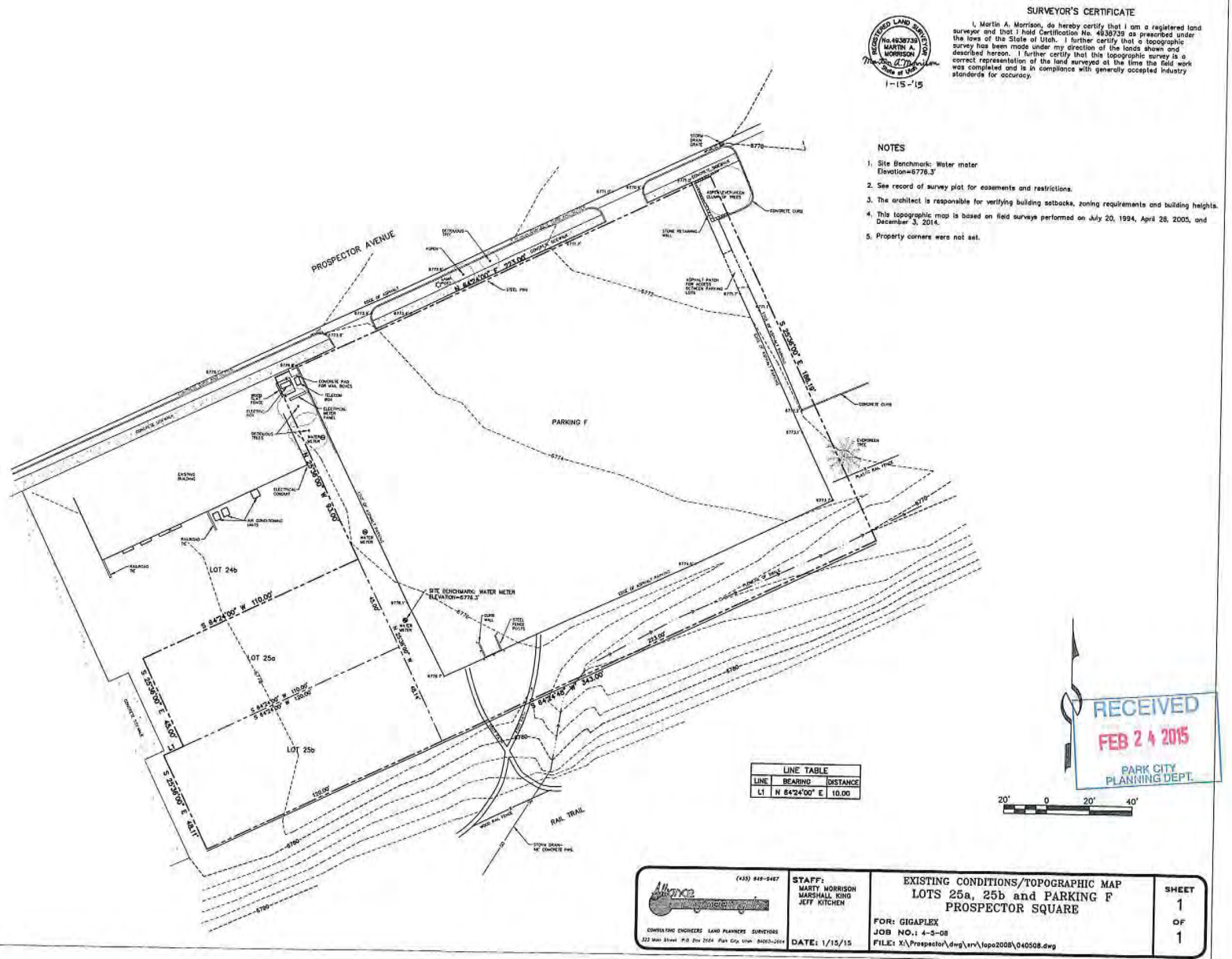
Central Park Apartments project, upon completion, will result in a building with the following characteristics that align with the purpose of MPD in the Land Management Code (Chapter 6, Section 15-6-1):

- Lot 25b in Lot F backs up to the Rail Trail and Open Space to the south. Project incorporates both features with views and design to compliment the use.
- Neighborhood consists of Residential Condominiums to the west and east, and commercial/offices and planned residential (Rhonda Sideris project on Lot25a) to the north and west. Food, residential shops, and Athletic club all within walking distance. Development agreement with PSPOA results in more parking for Lot F, from existing 99 spaces to 105 spaces. 12 spaces are designed under the project and surplus parking with the additional six (6) from the Replat and the rest of parking lot F to accommodate one (1) spot per bedroom.
- With the connection to the Rail Trail, and location to public transportation bus route, the project promotes the community goals of less automobile usage and community resort feel of Park City. In addition, providing residential space as long-term rentals (12 month leases) for young professionals to live in Central Park City vs. options out towards Kimbal Junction.
- A positive contribution to the city through the addition of residential volume on the market for the City's work force. Project promotes the use of the Rail Trail for transportation to the main path artery to Main Street, and Park City Mountain Resort.
- Two different apartment configurations provide diversity for the potential tenants, with the goal of providing housing to young/new professionals in Central Park City.
- Project promotes sustainable development through best practices of design through green rooftop, and plans of energy efficient building and appliances. Furthermore, the location and proximity to alternate transportation limiting the need for automobile use via free bus and the Rail Trail link.

Lot 25b on Parking Lot F is in the General Commercial (GC) zoning designation with zero lot line development permitted. To optimize the Central Park Apartment project for the lot and development agreements (views, parking, flood plain, etc.), the design results in an "L" shape global plan. This allows the majority of the common space to face the Rail Trail and open space to the south. The project is within the F.A.R. limits (2.0), however with exception to the circulation column and storage spaces, all interior space begins on level two (the level connected to the Rail Trail). Therefore the building is four (4) stories on the northeastern corner, level 1 parking (on grade) and levels 2-4 residential, and three (3) stories along the northwestern wing, level 1 parking (on grade) and levels 2-3 residential.



EXHIBIT B





g|gaplex
 architects
 1255 Ironhorse Drive,
 2nd level
 PO BOX 3360
 Park City, UT 84060
 p: 435-649-7080
 f: 435-649-6545
 office@ggaplex.com

QUEEKSDRAW LLC
 1915 PROSPECTOR AVE. LOT 25B

date:
 12/15/14

dwg title:
 EXISTING
 SITE

dwg #:
 A101

RECEIVED
DEC 15 2014
 PARK CITY
 PLANNING DEPT.

① EXISTING SITE
 1" = 40'-0"

EXHIBIT D

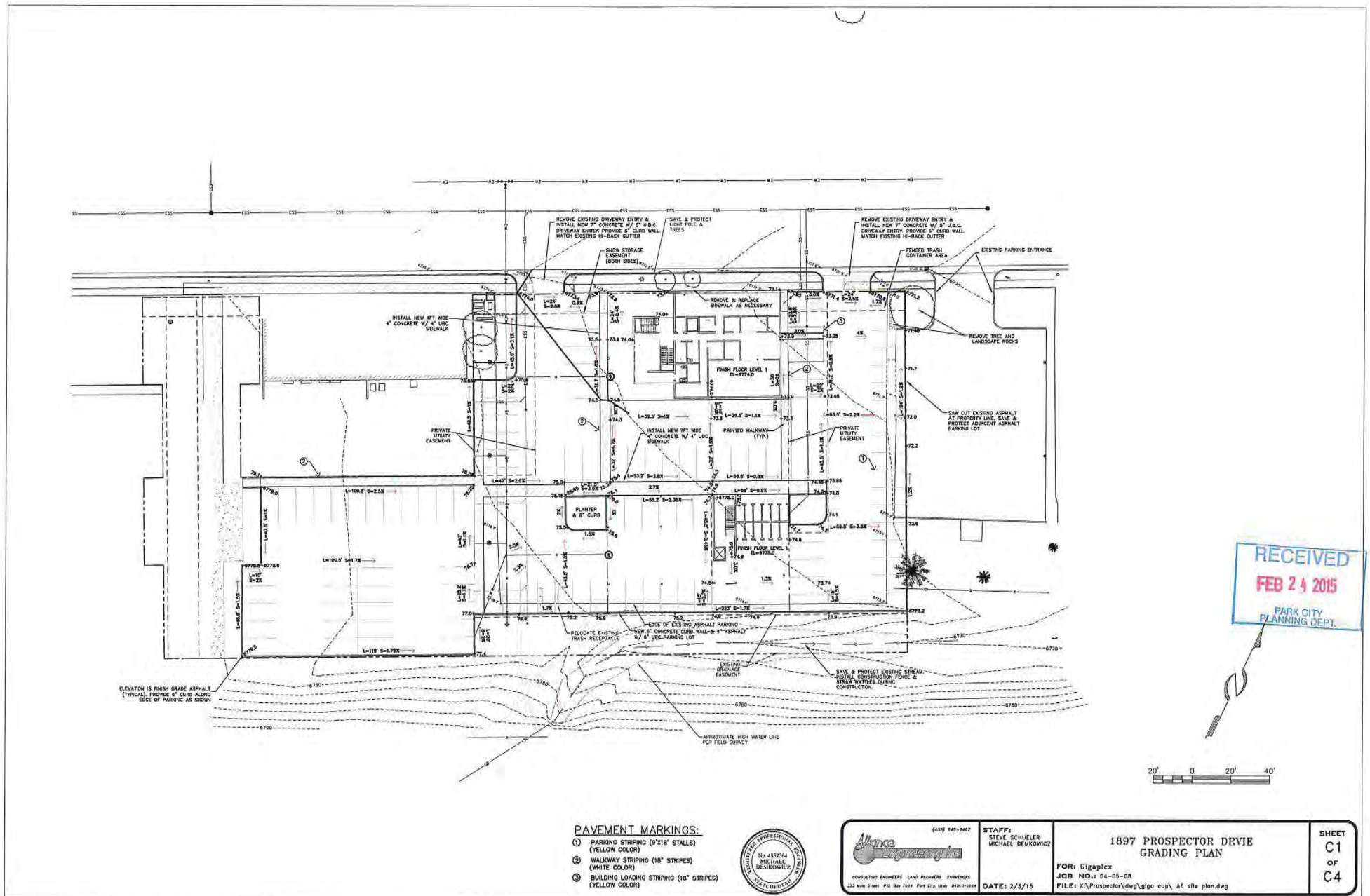


EXHIBIT E

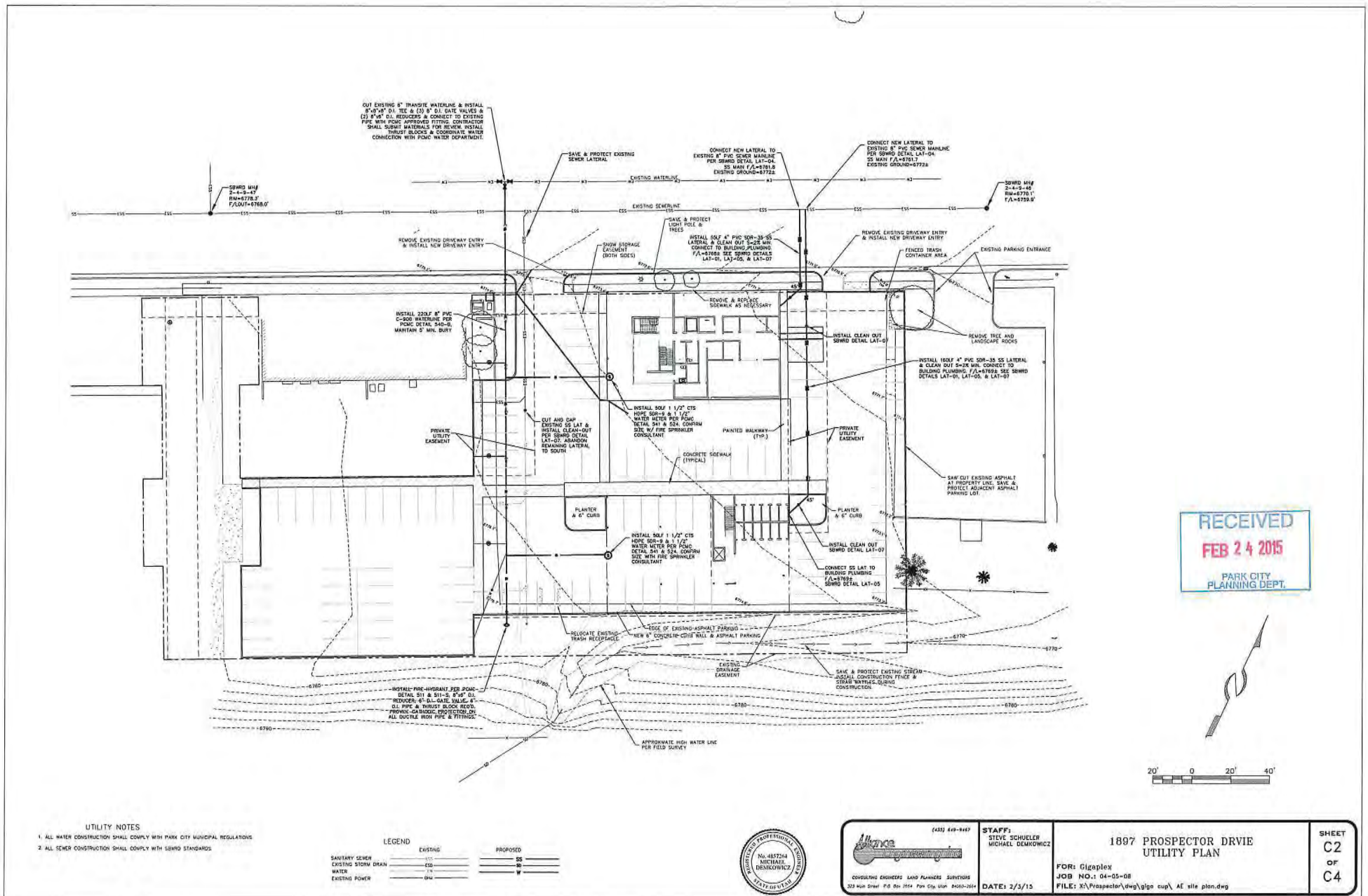
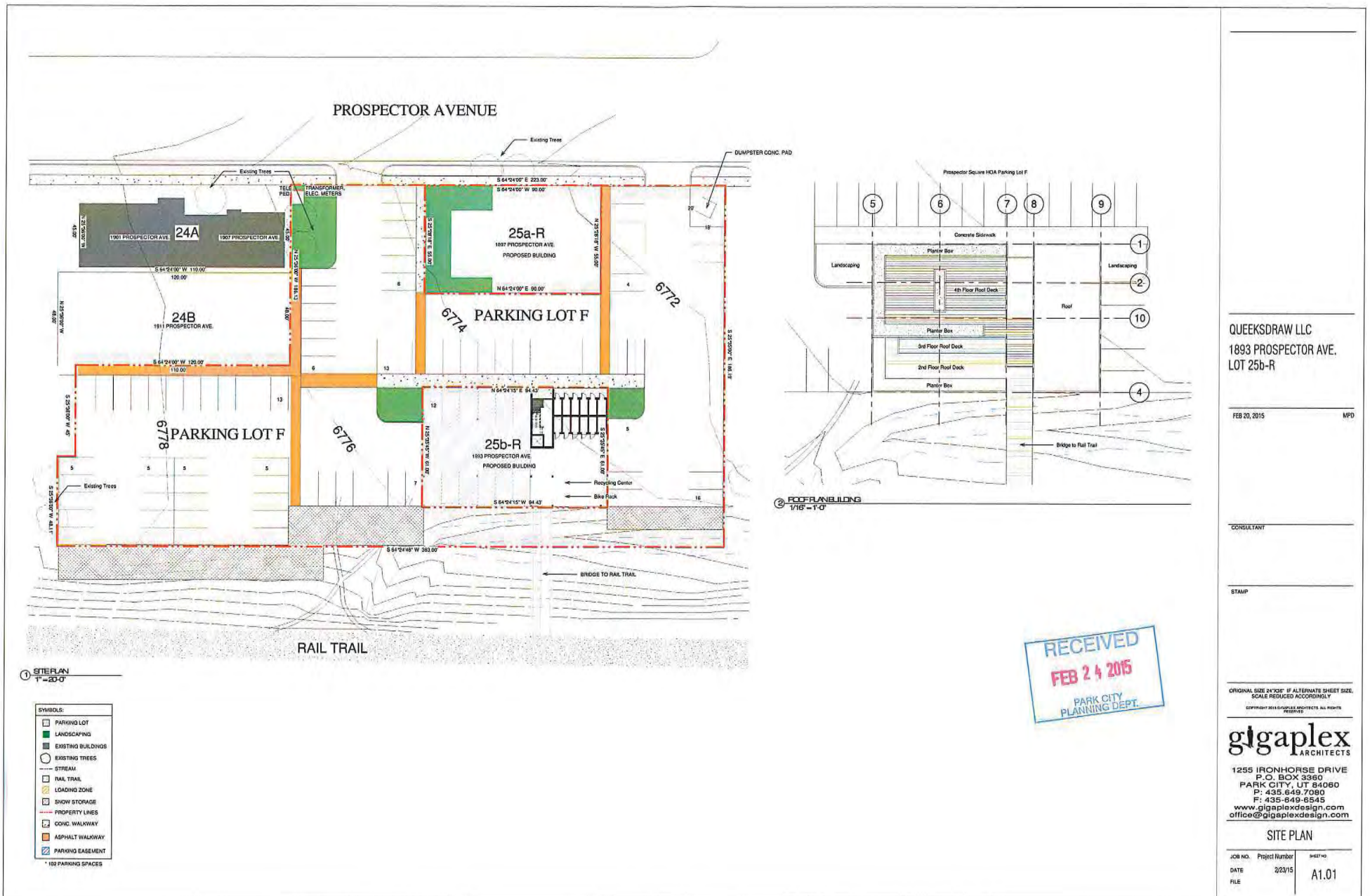


EXHIBIT F



gtgaplex
ARCHITECTS

1255 Ironstone Drive,
2nd level
PO BOX 3360
Park City, UT 84060
p: 435-649-7080
f: 435-649-6545

office@ggaplex.com

QUEEKSDRAW LLC
1915 PROSPECTOR AVE. LOT 25B

date:
12/15/14

dwg title:
SITE PLAN

dwg #:

A100

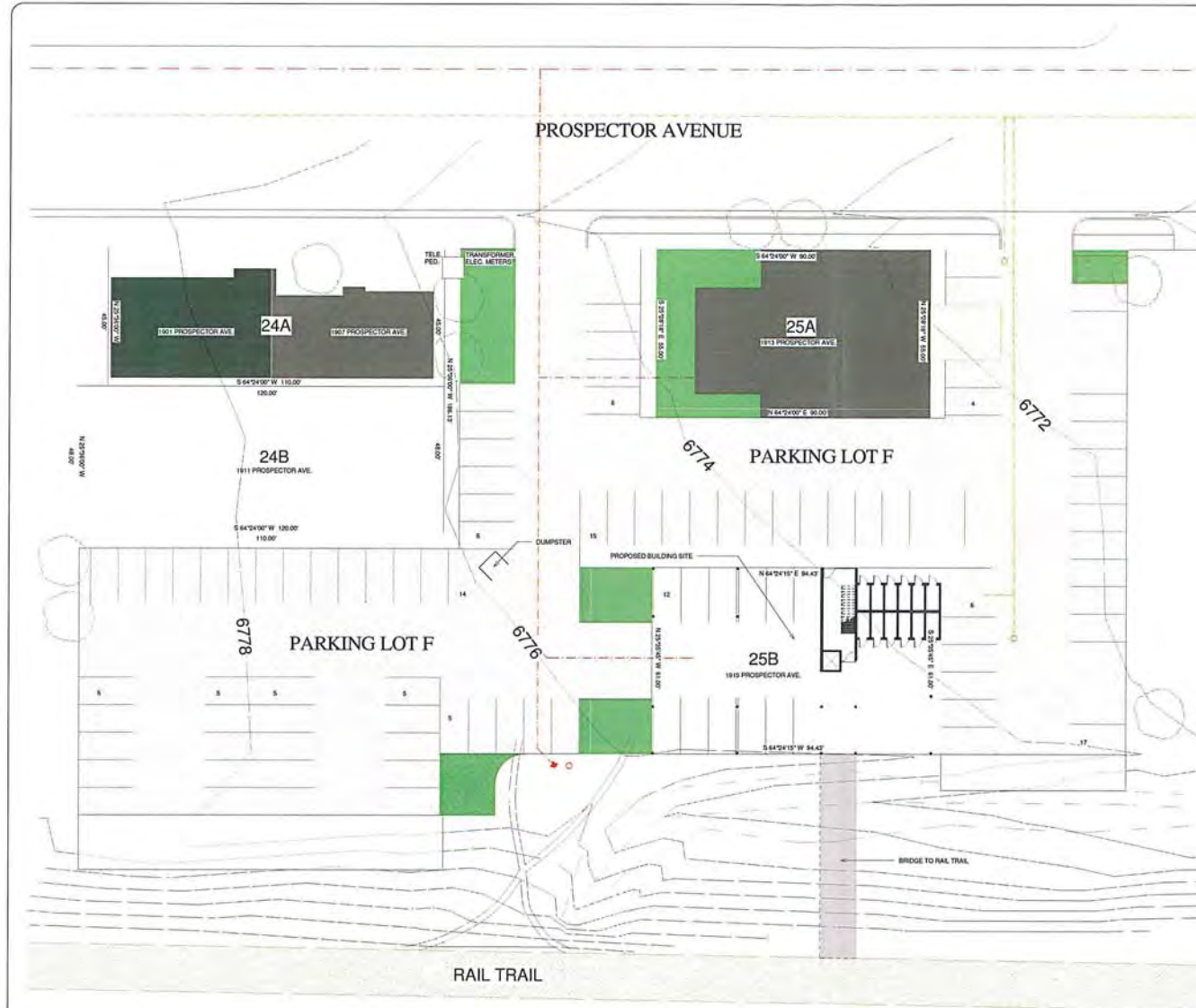
- SYMBOLS:
- PARKING LOT
 - LANDSCAPING
 - EXISTING BUILDINGS
 - EXISTING TREES
 - STREAM
 - RAIL TRAIL
 - LOADING ZONE
 - SEWER
 - 8" NEW WATERLINE W/ FIRE HYDRANT
 - SNOW STORAGE

* 8.760 Sq. Ft.

** 105 TOTAL PARKING SPACES

RECEIVED
DEC 15 2014

PARK CITY
PLANNING DEPT.



1 SITE PLAN
1/16" = 1'-0"

EXHIBIT G

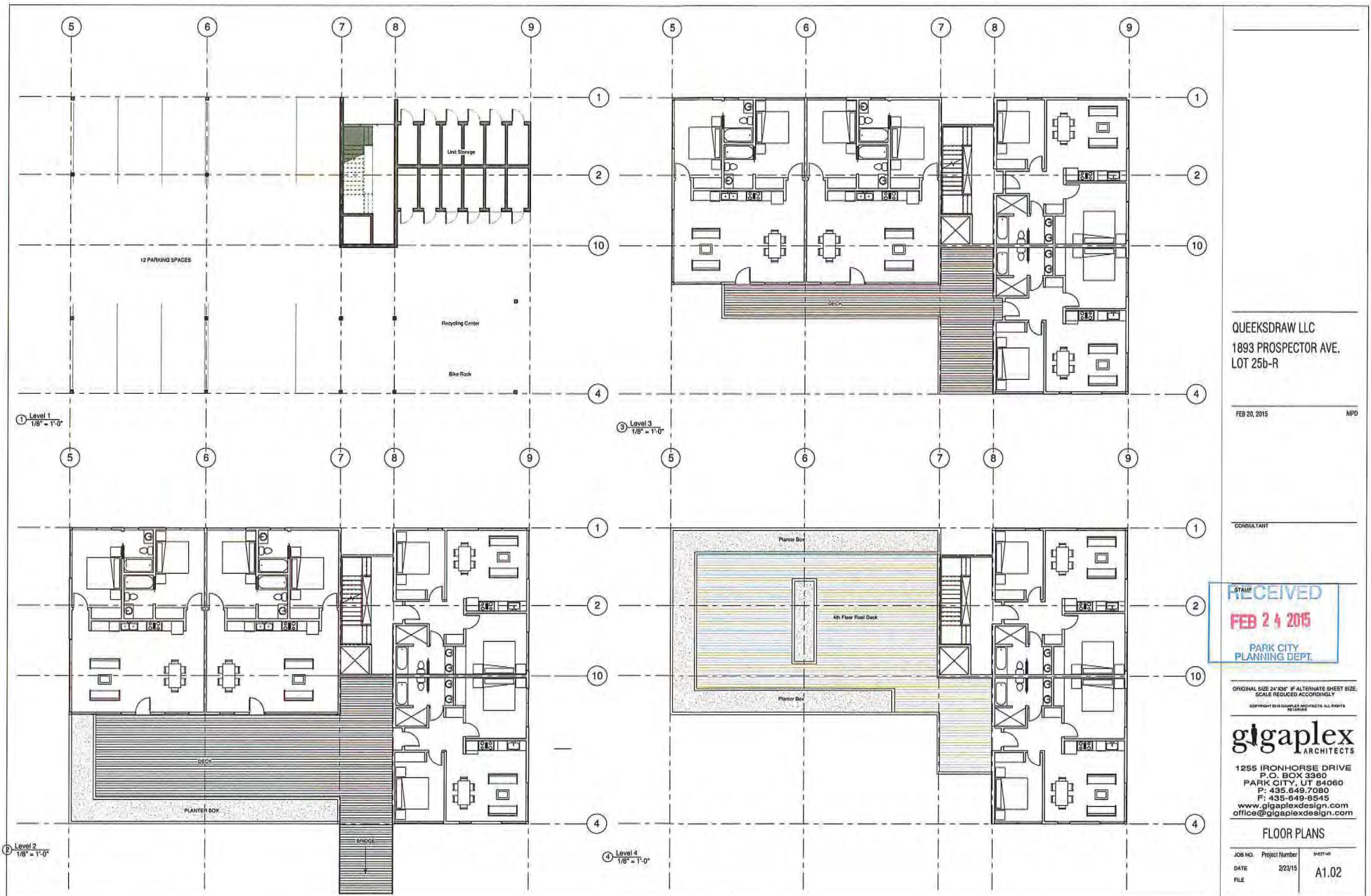
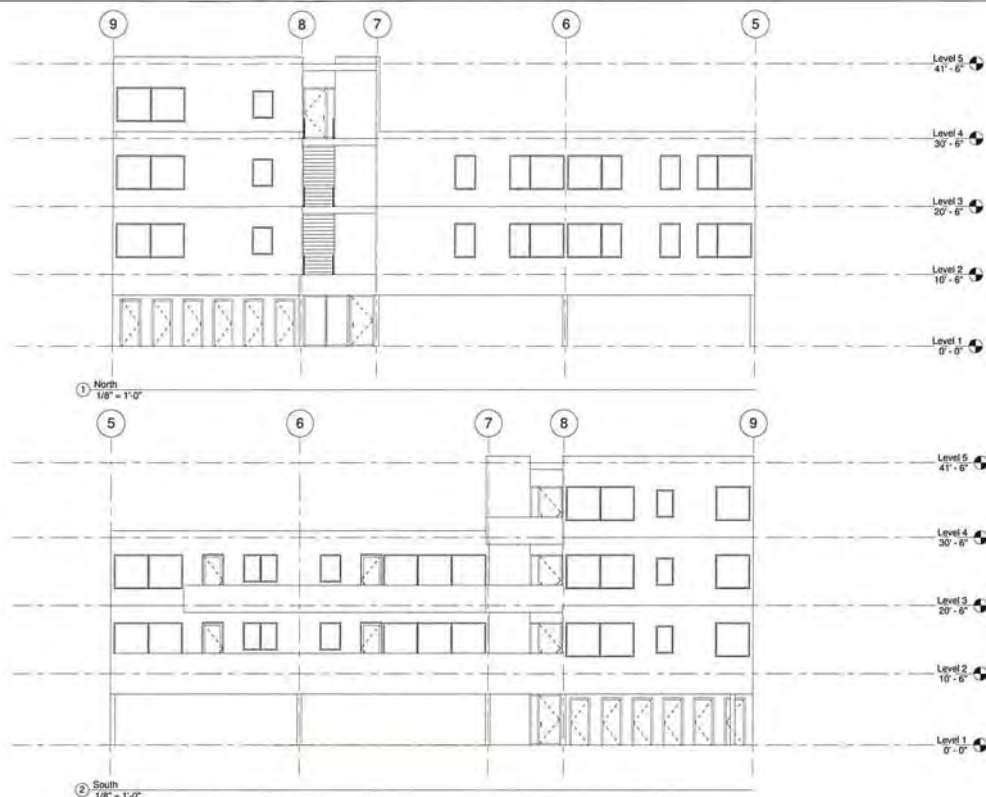
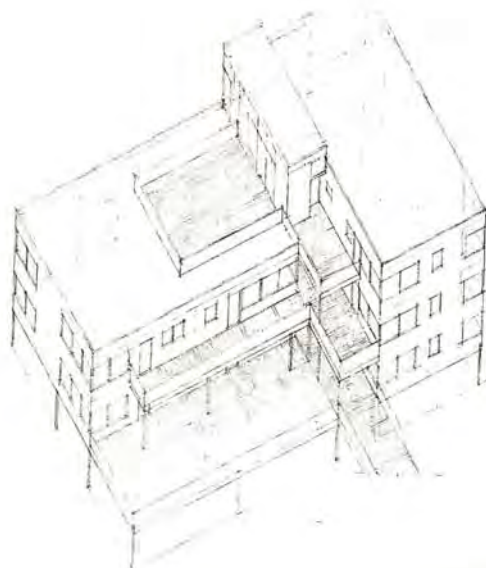


EXHIBIT H





4 130 - Gigsplex

gtgaplex
ARCHITECTS

1255 Ironhorse Drive,
2nd level
PO BOX 3360
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p: 435-649-7085
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office@gtgaplex.com

QUEEKSDRAW LLC

1915 PROSPECTOR AVE. LOT 25B

date:
12/15/14

dwg title:
ELEVATIONS

dwg #:

A103



**PARK CITY MUNICIPAL CODE
TABLE OF CONTENTS
TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.18**

TITLE 15 - LAND MANAGEMENT CODE

CHAPTER 2.18 - GENERAL COMMERCIAL (GC) DISTRICT

15-2.18-1.	PURPOSE	1
15-2.18-2.	USES	1
15-2.18-3.	LOT AND SITE REQUIREMENTS	3
15-2.18-4.	BUILDING HEIGHT	8
15-2.18-5.	ARCHITECTURAL REVIEW	9
15-2.18-6.	CRITERIA FOR DRIVE-UP WINDOWS	9
15-2.18-7.	SEXUALLY ORIENTED BUSINESSES	9
15-2.18-8.	CRITERIA FOR BED AND BREAKFAST INNS	10
15-2.18-9.	GOODS AND USES TO BE WITHIN ENCLOSED BUILDINGS	11
15-2.18-10.	VEGETATION PROTECTION	14
15-2.18-11.	SIGNS	14
15-2.18-12.	RELATED PROVISIONS	14



TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.18 - GENERAL COMMERCIAL (GC) DISTRICT

Chapter adopted by Ordinance No. 00-51

15-2.18-1. PURPOSE.

The purpose of the General Commercial (GC) District is to:

- (A) allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is convenient to transit, employment centers, resort centers, and permanent residential Areas,
- (B) allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,
- (C) protect views along the City's entry corridors,
- (D) encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,

(E) allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,

(F) encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and

(G) encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

15-2.18-2. USES.

Uses in the GC District are limited to the following:

(A) **ALLOWED USES.**

- (1) Secondary Living Quarters

- (2) Lockout Unit¹
- (3) Accessory Apartment²
- (4) Nightly Rental
- (5) Home Occupation
- (6) Child Care, In-Home Babysitting³
- (7) Child Care, Family³
- (8) Child Care, Family Group³
- (9) Child Care Center³
- (10) Accessory Building and Use
- (11) Conservation Activity
- (12) Agriculture
- (13) Plant and Nursery Stock production and sales
- (14) Bed & Breakfast Inn
- (15) Boarding House, Hostel
- (16) Hotel, Minor
- (17) Hotel, Major
- (18) Office, General
- (19) Office, Moderate Intensive
- (20) Office, Intensive
- (21) Office and Clinic, Medical
- (22) Financial Institution without a drive-up window
- (23) Commercial, Resort Support
- (24) Retail and Service Commercial, Minor
- (25) Retail and Service Commercial, Personal Improvement
- (26) Retail and Service Commercial, Major
- (27) Cafe or Deli

¹Nightly rental of Lockout Units requires Conditional Use permit

²See LMC Chapter 15-4, Supplemental Regulations for Accessory Apartments

³See LMC Chapter 15-4-9 Child Care Regulations

- (28) Restaurant, General
- (29) Hospital, Limited Care Facility
- (30) Parking Area or Structure with four (4) or fewer spaces
- (31) Parking Area or Structure with five (5) or more spaces
- (32) Recreation Facility, Private

(B) **CONDITIONAL USES.**

- (1) Single Family Dwelling
- (2) Duplex Dwelling
- (3) Triplex Dwelling
- (4) Multi-Unit Dwelling
- (5) Group Care Facility
- (6) Public and Quasi-Public Institution, Church, and School
- (7) Essential Municipal Public Utility Use, Facility, Service, and Structure
- (8) Telecommunication Antenna⁴
- (9) Satellite Dish Antenna, greater than thirty-nine inches (39") in diameter⁵
- (10) Timeshare Project and Conversion
- (11) Timeshare Sales Office, off-site within an enclosed Building
- (12) Private Residence Club Project and Conversion⁸

⁴See LMC Chapter 15-4-14, Supplemental Regulations for Telecommunication Facilities

⁵See LMC Chapter 15-4-13, Supplemental Regulations for Satellite Receiving Antennas

- (13) Financial Institution with a Drive-up Window⁶
- (14) Retail and Service Commercial with Outdoor Storage
- (15) Retail and Service Commercial, Auto Related
- (16) Transportation Service
- (17) Retail Drive-Up Window⁶
- (18) Gasoline Service Station
- (19) Restaurant and Cafe, Outdoor Dining⁷
- (20) Restaurant, Drive-up Window⁶
- (21) Outdoor Event⁷
- (22) Bar
- (23) Sexually Oriented Businesses⁸
- (24) Hospital, General
- (25) Light Industrial Manufacturing and Assembly
- (26) Temporary Improvement⁷
- (27) Passenger Tramway and Ski Base Facility
- (28) Ski tow rope, ski lift, ski run, and ski bridge
- (29) Commercial Parking Lot or Structure
- (30) Recreation Facility, Public
- (31) Recreation Facility, Commercial
- (32) Indoor Entertainment Facility

⁶See Section 2-18-6 for Drive-Up Window review

⁷Requires an administrative Conditional Use permit

⁸See Section 2-17-8 for additional criteria.

- (33) Master Planned Development with moderate housing density bonus⁹
- (34) Master Planned Developments⁹
- (35) Heliport
- (36) Temporary Sales Trailer in conjunction with an active Building permit for the Site.⁸
- (37) Fences greater than six feet (6') in height from Final Grade⁷

(C) **PROHIBITED USES.** Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.

(Amended by Ord. Nos. 04-39; 06-76)

15-2.18-3. LOT AND SITE REQUIREMENTS.

Except as may otherwise be provided in this Code, no Building Permit shall be issued for a Lot unless such Lot has the Area, width, and depth as required, and Frontage on a Street shown as a private or Public Street on the Streets Master Plan, or on a private easement connecting the Lot to a Street shown on the Streets Master Plan. All Development activity must comply with the following minimum yards:

(A) **FRONT YARDS.** The minimum Front Yard is twenty feet (20') for all Main and Accessory Buildings and Uses. The twenty foot (20') Front Yard may be reduced to ten feet (10'), provided all on-Site parking

⁹Subject to provisions of LMC Chapter 15-6, Master Planned Development

is at the rear of the Property or underground. The Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty-feet (30') in width abutting the Street. See Section 15-2.20. The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-2.18-3(I)

(B) **FRONT YARD EXCEPTIONS.**

The Front Yard must be open and free of any Structure except:

(1) Fence, walls, and retaining walls not more than four feet (4') in height, or as permitted in Section 15-4-2. On Corner Lots, Fences more than three feet (3') in height are prohibited within twenty-five feet (25') of the intersection at back of curb.

(2) Uncovered steps leading to the Main Building; provided, the steps are not more than four feet (4') in height from Final Grade, not including any required handrails, and do not cause any danger or hazard to traffic by obstructing the view of the Street or intersection.

(3) Roof overhangs, eaves, and cornices projecting not more than three feet (3') into the Front Yard.

(4) Sidewalks, patios, and pathways.

(5) Decks, porches, and Bay Windows not more than ten feet (10')

wide, projecting not more than three feet (3') into the Front Yard.

(6) Driveways leading to a garage or Parking Area. No portion of a Front Yard, except for driveways, allowed Parking Areas and sidewalks may be Hard-Surfaced or graveled. See Section 15-3-3 General Parking Area and Driveway Standards.

(7) Circular driveways meeting all requirements stated in Section 15-3-4.

(C) **REAR YARD.** The minimum Rear Yard is ten feet (10'). The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-1-2.18-3(I).

(D) **REAR YARD EXCEPTIONS.**

The Rear Yard must be open and free of any Structure except:

(1) Bay Window or chimneys not more than ten feet (10') wide, projecting not more than two feet (2') into the Rear Yard.

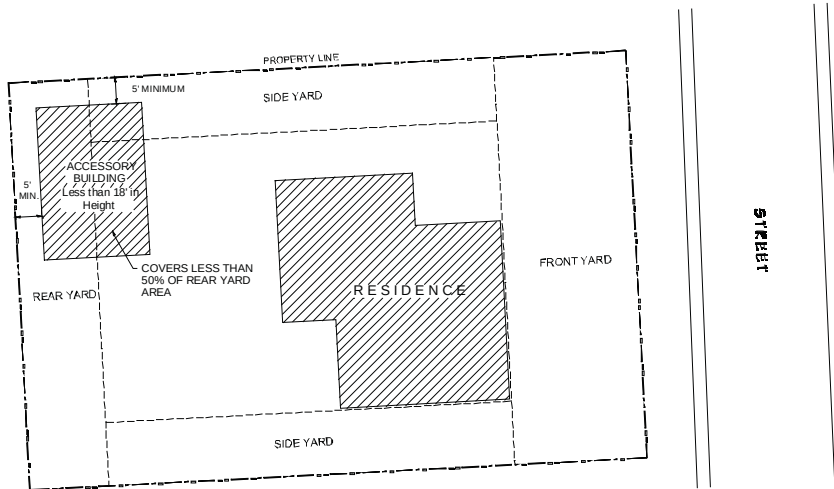
(2) Window wells and light wells projecting not more than four feet (4') into the Rear Yard.

(3) Roof overhangs and eaves projecting not more than three feet (3') into the Rear Yard.

(4) Window sills, belt courses, cornices, trim and other ornamental

features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.

(5) Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear Yard Setback of five feet (5'). Such Structures must not cover more than fifty percent (50%) of the Rear Yard. See the following illustration:



(6) Hard-Surfaced Parking Areas subject to the same location requirements as a detached Accessory Buildings and meeting all landscaping requirements stated in Section 15-3-3.

(7) Screened mechanical equipment, hot tubs, and similar Structures located at least five feet (5') from the Rear Lot Line.

(8) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation.

The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.

(9) Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Final Grade, provided it is located at least five feet (5') from the Rear Lot Line.

(10) Enclosed porches, including a roof and open on three (3) sides, and similar Structures not more than nine feet (9') into the Rear Yard provided the adjoining Property is dedicated as Natural or Landscaped Open Space and meets minimum International Building Code (IBC) and Fire Code requirements.

(E) **SIDE YARD.**

(1) The minimum Side Yard is ten feet (10').

(2) Side Yards between connected Structures are not required where the Structures are designed with a common wall on a Property Line and the Lots are burdened with a party wall agreement in a form approved by the City Attorney and Chief Building Official.

(3) The minimum Side Yard for a Detached Accessory Building not greater than eighteen feet (18') in height, located at least five feet (5') behind the front facade of the Main

Building must be one foot (1'), except when an opening is proposed on an exterior wall adjacent to the Property Line, at which time the minimum Side Yard must be three feet (3').

(4) On Corner Lots, the Side Yard that faces a Street is considered a Front Yard and the Setback must not be less than twenty feet (20').

(5) The Prospector Overlay allows reduced site requirements for designated Affected Lots. See Section 15-2.18-3(I).

(F) **SIDE YARD EXCEPTIONS.** The Side Yard must be open and free of any Structure except:

(1) Bay Windows and chimneys not more than ten feet (10') wide projecting not more than two feet (2') into the Side Yard.

(2) Window wells and light wells projecting not more than four feet (4') into the Side Yard.

(3) Roof overhangs and eaves projecting not more than three feet (3') into the Side Yard.

(4) Window sills, belt courses, cornices, trim, and other ornamental features projecting not more than six inches (6") beyond the window or main Structure to which it is attached.

(5) Patios, decks, pathways, steps, and similar Structures not more than thirty inches (30") above Grade, provided there is at least one foot (1') Setback from the Side Lot Line.

(6) Awnings over a doorway or window extending not more than three feet (3') into the Side Yard.

(7) Fences, walls, and retaining walls not more than six feet (6') in height, or as permitted in Section 15-4-2. Retaining walls may have multiple steps, however, each exposed face cannot exceed six feet (6') in height and the horizontal distance between the walls, front face to rear face, must be at least three feet (3') and planted with approved vegetation. The Planning Director may approve minor deviations to the height and stepping requirements based on Site specific review.

(8) Driveways leading to a garage or Parking Area maintaining a three foot (3') landscaped Setback to the Side Lot Line.

(9) Paths and steps connecting to a City stairway, trail, or path.

(10) Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line.

(11) Unenclosed porches, including a roof and open on three (3) sides, and similar Structures not more than nine feet (9') into the Side Yard provided the adjoining Property is dedicated as Natural or Landscaped Open Space and meets minimum International Building Code (IBC) and Fire Code requirements.

(G) **SNOW RELEASE.** Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

(H) **CLEAR VIEW OF INTERSECTION.** No visual obstruction in excess of two feet (2') in height above Road Grade shall be placed on any Corner Lot within the Site Distance Triangle. A reasonable number of trees may be allowed, if pruned high enough to permit automobile drivers an unobstructed view. This provision must not require changes in the Natural Grade on the Site.

(I) **PROSPECTOR OVERLAY ESTABLISHING A MAXIMUM FLOOR AREA FOR DEVELOPMENT.** The following requirements apply to specific Lots in the Prospector Square Subdivision:

(1) **AFFECTED LOTS.** Lots 2A through Lot 49D, except Lots 40, 41, 42, 43, 44, 45, and 46, and parking Lots A through K as shown on the Amended Prospector Square Subdivision Plat.

(2) **MAXIMUM FLOOR**

AREA RATIO (FAR). The FAR must not exceed two (2.0) for all Affected Lots as specified above. All Uses within a Building, except enclosed Parking Areas, are subject to the Floor Area Ratio (FAR). Parking Lots A - K must have no Use other than parking and related Uses such as snow plowing, striping, repaving and landscaping.

(3) **REDUCED SITE REQUIREMENTS.** In the Prospector Square Subdivision, Front, Side and Rear Yards may be reduced to zero feet (0') for all Affected Lots as specified above. Commercial Lots within the Frontage Protection Zone shall comply with FPZ setbacks per LMC Section 15-2-20. This section is not intended to conflict with the exceptions listed above nor shall it be interpreted as taking precedence over the requirement of Section 15-2.18-3(H) Clear View of Intersection.

(Amended by Ord. Nos. 04-11; 06-76; 13-23)

15-2.18-4. BUILDING HEIGHT.

No Structure shall be erected to a height greater than thirty-five feet (35') from Existing Grade. This is the Zone Height.

(A) **BUILDING HEIGHT EXCEPTIONS.** The following height exceptions apply:

(1) Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 of greater.

(2) Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC).

(3) Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.

(4) Church spires, bell towers, and like architectural features, subject to LMC Chapter 15-5 Architectural Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.

(5) An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

(6) Ski lift and tramway towers may extend above the Zone Height subject to a visual analysis and approval by the Planning Commission.

(Amended by Ord. Nos. 06-76; 07-25)

15-2.18-5. ARCHITECTURAL

REVIEW.

Prior to the issuance of a Building permit for any Conditional or Allowed Use, the Planning Department must review the proposed plans for compliance with the Architectural Design Guidelines, LMC Chapter 15-5.

Appeals of departmental actions on architectural compliance are heard by the Planning Commission.

(Amended by Ord. No. 06-76)

15-2.18-6. CRITERIA FOR DRIVE-UP WINDOWS.

Drive-up windows require special Conditional Use permit (CUP) to consider traffic impacts on surrounding Streets. The Applicant must demonstrate that at periods of peak operation of the drive-up window, the Business patrons will not obstruct driveways or Streets and will not interfere with the intended traffic circulation on the Site or in the Area.

15-2.18-7. SEXUALLY ORIENTED BUSINESSES.

The purpose and objective of this Section is to establish reasonable and uniform regulations to prevent the concentration of Sexually Oriented Businesses or their location in Areas deleterious to the City, and to prevent inappropriate exposure of such Businesses to the community. This Section is to be construed as a regulation of time, place, and manner of the operation of these

Businesses, consistent with the United States and Utah State Constitutions.

(A) **LOCATION OF BUSINESSES, RESTRICTIONS.** Sexually Oriented Businesses, are Conditional Uses.

No Sexually Oriented Business may be located:

(1) within three hundred feet (300') of any school, day care facility, cemetery, public park, library, or religious institution;

(2) within three hundred feet (300') of any residential zoning boundary; or

(3) within three hundred feet (300') of any liquor store or other Sexually Oriented Business.

(B) **MEASUREMENT OF DISTANCES.** For the purposes of this Section, distances are measured as follows:

(1) The distance between any two (2) Sexually Oriented Businesses is measured in a straight line, without regard to intervening Structures or objects, from the closest exterior wall of the Structure in which each Business is located.

(2) The distance between Sexually Oriented Businesses and any school, day care facility, public park, library, cemetery or religious institution is measured in a straight line, without regard to intervening

Structures or objects, from the closest exterior wall of the Structure in which the Sexually Oriented Business is located, to the nearest Property Line of the premises of the school, day care facility, public park, library, cemetery, or religious institution.

(3) The distance between Sexually Oriented Businesses and any residential zoning boundary is measured in a straight line, without regard to intervening Structures or objects, from the closest exterior wall of the Structure in which the Sexually Oriented Business is located, to the nearest Property Line of the residential zone.

(C) **DEFINITIONS.** Terms involving Sexually Oriented Businesses which are not defined in this Chapter have the meanings set forth in the Municipal Code of Park City, Section 4-9-4.

15-2.18-8. CRITERIA FOR BED AND BREAKFAST INNS.

A Bed and Breakfast Inn is an Allowed Use subject to an Administrative Permit. No permit may be issued unless the following criteria are met:

(A) If the Use is in an Historic Structure, the Applicant will make every attempt to rehabilitate the Historic portion of the Structure.

(B) The Structure has at least two (2) rentable rooms. The maximum number of

rooms will be determined by the Applicant's ability to mitigate neighborhood impacts.

(C) In Historic Structures, the size and configuration of the rooms are Compatible with the Historic character of the Building and neighborhood.

(D) The rooms are available for Nightly Rental only.

(E) An Owner/manager is living on-Site, or in Historic Structures there must be twenty-four (24) hour on-Site management and check-in.

(F) Food service is for the benefit of overnight guests only.

(G) No Kitchen is permitted within rental rooms.

(H) Parking is on-Site at a rate of one (1) space per rentable room. The Planning Commission may waive the parking requirement for Historic Structures if the Applicant proves that:

(1) no on-Site parking is possible without compromising the Historic Structure or Site, including removal of existing Significant Vegetation, and all alternatives for proximate parking have been explored and exhausted; and

(2) the Structure is not economically feasible to restore or maintain without the adaptive Use.

(I) The Use complies with Section 15-1-

10, Conditional Use review.

15-2.18-9. GOODS AND USES TO BE WITHIN ENCLOSED BUILDING.

(A) **OUTDOOR DISPLAY OF GOODS PROHIBITED.** Unless expressly allowed as an Allowed or Conditional Use, all goods including food, beverage and cigarette vending machines must be within a completely enclosed Structure. New construction of enclosures for the storage of goods shall not have windows and/or other fenestration that exceeds a wall-to-window ratio of thirty percent (30%). This section does not preclude temporary sales in conjunction with a Master Festival License, sidewalk sale, or seasonal plant sale. See Section 15-2.18-9(B)(3) for outdoor display of bicycles, kayaks, and canoes.

(B) **OUTDOOR USES PROHIBITED/EXCEPTIONS.** The following outdoor Uses may be allowed by the Planning Department upon the issuance of an Administrative Permit. The Applicant must submit the required application, pay all applicable fees, and provide all required materials and plans. Appeals of departmental actions are heard by the Planning Commission.

(1) **OUTDOOR DINING.**
Outdoor dining is subject to the following criteria:

(a) The proposed seating Area is located on private Property or leased public Property and does not

diminish parking or landscaping.

(b) The proposed seating Area does not impede pedestrian circulation.

(c) The proposed seating Area does not impede emergency Access or circulation.

(d) The proposed furniture is Compatible with the Streetscape.

(e) No music or noise is in excess of the City Noise Ordinance, Title 6.

(f) No Use after 10:00 p.m.

(g) No net increases in the Restaurant's seating capacity without adequate mitigation of the increased parking demand.

(2) **OUTDOOR GRILLS/BEVERAGE SERVICE STATIONS.** Outdoor grills and/or beverage service stations are subject to the following criteria:

(a) The Use is on private Property or leased public Property, and does not diminish parking or landscaping.

(b) The Use is only for the sale of food or beverages in a form suited for immediate consumption.

(c) The Use is Compatible with the neighborhood.

(d) The proposed service station does not impede pedestrian circulation.

(e) The proposed service station does not impede emergency Access or circulation.

(f) Design of the service station is Compatible with the adjacent Buildings and Streetscape.

(g) No violation of the City Noise Ordinance, Title 6.

(h) Compliance with the City Sign Code, Title 12.

(3) OUTDOOR STORAGE AND DISPLAY OF BICYCLES, KAYAKS, MOTORIZED SCOOTERS, AND CANOES.

Outdoor storage and display of bicycles, kayaks, motorized scooters, and canoes is subject to the following criteria:

(a) The Area of the proposed bicycle, kayak,

motorized scooter, and canoe storage or display is on private Property and not in Areas of required parking or landscaped planting beds.

(b) Bicycles, kayaks, and canoes may be hung on Buildings if sufficient Site Area is not available, provided the display does not impact or alter the architectural integrity or character of the Structure.

(c) No more than a total of fifteen (15) pieces of equipment may be displayed.

(d) Outdoor display is only allowed during Business hours.

(e) Additional outdoor bicycle storage Areas may be considered for rental bicycles, provided there are no or only minimal impacts on landscaped Areas, parking spaces, and pedestrian and emergency circulation.

(4) OUTDOOR EVENTS AND MUSIC.

Outdoor events and music requires an Administrative Conditional Use permit. The Use must also comply with Section 15-1-10, Conditional Use review. The Applicant must submit a Site plan and written description of the event, addressing the following:

- (a) Notification of adjacent Property Owners.
- (b) No violation of the City Noise Ordinance, Title 6.
- (c) Impacts on adjacent Residential Uses.
- (d) Proposed plans for music, lighting, Structures, electrical signs, etc.
- (e) Parking demand and impacts on neighboring Properties.
- (f) Duration and hours of operation.
- (g) Impacts on emergency Access and circulation.

(5) **DISPLAY OF MERCHANDISE.** Display of outdoor merchandise is subject to the following criteria:

- (a) The display is immediately available for purchase at the Business displaying the item.
- (b) The merchandise is displayed on private Property directly in front of or appurtenant to the Business which displays it, so long as the private Area is in an

alcove, recess, patio, or similar location that provides a physical separation from the public sidewalk. No item of merchandise may be displayed on publicly owned Property including any sidewalk or prescriptive Right-of-Way regardless if the Property Line extends into the public sidewalk. An item of merchandise may be displayed on commonly owned Property; however, written permission for the display of the merchandise must be obtained from the Owner's association.

(c) The display is prohibited from being permanently affixed to any Building. Temporary fixtures may not be affixed to any Historic Building in a manner that compromises the Historic integrity or Façade Easement of the Building as determined by the Planning Director.

(d) The display does not diminish parking or landscaping.

(e) The Use does not violate the Summit County Health Code, the Fire Code, or International Building Code. The display does not impede pedestrian

circulation, sidewalks, emergency Access, or circulation. At minimum, forty-four inches (44") of clear and unobstructed Access to all fire hydrants, egress and Access points must be maintained. Merchandise may not be placed so as to block visibility of or Access to any adjacent Property.

(f) The merchandise must be removed if it becomes a hazard due to wind or weather conditions, or if it is in a state of disrepair, as determined by either the Planning Director or Building Official.

(Amended by Ord. Nos. 05-49; 06-76)

15-2.18-10. VEGETATION PROTECTION.

The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.

Development plans must show all Significant Vegetation within twenty feet (20') of a proposed Development. The Property Owner must demonstrate the health

and viability of all large trees through a certified arborist. The Planning Director shall determine the Limits of Disturbance and may require mitigation for loss of Significant Vegetation consistent with Landscape Criteria in LMC Chapter 15-3-3(C) and Title 14.

15-2.18-11. SIGNS.

Signs are allowed in the GC District as provided in the Park City Sign Code, Title 12.

15-2.18-12. RELATED PROVISIONS.

- Fences and Walls. LMC Chapter 15-4-2.
- Accessory Apartment. LMC Chapter 15-4.
- Satellite Receiving Antenna. LMC Chapter 15-4-13.
- Telecommunication Facility. LMC Chapter 15-4-14.
- Parking. Section 15-3.
- Landscaping. Title 14; LMC Chapter 15-3-3(D)
- Lighting. LMC Chapters 15-3-3(C), 15-5-5(I).
- Historic Preservation Board. LMC Chapter 15-11.
- Park City Sign Code. Title 12.
- Architectural Review. LMC Chapter 15-5.
- Snow Storage. Section 15-3-3.(E)
- Parking Ratio Requirements. Section 15-3-6.

Planning Commission Staff Report



Application #: PL-14-02600
Subject: Park City Mountain Resort
Author: Francisco J. Astorga, Planner
Date: March 25, 2015
Type of Item: Administrative – Master Planned Development, Development Agreement, and Mountain Upgrade Plan Amendments & Conditional Use Permit

Summary Recommendations

Staff recommends that the Planning Commission review the submitted Master Planned Development Agreement & Mountain Upgrade Plan amendments, Conditional Use Permit for a ski lift, hold a public hearing, and consider approving the requested application 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: VR CPC Holdings, Inc. d/b/a Park City Mountain Resort (PCMR) represented by Tim Beck
Property Owner: TCFC LEASECO LLC and TCFC PROPCO LLC
Location: 1345 Lowell Avenue
Zoning District: Recreation and Open Space (ROS) District
Adjacent Land Uses: Recreation open space
Reason for Review: MPD Amendments/Conditional Use Permits are reviewed and approved by the Planning Commission

Proposal

On December 23, 2014 the applicant submitted a request to amend the existing Master Planned Development & Development Agreement. The current application is for the following items:

- a. Amendment to the Mountain Upgrade Plan for the Interconnect Gondola and expansion of the Snow Hut on-mountain restaurant.
- b. Amendment to the Park City Mountain Resort Master Plan Development (MPD) to satisfy requirements of the 2007 annexation which requires the addition of the upper mountain ski terrain to PCMR's original MPD.

A Ski Lift is listed as a Conditional Use Permit (CUP) in the ROS District. CUPs are reviewed and approved by the Park City Planning Commission.

Background

In June 1997, the Park City Planning Commission approved the Park City Mountain Resort Large Scale Master Plan. The Development Agreement was recorded with the County in July 1998. The approved Master Plan includes development according to the PCMR Concept Master Plan and conditions of approval. The conditions of approval include development of skiing and related facilities identified in the Mountain Upgrade Plan (1998 Development Agreement Exhibit L). See Exhibit A.

In March 2007, additional Park City Mountain Resort ski terrain was annexed into Park City Municipal Corporation known as the Annexation Agreement for the United Park City Mines Company Lands at Park City Mountain Resort. The annexation indicated that the next Development Activity Application or amendment under the PCMR MPD must add the PCMR lease land annexed to the PCMR MPD. In conjunction with the other amendments, identified below, the applicant requests to fulfill the requirements of the annexation by incorporating PCMR's upper terrain into the PCMR Master Planned Development & Development Agreement.

The Mountain Upgrade Plan was recorded with the Development Agreement and identifies the background/methodology, design criteria, existing ski resort facilities, Mountain upgrading plan, future expansion potential, and conclusion. The amendment of the Mountain Upgrade Plan includes the construction of those portions of the interconnect lift with Canyons Resort, and related lift towers, ski trails, terminals, buildings, infrastructure, and related appurtenances located in Park City. While the interconnect gondola is not specifically referenced in the Mountain Upgrade Plan, the terrain in which the lift is proposed is already designated in the Mountain Upgrade Plan for future ski pod development. The proposed interconnect gondola will connect Park City Mountain Resort and Canyons Resort. Zoning at Canyons Resort is regulated by Summit County pursuant to a separate Amended and Restated Development Agreement for The Canyons Specially Planned Area (SPA). A concurrent application to Summit County for a Conditional Use Permit under the terms of the SPA was approved on February 11, 2015.

The amendment of the Mountain Upgrade Plan also includes the expansion of the Snow Hut on-mountain restaurant. The improvement and enlargement of the Snow Hut is to improve mountain guest services.

The applicant has submitted thorough project descriptions of the proposed interconnect gondola and Snow Hut expansion, including building design, and description of operations. See Exhibit B – Project Description.

The Planning Commission held a public hearing and reviewed this request on February 25, 2015. See Exhibit N – 02.25.2015 Planning Commission Minutes and Exhibit O – Public Comments. During this meeting staff requested discussion by the Planning Commission on four items: building height, parking, employee housing, and historic preservation.

The Planning Commission supported staff's findings regarding the building height exception. The Commission agreed that the parking mitigation would be effected by the additional small scale MPD or the base development. The Commission favored staff's recommendation regarding employee housing that before the City accepts a CUP application for Parcels B, C, D and E, the applicant would first have to provide a plan for the required 23 affordable housing units (Parcel A).

Regarding 2007 historic preservation requirement Staff recommended that the inventory be completed to comply with the Annexation and that the Preservation and Restoration Plans are finished and approved by the City. Staff recommended adding a Condition of Approval to this MPD amendment requiring completion of the outstanding inventory and subsequent Preservation and Restoration Plans prior to the City accepting any application for base area development. Staff would discuss that with the Vail team and report back to the Planning Commission on March 25, 2015.

Analysis

The purpose of the Master Planned Development Amendment application public meeting is to have the applicant present their amendments and give the public and Planning Commission an opportunity to evaluate those amendments in accordance with the applicable code criteria. Land Management Code (LMC) § 15-6-5 indicates that all Master Planned Developments are to contain the following minimum requirements:

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

Not applicable. The proposed amendment to the Development Agreement does not change approved densities. The MPD consists of five (5) areas, identified as "parcels" with allotted density at the base of PCMR. One of these sites was approved in 1998, Marriott's MountainSide, known as "Parcel A". The other four (4) areas are currently being used as parking lots for the resort.

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

Not applicable. The site is not located in the HR-1 or HR-2 District. The proposed amendments take place with the areas shown in the Mountain Upgrade Plan, located in the Recreation and Open Space District (zone).

- C. Setbacks.** *The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size. In some cases, that Setback may be increased to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet*

historic Compatibility requirements. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') to the zone required Setback if it is necessary to provide desired architectural interest and variation. The Planning Commission may reduce Setbacks within the project from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D).

Complies. The proposed amendments are not nearby the exterior boundary of the MPD with the exception of the interconnect line. The Snow Hut on-mountain restaurant and the PCMR interconnect line terminal are a minimum of 2,000 feet from PMCR perimeter.

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

Complies. Open space is established by the approved MPD. Of the approximately 3,700 acres in the ski resort, nearly 95% of the property is considered recreation/open space (i.e. trails and forested areas). The proposed projects will not materially affect the required open space.

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

When the MPD was approved in 1997 it contained extensive parking analysis based on the relationships between lodging, parking, and mountain capacity, etc., including the Comfortable Carrying Capacity (CCC). The CCC is a measure of the number of visitors that can be effectively served by the mountain facilities while maintaining a comfortable skiing atmosphere. The Mountain Upgrade Plan contains a Parking and Capacity Analysis which indicates that the current parking lots have a capacity of approximately 1,800 cars. This capacity varies with snow removal and control of parking cars by ski area parking lot personnel. The available parking for skiers is 1,700 spaces.

The LMC indicates that the Planning Department shall review the parking analysis and provide a recommendation to the Planning Commission. The Commission is to make a finding during review of the MPD as to whether or not the parking analysis supports a determination to increase or decrease the required number of Parking Spaces.

As indicated on the Development Agreement Obligations of Development (condition of approval 2.1.13):

The Developer shall comply with the parking mitigation plan attached hereto as Exhibit K. This plan shall be reviewed and modified, if necessary, as a part of the Small Scale MPD (CUP) for each phase to evaluate transit alternatives and demonstrated parking needs. If, in practice, the parking mitigation plan fails to adequately mitigate peak day parking requirements, the City shall have the authority to require the Resort to limit ticket sales until the parking mitigation plan is revised to address the issues. The intent is that any off-site parking solution include a coordinated and cooperative effort with the City, other ski areas, the Park City School District, Summit County, and the Park City Chamber/Bureau to provide creative solutions for peak day and special event parking.

Also, section 2.3.6 of the Development Agreement address parking:

At all times Developer shall assure that it has adequate parking or has implemented such other assurances, as provided in the Parking Mitigation Plan, to mitigate the impact of any proposed expansion of lift capacity.

The applicant wrote the following statement regarding parking:

The replacement of the Snow Hut does not affect skier capacity and subsequently does not affect parking requirements. Skiers and riders are already on the mountain during operations, and the replacement Snow Hut Lodge is designed to significantly improve service at a major connection area in a central area of the ski resort.

The Interconnect Gondola functions only as an access/transfer lift between existing ski operations and has not been designed with round trip skiing on it. Given it is an access lift only between the two areas there is no skier capacity increase associated with it.

Staff finds that no additional parking is impacted by the Snow Hut on-mountain restaurant expansion. The applicant indicated that in 2014 the Snow Hut has 154 indoor seats and 200 outdoor seats. The Mountain Upgrade Plan called for several items in the conclusion of Section III - Existing Ski Resort Facilities, one of which was to position additional on-mountain seating to accommodate existing and upgrade facilities. The Mountain Upgrade Plan indicated that the Snow Hut needed additional seating based on the seating requirement summary based on logical distribution of the CCC. As indicated in the document in 1997, the Snow Hut had 168 indoor seats available but should have 414 indoor seats. The applicant currently proposes to increase the indoor seating from the 168 indicated in 1997 to approximately 500 and the outdoor seating to stay the same at approximately 250 seats (indicated in 1997). The net increase, from what was

necessary in 1997, is 86 seats, which is 21% above the required number of seats.

Staff does not find the increase of 86 indoor seats (1997) from the identified CCC necessitates parking at the base since the skier capacity is not affected. Skiers are already on the mountain during operations and the CCC remains unchanged. Staff does not find that the proposed Interconnect Gondola needs more parking as it functions only as an access/transfer lift between existing ski operations and has not been designed with round trip skiing on it.

The approved and recorded Development Agreement states that parking mitigation is reviewed at each Small Scale Master Planned Development (Conditional Use Permit) approval. The review that occurred for "Parcel A," was satisfied, noting that no additional parking issues would be occurring until later phases were built-out at the base. Staff recommends no change to that direction from the Planning Commission to re-evaluate the parking with the next phase of base area development, which is consistent with the County's determinations on their side of the interconnect application. During the February 25, 2015 Planning Commission meeting, the Commission agreed that the parking mitigation would be effected by the additional small scale MPD (CUP) or the base development.

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

The applicant requests an increase in building height for the Snow Hut expansion. In the ROS District no structure may be erected to a height greater than twenty-eight feet (28') from existing grade. To allow for a pitched roof and to provide usable space within the structure, a gable, hip, or similar pitched roof may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

The design of the main roof form is a shed going from front (tallest) to back (shortest) with a gable roof towards the rear of the building. The roof also, has two smaller shed roofs on each side with a different roof pitch. The sides of the shed roof form contain a combination ridge/shed roof towards each side. The main roof form, the shed from front to back has a 3:12 roof pitch. The gable roof form towards the back has a 6:12 roof pitch. The two other smaller shed roof forms have a 1:12 roof pitch. And the side roof combination ridge/shed continues the main roof pitch of 3:12. The majority of the building is under the 4:12 roof pitch and the maximum building height is 28 feet.

The majority of the proposed new building does not meet the maximum roof height, according to its corresponding roof pitch, of either 28 or 33 feet. When looking at the building from the front, east elevation, the corner on the left is approximately 52 feet above existing grade. The opposite corner on the right is approximately 68 feet above existing grade. The front elevation has the tallest points found on the proposed snow hut expansion. When viewed from the side, north elevation, about a quarter of the building on the right meets the maximum of height 28/33 feet. When viewed from the other side, south elevation, two thirds (2/3s) of the building from the left on the lowest form and about 1/3 of the ridge towards the left meets the maximum building height. When reviewing the rear of the building, west elevation, the entire wall (rear façade) meets the maximum height. The roof however, as indicated on the other elevations does not meet the height. Staff would estimate that approximately 70% of the overall roof does not meet the maximum corresponding building height.

In order to grant building height in addition to that which is allowed in the ROS District, underlying zone, the Planning Commission is required to make the following findings:

- 1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;*

Applicant's findings: The proposed Snow Hut changes the former 2-level building to a single level building accessible without steps from snow level, as well it provides access to bathrooms on the main level where the previous building required patrons to ascend down to the lower level. Increases in building volume and square footage are anticipated in the Mountain Upgrade Plan and with the addition of the new Snow Hut building will improve the overall balance of seating deficits when compared to the mountains skier capacity.

The proposed increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density. Even though the building is indeed tall, not just in form but also due to the terrain (height measured from existing grade per Park City codes), the proposed building is a one (1) story building which maximizes sun-light exposure from the windows on the front, east elevation. Regarding façade variation see section 5, below. There is no density increase as the existing support commercial use for the restaurant does not require use of unit equivalents. A different

design with the same capacity at height would result in greater site disturbance, grading and less architectural variation.

2. *Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss or air circulation have been mitigated as determined by the Site Specific analysis and approved by the Planning Commission;*

Applicant's finding: The proposed Snow Hut is remote from any other building. The minimum setback for the building is 2,000 feet. No other structures, except ski lifts are within this area. No impact to view, solar access, shadows, or other criteria will occur.

Staff agrees with these findings and no additional conditions are necessary.

3. *There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent projects are being proposed;*

Applicant's findings: The site is centralized in the upper mountain of the existing ski resort, and not generally visible from developed off-site locations in Park City. As a ski resort operation, the site will be re-vegetated with a proven seed mix.

Staff agrees with these findings and no additional conditions are necessary.

4. *The additional Building Height results in more than the minimum Open Space required and results in the Open Space being more usable and included Publicly Accessible Open Space;*

Applicant's findings: The adjacent open space is designated ski terrain. With approximately 3,700 acres of ski terrain the proposed projects 17,200 square feet of footprint will have no effect on open space or its usability.

Staff agrees with these findings and no additional conditions are necessary.

5. *The additional Building Height shall be designed in a manner that provides a transition in roof elements in compliance with Chapter 5, Architectural Guidelines or the Design Guidelines for Park City's Historic Districts and Historic Sites if within the Historic District;*

Applicant's findings: The proposed height of the building is the result of a combination of the single story accessible design and the roof design which does not shed snow to public areas or decks, and does not require heat taping in roof valleys or edges to prevent large icicle development. The large glazed areas are designed to maximize solar gain in support of the project sustainability goals. Interruptions in the roof plane would interrupt snow shed and possible increase height with no purpose. There are no other buildings within one-half mile to match roof façade or variations.

The proposed roof form maximizes sun-light exposure on the east elevation. The proposed one (1) story structure meets the following Architectural Design Guidelines outlined in LMC § 15-5-5:

- A. Prohibited Architectural Styles and Motifs.** Complies.
The style is not one prohibited.
- B. Prohibited Siding Material.** Complies.
The proposed siding is not prohibited.
- C. Design Ornamentation.** Complies as conditioned.
To add architectural interest to Buildings, special ornamental siding materials may be used, provided that no more than twenty five percent (25%) of any facade of the Building is covered with ornamental siding.
- D. Number of Exterior Wall Materials.** Complies.
The applicant proposes the following three (3) main exterior wall materials on the front and side elevations: 1. reclaimed board and batten; 2. horizontal chinked trestlewood; and 3. rusted corten ribbed siding. The applicant proposes concrete masonry unit (CMU) on the rear elevation.
- E. Roofing Materials.** Complies.
Applicant proposes a dark green shingle roof and a metal standing seam for the two smaller shed roofs as seen on the rear, west elevation.
- F. Roof Shapes.** Complies.
The combination roof shape is not listed under prohibited roof forms.
- G. Solar Panels and Skylights.** Not applicable.
- H. Window Treatments.** Complies.

- I. Lighting.** Complies as conditioned.
The applicant has not submitted plans regarding this provision. Staff requires that the project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting.
- J. Trash and Recycling Enclosures.** Complies as conditioned.
The applicant has not submitted plans regarding this provision. Staff requires that the project shall fully comply with any provisions indicated in the LMC or approved MPD regarding trash/recycling enclosures.
- K. Mechanical Equipment.** Complies as conditioned.
The applicant has not submitted plans regarding this provision. Staff requires that the project shall fully comply with any provisions indicated in the LMC or approved MPD regarding mechanical equipment.
- L. Patios and Driveways.** Not Applicable.
- M. Landscaping.** See section H below.

Regarding façade length and variations, LMC § 15-5-8 indicates the following:

Structures that exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

The east elevation, front does not meet this requirement. The façade is 140 feet long and does not provide a prominent shift in the mass of the structure. Both sides, north and south elevations, provide appropriate breaks, both horizontally and vertically (height) where a shift was incorporated in the design. The west elevation, rear, meets the shift in the form of a fifteen foot (15') change in the building height.

LMC § 15-5-7 indicates that in some cases, the Planning Director, may vary from these standards if warranted by unusual or unique circumstances. This may result in variation from the strict interpretation of this section and may be granted by the Planning Director.

The Planning Director has reviewed the submitted plans and finds that the site is unusual and unique due to its remote location. The Snow Hut is located on the mountain, accessible to skiers. The location of the Snow Hut is not in a typical Park City neighborhood. The intent of the façade length and variation criteria is to break up the massing of buildings so that they relate to the pedestrian scale. The amount of glass on the front, east elevation, also helps mitigate the width of the building adding an aesthetically pleasing component.

If and when the Planning Commission grants additional Building Height due to a Site Specific analysis and determination, that additional Building Height shall only apply to the specific plans being reviewed and approved at the time. Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

Staff, including the Planning Director, finds that the additional height due to the specific site analysis is not detrimental and in compliance with applicable LMC standards regarding the height allowance. During the February 25, 2015 meeting, the Commission supported staff's findings regarding the building height exception.

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

- 1. Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.*
- 2. Projects shall be designed to minimize Grading and the need for large retaining Structures.*
- 3. Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.*
- 4. Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.*
- 5. Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be*

considered for Condominium projects if they meet the minimum emergency and safety requirements.

- 6. The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.*
- 7. It is important to plan for trash storage and collection and recycling facilities. The Site plan shall include adequate Areas for trash dumpsters and recycling containers, including an adequate circulation area for pick-up vehicles. These facilities shall be enclosed and shall be included on the site and landscape plans for the Project. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests. [...]*
- 8. The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.*
- 9. Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.*

The applicant wrote the following statement regarding site planning:

The Snow Hut Lodge is located on the footprint of the existing building and against an existing hill side to maximize skier circulation in the area. Placing excavated material on site will remove the reverse slope between the King Con run and the building location. Skier circulation down to the King Con lift will be improved by the site grading on Broadway and the new location of the building. The Interconnect Gondola is located not to interfere with skier circulation and provides direct access to the Snow Hut Lodge.

No retaining structures are proposed. Site grading is minimized while providing an on-snow / no stairs access to Snow Hut.

Existing summer biking and hiking trails on the Park City Mountain Resort side of the project are avoided to extent possible. Within the Summit County portion of the site, the evacuation routes may cross existing biking / hiking trails within the terms of the property agreements with trail operators and landowners.

Snow storage is on-site. The building is designed to shed snow away from public areas and service doors.

Refuse and recycling will take place in the building footprint consistent with the sustainability goals of Park City Mountain Resort. Refuse removal will not change from current operations.

Transportation to the site is via lifts, skiing and snowboarding only. No public vehicle access is proposed.

Staff agrees with the applicant's findings above regarding site planning.

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

Significant vegetation is retained and protected. Vegetation removed for site grading consists mainly of existing ski runs grasses and brush. The lift line corridor will require tree removal but ground disturbance will only occur in lift tower areas, base terminal area and evacuation route construction.

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

The applicant wrote the following statement regarding Sensitive Lands Compliance:

A Visual Simulation has been conducted to comply with the Sensitive Lands compliance for viewshed and ridgeline protection. All other elements of the Sensitive Land analysis for the original MPD remain in effect and unchanged by this project.

The Interconnect lift, by definition, needs to cross a section of the ridge line south of Iron Mountain, above White Pine Canyon and Thaynes Canyon, mainly in Summit County jurisdiction. A previously identified location of the ridge crossing and mid-station was located on the minor summit south of Iron Mountain; a second location was located on the ridgeline south of the proposed location. Both locations were evaluated for visual impacts and operational considerations. The current proposed mid-station location in this application is located in alignment with the existing lift easement through the Colony and below the ridgeline on the west side approximately 400 feet north of the originally identified minor summit. The terminal structure, given its location, minimizes the intrusion on the ridgeline from either east or west sight lines. Glazing on terminal openings will be used only for system maintenance and operation requirements.

The lift alignment is approximately perpendicular to existing main public roads. Linear views of the lift line are not apparent from these roads. Lift line impacts are reduced as it is below the sky line and in many places within a forested area.

The access route and evacuation trails are combined to minimize site disturbance for construction and maintenance. The access route / evacuation trail(s) is located to ensure access to the lift line in the unlikely event of a lift mechanical failure and for lift maintenance access. It is designed to minimize length and take advantage of intervening topography and tree cover to minimize appearance.

A visual analysis from designated viewpoints has been submitted to illustrate the visual effects of the proposed lift system. The viewpoints were selected by City and County staff, to assess potential project impacts from key public areas with views of the project.

The Interconnect Gondola system, towers and terminals, and evacuation route in Thaynes Canyon are shown on the visual simulation from the designated viewpoints. The location of the proposed Snow Hut building is also shown in the simulations.

Visual simulations are included with the application package.

Staff finds that the visual simulations have been conducted properly for review of viewshed and ridgeline protection. The terminal structure minimizes the intrusion on the ridgeline from either east or west sight lines. The lift line impacts are reduced as it is below the sky line and in many places within a forested area. A visual analysis from designated viewpoints has been submitted to illustrate the visual effects of the proposed lift system. See Exhibit C – Visual Simulations & Photographs. The interconnect gondola system, towers and terminals, and evacuation route in Thaynes Canyon are shown on the visual simulation from the designated viewpoints. The location of the proposed Snow Hut building is also shown in the simulations.

All other elements of the Sensitive Land analysis for the original MPD remain in effect and unchanged by this project.

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

The MPD Development Agreement states the following:

Developer shall construct or provide deed restricted off-site housing for 80 PCMR employees on or before October 1, 2003. The rental rate (not including utilities) for the employee housing will be determined by the City Council Housing

Resolutions Establishing Guidelines and Standards, but will not exceed 1/3 of the employee's base gross wages. The rental rate shall be assured in perpetuity through deed restrictions in form and substance satisfactory to the City. Developer must commence construction or complete the purchase of housing to accommodate 80 employees within 90 days of receiving a Small Scale MPD which, in combination with previously granted Small Scale MPDs, represent approvals for a total of 50% of the total square footage of the Concept Master Plan. Developer must work expeditiously to complete the employee housing project(s). In no case shall Small Scale MPDs, which represent approvals for a total of 60% of the Small Scale MPDs within the PCMR Concept Master Plan, be issued until the required housing is available for occupancy. Park City will provide Developer a letter of compliance when it fulfills this requirement.

If there is a downturn in the market, and the Developer fails to obtain approval for 60% of the Small Scale MPDs within the PCMR Concept Master Plan, on or before October 1, 2003, Developer shall, at a minimum acquire, by lease or by purchase its proportionate obligation to produce employee housing, and shall offer such housing to employees at a price at or below Park City's applicable affordable housing rates and standards. For example, if only 40% of the Small Scale MPDs have been approved by October 1, 2003, Developer shall provide housing for 32 PCMR employees at the lesser of the City's Affordable Housing rate or no more than 1/3 of the employee's monthly income. Once Developer ultimately achieves the 60% Small Scale MPD approval, it must provide deed restricted housing for all 80 employees as detailed above.

The existing MPD contains the requirement for employee housing, this project does not change these requirements. Per extensive Staff review of the approved and recorded Development Agreement, the employee housing is actually triggered ONLY by the receipt and approval of Conditional Use Permits (Small Scale MPD's) of the base area, "Parcels A - E."

As indicated in the Development Agreement, there was a trigger date of October 1, 2003, for 60% of the Small Scale MPDs (CUPs for each parcel), with an exception of a market downturn hit, which did take place. Under this situation, the employee requirement was proportionally based on approved Small Scale MPD's (CUPs for each parcel). The Planning Department calculates, Parcel A, the first and only approved Small Scale MPD/CUP for Marriott Mountainside/Legacy Lodge, accounted for approximately 334,000 total s.f. of the total 1,156,787 s.f. in the Large Scale Master Plan or 28.8% of 80 employee units required. This equates to 23 employee units required after October 1, 2003.

Section 2.2 of the Development Agreement states, "In no case shall Small Scale MPDs...be issued until the required housing is available for occupancy." This indicates that no additional base parcels can be approved until the 23 units are available and in use. This will be important for future base density approvals but

in Staff's opinion, the requirement is not triggered by the requested amendment for on-mountain upgrades, updates, etc. Staff recommends adding the following condition of approval:

Unless Section 2.2 of the Development Agreement is previously satisfied by the developer in an off-site location which shall include employee housing required by the development of Parcel A (the "Required Employee Housing"), the Developer shall include as part of the next application for a Small Scale MPD approved after March 25, 2015 under the Development Agreement for Parcels A-E (the "Next Small Scale MPD Application") an affordable housing plan subject to Park City Housing Authority approval per the Housing Resolution in effect at the time of application for the Required Employee Housing and the employee housing required for the Next Small Scale MPD Application as determined by such resolution. Unless otherwise approved in the housing plan, a completion bond in a form approved by the City Attorney will be required for the Required Housing as a condition of building permit issues for the Next Small Scale MPD. Nothing in this condition shall be deemed to relieve any owner or prior developer of Parcel A from any liability that may exist to the City, the Developer, or any future developers in the MPD for failure to comply with Section 2.2 of the Development Agreement.

Applicant's comments to Staff's Employee Housing condition of approval:

Generally, the proposed condition looks okay. The requirement for this property is governed by Section 2.2 of the Development Agreement. Although various ordinances may or may not apply at different times, we believe our purpose here is to ensure the existing requirement in Section 2.2. of the Development Agreement is fulfilled, and have adjusted the text to reference that requirement rather than the ordinance.

Applicant's proposed condition of approval markup:

Unless Section 2.2 of the Development Agreement is previously satisfied by the developer in an off-site location which shall include employee housing required by the development of Parcel A (the "Required Employee Housing"), the Developer shall include as part of the next application for a Small Scale MPD approved after March 25, 2015 under the Development Agreement for Parcels A-E (the "Next Small Scale MPD Application") an affordable housing plan subject to ~~Park City Housing Authority~~applicable City approvals per the ~~Development Agreement Housing Resolution in effect at the time of application~~Development Agreement for the Required Employee Housing and the employee housing required for the Next Small Scale MPD Application as determined by ~~the applicable agreements~~such resolution. Unless otherwise approved in the housing plan ~~or previously satisfied~~or letter of credit, a completion bond or letter of credit in a form approved by the City Attorney will be required for the Required Housing as a condition of building permit

issues for the Next Small Scale MPD. Nothing in this condition shall be deemed to relieve any owner or prior developer of Parcel A from any liability that may exist to the City, the Developer, or any future developers in the MPD for failure to comply with Section 2.2 of the Development Agreement.

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

Not applicable. No housing is proposed in this application. The project does not affect possible child care demands.

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

Complies. The City has received a map and list of known Physical Mine Hazards on the property. A mine hazard mitigation plan has also been submitted to the City with appropriate mitigation. The map and mitigation plan are filed in the office of the City's Environmental Regulatory Program Manager and mitigation is scheduled to be completed by December 1, 2015.

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

Proposed development activity is not anticipated to encounter known historic mine waste. Furthermore, the site is not within the soils boundary. In the event mine waste is encountered, it must be handled in accordance to State and Federal Law.

Additional Annexation Issue- Historic Preservation

In accordance with LMC §15-8-5 (B)(15) and (C)(9), the prior applicants at the time of the 2007 annexation agreed to update the Preservation Plan submitted in 2000 for the additional annexed area. The 2007 annexation included the following analysis in the February 1, 2007 staff report:

18. Historic and cultural resources

This annexation will include historic mining era structures within the Park City limits. The Silver King mine and other mining structures throughout the annexation area are more than 50 years old and would be considered to be historic structures due to the age of construction. No determination of historical significance has been made. Any changes to the historic buildings would require review by the Planning Department for

compliance with the LMC preservation ordinance and Historic Design Guidelines. The Flagstaff Historic Preservation Technical Report will necessarily need to be amended to include those resources within the annexed area. The annexation therefore has a significant public benefit in the area of historic or cultural resources, in that several historic structures will be included within the City limits. If the structures are rehabilitated to building code, resort support uses could be permitted subject to a Conditional Use Permit.

Finding of Fact no. 7, of the 2007 annexation indicated that the proposed annexation protects the general interests and character of Park City including several historic mining era structures within the Park City Boundary. Furthermore, the applicants agreed to update the mitigation as identified in the original Annexation Agreement regarding historic preservation:

Historic Preservation. The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at Daly West site is historically significant.

The Annexation Agreement for the United Park City Mines Company Lands at PCMR tied the various agreements together: This Annexation is conditioned upon the Amended and Restated Development Agreement For Flagstaff Mountain, the Talisker Conservation Deed Restriction and the Conservation Easement executed and recorded herewith. (Annexation Agreement paragraph 26).

Staff recommends that the inventory be completed to comply with the 2007 Annexation and that the Preservation and Restoration Plans are finished and approved by the City. Staff recommends adding a Condition of Approval to this MPD amendment requiring completion of the outstanding inventory and subsequent Preservation and Restoration Plans prior to the City accepting any application for base area development (this will match the affordable housing condition). The Preservation and Restoration plans shall also indicate a stabilization timeframe for each site. Staff recommends adding the following condition of approval:

In furtherance of assisting the Developers in meeting their obligations under Section 2.9.3 of the Amended and Restated Development Agreement for Flagstaff Mountain dated March 2, 2007, the Developer under the PCMR Development Agreement shall, prior to Certificate of Occupancy on Snow Hut expansion approved herein, (a) contribute \$50,000 (in cash payments or consultant work) to complete the inventory of historically significant structures and the preservation and restoration plan for such structures, as located within the PCMR Development Agreement Property (including the annexed PCMR property); (b) dedicate and/or secure preservation easements (or reasonably equivalent long-term rights satisfactory to the City if easements are unavailable) for the City with

respect to the identified sites within the PCMR Development Agreement Property; and (c) agrees to list the following sites in the Park City Historic Sites Inventory: _____. **In addition, the Developer under the PCMR Development Agreement shall contribute or expend a minimum of \$50,000 to the stabilization of the prioritized historically significant structures, as determined by the Developer in consultation with the City Preservation Planner and Park City Museum on the PCMR Development Agreement Property by October 1, 2015, and to assist the Park City Museum with an annual fundraiser event over the next five years, with the fundraiser proceeds to be used for any site on the PCMR priority list, as determined by the Park City Museum. Nothing herein shall release the original Flagstaff Mountain Developer (United Park City Mines) or current property owner from any existing obligation under the Ordinance 07-10, and all related agreements including the Amended and Restated Development Agreement for Flagstaff Mountain dated March 2, 2007.**

Applicant's comments to Staff's Historic Preservation condition of approval:

- For the \$50k contribution to complete the inventory, we have no issue doing that this summer so your proposal looks good. For dedication of easements, as you know, we are doing our boundary survey work this summer and with that we will have a better understand of which sites lie within the property that we control. As such we would like to suggest a deadline in the Spring of next year for delivery of the easements so we know what is on our property and what is not. As we have discussed, those sites on the south boundary are the ones in question
- The sites we believe that are on the annexed land are as follows: Jupiter Ore Bin, Thaynes Mine Site, Silver King Water tanks, portions of the Silver King Mine Site, and King Con Counterweight. We have added a parenthetical that they are not officially added until they are, in fact, located on our property (either owned or TCFC ground lease).
- Finally, we are planning to make a \$50k contribution towards these projects. We believe it is in the best interests of all of us to complete the inventory this summer first, prioritize the sites for stabilization and then next summer spend the \$50 k. However, we would be willing to make our contribution up to \$50k this summer if, in fact, the City and the Museum determine there is project work to be done this year.

Applicant's proposed condition of approval markup:

In furtherance of assisting the ~~d~~Developers in meeting their obligations under Section 2.9.3 of the Amended and Restated Development Agreement for Flagstaff Mountain dated March 2, 2007, the Developer under the PCMR Development Agreement shall, (a) prior to Certificate of Occupancy on Snow Hut expansion approved herein, ~~(a)~~ contribute \$50,000 (in cash payments or consultant work) to complete the inventory of historically significant structures and the preservation and restoration plan for such structures, as located within the PCMR Development Agreement Property (including the annexed PCMR property), which inventory shall include the

following sites: Jupiter Ore Bin, Thaynes Mine Site, Silver King Water Tanks, portions of the Silver King Mine Site, and the King Con Counterweight (provided such sites are confirmed to be located within the property either owned by VR CPC Holdings, Inc. or held by VR CPC Holdings, Inc. pursuant to its ground lease from TCFC LeaseCo LLC); and (b) no later than March 25, 2016, dedicate and/or secure preservation easements (or reasonably equivalent long-term rights satisfactory to the City if easements are unavailable) for the City with respect to the identified sites within the PCMR Development Agreement Property; ~~and (c) agrees to list the following sites in the Park City Historic Sites Inventory:~~ _____. In addition, the Developer under the PCMR Development Agreement shall contribute ~~or expend a minimum total~~ of \$50,000 to the stabilization of the prioritized historically significant structures, as determined by the Developer in consultation with the City Preservation Planner and Park City Museum on the PCMR Development Agreement Property by October 1, 2015, ~~and to assist the Park City Museum with an annual fundraiser event over the next five years, with the fundraiser proceeds to be used for any site on the PCMR priority list, as determined by the Park City Museum.~~ Nothing herein shall release the original Flagstaff Mountain Developer (e.g., United Park City Mines) or current property owner from any existing obligation under the Ordinance 07-10, and all related agreements including the Amended and Restated Development Agreement for Flagstaff Mountain dated March 2, 2007.

Additional Annexation Issue- Trails

In accordance with LMC §15-8-5(C)(3), the prior applicants at the time of the 2007 annexation acknowledged numerous trails in the annexed area, and their public use through dedication to the Park City Master Trails Map. See exact language below:

5. Trails

Numerous trails exist on the annexation property. These trails will be available for public use subject to reasonable restrictions due to construction, maintenance, and environmental factors including wildlife and erosion. The existing and any newly required trails shall be added to the Park City Master Trails and as necessary dedicated to the City either on the Annexation plat or at the time of PCMR MPD amendment.

Staff recommends adding the following condition of approval:

Developer hereby consents to the addition of the existing, public trails depicted on Exhibit P to the Park City Trails Master Plan. Developer is still finalizing survey and other closing matters with regards to their acquisition of the property. Unless such trails are previously dedicated by plat/subdivision, prior to the issuance of a Certificate of Occupancy for any new Small Scale MPD/CUP approved after March 25, 2015 under any portion of the Development Agreement, including Parcels A-E, the Developer and any other necessary owner/party shall execute an irrevocable offer of dedication in compliance with the requirements of Section 5 of the Annexation Agreement which remains in full force and effect, and states: Numerous trails exist on the annexation property. These trails will be available for public use subject to reasonable restrictions due to construction, maintenance, and environmental factors including wildlife and erosion. The

existing and any newly required trails shall be added to the Park City Master Trails and as necessary dedicated to the city either on the Annexation plat or at the time of PCMR MPD amendment.

Applicant's comments to Staff's Trails condition of approval:

- We are in agreement with you that we need to make sure this requirement gets fulfilled. However, we also need to make sure that we are not inadvertently changing the condition or requirement.
- It seems that neither the City nor VR at the moment has the appropriate map of trails that were intended to be covered or required by this condition, and as a result, we both need to do some research and locate it. In addition, we need to confirm our property boundaries because we obviously cannot grant easements/dedications for things that are not on our property.
- As a result, we think we need to delete the recent proposed map, and all do our homework to find whatever maps or records applied in 2007 when the requirement was crafted.
- In terms of timing, we had thought your suggestion was to tie this to base area development. The condition you drafted seems to pick up any CUP under the development agreement (and ~~would~~ could be accidentally triggered by our lift projects this summer). As a result, we have two suggested options:
 - We could tie it to the next base area Small Scale MPD (see markup below); OR
 - We would be fine with a hard deadline of March 25, 2016 one year from now which gives us all adequate time to complete our research, confirm the property boundaries, and get you the easements.
- Lastly, we suggest that the grants could be on a plat OR on an easement. I don't think this should make much of a difference to the City, but if we aren't doing a plat, we should be able to satisfy this with an easement. Plus, it will be much more feasible to get easements signed by our landlord than a plat.

Applicant's proposed condition of approval markup:

~~Developer hereby consents to the addition of the existing, public trails depicted on Exhibit ___ to the Park City Trails Master Plan.~~ Developer is ~~still~~ finalizing survey and other closing matters with regards to their acquisition and ground lease of the PCMR Development Agreement ~~p~~Property. Unless such trails are have been previously dedicated by plat/subdivision or easement, prior to [the issuance of a Certificate of Occupancy for any new Small Scale MPD/~~CUP~~ approved after March 25, 2015 under ~~any portion of~~ the Development Agreement for ~~,including~~ Parcels A-E, the Developer] and any other necessary owner/party shall execute an irrevocable offer of dedication or easement in compliance with the requirements of Section 5 of the Annexation Agreement which remains in full force and effect, and states: Numerous trails exist on the annexation property. These trails will be available for public use subject to reasonable restrictions due to construction, maintenance, and environmental factors including wildlife and erosion. The existing and any newly required trails shall be added to the Park City Master Trails and as necessary dedicated to the city either on the Annexation plat or at the time of PCMR MPD amendment.

Conditional Use Permit (CUP)

LMC § 15-4-18 indicates that the location and use of a passenger tramway, including a ski tow or ski lift, is a Conditional Use. CUPs under this section shall be issued only after public hearing before the Planning Commission, and upon the Planning Commission finding that all the following conditions can be met:

1. **Ownership of Liftway.** *The Applicant owns or controls the Liftway necessary to construct and operate the Passenger Tramway. For the purpose of this section, ownership or control is established if the Applicant can demonstrate that he has title to the Property being crossed by the Liftway, or an easement over that Property, or options to acquire the Property or an easement or a leasehold interest in the Property, or an option to acquire a leasehold, of at least fifteen (15) years duration. Ownership or control of portions of the Liftway, which cross over Public Streets may be demonstrated by a written permit or license to cross the Street, signed by the governmental entity, which has jurisdiction over the Street crossed.*

Any combination of ownership and leasehold interests that gives the Applicant possession and control over the entire course of the Liftway, and over the land necessary for base and terminal facilities shall be sufficient to give the Applicant standing to apply for the Conditional Use.

Complies.

2. **Width.** *The Liftway shall extend a distance of at least ten feet (10') outward from the vertical plane established by the outermost surface of the Passenger Tramway, which generally is the outside edge of the chair or passenger compartment, on each side of the tramway's course excluding base and terminal Structures. Width is computed in this manner, rather than measuring from the center line of the Passenger Tramway or the cable in order to provide a minimum clearance of ten feet (10') on each side of the Liftway regardless of the configuration of the passenger-carrying elements.*

Complies as conditioned.

3. **Base or Terminal Facilities.** *The Passenger Tramway must be constructed without the installation of base or terminal facilities within the HR-1 or HRL zones. Mid-loading and unloading points are allowed in the HR-1 and HRL zones.*

Not applicable.

4. **Crossing of Public Roads.** *The Applicant must show that all components of the Passenger Tramway and any components of the Liftway, such as safety netting provide a minimum clearance of eighteen feet (18') over major roads and*

fourteen feet (14') over residential Streets. In addition, the Applicant must show compliance or the ability to comply with any safety or height restrictions, which might be imposed by any governmental agency having jurisdiction over public roads crossed by the Liftway.

Not applicable.

- 5. Utility Clearance.** *The Applicant must show all portions of the Passenger Tramway including any associated safety netting constructed with it provides a minimum clearance of ten feet (10') over any wires or utility line which it crosses, and that the Applicant has complied with or has the ability to comply with safety restrictions or regulations imposed by utilities having possession or control over wires that tramway crosses over.*

Complies as conditioned.

- 6. Parking and Traffic Plans.** *The Applicant must present a parking, traffic, and transportation plan pertaining to the Passenger Tramway for review and approval by the Planning Commission. The plan must address at least the following considerations: auto, bus, and pedestrian traffic, which could be generated by the Passenger Tramway, the impacts of this traffic on the adjoining landowners and the neighborhood in general, parking demand created by the Passenger Tramway and how that parking would be provided. The traffic and parking plan may be included in the neighborhood impact analysis. The parking requirements and impacts of a Passenger Tramway will vary within the zones depending upon the location and the ability of the Applicant to make use of existing public and private parking facilities; therefore, no specific requirement has been set. The Applicant is expected to show workable means of dealing with the traffic generated by the Passenger Tramway construction and operation, including such regulations as resident parking permits, Off-Site traffic controls and facilities, or similar means for controlling traffic and minimizing Off-Site impacts on adjoining Properties.*

The approved and recorded Park City Mountain Resort Development Agreement states that parking mitigation is reviewed at each Small Scale Master Planned Development (Conditional Use Permit) approval for base development. The review that occurred for "Parcel A," was satisfied, noting that no additional parking issues would be occurring until later phases were built-out at the base. Staff recommends no change to that direction from the Planning Commission to re-evaluate the parking with the next phase of base area development, which is consistent with the County's determinations on their side of the interconnect application. During the February 25, 2015 Planning Commission meeting, the Commission agreed that the parking mitigation would be effected by the additional small scale MPD (CUP) or the base development.

7. **Liftway Setback.** *The minimum Setback between the outermost surface of Structure of the Liftway and any existing dwelling shall be ten feet (10'), in addition to the width of the Liftway itself. This Setback may be waived with the written consent of the Owner of the affected dwelling, which consent shall be in a form suitable for recording with the County Recorder.*

Complies as conditioned.

8. **State Regulation.** *Any Passenger Tramway constructed under a Conditional Use permit is subject to safety regulation by the Passenger Tramway Safety Committee of the State Department of Transportation. The Applicant is expected to involve the State in the planning process to the extent necessary to inform the Commission of State requirements in order to avoid the imposition of inconsistent requirements by the State and the Planning Commission.*

Complies as conditioned.

9. **Public Purpose Served.** *The Planning Commission must find that the construction and operation of the tramway serves the overall community interest by accomplishing or furthering community goals such as reducing traffic congestion and volume between the downtown Area and the base facilities of the ski resorts, encouraging pedestrian traffic in the downtown neighborhood redevelopment Area, stabilizing the economic base of the Historic District, and mitigating the demand for parking in the Historic District, and that adequate controls on noise, mechanical equipment, smoking and safety aspects of the tramway have been provided to mitigate the effects of the Passenger Tramway on adjoining Properties.*

Complies.

Construction Access

Regarding construction staging access see Exhibit Q, which indicates the access and possible schedule. The map attached to this exhibit points out the routes.

Summary Recommendations

Staff recommends that the Planning Commission review the submitted Master Planned Development Agreement & Mountain Upgrade Plan amendments, Conditional Use Permit for a ski lift, hold a public hearing, and consider approving the requested application based on the Findings of Fact, Conclusions of Law, and Conditions of Approval for the Commission's consideration.

MPD - Findings of Fact:

1. The site is known as Park City Mountain Resort.
2. The site address is 1345 Lowell Avenue.
3. On December 23, 2014 the applicant submitted a request to amend the existing Master Planned Development & Development Agreement.

4. The current application is an amendment to the Mountain Upgrade Plan for the Interconnect Gondola and expansion of the Snow Hut on-mountain restaurant AND an amendment to the Park City Mountain Resort Master Plan Development (MPD) to satisfy requirements of the 2007 annexation which requires the addition of the upper mountain ski terrain to PCMR's original MPD.
5. A Ski Lift is listed as a Conditional Use Permit (CUP) in the ROS District. CUPs are reviewed and approved by the Park City Planning Commission.
6. In June 1997, the Park City Planning Commission approved the Park City Mountain Resort Large Scale Master Plan.
7. The Development Agreement was recorded with the County in July 1998.
8. The approved Master Plan includes development according to the PCMR Concept Master Plan and conditions of approval.
9. The conditions of approval include development of skiing and related facilities identified in the Mountain Upgrade Plan.
10. In March 2007, additional Park City Mountain Resort ski terrain was annexed into Park City Municipal Corporation known as the Annexation Agreement for the United Park City Mines Company Lands at Park City Mountain Resort.
11. The annexation indicated that the next Development Activity Application or amendment under the PCMR MPD must add the PCMR lease land annexed to the PCMR MPD.
12. In conjunction with the other amendments the applicant requests to fulfill the requirements of the annexation by incorporating PCMR's upper terrain into the PCMR Master Planned Development & Development Agreement.
13. The Mountain Upgrade Plan was recorded with the Development Agreement and identifies the background/methodology, design criteria, existing ski resort facilities, Mountain upgrading plan, future expansion potential, and conclusion.
14. The amendment of the Mountain Upgrade Plan includes the construction of those portions of the interconnect lift with Canyons Resort, and related lift towers, ski trails, terminals, buildings, infrastructure, and related appurtenances located in Park City.
15. The interconnect gondola is not specifically referenced in the Mountain Upgrade Plan, the terrain in which the lift is proposed is already designated in the Mountain Upgrade Plan for future ski pod development.
16. The proposed interconnect gondola will connect Park City Mountain Resort and Canyons Resort.
17. The amendment of the Mountain Upgrade Plan also includes the expansion of the Snow Hut on-mountain restaurant.
18. The improvement and enlargement of the Snow Hut is to improve mountain guest services.
19. The Planning Commission held a public hearing and reviewed this request on February 25, 2015.
20. During the February 25, 2015 Planning Commission meeting staff requested discussion by the Planning Commission on four items: building height, parking, employee housing, and historic preservation.
21. The purpose of the Master Planned Development Amendment application public meeting is to have the applicant present their amendments and give the

public and Planning Commission an opportunity to evaluate those amendments in accordance with the applicable code criteria.

22. The proposed amendment to the Development Agreement does not change approved densities.
23. The site is not located in the HR-1 or HR-2 District. The proposed amendments take place with the areas shown in the Mountain Upgrade Plan, located in the Recreation and Open Space District (zone).
24. The proposed amendments are not nearby the exterior boundary of the MPD with the exception of the interconnect line.
25. The Snow Hut on-mountain restaurant and the PCMR interconnect line terminal are a minimum of 2,000 feet from PMCR perimeter.
26. Open space is established by the approved MPD. Of the approximately 3,700 acres in the ski resort, nearly 95% of the property is considered recreation/open space (i.e. trails and forested areas).
27. The proposed projects will not materially affect the required open space.
28. The LMC indicates that the Planning Department shall review the parking analysis and provide a recommendation to the Planning Commission. The Commission is to make a finding during review of the MPD as to whether or not the parking analysis supports a determination to increase or decrease the required number of Parking Spaces.
29. The Developer shall comply with the parking mitigation plan. This plan shall be reviewed and modified, if necessary, as a part of the Small Scale MPD (CUP) for each phase to evaluate transit alternatives and demonstrated parking needs.
30. If, in practice, the parking mitigation plan fails to adequately mitigate peak day parking requirements, the City shall have the authority to require the Resort to limit ticket sales until the parking mitigation plan is revised to address the issues. The intent is that any off-site parking solution include a coordinated and cooperative effort with the City, other ski areas, the Park City School District, Summit County, and the Park City Chamber/Bureau to provide creative solutions for peak day and special event parking.
31. The replacement of the Snow Hut does not affect skier capacity and subsequently does not affect parking requirements.
32. Skiers and riders are already on the mountain during operations, and the replacement Snow Hut Lodge is designed to significantly improve service at a major connection area in a central area of the ski resort.
33. The Interconnect Gondola functions only as an access/transfer lift between existing ski operations and has not been designed with round trip skiing on it. Given it is an access lift only between the two areas there is no skier capacity increase associated with it.
34. No additional parking is impacted by the Snow Hut on-mountain restaurant expansion.
35. The applicant indicated that in 2014 the Snow Hut has 154 indoor seats and 200 outdoor seats.

36. The Mountain Upgrade Plan called for several items in the conclusion of Section III - Existing Ski Resort Facilities, one of which was to position additional on-mountain seating to accommodate existing and upgrade facilities.
37. The Mountain Upgrade Plan indicated that the Snow Hut needed additional seating based on the seating requirement summary based on logical distribution of the CCC. As indicated in the document in 1997, the Snow Hut had 168 indoor seats available but should have 414 indoor seats.
38. The applicant currently proposes to increase the indoor seating from the 168 indicated in 1997 to approximately 500 and the outdoor seating to stay the same at approximately 250 seats (indicated in 1997).
39. The net increase, from what was necessary in 1997, is 86 seats, which is 21% above the required number of seats.
40. The increase of 86 indoor seats (1997) from the identified CCC necessitates parking at the base since the skier capacity is not affected.
41. Skiers are already on the mountain during operations and the CCC remains unchanged.
42. The proposed Interconnect Gondola does not need more parking as it functions only as an access/transfer lift between existing ski operations and has not been designed with round trip skiing on it.
43. The approved and recorded Development Agreement states that parking mitigation is reviewed at each Small Scale Master Planned Development (Conditional Use Permit) approval.
44. The review that occurred for "Parcel A," was satisfied, noting that no additional parking issues would be occurring until later phases were built-out at the base.
45. The applicant requests an increase in building height for the Snow Hut expansion.
46. In the ROS District no structure may be erected to a height greater than twenty-eight feet (28') from existing grade.
47. To allow for a pitched roof and to provide usable space within the structure, a gable, hip, or similar pitched roof may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.
48. The majority of the proposed new building does not meet the maximum roof height, according to its corresponding roof pitch, of either 28 or 33 feet.
49. The corner on the left on the front elevation is approximately 52 feet above existing grade.
50. The corner on the right on the front elevation is approximately 68 feet above existing grade.
51. The front elevation has the tallest points found on the proposed snow hut expansion.
52. When viewed from the side elevation, north, about a quarter of the building on the right meets the maximum of height 28/33 feet.
53. When viewed from the other side, south elevation, two thirds (2/3s) of the building from the left on the lowest form and about 1/3 of the ridge towards the left meets the maximum building height.
54. When reviewing the rear of the building, west elevation, the entire wall (rear façade) meets the maximum height.

55. The roof however, as indicated on the other elevations does not meet the height.
56. It is estimated that approximately 70% of the overall roof does not meet the maximum corresponding building height.
57. In order to grant building height in addition to that which is allowed in the ROS District, underlying zone, the Planning Commission is required to make specific findings Outlined in LMC § 15-5-5(F)(1)-(5).
58. The proposed increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density.
59. Even though the building is indeed tall, not just in form but also due to the terrain (height measured from existing grade per Park City codes), the proposed building is a one (1) story building which maximizes sun-light exposure from the windows on the front, east elevation.
60. There is no density increase as the existing support commercial use for the restaurant does not require use of unit equivalents. A different design with the same capacity at height would result in greater site disturbance, grading and less architectural variation.
61. The proposed Snow Hut is remote from any other building.
62. The minimum setback for the building is 2,000 feet. No other structures, except ski lifts are within this area. No impact to view, solar access, shadows, or other criteria will occur.
63. The site is centralized in the upper mountain of the existing ski resort, and not generally visible from developed off-site locations in Park City. As a ski resort operation, the site will be re-vegetated with a proven seed mix.
64. The adjacent open space is designated ski terrain. With approximately 3,700 acres of ski terrain the proposed projects 17,200 square feet of footprint will have no effect on open space or its usability.
65. The proposed height of the building is the result of a combination of the single story accessible design and the roof design which does not shed snow to public areas or decks, and does not require heat taping in roof valleys or edges to prevent large icicle development.
66. The large glazed areas are designed to maximize solar gain in support of the project sustainability goals. Interruptions in the roof plane would interrupt snow shed and possible increase height with no purpose.
67. There are no other buildings within one-half mile to match roof façade or variations.
68. The proposed roof form maximizes sun-light exposure on the east elevation.
69. The proposed one (1) story structure meets the following Architectural Design Guidelines outlined in LMC § 15-5-5.
70. The Architectural Style and Motif is not prohibited by the LMC.
71. The proposed siding is not prohibited by the LMC.
72. The applicant proposes the following three (3) main exterior wall materials on the front and side elevations: 1. reclaimed board and batten; 2. horizontal chinked trestlewood; and 3. rusted corten ribbed siding. The applicant proposes concrete masonry unit (CMU) on the bottom half of the rear elevation.

73. Applicant proposes a dark green shingle roof and a metal standing seam for the two smaller shed roofs as seen on the rear, west elevation.
74. The combination roof shape is not listed under prohibited roof forms.
75. Window treatments are not prohibited by the code.
76. The applicant has not submitted plans regarding this provision.
77. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting.
78. The applicant has not submitted plans regarding this provision.
79. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding trash/recycling enclosures.
80. The applicant has not submitted plans regarding this provision.
81. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding mechanical equipment.
82. LMC § 15-5-8 indicates the following regarding façade length and variations, following: Structures that exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.
83. The east elevation, front does not meet the façade façade length and variations requirement.
84. The façade is 140 feet long and does not provide a prominent shift in the mass of the structure.
85. The north and south elevations provide appropriate breaks, both horizontally and vertically (height) where a shift was incorporated in the design.
86. The west elevation, rear, meets the shift in the form of a fifteen foot (15') change in the building height.
87. LMC § 15-5-7 indicates that in some cases, the Planning Director, may vary from these standards if warranted by unusual or unique circumstances. This may result in variation from the strict interpretation of this section and may be granted by the Planning Director.
88. The Planning Director has reviewed the submitted plans and finds that the site is unusual and unique due to its remote location.
89. The Snow Hut is located on the mountain, accessible to skiers.
90. The location of the Snow Hut is not in a typical Park City neighborhood.
91. The intent of the façade length and variation criteria is to break up the massing of buildings so that they relate to the pedestrian scale.
92. The amount of glass on the front, east elevation, also helps mitigate the width of the building adding an aesthetically pleasing component.
93. When the Planning Commission grants additional Building Height due to a Site Specific analysis and determination, that additional Building Height shall only apply to the specific plans being reviewed and approved at the time. Additional

Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

94. The additional height due to the specific site analysis is not detrimental and in compliance with applicable LMC standards regarding the height allowance.
95. The Snow Hut Lodge is located on the footprint of the existing building and against an existing hill side to maximize skier circulation in the area.
96. Placing excavated material on site will remove the reverse slope between the King Con run and the building location. Skier circulation down to the King Con lift will be improved by the site grading on Broadway and the new location of the building.
97. The Interconnect Gondola is located not to interfere with skier circulation and provides direct access to the Snow Hut Lodge.
98. No retaining structures are proposed. Site grading is minimized while providing an on-snow / no stairs access to Snow Hut.
99. Existing summer biking and hiking trails on the Park City Mountain Resort side of the project are avoided to extent possible. Within the Summit County portion of the site, the evacuation routes may cross existing biking / hiking trails within the terms of the property agreements with trail operators and landowners.
100. Snow storage is on-site. The building is designed to shed snow away from public areas and service doors.
101. Refuse and recycling will take place in the building footprint consistent with the sustainability goals of Park City Mountain Resort. Refuse removal will not change from current operations.
102. Transportation to the site is via lifts, skiing and snowboarding only. No public vehicle access is proposed.
103. Significant vegetation is retained and protected.
104. Vegetation removed for site grading consists mainly of existing ski runs grasses and brush. The lift line corridor will require tree removal but ground disturbance will only occur in lift tower areas, base terminal area and evacuation route construction.
105. The visual simulations have been conducted properly for review of viewshed and ridgeline protection. The terminal structure minimizes the intrusion on the ridgeline from either east or west sight lines.
106. The lift line impacts are reduced as it is below the sky line and in many places within a forested area.
107. A visual analysis from designated viewpoints has been submitted to illustrate the visual effects of the proposed lift system.
108. The interconnect gondola system, towers and terminals, and evacuation route in Thaynes Canyon are shown on the visual simulation from the designated viewpoints.
109. The location of the proposed Snow Hut building is also shown in the simulations.
110. All other elements of the Sensitive Land analysis for the original MPD remain in effect and unchanged by this project.
111. The MPD Development Agreement states the following:

Developer shall construct or provide deed restricted off-site housing for 80 PCMR employees on or before October 1, 2003. The rental rate (not including utilities) for the employee housing will be determined by the City Council Housing Resolutions Establishing Guidelines and Standards, but will not exceed 1/3 of the employee's base gross wages. The rental rate shall be assured in perpetuity through deed restrictions in form and substance satisfactory to the City. Developer must commence construction or complete the purchase of housing to accommodate 80 employees within 90 days of receiving a Small Scale MPD which, in combination with previously granted Small Scale MPDs, represent approvals for a total of 50% of the total square footage of the Concept Master Plan. Developer must work expeditiously to complete the employee housing project(s). In no case shall Small Scale MPDs, which represent approvals for a total of 60% of the Small Scale MPDs within the PCMR Concept Master Plan, be issued until the required housing is available for occupancy. Park City will provide Developer a letter of compliance when it fulfills this requirement.

If there is a downturn in the market, and the Developer fails to obtain approval for 60% of the Small Scale MPDs within the PCMR Concept Master Plan, on or before October 1, 2003, Developer shall, at a minimum acquire, by lease or by purchase its proportionate obligation to produce employee housing, and shall offer such housing to employees at a price at or below Park City's applicable affordable housing rates and standards. For example, if only 40% of the Small Scale MPDs have been approved by October 1, 2003, Developer shall provide housing for 32 PCMR employees at the lesser of the City's Affordable Housing rate or no more than 1/3 of the employee's monthly income. Once Developer ultimately achieves the 60% Small Scale MPD approval, it must provide deed restricted housing for all 80 employees as detailed above.

112. The existing MPD contains the requirement for employee housing, this project does not change these requirements.
113. Employee housing is actually triggered ONLY by the receipt and approval of Conditional Use Permits (Small Scale MPD's) of the base area, "Parcels A - E."
114. As indicated in the Development Agreement, there was a trigger date of October 1, 2003, for 60% of the Small Scale MPDs (CUPs for each parcel), with an exception of a market downturn hit, which did take place.
115. Under this situation, the employee requirement was proportionally based on approved Small Scale MPD's (CUPs for each parcel).
116. The Planning Department calculates, Parcel A, the first and only approved Small Scale MPD/CUP for Marriott Mountainside/Legacy Lodge, accounted for approximately 334,000 total s.f. of the total 1,156,787 s.f. in the Large Scale Master Plan or 28.8% of 80 employee units required. This equates to 23 employee units required after October 1, 2003.
117. Section 2.2 of the Development Agreement states, "In no case shall Small Scale MPDs...be issued until the required housing is available for occupancy."
118. No additional base parcels can be approved until the 23 units are available and in use.

119. The employee housing requirement is not triggered by the requested amendment for on-mountain upgrades, updates, etc.
120. No child care is proposed in this application.
121. The project does not affect possible child care demands.
122. The City has received a map and list of known Physical Mine Hazards on the property.
123. A mine hazard mitigation plan has also been submitted to the City with appropriate mitigation. The map and mitigation plan are filed in the office of the City's Environmental Regulatory Program Manager and mitigation is scheduled to be completed by December 1, 2015.
124. Proposed development activity is not anticipated to encounter known historic mine waste.
125. The site is not within the soils boundary. In the event mine waste is encountered, it must be handled in accordance to State and Federal Law.
126. In accordance with LMC §15-8-5 (B)(15) and (C)(9), the prior applicants at the time of the 2007 annexation agreed to update the Preservation Plan submitted in 2000 for the additional annexed area.
127. The 2007 annexation included the following analysis in the February 1, 2007 staff report:

18. Historic and cultural resources. This annexation will include historic mining era structures within the Park City limits. The Silver King mine and other mining structures throughout the annexation area are more than 50 years old and would be considered to be historic structures due to the age of construction. No determination of historical significance has been made. Any changes to the historic buildings would require review by the Planning Department for compliance with the LMC preservation ordinance and Historic Design Guidelines. The Flagstaff Historic Preservation Technical Report will necessarily need to be amended to include those resources within the annexed area. The annexation therefore has a significant public benefit in the area of historic or cultural resources, in that several historic structures will be included within the City limits. If the structures are rehabilitated to building code, resort support uses could be permitted subject to a Conditional Use Permit.
128. Finding of Fact no. 7, of the 2007 annexation indicated that the proposed annexation protects the general interests and character of Park City including several historic mining era structures within the Park City Boundary.
129. The applicants agreed to update the mitigation as identified in the original Annexation Agreement regarding historic preservation:

Historic Preservation. The Historic Preservation Plan, at a minimum, shall contain an inventory of historically significant structures located within the Project and shall set forth a preservation and restoration plan, including a commitment to dedicating preservation easements to the City, with respect to any such historically significant structures. The head frame at Daly West site is historically significant.
130. The Annexation Agreement for the United Park City Mines Company Lands at PCMR tied the various agreements together.

131. This 2007 Annexation is conditioned upon the Amended and Restated Development Agreement For Flagstaff Mountain, the Talisker Conservation Deed Restriction and the Conservation Easement executed and recorded herewith. (Annexation Agreement paragraph 26).
132. The inventory is to be completed to comply with the 2007 Annexation and the Preservation and Restoration Plans are finished and approved by the City.
133. A Condition of Approval to this MPD amendment requiring completion of the outstanding inventory and subsequent Preservation and Restoration Plans prior to the City accepting any application for base area development is to be added.
134. The Preservation and Restoration plans shall also indicate a stabilization timeframe for each site.
135. In accordance with LMC §15-8-5(C)(3), the prior applicants at the time of the 2007 annexation acknowledged numerous trails in the annexed area, and their public use through dedication to the Park City Master Trails Map. See exact language below:
5. Trails. Numerous trails exist on the annexation property. These trails will be available for public use subject to reasonable restrictions due to construction, maintenance, and environmental factors including wildlife and erosion. The existing and any newly required trails shall be added to the Park City Master Trails and as necessary dedicated to the City either on the Annexation plat or at the time of PCMR MPD amendment.
136. A Condition of Approval to this MPD amendment requiring trails language needs to be added to this approval.
137. The proposed Interconnect Gondola and Snow Hut on-mountain restaurant are not detrimental impacts of the Mountain Upgrade Plan.
138. The Interconnect increases accessible terrain as it connects PCMR with the Canyons Resort.
139. The Snow Hut expansion reduces the resort's restaurant seating deficiencies.

MPD - Conclusions of Law:

- A. The MPD Amendment, as conditioned, complies with all the requirements of the Land Management Code;
- B. The MPD Amendment, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
- C. The MPD Amendment, as conditioned, is consistent with the Park City General Plan;
- D. The MPD Amendment, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
- E. The MPD Amendment, as conditioned, strengthens and enhances the resort character of Park City;
- F. The MPD Amendment, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- G. The MPD Amendment, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;

- H. The MPD Amendment, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
- I. The MPD Amendment, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
- J. The MPD Amendment, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
- K. The MPD Amendment, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
- L. The MPD Amendment has been noticed and public hearing held in accordance with this Code.
- M. The MPD Amendment, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
- N. The MPD Amendment, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
- O. The MPD Amendment, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.

MPD - Conditions of Approval:

- 1. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting, trash/recycling enclosures, mechanical equipment, etc.
- 2. In the event mine waste is encountered, it must be handled in accordance to State and Federal Law.
- 3. Employee Housing: Unless Section 2.2 of the Development Agreement is previously satisfied by the developer in an off-site location which shall include employee housing required by the development of Parcel A (the "Required Employee Housing"), the Developer shall include as part of the next application for a Small Scale MPD approved after March 25, 2015 under the Development Agreement for Parcels A-E (the "Next Small Scale MPD Application") an affordable housing plan subject to Park City Housing Authority approval per the Housing Resolution in effect at the time of application for the Required Employee Housing and the employee housing required for the Next Small Scale MPD Application as determined by such resolution. Unless otherwise approved in the housing plan, a completion bond in a form approved by the City Attorney will be required for the Required Housing as a condition of building permit issues for the Next Small Scale MPD. Nothing in this condition shall be deemed to relieve any owner or prior developer of Parcel A from any liability that may exist to the City, the Developer, or any future developers in the MPD for failure to comply with Section 2.2 of the Development Agreement.

4. Historic Preservation: In furtherance of assisting the Developers in meeting their obligations under Section 2.9.3 of the Amended and Restated Development Agreement for Flagstaff Mountain dated March 2, 2007, the Developer under the PCMR Development Agreement shall, prior to Certificate of Occupancy on Snow Hut expansion approved herein, (a) contribute \$50,000 (in cash payments or consultant work) to complete the inventory of historically significant structures and the preservation and restoration plan for such structures, as located within the PCMR Development Agreement Property (including the annexed PCMR property); (b) dedicate and/or secure preservation easements (or reasonably equivalent long-term rights satisfactory to the City if easements are unavailable) for the City with respect to the identified sites within the PCMR Development Agreement Property; and (c) agrees to list the following sites in the Park City Historic Sites Inventory: _____. In addition, the Developer under the PCMR Development Agreement shall contribute or expend a minimum of \$50,000 to the stabilization of the prioritized historically significant structures, as determined by the Developer in consultation with the City Preservation Planner and Park City Museum on the PCMR Development Agreement Property by October 1, 2015, and to assist the Park City Museum with an annual fundraiser event over the next five years, with the fundraiser proceeds to be used for any site on the PCMR priority list, as determined by the Park City Museum. Nothing herein shall release the original Flagstaff Mountain Developer (United Park City Mines) or current property owner from any existing obligation under the Ordinance 07-10, and all related agreements including the Amended and Restated Development Agreement for Flagstaff Mountain dated March 2, 2007.
5. Trails: Developer hereby consents to the addition of the existing, public trails depicted on Exhibit P to the Park City Trails Master Plan. Developer is still finalizing survey and other closing matters with regards to their acquisition of the property. Unless such trails are previously dedicated by plat/subdivision, prior to the issuance of a Certificate of Occupancy for any new Small Scale MPD/CUP approved after March 25, 2015 under any portion of the Development Agreement, including Parcels A-E, the Developer and any other necessary owner/party shall execute an irrevocable offer of dedication in compliance with the requirements of Section 5 of the Annexation Agreement which remains in full force and effect, and states: Numerous trails exist on the annexation property. These trails will be available for public use subject to reasonable restrictions due to construction, maintenance, and environmental factors including wildlife and erosion. The existing and any newly required trails shall be added to the Park City Master Trails and as necessary dedicated to the city either on the Annexation plat or at the time of PCMR MPD amendment.

CUP - Findings of Fact

1. LMC § 15-4-18 indicates that the location and use of a passenger tramway, including a ski tow or ski lift, is a Conditional Use.

2. CUPs under this section shall be issued only after public hearing before the Planning Commission, and upon the Planning Commission finding that all the following conditions can be met.
3. The interconnect complies with the Ownership of Liftway and Public Purpose criteria.
4. The interconnect complies with the Width, Utility Clearance, Liftway Setback, State Regulation, criteria, as conditioned.

CUP Conclusions of Law:

1. The application complies with all requirements of the Land Management Code.
2. The use will be compatible with surrounding structures in use, scale, mass, and circulation.
3. The use is consistent with the Park City General, as amended.
4. The effects of any differences in use or scale have been mitigated through careful planning.

CUP - 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. 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.
7. This Conditional Use Permit approval will expire on March 25, 2016, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.

Exhibits

Exhibit A – Park City Ski Area Mountain Upgrade Plan

Exhibit B – Project Description

Exhibit C – Visual Simulations & Photographs

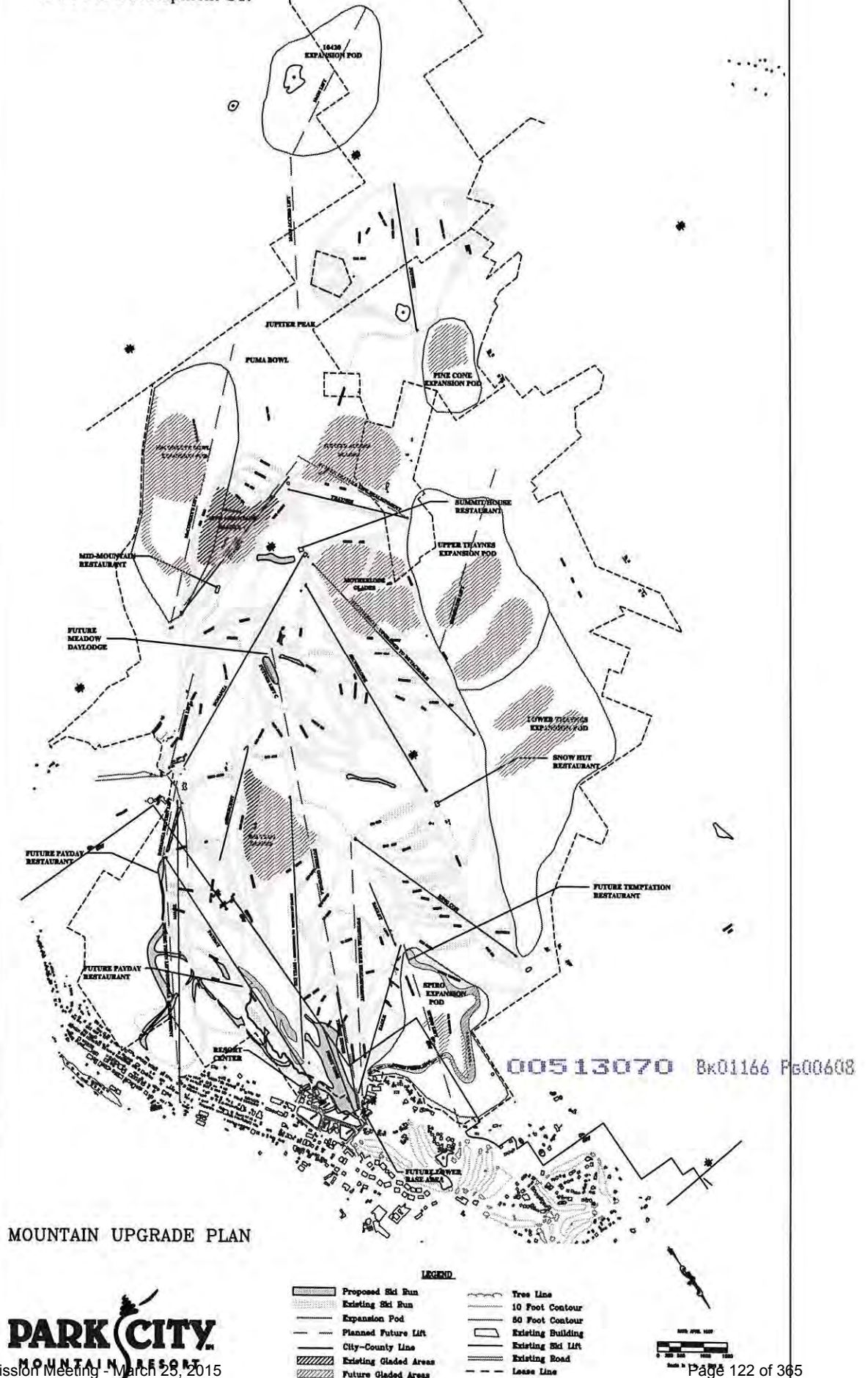
Exhibit D – Snow Hut Topographic Survey

Exhibit E – Interconnect Lift Overall Plan

Exhibit F – New Gondola & Snow Hut Overall Site Plan + Site Grading & Utility Plan +

Updated Grading Supplemental
Exhibit G – Snow Hut Site Plan
Exhibit H – Snow Hut Floor & Roof Plan
Exhibit I – Snow Hut Elevations
Exhibit J – Snow Hut Sections
Exhibit K – Snow Hut Visuals
Exhibit L – Park City Lift Finishes
Exhibit M – Operator House
Exhibit N – 02.25.2015 Planning Commission Minutes
Exhibit O – Public Comments
Exhibit P – Park City 2014 Trails Map
Exhibit Q – Construction Staging Access

For Full-Size Map, See Either
Park City Municipal Corp
or Powdr Development Co.



Park City Ski Area

Mountain Upgrade Plan

Exhibit L

00513070 Bx01166 Pg00609

August 1996

sno.engineering



Mountain Upgrade Plan

August 1996

Prepared for:
Park City Ski Area
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00513070 Bk01166 Pg00610

PROPRIETARY AND CONFIDENTIAL



TABLE OF CONTENTS

I.	INTRODUCTION	1
A.	Background	1
B.	Methodology	2
II.	DESIGN CRITERIA	3
A.	Trail Design	3
1.	Fall-Line	3
2.	Slope Gradients and Terrain Breakdown	3
3.	Trail Density	4
4.	Trail System	4
B.	Lift Design	5
C.	Capacity Analysis and Design	5
D.	Base Area Design	6
E.	Balance of Facilities	6
III.	EXISTING SKI RESORT FACILITIES	7
A.	Skiing Facilities	9
1.	Ski Lifts	9
2.	Trails and Distribution by Ability Level	10
3.	Comfortable Carrying Capacity and Density Analysis	14
4.	Skiers Access and Egress Capacity	17
B.	Visitor Services	20
1.	Visitor Service Buildings	20
2.	Size and Placement of Visitor Service Functions	21
3.	Food Service Seating	23
4.	Parking/Shuttle Services and Access	24
C.	Conclusions	25
IV.	MOUNTAIN UPGRADING PLAN	26
A.	Skiing Facilities	26
1.	Ski Lifts	29
2.	Ski Terrain	31
3.	Analysis of Comfortable Carrying Capacity	35
4.	Skier Access and Egress Analysis	38

00513070 Bk01166 Pg00611



TABLE OF CONTENTS (continued)

IV.	MOUNTAIN UPGRADING PLAN.....	26
B.	Visitor Services.....	40
	1. Visitor Service Buildings	40
	2. Size and Placement of Visitor Service Functions	41
	3. Food Service Seating	44
	4. Parking/Shuttle Services and Access.....	45
V.	FUTURE EXPANSION POTENTIAL.....	46
VI.	CONCLUSION	48

00513070 Bk01166 Pg00612



LIST OF FIGURES

III-1	Existing Ski Area	8
IV-1	Ski Area Upgrading	28
V-1	Future Expansion Pods	47

LIST OF TABLES

II-1	Acceptable Terrain Gradients.....	3
II-2	Park City's Skier Ability Breakdown	4
II-3	Skier Density Per Acre	4
III-1	Existing Lift Specifications	9
III-2	Existing Ski Terrain Specifications	10-12
III-3	Ability Level and National Trail Standards.....	13
III-4	Existing Ski Terrain Distribution by Ability Level.....	13
III-5	Existing Comfortable Carrying Capacity (CCC)	14
III-6	Skier Density Per Acre Industry Standards	15
III-7	Existing Terrain Capacity and Density Analysis.....	16
III-8	Existing Morning Access Capacity	17
III-9	Existing Egress Trail Capacity Study	19
III-10	Existing Space Use By Building/Location	21
III-11	Existing Total Space Use Requirements	22
III-12	Existing Food Service Seating Requirements	23
IV-1	Lift Specifications - Upgrading	29
IV-2	Ski Terrain Specifications - Upgrading	31-34
IV-3	Ski Terrain by Ability Level - Upgrading	34
IV-4	Comfortable Carrying Capacity (CCC) - Upgrading.....	35
IV-5	Skier Density per Acre - PCSA Design Criteria.....	36
IV-6	Density Analysis - Upgrading	37
IV-7	Morning Access Time - Upgrading.....	38
IV-8	Egress Trail Density Analysis - Upgrading.....	39
IV-9a	Distribution of CCC by Facility/Location (Base Area) - Upgrading	41
IV-9b	Distribution of CCC by Facility/Location (Mountain Restaurants) - Upgrading	42
IV-10	Space Use Requirements by Building/Location - Upgrading	43
IV-11	Food Service Seating Requirements - Upgrading.....	44

00513070 Bk01166 Pg00613

APPENDIX A

PARK CITY SKI AREA PARKING AND CAPACITY ANALYSIS	49
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00513070 Bk01166 Pg00614



I. INTRODUCTION

A. Background

Sno.engineering, Inc. has been retained by Powdr Corporation to develop a mountain upgrade plan for the Park City Ski Area (PCSA). The primary goal in undertaking this project is to develop a long-range plan for upgrading the ski area facilities. Specific objectives of the upgrading plan include:

- ♦ to identify opportunities to improve the quality of the ski product by upgrading facilities within the current ski area boundary;
- ♦ to utilize innovative ski area planning and design techniques, as well as recent technological advances, to modernize the ski area facilities;
- ♦ to reconfigure the out-of-base lifts to accommodate a new base area staging portal in the Three Kings/First Time area;
- ♦ to develop a greater variety of ski terrain tailored to the skier market ability distribution (to the extent possible) with an emphasis on enhancing opportunities for beginner, novice, intermediate, and advanced intermediate skiers;
- ♦ to improve out-of-base lift capacity, end-of-day egress trail capacity, and overall skier circulation;
- ♦ to balance the uphill capacity of the lift systems with the downhill capacity of the ski trails;
- ♦ to identify areas of potential future expansion terrain; and
- ♦ to establish the skier support facility requirements (day lodge square footage, food service seating, and parking/shuttle/overnight accommodations) to maintain a balance with the upgraded lift and trail system.

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B. Study Methodology

In order to develop a mountain upgrade plan for PCSA that is responsive to the planning goals and objectives outlined above, an evaluative process has been undertaken that includes three interrelated tasks. These components are summarized below:

Existing Conditions

An evaluation of the existing conditions at PCSA was completed, which involved a review of the ski area's physical resources and an assessment of the existing ski area operation. On site investigations of the ski facilities were conducted under bare ground conditions, and during winter operations, including a site visit to observe the facility during "America's World Cup Opener". The inventory of site resources helps to guide the planning and location of new facilities, whereas the assessment of the existing ski operation identifies deficiencies within the ski area which must be brought into balance to improve the recreational experience. The evaluation of existing conditions is set forth in Section III of this document.

Alternative Development Concepts

The initial inventory and analysis of the existing ski area operation lead to the production of a number of alternative development concepts for upgrading the ski facilities. The alternative concepts were presented to the PCSA planning team in Park City for review and comments. Based upon input from the PCSA planning team, a "preferred concept" was selected.

Mountain Upgrade Plan

The "preferred concept" guided the production of the Park City Ski Area Mountain Upgrade Plan, which sets forth the improvement program for PCSA. Addressing both ski facilities and visitor services, the Mountain Upgrade Plan is outlined in Section IV of this document.

00513070 Bk01166 Pg00616



II. DESIGN CRITERIA

The upgrading and expansion of a ski area is influenced by a variety of ski facility design criteria that help to create a quality ski experience. This section will briefly discuss these factors as they apply to PCSA.

A. Trail Design

1. Fall-Line

This analysis looks at the natural flow of skiers and skier routes that will service various skier ability levels from the top of the mountain to the base area on a consistent basis. Consistency of fall-line provides for the best recreational skiing experience and demonstrates the resort's potential to develop an expanded ski trail system with minimal topographic disturbance.

2. Slope Gradients and Terrain Breakdown

The following gradients were used to determine the skier ability level of the mountain terrain.

Table II-1
ACCEPTABLE TERRAIN GRADIENTS

Skier Ability	Slope Gradient
Beginner	8 to 12%
Novice	to 25% (short pitches to 30%)
Low Intermediate	to 30% (short pitches to 35%)
Intermediate	to 40% (short pitches to 45%)
Advanced Intermediate	to 50% (short pitches to 55%)
Expert	over 50% (maximum of 80%)

Source: Sno.engineering, Inc.

The resultant terrain breakdown is then compared with the market demand for each ability level. The available ski terrain should be capable of accommodating the full range of ability levels consistent with market demand. The ideal breakdown of terrain for PCSA's skier market is shown in table II-2. This table illustrates that intermediate skiers comprise the bulk of PCSA's skier market.

00513070 Bk01166 Pg00617



Table II-2
PCSA'S SKIER ABILITY BREAKDOWN

Skier Ability	Percent of Skier Market
Beginner	5 percent
Novice	12 percent
Low Intermediate	18 percent
Intermediate	35 percent
Advanced Intermediate	20 percent
Expert	10 percent

Source: Sno.engineering, Inc.

3. Trail Density

The calculation of capacity for a ski area is based in part on the acceptable number of skiers that can be accommodated on each acre of ski terrain at any one given time. The widely accepted density criteria for ski areas in western North America are listed in Table II-3.

Table II-3
SKIER DENSITY PER ACRE

Skier Ability	Trail Density
Beginner/Novice	50 skiers/acre
Low Intermediate/Intermediate	30 skiers/acre
Advanced Intermediate/Expert	15 skiers/acre

Source: Sno.engineering, Inc.

These density figures are based on the assumption that on an average day, approximately 33 percent of the total number of skiers in the area will be on the trails at any one time. The remainder of the skiers are either in lift lines, riding the lifts, or utilizing skier support services. The densities listed above have been used in the analysis of PCSA's trail densities.

4. Trail System

Each trail must have generally consistent grades to provide an interesting and challenging ski experience for the ability level for which the trail is designed. Optimum trail widths should vary depending upon topographic conditions and the caliber of the skier being served. The trail network must minimize cross-traffic and should provide

00513070 Bk01166 Pg00618



the full range of ability levels consistent with market demand. The trails must be designed and constructed to minimize off fall-line conditions and to avoid bottlenecks and convergence zones, which might produce skier congestion.

In summary, a broad range of skiing terrain must be provided in order to satisfy skiers from beginner through expert ability levels within the natural, topographic characteristics of the site.

B. Lift Design

Ski lifts should be placed to serve the available ski terrain in the most efficient manner, while considering a myriad of factors such as wind conditions, round-trip skiing and access needs, interconnectability between other lifts and trails, and the need for circulatory space at the lower and upper terminal sites. Additionally, it should be understood that the vertical rise and length of ski lifts for a particular mountain are the primary measures of overall attractiveness and marketability of a ski area.

C. Capacity Analysis and Design

Comfortable Carrying Capacity (CCC) is defined as the optimal level of utilization for the ski area (the number of visitors that can be accommodated at any given time) which guarantees a pleasant recreational experience, while at the same time preserving the quality of the environment. The accurate estimation of the CCC of a ski area is a complex issue and is the single most important planning criterion for the resort. Given proper identification of the mountain's true capacity, all other related skier service facilities can be planned, such as base lodge seating, mountain restaurant requirements, sanitary facilities, parking, and other skier services. The CCC figure is based on a combination of the uphill hourly capacity of the lift system, the downhill capacity of the trail system, and the total amount of time spent in the lift waiting line, on the lift itself, and in the downhill descent.

Sno.engineering employs a planning parameter which recommends that the total ski area CCC should be able to flow through the entry portal or out of the base area lifts in 90 to 120 minutes. Accordingly, total out-of-base skier capacity is computed using the hourly

00513070 Bk01166 Pg00619



uphill capacity of the access lifts multiplied by the minimum 90 to 120 minute cycle time. This planning parameter must also address return ski trail capacity over a 90-minute egress period.

D. Base Area Design

Particular consideration should be given to the relationship of the base area to the mountain facilities. Skiers should gravitate naturally into the base area and mid-mountain hubs allowing convenient access to any of the lift systems originating in these staging areas. Upon arrival at the ski area, skiers should be able to move directly from parking/shuttle drop-off areas, through ticketing or rentals, to the base of the lifts. Walking distance and vertical differential between the base area facilities and lifts should be minimized in an effort to move skiers directly onto the mountain. Vehicle, pedestrian, and skier circulation should be coordinated to create a safe and pleasant base area environment.

E. Balance of Facilities

The mountain master planning process emphasizes the importance of balancing recreational facility development. The size of the skier service functions must be matched to the CCC of the mountain. The future development of a ski area should be designed and coordinated to maintain a balance between skier demand, ski area capacity (lifts and trails), and the supporting equipment and facilities (e.g. grooming machines, day lodge services and facilities, overnight lodging, utility infrastructure, access, and parking).

Based upon the suitability of site resources, complementary year-round facilities and recreational opportunities should also be integrated into a comprehensive plan. In addition to alpine skiing, activities such as nordic skiing, snowshoeing, ice skating, summer chairlift rides, hiking, bike riding, golf, tennis, wildlife viewing, and environmental interpretation programs can help enhance the overall attractiveness of a resort's environs.

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III. EXISTING SKI RESORT FACILITIES

The following section contains an examination and analysis of PCSA's existing ski facilities. As the first step in the evaluation process, the resort inventory involves the collection of data pertaining to PCSA's existing facilities, including data regarding: ski lifts, ski trails, base area structures, skier services, and day-use parking/shuttle services. The analysis of the inventory data involves the application of ski industry standards to PCSA's existing conditions. This process enables Sno.engineering to compare PCSA's existing ski facilities to those facilities commonly found at other North American ski resorts of similar size and composition.

The overall balance of the existing ski area is evaluated by calculating the skier capacities of PCSA's various facility components, and, in turn, comparing these capacities to the ski area's CCC (PCSA's existing CCC is detailed in Section III.A.3). This examination of capacities helps to identify the ski resort's strengths and weaknesses (i.e. surpluses and deficiencies). With an understanding of the ski area's strengths and weaknesses, the next step is to identify improvements that will: (1) help bring the existing ski area into better equilibrium, and (2) help the resort meet the ever-changing needs of their skier marketplace. Accomplishing both of these objectives will ultimately enhance PCSA's financial performance.

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A. Skiing Facilities

1. Ski Lifts

The skiable terrain at PCSA is currently served by two detachable quads, four fixed-grip doubles, six fixed-grip triples, one fixed-grip quad, and one four-passenger gondola. Table III-1 provides specifications for PCSA's fourteen existing lifts.

**Table III-1
EXISTING LIFT SPECIFICATIONS**

Map Ref.	Lift Name	Lift Type	Top Elev. (ft.)	Bot. Elev. (ft.)	Vert. Rise (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Grade (%)	Hourly Capacity (skiers/hr.)	Rope Speed (fpm)
1	Prospector	Det. Quad	9,250	7,980	1,270	5,130	5,285	25	2,800	1,000
2	Thaynes	Double	9,385	8,505	880	2,630	2,773	33	1,200	500
3	Three Kings	Double	7,360	6,895	465	2,570	2,612	18	900	400
4	Pay Day	Triple	8,250	6,980	1,270	5,790	5,928	22	1,800	500
5	Crescent	Quad	8,735	7,875	860	2,440	2,587	35	1,800	450
6	First Time	Triple	7,170	6,900	270	1,900	1,919	14	900	350
7	King Con	Det. Quad	8,480	7,280	1,200	4,320	4,484	28	2,800	1000
8	Jupiter	Double	9,960	8,935	1,025	3,200	3,360	32	1,200	500
9	Ski Team	Double	8,630	7,020	1,610	5,600	5,827	29	1,200	500
10	Motherload	Triple	9,230	7,975	1,255	5,110	5,262	25	1,800	500
11	Pioneer	Triple	9,400	8,400	1,000	4,070	4,191	25	1,800	500
12	Town	Triple	8,175	6,985	1,190	6,430	6,539	19	1,800	500
13	Eagle	Triple	8,050	6,915	1,135	3,300	3,490	34	1,200	500
14a	Gondola (lower)	4-Pass.	8,180	6,990	1,190	6,950	7,051	17	600	500
14b	Gondola (upper)	4-Pass.	9,230	8,180	1,050	5,650	5,747	19	600	500

Source: PCSA Resort Management

PCSA's existing lifts service the terrain efficiently, however many of the lifts have low hourly capacities (the exceptions being the Prospector and King Con detachable quads). While many of PCSA's lifts feature older technology, these lifts are generally well-maintained. Pay Day, Ski Team, Motherload, Town, and the Gondola all have long slope lengths and relatively slow rope speeds, causing these lifts to be underutilized due to their long ride time. The base terminals of Ski Team and Eagle chairlifts are inconveniently located for access from parking areas and skier services in the base area.

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2. Ski Terrain

The existing ski area has approximately 700 acres of skiable acreage (not including natural, non-maintained tree skiing and chutes). The sanctioned ski trail network accommodates the entire range of skier ability levels, from beginner to expert. Table III-2 outlines the terrain which constitutes PCSA's formal ski trail network.

**Table III-2
EXISTING SKI TERRAIN SPECIFICATIONS**

Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
1	Upper Claim Jump.	488	3,416	3,459	145	11.51	14	27	Low Int.
2	Claim Jumper	598	3,039	3,103	195	13.89	20	31	Low Int.
3	Lower Claim Jump.	202	1,496	1,518	150	5.23	14	25	Low Int.
4	Assessment	733	3,443	3,539	150	12.19	21	36	Inter.
5	Powder Keg	435	1,259	1,335	175	5.36	35	35	Inter.
6	Hidden Splendor	920	3,704	3,740	150	12.88	25	45	Inter.
7	Mel's Alley	450	2,150	2,197	75	3.78	21	26	Low Int.
8	Newport	445	989	1,088	150	3.75	45	57	Expert
9	Lost Prospector	360	850	923	100	2.12	42	62	Expert
10	Dynamite	332	892	956	150	3.29	37	52	Adv. Int.
11	Up. Lost Prospector	300	1,500	1,530	150	5.27	20	29	Low Int.
12	Prospector	783	2,638	2,768	200	12.71	30	51	Adv. Int.
13	Lower Parley's	365	1,450	1,495	200	6.87	25	44	Inter.
14	Parley's Park	310	794	880	200	4.04	39	43	Inter.
15	Upper Prospector	469	2,936	2,981	100	6.84	16	28	Low Int.
16	Single Jack	595	2,400	2,473	75	4.26	25	29	Low Int.
17	Double Jack	675	1,743	1,879	200	8.63	39	56	Expert
18	Summit Road	145	1,386	1,405	50	1.61	10	10	Low Int.
19	Thaynes	817	2,177	2,345	200	10.77	38	68	Expert
20	Hoist	739	2,133	2,290	100	5.26	35	70	Expert
21	Keystone	827	4,417	4,538	75	7.81	19	45	Inter.
22	King's Crown	174	783	803	75	1.38	22	28	Low Int.
23	Three Kings	191	780	780	100	1.79	25	37	Inter.
24	Quick Silver	186	721	747	100	1.71	26	31	Low Int.
25	Pick 'n Shovel	461	2,495	2,544	150	8.76	18	25	Novice
26	Silver Hollow	393	2,711	2,755	100	6.32	14	25	Novice
27	Pay Day	1,140	5,292	5,435	100	12.48	22	40	Inter.
28	Nastar	663	3,025	3,106	120	8.56	22	36	Inter.
29	Drift	361	3,265	3,302	30	2.27	11	34	Low Int.
30	Lower Blanche	354	1,735	1,773	150	6.10	20	25	Low Int.
31	Nail Driver	565	1,346	1,469	175	5.90	42	69	Expert
32	Widowmaker	438	979	1,077	300	7.42	45	62	Expert

00513070 Bk01166 Pg00624



Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
33	Dividend	271	769	817	175	3.28	35	43	Inter.
34	Treasure Hollow	703	2,973	3,073	200	14.11	24	44	Inter.
35	Silver Queen	567	1,530	1,643	125	4.72	37	58	Expert
35A	Upper Silver Queen	116	1,076	1,085	125	3.11	11	19	Expert
36	Crescent	841	2,201	2,373	150	8.17	38	58	Expert
37	Silver Skis	671	1,414	1,573	125	4.51	47	66	Expert
38	Shaft	886	1,682	1,906	50	2.19	53	62	Expert
39	Water Fall	490	1,910	1,972	100	4.53	26	62	Expert
40	First Time	269	2,032	2,057	125	5.90	13	22	Novice
41	Bunny Hollow	239	1,612	1,638	100	3.76	15	22	Novice
42	Teaching Area	65	1,070	1,072	125	3.08	6	8	Beginner
43	Road to Hollow	70	1,600	1,602	30	1.10	6	10	Beginner
44	Hot Spot	265	1,213	1,249	150	4.30	22	38	Inter.
45	Combustion	302	1,132	1,192	150	4.10	27	57	Expert
46	Gotcha Ridge	357	1,951	1,984	150	6.83	18	23	Low Int.
47	Temptation	735	3,650	3,723	120	10.26	20	35	Low Int.
48	Seldom Seen	623	1,955	2,062	175	8.28	32	55	Adv. Int.
49	Climax	559	1,683	1,780	150	6.13	33	49	Adv. Int.
50	Monitor	523	1,525	1,619	125	4.65	34	53	Adv. Int.
51	Eureka	483	1,328	1,416	125	4.06	36	51	Adv. Int.
52	Liberty	504	1,309	1,407	175	5.65	39	54	Adv. Int.
53	Shamus	508	1,418	1,511	175	6.07	36	50	Adv. Int.
54	Sitka	641	2,027	2,143	175	8.61	32	58	Expert
55	Courchevel	568	1,603	1,708	150	5.88	35	52	Adv. Int.
56	High Card	672	2,032	2,150	150	7.40	33	55	Expert
56A	Chance	356	942	1,011	150	3.48	38	50	Adv. Int.
57	King Con	584	1,890	1,981	150	6.82	31	40	Inter.
58	Broadway	435	3,820	3,845	100	8.83	11	18	Low Int.
59	Shadow Ridge	990	3,110	3,264	100	7.49	32	56	Expert
60	Scotts Bowl	885	4,800	4,881	150	16.81	18	77	Expert
61	Fortune Teller	950	2,780	2,938	200	13.49	34	83	Expert
62	Silver Cliff	715	1,780	1,918	100	4.40	40	75	Expert
63	Indicator	780	2,100	2,240	100	5.14	37	95	Expert
64	Portuguese Gap	680	2,020	2,131	100	4.89	34	73	Expert
65	Six Bells	570	1,050	1,195	100	2.74	54	95	Expert
66	West Face	1,905	5,870	6,171	200	28.34	32	67	Expert
67	Jupiter Road	743	7,386	7,457	25	4.28	10	35	Low Int.
68	Silver King	904	1,966	2,184	200	10.03	46	76	Expert
69	Willy's Run	1,245	3,829	4,060	150	13.98	33	62	Expert
70	Men's GS	1,610	3,550	3,898	150	13.42	45	65	Expert
71	Men's SL	550	965	1,250	150	4.30	57	62	Expert
72	Ladies SL	397	991	1,073	200	4.93	40	59	Expert
73	Thaynes Canyon	1,150	9,450	9,520	50	10.93	12	19	Low Int.

00513070 Bk01166 Pg00625



Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
74	Lower Single Jack	450	880	988	200	4.54	51	71	Expert
75	Ford Country	716	1,627	1,791	200	8.22	44	64	Expert
76	Glory Hole	720	1,817	1,964	200	9.02	40	55	Adv. Int.
77	Sunny Side	686	1,926	2,059	175	8.27	36	53	Adv. Int.
78	Carbide Cut	310	970	1,018	150	3.51	32	42	Inter.
79	Sampson	470	1,557	1,653	100	3.80	30	55	Adv. Int.
80	Comstock	439	1,181	1,277	100	2.93	37	55	Adv. Int.
81	Red Fox	406	1,137	1,213	125	3.48	36	50	Adv. Int.
82	Hawk Eye	379	1,212	1,281	125	3.68	31	47	Adv. Int.
83	Woodside	713	3,271	3,371	100	7.74	22	42	Adv. Int.
84	Blue Slip Bowl	554	1,614	1,734	200	7.96	34	71	Expert
85	Webster	496	3,515	3,568	150	12.29	14	29	Low Int.
86	Lucky Boy	345	1,900	1,931	75	3.32	18	50	Adv. Int.
87	Creole	576	2,092	2,190	150	7.54	28	49	Adv. Int.
88	Quit 'n Time	551	2,724	2,811	100	6.45	20	52	Adv. Int.
89	Gotcha Cutoff	605	5,180	5,215	30	3.59	12	36	Inter.
90	C.B.'s Run	801	1,918	2,091	150	7.20	42	62	Expert
91	Upper Clementine	340	950	1,009	150	3.47	36	63	Expert
92	Commitment	500	1,150	1,254	150	4.32	43	83	Expert
93	Clementine	315	1,600	1,631	200	7.49	20	31	Low Int.
94	Bonanza	400	3,150	3,175	200	14.58	13	29	Low Int.
95	Bonanza Cutoff	178	1,947	1,929	30	1.33	09	21	Low Int.
96	Bonanza Road	156	1,362	1,378	30	0.95	11	24	Low Int.
97	Belmont	465	1,745	1,821	150	6.27	27	59	Expert
98	Side Winder	1,003	5,864	6,002	200	27.56	17	35	Low Int.
99	King Con Access	197	3,457	3,474	30	2.39	06	21	Low Int.
100	Quarter Load	85	381	391	200	1.80	22	30	Low Int.
101	Half Load	141	427	450	200	2.06	33	38	Inter.
Total:						691.53			

Source: PCSA Resort Management

Existing Ski Terrain Classification Distribution

The ski trails described in Table III-2 have been categorized according to skier ability level. The six skier ability levels used to classify the slopes and trails at PCSA have been compared with the national trail standards (refer to Table III-3).

00513070 Bk01166 Pg00626



Table III-3
ABILITY LEVELS AND NATIONAL TRAIL STANDARDS

Skier Ability Level	Trail Designation	Map Symbol
Beginner and Novice	Easier	Green Circle ●
Low Intermediate and Intermediate	More Difficult	Blue Square ■
Advanced Intermediate and Expert	Most Difficult	Black Diamond ◆

Source: Sno.engineering, Inc.

Table III-4 sets forth a distribution of PCSA's existing ski terrain by skier ability level. The figures in the skier capacity column indicate the total number of skiers the ski terrain in each ability level category can support. The last column in this table represents the skill level distribution of PCSA's skier market.

Table III-4
EXISTING SKI TERRAIN DISTRIBUTION BY ABILITY LEVEL

Skier Ability Level	Skiable Area (acres)	Skier Capacity (skiers)	Skier Distribution (%)	Skier Market (%)
Beginner	4.2	167	1	5
Novice	24.7	742	6	12
Low Intermediate	173.4	4,334	37	18
Intermediate	109.6	2,193	19	35
Adv. Intermediate	116.4	1,747	15	20
Expert	263.1	2,631	22	10
Total:	691.5	11,815	100	100

Source: PCSA Resort Management, Sno.engineering, Inc.

The results of the ski terrain classification distribution indicate that there is a surplus of low intermediate and expert terrain, with a commensurate deficit of beginner, novice, intermediate, and advanced intermediate terrain. As a result, PCSA's upgrading plan should focus on improving the distribution of terrain by enhancing the skiing opportunities for beginner, novice, intermediate, and advanced intermediate skiers.

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3. Analysis of Comfortable Carrying Capacity

The CCC is a measure of the number of visitors that can be effectively served by the mountain facilities while maintaining a comfortable skiing atmosphere. Of the total CCC, 70 to 85 percent (depending primarily on weather and snow conditions) will be actively skiing, while the balance of the visitors will be using skier support facilities. At a well-balanced ski facility, the active skiers will be evenly distributed throughout the mountain facilities -- on ski trails, waiting in lift lines, or riding ski lifts.

As was stated earlier, the accurate estimation of a ski area's CCC is a complex issue and is the single most important planning criterion for the ski area. Based on the proper identification of the mountain's capacity, all other related skier service facilities can be planned (e.g. base lodge seating, mountain restaurant requirements, sanitary facilities, parking, and other skier services).

The estimated CCC for the existing ski facilities at PCSA is calculated in Table III-5.

**Table III-5
EXISTING COMFORTABLE CARRYING CAPACITY**

Lift Name	Lift Type	Slope Length (ft.)	Vert. Rise (ft.)	Hourly Capacity (skiers/hr.)	Oper. Hours (hrs.)	Load Eff. (%)	Adjust. Hrly. Cap. (skiers/hr.)	VTF/Hr (000)	Vertical Demand (ft./day)	CCC (skiers)
Prospector	Det. Quad	5,285	1,270	2,800	6.75	95	2,660	3,556	11,769	1,940
Thaynes	Double	2,773	880	1,200	6.50	95	1,140	1,056	16,706	390
Three Kings	Double	2,612	465	900	7.00	90	810	419	6,156	430
Pay Day	Triple	5,928	1,270	1,800	7.00	80	1,440	2,286	11,254	1,140
Crescent	Quad	2,587	860	1,800	6.75	50	900	1,548	18,011	290
First Time	Triple	1,919	270	900	7.00	90	810	243	3,588	430
King Con	Det. Quad	4,484	1,200	2,800	6.75	95	2,660	3,360	12,061	1,790
Jupiter	Double	3,360	1,025	1,200	6.00	95	1,140	1,230	20,271	350
Ski Team	Double	5,827	1,610	1,200	7.00	80	960	1,932	21,258	510
Motherload	Triple	5,262	1,255	1,800	6.50	90	1,620	2,259	15,659	840
Pioneer	Triple	4,191	1,000	1,800	6.50	90	1,620	1,800	13,045	810
Town	Triple	6,539	1,190	1,800	7.00	25	450	2,142	13,820	270
Eagle	Triple	3,490	1,135	1,200	7.00	50	600	1,362	18,789	250
Gondola (lower)	4-Pass.	7,051	1,190	600	7.00	25	150	714	9,622	130
Gondola (upper)	4-Pass.	5,747	1,050	600	7.00	75	450	630	9,815	340
Total:		67,054		22,400			17,410	24,537		9,910

Source: PCSA Resort Management, Sno.engineering, Inc.

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As described earlier, the CCC is defined as the number of active and inactive skiers that can be accommodated at a ski area at any given time while guaranteeing a pleasant recreational experience and, at the same time, preserving the quality of the environment. As Table III-5 illustrates, PCSA's existing CCC is 9,910 skiers.

It is not uncommon for ski areas to experience peak days, throughout the ski season, during which skier visitation exceeds the CCC by as much as 25 percent. However, it is not recommended that resorts consistently exceed their CCC due to the resulting decrease in the quality of the recreational experience (and thus the resort's repeat business). Historical skier-visit performance records at PCSA indicate that the resort experiences peak days which are approximately 10 percent greater than the CCC, or approximately 11,000 skiers.

Terrain Capacity and Skier Density

The CCC figures specified above are based on uphill lift capacity. In order to measure the balance between uphill lift capacity and downhill slope capacity, the CCC of the lifts must be compared with the resort's terrain capacity. To calculate terrain capacity, the total area of the ski trails is multiplied by an average trail density that reflects the ability distribution of the ski terrain. As the difficulty of the terrain increases, the acceptable slope density decreases. The following table outlines the industry standards for acceptable slope densities at ski areas in the western United States.

Table III-6
SKIER DENSITY PER ACRE INDUSTRY STANDARDS

Skier Ability	Acceptable Slope Density	Ski Area Design Density
Beginner	10-20/acre	40-60/acre
Novice	8-17/acre	30-50/acre
Low Intermediate	6-13/acre	25-40/acre
Intermediate	5-10/acre	20-30/acre
Advanced Intermediate	3-5/acre	10-20/acre
Expert	1-4/acre	5-15/acre

Source: Sno.engineering, Inc.

In Table III-6, the "acceptable slope density" figure represents the number of skiers who are actually on the ski trails. The "ski area design density" figure accounts for the total carrying capacity of the trails, including skiers on the slopes, riding the lifts, waiting in lift lines, and using milling areas and support facilities. At a well-balanced ski facility, approximately one-third of the active skiers will be on the slopes while the remaining two-thirds of the active skiers will be either riding the lifts or waiting in the lift lines. Active skiers make up 70 to 85 percent of the total number of skiers visiting a resort. As a result, the "acceptable slope density" must be multiplied by a factor of 3 to 4 to

00513070 Bx01166 P600629



derive the overall “ski area design density.” A ski area’s terrain capacity is derived by finding the product of the average “ski area design density” and the skiable area.

One of the critical steps in estimating total capacity, and a method for making certain the density figures are applicable, is to determine the actual density of skiers per acre of skiable terrain, on a lift-by-lift basis. Using the trail and capacity figures developed in earlier tables, PCSA’s density breakdown is depicted in Table III-7.

**Table III-7
EXISTING TERRAIN CAPACITY AND DENSITY ANALYSIS**

Lift Name	Area (acres)	CCC (skiers)	Terrain Capacity (skiers)	Actual Density (CCC/acre)	Acceptable Density (CCC/acre)	Difference (+/-)	Difference (actual/acceptable)
Prospector	110.5	1,940	2,044	18	19	-1	0.97
Thaynes	39.7	390	583	10	15	-5	0.68
Three Kings	17.1	430	482	25	28	-3	0.89
Pay Day	73.0	1,140	1,401	16	19	-3	0.83
Crescent	24.6	290	330	12	13	-1	0.90
First Time	12.9	430	428	33	33	0	0.99
King Con	103.4	1,790	1,788	17	17	0	0.98
Jupiter	83.3	350	833	4	10	-6	0.40
Ski Team	55.9	510	693	9	12	-3	0.72
Motherload	48.2	840	820	17	17	0	1.00
Pioneer	46.0	810	782	18	17	1	1.06
Town	15.8	270	256	17	16	1	1.05
Eagle	24.3	250	374	10	15	-5	0.65
Gondola (lower)	8.9	130	198	15	22	-7	0.68
Gondola (upper)	27.9	340	549	12	20	-8	0.61
Total:	691.5	9,910	11,561				

Source: PCSA Resort Management, Sno.engineering, Inc.

Table III-7 shows that PCSA’s downhill terrain capacity (11,561 skiers) exceeds the CCC of the lifts (9,910 skiers). This fact indicates that PCSA’s uphill lift capacity and downhill terrain capacity is relatively well-balanced, even on peak days when as many as 11,000 skiers visit PCSA. The small surplus of downhill terrain capacity is one sign that PCSA has uncongested trails. On a lift-by-lift basis, Table III-7 illustrates that Prospector, Crescent, First Time, King Con, Motherlode, Pioneer, and Town have uphill lift and downhill terrain capacities that are in equilibrium. The uphill capacity of all the other lifts could be increased to effect a more balanced lift/trail system. PCSA’s upgrading plan should focus on balancing the lifts and downhill capacities so that capital decisions produce a well-balanced and well-utilized product.

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4. Skiers Access and Egress Analysis

Morning Access Capacity

The existing lift configuration at PCSA features seven out-of-base access lifts (Three Kings, Pay Day, First Time, Ski Team, Town, Eagle, and the Gondola) which provide access from the PCSA base area to the remote lifts, as well as to round-trip skiing opportunities on the lower slopes of the ski area. These lifts have a total out-of-base capacity of 6,264 skiers per hour. (The combined hourly capacity of these lifts is adjusted to reflect a 95 percent peak period loading efficiency rate.) To appraise the suitability of the access lifts for carrying skiers to the up-mountain lifts within an acceptable time frame, a computer modeling technique has been used to simulate the staging functions of each access lift. This model computes the percentage of the uphill capacity of the access lift that is dedicated to access versus the percentage of the lift capacity required for round-trip skiing during the access period. Knowing the total skier staging requirement for each access lift and the amount of uphill access capacity available, the access time for each lift can be calculated and compared to an industry standard. Table III-8 summarizes the access times for PCSA's out-of-base lifts.

**Table III-8
EXISTING MORNING ACCESS CAPACITY**

Access Lift	Hourly Capacity* (skiers/hr.)	Percent Access (%)	Percent Round-Trip (%)	Access Capacity (skiers/hr.)	Total Access Requirement (skiers)	Access Time (minutes)
Three Kings	810	50	50	405	430	64
Pay Day	1,710	79	21	1,357	2,759	122
First Time	810	50	50	405	430	64
Ski Team	1,140	87	13	992	1,970	119
Town	1,710	86	14	1,466	945	39
Eagle	1,140	93	7	1,065	1,910	108
Gondola	600	96	4	573	1,466	153
Total:	7,920			6,264	9,910	

Source: Sno.engineering, Inc.

* Reduced for loading efficiency.

According to an accepted industry standard, a destination ski resort's dedicated access lifts should have sufficient hourly capacities to supply the resort's remote lift systems with their daily CCC requirements in a period of 90 to 120 minutes. Table III-8 shows that the access times for the Ski Team and Eagle chairlifts are near the 120 minute limit. The access time at Pay Day exceeds 120 minutes and at the Gondola's access time is significantly higher (estimated at 153 minutes). This access deficiency is apparent on weekends and during holiday periods when morning lift lines are long at these locations.

00513070 Bk01166 Pg00631



The access times in the right hand column of Table III-8 should not be confused with the length of the lift line at the various access lifts. The access time represents the amount of time the particular out-of-base lift is used primarily for access during the morning hours to supply the remote lifts with their daily capacity. The actual length of the lift line is dependent on the rate at which skiers are arriving at the lift in comparison with the uphill hourly capacity of the access lift. When the arrival rate of skiers is higher than the uphill lift capacity, lift lines will grow. Typically, when the access time extends longer than 90 minutes, the combined number of skiers arriving at the lift for their first ride (access skiers), and skiers who are also arriving at the lift's lower terminal from runs on terrain served by that lift (round-trip skiers) will exceed the uphill lift capacity, causing lift lines to grow.

Egress Capacity

At the end of the ski day, PCSA's entire CCC must return to the resort's base facilities or to the base of the Town chairlift. The mandate of the egress capacity analysis is to ensure that there is a sufficient number of ski trails to accommodate the additional traffic returning from the remote ski lifts during the last 60 minutes of the ski day without causing unacceptable congestion on the return trails.

Currently, the majority of the skiers return to the base area or town via one of the following routes (or combination of routes): Pay Day Egress (Drift, Pay Day, Nastar), Sidewinder Egress (Silver Hollow, Sidewinder, Gotcha Cutoff, Treasure Hollow), Three Kings Egress (First Time, Pick N' Shovel/Clementine), Town Egress (Creole Entrance), and Upper Mountain Egress (Upper Claim Jumper, Webster, Bonanza Road, Silver Queen Road, Broadway/Thaynes).

The egress capacity analysis investigates the skier capacity of each egress trail based on acceptable skier flows at observed "bottleneck" areas. Table III-9 sets forth the resultant skier densities (number of skiers per acre) on each egress trail during the 60-minute egress period. The egress densities calculated for PCSA's return trails are then compared with acceptable density figures, which are based upon egress criteria collected at other ski areas within the Rocky Mountain region.

00513070 Bk01166 Pg00632



Table III-9
EXISTING EGRESS TRAIL CAPACITY STUDY

Egress Route	Min. Width (ft.)	Skier Speed (fpm)	Ability Level	Egress Req. (skiers)	1 Hour Egress* (skiers)	Egress Density (skier/acre)	Acceptable Density (skier/acre)	Diff. +/-	Diff. (%)
Pay Day Egress									
Drift	40	1,200	Low Int.	2,467	1,604	24	20	4	121
Pay Day	100	1,500	Inter.	1,044	679	3	15	(12)	22
Nastar	80	1,500	Inter.	695	451	3	15	(12)	18
Sidewinder Egress									
Silver Hollow	100	1,000	Beginner	6,125	3,981	29	25	4	116
Sidewinder	120	1,200	Low Int.	5,144	3,343	17	20	(3)	84
Gotcha Cutoff	75	1,800	Inter.	981	638	3	15	(12)	23
Treasure Hollow	60	1,500	Low Int.	2,365	1,537	12	20	(8)	62
Three Kings Egress									
First Time	80	1,200	Novice	559	363	3	20	(17)	14
Pick N' Shovel/Clem	150	1,200	Low Int.	551	358	1	20	(19)	7
Town Egress									
Creole Entrance	80	1,500	Inter.	1,072	697	4	15	(11)	28
Upper Mtn. Egress									
Upper Claim Jumper	95	1,200	Low Int.	5,848	3,801	24	20	4	121
Webster	25	1,200	Low Int.	1,610	1,046	25	20	5	127
Bonanza Road	50	1,200	Low Int.	3,314	2,154	26	20	6	130
Silver Queen Road	30	1,500	Adv. Int.	925	601	10	10	(0)	97
Broadway/Thaynes	30	1,500	Low Int.	433	281	5	20	(15)	23

Source: Sno.engineering, Inc.

* Assumes that 65 percent of skiers exit the ski area from 3:30 PM to 4:30 PM.

Table III-9 indicates that the trail densities on Drift, Silver Hollow, Upper Claim Jumper, Webster, and Bonanza Road are subjected to congested conditions at the end of the ski day while other egress routes are underutilized. Section IV contains alternatives for improving PCSA's egress trail capacity.

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B. Visitor Services

1. Visitor Service Buildings

The buildings and facilities that accommodate visitor services must be sized and located such that they complement the mountain capacity. PCSA's existing visitor services are provided primarily in the Park City Resort Center and at three on-mountain locations: the Snow Hut at the base of the Prospector Chairlift, the Mid-Mountain Lodge off the Webster Trail, and the Summit House at the top of the Gondola (see Figure III-1 for building locations). The following discussion outlines the general layout of PCSA's visitor service buildings.

Park City Resort Center

Most of PCSA's visitor services are located in the buildings which comprise the Park City Resort Center. The main day lodge, located at the base of the Gondola, houses the Steeps Restaurant, as well as rest rooms, ski equipment rental and repair shops, and a retail shop. There are 504 indoor food service seats at Steeps and 140 outdoor seats. The day lodge building is well-located relative to the ski trails served by the Pay Day, Three Kings, First Time, Eagle, and Gondola lifts.

Other visitor service buildings in the Resort Center include the Gondola building, the Ticket building, Kinderschule, ski school, and several retail/rental/repair shops. Located adjacent to the base lodge, the Gondola building contains ski patrol/first aid space, as well as public and PCSA employee lockers. The primary ticket windows are located in the Ticket building across the plaza from the main day lodge. Additional ticket windows are located at a kiosk at the base of the Three Kings and Eagle chairlifts.

The new employee building is located to the east of the Resort Center and houses administration offices, rest rooms, and employee locker/lounge space.

On-Mountain Buildings

The Summit House, Snow Hut, and Mid-Mountain Restaurants provide food service facilities at strategic locations on the upper mountain. The Summit Restaurant is directly accessible from Pioneer, Thaynes, Motherlode, Prospector, and Upper Gondola lifts, and offers 392 indoor food service seats and 72 outdoor seats. The 168 indoor seats and 246 outdoor seats at the Snow Hut are conveniently located for access to and from King Con, Prospector, and Motherlode chairlifts. The Mid-Mountain Restaurant is centrally located on the upper mountain and offers 506 indoor seats and 508 outdoor seats.

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2. Size and Placement of Visitor Service Functions

Table III-10 shows the size and placement of all existing visitor services at PCSA.

Table III-10
EXISTING SPACE USE BY BUILDING/LOCATION

Service Function	Resort Center (sq. ft.)	Summit (sq. ft.)	Snow Hut (sq. ft.)	Mid-Mountain (sq. ft.)	Total Space (sq. ft.)
Restaurant Seating*	9,050	6,000	3,000	7,280	25,330
Kitchen/Scramble	1,947	1,000	250	1,342	4,539
Bar/Lounge	6,171	0	0	0	6,171
Rest Rooms	1,898	1,200	320	1,594	5,012
Ski School	0	0	0	0	0
Ski Wee/Day Care	5,980	0	0	0	5,980
Rentals/Repair/Retail Sales	9,254	0	0	0	9,254
Ticket Sales	3,478	0	0	0	3,478
Public Lockers	2,407	0	0	0	2,407
Ski Patrol	3,971	0	0	0	3,971
Administration	16,382	0	0	0	16,382
Employee Lockers/Lounge	19,761	0	0	0	19,761
Total:	80,299	8,200	3,570	10,216	102,285

Source: PCSA Resort Management

* Restaurant seating space does not include outdoor deck space

It should be noted that space use square footage information, available to PCSA management, was limited and included some known inconsistencies. Therefore, the information set forth in Table III-10 is not complete, and may include some inaccuracies. Field verification of PCSA's square footage information was beyond the scope of this report.

00513070 Bk01166 Pg00635



Based upon a CCC of 9,910 skiers, Table III-11 illustrates the industry standards for space use for a resort of similar size and market orientation as PCSA. Space requirements outlined in Table III-11 are supplied for comparison and planning purposes only, and should not be considered absolute requirements for PCSA. However, given PCSA's mountain capacity of 9,910 skiers, space for the following services appears to be underappointed: restaurant seating, kitchen/scramble, ski school, public lockers, and ski patrol.

Table III-11
EXISTING TOTAL SPACE USE REQUIREMENTS

Service Function	Resort Center (sq. ft.)	Summit (sq. ft.)	Snow Hut (sq. ft.)	Mid-Mountain (sq. ft.)	Total Space (sq. ft.)
Restaurant Seating	11,976	5,130	3,771	2,798	23,674
Kitchen/Scramble	4,790	2,736	2,011	2,238	11,775
Bar/Lounge	1,996	1,425	1,048	746	5,214
Rest Rooms	2,156	1,539	1,131	1,007	5,833
Ski School	5,252	0	0	0	5,252
Ski Wee/Day Care	5,351	0	0	0	5,351
Rentals/Repair	4,261	0	0	0	4,261
Retail Sales	6,042	365	268	239	6,913
Ticket Sales	1,487	0	0	0	1,487
Public Lockers	4,460	0	0	0	4,460
Ski Patrol	5,946	0	0	0	5,946
Administration	6,640	0	0	0	6,640
Employee Lockers/Lounge	2,478	0	0	0	2,478
Mechanical/Storage	4,152	784	576	492	6,003
Circulation/Waste	2,794	560	411	351	4,117
Total:	69,781	12,539	9,216	7,871	99,407

Source: Sno.engineering, Inc.

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3. Food Service Seating

Food service seating at PCSA can be found at the Resort Center and at on-mountain restaurants. There is a total of 1,570 indoor, cafeteria-style seats available to skiers, including 504 seats at the Steeps Restaurant, 506 seats at the Mid-Mountain Restaurant, 168 seats at Snow Hut, and 392 seats at the Summit House Restaurant. In addition to the indoor seats, there are 966 outdoor seats available at the four restaurant locations (140 seats at Steeps, 508 seats at Mid-Mountain, 246 seats at Snow Hut, 72 seats at Summit House).

A key factor in evaluating food service seating capacity is the seat turnover rate. A turnover rate of 3 to 5 is the standard range utilized in determining restaurant seating capacity. Sit-down dining at ski areas typically results in a turnover rate of 3, while cafeteria-style dining is characterized by a higher turnover rate. Furthermore, weather has an influence on turnover rates, as skiers will typically spend more time indoors on stormy days than on sunny days.

Table III-12 summarizes the seating requirements at PCSA, based on a logical distribution of the CCC to each service building/location.

**Table III-12
EXISTING FOOD SERVICE SEATING REQUIREMENTS**

	Resort Center	Summit	Snow Hut	Mid-Mountain	Total
Total Skier Capacity	3,100	2,850	2,095	1,865	9,910
Average Seat Turnover	4.0	4.5	4.5	4.5	
Total Seats Required	775	633	414	466	2,288
Total Seats Available	504	392	168	506	1,570
Difference	-271	-241	-246	40	-718

Source: Sno.engineering, Inc.

Due to PCSA's predominance of cafeteria-style food service, an average turnover rate of 4.5 was used to calculate the seating capacity of the on-mountain facilities. An average turnover rate of 4 was used for the Resort Center to reflect the influence of the lower ability skiers who tend to take more time for lunch. Table III-12 shows a combined deficit of 718 seats (and estimated 3,096 skiers). The seating shortage is mitigated by the fact that outdoor seating is available at all food service locations, and additional restaurant opportunities exist in the Resort Center (a combined 516 seats at Baja, Moose's, Eating Establishment, Ziggy's, Bistro, and Yen Jing). However, as the ski area is upgraded, additional indoor food service seating should be provided.

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4. Parking/Shuttle Services and Access

A complete Parking and Capacity Analysis has been prepared for PCSA and is included in Appendix A of this document. The following is a summary of the Parking and Capacity Analysis for existing conditions.

Parking

There are approximately 1,700 parking spaces available to skiers and resort employees. About 200 of these spaces are used by resort employees, leaving 1,500 spaces for ski area guests. Parking surveys have indicated that the average car occupancy of cars arriving at PCSA is 3.7 people per car. As a result, the existing parking spaces can support a maximum of 5,550 skiers per day.

Lodging at Base Area

There are a total of 4,274 ski to/ski from beds available at PCSA's base area. Assuming a 95 percent peak occupancy, and that 20 percent of the accommodations guests are non-skiers, the existing bed base yields 3,249 ski to/ski from beds used by skiers at PCSA. Accordingly, the ski to/ski from accommodations in the base area can support a maximum of 3,249 skiers per day.

Town Lift

Based upon "design day" skier counts during the 1995-96 ski season, an average of approximately 1,100 skiers access PCSA via the Town lift.

Park City Transit

A number of PCSA surveys have been conducted which indicate that, on average, 13 percent of the skiers at PCSA arrived at the resort by riding some form of Park City transit. Using the aggregate of the figures given above, on a peak day, approximately 1,480 skiers access PCSA via Park City transit.

The combination of on-site parking, ski to/ski from accommodations, Town lift access, and Park City transit access can support a maximum of approximately 11,380 skiers per day. This illustrates that the current parking/access capacity at PCSA is sufficient to meet the demands of peak-day skier visitation patterns.

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C. Conclusions

Based on Sno engineering's initial investigation of the PCSA's existing conditions, the PCSA Mountain Upgrade Plan should contain recommendations which:

- ♦ Improve out-of-base access;
- ♦ Enhance egress routes off the mountain to improve skier egress traffic;
- ♦ Develop beginner, novice, intermediate, and advanced intermediate terrain (based on the physical capabilities of the land) to improve PCSA's distribution of terrain by ability levels;
- ♦ Modernize lifts and balance them with the available downhill terrain; and
- ♦ Position additional on-mountain seating to accommodate existing and upgraded capacities.

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IV. MOUNTAIN UPGRADING PLAN

The improvements recommended for the upgrading of PCSA reflect the findings of Sno.engineering's analysis of the existing facilities. They also reflect the expectation for continued growth in demand and recognize skier preferences (confirmed by RRC's market research). The purpose of the upgrading plan is to produce a road map for ski area development that ensures the greatest practical and profitable use of the existing lands while remaining sensitive to the environment.

The upgrading plan is a dynamic document that will be implemented in accordance with market demand. The goal of the upgrading plan is to produce a high quality experience throughout the recreational complex. Accordingly, the upgrading plan is tailored to improve PCSA's ability to respond to market/skier demands through development of a more well-rounded resort experience. This plan should not only improve the ski area's current market niche, but also help to attract new visitors on a year-round basis.

A. Skiing Facilities

During the course of the planning process, a number of alternatives were evaluated for the upgrading and expansion of PCSA. In formulating the upgrade plan, the following design criteria were considered:

- **Consistent Fall-Line** - New ski trails were designed to follow the natural fall-line, thus providing for the most natural flow of skier traffic and optimum skiing routes to serve specific skier ability levels, from top to bottom, on a consistent basis.
- **Trail Classification Distribution** - The new and upgraded ski trails were designed to provide a distribution of trail classifications that will more closely match the ability level profile of the PCSA skier market.
- **Optimum Skier Density (skiers-per-acre) on Trails** - The installation of new lifts has been suggested in order to balance the uphill capacity of each lift with the downhill capacity of the terrain which it serves.
- **Reasonable Waiting Lines for Lifts** - Low trail densities have been balanced with hourly uphill capacities on lifts. A maximum of ten minute waits have been specified for peak hour operations.
- **Lift Alignments** - Lift terminals have been located at practical sites, based upon evaluation of terrain, circulation, and ease of integration with existing ski facilities.

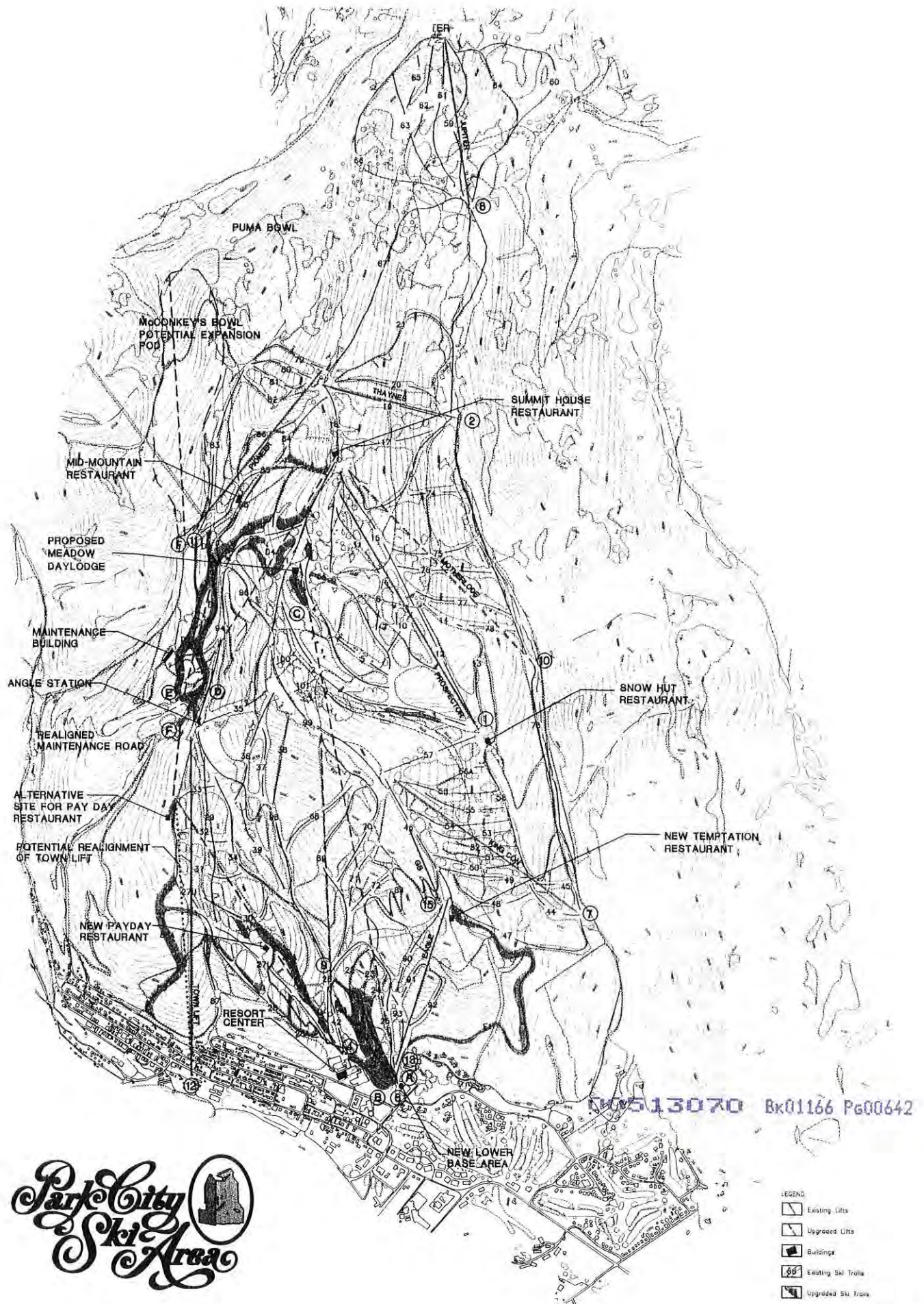
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- **Support Facility Requirements** - The mountain development has been organized to incorporate the interface of vehicular, pedestrian, and skier circulation, as well as skier support services and ski area maintenance.

Figure IV-1 is a graphic representation of analyses conducted using detailed topographic mapping and on-site field work. Prior to implementation of any component of the upgrading plan, it will be necessary to establish more detailed planning prior to final field adjustments.

00513070 Bk01166 Pg00641



MOUNTAIN UPGRADE PLAN

PREPARED FOR:
Planning Commission Meeting - March 25, 2015
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Figure IV-1
Ski Area Upgrading
Page 156 of 365
DATE: AUGUST 1996
CONTOUR INTERVAL=100'



1. Ski Lifts

The lift upgrading program involves the replacement and/or reconfiguration of several of PCSA's existing lifts. In addition, the existing Three Kings and Gondola lifts (and optionally Crescent chair) would be removed, and seven new lifts would be installed as shown in Figure IV-1 and summarized below in Table IV-1.

**Table IV-1
LIFT SPECIFICATIONS - UPGRADING**

Map Ref.	Lift Name	Lift Type	Top Elev. (ft.)	Bot. Elev. (ft.)	Vert. Rise (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Grade (%)	Hourly Capacity (skiers/hr.)	Rope Speed (fpm)
1	New Prospector	Det. Six	9,250	7,980	1,270	5,130	5,285	25	3,000	1,000
2	New Thaynes	Triple	9,385	8,505	880	2,630	2,773	33	1,800	500
3	Three Kings	(removed)								
4	New Pay Day	Det. Six	8,250	6,980	1,270	5,790	5,928	22	3,000	1,000
5	Crescent	(removed)								
6	New First Time	Triple	7,170	6,900	270	1,900	1,919	14	1,200	350
7	King Con	Det. Quad	8,480	7,280	1,200	4,320	4,484	28	2,800	1,000
8	Jupiter	Double	9,960	8,935	1,025	3,200	3,360	32	1,200	500
9	Ski Team	Double	8,630	7,090	1,540	4,850	5,089	32	1,200	500
10	New Motherload	Det. Quad	9,230	7,975	1,255	5,110	5,262	25	2,200	1,000
11	Pioneer	Triple	9,400	8,400	1,000	4,070	4,191	25	1,800	500
12	Town	Triple	8,175	6,985	1,190	6,430	6,539	19	1,800	500
13	Eagle	Triple	8,050	6,915	1,135	3,300	3,490	34	1,200	500
14	Gondola	(removed)								
15	G.S. Lift	Triple	8,320	8,050	270	1,540	1,563	18	600	500
A	New Chondola	8-Passenger	8,940	6,890	2,050	10,100	10,306	20	2,800	1,000
B	New Beginner	Baby Double	6,962	6,900	62	850	852	7	500	300
C	New Beginner	Baby Double	8,920	8,870	50	600	602	8	500	300
D	New Bonanza I	Det. Quad	9,245	8,130	1,115	5,450	5,563	20	2,000	1,000
E	New Bonanza II	Double	8,450	8,130	320	2,100	2,124	15	600	350
F	Pay Day Link	Double	8,250	8,130	120	1,600	1,604	8	1,200	450
G	McConkey's	Det. Quad	9,575	8,410	1,165	4,850	4,988	24	1,800	1,000

Source: PCSA Resort Management, Sno.engineering, Inc.

The lift upgrading program at the base of the mountain has been developed to improve out-of-base access. The plan reflects the development of two formalized entry portals to the mountain, thus improving access and distribution to the mountain. The upper entry portal (next to Steeps) will be serviced by a relocated Pay Day Chairlift -- a detachable, six-passenger lift. From the top of the New Pay Day Chairlift, skiers will be able to access the summit of the mountain via the New Bonanza-I Chairlift (a detachable

00513070 Bk01166 Pg00643



quad chairlift depicted as Lift E in Figure IV-1). This configuration of detachable chairs will reduce the ride time to the Summit House to about 12 to 15 minutes. The upgrading of Pay Day to a detachable lift will improve the utilization of the Pay Day terrain (the reduced ride time will enhance round-trip skiing).

An expanded entry portal will be located below the Eagle and First Time chairlifts. This site will feature a chondola lift (by definition, a detachable lift with both gondola cabins and quad chairs). PCSA's New Chondola will terminate at the meadow above Assessment Trail (an area commonly known as the meadow). Sno.engineering recommends the installation of a chondola lift to allow for the proposed construction of a beginner ski lift and the Meadow Restaurant (see Figure IV-1). Both beginner skiers and night/summer pedestrian traffic will require gondola cabins for downloading. In addition, the chondola lift will also provide downloading for novice skiers in ski school classes and act as an additional egress route off the mountain.

To help accommodate beginner skiers in the base area, Sno.engineering recommends the installation of a beginner, baby double chairlift (designed for first-time beginner skiers). This lift would access terrain specifically dedicated for first-time beginners -- providing a category of lift-served terrain that presently is not available at PCSA. The slopes served by the base area beginners' lift will require fencing to ensure that first-time beginner skiers are not intimidated by skiers of higher ability levels.

To create a logical progression from the beginner lift, Sno.engineering is recommending that the First Time Chairlift be relocated with significant reshaping of the slopes served by the lift to ensure the final slope gradients are suitable for a novice skier.

As a complement to these significant base area lift improvements, Sno.engineering recommends the upgrading of several up-mountain lifts (i.e. Motherlode from a triple to a detachable quad, Prospector from a detachable quad to a detachable six-passenger lift, and Thaynes from a double to a triple). The increased uphill hourly capacity on these lifts will provide a better equilibrium between uphill lift capacity and downhill terrain capacity.

Several new lifts are recommended, including a detachable quad to service McConkey's Bowl, an advanced beginner lift near the upper maintenance area for ski school instruction (New Bonanza-II Chairlift), and a return egress lift (from the bottom of the New Bonanza chairlifts to the top of Pay Day Chairlift) to provide an alternative return route off of the mountain.

00513070 Bx01166 Pg00644



2. Ski Terrain

Improvements to the existing ski terrain, coupled with the addition of new trails, will increase the formal trail network from 691 acres to 792 acres -- an increase of 101 acres. This represents a 15 percent increase in the size of PCSA's formal trail network. Table IV-2 summarizes the terrain specifications for the upgraded trail network. Bold and italicized trails are either new or upgraded trails.

Table IV-2
SKI TERRAIN SPECIFICATIONS - UPGRADING

Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
1	Upper Claim Jumper	488	3,416	3,459	145	11.51	14	25	Novice
1A	<i>New Trail</i>	90	630	636	100	1.46	14	25	Novice
2	Claim Jumper	598	3,039	3,103	195	13.89	20	31	Low Int.
3	<i>Lower Claim Jumper</i>	202	1,496	1,518	200	6.97	14	25	Low Int.
4	Assessment	733	3,443	3,539	150	12.19	21	36	Inter.
5	Powder Keg	435	1,259	1,335	175	5.36	35	35	Inter.
6	Hidden Splendor	920	3,704	3,740	150	12.88	25	45	Inter.
6A	<i>New Trail</i>	80	500	506	50	0.58	16	25	Inter.
7	Mel's Alley	450	2,150	2,197	75	3.78	21	26	Low Int.
8	Newport	445	989	1,088	150	3.75	45	57	Expert
9	Lost Prospector	360	850	923	100	2.12	42	62	Expert
10	Dynamite	332	892	956	150	3.29	37	52	Adv. Int.
11	Upper Lost Prospector	300	1,500	1,530	150	5.27	20	29	Low Int.
12	Prospector	783	2,638	2,768	200	12.71	30	51	Adv. Int.
13	Lower Parley's	365	1,450	1,495	200	6.87	25	44	Inter.
14	Parley's Park	310	794	880	200	4.04	39	43	Inter.
15	Upper Prospector	469	2,936	2,981	100	6.84	16	28	Low Int.
16	Single Jack	595	2,400	2,473	75	4.26	25	29	Low Int.
16A	<i>Single Jack Glades</i>	400	1,000	1,077	300	7.42	40	51	Adv. Int.
17	Double Jack	675	1,743	1,879	200	8.63	39	56	Expert
18	Summit Road	145	1,386	1,405	50	1.61	10	10	Low Int.
19	Thaynes	817	2,177	2,345	200	10.77	38	68	Expert
20	Hoist	739	2,133	2,290	100	5.26	35	70	Expert
21	Keystone	827	4,417	4,538	75	7.81	19	45	Inter.
22	King's Crown	174	783	803	75	1.38	22	28	Inter.
23	<i>Three Kings</i>	146	592	611	100	1.40	25	36	Inter.
24	<i>Quick Silver</i>	138	535	553	100	1.27	26	29	Inter.
25	Pick 'n Shovel	461	2,495	2,544	150	8.76	18	25	Inter.
26	Silver Hollow	393	2,711	2,755	100	6.32	14	25	Novice

00513070 Bk01166 Pg00645



Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
27U	<i>Upper Pay Day</i>	215	720	751	150	2.59	30	40	Inter.
27L	<i>Lower Pay Day</i>	470	1,910	1,967	150	6.77	25	33	Low Int.
28	<i>Nastar</i>	1,218	7,100	7,204	120	19.84	17	25	Novice
28A	<i>Lower Nastar</i>	219	795	825	110	2.08	28	34	Low Int.
29	Drift	361	3,265	3,302	40	3.03	11	34	Low Int.
30	Lower Blanche	354	1,735	1,773	150	6.10	20	25	Low Int.
30A	<i>Lwr. Blanche Cutoff</i>	60	340	345	80	0.63	18	26	Low Int.
30B	<i>New Lower Blanche</i>	511	2,165	2,224	150	7.66	24	39	Inter.
31	Nail Driver	565	1,346	1,469	175	5.90	42	69	Expert
32	Widowmaker	438	979	1,077	300	7.42	45	62	Expert
33	Dividend	271	769	817	175	3.28	35	43	Inter.
34	Treasure Hollow	703	2,973	3,073	200	14.11	24	44	Inter.
35	Silver Queen	567	1,530	1,643	125	4.72	37	58	Expert
35A	Silver Queen Road	116	1,076	1,085	125	3.11	11	19	Expert
36	Crescent	841	2,201	2,373	150	8.17	38	58	Expert
37	Silver Skis	671	1,414	1,573	125	4.51	47	66	Expert
38	Shaft	886	1,682	1,906	50	2.19	53	62	Expert
39	Water Fall	490	1,910	1,972	100	4.53	26	62	Expert
40	<i>New First Time</i>	273	1,934	1,966	350	15.79	14	18	Novice
41	<i>New Beginner</i>	66	962	966	130	2.88	7	12	Beginner
42	<i>Silver Hollow</i>	186	1,857	1,874	70	3.01	10	12	Beginner
43	Road to Hollow	70	1,600	1,602	30	1.10	6	10	Beginner
44	Hot Spot	265	1,213	1,249	150	4.30	22	38	Inter.
45	Combustion	302	1,132	1,192	150	4.10	27	57	Expert
46	Gotcha Ridge	357	1,951	1,984	150	6.83	18	23	Novice
47	Temptation	735	3,650	3,723	120	10.26	20	35	Low Int.
48	Seldom Seen	623	1,955	2,062	175	8.28	32	55	Adv. Int.
49	Climax	559	1,683	1,780	150	6.13	33	49	Adv. Int.
50	Monitor	523	1,525	1,619	125	4.65	34	53	Adv. Int.
51	Eureka	483	1,328	1,416	125	4.06	36	51	Adv. Int.
52	Liberty	504	1,309	1,407	175	5.65	39	54	Adv. Int.
53	Shamus	508	1,418	1,511	175	6.07	36	50	Adv. Int.
54	Sitka	641	2,027	2,143	175	8.61	32	58	Expert
55	Courchevel	568	1,603	1,708	150	5.88	35	52	Adv. Int.
56	High Card	672	2,032	2,150	150	7.40	33	55	Expert
56A	Chance	356	942	1,011	150	3.48	38	50	Adv. Int.
57	King Con	584	1,890	1,981	150	6.82	31	40	Inter.
58	Broadway	435	3,820	3,845	100	8.83	11	18	Low Int.
59	Shadow Ridge	990	3,110	3,264	100	7.49	32	56	Expert
60	Scotts Bowl	885	4,800	4,881	150	16.81	18	77	Expert
61	Fortune Teller	950	2,780	2,938	200	13.49	34	83	Expert

00513070 Bk01166 Pg00646



Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
62	Silver Cliff	715	1,780	1,918	100	4.40	40	75	Expert
63	Indicator	780	2,100	2,240	100	5.14	37	95	Expert
64	Portuguese Gap	680	2,020	2,131	100	4.89	34	73	Expert
65	Six Bells	570	1,050	1,195	100	2.74	54	95	Expert
66	West Face	1,905	5,870	6,171	200	28.34	32	67	Expert
67	Jupiter Road	743	7,386	7,457	25	4.28	10	35	Low Int.
68	Silver King	904	1,966	2,184	200	10.03	46	76	Expert
69	Willy's Run	1,245	3,829	4,060	150	13.98	33	62	Expert
70	Men's GS	1,610	3,550	3,898	150	13.42	45	65	Expert
71	Men's SL	550	965	1,250	150	4.30	57	62	Expert
72	Ladies SL	397	991	1,073	200	4.93	40	59	Expert
73	Thaynes Canyon	1,150	9,450	9,520	50	10.93	12	19	Low Int.
74	Lower Single Jack	450	880	988	200	4.54	51	71	Expert
74A	Single Jack Glades	750	1,600	1,767	200	8.11	47	54	Adv. Int.
75	Ford Country	716	1,627	1,791	200	8.22	44	64	Expert
76	Glory Hole	720	1,817	1,964	200	9.02	40	55	Adv. Int.
76A	Glory Hole Glades	650	1,700	1,820	200	8.36	38	54	Adv. Int.
77	Sunny Side	686	1,926	2,059	175	8.27	36	53	Adv. Int.
78	Carbide Cut	310	970	1,018	150	3.51	32	42	Inter.
79	Sampson	470	1,557	1,653	100	3.80	30	55	Adv. Int.
80	Comstock	439	1,181	1,277	100	2.93	37	55	Adv. Int.
81	Red Fox	406	1,137	1,213	125	3.48	36	50	Adv. Int.
82	Hawk Eye	379	1,212	1,281	125	3.68	31	47	Adv. Int.
83	Woodside	713	3,271	3,371	100	7.74	22	42	Adv. Int.
84	Blue Slip Bowl	554	1,614	1,734	200	7.96	34	71	Expert
85	Webster	496	3,515	3,568	150	12.29	14	29	Low Int.
86	Lucky Boy	345	1,900	1,931	75	3.32	18	50	Adv. Int.
87	Creole	576	2,092	2,190	150	7.54	28	49	Adv. Int.
88	Quit 'n Time	551	2,724	2,811	150	9.68	20	45	Inter.
88A	New Up. Quit 'n Time	409	1,492	1,548	160	5.69	27	36	Inter.
89	Gotcha Cutoff	754	5,086	5,169	30	3.56	15	37	Inter.
90	C.B.'s Run	801	1,918	2,091	150	7.20	42	62	Expert
91	Upper Clementine	340	950	1,009	150	3.47	36	63	Expert
92	Commitment	500	1,150	1,254	150	4.32	43	83	Expert
93	Clementine	160	659	681	200	3.13	24	37	Inter.
94	Bonanza	400	3,150	3,175	200	14.58	13	25	Novice
95	Bonanza Cutoff	156	1,653	1,669	30	1.15	9	21	Novice
96	Bonanza Road	156	1,362	1,378	50	1.58	11	24	Novice
97	Belmont	465	1,745	1,821	150	6.27	27	59	Expert
98	Side Winder	1,003	5,864	6,002	200	27.56	17	35	Low Int.
99	King Con Access	197	3,457	3,474	30	2.39	6	21	Novice

00513070 Bx01166 Pg00647



Map Ref.	Trail Name	Vert. Drop (ft.)	Horiz. Length (ft.)	Slope Length (ft.)	Avg. Width (ft.)	Area (acres)	Avg. Grade (%)	Max. Grade (%)	Ability Level
100	Quarter Load	85	381	391	200	1.80	22	30	Low Int.
101	Half Load	141	427	450	200	2.06	33	38	Inter.
C1	<i>New Beginner</i>	45	624	629	130	1.88	7	10	Beginner
D1	<i>New Bonanza</i>	806	4,123	4,235	130	12.64	20	45	Inter.
D2	<i>New Bonanza</i>	358	2,448	2,485	120	6.85	15	34	Low Int.
D3	<i>New Bonanza</i>	46	367	371	75	0.64	12	18	Novice
D4	<i>New Bonanza</i>	201	1,108	1,129	100	2.59	18	25	Novice
D5	<i>New Bonanza</i>	53	519	525	30	0.36	10	21	Novice
D6	<i>New Bonanza</i>	340	775	846	100	1.94	44	65	Expert
E1	<i>New Spiro</i>	1,242	8,070	8,212	75	14.14	15	25	Novice
Total:						792.6			

Source: PCSA Resort Management, Sno.engineering, Inc.

The goal in developing the ski terrain upgrading program was to improve the distribution of ability levels to better match PCSA's skier market demand and to balance the downhill capacity of the trails with the capacity of the proposed lift network. The ski terrain upgrading has increased the amount of beginner terrain to the extent possible and has significantly increased the availability of novice terrain. To a lesser degree, the intermediate and advanced intermediate terrain has been enhanced. In addition to the improvements outlined above, the upgrading plan improves egress off the mountain and enhances the terrain available for ski school instruction.

Table IV-3 reflects the distribution of terrain by ability level after completion of the trail upgrading and expansion program.

Table IV-3
SKI TERRAIN DISTRIBUTION BY ABILITY LEVEL - UPGRADING

Ability Level	Skiable Area (acres)	Skier Capacity (skiers)	Skier Distribution (%)	Skier Market (%)
Beginner	8.9	355	2	5
Novice	99.2	2,976	21	12
Low Intermediate	144.0	3,601	25	18
Intermediate	141.6	2,831	20	35
Adv. Intermediate	133.9	2,008	14	20
Expert	265.1	2,651	18	10
Total:	792.6	14,422	100	100

Source: Sno.engineering, Inc.

00513070 Bx01166 Pg00648



3. Analysis of Comfortable Carrying Capacity

As a result of the upgrading program, the CCC would increase from 9,910 to 13,700 skiers per day, which represents a total of 3,890 additional skiers, or an increase of 38 percent. Table IV-4 details PCSA's CCC after upgrading.

**Table IV-4
COMFORTABLE CARRYING CAPACITY - UPGRADING**

Lift Name	Lift Type	Slope Length (ft.)	Vert. Rise (ft.)	Hourly Capacity (skiers/hr.)	Oper. Hours (hrs.)	Load Eff. (%)	Adjust. Hrly. Cap. (skiers/hr)	VTF/Hr (000)	Vertical Demand (ft./day)	CCC (skiers)
New Prospector	Det. Six	5,285	1,270	3,000	6.75	95	2,850	3,810	11,769	2,080
New Thaynes	Triple	2,773	880	1,800	6.50	95	1,710	1,584	16,706	590
New Pay Day	Det. Six	5,928	1,270	3,000	7.00	70	2,100	3,810	11,976	1,560
New First Time	Triple	1,919	270	1,200	7.00	90	1,080	324	3,588	570
King Con	Det. Quad	4,484	1,200	2,800	6.75	95	2,660	3,360	12,061	1,790
Jupiter	Double	3,360	1,025	1,200	6.00	95	1,140	1,230	20,271	350
Ski Team	Double	5,089	1,540	1,200	6.75	90	1,080	1,848	21,635	520
New Motherload	Det. Quad	5,262	1,255	2,200	6.50	95	2,090	2,761	16,476	1,030
Pioneer	Triple	4,191	1,000	1,800	6.50	90	1,620	1,800	13,045	810
Town	Triple	6,539	1,190	1,800	7.00	25	450	2,142	13,820	270
Eagle	Triple	3,490	1,135	1,200	7.00	50	600	1,362	18,789	250
G.S. Lift	Triple	1,563	270	600	6.50	0	-	162	-	-
New Chondola	8-Pass.	10,306	2,050	2,800	7.00	40	1,120	5,740	13,058	1,230
New Beginner	Baby Double	852	62	500	7.00	90	450	31	1,796	110
New Beginner	Baby Double	602	50	500	6.50	90	450	25	1,813	80
New Bonanza-I	Det. Quad	5,563	1,115	2,000	6.50	95	1,900	2,230	10,272	1,340
New Bonanza-II	Double	2,124	320	600	6.50	95	570	192	5,486	220
Pay Day Link	Double	1,604	120	1,200	6.50	95	1,140	144	0	-
McConkey's	Det. Quad	4,988	1,165	1,800	6.50	95	1,710	2,097	14,432	900
Total:		75,922		31,200			24,720	34,652		13,700

Source: PCSA Resort Management, Sno.engineering, Inc.

It is a common practice at ski areas, and one that has been generally accepted by the ski industry, to exceed the CCC on peak ski days by as much as 25 percent. Based upon historical skier-visit performance records, PCSA anticipates future peak skier days to reach 110 percent of the CCC. This policy is acceptable as long as it does not become common practice. It is not believed that the ski area can economically justify a concurrent increase in the size of the visitor service facilities to accommodate the higher skier capacity. It should be noted, however, that the parking/shuttle accommodations and water and sewer systems must be sized for the capacity of a peak ski day. PCSA's peak ski day capacity is estimated at 15,070 skiers.

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Terrain Capacity and Density Analysis

To create a high quality ski experience, PCSA should maintain skier-per-acre ratios that are at the low end of industry norms (see Table III-6 for the skier density per acre industry standards). Table IV-5 sets forth the skier density design criteria used for upgrading at PCSA. The "acceptable slope density" figures given in Table IV-5 represent the number of skiers actually populating the trails. The "ski area design density" figures take into account all of the skiers distributed throughout the entire ski area. As was mentioned in Section III, it has been estimated that approximately 25 to 33 percent of the total skier population (depending on weather and snow conditions) will be using the trail system itself at any given time, while the remaining 67 to 75 percent will be on the lifts, in the waiting lines, or in the day lodge buildings and milling areas. This means that if a particular lift and trail system has a design density of 15 skiers per acre, there are only between 4 and 5 skiers actually populating that acre at any given time.

Table IV-5
SKIER DENSITY¹ PER ACRE -- PCSA DESIGN CRITERIA

Skill Classification	Ski Area Design Density	Acceptable Slope Density
Beginner	40/acre	10-13/acre
Novice	30/acre	8-10/acre
Low Intermediate	25/acre	6-8/acre
Intermediate	20/acre	5-7/acre
Adv. Intermediate	15/acre	4-5/acre
Expert	10/acre	2-3/acre

Source: PCSA Resort Management, Sno.engineering, Inc.

Using the trail acreage, capacity, and design criteria listed in earlier tables, the terrain capacity and density breakdown for the upgraded ski area is depicted on a lift-by-lift basis in Table IV-6.

Table IV-6 shows that the downhill terrain capacity at PCSA after upgrading (15,265 skiers) exceeds the upgraded CCC of the lifts (13,700 skiers) by a small margin. This fact indicates that the overall uphill lift capacity is well-balanced with the downhill terrain capacity, even on peak days when more than 15,000 skiers could be expected to visit PCSA.

¹ The "ski area design density" figures listed in column two of this table represent the total population of skiers distributed among the ski trails, waiting in lift lines, riding the lifts, and using the support facilities. The "acceptable slope density" column only reflects the number of skiers actually on the ski slopes.

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Table IV-6
DENSITY ANALYSIS - UPGRADING

Lift Name	Area (acres)	CCC (skiers)	Terrain Capacity (skiers)	Actual Density (CCC/acre)	Acceptable Density (CCC/acre)	Difference (+/-)	Difference (Actual/Acceptable)
New Prospector	103.0	2,080	2,060	20	20	0	1.00
New Thaynes	42.9	590	644	14	15	-1	0.96
New Pay Day	82.9	1,560	1,824	19	22	-3	0.86
New First Time	18.3	570	586	31	32	-1	0.96
King Con	103.6	1,790	1,865	17	18	-1	0.97
Jupiter	83.3	350	833	4	10	-6	0.40
Ski Team	47.5	520	570	11	12	-1	0.94
New Motherload	68.4	1,030	1,094	15	16	-1	0.92
Pioneer	39.2	810	588	21	15	6	1.38
Town	24.4	270	464	11	19	-8	0.59
Eagle	29.1	250	466	9	16	-7	0.57
G.S. Lift	0	0	0	0	0	0	1.00
New Chondola	83.4	1,230	1,668	15	20	-5	0.76
New Beginner	2.6	110	104	42	40	2	1.05
New Beginner	1.9	80	76	43	40	3	1.08
New Bonanza-I	52.4	1,340	1,310	26	25	1	1.03
New Bonanza-II	9.7	220	213	23	22	1	1.06
Pay Day Link	0.0	0	0	0	0	0	1.00
McConkey's	60.0	900	900	15	15	0	1.00
Total:	852.6	13,700	15,265				

Source: Sno.engineering, Inc.

The results of the density analysis indicate that most of the lifts are within acceptable standards, with the exception of Jupiter, Pioneer, Town, Eagle, and the New Chondola.

The uphill lift capacity at Jupiter is underappointed relative to the downhill terrain capacity. In the upgrade, Jupiter's CCC was intentionally held at 350 skiers in an effort to preserve Jupiter's snow quality on powder days.

Pioneer's uphill capacity is also not in balance with its downhill acreage. Given that only minimal terrain is available, it will not be possible to bring Pioneer into balance unless the lift's hourly capacity is reduced.

The New Chondola, Town, and Eagle lifts could support additional terrain, but due to the physical configuration of the mountain, this is not possible.

Overall, the lift upgrading program is in equilibrium with the proposed ski trail enhancements.

00513070 Bk01166 Pg00651



4. Skier Access and Egress Analysis

Morning Access Capacity

The upgraded lift network at PCSA features six access lifts (Pay Day, First Time, Town, Eagle, New Chondola, and New Beginner) with a total out-of-base capacity, adjusted for lift efficiency, of 8,510 skiers per hour. The upgraded out-of-base capacity represents a 36 percent increase over the existing capacity of 6,264 skiers per hour.

The computer modeling technique for morning access (as described in Section III.A.4) has shown that all out-of-base access lifts meet the 90 to 120 minute standard for access time. Table IV-7 summarizes the findings of the upgrade modeling exercise.

**Table IV-7
MORNING ACCESS TIME - UPGRADING**

Access Lift	Hourly Capacity* (skiers/hr.)	Percent Access (%)	Percent Round-Trip (%)	Access Capacity (skiers/hr.)	Total Access Requirement (skiers)	Access Time (minutes)
Pay Day	2,850	82	18	2,338	3,906	100
First Time	1,140	81	19	928	1,534	99
Town	1,710	95	5	1,621	2,606	96
Eagle	1,140	94	6	1,067	1,764	99
Chondola	2,660	85	15	2,271	3,781	100
Beginner	570	50	50	285	110	23
Total:	10,070			8,510	13,700	

Source: Sno.engineering, Inc.

* Reduced for loading efficiency.

Egress Capacity

In an effort to improve the skier egress capacity at the end of the ski day, Sno.engineering has designed a new ski trail (Trail E-1) which links the Temptation and Clementine trails. This egress route, in concert with an improved Gotcha Cutoff, will provide those skiers utilizing King Con and Prospector chairlifts with an alternative egress to Treasure Hollow, Sidewinder, or Drift. On the east side of the mountain, Pay Day Link Chairlift (new Lift F), in conjunction with a new novice/low intermediate trail adjacent to Nastar, will allow skiers of lower ability levels using New Bonanza-I and New Bonanza-II (new lifts D and E) an additional egress to Drift/Treasure Hollow or Sidewinder. In addition to the above trail improvements, the installation of the New

00513070 Bx01166 Pg00652



Chondola will also provide additional downloading capabilities. Table IV-8 summarizes the densities associated with PCSA's egress trails after upgrading.

Table IV-8
EGRESS TRAIL DENSITY ANALYSIS - UPGRADING

Egress Route	Min. Width (ft.)	Skier Speed (fpm)	Ability Level	Egress Req. (skiers)	1 Hour Egress (skiers)	Egress Density (skier/ac.)	Accept. Density (skier/ac.)	Diff. +/-	Diff. (%)
Pay Day Egress									
Drift	40	1,200	Low Int.	1,935	1,257	19	20	(1)	95%
Pay Day	100	1,500	Int.	699	454	2	15	(13)	15%
Nastar	80	1,500	Int.	1,554	1,010	6	15	(9)	41%
Sidewinder Egress									
Silver Hollow	100	1,000	Beg.	4,797	3,118	23	25	(2)	91%
Sidewinder	120	1,200	Low Int.	3,986	2,591	13	20	(7)	65%
Gotcha Cutoff	75	1,800	Int.	811	527	3	15	(12)	19%
Treasure Hollow	60	1,500	Low Int.	2,051	1,333	11	20	(9)	54%
Three Kings Egress									
First Time	80	1,200	Nov.	1,451	943	7	20	(13)	36%
Pick N' Shovel/Clem	150	1,200	Low Int.	1,728	1,123	5	20	(15)	23%
Beginner Slope	130	1,000	Beg.	110	72	4	25	(21)	16%
New E-1	30	1,200	Novice	1,132	735	15	20	(5)	74%
Town Egress									
Creole Entrance	120	1,500	Int.	2,138	1,389	6	15	(9)	37%
Upper Mtn. Egress									
Upper Claim Jumper	95	1,200	Nov.	5,596	3,637	23	20	3	116%
Webster	25	1,200	Low Int.	800	520	13	20	(7)	63%
Bonanza Road	50	1,200	Nov.	2,040	1,326	16	20	(4)	80%
Silver Queen Road	30	1,500	Adv. Int.	800	520	8	10	(2)	84%
New D-4	50	1,200	Nov.	2,136	1,388	17	20	(3)	84%
Gotcha Ridge	80	1,500	Nov.	4,711	3,062	19	20	(1)	93%
Broadway/Thaynes	50	1,500	Low Int.	2,589	1,683	16	20	(4)	81%

Source: Sno.engineering, Inc.

Table IV-8 is predicated on the assumption that 65 percent of PCSA's skiers exit the ski area between 3:30 PM and 4:30 PM. Table IV-8 shows that the calculated skier densities on all of the egress trails are lower than the acceptable criteria. This is an indication that the proposed egress trails have sufficient capacity to exit the upgraded CCC without causing skier congestion on the return ski trails.

00513070 Bk01166 Pg00653



B. Visitor Services

1. Visitor Service Buildings

The increase in mountain capacity resulting from upgrading of the lifts and trails must be complemented with a commensurate increase and improvement in visitor service building space in the base area and on the mountain. In general, a key objective for PCSA is to provide several food service facilities on the mountain, creating venues that are logically located to accommodate concentrations of lift capacity. The proposed concept of smaller, more intimate buildings is similar to the alpine eateries found at Snowmass, Aspen, and in the Alps.

The existing Steeps Restaurant and day lodge at the base of the existing Gondola should be upgraded and expanded to accommodate the new lift configuration in this area and the higher number of skiers who will be using these facilities, both for staging at the beginning of the day and for food service during the lunch period. Additional skier service facilities are recommended for the new lower base area portal at the lower terminal of the New Chondola. These facilities will service support functions for the alpine racing venue of the Olympic Winter Games, as well as the skier services associated with the new beginner/ski school area and the staging requirements of a major base area portal.

To complement the existing mountain restaurants that will remain in service and be expanded after upgrading, Sno.engineering recommends two on-mountain locations for the small scale restaurants described above: (1) the top of PCSA's alpine slide, and (2) the top of the Eagle Chairlift. This recommendation will ensure an even distribution of the skiers on the mountain throughout the ski day, reducing the congestion presently experienced during the lunch period.

Along with the smaller, more focused restaurants, Sno.engineering recommends the construction of a large facility (the proposed Meadow Restaurant) at the top of the New Chondola. In addition to the typical day lodge operations, this facility would feature dining opportunities during the late afternoon and evening hours.

00513070 Bk01166 Pg00654

2. Size and Placement of Visitor Service Functions

Based on a CCC of 13,700 skiers, the size and placement of each visitor service facility has been derived by distributing the upgraded capacity for each lift/trail system to the appropriate building sites. Industry standard space use allocations have been applied to derive the total spatial requirement for each service building or location.

Table IV-9a
DISTRIBUTION OF CCC BY FACILITY/LOCATION - UPGRADING
BASE AREA

Lift Name	CCC	Upper Village		Lower Village	
		(%)	(CCC)	(%)	(CCC)
New Prospector	2,080		0		0
New Thaynes	590		0		0
New Pay Day	1,560	50	780		0
New First Time	570	25	142.5	75	427.5
King Con	1,790		0		0
Jupiter	350		0		0
Ski Team (shorten)	520	50	260	50	260
New Motherload	1,030		0		0
Pioneer	810		0		0
Town	270		0		0
Eagle	250		0	50	125
G.S. Lift	-		0		0
New Chondola	1,230	15	184.5	25	307.5
New Beginner	110		0	100	110
New Beginner	80		0		0
New Bonanza I	1,340		0		0
New Bonanza II	220		0		0
Pay Day Link	-		0		0
McConkey's	900		0		0
Total:	13,700		1,367		1,230

Source: Sno.engineering, Inc.

00513070 Bk01166 Pg00655



Table IV-9b
DISTRIBUTION OF CCC BY FACILITY/LOCATION - UPGRADING
MOUNTAIN RESTAURANTS

Lift Name	Summit House		Mid-Mountain		Snow Hut		Meadow		Pay Day		Temptation	
	CCC	(%)	(CCC)	(%)	(CCC)	(%)	(CCC)	(%)	(CCC)	(%)	(CCC)	(%)
New Prospector	2,080		0		0	50	1,040	50	1,040		0	
New Thaynes	590	50	295	50	295		0		0		0	
New Pay Day	1,560		0		0		0		0	50	780	
New First Time	570		0		0		0		0		0	
King Con.	1,790		0		0	50	895		0		0	50
Jupiter	350	50	175	50	175		0		0		0	
Ski Team (shrt)	520		0		0		0		0		0	
New Motherload	1,030	50	515	50	515		0		0		0	
Pioneer	810	25	202.5	50	405		0	25	202.5		0	
Town	270		0	50	135		0	50	135		0	
Eagle	250		0		0		0		0		0	50
G.S. Lift	-		0		0		0		0		0	
New Chondola	1,230		0		0		0	60	738		0	
New Beginner	110		0		0		0		0		0	
New Beginner	80		0		0		0	100	80		0	
New Bonanza I	1,340		0		0		0	100	1340		0	
New Bonanza II	220		0		0		0	100	220		0	
Pay Day Link	-		0		0		0		0		0	
McConkey's	900		0	100	900		0		0		0	
Total:	13,700		1,188		2,425		1,935		3,756		780	1,020

Source: Sno.engineering, Inc.

The total ski related space use requirements for the visitor service buildings are categorized by fifteen separate functions. These functions have been distributed to the appropriate facility location in order to accommodate the various user requirements and patterns throughout the day. Table IV-10 shows the total space use requirements after upgrading at PCSA.

00513070 Bk01166 Pg00656



Table IV-10
SPACE USE REQUIREMENT BY BUILDING/LOCATION - UPGRADING

Service Function	Upper Village (sq. ft.)	Lower Village (sq. ft.)	Summit House (sq. ft.)	Mid-Mountain (sq. ft.)	Snow Hut (sq. ft.)	Meadow (sq. ft.)	Pay Day (sq. ft.)	Temptation (sq. ft.)	Total Space (sq. ft.)
Restaurant Seating	5,581	5,909	2,850	5,820	4,644	11,267	1,872	2,448	40,391
Kitchen/Scramble	2,400	2,541	1,226	2,503	1,997	4,845	805	1,053	17,368
Bar/Lounge	1,710	2,508	451	922	735	1,427	296	388	8,437
Rest Rooms	3,825	5,610	1,009	2,061	1,645	3,192	663	867	18,873
Ski School	2,466	3,699				685			6,850
Ski Wee/Day Care	2,988	4,382				2,274			9,645
Rentals/Repair	3,330	4,884							8,214
Retail Sales	4,144	5,478	197	403	321	623	129	169	11,465
Ticket Sales	360	528							888
Public Lockers	2,385	3,498							5,883
Ski Patrol	1,644	2,466				1,370			5,480
Administration	2,740	4,110							6,850
Employee Lockers/Lounge	1,096	1,644							2,740
Mechanical	495	726	131	267	213	413	86	112	2,442
Storage	1,215	1,782	321	655	522	1,014	211	275	5,995
Circulation/Waste	2,547	3,484	433	884	705	1,898	284	372	10,606
Total:	38,925	53,249	6,617	13,513	10,783	29,008	4,347	5,684	162,127

Source: Sno.engineering, Inc.

00513070 Bk01166 Pg00657



3. Food Service Seating

Food service facilities have been distributed around the mountain to alleviate the space limitations encountered at the base areas and to better serve skiers by locating facilities closer to activity hubs. After upgrading, food service seating will be provided at the Upper and Lower villages, and all of the existing and new mountain restaurants.

Table IV-11 summarizes PCSA's restaurant seating requirements after upgrading, based on a logical distribution of the CCC to each service building/location. The basic planning parameter used in deriving the seating requirements for each food service facility is the average seat turnover rate. A turnover rate of 4 was used for the Upper and Lower village facilities to reflect their cafeteria-style food service and significant use by beginner skiers. Cafeteria-style food service is envisioned for all of the on-mountain restaurants. Hence, a turnover rate of 4.5 was utilized for these facilities.

**Table IV-11
FOOD SERVICE SEATING REQUIREMENTS - UPGRADING**

	Upper Village	Lower Village	Summit House	Mid-Mountain	Snow Hut	Meadow	Pay Day	Temptation	Total
Total Skier Capacity	1,367	1,230	1,188	2,425	1,935	3,756	780	1,020	13,700
Average Seat Turnover	4.0	4.0	4.5	4.5	4.5	4.5	4.5	4.5	
Total Seats Required	342	308	264	539	430	835	173	227	3,117

Source: Sno.engineering, Inc.

As shown in Table IV-11, there is a need for a total of 3,117 seats to balance food service seating capacity with PCSA's upgraded CCC of 13,700 skiers.

00513070 Bk01166 Pg00658



4. Parking/Shuttle Services and Access

A complete Parking and Capacity Analysis has been prepared for PCSA and is included as Appendix A of this document. The following is a summary of the Parking and Capacity Analysis for the upgraded ski area.

Parking

There are a total of approximately 1,700 parking spaces currently available to skiers and resort employees. About 200 of these spaces are used by resort employees, leaving 1,500 spaces for ski area guests. A total of 500 new spaces will be developed at Parcel "E", of which 100 will be set aside for employees and 400 will be available for skier parking. Parking surveys have indicated that the average car occupancy of cars arriving at PCSA is 3.7 people per car. As a result, the existing parking spaces can support a maximum of 7,030 skiers per day ($1,900 \times 3.7 = 7,030$).

Lodging at Base Area

There are a total of 4,274 ski to/ski from beds currently available at the base of the ski area. A total of 2,104 new beds are proposed for PCSA's base, giving a total of 6,378 beds. Assuming a 95 percent peak occupancy, and that 20 percent of the overnight guests are non-skiers, the current bed base yields 4,848 ski to/ski from beds used by skiers at PCSA. Accordingly, the ski to/ski from accommodations in the base area can support a maximum of 4,848 skiers per day.

Town Lift

Based upon "design day" skier counts during the 1995-96 ski season, an average of approximately 1,100 skiers currently access PCSA via the Town lift. It is assumed that future Town lift usage will increase to 1,600 skiers per day.

Park City Transit

A number of PCSA surveys have been conducted which indicate that, on average, 13 percent of the skiers at PCSA arrived at the resort by riding some form of Park City transit. Using the aggregate of the figures given above, on a peak day, approximately 2,014 skiers will access PCSA via Park City transit.

The combination of on-site parking, ski to/ski from accommodations, Town lift access, and Park City transit access can support a maximum of approximately 15,490 skiers per day. This illustrates that the current parking/access capacity at PCSA is sufficient to meet the demands of peak-day skier visitation patterns.

00513070 Bk01166 Pg00659

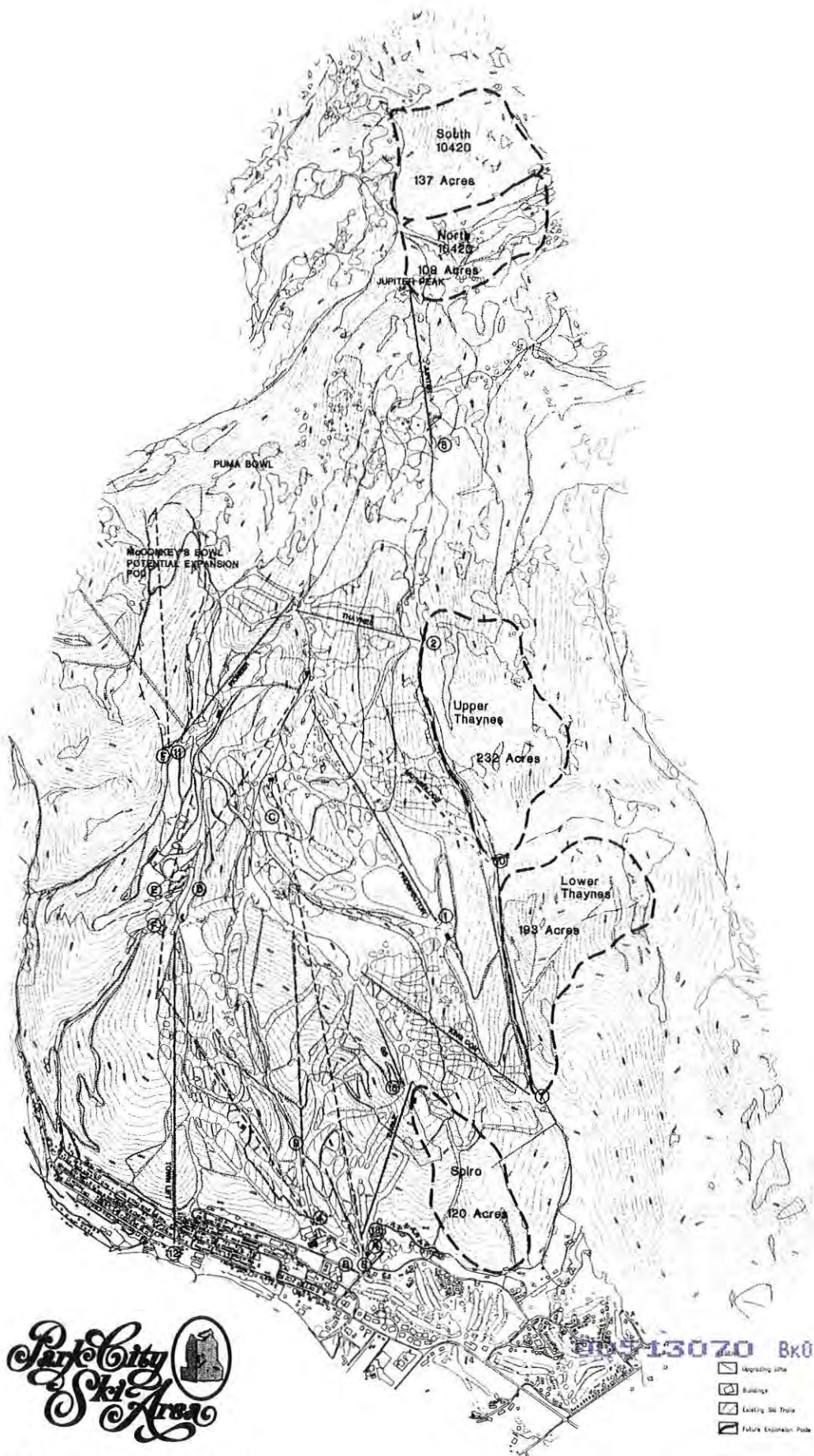


V. FUTURE EXPANSION POTENTIAL

After complete buildout of the Mountain Upgrade Plan, there are a number of options for the future expansion of PCSA. Sno. engineering has identified, through map analysis only, five separate areas (pods) that could be developed for alpine skiing. These pods are logical additions to the existing ski area. The expansion pods are illustrated in Figure V-1 as "Spiro" near the base of the ski area and above the Park City golf course; "Lower Thaynes", which is located across Thaynes Canyon from the King Con and Prospector chairlifts, "Upper Thaynes" which is located across Thaynes Canyon from the Motherlode and Thaynes chairlifts; and "North 10420" and "South 10420" pods which occur to the southwest of Jupiter Bowl.

As illustrated in Figure V-1, the five future expansion pods comprise nearly 800 acres of potential ski development terrain, which could yield as much as 250 acres of additional skiable terrain. While it is premature to predict potential lift capacities for each of the expansion pods, it is anticipated that some degree of development in these areas could result in PCSA's CCC increasing to 16,000 or more skiers per day.

00513070 Bk01166 Pg00660



MOUNTAIN UPGRADE PLAN

PREPARED FOR:
 PARK CITY SKI AREA
 P.O. BOX 316
 PARK CITY, UT 84080
 801-849-8111

PREPARED BY:
 [Logo]
 [Text]

Figure V-1
FUTURE EXPANSION PODS

DATE: AUGUST 1999
 CONTOUR INTERVAL: 10m
 0 500



VI. CONCLUSION

The PCSA Mountain Upgrade Plan addresses the concerns found in Sno. engineering's analysis of the existing ski operation, as well as the shortcomings identified in the market research conducted by RRC. The plan, as outlined above, achieves the following objectives:

- ♦ improves PCSA's out-of-base access and enhances the resort's end of day return egress;
- ♦ increases the amount of beginner, novice, intermediate, and advanced intermediate terrain;
- ♦ reduces the resort's restaurant seating deficiencies;
- ♦ modernizes the resort's lift technology; and
- ♦ addresses the price versus value concerns expressed by PCSA guests.

Unfortunately, due to the site's geological formations, the availability of additional intermediate terrain is limited. However, through diligent grooming of the resort's advanced intermediate trails, PCSA should be able to satisfy the needs of the resort's intermediate skiers.

PCSA's efforts to improve and upgrade the existing facilities will help the resort position itself in the marketplace, allowing the resort to compete for both day and destination skiers. In addition, PCSA's on-mountain improvements will help stimulate future real estate development and improve real estate values.

00513070 Bk01166 Pg00662



APPENDIX A

PARK CITY SKI AREA PARKING AND CAPACITY ANALYSIS

00513070 Bk01166 Pg00663

MEMORANDUM



TO: Douglas Clyde
Powdr Corporation

DATE: July 31, 1996

RE: Parking and Capacity Analysis - Park City Ski Area

The following analysis has been prepared in response to your request to document the balance relationships between lodging, parking and mountain capacity at Park City Ski Area.

Background

The current Comfortable Carrying Capacity (CCC) of the ski area is calculated to be 9,910 skiers (Sno.Engineering, 1996). The existing CCC of the ski area corresponds with the number of skiers that can be supplied from the existing parking, bed base, and bus system.

The CCC is a measure of the number of visitors that can be effectively served by the mountain facilities while maintaining a comfortable skiing atmosphere. Of the total CCC, 70-85 percent (depending on weather and snow conditions) will be active skiers, while the other inactive skiers will be using the skier support facilities and amenities. At a well balanced ski facility the active skiers will be evenly distributed throughout the mountain facilities; on the slope, waiting in the lift lines, or riding the ski lifts.

The accurate estimation of the ski area CCC is a complex issue and is the single most important planning criterion for the resort. Based on the proper identification of the mountain's capacity, all other related skier service facilities can be planned, such as base lodge seating, mountain restaurant requirements, sanitary facilities, parking, and other skier services. The CCC figure is based on a combination of the uphill hourly capacity of the lift system, the downhill capacity of the trail system, and the total amount of time spent in the lift waiting line, on the lift itself, and in the downhill descent. CCC is not a maximum capacity of the area, but rather a measure of the quality of the ski experience. The CCC figure represents the "comfortable" capacity of the resort. It is common for ski areas to experience "peak" days throughout the season during which the number of skiers visiting the resort exceeds the CCC, in many cases by 25% or more. Park City's peak days are significantly below these limits.



Park City peak skier counts are generally in the range of 10% over CCC. Consequently 110% of CCC has been used throughout this analysis as as an approximate design guide for base facilities on peak days, while maintaining 125% as an upper limit.

Two recent (1994-95 season and 1995-96 season) analyses of parking and skier capacity have been conducted by RRC Associates and Sear Brown Group for Park City Ski Area. These works updated previous studies in the early 1970's by J. J. Johnson and Associates and VanWagner (1981) for the Park City Village project.

Current Parking Situation

Park City Ski Area provides parking for skiers in 5 parking lots as shown below. The current parking lots have a capacity of approximately 1800 cars. This capacity varies with snow removal and control of parking cars by ski area parking lot personnel.

Table 1

Parking Lot	Spaces
Main Lot	492
Lower Lot	487
Underground Lot (see Table 1a)	510
Silver King Lot	243
Sweetwater Lot	80
Total	1812

The underground lot has reserved spaces for guests of the Resort Center and Village Loft units.

00513070 Bk01166 Pg00665



Table 1a

Parking Level	Parking Spaces
P-1 Brown Level	52 (reserved for lodge parking)
P-2 Green Level	198
P-3 Red Level	198
P-4 Orange Level	60 (reserved for lodge parking)
Total (skier spaces)	396
Total (Lodging spaces)	112

The available parking for skiers is 1700 spaces. Prior to the 1995-96 ski season, ski area employees and employees of lodging, restaurant and retail operations parked in these lots. Based upon the 1994 parking study this resulted in approximately 200 parking spaces being used by employees in the Silver King Lot and all 80 spaces in the Sweetwater Lot. The Silver King and Sweetwater lots were designated for ski area employees as the appropriate location for parking thereby making parking closer to the lifts more available to ski guests. For the 1995-96 season, ski area employee parking was added at the Maintenance building location. Approximately 100 spaces were created. Paid parking was instituted to further increase the availability of close in and covered parking to ski guests and to control the amount of employee parking.

Other Arrivals by Skiers and Employees

Skiers also arrive by Park City Transit, private bus/van service and walking. The 1994-95 study reviewed Park City Transit daily reports of trips to the Park City Ski Area over the President's Day week, traditionally a peak period for destination and day skiers. This study reported a range of 24% to 27% of skiers on the mountain to bus drop-offs counted by Park City Transit. An on-mountain survey of skiers was conducted for the 1995-96 study in addition to review of Transit drop-off rates. The 1995-96 data identified that 13% of skiers on the mountain rode the bus. The 1994-95 study is consistent with the 1995-96 study when the total skiers on the mountain are adjusted equally for season pass holders and VIP passes. The 13% rate is used in the following analysis. The 13% figure equals 43% of the total bus drop-offs during the 1996 study period. The difference between the skier drop off-rate and the total drop-offs is the

number of employees, guests and transfers to other busses taking place at the ski area.



Relationships of Parking and Lodging

The relationships of parking count, lodging occupancy, and skier counts were analyzed for the 30 highest days over the previous three seasons and are presented in *Chart 1*. Park City Ski Area records total cars parked as well as ticket sales daily. Season pass usage was determined by the lift line surveys that were completed in the RRC report. Lodging occupancy was collected from the Park City Chamber Bureau.

Of the five largest skier days, 2 of which occurred in the 1995-96 season, theoretical parking capacity was reached only once. Of the 10 largest days parking capacity was reached four times. During these days, lodging occupancy ranged from 70% to 84% of maximum.

In the next tier of ten days, lodging rates dropped to a range of 70% to 74%, parking capacity was reached 2 times and came within 100 cars of full capacity 4 additional times (60% of the days).

In the final tier of largest skier days, lodging occupancy fell to a range of 40% to 70%; however the lots were within 100 cars of capacity 5 times. (50% of the days).

The above analysis is based on the theoretical parking lot capacity, which is dependent on snow removal and parking efficiency. Actual capacity was likely to have been lower during some of the days which are analyzed above.

Lodging capacity is the limiting factor in reaching capacity of the ski mountain during the high occupancy holiday periods. Lodging occupancy rate have a very high correlation to the 30 highest skier days. As lodging occupancy rates approach 85% area wide, lodging occupancy rates at the base area reach 95%.

Parking counts have little or no correlation to the 30 highest days due to the fact that off-peak parking is dominated by local skiers who have a very low ratio of skiers per car compared to destination visitors.

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An increase in beds at the base of the ski area will, of course, provide additional skiers without an increase in demand for bussing and parking. However, additional parking is required to support both the anticipated increase in local skiers during non-peak periods, as well as destination skiers staying in remote locations.

Chart 1 shows the relationship of parking to skier days. The overall ratio of skiers to cars parked ranged from 4.2 to 6.3 over the period. The ratio for the top ten days ranged from 5.0 to 6.3 skier per car. These ranges are consistent with previous studies. The average of the total period is 5.15 skiers per car.

This overall ratio is the number of skiers on the mountain divided by the number of cars parked. Actual persons per car based on skier surveys is shown in Appendix Table A-30. It can be seen that Park City residents have a significantly lower rate of persons per car than destination skiers. It is also apparent that Salt Lake origin skiers use more parking for fewer skiers than destination guests.

Skiers being dropped off at the drop off area (Resort Center) also comprise a component of the overall ratio of skiers to cars parked. Measured observations in the 1993-94 studies indicated a drop off rate of 100 cars and 300 persons per hour peak. Drop off rates have been observed to increase over this rate in the 1996 parking lot evaluations due to skiers entering the lower lot to access the new ticket sales windows and the Eagle Chair access to the mountain.

As discussed previously, the current CCC of the ski area is 9910. Peak conditions can and will exceed the CCC. The CCC was exceeded four times in the period displayed in *Chart 1*. From operational experience, the peak skier counts are approximately 10% greater than design capacity. Again from *Chart 1*, it can be seen that the highest use condition occurs when lodging units are at full capacity.

For consistency in the following tables, beds are calculated from unit counts using Chamber Bureau and Land Management Code "Unit Equivalents". This results in 8 beds per unit or "Unit Equivalent" when developed to maximize beds i.e. hotel rooms or suites.

Table 2 through 4 shows the contribution of skiers from beds, parking and transit. This analysis is for the peak condition at various states of build out.

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Parking for the lodging units developed as part of the Park City Village plan is provided at the Land Management Code required rate per Unit Equivalent and is not shown separately in the *Tables* 2 through 4.



Employee parking for ski area employees is provided in off-site locations and considers employees using the Park City Transit and Ski Area provided bus transportation from out of Park City Locations in the same fashion as the current situation.

Employee parking for employees of new commercial operations not part of the current Ski Area operations are provided at a rate of 1 space per 400 square feet which is greater than the rate of employees per square foot in the existing commercial spaces. These spaces are shown in the following tables as "employee parking spaces".

Employee parking spaces for the lodging units are included in the code required and provided parking rates and are not shown separately for the purposes of the capacity calculations.

00513070 Bk01166 Pg00669

Table 2

Current Condition**Skiers Provided****I. Parking**

1700 parking spaces (skier and employee)

<200> less spaces for employees

1500 net parking spaces for skiers

1500 net parking spaces @ 3.7 skiers per space¹

5,550 skiers

II. Lodging at Base Area²

4274 existing beds

<213> less 5% for peak condition 95% occupancy

<812> less 20% for non-skiers and skiers skiing elsewhere

3249 net skiers from bed base

3,249 skiers

III. Town Liftbased on 1995-96 season design day skier counts at
Lift, 1128 skiers, use 1100.

1,100 skiers

IV. Park City Transit13% of skiers³

1,479 skiers

Total skiers at peak destination occupancy**11,378 skiers**

It can be seen from this calculation that the peak condition exceeds the CCC somewhat, however, it lies well within the acceptable range of 110 - 125% of CCC of the mountain (10,901-12,388).

¹ Appendix Table A-30 attached² Lodging units and beds Appendix Figure 1 attached

00513070 Bk01166 Pg00670

³ Appendix Table A-29 attached

Future Relationship of Parking and Lodging



Using this analysis, the balance of mountain and base facilities is projected for two conditions. The first condition is established for the 2002 Olympic Winter Games. The second condition is at completion of the currently planned improvements to the mountain and base.

I. Olympic Condition

The projected status of improvements at the Ski Area include the addition of out of base lift capacity and additional lodging and parking. Buildings expected to be complete are A, C and E. The potential also exists for a portion of parcel B to be completed. This results in an additional 2104 beds created as well as a new ski learning center, a replacement of the gondola building and skier support services and construction of the arcade entryway between the ski learning center (Parcel C) and Parcel E. Development of Parcel E will also add an additional 500 parking spaces for day skiers.

Mountain improvements include; new detachable quads for McConkey's Bowl, and the Bonanza Lift (angle station of the Gondola to the Summit House), replacement of PayDay and Motherlode with detachable quads, along with other lift improvements. Also a new transportation lift will run from the new plaza at First Time to a location near the top of Assessment. These improvements will result in a design capacity of 13,700 skiers.

The CCC of the mountain in the "Olympic Condition" is 13,700 skiers, (15,070 peak skiers). The corresponding analysis of base area beds, parking and transit is shown in *Table 3*. From the table it can be seen that a peak occupancy condition results in approximately 15,492 skiers which is well within the acceptable range.

Table 4 shows the supply of skiers at the completion of the project to be 17,051. These skier volumes can be accommodated by the expansion terrain identified in the Ski Area Master Plan (Sno.Engineering 1996).

00513070 Bk01166 Pg00671

Table 3

Olympic Condition

Skiers Provided

I. Parking



1,500 net parking spaces @ 3.7 skiers per space	5,550 skiers
500 new parking spaces at Parcel "E"	
<100> less new employee spaces	
400 net new skier parking spaces @3.7 skiers per space	1,480 skiers

II. Lodging at Base Area

4,274 existing beds	
3,249 net skiers from bed base	3,249 skiers
2,104 new beds	
<105> less 5% for peak condition 95% occupancy	
<400> less 20% for non-skiers and skiers skiing elsewhere	
1,599 net skiers from new bed base	1,599 skiers

III. Town Lift

use 1,100 skiers	1,100 skiers
increase in Town Lift use	500 skiers

IV. Park City Transit

13% of skiers	2,014 skiers
---------------	--------------

Total skiers

15,492 skiers

00513070 Bx01166 Pg00672

Table 4



<u>Completion Condition</u>	<u>Skiers Provided</u>
I. Parking	
1,500 net parking spaces @ 3.7 skiers per space	5,550 skiers
600 new parking spaces at Parcel "B" and "E" (total)	
160> employee spaces	
440 net new skier parking spaces @3.7 skiers per space	1,628 skiers
II. Lodging at Base Area	
4,274 existing beds 3290 net skiers from bed base	3,290 skiers
3,640 new skiers from Park City Village Project	
<182> less 5% for peak condition 95% occupancy	
<692> less 20% for non-skiers and skiers skiing elsewhere	
2,766 net skiers from new bed base	2,766 skiers
III. Town Lift	
1,100, plus previous 500 skiers	1,600 skiers
IV. Park City Transit	
13% of skiers	2,217 skiers
Total skiers	17,051 skiers

From the following tables and supporting information attached, it can be seen that the facilities as proposed maintain an effective balance between mountain capacity, lodging, and parking.

00513070 Bx01166 Pg00673

00513070 Bk01166 Pg00674

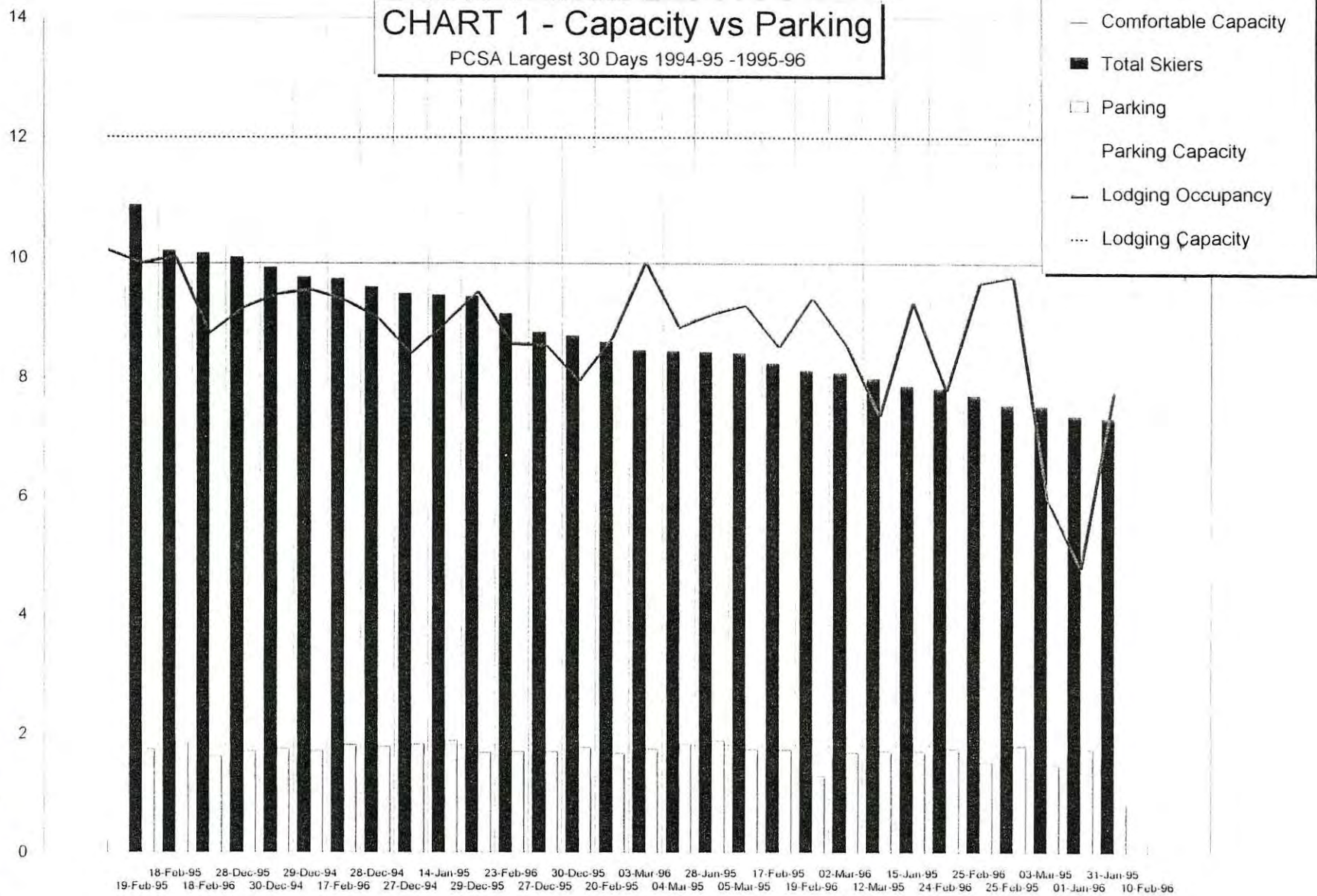


Table A- 2

TRANSPORTATION & PARKING	OVERALL	VISITOR ORIGIN				PREVIOUS RESORT VISITS			MARITAL STATUS				SKIER ABILITY		
		PARK CITY	SALT LAKE COUNTY	OTHER UTAH	OUT OF STATE	FIRST VISIT	1 - 3 VISITS	4 OR MORE VISITS	SINGLE	COUPLE	SINGLE/ COUPLE W/ KIDS	EMPTY NEST	BEGINNER	INTER-MEDIATE	ADVANCED /EXPERT
HOW MANY PEOPLE CAME IN YOUR VEHICLE															
1	4%	16%	6%	14%	2%	2%	3%	6%	7%	5%	2%	4%		2%	6%
2	25%	38%	29%	14%	24%	29%	20%	27%	31%	35%	18%	30%	12%	23%	29%
3	17%	13%	26%	14%	16%	13%	19%	20%	17%	17%	19%	11%	12%	15%	19%
4	26%	22%	18%	27%	28%	30%	27%	20%	16%	25%	31%	26%	28%	32%	21%
5	11%	4%	12%	9%	12%	13%	10%	12%	14%	8%	13%	9%	36%	9%	11%
6	10%	4%	9%	18%	11%	7%	12%	13%	9%	9%	12%	11%	4%	11%	10%
7	4%	2%			5%	5%	5%	2%	4%	1%	3%	6%	4%	5%	3%
8	2%			5%	2%	2%	3%	1%	2%		2%	4%	4%	3%	1%
TOTAL	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Average	3.7	2.8	3.3	3.8	3.8	3.8	3.9	3.5	3.5	3.3	3.9	3.8	4.4	3.9	3.5
n =	527	45	34	22	425	175	146	172	139	77	224	47	25	203	256

00513070 Bk01166 Pg00675

8 Mar 96

Source: RRC Associates
Boulder, CO

A-30

TRANSPORTATION & PARKING	OVERALL	VISITOR ORIGIN				PREVIOUS RESORT VISITS			MARITAL STATUS				SKIER ABILITY		
		PARK CITY	SALT LAKE COUNTY	OTHER UTAH	OUT OF STATE	FIRST VISIT	1 - 3 VISITS	4 OR MORE VISITS	SINGLE	COUPLE	SINGLE/ COUPLE W/ KIDS	EMPTY NEST	BEGINNER	INTER-MEDIATE	ADVANCED /EXPERT
FORM(S) OF TRANSPORTATION USED TO GET HERE TODAY															
Rental car	40%	2%	3%	9%	46%	44%	47%	29%	40%	39%	39%	40%	47%	46%	34%
Private automobile	25%	73%	97%	73%	16%	12%	17%	48%	22%	31%	24%	21%	18%	14%	35%
Other	13%	8%			14%	12%	16%	9%	15%	10%	12%	9%	9%	13%	13%
Bus in Park City	12%	10%			13%	16%	13%	5%	11%	9%	13%	17%	12%	14%	10%
Bus from Salt Lake	9%			18%	10%	13%	7%	4%	7%	9%	9%	10%	12%	12%	5%
Traveled with family & friends	2%	10%			2%	2%	1%	3%	3%	3%	1%	4%	3%	1%	4%
Borrowed car	1%	4%			1%	1%	0%	3%	1%	3%	2%			1%	2%
TOTAL	101%	106%	100%	100%	101%	101%	100%	102%	101%	104%	101%	101%	100%	101%	102%
n =	756	51	33	22	644	293	206	205	201	108	324	70	34	328	330

00513070 BK01166 Pg00676

Figure 1
Park City Chamber Bureau Units Within Walking Distance to PCSA

Lodging Properties Within Walking Distance of
Park City Ski Area
as of 4/13/94

<u>Property Name</u>	<u>Hotel</u>	<u>Studio</u>	<u>One Bdrm</u>	<u>Two Bdrm</u>	<u>Three Bdrm</u>	<u>Four Bdrm</u>	<u>Five Bdrm</u>	<u>Maximum People</u>
Acorn Chalet	2		2	1				18
All Seasons				7	7			98
Alpenhof			2	6	1			52
Chamonix Groupe & Chalets	25	1		6	4			120
Chateau Aprés	52							104
Doublejack				6				36
Edelweiss				38				228
Empire Coalition				17	2			118
Empire House			10					40
Lifeline				1	12	1		112
Park Place			2	4	2			48
Powderpoint			21	12				156
Powder Ridge					6			48
Resort Center Lodge/Inn	27	53	22	17				350
Shadow Ridge	1		1	51	1			320
Silvertown				4	5	1		74
Silver Cliff				14				84
Silver King		18	28	15				238
Ski Team				8				48
Skier's Lodge			12	4				72
Snow Flower		7	6	59	39	14	6	916
Snowblaze		1	11	3	3			88
Snowcrest			14	8				104
Sunflower				4	4			56
Sweetwater		6	24	45	15			498
The Gables			11		8	2		128
Wasatch Condos					15			120
TOTALS*	107	86	166	330	124	18	6	4,274

*These totals include all units in any given property whether or not they are in the rental pool. Some owner associations could not be reached; total number of units in these cases has been estimated by adding number of units managed by various property management companies.

Exhibit B - Project Descriptions

– Interconnect Gondola

The proposed Interconnect Gondola is an 8 passenger gondola designed as a two way access transport between Park City Mountain Resort and Canyons Resort. The base terminal on the Park City side is located at the Snow Hut Lodge and the base terminal on the Canyons side is located near the north terminal of the Flat Iron lift. The gondola passes over Pine Cone Ridge and an angled mid station is located to the north of the ridge summit. Total ride time of the lift is approximately 8.5 minutes.

The proposed Interconnect Gondola on the Park City side is located within the area already identified in the Mountain Upgrade Plan (MUP) as Lower Thayne's (Figure V-1 – Future Expansion of the MUP) as a future expansion area. Canyons skiers will access the gondola via a combination of the Red Pine Gondola, the Timberline lift and the Iron Mountain lift. Park City skiers primary access will be from the Crescent lift.

At the Pine Cone Ridge mid station, Park City-based riders of the Interconnect Gondola may either unload or ski to the Dreamcatcher and Iron Mountain lift pods and other points on the Canyons side. Alternatively, passengers can continue riding down the gondola and unload at the Canyons base terminal.

Skiing from the gondola mid station to the Park City side will be limited to access gate controlled skiing for experts when snow conditions are favorable. Skiers transporting from the Canyons side to Park City will typically ride the full length of the lift back to the Snow Hut Lodge area.

The following table shows the design characteristics of the PCMR segment of the interconnect lift.

Lift Name	Lift Type	Top Elev (ft)	Bot Elev (ft)	Vert Rise (ft)	Slope Length (ft)	Average Grade %	Hourly Capacity (PPH)	Rope Speed (FPM)
Interconnect lift Park City Side	8-PG	9000	7970	1030	4490	23%	1500	1000

Comfortable Carrying Capacity (CCC)

As described earlier, the primary role of the proposed Interconnect Gondola is to provide skier transport between the two resorts. As a transport lift, the gondola has no vertical demand and will not increase

the overall capacity of the resort. On the Park City side, the skiing opportunities under the gondola are limited to access gate expert only skiing in areas which are already identified in the MUP as ski terrain. With an easterly/southeasterly exposure, use of the terrain will be limited to the infrequent occurrences of ideal snow conditions. In addition, there is no direct round trip skiing due to the topographic constraints of Thaynes Canyon. Instead, skiing the terrain on the Park City side of Pine Cone Ridge will typically involve riding the King Con lift in combination with the Interconnect Gondola to access this terrain. Given these constraints, no additional capacity has been attributed to this lift.

The following table shows the CCC calculation for the lift:

Lift Name	Lift Type	Slope Length	Vert. Rise	Hourly Capacity	Oper. Hours	Load Eff.	Adjusted Hourly Capacity	VTF/HR	Vertical Demand	CCC
Interconnect lift	8 - PG	4490	1030	1500	7	95	1425	1545	0	0

– Replacement of the Snow Hut lodge

The following reflects seating counts at the resort in 2014

Lodges	Legacy	Summit House	Mid Mountain	Snow Hut	Totals
Indoor seats	740	180	275	154	1349
Outdoor seats	192	184	200	200	776
Totals	932	364	475	354	2125

Currently the resort can experience on peak days in the order of approximately 10000 people per day. Industry standards suggest that mountain restaurants can experience a 3 to 4 seat turnover which would suggest the need for 2500 seats to 3330 seats leaving a deficit of approximately 375 to 1208 seats.

The 1997 MUP suggests that the resort needs additional seats and since that time the area has added seats with the addition of the Legacy lodge at the base of the mountain. However, given the current visitation patterns of the resort during holiday periods and at other peak times it experiences a shortage of seats. This being the case the resort is proposing to expand the seating capacity at the popular Silverlode ski pod and at the proposed Interconnect lift. The proposed restaurant replacement would provide the overall resort with approximately 386 additional seats bringing the total seating capacity to an improved balance of approximately 2511 seats. These new seats provide a significant improvement over what existed for the 2014-15 season. In addition to the number of seats, the quality of the facility will also vastly improve, when compared to the existing building. The proposed facility includes a modern food court concept, new and enlarged bathrooms, expanded food offerings and a spacious outdoor deck that will be a welcomed addition to the resort. The proposed location will allow better distribution of the overall skier capacity on the mountain and will take significant pressure off the other on mountain food service facilities such as the Summit House.

**ATTACHMENT TO PARK CITY MOUNTAIN RESORT APPLICATION TO PARK CITY
MUNICIPAL CORPORATION FOR AN AMENDMENT TO THE EXISTING
DEVELOPMENT AGREEMENT AND MASTER PLANNED DEVELOPMENT FOR PARK
CITY MOUNTAIN RESORT AND CONDITIONAL USE PERMITS FOR INTERCONNECT
LIFT AND SNOW HUT LODGE REPLACEMENT**

December 22, 2014

The existing Development Agreement and Master Planned Development (MPD) approval-for Park City Mountain Resort was approved by Park City Council on August 21, 1997. The Master Planned Development consists of two primary elements: the PCMR Concept Master Plan for the base area and the Mountain Upgrade Plan (MUP) for the ski resort. Development of certain base area lands and mountain improvements under the terms of the MPD has occurred on a regular basis. In March, 2007, additional Park City Mountain Resort ski terrain was annexed into Park City Municipal Corporation. The current application (a) is for an amendment to the Development Agreement to satisfy requirements of the annexation documents that certain ski terrain be added to the Development Agreement and the MPD, and (b) provides an update to the Mountain Upgrade Plan for the Interconnect Gondola and to accommodate a replacement of the Snow Hut on-mountain restaurant.

Development of Park City Mountain Resort is controlled by the Development Agreement, and in this case, the Mountain Upgrade Plan. The improvement and enlargement of the Snow Hut is included in the space allocated in the Mountain Upgrade Plan to improve mountain guest services. While the Interconnect Gondola is not specifically referenced in the Mountain Upgrade Plan, the terrain in which the lift is proposed is already designated in the Mountain Upgrade Plan for future ski pod development.

The proposed Interconnect Gondola will connect Park City Mountain Resort and Canyons Resort. Zoning at Canyons Resort is regulated pursuant to a separate Amended and Restated Development Agreement for The Canyons Specially Planned Area (SPA) with Summit County. A concurrent application to Summit County for a Conditional Use Permit under the terms of the SPA has been submitted.

The following information is provided as an attachment to the Park City Master Planned Development Application Form. The application information consists of the following:

- Application Form
- Project Description Text
- Sample photos of Gondola lift terminals and rails
- Project site plans

- Visual Simulations for the proposed Snow Hut Lodge and Interconnect Gondola
- Draft Amendment to Development Agreement

PROJECT DESCRIPTION TEXT

INTERCONNECT GONDOLA PROJECT

The Interconnect Gondola is designed to transport skiers and snowboarders between the upper mountain areas of Park City Mountain Resort and Canyons Resort. The lift terminals are adjacent to the Snow Hut and Silverlode Lift at Park City Mountain Resort and in the upper Colony near the White Pine Lake /Colony Phase 4E area within Canyons Resort. A mid-station is planned in Summit County on the Canyons side of the ridge between Canyons Resort and Park City Mountain Resort. Passengers will be able to unload at the mid-station to ski return to Canyons lift systems, or when conditions are appropriate, to ski down to the King Con/Thaynes area through boundary control gates.

The lift will serve primarily as mountain access distributing skiers between the areas. To access the Interconnect Gondola from Park City Mountain Resort, skiers will generally ride the Crescent lift or a combination of the Eagle/King Con lifts. From the Canyons side, the likely primary access route for skiers would be via the Red Pine Gondola to the Timberline lift to the Iron Mountain lift. As an access /circulation lift, the Interconnect Gondola will operate in a similar fashion to the existing Canyons Shortcut or Timberline lifts.

The Interconnect Gondola will be an 8 passenger gondola system with a planned access capacity of 1,500 riders per hour. Sixty (60) cabins will be used in the system. Total length of the lift is approximately 7,650 feet long. Total one-way trip time will be approximately 9 minutes. 27 lift towers are proposed. The towers will be galvanized, treated to reduce reflectivity. Cabin colors and terminals will be painted with colors to be determined.

An operator building will be located at each terminal. A small Ski Patrol building will be located adjacent to the mid-station. A small storage building (approximately 200 sq. ft.) will be located adjacent to the base terminal at the Snow Hut area for snow removal equipment, fencing, and operations equipment.

A safety evacuation and maintenance access route will be constructed. The access route will cross the Park City Municipal boundary and connect to existing routes in Thaynes Canyon, south of the Motherlode Lift. The evacuation and maintenance route is located to ensure access to the lift line in the unlikely event of a lift mechanical failure and for lift maintenance access. They are designed to minimize widths and length and take advantage of intervening topography and tree cover to minimize appearance.

REPLACEMENT OF SNOW HUT LODGE

The proposed Snow Hut Facility is located approximately 260 feet to the north of the Silverlode Express lift and 60 feet to the north of the newly planned Interconnect 8 passenger Gondola. The project consists of a 17,200 sq. ft. building to provide guest services for the resort. The building replaces an older, outdated and undersized two-story structure, approximately 10,000 sq. ft. (with deck areas) lodge built in 1982 in the same approximate location. While renovations have occurred in the past, the functional size of the building has not changed significantly in the last 22 years, while the ski area has continued to achieve greater popularity. The existing building requires improvements to food service, seating, kitchen areas and restrooms (of which there are too few and currently located on the lower level of the building). Access to the building and decks is cumbersome and currently requires climbing and descending open stairs.

The proposed Snow Hut Lodge is a one story building consisting of restaurant and cafeteria services to accommodate approximately 500 indoor seats and 250 outdoor seats. Approximately 4,500 sq. ft. of outdoor decking/patio is proposed on the southeast side of the structure. The facility will also provide, on one level, restrooms, retail, lounge, and a modern food court scramble system. The area of restrooms will increase from the existing 1,131 square feet to a proposed 1,600 square feet. Kitchen space will be upgraded to modern requirements.

The selection of the site was determined based on the need to replace a facility that was undersized with inadequate services. The location of the Snow Hut is centralized in the overall operation of the ski area at the intersection of ski runs served by the Silverlode and King Con lift. It is also accessible by the Crescent lift. The presence of the Park City terminal of the Interconnect Gondola further places the Snow Hut as an ideal location for centrally located guest services.

Maintenance and construction access to the site is provided by existing mountain roads.

Proposed Snow Hut Building Design

The building is designed to face southeast in order to take advantage of mid-day sun and views up the Claimjumper and King Con ski trails and the Silverlode ski pod. The building is designed on a single floor level for convenient public use. The proposed lodge's finish floor was adjusted so that it lies approximately 4 feet below the existing lodges finish floor elevation. This improvement provides on snow access and eliminates the existing cumbersome stairs for ski boots.

The building architecture for the proposed project will be designed to create an appealing structure which is subtle and complementary to the dominant beauty of the surrounding mountain setting. Exterior materials will be primarily natural materials that are compatible in color with the native landscape of the site. Installation of a southeast facing window wall will allow for increased passive solar gain and significant views of the surrounding skier terrain. A low pitched shed roof structure and a continuous ridgeline will be designed for the requirements of a lodge at this elevation which reduces valleys, includes a snow melt system at the eaves, and reduces the need for snow removal on the roof structure. The existing lodge was built prior to the requirement for a sprinkler system. The new structure will include a sprinkler system which meets fire department requirements.

Sustainability design features include energy efficient LED lighting, Lo-E windows, low flow toilets and sinks, and various other energy efficient features. Materials from the old Snow Hut lodge will be available for recycling to the extent practicable.

The adjacent Interconnect Gondola terminal grading and the fill from the proposed facility will provide adequate fill to improve the reverse slope coming off the King Con trail, provide an improved staging area for Silverlode maze area and the new Interconnect Gondola, as well as to re-grade the Broadway run below the lodge. The proposed building heights from existing grade at both the northeast and southeast corners of the building are approximately 63 feet and 54 feet respectively. In comparison to the existing building, there would be a net increase of approximately 22 to 31 feet depending on the City code measurement area from the existing building at the highest points of the sloping roof. It is important to recognize that the location of the building is in a valley that is remote and viewed primarily from adjacent ski runs. With the re-grading of the existing ski runs the heights for the new building at the north end will be approximately 48 feet from proposed grade and 41 feet on the south end.

Estimated area of disturbance from the building, construction of the Interconnect Gondola terminal and lift line (Park City side), the re-grading of Claimjumper/Broadway ski run, and the Interconnect Gondola evacuation trails is approximately 5.05 acres.

DESCRIPTION OF OPERATIONS

The gondola and the new lodge will operate during typical resort operating hours during the winter season. The lift is not planned to operate at night nor during non-ski season periods except for maintenance and routine testing. Lighting the terminal locations is proposed only for maintenance and safety operations. Provisions for storage of the cabins on a rail system are proposed for 30 cabins at each terminal.

PARK CITY SPECIFIC INFORMATION

Table 1. Generalized Project Component Dimensions

Project Component	Dimensions
Gondola Length total length 7,650 feet	2,000 feet (Park City segment)
Park City Terminal structure dimensions	30 ft. x 72 ft. - 2,160 square feet
Storage Rails	25 ft. x 80 ft. – 2,000 square feet
Park City Terminal / Storage Height	Approximately 21 feet above load platform Storage rail height – 17 feet
Mid Station structure dimensions (county only)	30 ft. x 160 ft. – 4,800 square feet
Mid-Station Height (county only)	Approximately 21 feet
Lift Tower height - maximum (total project)	Approximately 65 feet
Snow Hut building	17,200 sq.ft.
Storage buildings (1 each terminal)	200 square feet (each)

Table 2. Supplementary Information

	Grading Area	Tree removal
New Gondola and Snow Hut	3 ac.	N/A
Evacuation Trails (Park City side)	2 ac.	2 ac.
Total Areas(s)	5 ac.	2 ac.

PARK CITY LAND MANAGEMENT CODE MASTER DEVELOPMENT PLAN REQUIREMENTS SECTION 15-6-5

(A) DENSITY

The proposed Amendment to the Development Agreement and Conditional Use Permits do not use or change approved densities.

(B) MAXIMUM FOOTPRINT IN HR-1 DISTRICT

Not Applicable, the project underlying zone is ROS. Ski area operations are Conditional Uses in the ROS zone.

(C) SETBACKS

The project is located a minimum of 2,000 feet from adjacent property owners.

(D) OPEN SPACE

Open space is established by the approved MPD. Of the approximately 3,700 acres in the ski resort, nearly-95% of the property is considered as ROS open space (i.e. trails and forested areas). The proposed projects will not affect this percentage.

(E) OFF-STREET PARKING

The replacement of the Snow Hut does not affect skier capacity and subsequently does not affect parking requirements. Skiers and riders are already on the mountain during operations, and the replacement Snow Hut Lodge is designed to significantly improve service at a major connection area in a central area of the ski resort.

The Interconnect Gondola functions only as an access/transfer lift between existing ski operations and has not been designed with round trip skiing on it. Given it is an access lift only between the two areas there is no skier capacity increase associated with it.

BUILDING HEIGHT

(1) Building Height does not increase square footage or building volume

The proposed Snow Hut changes the former 2-level building to a single level building accessible without steps from snow level, as well it provides access to bathrooms on the main level where the previous building required patrons to ascend down to the lower level. Increases in building volume and square footage are anticipated in the Mountain Upgrade Plan and with the addition of the new Snow Hut building will improve the overall balance of seating deficits when compared to the mountains skier capacity

(2) Buildings have been designed to minimize visual impact on adjacent structures

The proposed Snow Hut is remote from any other building. The minimum setback for the building is 2,000 feet. No other structures, except ski lifts are within this area. No impact to view, solar access, shadows, or other criteria will occur.

(3) There is adequate landscaping and buffering

The site is centralized in the upper mountain of the existing ski resort, and not generally visible from developed off-site locations in Park City. As a ski resort operation, the site will be revegetated with a proven seed mix.

(2) The additional Building Height has resulted in more than the minimum open space required, and has resulted in open space being more usable.

The adjacent open space is designated ski terrain. With approximately 3,700 acres of ski terrain the proposed projects 17,200 square feet of footprint will have no effect on open space or its usability.

(3) The additional Building Height shall provide a transition in roof elements in compliance with Chapter 9 – Architectural Guidelines.

The proposed height of the building is the result of a combination of the single story accessible design and the roof design which does not shed snow to public areas or decks, and does not require heat taping in roof valleys or edges to prevent large icicle development. The large glazed areas are designed to maximize solar gain in support of the project sustainability goals. Interruptions in the roof plane would interrupt snow shed and possibly increase height with no purpose. There are no other buildings within one-half mile to match roof façade or variations.

(4) Structures within the HR-1 District may apply for additional height

The project is not located in the HR-1 District.

(F) SITE PLANNING

The Snow Hut Lodge is located on the footprint of the existing building and against an existing hill side to maximize skier circulation in the area. Placing excavated material on site will remove the reverse slope between the King Con run and the building location. Skier circulation down to the King Con lift will be improved by the site grading on Broadway and the new location of the building. The Interconnect Gondola is located not to interfere with skier circulation and provides direct access to the Snow Hut Lodge.

No retaining structures are proposed. Site grading is minimized while providing an on-snow / no stairs access to Snow Hut.

Existing summer biking and hiking trails on the Park City Mountain Resort side of the project are avoided to extent possible. Within the Summit County portion of the site, the evacuation

routes may cross existing biking / hiking trails within the terms of the property agreements with trail operators and landowners.

Snow storage is on-site. The building is designed to shed snow away from public areas and service doors.

Refuse and recycling will take place in the building footprint consistent with the sustainability goals of Park City Mountain Resort. Refuse removal will not change from current operations.

Transportation to the site is via lifts, skiing and snowboarding only. No public vehicle access is proposed.

(G) LANDSCAPE AND STREETScape

Significant vegetation is retained and protected. Vegetation removed for site grading consists mainly of existing ski runs grasses and brush. The lift line corridor will require tree removal but ground disturbance will only occur in lift tower areas, base terminal area and evacuation route construction.

(H) SENSITIVE LANDS COMPLIANCE

A Visual Simulation has been conducted to comply with the Sensitive Lands compliance for viewshed and ridgeline protection. All other elements of the Sensitive Land analysis for the original MPD remain in effect and unchanged by this project.

The Interconnect lift, by definition, needs to cross a section of the ridge line south of Iron Mountain, above White Pine Canyon and Thaynes Canyon, mainly in Summit County jurisdiction. A previously identified location of the ridge crossing and mid-station was located on the minor summit south of Iron Mountain; a second location was located on the ridgeline south of the proposed location. Both locations were evaluated for visual impacts and operational considerations. The current proposed mid-station location in this application is located in alignment with the existing lift easement through the Colony and below the ridgeline on the west side approximately 400 feet north of the originally identified minor summit. The terminal structure, given its location, minimizes the intrusion on the ridgeline from either east or west sight lines. Glazing on terminal openings will be used only for system maintenance and operation requirements.

The lift alignment is approximately perpendicular to existing main public roads. Linear views of the lift line are not apparent from these roads. Lift line impacts are reduced as it is below the sky line and in many places within a forested area.

The access route and evacuation trails are combined to minimize site disturbance for construction and maintenance. The access route / evacuation trail(s) is located to ensure

access to the lift line in the unlikely event of a lift mechanical failure and for lift maintenance access. It is designed to minimize length and take advantage of intervening topography and tree cover to minimize appearance.

A visual analysis from designated viewpoints has been submitted to illustrate the visual effects of the proposed lift system. The viewpoints were selected by City and County staff, to assess potential project impacts from key public areas with views of the project.

The Interconnect Gondola system, towers and terminals, and evacuation route in Thaynes Canyon are shown on the visual simulation from the designated viewpoints. The location of the proposed Snow Hut building is also shown in the simulations.

Visual simulations are included with the application package.

(I) EMPLOYEE / AFFORDABLE HOUSING

The existing MPD contains the requirement for employee housing, this project does not change these requirements.

(J) CHILD CARE

The project does not affect possible child care demands.



VIEW LOOKING SOUTH AND WEST FROM THE POST OFFICE PARKING LOT
TOWARDS THE INTERCONNECT GONDOLA AND SNOW HUT LODGE REPLACEMENT

Photograph was taken by SE Group using a Canon EOS 6D camera with
a 52mm focal length (35 mm equivalent) on 12/16/2014 at 9:30 AM.



VIEW LOOKING SOUTH AND WEST FROM THE POST OFFICE PARKING LOT
TOWARDS THE INTERCONNECT GONDOLA AND SNOW HUT LODGE REPLACEMENT

Photograph was taken by SE Group using a Canon EOS 6D camera with
a 52mm focal length (35 mm equivalent) on 12/16/2014 at 9:30 AM.



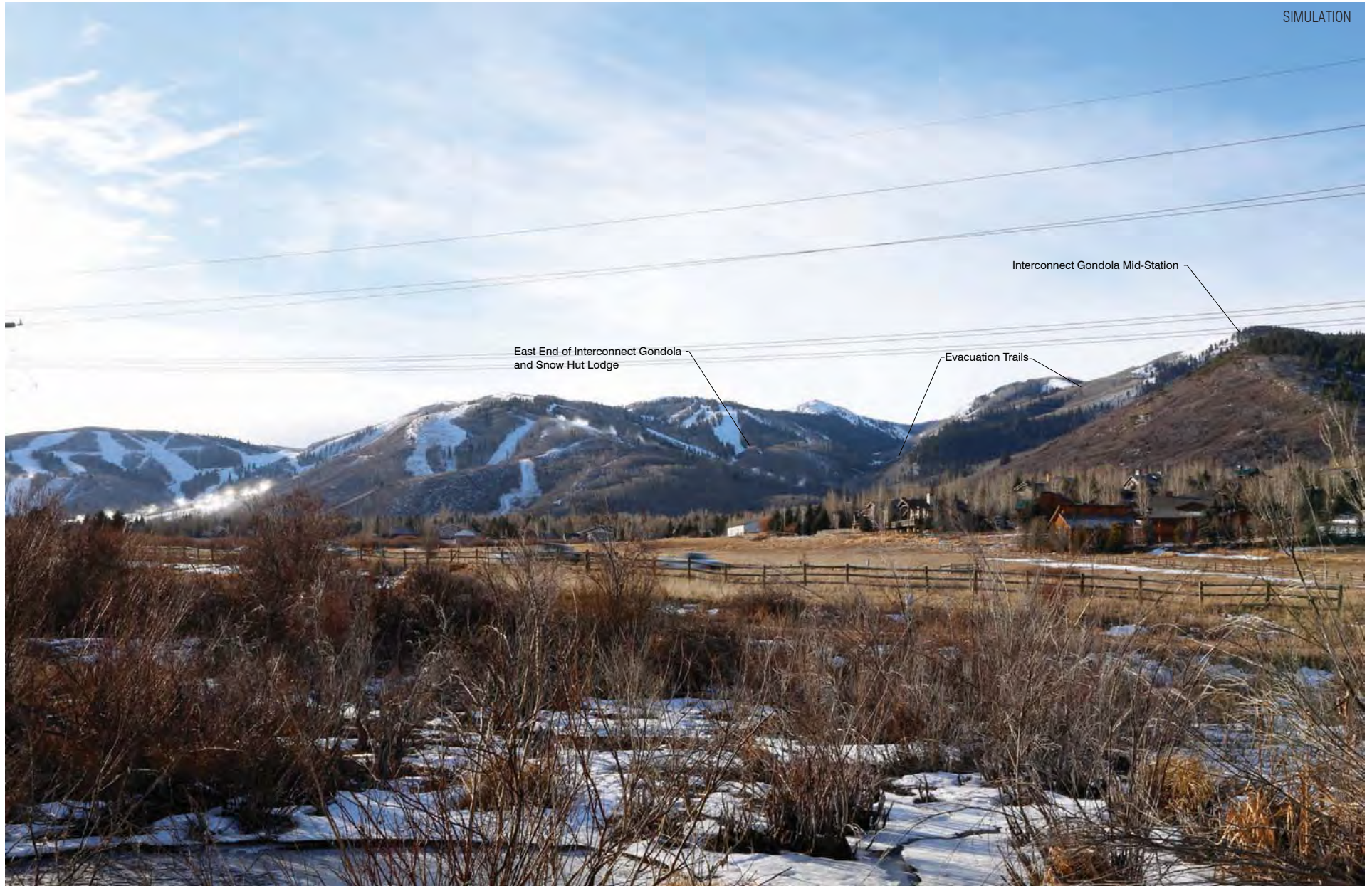
VIEW LOOKING SOUTH AND WEST FROM THE POST OFFICE PARKING LOT
TOWARDS THE INTERCONNECT GONDOLA AND SNOW HUT LODGE REPLACEMENT

Photograph has been enlarged 2x to highlight improvements.



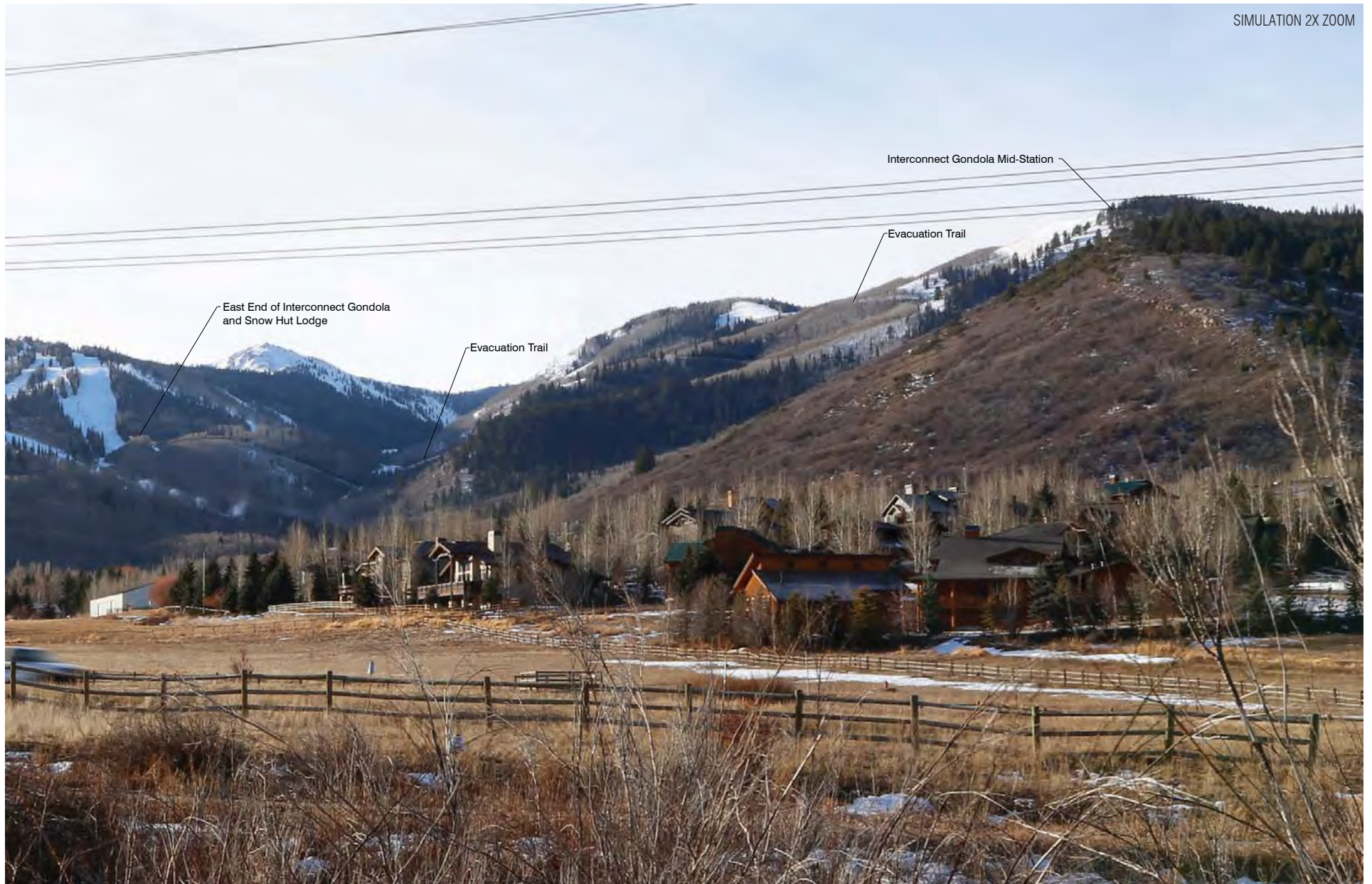
VIEW LOOKING SOUTH AND WEST FROM THE PARKING LOT OFF OF MEADOWS DRIVE
TOWARDS THE EAST END OF INTERCONNECT GONDOLA AND SNOW HUT LODGE

Photograph was taken by SE Group using a Canon EOS 6D camera with
a 52mm focal length (35 mm equivalent) on 12/16/2014 at 9:30 AM.



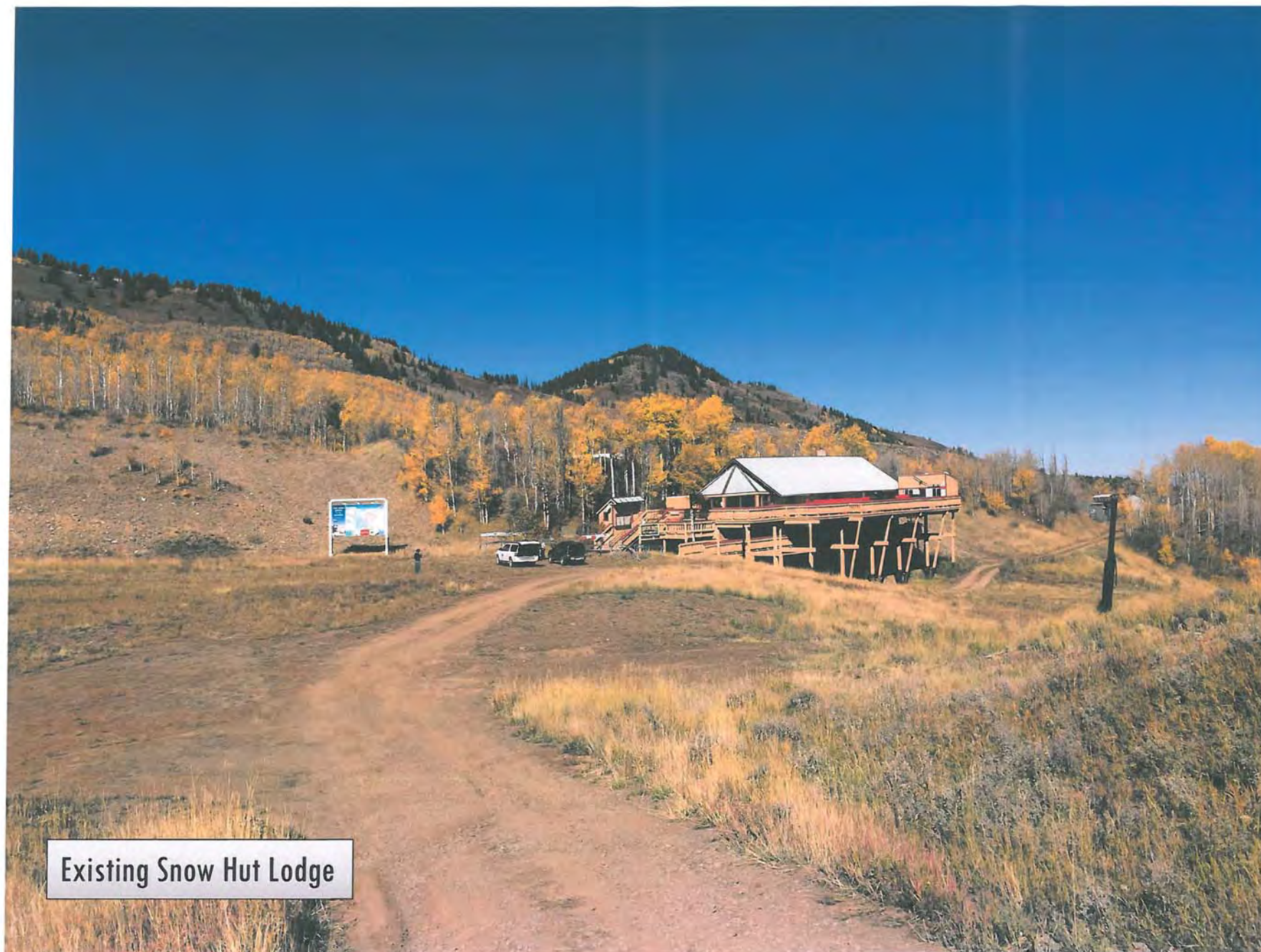
VIEW LOOKING SOUTH AND WEST FROM THE PARKING LOT OFF OF MEADOWS DRIVE
TOWARDS THE EAST END OF INTERCONNECT GONDOLA AND SNOW HUT LODGE

Photograph was taken by SE Group using a Canon EOS 6D camera with
a 52mm focal length (35 mm equivalent) on 12/16/2014 at 9:30 AM.

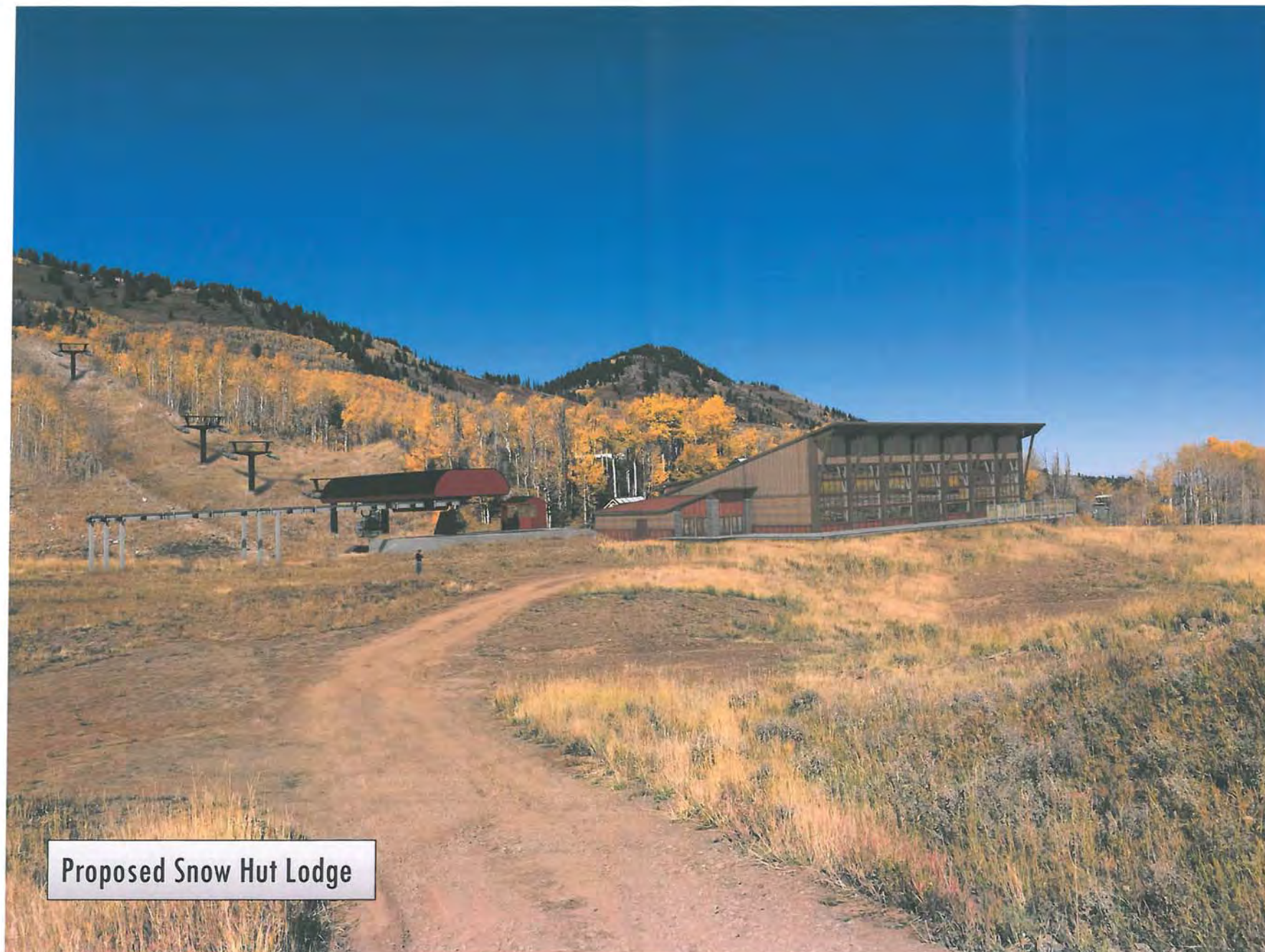


VIEW LOOKING SOUTH AND WEST FROM THE PARKING LOT OFF OF MEADOWS DRIVE
TOWARDS THE EAST END OF INTERCONNECT GONDOLA AND SNOW HUT LODGE

Photograph has been enlarged 2x to highlight improvements.



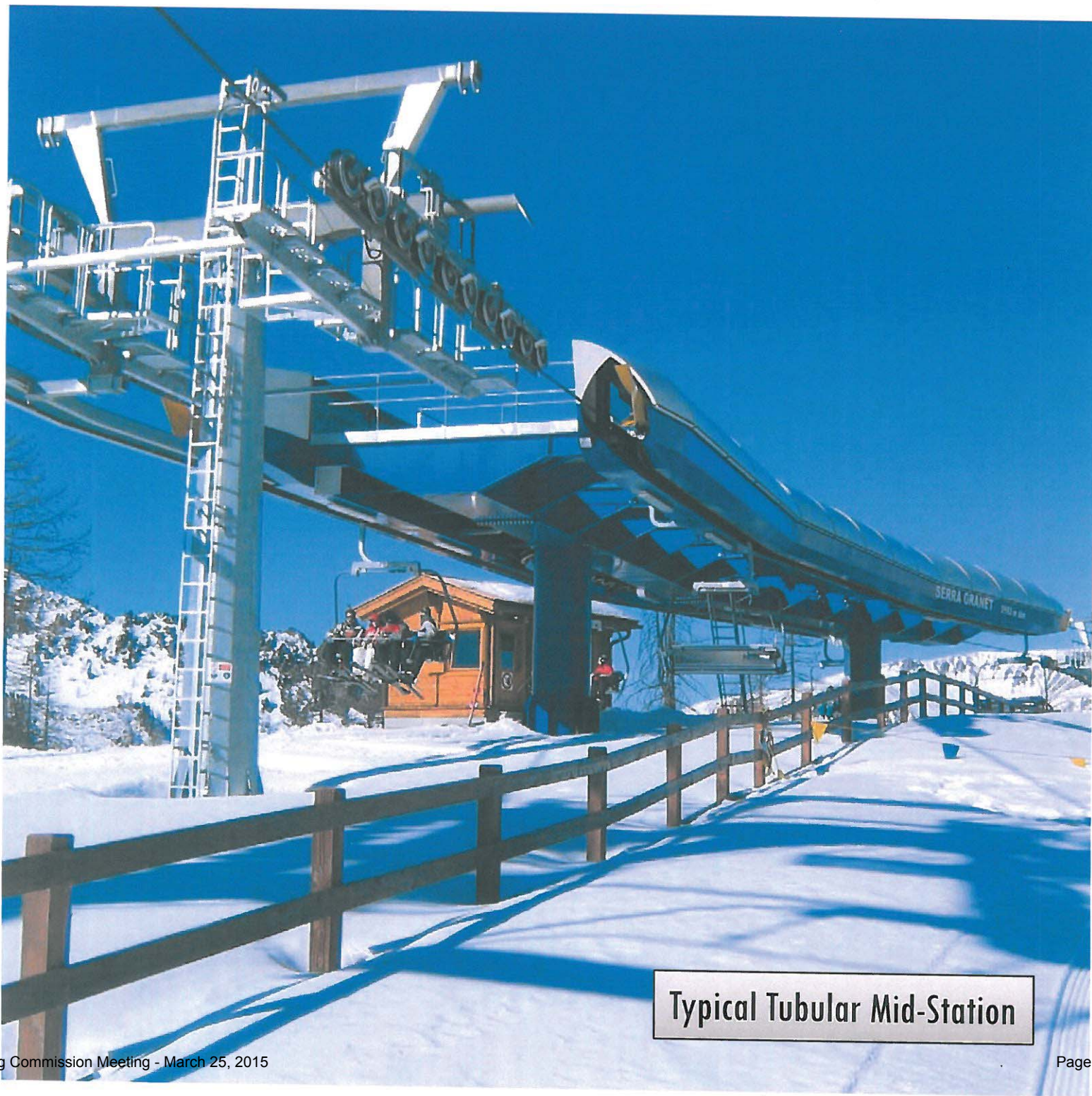
Existing Snow Hut Lodge





Typical Cabin Storage Rail System

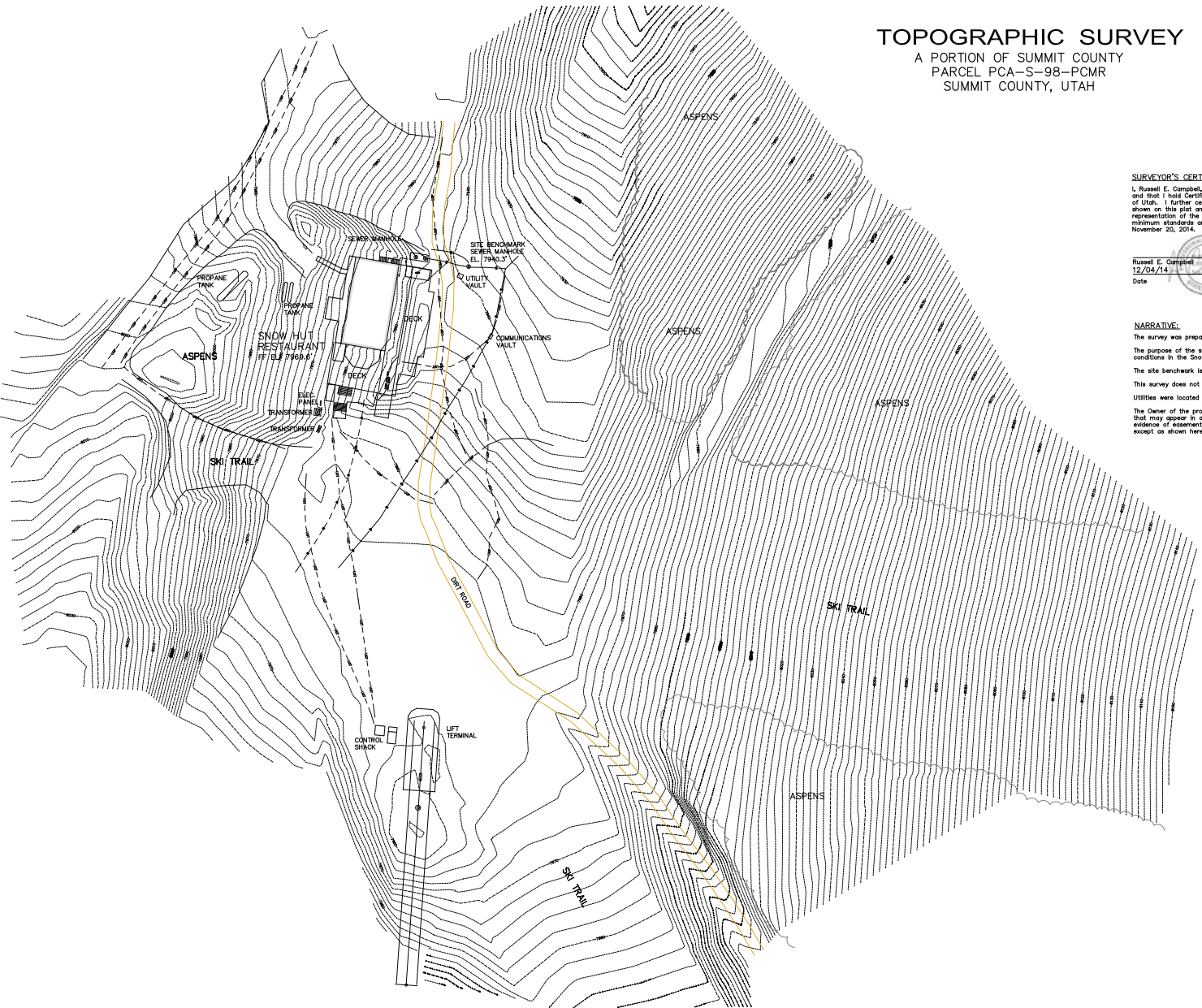




Typical Tubular Mid-Station

Typical Gondola Terminal





TOPOGRAPHIC SURVEY
A PORTION OF SUMMIT COUNTY
PARCEL PCA-S-98-PCMR
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 and described hereon, and that this plat is a correct and true 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, November 20, 2014.

Russell E. Campbell
12/04/14
Date

NARRATIVE:

The survey was prepared for Vail Resorts.

The purpose of the survey is to locate the topography, utilities, and existing conditions in the Snow Hoot area for civil design.

The site benchmark is the sewer manhole as shown, PCMR datum.

This survey does not show building setbacks, easements, or boundary lines.

Utilities were located from direct observation or Bluestakes markout.

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 hereon.

[illegible]

JOB No.
1235
SURVEY BY:
RC
DRAWN BY:
RC

TOPOGRAPHIC SURVEY
A PORTION OF SUMMIT COUNTY
PARCEL PCA-S-98-PCMR
SUMMIT COUNTY, UTAH

SHEET
1 of 1

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PROJECT: 11010107.DWG
DESIGNER: 11010107.DWG
CHECKER: 11010107.DWG

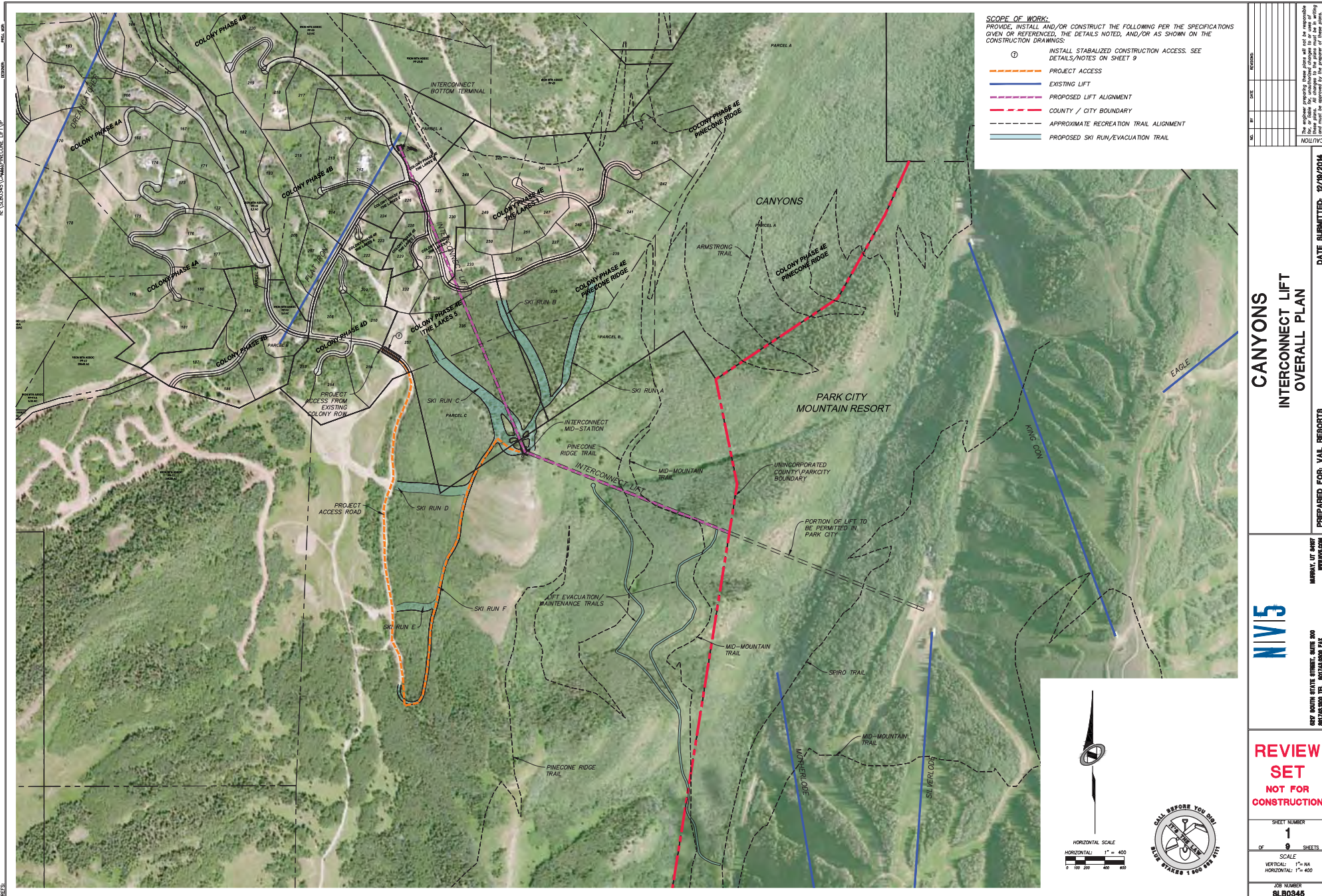
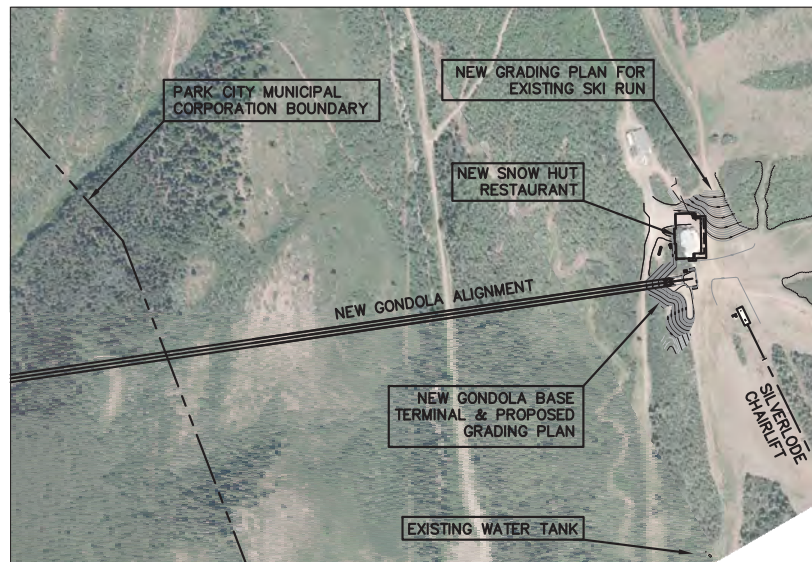
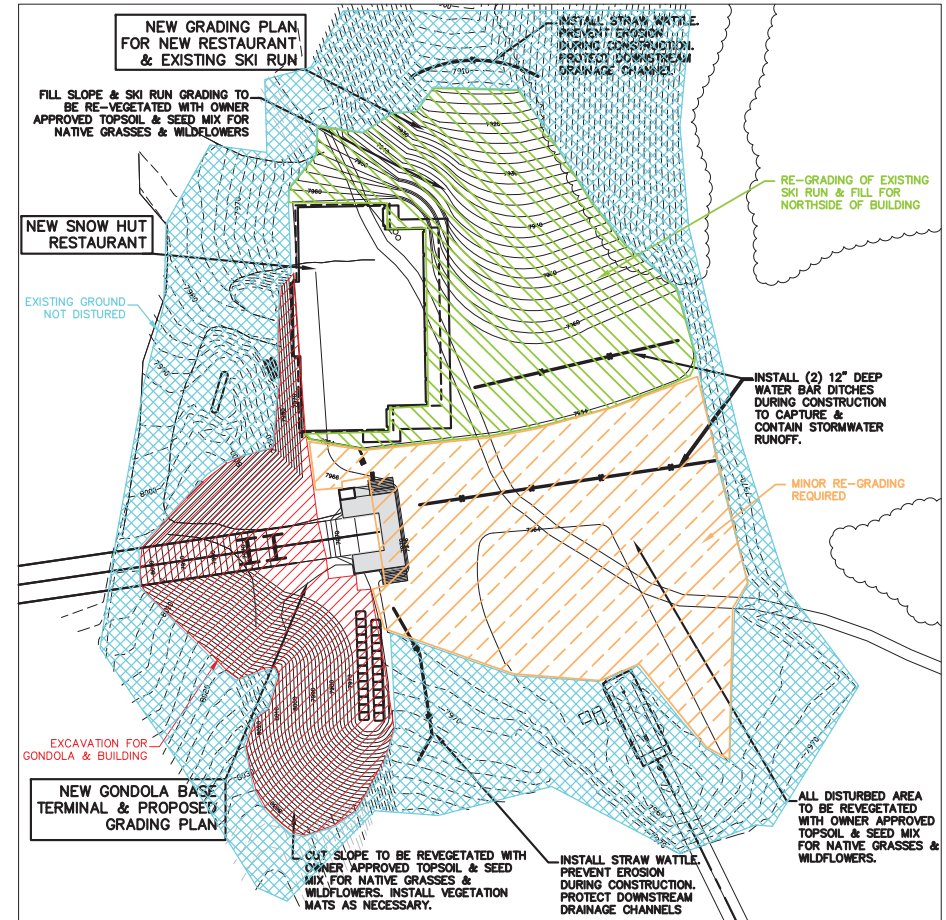


Exhibit F - New Gondola & Snow Hut Overall Site Plan



SITE VICINITY

0 500'



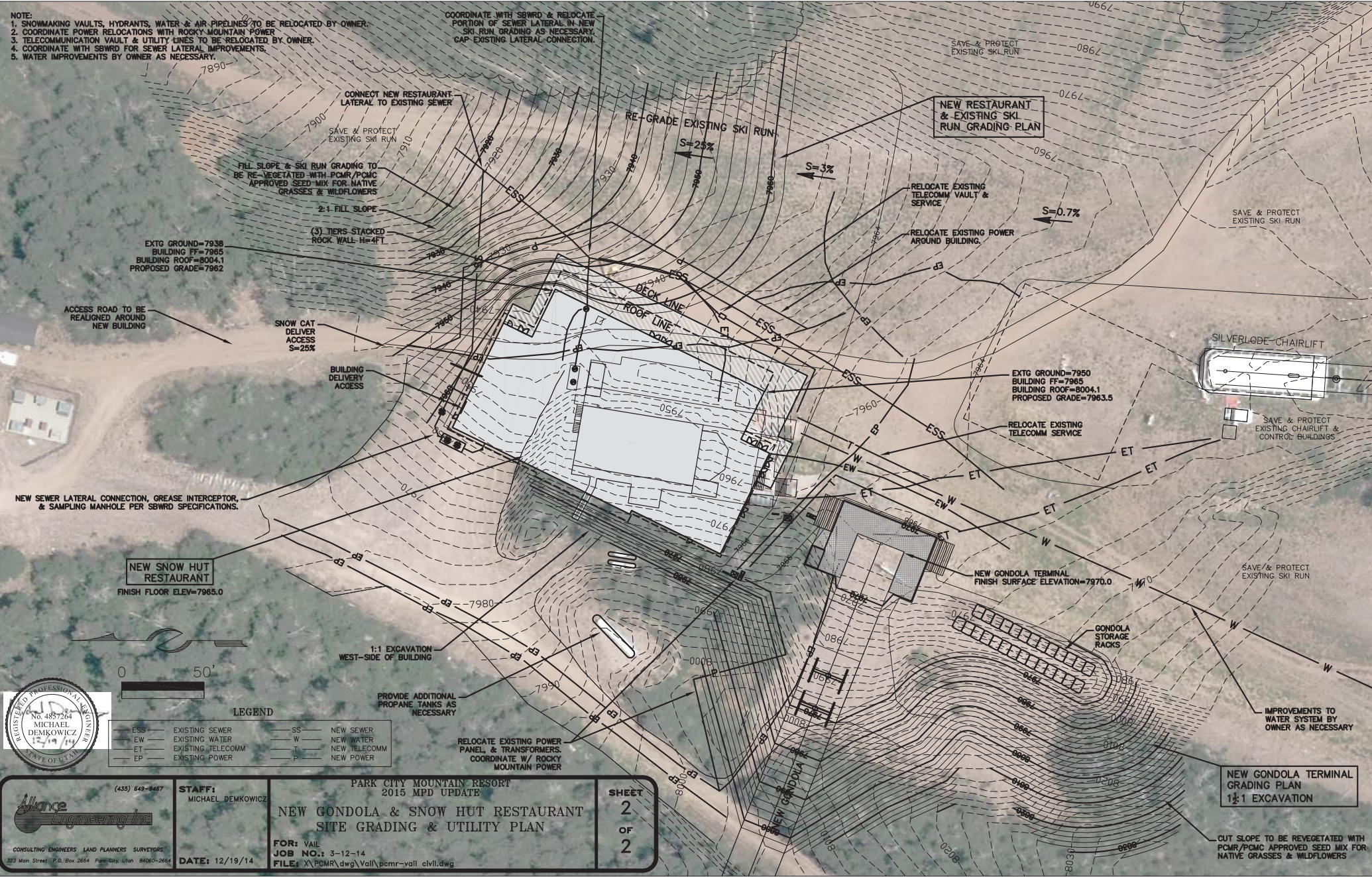
EROSION CONTROL &
RE-VEGETATION LANDSCAPE PLAN

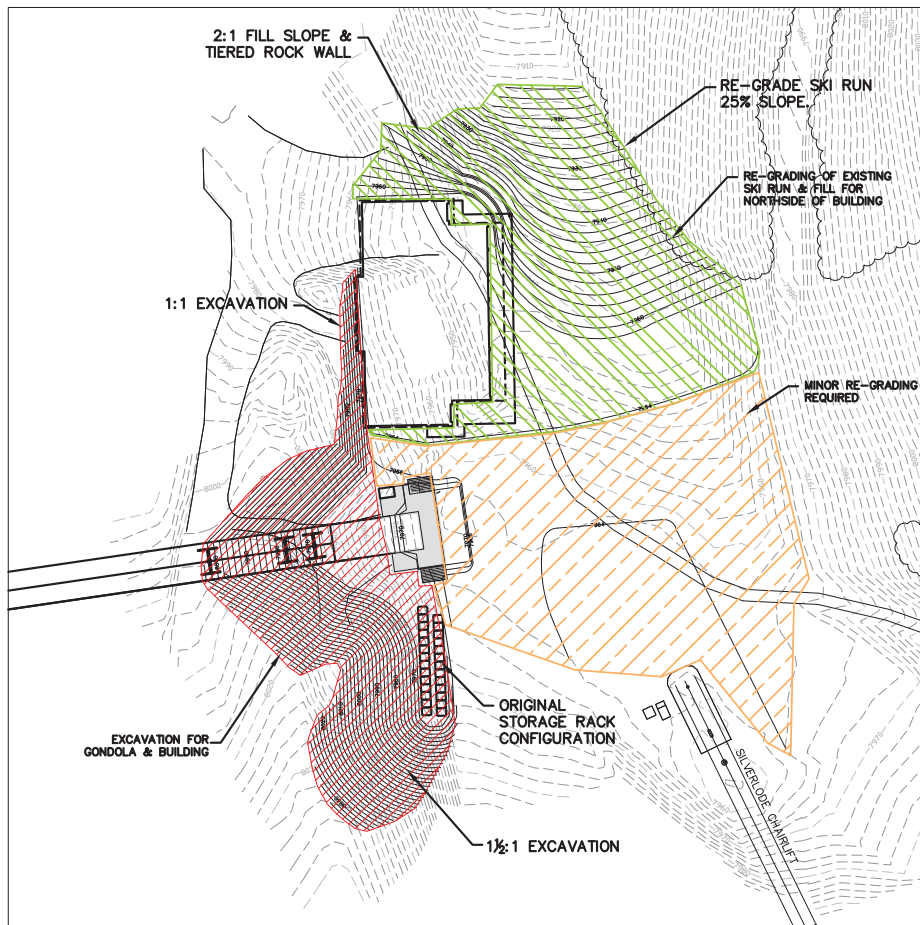
0 100'

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	(435) 649-9487 STAFF: MICHAEL DEMKOWICZ REV#1: 1/20/15 DATE: 12/19/14	PARK CITY MOUNTAIN RESORT 2015 MPD UPDATE NEW GONDOLA & SNOW HUT RESTAURANT OVERALL SITE PLAN FOR: VAIL JOB NO.: 3-12-14 FILE: X:\PCMR\dwg\Vail\pcmr-vail_civil.dwg	SHEET 1 OF 2
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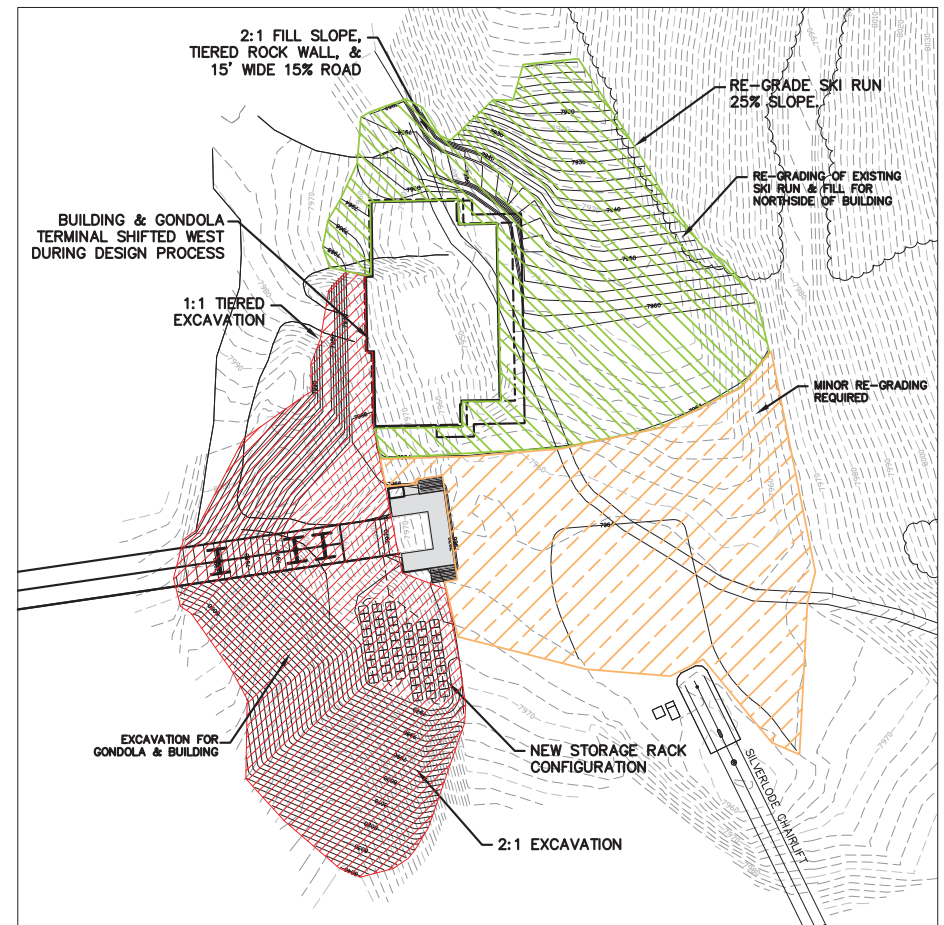


Exhibit F - New Gondola & Snow Hut Site Grading & Utility Plan



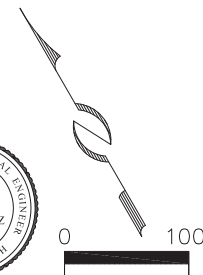


ORIGINAL MPD SUBMITTAL
CONCEPT GRADING PLAN



CURRENT GRADING PLAN FROM SNOW HUT
& GONDOLA DESIGN PROCESS

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	(435) 649-9487 STAFF: MICHAEL DEMKOWICZ	PARK CITY MOUNTAIN RESORT 2015 MPD UPDATE NEW GONDOLA & SNOW HUT RESTAURANT UPDATED GRADING SUPPLEMENTAL EXHIBIT	SHEET 1 OF 1
	DATE: 2/19/15	FOR: VAIL JOB NO.: 3-12-14 FILE: X:\PCMR\dwg\Vail\pcmr-vail civil.dwg	



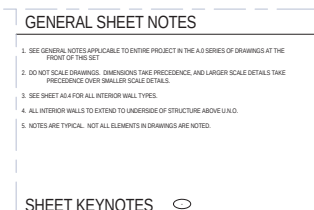


JOB NO : 201426
DATE : JANUARY 16, 2015
REVISIONS :

SITE PLAN - ELEVATIONS

101

A01



PARK CITY
MOUNTAIN RESORT

**SNOW
HUT
LODGE**

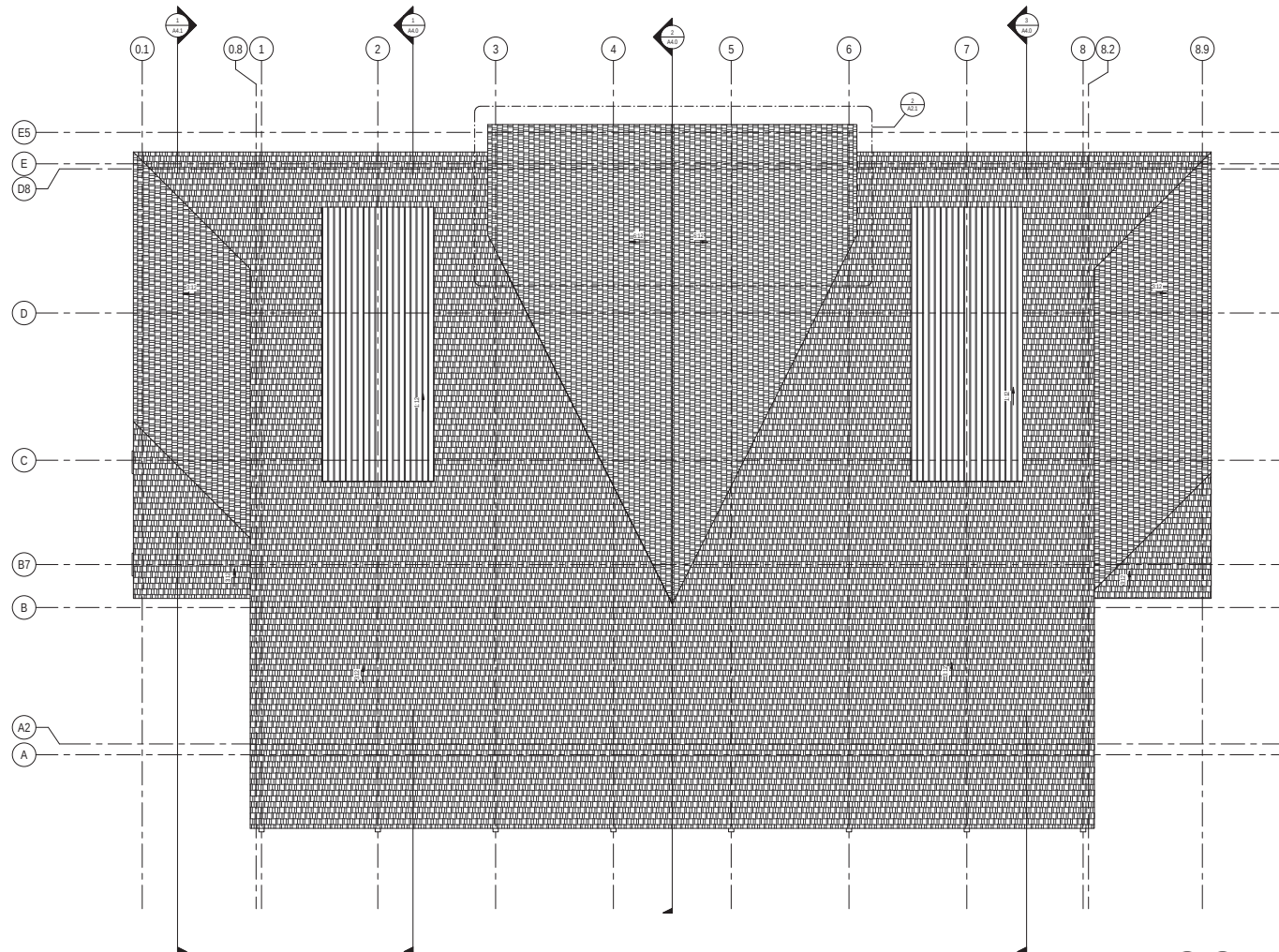
A.P.N. PCA-S-98-PCMR
PARK CITY MOUNTAIN RESORT
1345 LOWELL AVE.
PARK CITY, UT 84060
SUMMIT COUNTY

JOB NO.: 20142
DATE: JANUARY 19, 2015
REVISIONS:

SCHEMATIC DESIGN

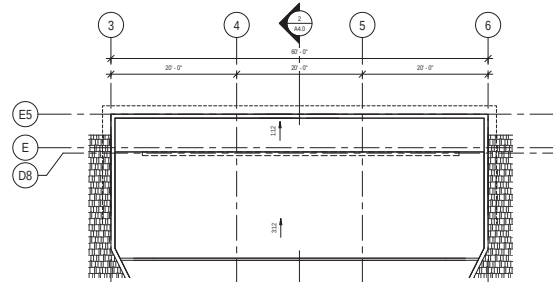
PROPOSED FLOOR PLAN

A2.0



ROOF PLAN
1/8" = 1'-0"

1



PARTIAL PLAN OF DORMER INTERIOR
1/8" = 1'-0"

2

GENERAL SHEET NOTES

1. SEE GENERAL NOTES APPLICABLE TO ENTIRE PROJECT IN THE A2 SERIES OF DRAWINGS AT THE FRONT OF THIS SET.
2. DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE, AND LARGER SCALE DETAILS TAKE PRECEDENCE OVER SMALLER SCALE DETAILS.
3. SEE SHEET A2.4 FOR ALL INTERIOR WALL TYPES.
4. ALL INTERIOR WALLS TO EXTEND TO UNDERSIDE OF STRUCTURE ABOVE U.N.O.
5. NOTES ARE TYPICAL. NOT ALL ELEMENTS IN DRAWINGS ARE NOTED.

SHEET KEYNOTES



SNOW HUT LODGE

A.P.N. PCA-S-98-PCMR
PARK CITY MOUNTAIN RESORT
1976 MILLBROOK DR.
PARK CITY, UT 84106
SUMMIT COUNTY

JOB NO.: 201405
DATE: JANUARY 28, 2015
REVISIONS:

SCHEMATIC DESIGN

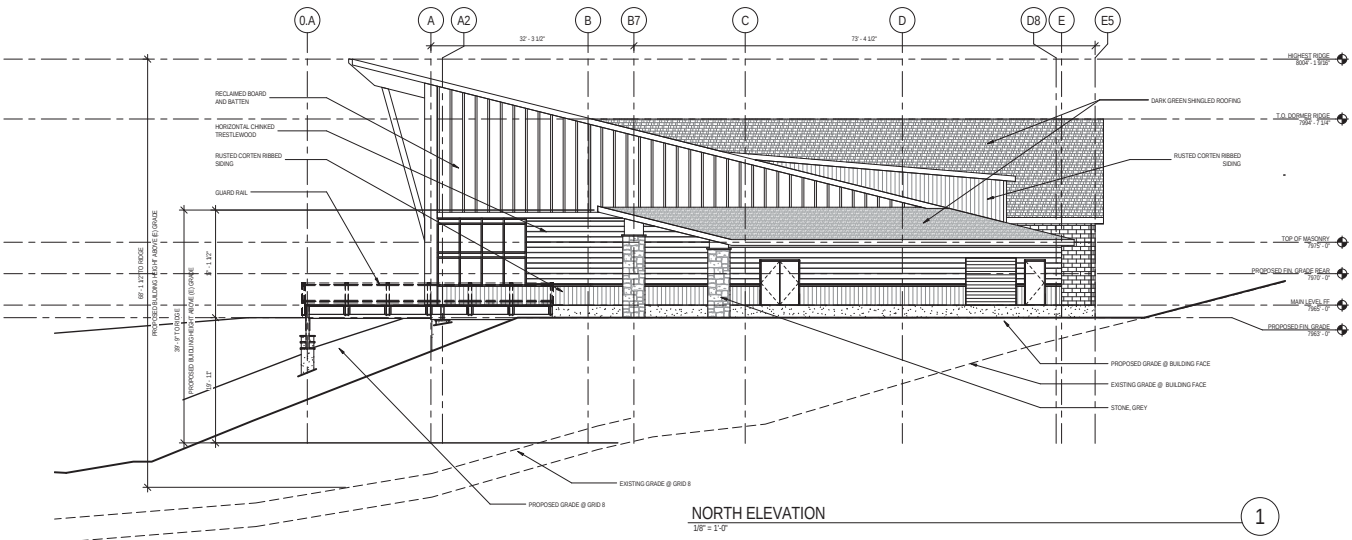
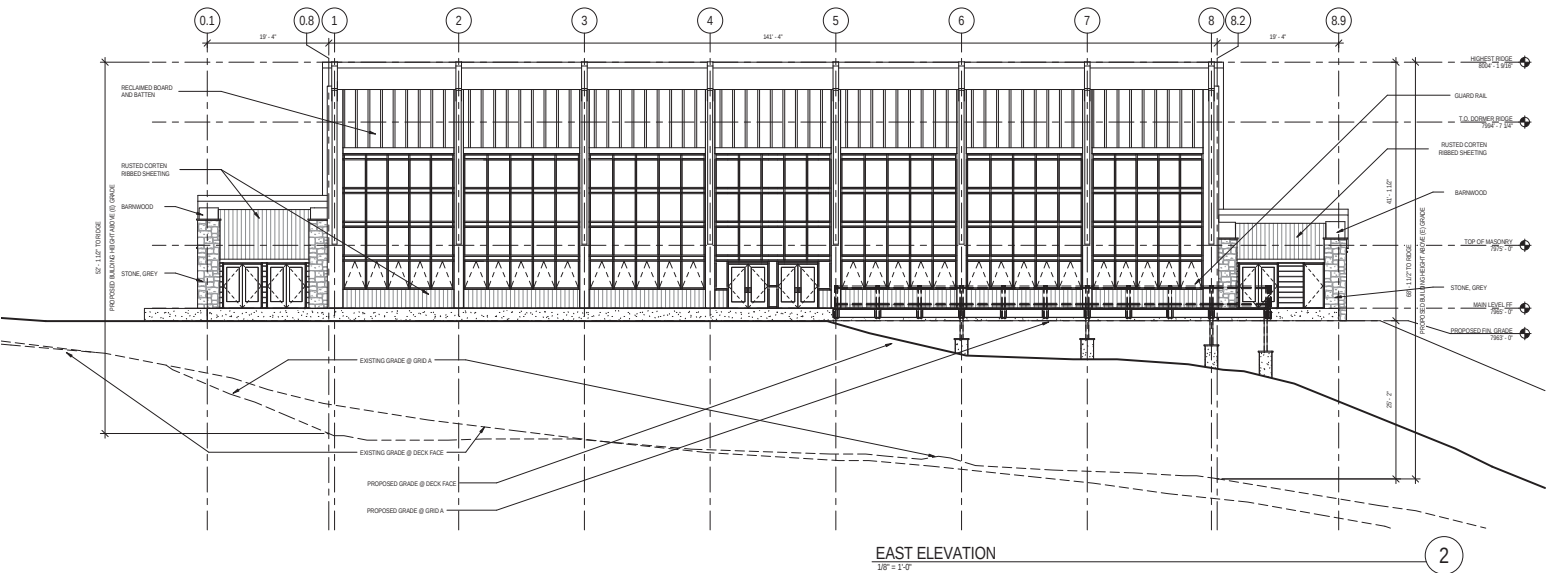
ROOF PLAN

A2.1

Exhibit H - Snow Hut Roof Plan

Planning Commission Meeting - March 25, 2015

Exhibit I - Snow Hut Elevations



GENERAL SHEET NOTES

- 1. SEE GENERAL NOTES APPLICABLE TO ENTIRE PROJECT IN THE A.3 SERIES OF DRAWINGS AT THE FRONT OF THIS SET.
- 2. DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE AND LARGER SCALE DETAILS TAKE PRECEDENCE OVER SMALLER SCALE DETAILS.
- 3. SEE SHEET A.4 FOR ALL INTERIOR WALL TYPES.
- 4. ALL INTERIOR WALLS TO EXTEND TO UNDERSIDE OF STRUCTURE ABOVE GROUND.
- 5. NOTES ARE TYPICAL. NOT ALL ELEMENTS IN DRAWINGS ARE NOTED.

SHEET KEYNOTES



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PARK CITY
MOUNTAIN RESORT

SNOW HUT LODGE

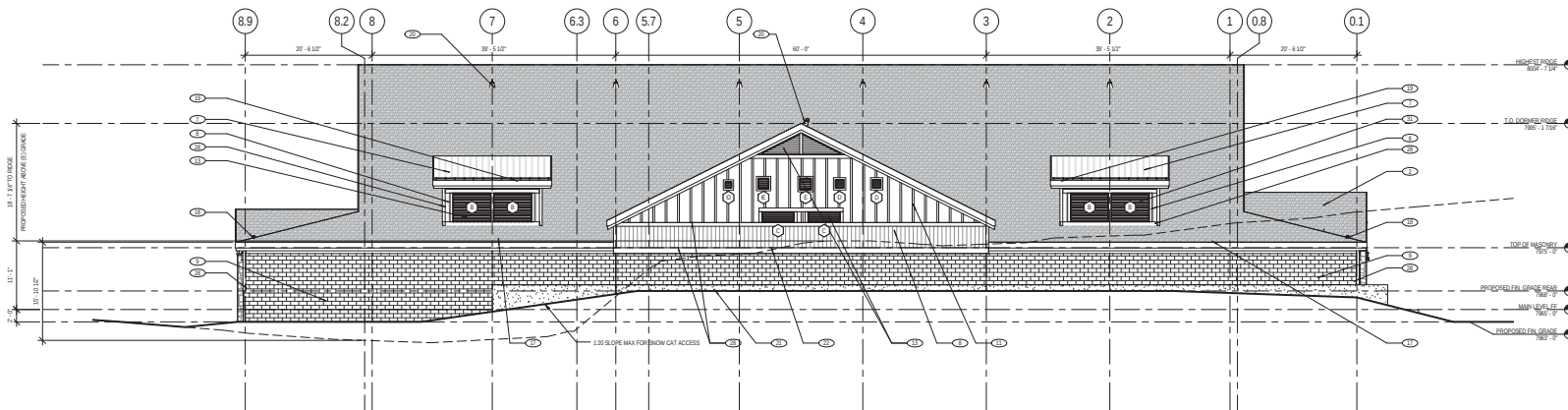
A.P.N. PCA-S-98-PCMR
PARK CITY MOUNTAIN RESORT
1976 MILLBROOK DR.
PARK CITY, UT 84106
SUMMIT COUNTY

JOB NO.: 201405
DATE: JANUARY 18, 2015
REVISIONS:

SCHEMATIC DESIGN

PROPOSED ELEVATIONS

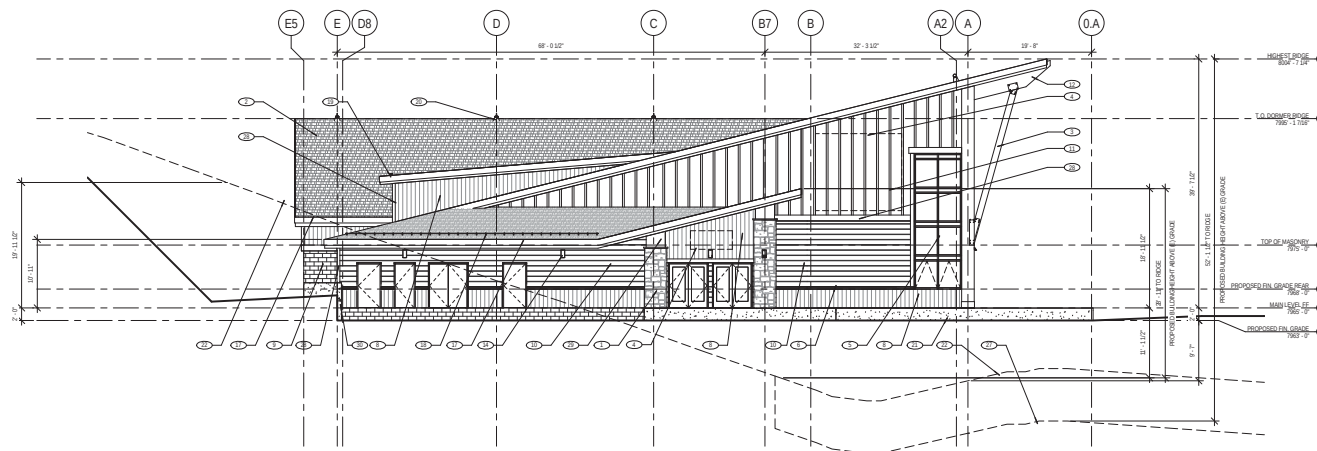
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WEST ELEVATION

1/8" = 1'-0"

2



SOUTH ELEVATION

1/8" = 1'-0"

1

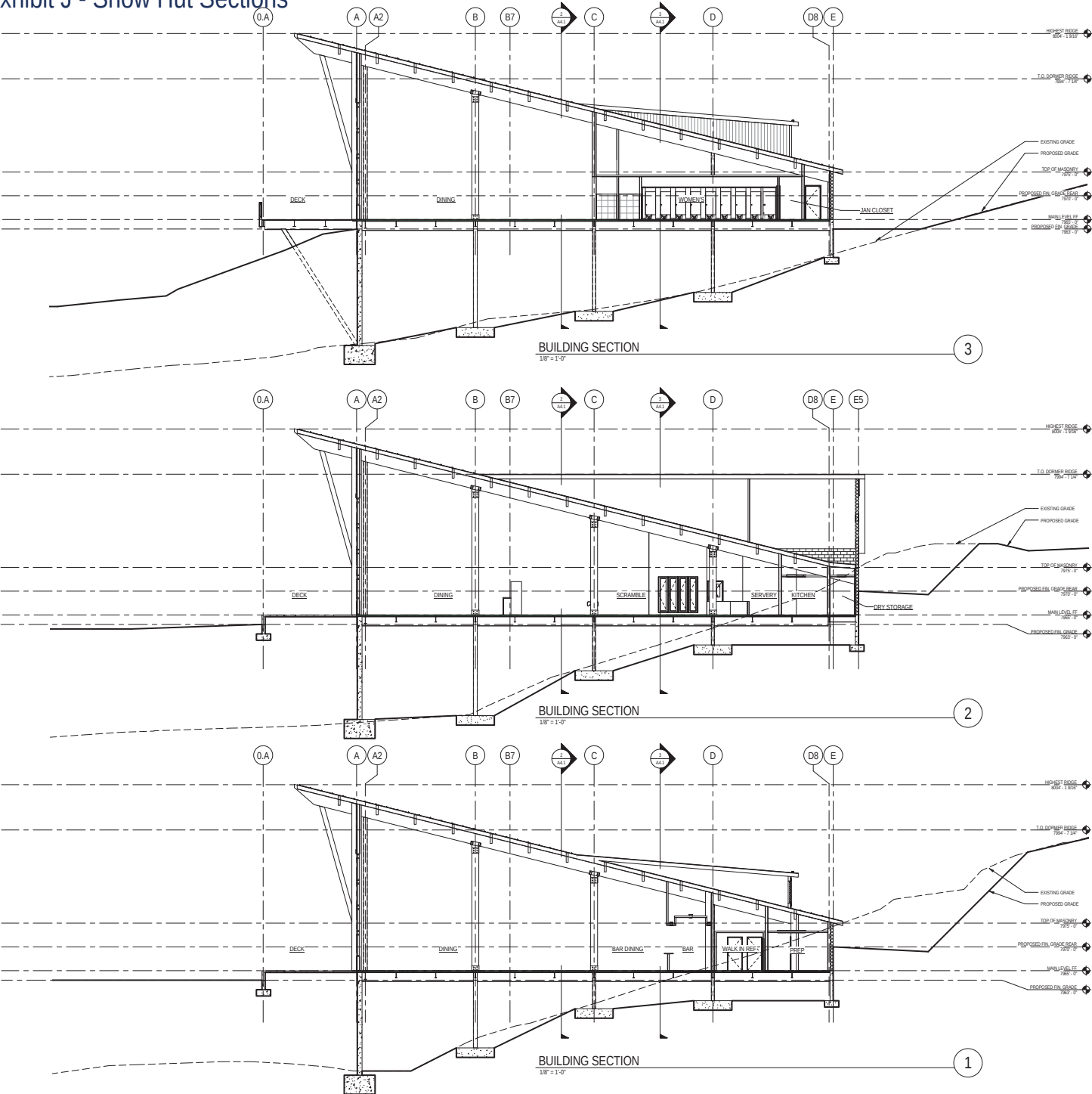
GENERAL SHEET NOTES

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2. DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE AND LARGER SCALE DETAILS TAKE PRECEDENCE OVER SMALLER SCALE DETAILS.
3. SEE SHEET A3.4 FOR ALL INTERIOR WALL TYPES.
4. ALL INTERIOR WALLS TO EXTEND TO UNDERSIDE OF STRUCTURE ABOVE UNDO.
5. NOTES ARE TYPICAL. NOT ALL ELEMENTS IN DRAWINGS ARE NOTED.

SHEET KEYNOTES

1. NATURAL STONE VENEER
2. MODIFIED BUTTERFLY ROOF
3. WOOD KICKER, STAIN
4. BUILDING SHROVE
5. METAL CHANNEL TRIM
6. SHARPFL DECOR SHROVE FL VENEER W/ STANDING SEAMS
7. RUSTED CORTEN RIBBED SONG
8. CONCRETE MASONRY UNITS
9. HORIZONTAL CHAINED TRELLISWOOD
10. BOARD AND BATTEN
11. ARCHITECTURAL GRADE GLUE LAMINATED BEAM, STAIN. SEE STRUCTURAL
12. MECHANICAL LOUVER. SEE MECHANICAL
13. EXTERIOR LIGHTING
14. PAINTED WOOD AND METAL MESH GUARDRAIL
15. BUTYRUM EAVE SHROVEBELT SYSTEM TYPICAL @ ALL EAVES OF PITCHED ROOFS. SEE ROOF PLAN UN2.1
16. 3 PIPE METAL SHROVE GUARD, TYP
17. 3 PIPE METAL SHROVE GUARD AT SHARPFL ROOF
18. STEEL EYE FALL ARREST
19. PROPOSED GRADE @ BUILDING FACE
20. EXISTING GRADE @ BUILDING FACE
21. PROPOSED GRADE @ GRID 8
22. EXISTING GRADE @ GRID 8
23. PROPOSED GRADE @ DECK FACE
24. EXISTING GRADE @ DECK FACE
25. EXISTING GRADE @ GRID 1
26. WOOD TRIM
27. BARNWOOD
28. CONCRETE RETAINING WALL W/ CONTROL JOINT @ BUILDING, COORDINATE W/ CIVIL
29. FALSE ARCH LOUVER WITH BLANK OFF 2" RIGID PANEL ON BACKSIDE

Exhibit J - Snow Hut Sections



GENERAL SHEET NOTES

1. SEE GENERAL NOTES APPLICABLE TO ENTIRE PROJECT IN THE A4 SERIES OF DRAWINGS AT THE FRONT OF THIS SET
2. DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE, AND LARGER SCALE DETAILS TAKE PRECEDENCE OVER SMALLER SCALE DETAILS.
3. SEE SHEET A4.4 FOR ALL INTERIOR WALL TYPES.
4. ALL INTERIOR WALLS TO EXTEND TO UNDERSIDE OF STRUCTURE ABOVE UNO.
5. NOTES ARE TYPICAL. NOT ALL ELEMENTS IN DRAWINGS ARE NOTED.

SHEET KEYNOTES



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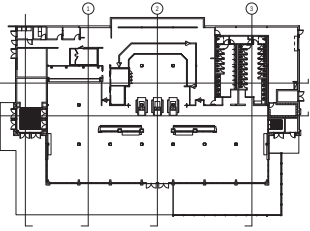
SNOW HUT LODGE

A.P.N. PCA-S-98-PCMR
PARK CITY MOUNTAIN RESORT
1345 LOWELL AVE.
PARK CITY, UT 84060
SUMMIT COUNTY

JOB NO.: 20-026
DATE: JANUARY 18, 2015
REVISIONS:

SCHEMATIC DESIGN

BUILDING SECTIONS

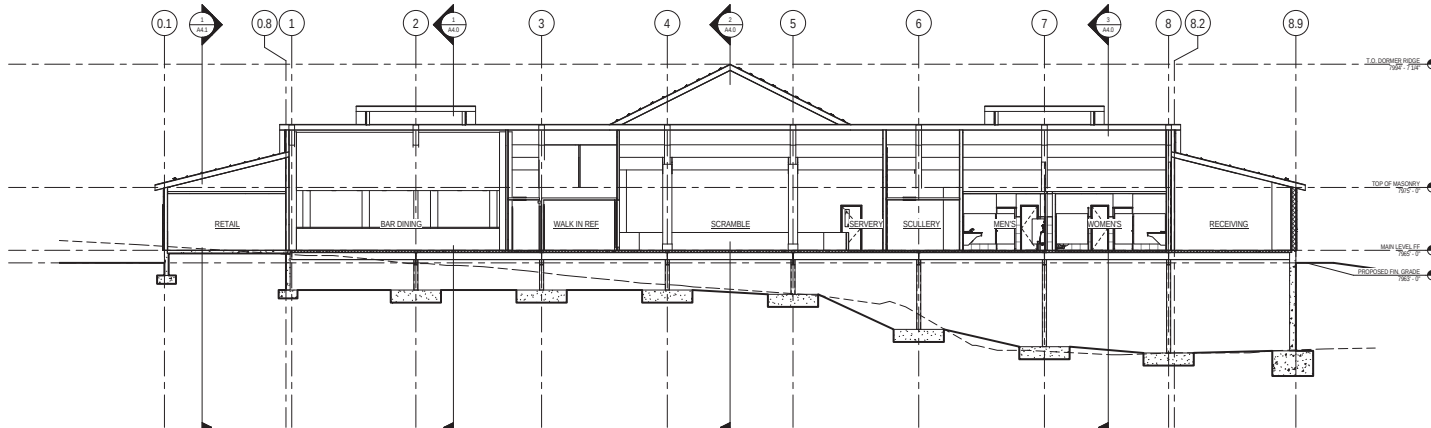


KEY PLAN

1/32" = 1'-0"

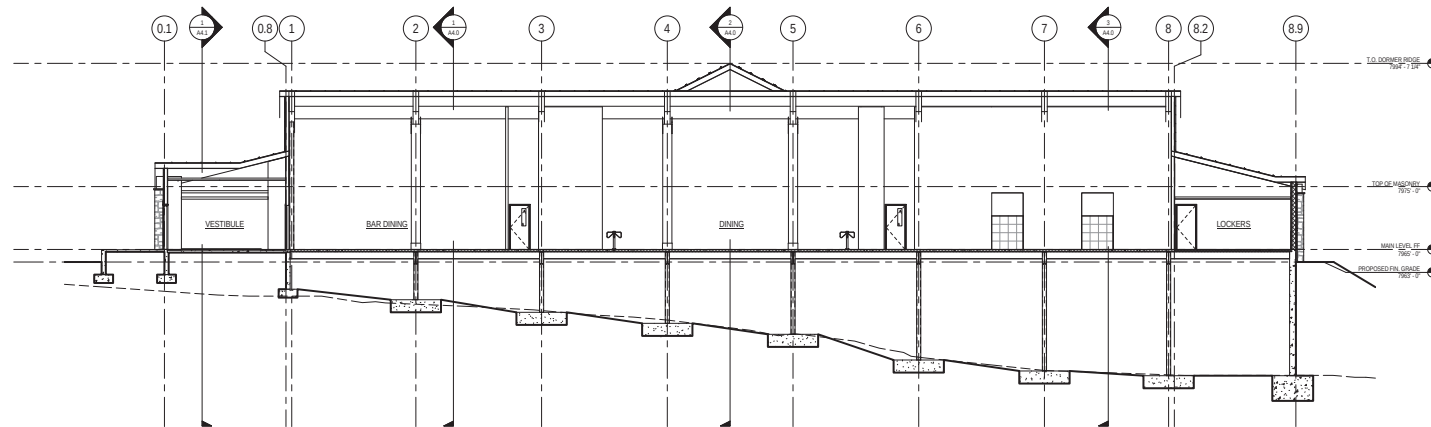
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A4.0



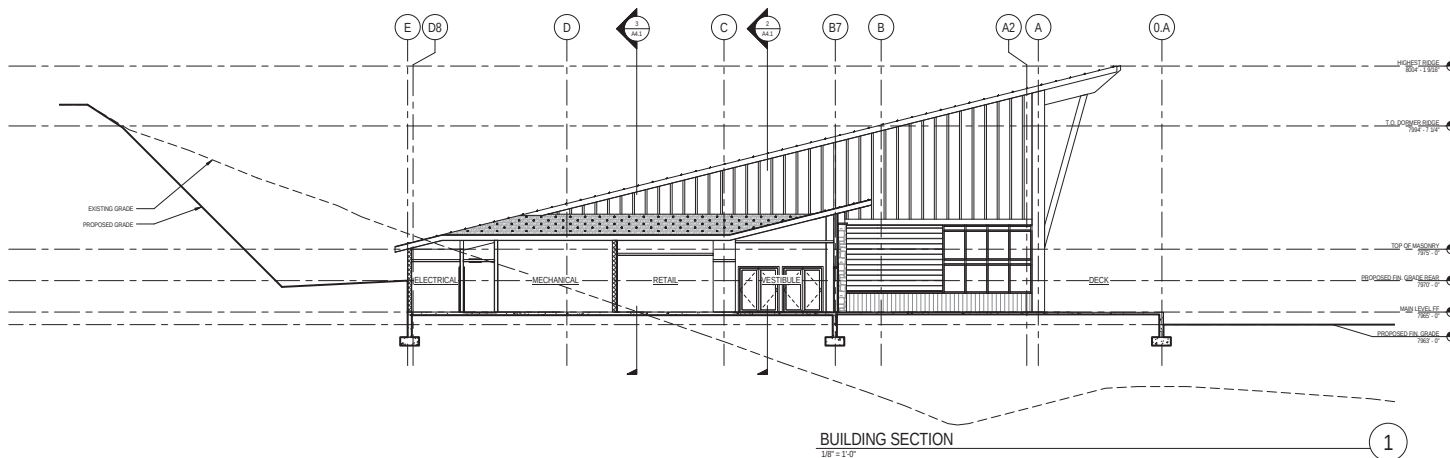
BUILDING SECTION
1/8" = 1'-0"

3



BUILDING SECTION
1/8" = 1'-0"

2



BUILDING SECTION
1/8" = 1'-0"

1

GENERAL SHEET NOTES

1. SEE GENERAL NOTES APPLICABLE TO ENTIRE PROJECT IN THE A.D. SERIES OF DRAWINGS AT THE FRONT OF THIS SET.
2. DO NOT SCALE DRAWINGS. DIMENSIONS TAKE PRECEDENCE, AND LARGER SCALE DETAILS TAKE PRECEDENCE OVER SMALLER SCALE DETAILS.
3. SEE SHEET A4.1 FOR ALL INTERIOR WALL TYPES.
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SHEET KEYNOTES



SNOW HUT LODGE

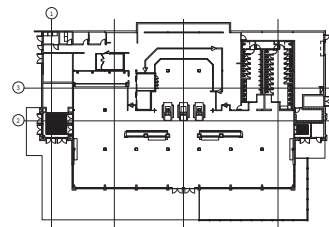
A.P.N. PCA-S-98-PCMR
PARK CITY MOUNTAIN RESORT
1345 LOWELL AVE.
PARK CITY, UT 84060
SUMMIT COUNTY

JOB NO.: 20-026
DATE: JANUARY 18, 2015
REVISIONS:

SCHEMATIC DESIGN

BUILDING SECTIONS

A4.1



KEY PLAN
1/32" = 1'-0"

0



SNOW HUT SKI LODGE



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Floor Plan



SNOW HUT SKI LODGE



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DESIGN
STUDIO architecture of experience and place



Visual Simulation



SNOW HUT SKI LODGE



COLLABORATIVE
DESIGN
STUDIO architecture of experience and place



Rendering



SNOW HUT SKI LODGE



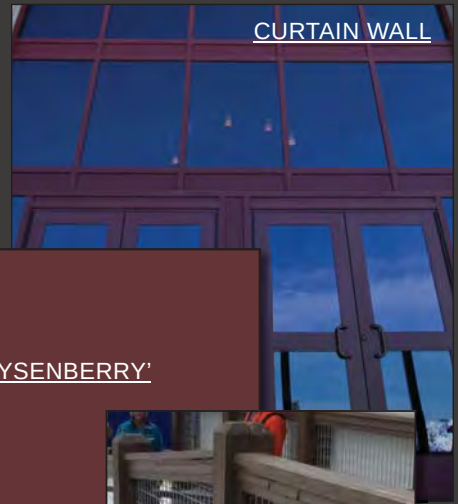
COLLABORATIVE
DESIGN
STUDIO architecture of experience and place

'HEATHER'

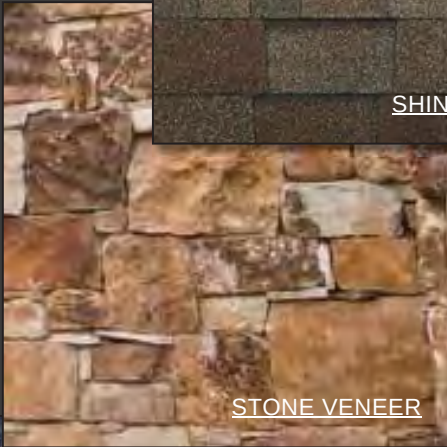
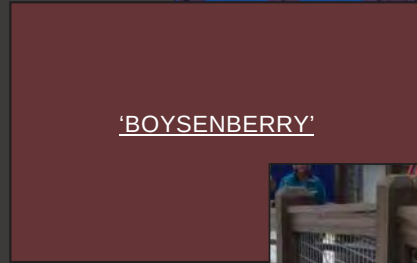


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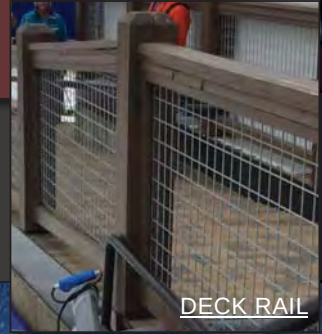
CURTAIN WALL



'BOYSENBERRY'



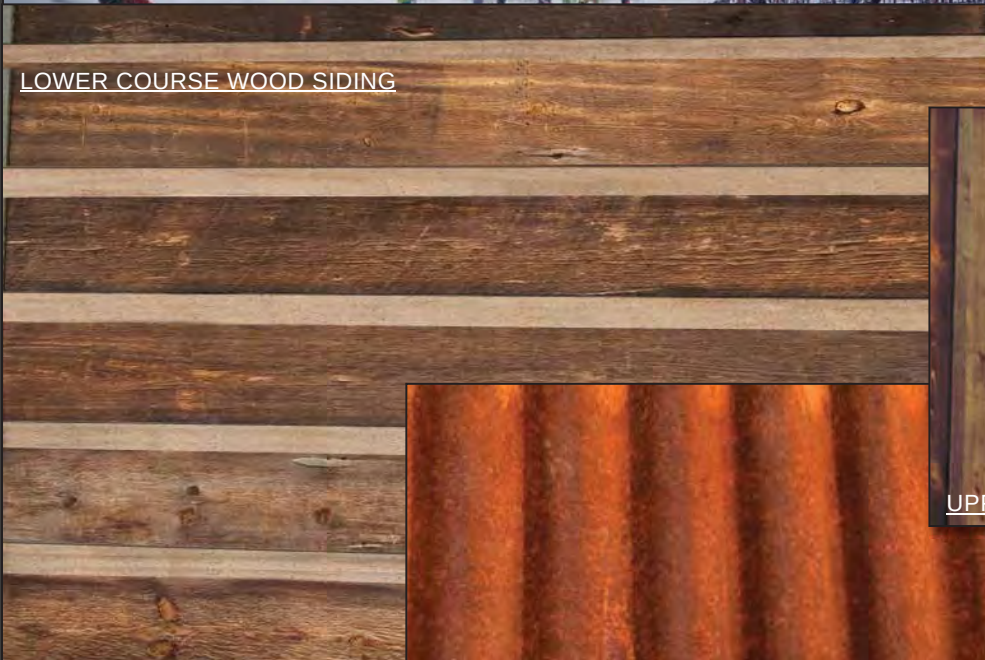
STONE VENEER



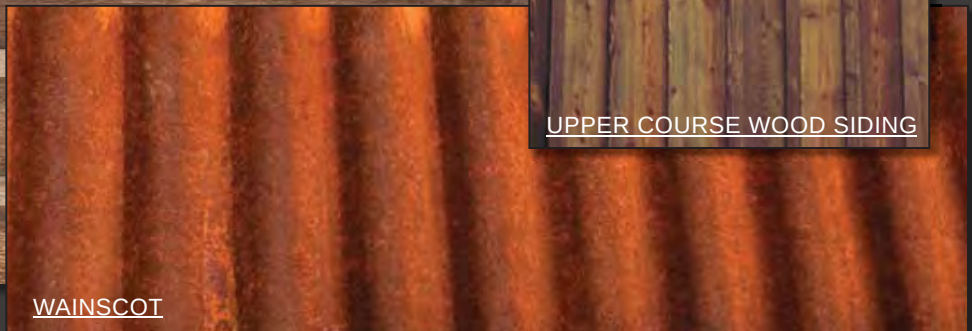
DECK RAIL



LOWER COURSE WOOD SIDING



UPPER COURSE WOOD SIDING



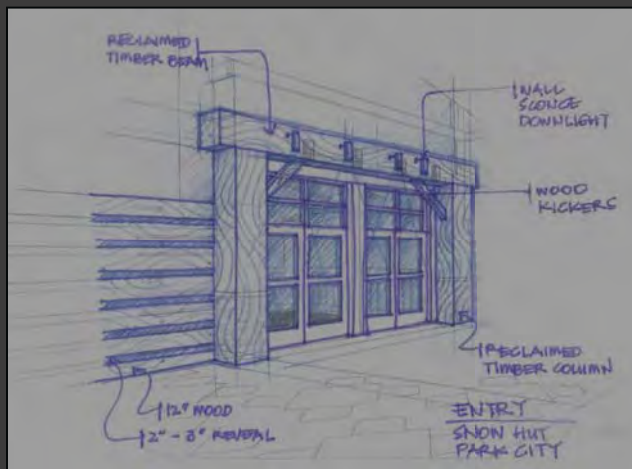
WAINSCOT

ENTRY AREA

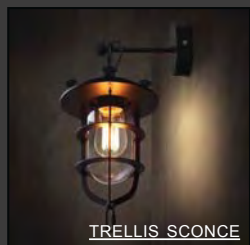
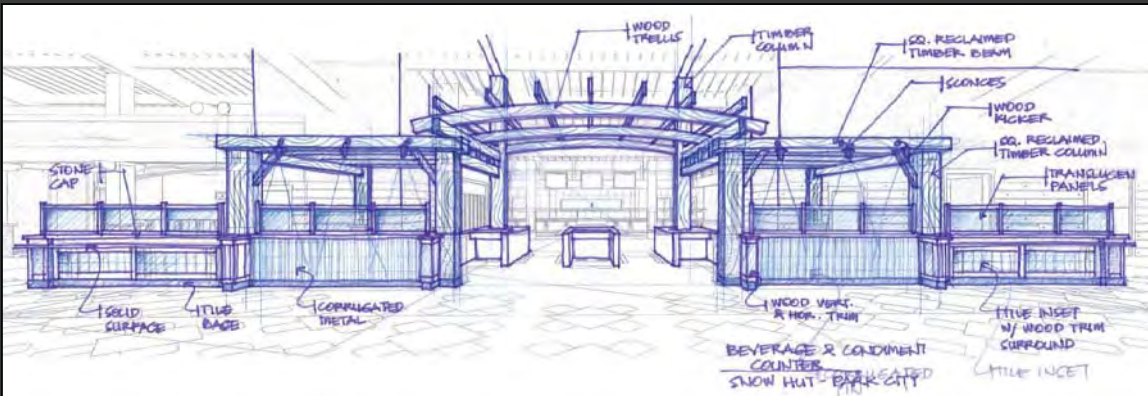


REVEAL PAINT

MAIN PAINT



SCENCE FOR ENTRY



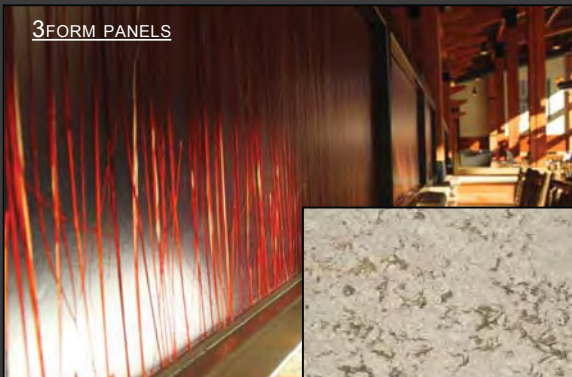
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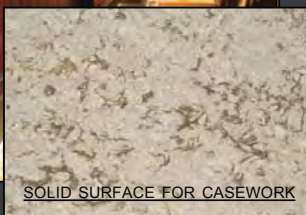
VESTIBULE/INSET TILE



PANEL FRAME



3FORM PANELS



SOLID SURFACE FOR CASEWORK

DINING AREA



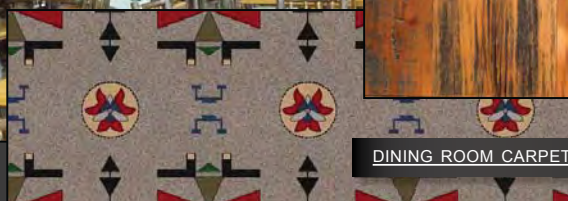
CHANDELIER FIXTURE



AGED/RECLAIMED WOOD



MRL



DINING ROOM CARPET

SNOW HUT SKI LODGE

Planning Commission Meeting - March 25, 2015





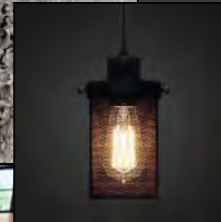
PAINT COLOR

BAR AREA

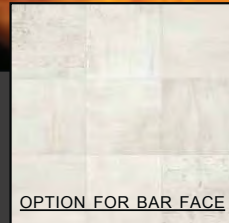
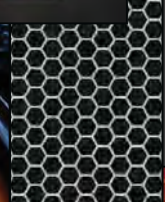


COLLAGE FOR ACCENT WALL

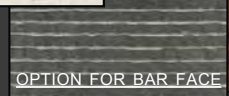
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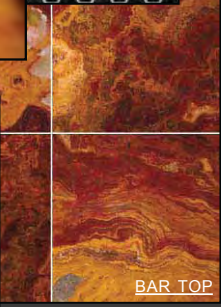
CEILING PANELS



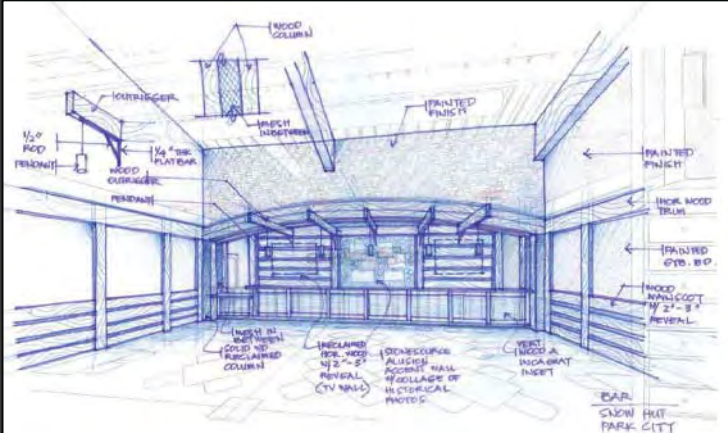
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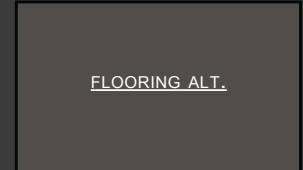
OPTION FOR BAR FACE



BAR TOP



FLOORING



FLOORING ALT.



PARTITIONS

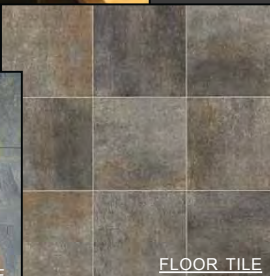
WALL PAINT



COUNTER

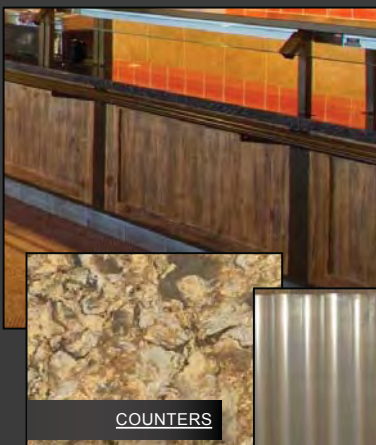
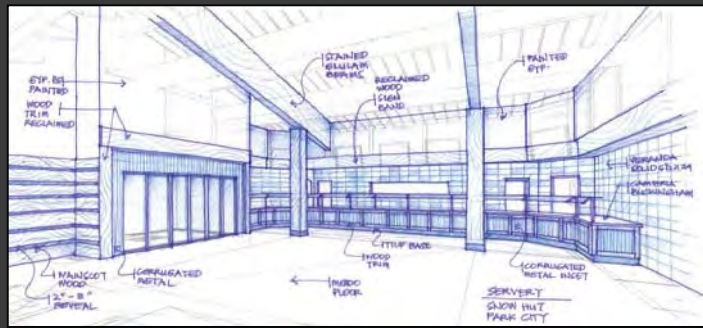


WALL TILE



FLOOR TILE

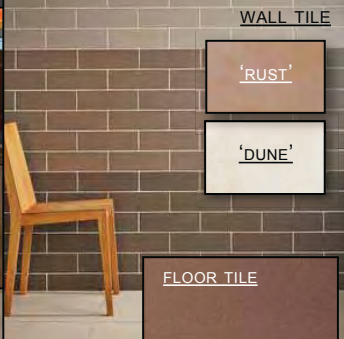
RESTROOMS



COUNTERS



CORRUGATED WAINSCOT



WALL TILE

'RUST'

'DUNE'

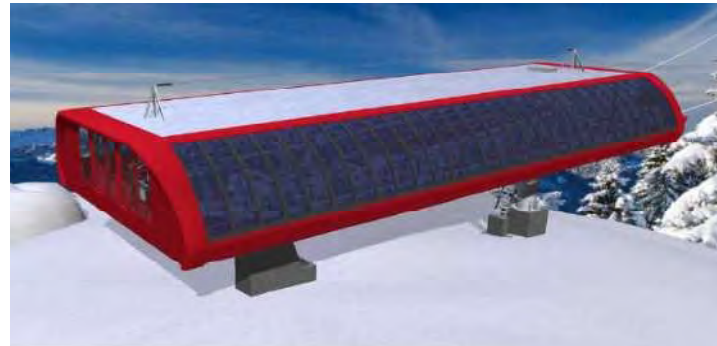
FLOOR TILE

SERVERY

Pine Cone Interconnect Gondola

Snow Hut Terminal

RAL 3003 "Red" with black windows



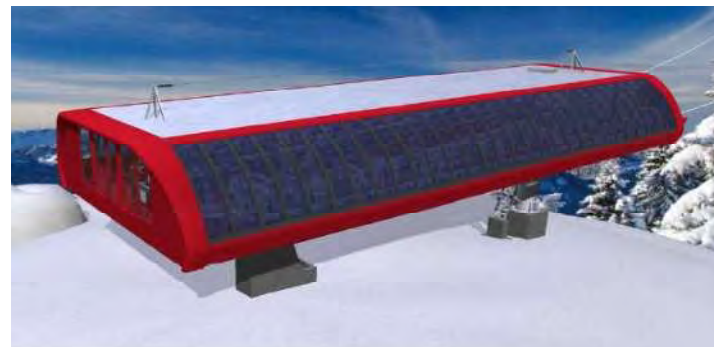
Mid - Terminal

RAL 7045 Grey, similar to photo



Canyons Terminal

RAL 3003 Red with black windows



Cabins

RAL 7045 finish - dark glass under
logo



Operator Houses

Proposed slope roof style from
Doppelmayr



Operator House color to match
terminals, RAL 3004 sample here



Towers

Non-reflective galvanized towers





PARK CITY - PINECONE OPERATOR HOUSE



Planning Commission Meeting
February 25, 2015
Page 12

2. A 12 wide drainage/stream easement will be provided along the back lot line.
 3. 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.
 4. 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.
 5. The Planning Director has determined that the maximum allowed footprint of a new home on the combined lots shall be 5,210 square feet with allowances of an additional 1,000 square feet for structures that are at least 50% single-story or 1,500 square feet for structures that are at least 75% single-story.
 6. The Planning Director has determined that the maximum house size on the combined lots shall be 7,702 square feet.
2. **1345 Lowell Avenue – Master Planned Development Agreement Amendment – Proposed Interconnect Gondola Between Canyons and PCMR & Snow Hut Remodel/Expansion** (Application PL-15-02800)

Commissioner Strachan recused himself and left the room.

Planner Francisco Astorga reviewed the request for an amendment to the Master Planned Development and the Mountain Upgrade Plan at PCMR. The Staff recommended that the Planning Commission review the submitted MPD amendment and the Mountain Upgrade Plan and provide direction to the applicant and Staff. The Staff also recommended that the Planning Commission conduct a public hearing this evening and continue the item to March 25, 2015.

Planner Astorga stated that the purpose of the amendment is to amend the Mountain Upgrade Plan for the interconnect lift, and to expand the Snow Hut on-mountain restaurant. The second portion of the amendment is to fulfill the requirements of the 2007 Annexation that the upper mountain ski terrain, also known as the leased PCMR area, become part of the PCMR MPD.

Planner Astorga explained that the original development agreement or MPD was approved in 1997, and the actual development agreement was recorded in 1998. The reason for updating the Mountain Upgrade Plan is because the lift was not contemplated in the original approved plan. Planner Astorga noted that all of the rights of development are tied to the development at the base of PCMR. The MPD identifies those as Parcels A, B, C, D and E. Parcel A has already been developed.

Planner Astorga stated that the MPD was subject to specific parameters outlined in the development agreement, as well as specific obligations of the developer and the conditions of approval, many of which included the amenities on the Mountain.

Planner Astorga reported on public comment he received after the Staff reports were delivered; however that public input was provided to the Commissioners. He also received a response to one of those comments from Vail Resorts. The first 22 pages of the Development Agreement were included in the Staff report to help the Planning Commission understand the big picture. He also provided to the Commissioners clarification from Vail Resorts regarding one of the items for discussion this evening regarding historic preservation. That response mentions a document that was created by the City as outlined in a City Council Staff report dated October 9, 2014, and the Commissioners had a copy of that document as well.

Planner Astorga reviewed the exhibits that were submitted showing the existing conditions of the interconnect lift mid-station as viewed from various location. Other exhibits showed the actual survey submitted by the applicant, and the City-County boundary lines showing that approximately one-fourth of the area is within the Park City boundary. Another exhibit showed the disturbance of the site and the cut and fill areas. Planner Astorga presented an exhibit showing the footprint of the existing Snow Hut and the proposed expansion. Additional exhibits were of floor plans, roof plan, elevations and sections. Renderings showing what the applicant was currently proposing, as well as a materials board were also provided.

Planner Astorga requested discussion by the Planning Commission on four items outlined in the Staff report. The first item was Building Height. He stated that when reviewing an MPD, the Planning Commission has the ability to authorize additional height beyond the zone height. In this District, which is zoned ROS, the maximum height is 28 feet. Planner Astorga explained that in Park City they always measure height from existing grade. Because the current Snow Hut is constructed on stilts, the change in height appears to be significant. He calculated the perceived height from the existing grade to be approximately 61 feet, but in reality, once completed it would be much less than 61 feet. However, the Staff finds that it would break the maximum height of 28 feet. Planner Astorga pointed out

that the Planning Commission would be asked to make findings for a requested height exception.

Planner Astorga stated that parking was another item for discussion. The parking was originally identified in the MPD from the analysis that was done with the Mountain Upgrade Plan. The specific Mountain Upgrade Plan indicated that the site had 1,810 parking spaces. After mitigating for snow storage and traffic control, that number is reduced to 1700 spaces. Planner Astorga remarked that the parking spaces were intended to be for skiers and users of the site. It was never intended to be part of the development rights associated with Parcels A through E. The requirement was for those parcels to come back to the Planning Commission for approval, at which time the parking would be re-analyzed from the standpoint of whether or not each side was fulfilling their own parking requirements and whether sufficient parking was being provided for the skiers.

Planner Astorga noted that page 54 of the Staff report contained language from the original Development Agreement, identified as a condition of approval and an obligation of development as found in Section 2.1.13. It reads, "As part of the small scale MPD it is a conditional use permit for each phase to evaluate transit alternatives and demonstrated parking needs." The Staff used that to interpret how the applicant needs to come up with specific parking. However, Section 2.3.6 of the Development Agreement states that, "At all times Developer shall assure that it has adequate parking or has implemented such other assurances, as provided in the Parking Mitigation Plan, to mitigate the impact of any proposed expansion of lift capacity."

Planner Astorga read a statement from the applicant regarding parking, found on page 148 of the Staff report. "The replacement of the Snow Hut does not affect skier capacity and subsequently does not affect parking requirements. Skiers and riders are already on the Mountain during operations and the replacement Snow Hut Lodge is designed to significantly improve service at a major connection area in a central area of the ski resort. The interconnect gondola functions only as an access transfer lift between existing ski operations. It has not been designed with round-trip skiing on it. Given that it is an access lift only between the two areas, there is no skier capacity increase associated with it." Planner Astorga requested discussion by the Planning Commission regarding this issue.

Planner Astorga stated that another item for discussion included the employee affordable housing requirement that was originally set up. He noted that the Staff report contained the exact requirement language as written in the 1997/1998 Development Agreement, which indicates a requirement for 80 PCMR employees that had to take place on or before October 1st, 2003. Planner Astorga stated that there was a clause in the requirement indicating that if there was a downturn in the market and the developer failed to obtain approval for 60% of the small scale MPD or the CUPs, which they did not get 60%, the

developer was supposed to come up with the employee housing on a proportional basis from what had already been approved. Planner Astorga stated that in that case, the only parcel that was approved was Parcel A. He pointed out that Parcel A was approved in conjunction with the original MPD in 1998.

The Staff calculated the obligation for employee housing and found that the obligation is equivalent to 23 units. Since the employee housing was not tied to the Mountain Upgrade Plan but rather to each phase of each conditional use permit or small scale MPD, the Staff recognized that PCMR was behind with this obligation. Therefore, the Planning Department would need to see those functional 23 units before moving forward with development on the remaining parcels. Planner Astorga asked if the Planning Commission concurred with the Staff's finding.

Planner Astorga stated that the last item for discussion related to historic preservation. When the MPD was approved the upper terrain was not part of the City. That area was annexed in 2007. The annexation triggered the specific condition of approval that said that during the next development application or amendment of the MPD, the upper terrain would become part of the PCMR approved MPD. Regarding historic preservation, the Staff found that there was a commitment from the property owner regarding the preservation of some historic structures. A clause in the Annexation Agreement indicates that the property owner needed to complete an inventory regarding those historic mine sites, as well as a stabilization and restoration plan for those sites. Planner Astorga stated that the City has not seen that inventory and the Staff had concerns about when it would be done.

The Staff recommended adding a condition of approval to this specific MDP amendment requiring the outstanding inventory and subsequent preservation and restoration plan. He requested input from the Planning Commission on this issue.

Tim Beck, Vice-President of Planning for Vail Resorts, introduced Blaise Carrig, the president of the Mountain Division for Vail Resorts, and Bill Rock, the Chief Operating Officer for Park City Mountain Resort.

Mr. Beck thought the Staff had done a remarkable job capturing all the elements involved. He thanked the Staff and the Commissioners for their time and effort. Mr. Beck believed that the two projects under consideration; the interconnect gondola and the Snow Hut restaurant, would be great additions to both the community and the Resorts.

Blaise Carrig remarked that the proposed improvements would raise the bar on the experience of the existing conditions at the Resort. This is part of a larger plan where some pieces would be done through administrative approvals. He noted that the King Kong lift

has historically long lines and they intend to increase the capacity of that lift and use it to replace the existing Mother Lode lift, which is a slower lift that under-utilizes great terrain.

Mr. Carrig stated that the dining experience is a critical issue as evidenced from guest surveys and personal experience. Improvements to the Snow Hut Lodge would provide needed seating capacity for the existing business, because they are currently unable to seat everyone who comes during the lunch time periods. Mr. Carrig pointed out that PCMR and the Canyons are operated as one and one lift ticket provides access to both Resorts. He noted that the Interconnect Gondola would allow them to make it a singular consolidated ski experience. He believed their proposed plan would help upgrade the experience at the Resort.

Chair Worel opened the public hearing.

Diane Thompson stated that she has been a full-year resident of Park City for eight years. She favored all the improvements that Vail was proposed to improve the Snow Hut, which is currently a disaster. Ms. Thompson had gone to the Canyons for the first time in three years and had an excellent experience. She thought it would be great to be able to take the Gondola over instead of driving or having to take the bus. Ms. Thompson remarked that it is a Mountain and a ski town and anything they could do to improve the experience would be most welcome.

Scott Loomis, Executive Director of Mountainlands Community Housing Trusts, stated that a small part of what they do is the Roommate Roundup each year which helps line up landlords and roommates for seasonal workers. Mr. Loomis noted that most of the people they see at roommate roundup are employees from Park City Mountain Resort and the Canyons. It thought it was shameful that Park City Mountain Resort and the Canyons have done nothing to support the affordable housing in the community, or the seasonal housing. Deer Valley has over 100 units and they heavily subsidize the units and transportation to take care of their employees. To date nothing has been done by either PCMR or the Canyons. Mr. Loomis pointed out that the Canyons has an affordable housing obligation of 287 units in the County. When the plan was originally in effect in 1999 they had 20 units which were later sold. For the last 12 years the Canyons has run at a deficiency of 20 units per year. Mr. Loomis hoped that when the Planning Commission considers the expansion that they will at least make the resorts meet the existing obligation before anything more is developed.

David Dubois, a Snyderville Basin resident, wholeheartedly supported the interconnect gondola. He has driven between Snyderville and Park City about 35 times this year to go skiing. If the gondola is installed he would not have to drive to Park City. He could drive two block and ski to downtown Park City for lunch and ski back. Mr. Dubois stated that

Park City has a traffic problem and being able to park at the Canyons and ski into town would help mitigate traffic issues.

Sandra Morrison from the Park City Historical Society and Museum spoke about the historic preservation component of both the original Flagstaff Annexation agreement and the amended 2007 agreement. Ms. Morrison stated that everyone loves Park City's history; yet the historic mining structures that surround the town continually fall into disrepair and they are in jeopardy. She noted that the original Flagstaff agreement spoke about restoration efforts for the Judge, the Daly West and the Little Bell but nothing has been done. The 2007 amendment included inventory and stabilization efforts, but that also has not occurred. Ms. Morrison pointed out that the Staff recommendation in the Staff report ties the historic preservation prior to the City accepting any application for the base area development. She wanted to confirm with Staff that preservation compliance was not tied to this particular application; only future base area applications.

Planner Astorga replied that it was one of the discussion items for the Planning Commission because they would be the ones taking action.

Ms. Morrison reported that currently some of the structures at PCMR were being held up by false shores. One of the water tanks is strapped and tied to the neighboring trees to keep it from demolishing the buildings. She pointed out that the buildings would not last another winter and the stabilization efforts to need to happen now if they really want to preserve these structures for the future.

Planning Manager Kayla Sintz referred to Ms. Morrison's question about whether historic preservation would be tied to the base development. She stated that the Staff was recommending base development as a time trigger similar to what was attempted to be used for affordable housing in 2003. She noted that it was already included as part of the annexation. Ms. Sintz clarified that the requirement is already there. The Staff was not asking whether or not the Planning Commission agreed that the requirement for the preservation plan and stabilization plan should be included; but instead whether base development should be the trigger mechanism for that preservation plan.

Wendy Fisher, the Executive Director of Utah Open Lands, stated that they hold a conservation easement on open space adjacent to the ski area. They have already been in contact with Vail to let them know that they are a stakeholder and they were watching this process to make sure the open space is protected.

Bob Wheaton with Deer Valley Resort stated that he was speaking both as a private citizen and as a representative of the resort. Mr. Wheaton stated that as Vail was putting together their vision for PCMR and the Canyons, he received a call from Mr. Carrig informing him of

their vision for the Resort, including the interconnect gondola and the Snow Hut. Mr. Carrig explained the cuts and fills and other improvements throughout the resort. Mr. Wheaton remarked that the proposal Vail Resorts was presenting was not only insightful, it was brilliant, and it was exactly what the Resort needs. He stated that Vail Resorts had Deer Valley's full support.

Alex Butwinski concurred with Mr. Wheaton's comments. Even if the gondola is a minor transportation link, it would be the first step in some of the intermodal transportation ideas that Mountain Accord will be looking at for the next five to fifteen years. Mr. Butwinski thought it was a good idea and they should move forward with the gondola connection.

Bill Coleman commented on the trigger concept and development at the base of the resort. He was involved with the Hidden Splendor issue discussed this evening when that "pesky" open space was added. However, since then they have come to realize how many things were done in the past at too small of a scale. Mr. Coleman believed the one thing they did right in the early 1970s was to make great plans for the base areas, none of which have really come to pass at Deer Valley, PCMR or the Canyon, and they are critical issues to solving the transportation issue. Mr. Coleman stated that he has heard very little conversation about the City doing what it can to provide incentives to build the villages. He believed the A, B, C and D parking lot is a huge solver of problems. The concerns about height are outdated when it comes to the scale they talked about. Mr. Coleman thought this was a place and time to allow variations on the theme in an effort to incentivize building the villages. He believed this proposed plan was one of those incentives. It would help build both villages, which would filter people through in a very slow time frame every day, and it could provide employee housing. Mr. Coleman stated that making adjustments to the old outdated plans would be the biggest solving mechanism. He encouraged the City to not only make this plan work, but to look at it as the beginning of a major solution that needs to be carried further.

Jim Hier stated that as someone who was involved with the 1997 and 1998 Plan and the acquisition, he supported the total concept of the proposed development and the gondola. He also reinforced the comments by Scott Loomis. He pointed out that Mr. Loomis had not complained about the Deer Valley affordable housing component because Deer Valley provides for their employees through affordable housing. However, PCMR and the Canyons are behind on the affordable housing aspect. Mr. Hier stated that as the overall master development gets tweaked and instills trigger points that help enforce what has already been planned, it would be well worth their time and effort.

Chair Worel closed the public hearing.

The Planning Commission discussed the four questions outlined in the Staff report.

Building Height

Chair Worel asked what the actual height would be when completed.

Peter Grove, the project architect, stated that the tallest location on the southeast corner would be approximately 62 feet from finished grade to the very top. Planner Astorga noted that the corner to the proposed grade would be approximately 40 feet.

Commissioner Thimm stated that in talking about building height and scale, part of the story has to do with the overall building and increasing the number of seats for dining. He noted that the 1999 MPD identified over 400 seats of deficiency. He remarked that adding that number of seats is a volume that affects scale. In dealing with buildings and heights, he believed the scale starts to come into play. Commissioner Thimm referred to public comment about an antiquated zoning requirement. He thought they had the ability to recognize the need for more height, as well as the volume and scale, and it was within the purview of their consideration as this application moves forward.

Commissioner Thimm stated that another part of the zoning code that was not mentioned was the matter of the offsets. Planner Astorga explained that the specific criteria that the Planning Commission needed in order to grant the height exception was outlined on Page 56, Items 1 through 5. The fifth item states that the height must meet Chapter 5 of the LMC, Architectural Guidelines. The Guidelines require a break in the façade length for buildings over 120 feet. The Code requires a horizontal step of at least 15' or a vertical step of the same length of 15'. However, that next Code section indicates that the Planning Director may provide an exception from those specific architectural standards. It was presented to the Planning Director and the Staff has taken a larger approach regarding the original intent of the façade variation. The Staff found that it was intended to assist in finding a better pedestrian scale in a specific neighborhood. Planner Astorga pointed out that the front on the east face is the only façade that does not meet the requirement. The length from corner to corner is 140 feet. Both sides and the back meet the regulation. Commissioner Thimm noted that the east side is considered the dominant face of the building in terms of the front door.

Director Eddington clarified that the primary intent of the façade breakup is to keep larger buildings from overpowering smaller buildings in the neighborhood. In this particular case the idea of the façade is to gain as much solar access as possible and to invite the outside to the inside. He believed that breaking up the front façade would alter the character of the building. With the use of beams and wood as proposed, he felt it met the intent of the Code, specifically in this location. It is a remote location and there was no concern about affecting smaller structures.

Commissioner Thimm agreed. He believed the architect answered the questions and addressed the need. He had looked on the architect's website and found a photograph of a similar building at North Star. Commissioner Thimm had studied the elevations contained in the Staff report and as he looked at the different sides of the building he was able to appreciate how this building would look from a character standpoint. He thought it appears that the west face of the building would be the first face the riders would see coming from the Canyons. It is masonry and roofing and he asked if anything could be done to improve the appearance on the west side, which is the back side. He suggested bringing the materials on the sides around and making it a four-sided building. Commissioner Thimm passed around photos he had obtained from the website to show what he was talking about.

Mr. Beck stated that some things could be done with materials; however, there is significant vegetation that hits that side of the building up high on the ridge as you come down on to it. He believed that would help mitigate the view on the west side. Commissioner Thimm felt there would be visible views of this face of the building. He noted that the Planning Commission often talks about "gives and gets". In this case they were looking at a height exception and not having the offsets in the building face. He emphasized his preference for improving the west face of the building.

Mr. Beck and Mr. Carrig were not opposed to considering Commissioner's Thimm request. Mr. Grove stated that they have also been working with the grading around the backside of the building and how it digs into the hillside. Retaining would be done and a path of approximately 20 feet will be provided to get the snow out and around. Where the lodge sits in relation to the hill is very steep and they were cutting into the grade. Mr. Grove stated that in discussing what products would be appropriate to retain the snow they decided on a combination of concrete materials up to a certain level. Adding finishes as suggested by Commissioner Thimm was very doable. Commissioner Thimm personally thought they had a great palate and bringing it around to the west face of the building would be a great improvement.

Commissioner Joyce stated that he worked at PCMR for three years and he dislikes the old Snow Hut. He liked what the applicant was proposing and he completely agreed with the Planning Director's determination that the restriction for height was irrelevant because the building is in a remote location. He supported the exception for building height.

Commissioner Campbell thought it looked great. Commissioner Phillips agreed with the Staff. He believed the Staff and the design team had done a great job. He was comfortable with the proposal. Commissioner Band concurred with the comments of her

fellow Commissioners. It is in a remote location and the upgrades are definitely needed. Chair Worel agreed.

Parking

Planner Astorga stated that the issue was the complexity of the original MPD and that the parking requirements were tied to each individual phase. The Staff would have to look at each phase, and at the same time not affect the current skier parking. Planner Astorga noted that he had read the language submitted by the applicant in his presentation which stated that neither project in the amendment would necessitate additional parking.

Commissioner Band asked for the number of skiers on an average ski weekend versus peak ski days. Mr. Carrig stated that currently the peak ski days are just shy of 10,000 skiers. Those are holiday periods where they have a lot of destination visitors. Melissa Band understood that the old MPD Development Agreement estimated approximately 9900 skiers on a peak day and that 1700 parking space would be adequate. She has personally been to the resort on many weekends and never found the parking to be adequate. Commissioner Band recognized that there were base development triggers, but she is not a fan of kicking the can down the road. She thought the gondola would help a little, but additional marketing and the Epic Pass would bring more skiers and they will still have parking issues.

Mr. Carrig stated that the Epic Pass has more growth in a destination market than in the local market. They have sold a fair number of Epic Passes in the community, but at the same time they eliminated a large number of the discount product that was in the marketplace. Mr. Carrig stated that they have not seen a growth in business due to the Epic Pass but they have seen a shift in customers that previously purchased day tickets at a reduced cost. The primary growth has been in the destination skier market.

Mr. Carrig stated that in looking long term, they have been talking with the City and the County on how they can work together on longer-term parking and transit solutions. He recognized it as an issue but he did not have an exact answer. Mr. Carrig reported that they had secured an additional 200 parking spaces at the Canyons this year on a lease. If Park City is full they could park people at the Canyons. They were also looking for additional parking within Park City. Mr. Carrig commented on other things that could be to ease peak days that they currently do at their other resorts. One is to incentivize carpooling for both skiers and employees. Another alternative is to run the lifts 30 to 45 minutes longer on peak days to diffuse the outflow so everyone is not leaving at the same time. Mr. Carrig stated that they were trying to address transit and parking issues for both the short and long term.

Commissioner Phillips stated that he is always concerned about parking. He was certain that the applicants are very aware of the problems and that they were trying to find solutions. He was pleased to hear Mr. Carrig's comments and he was comfortable with the fact that they are thinking about it. Commissioner Phillips remarked that skiers park at City Park and other places in town, and as a body the Planning Commission voiced their concerns in the past when PCMR was looking at doing something different at the base prior to the acquisition of the Resort. Commissioner Phillips thought the gondola may change some of the dynamics. It is a new mode of transportation and he believed it would lessen traffic on the road. His concern was that Vail may be so successful that the Resort would bring more people into town and expand the parking and traffic problem.

Mr. Carrig stated that they have been in conversations with the City regarding the development of lots which includes the building of a parking garage on the lot nearest the admin building and how to partner to make it work. Mr. Carrig clarified that they were open to transit ideas but they also needed to look at future expansion and accommodating cars.

Commissioner Band asked if lockers were being considered. It is difficult to drag ski gear on the bus and prior to the acquisition she had spoken to PCMR about lockers. She noted that there are very few lockers for seasonal skiers and the ones they do have are very expensive. Commissioner Band stated that if the goal is to get locals out of their cars, having plentiful, inexpensive lockers would be a way to encourage it. Mr. Carrig replied that they do have lockers in their other resorts. One of the constraints is that right now they do not control much of the commercial real estate in the base area. If that changes they might be able to provide lockers in the current village. He noted that they were definitely looking at lockers when planning the other lots.

Commissioner Campbell did not believe the Planning Commission should be involved in the number of parking spaces. He is convinced that parking is self-regulating because if it is difficult to park the skiers will go somewhere else. If that happens the Resort would be forced to build a bigger parking lot. Commissioner Campbell stated that until they grow their business they would not have the cash flow to build a big parking deck, and he was personally opposed to forcing them into building a deck before they were ready. Commissioner Campbell was also convinced that more parking in town encourages more people to drive into town. He preferred to have less parking in Park City and have people park at the Canyons.

Commissioner Joyce stated that he would agree with Commissioner Campbell except that it spills out into other businesses. He would be fine with it if there was a way to contain parking to the Resort lot or people went to another resort. Unfortunately, that is not what happens. During Presidents Day he watched people park their cars in various places away from the Resort and walk up to PCMR to ski for the day. When that happens it intrudes on

businesses, City parking, and private parking. Commissioner Joyce stated that the two administrative pieces that were not within the purview of the Planning Commission, which was increasing the lift capacity on King Kong and Mother Lode, impacts the capacity for skiers on the Mountain. Being a smart company Vail would not put \$50 million dollars into one year of investment between the two resorts without expecting some impact to the skier days. It will be marketed as the largest ski resort in the Country and the expected return on their investment will be more people coming to ski. He believed they would be successful and he really liked their plans. Commissioner Joyce stated that he did not like PCMR's parking; however, he was unsure what he could ask them to do about it. His suggestion would be for the Resort to somehow monitor the neighborhood parking and when someone starts to take their skis out of a parked car they would be asked to move. They could also work with the City to ticket illegal parking. Those types of parking issues would become the Resort's problem and he would feel more comfortable with that approach if it was a workable solution. Commissioner Joyce requested that the applicants do their best to resolve the problem because it is an impact to the surrounding community.

Commissioner Thimm stated that as a skier who stood at the bus stop for over an hour and a half on a day between Christmas and New Year's, he had concerns about parking. He also understood the limitation on space. All the existing improvements were based upon the approvals that were in place. As he read through the Staff report, it appeared that rather than a typical planning and zoning formula to calculate parking, it was based on the CCC that was part of the documentation from some of the original approvals. Commissioner Thimm asked if when the interconnect comes in and when the other improvements on the Mountain take place, whether any consideration was given to an updated version of the CCC that takes into account the changes that are occurring on the Mountain.

Mr. Beck stated that the plan was done in 1999. A lot has changed in the industry since then and many variables come into the CCC calculation. He remarked that they have talked about updating the plan at some point because it needs to be updated in many respects. Mr. Beck agreed that it was a component that needed to be looked and it has been talked about as a component of the base area development concept.

Commissioner Thimm stated that he talks to a lot of people when he skis and he often hears how people drove around for 45 minutes looking for a parking space. He always tells people about the high school and other parking lots, but it would be helpful if the Resort had a way to actively communicate that information so people would know where they could park and take to bus to the resort. If people know where to park it would start to mitigate some of the traffic that occurs at the Resort.

Mr. Beck agreed with Commissioner Thimm. They deal with this same issue at many of their resorts and through signage and other means they have directed people to off-site parking lot. He noted that Bill Rock has been evaluating the best ways to flow the traffic.

Commissioner Joyce asked if they had considered paid parking as a way to encourage people to carpool and use other transit. Mr. Carrig stated that the Vail does not do paid parking because it is done by the individual cities. However, if they build a parking garage it would be paid parking.

Commissioner Band understood that parking is an issue and there is no one solution. It needs to be a cooperative effort between the community, the Resort and the City. She was frustrated to know that it was already a problem and there was no mechanism to do anything about it. Commissioner Band read from the LMC Section 15.6 under MPDs – Modifications, “Changes in MPD which constitute a change in concept, density, unit type, or configuration of any portion or phase of the MPD will justify review of the entire Master Plan and Development Agreement by the Commission.” She asked if the Planning Commission was able to review the entire plan and possibly decide they did not like it.

Director Eddington stated that the language was relative to the base plan. At the time they called them small scale MPDs or Conditional Use Permits. When they begin to look at the base plan the Planning Commission would have the opportunity to address some of the issues. It would not be appropriate at this time because the Mountain plan currently under review would not alter the parking.

Planning Manager Sintz stated that page 9, Section 2.1.13 of the existing Development Agreement references the parking mitigation plan, which as part of the whole large scale MPD was Exhibit J and K. That document states that, “This plan shall be reviewed and modified if necessary as part of the small scale MPD/CUP for each phase to evaluate transit alternatives and demonstrated parking needs.” Ms. Sintz remarked that part of Exhibit J/K is the actual traffic and parking mitigation plan and it has a number of neighborhood mitigation strategies such as having lots counted on a daily basis, restricting ticket sales until the issue is resolved, and many other measures. She wanted the Planning Commission to understand that there was a trigger mechanism for the parking analysis or parking mitigation going forward with the small scale MPD.

Chair Worel stated that before moving to Park City full time she and her husband owned a second home directly across the street from PCMR. She knows firsthand what it is like to be locked in your house because skiers have parked in your driveway. As she read the Staff report, she questioned whether parking mitigation applied only to the base area development, or whether it included the plan they were looking at this evening. She agreed with her fellow Commissioners that it was all tied to the base area. Chair Worel applauded the applicants for working with the City and the County and coming up with creative ideas

to increase the outflow off the Mountain and also to look at way to park people at the Canyons and bring them into PCMR via the gondola.

Planning Manager Sintz summarized that the Planning Commission agrees that the parking mitigation would be effected by the additional small scale MPD or the base development. She asked if there was anything the Planning Commission would like to see regarding parking or an analysis for the March 25th meeting.

Commissioner Campbell felt they were confusing parking and traffic. He thought traffic was the real issue. He was more interested in talking about what they could do to reduce the number of cars coming in and out of the City rather than where the cars park. Commissioners Band and Joyce thought Commissioner Campbell would feel differently if he lived a block or two from the Resort and someone parked in his driveway. Commissioner Campbell stated that it was a law enforcement issue and when that happens people should call the police. He did not believe it was an issue for the Planning Commission. Commissioner Joyce pointed out that the Planning Commission has the responsibility to make sure the applicant has adequately mitigated the parking impacts. Commissioner Campbell stated that if they could incentivize people to park outside of the City it would mitigate the parking impacts. Commissioner Joyce agreed that the concept would resolve both the traffic and the parking problem. However, he did not agree with the idea that was only a traffic problem and not a parking problem. Commissioner Campbell clarified that he was not saying it was only a traffic problem; but he believes the traffic problem was more important to more people in town than parking.

Commissioner Band thought the parking problem should be part of their purview and discussion as well. Part of the purpose statement of creating an MPD is to protect residential uses and neighborhoods from impacts of non-residential uses using Best Practice methods and diligent Code enforcement. Commissioner Joyce pointed out that the current agreement states that, "If in practice the parking mitigation plan fails to adequately mitigate peak day parking requirements, the City shall have the authority to require the resort to limit tickets sales until a parking limitation plan is revised to address these issues." Commissioner Band expected Vail Resorts to be a good partner. They just want them to understand that parking is very important to the community and it already affects their quality of life. Mr. Carrig totally agreed and he reiterated some of the work they have done with the City and the County to find solutions.

Commissioner Phillips agreed with the response from Vail Resorts regarding a letter from the public and that the current proposal does not necessarily affect the parking. He personally did not need additional information for the March 25th meeting, but he would want to see something more as they move forward with the base area development.

Employee Housing Requirement

Planner Astorga reiterated the Staff recommendation that before the Planning Department accepts a conditional use application for Parcels B, C, D and E, the applicant would first have to provide a plan for the required 23 affordable housing units.

Commissioner Band recognized that this applicant inherited the affordable housing issue. Short of forcing them buy 23 units, she did not believe there was a way to require them to do it right now but it should be in place before they consider any other applications.

Commissioner Phillips asked the applicants for their thoughts on the Staff recommendation. Mr. Carrig was comfortable dealing with it prior to the base area development as recommended by Staff. They did inherit it because it should have been done in 2003 and they only discovered it through the process. Mr. Carrig stated that if traffic and parking were the biggest external problems, employment is their biggest internal problem. He expected they would be looking at employee housing beyond the requirement because it would have to meet their needs going forward.

Commissioner Campbell stated that it is important for all the resorts to be in compliance with the employee housing requirements. Over time they lose control of being able to enforce compliance and one of the only ways to enforce it is to make the applicant live up to the current agreement before discussing anything new. He favored the Staff recommendation. Commissioners Joyce, Thimm and Worel concurred.

Historic Preservation

Planner Astorga noted that the historic preservation plan that was done in 2000 and updated in 2007 was included on page 66 of the Staff report. He read, "The Flagstaff Historic Preservation Technical Report will necessarily need to be amended to include those resources within the annexed area." Planner Astorga stated that the Staff found a Finding of Fact from the 2007 annexation that brought that area into the City, which talks about the general interest and character of Park City, including several historic mining era structures within the Park City boundary. Planner Astorga stated that the specific historic preservation section of that agreement gave further details regarding to that historic preservation plan which starts with a completed inventory and moves on to stabilization and specific restoration. He clarified that the Staff was not requesting that they fully restore the buildings to what they were, but they want to see a plan that shows how they intend to protect the structures. The Staff found a specific clause in the agreement that now brings the area that was technically outside of the City into the City as indicated in the Staff report.

Planner Astorga noted that the Staff sent an email to the Planning Commission that included a specific amendment to what was written in the Staff report regarding Vail Resort's position. He read the email into the record. "The current applicant objects to any condition of approval as they state that the obligation to complete the preservation plan falls to the Flagstaff developers pursuant to the annexation ordinance and Section 2.9.3 of the Flagstaff Development Agreement. The applicant also states that its position is confirmed on Page 5, Item 2 of the Park City Planning Department Staff Report to City Council dated October 9th, 2014. However, Vail is committed to cooperate on this issue with the Flagstaff developers, the City, and stakeholders such as the Park City Historical Society."

Planner Astorga requested discussion on a specific condition of approval because the Staff is very concerned that in the last eight years they have not seen the completed inventory. He asked if the Planning Commission was willing to place a condition of approval similar to the employee housing tied to base development, or whether they would rather have the Staff formulate a condition of approval with more specific parameters and a time frame for submitting the report.

Commissioner Thimm understood that the new ownership had inherited certain things, including the preservation plan and inventory. However, as time goes on the structures would continue to deteriorate and it was important to inventory and document what is there. Commissioner Thimm had read the email with regard to the responsibility threat; however, he also read the portion indicating that Vail was willing to work with the stakeholders involved. He asked what Vail was willing to bring to the table.

Mr. Carrig stated that the King Kong Counterweight is in immediate disrepair and Vail has made a commitment to fix it this summer. He believed that Vail would participate in the inventory and help draft a plan, but they feel that the actual obligation to do the work goes to the Flagstaff developer because it was part of the Flagstaff Development Agreement. He pointed out that it was different than the other pieces of non-compliance that ran with the ski resort. Mr. Carrig stated that they had not yet met with the Flagstaff developer about coming to the table, but Vail would be an involved party. Mr. Carrig was not prepared to commit to what Vail would do to keep the structures from falling down at the Resort. He believed the inventory needed to be completed before they could know the extent of what needs to be done.

Commissioner Thimm agreed with starting with the inventory. He asked if it would be possible for Vail to engage in conversation with the Flagstaff developer prior to the March 25th meeting and report back to the Planning Commission. Mr. Carrig believed they could based on comments from their legal counsel.

Commissioner Joyce wanted to hear an opinion from the City Attorney regarding whether or not the inventory conveys with the responsibility of the ski resort. He would like to know where the responsibility falls and who should be held accountable. Commissioner Joyce noted that nothing has been done in eight years and he was looking for a hard stop trigger to keep this from lingering any longer. Prior to the meeting on March 25th, he would like to know the clear ownership of who is responsible, as well as a clear plan with a hard date for when it gets done, and a consequence if it is not done.

Planning Manager Sintz reported that the City Attorney has already given input and feels that Vail has the obligation as part of the 2007 amendment, which is why the Staff included it as a discussion item this evening. Ms. Sintz believed the Staff could provide trigger dates and possible implementation strategies for discussion at the next meeting.

City Attorney Mark Harrington clarified that the obligation flows to subsequent beneficiaries of the annexation. Therefore, the Staff feels sound in their position that it would be conditioned on the subsequent applications. However, the City has intentionally not specified who is responsible and who has the power to do the work. It was not specified in 2007 and not as the proposed condition would be worded with this application. It still allows the dialogue to take place between the leasee, the current owner, and the Flagstaff developer. Mr. Harrington stated that it was a sensitive negotiation in 2007. At that time Talisker and PCMR/the Cumming family were in pre-litigation mode and it was very contentious to get the annexation approved in a manner accepted by both parties. The City was stuck in the middle and did not want to over-specify an on-going issue that needed to be worked out. Mr. Harrington pointed out that the inventory and the preservation plan were hard requirements for annexation. It was built in as a finding of fact and supported by the conclusions of law. There was not an affirmative condition of approval stating who would do it and within what timeframe. Mr. Harrington understood that it was intentionally not affirmed in a condition of approval in an effort to allow the parties to work things out. However, it was never worked out between the parties and the responsibility falls to Vail as the new owner. Mr. Harrington clarified that the City was not trying to put an unfair burden on Vail, but they could not “kick the can” forever. He thought the condition was appropriate. They will try to work out who has the obligation and by when, but if not, there is an appropriate trigger that ties it to base area development. Mr. Harrington pointed out that mining structures have a different regulatory component and EPA is often involved. The City does not want to skirt responsibility, but he believed the Staff had walked the fine line in terms of balancing both aspects.

Commissioner Joyce understood that the trigger would be tying it to the first base area CUP, but he still would like Vail to come back on March 25th with a better plan of how to get it done. Mr. Carrig reiterated their willingness to make the effort.

Commissioner Band understood from the City Attorney that the obligation runs with the land. If Vail could work things out with the Flagstaff developer that would be to their benefit, but from the standpoint of the City the responsibility belongs to Vail.

Commissioner Campbell asked if there was some agreement to identify the more significant structures and pay attention to those structures first. Director Eddington stated that the Staff has a good understanding of what they think are the top ten most endangered sites. The Staff had done an analysis identifying the most significant structures and narrowed those down to the most endangered in terms of not being stabilized. That analysis was shared with Mr. Beck and his team.

Commissioner Joyce remarked that the hard requirement is to inventory all the structures and have a preservation plan in place. He did not believe there was a hard requirement to stabilize or preserve everything on the inventory.

Mr. Beck stated that he and Director Eddington have met several times and it is still unclear which structures are on the annexed property. They have been talking about it but the survey has not been done. Most of the structures were known but the question was where they are located. Director Eddington noted that the Planning Department has a good map based on the site surveys and field surveys that were done this summer. What they are working through with Vail is determining exactly where the lines fall with regard to the leased property, Talisker property, etc. They have been overlaying the different GIS maps in an effort to determine which ones fall on which side. Planner Astorga presented the two maps, noting that the smaller map were the critical areas the Staff had identified.

Planner Astorga expressed the concern that Vail may not come back for seven years with a CUP for base area development. Director Eddington thought they could begin to work with Vail on a stabilization plan and put together a timeline with a date for when stabilization would begin. The Staff could discuss that with the Vail team and report back to the Planning Commission on March 25th.

Commissioner Joyce expressed an additional concern regarding construction mitigation. He noted that a lot of construction will be going on in the canyon in a very short period of time. He understood that the Building Department would regulate noise, safety and other issues, but in some cases the Planning Commission has had the ability to place additional constraints to mitigate the impacts. Commissioner Joyce noted that construction access would be through a small neighborhood and he wanted to make sure they would be sensitive to the neighbors. Mr. Beck stated that they were working through construction impacts. He noted that in this case there are two canyons. Some work will occur on the County side and other work will occur on the City side. Mr. Beck remarked that there is a need for equipment and materials, as well a labor, and that generates construction traffic.

There is also a need for a staging area. Some of the lift work will be done through helicopters and that creates the need for aerial. He identified areas they were looking at for staging areas in the lower parking lots. They have also looked at Swede Alley and King Road, and they were looking at labor pooling out of the existing parking lots. They have an agreement with Armstrong and Utah Open Space Lands regarding the use of the road. Mr. Beck agreed that the work need to be done quickly and they were working around trying to stage the project, recognizing that other construction would be occurring at the same time. There is a heightened concern by everyone related to construction and construction traffic. Mr. Beck stated that they were in the preliminary stages but they would provide a full construction mitigation plan to the Building Department. He could update the Commissioners on where they are in the process at the March 25th meeting.

Planner Astorga stated that the Planning Commission had provided sufficient direction to come back on March 25th. He noted that Tim Beck has been very responsive and easy to work with. Planner Astorga pointed out that the Staff had identified the four issues for discussion. As noted in the Staff report, they had no concerns with any other issues. He encouraged the Commissioners to contact him if they had other comments or concerns prior to the March 25th meeting.

Commissioner Strachan returned to the meeting.

3. Land Management Code Amendments – Chapter 2.1 (HRL), Chapter 2.2 (HR-1) Chapter 2.3 (HR.2) Chapter 2.4 (HRM), and Chapter 2.16 (RC) – Regarding side and Rear Setbacks for patios and hot tubs (Application PL-14-02595)

Planner Kirsten Whetstone stated that these items were the beginning of the 2015 updates to the LMC, starting with administrative items and issues that have been raised by citizens. The proposed amendments have been reviewed for consistency with the recently adopted General Plan.

Planner Whetstone stated that the last item on the agenda related to Chapter 9 of the LMC would be continued pending additional items that the State Legislature has changed regarding non-conforming uses and non-complying structures.

Planner Whetstone stated that the amendments regarding setbacks for hot tubs and patios in the HRL, HR1, HR2, HRM, also include the RC zone because that zone has the same setbacks and setbacks exception for the Old Town lots. She clarified that it would not apply to multi-family or the resort part of the RC zone.

Planner Whetstone stated that currently patios are allowed to go to one foot in the rear and they are allowed in the side setback, which is normally a 3' setback for a standard 25' wide

Francisco Astorga

From: Park City Mountain Resort Lodging <parkcitymtnresort@gmail.com>
Sent: Friday, February 20, 2015 5:58 PM
To: Francisco Astorga; Nan Noaker; Andy Beerman; Cindy Matsumoto; Jack Thomas; Jack Thomas; Richard Peek; Tim Henney
Subject: IMPORTANT CONSIDERATION FOR BASE LOCATION OF GONDOLA (pcmr side)

SKIER TRAFFIC STUDY REQUIRED:

Please pay heed to the already overcrowded and frequently dangerous skier/boarder congestion on Prospector Run.

Furthermore good snow coverage on Prospector run has always been an issue,, even in the best snow years. For these reasons, It is **STRONGLY RECOMMENDED** that the gondola base station on the PCMR side be located higher up Thanes Canyon so as to 1. alleviate dangerous potential, 2. maximize safety, 3. distribute crowds and traffic efficiently and 4. preserve snow coverage.

A gondola base located at the base of Silverload lift will overload the maze and all the feeder runs to it to an even greater level than already exists.

At least by locating the Gondola base further up Thanes Canyon, visitors travelling from PCMR to Canyons will not be forced to collide with other skiers on the already super-popular Silverload Runs.

By diverting traffic to the less populated Motherlode runs in this way , resort guests will can more easily maximize their ski experience... in greater **SAFETY**, while at the same time explore an area of the PCMR resort to which they may not have otherwise enjoyed the benefit.

Thank You for your careful attention. (and according **ACTION**).

TO: Francisco Astorga – Park City Planning Department
FROM: Chris Cushing
CC: Tim Beck – Vail Resorts
DATE: February 24, 2015
RE: Interconnect Gondola Comment Letter from “Park City Mountain Resort Lodging”

Following is SE Group’s response to the comment letter submitted to the Park City Planning Department from “Park City Mountain Resort Lodging” regarding the proposed Interconnect Gondola project at PCMR.

This comment letter claims that locating the Interconnect Gondola terminal at the base of the Silverlode chairlift will cause overcrowding on the trail network served by the Silverlode chair, and that the gondola terminal should be relocated further up Thayne’s Canyon to prevent overcrowding of the Silverlode area.

The 2015 summer projects at PCMR have been conceived to improve skier circulation and skier distribution throughout the mountain. Upgrades to the Motherlode (to a high-speed quad) and King Con (to a high-speed 6-pak) chairlifts will make those lifts more popular, so skiers who formerly skied primarily on Silverlode – a high-speed, high capacity, six-passenger chair – will now be more evenly distributed on the mountain into areas that are currently underutilized. The improved distribution of skiers between these three lifts will reduce the number of repeat skiers on Silverlode by an estimated 15-25%, which will more than offset potential additional skier traffic caused by the introduction of the Interconnect Gondola terminal at the base of Silverlode.

The heaviest use of the Interconnect Gondola will be in the morning as skiers are making their way to various points throughout the mountain complex, and before significant repeat skiing traffic on Silverlode occurs. Later in the day, the gondola will see sporadic use as skiers make their way back and forth between Canyons and PCMR. This mid-day use will be at a very low utilization of the gondola (i.e., many empty seats) and will therefore have negligible impact on crowding within the Silverlode area.

Regarding the concern over congestion at the Silverlode bottom terminal and overflowing mazes, an important component of the 2015 summer projects is a re-grading of the area between Snow Hut Lodge and the Silverlode bottom terminal. The large depression that currently exists in front of the Snow Hut Lodge will be filled in and leveled. This project will more than double the size of the current milling area and provides additional space for ski racks and skier circulation through the area. A secondary benefit of this project is that it will correct the reverse-slope at the bottom of King Con run. This will make the King Con run a popular routing from the Crescent and King Con chairs to the Interconnect Gondola, which will reduce the reliance on Silverlode runs for access to the gondola.

The primary function of the Interconnect Gondola is to provide skier transport between PCMR and Canyons for all skier ability levels from beginner to expert. While Claim Jumper trail provides beginner access to the proposed gondola terminal at Snow Hut, there is no beginner/lower ability access to the upper portion of Thayne's Canyon, which was an important consideration in designing the Interconnect Gondola's location.

From a fundamental ski area planning perspective, the overall daily capacity of Canyons and PCMR will not change as a result of the Interconnect Gondola project. Therefore, while traffic patterns will change and circulation surges may occur at different times and places, overall skier circulation and ski run density will not be significantly affected by introduction of the Interconnect Gondola.

PCMR-Canyons interconnect gondola comments

Jeff Lonn [jefflonn@hotmail.com]

Sent: Tuesday, February 24, 2015 6:13 AM

To: planning; Nann Worel; Melissa Band; Douglas Thimm; Adam Strachan; john.philips@parkcity.org; Preston Campbell; Steve Joyce

Dear Planning Commission:

As a Park Meadows resident, I oppose the proposed interconnect gondola between PCMR and Canyons for the following reasons:

The Pine Cone Ridge-Iron Mountain ridgeline is the only high ridge visible from Park Meadows that has not been scarred by development. The interconnect gondola would add a ridgetop unload station, lift towers, a deforested lift line, and an access/evacuation trail road cut, all visible from many parts of Park City. Would there also be lights at night on the top unload station? Would motorized equipment be permitted on the new access road, impacting the very popular Pine Cone Ridge, Armstrong, and Mid-Mountain Trails? Neither the Canyons' Iron Mountain lift terminal nor any Colony homes were allowed to be positioned on this ridgeline; why should this lift be any different?

The applicant states that "no new skier capacity will result from this lift", but then, just what is the purpose of this lift? As transportation between PCMR and Canyons, its benefits are limited. To reach the base of the gondola on the Canyons' side, one must ride the Cabriolet, Red Pine Gondola, Timberline lift, and Iron Mountain lift, and descend two ski runs. This recently took me 38 minutes with no lift lines or other delays. PCMR's and Canyons' base areas are only about 4 miles apart, so obviously the gondola is a less efficient travel route. The gondola does not significantly increase skier terrain, either, adding only a couple of short intermediate runs of 500 vertical feet on the Canyons side and some expert terrain open on a limited basis on the PCMR side. The sole purpose of this interconnect, then, appears to be to market these ski resorts, increasing skier visits and enhancing real estate values. How much more growth and overpriced real estate are really desirable in Park City? And customer parking at both PCMR and Canyons is already vastly insufficient on busy days. Approval of this project should require that additional parking space be built at both resorts.

The lift will not promote any of the goals of the PCMR Mountain Upgrade Plan. Two of the applicable goals of the plan are to improve out-of-base access and to increase the amount of beginner through advanced intermediate terrain. The gondola would not change out-of-base access at either PCMR or Canyons and, as stated above, the terrain added at PCMR would be expert terrain open on a limited basis and the intermediate terrain added at Canyons is insignificant.

This project offers few benefits to the residents and visitors of Park City, but many to Vail Resorts and The Colony developers. I urge you to deny this application.

Sincerely,

Jeff Lonn

Park City

649-8520

PCMR gondola

Brandon Malman [bmalman@yahoo.com]

Sent: Wednesday, February 25, 2015 3:54 PM**To:** planning; Council_Mail

I would like this email to become part of the public record. If possible, I would like it to be read out loud.

I'm writing because I disagree with the proposed location of the PCMR-Canyons gondola terminal on the Canyons side. I realize this lift is being installed on private land and that my opinion is just that, and holds no sway, but I wanted to sound off anyway. The problem is that this gondola will essentially be connecting PCMR to the Colony. As everyone knows, almost the entire southern half of Canyons Resort is made up of ski-in/ski-out luxury homes. This gondola is great news for the owners of those multi-million dollar homes, as they can walk out their doors, jump on one of the 4 lifts that were already built specifically to service their homes, and ride the gondola over to PCMR for the day. For anyone else who wants to start at Canyons and go to PCMR, it's 4 lift rides from the parking lot to get to the gondola. For anyone who wants to start at PCMR and go to Canyons, it's easier to get to the gondola, but they still wind up in the Colony and have to work their way halfway across the resort to get to decent skiing. I think it would be far better if the gondola terminal was on top of Iron Mountain, or better yet at the bottom of the Tombstone chair. This would make it more accessible to everyone.

When the ill-fated Ski Link proposal was still being considered, I was opposed to it for several reasons. In addition to the bad precedent that would have been set by selling a parcel of public land to accommodate a private ski lift, the lift was to connect the parking lot at Solitude with the top of the Colony/Daybreak development. Again, very convenient for luxury homeowners to get to Big Cottonwood Canyon, but 5 lift rides from the Canyons parking lot just to get to the Ski Link chair. That stinks. I see the same thing happening now with the gondola, but now it's a private land issue. On top of it all, most of those multi-million dollar homes are vacant for a good part of the year, including during ski season. This makes the planned location of the Canyons gondola terminal even more regrettable.

Brandon Malman
Full-time Park City resident

Francisco Astorga

From: Douglas Thimm
Sent: Wednesday, February 25, 2015 11:47 AM
To: Francisco Astorga
Cc: Polly Samuels McLean
Subject: FW: Opposed to the Vail interconnect gondola

Fransisco:

I received the accompanying email also - I am not sure of protocol, but I presume that this should be made part of the public record.

thanks, dougt

Doug Thimm
Park City Planning Commission
Mobile: (801) 699-7507

From: Jennifer Seabury [seaburyjen55@gmail.com]
Sent: Wednesday, February 25, 2015 11:03 AM
To: Douglas Thimm
Subject: Opposed to the Vail interconnect gondola

Dear Mr/ them:

I am off to NH because my father just died so will not be able to attend the meeting tonight but just wanted to say:

I think the Pine Cone swathe of land should remain untouched for Park City residents and for wildlife. Deer, elk, moose, and other species are squeezed on to Pine Cone Ridge and White Pine canyon because of the Colonies and Iron Mountain housing developments taking all their habitat. We have eaten up enough land with box stores, movie studios, and roads so that adding to the ugliness and congestion seems unnecessary. Our grandchildren would rather have some quiet unspoiled places to look at and to roam in and maybe see some wildlife than another un-needed lift.

I also think it is important for Park City to keep one ski area that is not just a real estate development. People who like riding lifts over parking lots and five-story hotels and skiing through over-big, ostentatious homes can enjoy the Canyons and Deer Valley. But for many, it's nice to experience nature and ski through trees and hike to peaks. My friends and colleagues are too disgusted to ski under bridges and along roads and prefer the Cottonwood-style ski areas like Park City. Do not join the two and ruin our last real ski area and Park City's reputation as a town with a genuine ski area.

Thank you, Jen Seabury

From: Ralph Bosek <ralph.bosek@gmail.com>
Sent: Friday, March 20, 2015 10:38 AM
To: Delaney, Pete
Cc: Francisco Astorga; Steve Ryberg; Chuck Bowling; Scott Kobrin; Mike Rasch
Subject: Re: Comments to Application # PL-14-02600

Board Members,

The more people that contact the City re our concerns, the better. If someone can go to the meeting and represent the 60 owners of CRCA, that would be good. Unfortunately, I cannot make it on March 25th. See my last e-mail.

To me, parking is definitely the biggest issue re our Association. In late January, I was at our condo when the PCMR lot filled up, and many cars were parked along the road in our development. Additional parking at the PCMR lot will help eliminate this issue.

I could send my e-mail to all of our unit owners, and ask them to contact Mr. Astorga.

Ralph

On Fri, Mar 20, 2015 at 12:28 PM, Delaney, Pete <DelanePB@oge.com> wrote:
I was wondering about that gobbledygook. Generally the attention given is correlated to the amount of inquiries, do we all need to inquire as property owners? Should we ask all owners to send in emails?

Pete

Sent from my iPhone

On Mar 20, 2015, at 10:21 AM, Ralph Bosek <ralph.bosek@gmail.com> wrote:

External email - Use caution with links and attachments.

Dear Mr. Astorga:

My name is Ralph Bosek, and I am president of the Crescent Ridge Condominium Association. Our Association is overall in favor of Vail Resorts proposed expansion, but we have some concerns, as follows:

1. Despite "no parking" signs along Crescent Road, when the PCMR parking lot fills up, there is significant overflow into our neighborhood. With the gondola expansion, traffic and people looking to park their cars will be a much bigger problem in our Crescent Ridge and other neighborhoods surrounding the PCMR. What is the plan to increase parking at PCMR? In my opinion, Vail Resorts needs to build a public parking garage in the current PCMR flat parking area to handle the increase in business (and, therefore, parking requirement) that the new gondola will bring to Park City Mountain Resort.

2. Just "up mountain" from our Crescent Ridge Development, there is an area of hiking and biking trails that run through the mountain woods. Will this area be maintained? The portion of your "Notice of Public Hearing" refers to the following which we don't understand: "Applicant also requests to amend the Development Agreement to satisfy requirements of the 2007 annexation that certain upper ski terrain be added to the approved Master Planned Development." Could you explain this to us in a follow-up e-mail?

Ralph Bosek
President
Crescent Ridge Condominium Association

Confidentiality Warning: This message and any attachments are intended only for the use of the recipient(s), are confidential, and may be privileged. If you are not the intended recipient, you are hereby notified that any review, retransmission, conversion to hard copy, copying, circulation or other use of all or any portion of this message and any attachments is strictly prohibited. If you are not the intended recipient, please notify the sender immediately by return email and delete this message and any attachments from your system.

2014 Park City Mountain Resort Summer Trails



Exhibit Q - Construction Staging Access

Francisco Astorga

From: Tim Beck <THBeck@vailresorts.com>
Sent: Wednesday, February 18, 2015 11:15 AM
To: Kayla Sintz; Francisco Astorga
Cc: Thomas Eddington; Bill Rock; Brian Suhadolc
Subject: Construction access
Attachments: Construction staging access (3).pdf

Kayla and Francisco,

I wanted to follow up with you on the discussion we had about construction access and schedule. We anticipate that we will begin construction after the resorts close, mid April , including snow removal to assist our short construction season and help in drying out the various locations of contemplated work. We anticipate that construction will continue right up to the beginning of the 15 -16 season which is around Thanksgiving /early Dec.

I have attached a plan that shows how we would utilize our existing access roads on the mountain and our anticipated use of those routes to help disperse traffic.

1. Swede Alley to King Road – this route would be used for coordinated material and equipment delivery.
2. Front side route/lower parking lots – the lower parking lots will be used for labor parking and staging for materials and equipment. From this location the labor will be car pooled up the front side of the mountain to various construction locations. In addition we will be staging the work for the Motherlode and King Con lift out of the parking lots and anticipate flying any towers for these lifts from that location.
3. Armstrong Road.. as you know we have an agreement for use of the road and we have met with the Utah Open Lands and the Armstrong's about our use. The agreement references an allowed use of 18 days with 3 trips per day which we will of course honor. Our intent is to use the road minimally for the delivery of equipment such as the lift rope cables (3) , other deliveries that are not compatible with King Road and emergency access if needed.

In addition to the above we will be staging much of the interconnect lift out of the Colony and flying as necessary the towers and concrete from that location, thus helping to minimize traffic on the Park City side.

Please let me know if you have any questions.

Thanks,

Tim

*Tim Beck
Vice President Mountain Development
Vail Resorts Management Company
137 Benchmark Road
PO Box 959
Avon, CO 81620
970 754 2511 - office
970 376 2249 - cell*



Planning Commission Staff Report



Subject: 429 Ontario Avenue
Project #: PL-14-02351
Author: Francisco J. Astorga, City Planner
Date: March 25, 2015
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 the construction of a new single-family dwelling at 429 Ontario Avenue 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: Thomas Vayda
represented by Jeremy Pack, MTN Buildings Inc.
Location: 429 Ontario Avenue
Zoning: Historic Residential-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 a new single-family dwelling on a vacant lot of record.

Background

On January 20, 2015, the City received a completed application for a Conditional Use Permit for "Construction on a Steep Slope" at 429 Ontario Avenue. The plans were updated on February 24, 2015. The property is located in the Historic Residential-1 District. The property, Lot 2 of the Anderson Re-Plat, a Plat Amendment approved and recorded in June 2008, contains 3,750 square feet.

This application is a request for a Conditional Use Permit for construction of a new-single family dwelling. Because the total proposed structure square footage is greater than 1,000 square feet, and would be constructed on a slopes greater thirty percent (30%) or greater, the applicant is required to submit a Steep Slope Conditional Use Permit application for review by the Planning Commission, pursuant to Land Management Code § 15-2.2-6. A Historic District Design Review application is concurrently being reviewed by staff for compliance with the Design Guidelines for Historic Districts.

Purpose

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

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

Analysis

A single-family dwelling is an allowed use in the Historic Residential-1 District. The proposed structure is 3,385 square feet, which includes the two (2) car tandem garage. The proposed main floor is 599, plus the 385 square foot garage. The proposed lower floor is 1,244 square feet. The proposed sub-1 lower floor is 1,157 square feet. Staff makes the following Land Management Code related findings:

LMC Requirements	Standard	Proposed
Building Footprint	1,519 square feet maximum, (based on lot area)	1,518.42 square feet, <u>complies.</u>
Front/Rear Yard Setbacks	10 feet, minimum	Front: 16 feet, <u>complies.</u> Rear: 10 feet, <u>complies.</u>
Side Yard Setbacks	5 feet, minimum	North: 6 feet, <u>complies.</u> South: 5 feet, <u>complies.</u>
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing (<u>natural</u>) Grade.	Various heights all under 27 feet, <u>complies.</u> <u>See discussion requested section within this report.</u>
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].	4 feet or less, <u>complies.</u>
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].	<u>Complies.</u>
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required	<u>Complies.</u>

	[...].	
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.	All roof forms contain a 7:12 roof pitch, except the roof form of the garage, see discussion below. <u>complies.</u>

Land Management Code § 15-2.2-6 provides for development on steep sloping lots in excess of one thousand square feet (1,000 sq. ft.) within the Historic Residential-1 District, subject to the following 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 is located towards the center of the lot with a sixteen foot (16') front yard setback and a ten foot (10') rear yard setback. The reason the house is sited in the center is because the lot has a platted private driveway access easement for the benefit of lots 1, 2, 25, & 26. The plat also indicates that no off-street parking is allowed in the driveway easement. The side yard width along the north side is six feet (6') while the side yard width varies along the south yard between five and six feet (5' & 6'). The rear setback is ten feet (10'). The proposed building coverage over the entire lot including the driveway easement is approximately 40%. The impermeable lot coverage of the proposal is approximately 58%, which includes the proposed structure, driveway, and driveway easement on the subject site.

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 model, and streetscape renderings showing a contextual analysis of visual impacts, see Exhibit K – Streetscape, Ontario Avenue looking West, Exhibit L – Streetscape, Ontario Avenue looking East, Exhibit M – Streetscape Views, and Exhibit P – Model.

The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of cross canyon view. The cross canyon view contains a back drop of three and four (3 & 4) story buildings. The building is located in a neighborhood of similar structures and is completely surrounded by developed sites.

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 platted lot contains an access easement for the benefit of lots 1, 2, 25, & 26. The plat also indicates that no off-street parking is allowed in the driveway easement. The platted driveway easement pushes the house back as the norm is to have a ten foot (10') front yard setback. The proposal uses the access easement into a two (2) car tandem garage. Due to the built construction of Ontario Avenue, a common driveway over this and the neighbor lot to the north has been established for four (4) sites, including this site.

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

According to the submitted site plan only one (1) retaining wall is proposed. This retaining wall is set up along the northeast corner of the proposed structure running north towards the neighboring house. The proposed retaining wall replaces an existing wall which supports the platted driveway easement. The retaining wall will meet the Land Management Code development standards as they are permitted to not exceed six feet (6') above final grade when placed in the side yard setback areas.

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 lot due to the platted driveway easement on the subdivision plat. Due to the topography of the site, from the front elevation the site resembles a one (1) story building with a significant cut as the proposed structure is a three (3) story single-family dwelling as seen on the other three (3) elevations. The maximum building height of 27 feet make the proposed lot follows the perceived natural topography of the site. The front façade is broken up which assists in providing front yard variation.

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. **Discussion Requested.**

The main ridge orients with the contours and the street. The tandem garage solution chosen, as affected by the platted driveway easement, minimizes the impact of the garage door on street. The rear elevation is broken up as it

contains rear access decks and the form has both vertical and horizontal small individual compartments.

The garage's roof is completely different as it is flat. The portion of the house has the minimum 7:12 roof pitch required in the Land Management Code. The different pitch makes the garage subordinate in design. The flat roof is not a green roof, per the Land Management Code's definition, as shown below:

Green Roof. A roof of a Building that is covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems. This does not refer to roofs which are colored green, as with green roof shingles.

The Land Management Code indicates the following regarding roof pitch:

Roof Pitch. *The primary roof pitch must be between seven:twelve (7:12) and twelve:twelve (12:12). A Green Roof may be below the required 7:12 roof pitch as part of the primary roof design. In addition, a roof that is not part of the primary roof design may be below the required 7:12 roof pitch.*

[...]

The applicant indicates that the roof over the garage is simply not part of the primary roof pitch, therefore, that roof form may be below the required roof pitch. There are portions of the house, however, including two (2) stories underneath the garage.

Staff finds that as viewed from Ontario Avenue, the garage is found to be subordinate to the house as they have two (2) completely different roof forms, especially because the garage is part of the same structure. Does the Planning Commission agree with this? If not, the applicant may choose to add a green roof or may have to redesign the proposal.

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.**

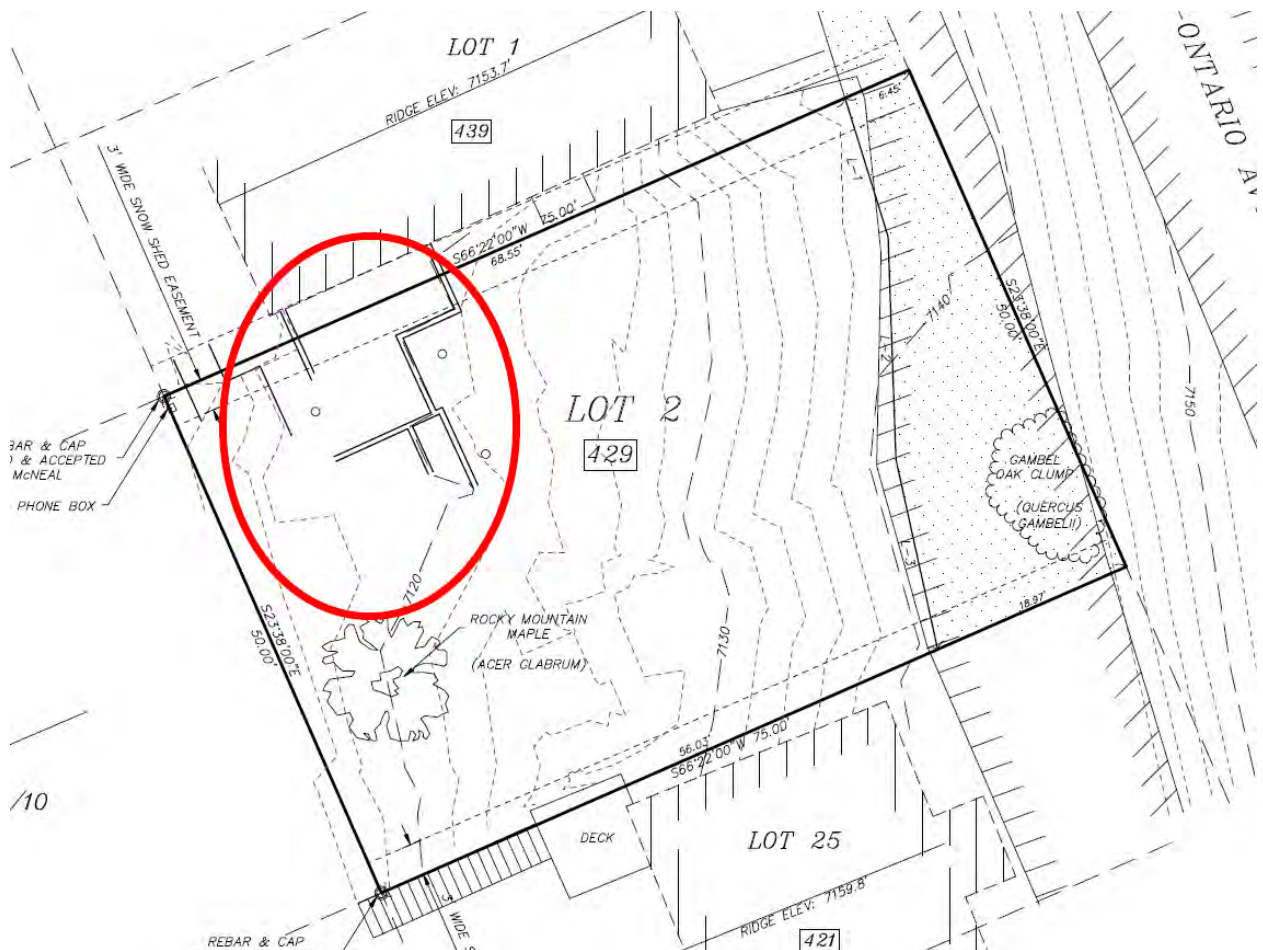
The proposed structure is setback sixteen feet (16') rather than the usual ten feet (10'), or eighteen feet (18') for an exterior parking space. The applicant is not able to accommodate exterior parking space because of the platted restriction shown on the subdivision plat where an exterior parking space cannot be accommodated on the driveway easement. The rear yard setback is ten feet (10').

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 on the rear elevation. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area comprised of three and four (3 & 4) story dwellings.

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. **Discussion requested.**

The site has a man-made feature revealed by the certified topographic survey as shown below:

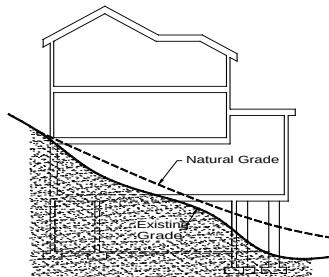


This man-made feature appears to be for planting/gardening purposes as it was set up with heavy timbers to create a series of flat planting areas. The use of this feature has been abandoned. This area created an effect on the site along the north side of the subject site as it has been flattened. When reviewing the south portion of the lot, the contours appear to be more consistent as they don't appear to have flat areas and contain a somewhat similar slope. The Land Management Code defines grade as the following:

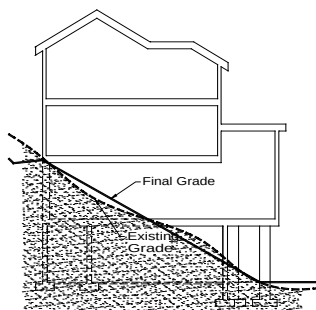
Grade. *The ground surface elevation of a Site or Parcel of land.*

A. Grade, Existing. *The Grade of a Property prior to any proposed Development or Construction Activity.*

B. Grade, Natural. *The Grade of the surface of the land prior to any Development Activity or any other man-made disturbance or Grading. The Planning Department shall estimate the Natural Grade, if not readily apparent, by reference elevations at points where the disturbed Area appears to meet the undisturbed portions of the Property. The estimated Natural Grade shall tie into the elevation and Slopes of adjoining Properties without creating a need for a new retaining wall, abrupt differences in the visual Slope and elevation of the land, or redirecting the flow of run-off water.*



C. Grade, Final. *The finished or resulting Grade where earth meets the Building after completion of the proposed Development Activity.*



The Planning Director has reviewed the topographic survey in terms of natural grade and finds that the site has indeed been disturbed as shown on survey and other evidence has been submitted to the Planning Department for review. See Exhibit C – Topographic Survey and Exhibit O – Man-made Features. The

Planning Director estimates that the elevation contours have been pushed to the front of the lot.

Currently the north portion of the proposed main roof ridge does not meet the maximum building height of twenty-seven feet (27') measured from existing grade. Approximately a section of eight feet (8') horizontally of the main ridge does not meet the height as the highest elevation on that ridge is approximately twenty-nine feet (29') above existing grade. After analyzing the site following the natural grade parameters as indicated in the definition, it has been determined that without the man-made disturbances, the proposed structure would be below the maximum of height measured from existing grade. In other words, the proposal meets the twenty-seven foot (27') restriction when measured from natural grade.

Discussion Requested. Does the Planning Commission agree with this determination? If the Planning Commission does not agree with this, the applicant would have to redesign the structure to comply with this parameter.

Tandem Garage Height Exception

The Land Management Code designates a height exception for a tandem garage on a downhill lot in the Historic Residential-1 District. The Code indicates that 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 feet (35') from Existing Grade.

The height over the proposed single car garage in tandem configuration (two vehicles, one in front of the other) is over the maximum of 27 feet. The lowest height of the garage from the highest point of the garage is seventeen feet (17') from existing grade. The maximum height from the highest point of the garage is thirty two feet (32') towards the rear of the property. This height is analyzed based on measuring the height from existing grade. The maximum height measured from natural grade per the adopted definition would be approximately twenty-nine feet (29').

Thomas Eddington, Planning Director, has reviewed the proposal and finds that the proposed tandem garage meets the criteria in order to receive the height exception for the tandem configuration garage.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in Land Management Code § 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 requested Steep Slope Conditional Use Permit as conditioned or amended, or
- The Planning Commission may deny the requested 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.

Recommendation

Staff recommends the Planning Commission hold a public hearing and review a request for a Steep Slope Conditional Use Permit at 429 Ontario Avenue 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 429 Ontario Avenue.
2. The property is located in the Historic Residential-1 District.
3. The property is Lot 2 of the Anderson Re-Plat.
4. The applicant requests a Conditional Use Permit for construction of a new-single family dwelling.
5. The total proposed structure square footage is greater than 1,000 square feet, and would be constructed on a slopes greater thirty percent (30%) or greater.
6. A Historic District Design Review application is concurrently being reviewed by staff for compliance with the Design Guidelines for Historic Districts.
7. The proposed structure is 3,385 square feet, which includes the 385 square foot two (2) car tandem garage.
8. The proposed main floor is 599 (plus the garage).
9. The proposed lower floor is 1,244 square feet.
10. The proposed sub-1 lower floor is 1,157 square feet.
11. The property is 3,750 square feet in size.
12. The maximum building footprint is 1,519 square feet.
13. The proposed building footprint is 1,518.42 square feet.
14. The minimum front and rear yard setbacks are ten feet (10').

15. The proposed front yard setback is sixteen feet (16').
16. The proposed rear yard setback is ten feet (10').
17. The minimum side yard setbacks are five feet (5') minimum, ten feet (10') total.
18. The proposed north side yard setback is six feet (6').
19. The proposed south side yard setback is five feet (5').
20. The proposed structure is to comply with the building height parameters outline in the Land Management Code.
21. The proposed structure complies with the maximum building height parameters.
22. The proposed structure is located towards the center of the lot with a sixteen foot (16') front yard setback and a ten foot (10') rear yard setback.
23. The applicant submitted a model, and streetscape renderings showing a contextual analysis of visual impacts.
24. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283, with the exception of cross canyon view.
25. The cross canyon view contains a back drop of three and four (3 & 4) story buildings.
26. The building is located in a neighborhood of similar structures and is completely surrounded by developed sites.
27. The platted lot contains an access easement for the benefit of lots 1, 2, 25, & 26.
28. The plat also indicates that no off-street parking is allowed in the driveway easement.
29. The proposal uses the access easement into a two (2) car tandem garage.
30. According to the submitted site plan only one (1) retaining wall is proposed.
31. The proposed retaining wall is set up along the northeast corner of the proposed structure running north towards the neighboring house.
32. The proposed retaining wall replaces an existing wall which supports the platted driveway easement.
33. The retaining wall will meet the Land Management Code development standards as they are permitted to not exceed six feet (6') above final grade when placed in the side yard setback areas.
34. Due to the topography of the site, from the front elevation the site resembles a one (1) story building with a significant cut as the proposed structure is a three (3) story single-family dwelling as seen on the other three (3) elevations.
35. The maximum building height of 27 feet make the proposed lot follows the perceived natural topography of the site. The rear portion of the garage, per the proposed tandem garage exception, breaks the twenty seven foot (27') maximum.
36. The front façade is broken up which assists in providing front yard variation.
37. The main ridge orients with the contours and the street.
38. The tandem garage solution chosen, as affected by the platted driveway easement, minimizes the impact of the garage door on street.
39. The rear elevation is broken up as it contains rear access decks and the form has both vertical and horizontal small individual compartments.
40. The garage roof is completely different than the roof over the house as it is flat.
41. The portion of the house has the minimum 7:12 roof pitch.
42. The different pitch makes the garage subordinate in design.
43. The flat roof is not a green roof, per the Land Management Code's definition.
44. A green roof is defined as "A roof of a Building that is covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. It may also

include additional layers such as a root barrier and drainage and irrigation systems. This does not refer to roofs which are colored green, as with green roof shingles”.

45. The Land Management Code indicates that the primary roof pitch must be between seven:twelve (7:12) and twelve:twelve (12:12). A Green Roof may be below the required 7:12 roof pitch as part of the primary roof design. In addition, a roof that is not part of the primary roof design may be below the required 7:12 roof pitch.
46. The roof over the garage is simply not part of the primary roof pitch, therefore, that roof form may be below the required roof pitch.
47. As viewed from Ontario Avenue, the garage is found to be subordinate to the house as they have two (2) completely different roof forms.
48. The proposed structure is both horizontally and vertically articulated and broken into compatible massing components.
49. The design includes setback variations and lower building heights for portions of the structure on the rear elevation.
50. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area comprised of three and four (3 & 4) story dwellings.
51. The site has a man-made feature revealed by the certified topographic survey.
52. The man-made feature area created an effect on the site along the north side of the subject site as it has been flattened.
53. The Planning Department estimates Natural Grade, if not readily apparent, by reference elevations at points where the disturbed Area appears to meet the undisturbed portions of the Property.
54. The Planning Director has reviewed the topographic survey in terms of natural grade and finds that the site has indeed been disturbed as shown on survey and other evidence has been submitted to the Planning Department for review.
55. The Planning Director estimates that the elevation contours have been pushed to the front of the lot.
56. The Land Management Code designates a height exception for a tandem garage on a downhill lot in the Historic Residential-1 District.
57. Thomas Eddington, Planning Director, has reviewed the proposal and finds that the proposed tandem garage meets the criteria in order to receive the height exception for the tandem configuration garage.

Conclusions of Law:

1. The Steep Slope Conditional Use Permit, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).
2. The Steep Slope Conditional Use Permit, 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. The applicant shall submit a detailed shoring plan prior to the issue of a building permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.
9. This approval will expire on March 25, 2016, if a building permit has not issued by the building department before the expiration date, unless an extension of this approval has been granted by the Planning Commission.
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.
11. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade.
12. As part of the Construction Mitigation Plan, an access plan for 421 and 417 Ontario will be provided.

Exhibits

- Exhibit A – Project Description/Applicant's Steep Slope CUP Criteria Analysis
- Exhibit B – Existing Aerial Views
- Exhibit C – Topographic Survey
- Exhibit D – Ontario Avenue Improvements
- Exhibit E – Anderson Re-Plat –First Amended
- Exhibit F – Imposed Aerial Site Plan
- Exhibit G – Site Plan
- Exhibit H – Floor Plans
- Exhibit I – Elevations
- Exhibit J – Building Sections
- Exhibit K – Streetscape, Ontario Avenue looking West
- Exhibit L – Streetscape, Ontario Avenue looking East
- Exhibit M – Streetscape Views
- Exhibit N – Preliminary Landscape Plan
- Exhibit O – Man-made features

MAY 12, 2014



RE: STEEP SLOPE APPLICATION, #2, PROJECT CRITERIA DESCRIPTION

LOCATION OF DEVELOPEMENT-

THE LOCATION OF THE PROPOSED RESIDENCE IS TYPICAL IN LOCATION TO ALL RESIDENCES LOCATED WITH 100' OF PROPERTY. PLACED ON THE HIGH SIDE OF THE LOT AND AGAINST THE RIGHT OF WAY

VISUAL ANALYSIS-

PLEASE REFERENCE THE ATTACHED "STREETSCAPE PLAN" FOR REFERENCE. THE POTENTIAL IMPACTS OF THE PROPOSED ARE MINIMAL IN NATURE. THE ACCESS, SIZE & HEIGHT AS WELL AS THE BUILDING MASS ARE VERY SIMILAR TO ADJACENT PROPERTIES.

THE OPPORTUNITY FOR IMPROVEMENTS TO THE PROPERTY ARE MINIMAL. THE SLOPE IS VERY STEEP. EXISTING CONDITIONS SHALL REMAIN OR BE REPLACED/IMPROVED. PLEASE SEE PROPOSED LANDSCAPING PLAN.

ACCESS-

ACCESS TO PROJECT IS MINIMAL IN IMPACT. DRIVEWAY DESIGN IS SITUATED TO ACCESS THE EXISTING RIGHT OF WAY EASEMENT

TERRACING-

TERRACING OF RETAINING WALLS IS NOT REQUIRED. EXISTING SLOPES CAN BE MAINTAINED IN GENERAL WITH STONE RETAINING 4' MAX. HT. EA. LIFT, 4' OFFSET FROM LIFT/LIFT & 1:2 MAX. SLOPE

BUILDING LOCATION-

THE LOCATION OF THE PROJECT IS SIMILAR IN NATURE TO ALL ADJACENT PROPERTIES. THE LOT SIZE AND SHAPE HEAVILY DICTATES THE NATURE OF THE LOCATION.

THE CUTS ARE INDICATIVE OF THE LOT'S NATURAL SLOPE AND HAVE BEEN KEPT TO A MINIMUM TO ALLOW THE RETENTION OF EXISTING TOPOGRAPHY & VEGETATION.

BUILDING FORM & SCALE-

THE FORM OF THE PROPOSED BUILDING IS IN RELATION TO THE ADJACENT PROPERTIES ABOUT THE FRONTAGE. ITS HEIGHT & MASS ARE SIMILAR IN PERCEPTION TO ADJACENT PROPERTIES.

THE PROPOSED PROPERTY IS A COMBINATION OF 2 LOTS AND THEREFOR HAS AN OBVIOUSLY LARGER BUILDABLE AREA, HOWEVER, THE PROPOSED IS JUST AS LOW IN STATURE AS ADJACENT PROPERTIES.

SETBACKS-

SETBACKS HAVE BEEN ADHERED TO ACCORDING TO PROVISIONS OF PARK CITY BLDG. DEPT.

DWELLING VOLUME-

THE OVERALL VOLUME OF THE PROPOSED IS SIMILAR TO ADJACENT PROPERTIES COMPARATIVELY BASED ON LOT COVERAGE. THE ADJACENT PROPERTIES BUILDINGS'S VOLUMES ARE SIMILAR FOR 2 LOTS.

BUILDING HEIGHT (STEEP SLOPE)-

THE BUILDING HEIGHT HAS BEEN MODIFIED PER PARK CITY REQS. TO 35' FROM LOWEST (SLAB) TO HIGHEST WALL TOP PLATE. SEE PROVIDED ELEVATIONS & BUILD SECTIONS.

Exhibit B – Existing Aerial Views



VICINITY MAP OF ONTARIO AVENUE
SCALE: 1" = 20'
0 50 100 250 500



LOCAL MAP, SUBJECT PROPERTY
SCALE: 1" = 40'
0 5 10 25 50

429 ONTARIO AVENUE
LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH

EXISTING ARIEL VIEWS

DRAWN BY: SD
DRAWN FOR: MONTAN BLDRS
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 04/20/14
REVISION:

Exhibit C – Topographic Survey

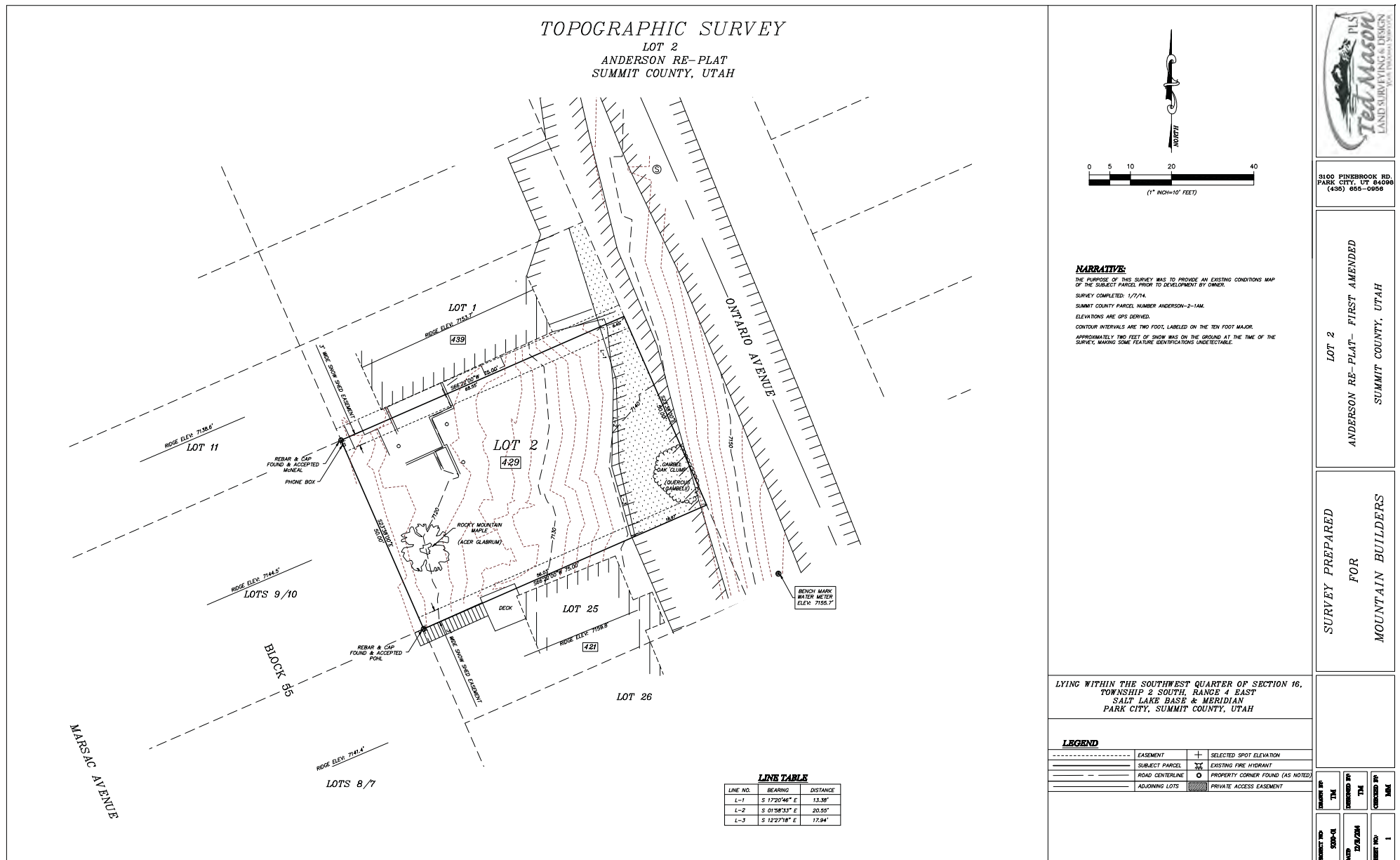
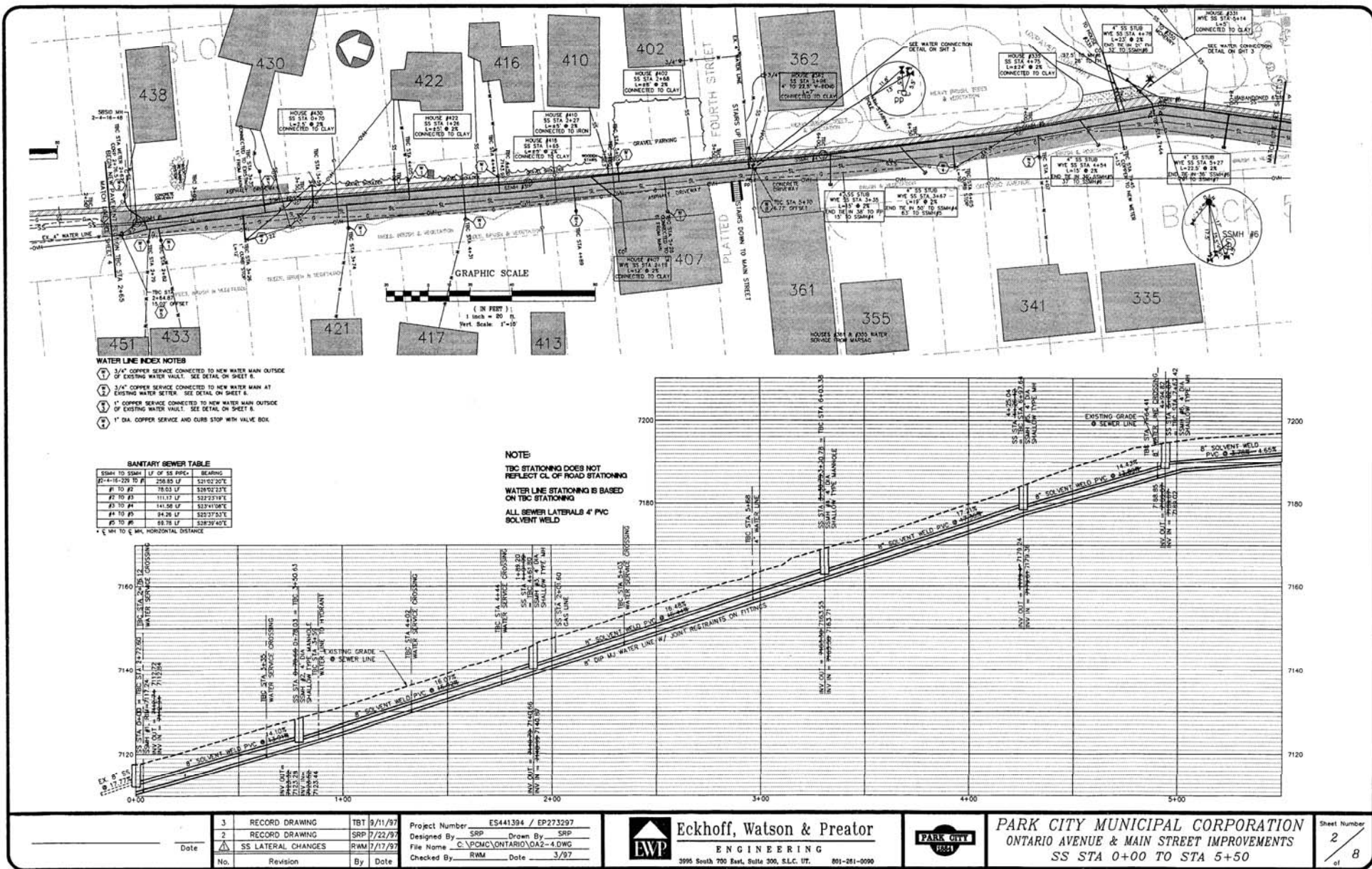
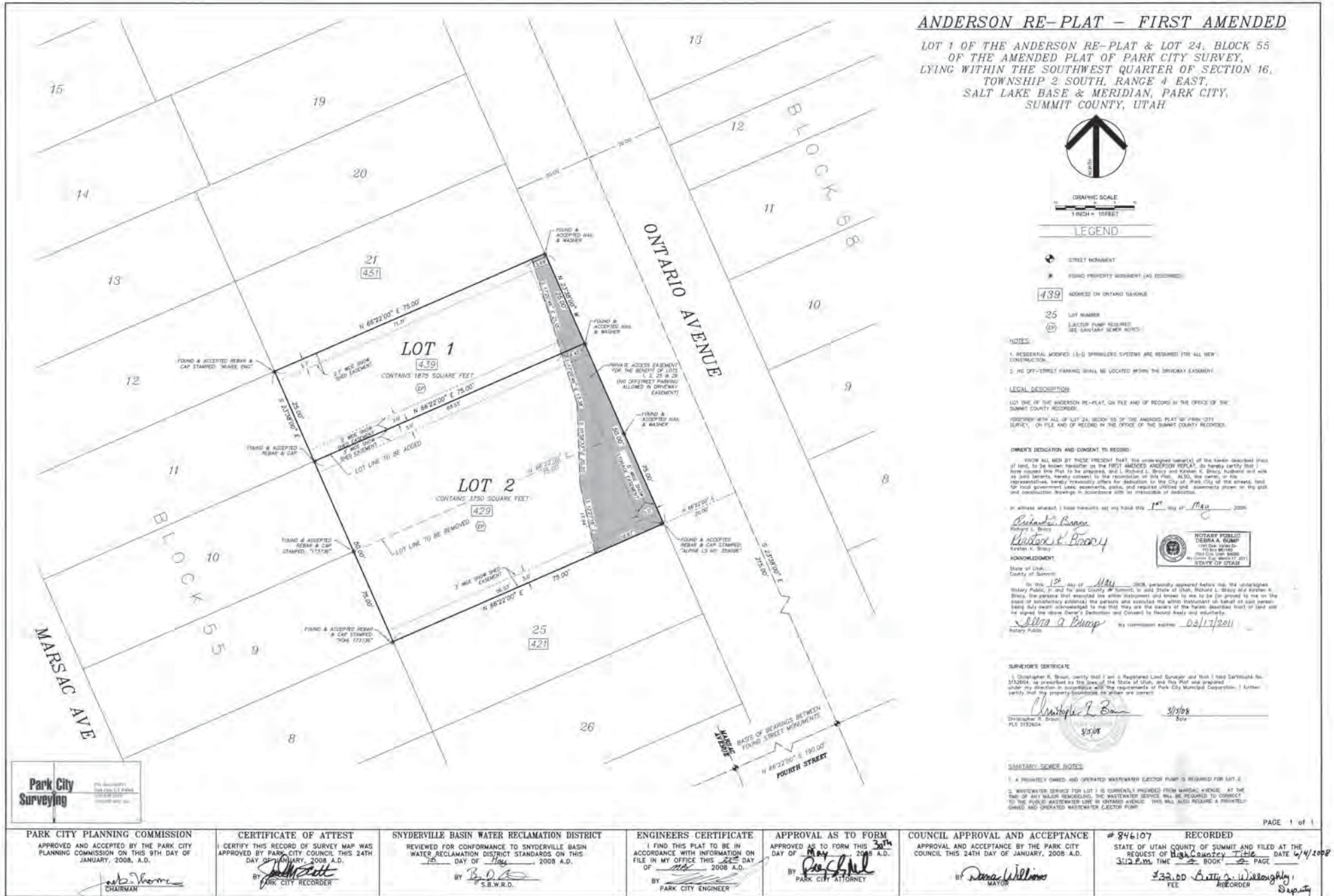
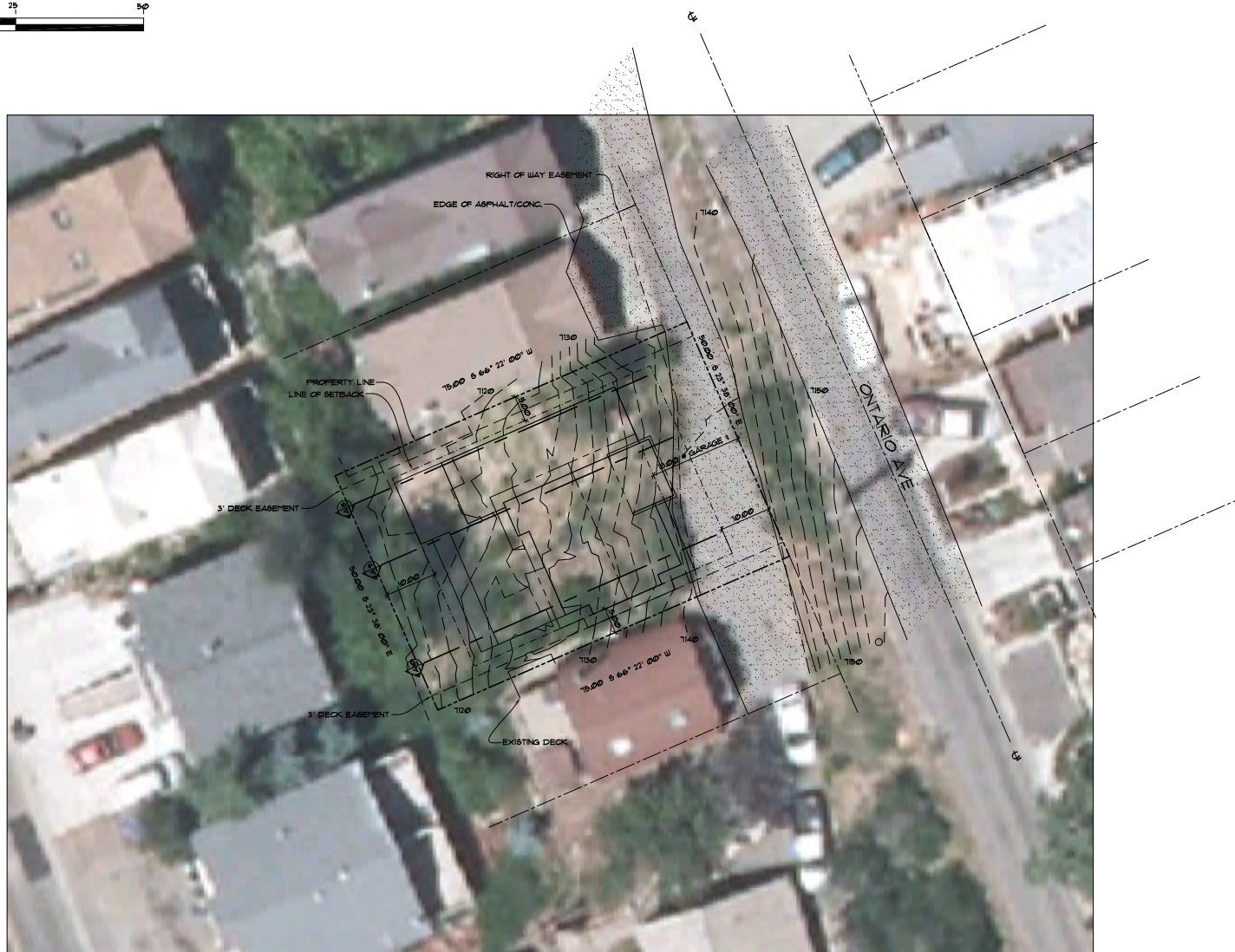
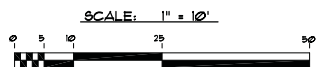


Exhibit D – Ontario Avenue Improvements





DYMON
DESIGN

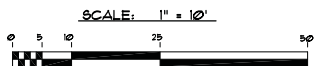


429 ONTARIO AVENUE
LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH

IMPOSED ARIEL & SITE PLAN

DRAWN BY: BD
DRAWN FOR: MOUNTAIN BLDGS.
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 04/30/14
REVISION: 12/09/14, HDDR 94

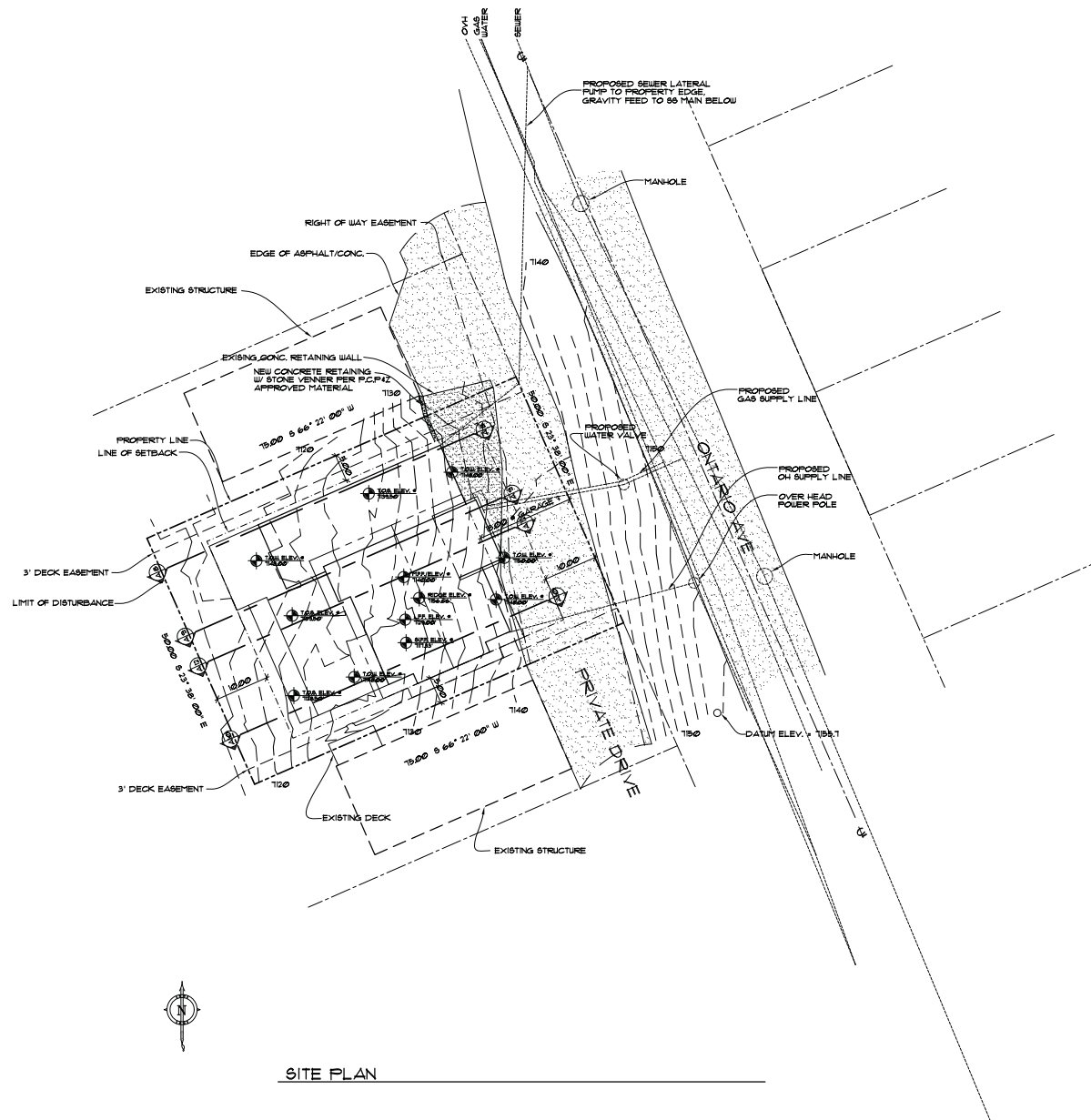
Exhibit G – Site Plan



ZONING: HR-1
BUILDING HEIGHT: 35' LOW FFE / HIGH T.O.W.
EXCEPTION: ADA ELEVATOR/GARAGE, 35' MAX. HT.
ELEVATION VARIATION: MIN. 10' OFFSET ON DOWN HILL SIDE
GRADING VARIATION: 4' WITHIN EXIST. GRADE

SETBACKS:
FRONT: 10' TO HABITABLE / 15' TO GARAGE
SIDE: 5'
REAR: 10'

LOT CRITERIA:
LOT AREA: 3750 SQ. FT.
BUILDABLE ENVELOPE: 2200 SQ. FT.
ALLOWABLE FOOTPRINT: 1915 SQ. FT.



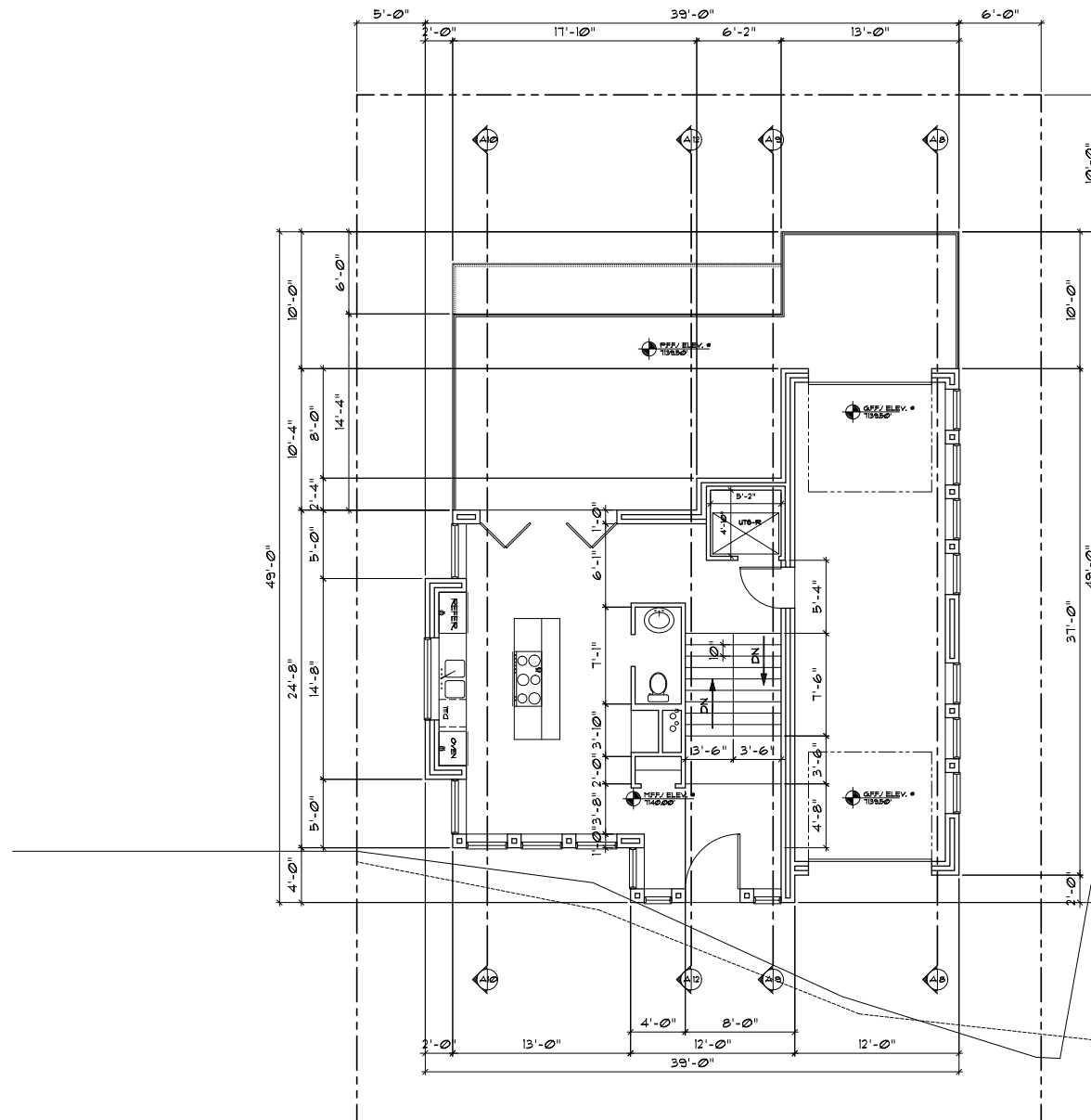
SITE PLAN



429 ONTARIO AVENUE
LOT 2, ANDERSON RE-PLAT - FIRST AMENDED
PARK CITY, UTAH

DRAWN BY: SD
DRAWN FOR: MONTAN BLDM
FILE: LOT 2 ANDERSON RE-PLAT
DATE: 04/20/14
REVISION: 02/24/15, MOD 5

Exhibit H – Floor Plans



MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"
1111 EXT. SQUARE FEET
999 INT. SQUARE FEET

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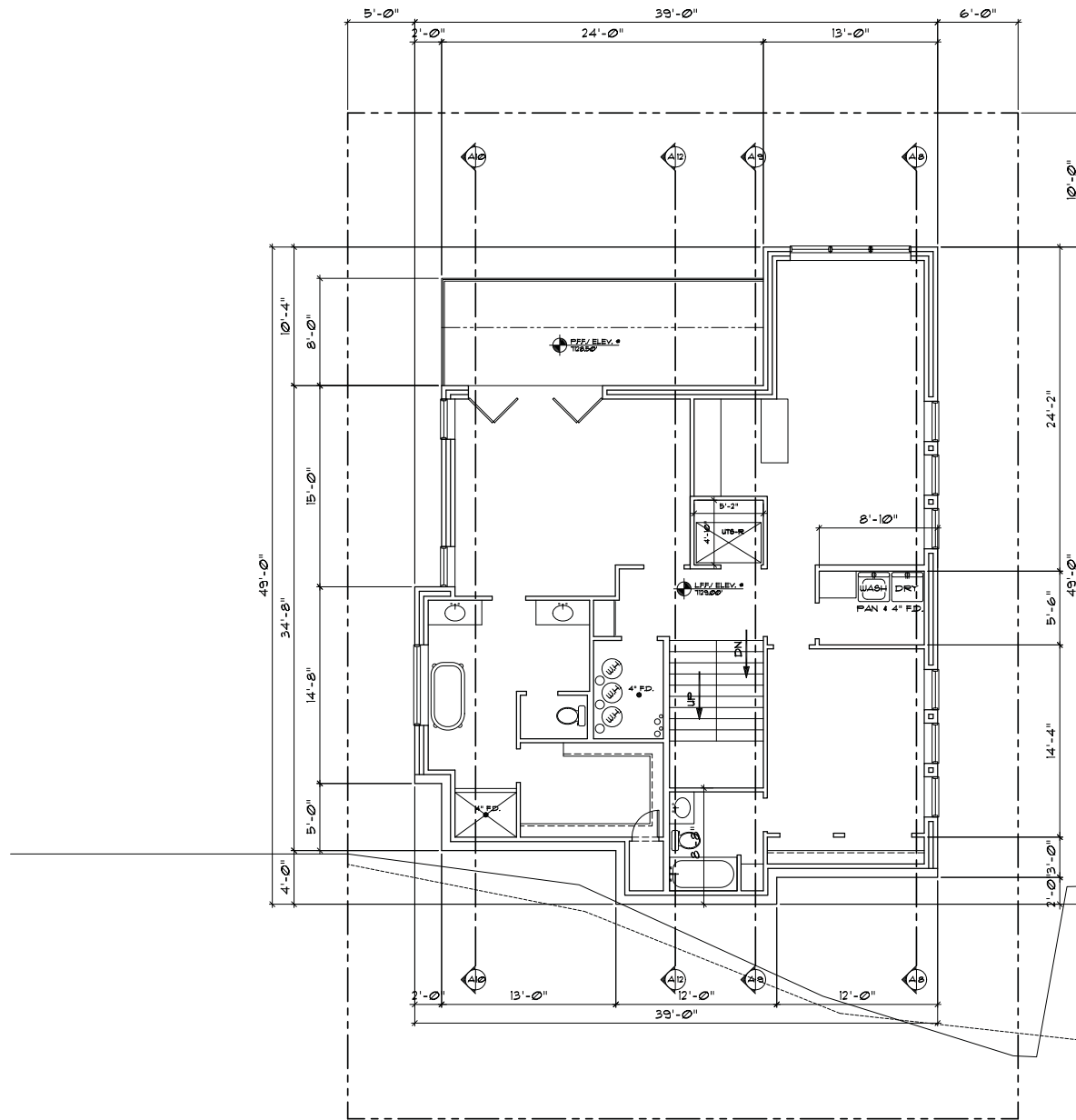
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A NEW HOME FOR MOUNTAIN BUILDERS
LOCATED AT 429 ONTARIO AVENUE
PARK CITY, UTAH

FILE NO: 114-B
DRAWN BY: B.D.
CHECKED BY: B.D.
ORIGINAL DATE: 02/09/14
REVISION 1: 02/24/15
REVISION 2:

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Exhibit H – Floor Plans



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FILE NO. 1114-8
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CHECKED BY: S.D.
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LOWER FLOOR PLAN

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

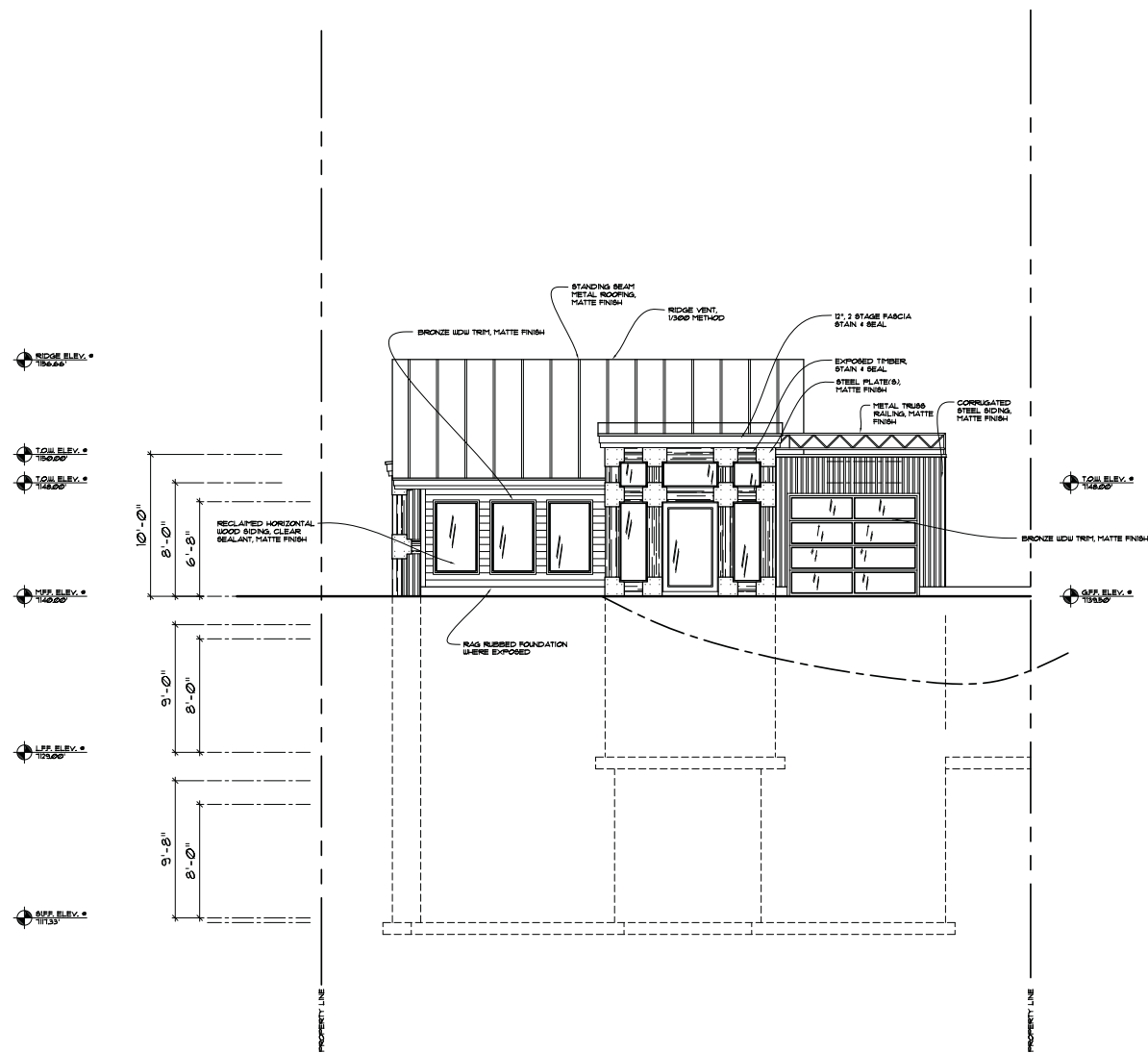


SCALE: 1/4" = 1'-0"

1332 EXT. SQUARE FEET
1157 INT. SQUARE FEET

FILE NO. 1114-8
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ORIGINAL DATE: 12/09/14
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Exhibit I – Elevations



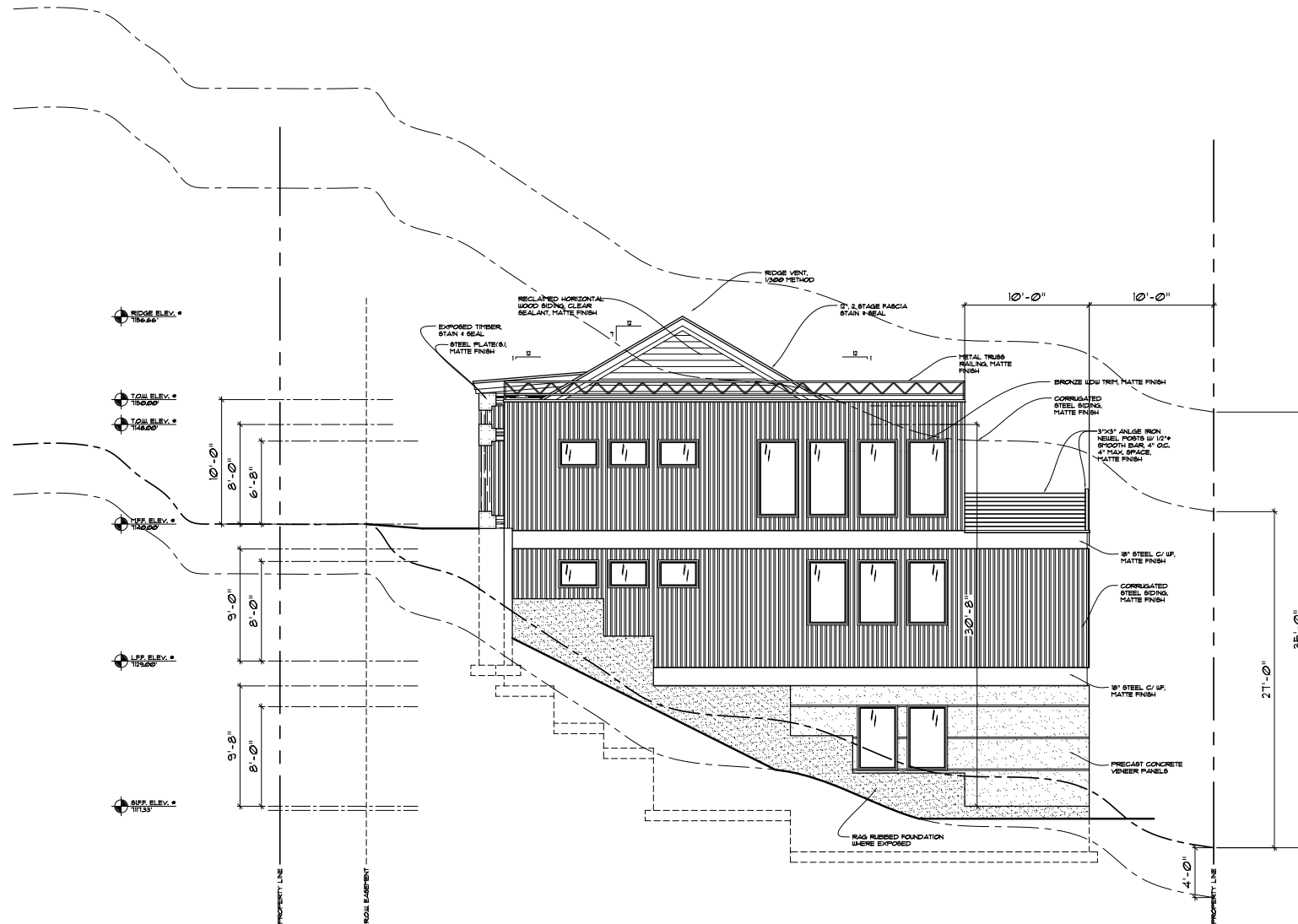
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FRONT ELEVATION SCALE: 1/4" = 1'-0"

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Exhibit I – Elevations



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RIGHT ELEVATION

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

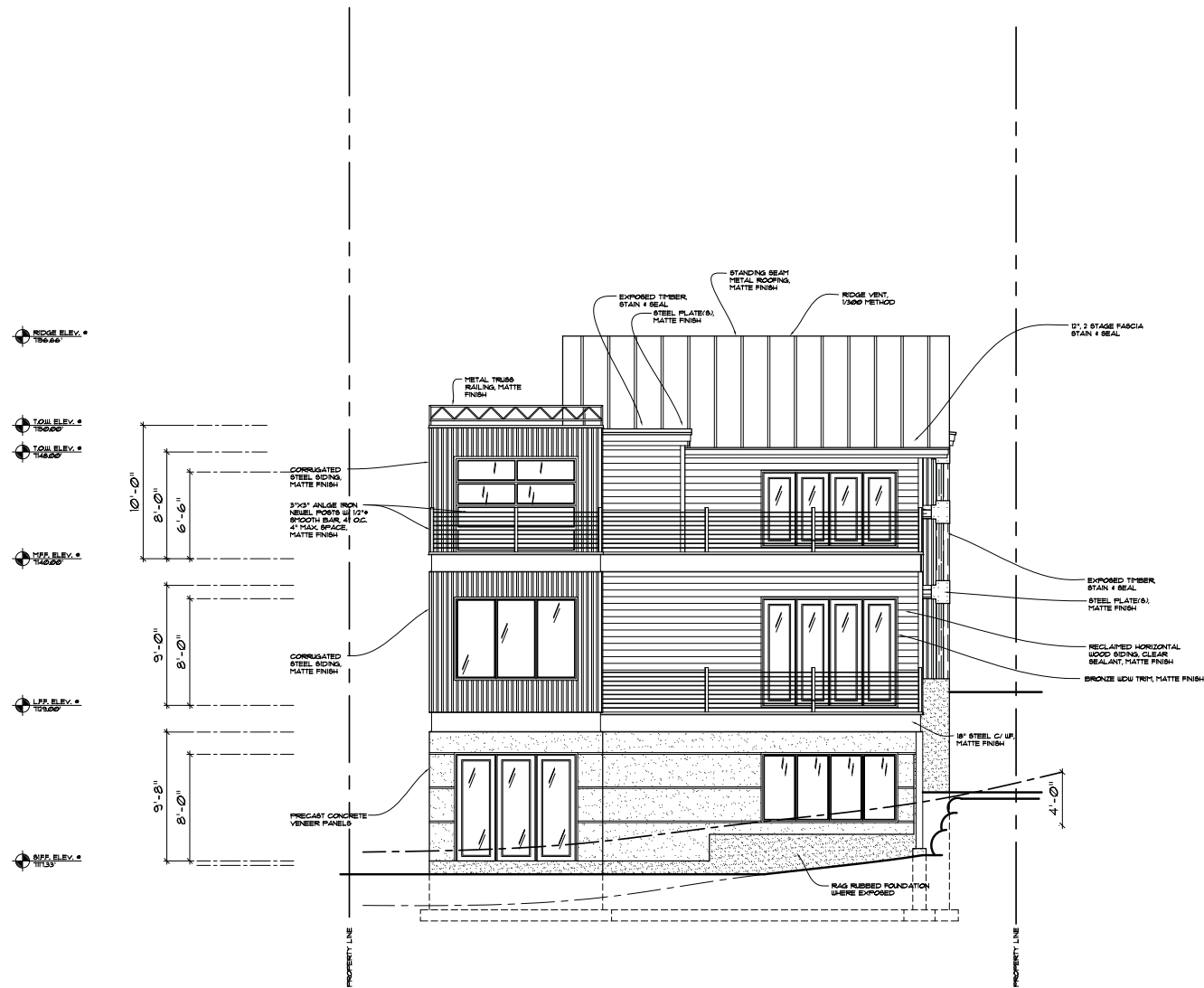
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FILE NO. 114-B
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Exhibit I – Elevations



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REAR ELEVATION

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

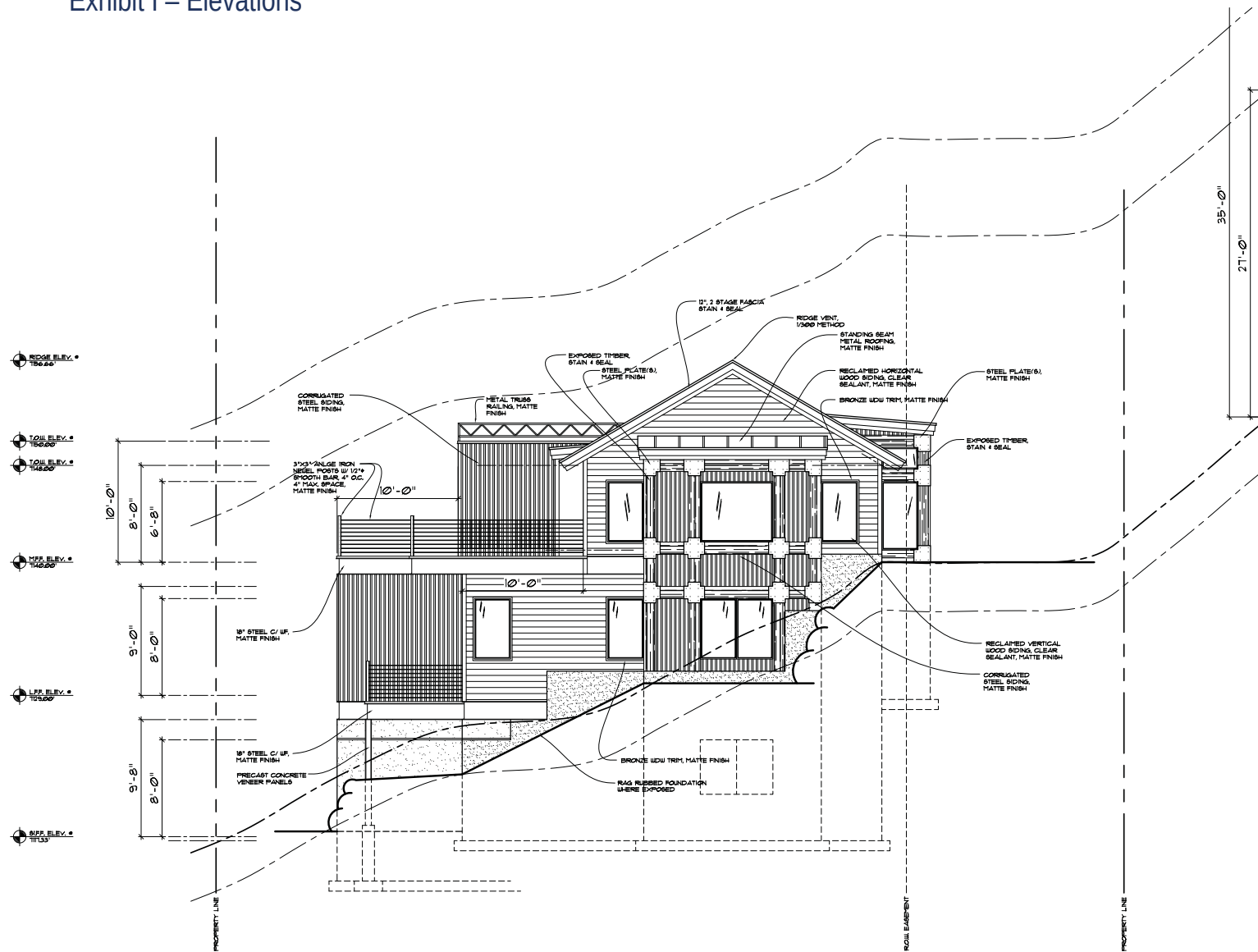
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Exhibit I – Elevations



LEFT ELEVATION

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

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Exhibit J – Building Sections



DYMOND
DESIGN

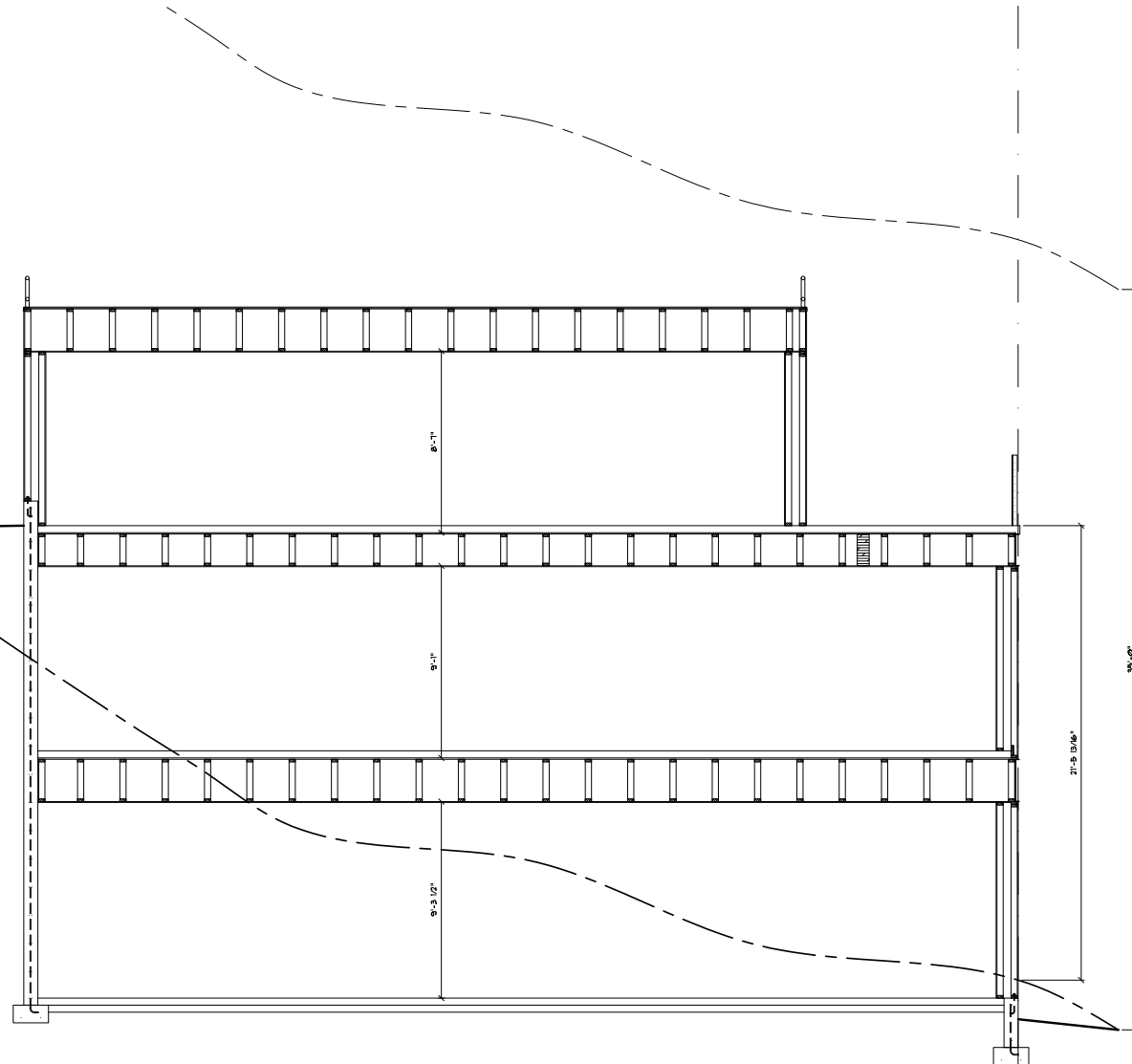
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BUILDING SECTION

SCALE: 3/8" = 1'-0"

Exhibit J – Building Sections

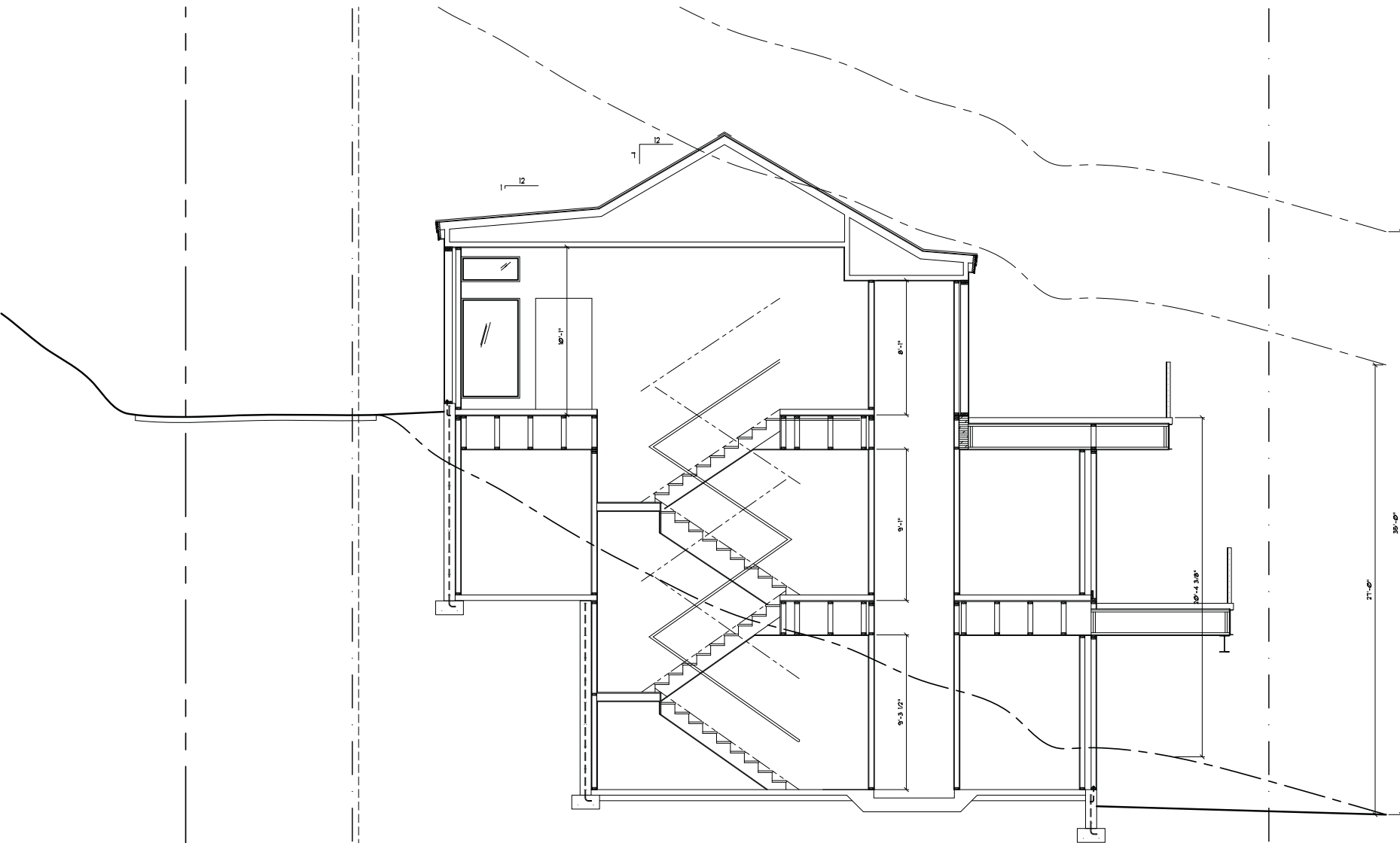


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BUILDING SECTION SCALE: 3/8" = 1'-0"

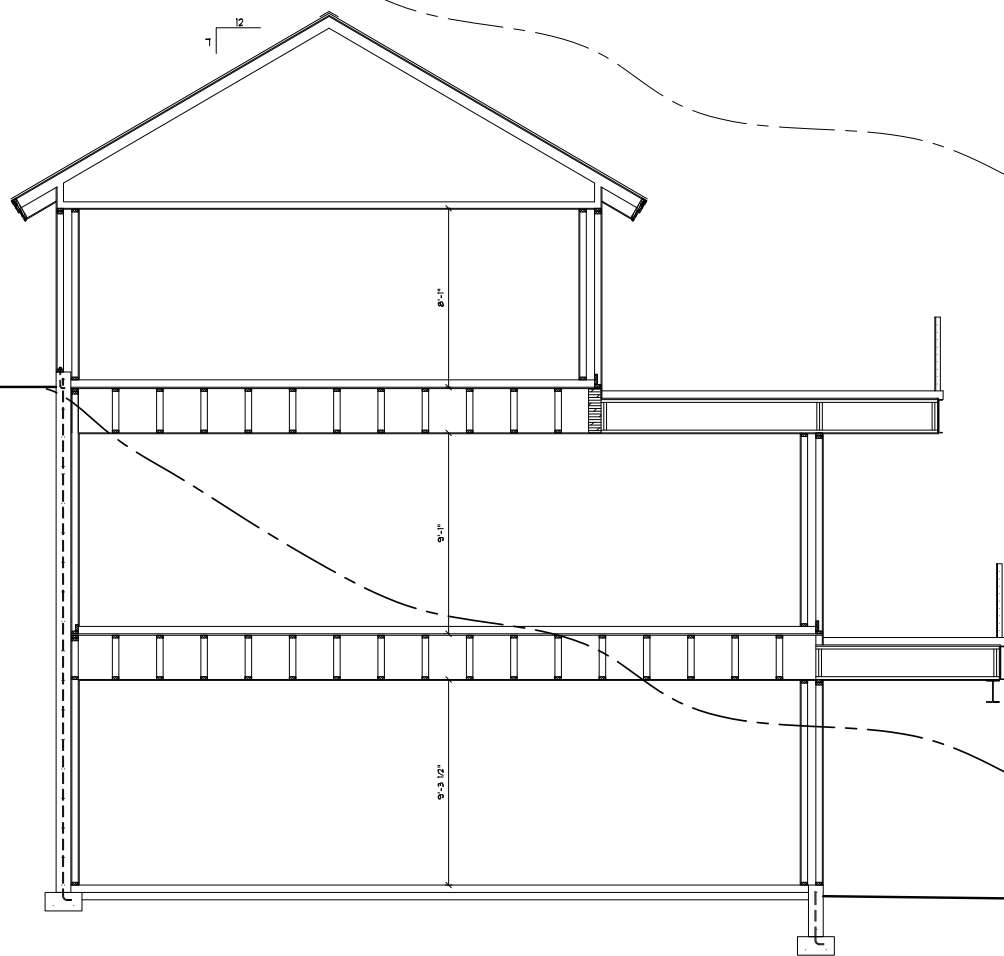
Exhibit J – Building Sections



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BUILDING SECTION SCALE: 3/8" = 1'-0"

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Exhibit J – Building Sections



DYMOND
DESIGN

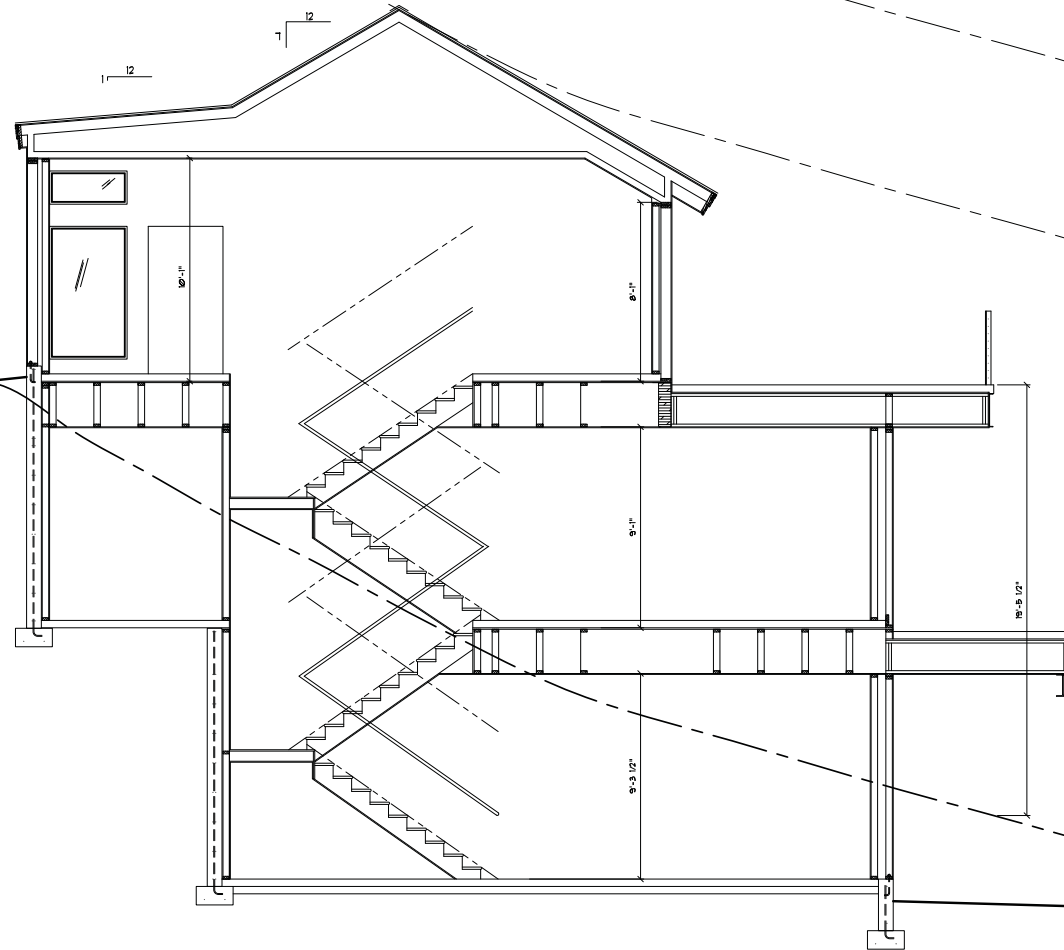
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FILE NO. 114-5
DRAWN BY: B.D.
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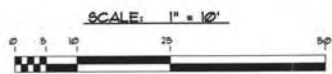
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BUILDING SECTION

SCALE: 3/8" = 1'-0"

Exhibit K – Streetscape, Ontario Avenue looking West



LOOKING SOUTHERLY TOWARD HARBACK



LOOKING EASTERLY ONTO RIGHT OF WAY EASEMENT # 60"



LOOKING EASTERLY ONTO RIGHT OF WAY EASEMENT # 30"



LOOKING WESTERLY TOWARD ONTARIO AVENUE # 30"



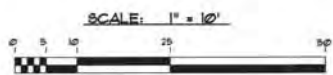
LOOKING WESTERLY TOWARD ONTARIO AVENUE # 60"

429 ONTARIO AVENUE
LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH

STREETSCAPE OF PROPOSED VIEWS

DRAWN BY: RD
DRAWN FOR: MOUNTAIN BLEND
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 10/20/14
REVISION:

Exhibit K – Streetscape, Ontario Avenue looking West



429 ONTARIO AVENUE
LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH



STREETSCAPE, ELEVATION VIEW

DRAWN BY: RD
DRAWN FOR: MOUNTAIN ELEVATIONS
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 8/20/14
REVISION: 001/14-0001

Exhibit L – Streetscape, Ontario Avenue looking East



LOOKING SOUTHERLY TOWARD MARSACK



LOOKING EASTERLY ONTO RIGHT OF WAY EASEMENT • 60°

LOOKING EASTERLY ONTO RIGHT OF WAY EASEMENT • 30°

LOOKING WESTERLY TOWARD ONTARIO AVENUE • 30°

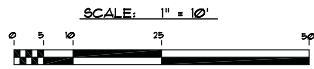
LOOKING WESTERLY TOWARD ONTARIO AVENUE • 60°

429 ONTARIO AVENUE
LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH

STREETSCAPE OF PROPOSED VIEWS

DRAWN BY: SD
DRAWN FOR: MONTAN BLDG.
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 04/20/14
REVISION: .

Exhibit L – Streetscape, Ontario Avenue looking East



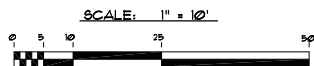
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LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH



STREETSCAPE, ELEVATION VIEW

DRAWN BY: SD
DRAWN FOR: MONTAN BLDRS
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 06/20/14
REVISION: 06/27/14, MCDR 1

Exhibit M – Streetscape Views



LOOKING EASTERLY ONTO RIGHT OF WAY EASEMENT



LOOKING SOUTHERLY TOWARD MARSACK



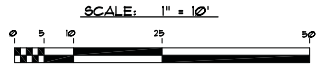
LOOKING WESTERLY TOWARD ONTARIO AVENUE

429 ONTARIO AVENUE
LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
PARK CITY, UTAH

STREETSCAPE OF EXISTING VIEWS

DRAWN BY: SD
DRAWN FOR: MONTAN BLDG.
FILE: LOT 2 ANDERSEN RE-PLAT
DATE: 04/2014
REVISION: .

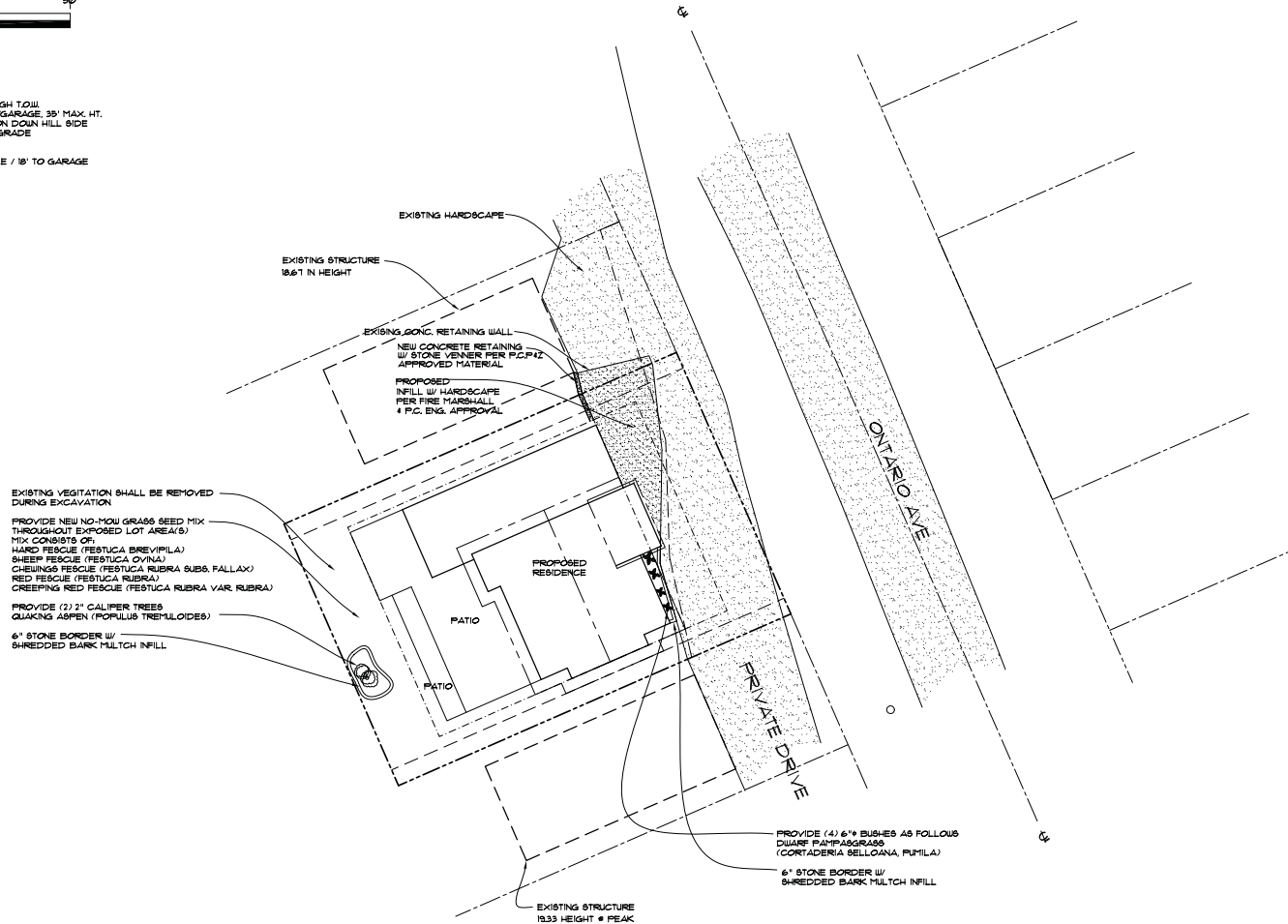
Exhibit N – Preliminary Landscape Plan



ZONING:
BUILDING HEIGHT: 35' LOW FFE / HIGH T.O.W.
EXCEPTION: ADA ELEVATOR/GARAGE, 35' MAX. HT.
ELEVATION VARIATION: MIN. 10' OFFSET ON DOWN HILL SIDE
GRADING VARIATION: 4' WITHIN EXIST. GRADE

SETBACKS:
FRONT: 10' TO HABITABLE / 15' TO GARAGE
SIDE: 5'
REAR: 10'

LOT CRITERIA:
LOT AREA: 3750 SQ. FT.
BUILDABLE ENVELOPE: 2200 SQ. FT.
ALLOWABLE FOOTPRINT: 1915 SQ. FT.



LANDSCAPING PLAN

429 ONTARIO AVENUE
 LOT #2 ANDERSEN RE-PLAT - FIRST AMENDED
 PARK CITY, UTAH

DRAWN BY: SD
 DRAWN FOR: MONTAN BLDG.
 FILE: LOT 2 ANDERSEN RE-PLAT
 DATE: 04/20/14
 REVISION: 11/26/14, HCD/PM







Exhibit O – Man-made features

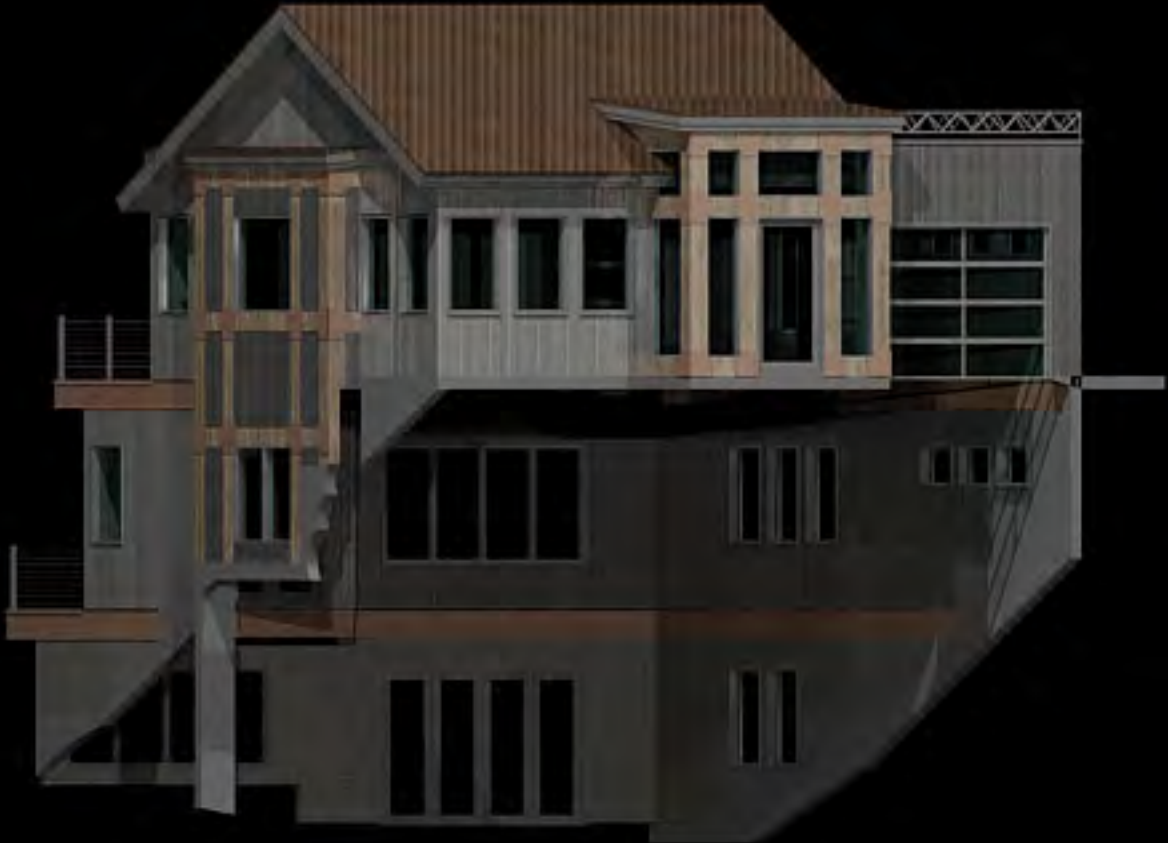


Exhibit O – Man-made features

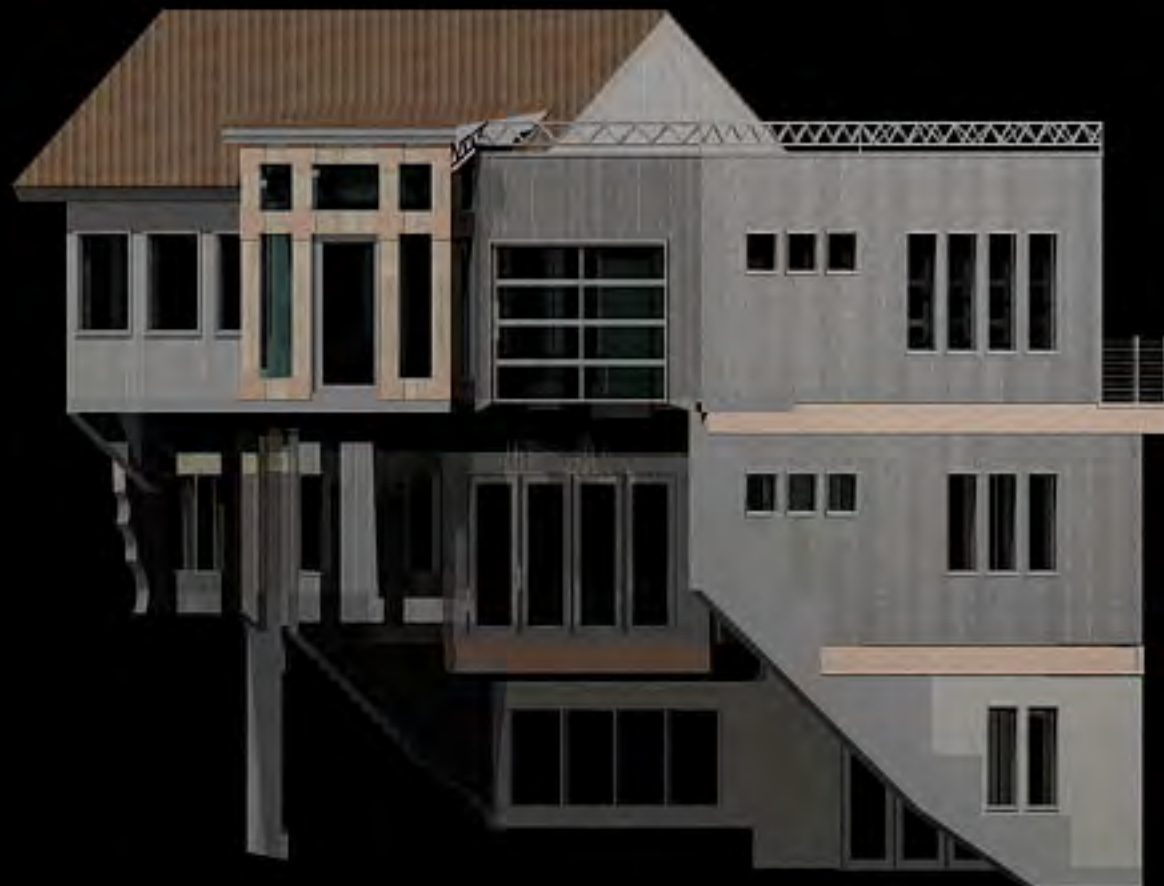


Exhibit O – Man-made features



Exhibit O – Man-made features



Exhibit O – Man-made features



Planning Commission Staff Report



Application No: PL-15-02665
Subject: 259, 261, 263 Norfolk Avenue
Upper Norfolk Subdivision Plat
Author: Francisco J. Astorga, City Planner
Date: March 25, 2015
Type of Item: Administrative – Amending Conditions of Approval on
Ordinance No. 06-55

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for Upper Norfolk Subdivision Plat Amendment, located at 259, 261, 263 Norfolk Avenue, to amend conditions of approval on Ordinance No. 06-55 adopted in 2006 and forward 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.

This Staff report reflects 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

Applicants: 259 Upper Norfolk, LLC, Amos Fiat, member
261 Upper Norfolk, LLC, Amos Fiat, member
263 Upper Norfolk LLC, John Pelichioud, member
Represented by Jerry Fiat
Location: 259/261/263 Norfolk Avenue
Zoning: Historic Residential (HR-1) District
Adjacent Land Uses: Residential
Reason for Review: Plat amendments require Planning Commission review and City Council approval

Proposal

This is a request to remove two (2) conditions of approval on executed Ordinance No. 06-55 adopted in 2006 which approved the Upper Norfolk Subdivision Plat. One of the conditions of approval in the Ordinance called for construction access to take place from King Road rather than Upper Norfolk Avenue. Construction access was made possible through temporary access agreements with adjacent property owners with access from King Road. The agreement was executed and recorded in October 2006, with a stipulation that it would become void December 2009. The Upper Norfolk Subdivision received approval in July 2006 and the plat was recorded in June 2007.

Background

On January 21, 2015, the City received a request for the Upper Norfolk Subdivision Plat

Amendment located at 259/261/263 Norfolk Avenue in the Historic Residential-1 District. The request is to remove two (2) conditions of approvals required in the executed ordinance. The access and layout of the lots are not being amended with this application. The subdivision is comprised of Lots 1, 2, and 3. The lots are accessed from Upper Norfolk Avenue. There is a single shared drive from the northern section of the lots (Exhibit D – Vicinity Map). The property owners of Lots 1, 2 and 3 are currently listed as co-applicants in this plat amendment request to remove two (2) conditions of approval. The applicants are represented by Jerry Fiat.

In July 2006, the City Council approved the Upper Norfolk Subdivision Plat Amendment request in Ordinance No. 06-55. In 2006 the applicant addressed neighborhood concerns, such as designing the driveway to retain the landscape berm, and proposing the construction phasing and staging on King Road, etc. The proposal included a request to demolish a three (3) unit non-historic condominium structure (the triplex had lockout units, therefore the reference in the minutes is a six (6) unit building), vacate the existing condominium plat, and establish three (3) lots of record with the intention of building three (3) single-family dwellings, one (1) in each lot. The plat was recorded at Summit County on June 1, 2007. The Upper Norfolk Avenue Condominiums Plat (prior triplex) was retired by Summit County on June 13, 2007. The triplex was demolished in February 2010.

The plat amendment approval contained the following conditions of approval outlined in the executed ordinance:

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.
3. The lots are to be used for the construction of single family houses.
4. Construction access to the lots is to be from King Road through the adjacent property to the west, as per the submitted construction easement agreements.
5. The construction easement agreements must be finalized and submitted to the City prior to receiving building permits.
6. A Utility/Grading plan is required to be reviewed and approved by the City Engineer prior to issue of a building permit.
7. A note shall be added to the plat prior to recordation that prohibits accessory apartments on the newly created lots.

These conditions above were not added as notes on the plat with the exception of condition no. 7 regarding prohibiting accessory apartments. Conditions of approval 4 and 5 stipulated that construction access would be from King Road via a construction access that would cross separately owned adjacent property through the finalization of construction easement agreements prior to receiving building permits. (Exhibit E –

Temporary Construction Access Easement [expired]).

When the plat amendment was originally approved in 2006, the three (3) lots in the subdivision were owned by the same entity and construction of all three (3) structures was anticipated to occur at the same time. (Exhibit F1 – 26 Jul 2006 Planning Commission Minutes & Exhibit F2 – 7.27.2006 City Council Minutes). Since that time the three (3) lots have been transferred to different entities.

The reason for the requirement of the access agreement was to reduce the construction impact of building three (3) structures all at the same time on the neighborhood. This access was made possible through an agreement that had a specific time frame before it became void. In 2006, Jerry Fiat, had control of the three (3) lots as well as the adjacent property with the access easement directly from King Road. The time period has since lapsed making the construction access from King Road no longer an option for the applicant. The easement agreement was executed and recorded in October 2006. The easement terminated in December 2009.

The 2006 Ordinance had findings of fact stating that due to the steepness of the lots, a steep slope conditional use permit would be required. Since that time, the triplex building was demolished and a more detailed analysis of the slope was evaluated by the Planning Department. Based upon more detailed analysis, the Planning Director determined that the lots do not meet the 30% slope threshold and therefore Steep Slope Conditional Use Permits will not be required.

Analysis

In order to remove the two (2) conditions of approval outlined in executed Ordinance No. 06-55 dealing with the construction access the applicant proposes access from Upper Norfolk Avenue, which is the legal access to the properties. In 2006 the applicant secured staging area behind to property (see Exhibit E2 – Temporary Construction Access Easement [220 King] attached easement). The applicant stated the following in his project description:

All staging, parking, deliveries, cranes, dumpster, porta potty, etc. will not be off the driveway servicing the three lots, and or the properties, and or the additional staging area in the rear of the properties.

No contractors shall park in neighbors, parking spaces, or outside the driveway servicing the lots.

We are proposing to store excavated material from the excavation on site (in the staging area in the rear) for back fill, in order to reduce truck traffic.

We would like to start construction summer of 2015, and complete construction by fall of 2016.

The applicant has indicated that construction for the three (3) single-family dwellings

would take place at the same time and that the above statements would be in compliance with the signed agreement. The work is to terminate in two (2) years or less as the easement agreement indicates such. The Planning Department recognizes that all three (3) lots would have to be utilized for the construction of each structure. Staff recognizes that cross access easement for the three (3) lots would also need to be executed prior to construction as the lots are built upon the available space is reduced.

As staff reviewed the current staging area easement, (see Exhibit E2 – Temporary Construction Access Easement [220 King]), it was found that two (2) legal descriptions were incorrectly drafted in the document, Easement Exhibit D (Work Area), and that the language needs to be fixed.

Staff finds good cause for this request to remove condition of approval no. 4 and 5 from executed Ordinance No. 06-55 due to the expiration of the recorded temporary construction access easement. The remaining conditions of approval shall continue to apply to the site. These three (3) conditions include that the lots are to be used for the construction of single-family houses, a utility/grading plan is required to be reviewed and approved by the City Engineer prior to issuance of a building permit, and that a note is added to the plat prior to recordation that prohibits accessory apartments on the newly created lots.

Staff also recommends adding a condition of approval that indicated that the applicant shall submit a detailed existing conditions landscape plan or survey of the staging area prior to any construction. When the work is finished, the applicant shall be responsible of re-landscaping the disturbed area.

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

Public input has been received by a concerned neighbor. See Exhibit H – Public Comments.

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the Upper Norfolk Subdivision Plat Amendment amending the conditions of approval on executed ordinance no. 06-55 as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for Upper Norfolk Subdivision Plat Amendment amending the conditions

of approval on executed ordinance no. 06-55 and direct staff to make Findings for this decision; or

- The Planning Commission may continue the discussion on Upper Norfolk Subdivision Plat Amendment amending the conditions of approval on executed ordinance no. 06-55.

Significant Impacts

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

They property owners would not be able to build on the lots because they wouldn't have construction access as indicated on the previous condition of approval.

Consequences of not taking the Suggested Recommendation

Condition of approval no. 4 of Ordinance 06-55 can not be met and therefore either some amendment to Ordinance 06-55 will have to occur.

Recommendation

Staff recommends the Planning Commission hold a public hearing for Upper Norfolk Subdivision Plat Amendment, located at 259, 261, 263 Norfolk Avenue, to amend conditions of approval on Ordinance No. 06-55 adopted in 2006 and forward 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

Exhibit B – Executed Ordinance 06-55

Exhibit C – Upper Norfolk Subdivision Plat

Exhibit D – Vicinity Map

Exhibit E1 – Temporary Construction Access Easement (200 King) [expired]

Exhibit E2 – Temporary Construction Access Easement (220 King)

Exhibit F1 – 26 July 2006 Planning Commission Minutes

Exhibit F2 – 27 July 2006 City Council Minutes

Exhibit G – Original Lot Configuration

Exhibit H – Public Comments

Exhibit A – Draft Ordinance No. 15-__

AN ORDINANCE APPROVING THE FIRST AMENDED UPPER NORFOLK SUBDIVISION PLAT AMENDING CONDITIONS OF APPROVAL ON ORDINANCE NO. 06-55 AT 259, 261, 263 NORFOLK AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 259, 261, 263 Norfolk Avenue, have petitioned the City Council for approval of the First Amended Upper Norfolk Subdivision Plat Amendment; and

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

WHEREAS, the executed and recorded temporary construction access easement agreement (document no. 00793227) expired on December 31, 2009; and

WHEREAS, the three (3) lots need to have specific construction mitigation due to the narrowness of built Norfolk Avenue and steepness of the neighborhood; and

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

WHEREAS, the Planning Commission held a public hearing on March 25, 2015, to receive input;

WHEREAS, the Planning Commission, on March 25, 2015, forwarded a recommendation to the City Council; and,

WHEREAS, on _____, 2015, the City Council conducted a public hearing and reviewed the First Amended Upper Norfolk Subdivision Plat Amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Upper Norfolk Subdivision Plat Amendment.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The existing plat amendment 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 properties are located at 259/261/263 Norfolk Avenue.
2. The three (3) proposed lots would share one (1) driveway.
3. The proposed lots are for the purposes of building single-family houses.
4. There is not sufficient area on the Lots to conduct construction staging.
5. Norfolk Avenue is a substandard, narrow street on steep hillside.

6. On-street and off-street parking in the Upper Norfolk Avenue area is significantly limited due to the steep, narrow streets and lack of shoulder areas.
7. Snow removal and emergency access to the Upper Norfolk Avenue neighborhood is frequently difficult to maintain due to the steep, narrow streets and existing high on-street parking demand.
8. LMC § 15-7-6: Subdivisions – General Provisions, Conditions authorizes the City to attach reasonable conditions to land subdivisions which relate to design, dedication, improvement, and restrictive land use so as to conform to the physical and economic development of Park City and to the safety and general welfare of future lot owners in the subdivision and the community at large.
9. In July 2006 the City Council approved the Upper Norfolk Subdivision plat by Ordinance 06-55.
10. The plat was recorded at Summit County on June 01 2007.
11. The property owners requests to remove the following two (2) conditions of approval from Ordinance 06-55:
 4. Construction access to the lots is to be from King Road through the adjacent property to the west, as per the submitted construction easement agreements.
 5. The construction easement agreements must be finalized and submitted to the city prior to receiving building permits.
12. All other conditions of approval in Ordinance 06-55 will remain in effect.
13. Conditions of approval 4 and 5 stipulated that construction access would be from King Road via a construction access that would cross separately owned adjacent property.
14. The access was made possible through a temporary construction access easement agreement that expired in December 2009 and the owners have been unable to secure and extension of this easement.
15. The temporary construction access easement agreement was executed and recorded in October 2006. The easement terminated in December 2009.
16. The applicant has indicated that construction for the three (3) single-family dwellings would take place at the same time and that the above statements would be in compliance with the signed agreement.
17. The proposed construction is to terminate in two (2) years or less as the easement agreement indicates such.
18. Cross access easement for the three (3) lots would also need to be executed prior to construction as the lots are built upon the available space is reduced.
19. The dimension of the Lots will not change with this Plat Amendment. The only change to the Upper Norfolk Subdivision by this First Amended Upper Norfolk Subdivision will be the plat notes and conditions of approval as contained herein.
20. The remaining conditions of approval shall continue to apply to the site. These three (3) conditions include:
 - The lots are to be used for the construction of single family houses.
 - A Utility/Grading plan is required to be reviewed and approved by the City Engineer prior to issuance of a building permit.
 - A note shall be added to the plat prior to recordation that prohibits accessory apartments on the newly created lots.
21. Staff recommends adding a condition of approval that indicates that the applicant

shall submit a detailed existing conditions landscape plan or survey of the staging area prior to any construction. When the work is finished, the applicant shall be responsible of re-landscaping the disturbed area.

Conclusions of Law:

1. There is good cause for this Plat Amendment to amend the conditions of approval of executed ordinance no. 06-55 and add notes to the plat due to the expiration of the recorded temporary construction access easement.
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.
3. The remaining conditions of approval from Ordinance No: 06-55 shall continue to apply.
 - The lots are to be used for the construction of single-family houses
 - A Utility/Grading plan is required to be reviewed and approved by the City Engineer prior to issuance of a building permit
 - A note shall be added to the plat prior to recordation that prohibits accessory apartments on the newly created lots
4. An agreement must be entered into with the City Engineer concerning any construction staging which occurs within platted but un-built Upper Norfolk Right-of-Way
5. Prior to plat recordation, each lot will grant the other two (2) lots construction access easements which shall be executed and recorded and which will not expire until all single-family dwelling structures are built.
6. Prior to plat recordation, the Temporary Construction Access Easement on 220 King language shall be drafted appropriately, and if necessary, the applicant shall work with the easement signee to record an accurate description of the work area identified as Exhibit D on the Easement.
7. The applicant shall submit a detailed existing conditions landscape plan or survey of the staging area prior to any construction. When the work is finished, the applicant shall be responsible of re-landscaping the disturbed area.

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

PASSED AND ADOPTED this __ day of _____, 2015.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Marci Heil, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment A

Plat Notes to be added to First Amended Upper Norfolk Subdivision Plat:

- This subdivision plat is subject to the conditions of approval contained in Ordinance 06-55 and amended by Ordinance 15-XX.
- Accessory apartments are prohibited on the newly created lots.
- Prior to plat recordation, each lot will grant the other two (2) lots construction access easements which shall be executed and recorded and which will not expire until all single-family dwelling structures are built.
- Prior to plat recordation, the Temporary Construction Access Easement on 220 King language shall be drafted appropriately, and if necessary, the applicant shall work with the easement signee to record an accurate description of the work area identified as Exhibit D on the Easement.
- The applicant shall submit a detailed existing conditions landscape plan or survey of the staging area prior to any construction. When the work is finished, the applicant shall be responsible of re-landscaping the disturbed area.

Ordinance No. 06-55

**AN ORDINANCE APPROVING THE UPPER NORFOLK SUBDIVISION
LOCATED AT 259-263 NORFOLK AVENUE, PARK CITY, UTAH.**

WHEREAS, the owners of the property located at 259-263 Norfolk Avenue have petitioned the City Council for approval of the Upper Norfolk 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 July 12, 2006, to receive input on the Upper Norfolk Subdivision;

WHEREAS, the Planning Commission, on July 26, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 27, 2006, the City Council approved the Upper Norfolk Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Upper Norfolk 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 Upper Norfolk 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 259-263 Norfolk Avenue.
2. Currently the property is platted as the 'Upper Norfolk Condominiums'
3. There is an existing triplex structure located on the property.
4. The existing structure does not conform to the height and setback requirements of the HR-1 zoning district.
5. The applicant is proposing demolishing the existing structure.
6. The applicant is proposing vacating the existing 'Upper Norfolk Condominiums' plat.
7. The applicant is proposing establishing three lots of record – identified on the proposed plat as Lot 1, Lot 2, and Lot 3.

8. Lot 1 and Lot 2 measure 40.67 feet by 69.15 feet and contain 2812.33 square feet.
9. Lot 3 measures 39.98 feet at the front, 51.07 feet at the rear, 69.15 feet on the south side and 70.03 feet on the north side.
10. The proposed access to the lots is from Norfolk Avenue on the north side of the property.
11. The three proposed lots would share one driveway.
12. The proposed lots are for the purposes of building single family houses.
13. The proposed lots have slopes of greater than 30% and are subject to Conditional Use Permit, Construction on a steep slope review.
14. There is not sufficient area on the property to conduct construction staging.
15. Norfolk Avenue and Upper Norfolk Avenue are substandard, narrow streets on steep hillsides.
16. On-street and off-street parking in the Norfolk / Upper Norfolk Avenue area is significantly limited due to the steep, narrow streets and lack of shoulder areas.
17. Snow removal and emergency access to the Norfolk / Upper Norfolk Avenue neighborhood is frequently difficult to maintain due to the steep, narrow streets and existing high on-street parking demand.
18. LMC Section 15-7-6: Subdivisions – General Provisions, Conditions authorizes the City to attach reasonable conditions to land subdivisions which relate to design, dedication, improvement, and restrictive land use so as to conform to the physical and economic development of Park City and to the safety and general welfare of future lot owners in the subdivision and the community at large.
19. Accessory apartments are conditional uses in the HR-1 zoning district and require one parking space per bedroom.
20. Accessory apartments will increase the parking demand in the Norfolk / Upper Norfolk Avenue neighborhood.

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 is 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

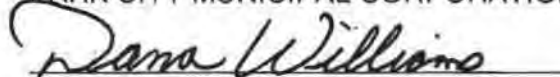
from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

3. The lots are to be used for the construction of single family houses.
4. Construction access to the lots is to be from King Road through the adjacent property to the west, as per the submitted construction easement agreements.
5. The construction easement agreements must be finalized and submitted to the City prior to receiving building permits.
6. A Utility / Grading Plan is required to be reviewed and approved by the City Engineer prior to the issuance of building permits.
7. A note shall be added to the plat prior to recordation that prohibits accessory apartments on the newly created lots.

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

PASSED AND ADOPTED this 27th day of July, 2006.

PARK CITY MUNICIPAL CORPORATION


Mayor Dana Williams

Attest:


Janet M. Scott, City Recorder

Approved as to form:

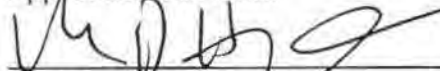

Mark D. Harrington, City Attorney



Exhibit C – Upper Norfolk Subdivision Plat

Upper Norfolk Subdivision

An Amended Lot Line Plat in

A Portion of Block 78 Millsite Reservation

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned is a member of Upper Norfolk Properties, L.L.C., the owner of the herein described Upper Norfolk Subdivision, Millsite Reservation, to the Park City Survey, and having caused this Plat Amendment to be made, does hereby consent to the recording of this Record of Survey Plat in the office of the County Recorder of Summit County, Utah, in accordance with Utah Law. Also, the owners hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned has set his hand this 10 day of Oct, 2006.

By: David Hanson
Member, Upper Norfolk Properties, L.L.C.

Legend

- Found Street Monument
- Found rebar & cap-LS 173736
- Found rebar & cap-LS 154941
- Set rebar & cap-LS 359005
- Set nail & washer-LS 359005
- Address on Norfolk Avenue

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit

On this 10 day of Oct, 2006, David Hanson personally appeared before me, the undersigned Notary Public in and for said State and County, who after being duly sworn, acknowledged to me that he is a member of Upper Norfolk Properties, L.L.C., that he has signed the above Owner's Dedication and Consent to Record on behalf of said Upper Norfolk Properties, L.L.C., that he has been duly appointed as member as the set of said Upper Norfolk Properties, L.L.C., for the purpose set forth herein.

My commission expires: Nov. 13, 2007

Robert C. [Signature]
NOTARY PUBLIC
RESIDING IN UTAH COUNTY, Summit

SURVEYOR'S CERTIFICATE

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

9/2/06
Date

J.D. GALEY, L.S. #359005

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit

On this 10 day of Sept, 2006, Jerry Flat personally appeared before me, the undersigned Notary Public in and for said State and County, who after being duly sworn, acknowledged to me that he is a member of Upper Norfolk, L.L.C., that he has signed the above Owner's Dedication and Consent to Record on behalf of said Upper Norfolk, L.L.C., that he has been duly appointed as member as the set of said Upper Norfolk, L.L.C., for the purpose set forth herein.

My commission expires: Nov. 29, 2006

Robert C. [Signature]
NOTARY PUBLIC
RESIDING IN UTAH COUNTY, Summit

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned is a member of Upper Norfolk, L.L.C., the owner of the herein described Upper Norfolk Subdivision, Millsite Reservation, to the Park City Survey, and having caused this Plat Amendment to be made, does hereby consent to the recording of this Record of Survey Plat in the office of the County Recorder of Summit County, Utah, in accordance with Utah Law. Also, the owners hereby irrevocably offer for dedication to the City of Park City all the streets, land for local government uses, utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned has set his hand this 10 day of Sept, 2006.

By: Jerry Flat
Member, Upper Norfolk, L.L.C.

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit

On this 10 day of Sept, 2006, Jerry Flat personally appeared before me, the undersigned Notary Public in and for said State and County, who after being duly sworn, acknowledged to me that he is a member of Upper Norfolk, L.L.C., that he has signed the above Owner's Dedication and Consent to Record on behalf of said Upper Norfolk, L.L.C., that he has been duly appointed as member as the set of said Upper Norfolk, L.L.C., for the purpose set forth herein.

My commission expires: Nov. 29, 2006

Robert C. [Signature]
NOTARY PUBLIC
RESIDING IN UTAH COUNTY, Summit

NEW LEGAL DESCRIPTIONS

Lot 1:
Beginning at a point which lies South 23°38' East, 34.33 feet from the Southeast corner of Lot 33, Block 78, Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 355.86 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence South 23°38' East, along the westerly right of way of Norfolk Avenue, 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°38' West, 40.63 feet; thence North 66°22' East, 69.15 feet to the point of beginning, containing 2812.33 square feet, more or less.

Lot 2:
Beginning at a point which lies North 23°38' West, 6.34 feet from the Southeast corner of Lot 33, Block 78, Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 396.53 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence North 23°38' West, along the westerly right of way of Norfolk Avenue, 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°38' West, 40.63 feet; thence North 66°22' East, 69.15 feet to the point of beginning, containing 2812.33 square feet, more or less.

Lot 3:
Beginning at a point which lies North 23°38' West, 6.34 feet from the Southeast corner of Lot 33, Block 78, Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 396.53 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence North 23°38' West, along the westerly right of way of Norfolk Avenue, 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°38' West, 40.63 feet; thence North 66°22' East, 69.15 feet to the point of beginning, containing 2812.33 square feet, more or less.

ACKNOWLEDGEMENT

STATE OF UTAH
County of Summit

On this 10 day of Sept, 2006, Jerry Flat personally appeared before me, the undersigned Notary Public in and for said State and County, who after being duly sworn, acknowledged to me that he is a member of Upper Norfolk, L.L.C., that he has signed the above Owner's Dedication and Consent to Record on behalf of said Upper Norfolk, L.L.C., that he has been duly appointed as member as the set of said Upper Norfolk, L.L.C., for the purpose set forth herein.

My commission expires: Nov. 29, 2006

Robert C. [Signature]
NOTARY PUBLIC
RESIDING IN UTAH COUNTY, Summit

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS
ON THIS 10 day of Sept, 2006.

By: B. [Signature]
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 26th DAY OF JULY 2006 A.D.

By: Paul Thomas
CHAIRMAN

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 27th DAY OF SEPTEMBER, 2006 A.D.

By: David [Signature]
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 21st DAY OF SEPTEMBER, 2006 A.D.

By: Robert [Signature]
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 27th DAY OF SEPTEMBER, 2006 A.D.

By: Robert [Signature]
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 27th DAY OF JULY, 2006 A.D.

By: Deanna Williams
MAYOR

814949 RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Coalition Title

DATE 6-1-07 TIME 4:00 PM PAGE 1

33 FEE Deanna Williams, Deputy RECORDER

Exhibit D - Vicinity Map
Upper Norfolk Subdivision
259, 261, 263 Norfolk Avenue



Legend

- Address
- Parcels
- Streets

0 20 40 80 120

Planning Commission Meeting - March 25, 2015

209

Page 330 of 365

WHEN RECORDED RETURN TO
Upper Norfolk, LLC
PO Box 244
Park City, UT 84060

ALAN SPRIGGS, SUMMIT CO RECORDER
2006 OCT 06 12:47 PM FEE \$29.00 BY BW
REQUEST: COALITION TITLE AGENCY, INC.
Electronically Recorded by Simplifile

TEMPORARY CONSTRUCTION ACCESS EASEMENT

This Agreement, made this 6 day of October 20 06, between P.C. Estate Development, LLC., owner of legal and equitable title of the Servient Parcel, hereinafter designated Grantor, and the Upper Norfolk, LLC., hereinafter designated Grantee, owner of legal and equitable title to the Dominant Parcel.

Recitals.

1. The purpose of this Agreement is to provide an access road to the Dominant Parcels to receive construction materials and equipment. It is not intended to be used for any other purpose, including but not limited to parking, ingress and egress of construction workers.
2. Grantee intends to limit the use of the Road to the minimum and create the least possible disturbance in connection with the construction of the structures on the Dominant Parcel.
3. This Agreement is shall become effective upon approval by Park City of the plat and plans for construction on the Dominant Parcels, and the agreed consideration is paid.

NOW THEREFORE, for good and valuable consideration does hereby grant unto the Grantee, its heirs, successors, assigns, agents, contractors, subcontractors, and employees:

A. a temporary non-exclusive right of way for ingress and egress over and across the existing driveway ("Road") on the property described on Exhibit A ("Servient Parcel") for all vehicles, trucks, and construction equipment related to Grantee's performance of any and all construction activities necessary for Grantee to construct three residential homes on Grantee's three properties, which properties are more fully described on Exhibit B (the "Dominant Parcels"). Grantee will be required to construct a temporary road (the "Road") across the Servient Parcel in the approximate location as drawn on Exhibit C to gain access to the Dominant Parcel for construction purposes.

IT IS UNDERSTOOD that the Easement rights herein granted shall terminate 2 years from the date that construction begins on the Dominant Parcels, in no event later than December 31, 2009. Grantee shall use all reasonable efforts to minimize use of the Road. When the last structure on the Dominant Parcels are dried in and the exterior grading is complete, Grantor may request to vacate this Easement for the Road prior to the termination date, which request will not be unreasonably denied.

IT IS ALSO UNDERSTOOD that the Easement herein granted does not convey any right or interest in the above described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not interfere with the Grantee's rights herein granted.

In addition, the Grantee, including its successors, assigns, agents, contractors, and employees agree to

BK1822 PG0039

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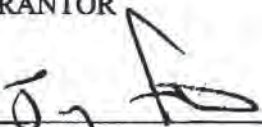
the following conditions:

1. **CONSTRUCTION OF ROAD:** Grantee shall construct the Road and take appropriate measures to control erosion and to avoid trespass on adjacent properties.
2. **DAMAGE TO PROPERTY:** Grantee shall exercise care to avoid damaging the property in any manner not consistent with the purpose for which this agreement is issued, and shall restore any damaged property to its original condition or a reasonably equivalent condition.
3. **COOPERATION WITH GRANTOR:** Grantee shall at all times cooperate with Grantor(s) and comply with reasonable requests not inconsistent with the purpose for which this agreement is issued. It is understood that Grantor is not a full time resident of the Servient Parcel. Grantee shall reasonably curtail any noise causing or dust causing construction activity on the access road, in such a way to not affect Grantor's and others' reasonable use of the ski easement and trail easement. Grantee will use its best efforts to accommodate Grantor's requests and use all reasonable efforts to limit the use and schedule the use of the access road .
4. **PARKING:** No part of the Servient Parcel may be used for parking construction vehicles or construction employee vehicles, other than for temporary loading or unloading.
5. **CLEAN-UP:** Grantee will keep the Servient Parcel free of construction related litter and debris. The construction site shall be kept clean and organized, and related litter shall be removed daily. Grantee shall inspect the site to ensure the site is free of construction debris. As necessary, during construction, Grantee shall clean the windows on Grantor's homes that face the construction site on a quarterly basis in any quarter during which the construction activities cause dust. Grantee shall clean all the ground occupied of all rubbish, excess material, temporary structures, and equipment.
6. **CONSTRUCTION MAINTENANCE.** Grantee shall comply with all applicable building codes, including but not limited to providing: silt fencing, erosion controls, maintain limits of disturbance, as well as provide a safe way for area residents, adjoining property owners, and the general public to use and access the Sweeney Master Plan Trails ("Trails"). Grantee will not disturb the Trails, and will make all necessary repairs to keep the Trails in their pre-construction condition.
7. **RE-LANDSCAPING.** Within 90 days after completion of construction (the date on which the local government grants a permanent certificate of occupancy), Grantee shall uniformly grade the Work Area, and the Road and re-landscape the Road and Work Area according the plan attached as Exhibit C.
8. **INDEMNITY & INSURANCE.** Grantee will use the Road, the Work Area and the Servient Parcel at its sole risk and expense. Grantee will indemnify and defend Grantor from and against all claims and liabilities, including reasonable attorneys' fees arising out of Grantee's use of the Servient Parcel. During construction, Grantee shall maintain a property and liability insurance policy in the amount of \$2 million, for its use of the Servient Parcels, naming Grantor as an additional insured.
9. **GATE ENCLOSURE:** All individuals accessing the property shall close and lock the gate entrance to the Servient Parcel at every entrance and exit.

10. GRANTOR'S RIGHT OF PERFORMANCE: If Grantee fails to comply with the terms of this Easement, including but not limited to cleaning up, restoring Grantor's property, obtaining insurance, and locking the gate enclosure, Grantor shall provide Grantee a written notice of any such failure and seven calendar days to cure. If Grantee fails to cure, Grantor may perform in place of Grantee and shall charge Grantee all costs of Grantor's performance, plus a fee of 20% of the costs of performance. If Grantor reasonably determines that Grantee continues to fail to comply with the terms herein after a written notice to cure, Grantor may rescind this Easement. Notwithstanding anything herein to the contrary, in the case of emergency, Grantor reserves the right to cleanup, lock up, and perform any other act required of Grantee and to charge Grantee for the same plus a fee of 20% of the cost of performance, without any prior notice.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this 6 day of October 2006.

GRANTOR



 Jerry Fiat, Member
 P.C. Estate Development, LLC

GRANTEE

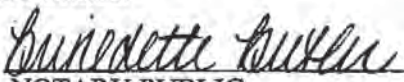


 Jerry Fiat, Member
 Upper Norfolk, LLC

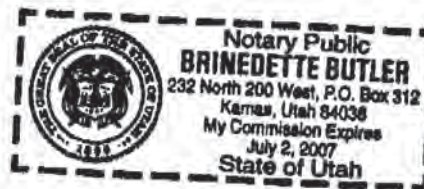
State of Utah)
) ss.
 County of Summit)

Before me, the undersigned, a Notary Public within and for said County and State, on this 6 day of October 2006, personally appeared to me Jerry Fiat, known to be the identical person(s) who executed the within and foregoing instrument stating that he had authority of P.C. Estate Development, LLC., for the uses and purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



 NOTARY PUBLIC



State of Utah)
) ss.
 County of Summit)

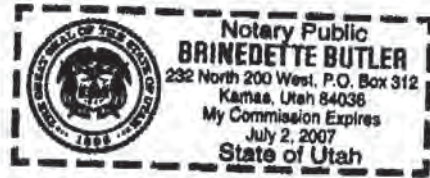
Before me, the undersigned, a Notary Public within and for said County and State, on this ____ day of October 2006, personally appeared to me Jerry Fiat, known to be the identical person(s) who executed the within and foregoing instrument, stating that he had authority of Upper Norfolk, LLC., for the uses and purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

EK1822 PG0041



Brinedette Butler
NOTARY PUBLIC



BK1822 PG0042

Exhibit A
(Servient Parcel)

LOT 1 TREASURE HILL SUBDIVISION PHASE 1; ACCORDING TO THE OFFICIAL PLAT ON
FILE IN THE SUMMIT COUNTY RECORDERS OFFICE CONT 37,283 SQ FT OR 0.86 AC 958-
299 (REF: 671-90; 951-682; 1345-1078; 1413-76& 1483-1699; 1483-1702; 1484-1142; 1486-1022)
1678-1202

BK1822 PG0043

Exhibit B
(Dominant Parcels)

Lot 1

Beginning at a point which lies South 23°38' East, 34.33 feet from the Southeast corner of Lot 33, Block 78 Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 396.53 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence South 23°38' East, along the westerly right of way of Norfolk Avenue 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°48' West, 40.67 feet; thence North 66°22' East, 69.15 feet to the point of beginning; containing 2812.33 square feet, more or less.

Lot 2

Beginning at a point which lies South 23°38' East, 34.33 feet from the Southeast corner of Lot 33, Block 78 Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 355.86 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence South 23°38' East, along the westerly right of way of Norfolk Avenue 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°48' West, 40.67 feet; thence North 66°22' East, 69.15 feet to the point of beginning; containing 2812.33 square feet, more or less.

Lot 3

Beginning at a point which lies South 23°38' West, 6.34 feet from the Southeast corner of Lot 33, Block 78 Millsite Reservation, Park City, Utah, and running thence South 66°22' West, 69.15 feet; thence North 23°38' West, 51.07 feet; thence North 75°28'35" East, 70.03 feet to the northerly corner of said Lot 33, thence South 23°38' East 39.98 feet to the point of beginning; contains 0.072 acres, more or less.

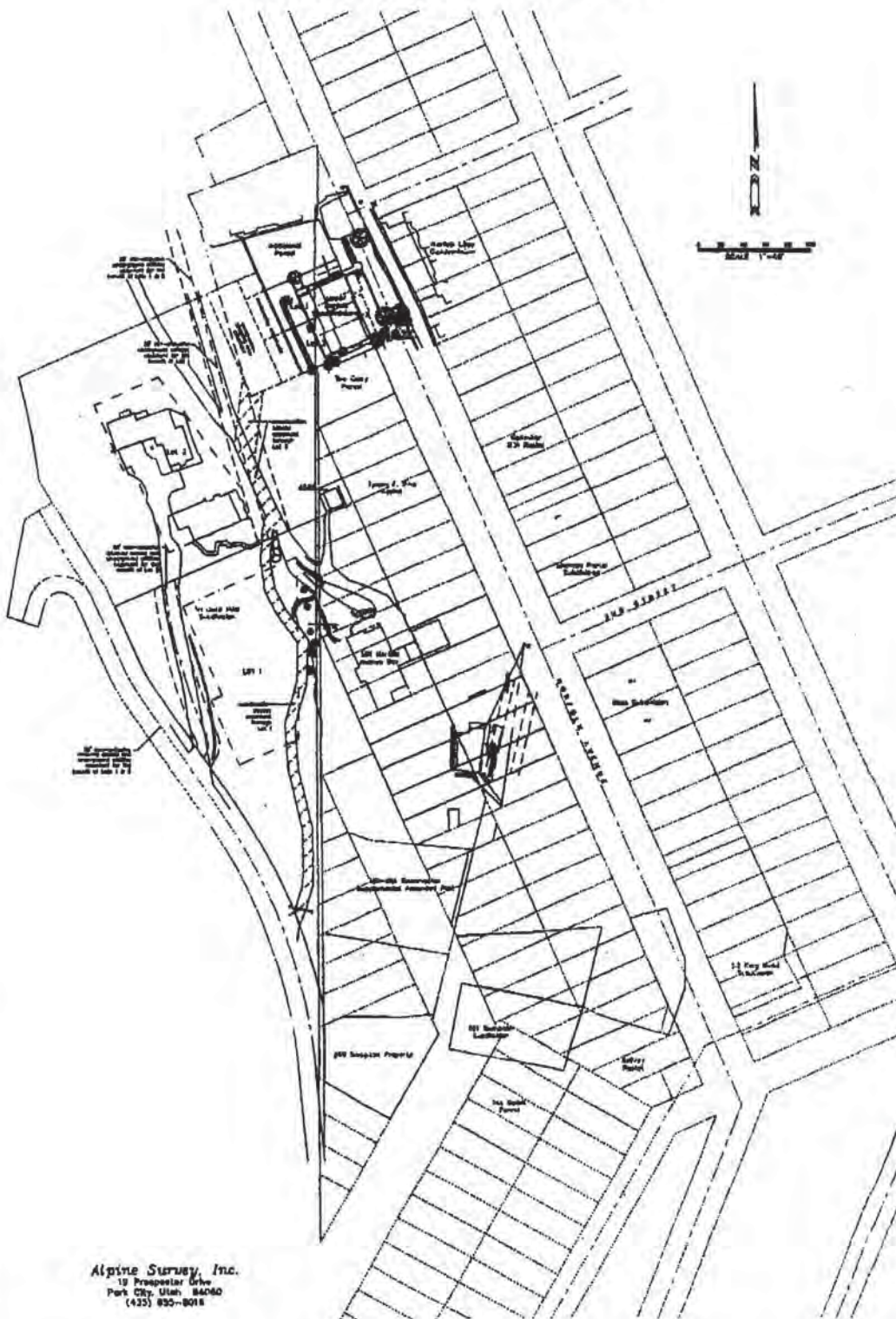
BK1822 PG0044

Exhibit C
(Map of Road and Relandscaping Plan)

BK1822 PG0045

00793227

*Park City Survey
Blocks 31, 32, 77, 78 & 79*

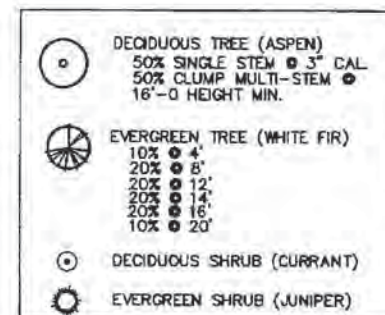
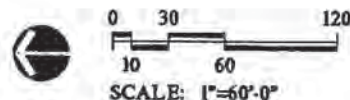


Alpine Survey, Inc.
19 Prosperous Drive
Park City, Utah 84060
(435) 835-8018

BK1822 PG0046



1. THIS DOCUMENT ILLUSTRATES THE DESIGN INTENT ON THE AGREEMENT. GRANTEE SHALL PROVIDE EASEMENT GRANTOR WITH CONSTRUCTION ACCESS PLANS INCLUDING ACCESS LAYOUT, EROSION CONTROL PLAN, REVEGETATION PLAN, PLANTING PLAN, AND IRRIGATION PLAN FOR APPROVAL BY EASEMENT GRANTOR PRIOR TO START OF ASSOCIATED CONSTRUCTION.
2. ALL PLANT LOCATIONS SHALL BE STAKED BY THE GRANTEE AND APPROVED BY THE EASEMENT GRANTOR PRIOR TO INSTALLATION.
3. EXISTING TREES REMOVED OR DAMAGED SHALL BE REPLACED IN KIND.
4. ALL AREAS CUT OR FILLED TO WIDEN ACCESS ROAD SHALL BE RETURNED TO ORIGINAL GRADES.
5. ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE BROUGHT TO FINISH GRADES. INSTALL 6 INCHES OF TOPSOIL, SEED WITH APPROVED NATIVE GRASS AND WILDFLOWER MIX, AND MULCHED. SLOPES 3:1 OR STEEPER AND ALL DRAINAGE SWALES SHALL BE COVERED WITH EROSION BLANKET.
6. ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE IRRIGATED.
7. ALL TREES, SHRUBS, AND GROUND COVERS SHALL BE IRRIGATED.
8. GRANTEE SHALL PROVIDE 2 YEAR WARRANTY FOR ALL PLANT MATERIAL AND REVEGETATION.



Upper Norfolk Condominiums

Study CSM: 1346

ALAN SPRIGGS, SUMMIT CO RECORDER
 2006 SEP 14 10:21 AM FEE \$33.00 BY BW
 REQUEST: SUMMIT ESCROW AND TITLE INSURA
Electronically Recorded by Simplifile

WHEN RECORDED RETURN TO
 Upper Norfolk, LLC
 PO Box 244
 Park City, UT 84060

Accommodation Recording

TEMPORARY CONSTRUCTION & ACCESS EASEMENT

This Agreement, made this 2th day of August 20 06, between Robert R. Sfire, owner of legal and equitable title of the Servient Parcel, hereinafter designated Grantor, and the Upper Norfolk, LLC., hereinafter designated Grantee, owner of legal and equitable title to the Dominant Parcel,

Recitals.

1. The purpose of this Agreement is to provide access to the Dominant Parcels to receive construction materials and equipment and to stage construction. It is not intended to be used for any other purpose, including but not limited to parking, ingress and egress of construction workers.
2. Grantee intends to limit the use of the Work Area and Road to the minimum and create the least possible disturbance in connection with the construction of the structures on the Dominant Parcel.
3. This Agreement ~~X~~ shall become effective upon approval by Park City of the plat and plans for construction on the Dominant Parcels, and the agreed consideration is paid. *J. Munk*

NOW THEREFORE, for good and valuable consideration does hereby grant unto the Grantee, its heirs, successors, assigns, agents, contractors, subcontractors, and employees:

A. a temporary non-exclusive right of way for ingress and egress over and across the property described on Exhibit A ("Servient Parcel") for all vehicles, trucks, and construction equipment related to Grantee's performance of any and all construction activities necessary for Grantee to construct residential homes on each of Grantee's three properties, which properties are more fully described on Exhibit B (the "Dominant Parcels"). Grantee will be required to construct a temporary road (the "Road") across the Servient Parcel from the property with the address 700 King Road to the Dominant Parcel in the approximate location as drawn on Exhibit C to gain access to the Dominant Parcel for construction purposes. *J. Munk*

B. a temporary easement for a work area for the staging of any and all materials and equipment (including without limitation, cranes, back hoes, lifts, and any other reasonably necessary piece of equipment), on that portion of the Servient Parcel as described on Exhibit D ("Work Area") for the purpose of constructing a residential homes on each of Grantee's three properties.

C. a temporary easement and the right to erect and use construction equipment, including a crane, on the Work Area and to use the airspace above portions of the Servient Parcel for moving said crane and materials to and around the site of Grantee's construction herein described, except that a long-term crane (a crane which stays for more than two weeks) shall only be placed on the 20 most Eastern feet of the Construction Area on the Servient Parcel.

IT IS UNDERSTOOD that the Easement rights herein granted shall terminate 2 years from the date that construction begins on the Dominant Parcel. Grantee shall use all reasonable efforts to minimize use of the Road. When the last structure on the Dominant Parcels are dried in and the exterior grading is complete, Grantor may request to vacate this Easement for the Road prior to the termination date,

which request will not be unreasonably denied.

IT IS ALSO UNDERSTOOD that the Easement herein granted does not convey any right or interest in the above described property, except as stated herein, nor prevent Grantor from the use of said property; provided, however that such use does not materially interfere with the Grantee's rights herein granted.

In addition, the Grantee, including its successors, assigns, agents, contractors, and employees agree to the following conditions:

1. **CONSTRUCTION OF ROAD:** Grantee shall construct the Road and take appropriate measures to control erosion and to avoid trespass on adjacent properties.
2. **DAMAGE TO PROPERTY:** Grantee shall exercise care to avoid damaging the property in any manner not consistent with the purpose for which this agreement is issued, and shall restore any damaged property to its original condition or a reasonably equivalent condition.
3. **COOPERATION WITH GRANTOR:** Grantee shall at all times cooperate with Grantor(s) and comply with reasonable requests not inconsistent with the purpose for which this agreement is issued. It is understood that Grantor is not a full time resident of the Servient Parcel. Grantee shall reasonably curtail any noise causing or dust causing construction activity on the access road, in such a way to not affect Grantor's and others' reasonable use of the ski easement and trail easement. Grantee will use its best efforts to accommodate Grantor's requests and use all reasonable efforts to limit the use and schedule the use of the access road .
4. **PARKING:** No part of the Servient Parcel may be used for parking construction vehicles or construction employee vehicles, other than for temporary loading or unloading.
5. **CLEAN-UP:** Grantee will keep the Servient Parcel free of construction related litter and debris. The construction site shall be kept clean and organized, and related litter shall be removed daily. Grantee shall inspect the site to ensure the site is free of construction debris. As necessary, during construction, Grantee shall clean the windows on Grantor's homes that face the construction site on a quarterly basis in any quarter during which the construction activities cause dust. Grantee shall clean all the ground occupied of all rubbish, excess material, temporary structures, and equipment.
6. **CONSTRUCTION MAINTENANCE.** Grantee shall comply with all applicable building codes, including but not limited to providing: silt fencing, erosion controls, maintain limits of disturbance, as well as provide a safe way for area residents, adjoining property owners, and the general public to use and access the Sweeney Master Plan Trails ("Trails"). Grantee will not disturb the Trails, and will make all necessary repairs to keep the Trails in their pre-construction condition.
7. **RE-LANDSCAPING.** Within 90 days after completion of construction (the date on which the local government grants a permanent certificate of occupancy), Grantee shall uniformly grade the Work Area, and the Road and re-landscape the Road and Work Area according the plan attached as Exhibit C.
8. **INDEMNITY & INSURANCE.** Grantee will use the Road, the Work Area and the Servient Parcel at its sole risk and expense. Grantee will indemnify and defend Grantor from and against

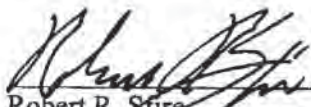
all claims and liabilities, including reasonable attorneys' fees arising out of Grantee's use of the Servient Parcel. During construction, Grantee shall maintain a property and liability insurance policy in the amount of \$2 million, for its use of the Servient Parcels, naming Grantor as an additional insured.

9. GATE ENCLOSURE: All individuals accessing the property shall close and lock the gate entrance to the Servient Parcel at every entrance and exit.

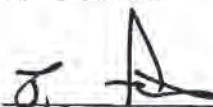
10. GRANTOR'S RIGHT OF PERFORMANCE: If Grantee fails to comply with the terms of this Easement, including but not limited to cleaning up, restoring Grantor's property, obtaining insurance, and locking the gate enclosure, Grantor shall provide Grantee a written notice of any such failure and seven calendar days to cure. If Grantee fails to cure, Grantor may perform in place of Grantee and shall charge Grantee all costs of Grantor's performance, plus a fee of 20% of the costs of performance. If Grantor reasonably determines that Grantee continues to fail to comply with the terms herein after a written notice to cure, Grantor may rescind this Easement. Notwithstanding anything herein to the contrary, in the case of emergency, Grantor reserves the right to cleanup, lock up, and perform any other act required of Grantee and to charge Grantee for the same plus a fee of 20% of the cost of performance, without any prior notice.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed this ____ day of August 2006.

GRANTOR


Robert R. Sfire
member, 220 King Rd, LHO

GRANTEE

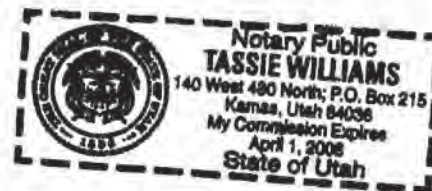

Jerry Fiat, Member
Upper Norfolk, LLC

State of Utah)
) ss.
County of Summit)

Before me, the undersigned, a Notary Public within and for said County and State, on this 3rd day of August 2006, personally appeared to me Robert R. Sfire, known to be the identical person(s) who executed the within and foregoing instrument for the uses and purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

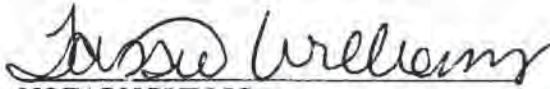

NOTARY PUBLIC

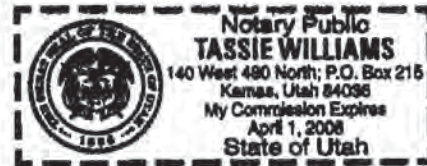


State of Utah)
) ss.
County of Summit)

Before me, the undersigned, a Notary Public within and for said County and State, on this 8th day of August 2006, personally appeared to me Jerry Fiat, known to be the identical person(s) who executed the within and foregoing instrument, stating that he had authority of Upper Norfolk, LLC., for the uses and purposes herein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.


NOTARY PUBLIC



BK1816 PG1550

Exhibit A
(Servient Parcel)

The following adjacent parcels:

THILL-2-A-AM

A PORTION OF LOT 2, TREASURE HILL SUBDIVISION PHASE 1 AMENDED, MORE PARTICULARLY DESC AS FOLLOWS: BEG AT A PT WH IS S 66°22' W 21.67 FT & S 00°08'50" E 81.95 FT M/L FROM THE NE COR OF LOT 32 BLK 78 MILLSITE RESERVATION TO PARK CITY UTAH SD PT ALSO BEING S 66°40' W 240.50 FT & S 00°08'50" E 599.26 FT FROM A PARK CITY MONUMENT AT THE INT/SEC OF PARK AVENUE & 4TH STREET; & RUN TH S 00°08'50" E 136.08 FT; TH S 66°22' W 201.18 FT; TH N23°31'34" W 17.11 FT; TH N 31°26'11" W 109 FT TO THE PT OF BEG & RUN TH N 31°26'11" W 7.94 FT TO A PT ON A 605 FT RAD CUR TO THE LEFT (LONG CHORD BEARS N 11°00' W 94.07 FT); TH RUN NW'LY ALONG THE ARC OF SD CUR 94.16 FT (DELTA=08°55'04"); TH N 66°22' E 234.29 FT; TH S 23°38' E 100.00 FT; TH S 28°32'08" W 115.445 FT; TH W 177.49 FT TO THE PT OF BEG CONT 0.77 AC 958-302-311-313 973-487-4891433-946-950 (REF:671-90; 951-682; 1345-1078; 1413-76 & 1483-1699; 1483-1702; 1484-1142; 1486-1022)

THILL-2-B-AM

A PORTION OF LOT 2 TREASURE HILL SUBDIVISION PHASE 1 AMENDED, MORE PARTICULARLY DESC AS FOLLOWS: BEG AT A PT WH IS S 66°22' W 21.67 FT & S 00°08'50" E 81.95 FT M/L FROM THE NE COR OF LOT 32 BLK 78 MILLSITE RESERVATION TO PARK CITY UTAH SD PT ALSO BEING S 66°40' W 240.50 FT & S 00°08'50" E 599.26 FT FROM A PARK CITY MONUMENT AT THE INT/SEC OF PARK AVENUE & 4TH STREET; & RUN TH S 00°08'50" E 136.08 FT; TH S 66°22' W 201.18 FT; TH N23°31'34" W 17.11 FT; TH N 31°26'11" W 109.00 FT; TH E 177.49 FT; TH N 28°32'08" E 115.445 FT; TH N 66°12'00" E 16.39 FT TO THE PT OF BEG CONT 0.47 AC 958-302-315-317 1433-948-952 (REF:671-90; 951-682; 1345-1078; 1413-76 & 1483-1699; 1483-1702; 1484-1142; 1486-1022) CONSTANCE M SFIRE AN UND 1/2 INT 958-315-317; & 220 KING ROAD LLC AN UND 1/2 INT 1433-952;

BK1816 PG1551

Exhibit B
(Dominant Parcels)

Lot 1

Beginning at a point which lies South 23°38' East, 34.33 feet from the Southeast corner of Lot 33, Block 78 Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 396.53 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence South 23°38' East, along the westerly right of way of Norfolk Avenue 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°48' West, 40.67 feet; thence North 66°22' East, 69.15 feet to the point of beginning; containing 2812.33 square feet, more or less.

Lot 2

Beginning at a point which lies South 23°38' East, 34.33 feet from the Southeast corner of Lot 33, Block 78 Millsite Reservation, Park City, Utah, said point also being North 23°38' West, 355.86 feet and South 66°22' West, 25.00 feet from the intersection of Norfolk Avenue & 2nd Street and running thence South 23°38' East, along the westerly right of way of Norfolk Avenue 40.67 feet; thence South 66°22' West, 69.15 feet; thence North 23°48' West, 40.67 feet; thence North 66°22' East, 69.15 feet to the point of beginning; containing 2812.33 square feet, more or less.

Lot 3

Beginning at a point which lies South 23°38' West, 6.34 feet from the Southeast corner of Lot 33, Block 78 Millsite Reservation, Park City, Utah, and running thence South 66°22' West, 69.15 feet; thence North 23°38' West, 51.07 feet; thence North 75°28'35" East, 70.03 feet to the northerly corner of said Lot 33, thence South 23°38' East 39.98 feet to the point of beginning; contains 0.072 acres, more or less.

BK1816 PG1552

Exhibit C
Location of Road across Servient Parcel

Park City Survey
Blocks 31, 32, 77, 78 & 79

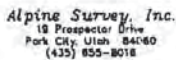


Exhibit D
(Work Area)

Upper Norfolk, Lot 1

Beginning at the northwesterly corner of Lot 1, Upper Norfolk Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, and running thence S 23°38' E, along the westerly line of said Lot 1, 40.67 feet to the southwesterly corner of said Lot 1; thence S 66°22' W, 20.00 feet; thence N 23°38' W 40.67 feet; thence N66°22' E, 20.00 feet to the point of beginning; containing 813.4 square feet, more or less.

Upper Norfolk Lot 2

Beginning at the northwesterly corner of Lot 2 Upper Norfolk Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, and running thence S 23°38' E, along the westerly line of said Lot 1, 40.67 feet to the southwesterly corner of said Lot 2 thence S 66°22' W, 20.00 feet; thence N 23°38' W 40.67 feet; thence N66°22' E 20.00 feet to the point of beginning; containing 813.4 square feet, more or less.

Lot 3

Beginning at the northwesterly corner of Lot 1, Upper Norfolk Subdivision, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, and running thence S 66°22' W, 20.00 feet; thence N 23°38' W 18.35 feet to the northerly line of Lot 2, 20.00 feet to the westerly line of the Lot 3, north of the Upper Norfolk Subdivision; thence S 23°38' W 18.35 feet to the point of beginning; containing 367.0 square feet, more or less.

BK1816 PG1555

Planning Commission Meeting
Minutes of July 26, 2006
Page 2

MOTION: Commissioner Barth nominated Commissioner O'Hara to be Chair and for Commissioner Thomas to continue as Vice-Chair. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

At this time, Commissioner O'Hara assumed the Chair.

IV CONSENT AGENDA

1. 320 Woodside Avenue - CUP for construction on a slope greater than 30%

V. REGULAR AGENDA/PUBLIC HEARINGS

1. 1104 & 1118 Lowell Avenue - Steep Slope Conditional Use Permit
2. 7745 Bald Eagle - Plat Amendment
3. 1335 Lowell Avenue, The Gables - Amendment to the Record of Survey
4. 2409 Iron Mountain Road - Plat Amendment
5. 101 Prospect Street

MOTION: Commissioner Wintzer made a motion to CONTINUE the Consent Agenda, 1104 & 1118 Lowell Avenue, 7745 Bald Eagle, and 1335 Lowell Avenue to August 9, 2006 and to CONTINUE 2409 Iron Mountain Road and 101 Prospect Avenue to August 23. Chair Barth seconded the motion.

VOTE: The motion passed unanimously.

6. 259-263 Norfolk Avenue - Condominium plat vacation/subdivision

Planner David Maloney reviewed the application for a three lot subdivision and noted that the Planning Commission has reviewed this item a number of times. The last time this was before the Planning Commission the Commissioners visited the site and discussed the contents of the Staff report and the applicant's proposal. The Planning Commission requested that the Staff return with findings and conditions for approval.

For the benefit of the public, Planner Maloney explained that an existing six unit structure on the property does not meet the Code in terms of height and setbacks, and a portion of the front decks are within the City right-of-way. The application is to demolish the existing structure and dissolve the existing condominium on the land, and to plat three new lots for the purpose of constructing three single family homes. Planner Maloney stated that the proposed access is from the north side of the lot. He presented a conceptual site plan that was submitted to the Planning Department for the purpose of verifying that it is reasonable

to access the three lots. Through Staff discussion and meetings with the applicant, the Staff has determined that the plat amendment proposed is reasonable and can be accessed from the north side of the lot.

Planner Maloney commented on concerns raised at the last public hearing about preserving the existing landscaping along the front of the site. In addition, the driveway being proposed on the conceptual site plan is 19 feet wide and issues were raised regarding the excessive width.

The Staff recommended approval of the proposed plat for the purpose of establishing lot lines and creating three lots of record. Planner Maloney noted that all three lots are on slopes greater than 30% which will require a conditional use permit prior to any development on the property. He stated that the 14 criteria listed in the Conditional Use Permit section of the Land Management Code would have to be addressed and all issues would have to be mitigated prior to the applicant receiving a conditional use permit.

The Staff recommended that the Planning Commission conduct a public hearing and forward a positive recommendation to the City Council on the proposed three lot subdivision called the "Upper Norfolk Subdivision".

Commissioner Barth wanted to know what would happen if they voted to vacate the condominium plat and adopt the ordinance but the property is never built. Planner Maloney explained that the lots would remain platted until someone applies for a conditional use permit. The applicant would demolish the existing structure before the lots would be recorded so the lots would be vacant.

Chair O'Hara opened the public hearing.

Jim Keesler, a resident at 302 Norfolk, remarked that the structure encroaches into the City right-of-way and if the applicant demolishes the building, the City would have the opportunity to do something with it. Mr. Keesler wondered why the applicant needed a 19 foot wide driveway when Norfolk Avenue is only 8 feet wide. He could not understand why the City would allow pavement in an area that could be landscaped and could give something back to the public that the structure has possessed for so long. Mr. Keesler urged the Planning Commission to address this issue before the plat amendment is granted.

Chair O'Hara closed the public hearing.

Chair O'Hara noted that the Planning Commission will address specific issues during the CUP process

Jerry Fiat, the applicant, explained that the driveway will be shared by three homes and the reason for making it 19 feet wide is to allow two cars to pass or for one car to pass if another car is parked. Mr. Fiat pointed out that the existing house encroaches 18 feet on to the public right-of-way and the new homes would sit at least 10 feet back. The area that the driveway sits in is already disturbed and the net effect is that paved space will be returned to green space with a berm and planters.

Planner Maloney stated that once the Planning Department receives proposals to build the actual structures on the lots, they will be in a better position to see how the grades will tie in and determine exactly what access makes the most sense in terms of the configuration of the driveway. They would also look at landscaping at that point.

Commissioner Barth asked if Mr. Keesler will be within the noticing boundary when those proposal are reviewed. Planner Maloney replied that he would.

Commissioner Pettit stated that she is very familiar with Upper Norfolk and the challenges it presents to the neighborhood. Her concern was tied to density and traffic. She understood that there may be a benefit in demolishing the current existing non-conforming structure and that it may resolve some of the parking issues. Ms. Pettit asked about the number of bedrooms in the six unit condominium. Mr. Fiat replied that there are 3 bedrooms per unit. There are three townhouse units and each one has a lock out. These new structures would be single family homes and most likely second homes based on the nature of Upper Norfolk. Mr. Fiat saw this as a significant decrease in density. In addition, parking will be underneath the structure, as well as in front of the homes in the setback. Mr. Fiat noted that he did not ask for the maximum density that would be allowed for the size of the lot. Planner Maloney clarified that the minimum lot size in the zone is 25' x 75' and these lots are roughly 40 feet in width and 70 feet deep.

Ms. Pettit assumed that the single family homes would have the ability to submit a CUP application for accessory apartments. What might appear to be a reduction in density could change if that happens and that presents other issues. Ms. Pettit understood that the proposal is to access the site from up above through Mr. Fiat's property, and she was very concerned about any construction vehicle access on Norfolk because of the challenges of the street.

Planner Maloney stated that a condition of the plat approval requires that the construction easement agreements be finalized and submitted to the City prior to receiving building permits. This would insure that construction access is from King Road through the adjacent properties in the rear. Ms. Fiat stated that he has tried to do everything possible to minimize the impacts through the neighborhood and every neighbor who is adversely affected supports his proposal.

To address the concerns of accessory apartments, Planner Maloney noted that the Planning Commission has the option of a plat note stating that the structures should remain single family homes without any accessory or lock out units. Ms. Pettit stated that another concern is whether or not the homes could be used as nightly rentals. Planner Maloney replied that nightly rentals are permitted in the zone.

Commissioner O'Hara clarified that accessory apartment or nightly rental constraints are typically done on the plat rather than through a condition of the CUP. Planning Director Patrick Putt stated that it would be appropriate to establish a finding that speaks to the reason for a specific condition of approval.

Planner Maloney referred to Condition of Approval #6 and requested that the language "prior to plat recordation" be replaced with "prior to issuing a building permit". This revision was made based on a recommendation from the City Engineer.

Commissioner Sletten was not interested in regulating nightly use at this point, but he felt the issue of restricting accessory apartments could be addressed in a condition of approval. Mr. Fiat was not opposed to a plat note that restricts accessory apartments.

Polly Samuels McLean, Assistant City Attorney, stated that generally the City tries to steer away from plat notes that restrict these types of uses. It is more appropriate to make findings for a condition of approval. Ms. McLean noted that if the City Council adopts their recommendation, it will become part of the ordinance and the Building Department is very careful about reading all the conditions before they issue a building permit. Planner Maloney remarked that this property is also in the Historic District and the Planning Department would review any future plans for an amendment to the design. If there appears to be an accessory apartment, it would require a conditional use permit process.

MOTION: Commissioner Sletten moved to forward a POSITIVE recommendation to the City Council for the proposed Upper Norfolk subdivision according to the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Staff report and subject to the amendments as discussed; the revision to Condition of Approval #6 to delete "plat recordation" and insert "issue of a building permit", and the addition of Condition of Approval #7 that would preclude accessory apartments. Commissioner Wintzer seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - 259-263 Norfolk Avenue

1. The property is located at 259-263 Norfolk Avenue.

2. Currently the property is platted as the "Upper Norfolk Condominiums",
3. There is an existing triplex structure located on the property.
4. The existing structure does not conform to the height and setback requirements of the HR-1 zoning district.
5. The applicant is proposing demolishing the existing structure.
6. The applicant is proposing vacating the existing "Upper Norfolk Condominiums" plat.
7. The applicant is proposing establishing three lots of record - identified on the proposed plat as Lot 1, Lot 2, and Lot 3.
8. Lot 1 and Lot 2 measure 40.67 feet by 69.15 feet and contain 281.33 square feet.
9. Lot 3 measures 39.98 feet at the front, 51.07 feet at the rear, 69.15 feet on the south side and 70.03 feet on the north side.
10. The proposed access to the lots is from Norfolk Avenue on the north side of the property.
11. The three proposed lots would share one driveway.
12. The proposed lots are for the purposes of building single family houses.
13. The proposed lots have slopes of greater than 30% and are subject to Conditional Use Permit, Construction on a steep slope review.
14. There is not sufficient area on the property to conduct construction staging.

Conclusions of Law - 259-263 Norfolk Avenue

1. There is good cause for this plat amendment.
2. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.

4. Approval of the plat amendment is subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval - 259-263 Norfolk Avenue

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.
3. The lots are to be used for the construction of single family houses.
4. Construction access to the lots is to be from King Road through the adjacent property to the west, as per the submitted construction easement agreements.
5. The construction easement agreements must be finalized and submitted to the city prior to receiving building permits.
6. A Utility/Grading plan is required to be reviewed and approved by the City Engineer prior to issue of a building permit.

Chair O'Hara took this time to welcome Julia Pettit and Evan Russack, the new Planning Commissioners, and thanked them for their willingness to serve the City.

7. 3605 & 3615 Oakwood Drive - Plat Amendment

Planner Maloney reported that a plat amendment that was approved in July 2004 created a lot and a half from Lot 64 and half of Lot 63 in the Oaks Deer Valley Subdivision. This current proposal is to revert back to the originally platted lots within the subdivision for Lots 63 and 64. This would eliminate the lot and a half that was created in 2004. This item was presented to the Planning Commission on July 12, at which time there was some discussion regarding the reasoning behind the original approval. Planner Maloney had researched the minutes and found that the owner at that time wanted to create a lot and a half so he could build a larger house than what was allowed on Lot 64 alone. He had ownership of half of Lot 63 and combined with Lot 64 to make a lot and a half into one lot. That action increased the square footage of the house they could build per the CC&R's. Planner Maloney stated that the adjacent owners of the other half of Lot 63 and all of Lot

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
JULY 27, 2006**

I ROLL CALL

Mayor Dana Williams called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, July 27, 2006. Members in attendance were Dana Williams, Marianne Cone, Candace Erickson, Roger Harlan, Jim Hier, and Joe Kernan. Staff present was Tom Bakaly, City Manager; Mark Harrington, City Attorney; David Maloney, Planner; Kirsten Whetstone, Planner; and Ben Davis, Planning Intern.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Resolution naming and honoring Sally Elliott as the Mayor's Choice for the 2006 Award in the Humanities – The Mayor read the resolution into the record and thanked Ms. Elliott for her many contributions to the community both as a former City Council member and current Summit County Commissioner.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

None.

IV WORK SESSION NOTES AND MINUTES OF MEETINGS OF JULY 6, 2006 AND JULY 13, 2006

Roger Harlan, "I move approval of the work session notes and minutes of the meetings of July 6 and July 13, 2006". Candace Erickson seconded. Motion unanimously carried.

V RESIGNATIONS AND APPOINTMENTS

Appointments to the Police Review and Complaint Committee – Mayor Williams recommended the reappointment of Jerry Bush, and appointments of Charles Neal and Coady Schueler for terms expiring July 2008.

VI CONSENT AGENDA PUBLIC HEARINGS

1. Ordinance amending the Prospect Street Subdivision Plat, Park City, Utah (motion to continue to September 14, 2006) – The Mayor requested a motion to continue. Candace Erickson, "I so move". Roger Harlan seconded. Motion unanimously carried.

2. Continuation of a public hearing of an Ordinance approving a subdivision plat for 259-263 Norfolk Avenue, Park City, Utah – To better understand the action, Mayor

Williams noted that he and staff walked the property today. Dave Maloney explained that the condominium plat is being vacated. The owner intends to demolish the existing structure and establish three lots of record to construct three single family homes. The lots are on steep slopes and subject to a conditional use permit prior to the issuance of a building permit. Staff finds that the conceptual site plan proposed provides reasonable access from Norfolk Avenue. He added that the existing structure doesn't meet current HR-1 height and setback requirements and encroaches 18 feet into the Norfolk Avenue right-of-way. Because of the steep slope feature, the applicant has the ability to request a height increase but no increase in the floor area. At its meeting last night, the Planning Commission recommended approval with additional findings. Mr. Maloney distributed a revised ordinance and pointed out modifications and additions, including prohibition of accessory apartments. Mayor Williams relayed that this action relates to platting property, not designing structures.

Applicant Jerry Fiat stated that the existing structure encroaches on City right-of-way and he is proposing a 19 foot driveway where disturbance already exists. One driveway will serve three homes and is wide enough to accommodate trucks. He felt it is a benefit eliminating three units of density, removing a non-conforming structure, adding on-site parking which did not exist, and providing construction access from King Road at considerable expense. Additionally, he has agreed to prohibit accessory units. The disturbed area of the existing structure is greater than the net affect of new three structures and the driveway. There will be more green space.

Mr. Maloney added that it appears that the design of the driveway will retain the landscape berm and the conditional use process will finalize the design. Roger Harlan noted that a year ago, many Upper Norfolk Avenue residents were against this project. The applicant has done a good job of addressing neighborhood objections, but he is still concerned about construction impacts. Jerry Fiat discussed proposed construction phasing and staging on King Road.

Dave Maloney stated that he received a correspondence from an adjacent neighbor, Kevin King, who wrote that his letter is a formal notice of appeal if the plat is approved tonight and referenced LMC Section 15-7.34 which deals with road design requirements. Mr. Maloney pointed out that this section of the Code deals with new subdivisions and does not apply to this application.

The Mayor opened the public hearing, and hearing no input, closed the hearing.

3. Ordinance approving the Lot 5 April Mountain Subdivision Plat Amendment, located at 1315 Mellow Mountain Road, Park City, Utah – Ben Davis, Intern Planner, explained that the application is to adjust building pads by moving the lot further north, which will preserve natural landscaping. The Planning Commission forwarded a

positive recommendation. He explained limitations on the access road for construction of the driveway. The Mayor opened the public hearing, and closed it as there were no comments from the audience.

4. Ordinance approving the Kampai Plat Amendment, located at 586 Main Street, Park City, Utah – Ben Davis explained that the request is to combine Lot 22, Lot 24 and a metes and bounds parcel into one lot of record. There is an existing historic building where the Kampai Restaurant operates. There is no impact on the pedestrian walkway easement in the area, and there are no objections by neighboring owners. The Planning Commission forwarded a positive recommendation. The Mayor opened the public hearing. There was no public input and the hearing was closed.

5. Ordinance approving a plat amendment for Lots 63 and 64, The Oaks at Deer Valley, located at 3615 and 3605 Oakwood Drive, Park City, Utah – Planner Dave Maloney explained that Lots 62, 63 and 64 were owned by two separate parties and in 2004, a plat amendment was approved to combine Lot 64 and half of Lot 63, although the property owners of the other half of Lot 63 and Lot 62 felt that they didn't receive proper notice. The plat amendment proceeded and a lot and a half was created and there was a verbal agreement between the parties that Lot 63 would remain open space. The owners of Lot 64 and half of Lot 63 could have increased the size of the residence by 150% with the lot combination. Since that time, the owners of Lot 62 and half of Lot 63 have purchased the other half of Lot 63 and Lot 64, and are requesting to revert to the way the lots were originally platted in 1989. All three lots are still vacant, the ownership is under one party, and approval eliminates remnant parcels.

The Mayor opened the public hearing and with no comments, closed the public hearing.

VII CONSENT AGENDA

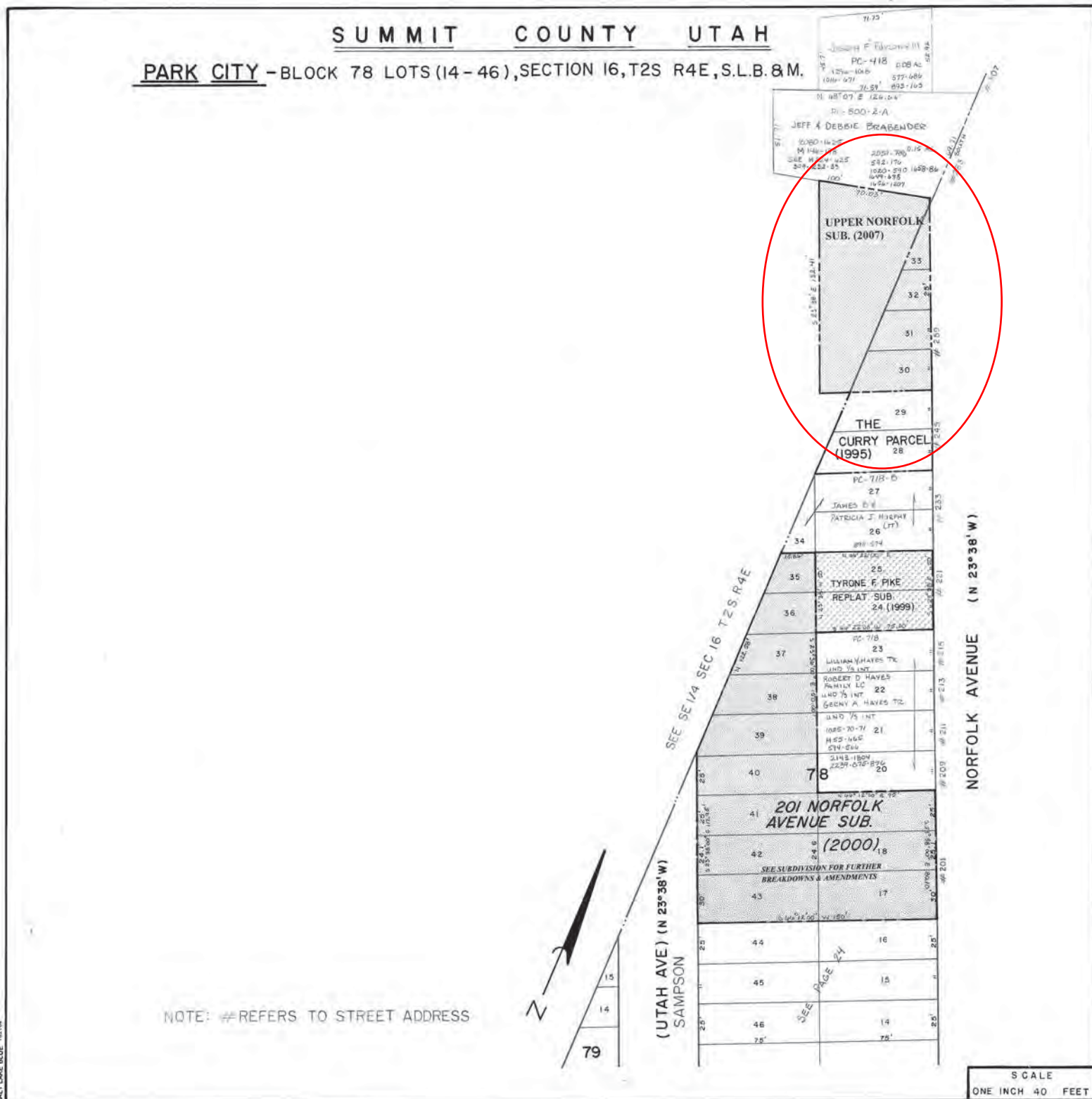
Jim Hier, "I move we approve Consent Agenda Items 1 through 5". Roger Harlan seconded. Motion unanimously carried.

1. Ordinance approving a subdivision plat for 259-263 Norfolk Avenue, Park City, Utah – See staff report and public hearing.

2. Ordinance approving the Lot 5 April Mountain Subdivision Plat Amendment, located at 1315 Mellow Mountain Road, Park City, Utah - See staff report and public hearing.

3. Ordinance approving the Kampai Plat Amendment, located at 586 Main Street, Park City, Utah - See staff report and public hearing.

Exhibit G – Original Lot Configuration



March 18, 2015

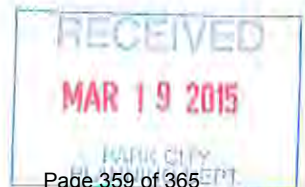
Dear Francisco Astorga and the Planning Board,

Thirty-two years ago, Don and Betty Holbrook built their house at 238 Upper Norfolk Street. It is now owned by Michael Kaplan. The same contractors renovated 244 Upper Norfolk Street, which is owned by Edward DeSisto. Part of the construction involved erecting a retaining wall, which was approved and later inspected by the city. (The city issued an encroachment permit, a copy of which is included with this letter.) This wall was built with the intent of providing parking spaces for the residents of 238 and 244 Upper Norfolk Street. The city has allowed both owners to post signs which read, "The parking along the wall is reserved for 238 and 244 Norfolk Street." Over the years we have made improvements to the wall, including a red sandstone rock face, and maintained the landscape behind the wall.

Jerry Fiat is the owner of three lots on the uphill side of Upper Norfolk, beyond one end of the retaining wall. One of Jerry Fiat's early plans was to create an ingress and egress by cutting down half of the wall, which is on a 30-degree slope. The Planning Department has previously rejected the plan. We are concerned that the new proposals may try to do the same as the first plan. We would like to have assurance that the retaining wall will not be disturbed.

The construction mitigation for this project is a real concern for the whole neighborhood. We would like to see a plan that includes the following:

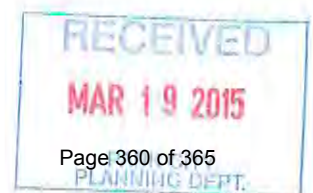
- 1) There would be no contractor parking on the street where the residents normally park. A carpool plan for the contractors would be helpful.
- 2) Construction vehicles would not impede the flow of traffic along the street. Of special concern is the ready access for emergence vehicles.
- 3) Residents would have the authority to have vehicles fined and/or towed that are in violation.
- 4) City inspectors and police and police would monitor their compliance.
- 5) There should be a detailed construction mitigation plan.



The residents of Upper Norfolk wish to maintain the historic, mountainous nature of the neighborhood and we trust your leadership will follow the spirit of the Park City Municipal Code.

Thank you,

Edward DeSisto
244 Upper Norfolk Street



Fee Exempt per Utah Code
Annotated 1953 21-7-2

REQUEST OF Park City Municipal
FEE \$ 11 ALAN SPENCER, CLERK CO. RECORDER
RECORDED 7-9-84 at 9:10 M

ENCROACHMENT PERMIT
236,238, 240 UPPER NORFOLK AVENUE
DONALD B. HOLBROOK, BETTY J. HOLBROOK
AND DEBRA PACK

INDEXED: _____
GRANTOR: _____
GRANTEE: _____
RELEASED: _____
ABSTRACTED: A 1.25
STAMPED: _____

THIS AGREEMENT is made by and between PARK CITY MUNICIPAL CORPORATION ("City") AND DONALD B. and BETTY J. HOLBROOK and DEBRA PACK ("Owners") to set forth the terms and conditions under which the City will permit the Owners to build certain improvements to their lots within the right-of-way at 236-238, 240, Upper Norfolk Avenue, Park City, Utah. Subject to the following terms and conditions of this Agreement, Owners shall have the right to construct and maintain a retaining wall to support a driveway and parking area within the platted right-of-way

1. This Encroachment Agreement shall be appurtenant to the following described property:

✓ Lots 21, 22 and 23, Block 29 Park City Survey (Upper Norfolk Avenue).

This Agreement is not transferrable to other property, but is freely transferrable with the title to these lots. The license and conditions as stated in the Agreement, are binding on the successors in title or interest of Owners.

2. The improvements permitted within the street right-of-way for Upper Norfolk Avenue shall consist of a concrete retaining wall of a design approved by the City as being structurally sufficient to retain the earth and the loadings that are reasonably anticipated. The extent of the encroachment is shown on plans approved by the City in conjunction with construction on the Holbrook-Pack property.

3. Although it is not currently planned, and somewhat unlikely because of the expense involved, the

BOOK 306 PAGE 561-565

(# 1)

City may, at some future date, elect to make improvements to Upper Norfolk Avenue at this location and widen the street to the full width of the right-of-way for Upper Norfolk Avenue. To the extent that any street improvements require the removal, relocation, replacement, and/or destruction of the improvements the Owners may have built within the right-of-way, the Owners waive any right to compensation for the loss of the use of the street right-of-way and/or any change in the grade and elevation of the street. This waiver of compensation, in the event the improvements are removed for street widening purposes, is the consideration given for the granting of this encroachment permit.

4. Prior to widening the street in a manner that will require the removal or relocation of the improvements, the City will give the Owners thirty (30) days notice, in which time the Owners shall make adjustments and remodel the access to the lots necessary to accommodate the changes in the street width and/or grade at Owners' cost.

5. No permanent right, title, or interest of any kind shall vest in the Owners in the street right-of-way by virtue of this Agreement. The property interest hereby created is a revocable license, and not an easement or other perpetual interest. No interest shall be perfected under the doctrines of adverse possession, prescription, or other similar doctrines of law based on adverse use, as the use hereby permitted is entirely permissive in nature.

6. The Owners or their successors shall maintain the retaining wall in a good state of repair at all times, and upon notice from the City, will repair any damaged, weakened, or failed sections of the wall. The Owners agree to hold the City harmless and indemnify the City for any and all claims which might arise from third parties who

BOOK 306 PAGE 562

are injured as a result of the Owners' use of the right-of-way for private purposes, or from the failure of the Owners' improvements.

7. This Agreement shall be in effect until the license is revoked by the City. Revocation shall be effected by the City regarding a notice of revocation with the Summit County Recorder and sending notice to Owners or their successors.

Dated this 5th day of July, 1984.

PARK CITY MUNICIPAL CORPORATION

John C. Green, Jr.
Mayor John C. Green, Jr.

ATTEST:

William R. Gasthauer
City Recorder



Donald B. Holbrook
Donald B. Holbrook

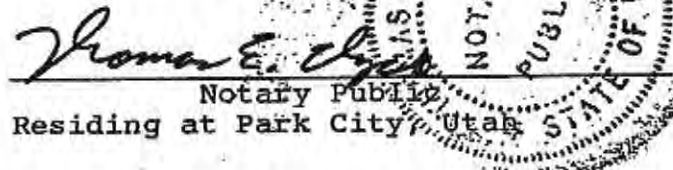
Betty J. Holbrook
Betty J. Holbrook

Debra Pack
Debra Pack

BOOK 306 PAGE 563

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

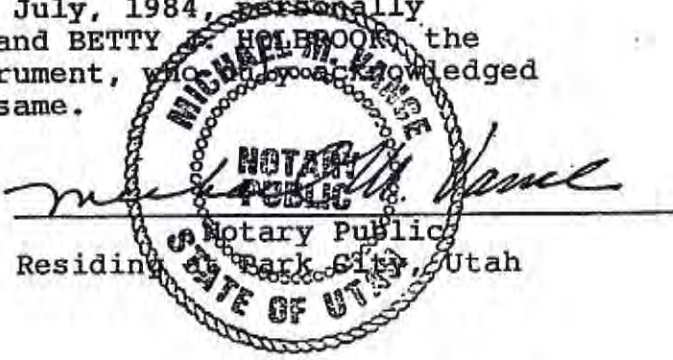
On the 7 day of July, 1984, personally appeared before me JOHN C. GREEN, JR. and WILLIAM R. GATHERUM, who being duly sworn did say, each for themselves, that he the said John C. Green, Jr. is the Mayor and he, the said William R. Gatherum is the City Recorder of PARK CITY MUNICIPAL CORPORATION, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its City Council, and they duly acknowledged to me that said corporation executed the same and that the seal affixed is the seal of said corporation.


Thomas E. Chase
Notary Public
Residing at Park City, Utah

My Commission Expires:
Oct 17, 1986

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

On the 2nd day of July, 1984, personally appeared before me DONALD B. and BETTY S. HOLBROOK, the signers of the foregoing instrument, who duly acknowledged to me that they executed the same.

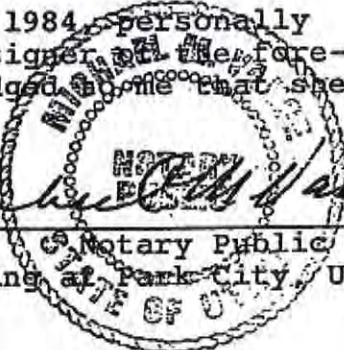

Michael M. Vance
Notary Public
Residing at Park City, Utah

My Commission Expires:
6/18/88

BOOK 306 PAGE 564

STATE OF UTAH)
 : ss.
COUNTY OF SUMMIT)

On the 2nd day of July, 1984, personally
appeared before me DEBRA PACK, the signer of the fore-
going instrument, who duly acknowledged to me that she
executed the same.


Michael E. Hance
Notary Public
Residing at Park City, Utah

My Commission Expires:

6/18/88

BOOK 306 PAGE 565