

**PARK CITY COUNCIL WORK SESSION NOTES
SUMMIT COUNTY, UTAH
MARCH 16, 2006**

Present: Mayor Dana Williams; Council members, Marianne Cone; Candace Erickson; Roger Harlan; Jim Hier; and Joe Kernan

Planning Commission members Charlie Wintzer, Michael O'Hara, Jim Barth, Andrew Volkman, Jack Thomas; and Diane Zimney

Tom Bakaly, City Manager; Kirsten Whetstone, Planner; Polly Samuels-Mclean, Assistant City Attorney; Phyllis Robinson, consultant; and Ray Milliner, Planner

Bruce Erickson, Stantec consultant; Morgan Bush and Randy Probst, IHC/USSA annexation group

1. Joint Work Session with Planning Commission:

General Plan. Kirsten Whetstone explained that the planning staff has developed a strategy for redevelopment in the *Park Bonanza Area*, which has been identified as an area of interest by the Council and Commission for years. There are also opportunities for partnerships and it is contemplated that the General Plan amendments would establish the framework for a more comprehensive redevelopment strategic plan. Staff is looking for feedback on the boundaries of the area, which includes the area bounded by Park Avenue on the west, Deer Valley Drive to the south, Kearns Boulevard to the north and Bonanza Drive to the east. The area would also include properties fronting on Bonanza where there are challenges with transportation and intersections, etc. She continued to explain that the primary zoning is general commercial with some light industrial. Staff believes that early input from the Council and the Planning Commission is valuable in this process and determined that additional information needs to be gathered for the Area regarding property ownership, land uses, parking, utilities, transportation, traffic, economic development, etc. Ms. Whetstone recommended that the first step be reviewing the General Plan to more specifically address redevelopment. Public input will be solicited at an open house after direction is provided by elected officials. The amendments will need to be adopted formally by both the Planning Commission and the City Council. There may be subsequent Land Management Code amendments needed and additional work to formulate economic development strategies.

She reviewed the topics of discussion outlined in her staff report and asked if the end product is documenting planning principles, a master plan, or a strategic plan. The draft has been prepared to highlight key elements of the analysis to date and identifies the potential amendments to the General Plan and LMC.

Polly Samuels-McLean encouraged members to disclose any potential conflicts of interest relating to the Area. Planning Commissioner member Charlie Wintzer stated that he owns property on Ironhorse Drive and Andrew Volkman disclosed that Frontier Bank, his employer, owns two lots in the Area. Council member Joe Kernan relayed that he has a number of recycling contracts for businesses in the area.

Jim Hier asked for clarification on the logic of including so many properties to the east. Ms. Whetstone explained that the boundaries relate to transportation issues including the number of curb cuts, which were displayed on a map. Marianne Cone expressed confusion about including Prospector properties. Consultant Bruce Erickson further clarified the reasons these properties were included are because some have excess parking, while others do not have sufficient parking for the site. The original intention was to include all of Prospector, but it was decided that that may be too ambitious, recognizing that Bonanza needs to be addressed first. The idea is that if zoning is changed, heights, setbacks, and open space along Bonanza to the west could be fairly applied to the east side of the street. He added that certain properties in Prospector would be considered for purposes of amending the General Plan however the zoning is anticipated to remain the same. The Mayor suggested that the Snow Country Condos on Deer Valley Drive would be a good candidate for redevelopment. Marianne Cone agreed and Jack Thomas interjected that he felt the Area boundaries are appropriate.

Kirsten Whetstone explained that there is residential to the west, east, and south. Jim Barth asked why Prospector/Sidewinder/Kearns is not included and Bruce Erickson explained that the strategy is to examine transportation in the context of a comprehensive redevelopment plan and the transportation element of the General Plan will more adequately address transportation issues on Kearns. Andrew Volkman asked if any density is assigned to parking lots in Prospector and Bruce Erickson pointed out affected parcels. Charlie Wintzer suggested that those lots not be included in the study Area since they have restrictions with regard to shared parking, etc. and it may confuse the issue. He agreed with Mayor Williams about the Snow Country Condos, which potentially becomes an island surrounded by City Park and the study Area and perhaps that should be addressed. Bruce Erickson explained that the plan is to relate Snow Country with the park and Park Avenue because of its residential nature, rather than being included in the redevelopment district.

Kirsten Whetstone continued to explain that this Area is the oldest commercial district outside the Main Street core. It is a mix of land uses from resort commissary, parking, shops, banking, storage, restaurants, art gallery, etc. and includes housing on Kearns Boulevard and the Rail-Central Project. Four out of six traffic signals are located on the boundaries of the Area and many intersections and driveways affect traffic flow. Several buildings have been renovated over the past five years, i.e., Albertson's and the Rail-Trail Project, including the Emporium shopping center on Kearns Boulevard. She

emphasized that the objective is to facilitate redevelopment, coordinate land use and transportation plans, and incorporate uses that contribute to the overall success of the district. However, millions of dollars worth of infrastructure improvements are needed.

Jim Hier expressed concerns about enhancing a commercial area that directly competes with Main Street and felt there should be a stated objective. Mayor Williams pointed out the difficulty in contemplating and/or controlling competition and pointed out that the art gallery on Iron Horse already competes with the galleries on Main Street and there are existing uses that will be grandfathered. Michael O'Hara suggested using incentives to shape Area uses. Roger Harlan felt that the success of the Area will affect Main Street, which makes a transportation link between shopping areas even more important. Joe Kernan acknowledged the increase of commercial uses in the community and the County but stated that it may be needed to serve the growing population.

Bruce Erickson stressed that the character and look of the Area will be different than Main Street and the fundamental objective is to prevent sprawl of land uses to Kimball Junction while consolidating transportation goals. Jim Hier felt that this should be stated. Kirsten Whetstone discussed the possibility of creating a direct transit link to both shopping districts. Bruce Erickson explained that the transportation element of the General Plan establishes criteria with respect to how supplemental parking works and how it affects the overall transportation plan. The transportation element focuses on levels of peak hour traffic and the number of intersections and may be worthy of further study. Mr. Erickson clarified that transportation and parking need to be tested before establishing a supplemental parking requirement and no change is recommended at this time.

Candace Erickson disclosed that she is married to consultant Bruce Erickson. She noted that she shares the same feelings about providing parking and would rather leave it in the General Plan as an option for property owners. Michael O'Hara suggested creating a separate redevelopment element. Mr. Erickson replied that that was considered, but the group felt that the element would not be specific enough to address each area, which really needs to be studied independently. Mr. O'Hara asked how the sexually oriented business ordinance will be applied and Bruce Erickson relayed that a fundamental change to the underlying zone is not anticipated. Mayor Williams stated that he supports the open space direction which relates to pedestrian circulation and plazas.

There was discussion about garnering public input. Jim Hier suggested that the open house be held for land owners so that concerns and ideas can be incorporated to then be presented to the general public. Charlie Wintzer stated that land owners need to be involved *sooner*; it could be a stakeholders meeting as opposed to an open house.

Bruce Erickson indicated that the overall success of the district depends on alignment with Council goals. Tom Bakaly suggested taking public comments from owners at another scheduled joint work session. Jim Hier felt the draft should be distributed before meeting with owners; he would like to hear from owners before finalizing objectives. Council concurred and Marianne Cone interjected that this process may save staff time in the long run.

Candace Erickson stated that she understands the concept of a 20,000 square foot base for a commercial use like a restaurant, but there should be a limit on the number of buildings this size to avoid proliferating national chains. In response to a question from Council member Harlan, Mr. Erickson explained that 20,000 is a best guess. The idea here is to establish a careful mix of successful businesses to sustain the district, acknowledging that a commercial project like Redstone is not desirable. There was discussion about the benefits of reviewing this point with business and property owners and potentially scheduling a joint work session on March 30.

Housing Policy. Ms. Robinson explained that in October, the IHC/USSA Task Force forwarded a positive recommendation to the Planning Commission for a proposed new zoning district for the annexation area, titled the *Community Transition (CT) District*. The CT District includes a specific provision addressing affordable housing. The proposed CT Zone includes an additional housing requirement to be applied to developments that seek to exceed the base density of one unit per twenty acres. She relayed that the density proposed in the annexation triggers the following housing requirements:

- *The base density of the CT District may be increased up to one (1) unit per acre provided that additional standards are incorporated including an additional 5% affordable housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of application. The Planning Commission may consider alternative housing uses for the additional 5% affordable housing commitment.*
- *The base density of the CT District may be further increased to three (3) units per acre provided that all density bonus requirements are met including an additional 5% affordable housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of application and the initial 5% commitment required to achieve the 1 unit per acre density.*

Formal adoption of the LMC amendment creating the CT District is pending final action before Council. Ms. Robinson stated that the Planning Commission's final recommendation on the annexation is pending the development of an Annexation Agreement between the City and the applicants.

Ms. Robinson explained that in mid-February the Applicant submitted an alternative proposal for addressing its affordable housing obligation that differs significantly from both the requirements of the City's Affordable Housing Guidelines and Standards and the task force recommendations. The applicant's proposal raised questions that are not addressed under the current housing resolution. Because the CT Zone relies upon the underlying housing guidelines and standards of Resolution No. 17-99, staff requested direction from the Planning Commission prior to today. Specifically, staff raised the following housing policy issues at the March 8, 2006 Planning Commission work session on the IHC/USSA/Burbidge Annexation Petition.

- Should there be consideration given in the calculation of affordable housing requirements that differentiates between commercial and institutional uses?
- Should there be consideration given for the dedication of commercial space within the Medical Office Building for use by community-based nonprofit organizations.
- How should we apply the housing guidelines and standards in the case of existing entities, specifically USSA?
- Recognizing that the Applicant is not a residential developer, would we be willing to consider a fee in lieu payment in fulfillment of a portion of the Applicant's housing obligation. And, if so, to what extent?

She explained tht there was no formal recommendation made by the Planning Commission as to policy options. The Planning Commission recommended that these issues be further discussed at the joint work session and indicated their willingness to consider alternatives, especially as they relate to the non-profit elements of the proposal.

She posed the following questions to members of the group:

1. *Would Council support the addition of an Institutional Category with an employee generation base mitigation rate of 10 percent?*
2. *Would Council support a deferral of the employee housing obligation under the proposed conditions?*
3. *Would Council support a deferral of the employee housing obligation for space committed to community-based organizations and/or related community services under the same conditions as outlined in Number 2 above?*

4. Should Council not support staff's recommendation in Number 2 above, staff requires direction on how to treat the relocation of USSA, an existing entity for purposes of employee generation calculations.

5. Does Council support USSA's request should athlete's housing be developed?

6. Does Council support the concept of the development of an Assisted Living Facility on the medical campus as one method of fulfilling the housing obligation of the annexation?

7. Recognizing that IHC is not a residential developer, would Council be willing to consider a fee in lieu payment in fulfillment of a portion of the Applicant's housing obligation? If so, under what circumstances or to what extent?

She added that the applicant's proposal would result in the construction of 66.82 affordable housing unit equivalents. This would include both assisted living on-site and deed restricted permanent housing within the Park City School District. This represents an affordability commitment by the applicant equivalent to approximately \$80,000 per unit, or the amount necessary to bridge the gap between the average 2005 sales price of market rate two and three bedroom units between 800 and 1,400 square feet (excluding luxury unit sales) and the maximum mortgage amount affordable to the Park City work force wage.

Roger Harlan pointed out the potential of increasing staff's workload in finding solutions for applicants and felt that developers should formulate creative ways to fulfill their housing obligations. Jim Hier stated that viewing assisted living as a type of affordable housing is a mistake. The City is addressing an affordable housing policy and an assisted living policy is not contemplated at this point. Assisted living facilities could create affordable housing requirements and to consider it as a substitute for affordable housing is not appropriate. The Mayor agreed but pointed out that he is willing to look at a reduction in the number of units based on providing subsidies, i.e., assisted living providing subsidies for the needy. Jim Hier supported the concept outlined in the staff report where the base component is affordable housing. Considerations for reductions could be considered by the Planning Commission regarding the two additional 5% increments of affordable housing. There was discussion with regard to reducing the housing obligation for institutional uses from the base by 20%. Tom Bakaly understood that members of Council are willing to look at assisted living and senior housing as affordable housing types. Mayor Williams clarified his position being that an assisted living center on its own should not qualify as affordable housing unless there are benefits or assistance passed on to residents. Jim Hier added that it is feasible that space in the center could be used as affordable housing in helping to meet that

requirement. Andrew Volkman believed that aside from offering subsidies to residents, the assisted living center needs to be a care facility or it starts to look like residential development.

Ms. Robinson understood that the in-lieu-of fee is the least preferred option among Council members. Candace Erickson stated that the only way she would consider it is if there is immediate delivery of housing by purchasing it, or if a contribution is made toward the construction of an approved affordable housing project. Jim Hier added that an in-lieu-of fee should only apply to the bonus amounts and not the base affordable housing requirement. Ms. Erickson urged staff to maintain an inventory of housing stock that may be an appropriate fit. In response to a question from Joe Kernan about location, Phyllis Robinson stated that the current policy identifies preference to housing within the City limits or the Park City School District boundaries.

Morgan Bush, IHC, interjected he explained the hospital's challenging restrictions with regard to uses at the Planning Commission meeting. IHC cannot use patient funds from a not-for-profit hospital and divert them to for-profit development or housing. He asked what mechanisms are in place that IHC could utilize, given its not-for-profit status, to create the *sticks and bricks* units preferred by the City. Council member Hier expressed his surprise at IHC's confusion about affordable housing requirements as he recalled this discussed in annexation task force meetings. He encouraged the applicants to explore legal remedies or look at modifying its policies. The Mayor suggested the option of joint-venturing with another not-for-profit and Mr. Bush indicated that this approach is open. He added that the City is a non-profit.

Mayor Williams relayed a recent experience at a hospital with one of his children and now personally believes that current available medical services do not meet the needs of the community.

3. Council questions/comments. Marianne Cone commented on a potential sound garden project and the Mayor complimented the success of the half pipe event at PCMR.

4. Sign Code – direction on temporary portable signs. Ray Milliner explained that as written, one off-premise sign per business is allowed within private plazas. He explained that staff is seeking direction as there was confusion expressed by business owner Mike Sweeney about whether off-premise signs could be allowed on private property in all commercial areas.

Mr. Sweeney stated that signs are not allowed in public rights-of-way so Main Street will not be impacted by making it narrower. As a merchant, he wants to see crowded sidewalks and there are very slow months. Every retail or service business should be

allowed to take advantage of portable signs subject to the no public right-of-way limitation and he pointed out the benefits for businesses in the Main Street Mall to be able to display signs on the front lawn. There were no complaints about the trial of temporary portable signs and he urged Council to allow these types of signs throughout Park City's commercial districts subject to the requirements set forth in the Sign Code. He suggested simply deleting the word "plaza" and replacing it with "property".

Council member Roger Harlan emphasized the importance of protecting the ambience of Park City and the Sign Code strictly regulates clutter. He stated that he is not convinced that making the Code less restrictive is a move in the right direction. Marianne Cone relayed that she checked her notes from meetings on the Sign Code and could find nothing supporting allowing portable temporary signs in all commercial districts. Ms. Erickson expressed concerns about unanticipated loop holes, acknowledging that the Main Street Mall is a location where it could work. Joe Kernan stated that he doesn't like television screens in business windows. Temporary signs on sidewalks or the streets are not appropriate but it seems to work well in plazas. Ray Milliner explained for the benefit of Jim Hier that there are no time limits on the display of temporary signs. Mr. Hier recalled that the purpose for amending the Code was to allow temporary portable signs to help identify businesses located in plazas; he does not support any modification to the Sign Code.

Mike Sweeney stated that he didn't feel signs will be proliferated because each business can only display one sign. There are only about 48 businesses on Main Street that have available private property and not all of them will take advantage of the allowance. This is not dissimilar to the display of outdoor merchandise. Mr. Sweeney emphasized that signs should be allowed in all commercial districts. Merchants need every advantage available in order to make a profit or break even. He is not worried about the clutter because there won't be many businesses taking advantage of it and the Council always has the prerogative to change the Code. Deciding to not provide a trial is premature.

Jim Hier stated that he is concerned about making a change at this time. Mike Sweeney asked how many signatures are needed on a petition to urge Council members to change their minds. Mayor Williams pointed out the lack of merchants in attendance and added that the intent of allowing a portable sign is to advertise the name of the business and he can see no reason to allow sandwich signs on Main Street where pedestrians can see the business. The Mall is an exception, but the open space in the front of the building could almost be considered a plaza. Mr. Hier advised that if the Main Street Mall meets the definition of a plaza, the display of portable signs should be allowed.

**PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
MARCH 16, 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, March 16, 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; Polly Samuels McLean, Assistant City Attorney; Ken Fisher, Recreation Director; Ray Milliner, Planner; and Brooks Robinson, Planner.

II COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Resolution honoring the parents of the Park City athletes participating in the XX Winter Olympic Games – The Mayor expressed his pleasure in introducing Olympic Gold Parents Cyndi Sharp, Bill Ligety and Andrea Mancuso and relayed the thrill in seeing local kids achieve gold medal success.

Bill Morolt, USSA, stated that the ideal of Olympianism is unique in the U S because parents, volunteers and communities create the Olympic movement. As the President and CEO, he stated that the USSA is a professional organization but is dependent on community support to offer our youth the opportunity to be great. He described the Ligetys and Ms. Mancuso as wonderful parents and because of them, Park City has two 21 year olds that have won Olympic gold medals.

Rob Clayton, Headmaster of Winter Sports School, thanked the Council for recognizing parents in the community and their important contributions to the successes of their children and witnessing Olympic dreams come true. There are some things that only family can provide and this is an AAA community for youth. Parents drive the programs that facilitate these results. He hopes to live up to their legacy with his own three girls.

The Mayor presented flowers, gifts and specially designed gold medals to each parent and read the resolution into the record.

III PUBLIC INPUT (any matter of City business not scheduled on agenda)

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda.

1. Kudos on new parking structure - Ken Davis, HMBA, thanked the City on behalf of Main Street merchants for completing the parking structure, which is a significant for businesses and visitors. He acknowledged the outstanding efforts of Colin Hilton and Dave Gustafson.

2. Build-Green program – Norm Anderson, Park City Homebuilders, reported that members have been working with the City, Summit County, and Wasatch County on a build-green program. He distributed information to the City Council members.

3. Play Magazine – Recreation Manager Ken Fisher distributed the new Play Magazine which was jointly produced with Basin Recreation.

IV WORK SESSION NOTES AND MINUTES OF MEETING OF MARCH 2, 2006

Jim Hier corrected a reference in the Minutes that he was in attendance when he was absent and will be abstaining from voting. Marianne Cone, "I move we approve the Minutes of March 2, 2006". Roger Harlan seconded. Motion carried unanimously.

Marianne Cone	Aye
Candace Erickson	Aye
Roger Harlan	Aye
Jim Hier	Abstention
Joe Kernan	Aye

V PUBLIC HEARINGS

1. Continuation of hearing on Ordinance approving a plat amendment to the Snow Top Subdivision to amend plat notes #4 and #5 regarding the location of building pads and limits of disturbance on all lots within the subdivision, located on Snowtop Court, Park City, Utah – Ray Milliner explained that approval will allow the property owners and the Planning Department flexibility in determining the location of the building pads for the site. The Planning Commission recommends approval as outlined. The public hearing was opened and with no comments closed.

2. Ordinance approving the combination of Lots 4 and 5 of the Walter-Daniels Subdivision, located at 633 Woodside Avenue, Park City, Utah – Mr. Milliner explained that the application is to remove a lot line in order to facilitate an addition to an existing historic home on the site. Staff recommends approval as outlined in the staff report. The Mayor opened the public hearing and with no input, the hearing was closed.

3. Ordinance approving the 827 Woodside Avenue Replat which will combine Lot 7 and the southerly half of Lot 8, Block 11 of the Snyder's Addition to the Park City survey into one lot of record – Jonathan Weidenhamer explained that the Planning Commission forwarded a positive recommendation on March 1. There is an historic home on the lot and approval will clean up lot lines. The Mayor opened the public hearing and there were no comments from the audience. The public hearing was closed.

4. Ordinance approving a subdivision of Lots 4, 27, 28 29 and portions of Lots 5 and 6 of Block 3 of the Park City Survey, located at 315 Park Avenue, Park City, Utah – Ray Milliner explained that the application is to combine the lots into three lots of record for the purpose of constructing new single family homes. Staff recommends approval as presented. In response to questions from Councilmember Cone, Mr. Milliner explained that the Historic Preservation Board would not review this project unless there was an appeal filed of staff's design review. The structure will be moved about 25 feet and neighbors testified at the Planning Commission meeting. Comments focused on new construction not the plat and there will be an opportunity for public comment during the HPB meeting or steep slopes review by the Planning Commission. The Mayor opened the public hearing. Hearing no public input, the Mayor closed the public hearing.

5. Ordinance approving an amendment to the Record of Survey Plat for the Lookout at Deer Valley, located at 6601 Royal Street West, Park City, Utah – Ray Milliner explained that approval will accommodate the construction of an ADA unit in the clubhouse. There is no increase in density and staff's recommends approval as outlined in the staff report. The Mayor opened the public hearing, and hearing no input, closed the hearing.

6. Ordinance approving a subdivision of Lot 4 and portions of Lots 5, 28, and 29 of Block 3 of the Snyder's Addition to the Park City Survey, located at 915 Park Avenue, Park City, Utah – Ray Milliner explained that a combination will facilitate the expansion of the existing historic home on the property and staff recommends approval as described in the Ordinance. In response to a question from Marianne Cone, Mr. Milliner stated that a determination of historic significance will be conducted on the shed. The Mayor opened the public hearing, and with no comment rendered by the audience, closed the public hearing.

7. Ordinance approving the first amended Cove at Eagle Mountain Phase II planned unit development plat, 2691, 2683 and 2687 Eagle Cove Drive, Park City, Utah – Planner Brooks Robinson explained that this Ordinance will adjust the platted duplex lots at Eagle Mountain. It is recommended to slightly rotate Units 70 and 71 and to move Units 108 and 109 to the north across Eagle Cove Drive which is a private road. A new trail alignment has been identified and Planning Commission forwards a positive recommendation from its March 8, 2006 meeting. Roger Harlan recalled a City Council meeting several years ago where residents from The Cove addressed Council with significant concerns about the stability of the soil. Mr. Robinson noted that one of the conditions of the subdivision and for this particular project is that the relocated unit must tie into the underground drain system. Mayor Williams invited the public to comment and hearing no input, closed the public hearing.

8. Ordinance approving the Settlers Ridge Condominium Record of Survey Plat, located at 564, 566, and 568 Deer Valley Drive, Park City, Utah – Brooks Robinson explained that this project was constructed several years ago; there are ten units and twenty parking spaces. There is a condition of approval addressing a gravel parking space which encroaches on City property. The Planning Commission forwards a positive recommendation from its March 8, 2006 meeting. One member of the public spoke at that meeting about property management issues, i.e., potential parking in his driveway. The Mayor opened the public hearing, and hearing no comments, closed the hearing.

VI CONSENT AGENDA

Joe Kernan, "I move we approve the Consent Agenda Items 1 through 9". Jim Hier seconded. Motion unanimously carried.

1. Resolution honoring the parents of the Park City athletes participating in the XX Winter Olympic Games – See Communications from Council and Staff.

2. Ordinance approving a plat amendment to the Snow Top Subdivision to amend plat notes #4 and #5 regarding the location of building pads and limits of disturbance on all lots within the subdivision, located on Snowtop Court, Park City, Utah – See staff report and public hearing.

3. Ordinance approving the combination of Lots 4 and 5 of the Walter-Daniels Subdivision, located at 633 Woodside Avenue, Park City, Utah - See staff report and public hearing.

4. Ordinance approving the 827 Woodside Avenue Replat which will combine Lot 7 and the southerly half of Lot 8, Block 11 of the Snyder's Addition to the Park City survey into one lot of record - See staff report and public hearing.

5. Ordinance approving a subdivision of Lots 4, 27, 28 29 and portions of Lots 5 and 6 of Block 3 of the Park City Survey, located at 315 Park Avenue, Park City, Utah - See staff report and public hearing.

6. Ordinance approving an amendment to the Record of Survey Plat for the Lookout at Deer Valley, located at 6601 Royal Street West, Park City, Utah - See staff report and public hearing.

7. Ordinance approving a subdivision of Lot 4 and portions of Lots 5, 28, and 29 of Block 3 of the Snyder's Addition to the Park City Survey, located at 915 Park Avenue, Park City, Utah - See staff report and public hearing.

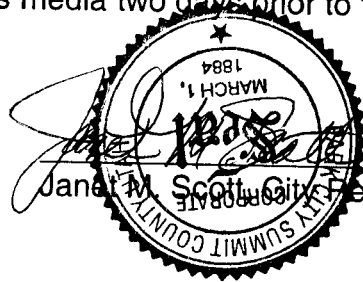
8. Ordinance approving the first amended Cove at Eagle Mountain Phase II planned unit development plat, 2691, 2683 and 2687 Eagle Cove Drive, Park City, Utah - See staff report and public hearing.

9. Ordinance approving the Settlers Ridge Condominium Record of Survey Plat, located at 564, 566, and 568 Deer Valley Drive, Park City, Utah - See staff report and public hearing.

VII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned. The meeting for which these minutes were prepared was noticed by posting at least 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott



CITY COUNCIL Staff Report



Subject: Park Bonanza Planning Area
GENERAL PLAN AMENDMENTS- PARK BONANZA PLANNING DISTRICT

Date: March 8, 2006

Type of Item: Joint Work Session with the Planning Commission

Author: Kirsten Whetstone, Senior Planner

RECOMMENDATION: Staff recommends the City Council and Planning Commission review the attached discussion document (Exhibit A) and provide direction regarding the following: 1) proposed study area boundary, 2) description and characteristics of the planning district, 3) draft issues and objectives for the district, 4) draft General Plan Element amendments, and 5) the Timeline and next steps (see attached Exhibit C).

Staff requests input on these items in the context of developing a strategic plan for redevelopment of the Park Bonanza Planning Area. The purpose of this meeting and the attached Discussion Draft of General Plan amendments is to provide an opportunity for the City Council and Planning Commission to comment on their vision at an early stage in the planning process. A public participation process will be an important element to gain input from other City Departments, stakeholders, property owners, and the general public. Additional analysis and details will be provided as the draft is further refined and ultimately presented for adoption by the City Council.

BACKGROUND:

Developing a strategy for redevelopment of the Park Bonanza area, namely the area bounded by Park Avenue, Deer Valley Drive, Bonanza (including those properties fronting both the east and west sides of the street), and Kearns has been an area of interest of the City's for the last couple of years. With the expected departure of the lumber yard/building supply store and consolidation of other properties under common ownership there are opportunities to look at this area in a broader context instead of simply as a General Commercial and Industrial zoning district.

The Planning Commission has reviewed a number of pre-application submittals for Master Planned Developments in the area and has approved and seen constructed several redevelopment projects. In the past, the City has been approached by several property owners within the Park Bonanza Planning Area for assistance in developing a master plan or facilitating a planning process to develop a strategic plan for a comprehensive redevelopment of this area.

On January 10, 2006, several City Department staff met to brainstorm ideas regarding redevelopment of this area (Exhibit B). The outcome of that meeting was to 1) get early direction from the Planning Commission and the City Council and review a draft of General Plan amendments, 2) collect additional information about the district (ownership, land uses, utilities, transportation, economic, etc.), and 3) begin a dialogue regarding appropriate next steps.

PARK BONANZA DISTRICT PLANNING AREA DISCUSSION DRAFT:

The discussion draft is a basic outline of Park City General Plan amendments that act as the possible framework for redevelopment. As indicated in the discussion draft, very little specific direction exists in the current Park City General Plan regarding this area of town. At the direction of the Planning Department a consultant has drafted language to specifically identify and describe this district as a Planning Area, as well as provide language that will incorporate this area into all appropriate General Plan Elements with specific objectives, descriptions, and policy statements. The draft identifies the boundaries of the Park Bonanza District Planning Area and provides a general description of the district as well as identifies at a broad level those issues facing the district and objectives for the district. Staff would expect these issues, policy statements, and objectives to be further discussed, debated, and refined through the public participation process. Adoption as General Plan amendments is a goal of this portion of the planning process for the Park Bonanza Area.

DISCUSSION ITEMS:

Planning Staff suggest the City Council and Planning Commission discuss and provide feedback/direction on the following items:

- 1) Planning area boundary- does it incorporate all of the properties it should? Are there properties that should not be included? Which ones?
- 2) Has the Park Bonanza District been adequately described and characterized? Is there additional information that should be included? What additional specific information should be included in these proposed General Plan updates?
- 3) Have the District issues and objectives been adequately presented? What additional specific information should be researched and included?
- 4) Are there additional General Plan Elements that should be amended to address policies and direction for this district? The draft includes revisions to the Community Character, Open Space, Land Use, Growth Management, Transportation, Environmental, and Housing Elements of the General Plan. Do you have specific comments about any of the proposed amendments to these Elements? Comments about specific language?
- 5) What is envisioned as the final product, i.e. planning principles for the area as was done for Quinn's Junction Study, or Master Plan document such as the Park Avenue Neighborhood Plan, or strategic plan, etc.?
- 6) Is the Council comfortable with the timeline and next steps?

EXHIBITS:

Exhibit A- Discussion Draft

Exhibit B- Outline from the January 10, 2006, meeting with Staff

Exhibit C- Timeline

Exhibit A

Park City General Plan 2006 Update Park Bonanza District Planning Area

Background

The Park City General Plan is a policy document that forms the basis of the zoning and development regulations within the Park City limits and provides land use planning direction for those areas within the Park City Annexation Declaration area. The current General Plan has been under on-going updates on most of the elements of the plan since the 1997 General Plan was adopted.

The area encompassed by the designation of the Park Bonanza district has been considered in the General Plan within descriptions of other planning areas and in the separate Transportation element of the General Plan. Very little specific direction exists for the Park Bonanza District Planning Area.

In the case of the Park Bonanza District Planning Area, The General Plan would be amended to include specifically identify the district as outlined below and to include the district in all the appropriate General Plan Elements.

General District Description

The Park Bonanza District is the oldest commercial district outside of the historic Main Street area. As a planning area, the boundaries of the district are Bonanza Drive to the East, Park Avenue to the west and Kearns Boulevard to the north and Deer Valley Drive to the south. The district includes those properties along both sides of Bonanza from Iron Horse Drive to Kearns.

The area is currently a broad mix of land uses from resort commissary and parking, to shops and restaurants, banking, public works buildings and the former lumber yard. Other uses include storage area, small art and consignment shops, banks and real estate offices. The one, in town, movie theater is within the area as well as one of the two main grocery stores. The area is currently zoned General Commercial (GC) and Light Industrial (LI).

The area includes housing along Kearns Boulevard and within the Rail Central project. Portions of the area are referred to the North of Main Area (NoMa) by a large percentage of the business and property owners in the area. NoMa functions as a joint marketing vehicle and forum for NoMa members to discuss business development.

District Issues

Because the Park Bonanza District includes such a broad array of uses and provides services to the community at large, the District is an important part of the commercial life of Park City. The District is under pressure from competing commercial projects outside of the city, exemplified by the closure of the lumber yard last year. Movie

theaters and restaurants in themed mall atmospheres have developed near the junction of the interstate and the state highways that form the entry corridor to Park City.

Local restaurants and shopping continues to be an active part of the district, despite commercial competition from the junction areas. The cost of rental space in the district is less than the Main Street area, and parking is generally available.

The District is central to the daily flow of traffic to the resort areas and to the Main Street area. Four of the City's six stop lights are located on the District Boundaries. Many intersections and driveways affect the flow of traffic in the District and to the resort areas and Main Street.

Several of the buildings and developments have undergone redevelopment in the past 5 years, including the Rail Central Project, the theater complex, and the Centura Emporium project. These projects represent significant efforts by the private sector to provide community level services in this area.

District Objectives

The overall objective for the Park Bonanza District is to facilitate the redevelopment of the district by coordination of land use and transportation plans, incorporation of uses that contribute to the overall success of the District. This facilitation includes consideration for modification of the current City zoning regulations, consistent with the intent of this section and the overall Park City General Plan. Facilitation also includes identifying the opportunities to contribute to the overall quality of life for all of Park City. Housing, shops and services that can be served by the existing transit system, parking areas that can serve the demands of the district plus provide supplemental parking for the resorts and Main Street are examples of the current range of opportunities presented within the district. Facilitation includes identification of project where City resources can be contributed to assist with overall benefits to the Park City community.

The District will primarily continue to serve the needs of the residents and visitors to Park City, consistent with changing consumer demands for services, restaurants, shopping and housing. Local businesses will be strongly encouraged, with national brands providing visibility and stability in the product mix. Further descriptions of the objectives for the area are found in the individual Plan Elements that follow.

Note: The following section of this report is formatted in bullet format to introduce the planning concepts for each of the General Plan elements relating to the Park Bonanza Planning Area. Each of the items in this section of the report will be expanded, researched as necessary and finally edited for adoption and amendment of the General Plan.

General Plan Element I. Introduction

No changes required

General Plan Element II. Park City Direction

No changes required. The planning direction for the Park Bonanza District is consistent with the stated goals.

General Plan Element III. Community Character

Amend the Community Character Element as follows:

- Include the Park Bonanza District within the Developing Area Policies section of this Element. The current planning direction for the District is consistent with the current Developing Area Policies.

General Plan Element IV. Open Space

Open space in this area is established through the provisions in the Land Management Code for the General Commercial (GC) and Light Industrial (LI) zones. Under basic zoning, the open space on a parcel is determined by the setbacks from the property line. Properties along Park Avenue, Kearns Boulevard and Deer Valley Drive are subject to the provisions of the Frontage Protection Zone which requires additional Front Yard setbacks and a Conditional Use Permit approval for development within 100 feet of the Right of Way along these streets. Bonanza Drive is not currently subject to the Frontage Protection Zone requirements. In addition to the aesthetic importance of Open Space in this area, Open Space along roads provides a critical function for snow storage for snow storage and for adequate room for sidewalks, bus zones and walkways.

Additional Open Space is required for larger project that are approved under the Master Development Plan (MPD) section of the Land Management Code.

To meet the objectives for the Park Bonanza District, the **Open Space Element** would be amended as follows:

- Open Space requirements would remain as in the current code to maintain equity between all GC and LI zoned properties whether in the District or in other Planning Areas. A further definition of Open Space would be created to allow "hardscapes" plazas, walkways, seating areas, fountain areas, etc, to be included in the Open Space calculations.
- The Frontage Protection requirements of a 30 foot setback from Park Avenue, Kearns Boulevard and Deer Valley Drive would be maintained. The Separate Conditional Use process for development within 100 feet of the Right of Way along these roads would be modified such that a separate Conditional Use Permit would not be required for projects proposed as an MPD and the Open Space requirements are met. Parking that was completely below grade, except for Open Space plaza spaces on the exposed level, could be considered

between the 100 foot and 30 foot setback area in an MPD and without entrances and exits on Park Avenue, Kearns or Deer Valley Drive.

- Within MPD's setbacks between buildings can be reduced to the minimum Fire Code requirements and Open Space combined in the most appropriate area. Snow storage must be considered in determining the appropriate amount and location of Open Space.
- A suitable open space requirement for redevelopment of housing would need to be determined.

General Plan Element V. Land Use

The current array of land uses within the GC and LI districts continue to be appropriate uses within the Park Bonanza District. In order to facilitate the desired mix of housing, shops, restaurants and commercial uses, modifications to the Land Management Code would be necessary.

Some variation of building heights is allowed under the MPD provisions of the Land Management Code.

The amount of parking in the district appears to be appropriate – that is, there are only a few situations where too much parking (Payless Drugs and Park City Plaza) is found, and some areas where parking and circulation is less than adequate (Iron Horse Drive, Rail Central).

Commercial buildings would be limited to a maximum of 20,000 square feet per tenant to allow for some national retail uses. Larger retailers can provide economic support for the district through name recognition, marketing strength and merchandising efforts. Local retailers, shops, galleries and restaurants can benefit from the draw of the larger merchant, while the local shops provide the needed local identity to the district.

The mix of local versus regional / national commerce (retail, restaurant, commercial, etc) would vary according to the particular type of use. For example, national scale retail that directly competed with existing local business would be discouraged. Brand shops, particularly those that appeal to an active outdoor lifestyle would be allowed and encouraged if they provided community scale benefits such as exceptional architecture, imbedded employee housing etc. Outdoor lifestyle brand stores (The North Face, Patagonia, etc) should not be encouraged if they compete directly with local retailers that carry the line. National and regional restaurant brands are allowed and encouraged under the community benefit terms as national brand shops.

National brands that bring office, distribution and retail consistent with the active Park City lifestyle should also be encouraged to participate in the District, when bringing community benefits similar to brand shops and restaurants.

The **Land Use Element** would be amended as follows:

- Building heights could be allowed up to 40 feet on the interior areas of the Planning District to achieve the goals of coordinated, usable open space, additional sun exposure for streets and public areas, and mountain view protection. Height increases are not appropriate adjacent to existing housing areas, nor lined along the perimeter streets.
- Setbacks could be modified as discussed in the Open Space Elements
- Parking would remain as specified in the Land Management Code for land uses. Some consideration for pass-by and multiple use parking would be allowed for projects that blend commercial uses to reduce individual trips.
- A mix of local and national shops and restaurants would be encouraged. Large tenants would be limited to 20,000 square feet.
- A range of housing would be allowed within the district. Housing would be reviewed under the Housing element of the General Plan.

General Plan Element VI. Growth Management

The Growth Management Element describes the planned capacity of Park City for developments and provides planning direction for the potential annexation areas as well as neighborhoods within the City limits. The Park Bonanza District plays a key role in the long term growth management strategy. First, redevelopment of the district will allow for current and future needs of Park City residents and tourists to be served within the current developed areas, moving some of the potential demand from undeveloped areas, such as Quinn's Junction. Second, by facilitating re-development the City can allow for some additional uses in the area without significant increases in traffic demands. Third, by encouraging a range of housing opportunities in the district, a reduction in demand for this use outside the City is possible. This focus of housing in the City limits reduces the need to extend City Services, such as transit, to outlying areas in order to minimize traffic demands.

It should be recognized that the district cannot be the target of all required employee housing projects that will come forward in the future. However, encouraging employee, affordable and attainable housing in this area allows for a population located patronizing the local shops of the area. Other housing types and prices are needed to encourage the young professional, local empty-nesters and artists to the area.

Such housing, shops, and development mixes are flexible experiments. Projects should be allowed to proceed if they can show compliance with all the district objectives and criteria.

Certain areas of the Planning areas are underutilized in terms of types of use and the size of the uses within each parcel. Examples include the former Anderson Lumber site, and the Munchkin parking and commissary site for Park City Mountain Resort. Other areas are overused from their original intent due to lack of parking, inadequate circulation and land uses that are no longer adequately sized for the use. Examples of this situation occur along Woodside Road and Munchkin Road.

It is the intent of this plan for the Park Bonanza District that redevelopment embrace change and a reorganization and distribution of land uses to meet the other goals of the plan. Maximizing the development potential of each parcel, without direct consideration on the effect on transportation, adjacent land uses and the overall intent to exchange the viability of the entire City is not the intent of this plan.

Growth of some land uses in this district can be very important in limiting sprawl of outlying areas by encouraging infill in the Park Bonanza District. Each proposal to develop in the district must be evaluated against all the elements in the Plan including this portion of the Growth Management Element.

The Growth Management Element should be modified as follows:

- Incorporation of existing and projected amounts of commercial and housing in the district to allow for calculation of potential impacts of re-development on this and other elements of the General Plan.
- Incorporation of the preceding description for the Growth Management element

General Plan Element VII. Transportation

The Park Bonanza District forms the hub of the major transportation corridors within Park City. It is the only Planning Area surrounded by existing transit routes on all sides. It is also one of the few areas with major frontage on the 2 main routes in and out of town – Highway U-224 (Park Avenue) and Highway U-248 (Kearns Boulevard). With this situation, a careful balance of change, growth and design are required to meet the transportation requirements for the future and reduce the current set of conflicts in the area.

Changes in the area land use will change traffic patterns and timing. Re-development and intensification of uses has the high potential to create additional traffic. It is the intent of this element of the plan to accommodate change and some growth but not at the expense of increased traffic.

The location of the district, central to resort and Main Street transportation flows, creates a strong opportunity to locate a more inter-modal transportation center and

parking area. With frontage on both U 248 and Bonanza Drive, direct transit access is possible to the resorts and Main Street. An intermodal facility accessed from Park Avenue or Deer Valley Drive is discouraged due to current traffic and turning movements. An intermodal facility in this district allows for shared parking uses, possible remote parking support for the resorts and Main Street. For this reason, City participation is encouraged to facilitate the facility planning, construction and operations. Careful coordination is necessary between street design, transit and intersections and signalization.

Every effort should be made to reduce intersections with the road surrounding the project area. Minor roads should be combined and directed to acceptable intersection locations. Individual drive and parking accesses should be discouraged and considered for elimination during re-development planning.

It is possible that that an additional signal may be warranted in the future between Park Avenue and Bonanza on Kearns Boulevard. This signal must be electronically coordinated and synchronized with the existing signal system. To the degree possible, north exiting traffic should be routed through this intersection.

Roundabouts have been considered over the past 10 years as a solution to intersection difficulties along Bonanza Drive. Redevelopment planning can allow for the roundabouts to be considered seriously. The roundabouts have the potential to reduce intersection conflicts and eliminate the need for additional signalization and driving /turn lanes. Adequate geometry is essential to accomplishing successful roundabouts in the planning area and will require close cooperation with adjacent property owners and the City.

Bus pick-up and drop off areas conflict with traffic flow along Bonanza and Kearns. Planning of land uses along Bonanza and Kearns needs to consider pick up areas off of transportation lanes.

Inadequate space for bicycles exists along Bonanza Drive. Adequate space should be provided or a separate bicycle route planned on internal connector streets in the District.

Bonanza Drive presents a significant obstacle to the termination of the Rail Trail and the connection of the Rail Trail to the remainder of the Park City trail system. The City and adjacent property owners need to cooperate to resolve this conflict. Tunnels under Kearns should be considered if roadway and utility conflicts can be resolved.

The **Transportation Element** should be modified as follows:

- Incorporation of the most recent traffic and intersection studies for the area.
- Change the Transportation Element to avoid a reduction from current daily and hourly Levels of Service (LOS). Do not allow intersection Levels of Service to reduce below current levels.

- Incorporation of the preceding description for the Transportation element.

General Plan Element VIII. Environmental

Redevelopment of the District as planned has the potential to reduce land use sprawl, reduce the potential for remote junction commercial development and over-extension of transit services to remote locations.

- No changes required. The planning direction for the Park Bonanza District is consistent with the stated goals.

General Plan Element IX. Housing

The redevelopment of the Park Bonanza District presents some positive opportunities to meet housing demand in an in-fill process and reduce (however slight) the demand to develop outlying properties.

This is especially true for meeting employee housing demands and the desire for resort-urban lifestyles for young professionals and empty-nesters.

Care must be taken to balance the housing types, prices and locations of these types of housing to avoid prejudicing an area with a certain type of housing.

Additional housing in the area should not be encourages to the extent that the other elements in the General Plan are negatively affected, particularly the Transportation Element.

The **Housing Element** of the General Plan would be modified as follows:

- Coordination with the Growth Management Element for the assessment of existing and projected amounts of housing in the district.
- Incorporation of the preceding description for the Housing element

Conclusions and Recommendations

This review draft of the planning for the Park Bonanza District Planning Area for the Park City General Plan has been prepared to highlight key elements of the analysis to date and the potential changes to the General Plan and the Land Management Code.

The information presented in this review draft is designed to provide an opportunity to comment at an early stage of the planning process. Additional analysis and detail will be provided as the draft is refined and ultimately integrated into the various Element of the General Plan for adoption by the Planning Commission and City Council.

The major questions the draft raises for the Planning Commission and City Council are:

1. Are the Objectives of the proposed Planning Area coordinated with overall City Council and Planning Commission goals? Are the Objectives clear enough to allow for the more detailed planning text in individual General Plan Elements to be refined?
2. Is the balance between redevelopment, sprawl control and minimum reductions in traffic Levels of Service (LOS) clearly identified?
3. Are the benefits of in-fill re-development coupled with the obligations of the developers identified?

We will continue to work within the review draft framework and City Council and Planning Commission comments. The analysis of commercial space, housing and property ownership is on-going..

Process for Public Input

The public will have several opportunities to comment on the revisions to the General Plan at the Planning Commission and City Council level through the Public Hearing process. Because this area is a blend of experienced developers and residents, special consideration needs to be taken to carefully balance the input of the residents and other stake holders. A public input session will be scheduled to allow for resident and stakeholder input, prior to the public hearing process.

Exhibit B

**Planning for the NOMA / West of Bonanza Area
Staff Meeting
January 10, 2006**

- Define the area: boundaries
- What are the City's goals/roles for this area
 - Planning Commission input
 - Council input
 - Staff input
 - Public input
- Do we have the appropriate tools to accomplish these goals/roles
 - Comp Plan
 - Zoning
 - Do we need an RDA
 - Can the City offer incentives
- What impediments or fatal flaws exist to redevelopment
 - Road network
 - Fragmented land ownership
- Who are the stakeholders & what is their role
 - Ownership map
- What opportunities exist through redevelopment
 - Parking opportunities
 - Affordable housing
 - Pedestrian access
 - Retail Mix
 - Transit terminus for a park & ride lot at Richardson Flats
- Next steps in developing a plan
 - Open house
 - Charette
 - Staff time
 - Consultant

Exhibit C

Draft Flow Chart- Timeline for Park Bonanza District Planning

January 2006

Council Visioning- General discussion regarding the Park Bonanza District

City Department stake holders initial meeting (Planning, Engineering, Building, Economic Development, Public Works, Public Affairs)- Park Bonanza District Study Area Boundary and agreement that input from City Council and Planning Commission is necessary.

March 2006

Consultant on board to develop a framework for redevelopment by reviewing and proposing amendments to applicable elements of the Park City General Plan.

Joint Meeting- Planning Commission and City Council, in a work session format, further discuss redevelopment of the District from a "big picture" perspective using draft of General Plan amendments as a discussion piece.

Follow-up meeting with City Department stake holders, using direction from the Planning Commission and City Council joint meeting, to discuss potential components of the Plan and discuss the citizen participation process. Identify all stake holders. Identify City roles.

Collect information, as needed, on existing property ownership, land uses, utilities, roads, trails and sidewalks, economic/ socio economic factors, etc.

April 2006

Continue to collect above information and begin to formulate redevelopment strategies. Test the General Plan amendments against the redevelopment strategies. Revise General Plan amendments and/or redevelopment strategies as necessary. Other plan components are formulated as necessary.

Begin public participation process with open houses for Park Bonanza district property owners and for general public to discuss and provide input on redevelopment strategies (guidelines and policies) and proposed General Plan amendments.

Provide updates to Planning Commission and City Council.

May 2006

Follow-up meeting with stake holders (City Departments, utilities, etc.) to review and provide input on redevelopment strategies (guidelines and policies), various plan components, and General Plan Amendments. Public participation continues at Planning Commission meetings, as formal public hearings.

July 2006 (or August 2006) Provide final documents for adoption by City Council.

City Council Staff Report



Author: Phyllis McDonough Robinson
Subject: IHC/USSA/Burbidge Annexation:
Review of Affordable Housing
Date: March 16, 2006
Type of Item: Administrative

Executive

Summary Recommendations: Staff is requesting discussion and specific direction on housing policy issues related to the Annexation Petition.

**Description: Affordable Housing
Topic:**

Background

On October 27, 2005 the IHC/USSA Task Force forwarded a unanimous positive recommendation to the Planning Commission for a proposed new zoning District for the annexation area titled the Community Transition (CT) District. The CT District includes a specific provision addressing affordable housing. The Task Force recommendation as it relates to affordable housing was that the Applicant be consistent with the draft language of the Community Transition (CT) Zone. The proposed CT Zone includes an additional housing requirement to be applied to developments that seek to exceed the base density of one (1) unit per twenty (20) acres. The density proposed in the Annexation triggers the following housing requirements:

- *The base density of the CT District may increased up to one (1) unit per acre provided that additional standards are incorporated including an additional 5% affordable housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of application. The Planning Commission may consider alternative housing uses for the additional 5% affordable housing commitment.*
- *The base density of the CT District may be further increased to three (3) units per acre provided that all density bonus requirements are met including an additional 5% affordable housing commitment beyond that required by the City's Affordable Housing Resolution in effect at the time of application and the initial 5% commitment required to achieve the 1 unit per acre density.*

Formal adoption of the Land Management Code amendment creating the CT District is pending final action before Council. The Planning Commission's final recommendation on the annexation is pending the development of an Annexation Agreement between the City and the applicants.

In mid-February the Applicant submitted to Staff an alternative proposal for addressing its affordable housing obligation that differs significantly from both the requirements of

the City's Affordable Housing Guidelines and Standards (Resolution 17-99) and the Task Force Recommendations. The Applicant's proposal, and staff's subsequent review, raised substantive housing policy questions that are not addressed under the current housing resolution. Because the CT Zone relies upon the underlying housing guidelines and standards of Housing Resolution 17-99, staff requested direction from the Planning Commission prior to this joint Planning Commission/City Council Work Session. Specifically, Staff raised the following housing policy issues at the March 8, 2006 Planning Commission Work Session on the IHC/USSA/Burbidge Annexation Petition.

- Should there be consideration given in the calculation of affordable housing requirements that differentiates between commercial and institutional uses?
- Should there be consideration given for the dedication of commercial space within the Medical Office Building for use by community-based nonprofit organizations.
- How should we apply the housing guidelines and standards in the case of existing entities, specifically USSA?
- Recognizing that the Applicant is not a residential developer, would we be willing to consider a fee in lieu payment in fulfillment of a portion of the Applicant's housing obligation. And, if so, to what extent?

There was no formal recommendation made by the Planning Commission as to the content of the policy options. The Planning Commission recommended that these issues be further discussed at the Joint Work Session on March 8th. The discussion during the Planning Commission indicated their willingness to consider alternatives to the imposition of the employee housing requirements, especially as it related to the nonprofit elements of the proposal.

Analysis

Staff is working with the Applicant to identify beneficial solutions to meeting the housing obligation for Council consideration. Staff is requesting discussion and specific direction on the following housing policy issues. This direction is necessary for the Planning Commission to make a recommendation to Council regarding the proposed annexation.

- 1) The Applicant has raised the issue of how an institutional versus commercial use should be treated as it relates to housing obligation. The current housing resolution does not distinguish among uses for the purposes of employee generation. The rationale presented is that the Institution use provides a community benefit beyond that which is traditionally provided by the operation of a commercial use. Staff concurs with the Applicant and recommends the creation of an Institutional Category. The current base mitigation rate for commercial projects is 20 percent. This would apply to the for the hospital portion only. The Medical Office Building employee generation rate would not be decreased. ***Would Council support the***

addition of an Institutional Category with an employee generation base mitigation rate of 10 percent?

- 2) The Applicants have discussed the donation of land to two community-based nonprofits, specifically the People's Health Center and USSA. Staff would support a recommendation that defers the imposition of an employee generation requirement from these uses so long as the use does not change. Should Council permit this option, language would be added to the Development Agreement that clarifies that if the use is not built, if the property transfers title, or if a CUP is filed and the use changes from the original use (even if the organization retains ownership), the new developer would be subject to a housing requirement based upon the ordinance in place at that time. ***Would Council support a deferral of the employee housing obligation under the proposed conditions?***
- 3) Similarly, the Task Force discussed the possible commitment of up to 50,000 square feet of Medical Office Building proposed density for community-based organizations and/or related community services. This represents a community contribution by IHC in the form of a reduced rent structure as compared to commercial leasing rates. It also supports the Quinn's Planning Principles and creates a synergy of uses. ***Would Council support a deferral of the employee housing obligation for space committed to community-based organizations and/or related community services under the same conditions as outlined in Number 2 above?***
- 4) At this point USSA is not proposing any increase in its employee base. The employee generation calculation for the professional (non training) space closely matches USSA's current workforce. USSA's housing obligation is triggered by the annexation petition. If they were relocating into existing space that did not require an MPD or an Annexation, there would not be any housing requirement. Similarly, the tenant that occupies the vacated USSA space currently leased by USSA is not subject to any housing requirement. It is possible that USSA could have a significant staff turnover and/ or substantial growth and either scenario could result in new employees in the area. To that end, staff would recommend the following: Employee growth of more than 5 percent of the current FTEs would be mitigated. This would apply not only to USSA's employees, but to any tenant that co-locates with USSA. ***Should Council not support staff's recommendation in Number 2 above, staff requires direction on how to treat the relocation of USSA, an existing entity for purposes of employee generation calculations.***
- 5) While it is possible that USSA will construct housing for athletes, there is no formal proposal at this time. Such a use is permitted in the proposed zone. Should athlete's housing be developed, USSA requests that it be credited with the equivalent number of UEs that could be applied toward any future employment growth by USSA and co-tenants. ***Does Council support USSA's request should athlete's housing be developed?***

- 6) Based upon the discussion at the Planning Commission regarding a fee in lieu payment, as well as Council's expressed preference for units, IHC returned to staff with a proposal to create an Assisted Living Facility on-site. IHC expressed that such an Assisted Living Facility would be compatible with the mission of the hospital. Such a use would be permitted under the proposed Community Transition District. Depending on size and monthly cost, such a facility could fulfill a portion, if not all, of the housing obligation created by the hospital portion. The MOB housing obligation would remain and staff recommends it be in the form of permanent family housing built off-site. Staff asked IHC to consider the feasibility of senior housing within the campus. This is a very preliminary proposal and would require the development of affordable unit equivalency standards as it relates to unit size and monthly cost. ***Does Council support the concept of the development of an Assisted Living Facility on the medical campus as one method of fulfilling the housing obligation of the annexation?***
- 7) At the Planning Commission work session IHC outlined its challenge in meeting an affordable housing obligation. IHC is not a residential developer and the campus is not intended for residential use outside of athlete's housing or medical support such as a rehabilitation center or an assisted living facility. IHC indicated that unlike a commercial or residential developer it does not have a product to pass along the cost. Its fees for service are limited by federal statute and/or insurance providers. ***Recognizing that IHC is not a residential developer, would Council be willing to consider a fee in lieu payment in fulfillment of a portion of the Applicant's housing obligation? If so, under what circumstances or to what extent?***

The charts below summarize the impact of the policy issues above on the affordable housing requirements.

Use	Unit Equivalents		
	Initial Calculations	Institutional Category	Institutional Category with USSA and MOB Deferral for community services
IHC Hospital	72.27	44.78	44.78
Medical Office Building	36.90	34.98	22.04
USSA	10.71	10.71	0
Total	119.87	90.47	66.82
Deferred Units	0	0	23.65

Significant Impacts

The Applicant's proposal would result in the construction of the 66.82 affordable housing Unit Equivalents. This would include both assisted living on-site and deed restricted permanent housing within the Park City School District. This represents an affordability commitment by the Applicant equivalent to approximately \$80,000 per unit, or the amount necessary to bridge the gap between the average 2005 sales price of market rate two and three bedroom units between 800 and 1,400 square feet (excluding

luxury unit sales) and the maximum mortgage amount affordable to the Park City Workforce Wage.

Recommendation: Staff recommends that the City Council discuss and provide specific direction to Staff on housing policy issues related to the Annexation Petition.

CITY COUNCIL Staff Report



Subject: SIGN CODE REVISIONS
Date: March 16, 2006
Type of Item: Legislative

PLANNING DEPARTMENT

Summary: Staff recommends that the City Council review the existing language regarding Temporary Portable Signs in Title 12, the Sign Code and direct staff to leave it as written, at one off-premise sign per business, and only within private plazas.

TOPIC

Amendments to Title 12 of the Municipal Code.

BACKGROUND

The City Council conducted a series of public hearings and work sessions on November 3, December 1, December 13, and December 22, 2005 to modify and update Title 12 of the Municipal Code, the Sign Code (a formal ordinance was adopted on December 22, 2005). Central to the adopted changes was an allowance for limited use of portable signs by businesses within a private plaza. This language allows for limited use of temporary portable signs by businesses located on private plazas provided they are not placed within a City owned public right-of-way.

On January 12, 2006 representatives of the Historic Main Street Business Alliance expressed concerns that the adopted language was not completely representative of direction given by the Council during the public process. The City Council in turn, directed staff to research the minutes from the previous meetings and return with analysis and a recommendation regarding these signs.

ANALYSIS

Representatives from the Historic Main Street Business Alliance contend that the Council directed staff to include language in the ordinance allowing for temporary portable signs in all commercial zones, and within the public right-of-way provided they did not impede pedestrian or vehicular traffic (minutes are attached). They state that these signs are a significant benefit for the economic growth of their businesses and would very much like to have an opportunity to use them.

In turn, staff is concerned that allowing these signs within public right-of-ways will create circulation problems along both pedestrian and vehicular right-of-ways, as it will further narrow crowded sidewalks and streets, especially along Main Street. A proliferation of these signs will create visual clutter that is not consistent with the City's design guidelines. There are 194 licensed businesses on Main Street if 35% of them chose to add signs, the number would be 69 new signs.

Minutes from each of the four meetings where the Sign Code was discussed (especially November 3, 2005) indicate that there was discussion regarding this language however the only Council direction was to modify the design criteria and allow the signs year round (see Exhibit A). As a result, staff recommended ratification of the language below that was adopted by the Council on December 22, 2005.

(I) **TEMPORARY PORTABLE SIGNS**. Businesses located in a private plaza may display a temporary portable sign to advertise or identify their business. Such temporary portable signs must be placed within the boundaries of the private plaza and are subject to the following criteria:

(1) **SIZE**. No temporary portable sign may exceed twelve square feet (12 sq. ft.).

(2) **NUMBER OF SIGNS**. One (1) temporary portable sign is allowed per business.

(3) **ORIENTATION**. Temporary portable signs are allowed only on private property, and must not impede pedestrian circulation or ADA and fire access. No temporary portable signs will be permitted on City owned property, including City owned right-of-ways.

(4) **ZONING RESTRICTIONS**. Temporary portable signs are allowed only within the HCB, HRC, GC, LI, RD and RC, zoning districts.

(5) **DESIGN**. Fluorescent colors and reflective surfaces are prohibited on portable signs. Reflective colored materials that give the appearance of changing color are also prohibited.

(6) **ILLUMINATION**. Illumination of temporary portable signs is prohibited.

Staff recommends that the City Council maintain the current language as it is, at one off-premise sign per business, and that the signs be allowed outside of the public right-of-way and only within private plazas.

ALTERNATIVES

1. The City Council may direct staff to take no action and leave the language as currently written; or
2. The City Council may instruct staff to modify the language to allow for temporary portable signs within City right-of-ways and all commercial zones; or
3. The City Council may continue the discussion;

SIGNIFICANT IMPACTS

There significant impacts that may result from amending the existing language.

- Placement of portable signs within public right-of-way will impede pedestrian and vehicular circulation, especially on Main Street where there is limited sidewalk area.
- A proliferation of portable signs in front of businesses would create visual clutter.

DEPARTMENT REVIEW

The Executive Department, Planning Department and Legal Department have reviewed the proposed amendments.

RECOMMENDATION

Staff recommends that the City Council review the existing language regarding Temporary Portable Signs in Title 12, the Sign Code and direct staff to leave it as written, at one off-premise sign per business, and only within private plazas.

Exhibit A – Excerpts from previous meetings.

EXHIBIT A

EXCERPTS FROM CITY COUNCIL MEETINGS REGARDING DISCUSSION ON TEMPORARY PORTABLE SIGNS

November 3, 2006 Meeting:

VI NEW BUSINESS

Ordinance amending the Municipal Code, Title 12, Sign Code – Ray Milliner explained the change in lettering language encouraging variety and depth by promoting raised or routed letters on the sign face. The Planning Commission recommends that the Code be amended to clearly prohibit animated or moving signs. Historic replicative signs, like the obelisk at the Egyptian Theater, are allowed if the applicant can document that the original historic sign produced the same movement and/or motion. **With regard to the trial of temporary portable signs in plazas or sandwich boards, staff observed that six or seven businesses participated, no complaints were received and two signs could be viewed from the public right-of-way at any time. Staff is recommending that this be permanently inserted in the Code. The HMBA recommends that portable signs be allowed on public property on a year-round basis including all rights-of-ways with written permission from the City. Staff continues to recommend prohibiting these signs on public property and limiting them to plazas from November 15 until April 15.** Mr. Milliner continued that there is a recommendation to consolidate language for free-standing signs in large scale MPDs with a maximum square footage from 10 to 20 square feet. He explained the proposal that one luminous tube sign will be allowed for every 25 feet of building façade width. One neon sign of less than two square feet in size is allowed per building face without a permit.

....

Mike Sweeney, HMBA, referred to the Sign Code and stated that merchants would like choices other than the color ivory, for letters on internally illuminated signs. He proposed allowing animated signs in the commercial district, at least on a trial basis at a later date, and discussed allowing inflatable signs or balloons. **Portable signs are currently limited to a-frame signs and there should be more latitude to allow creative designs, still maintaining the ten square foot maximum. Additionally, these signs should be allowed in other commercial locations besides private plazas.**

....

With no further public input, Mayor Williams closed the public hearing. Jim Hier indicated that with all of the amendments suggested by Mr. Sweeney, that the Council be provided time to review all of the comments. He felt proposed Code amendments should be presented in a clearer fashion and Joe Kernan felt it would be helpful to compare the Planning Commission's and staff's perspective. Kay Calvert agreed with Mr. Sweeney's comments about allowing more designs

for sandwich board signs. Mr. Kernan also suggested that staff create a chart outlining associated setbacks for sign types. Candy Erickson proposed that a-frame signs be regulated as not exceeding x number of square feet, i.e., both sides, and not restricting the design. The Mayor felt that these signs should be allowed year-round since the trial was intended to be temporary.

December 1, 2005 Meeting:

Planner Ray Milliner explained that Council directed an amendment to the Code, allowing free-standing portable signs year-round. There is a request to remove some design requirements, specifically only permitting a-frames, and staff is open to Council's input. Marianne Cone discussed the stability of a-frame signs and Joe Kernan supported allowing other designs, unless a problem arises. The Mayor opened the public hearing on the remainder of the Sign Code issues.

December 22, 2006 Meeting:

VI OLD BUSINESS

Ordinance amending the Municipal Code, Title 12, Sign Code – Planner Ray Milliner discussed the modifications directed by Council at its meeting on December 1. He pointed out his error in not changing the off-premise signs number to "5", although the language reads "five". The public hearing was closed and not continued at the last meeting, but the Mayor invited input.

Mike Sweeney, HMBA, thanked Planner Ray Milliner and the City Council and urged Council to approve the Sign Code as presented.

Candace Erickson, "I move we approve the Ordinance amending the Municipal Code, title 12, Sign Code as corrected by staff". Kay Calvert seconded. Motion unanimously carried.

Historic Main Street Business Alliance

March 10, 2006

Park City Council and Mayor
Park City Municipal Corporation
PO Box 1480 Park City, UT 84060

Subject: Sign Code Revisions – March 16, 2006

Dear City Council and Mayor,

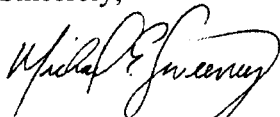
The Historic Main Street Business Alliance (HMBA) appreciates you reviewing the recently past Sign Code to see if Temporary Portable Signs should be limited to only private plazas. The HMBA is requesting that Temporary Portable Signs (one per business) be allowed to be displayed similarly as Display of Out Door Merchandise, i.e. on private property but not private property where City owned Right-of-Ways exist.

As of this date there are not a plethora of Temporary Portable Signs and the businesses displaying signs are only displaying one sign as per the Sign Code requirement.

In reviewing the minutes of the various City Council meetings leading up to the passage of the revised Sign Code, I could not find the discussions pertaining to this issue of where Temporary Portable Signs could be located. I know the topic was discussed and I thought it was decided that the locations allowed to display these signs were similar to the Display of Out Door Merchandise and was not limited to only private plazas.

Again, thank you for allowing the HMBA to work with the Staff and you reviewing this Sign Code issue.

Sincerely,



Historic Main Street Business Alliance
Michael E. Sweeney, Past President, Current Board Member

City Council Staff Report



Planner: Kirsten Whetstone
Subject: Snow Top Subdivision
Date: March 16, 2006
Type of Item: Amendments to plat notes

PLANNING DEPARTMENT

RECOMMENDATION: Staff recommends the City Council review the proposed plat amendments, conduct a public hearing, and approve the amendments according to the findings of fact, conclusions of law, and conditions of approval outlined in the attached Ordinance.

DESCRIPTION

Project Name: Snow Top Subdivision plat amendment
Applicant: Spectrum Development Corporation
Location: Snow Top Court (Deer Crest)
Zone: Estate (E)

BACKGROUND

The applicant is requesting a plat amendment to amend plat notes #4 and #5 regarding building pads and limits of disturbance, on behalf of the owner of Lots 135, 137, 138, 139, and 141 of the Snow Top subdivision. The plat notes apply to all 15 lots within the Snow Top Subdivision. Snow Top Subdivision was approved by the Wasatch County Commission on December 15, 1998 and recorded in Wasatch County. The entire subdivision was annexed to Park City as part of the Deer Crest Annexation (December 17, 1998), in accordance with the Deer Crest Settlement Agreement. Houses are currently under construction on Lots 134, 136, 137, and 138. The remaining lots are vacant, although building plans have been submitted for Lot 135. Park City provides all planning and building review on these lots. Utilities are handled through JSSD and other service providers.

All property owners within the Snow Top Subdivision (15 lots), as well as the Deer Crest Association, have submitted revised letters consenting to the plat note amendments (see Exhibit A). The Deer Crest architectural review committee has also submitted a revised letter in favor of the amendments. The applicant, who represents the owner of lots 135, 137, 138, 139, and 141, is requesting amendments to existing plat notes #4 and #5 (see Exhibit B for existing language), as described below.

On January 11, 2006, the Planning Commission conducted a public hearing on this plat amendment. One property owner (of lot 136), who had purchased his lot subsequent to the date the application was filed with the consent letters from all property owners, provided input that he was not aware of the plat amendment. He stated that he did not have concerns with the changes to the limits of disturbance notes, but wanted to better understand how changes to the building pad would affect his lot. The Planning

Commission closed the public hearing and continued the item to the January 25, 2006 meeting. On January 16, 2006, this property owner provided a letter of consent agreeing to the proposed plat amendments. On March 1, 2006, the Planning Commission opened the item for any public comment and voted to forward a positive recommendation to the City Council. No public comment was provided.

ANALYSIS

Plat note #4 currently reads, in part, "Each Lot on the Plat illustrates the maximum building envelope that will be allowed. Maximum dwelling coverage, maximum impervious area, maximum floor area and maximum garage area are also set forth in this Plat. Any actual structure proposed to be constructed on the Lot may reflect a smaller size than the maximum shown on the Plat. Structures may not encroach on the set backs shown on the Plat. ... "

Staff interprets this note to mean that the maximum building envelope is illustrated as shown on the plat and that this envelope can not encroach upon setbacks. The applicant, at the request of the Planning and Building Departments, is requesting additional language be added to Note #4 to clarify this note (the existing language in Note #4 remains as is), as follows:

Add to Note #4:

The Building envelope may be relocated from the illustrated location provided:

- (a) The structure will not encroach on any ridge site lines, as more particularly described in the governing documents (See Deer Crest Settlement Agreement, Section 5.3.9, referring to visibility of structures from the Stew Pot deck).*
- (b) The location is approved by the Master HOA Design Review Committee for Deer Crest.*
- (c) The location is approved by the Park City Planning Department prior to issuance of a building permit.*

Note #5 currently states that, "...the limits of disturbance shall be minimized; however, in no event shall the disturbance exceed an area that is 15' from the outside face at grade of any structure to be constructed on any Lot..."

This limit of disturbance language is not consistent with language on other plats approved in Park City, in terms of identifying disturbance due to driveways and utilities. In addition, due to the configuration and steepness of these lots, the amount of material generated during excavation, and the physical limitations of containing materials to 15' on a steep slope, the applicant is requesting that note #5 be amended to read as follows:

Proposed Note #5

The limits of disturbance on each lot shall be minimized; however, the disturbed area shall not exceed 20' from the outside of the building envelope. Some exceptions to this requirement may be approved by the Planning Director, if necessary, due to

unique characteristics of the lot, including very steep topography and significant vegetation. Additional limits of disturbance shall be allowed for construction related to the approved driveway access and utility installation to the building pad from the street. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on the preliminary landscaped plan which shall be submitted to the Design Review Committee with the first submittal of proposed improvement plans.

Summary

The applicant is not requesting amendments to the Lot Coverage Table on Sheet 1 of the plat which spells out the maximum dwelling coverage area, maximum impervious area, maximum floor area, and maximum floor area with the garage included. No amendments are requested to the size of the building envelope, as stated on each lot of the plat. The applicant is also not requesting any amendments to the limits on the irrigated area or on the limits of additional drip irrigation area.

At the time of annexation of this subdivision, the Planning Department staff report indicated that the allowable building areas would be zoned E-Estate and that all other land would be zoned ROS- Recreation Open Space. The Zoning Map indicates the entire lot areas of the 15 lots are zoned E and the areas (Open Space parcels) within the plat around these lots are zoned ROS. Staff has interpreted the annexation report to indicate that building can occur within the lot areas, subject to the Lot Coverage Table and the maximum building envelope square footage. Several owners have requested modifications to the illustrated building pads (to preserve view corridors and existing vegetation). Staff requested the notes be clarified through the plat amendment process to provide the criteria by which a relocated building pad can be approved.

No other changes are proposed to the subdivision plat. Staff finds that the preservation of existing vegetation and view corridors throughout the subdivision warrants clarification of the existing plat notes. All property owners within the plat have provided letters in support of these amendments. Planning and Building staffs support these amendments as they clarify the notes and provide for additional review criteria before a change to the location of a building pad can be made.

NOTICE

Notice of the Planning Commission and City Council hearings was sent to property owners within 300' and property owners within the plat, on December 28, 2005. The Council has properly continued this item by motion from the originally scheduled hearing date. At the January 11, 2006, Planning Commission meeting, the owner of Lot 136, provided information that he was not aware of the proposed plat amendment as he had recently closed on the property had had not received notice of the meeting. The property owner wanted to better understand what was being proposed and how it would affect his lot. The applicant met with this property owner and provided letters of consent from the current property owners, including the owner of lot 136. A revised letter, with the correct language regarding notes #4 and #5, from Deer Crest Associates I, L.C. has

also been provided. There was no public comment provided at the March 1, 2006 hearing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat amendment for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on December 14, 2005, where representatives from local utilities and City Staff were in attendance. Staff requested modifications to the requested language, which was subsequently provided.

ALTERNATIVES

1. The City Council may approve the plat amendments, based on the findings of fact, conclusions of law, and conditions of approval as stated in the Ordinance; or
2. The City Council may deny the plat amendments and provide findings for this decision or direct staff to make findings for this decision; or
3. The City Council may continue the discussion on this plat amendment to a future meeting.

SIGNIFICANT IMPACTS

The most significant impact resulting from this application is the ability of the lot owners to have additional flexibility in the design and construction of houses on these lots, while providing additional review criteria for staff and the architectural review committee to utilize in reviewing changes to the location of a building envelop. The amendments also provide limits of disturbance language consistent with other plats approved in Park City.

RECOMMENDATION

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and approve the plat amendments according to the findings of fact, conclusions of law and conditions of approval outlined in the attached Ordinance.

EXHIBITS

- Exhibit A- Ordinance
- Exhibit B- Existing Snow Top subdivision plat notes
- Exhibit C- Letters from Property Owners

EXHIBIT A

AN ORDINANCE APPROVING THE SNOW TOP SUBDIVISION PLAT AMENDMENT TO AMEND PLAT NOTES #4 AND #5 REGARDING LOCATION OF BUILDING PADS AND LIMITS OF DISTURBANCE ON ALL LOTS WITHIN THE SUBDIVISION, LOCATED AT SNOW TOP COURT, PARK CITY, UTAH.

WHEREAS, Georg Lingenbrink, the owner of Lots 135, 137, 138, 139, and 141 of the Snow Top Subdivision, petitioned the City Council, through his agent, Spectrum Development Corporation, for approval of a plat amendment to amend plat notes #4 and #5 regarding the location of building pads and limits of disturbance as described below, 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, letters of consent regarding the amendments were received by the City from all property owners within the fifteen lot subdivision;

WHEREAS, the Planning Commission held a public hearing on January 11, 2006, to receive input on the proposed plat amendment;

WHEREAS, the Planning Commission, on March 1, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 16, 2006, the City Council held a public hearing and approved the proposed plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The plat amendment as described below is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located in the Estate (E) zone, subject to the Deer Crest Settlement Agreement.
2. The E zone is a residential zone characterized by large lot single family homes.
3. The applicant is requesting a modification to plat notes #4 and #5 of the Snow Top Subdivision to clarify language regarding location of building pads and limits of disturbance.

4. Snow Top Subdivision was approved by the Wasatch County Commission on December 15, 1998 and was recorded at Wasatch County. The subdivision was annexed to Park City with the Deer Crest Annexation on December 17, 1998.
5. The Planning Department staff report for the Deer Crest Annexation indicates that the building envelope areas in Snow Top will be zoned Estate and the areas outside the building areas will be zoned ROS.
6. The Zoning map indicates the entire lot area of the 15 Snow Top Subdivision lots are zoned Estate and the open space parcels around the lots, within the subdivision are zoned ROS.
7. The applicant is requesting amendments to plat notes #4 and #5 to clarify language regarding the location of building pads on the 15 lots, as well as to allow limits of disturbance to extend to 20' from the face of the building, with minor exceptions allowed to be approved by the Planning Director. The requested language is as follows:

Add to Note #4:

The Building envelope may be relocated from the illustrated location provided:

- a) *The structure will not encroach on any ridge site lines, as more particularly described in the governing documents (See Deer Crest Settlement Agreement, Section 5.3.9, referring to visibility of structures from the Stew Pot deck).*
- b) *The location is approved by the Master HOA Design Review Committee for Deer Crest.*
- c) *The location is approved by the Park City Planning Department prior to issuance of a building permit.*

Proposed Note #5

The limits of disturbance on each lot shall be minimized; however, the disturbed area shall not exceed 20' from the outside of the building envelope. Some exceptions to this requirement may be approved by the Planning Director, if necessary, due to unique characteristics of the lot, including very steep topography and significant vegetation. Additional limits of disturbance shall be allowed for construction related to the approved driveway access and utility installation to the building pad from the street. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on the preliminary landscaped plan which shall be submitted to the Design Review Committee with the first submittal of proposed improvement plans.

8. No changes are proposed to change any lot lines, maximum dwelling coverage areas, maximum impervious area, maximum floor area, size of the building envelope, or size of the limits of disturbance area.
9. All lot owners have provided letters of consent in support of the proposed amendments.
10. The applicant, Spectrum Development, represents Georg Lingenbrink, property owner of Lots 135, 137, 138, 139, and 141.

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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

Conditions of Approval:

1. City Attorney and City Engineer review and approval of the final form and content of the plat amendment instrument for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat amendment instrument.
2. All other conditions of approval and platted requirements of the Snow Top Subdivision will continue to apply.
3. The applicant will record the plat amendment instrument at Wasatch County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval will be void.

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

PASSED AND ADOPTED this 16th day of March, 2006.

GENERAL NOTES

1. The lots are covered by a Master Declaration of Covenants, Conditions and Restrictions for Deer Crest (the "Master Declaration"). Each lot owner will be a member of the Deer Crest Master Association, a Utah non-profit corporation (the "Master Association"), and subject to the terms of its Articles of Incorporation, its Bylaws and the rules and regulations that may be established by the Master Association from time to time. Construction of structures on each lot shall be subject to the terms and processes of the Deer Crest Design Guidelines ("Design Guidelines") as established and amended from time to time by the Master Association. The siting and design of each structure shall be approved by the Deer Crest Review Committee (the "Design Review Committee") prior to commencement of construction following the process established by the Design Guidelines. Following approval by the Design Review Committee, construction on a lot must secure the approval of and a building permit from the applicable governmental entities.
2. The following easements are dedicated by the dedication of this plat for use by the Developer, the Master Association, parties identified in the plat notes as benefited by a specific easement, lot owners, owners of units within condominium or multifamily projects within the Deer Crest Project subject to the access limitations in note 13 and guests and permitted drivers, including easements covering all areas within the legal description of the lots and outside of the building envelopes shown on any lot:
 - An easement for ingress and egress across or private roadways shown on the Plat.
 - An easement for the maintenance and construction of the roads and related slopes and retaining walls across portions of lots outside of building envelopes and adjacent to the roads.
 - An easement for all public utilities and for drainage, across portions of all lots outside the building envelopes which also runs in favor of each utility providing services within the Deer Crest Project.
 - Other easements relating to the construction, landscaping, improvements and sales of the Deer Crest Project by the Owner and the operations of the Master Association as are described in the Master Declaration.
3. The Deer Crest Project is also subject to existing easements and other interests of record.
4. Each lot on the Plat illustrates the maximum building envelope that will be allowed. Maximum dwelling coverage, maximum impervious area, maximum floor area and maximum garage area are also set forth in this Plat. Any actual structure proposed to be constructed on the lot may reflect a smaller size than the maximum shown on the Plat. Structures may not encroach on the set backs shown on the Plat. The maximum dwelling coverage is the maximum size of allowable structures in plan view, including eaves, overhangs and outbuildings which may be constructed on the lot. The maximum impervious area is the maximum area of impervious surface allowed on a lot in addition to the dwelling coverage including driveways, concrete slabs, walkways, steps and other surfaces impervious to water.
5. The limits of disturbance on each lot shall be minimized; however, in no event shall the disturbance exceed an area that is 15 feet from the outside face of grade of any structure to be constructed on any lot. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on a preliminary landscape plan which shall be submitted to the Design Review Committee with the first submittal of proposed improvement plans.
6. Irrigated landscape shall be limited to 1,500 square feet and the irrigation area to be served by drip irrigation systems shall be limited to 4,500 square feet. The proposed location of irrigation systems shall be reflected on the final landscape plan.
7. The roads and trails within the Subdivision are classified as private (though subject to certain public pedestrian and bike access easements in certain locations). All road maintenance, including snow removal, shall be arranged and paid for by the Master Association. Driveways shall be constructed in accordance with the requirements of the Uniform Fire Code and any exceptions granted pursuant thereto. Wasatch County must approve any exemptions.
8. Wasatch County prohibits the building of structures on active fault lines, collapsible soils, unstable soils, landslide areas and other geologic hazards. A soils report is available from the Developer for review. It is required that the lot owner consult a qualified geotechnical engineer and other design professionals to conduct a lot-specific investigation and submit a geotechnical and geology report to Wasatch County for review and approval prior to site development for all grading, driveway, and building construction. Existing mine workings have been identified and analyzed by AGRS Earth and Environmental Geotechnical Engineers. Their report has been recorded at the Wasatch County Utah Recorder's Office as part of the Master Declaration.
9. Local service providers (or approved alternatives):
 - High Power
 - Questar Gas Company
 - U.S. West Communications
10. Residential structures shall be fire sprinkled pursuant to local fire requirements and shall be constructed in accordance with the provisions of the Uniform Fire Code (UFC). See the Design Guidelines.
11. The ownership, operation and maintenance of common elements, including Open Space, and conditions for the construction of lots, are set forth in the Master Declaration.
12. Wasatch County prohibits building on wetlands or areas where ground water percolates less than 7 feet of the surface, on areas within 100 feet of a river or intermittent water body, on areas within 100 feet radius from a well used for culinary water, on areas within a 100 yard 24 hour storm incident damage path, and on any other water body.

EXHIBIT B

LOT COVERAGE TABULATION TABLE

LOT	ACREAGE	TOTAL AREA SQ. FT.	DWELLING COVERAGE SQ. FT.	IMPERVIOUS AREA SQ. FT.	FLOOR AREA SQ. FT.	FLOOR AREA w/GARAGE SQ. FT.
131	0.51	22374	4889.92	2768.70	8306.10	8906.10
132	0.59	25498	5119.84	2924.90	8774.70	9374.70
133	0.62	26948	5235.84	2997.40	8992.20	9592.20
134	0.94	42848	6113.92	3546.20	10687.84	11287.84
135	0.99	43244	6129.76	3556.10	10719.52	11319.52
136	0.51	22088	4847.04	2754.40	8263.20	8863.20
137	0.50	21714	4788.52	2727.40	8164.20	8764.20
138	0.50	21828	4809.04	2732.80	8198.40	8798.40
139	0.50	21846	4812.28	2734.60	8203.80	8803.80
140	0.81	35025	5841.00	3325.63	10142.00	10742.00
141	0.86	37555	5902.20	3413.88	10264.40	10864.40
142	0.53	23285	4942.80	2814.25	8442.75	9042.75
143	0.57	24670	5053.60	2883.50	8650.50	9250.50
144	0.87	37773	5910.92	3419.33	10281.84	10881.84
145	0.71	31855	5626.40	3242.75	9728.25	10328.25

GENERAL NOTES

- The Lots are covered by a Master Declaration of Condominium (the "Master Declaration"). Each lot owner will be Association, a Utah non-profit corporation (the "Master Association") its Articles of Incorporation, its Bylaws and the rules and the Master Association from time to time. Construction to the terms and processes of the Deer Creek Design (C) and amended from time to time by the Master Association. structure shall be approved by the Deer Creek Review Committee prior to commencement of construction following the following approval by the Design Review Committee, construction and a building permit from the applicable government.
- The following easements are dedicated by the recordation Master Association, parties identified in the plat notes to owners, owners of units within condominium or multifamily subject to the access limitations in note 13 and guests covering all areas within the legal description of the lot shown in any lot:
 - An easement for ingress and egress across
 - An easement for the maintenance and repair and retaining walls across portions of units to the roads.



SPECTRUM
Development Corporation

3090 East 3300 South, Suite 100
Salt Lake City, Utah 84109
Telephone (801) 433-1101
Fax (801) 433-1102

January 16, 2006

Libri Partners
Property Owner of Lots 135, 137, 138, 139, 141
Snow Top Subdivision

I, Georg Lingenbrink representing Libri Partners, are the owners of the above mentioned lots in Snow Top Court Subdivision in Deer Crest. We agree to the following requests for the amendment to the Snow Top Court Subdivision Plat. These requests are submitted by Spectrum Development in our behalf which are dated January 16, 2006.

The following changes are requested.

Add to Note #4:

The Building envelope may be relocated from the illustrated location provided:

- (a) *The structure will not encroach on any ridge site lines, as more particularly described in the governing documents (See Deer Crest Settlement Agreement, Section 5.3.9, referring to visibility of structures from the Stew Pot deck).*
- (b) *This location is approved by the Master HOA Design Review Committee for Deer Crest.*
- (c) *The location is approved by the Park City Planning Department prior to issuance of a building permit.*

Proposed Note #5

The limits of disturbance on each lot shall be minimized; however, the disturbed area shall not exceed 20' from the outside of the building envelope. Some exceptions to this requirement may be approved by the Planning Director, if necessary, due to unique characteristics of the lot, including very steep topography and significant vegetation. Additional limits of disturbance shall be allowed for construction related to the approved driveway access and utility installation to the building pad from the street. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on the preliminary landscaped plan which shall be submitted to the Design Review Committee with the first submittal of proposed improvement plans.

We agree with these proposed changes.

Georg Lingenbrink
Libri Partners

EXHIBIT C



SPECTRUM
Development Corporation

4401 East 11th North Street
Salt Lake City, Utah 84143
Telephone: 801-463-1100
Fax: 801-463-1102

January 30, 2006

Mr. Randy Mellor
Property Owner of Lot 136
Snow Top Court Subdivision

I, Randy Mellor, am the owner of the above mentioned lot in Snow Top Court Subdivision in Deer Crest. I agree to the following requests for the amendment to the Snow Top Court Subdivision Plat.

The following changes are requested.

Add to Note #4

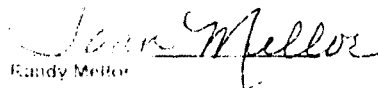
The Building Envelope may be relocated from the illustrated location provided:

- a. the structure will not encroach on any ridge site lines, as more particularly described in the governing documents (See Deer Crest Sottlement Agreement, Section 5.3.9, referring to visibility of structures from the Stew Butte deck;*
- b. The location is approved by the Master HOA Design Review Committee for Deer Crest;*
- c. The location is approved by the Park City Planning Department prior to issuance of a building permit.*

Proposed Note #5

The limits of disturbance on each lot shall be minimized, however, the disturbed area shall not exceed 20' from the outside of the building envelope. Some exceptions to this requirement may be approved by the Planning Director, if necessary, due to unique characteristics of the lot, including very steep topography and significant vegetation. Additional limits of disturbance shall be allowed for construction related to the approved driveway access and utility installation to the building pad from the street. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on the preliminary landscaped plan which shall be submitted to the Design Review Committee with the first submittal of proposed improvement plans.

I hereby approve these proposed changes.


Randy Mellor



SPECTRUM
Development Corporation

3090 East 3300 South, Suite 100
Salt Lake City, Utah 84109
Telephone (801) 433-1101
Fax (801) 433-1102

January 16, 2006

Palmo Rancho, L.L.C.
Property Owner of Lot 134
Snow Top Court Subdivision

I, Petra Krismer representing Palmo Rancho L.L.C., are the owners of the above mentioned lot in Snow Top Court Subdivision in Deer Crest. We agree to the following requests for the amendment to the Snow Top Court Subdivision Plat. These requests are submitted by Spectrum Development in our behalf which are dated January 16, 2006.

The following changes are requested.

Add to Note #4:

The Building envelope may be relocated from the illustrated location provided:

- (a) *The structure will not encroach on any ridge site lines, as more particularly described in the governing documents (See Deer Crest Settlement Agreement, Section 5.3.9, referring to visibility of structures from the Steer Pot deck).*
- (b) *The location is approved by the Master HOA Design Review Committee for Deer Crest.*
- (c) *The location is approved by the Park City Planning Department prior to issuance of a building permit.*

Proposed Note #5

The limits of disturbance on each lot shall be minimized; however, the disturbed area shall not exceed 20' from the outside of the building envelope. Some exceptions to this requirement may be approved by the Planning Director, if necessary, due to unique characteristics of the lot, including very steep topography and significant vegetation. Additional limits of disturbance shall be allowed for construction related to the approved driveway access and utility installation to the building pad from the street. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on the preliminary landscaped plan which shall be submitted to the Design Review Committee with the first submittal of proposed improvement plans.

We agree with these proposed changes.

Petra Krismer, President
Palmo Rancho, L.L.C.



SPECTRUM
Development Corporation

3090 East 3300 South, Suite 100
Salt Lake City, Utah 84109
Telephone: (801) 433-1101
Fax: (801) 433-1102

January 16, 2006

Deer Crest Associates I, L.C.
Property Owner of Lots 131-133, 140, 142-145
Snow Top Court Subdivision

We, Deer Crest Associates I, L.C., are the owners of the above-mentioned lot in Snow Top Court Subdivision in Deer Crest. We agree to the following requests for the amendment to the Snow Top Court Subdivision Plat. These requests are being submitted by Spectrum Development on our behalf, which is dated January 16, 2006.

The following changes are requested.

Add to Note #4.

The Building envelope may be relocated from the illustrated location provided:

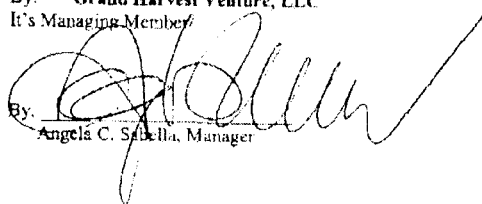
- (a) *The structure will not encroach on any ridge site lines, as more particularly described in the governing documents (See Deer Crest Settlement Agreement, Section 5.3.9, referring to visibility of structures from the Stew Pot deck).*
- (b) *The location is approved by the Master HOA Design Review Committee for Deer Crest.*
- (c) *The location is approved by the Park City Planning Department prior to issuance of a building permit.*

Proposed Note #5

The limits of disturbance on each lot shall be minimized; however, the disturbed area shall not exceed 20' from the outside of the building envelope. Some exceptions to this requirement may be approved by the Planning Director, if necessary, due to unique characteristics of the lot, including very steep topography and significant vegetation. Additional limits of disturbance shall be allowed for construction related to the approved driveway access and utility installation to the building pad from the street. In addition, significant clusters of vegetation and large tree specimens shall be preserved where possible or where required by the Design Review Committee. Such clusters of vegetation and large trees shall be identified on the preliminary landscaped plan, which shall be submitted to the Design Review committee with the first submittal of proposed improvement plans.

We agree with these proposed changes.

DEER CREST ASSOCIATES I, L.C.
By: **Grand Harvest Venture, LLC**
It's Managing Member

By: 
Angela C. Sabella, Manager

City Council Staff Report



Subject: 633 Woodside Avenue
Date: March 16, 2006
Type of Item: Plat Amendment

PLANNING DEPARTMENT

RECOMMENDATION: Staff recommends the City Council hold a public hearing for the 633 Woodside lot line adjustment and approve it based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance.

PROJECT

Applicant: John Stafsholt
Location: 633 Woodside Avenue
Zoning: Historic Residential (HR-1)
Adjacent Land Uses: Residential
Date of Application: January 1, 2006
Project Planner: Ray Milliner

BACKGROUND

The applicant has applied for an amendment to parcels 4 and 5 of the Walter – Daniels Subdivision. The proposal is to remove the lot line between the two lots, creating one lot of record. The plat amendment will enable the expansion of the single-family home on Parcel 4. This application was originally reviewed and approved administratively by the Planning Director and the City Engineer. However, the lot line adjustment was not recorded within one year of approval and the administrative approval expired. In cases where an approval expires, the applicant is required to submit a new application to the Planning Department for review.

ANALYSIS

There is an existing historic home on Parcel 4. The applicant would like to expand the existing home on Parcel 4 onto Parcel 5. Therefore, he is requesting a lot line adjustment to combine Parcels 4 and 5 into one lot of approximately 5,250 square feet. The property is zoned HR-1 and the addition is subject to the regulations of LMC Chapter 15-2.2, including; setbacks of 3 feet on the sides, 10 feet in the front and 12 feet in the rear; a maximum height limit of 27 feet above existing grade and; a maximum building footprint of 1,954 square feet. The existing historic home encroaches into the front and both side yard setbacks, however pursuant to LMC Section 15-2.2-4 that states, "Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures" the historic building will be permitted to remain in its current location. The applicant has submitted an application for review for compliance with the Historic District Design Guidelines that was reviewed by staff and approved on January 31, 2006. No building permit will be issued for the project until this plat has been recorded.

NOTICE

Notice of this hearing was sent to property owners within 300' on February 8, 2006. Staff has received no comments from the public regarding the application, at the time of this writing.

DEPARTMENT REVIEW

The Planning, Engineering and Building Departments have reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on January 10, 2006, where representatives from local utilities and City Staff were in attendance. No additional issues were raised.

ALTERNATIVES

1. The City Council may approve the lot line adjustment for 633 Woodside Avenue as conditioned or amended, or
2. The City Council may deny the lot line adjustment for 633 Woodside Avenue and direct staff to make Findings for this decision, or
3. The City Council may continue the discussion on the lot line adjustment for 633 Woodside Avenue.

SIGNIFICANT IMPACTS

There are no significant fiscal or environmental impacts from this application

RECOMMENDATION

Staff recommends the City Council hold a public hearing for the 633 Woodside lot line adjustment and approve it based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Proposed Lot Line Adjustment

Ordinance No. 06-

AN ORDINANCE APPROVING THE COMBINATION OF LOTS 4 AND 5 OF THE WALTER DANIELS SUBDIVISION, LOCATED AT 633 WOODSIDE AVENUE PARK CITY, UTAH

WHEREAS, the owner of the property known as 633 Woodside Avenue, has petitioned the City Council for approval of a lot combination; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 1, 2006 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 16, 2006 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, the proposed lot combination allows the property owner to combine two lots into one lot of record; and

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

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is primarily a residential zone characterized by historic and contemporary single-family residences.
3. The amendment will combine parcels 4 and 5 of the of the Walter Daniels subdivision creating one 35' x 150' lot of record.
4. The applicant is the owner of both parcels 4 and 5.
5. The lot will be approximately 5,250 square feet in size.
6. The maximum building footprint for a 5,250 square foot lot is 1,954 square feet.
7. The setback requirements for a 35' x 150' lot in the HR-1 zone are 3' on the sides, and 15 feet in the front and rear.
8. There is an existing historic single family home on Parcel 4.
9. The historic home does not meet any of the required setbacks for the HR-1 zone.
10. LMC Section 15-2.2-4 that states, "Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures" the historic building will be permitted to remain in its

- current location.
11. The proposed addition to the historic home meets the required setbacks, height and footprint for a new structure in the HR-1 zone.
 12. The owner received an administrative lot line adjustment approval to combine parcels 4 and 5 of the Walter Daniels subdivision from the Planning Director and City Engineer on January 20, 2004.
 13. The January 20, 2004 approval expired on January 20, 2005, without being recorded at the County Recorder's office.
 14. The proposed lot line adjustment combines two platted lots for the purpose of expanding a single-family home.
 15. No new developable lot or unit will result from this lot line adjustment.
 16. The lot line adjustment will not result in additional remnant land.
 17. The lot line adjustment will not result in a violation of applicable zoning requirements.
 18. Notice of the proposed lot line adjustment was sent to adjacent property owners on February 8, 2006.
 19. Access to the lot shall be from Woodside Avenue.
 20. The applicant stipulates to the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

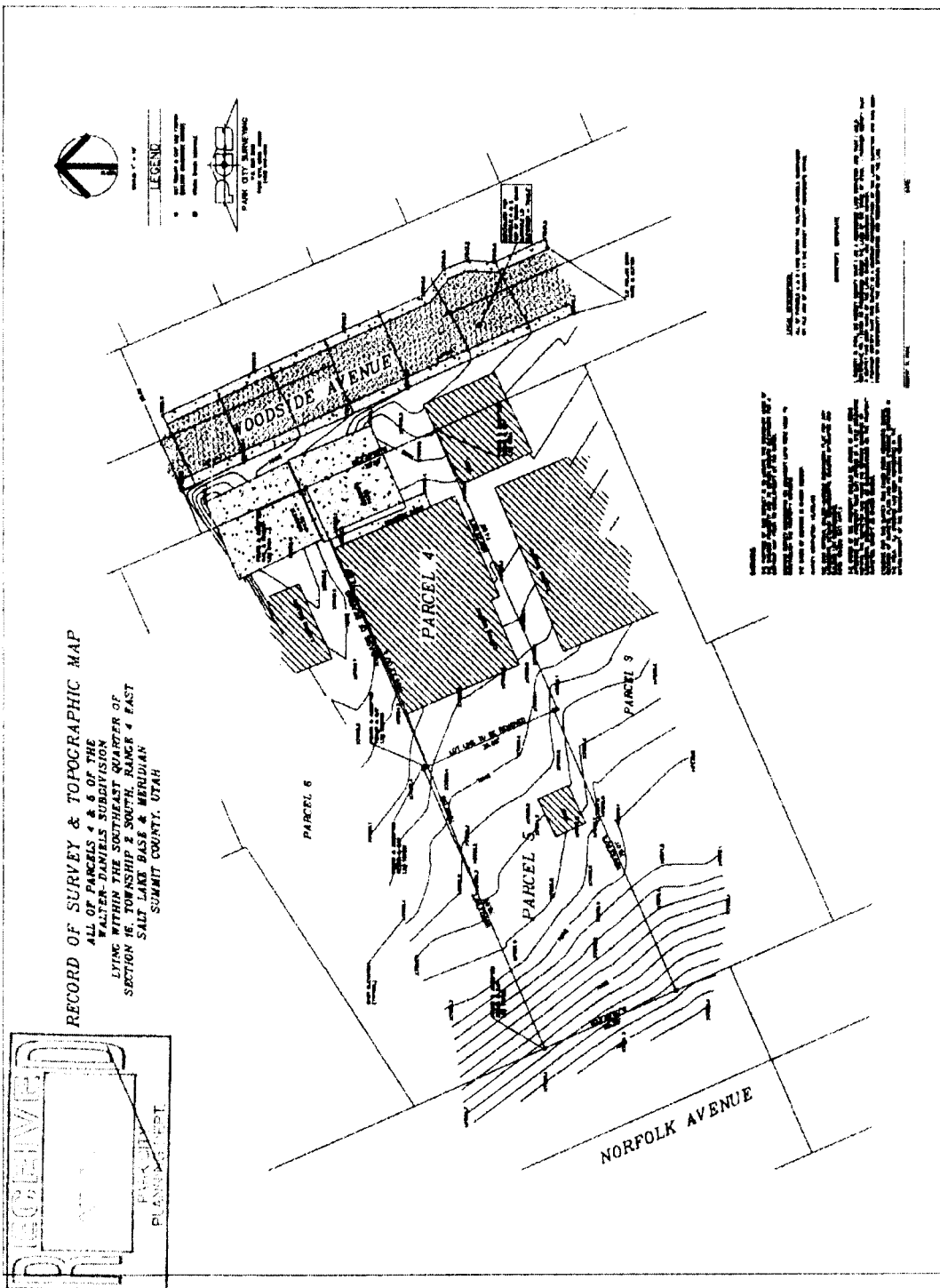
1. There is good cause for this lot combination.
2. The lot combination is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed application.
4. As conditioned the lot combination is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the lot line adjustment for compliance with the Land Management Code and conditions of approval are a condition precedent to recording the plat.
2. No building permits shall be issued prior to the final recordation of the plat at the County Recorder's Office.
3. 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 and the plat will be void.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 16th day of March 2006.



**City Council
Staff Report**



PLANNING DEPARTMENT

Subject: 827 WOODSIDE REPLAT
Date: March 16, 2006
Applicant: Phillip Ford for Amos Madanes
Zone: Historic Residential – (HR-1)
Planner: Jonathan Weidenhamer

SUMMARY RECOMMENDATION: Staff recommends that the City Council review the proposed Plat Amendment, conduct a public hearing, and consider approving the application.

BACKGROUND

The Planning Commission reviewed this item at the March 1, 2006 meeting. A Public hearing was held. No public comment was received. The Planning Commission voted unanimously to forward a positive recommendation to the City Council.

The applicant proposes to combine lot 7 and the southerly half of lot 8, Block 11 of the Snyder's Addition to the Park City Survey into one lot of approximately 2,626 square feet (Exhibit A). The property has an existing historic structure which straddles the lot line between lots 7 and 8. The current home has a footprint of approximately 1,000s.f. The maximum footprint allowed for a 2,626 square foot lot is approximately 1,133 square feet. The house has recently been sold. Part of the condition of sale was to remove the existing lot line under the house. The City is unaware of any intent to remodel the home at this time.

ANALYSIS

The property is zoned HR-1, Historic Residential. The proposed plat creates a lot of approximately 2,626 square feet. Because the existing home at 827 Woodside Avenue is historic, the LMC Section 15-2.2-4 exempts the addition from off-street parking requirements.

NOTICE

Notice of this hearing was sent to property owners within 300'. Staff has received no comments from the public at the time of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on January 24, 2006, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed Plat Amendment, conduct

a public hearing, and consider approving the application.

EXHIBITS

Ordinance

Exhibit A –Subdivision Plat and existing conditions survey

Ordinance No. 06-

AN ORDINANCE APPROVING THE 827 WOODSIDE REPLAT WHICH WILL COMBINE LOT 7 AND THE SOUTHERLY HALF OF LOT 8, BLOCK 11 OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY INTO ONE LOT OF RECORD.

WHEREAS, the owners of Lot 7 and southerly half of lot 8 of Block 11 of the Snyder's Addition to the Park City Survey, known as 827 Woodside Avenue, have petitioned the City Council for approval of a plat amendment; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 1, 2006 the Planning Commission held a public hearing to receive public input on the proposed plat amendment and forwarded a positive recommendation to the City Council; and

WHEREAS, on March 16, 2006 the City Council held a public hearing to receive public input on the proposed plat amendment and voted to approve the application; and

WHEREAS, the proposed plat amendment allows the property owner to remove one lot line and create one legal lot of record and

WHEREAS, it is in the best interest of Park City Utah to approve the plat amendment.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1).
2. The HR-1 District is characterized by a mix of small historic structures and larger contemporary residences.
3. There is an existing historic single family home on the property.
4. The existing historic single family home straddles lots 7 and 8 of block 11 the Park City Survey
5. The applicant proposes to combine lot 7 and the southerly half of lot 8, Block 11 of the Snyder's Addition to the Park City Survey into one lot of approximately 2626 square feet (Exhibit A). The property has an existing historic structure which straddles the lot line between lots 7 and 8.
6. The current home has a footprint of approximately 1,000s.f. The maximum footprint allowed for a 2626 square foot lot is approximately 1133 square feet.
7. The Planning Commission reviewed this item at the March 1, 2006 meeting. A Public hearing was held. The Planning Commission voted to forward a recommendation to approve the plat amendment.
8. The City Council reviewed this item at the March 16, 2006 meeting. A public

hearing was held. The City Council voted to approve the plat amendment.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following 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.
3. Neither the public nor any person will be materially injured by the proposed plat amendment.
4. As conditioned the plat amendment is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. 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 and the plat will be void.
3. The remnant half of lot 8 (north) is not separately developable by virtue of this amendment.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 16th day of March, 2006.

BASIS OF BEARING BETWEEN FOUND STREET MONUMENTS
IN THE INTERSECTION OF PARK AVENUE/8TH STREET AND NORFOLK/8TH

9th STREET

WOODSIDE AVENUE

BLOCK 11

LOT 11

LOT 10

LOT 9

LOT 8

LOT 7

LOT 6

LOT 5

LOT 4

LOT 19

LOT 18

LOT 17

LOT 16

LOT 15

LOT 14

LOT 13

LOT 12

**A LOT LINE ADJUSTMENT
827 WOODSIDE REPLAT**

LYING WITHIN BLOCK 11
OF SNIDER'S ADDITION TO
PARK CITY SURVEY

REPLAT

GRAPHIC SCALE

1" = 100'

1" = 200'

1" = 300'

1" = 400'

1" = 500'

1" = 600'

1" = 700'

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PARK CITY PLANNING COMMISSION

CERTIFICATE OF ATTORNEY

INTERVIEWS WITH RELEVANT DOCUMENTS

ENGINEER'S CERTIFICATE

APPROVAL AS TO FORM

COUNCIL APPROVAL AND ACCEPTANCE

RECORDED

REPLAT

GRAPHIC SCALE

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City Council Staff Report

Subject: 315 PARK AVENUE
Date: March 16, 2006
Type of Item: Subdivision



PLANNING DEPARTMENT

RECOMMENDATION: Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and approve it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

DESCRIPTION

Project Name: 315 Park Avenue
Project Planner: Ray Milliner
Applicant: Monique Abbott
Zone: Historic Residential (HR-1)

BACKGROUND

The applicant is the owner of Lots 4, 27, 28, 29 and portions of Lots 5 and 6 of Block 3, of the Park City survey. On December 7, 2005 the City received an application to combine Lot 4 and portions of 5 and 6 into one lot of record, and to combine Lots 28 and 29 into one lot of record (No changes are proposed to Lot 27). In addition to the historic home, there is an accessory building on the site that straddles the lot line between Proposed Lots B and C. This application was reviewed by the Planning Commission on March 1, 2006 and forwarded to the City Council with a positive recommendation.

ANALYSIS

The property is located in the Historic Residential (HR-1) zone. If approved, the property will have three lots of record, one for an existing historic single family home and two for future development. Proposed Lot A would have frontage onto Park Avenue and Proposed Lots B and C would have frontage onto Woodside Avenue. Lot A, would consist of 3,162 square feet, Lot B 1,875 square feet and Lot C 3,750 square feet. The minimum lot requirement for a lot in the HRL zone is 1,875 square feet. In order to respect the newly created lot lines and comply with the applicable HR-1 setbacks, the historic structures will need to be moved from their current locations, to become code compliant in their final locations. Staff is proposing that the Commission approve conditions of approval stating that the buildings must be moved to their permanent foundations and inspected for building code compliance prior to the recordation of this plat, in order to prevent the creation of a non-complying situation on the property.

In order to facilitate sensible future development, staff is recommending that the Commission require that the applicant create a reciprocal snow shed easement between proposed Lots B and C.

NOTICE

Notice of this hearing was sent to property owners within 300' on February 1, 2006. No comments regarding this application have been received by staff at the date of this writing.

ALTERNATIVES

1. The City Council may approve the subdivision at 315 Park Avenue as conditioned or amended, or
2. The City Council may deny the subdivision at 315 Park Avenue and direct staff to make Findings for this decision, or
3. The City Council may continue the discussion on the subdivision at 315 Park Avenue.

SIGNIFICANT IMPACTS

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

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on January 10, 2006, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed plat amendment, conduct a public hearing and approve it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Proposed Plat Amendment

Ordinance No. 06-

AN ORDINANCE APPROVING A SUBDIVISION OF LOTS 4, 27, 28, 29 AND PORTIONS OF LOTS 5 AND 6 OF BLOCK 3, OF THE PARK CITY SURVEY, LOCATED AT 315 PARK AVENUE PARK CITY, UTAH

WHEREAS, the owner of the property known as 315 Park Avenue, has petitioned the City Council for approval of a Subdivision; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 1, 2006 the Planning Commission held a public hearing on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 16, 2006 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, the proposed Subdivision allows the property owner to combine four lots and portions of two others into three lots of record; and

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

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will subdivide four platted lots and portions of two others into three lots of record.
4. Lot A is accessed from Park Avenue, Lots B and C are accessed from Woodside Avenue.
5. Proposed Lot A would consist of approximately 3,162 square feet.
6. Proposed Lot B would consist of approximately 1,875 square feet.
7. Proposed Lot C would consist of approximately 3,750 square feet.
8. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
9. There is an existing historic single family home and an accessory building on the property.
10. In its current location, the historic home and accessory building would not respect

the newly created lot lines and could not meet the required HR-1 setbacks for proposed lots.

11. No other applications have been filed with the Planning Department with regard to this application.
12. Minimal construction staging area is available along Park and Woodside Avenues.
13. Snow removal is necessary for emergency access, and snow storage areas are necessary for good snow removal.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

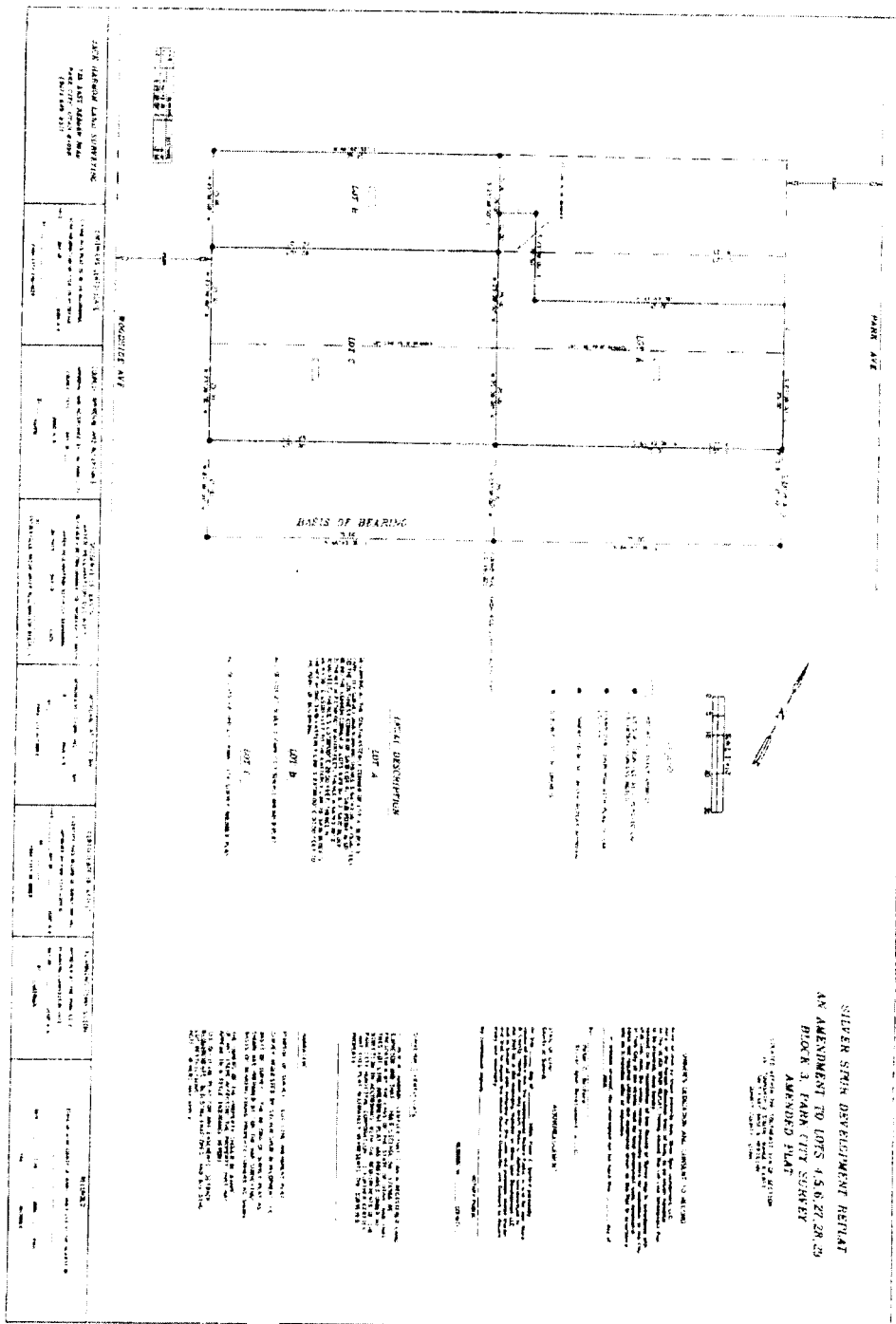
1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the recordation of the plat, the historic residence shall be moved and inspected for building code compliance to a final location that is compliant with all applicable LMC setback requirements in the HR-1 zone.
3. Prior to recordation of the plat, a reciprocal snow shed easement shall be recorded between Lots B and C.
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 and the plat will be void.
5. A financial guarantee for public improvements including road repairs from utility installation shall be provided in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer prior to plat recordation.
6. A ten-foot-wide public snow storage easement shall be dedicated along the Park Avenue and Woodside Avenue frontage of all lots.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 16th day of March 2006.



Planning Commission Staff Report



Planner: Ray Milliner
Subject: LOOKOUT @ DEER VALLEY
Date: March 1, 2006
Type of Item: Amended Record of Survey

PLANNING DEPARTMENT

SUMMARY: Staff recommends the City Council hold a public hearing for the Amended Lookout at Deer Valley condominium record of survey plat and approve it based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance.

DESCRIPTION

Project Name: Lookout @ Deer Valley MPD
Applicant: Henry Sigg
Location: 6601 Royal Street West
Zone: RD – Residential Development

BACKGROUND

On January 6, 2006 the applicant submitted an amendment to the condominium Record of Survey for the Lookout at Deer Valley. The Lookout is a 35 unit condominium project on a 44-acre parcel located off of Royal Street West near its intersection with Guardsman Connection. The parcel is situated between Royal Street and Highway 224 (the Mine Road). The applicants received City Council approval for a 35-unit condominium plat consisting of duplex and stand alone single-family units and a clubhouse unit with a caretaker residence inside on December 13, 2005. The plat was subsequently recorded at the County Recorder's office.

The purpose of this amended condominium record of survey is to modify the clubhouse unit to meet International Building Code requirements to allow access for persons with disabilities.

ANALYSIS

The project is located at 6601 Royal Street West, within the Park City limits. The property is zoned RD, Residential Development, and is subject to the Lookout at Deer Valley MPD. The proposed modification will modify the configuration of the platted record of survey condominium, but will not increase the number of dwelling units on the property. The purpose for the modification is to create an accessible unit for persons with disabilities that is compliant with the International Building Code. The plat amendment is consistent with the Lookout at Deer Valley MPD, in terms of size and location of the building, proposed use, and required parking. This application meets the requisite subdivision requirements of Title 15-7 of the Park City Municipal Code. All conditions of approval of the Lookout MPD approval continue to apply.

DEPARTMENT REVIEW

This request was discussed at a Staff Review Meeting on January 30, 2006, where representatives from local utilities and City Staff were in attendance. No additional issues or concerns were identified.

NOTICE

The property was posted and notice was mailed to property owners within 300 feet on February 1, 2006. Legal notice was also placed in the Park Record.

ALTERNATIVES

1. The City Council may approve the Record of Survey Plat for the Lookout at Deer Valley as conditioned or amended, or
2. The City Council may deny the Record of Survey Plat for the Lookout at Deer Valley and direct staff to make Findings for this decision, or
3. The City Council may continue the discussion on the Record of Survey Plat for the Lookout at Deer Valley.

SIGNIFICANT IMPACTS

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

RECOMMENDATION

Staffs recommends the City Council hold a public hearing for the Amended Lookout at Deer Valley condominium record of survey plat and approve it based on the findings of fact, conclusions of law and conditions of approval found in the draft ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Proposed Record of Survey plat

Ordinance No. 06-

AN ORDINANCE APPROVING AN AMENDMENT TO THE RECORD OF SURVEY PLAT FOR THE LOOKOUT AT DEER VALLEY, LOCATED AT 6601 ROYAL STREET WEST PARK CITY, UTAH

WHEREAS, the owner of the property known as the Lookout At Deer Valley, has petitioned the City Council for approval of the first amended Lookout at Deer Valley Condominium record of survey; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 1, 2006 the Planning Commission held a public hearing to receive public input on the proposed amended record of survey and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 16, 2006 the City Council held a public hearing on the proposed amended record of survey; and

WHEREAS, the proposed record of survey plat allows the property owner to create an International Building Code Compliant accessible unit for persons with disabilities within a 35 unit condominium project; and

WHEREAS, on December 13, 2005, the City Council approved the first amended Lookout at Deer Valley condominium record of survey; and

WHEREAS, it is in the best interest of Park City Utah to approve the first amended record of survey.

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Residential Development (RD) zone.
2. The property is subject to the July 27, 2005 Lookout at Deer Valley MPD approval.
3. The amended record of survey is consistent with the Lookout at Deer Valley MPD, in terms of size and location of the building, proposed uses, and required parking.
4. The Lookout at Deer Valley MPD Development Agreement sets forth a maximum density of 35 units and a clubhouse building.
5. The Lookout at Deer Valley MPD consists of 35 residential units (22 duplex style units and 12 single family residence units and a clubhouse unit) on a total of 44.22 acres.

6. The project provides approximately 40 acres of Open Space, approximately 82% of the site.
7. The location of the proposed structures is consistent with MPD site planning criteria.
8. No commercial uses are allowed on the site.
9. The condominium plat modifies the platted clubhouse unit to allow for International Building Code compliant access for persons with disabilities.
10. No additional units are created by this record of survey amendment.
11. The applicant stipulates to the conditions of approval.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

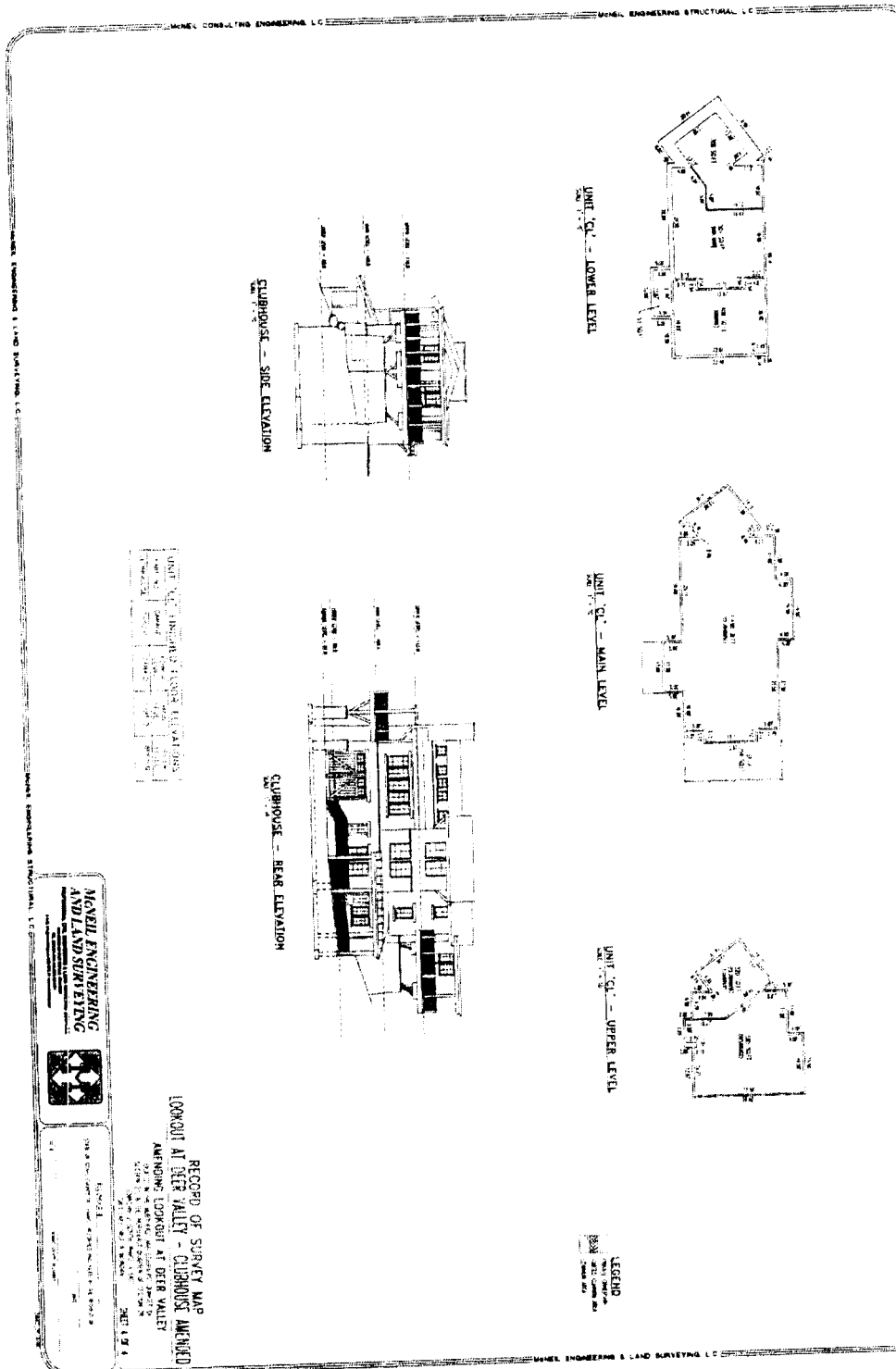
1. There is good cause for this amended Record of Survey.
2. The amended Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey, as conditioned.
4. Approval of the amended Record of Survey, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
5. The proposed record of survey plat is consistent with the approved Lookout @ Deer Valley MPD Development Agreement.

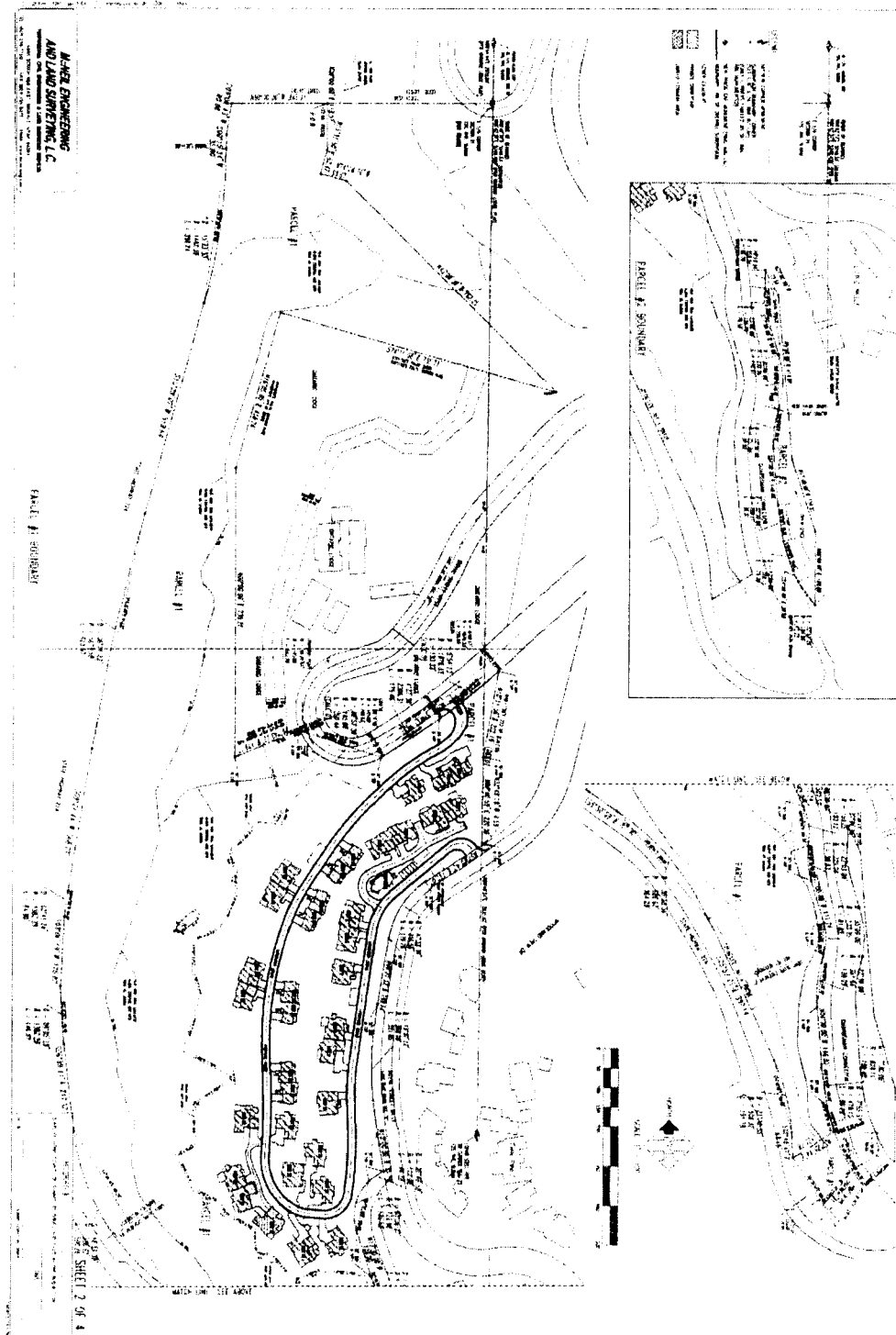
SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Record of Survey for compliance with State law, the Land Management Code, and the conditions of approval, as a condition subsequent to plat recordation.
2. The City Attorney will review and approve the final form of the amended Condominium Declaration and CCR's, as a condition subsequent to plat recordation.
3. The applicant will record the amended Record of Survey 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.
4. All conditions of approval of the Lookout @ Deer Valley MPD continue to apply.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 16th day of March 2006.





City Council Staff Report



Subject: 915 PARK AVENUE
Date: March 16, 2006
Type of Item: Subdivision

PLANNING DEPARTMENT

RECOMMENDATION: Staff recommends that the City Council review the proposed subdivision, conduct a public hearing and approve it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

DESCRIPTION

Project Name: 915 Park Avenue
Project Planner: Ray Milliner
Applicant: Peter and Rhoda Smith
Zone: Historic Residential (HR-1)

BACKGROUND

The applicants are the owners of Lot 4 and portions of Lots 5, 28 and 29 of Block 3, of the Snyder's Addition to the Park City survey. On December 2, 2005 the City received an application to combine each of these properties into one lot of record. The proposed lot would be approximately 3,937 square feet in size. There is an existing historic single family home on the property. On February 20, 2006, the applicant submitted an application for historic design guideline review that is currently under review by staff.

There are a number of encroachments onto and off of the property including the adjacent home on lot 3, that encroaches approximately 2.5 feet, a shed that encroaches onto lot 30 approximately 3 feet, a retaining wall that encroaches onto lot 3 approximately 1 foot and the driveway onto the property that encroaches onto Lot 6 approximately 5 feet.

ANALYSIS

The property is located in the HR-1 zone, and within zone A of the FEMA Flood Insurance Rate Map. Therefore, the applicant must meet the criteria for the construction of a single-family home in the Historic District Design Guidelines and Land Management Code Chapter 15-2.2 as well as submit a flood elevation certificate to the Building Department prior to the issue of a building permit. The lot combination will create a lot of approximately 42' x 92 feet and 3,937 square feet. Lots of this size are required to have side yard setbacks of 5 feet, and a front yard setback of 12 feet for a total of 25 feet. The new maximum footprint of the property will be 1,579 square feet. The existing historic home currently has a footprint of 864 square feet leaving 715 square feet of footprint available for an expansion to the historic structure, assuming compliance with all other applicable regulations.

As stated, the historic home adjacent to the property encroaches 2.5 feet onto the site, there is an existing shed that encroaches onto the adjacent property, and the applicant has a retaining wall and driveway that encroach onto the adjacent properties. Staff is requesting that the

applicant provide an encroachment and maintenance easement allowing the owner/occupants of the historic home to perform necessary upkeep on the structure, such as painting, and repair work. The applicant will remove the encroachments of the shed, driveway and retaining wall as part of the proposed renovation of the historic home.

NOTICE

Notice of this hearing was sent to property owners within 300' on February 1, 2006. No comments regarding this application have been received by staff at the date of this writing.

DEPARTMENT REVIEW

The Planning Department has reviewed this request. The City Attorney and City Engineer will review the plat for form and compliance with the LMC and State Law prior to recording. The request was discussed at a Staff Review Meeting on January 10, 2006, where representatives from local utilities and City Staff were in attendance.

RECOMMENDATION

Staff recommends that the City Council review the proposed subdivision, conduct a public hearing and approve it according to the findings of fact, conclusions of law and conditions of approval outlined in the attached ordinance.

EXHIBITS

Exhibit A – Proposed Ordinance

Exhibit B – Survey of Existing Conditions

Exhibit C – Proposed Plat Amendment

Ordinance No. 06-

AN ORDINANCE APPROVING A SUBDIVISION OF LOT 4 AND PORTIONS OF LOTS 5, 28 AND 29 OF BLOCK 3, OF THE SNYDER'S ADDITION TO THE PARK CITY SURVEY, LOCATED AT 915 PARK AVENUE PARK CITY, UTAH

WHEREAS, the owner of the property known as 915 Park Avenue, has petitioned the City Council for approval of a Subdivision; and

WHEREAS, proper notice was sent and the property posted according to requirements of the Land Management Code and State Law; and

WHEREAS, on March 1, 2006 the Planning Commission held a public hearing to receive public input on the proposed Subdivision and forwarded a positive recommendation of approval to the City Council; and

WHEREAS, on March 16, 2006 the City Council held a public hearing on the proposed subdivision; and

WHEREAS, the proposed Subdivision allows the property owner to combine one lot and portions of three others into one lot of record; and

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

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

SECTION 1. FINDINGS OF FACT. The above recitals are hereby incorporated as findings of fact. The following are also adopted by City Council as findings of fact:

1. The property is located in the Historic Residential (HR-1) zone.
2. The HR-1 zone is a residential zone characterized by a mix of contemporary residences and smaller historic homes.
3. The amendment will subdivide one platted lot and portions of three others into one lot of record.
4. Access to the property is from Park Avenue.
5. The proposed lot size is 3,937 square feet.
6. The minimum lot size for a single family home in the HR-1 zone is 1,875 square feet.
7. The maximum building footprint for a 3,937 square foot lot is 1,579 square feet.
8. The proposed lot measures 42' x 92.75'.
9. The front and rear yard setbacks for a lot 92.75 feet deep are a minimum of 12 feet for a total of 25 feet.
10. The side yard setbacks for a lot 42 feet wide are a minimum of 5 feet.
11. There is an existing historic single family home and an accessory building on the

property.

12. The historic home adjacent to the property encroaches 2.5 feet onto the site, there is an existing shed that encroaches onto the adjacent property, and the applicant has a retaining wall and driveway that encroach onto the adjacent properties.

13. No other applications have been filed with the Planning Department with regard to this application.

14. Minimal construction staging area is available along Park Avenue.

15. Snow removal is necessary for emergency access, and snow storage areas are necessary for good snow removal.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby adopts the following Conclusions of Law:

1. There is good cause for this subdivision.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. As conditioned the subdivision is consistent with the Park City General Plan.

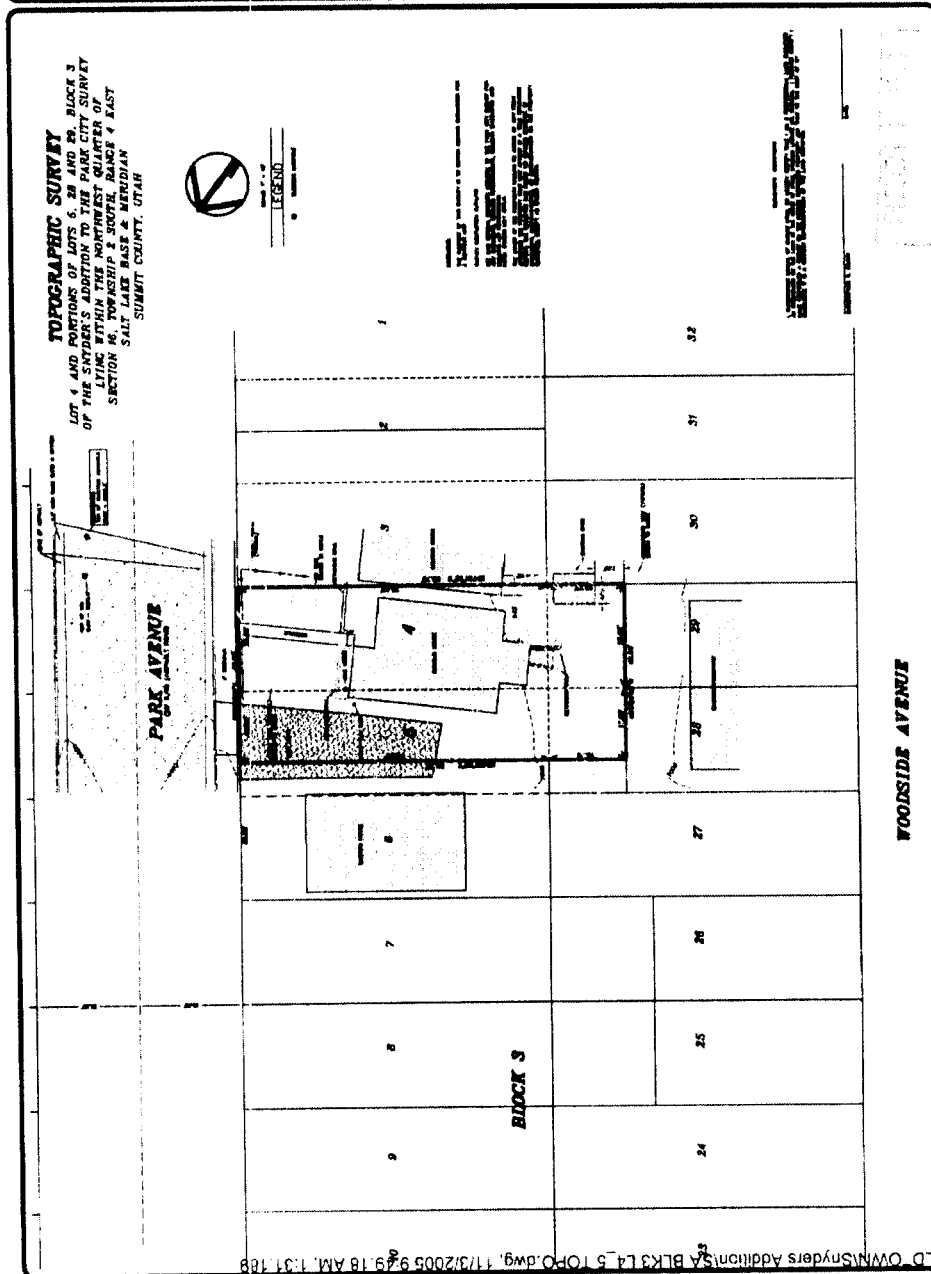
SECTION 3. CONDITIONS OF APPROVAL. The City Council hereby adopts the following Conditions of Approval:

1. The City Attorney and City Engineer review and approval of the final form and content of the plat for compliance with the Land Management Code and conditions of approval is a condition precedent to recording the plat.
2. Prior to the receipt of a building permit for construction on this lot, the applicant shall submit an application for Historic Design Review for review and approval by the Planning Department for compliance with applicable Historic District Design Guidelines.
3. Prior to the receipt of a building permit, the applicant shall submit a plan for flood protection that will be reviewed by the Building Department. A flood elevation certificate or flood-proofing certificate is required.
4. Encroachments shall be removed or an encroachment and/or maintenance easement in a form approved by the Chief Building Official and City Attorney resolving the encroaching historic home will be dedicated on the proposed plat prior to recordation with the County Recorder.
5. 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 and the plat will be void.
6. A financial guarantee for public improvements including road repairs from utility installation shall be provided in a form acceptable to the City Attorney and in an amount acceptable to the City Engineer prior to plat recordation.
7. A ten-foot-wide public snow storage easement shall be dedicated along the Park Avenue frontage of the lot.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 16th day of March 2006.

			TOPOGRAPHIC SURVEY LOT 4 & PORTIONS OF LOTS 6, 28 & 29 BLOCK 3, REYNOLDS' ADDITION TO PARK CITY SURVEY	
			PETER SNYDER	11/3/2005 9:49:18 AM



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City Council Staff Report

Author: Brooks T. Robinson
Subject: 2683 Eagle Cove Drive
The Cove Phase II (Last Sun)
Date: March 16, 2006
Type of Item: Plat Amendment



**PLANNING
DEPARTMENT**

Summary Recommendation

Staff recommends the City Council hold a public hearing for an amendment to the Cove Phase II (Last Sun) planned unit development (PUD) plat and approve the plat amendment based on the findings of fact, conclusions of law and conditions of approval as found in the ordinance.

Topic

Applicant	The Cove at Eagle Mountain, L.C.
Representative	Michael Watts, Rossman Watts Builders
Location	2683 Eagle Cove Drive
Zoning	Residential Development, part of the Quarry Mountain Master Planned Development (RD-MPD)
Adjacent Land Uses	Residential and Open Space

Background

The Cove at Eagle Mountain Phase II, known as the Last Sun development, was originally platted as a Planned Unit Development. The plat was approved by the City Council on January 11, 2001. Construction has commenced or has been completed on most of the units. Each building is a duplex with each unit limited to 4500 square feet, plus 600 square feet for a garage.

On December 13, 2005, the City received an application to amend the PUD plat for two buildings (four units). The applicant is proposing to shift units 108/109 from the south side of Eagle Cove Drive to the north side adjacent to units 110/111. A thirty foot (30') trail and utility easement separates these two buildings (110/111 and 108/109). In addition, the applicant is proposing to slightly shift the orientation of units 70/71. (Please see Exhibits A and B).

The Planning Commission heard this application at its regular meeting on March 8, 2006, and forwards a positive recommendation.

Analysis

The Cove at Eagle Mountain is platted as a Planned Unit Development (PUD). A PUD is somewhat of a hybrid between a condominium and a subdivision in that a property owner owns the structure and the ground beneath it (a building pad), but the ground

outside of each unit is common to the association.

Unit #	Current size	Proposed size
108	4628	4296
109	4569	4539
70	4641	4516
71	4628	4628

Each Unit is slightly smaller, or in the case of #71, the same size, so no additional Common Area is being consumed by the two amendments. There are no platted Open Space parcels within this development and the amount of common area is increased slightly with the reduction in the unit pad sizes.

The actual Dwelling Units will still be limited to 4,500 square feet of floor area and the other plat notes will continue to apply.

The Cove Phase II is located in an area of geologic instability as three prehistoric landslides are identified within the platted area. An extensive underdrain system and limited irrigation has been incorporated into the building plans. The revised locations, particularly units 108/109 will have to tie into the underdrain system as required by the Building Department.

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 put in the Park Record.

Public Input

No public input has been received at the Planning Commission hearing or by the time of this report.

Alternatives

- The City Council may approve the amendment for the Cove Phase II (Last Sun) planned unit development (PUD) plat as conditioned or amended, or
- The City Council may deny the amendment for the Cove Phase II (Last Sun) planned unit development (PUD) plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the Cove Phase II (Last Sun) planned unit development (PUD) plat.

Significant Impacts

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

Consequences of Not Taking Recommended Action

The plat will remain as is and four units would not be shifted.

Recommendation

Staff recommends the City Council hold a public hearing for Cove Phase II (Last Sun) planned unit development (PUD) plat and approve the amendment based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Ordinance No. 06-

**AN ORDINANCE APPROVING THE FIRST AMENDED COVE AT EAGLE MOUNTAIN
PHASE II PLANNED UNIT DEVELOPMENT PLAT, 2691, 2695, 2683, and 2687
EAGLE COVE DRIVE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as The Cove Phase II (Last Sun) Planned Unit Development (PUD) located at 2691, 2695, 2683 and 2687 Eagle Cove Drive have petitioned the City Council for approval of the First Amended Cove Phase II Planned Unit Development (PUD) plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on March 8, 2006 to receive input on the First Amended Cove Phase II Planned Unit Development (PUD) plat;

WHEREAS, the Planning Commission, on March 8, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 16, 2006 the City Council approved the First Amended Cove Phase II Planned Unit Development (PUD) plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Cove Phase II Planned Unit Development (PUD) plat.

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

SECTION 1. APPROVAL. The First Amended Cove Phase II Planned Unit Development (PUD) plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The Cove Phase II units to be amended is located at 2691, 2695, 2683 and 2687 Eagle Cove Drive in the RD-MPD zoning district.
2. The project has 42 Units in duplex configurations.
3. Units 70/71 is proposed to shift clockwise. The pad for Unit 71 maintains the existing square footage of 4628 square feet, while the pad for Unit 70 decreases from 4641 to 4516 square feet.

4. Units 108/109 are proposed to shift to the north across the private Eagle Cove Drive. The pad for Unit 108 decreases from 4628 to 4296 square feet while the pad for Unit 109 decreases from 4569 to 4536 square feet.
5. Each Dwelling Unit continues to be limited to 4,500 square feet.
6. A thirty-foot (30') utility and Trail Easement separates 108/109 from 110/111.
7. The Cove Phase II is located in an area of geologic instability as three landslides are identified within the platted area. An extensive under-drain system and limited irrigation has been incorporated into the building plans.

Conclusions of Law:

1. There is good cause for this Amended Planned Unit Development plat.
2. The Amended Planned Unit Development plat is consistent with the Park City Land Management Code, and the Quarry Mountain Master Planned Development.
3. Neither the public nor any person will be materially injured by the proposed Amended Planned Unit Development plat.
4. Approval of the Amended Planned Unit Development plat, 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 Amended Planned Unit Development 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 Amended Planned Unit Development plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. A driveway is allowed on the thirty-foot (30') Utility and Trail Easement. However, no retaining walls or snow melt system is allowed within the easement. A new trail easement will be surveyed and platted with the coordination of the Park City Trails Planner.
4. The revised locations, particularly units 108/109 will have to tie into the under-drain system as required by the Building Department.

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

PASSED AND ADOPTED this 16th day of March, 2006.

Exhibits

Exhibit A – First Amended PUD plat
Exhibit B – Existing PUD plat

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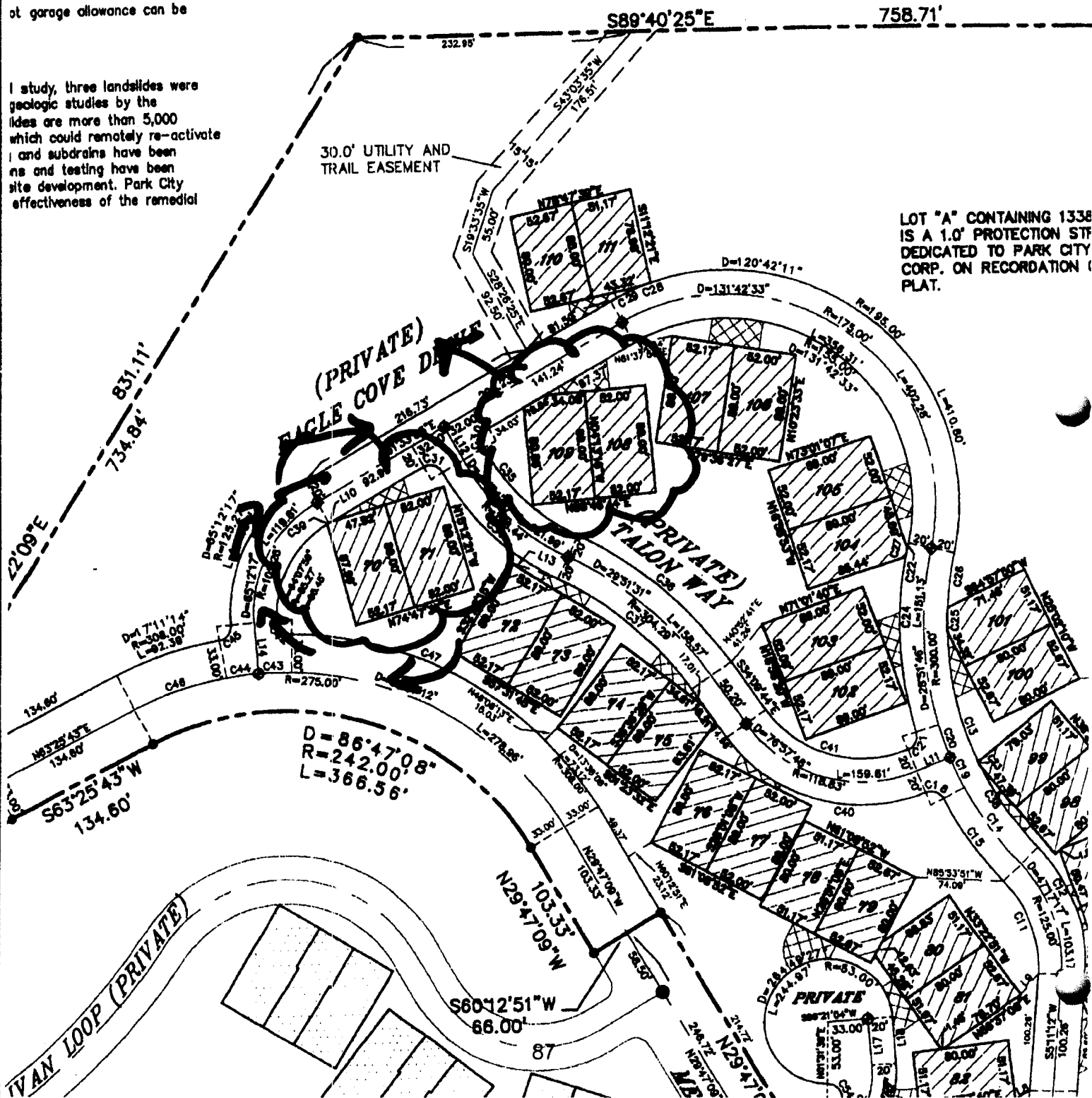
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74	4843	2631 TALON WAY	96	4213	2632 EAGLE COVE DR.
75	4581	2653 TALON WAY	97	4093	2636 EAGLE COVE DR.
76	4843	2649 TALON WAY	98	4213	2640 EAGLE COVE DR.
77	4828	2645 TALON WAY	99	4092	2644 EAGLE COVE DR.
78	4093	2642 COVE COURT	100	4213	2648 EAGLE COVE DR.
79	4213	2638 COVE COURT	101	4023	2652 EAGLE COVE DR.
80	4080	2634 COVE COURT	102	4843	2651 EAGLE COVE DR.
81	4213	2630 COVE COURT	103	4828	2655 EAGLE COVE DR.
82	4093	2626 COVE COURT	104	4831	2659 EAGLE COVE DR.
83	4213	2622 COVE COURT	105	4828	2663 EAGLE COVE DR.
84	4093	2618 COVE COURT	106	4828	2667 EAGLE COVE DR.
85	4102	2614 COVE COURT	107	4843	2671 EAGLE COVE DR.
86	4837	2613 EAGLE COVE DR.	108	4828	2683 EAGLE COVE DR.
87	4842	2609 EAGLE COVE DR.	109	4589	2687 EAGLE COVE DR.
88	4828	2605 EAGLE COVE DR.	110	4213	2684 EAGLE COVE DR.
89	4549	2601 EAGLE COVE DR.	111	4089	2680 EAGLE COVE DR.
90	4213	2608 EAGLE COVE DR.			

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City Council Staff Report

Author: Brooks T. Robinson
Subject: 564-568 Deer Valley Drive
Settlers Ridge
Date: March 16, 2006
Type of Item: Condominium Conversion



**PLANNING
DEPARTMENT**

Summary Recommendation

Staff recommends the City Council hold a public hearing for Settlers Ridge condominium record of survey plat and approve the record of survey based on the findings of fact, conclusions of law and conditions of approval as found in the ordinance.

Topic

Applicant	Keyvan Kevani
Location	564-568 Deer Valley Drive
Zoning	Residential Medium Density (RM)
Adjacent Land Uses	Residential

Background:

Settlers Ridge was constructed in 1997 and contains ten units and twenty parking spaces in an underground garage. The project has three buildings located on 0.4 acres in the RM zone.

On December 30, 2005, the City received an application for a condominium conversion for the ten units. Although the project went through the condominium conversion process shortly after construction, the plat was never recorded and it expired.

The Planning Commission heard this application at its regular meeting on March 8, 2006, and forwards a positive recommendation.

Analysis:

The project is located within the RM zoning district. Setbacks in the RM zone are as follows:

- Front: 20 feet, a front facing garage 25 feet
- Rear: 15 feet
- Side: 10 feet

The Settlers Ridge project meets the minimum setback requirements.

Two units are 1,115 square feet and the other eight units are 1,166 square feet. The parking requirement for units this size is two spaces per unit. Each unit has two parking spaces assigned by the record of survey.

There is a pullout area off of Deer Valley Loop that is from time to time signed for Settlers Ridge parking. However, since this area is almost entirely in the public right of way, a Condition of Approval is to remove these signs unless approved by the City. The property owner may fence or otherwise define the property line but may not prohibit public access on the City right of way.

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 put in the Park Record.

Public Input

The adjacent neighbor to the east testified to the Planning Commission about problems he has had with the property management and renters at Settlers Ridge. No further public input has been received by the time of this report.

Alternatives

- The City Council may approve the Settlers Ridge condominium plat as conditioned or amended, or
- The City Council may deny the Settlers Ridge condominium plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the Settlers Ridge condominium plat.

Significant Impacts

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

Consequences of Not Taking Recommended Action

The units could not be separately sold.

Recommendation

Staff recommends the City Council hold a public hearing for Settlers Ridge condominium record of survey plat and approve the record of survey based on the findings of fact, conclusions of law and conditions of approval as found in the ordinance.

Ordinance No. 06-

AN ORDINANCE APPROVING THE SETTLERS RIDGE CONDOMINIUM RECORD OF SURVEY PLAT, 564, 566, AND 568 DEER VALLEY DRIVE, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Settlers Ridge located at 564, 566, and 568 Deer Valley Drive have petitioned the City Council for approval of the Settlers Ridge condominium record of survey; 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 March 8, 2006, to receive input on the Settlers Ridge condominium record of survey;

WHEREAS, the Planning Commission, on March 6, 2006, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 23, 2006, the City Council approved the Settlers Ridge condominium record of survey; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Settlers Ridge condominium record of survey.

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

SECTION 1. APPROVAL. The Settlers Ridge condominium record of survey 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. Settlers Ridge is located at 564, 566, and 568 Deer valley Drive in the RM zoning district.
2. The project has three buildings located on 0.4 acres.
3. Two units are 1,115 square feet and the other eight units are 1,166 square feet.
4. The parking requirement for units this size is two spaces per unit.
5. Each unit has two parking spaces assigned by the record of survey.
6. Setbacks in the RM zone are as follows:
 - Front: 20 feet, a front facing garage is 25 feet
 - Rear: 15 feet
 - Side: 10 feet

The Settlers Ridge project meets the minimum setback requirements.

Conclusions of Law:

1. There is good cause for this Record of Survey.
2. The Record of Survey is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed Record of Survey.
4. Approval of the Record of Survey, 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 Record of Survey 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 Record of Survey 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 pullout area off of Deer Valley Loop that is signed for Settlers Ridge parking is almost entirely in the public right of way. The property owner may fence or otherwise define the property line but may not prohibit public access on the City right of way. Signs to the effect of limiting public use must be removed unless approved by the Public Works Director or his designee.

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

PASSED AND ADOPTED this 23rd day of March, 2006..

Exhibits

Exhibit A – Record of Survey plat

[illegible]

of the fact that the majority of the respondents were male, and that the majority of the respondents were from the United States. The results of the study suggest that the majority of the respondents were male, and that the majority of the respondents were from the United States. The results of the study suggest that the majority of the respondents were male, and that the majority of the respondents were from the United States.

the fact that the majority of the population is still in the rural areas, and the majority of the population is still in the rural areas, and the majority of the population is still in the rural areas.

References

[illegible]

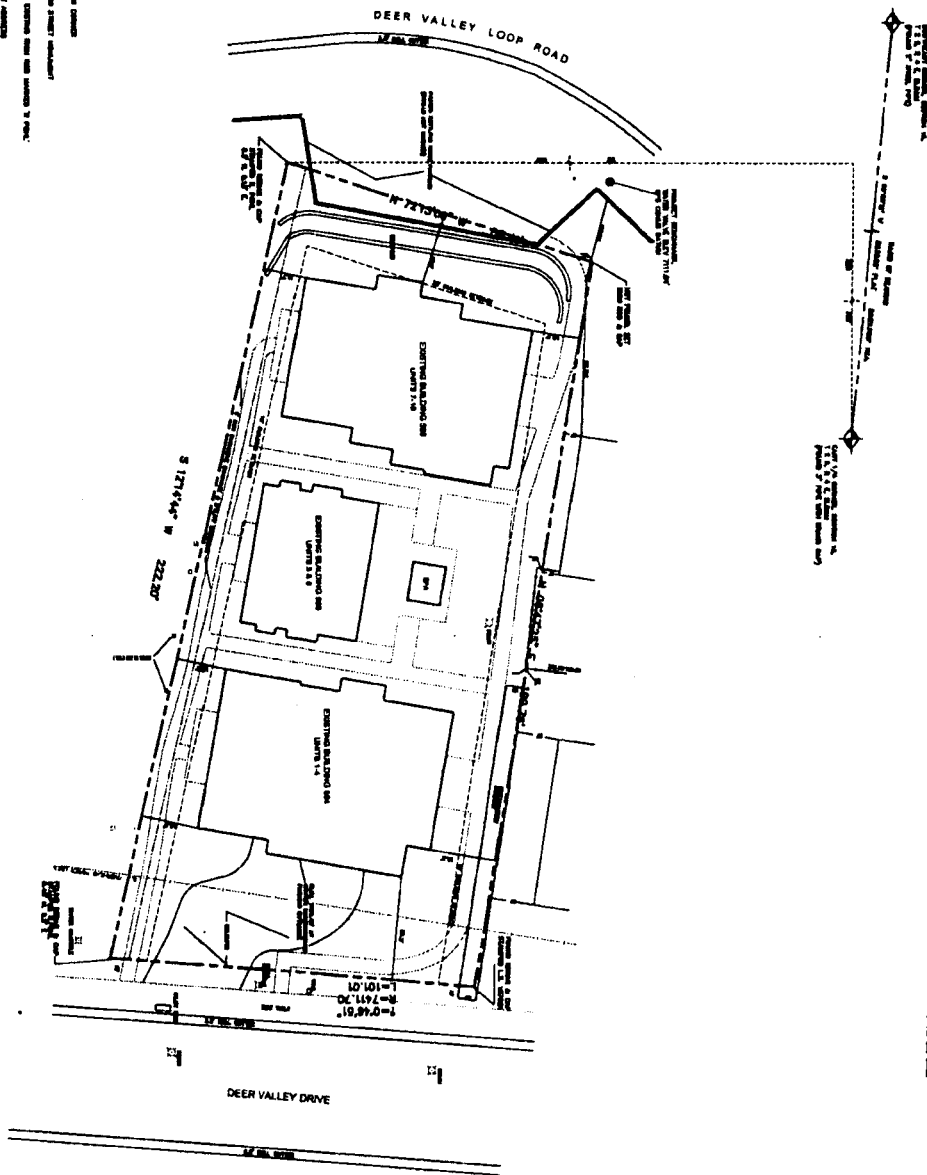
STRENGTH AND COMPARISONS. The strength of the evidence for the effect of the intervention on the primary outcome was moderate. The strength of the evidence for the effect of the intervention on the secondary outcomes was moderate to high. The strength of the evidence for the effect of the intervention on the tertiary outcomes was moderate to high.

92

History

by Christopher E. Lyles

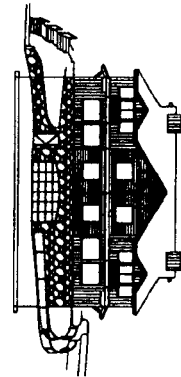
192



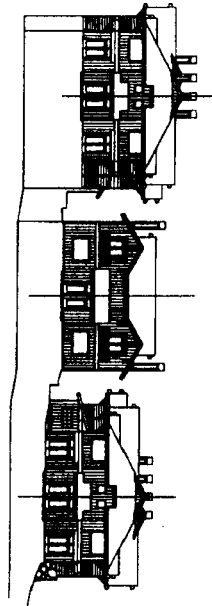
LOCATED AT 804 5th DEER VALLEY DRIVE,
WITHIN THE SOUTHWEST QUARTER OF SECTIONS 18
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
S&T 7 LAGE BASE AND MERIDIAN,
PARK CITY, BLAINE COUNTY, UTAH

SHEET 1 OF

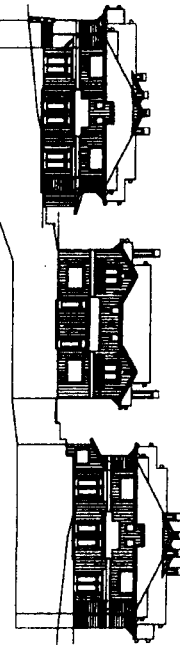
[illegible]



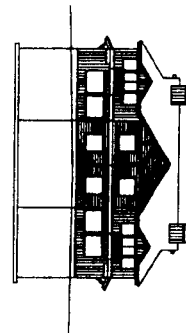
NORTH SIDE ELEVATIONS OF CONDOS



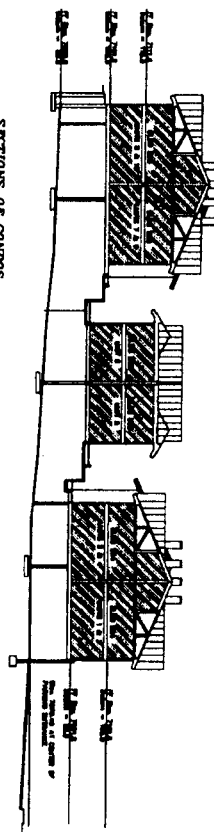
EAST SIDE ELEVATIONS OF CONDOS



WEST SIDE ELEVATIONS OF CONDOS



SOUTH SIDE ELEVATIONS OF CONDOS



SECTIONS OF CONDOS



SCALE: 1"=16'

IN ACCORDANCE WITH THE REGULATIONS GOVERNING PRACTICE OF THE
LAWYER AND THE CALCULATION OF HONORARIES FROM THE PROCEEDINGS
BETWEEN THE PLAINTIFF AND THE DEFENDANT, THE FOLLOWING IS THE
STATEMENT OF THE PLAINTIFF'S AND THE DEFENDANT'S RESPECTIVE
PORTIONS OF THE HONORARIES:

**RECORD OF SURVEY MAP
SETTLERS RIDGE CONDOMINIUMS
LOCATED AT 944 GREEN VALLEY DRIVE**

IN THE SOUTHWEST QUARTER OF SECTION 36,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASIN AND MIDDLE,
PARK CITY, BLAINE COUNTY, UTAH

SHEET 3 OF 3

CURTIS & ASSOCIATES, INC.
LARRY M. CURTIS
LARRY M. CURTIS
2000 10th Avenue, Suite 200
Boulder, CO 80501
703.441.1234

REDAKCIJA

ENTRY NO. _____ DATE _____ PAGE _____
COUNT OF _____ VOUCHER _____ COUNTY OF _____ DISTRICT _____
DATE _____ TIME _____
RECORDED AND PAID AT THE REGISTRY ON _____

