



**PARK CITY PLANNING COMMISSION MEETING  
SUMMIT COUNTY, UTAH  
February 27, 2019**

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its regularly scheduled meeting at the City Council Chambers, 445 Marsac Ave Park City, Utah 84060 for the purposes and at the times as described below on Wednesday, February 27, 2019.

**MEETING CALLED TO ORDER AT 5:30 PM.**

**I. ROLL CALL**

**II. MINUTES APPROVAL**

- II.A. Consideration to Approve the Planning Commission Meeting Minutes from February 13, 2019.  
[February 13, 2019](#)

**III. PUBLIC COMMUNICATIONS**

**IV. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES**

**V. CONTINUATIONS**

- V.A. 269 Daly Avenue – Plat Amendment – The applicant is requesting to relocate an existing Platted Maximum Development Line.  
(A) Public Input (B) Continuation to March 13, 2019  
[PL-19-04092 269 Daly Ave - Plat - PC Continuation 2.27.19.doc](#)
- V.B. Marsac Claim Zone Change – A zone change request for approximately 1.2 acres of the 4.75 acre Lot 61 Marsac Mining Claim property from Recreation/Open Space (ROS) to Residential Development (RD) in line with surrounding properties.  
A) Public hearing B) Continue to March 27, 2019  
[Continuation](#)

**VI. CONSENT AGENDA**

**VII. WORK SESSION**

**VIII. REGULAR AGENDA**

- VIII.A. 839 Woodside Avenue Plat Amendment – A plat amendment proposing to combine Lot 10 and Lot 11 of Block 11 of Snyders Addition to the Park City Survey into one new lot of record.  
A) Public hearing B) Recommendation to City Council  
[Staff Report](#)  
[Exhibits](#)
- VIII.B. 139 Main Street Plat Amendment - A plat amendment proposing to combine Lot 10 and the south half of Lot 11 of Block 13 of the Park City Survey into one lot of record.  
A) Public hearing B) Recommendation to City Council  
[Staff Report](#)  
[Exhibits](#)
- VIII.C. 1137 Lowell Avenue Plat Amendment – A plat amendment proposing to combine portions of six existing lots (Lots 9, 10, 23, 24, and a remnant portion of Lots 8 and 25 of Block 34 of Snyder's Addition) into one lot of record.  
A) Public hearing B) Recommendation to City Council  
[Staff Report](#)  
[Exhibits](#)
- VIII.D. PL-17-03553 Park City Heights Phase 3 Subdivision for two lots located at 10 and 30 Sun Ridge Cove  
A) Public hearing B) Recommendation to City Council  
[Staff Report](#)  
[Exhibits](#)
- VIII.E. PL-17-03552 Park City Heights Amendment to Phasing Plan  
A) Public Hearing B) Possible action  
[Staff Report](#)  
[Exhibits](#)
- VIII.F. PL-18-03776 Parkview Condo plat amendment for Units 25 and 27  
A) Public hearing B) Recommendation to City Council  
[Staff Report](#)  
[Exhibits](#)

## IX. ADJOURN

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

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



PARK CITY MUNICIPAL CORPORATION  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS  
MARSAC MUNICIPAL BUILDING  
FEBRUARY 13, 2019

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO: Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Jody Burnette, Outside Counsel

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**ROLL CALL**

Vice-Chair Phillips called the meeting to order at 5:35 p.m. and noted that all Commissioners were present.

**ADOPTION OF MINUTES**

January 23, 2019

MOTION: Commissioner Sletten moved to APPROVE the Minutes of January 23, 2019 as written. Commissioner Hall seconded the motion.

VOTE: The motion passed. Commissioner Suesser abstained since she was absent from the January 23<sup>rd</sup> meeting.

**PUBLIC COMMUNICATIONS**

There were no comments.

**STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES**

Planning Director Erickson reported that Planning Commission needed to elect a new Chair and Vice-Chair. The Planning Department would do a public notice and prepare the agenda for an election at the next meeting.

Commissioner Kenworthy disclosed that he is a landlord to Deer Valley and has been for the past ten years; however, it would not affect his decision on the agenda items this evening. Commissioner Kenworthy also disclosed that he is a neighbor of JSSD. He was a previous Chair of the HPB when he sat on that Board.

Commissioner Sletten disclosed that at the State of Park City address he and John Phillips ran into Sally Elliott. Their conversation was very brief and they only asked her

if she would be attending this Planning Commission meeting. Nothing substantive was discussed.

Commissioner Sletten disclosed that he owns property at Tuhaye, which is the sister development to the items on the agenda. It did not present a conflict and he would not recuse himself from the discussion.

#### **REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION**

1. **8680 Empire Club Drive Residences at the Tower Conditional Use Permit.**
2. **8680 Empire Club Drive Tower Residences Condominium Plat.**

Planner Kirsten Whetstone reported that the two items were related and could be reviewed together and the public hearings for both could be combined. Each item requires a separate motion and vote.

Planner Whetstone stated that the first item was a request for a conditional use permit for 14 multi-family residential units, with one required ADA unit; a deed restricted employee unit; and a 500 square foot police station, which was required as part of the development agreement. The conditional use permit also includes expansion of the existing Talisker Club. The project is located at 8680 Empire Club Drive. Vehicle access is from Village Way to an underground parking structure. Pedestrian access is off of Empire Club Drive. Both are existing City streets and no additional streets would be constructed.

Planner Whetstone stated that the application was reviewed against the LMC for conditional use permit criteria, as well as the volumetrics of the Village at Empire Pass small scale MPD, which is a subset of the Flagstaff Development Agreement.

The Staff had prepared findings of fact, conclusions of law, and conditions of approval for Planning Commission consideration. The Staff recommended approval of the conditional use permit as conditioned.

Planner Whetstone reported that the second item was a request for a recommendation to the City Council on the condominium plat. She noted that the condominium plat would identify private, common, and limited common areas that would associated with the building constructed under the conditional use permit.

The Staff had prepared a draft ordinance, which included findings of fact, conclusions of law, and conditions of approval related to the condominium plat. She noted that

Conditions 4 and 5 address the issue that was raised at the previously public hearing related to achieving substantial compliance with the Flagstaff Development Preservation Plan.

Planner Whetstone noted that a draft agreement was attached to the Staff report as Exhibit L. After the Staff report was sent out, the Planning Department received the agreement that was signed by the Empire Pass Master Owners Association. Copies were provided to the Commissioners this evening.

Planner Whetstone reported on public input she received from Sandra Morrison, the Executive Director of the Park City Historical Society Museum. The Commissioners were given copies of the letter this evening and it was also provided to the applicants.

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

Planner Whetstone introduced Jeff Butterworth and Richard Wagner with Storied Development who were representing the applicant.

Commissioner Suesser understood that the 2008 approval of Phase 2 that had expired was for the residential building now being proposed with the CUP. She asked if the expansion of the Talisker Club was part of that CUP at the time. Planner Whetstone did not believe it was. The expansion came in as a separate CUP a couple of years ago and the expansion was built. Commissioner Suesser stated that if the intent is to expand the existing Talisker Club and build residences, she questioned why they were not amending the previous CUP for the expansion. Planner Whetstone replied that it could be considered an amendment because it is a new building as well as an expansion.

Jeff Butterworth stated that the applicant debated this issue with the City when they first started the process. He noted that parts of the new building are also part of the Club. The plat has pieces in the new building along with the expansion, and the Towers are on top. Therefore, it was determined best to do one CUP for both the expansion and the building.

Commissioner Suesser asked if they were only creating one building. Mr. Butterworth answered yes, it is all one building. The expansion goes out one way from the existing building and the Tower goes out the other way. Mr. Butterworth presented a slide showing the existing Tower Club and the expansion of the Club, as well as the location of the new Tower. He pointed out how it all becomes one large building with one plat.

Commissioner Suesser asked if there were residences in the existing building. Mr. Butterworth answered no. It is only a club amenity.

Commissioner Suesser understood from the history that the original Empire Club, which later had other names, was approved for 8800 square feet. She noted that the 8800 square feet was broken down as 2,264 square feet of resort support commercial and 6,616 square feet of residential and resort accessory uses. Commissioner Suesser wanted to know why the square footage was not broken down the same way now. She noticed that the current application focuses on the support commercial; but they do not talk about the 6,000+ square feet of accessory space that is also included in the expansion. She found the way it was presented to be deceptive. They talk about how the density and size of the proposed new building is a reduction of 25,000 square feet, but they were actually doubling the Club space. Commissioner Suesser pointed out that the Club space went from 8800 square feet to nearly 20,000 square feet. In her opinion, the reduction was only 5,000 square feet from the original proposal; not 25,000 square feet. She asked if the others agreed with her analysis.

Planner Whetstone stated that the CUP that was previously approved for the residential, and had expired, was for 11 units and 67,000 square feet of residential. The 25,000 square feet is a reduction in residential. Planner Whetstone referred to a chart on page 20 of the Staff report that showed the existing Tower Club at 3,379 square feet of kitchen, dining, and convenience; as well as the proposed expansion of 2,424 of kitchen, dining, and spa. That gives the total of 5,803 square feet for the resort support commercial. Everything else within that is considered resort support, which are not UEs because they are not required. Planner Whetstone clarified that resort support are lockers and identified amenities.

Commissioner Suesser pointed out that it was also the fitness center, the pools, the kid's facility, the conference, the lounge, and the club office space. She compared it to a similar situation with Treasure Hill in terms of accessory support space. It is vague and does not need associated EUs. Commissioner Suesser had concerns with the Code being vague on what can be considered accessory uses and that there is no limit on uses. She noted that this project went from 6,000 square feet of accessory space to 14,000 square feet of accessory space. Commissioner Suesser appreciated the reduction in the residential use, but there was a significant increase in the accessory use. She thought it was misleading in how it was presented, including how it was presented by the applicant in the letter dated September 25, 2018 on page 36 of the Staff report. Commissioner Suesser believed it should have been presented in a clearer fashion.

Commissioner Suesser referred to the Findings of Fact on page 28, and noted that the first line states, "...approximately 9200 square feet expansion of the private Talisker Club and underground parking". She was not comfortable with an approximate number. Commissioner Suesser thought it should be an exact number so the Commissioners know what they are approving.

Planner Whetstone replied that the exact number was in the condominium plat because every square foot of the condominium plat is identified as either private common or limited common.

Planner Whetstone noted that the previous CUP also had amenity space. The CUPS for One Empire Pass and the Empire Residences identified the square footage of amenity space; and the same was done with this application. Specific residential would have amenity space such as storage, exercise rooms, etc.

Commissioner Suesser referred to Finding of Fact #30 and noted that the finding only references guest amenity areas. She asked if the amenities mentioned in the Finding were in addition to accessory space in the Club, or whether it was part of the residential building. Planner Whetstone stated that it was part of the residential building.

Mr. Butterworth stated that it was difficult for the applicant to understand as well because it is specified in the Development Agreement; not the Code. In talking with the City, they determined that if the space makes money it is resort support commercial. Commissioner Suesser asked if the spa would be open to the public. She recalled some concern about the store being opened to the public in the past. She assumed if the spa was open to the public it would create the same concern. Planner Whetstone replied that it is the Montage Spa. It was included in the resort support square footage and it is open to the development. Mr. Butterworth clarified that their spa is private. Planner Whetstone noted that the spa is still income producing, the same as the private restaurant. The store Commissioner Suesser referenced was a requirement so the residents in the area would have a place to pick up various items. The store was not successful but it was open for a time. Commissioner Suesser asked if Planner Whetstone had kept the same condition for this CUP. Planner Whetstone answered yes. Commissioner Suesser did not think they would want the spa open to the public in this application. Planner Whetstone pointed out that the building is private but the store was to be public in case someone in the area needed essential items.

Vice-Chair Phillips asked if Commissioner Suesser was proposing amendments to the Findings of Fact. Commissioner Suesser reiterated her concern with having an approximate square footage for the expansion of the private Talisker Club. If she

understood correctly, Commissioner Suesser thought Finding #30 needed to be revised to clarify that the guest amenity areas are part of the residential.

Director Erickson noted that Jody Burnett, Legal Counsel, had suggested that if the Planning Commission wanted to take action this evening, they could condition approval on the revisions to the Findings of Fact consistent with the comments and direction of Commissioner Suesser based on her notes. Mr. Burnett remarked that the motion should be to approve with all the revisions to the Findings of Fact and/or Conclusions.

Commissioner Sletten stated that Commissioner Suesser had mentioned a number of items that he would like to go through one by one.

Commissioner Thimm referred to the CUP and asked why there was not a condition of approval regarding the MOA concerning historic preservation, similar to what is on the condo plat on page 131 of the Staff report. Planner Whetstone replied what was drafted came from the Legal Department.

Mr. Burnett explained that the discussion with respect to historic preservation came up in the context of both applications, but ultimately that agreement will be approved by the City Council and not the Planning Commission. The Planning Commission was approving the conditional use permit separately. The condition was in the plat because the Planning Commission would forward the recommendation to the City Council, and the Council would approve the Memorandum Agreement. Commissioner Kenworthy asked if that would be done simultaneous with the plat. Mr. Burnett answered yes. He noted that Sandra Morrison and others would have the opportunity to make their comments and presentation before the City Council with respect to the plat. Mr. Burnett emphasized that the Planning Commission was not acting on the Memorandum Agreement.

Commissioner Thimm stated that in looking at the Plat and the CUP at the same time, he asked if the Planning Commission has the purview to comment on the MOA. Mr. Burnett replied that they could, but it would be part of their recommendation to the City Council. He clarified that the Planning Commission makes the decision on the CUP. Mr. Burnett stated that when he attended the December meeting, he understood that the legitimate concern was that this applicant may not be directly involved with the MOA; but at what point could they address the long term concerns about implementing the Flagstaff Development Agreement. He pointed out that the agreement is with the Empire Owners Association and not this applicant. The Owners Association has now signed the agreement and that conversation will take place with the City Council. Director Erickson recommended that the Planning Commission make recommendations to the City Council regarding the Agreement, but not actually edit the document.

Mr. Burnett stated that if the Commissioners had questions or comments they could submit them to Director Erickson for consideration and possible inclusion. He was only trying to emphasize that it was not relevant to either the CUP or the condominium plat. Mr. Burnett did not believe it was fair to the applicant to hold up this process while they deal with legitimate big picture issues regarding all of Flagstaff.

Commissioner Hall asked if they could add the Historic Preservation Plan to the Condition of Approval that talks about the Flagstaff Development Agreement. She also suggested changing "Memorandum of Agreement" to "proposed Memorandum of Agreement". Mr. Burnett was comfortable with the changes; however, he reminded the Planning Commission that because this was only a recommendation, the conditions were draft conditions in the ordinance that would be approved by the City Council if they approve the plat. In reality, the Planning Commission was making a recommendation to the City Council as to what they should include as conditions in the ordinance to approve the plat.

Commissioner Hall stated that her recommendation to the City Council be would to amend the condition to include the Historic Preservation Plan, and to change "Memorandum of Agreement" to "Proposed Memorandum of Agreement". Commissioner Hall understood that the Planning Commission was approving the CUP. Her suggested changes to the condition of approval was for the CUP and not the Plat. Mr. Burnett explained that he was responding to the earlier question about why it was not included in the CUP. His point was that neither this applicant nor the Planning Commission was involved in the MOA.

Commissioner Hall asked if they could add the Historic Preservation Plan to the CUP condition and not make reference to the MOA. Mr. Burnett replied that the Memorandum of Agreement is with the Empire Association and this applicant independently can do nothing. He was hesitant to impose a condition on a conditional use permit that the applicant could not control or fulfill.

Mr. Burnett noted that Director Erickson had a six-month timeframe to review the MOA before it goes to the City Council. He suggested that the Commissioners could recommend that the Planning Commission have the opportunity to review and comment on the Memorandum of Agreement before it is finally approved by the City Council.

Commissioner Hall asked Mr. Burnett to explain why they could not have a condition of approval saying that the Historic Preservation Plan will continue to apply. Mr. Burnett replied that it was not relevant to this particular property, which was the subject of the

CUP. He wanted a clear distinction between the CUP for this parcel and the broader concerns about the Flagstaff development as a whole.

Commissioner Thimm asked when the MOA would come back to the Planning Commission. Mr. Burnett stated that his role as Counsel to the Planning Commission was limited. He only relied on what Director Erickson had said about reviewing the Agreement and bringing it back to the Planning Commission before the City Council takes action on the MOA.

Director Erickson stated that the intent was to bring back the MOA for recommendation to the City Council. He would also come back with the science behind the technical reports for bringing them up to 2019 standards as opposed to the original recommendations.

Commissioner Suesser presented her proposed amendments to the Findings and Conditions as follows:

Last sentence of Finding #1 – remove the word “approximately”.

Conditions of Approval – Add Condition #29 stating, “The total MPD resort accessory use area for the combined building approved with this CUP is 14,021 square feet.

Commissioner Suesser clarified that Condition #24 specifies Resort Support Commercial area as 5803 square feet. She was proposing to add Condition #29 that states the total amount of the Resort Accessory Use area.

Director Erickson suggested tying Condition #29 to the plat stating, “The maximum size of the Resort Accessory Use area is as shown on the plat”. He understood Commissioner Suesser’s concern with respect to the accuracy between the conditions of approval, the findings of fact, and the plat. If she could find a way to tie it to the plat it would be better than changing the text. Commissioner Suesser remarked that she was not able to tie to the plat.

Mr. Butterworth agreed that it was confusing due to the Club unit. Resort Support Commercial and the Club unit were shown as one on the plat because they want to make sure the Condo Association could not own that piece. Commissioner Suesser clarified that she was not objecting to it. She just wanted the exact number to be clear.

Planner Whetstone noted that Commissioner Suesser had also asked a question regarding the residential and the difference from the previous approval to this application. To address the concern, Planner Whetstone revised Finding #21 to add,



"The current CUP proposal represents a reduction in residential density and residential square footage by 11 units and 25,000 square feet". She had taken that language directly from the action letter for the residential unit. She was unsure whether the original CUP for the residential identified how much was amenity space for the residential units. However, they could say for a fact that the reduction was residential.

Planner Whetstone calculated the numbers and came up with 15,798 square feet of non-residential area. Mr. Butterworth noted that the plat identified all the areas and the total square footage of each. Mr. Burnett stated that they could refer to the plat as part of the CUP approval.

Commissioner Suesser referred to the last line of the table on page 20 of the Staff report, which identified "approximately" 14,021 square feet for Residential and Club Accessory area. Mr. Burnett suggested language stating, "Approximately 14,021 square feet as specified on the plat". He believed that would address the concern about using "approximately". Commissioner Suesser preferred to identify a specific number that the Commissioners would be approving. Planner Whetstone stated that she took the 14,021 square feet for Residential and Club Accessory Uses directly from the architectural plan. It would have been in addition to the 5803 square feet of Resort Support Commercial. Commissioner Suesser clarified that she was looking to separate the two and for both numbers to be clearly stated. Planner Whetstone was confident that the 14,021 square feet for Residential Club Accessory uses was correct, as referenced on the plat. She believed they already had a Finding for the 5803 square feet of Resort Support Commercial. She would also add the language regarding Residential into Finding #21.

Vice-Chair Phillips asked if the Commissioners were comfortable with the changes to the Findings and Conditions as discussed. There were no objections from the Commissioners or the applicants.

Vice-Chair Phillips opened the public hearing on the CUP and the plat.

Lynn Peyton stated that he was representing a development in Empire known as Empire Residences. He also has an interest in other property on Flagstaff Mountain. Mr. Peyton was present this evening to get some clarity on the process and understand what to expect moving forward. Mr. Peyton understood that the Planning Commission might approve the Plat this evening with a recommendation to the City Council. In terms of the MOA, he was unclear what that would mean if he were to bring forth an application on one of his properties. Mr. Peyton clarified that he had no specific comments on the Tower Residences. He only wanted someone to explain the process because it could have significant economic ramifications.

Vice-Chair Phillips informed Mr. Peyton that he could always talk to the Staff in the Planning Department when he has questions or needs clarification on any matter.

Vice-Chair Phillips closed the public hearing.

Director Erickson responded to the question regarding other properties inside the Development Agreement at Empire Pass, including Mr. Peyton's. He explained that the Memorandum of Agreement affects the Master Development Agreement. Once the agreement is signed and approved by the City Council, it should have no additional effect on other properties in Empire Pass because the Master Owners Association has taken certain responsibilities. Any additional properties would be members of that Master Association. If any additional parties have separate agreements, that would be independent from anyone else's property. Director Erickson summarized that the MOA affects the Master Agreement. However, this should not affect Mr. Peyton because there are no historic sites on the properties that Mr. Peyton referenced. The same applies to the Storied Development property because there are no historic sites on the property.

Director Erickson responded to some of the points in the letter from Sandra Morrison. He stated that the Memorandum of Agreement does not change the technical reports or the requirements inside the technical reports at this time. It changes the funding mechanism and it changes a certain level of responsibility for those properties within the Empire Pass Master Owners Association. Director Erickson believed there were other parties that have other responsibilities based on the land ownerships inside the conservation easements and inside the Development Agreement. He noted that they were not changing the relationship with the Judge Mining and Smelting Office until they conclude who owns it, who has the rights to change it, and in concert with the City and after public input, to determine whether it is the most expeditious use of the funds as opposed to a different site. Director Erickson remarked that the Development Agreement or Technical Report #6 does not make a distinction as to the level of restoration except on the Judge. The Judge Tunnel is on United Park land; not Empire Pass land. Director Erickson pointed out that some externalities needed to be resolved in the next six months as part of the Agreement. He pointed out that there was also the Naildrive Mine on Deer Valley land, and the Flagstaff Mine, which is not within the Development Agreement. The Daly West Tower is a separately owned parcel and not party to the Development Agreement.

Director Erickson explained that the MOA was structured such that funds inside the agreement could be used within Park City and not necessarily restricted to the

development area in its current form. Provisions were made to do other things if they can get permission on someone else's land.

Commissioner Thimm asked if other parties are involved if there was a process to get them to fulfill the terms of the original development agreement. Director Erickson replied that stipulated agreements were being negotiated for one-time contributions for Little Belle back to the Museum. There was also a stipulated action on the part of Storied Development to compensate for re-roofing the Judge Mining and Smelting Building. Negotiations were ongoing with Deer Valley in terms of how they expend their conservation funds since they are responsible for all the open space not within the development area.

Commissioner Thimm asked if everyone who has responsibility had been identified. Director Erickson was not aware of the status of the Flagstaff Mine, which is outside of the development area. They had contacted all other potentially responsible parties.

Commissioner Suesser asked for clarification on Mr. Burnett's earlier comment about other parties becoming a part of the Master Association. Mr. Burnett clarified that he had not meant the Master Association because the Empire Association would not change. He was referring to other parties joining onto the Memorandum of Agreement to deal with components that are outside of the Empire Owners Association. Director Erickson stated that it would be possible to have a separate agreement with some of the parties if they did not want to blend funds with the Empire Pass Master Association. Some of the other parties are not signatories to the Development Agreement. Commissioner Suesser wanted to know how those parties would have responsibility. Director Erickson replied that those parties would stipulate to that responsibility and the City would have the authority to regulate. He used Deer Valley as an example to explain how it would work.

Commissioner Kenworthy understood that the Master Association and the Memorandum of Agreement would not pertain to Daly West. Daly West would be a separate agreement. Director Erickson replied that the Master Association, in conjunction with the City and other parties, could agree that the expenditure of money on the Daly West is appropriate after the Judge is stabilized. He pointed out that the Master Owners Association and the municipal contribution were not limited to only the conservation agreement areas. It is allowed to be transferred within the City, consistent with the City Oversight and Expenditure Policies.

Vice-Chair Phillips was confident that within the six-month timeframe the Agreements would all be worked out. Director Erickson stated that a benefit is that it could be changed annually.

Director Erickson remarked that the next question in Ms. Morrison's letter was the ten-year clause. Part of the discussion with the City Council will address the appropriate level of stabilization consistent with the technical reports on each site; and whether the ten years and \$400,000 can be expended on the sites; or in the second year whether they will still need \$400,000 in ten years or if a portion of the open space fee should go towards other concerns and activities inside the open space. That would be in coordination with Deer Valley spending the money on the remaining open space where they have liabilities.

Director Erickson explained that the intent was to have an off-ramp at the end of ten years. If they are done with the mine sites, they can expend fewer dollars for stabilization and choose to move some of the money to other activities that are required for the conservation easements. It also allows for a funding mechanism for additional funds going to the Summit Lands Conservancy who holds the easement. Summit Lands Conservancy is responsible for the annual audit consistent with the Conservation Agreement.

Regarding the concern of pitting open space against historic preservation, Director Erickson remarked that there is that potential. However, he did not believe it would happen because they are managed in conjunction with each other by the definition of protected open space and the conservation easement. Director Erickson pointed out that they wanted the ability to move money around for conservation if it becomes necessary.

Director Erickson thought the arguments would come down to moving beyond stabilization to restoration on any of the sites such as Daly West, the Judge, or Little Belle. The issue would be where the funding would come from and how to prioritize. He was proposing an annual report to the Planning Commission on the activities and how the money is expended.

Commissioner Sletten referred to Paragraph 6(a) of the Memorandum of Agreement and stated that he was having difficulty tracking the math; specifically, half of the annual amount required to establish the maintenance fund. He presumed it was on a net basis each year, subtracting the expenditures made, but he did not clearly understand how it would work.

Director Erickson stated that a portion of the open space and management fee is received on an annual basis and it is accounted for inside of the General Fund. The money is used for the expenditure and maintenance of the conservation agreement. Director Erickson explained that the Master Association would write a check and have a

separate fund for this work of \$20,000 annually. That \$20,000 from the City would be withheld from the City's share of the open space and management agreement. The total would be \$40,000 and that money would be expended in accordance with the terms of this Agreement. Commissioner Sletten wanted to know what would happen if there was a deficit in the second year caused by expenses. Director Erickson replied that the \$40,000 the next year would make up the deficit. He did not anticipate the City spending in the negative.

Commissioner Sletten read from the second line of Paragraph 6(a), "The Association will contribute half of the annual amount required to establish a maintenance fund..." He asked how that half was defined. Planner Whetstone noted that he was referring to half of the \$40,000. She explained that \$20,000 comes from the Master Association and the other \$20,000 comes from the City's portion.

Mr. Butterworth stated that the intent was to allow the Master Association to spend more than \$40,000 in a given year, and go into debt doing so with a repayment. The money would be recouped in the future.

Commissioner Sletten referred to Paragraph 3(b), and the word "Director" which was capitalized but not defined. He assumed that referred to the Planning Director. Director Erickson replied that it is the Planning Director and he would make that clarification in the document.

Commissioner Hall asked if Director Erickson wanted to respond to the rest of Sandra Morrison's letter before she made her comments. Director Erickson would have another opportunity to comment on the MOA. He preferred to hear Commissioner Hall's comments first.

Commissioner Hall referred to Paragraph 3(a) of the MOA and noted that it does not specify where the money comes from. Director Erickson noted that the stipulated payment was specified in 3B. Commissioner Hall thought it should also be stipulated in 3A so there is no ambiguity.

Commissioner Hall referred to Exhibit 6 of the Technical Reports and asked if it could be attached to the MOA so it is easier to find. Planner Whetstone noted that there was a separate folder for Historic Preservation documents and Technical Reports 5 and 6 were pulled out. Commissioner Hall reiterated her request to have it attached to the MOA because it is important when the Planning Commission forwards their recommendation to the City Council.

Commissioner Hall noted that Ms. Morrison had questioned some of the numbers in her letter and she agreed with Ms. Morrison that the numbers were low for the amount of work required. She previously heard higher amounts. Director Erickson remarked that the discrepancies in the numbers were based on stabilization. The one-time stipulated payment was for the re-roof based on estimates. That number came from REDUS. Stabilization or restoration is another number. Whether or not the \$40,000 was sufficient for the roof is a conversation they could have with the City Council.

Commissioner Hall remarked that holding money in escrow is always a good idea. Director Erickson explained that money was held in escrow for this fund so they could pay the bill. However, they would not want the rest of the money sitting in escrow because it should be with EMOA or with the other parties. Commissioner Hall requested that Director Erickson try to get a better number from the City Council before the Agreement is approved.

Commissioner Hall referred to Paragraph 6(s) and understood that the 1% transfer fee was not part of this agreement. Director Erickson explained that the money from the City is withholding a portion of the transfer fee that they have rights to in the Development Agreement. If EMOA chooses to use their portion of the open space and transit fund, that comes from their \$20,000.

Commissioner Hall was concerned about reallocating money that was already designated for open space and transit management. Director Erickson noted that the number was done in conjunction with the City Budget Department. Since they were trying to catch up with the obligations of Technical Reports 5 and 6, they felt it was a reasonable contribution from the City on a ten-year basis in order to catch up on enforcement and moving historic properties forward according to the report.

Commissioner Hall referred to 6(e) and asked if waiving fees was standard. Director Erickson replied that it was consistent with the fee waiver policy for all public projects. He noted that fees and permits were waived for PCMR on California Comstock and Thaynes.

Commissioner Hall requested that they strike #14, no third party beneficiaries. Mr. Burnett stated that the concern is giving non-profits the same status as direct parties to an agreement, because their status could change over time. He suggested that she talk to City Attorney Harrington about that issue. Commissioner Hall thought it was an unnecessary clause. Mr. Burnett strongly disagreed. He has been in a number of lawsuits where people claim to be third party beneficiaries. Mr. Burnett noted that Ms. Morrison raised the issue in her letter but she was only referring to the Historical

Society. He thought the subject needed to be addressed; however, they could specify who would be privy to it.

Commissioner Hall thought the wording of 15(j) No Default, was confusing. She suggested rewording the language to say the fulfillment of the agreement rather than execution of the agreement. Mr. Burnett stated that the intent was to say that moving forward, they would find all the other parties substantially in compliance if they comply with the terms of this agreement.

Commissioner Kenworthy looked forward to seeing the report and prioritizing the restoration needs. It is winter and due to the heavy snowfall, he anticipated that it would take some time. Commissioner Kenworthy thought it was unfortunate that this was left in default for two decades. He thanked Mr. Butterworth and Mr. Wagner for their patience because he was certain they were blindsided. He respected Mr. Peyton's concern and stated that being transparent is critical. He understood the economic aspects of a delayed or unknown process and they would be respectful of that. Commissioner Kenworthy thanked Mr. Ogilvy for coming to the table and for working with them over the last couple of months.

Commissioner Sletten recognized that everyone, particularly REDUS, inherited this mess and he appreciated their willingness to clear it up.

MOTION: Commissioner Thimm moved to APPROVE the Conditional Use Permit for a multi-unit residential building and the expansion of the private Empire Club building at 8680 Empire Club Drive, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended per the discussion this evening. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the 8680 Empire Club Residences at Tower Condominium Plat, according to the Findings of Fact, Conclusions of Law, and Conditions of Approval as outlined in the draft ordinance. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Jody Burnett stated that this would be his last meeting with the Planning Commission. Vice-Chair Phillips thanked Mr. Burnett for all his help over the past few months; as well as the hours he had spent with them on Treasure Hill.

Findings of Fact – Residences at the Tower CUP

1. The Residences at the Tower Conditional Use Permit (CUP) includes 14 private market rate multi-family residential units totaling 42,453 sf, utilizing 21.227 UE, as well as 1 ADA unit and 1 deed restricted affordable unit (EHU), a police sub-station, a 9,200 sf expansion of the private Talisker Club and underground parking.
2. The property is located at 8680 Empire Club Drive.
3. The CUP is proposed on Lot 9 of the First Amended Village at Empire Pass Phase I subdivision within Pod A of the Village at Empire Pass Master Planned Development (VEP MPD).
4. Lot 9 is located in the RD-MPD zoning district and contains 1.53 acres.
5. Lot 9 is currently partially developed with the private Talisker Club that includes a kitchen, dining, lounge and other indoor and outdoor amenities for members.
6. Access to the property is from Village Way and Empire Club Drive, which are both private streets.
7. The market rate multi-family residential units range in size from 1,806 sf to 4,229 sf with an average unit size of 3,032 sf. The 737 sf ADA unit is required to be platted as common area. The 737 sf EHU is also proposed to be platted as common area.
8. A 509 sf police sub-station is proposed on the lower level as a requirement of the Emergency Response Plan Exhibit #7 of the Flagstaff Development Agreement. The police sub-station will be delivered to the City as a “white box” with two parking spaces.
9. The property is subject to the Flagstaff Mountain Annexation and Development Agreement (Amended Agreement) approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007, as well as associated Technical Reports and the Village at Empire Pass MPD.
10. The Amended Agreement is the equivalent of a Large-Scale Master Plan and sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
11. The Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided that the number of PUD units (such as Belles, Paintbrush, Nakoma and Moon Shadow) does not exceed 60. PUD units are included in the totals for multi-family units.
12. To date (according to internal tabulations), 509 multi-family units (757.28 UE) (including 60 as PUD style units and the remaining as townhouse units and multi-family units within Lodge buildings) and 16 single family units have been approved, platted and/or built within Pods A, B1 and B2. This number includes the 70 units noted in the plat notes for the B2 East Subdivision, the Empire Residences CUP units currently



under construction as Building 3, and the Moon Shadow Condominiums for 8 PUD style units pending plat recordation. This number also includes all Larkspur Townhome units, including Larkspur Townhomes 6 (3 units), which condominium plat is currently under review.

13. Constructed Lodge buildings include Shooting Star, One Empire Pass, Silver Strike, Flagstaff, Arrow Leaf A and B, Grand Lodge and Ironwood. Lodge buildings still to be approved within Pod A are: Building 1- Residences at the Tower (subject property) and Building 4. Empire Residences (Lodge Building 3) are under construction.

14. There is sufficient density remaining within Amended Agreement and VEP MPD for the proposed 14 multi-family units (21.227 UE).

15. Amended Agreement requires a total of 118.9 AUE (Affordable Unit Equivalents) where 1 AUE is 800 sf. A total of 94.175 off-mountain AUE and 24.725 on-mountain AUE are required. Off-mountain housing has been satisfied. On-mountain housing is partially complete with 16.675 AUE built and 8.05 AUE remaining. These remaining AUE are assigned to Lodge Buildings 1, 3, 4 and B2 East.

16. Lodge Building 1 was assigned 0.75 AUE (600 sf) per the Developer at time of sale.

17. The proposed affordable unit consists of 737 sf (0.921 AUE) (not including dedicated storage areas located separate from the unit) platted as common area and shall be deed restricted per requirements of the Housing Resolution prior to plat recordation.

18. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area for Lodge buildings grouped around the Silver Strike lift and ski runs, various townhouses making up a second tier of units, with PUD style detached units and single family lots on the perimeter. A common amenity building, known as the Tower Club, was central to the VEP MPD. A common mail area, indoor and outdoor recreation facilities, pedestrian connections and transportation pick-up/drop-off area were included. The VEP MPD also approved heights and Volumetrics for the Lodge buildings.

19. On September 30, 2004, the City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass.

20. On April 13, 2005, the Planning Commission approved the Tower Club Phase I CUP for 8,880 square feet consisting of 2,264 sf of MPD Resort Support Commercial (private dining, kitchen, small convenience store), and 6,616 sf of residential and resort accessory uses (ski lockers, recreation amenities, meeting room, kids club, circulation, storage, mechanical, as well as outdoor amenities such as pool, hot tubs, etc.). The Club was constructed in 2005 and 2006.

21. On February 13, 2008, the Planning Commission approved the Tower Club Phase II CUP for residential units on Lot 9. The approval for 25 units totaling 67,625 sf (33.81 UE) and one (1) ADA unit was granted an extension to July 1, 2010, by the Planning Commission on March 11, 2009. A building permit for Phase II was not issued and the

CUP expired. This current CUP proposal represents a reduction in residential density and size by 11 units and 25,000 sf (12.58 UE) from the 2008 approval.

22. On January 6, 2011, the City Council approved an amendment to the VEP Phase 1 Subdivision amending Lot 9 to address access, parking, and trail easements. The amended plat was recorded on January 4, 2012.

23. On December 14, 2016, the Planning Commission approved an amendment to the Tower Club Phase I CUP to allow a 1,115 sf expansion of the private dining area, as well as expanded outdoor patio area, 1,000 sf of expanded basement area for accessory uses. The CUP expansion increased the MPD Resort Support Commercial on Lot 9 to 3,379 sf. Construction of the expansion was completed in 2018. The building currently consists of 10,995 sf per the architectural drawings.

24. On October 9, 2018, the Planning Department received a complete application for a Condominium plat and a Conditional Use Permit for a fourteen (14) multi-family unit residential building to be located on Lot 9 of the First Amended Village at Empire Pass Phase One Subdivision.

25. The property is subject to subdivision plat notes that require compliance with the Amended Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each Lodge building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along the street frontages, water efficient landscaping, and various utility and maintenance provisions.

26. The Amended Agreement allows a maximum of 75,000 sf of MPD Resort Support Commercial uses. Lot 9 currently is approved, with the Amended Tower Club CUP for 3,379 sf (kitchen, dining, small store) of MPD Resort Support Commercial Uses. Montage Resort was approved for 63,059 sf of MPD Resort Support Commercial and Grand Lodge for 1,275 sf.

27. Total MPD Resort Support Commercial in this building with this CUP expansion is 5,803 sf, adding 2,424 sf of Resort Support Commercial uses.

28. There is sufficient MPD Resort Support Commercial remaining for the proposed private club expansion and 4,863 sf will remain if this project is approved. This space is identified on the plat as part of the Club Unit. A table of the Resort Support Commercial space will be included on the plat.

29. The Emergency Response Plan requires a police sub-station to be dedicated within the Empire Club building in Pod A. The Plan calls for a "facility with 3 office spaces, approximately 12' by 12' each, with a combined square footage of not less than 500 sf, plus two reasonably proximate parking spaces". The unit is to be made available to Park City as an empty "white box" for no cost, and not subject to HOA dues or other assessments, as soon as occupancy permits are ready to be issued for the rest of the building and residential units. This space will be identified as a Commercial Unit specifically for the police substation that can be transferred to the City.

30. Guest amenity areas (exercise and recreation areas, locker rooms, lobby and reception area, lounge/après ski, restrooms, etc.) are proposed on the first and second levels. Common accessory uses do not require use of UEs.

31. The Transit and Parking Management Plan approved with the VEP MPD requires a 25% reduction in parking from what would normally be required by the LMC. Based on unit sizes, twenty-nine (29) spaces would be required for the 14 units, affordable unit, and ADA unit. The 25% reduction rounds up to 22 spaces. The underground parking structure has 22 parking spaces. Two spaces are provided along Village Way for the police sub-station and 1 space is provided for short term pick-up and drop-off.

32. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception was approved with the Village at Empire Pass Master Plan Development. Specific volumetric diagrams were approved for each Building. For Building 1, 20% of the building (north side) was permitted to reach 74' above existing grade, 55% of the building (central) to reach 86' above existing grade, and 25% of the building (south side) to reach 74' above existing grade.

33. The proposed building does not exceed 86' in height with 20% (north) at or less than 74', and 55% at or less than 86', and 25% (south) is less than 74'. The building is consistent with the approved VEP MPD building heights and Volumetrics. All building heights will be verified at time of building permit review.

34. The building contains 6 levels of residential units within the new portion to be constructed east of the existing Club building. Four (4) levels of residential units are visible on the south elevation, with 6 levels are visible on the east and north elevations. The west elevation of the residential building is broken up by the 2 story club building and tower element. The north elevation is broken up with a one story element that ties the building to the open plaza and recreation uses of the club building. The maximum building height is located in the central section stepped back from eastern façade. There are visually one, two, four and six stories, in addition to the parking level, as one views the building from surrounding viewpoints. Building articulation and massing are consistent with previously approved Lodge buildings and the VE MPD volumetric.

35. The building complies with RD District zone setbacks maintaining a 20' front setback (25' to the garage door), 12' side setbacks and 15' rear setbacks. LMC exceptions to the setbacks are allowed as specified in LMC Section 15-2.13-3.

36. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of initial building permits within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.

37. Excavated soil will remain within the Flagstaff Annexation area unless an exception is approved by the City as allowed in the Amended Construction Mitigation Plan (Technical Report #15). A final Construction Mitigation Plan will be submitted with the building permit application to be approved by the Chief Building Official.

38. The property is part of a common development that exceeds one acre and thus has MS4 requirements to meet.

39. The Tower Club Phase I included a store as stated in the CUP approval condition, "The store will include a refrigerated case for milk, juice and sodas, and the shelves will have snacks commonly found in a convenience store". A small store is included within the Club building (at the ski valet); however, according to the applicant, it has not seen much success, even when opened to the general public as per a condition of Tower Club Phase II. The store remains open in winter months, but merchandise sold is primarily ski accessories (hats, goggles, gloves, lip balm, sun screen etc.), kid's camp provisions, snacks and drinks, along with other soft goods. The previous CUP approval included a condition that the store be open to the public.

#### Conclusions of Law – Residences at the Tower CUP

1. The CUP, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development and Technical Reports, and the Park City Land Management Code.
2. The proposed use, as conditioned, is compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

#### Conditions of Approval – Residences at the Tower CUP

1. All standard conditions of approval apply to this Conditional Use Permit.
2. This Conditional Use Permit shall expire one year from the date of Planning Commission approval, if a building permit has not been issued prior to this date, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
3. The final building plans and construction details submitted with the building permit application shall substantially comply with the plans reviewed by the Planning Commission on December 12th, 2018, January 23rd and February 13th, 2019.
4. Final architectural design approval from the Empire Pass Design Review Board is a precedent to building permit issuance.
5. Materials and color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on December 12, 2018, January 23, 2019, and February 13, 2019. Plans reviewed by the Planning Commission reflect revisions to replace glass railings with metal railings similar to existing buildings, additional stonework and roof elements added to the north elevation to break up the vertical

plane, additional mullions added to the large east facing windows, and additional stone and architectural elements on the east façade.

6. All exterior lighting shall be shielded and down directed in compliance with the LMC and the Flagstaff Mountain Resort Design Guidelines. Final compliance with the City's Lighting Ordinance will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy.

7. Exterior signs require an approved sign permit prior to installation.

8. All exterior mechanical equipment shall be screened from public view with landscaping and/or fencing/grating materials. Exposed wall and roof top vents and protruding pipes and mechanical equipment shall be painted to match the adjacent wall or roof to minimize impacts on public view. Screening for noise reduction is required.

9. All utility facilities must be located on the property, unless specific easements have been provided on the recorded plat. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable and the utility boxes can be screened with landscaping and/or fencing.

10. An approved and recorded condominium plat is required prior to sale of individual units.

11. Final utility and grading plans, including storm water drainage plans, must be approved by the City Engineer prior to Building Permit issuance.

12. Affordable housing provided with this Conditional Use Permit shall comply with all requirements and stipulations of the Flagstaff Development Agreement prior to issuance of a certificate of occupancy for the building. The affordable unit (EHU) shall be indicated on the final condominium plat prior to recordation of such plat and shall be completed prior to issuance of a certificate of occupancy for the building.

13. A deed restriction for the EHU unit, acceptable to the City, shall be recorded with or prior to plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit.

14. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.

15. The EHU and ADA units shall be available for occupancy at the same time as the entire building and when the market rate units are issued a certificate of occupancy.

16. Conditions of approval of the Village at Empire Pass MPD shall continue to apply.

17. Conditions of approval of the Flagstaff Annexation and Development Agreement and Technical Reports continue to apply, including the restrictions on solid wood burning fireplaces, removal of excavated materials, construction of pedestrian connections to the transit hub within the Village, reduced parking, provision of required ADA and affordable housing units, architectural design and building volumetric, and limits on residential density and Resort Support Commercial uses.

18. A Final Construction Mitigation Plan (CMP) shall be submitted for approval by the Planning, Building, and Engineering Departments prior to issuance of a building permit. The CMP shall indicate where and how excavated soils will be hauled and/or stored, hours of construction, truck routes, phasing and staging of construction, road closures, parking, lighting, and other items required by the Building Department and consistent with the Amended CMP Technical report.
19. Interior fire sprinklers are required for new construction and shall meet requirements of the Chief Building Official at the time of review of the building permit.
20. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
21. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
22. All requirements and conditions of the Park City Fire District regarding emergency egress, access, fire hydrants, etc. shall be met prior to building permit issuance.
23. The deed restricted unit shall be a minimum of 737 sf (0.921 AUE) as shown on the proposed condominium plat. One AUE is equivalent to 800 sf according to the Development Agreement.
24. The total MPD Resort Support Commercial area approved for this building, including the 2,424 sf approved with this CUP, is 5,803 sf and includes the kitchen, dining, lounge, store and spa. The store shall be open to the public, as previously conditioned.
25. This development is part of a common development that is greater than one acre. This development shall meet the MS4 storm water requirements. Prior to building permit issuance, the applicant shall verify that capacity exists in the existing detention pond utilized by Pod A and shall demonstrate that sufficient run-off will remain on site to support existing tree stands within the Pod.
26. Development of this property is subject to the conditions of approval, plat notes, easements and restrictions of the recorded First Amended Village at Empire Pass Phase 1 Subdivision plat.
27. A note shall be included on the condominium plat prior to recordation stating that the police substation commercial unit is restricted as a police substation. In the event that the police substation is vacated by the City, the HOA may apply to amend the condominium plat and the CUP for common or limited area storage, mechanical or other similar uses. No commercial, non-police office or residential uses are allowed unless additional density/UEs are acquired and the addition of such density and change of use is approved by plat and CUP amendment.
28. Pool and outdoor amenity hours are limited to 7AM to 10PM and compliance with the Park City noise ordinance is required. A sign shall be provided at the pool and outdoor recreation and amenity areas stating these hours of use and referencing the noise ordinance.

29. Total MPD Resort Support Commercial area is 5,803 sf (see condition #24 also) and total residential and club accessory uses area is 14,021 sf, as indicated on the plat.

Findings of Fact – Residences at the Tower Condominium Plat

1. Residences at the Tower condominium plat identifies 14 private market rate multifamily residential units totaling 42,453 sf, utilizing 21.227 UE, as well as 1 ADA unit and 1 deed restricted affordable unit, a police substation and the private Talisker Club located on Lot 9 of the First Amended Village at Empire Pass Phase I subdivision.
2. Lot 9 is located in the RD-MPD zoning district and contains 1.53 acres and is addressed as 8680 Empire Club Drive.
3. Access to the property is from Village Way and Empire Club Drive, which are both private streets.
4. Lot 9 is currently partially developed with the private Talisker Club that includes dining and other indoor and outdoor amenities for members.
5. The market rate multi-family residential units range in size from 1,806 sf to 4,229 sf with an average unit size of approximately 3,032 sf. The 737 sf ADA unit is required to be identified as common area. The 737 sf EHU is also platted as common area.
6. A 509 sf police sub-station, platted as commercial area, is proposed on the lower level as a requirement of the Emergency Response Plan Exhibit #7 of the Flagstaff Development Agreement.
7. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007, as well as associated Technical Reports.
8. The Amended Agreement is the equivalent of a Large-Scale Master Plan and sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
9. The Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units does not exceed 60, and PUD units are included in the totals for multi-family units.
10. To date approximately 509 multi-family units (757.28 UE) (of which 60 are PUD style units) and 16 single family units have been approved, platted and/or built within Pods A, B1 and B2. This number includes the 70 units noted in the plat notes for the B2 East subdivision and also includes Empire Residence CUP units currently under construction as Building 3 and Moon Shadow Condominiums for 8 PUD units pending plat recordation). This number also includes all of the Larkspur Townhomes, including Larkspur Townhomes 6 which condominium plat is currently under review.

11. Constructed lodge style buildings include Shooting Star, One Empire Pass, Silver Strike, Flagstaff, Arrow Leaf A and B, Grand Lodge and Ironwood. Lodge buildings still to be approved within Pod A are: Building 1- Residences at the Tower (subject property) and Building 4. The Empire Residences (Lodge Building 3) are currently under construction.

12. There is sufficient density remaining within Amended Agreement and VEP MPD for the proposed 14 multi-family units (21.227 UE).

13. Amended Agreement requires a total of 118.9 AUE (Affordable Unit Equivalents) where 1 AUE is 800 sf. A total of 94.175 off-mountain AUE and 24.725 on-mountain AUE are required. Off-mountain housing has been satisfied. On-mountain housing is partially complete with 16.675 AUE built and 8.05 AUE remaining. These remaining AUE are assigned to Buildings 1, 3, 4 and B2 East.

14. Lodge Building 1 was assigned 0.75 AUE (600 sf) per the Developer at time of sale.

15. The proposed affordable unit consists of 737 sf (0.921 AUE) (not including dedicated storage areas located separate from the unit) platted as common area and shall be deed restricted per requirements of the Housing Resolution prior to plat recordation.

16. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (VEP MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area for Lodge Buildings grouped around the Silver Strike lift and ski runs, various townhouses making up a second tier of units, with PUD style detached units and single family lots on the perimeter. A common amenity building, known as the Tower Club, was central to the VEP MPD. A common mail area, indoor and outdoor recreation facilities, pedestrian connections and transportation pick-up/drop-off area were included. The VEP MPD also approved heights and Volumetrics for the Lodge buildings.

17. On September 30, 2004, the City Council approved the Village at Empire Pass Phase 1 Subdivision that platted the east side lots of the Village at Empire Pass.

18. On April 13, 2005, the Planning Commission approved the Tower Club Phase I CUP for approximately 8,880 square feet consisting of 2,264 sf of MPD Resort Support Commercial (private dining, kitchen, small convenience store), and 6,616 sf of residential and resort accessory uses (ski lockers, recreation amenities, meeting room, kids club, circulation, storage, mechanical, as well as outdoor amenities such as pool, hot tubs, etc.). The Club was constructed in 2005 and 2006.

19. On February 13, 2008, the Planning Commission approved the Tower Club Phase II CUP for residential units on Lot 9. The approval for 25 units totaling 67,625 sf (33.81 UE) and one (1) ADA unit was granted an extension to July 1, 2010, by the Planning Commission on March 11, 2009. A building permit for Phase II was not issued and the CUP expired. This current CUP proposal represents a reduction in density and size by 11 units and 25,000 sf (12.58 UE) from the 2008 approval.

20. On January 6, 2011, the City Council approved an amendment to the VEP Phase 1



Subdivision amending Lot 9 to address access, parking, and trail easements. The amended plat was recorded on January 4, 2012.

21. On December 14, 2016, the Planning Commission approved an amendment to the Tower Club Phase I CUP to allow a 1,115 sf expansion of the private dining area, as well as expanded outdoor patio area, 1,000 sf of expanded basement area for accessory uses. The CUP expansion increased the MPD Resort Support Commercial on Lot 9 to 3,379 sf. Construction of the expansion was completed in 2018. The building currently consists of approximately 10,995 sf.

22. On October 9, 2018, the Planning Department received a complete application for a Condominium plat and a Conditional Use Permit for a fourteen (14) multi-family unit residential building to be located on Lot 9 of the First Amended Village at Empire Pass Phase One Subdivision.

23. The property is subject to subdivision plat notes that require compliance with the Amended Flagstaff Annexation and Development Agreement, approval of a Conditional Use Permit for each lodge building prior to issuance of a building permit, a declaration of condominium and a record of survey plat prior to individual sale of units, membership in the Empire Pass Master HOA, a 20' snow storage easement along the street frontages, water efficient landscaping, and various utility and maintenance provisions.

24. The proposed condominium plat memorializes the density, size and configuration of units to be construction in one phase and identifies areas of private, common and limited common ownership, and private club area.

25. The Amended Agreement allows a maximum of 75,000 sf of MPD Resort Support Commercial uses. Lot 9 currently is approved, with the Amended Tower Club CUP for 3,379 sf (kitchen, dining, small store) of MPD Resort Support Commercial Uses. Montage Resort was approved for 63,059 sf of MPD Resort Support Commercial and Grand Lodge was approved with 1,275 sf.

26. Total utilized MPD Resort Support Commercial Uses for this building, including this CUP expansion, is 5,803 sf (adding approximately 2,424 sf of Resort Support Commercial uses for Spa, addition to kitchen, and lounge).

27. There is sufficient MPD Resort Support Commercial remaining for the proposed private club expansion and approximately 4,863 sf will remain if this project is approved. This space is identified on the plat as part of the Club Unit with additional lines and labels calling out the specific square feet of these areas. A table of the Resort Support Commercial space shall also be included on the plat.

28. The Emergency Response Plan requires a police sub-station to be dedicated within the Empire Club building in Pod A. The Plan calls for a facility with 3 office spaces, approximately 12' by 12' each, with a combined square footage of not less than 500 sf, plus two reasonably proximate parking spaces. The unit is to be made available to Park City as an empty "white box" for no cost, and not subject to HOA dues or other assessments, as soon as occupancy permits are ready to be issued for the

rest of the building and residential units. This space will be identified as a Commercial Unit specifically for the police substation that can be transferred to the City.

29. Guest amenity areas (exercise and recreation areas, locker rooms, lobby and reception area, lounge/après ski, restrooms, etc.) are proposed on the first and second levels. Common residential accessory uses do not require use of UEs.

30. Based on unit sizes, a minimum of 22 parking spaces are required when taking into consideration the 25% parking reduction (from the 29 required spaces) per the Flagstaff Development Agreement and MPD.

31. An underground parking structure provides 22 parking spaces, including 1 ADA spaces, as well as limited common storage areas for each unit. Two surface spaces are provided at the street for the police sub-station. One surface space will be provided for short term pick-up and drop-off.

32. Each unit has one assigned limited common parking space and the remaining spaces are common.

33. The plat is consistent with the approved Village at Empire Pass Master Planned Development and the Residences at the Tower Conditional Use Permit in terms of density, units, UE, building height, uses, setbacks, and parking.

34. The MPD requires Construction Mitigation Plans to be submitted with each CUP and building permit addressing all requirements of the Amended Agreement and Technical Reports.

35. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of the initial building permits within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.

36. The condominium plat allows for the sale of individual units.

#### Conclusions of Law – Residences at the Tower Condominium Plat

1. There is good cause for this condominium plat.
2. The condominium plat is consistent with the 2007 Amended Flagstaff Annexation and Development Agreement, the Village at Empire Pass MPD, the First Amended Village at Empire Pass Phase 1 Subdivision, the Park City Land Management Code and applicable State laws regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat.
4. Approval of the condominium 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 – Residences at the Tower Condominium Plat

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium plat for compliance with State law, the Land Management Code, 2007 amended Flagstaff Development Agreement, Village at Empire Pass MPD and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the condominium plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. City Engineer and SBWRD approval of the final infrastructure and utility plans is a condition precedent to plat recordation.
4. Development within Empire Pass is governed by that certain Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and Iron Mountain entered into by and between United Park City Mines Company, Deer Valley Resort Company, and Park City Municipal Corporation, a third class city of the State of Utah, and recorded on March 2, 2007, as Entry No. 806100 in Book 1850 at Page 1897 in the records of the Summit County Recorder, as amended or supplemented from time to time ("Development Agreement"). The Development Agreement required the Developer, as such term is defined in the Development Agreement, to develop a Historic Preservation Plan, which said 127-page Historic Preservation Plan was prepared by SWCA, Inc., on August 2000 and is entitled, Historic Preservation Plan for Flagstaff Mountain Association, Park City, Summit County, Utah, as amended or supplemented from time to time including by that certain Historic Preservation Plan, Exhibit 6 dated May 2001 (and subsequently Revised and Approved December 2001)(collectively, the "Historic Preservation Plan"). The Historic Preservation Plan, Exhibit 6 dated May 2001 (and subsequently Revised and Approved December 2001)("Exhibit 6") identified historic preservation work needed at 21 historic mining sites within the Flagstaff Mountain Annexation Boundary and specified that the master homeowner association was responsible for maintaining any site that was not part of an ongoing operation.
5. The Agreement between the Empire Master Owner's Association and Park City attached at Exhibit \_\_\_\_ ("Agreement") to set forth a plan for the Association to address the Maintenance, as defined herein, needs of certain historic mining sites thereby achieving substantial compliance with the Historic Preservation Plan for the time periods set forth herein. The Agreement shall be executed in full and ratified by the City Council prior to recordation of the Twisted Road Subdivision or other REDUS plat, whichever comes first.
6. Conditions of approval of the Village at Empire Pass Master Planned Development (MPD), First Amended Village at Empire Pass Phase 1 Subdivision, and the Residences at the Tower Conditional Use Permit (CUP) apply to this plat.

7. All applicable required and recorded utility, access, snow storage, trails, etc. easements shall be indicated on this condominium plat prior to recordation and building permit issuance.
8. The plat shall note that public safety access and public utility easements are hereby dedicated for all private streets and that the private streets shall be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration.
9. The plat shall note that a Construction Mitigation Plan, including truck routing, is a submittal requirement of the building permit application.
10. The deed restricted employee housing unit (EHU) shall be a minimum of 737 sf (0.921 AUE), exclusive of additional storage area to be dedicated to this unit. One AUE is equivalent to 800 sf according to the 2007 Development Agreement.
11. The EHU and ADA units shall be platted as common area.
12. A deed restriction for the EHU unit, acceptable to the City, shall be recorded with or prior to plat recordation. The deed restriction shall outline and resolve any issues or concerns regarding maintaining affordability of the unit. The plat shall note that the EHU is subject to a deed restriction. The EHU and ADA units shall be available for occupancy at the same time as the entire building and when the market rate units are issued a certificate of occupancy.
13. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.
14. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
15. Conditions related to the police sub-station unit shall be described in the CCRs, and/or by separate agreement with the City, prior to recordation, consistent with language in the Emergency Response Plan of the Amended Flagstaff Agreement.
16. The plat shall note that fire sprinklers are required for new construction on the Lot per the Chief Building Official at the time of review of building permits and all requirements for emergency access according to the Park City Fire District and Park City Building Department shall be addressed prior to building permit issuance.
17. The plat shall note the number and square footages of all residential units and shall indicate the total square footage and Unit Equivalents of the 14 market rate units.
18. The plat shall note the Resort Support Commercial square footage and a table of the Resort Support Commercial space shall be included on the plat.
19. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended.
20. A plat note shall restrict the Resort Support Commercial areas and associated Club

accessory areas as a Private Club for members and shall not be sold or used as a commercial or retail establishment for the public, with the exception of the store area.

21.A plat note shall restrict the police substation commercial unit as a police substation. In the event that the police substation is vacated by the City, the HOA may apply to amend this plat and the CUP for common or limited area storage, mechanical or other similar uses. No commercial, office or residential use is allowed unless additional density/UEs are acquired and the addition of such is approved by plat and CUP amendment.

The Park City Planning Commission Meeting adjourned at 7:00 p.m.

Approved by Planning Commission: \_\_\_\_\_

PENDING APPROVAL

## **Planning Commission Staff Report**

**Subject:** 269 Daly Avenue Plat Amendment First Amended  
**Author:** Laura Newberry, Planner I  
**Project Number:** PL-19-04092  
**Date:** February 27, 2019  
**Type of Item:** Legislative – Plat Amendment

### **Summary Recommendations**

Staff recommends continuing this item to the March 13<sup>th</sup> meeting to allow Staff to do additional analysis on the proposed Plat Amendment.

### **Description**

**Applicant:** David & Harriet Henry  
Alliance Engineering, Inc. – Marshall King  
**Location:** 269 Daly Avenue  
**Zoning:** Historic Residential (HR-1)  
**Adjacent Land Uses:** Residential  
**Reason for Review:** Plat Amendments require Planning Commission review and City Council review and action

### **Proposal**

The applicant requests to relocate an existing Platted Maximum Development Line approximately ten feet (10') to the east.

### **Recommendation**

Staff recommends continuing this item to the March 13<sup>th</sup> meeting to allow Staff to do additional analysis on the proposed Plat Amendment.

## Planning Commission Staff Report

**Subject:** Zoning Map Amendment Request  
**Author:** Tippe Morlan, MS, AICP, Planner II  
**Date:** February 27, 2019  
**Type of Item:** Legislative – Zoning Map Amendment

|                            |                                                                                     |
|----------------------------|-------------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-18-04046                                                                         |
| <b>Applicant:</b>          | LEC Properties, LLC                                                                 |
| <b>Location:</b>           | Approximately 8920 Marsac Avenue                                                    |
| <b>Existing Zoning:</b>    | Recreation and Open Space (ROS)                                                     |
| <b>Proposed Zoning:</b>    | Residential Development (RD)                                                        |
| <b>Adjacent Land Uses:</b> | Single-family and multi-unit residential                                            |
| <b>Reason for Review:</b>  | Zoning Map Amendments require Planning Commission review and City Council approval. |

### **Proposal**

The applicant has indicated that the official zoning map was inadvertently changed for the subject property at the time of the last new zoning map update and approval. This proposal is to restore the prior zoning. The property consists of 4.75 acres, and the owner requests to rezone 1.2 acres north of Marsac Avenue from the ROS to the RD District, matching the zoning on adjacent properties and the original zoning for the property prior to the 2017 zoning map amendment.

### **Summary Recommendations**

Staff recommends that the Planning Commission hold a public hearing for the Zoning Map Amendment Request from Recreation and Open Space (ROS) to Residential Development (RD) at approximately 8925 Marsac Avenue and continue the item to the March 27, 2019 Planning Commission meeting. Staff is requesting this continuation in order to allow for more time to research the history of density for this lot as a part of the Flagstaff Mountain annexation.

## Planning Commission Staff Report

**Subject:** 839 Woodside Avenue Plat Amendment  
**Author:** Tippe Morlan, Planner II  
**Date:** February 27, 2019  
**Type of Item:** Legislative – Plat Amendment

|                            |                                                                               |
|----------------------------|-------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-19-04095                                                                   |
| <b>Applicant:</b>          | 839 Woodside LLC, an Oregon limited liability company                         |
| <b>Location:</b>           | 839 Woodside Avenue                                                           |
| <b>Zoning:</b>             | Historic Residential (HR-1)                                                   |
| <b>Adjacent Land Uses:</b> | Residential – Single-family dwellings                                         |
| <b>Reason for Review:</b>  | Plat Amendments require Planning Commission review and City Council approval. |

### **Proposal**

The proposed 839 Woodside Plat Amendment seeks to combine two existing lots located at 839 Woodside Avenue into one lot of record. The site consists of the entirety of Lot 10 and Lot 11 of Block 11 of Snyders Addition to Park City. There is an existing landmark historic structure at this address which was constructed in 1905. The property line between the two existing lots bisects the structure. The proposed plat amendment will create a lot of 3,676 square feet in size.

### **Summary Recommendations**

Staff recommends the Planning Commission hold a public hearing for the 839 Woodside Plat Amendment located at 839 Woodside Avenue and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Background**

**1905** – The existing structure was constructed on this site according to the Park City Historic Sites Inventory (see Exhibit G).

**1989-2000** – The Historic District Commission approved a variety of Historic District Grants to improve the historic structure at this location in 1989, 1992, 1995, 1999, and 2000.

**January 22, 2019** – The City received a complete Plat Amendment application for the 839 Woodside Avenue Plat Amendment.



### **Analysis**

The purpose of this plat amendment is to combine two existing lots addressed at 839 Woodside Avenue into one lot of record. Both lots exist within the Snyders Addition to the Park City Survey and have been slightly cut off by the Woodside Avenue public right-of-way. Both lots are nearly 25 feet by 75 feet and 1,875 square feet in size, and the proposed lot will be 3,676 square feet in size with a lot width of 50.2 feet and a length ranging between 72.5 feet and 75 feet.

The existing landmark historic structure at this address was constructed in 1905. The applicant has not yet proposed any modifications or development to this site. A Historic District Design Review will be required, and any changes to the site must be conducted in accordance with the Land Management Code and with the Historic District Design Guidelines.

### **Encroachments**

There are several encroachments on this property along both sides and to the rear of the lot. To the northwest side of the lot, there is a set of three stone retaining walls and associated landscaping encroaching into the 9<sup>th</sup> Street property owned by the City. There is also an existing deck, concrete retaining wall, and concrete steps, and a wood retaining wall with associated landscaping encroaching into the 9<sup>th</sup> Street property. The platted 9<sup>th</sup> Street property does not have a physical road, but several power lines runs through it. An encroachment agreement with the City is required, or all encroachments must be removed before the plat can be recorded.

To the southeast side of the lot, the neighboring house and its associated concrete and stone retaining walls encroach slightly over the shared property line and onto this property. That house is also an existing significant historic structure, and an encroachment agreement is required to maintain existing conditions before the plat can be recorded.

To the west and rear of the lot, there is a stone retaining wall that encroaches onto the adjacent property. An encroachment agreement will again be needed or else the wall must be removed before the plat can be recorded.

### **HR-1 Requirements**

The existing home is a single-family dwelling which is an allowed use in the HR-1 district. The minimum lot area for a single-family dwelling is 1,875 square feet, and the minimum lot for a duplex is 3,750 square feet; a duplex would not be allowed on this lot. The minimum lot width in this zone is 25 feet. The proposed lot meets the requirements of this zone at 50.2 feet wide. The proposed lot will also be 72.5 feet to 75 feet deep. These measurements determine the minimum setback requirements which are as follows:

|                   | <b>Required</b> | <b>Existing</b> |
|-------------------|-----------------|-----------------|
| <b>Front Yard</b> | 10 feet         | 17 feet         |
| <b>Rear Yard</b>  | 10 feet         | 21 feet         |

|                  |                           |                                          |
|------------------|---------------------------|------------------------------------------|
| <b>Side Yard</b> | 5 feet each, 14feet total | N: 1 foot, S: 22.5 feet; 23.5 feet total |
|------------------|---------------------------|------------------------------------------|

The only setback requirement which is not met is the northwest side setback. The existing structure is between 12-18 inches from the property line which does not comply with the 5 foot requirement. However, since the structure is historic, the structure is considered to be valid and complying according to [LMC Section 15-2.2-4](#). All new construction is required to meet the current LMC lot and site requirements.

The maximum building footprint for a lot this size is 1,494.98 square feet according to the building footprint formula illustrated in Table 15-2.2 of the Land Management Code (LMC). The existing footprint meets this standard at approximately 772.75 square feet.

### **Good Cause**

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and resolve any issues created by the extraneous lot line running through the property and through the existing house. This amendment will allow the property owner to make improvements and changes to the existing house, as allowed by the LMC and Historic District Design Guidelines. Public snow storage easements will be required to be dedicated on the final mylar prior to recordation. This plat amendment will resolve existing encroachment issues.

### **Process**

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits.

### **Department Review**

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

### **Notice**

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

### **Public Input**

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

### **Alternatives**

- The Planning Commission may forward positive recommendation to the City Council for the 839 Woodside Avenue Plat Amendment as conditioned or amended; or

- The Planning Commission may forward a negative recommendation to the City Council for the 839 Woodside Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 839 Woodside Avenue Plat Amendment to a date certain.

### **Significant Impacts**

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

### **Consequences of not taking recommended action**

The subject property would remain as two separate lots and the existing house would continue to have a lot line running through it.

### **Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the 839 Woodside Avenue Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)

Exhibit B – Survey

Exhibit C – Existing Plat

Exhibit D – Applicant's Project Description

Exhibit E – Site Photographs

Exhibit F – Aerial Photograph

Exhibit G – Historic Sites Inventory Report

**Ordinance No. 2019-XX**

AN ORDINANCE APPROVING THE 839 WOODSIDE AVENUE PLAT AMENDMENT LOCATED AT 839 WOODSIDE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 839 Woodside Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 13, 2019, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners; and

WHEREAS, the Planning Commission held a public hearing on February 27, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on February 27, 2019, forwarded a \_\_\_\_\_ recommendation to the City Council; and,

WHEREAS, on April 4, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 839 Woodside Avenue Plat Amendment located at 839 Woodside Avenue.

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

**SECTION 1. APPROVAL.** The 839 Woodside Avenue Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 839 Woodside Avenue.
2. The property consists of Lot 10 and Lot 11 of Block 11 of Snyders Addition.
3. The property is in the Historic Residential (HR-1) District.
4. There is an existing landmark historic structure at this address.
5. The existing home was constructed in 1905.
6. The property line between the two existing lots bisects the structure.
7. The applicant proposes to combine the subject lots into one lot of record.

8. There are several encroachments on this property along both sides and to the rear of the lot as follows:
  - a. To the northwest side of the lot, there is a set of three stone retaining walls and associated landscaping encroaching into the 9<sup>th</sup> Street property owned by the City.
  - b. There is also an existing deck, concrete retaining wall, and concrete steps, and a wood retaining wall with associated landscaping encroaching into the 9<sup>th</sup> Street property.
  - c. To the southeast side of the lot, the neighboring historic house and its associated concrete and stone retaining walls encroach slightly over the shared property line and onto this property.
  - d. To the west and rear of the lot, there is a stone retaining wall that encroaches onto the adjacent property.
9. The existing home is a single-family dwelling which is an allowed use in the HR-1 district.
10. The minimum lot area for a single-family dwelling is 1,875 square feet. The proposed lot has an area of 3,676 square feet. This lot size is not large enough to permit a duplex.
11. The minimum lot width in the HR-1 zone is 25 feet. The proposed lot meets the requirements of this zone at 50.2 feet in width.
12. The proposed lot will also be between 72.5 feet and 75 feet deep.
13. The minimum front yard setback is 10 feet. The existing house has a 17 foot front yard setback.
14. The minimum rear yard setback is 10 feet. The existing house has a 21 foot rear yard setback.
15. The minimum side yard setback is 5 feet on each side and 14 feet total. The existing house has a 1 foot side yard setback on the north side and a 22.5 foot side yard setback on the south side.
16. Because this is a historic structure, the existing setbacks are considered to be valid and complying.
17. The maximum building footprint for a lot this size is 1,494.98 square feet. The existing footprint meets this standard at approximately 772.75 square feet.

**Conclusions of Law:**

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

**Conditions of Approval:**

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

2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. New construction shall meet site and lot requirements of the HR-1 District per the Land Management Code in effect at the time of application submittal.
5. A Historic District Design Review application is required for any new construction proposed at the existing site.
6. A 10 foot wide public snow storage easement will be required along Woodside Avenue.
7. An encroachment agreement is required or all encroachments must be removed before this plat can be recorded. Existing encroachments are noted as follows:
  - a. To the northwest side of the lot, there is a set of three stone retaining walls and associated landscaping encroaching into the 9<sup>th</sup> Street property owned by the City.
  - b. There is also an existing deck, concrete retaining wall, and concrete steps, and a wood retaining wall with associated landscaping encroaching into the 9<sup>th</sup> Street property.
  - c. To the southeast side of the lot, the neighboring historic house and its associated concrete and stone retaining walls encroach slightly over the shared property line and onto this property.
  - d. To the west and rear of the lot, there is a stone retaining wall that encroaches onto the adjacent property.

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

PASSED AND ADOPTED this 4th day of April, 2019.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

---

City Attorney

**Attachment 1** – Proposed Plat

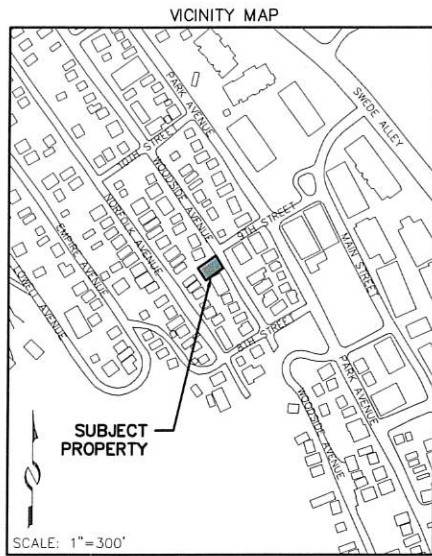


Exhibit A - Proposed Plat (Attachment 1)



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land shown on this plat and described hereon, hereafter to be known as 839 WOODSIDE AVENUE PLAT AMENDMENT, and that the same has been monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

Lots 10 and 11, Block 11, SNYDER'S ADDITION TO THE PARK CITY SURVEY, according to the official plat thereof on file and of record in the Summit County Recorder's Office, records of Summit County, Utah.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that, 839 WOODSIDE LLC, an Oregon limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 839 WOODSIDE AVENUE PLAT AMENDMENT, does hereby certify that it has caused this subdivision plat to be prepared, and does hereby consent to the recordation of 839 WOODSIDE AVENUE PLAT AMENDMENT.

In witness thereof, the undersigned set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

Frederick S. Keller, Manager  
839 WOODSIDE LLC, an Oregon limited liability company

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, Frederick S. Keller, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of 839 WOODSIDE LLC, an Oregon limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the 839 WOODSIDE AVENUE PLAT AMENDMENT.

By: \_\_\_\_\_  
Notary Public  
  
Printed Name: \_\_\_\_\_  
  
Residing in: \_\_\_\_\_  
  
My Commission Expires: \_\_\_\_\_  
  
Commission No.: \_\_\_\_\_

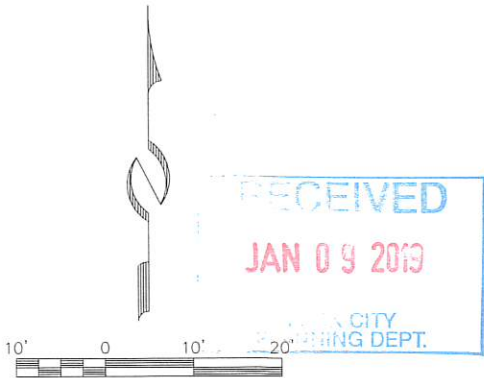
NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2019-\_\_\_\_\_.
2. Measured bearings and distances, when different from record, are shown in parenthesis ( ).



A LOT COMBINATION PLAT  
BLOCK 11, SNYDER'S ADDITION  
TO PARK CITY SURVEY  
**839 WOODSIDE AVENUE PLAT AMENDMENT**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH



SHEET 1 OF 1

1/9/19 JOB NO.: 10-10-18 FILE: X:\SnydersAddition\dwg\sr\plat2018\101018.dwg

|                                                                                                                                |                                                                                                                                                                                                  |                                                                                                                            |                                                                                                                                                                         |                                                                                                               |                                                                                                                                        |                                                                                                                                                                |                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <br>(435) 649-9467<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664 | SNYDERVILLE BASIN WATER RECLAMATION DISTRICT<br>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____<br>DAY OF _____, 2019<br>BY _____<br>S.B.W.R.D. | PLANNING COMMISSION<br>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____<br>DAY OF _____, 2019<br>BY _____<br>CHAIR | ENGINEER'S CERTIFICATE<br>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____<br>DAY OF _____, 2019<br>BY _____<br>PARK CITY ENGINEER | APPROVAL AS TO FORM<br>APPROVED AS TO FORM THIS _____<br>DAY OF _____, 2019<br>BY _____<br>PARK CITY ATTORNEY | COUNCIL APPROVAL AND ACCEPTANCE<br>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019<br>BY _____<br>MAYOR | CERTIFICATE OF ATTEST<br>I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019<br>BY _____<br>PARK CITY RECORDER | RECORDED<br>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____<br>FEE _____ RECORDER _____<br>TIME _____ DATE _____ ENTRY NO. _____ |
|                                                                                                                                |                                                                                                                                                                                                  |                                                                                                                            |                                                                                                                                                                         |                                                                                                               |                                                                                                                                        |                                                                                                                                                                |                                                                                                                                                     |



**839 WOODSIDE AVENUE**  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
LOTS 10 & 11, BLOCK 11, SNYDER'S ADDITION TO THE PARK CITY SURVEY  
RECORD OF SURVEY-EXISTING CONDITIONS  
SUMMIT COUNTY, UTAH



**SURVEYOR'S CERTIFICATE**

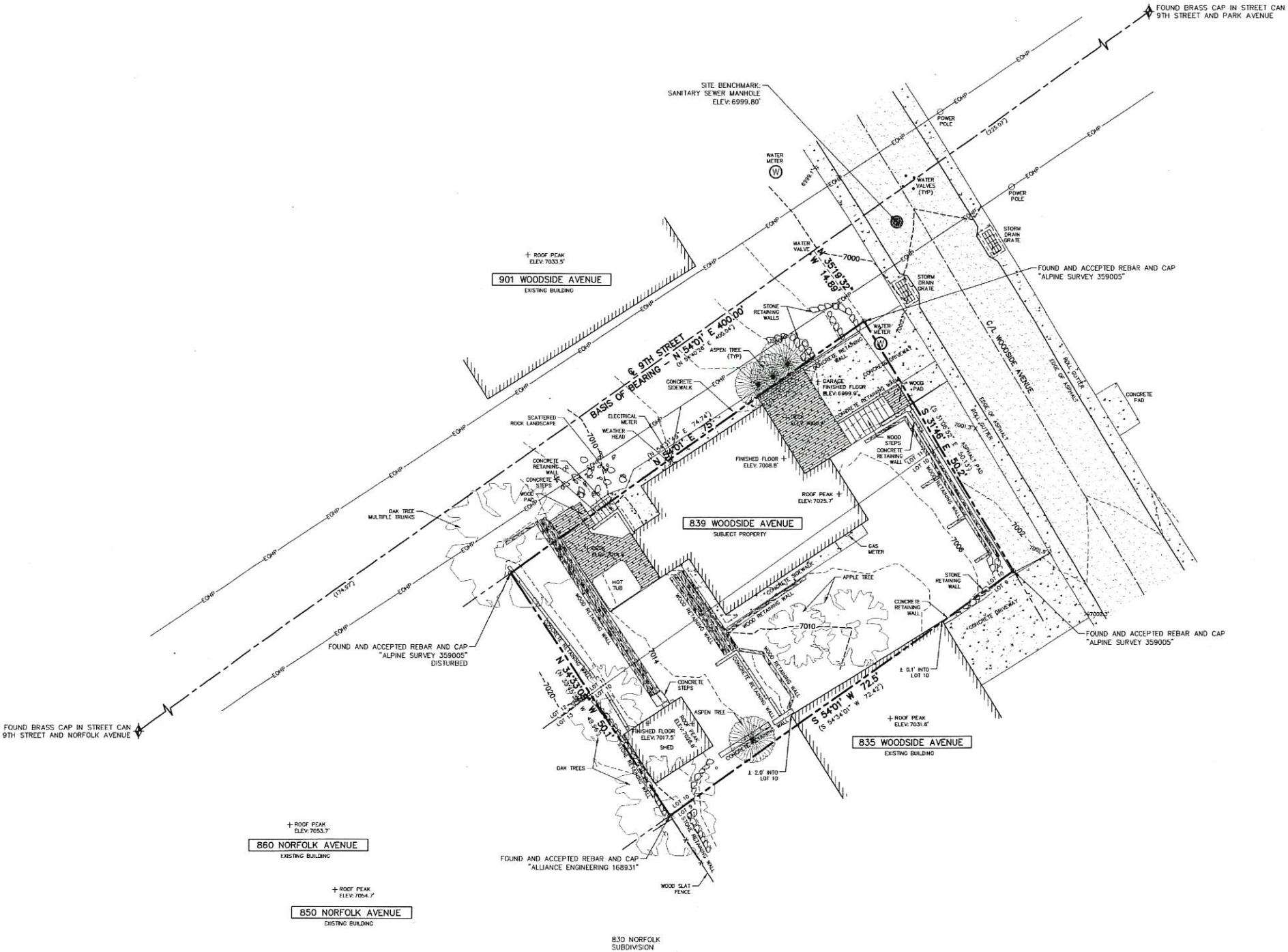
I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

**LEGAL DESCRIPTION**

Lots 10 and 11, Block 11, Snyder's Addition to the Park City Survey. According to the official plat thereof on file and of record in the Summit County Recorder's Office.  
Contains 3,676 square feet more or less.

**NOTES**

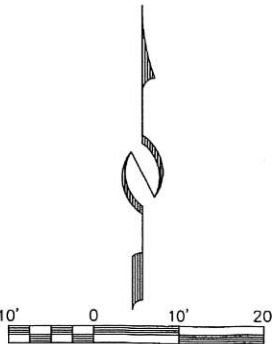
1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was completed November 5, 2018, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and no easements or setbacks were located as part of this survey. This owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, Record of Survey No. S-7877, Snyder's Addition to the Park City Survey Plat, 830 Norfolk Subdivision Entry No. 303741 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were used to determine the boundary as shown on this plat.
6. Site Benchmark: Sanitary Sewer Manhole, Elevation=6999.80' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Measured bearing and distances, when different than Record are in parenthesis ( ).



RECEIVED  
JAN 08 2019  
PARK CITY  
PLANNING DEPT.

**LEGEND**

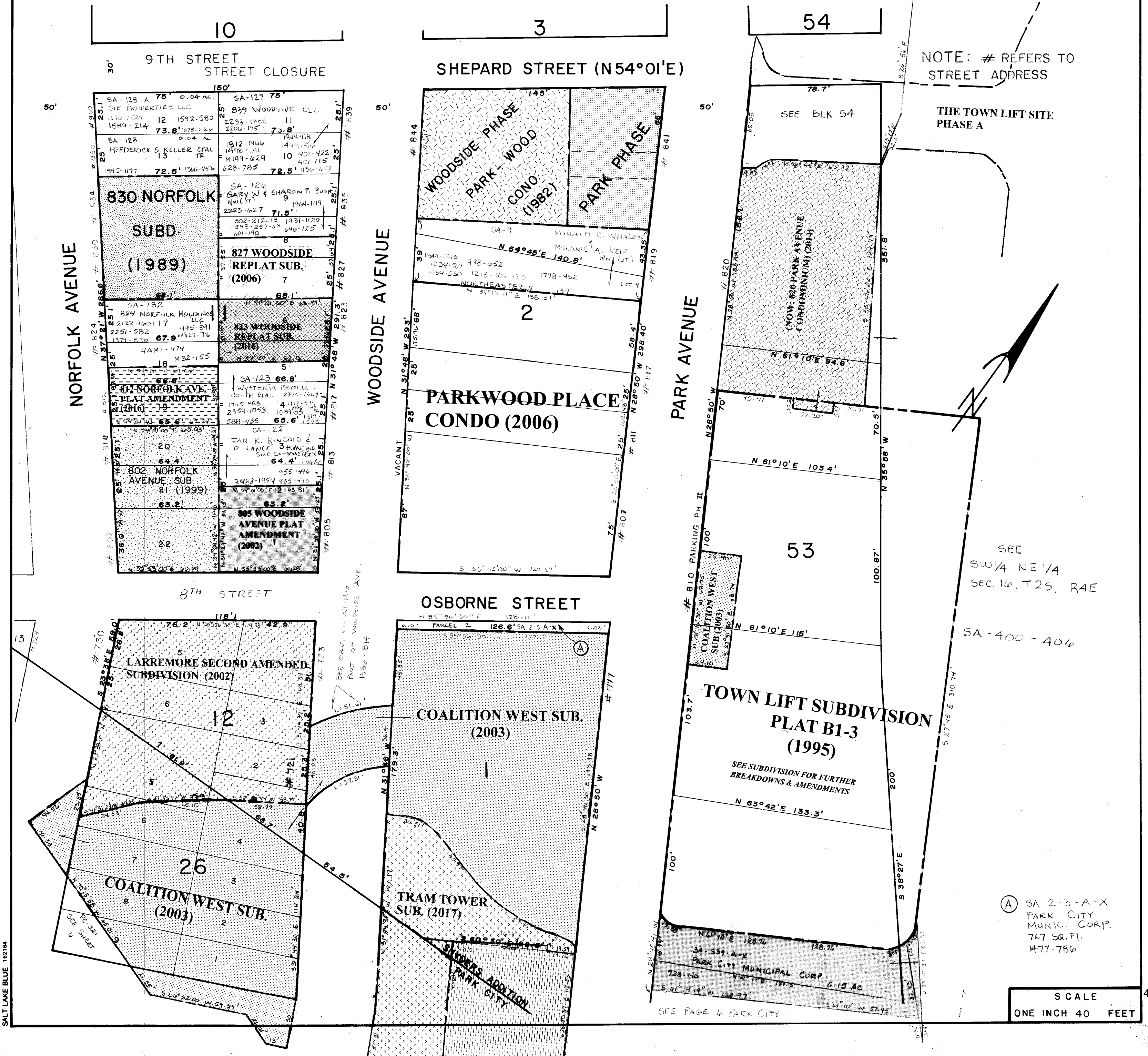
- Found Monument (As-Noted)
- Found Street Monument (As-Noted)
- (X)— Existing Overhead Power



|                                                                                                                                |                                                                                           |                                                                                                                             |                                 |
|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <br>(435) 649-9467<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664 | <b>STAFF:</b><br>CHARLES GALATI<br>DUSTIN CARRISH<br>JASON WYNNE<br>TOM LUND<br>RYAN BETZ | <b>EXISTING CONDITIONS &amp; TOPOGRAPHIC MAP<br/>RECORD OF SURVEY<br/>839 WOODSIDE AVENUE</b>                               | <b>SHEET<br/>1<br/>OF<br/>1</b> |
|                                                                                                                                | <b>DATE:</b> 11/20/18                                                                     | <b>FOR:</b> FRED KELLER<br><b>JOB NO.:</b> 10-10-18<br><b>FILE:</b> X:\SnydersAddition\dwg\sr\svy2018\101018\101018_ROS.dwg |                                 |

SUMMIT COUNTY UTAH

PARK CITY - BLOCKS 1, 2, 11, 12, 53, SECTION 16, T2S R4E, S.L.B. & M.  
SNYDERS ADDITION





SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 11,  
LOTS 10 AND 11

(839 WOODSIDE AVENUE)

PROJECT INTENT

The property at 839 Woodside Avenue is occupied by a single family residence and is on the Historic Site Inventory. The historic lot line as platted between Lots 10 and 11 still exists. The owner desires to remove the lot line and unify the property into one lot of record with the ultimate goal of remodeling the existing residence with an addition.

RECEIVED

JAN 08 2013

PARK CITY  
PLANNING DEPT.



839 Woodside Avenue – looking Southerly

JAN 08 2019

PARK CITY  
PLANNING DEPT.





839 Woodside Avenue – looking Southwesterly

RECEIVED

JAN 08 2019

PARK CITY  
PLANNING DEPT.





SUBJECT  
PROPERTY

RECEIVED

JAN 08 2013

PARK CITY  
PLANNING DEPT.

|                                                                                                                                                                                                                   |                                                                                   |                                                                                                                                                                                                                            |                                                   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
| <br><small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br/>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</small> | <small>(435) 649-9467</small><br><b>STAFF:</b><br>MARSHALL KING<br>DUSTIN CARRISH | <b>AERIAL PHOTOGRAPH</b><br><b>839 WOODSIDE AVENUE</b><br><b>BLOCK 11, SNYDER'S ADDITION</b><br><b>FOR: FRED KELLER</b><br><b>JOB NO.: 10-10-18</b><br><b>FILE: X:\SnydersAddition\dwg\Exhibits\839 woodside-ortho.dwg</b> | <b>SHEET</b><br><b>1</b><br><b>OF</b><br><b>1</b> |
|                                                                                                                                                                                                                   | <b>DATE: 12/12/18</b>                                                             |                                                                                                                                                                                                                            |                                                   |



# HISTORIC SITE FORM - HISTORIC SITES INVENTORY

PARK CITY MUNICIPAL CORPORATION (10-08)

## 1 IDENTIFICATION

Name of Property:

Address: 839 Woodside Avenue

AKA:

City, County: Park City, Summit County, Utah

Tax Number: SA-127

Current Owner Name: Richard, Joan Kelly Ann Collin Parent Parcel(s):

Current Owner Address: PO Box 3021, Park City, UT 84060-3021

Legal Description (include acreage): LOTS 10 & 11 BLK 11 SNYDERS ADDITION.

## 2 STATUS/USE

### Property Category

- ☒ building(s), main  
☐ building(s), attached  
☐ building(s), detached  
☐ building(s), public  
☒ building(s), accessory  
☐ structure(s)

### Evaluation\*

- ☒ Landmark Site  
☐ Significant Site  
☐ Not Historic

### Reconstruction

- Date:  
 Permit #:  
☐ Full ☐ Partial

### Use

- Original Use: Residential  
 Current Use: Residential

\*National Register of Historic Places: ☐ ineligible ☒ eligible  
☐ listed (date: )

## 3 DOCUMENTATION

### Photos: Dates

- ☒ tax photo:  
☒ prints: 1995 & 2006  
☐ historic: c.

### Drawings and Plans

- ☐ measured floor plans  
☐ site sketch map  
☐ Historic American Bldg. Survey  
☐ original plans:  
☐ other:

### Research Sources (check all sources consulted, whether useful or not)

- ☐ abstract of title  
☐ tax card  
☐ original building permit  
☐ sewer permit  
☒ Sanborn Maps  
☐ obituary index  
☐ city directories/gazetteers  
☐ census records  
☐ biographical encyclopedias  
☐ newspapers  
☒ city/county histories  
☐ personal interviews  
☐ Utah Hist. Research Center  
☐ USHS Preservation Files  
☐ USHS Architects File  
☐ LDS Family History Library  
☐ Park City Hist. Soc/Museum  
☐ university library(ies):  
☐ other:

Bibliographical References (books, articles, interviews, etc.) Attach copies of all research notes and materials.

Blaes, Dina & Beatrice Lufkin. "Final Report." Park City Historic Building Inventory. Salt Lake City: 2007.

Carter, Thomas and Goss, Peter. *Utah's Historic Architecture, 1847-1940: a Guide*. Salt Lake City, Utah:

University of Utah Graduate School of Architecture and Utah State Historical Society, 1991.

McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Alfred A. Knopf, 1998.

Roberts, Allen. "Final Report." Park City Reconnaissance Level Survey. Salt Lake City: 1995.

Roper, Roger & Deborah Randall. "Residences of Mining Boom Era, Park City - Thematic Nomination." National Register of Historic Places Inventory, Nomination Form. 1984.

## 4 ARCHITECTURAL DESCRIPTION & INTEGRITY

Building Type and/or Style: T/L cottage / vernacular style

No. Stories: 1 ½

Additions: ☐ none ☒ minor ☐ major (describe below) Alterations: ☐ none ☒ minor ☐ major (describe below)

Number of associated outbuildings and/or structures: ☒ accessory building(s), # \_\_1\_\_ ; ☐ structure(s), # \_\_\_\_.

General Condition of Exterior Materials:

Researcher/Organization: Dina Blaes/Park City Municipal Corporation

Date: November, 08

☒ Good (Well maintained with no serious problems apparent.)

☐ Fair (Some problems are apparent. Describe the problems.):

☐ Poor (Major problems are apparent and constitute an imminent threat. Describe the problems.):

☐ Uninhabitable/Ruin

**Materials** (The physical elements that were combined or deposited during a particular period of time in a particular pattern or configuration. Describe the materials.):

Site: Retaining wall--railroad ties, wooden steps to entry porch, garage beneath living space.

Foundation: Concrete.

Walls: Clad in wood drop siding. Porch supported by slender square columns.

Roof: Cross-wing roof form sheathed in standing seam metal material. Central brick chimney.

Windows: Ribbons of narrow windows with center casements flanked by casements with three upperlights. Also a small double-hung nit in the gable end.

Essential Historical Form: ☒ Retains ☐ Does Not Retain, due to:

Location: ☒ Original Location ☐ Moved (date \_\_\_\_\_) Original Location:

**Design** (The combination of physical elements that create the form, plan, space, structure, and style. Describe additions and/or alterations from the original design, including dates--known or estimated--when alterations were made): The site has had minor alterations. The partial width inset porch roof was extended before 1995 to accommodate a deeper front entry porch, but is still supported by slender square columns. The tax photo indicates that the house had been sheathed in brick-tech, but has since had the siding restored. A small window has been cut into the gable end facing the street. The garage below the living space is visible in the tax photo.

**Setting** (The physical environment--natural or manmade--of a historic site. Describe the setting and how it has changed over time.): The setting is unaltered from earlier photographs. Typical front yard with a gradual rise from a retaining wall at the street edge to the house, a center stair to the main entry porch, and informal landscaping with lawn, mature shrubs and trees. 1907 Sanborn Insurance map indicates two small accessory buildings located in the southwest and northwest corners of the lot. It is not clear if the small accessory building seen in the 2006 is original to the site, is the accessory building noted in the Sanborn map, or was constructed later.

**Workmanship** (The physical evidence of the crafts of a particular culture or people during a given period in history. Describe the distinctive elements.): The physical evidence from the period that defines this as a typical Park City mining era house are the simple methods of construction, the use of non-beveled (drop-novelty) wood siding, the plan type, the simple roof form, the informal landscaping, the restrained ornamentation, and the plain finishes.

**Feeling** (Describe the property's historic character.): The physical elements of the site, in combination, convey a sense of life in a western mining town of the late nineteenth and early twentieth centuries.

**Association** (Describe the link between the important historic era or person and the property.): The "T" or "L" cottage (also known as a "cross-wing") is one of the earliest and one of the three most common house types built in Park City during the mining era.

## 5 SIGNIFICANCE

Architect: ☒ Not Known ☐ Known: (source: )

Date of Construction: c. 1905<sup>1</sup>

Builder: ☒ Not Known ☐ Known: (source: )

<sup>1</sup> Structure appears on the 1907 Sanborn Insurance Map; Summit County records indicates a construction date of 1914.



The site must represent an important part of the history or architecture of the community. A site need only be significant under one of the three areas listed below:

1. Historic Era:

- ☐ Settlement & Mining Boom Era (1868-1893)
- ☒ Mature Mining Era (1894-1930)
- ☐ Mining Decline & Emergence of Recreation Industry (1931-1962)

Park City was the center of one of the top three metal mining districts in the state during Utah's mining boom period of the late nineteenth and early twentieth centuries, and it is one of only two major metal mining communities that have survived to the present. Park City's houses are the largest and best-preserved group of residential buildings in a metal mining town in Utah. As such, they provide the most complete documentation of the residential character of mining towns of that period, including their settlement patterns, building materials, construction techniques, and socio-economic make-up. The residences also represent the state's largest collection of nineteenth and early twentieth century frame houses. They contribute to our understanding of a significant aspect of Park City's economic growth and architectural development as a mining community.<sup>2</sup>

2. Persons (Describe how the site is associated with the lives of persons who were of historic importance to the community or those who were significant in the history of the state, region, or nation):

3. Architecture (Describe how the site exemplifies noteworthy methods of construction, materials or craftsmanship used during the historic period or is the work of a master craftsman or notable architect):

## 6 PHOTOS

Digital color photographs are on file with the Planning Department, Park City Municipal Corp.

**Photo No. 1:** East elevation. Camera facing west, 2006.

**Photo No. 2:** Southeast oblique. Camera facing northwest, 1995.

**Photo No. 3:** Southeast oblique. Camera facing northwest, tax photo.

<sup>2</sup> From "Residences of Mining Boom Era, Park City - Thematic Nomination" written by Roger Roper, 1984.









839

## Planning Commission Staff Report

**Subject:** 139 Main Street Plat Amendment  
**Author:** Tippe Morlan, AICP, Planner II  
**Date:** February 27, 2019  
**Type of Item:** Legislative – Plat Amendment

|                            |                                                                               |
|----------------------------|-------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-19-04070                                                                   |
| <b>Applicant:</b>          | Barry Turner                                                                  |
| <b>Location:</b>           | 139 Main Street                                                               |
| <b>Zoning:</b>             | Historic Residential – 2B (HR-2B)                                             |
| <b>Adjacent Land Uses:</b> | Historic Commercial and Residential – Single-family dwellings                 |
| <b>Reason for Review:</b>  | Plat Amendments require Planning Commission review and City Council approval. |

### **Proposal**

The proposed 139 Main Street Plat Amendment seeks to combine an existing lot and a portion of a second lot into one lot of record at this location. The site is currently undeveloped and consists of the entirety of Lot 10 and the southerly half of Lot 11 of Block 13 of the Park City Survey. The proposed plat amendment will create a lot of 2,332 square feet in size.

### **Summary Recommendations**

Staff recommends the Planning Commission hold a public hearing for the 139 Main Street Plat Amendment located at 139 Main Street and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Background**

**January 15, 2019** – The City received a complete Plat Amendment application for the 139 Main Street Plat Amendment.

### **Purpose**

The purpose of the HR-2 District can be found in [LMC Section 12-2.3-1](#). Requirements for sub-zone B can be found in [LMC Section 12-2.3-9](#).

### **Analysis**

The purpose of this plat amendment is to combine an existing lot and a partial lot addressed at 139 Main Street into one lot of record. The new proposed lot will be 2,332 square feet in size with a lot width of 39 feet. The subject property is undeveloped, and the applicant has not indicated any intent to develop the property at the time of this staff report. This new lot would allow the owner to construct a new single-family structure in accordance with the Land Management Code and with the Historic District Design



Guidelines for new construction. A duplex would not be allowed on this site based on the size of the lot. A Historic District Design Review will be required for any proposed construction at this location. With the proposed lot size, an Administrative CUP for development on steep slopes will be required for any structure exceeding 200 square feet on or projecting over an existing slope of thirty percent (30%) or greater.

The proposed lot size is compatible with existing lots in the neighborhood and in the overall Historic District at 2,332 square feet, or 0.05 acres in size. Other subdivisions in the vicinity have combined two or more historic lots for both new development and to allow for additions to existing homes like this one. The table below is a summary of lots within the vicinity along this block of Main Street and the adjacent block of Park Avenue. The lots average 0.05 acres in size with the smallest at 0.01 acres and the largest at 0.17 acres, and exactly half of these lots have gone through a similar plat amendment combining existing lots from the Park City Survey. The proposed lot is exactly the average size for a lot in this vicinity. The average is calculated in acres as the original Park City Survey parcels have not been tabulated into an exact square footage.

| <b>Address</b>  | <b>Lot Size</b>           | <b>Parcel No.</b> | <b>Subdivision</b>                           |
|-----------------|---------------------------|-------------------|----------------------------------------------|
| 109 Main Street | 0.01 acres                | PC-209            |                                              |
| 115 Main Street | 0.03 acres                | PC-210            |                                              |
| 122 Main Street | 0.04 acres<br>1648.10 SF  | CLTR-1            | Coulter Plat Subdivision<br>(2000)           |
| 125 Main Street | 0.05 acres                | PC-211            |                                              |
| 134 Main Street | 0.04 acres<br>1,956 SF    | 134-MAIN-1        | 134 Main Street Plat<br>Amendment (2016)     |
| 140 Main Street | 0.05 acres                | PC-254            |                                              |
| 148 Main Street | 0.06 acres<br>2,663.18 SF | BUSH-1            | The Bush Replat<br>Subdivision (2006)        |
| 151 Main Street | 0.16 acres<br>7,166 SF    | 151-MAIN-A        | 151 Main Street<br>Subdivision (2006)        |
| 158 Main Street | 0.08 acres<br>3,688 SF    | SAL-A-AM          | Saldarini Replat, First<br>Amended (2018)    |
| 166 Main Street | 0.07 acres<br>3,096 SF    | 166-MAIN-1        | 166 Main Street Plat<br>Amendment (2018)     |
| 170 Main Street | 0.02 acres                | PC-248            |                                              |
| 104 Park Avenue | 0.03 acres                | PC-223            |                                              |
| 108 Park Avenue | 0.05 acres<br>2,195 SF    | 108-PA-ALL        | 108 Park Avenue Replat<br>Subdivision (2009) |
| 116 Park Avenue | 0.03 acres                | PC-221            |                                              |
| 124 Park Avenue | 0.07 acres                | PC-220            |                                              |
| 160 Park Avenue | 0.06 acres<br>2,612 SF    | 160-PA-1          | 160 Park Avenue Replat<br>Subdivision (2004) |



### Encroachments

Along the south side of the lot, the neighboring significant historic property at 133 Main Street has three stone retaining walls, each approximately 1.5 feet wide, which encroach onto this property by 1 to 3 feet, and one railroad tie retaining wall which encroaches onto this property by approximately 6 inches. These walls are identified in the Historic Sites Inventory report for 133 Main Street and will need an encroachment agreement.

Along the west side of the lot, the adjacent property also has 17.5 feet of a railroad tie retaining wall which encroaches onto this property up to 2.5 feet from the rear property line. An encroachment agreement needs to be recorded for this wall or it must be removed prior to recordation of the plat as conditioned by Staff.

### HR-2 Requirements

Any future single-family dwelling must maintain all requirements of the HR-2 zone. The proposed lot meets the minimum lot area of 1,875 square feet for a single-family dwelling at 2,332 square feet in size. The minimum lot width of 25 feet is also met as the proposed width is 39 feet. The proposed lot will also be between 58 and 67 feet deep. These measurements determine the minimum setback requirements which are as follows:

|            | Required    |
|------------|-------------|
| Front Yard | 10 feet     |
| Rear Yard  | 10 feet     |
| Side Yard  | 5 feet each |

The maximum building footprint for a lot this size is 1022.79 square feet according to the building footprint formula illustrated in Table 15-2.3 of the Land Management Code (LMC). Any structure must also maintain a maximum Building Height of 27 feet from Existing Grade and meet all other Building Height regulations. Two off-street parking spaces will also be required for a new single-family dwelling. Special requirements for sub-zone B apply to any proposed commercial use at this location.

### Good Cause

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and will allow a structure to be constructed at this address in the future, as allowed by the LMC and Historic District Design Guidelines. Public snow storage easements will be dedicated with the recorded plat.

### Process

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits.

### Department Review

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

### **Notice**

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

### **Public Input**

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

### **Alternatives**

- The Planning Commission may forward positive recommendation to the City Council for the 139 Main Street Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 139 Main Street Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on the 139 Main Street Plat Amendment.

### **Significant Impacts**

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

### **Consequences of not taking recommended action**

The subject property would remain as two separate lots and any future structure would not be able to be constructed over the property line between them.

### **Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the 139 Main Street Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)  
Exhibit B – Survey  
Exhibit C – Existing Plat  
Exhibit D – Applicant's Project Description  
Exhibit E – Aerial Photographs  
Exhibit F – Site Photographs

**Ordinance No. 2019-XX**

AN ORDINANCE APPROVING THE 139 MAIN STREET PLAT AMENDMENT  
LOCATED AT 139 MAIN STREET, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 139 Main Street has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 13, 2019, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners on February 13, 2019; and

WHEREAS, the Planning Commission held a public hearing on February 27, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on February 27, 2019, forwarded a \_\_\_\_\_ recommendation to the City Council; and,

WHEREAS, on April 4, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 139 Main Street Plat Amendment located at 139 Main Street.

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

**SECTION 1. APPROVAL.** The 139 Main Street Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 139 Main Street.
2. The property consists of the entirety of Lot 10 and the southerly half of Lot 11 of Block 13 of the Park City Survey.
3. The property is in the Historic Residential – 2B (HR-2B) District.
4. The property is vacant.
5. The proposed lot is 2,332 square feet in size.

6. The proposed lot meets the minimum lot area of 1,875 square feet for a single-family dwelling.
7. This lot will not be large enough to accommodate a duplex use which requires 3,750 square feet.
8. The proposed lot size is compatible with existing lots in the neighborhood and in the overall Historic District. The lots average 0.05 acres in size with the smallest at 0.01 acres and the largest at 0.17 acres.
9. The proposed lot is the average size for a lot in this vicinity at 0.05 acres.
10. The City received a complete Plat Amendment application for the 139 Main Street Plat Amendment on January 15, 2019.
11. Along the south side of the lot, the neighboring property has three stone retaining walls, each approximately 1.5 feet wide, which encroach onto this property by 1 to 3 feet, and one railroad tie retaining wall which encroaches onto this property by approximately 6 inches. These walls are present in the Historic Sites Inventory report for 133 Main Street and require an encroachment agreement.
12. Along the west side of the lot, the adjacent property also has 17.5 feet of a railroad tie retaining wall which encroaches onto this property up to 2.5 feet from the rear property line.
13. The minimum lot width of 25 feet is also met as the proposed width is 39 feet.
14. The proposed lot will also be between 58 and 67 feet deep.
15. The minimum Front and Rear Setbacks are 10 feet each.
16. The minimum Side Setbacks are 5 feet each.
17. The maximum building footprint is 1022.79 square feet.
18. A Historic District Design Review application is required for any new construction proposed at the existing site.
19. With the proposed lot size, an Administrative CUP for development on steep slopes will be required for any structure exceeding 200 square feet on or projecting over an existing slope of thirty percent (30%) or greater.

**Conclusions of Law:**

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

**Conditions of Approval:**

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.

3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. A 10 foot wide public snow storage easement will be required along Main Street unless the existing retaining wall needs to remain.
5. An encroachment agreement needs to be recorded for all encroachments, or all encroachments need to be removed, including the stone retaining walls and railroad tie wall to the south and the railroad tie retaining wall to the west.

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

PASSED AND ADOPTED this 4th day of April, 2019.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**Attachment 1** – Proposed Plat



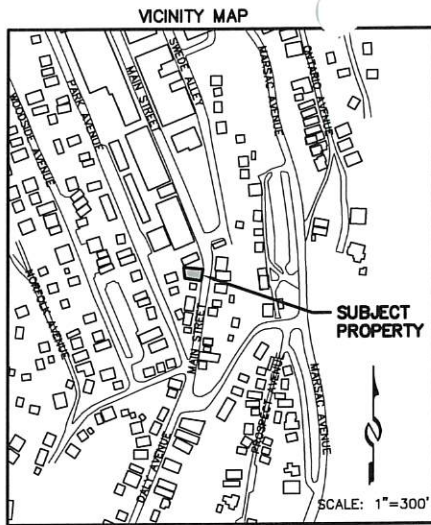


Exhibit A - Proposed Plat



SURVYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described hereon, hereafter to be known as 139 MAIN STREET PLAT AMENDMENT and that the same has been or will be monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of Lot 10 and a southerly portion of Lot 11, Block 13, Amended Plat of the Park City Survey, according to the official plat thereof, on file and of record in the Office of the Summit County Recorder, said southerly portion of Lot 11, being more particularly described as follows:

Beginning at the southeasterly corner of Lot 11, Block 13, Amended Plat of the Park City Survey; and running thence along the southerly boundary of said Lot 11, North 81°06'00" West 64.58 feet to the southwesterly corner of Lot 11; thence along the westerly boundary of said Lot 11, North 05°39'57" West 10.50 feet; thence South 84°22'02" East 67.33 feet to the easterly boundary of said Lot 11; thence along said easterly boundary of Lot 11, South 08°54'00" West 14.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS THAT, Barry Turner and Cheryl Sandy, Trustees of the PATRIOT FAMILY TRUST DATED SEPTEMBER 28, 2017, hereby certify that they have caused this plat amendment to be made and hereby consent to the recordation of this plat amendment.

In witness whereof, the undersigned set his hand  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
By: \_\_\_\_\_  
Barry Turner, Trustee

In witness whereof, the undersigned set her hand  
this \_\_\_\_\_ day of \_\_\_\_\_, 2019.  
By: \_\_\_\_\_  
Cheryl Sandy, Trustee

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, Barry Turner, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Trustee of the PATRIOT FAMILY TRUST DATED SEPTEMBER 28, 2018, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed the 139 MAIN STREET PLAT AMENDMENT.

By: \_\_\_\_\_  
Notary Public  
  
Printed Name \_\_\_\_\_  
Residing in: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, Cheryl Sandy, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Trustee of the PATRIOT FAMILY TRUST DATED SEPTEMBER 28, 2018, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed the 139 MAIN STREET PLAT AMENDMENT.

By: \_\_\_\_\_  
Notary Public  
  
Printed Name \_\_\_\_\_  
Residing in: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
Commission No.: \_\_\_\_\_

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2019-\_\_\_\_\_.
2. Measured bearings and distances, when different from record, are shown in parenthesis ( ).

LEGEND

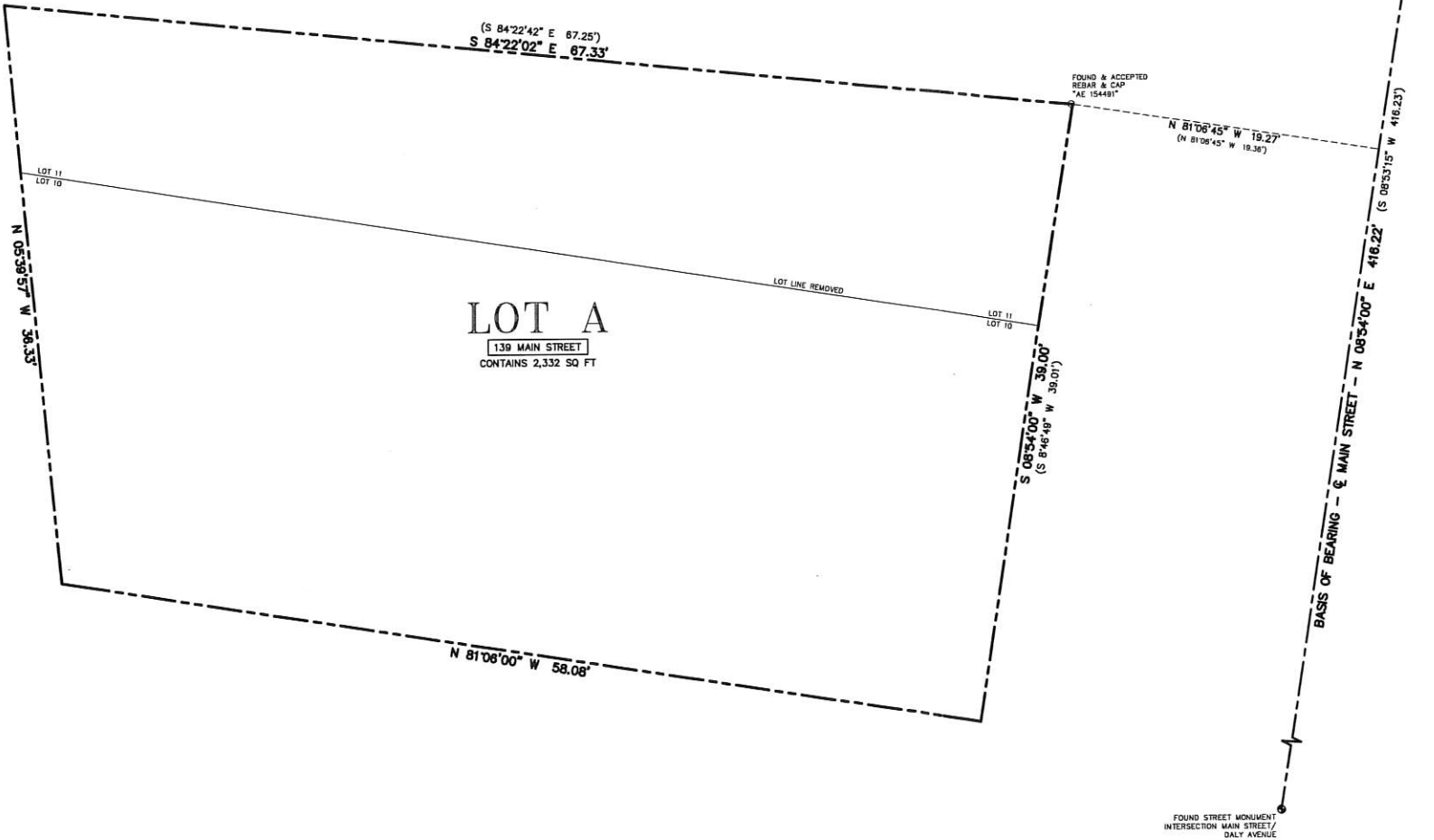
- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

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JAN 02 2019

PARK CITY PLANNING DEPT

SHEET 1 OF 1



A LOT COMBINATION PLAT  
BLOCK 13, PARK CITY SURVEY  
**139 MAIN STREET PLAT AMENDMENT**

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH



(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS  
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
BY \_\_\_\_\_  
S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
BY \_\_\_\_\_  
CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
BY \_\_\_\_\_  
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
BY \_\_\_\_\_  
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019  
BY \_\_\_\_\_  
MAYOR

CERTIFICATE OF ATTEST

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

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF \_\_\_\_\_  
FEE \_\_\_\_\_ RECORDER  
TIME \_\_\_\_\_ DATE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_



**139 MAIN STREET SURVEY**  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
LOT 10 & A PORTION OF LOT 11, BLOCK 13  
PARK CITY AMENDED SURVEY  
RECORD OF SURVEY-EXISTING CONDITIONS  
SUMMIT COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, Charles Golati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

### LEGAL DESCRIPTION

All of Lot 10 and a southerly portion of Lot 11, Block 13, Amended Plat of the Park City Survey, according to the official plat thereof, on file and of record in the Office of the Summit County Recorder, said southerly portion of Lot 11, being more particularly described as follows;

Beginning at the southeasterly corner of Lot 11, Block 13, Amended Plat of the Park City Survey, and running thence along the southerly boundary of said Lot 11, North 81°06'00" West 64.51 feet to the southeasterly corner of Lot 11; thence along the westerly boundary of said Lot 11, North 05°39'57" West 10.50 feet; thence South 84°22'02" East 67.33 feet to the easterly boundary of said Lot 11; thence along said easterly boundary of Lot 11, South 08°54'00" West 14.00 feet to the point of beginning.

## NOTES

1. Basis of Bearing for this survey is between the found street monuments as shown on this plat.
2. Field work for this survey was performed November 19, 2018, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and no easements or setbacks were located as part of this survey. This owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown herein.
5. County tax maps, recorded deeds, 151 Main Street Subdivision Plat, 160 Park Avenue Replat, Records of Survey S-6063, S-9222 and S-9317 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were used to determine the boundary as shown on this plat.
6. Site Benchmark: Water Meter, Elevation=7133.3' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Measured bearings and distances, when different from record, are shown in parenthesis ( ).

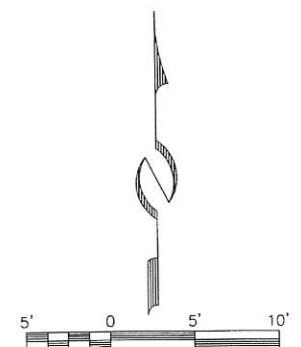
**LEGEND**

- ☐ Found Monument  
(As-Noted)
- ☒ Found Street Monument  
(As-Noted)

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JAN 02 2019

PARK CITY  
PLANNING DEPT.

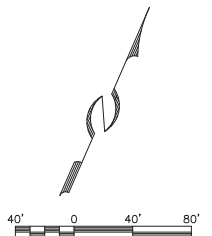


EXISTING CONDITIONS & TOPOGRAPHIC MAP  
LOT 10 & A PORTION OF LOT 11, BLOCK 13

FOR: BARRY TURNER  
JOB NO.: 6-11-18

**FILE:** X:\ParkCitySurvey\dwg\srvc\svy2018\061118-139 Main Street\061118-ras.dwg

SHEET  
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|                                                                                                                                                                                                           |                       |                                                                                                                     |                                                                                |                                          |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|------------------------------------------|
|  <p>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</p> <p>127 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p> | <p>(435) 649-9467</p> | <p>STAFF:</p> <p>MARSHALL KING</p> <p>DUSTIN CARRISH</p>                                                            | <p>OWNERSHIP PLAT</p> <p>139 MAIN STREET</p> <p>BLOCK 13, PARK CITY SURVEY</p> | <p>SHEET</p> <p>1</p> <p>OF</p> <p>1</p> |
|                                                                                                                                                                                                           | <p>DATE: 12/11/18</p> | <p>FOR: BAREY TURNER</p> <p>JOB NO.: 6-11-18</p> <p>FILE: X:\ParkCitySurvey\dwg\Exhibits\139 main-ownership.dwg</p> |                                                                                |                                          |

PARK CITY SURVEY, BLOCK 13,  
LOT 10 AND A PORTION OF LOT 11

(139 MAIN STREET)

PROJECT INTENT

The property at 139 Main Street is vacant. The historic lot line as platted between Lots 10 and 11 still exists as shown on the plat of Park City. The owner desires to remove the lot line and unify the property into one lot of record with the ultimate goal of constructing a single family residence on the property.

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PLANNING DEPT.

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

**STAFF:**  
MARSHALL KING  
DUSTIN CARRISH  
**DATE:** 12/11/18

**AERIAL PHOTOGRAPH**  
139 MAIN STREET  
BLOCK 13, PARK CITY SURVEY  
**FOR:** BARRY TURNER  
**JOB NO.:** 6-11-18  
**FILE:** X:\ParkCitySurvey\dwg\Exhibits\139 main-ortho.dwg

**SHEET**  
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**OF**  
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139 Main Street – Looking Westerly





139 Main Street – Looking Northwesterly

## Planning Commission Staff Report

**Subject:** 1137 Lowell Avenue Plat Amendment  
**Author:** Tippe Morlan, AICP, Planner II  
**Date:** February 27, 2019  
**Type of Item:** Legislative – Plat Amendment

|                            |                                                                               |
|----------------------------|-------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-19-04082                                                                   |
| <b>Applicant:</b>          | Chantal Family Partnership, LTD                                               |
| <b>Location:</b>           | 1137 Lowell Avenue                                                            |
| <b>Zoning:</b>             | Historic Residential – 1 (HR-1)                                               |
| <b>Adjacent Land Uses:</b> | Residential – Duplexes                                                        |
| <b>Reason for Review:</b>  | Plat Amendments require Planning Commission review and City Council approval. |

### **Proposal**

The proposed 1137 Lowell Avenue Plat Amendment seeks to combine portions of six existing lots into one lot of record. This includes the entirety of Lots 9, 10, 23, 24, and a remnant portion of Lots 8 and 25 of Block 34 of Snyder's Addition. The proposed plat amendment will create a lot of 7,840 square feet in size and leaves no remnant parcels under this ownership.

### **Summary Recommendations**

Staff recommends the Planning Commission hold a public hearing for the 1137 Lowell Avenue Plat Amendment located at 1137 Lowell Avenue and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Background**

**January 15, 2019** – The City received a complete Plat Amendment application for the 1137 Lowell Avenue Plat Amendment.

### **Purpose**

The purpose of the HR-1 District can be found in [LMC Section 12-2.3-1](#).

### **Analysis**

The purpose of this plat amendment is to combine the several existing lots and remnant parcels addressed at 1137 Lowell Avenue into one lot of record. The new proposed lot will be 7,840 square feet in size with a lot width of 56 feet. The subject property is undeveloped, and the applicant has not indicated any intent to develop the property at the time of this staff report. This new lot would allow the owner to construct a new single-family structure or a duplex in accordance with the Land Management Code and with the Historic District Design Guidelines for new construction. A Historic District

Design Review will be required for any proposed construction at this location. A full Steep Slope Conditional Use Permit will be required for any structure exceeding 200 square feet on or projecting over an existing slope of thirty percent (30%) or greater.

To the east side of the lot, there is an existing asphalt driveway along the front side of the subject property approximately 25-28 feet wide with an associated railroad tie retaining wall across the width of the lot. The road extends from 43 to 50 feet from the front property line to the edge of asphalt. This is a shared driveway in use by the neighboring properties to the north as well.

There is also an existing trail running through the middle of the lot from east to west. There is no documentation or easement indicating that this is a public trail; formal public trail connections in this area are considered via the Kings Crown development. This trail will not need to be relocated with future development and is not a part of the City's Trails Master Plan.

The proposed lot size of 7,840 square feet is compatible with existing lots in the neighborhood and in this area of the Historic District. No historic structures exist on Lowell Avenue, and there are also larger duplexes, large single family homes, and condominiums in this area which includes the North Star neighborhood and the Kings Crown project. Other large lots with condominium and duplex developments can be seen on the existing plat in Exhibit C as well.

The table below is a summary of lots along this block of Lowell Avenue. The lots average 3,152.17 square feet in size, with the smallest lot at 2,590 square feet and the largest at 8,820 square feet in size. There are 9 lots, or 39 percent of the lots on this block, which contain duplexes and 61 percent of the lots contain single-family dwellings. There have also been similar plat amendments on 6 of the lots on this block. The proposed lot is consistent with size of other lots in this vicinity and is smaller than the adjacent lots to the south on Lowell Avenue.

| <b>Address<br/>(Lowell Ave)</b> | <b>Use</b>             | <b>Lot Size</b>              | <b>Parcel No.</b>        | <b>Subdivision</b>                             |
|---------------------------------|------------------------|------------------------------|--------------------------|------------------------------------------------|
| 1103                            | Single-family dwelling | 0.06 acres<br>2590 SF        | BARB-1                   | Barbara's Subdivision<br>Plat Amendment (2015) |
| 1104                            | Single-family dwelling | 0.04 acres<br>1875 SF        | SA-289-A-1               |                                                |
| 1105                            | Single-family dwelling | 0.14 acres<br>6090 SF        | BARB-2                   | Barbara's Subdivision<br>Plat Amendment (2015) |
| 1108                            | Single-family dwelling | 0.04 acres<br>1875 SF        | SA-289-A-2-A             |                                                |
| 1109                            | Duplex                 | Lot:<br>0.2 acres<br>8820 SF | SLB-2-R-1 &<br>SLB-2-R-2 | Silver Bell No. 2<br>Condominium Plat          |
| 1114                            | Single-family          | 0.04 acres                   | SA-290-A-1               |                                                |



|      |                        |                                 |               |                                                            |
|------|------------------------|---------------------------------|---------------|------------------------------------------------------------|
|      | dwelling               | 1875 SF                         |               |                                                            |
| 1115 | Duplex (with 1117)     | Lot:<br>0.11 acres<br>4810.4 SF | PIN-1121      | Pinion Pines<br>Condominium Plat<br>(1985)                 |
| 1117 | Duplex (with 1115)     | Lot:<br>0.11 acres<br>4814.6 SF | PIN-1127      | Pinion Pines<br>Condominium Plat<br>(1985)                 |
| 1118 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-289-A-2    |                                                            |
| 1130 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-C-2    |                                                            |
| 1134 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-C      |                                                            |
| 1138 | Single-family dwelling | 0.09 acres<br>3750 SF           | 1138-LA-A-2AM | 1138 Lowell Avenue<br>Subdivision Second<br>Amended (2015) |
| 1155 | Duplex (with 1157)     | 0.08 acres<br>3500 SF           | SA-321-A-1-B  |                                                            |
| 1157 | Duplex (with 1155)     | 0.08 acres<br>3500 SF           | SA-321-A-1-C  |                                                            |
| 1172 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-G-3    |                                                            |
| 1175 | Duplex (with 1177)     | 0.08 acres<br>3500 SF           | SA-321-A-1-F  |                                                            |
| 1177 | Duplex (with 1175)     | 0.08 acres<br>3500 SF           | SA-321-A-1-D  |                                                            |
| 1178 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-G-5    |                                                            |
| 1184 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-G-4    |                                                            |
| 1190 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-G      |                                                            |
| 1195 | Duplex (with 1197)     | 0.08 acres<br>3500 SF           | SA-321-A-1-E  |                                                            |
| 1196 | Single-family dwelling | 0.04 acres<br>1875 SF           | SA-290-G-2    |                                                            |
| 1197 | Duplex (with 1195)     | 0.08 acres<br>3500 SF           | SA-321-A-1-A  |                                                            |

#### HR-1 Requirements

Any future development on this site must maintain all requirements of the HR-1 zone. The proposed lot meets the minimum lot area of 1,875 square feet for a single-family dwelling and of 3,750 square feet for a duplex dwelling at 7,840 square feet in size. The minimum lot width of 25 feet is also met as the proposed width is 56 feet. The proposed lot will also be 140 feet deep. These measurements determine the minimum setback requirements which are as follows:

|            | Required                       |
|------------|--------------------------------|
| Front Yard | 15 feet                        |
| Rear Yard  | 15 feet                        |
| Side Yard  | 5 feet each +<br>14 feet total |

The maximum building footprint for a lot this size is 2,523.24 square feet according to the building footprint formula illustrated in Table 15-2.2 of the Land Management Code (LMC). Any structure must also maintain a maximum Building Height of 27 feet from Existing Grade and meet all other Building Height regulations.

### **Good Cause**

Staff finds good cause for this plat amendment in that it will clean up the property lines at this location and will allow a structure to be constructed at this address in the future, as allowed by the LMC and Historic District Design Guidelines. Public snow storage easements will be dedicated with the recorded plat.

### **Process**

The approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC §15-1-18. A Historic District Design Review application will need to be submitted for review by Planning Staff prior to issuance of building permits.

### **Department Review**

This project has gone through an interdepartmental review. Any future development shall consider the low water pressure at this location. A public easement is also required over the existing sewer line running through this property.

### **Notice**

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

### **Public Input**

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

### **Alternatives**

- The Planning Commission may forward positive recommendation to the City Council for the 1137 Lowell Avenue Plat Amendment as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the 1137 Lowell Avenue Plat Amendment and direct staff to make Findings for this decision; or

- The Planning Commission may continue the discussion on the 1137 Lowell Avenue Plat Amendment.

**Significant Impacts**

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

**Consequences of not taking recommended action**

The subject property would remain as six separate lots and any future structure would not be able to be constructed over the property line between them.

**Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the 1137 Lowell Avenue Plat Amendment and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

**Exhibits**

Exhibit A – Draft Ordinance with Proposed Plat (Attachment 1)

Exhibit B – Survey

Exhibit C – Existing Plat

Exhibit D – Applicant's Project Description

Exhibit E – Aerial Photographs

Exhibit F – Site Photographs

**Ordinance No. 2019-XX**

AN ORDINANCE APPROVING THE 1137 LOWELL AVENUE PLAT AMENDMENT LOCATED AT 1137 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 1137 Lowell Avenue has petitioned the City Council for approval of the Plat Amendment; and

WHEREAS, on February 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 13, 2019, proper legal notice was published according to requirements of the Land Management Code and courtesy letters were sent to surrounding property owners on February 13, 2019; and

WHEREAS, the Planning Commission held a public hearing on February 27, 2019, to receive input on plat amendment; and

WHEREAS, the Planning Commission, on February 27, 2019, forwarded a \_\_\_\_\_ recommendation to the City Council; and,

WHEREAS, on April 4, 2019, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, it is in the best interest of Park City, Utah to approve the 1137 Lowell Avenue Plat Amendment located at 1137 Lowell Avenue.

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

**SECTION 1. APPROVAL.** The 1137 Lowell Avenue Plat Amendment, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 1137 Lowell Avenue.
2. The property consists of consists of the entirety of Lots 9, 10, 23, 24, and a remnant portion of Lots 8 and 25 of Block 34 of Snyder's Addition.
3. The proposed lot is 7,840 square feet in size.
4. The lots on this block of Lowell Avenue average 3,152.17 square feet in size, with the smallest lot at 2,590 square feet and the largest at 8,820 square feet in size.



5. There are 9 lots, or 39 percent of the lots on this block, which contain duplexes and 61 percent of the lots contain single-family dwellings.
6. There have also been similar plat amendments on 6 of the lots on this block.
7. The proposed lot is consistent with size of other lots in this vicinity and is smaller than the adjacent lots to the south on Lowell Avenue.
8. The property is in the Historic Residential – 1 (HR-1) District.
9. The property is vacant.
10. The proposed lot meets the minimum lot area of 1,875 square feet for a single-family dwelling.
11. The proposed lot also meets the minimum lot area of 3,750 square feet for a duplex dwelling.
12. The City received a complete Plat Amendment application for the 1137 Lowell Avenue Plat Amendment on January 15, 2019.
13. To the east side of the lot, there is an existing asphalt driveway along the front side of the subject property approximately 25-28 feet wide with an associated railroad tie retaining wall across the width of the lot. The road extends from 43 to 50 feet from the front property line to the edge of asphalt. This is a shared driveway in use by the neighboring properties to the north.
14. There is also an existing trail running through the middle of the lot from east to west. There is no documentation or easement indicating that this is a public trail; formal public trail connections in this area are considered via the Kings Crown development. This trail will not need to be relocated with future development and is not a part of the City's Trails Master Plan.
15. The minimum lot width of 25 feet is also met as the proposed width is 56 feet.
16. The proposed lot will also be 140 feet deep.
17. The minimum Front and Rear Setbacks are 15 feet each.
18. The minimum Side Setbacks are 5 feet each and 14 feet total.
19. The maximum building footprint is 2,523.24 square feet.
20. The proposed lot leaves no remnant parcels under this ownership.
21. A Historic District Design Review application is required for any new construction proposed at the existing site.
22. A full Steep Slope Conditional Use Permit is required for any structure exceeding 200 square feet on or projecting over an existing slope of thirty percent (30%) or greater.

**Conclusions of Law:**

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

**Conditions of Approval:**

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration and an extension is granted by the City Council.
3. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.
4. A public easement is also required for areas within 10 feet of the existing sewer line running through this property.

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

PASSED AND ADOPTED this 4th day of April, 2019.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
MAYOR

ATTEST:

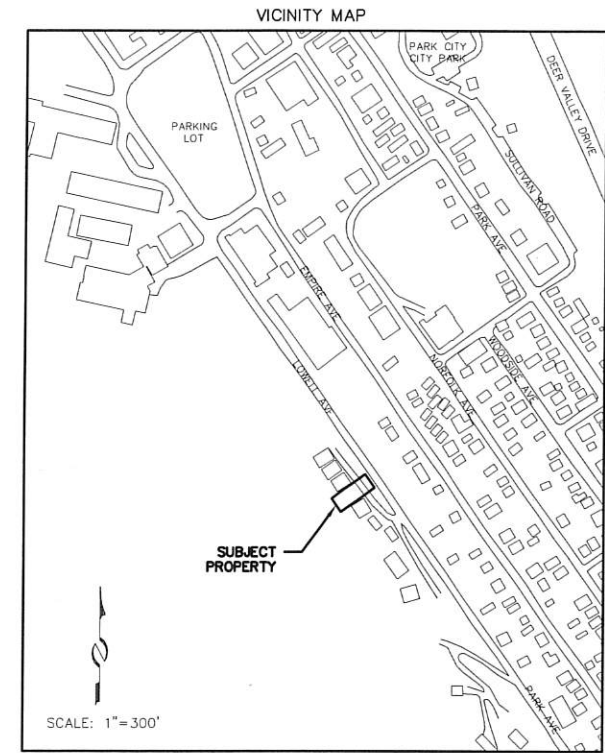
\_\_\_\_\_  
City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**Attachment 1 – Proposed Plat**

Exhibit A - Proposed Plat



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah, and that by authority of the owners, 1137 LOWELL AVENUE PLAT AMENDMENT has been reviewed under my direction, and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

The northerly 6 feet of Lot 8 and the northerly 6 feet of the easterly 65 feet of Lot 25 and all of Lots 9 and 10 and the easterly 65 feet of Lot 23 and 24 of Block 34, Snyder's Addition to Park City, according to the official plat thereof on file and of record in the Summit County Recorder's Office, being more particularly described as follows:

Beginning at a point North 35 degrees 59 minutes West 193.75 feet from the northeast corner of Northstar Subdivision, said northeast corner being the same as the southeast corner of Lot 1 of said Block 34 and running thence North 35 degrees 59 minutes West 56 feet; thence South 54 degrees 01 minutes West 140 feet; thence South 35 degrees 59 minutes East 56 feet; thence North 54 degrees 01 minutes East 140 feet to the point of beginning.

Together with and subject to an easement for ingress and egress and utilities over the following described property:

Commencing at a point located North 760.42 feet and West 3193.34 feet from the east one-quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 54 degrees 01 minutes 00 seconds West 20.54 feet; thence North 32 degrees 15 minutes 00 seconds West 62.13 feet; thence South 54 degrees 01 minutes 00 seconds West 23.51 feet; thence North 40 degrees 31 minutes 16 seconds West 63.20 feet; thence North 35 degrees 59 minutes 00 seconds West 269.99 feet; thence North 54 degrees 01 minutes 00 seconds East 25.00 feet; thence South 35 degrees 59 minutes 00 seconds East 201.24 feet; thence North 54 degrees 01 minutes 00 seconds East 20.00 feet; thence South 35 degrees 59 minutes 00 seconds East 193.75 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that the undersigned owner of the herein described tract of land, to be known hereafter as 1137 LOWELL AVENUE PLAT AMENDMENT, does hereby certify that it has caused this plat to be prepared, and does hereby consent to the recordation of this 1137 LOWELL AVENUE PLAT AMENDMENT.

In witness whereof, the undersigned set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

CHANTAL FAMILY PARTNERSHIP, LTD., a Texas limited partnership

By: Heida L. Thurlow, General Partner

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, Heida L. Thurlow, personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is the General Partner of CHANTAL FAMILY PARTNERSHIP, LTD., a Texas limited partnership, and that said document was signed by her on behalf of said partnership by authority of its Operating Agreement or Resolution of its Members, and she acknowledged to me that she executed the 1137 LOWELL AVENUE PLAT AMENDMENT.

By: \_\_\_\_\_  
Notary Public

Print Name \_\_\_\_\_

Residing in: \_\_\_\_\_

My commission expires: \_\_\_\_\_

Commission No. \_\_\_\_\_

LEGEND

- Set 5/8" rebar w/cap "ALLIANCE ENGINEERING" (Unless noted otherwise)
- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

RECEIVED

JAN 07 2019

PARK CITY PLANNING DEPT

NOTES

- This plat amendment is subject to the Conditions of Approval in Ordinance 2019-\_\_\_\_\_.
- Measured bearings and distances, when different from record, are shown in parenthesis ( ).

# 1137 LOWELL AVENUE PLAT AMENDMENT

LOCATED IN BLOCK 34, SNYDER'S ADDITION TO PARK CITY,  
AND THE NORTHWEST QUARTER OF SECTION 16  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

1/7/19 JOB NO.: 6-8-18 FILE: X:\SnydersAddition\dwg\sv\plat2018\060818.dwg

|                                                                                                                                |                                                                                                                                                                                               |                                                                                                                      |                                                                                                                                                                   |                                                                                                         |                                                                                                                                     |                                                                                                                                                 |                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <br>(435) 649-9467<br>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664 | SNYDERVILLE BASIN WATER RECLAMATION DISTRICT<br>REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019<br>BY _____<br>S.B.W.R.D. | PLANNING COMMISSION<br>APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019<br>BY _____ CHAIR | ENGINEER'S CERTIFICATE<br>I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2019<br>BY _____ PARK CITY ENGINEER | APPROVAL AS TO FORM<br>APPROVED AS TO FORM THIS _____ DAY OF _____, 2019<br>BY _____ PARK CITY ATTORNEY | COUNCIL APPROVAL AND ACCEPTANCE<br>APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019<br>BY _____ MAYOR | CERTIFICATE OF ATTEST<br>I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019<br>BY _____ PARK CITY RECORDER | RECORDED<br>STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____<br>FEE _____ RECORDER _____<br>TIME _____ DATE _____ ENTRY NO. _____ |
|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|



CHANTAL PROPERTY SURVEY

LOCATED IN THE NORTHWEST QUARTER OF SECTION 16,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST,  
SALT LAKE BASE AND MERIDIAN  
RECORD OF SURVEY-EXISTING CONDITIONS  
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

LEGAL DESCRIPTION

Beginning at a point North 35 degrees 59 minutes West 193.75 feet from the northeast corner of Northstar Subdivision, said northeast corner being the same as the southeast corner of Lot 1 of said Block 34 and running thence North 35 degrees 59 minutes West 56 feet; thence South 54 degrees 01 minutes West 140 feet; thence South 35 degrees 59 minutes East 56 feet; thence North 54 degrees 01 minutes East 140 feet to the point of beginning.

NOTES

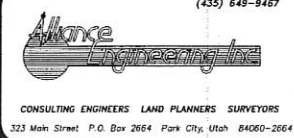
1. Basis of Bearing for this survey is between the found street monuments along Empire Avenue as shown on this plat.
2. Field work for this survey was completed September 11, 2018, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to locate and monument the boundary in addition to performing an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was not provided to the surveyor and only easements and setbacks per subdivision plat were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. Recorded deeds, county tax maps, Pinion Pines Condominium Plat, Silverbell No. 2 Condominiums, Barbara's Subdivision Plat Amendment, Records of Survey S-2467 and S-2479 (all hereto mentioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were all used to determine the boundary as shown on this plat.
6. Site Benchmark: Rebar and Cap, Elevation=7035.5' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were set or found as shown.
9. Measured bearing and distances, when different from record, are shown in parenthesis ( ).

LEGEND

- Set 5/8" rebar w/cap "ALLIANCE ENGINEERING" (Unless noted otherwise)
- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

FOUND STREET MONUMENT  
BRASS CAP IN CAN, MARKED  
PI EMPIRE AVE/9TH STREET

RECEIVED  
JAN 07 2019  
PARK CITY  
PLANNING DEPT.

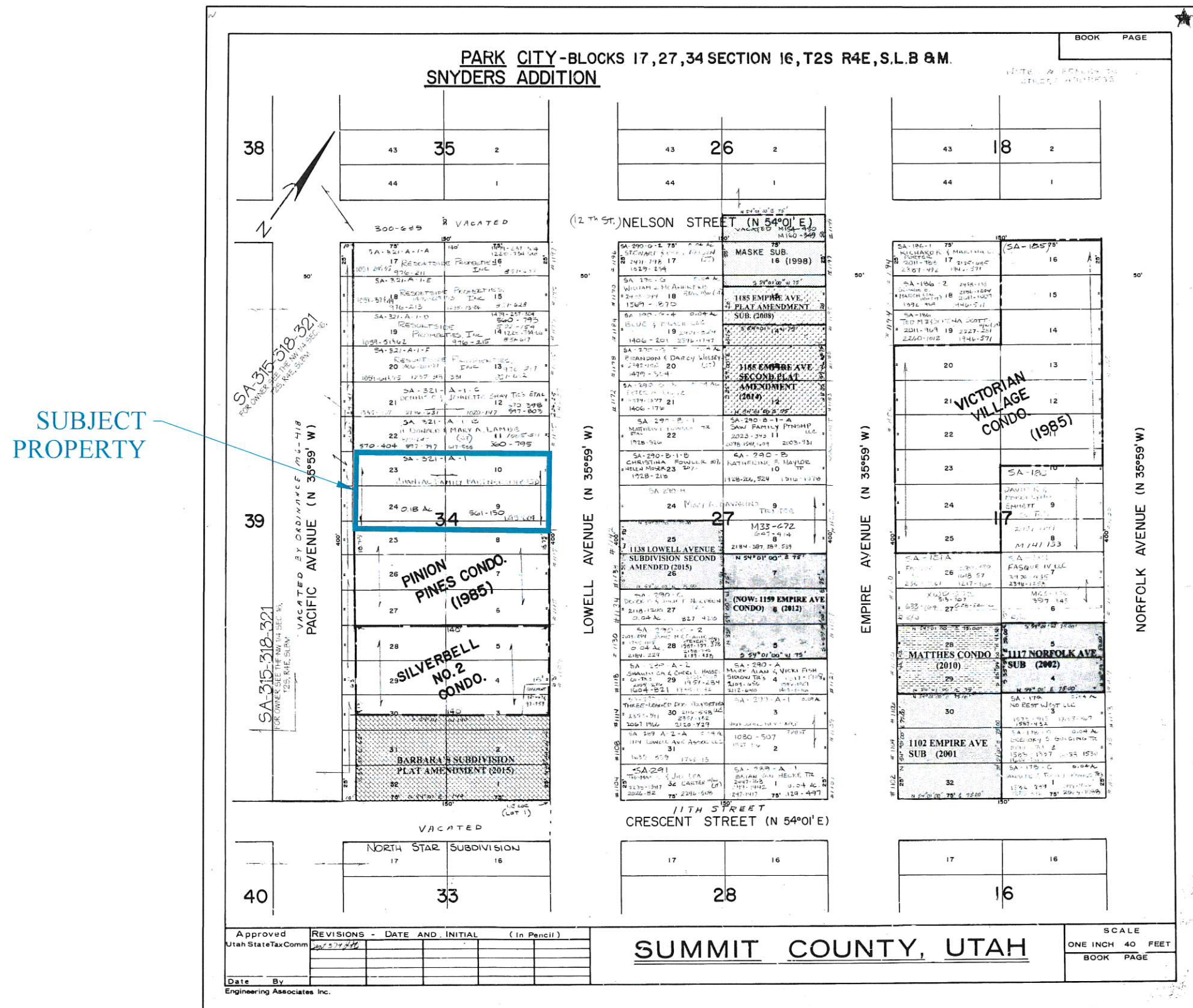


STAFF:  
CHARLES GALATI  
RYAN BETZ  
CHIP TOMSUDEN  
TOM LUND  
DATE: 9/26/18

EXISTING CONDITIONS & TOPOGRAPHIC MAP  
PARCEL SA-321-A-1  
PORTION OF BLOCK 34, SNYDER'S ADDITION  
FOR: CHANTAL FAMILY PARTNERSHIP LTD  
JOB NO.: 6-8-18  
FILE: X:\SnydersAddition\dwg\sr\svy2018\060818\060818-ROS.dwg

SHEET  
1  
OF  
1





RECEIVED  
JAN 07 2019  
PARK CITY  
PLANNING DEPT.

SNYDER'S ADDITION TO PARK CITY SURVEY  
LOTS 9, 10, and portions of LOTS 8, 23, 24 and 25, BLOCK 34

(1137 Lowell Avenue)

PROJECT INTENT

Lots 9, 10, and portions of Lots 8, 23, 24 and 25, Block 34, are owned by the Chantal Family Partnership, LTD. The lot lines within the boundary still exist from the original Snyder's Addition to Park City Survey plat. The owner desires to remove the existing lot lines and combine the historic lots to unify the property into one lot of record. There are no plans for development at this time.

RECEIVED  
JAN 07 2019  
PARK CITY  
PLANNING DEPT.





SUBJECT  
PROPERTY

RECEIVED  
PARK CITY  
PLANNING DEPT

60' 0 60' 120'

|                                                                                                                                                                                                                           |                                                                          |                                                                                                                                                                                                                              |                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
|  <p>(435) 649-9467<br/>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS<br/>323 Main Street P.O. Box 2664 Park City, Utah 84060-2664</p> | <p>STAFF:<br/>DUSTIN CARRISH<br/>MARSHALL KING</p> <p>DATE: 10/11/18</p> | <p>AERIAL PHOTOGRAPH<br/>1137 LOWELL AVENUE<br/>BLOCK 34, SNYDER'S ADDITION</p> <p>FOR: CHANTAL FAMILY PARTNERSHIP, LTD<br/>JOB NO.: 6-8-18<br/>FILE: X:\SnydersAddition\dwg\PlatExhibits\1137\1137 Lowell Ave-ortho.dwg</p> | <p>SHEET<br/>1<br/>OF<br/>1</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|





1137 Lowell Avenue - looking westerly from private driveway





1137 Lowell Avenue - looking southwesterly from Lowell Avenue



## Planning Commission Staff Report

**Subject:** Park City Heights Phase 3 Subdivision  
**Author:** Kirsten Whetstone, MS, AICP, Senior Planner  
**Date:** February 27, 2019  
**Type of Item:** Legislative – Subdivision Plat

|                            |                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-17-03553                                                                                     |
| <b>Applicant:</b>          | Ivory Development LLC                                                                           |
| <b>Location:</b>           | 10 and 30 Sun Ridge Cove                                                                        |
| <b>Zoning:</b>             | Community Transition (CT-MPD) subject to the Park City Heights Master Planned Development (MPD) |
| <b>Adjacent Land Uses:</b> | Residential single-family dwellings and open space                                              |
| <b>Reason for Review:</b>  | Subdivision plats require Planning Commission review and City Council approval.                 |

### **Summary Recommendations**

Staff recommends the Planning Commission hold a public hearing for the Park City Heights Phase 3 Subdivision located at 10 and 30 Sun Ridge Cove and consider forwarding a positive recommendation to City Council pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval found in the draft ordinance,

*Disclosure: Park City Municipal retains a security interest as the holder of a Trust Deed in conjunction with a prior transaction regarding the property. However, the City is not an “applicant” and does have any current ownership in the property.*

### **Proposal**

The Park City Heights Phase 3 Subdivision (Exhibit A) seeks to create two platted lots of record from a 2.48 acre metes and bounds parcel, consistent with the 2013 amended Park City Heights Master Planned Development (MPD) ([Exhibit B- link](#)) and amended approved Park City Heights preliminary plat (Exhibit C). A site survey (Exhibit D), aerial photograph (Exhibit E) and site photos (Exhibit F) were also submitted with the application. The property is located adjacent to the Hidden Oaks Subdivision in the Solamere neighborhood of Deer Valley.

### **Lot size**

Lot 301 consists of 1.33 acres and Lot 302 consists of 1.15 acres. These proposed lots are consistent with the preliminary plat in terms of size, location, configuration and access and have frontage on a city street.

### **Park City Heights MPD**

Conditions of approval of the 2014 amended Park City Heights MPD and Development

Agreement, including the 2017 amended Park City Heights Design Guidelines, continue to apply. The MPD indicates that development of these lots will be consistent with the Hidden Oaks neighborhood. Staff recommends a maximum house size (floor area as defined by the LMC) of 7,500 sf that shall be noted on the final plat, consistent with house sizes in Hidden Oaks Subdivision. Staff also recommends a condition that the rear 100' of these lots shall be undisturbed and that there shall be a maximum 10,000 sf of irrigated area per lot, consistent with the Hidden Oaks Subdivision restrictions.

A note shall be added to the plat stating that the houses shall be constructed to National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points) as further stated in the Development Agreement.

In addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either: 1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards (as amended); OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist (as amended).

#### Access

Located with access off Sun Ridge Cove, an existing city street in the Hidden Oaks Subdivision, the lots are intended for future development of two single family homes. Hidden Oaks at Deer Valley is a single family neighborhood located adjacent and north of the Solamere neighborhood of lower Deer Valley. No through street connections to other phases of the Park City Heights Subdivision are proposed or allowed as a result of this Phase 3 plat.

#### Utilities

The property is currently vacant. Primary utility services are located in the vicinity of the property. A public sewer main extension is required to bring sewer service to these lots (Exhibit G). A line extension agreement is required from Snyderville Basin Water Reclamation District (SBWRD) prior to construction of these improvements. The applicant's engineer has been working with SBWRD on plans for extending public sewer service to these lots. Water service and meters are required as well, extending from an existing public water main in the street. Public snow storage and necessary utility and storm water easements are proposed to be dedicated with the plat along the frontage of the lots and or lot lines as needed. Staff recommends a condition of approval that public improvements shall either be complete or bonded for prior to recordation of the plat.

#### Platted LOD

A platted limit of disturbance (LOD) area is recommended to prevent disturbance of the



rear 100' of each lot in order to keep construction disturbance and building footprints closer to the road and lower on the hillside area and to protect existing vegetation of the upper slope area, consistent with development patterns in the adjacent Hidden Oaks Subdivision (see **Analysis General Subdivision Requirements- (J) Limits of Disturbance/Building Pad locations**).

### Trails

The Park City Trails Master Plan notes that trails shall provide an easily accessible outdoor resource for many forms of recreation, most notably bicycling and walking. Trails greatly increase community access to physical activity and fitness opportunities by providing more miles of safe, attractive bicycling, walking, and hiking facilities. With this in mind, the Trails and Open Space Department requests that a single-track trail connection between this neighborhood and the Park City Heights trail system be provided. The location of this connection shall be determined by City Staff and the developer and shall be limited to no more than 1/2 miles in length. Construction of this connector trail will need to be completed as part of the public improvements, prior to recordation of this Phase 3 plat.

### Timeline/Background

**May 27, 2010** – The property was annexed into Park City with the Park City Heights Annexation and was zoned Community Transition (CT-MPD).

**May 11, 2011** – Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 deed restricted affordable units for a total of 239 units on approximately 239 acres.

**June 22, 2011** – Planning Commission reviewed and approved a preliminary subdivision plat for the entire 239 lots of the Park City Heights MPD.

**November 17, 2011** – City Council approved the original Park City Heights Phase 1 subdivision plat for 68 deed restricted lots and 35 market rate lots.

**November 2012** – Ivory Development LLC took ownership of the property.

**January 24, 2013** – City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.

**November 6, 2013** – Planning Commission approved an amended Master Planned Development and overall amended preliminary subdivision plat for the Park City Heights Development to address relocation of lots, streets, and parcels due to mine soils mitigation and a Voluntary Clean-up plan to be approved by the State. Amendments to the Master Planned Development and overall preliminary plat necessitated a revised phase one plat.

**February 27, 2014** – City Council approved an amended Park City Heights Phase 1

Subdivision, creating lots of record for 28 deed restricted townhouses, 35 small-lot deed restricted Park homes, 5 deed restricted cottage homes, and 35 market rate cottage homes.

**November 14, 2014** – Park City Heights Phase 1 Subdivision plat was recorded at Summit County.

**May 2, 2017** – Applicant submitted an application for the Park City Heights Phases 2 (for 16 market rate lots) and 3 (for 2 market rate lots). During review of the application, it was determined that the proposed lots of Phase 3 did not have direct access to Sun Ridge Cove due to a strip of County owned property between the lots and street. Staff requested that the applicant remedy access and submit a revised plat.

**May 24, 2017** – Application for Phase 2 was deemed complete with submission of a revised plat and requested information regarding house size restrictions in compliance with the MPD.

**January 19, 2018** – Planning Department received a revised submittal for Phase 2, requesting 39 single family lots and extending Calamity Lane to the end of the cul-de-sac in order to facilitate construction of the required water tank.

**February 2, 2018** – Planning Department received additional requested submittal information and the Phase 2 application for 39 lots was complete.

**May 3, 2018** – City Council approved the Park City Heights Phase 2 Subdivision creating 39 lots of record for market rate cottage and homestead homes and platting 105.91 acres (Parcel D) as open space. Recordation of the Phase 2 plat is pending completion and/or bonding of public improvements and other MPD obligations, including construction of the Park City Heights water tank, construction of soft surface trails in Phases 1 and 2, construction of the neighborhood park, completion of bus shelters on Richardson Flat Road, and construction of hard surface trails connecting the neighborhood to the Rail Trail on the south side of Richardson Flat Road and to the 248 underpass on the north side of Richardson Flat Road.

**January 17, 2019** – Applicant submitted a revised plat for Phase 3, having remedied the access issue by purchasing the strip of property and revising the plat to incorporate the strip into the two lots. The revised application was complete on January 23, 2019, with submission of a revised title report, revised mailing list, and utility and construction details.

### **Analysis**

#### **LMC/PC Heights MPD**

Property is located within the CT District. The subdivision plat is subject to the following LMC criteria as well as the amended Park City Heights MPD Development Agreement and conditions:

| <b>CT Zone</b>                                        | <b>Permitted</b>                                                                                                                           | <b>Proposed</b>                                                                                       |
|-------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|
| Height                                                | 28' (+5' for pitched roof- equal to or greater than 4:12)                                                                                  | 28' (+5' for pitched roof - equal to or greater than 4:12).<br><b>Complies</b>                        |
| Unit Equivalents                                      | 1 unit per acre                                                                                                                            | Per MPD- 239 units on approximately 239 acres.<br><br><b>Complies</b>                                 |
| Lot Size                                              | Homestead lots have a minimum lot size of 4,721 sf                                                                                         | Lot 301 - 1.33 acres<br>Lot 302 - 1.15 acres<br><b>Complies</b>                                       |
| Front setback*                                        | 20' to house, 30' to garage                                                                                                                | 20' to house, 30' to garage<br><b>Complies.</b>                                                       |
| Rear setback*                                         | 25'                                                                                                                                        | 100' no-build, no disturbance area from rear property line<br><b>(condition recommended).</b>         |
| Side setbacks*                                        | 6' minimum, combined 16'                                                                                                                   | Minimum 12', combined 24' consistent with the Hidden Oaks subdivision <b>(condition recommended).</b> |
| Parking                                               | Minimum 2 spaces per dwelling unit                                                                                                         | Minimum 2 spaces per dwelling unit                                                                    |
| House Size (maximum floor area as defined by the LMC) | MPD recommends house size to be consistent with Hidden Oaks Subdivision which is 7,500 sf (5,000 sf for lots less than 16,000 sf in area). | Maximum 7,500 sf house size<br><b>(condition recommended).</b>                                        |
| Maximum irrigation area per lot                       | MPD recommends maximum irrigated area to be consistent with Hidden Oaks Subdivision which is 10,000 sf of irrigated area per lot.          | Maximum 10,000 sf of irrigated area per lot<br><b>(condition recommended).</b>                        |

**\*Note- Front, rear and side yard setback exceptions, as outlined in the Design Guidelines, apply.**

#### General Subdivision Requirements

- (A) Subdivision Name-** The proposed subdivision is a third phase and the name does not duplicate or closely approximate the name of another Subdivision. The streets have unique names. No new streets are proposed.
- (B) Monuments-** All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
- (C) Limits of Disturbance-** A limits of disturbance area is recommended to keep development and disturbance low on the hillside and closer to the existing street, to protect existing vegetation on the upper hillside and to be consistent with the development pattern in the neighborhood.



- (D) Ridgeline Development-** The property does not include the ridge area to the east of the proposed lots. The recommended platted LOD is intended to keep development and disturbance lower on the hillside so that it does not impact the naturally vegetated upper hillside or ridgeline.
- (E) Open Space-** Open space parcel D, located to the north and east of these lots, was dedicated with Phase 2, consistent with conditions of the Park City Heights MPD. An LOD designated for the rear 100' of the lots will remain as undisturbed natural area, located within the platted lots.
- (F) Roads and Utility Lines-** No new roads are proposed. Easements are provided for public utilities. A utility plan was submitted with this subdivision application. Final approval of the utility plan is subject to approval of this plat and per final review by the City Engineer and other utility providers. All utilities will be designed to minimize disturbance of existing vegetation. Re-vegetation and/or remediation of disturbed areas are conditions of final utility installation acceptance.
- (G) Drainage Ways-** Existing drainage areas and ways will be incorporated into the storm water management system and open space parcels to the greatest extent possible, per the City's specifications. Final design of the storm water management system is subject to approval by the City Engineer and shall be submitted with the building permit applications.
- (H) Soils Conditions-** As required by the Park City Heights MPD, and due to the potential for areas of expansive soils within this subdivision, a soils conditions report shall be submitted prior to issuance of any building permits for structures and utilities and shall be reviewed and approved by the City Engineer and Building Official prior to issuance of an excavation permit for any construction.
- (I) Trails and Sidewalks-** Trails crossing private property shall be placed in easements prior to construction. The exact location of trails within open space parcels shall be determined by the City's Trails and Open Space Manager and shall include a connector trail from this neighborhood area to the Park City Heights trails network primarily located in Parcel D. A connector trail shall be constructed or bonded for prior to plat recordation and shall be consistent with a Park City Heights trails plan prepared in coordination with the Park City Trails and Open Space team (Exhibit H). Trails constructed by the applicant within open space parcels, in accordance with the trails plan, shall be agreed to be within a ten (10') public trail easement
- (J) Limits of Disturbance/Building Pad locations-** Location of houses for this phase is stipulated by adherence to minimum building setbacks, as identified on the plat, as well as a platted LOD (limit of disturbance) area that consists of a no-disturbance area within the rear 100' of the lots, consistent with the location of houses in adjacent Hidden Oaks subdivision, as stipulated by the MPD. Exceptions to disturbance within the 100' rear area include approved utilities, trails, and required forest health management that may include removal and/or planting of native landscaping and temporary irrigation subject to approval of a landscape plan application and permit. No structures, patios, decks, gazebos, barns, green houses, hot tubs, fire pits, fences, retaining walls or similar

structures are permitted with the rear 100' area.

- (K) Top Soil Preservation and Final Grading-** Staff recommends a condition of approval that all applicable requirements of the LMC regarding top soil preservation and final grading be completed prior to issuance of a certificate of occupancy. No portion of this phase is within the Park City Soils Ordinance boundary; however, areas of disturbance due to off-site utility improvements that may fall within the Park City Soils Ordinance boundary are required to adhere to all requirements of the Ordinance.
- (L) Architectural Standards-** Architecture is reviewed at the time of building permit issuance for compliance with the Park City Heights Design Guidelines.
- (M) Water Bodies and Water Courses-** There are no bodies of water incorporated into the lots so as to not burden the City with responsibility of the water body.
- (N) Fire Sprinkling-** There is a plat note requiring all construction to comply with requirements of the Park City Chief Building Official regarding fire sprinkler systems at the time of building permit review.

#### General Lot Design Requirements

Staff has reviewed the proposed plat for compliance with the General Lot Design Requirements per LMC 15-7.3-3 as follows:

- (A) Lot Arrangement-** there are no foreseeable difficulties, for reasons of topography or other conditions, in securing reasonable driveway access and building permits for these lots, in compliance with adopted building codes, the LMC or the MPD.
- (B) Building Sites-** the proposed building sites are designed to minimize disturbance of existing vegetation and there has been consideration of minimum separation between structures. Staff recommends a condition that side setback requirements match the Hidden Oaks Subdivision of 12' (24' combined) rather than the 6' minimum (18' combined) as stated in the Design Guidelines.
- (C) Square footage-** maximum house size (in terms of maximum floor area defined by the LMC) will be noted on the plat as 7,500 sf, consistent with the maximum house size in the Hidden Oaks Subdivision.
- (D) Lot Dimensions-** proposed lot dimensions take into consideration additional width for corner lots, depth and width of lots for non-residential purposes, and areas for parking.
- (E) Double Frontage Lots and access to Lots-** There are no lots fronting on two streets.
- (F) Lot Drainage-** Lots are laid out to provide positive drainage away from all Buildings. Individual lot drainage plans will be required with each building permit.
- (G) Landscaping-** Prior to issuance of a building permit for each lot a landscape plan is required to be submitted and reviewed by the Planning Staff for compliance with the LMC and conditions of the MPD. HOA open space areas disturbed for utilities or other construction access shall be re-vegetated and/or landscaped per the MPD and Design Guidelines.
- (H) Limits of Disturbance/Vegetation protection-** Prior to issuance of a building

permit for each lot a limits of disturbance and vegetation protection plan is required to be submitted and reviewed by the Staff for compliance with the LMC and conditions of the MPD.

**(I) Re-vegetation, seed, and sod-** All disturbed areas will be re-vegetated, seeded, and/or sodded prior to issuance of a certificate of occupancy per the LMC and a financial guarantee for the completion of this re-vegetation is required to be paid or posted prior to issuance of the permit.

**(J) Debris and Waste-** Debris and waste are required to be removed per the LMC prior to issuance of a certificate of occupancy. This is a condition of building permitting. The Park City Heights MPD requires consolidation and recycling of construction waste and debris to be identified on the Construction Mitigation Plan prior to issuance of a building permit.

**(K) Fencing-** Fencing of hazardous conditions may be required by the Chief Building Official. Fences will be constructed according to standards of the LMC and conditions of approval of the Park City Heights MPD.

#### Road Requirements and Design

No new roads are required.

#### Summary of Analysis

Staff finds this subdivision complies with the Land Management Code regarding final subdivision plats, including CT zoning requirements, general subdivision requirements, and lot and street design standards and requirements. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code as well as conditions of approval for this subdivision. Utility, grading, and site work (streets) plans were submitted with the plat for review and coordination by the City and service providers prior to issuance of building permits.

Sanitary sewer service is required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD). The applicants have met with the SBWRD officials to review the plat and utility plans for compliance with these requirements. Final approval of a sewer facilities plan and a signature on the plat from SBWRD is required prior to final plat recordation.

Water service is required to be installed in a manner prescribed by the City Engineer. The applicants have provided utility plans and the plat to the City Engineer to review with the City Water Department. Final approval of a water facilities plan and compliance with the Park City Heights Agreements are required prior to final plat recordation.

#### Good Cause

There is good cause for this subdivision in that it creates legal lots of record from metes and bounds described parcels; memorializes and expands utility easements and



provides for new utility easements for orderly provision of utility services; dedicates public snow storage easements; provides for trail connections; and provides, as conditioned, future development parcels for market rate units consistent with the approved Park City Heights amended MPD and the development pattern of the surrounding neighborhood. The Amended Park City Heights MPD Development Agreement and conditions of approval continue to apply.

### **Department Review**

This application has been reviewed by the Development Review Committee, including other City Departments and utility and service providers. Identified concerns were addressed by revisions and notes on the plat and with conditions of approval as stated in the attached ordinance.

### **Notice**

On February 13, 2019, the property was posted and notice was mailed to property owners within 300 feet according to requirements of the Land Management Code. On February 9, 2019, legal notice was published in the Park Record and on the Utah Public Notice website, according to requirements of LMC.

### **Public Input**

Staff has not received public input regarding this subdivision application, at the time of this report.

### **Future Process**

Approval or denial of this subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

### **Alternatives**

- The Planning Commission may forward a positive recommendation to City Council to approve the Park City Heights Phase 3 Subdivision plat as conditioned or amended, or
- The Planning Commission may forward a negative recommendation to City Council to deny the revised Park City Heights Phase 3 Subdivision plat and direct staff to make Findings for this decision, or
- The Planning Commission may continue discussion on the revised Park City Heights Phase 3 Subdivision plat to a date certain with specific direction to Staff and the applicant to return with any additional information and or revisions necessary to make a final decision.

### **Significant Impacts**

There are no significant negative fiscal or environmental impacts to the City that result from this application that have not been sufficiently mitigated with plat notes, conditions of approvals, and adherence to the approved, amended MPD.

### **Consequences of not taking the Suggested Recommendation**

The property would remain as a metes and bounds parcel until a subdivision plat is approved and recorded. Building permits could not be issued for dwelling units until an approved subdivision plat is recorded.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing for the Park City Heights Phase 3 Subdivision plat and consider forwarding a positive recommendation to City Council pursuant to the Findings of Fact, Conclusions of Law, and Conditions of Approval as stated in the attached Draft Ordinance.

### **Exhibits**

Ordinance

Exhibit A - Proposed Park City Heights Subdivision Phase 3 plat

Exhibit B - [Amended Park City Heights MPD Development Agreement and Exhibits \(link\)](#)

Exhibit C - Approved amended Park City Heights Preliminary plat

Exhibit D - Site survey

Exhibit E - Site aerial photograph

Exhibit F - Site photographs

Exhibit G - Utility plans

Exhibit H - Trails plans

DRAFT Ordinance No. 2019- xx

**AN ORDINANCE APPROVING THE PARK CITY HEIGHTS PHASE 3 SUBDIVISION  
PLAT LOCATED AT 10 AND 30 SUN RIDGE COVE, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as Park City Heights Phase 3 located at 10 and 30 Sun Ridge Cove adjacent to the Hidden Oaks Subdivision, have petitioned the City Council for approval of the Park City Heights Phase 3 Subdivision plat; and

WHEREAS, on February 13, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on February 13, 2019, mailed notice was sent to property owners within 300' according to the Land Management Code of Park City; and

WHEREAS, on February 9, 2019, legal notice was posted in the Park Record and the Utah Public Notice website, as well as the Park City website; and

WHEREAS, the Planning Commission held a public hearing on February 27, 2019, to receive input on the subdivision plat application; and

WHEREAS, the Planning Commission, on February 27, 2019, forwarded a \_\_\_\_ recommendation to the City Council; and

WHEREAS, on March 21, 2019, the City Council held a public hearing on the Park City Heights Phase 3 Subdivision; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the Park City Heights Phase 3 Subdivision, as conditioned.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The Park City Heights Phase 3 Subdivision, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

**Findings of Fact:**

1. The property is located at 10 and 30 Sun Ridge Cove.
2. The Park City Heights Phase 3 Subdivision seeks to create 2 lots of record from a 2.48 acres metes and bounds property.
3. Proposed Lot 301 consists of 1.33 acres and proposed Lot 302 consists of 1.15 acres.

4. These proposed lots are consistent with the preliminary plat in terms of size, location, configuration and access. The lots are intended for future development of two single family homes consistent with the Park City Heights preliminary plat and Master Planned Development.
5. The lots have frontage on a city street.
6. These lots are consistent with the Lot and Site Requirements of the Community Transition (CT) zone as conditioned by the Park City Heights MPD Development Agreement and Design Guidelines.
7. The property was annexed into Park City with the Park City Heights Annexation on May 27, 2010, and was zoned Community Transition (CT-MPD) subject to the Park City Heights MPD.
8. On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable units on approximately 239 acres.
9. On June 22, 2011, the Planning Commission approved a preliminary subdivision plat as being consistent with the Park City Heights MPD.
10. On November 17, 2011, the City Council approved the original Park City Heights Phase 1 subdivision plat.
11. On January 24, 2013 the City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.
12. On November 6, 2013, the Planning Commission approved an amended Park City Heights MPD and preliminary plat to address relocation of lots and streets due to mine soils mitigation and voluntary clean-up program.
13. On December 28, 2013, the City Planning Department received an application for a revised first phase subdivision plat for the Park City Heights MPD. The application was deemed complete on January 7, 2014, with receipt of additional information.
14. On February 27, 2014, City Council approved an amended Park City Heights Phase 1 Subdivision, creating lots of record for 28 deed restricted townhouses, 35 small-lot deed restricted Park homes, 5 deed restricted cottage homes, and 35 market rate cottage homes.
15. On November 14, 2014, the Park City Heights Phase 1 Subdivision plat was recorded at Summit County.
16. On May 2, 2017, the Applicant submitted an application for the Park City Heights Phases 2 (for 16 market rate lots) and 3 (for 2 market rate lots). During review of the application, it was determined that the proposed lots of Phase 3 did not have direct access to Sun Ridge Cove due to a strip of County owned property between the lots and street. Staff requested that the applicant remedy access and submit a revised plat.
17. On May 24, 2017, the application for Phase 2 was deemed complete with submission of a revised plat and requested information regarding house size restrictions in compliance with the MPD.
18. On January 19, 2018, the Planning Department received a revised submittal for Phase 2, requesting 39 single family lots and extending Calamity Lane to the end of the cul-de-sac in order to facilitate construction of the required water tank.
19. On February 2, 2018, the Planning Department received additional requested



- submittal information and the Phase 2 application for 39 lots was complete.
20. On May 3, 2018, City Council approved the Park City Heights Phase 2 Subdivision creating 39 lots of record for market rate cottage and homestead homes and platting 105.91 acres (Parcel D) as open space.
  21. Recordation of the Phase 2 plat is pending completion and/or bonding of public improvements and other MPD obligations.
  22. On January 17, 2019, the applicant submitted a revised plat for Phase 3, having remedied the access issue by purchasing the strip of property and revising the plat to incorporate the strip into the two lots.
  23. The revised application was complete on January 23, 2019, with submission of a revised plat, updated title report and mailing labels, and revised utility and construction details.
  24. Development of the property is subject to the Land Management Code, the amended Park City Heights Master Planned Development conditions of approval and the amended Development Agreement and Park City Heights Design Guidelines, and this Ordinance.
  25. The lots are not within the Entry Corridor Protection Overlay zone (ECPO) and no portion of this plat is located within the Park City Soils Ordinance boundary.
  26. The proposed subdivision plat creates two lots of record for two (2) single family "Homestead Homes" to be compatible with houses in the Hidden Oaks Subdivision.
  27. No new public or private streets are proposed with this plat.
  28. Location of houses for this phase is stipulated by adherence to minimum building setbacks, as identified on the plat, as well as a platted LOD (limit of disturbance) area that consists of a no-disturbance area within the rear 100' of the lots, consistent with the location of houses on lots within the adjacent Hidden Oaks subdivision, as stipulated by the MPD.
  29. No non-conforming conditions or remnant parcels are created by the subdivision.
  30. Access to all lots and parcels within the proposed subdivision is from Sun Ridge Cove, an existing city street in the Hidden Oaks neighborhood.
  31. Hidden Oaks at Deer Valley is a single family neighborhood located adjacent and north of the Solamere neighborhood of lower Deer Valley. No through street connections to other phases of the Park City Heights Subdivision are proposed or allowed as a result of this Phase 3 plat.
  32. No new private or public streets are proposed.
  33. The Park City Trails Master Plan notes that trails shall provide an easily accessible outdoor resource for many forms of recreation, most notably bicycling and walking. Trails greatly increase community access to physical activity and fitness opportunities by providing more miles of safe, attractive bicycling, walking, and hiking facilities. A remnant informal trail traversing the property is not shown on the City's Trails Master Plan and there is not an existing easement for it listed in the title report.
  34. The Park City Heights trails plan, submitted with the MPD, identifies the general location of single track trails within the Park City Heights open space and development areas. The Park City Heights developer is responsible for construction of these trails per City specifications.

35. The applicant/developer is also responsible for construction of a trail connecting the neighborhood to the Park City Heights trails network within open space parcels, specifically within Parcel D, which is platted with the Park City Heights Phase 2 Subdivision. Parcel D is adjacent to the north and east of these lots.
36. The subdivision complies with the Land Management Code regarding final subdivision plats, including CT zoning requirements, general subdivision requirements, and lot and street design standards and requirements.
37. General subdivision requirements related to 1) drainage and storm water; 2) water facilities; 3) sidewalks and trails; 4) utilities such as gas, electric, power, telephone, cable, etc.; 5) public uses, such as parks and playgrounds; and 6) preservation of natural amenities and features have been addressed through the Master Planned Development process as required by the Land Management Code.
38. Sanitary sewer service and facilities are required to be installed in a manner prescribed by the Snyderville Basin Water Reclamation District (SBWRD).
39. Water service and facilities are required to be installed in a manner prescribed by the City Engineer. The applicants have provided utility plans and the plat to the City Engineer to review with the City Water Department. Final approval of a water facilities plan and compliance with the Park City Heights Agreements is required prior to final plat recordation.
40. Staff recommends a maximum house size (floor area as defined by the LMC) of 7,500 sf that shall be noted on the final plat, consistent with the average house size in Hidden Oaks Subdivision restrictions. Staff also recommends a stipulation of a maximum 10,000 sf of irrigated area per lot, consistent with the Hidden Oaks Subdivision restrictions.
41. There is good cause for this subdivision in that it creates legal lots of record from metes and bounds described parcels; memorializes and expands utility easements and provides for new utility easements for orderly provision of utility services; dedicates public snow storage easements; provides for public trail connections; and provides, as conditioned, future development parcels for market rate units consistent with the approved Park City Heights Annexation Agreement, amended Master Planned Development, and the development pattern of the surrounding neighborhood, as conditioned herein.
42. No remnant parcels are created.
43. The applicant stipulates to the conditions of approval.
44. The findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The subdivision complies with LMC Chapter 7 as conditioned.
2. The subdivision is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. The subdivision is consistent with the Park City Heights Annexation and the Park City Heights MPD, as amended and conditioned.
4. The subdivision is consistent with the amended Park City Heights preliminary plat approved by the Planning Commission on November 6, 2013.
5. Neither the public nor any person will be materially injured as a result of approval of

the proposed subdivision plat, as conditioned herein.

6. Approval of the proposed subdivision plat, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. City Attorney, City Engineer, and City Planner review and approval of the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and these conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the subdivision plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A plat note shall indicate that conditions of approval of the Park City Heights MPD and preliminary plat, as amended and approved by the Planning Commission on November 6, 2013, continue to apply.
4. A plat note shall indicate that this plat is subject to Ordinance 2019-XX (the Ordinance approving this subdivision).
5. Final approval of the sewer facilities/utility plan by the Snyderville Basin Water Reclamation District is required prior to final plat recordation.
6. Consistent with the Trails Master Plan, a single-track trail connection between this neighborhood and the Park City Heights trail system shall be provided. The location of this connection shall be determined by City Staff and the developer and be limited to no more than ½ miles in length. Construction of this connector trail will need to be completed or bonded for, as part of the public improvements, prior to recordation of this Phase 3 plat.
7. A plat note shall indicate that final constructed public trails are agreed, by the recording of this plat, to be within ten (10') foot public trail easements.
8. A plat note shall indicate that all construction, including streets, utilities, and structures shall comply with recommendations of the June 9, 2006 Geotechnical Study provided by Gordon, Spilker Huber Geotechnical Consultants, Inc. Additional soils studies and geotechnical reports may be required by the City Engineer and Chief Building Official prior to issuance of any building permits for structures, utilities, and roads. The report shall be reviewed and approved by the City Engineer and Chief Building Official and any recommendations for utilization of special construction techniques to mitigate soils issues, such as expansive clays, shall be incorporated into conditions of the building permit and ROW Permit approval.
9. A landscape and irrigation plan shall be submitted for City review and approval for each lot, prior to building permit issuance. Landscaping and irrigation shall be consistent with the Park City Heights Design Guidelines and the amended MPD conditions of approval.
10. All applicable requirements of the LMC regarding top soil preservation, final grading, and landscaping shall be completed prior to issuance of a certificate of occupancy.
11. A storm water run-off and drainage plan shall be submitted and approved by the City

Engineer prior to building permit issuance.

12. Prior to issuance of a building permit for any units within this plat, all building plans shall be reviewed for compliance with the Park City Heights Design Guidelines. All exterior building materials, colors and final design details must comply with the approved Park City Heights Design Guidelines and shall be approved by staff prior to building permit issuance. Building setbacks, house size, LOD shall be as noted on the plat.
13. A plat note shall state that all units shall be constructed to National Association of Home Builders National Green Building Standards Silver Certification (or other equivalent Green Building certification approved by the Planning Director) OR reach LEED for Homes Silver Rating (minimum 60 points). Green Building Certification. LEED rating criteria to be used shall be those applicable at the time of the building permit submittal.
14. A plat note shall state that in addition to meeting Green Building or LEED for Homes checklists and in order to achieve water conservation goals, each house must either:  
1) achieve at a minimum, the Silver performance Level points within Chapter 8, Water Efficiency, of the National Association of Home Builders National Green Building Standards; OR 2) achieve a minimum combined 10 points within the 1) Sustainable Sites (SS2) Landscaping and 2) Water Efficiency (WE) categories of the LEED for Homes Checklist. Points achieved in these resource conservation categories will count towards the overall score.
15. A plat note shall state that an industry standard Third Party inspector shall be mutually agreed upon by the Chief Building Official and the applicant prior to issuance of a building permit to provide third party inspection for compliance with Green Building requirements as required by the amended Master Planned Development and Annexation Agreement.
16. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and the MPD conditions of approval prior to building permit issuance.
17. A ten (10') wide public snow storage easement and other necessary utility and storm water easements shall be indicated on the plat prior to recordation as required by the City Engineer.
18. All public improvements shall be completed and accepted prior to signing and recording of the plat, or a financial guarantee may be provided to the City, in a form and amount acceptable to the City for the value of all public improvements, including trails. All public improvements shall be completed according to City and provider standards and accepted by the City Council prior to release of this guarantee.
19. All survey monumentation as required by the LMC is required to be completed prior to acceptance of public improvements.
20. A plat note shall state that this plat is subject to the 2014 Amended Park City Heights MPD Development Agreement and the 2014 Water and Maintenance Agreement with Park City Municipal Corporation.
21. A plat note shall indicate that all construction shall comply with requirements of the Park City Chief Building Official and adopted building codes, including fire sprinkler systems, at the time of building permit review.



22. A plat note shall indicate that side setback requirements shall match the Hidden Oaks Subdivision of 12' minimum (24' combined) rather than the 6' minimum (18' combined) as stated in the Design Guidelines for Homestead lots. Front setback shall be 20' to house and 30' to street facing garage doors.
23. A plat note shall state that the maximum house size (floor area as defined by the LMC) on each lot shall be 7,500 sf, consistent with Hidden Oaks Subdivision restrictions.
24. A plat note shall state that the maximum irrigated area per lot is 10,000 sf, consistent with the Hidden Oaks Subdivision restrictions.
25. A platted limit of disturbance (LOD) area shall be noted on the plat stating that the rear 100' of each lot shall remain undisturbed, with the exception of approved utilities, trails, and required forest health management that may include removal and/or planting of native landscaping with temporary irrigation, subject to approval of a landscape plan application and permit. No structures, patios, decks, gazebos, barns, green houses, hot tubs, fire pits, fences, retaining walls or similar structures are permitted with the rear 100' area.
26. No through street connections to other phases of the Park City Heights Subdivision are permitted, consistent with the Park City Heights MPD.
27. The plat shall note each lot is greater than 1 acre and an MS4 storm water permit is required for all land disturbance activities, prior to building permit issuance.

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

PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2019.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Andy Beerman, Mayor

ATTEST:

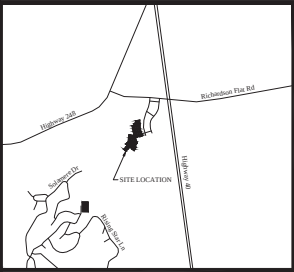
\_\_\_\_\_  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

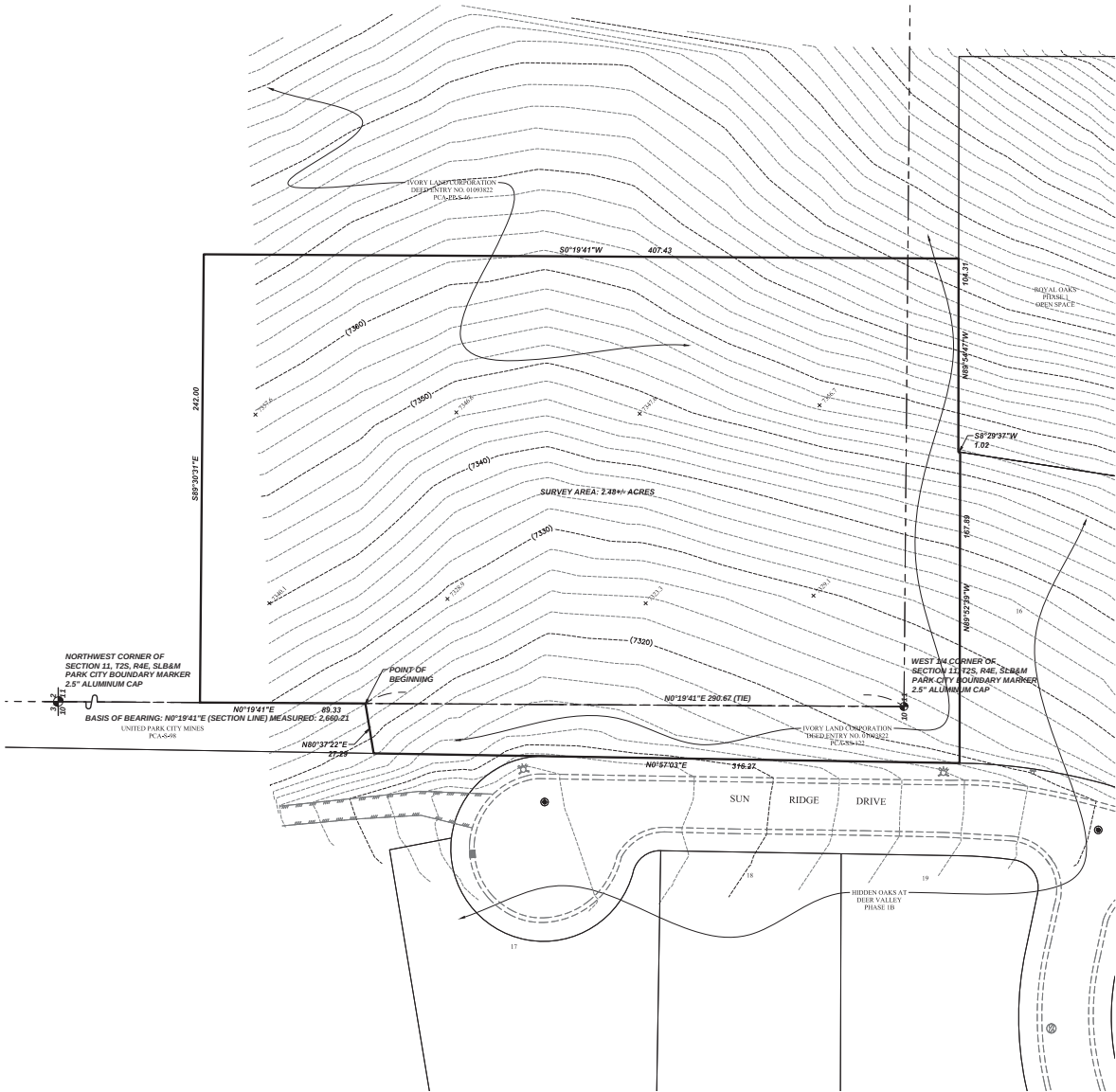
\_\_\_\_\_  
Mark Harrington, City Attorney







VICINITY MAP  
N.T.S.



LEGEND

- EXIST. CONTOUR MAJOR
- EXIST. CONTOUR MINOR
- SECTION MONUMENT (FOUND)
- STREET MONUMENT (FOUND)
- EXIST. WATER VALVE & WATER METER
- EXIST. FIRE HYDRANT
- EXIST. SPOT ELEVATION
- DEED BOOK/PAGE PER SUMMIT COUNTY RECORDS
- SUMMIT COUNTY PARCEL NO.

- NOTES**
- The purpose of this Survey is to provide a Boundary/Topographical Survey and Certification for the parcels shown and described herein.
  - The Basis of Bearing for this Survey is N0°19'41"E along the Section line between the found monuments marking the West 1/4 Corner and the Northwest Corner of Section 11, Township 2 South, Range 4 East, Sub Lake Base & Meridian. All deeds and plans of record have been related to match the aforementioned basis of bearing, or to other Section/monument lines relative to said basis of bearing per measured lines shown hereon.
  - Vertical data (contours and spot elevations) shown hereon is based on the NGVD29 'best equivalent' elevation of 6,663.44 published by the Wasatch County Surveyor on the Southeast Corner of said Section 2.
  - 45 rubber & cap (FOCUS ENG) to be set at all boundary corners unless noted otherwise.
  - This drawing, its design, and invention thereof, is the property of Focus Engineering & Surveying, LLC, and is submitted to, and is for the exclusive use of the client referenced on the Survey. Only copies authorized in writing and individually signed and sealed by the Surveyor, or certified copies obtained from the office of the respective County Surveyor may be used as the official work of the Surveyor.
  - Except as specifically stated or shown on this drawing, no attempt has been made as a part of this Survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or municipal/public service facility. For information regarding these utilities or facilities, contact the appropriate agency.
  - Except as specifically stated or shown on this drawing, this Survey does not purport to reflect any of the following which may be applicable to the properties shown hereon: easements, encumbrances, building setback lines, restrictive covenants, subdivision restriction, zoning, or other land use restrictions. Underground utilities have been shown hereon based on observed evidence. Additional utilities, including, but not limited to: power, phone, cable TV, water, sewer, storm drainage, etc. may exist within the boundaries of this Survey and these utilities should be contacted prior to digging. Engineers, Contractors, and others that rely on this information should be cautioned that the locations of the existing utilities may not be relied upon as being exact or complete. Additional exploration, verification and relocation of existing utilities will be the sole responsibility of any contractor prior to, or during construction of any additional improvements.
  - The majority of the surveyed land is covered in Sagebrush, Oakbrush, and Upland Grass.

**SURVEY DESCRIPTIONS**

A portion of the NW1/4 & SW1/4 of Section 11 and the NE1/4 and NW1/4 of Section 10, Township 2 South, Range 4 East, Sub Lake Base & Meridian, Park City, Utah, more particularly described as follows:

Beginning at a point located N00°19'41"E along the Section line 290.67 feet from the West 1/4 Corner of Section 11, T2S, R4E, SLB&M; thence N0°19'41"E along the Section line 89.33 feet; thence S89°30'31"E 242.00 feet; thence S00°19'41"W 407.43 feet to the Northerly line of ROYAL OAKS SUBDIVISION, PHASE 1, according to the Official Plan thereof on file in the Office of the Summit County Recorder; thence along said plat the following 2 courses: 1) N89°54'47"W 104.31 feet; 2) S08°29'37"W 1.02 feet to the Northeast corner of Lot 16, HIDDEN OAKS AT DEER VALLEY PHASE 1B, according to the Official Plan thereof on file in the Office of the Summit County Recorder; thence along said plat the following 2 courses: 1) N89°52'39"W 167.89 feet; 2) N00°57'03"E 316.27 feet; thence N80°37'22"E 27.29 feet to the point of beginning.

Contains: 2.28 acres +/-

**SURVEYOR'S CERTIFICATE**

"I, Spencer W. Llewellyn, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 10516507 in accordance with Title 58, Chapter 22 of Utah State Code. I further certify by authority of the owner(s) that I have made a Survey of the lands shown on this Plan and that it correctly represents the existing conditions as shown. This Plan does not represent a certification to the title or ownership of the lands shown hereon."

Spencer W. Llewellyn  
Professional Land Surveyor  
Certificate No. 10516507

Date: 1/15/2019



**BOUNDARY/TOPOGRAPHICAL SURVEY**  
LOCATED IN THE NW1/4 & SW1/4 OF SECTION 11 AND  
THE NE1/4 & SE1/4 OF SECTION 10, T2S, R4E, SLB&M  
PARK CITY, UTAH  
PREPARED FOR: IVORY DEVELOPMENT, LLC

| REVISION BLOCK |      | DESCRIPTION |  |
|----------------|------|-------------|--|
| #              | DATE | DESCRIPTION |  |
| 1              |      |             |  |
| 2              |      |             |  |
| 3              |      |             |  |
| 4              |      |             |  |
| 5              |      |             |  |
| 6              |      |             |  |
| 7              |      |             |  |
| 8              |      |             |  |
| 9              |      |             |  |
| 10             |      |             |  |

|                 |               |
|-----------------|---------------|
| Scale: 1"=30'   | Drawn: SWL    |
| Date: 1/15/2019 | Job #: 18-425 |
| Sheet:          |               |

1 OF 1





# PARK CITY HEIGHTS PHASE 3

## PARK CITY, SUMMIT COUNTY, UTAH

### AERIAL OVERVIEW

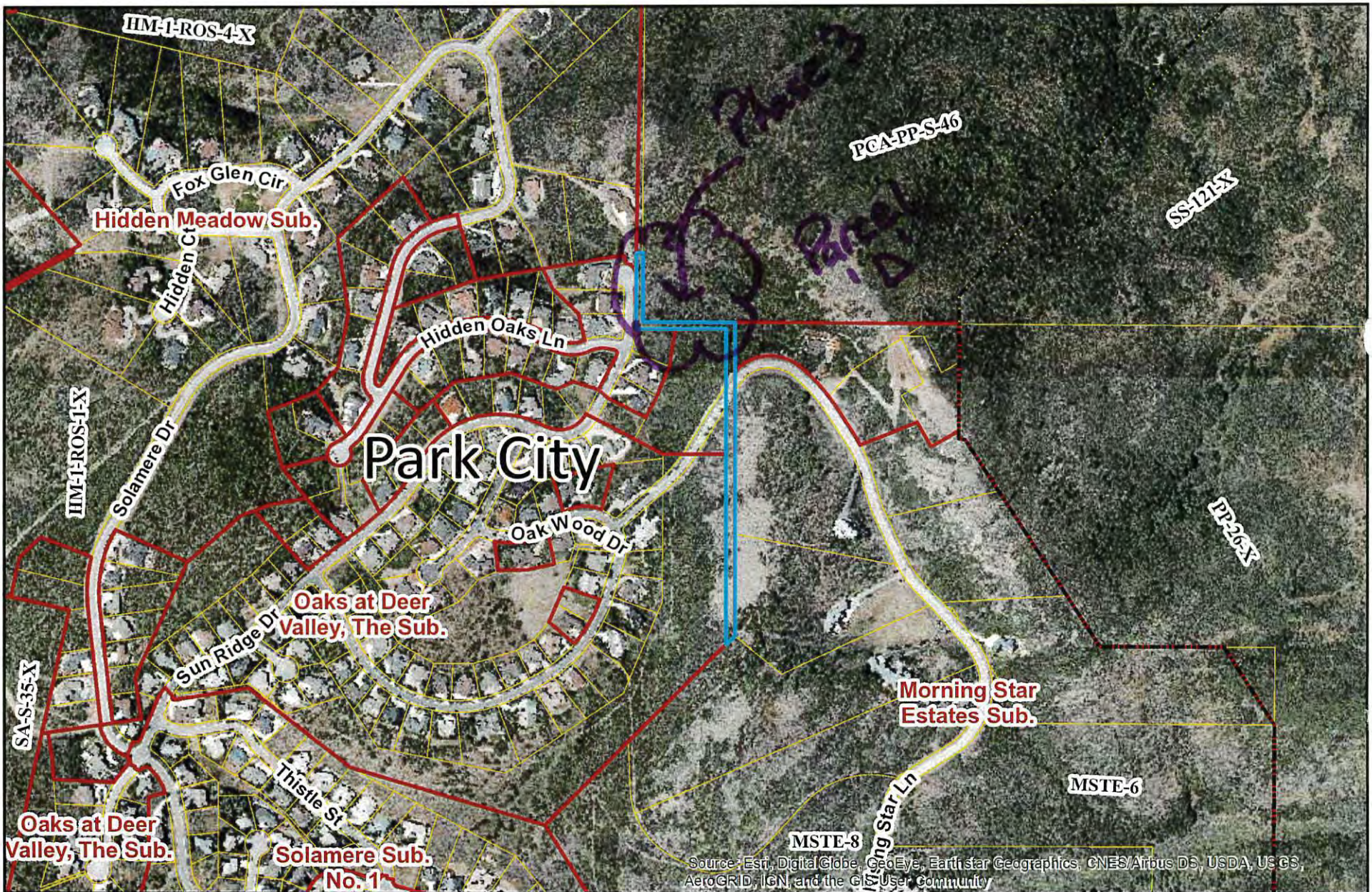
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|----------------|---------|-------------|
| #              | DATE    | DESCRIPTION |
| 1              | 04-0-00 | 04-0-00     |
| 2              | 04-0-00 | 04-0-00     |
| 3              | 04-0-00 | 04-0-00     |
| 4              | 04-0-00 | 04-0-00     |
| 5              | 04-0-00 | 04-0-00     |
| 6              | 04-0-00 | 04-0-00     |

## AERIAL OVERVIEW

|                |               |
|----------------|---------------|
| Scale: 1"=60'  | Drawn: MHW    |
| Date: 01/15/19 | Job #: 18-425 |
| Sheet: 1 OF 1  |               |







## Map Title

Summit County Online Parcel Reference Map

1 in = 738 feet

Printed on: 5/14/2018



This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including Summit County which is not responsible for its accuracy or timeliness.











View to East





View to northwest





# PARK CITY HEIGHTS PHASE 3

PREPARED FOR:  
IVORY DEVELOPMENT  
LOCATED IN:  
PARK CITY, SUMMIT COUNTY, UTAH



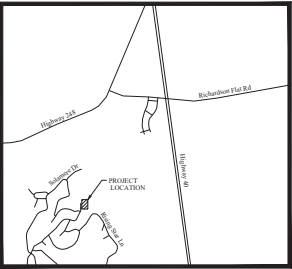
PARK CITY HEIGHTS PHASE 3  
PARK CITY, SUMMIT COUNTY, UTAH  
COVERSHEET

| REVISION BLOCK | # | DATE | DESCRIPTION |
|----------------|---|------|-------------|
|                |   |      |             |
|                | 1 |      |             |
|                | 2 |      |             |
|                | 3 |      |             |
|                | 4 |      |             |
|                | 5 |      |             |
|                | 6 |      |             |
|                | 7 |      |             |
|                | 8 |      |             |

COVERSHEET

**BENCHMARK**  
SOUTH EAST CORNER OF SECTION 2  
TOWNSHIP 2 SOUTH, RANGE 4 EAST  
SALT LAKE BASE AND MERIDIAN  
ELEV. 4663.44  
DATUM: NAD83

Scale: 1"=50'  
Date: 02/14/19  
Sheet: 18-425  
C1

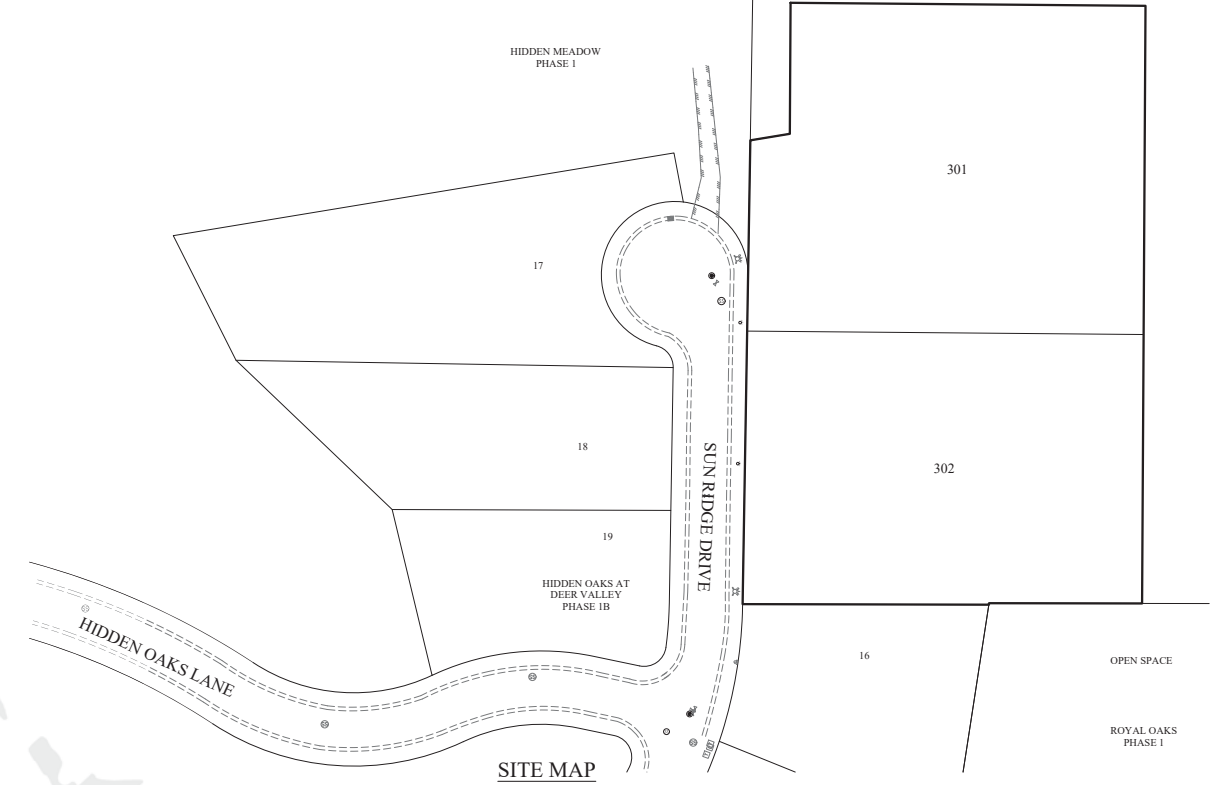


VICINITY MAP

| Sheet List Table |                    |
|------------------|--------------------|
| Sheet Number     | Sheet Title        |
| C1               | COVERSHEET         |
| C2               | FINAL PLAT         |
| C3               | UTILITY SHEET      |
| PP01             | LOW PRESSURE SEWER |
| D1               | DETAILS SHEET      |

## SEWER NOTE

CONSTRUCTION OF THE WASTEWATER SYSTEM IMPROVEMENTS SHALL CONFORM TO THE SBWRD DEVELOPMENT PROCEDURES, DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS.



SITE MAP

## GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
2. ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. ALL CONSTRUCTION SHALL ADHERE TO PARK CITY STANDARD PLANS AND SPECIFICATIONS.
4. ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CERTIFIED BY THE ENGINEER OF RECORD.
5. THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH. D). IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAIL THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

## NOTICE

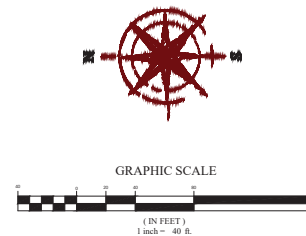
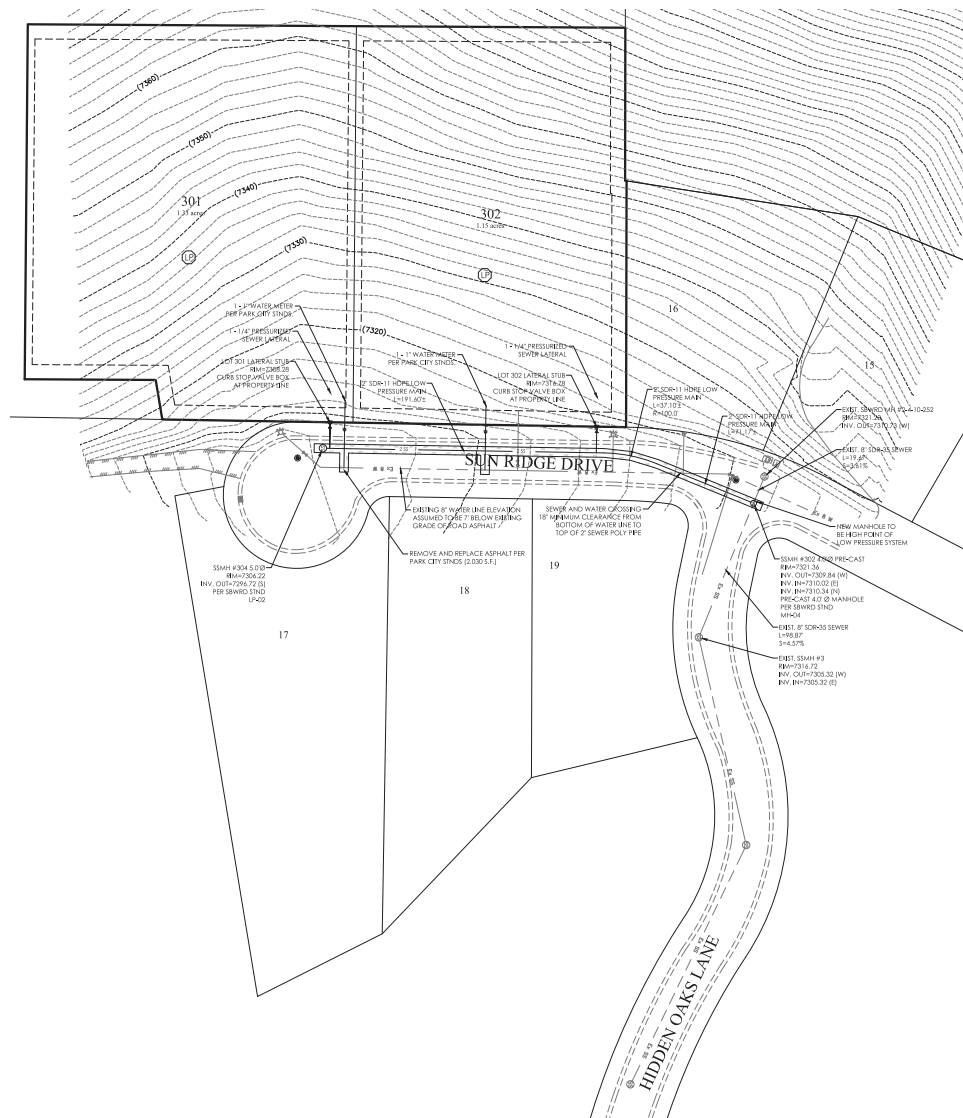
BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

## ENGINEER'S NOTES TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS. TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
2. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
3. UNAUTHORIZED CHANGES & USES. THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
4. ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANTY THE ACCURACY OF SUCH LINWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

## CONTACTS

**ENGINEER & SURVEYOR**  
FOCUS ENGINEERING & SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047  
(801) 352-0075  
PROJECT MANAGER: MATTHEW WANGGAARD  
SURVEY MANAGER: SPENCER LLEWELLYN  
  
**OWNER/DEVELOPER**  
IVORY DEVELOPMENT  
3340 NORTH CENTER STREET  
LEHI, UTAH 84041  
(801) 407-4841  
CONTACT: BRAD MACKAY



LEGEND

|             |                             |
|-------------|-----------------------------|
| =====       | BOUNDARY                    |
| =====       | ROW                         |
| =====       | CENTELINE                   |
| =====       | LOFT LINE                   |
| =====       | EASTWAY                     |
| 15 10       | 15" STORM DRAIN             |
| 15 10       | 15" SANITARY SEWER          |
| 6 6         | 6" CULINARY WATER           |
| =====       | 2" SECONDARY WATER          |
| =====       | CONTOUR MAJOR               |
| =====       | CONTOUR MINOR               |
| ===== 10 10 | EXIST. STORM DRAIN          |
| ===== 15 15 | EXIST. SANITARY SEWER       |
| ===== 6 6   | EXIST. CULINARY WATER       |
| =====       | EXIST. FENCE                |
| =====       | EXIST. CONTOUR MAJOR        |
| =====       | EXIST. CONTOUR MINOR        |
| =====       | SION                        |
| =====       | STREET LIGHT                |
| =====       | SD MFL INLET, & COMBO       |
| =====       | SEWER MANHOLE               |
| =====       | VALVE, TE & BEND            |
| =====       | WATER BLOW-OFF              |
| =====       | FIRE HYDRANT                |
| =====       | STREET MONUMENT (TO BE SET) |
| =====       | EXIST. STREET MONUMENT      |
| =====       | EXIST. SD INLET & MFL       |
| =====       | EXIST. SEWER MFL            |
| =====       | EXIST. VALVE, TE, & BEND    |
| =====       | EXIST. FIRE HYDRANT         |
| =====       | SPOT ELEVATION              |

o XXXX.XX

## SEWER NOTES

1. SEWER PROOF FRAME W/VENTED COVER AND ODOR CONTROL UNIT PER S&BWD DETAIL MH-04 AND APPLY MANHOLE INTERIOR COATING TO ALL INTERIOR CONTACT SURFACES ON SMH #302.
- 1.A. INSTALL PROOF FRAME PER S&BWD DETAIL LP-02 ON SMH #304.
2. **LP** LOW PRESSURE PUMPS ARE REQUIRED ON LOTS 301 AND 302.
3. ALL SEWER LATERALS ARE TO MAINTAIN A 1.5" VERTICAL SEPARATION FROM THE WATER LATERALS AND MAIN PIPE LINE MUST HAVE INTEGRAL GROUND CIRCLES.
4. ALL LOW PRESSURE SEWER LATERALS SHALL BE CONSTRUCTED OF SDR-11 HDPE PER DETAIL LP-04 ON SHEET D.
5. ALL SEWER LATERALS SHALL BE CONSTRUCTED OF 12" DIAMETER POLYETHYLENE GLASS REINFORCED PIPE.
6. ALL SEWER LATERALS ARE TO MAINTAIN A 10° HORIZONTAL SEPARATION FROM CULINARY WATER.
7. WASTEWATER FLOWS IN THE EXISTING SYSTEM SHALL BE MAINTAINED AT ALL TIMES. PASSIVE PUMPING AND THE INSTALLATION OF BYPASS PUMPING MUST BE APPROVED BY S&BWD. THERE ARE THREE ACTIVE CONNECTIONS UPSTREAM OF SMH #301.

## GRADING AND DRAINAGE NOTES

- GRADING AND DRAINAGE NOTES**
1. NO CHANGES TO THE GRADING AND DRAINAGE ARE REQUIRED FOR THE SUBDIVISION OF THESE TWO LOTS.
  2. THE ROADWAY THAT PROVIDES ACCESS TO THESE LOTS IS ALREADY CONSTRUCTED.
  3. NO GRADING OR DRAINAGE DESIGN IS INVOLVED WITH THESE PLANS.
  4. GRADING AND DRAINAGE DESIGN FOR EACH LOT WILL BE REQUIRED AT THE TIME A BUILDING PERMIT IS REQUESTED FROM THE CITY.

| REVISION BLOCK |          |             |  |
|----------------|----------|-------------|--|
| #              | DATE     | DESCRIPTION |  |
| 1              | 08/04/00 | 04/0000     |  |
| 2              | 07/10/00 | 04/0000     |  |
| 3              | 06/08/00 | 04/0000     |  |
| 4              | 05/02/00 | 04/0000     |  |
| 5              | 04/10/00 | 04/0000     |  |
| 6              | 03/04/00 | 04/0000     |  |

UTILITY  
SHEET

|                |               |
|----------------|---------------|
| Scale: 1"=40'  | Drawn: MHW    |
| Date: 02/14/19 | Job #: 18-425 |
| Sheet:         |               |

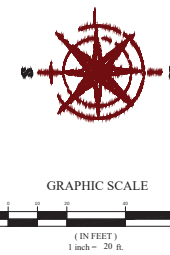
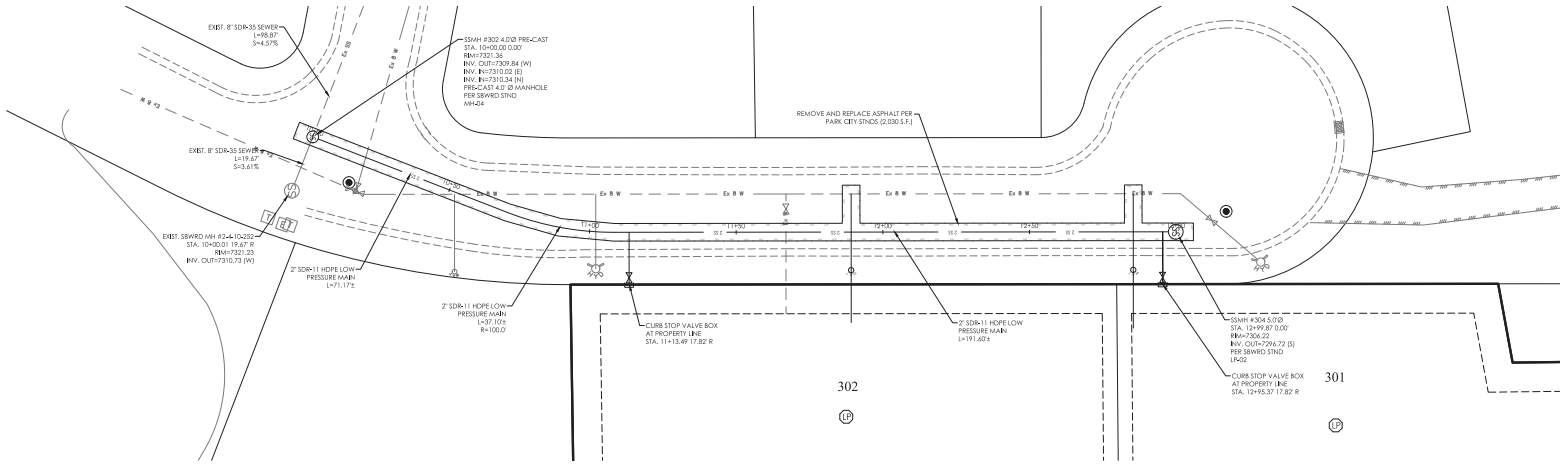
C3



# PARK CITY HEIGHTS PHASE 3

## PARK CITY, SUMMIT COUNTY, UTAH

### UTILITY SHEET



### SEWER NOTES

1. INSTALL PROTECTIVE FRAME W/VENTED COVER AND ODOOR CONTROL UNIT PER SSMW DETAIL MH-04 AND APPLY MANHOLE INTERIOR COATING TO ALL INTERIOR CONCRETE SURFACES ON SSMW #302.
- 1A. INSTALL PROTECTIVE FRAME PER SSMW DETAIL LP-02 ON SSMW #304.
2. **LP** LOW PRESSURE PUMPS ARE REQUIRED ON LOTS 301 AND 302.
3. ALL SEWER LATERALS ARE TO MAINTAIN A 1.5' VERTICAL SEPARATION FROM THE WATER LATERALS AND MAINS.
4. ALL LOW PRESSURE SEWER LATERALS SHALL BE CONSTRUCTED OF SDR-11 HDPE PER DETAIL LP-04 ON SHEET D1.
5. HDPE LINE MUST HAVE INTEGRAL GREEN IDENTIFICATION TUBING.
6. ALL SEWER LATERALS ARE TO MAINTAIN A 12" HORIZONTAL SEPARATION FROM CULINARY WATER.
7. WASTEWATER FLOW IN THE EXISTING SYSTEM SHALL BE MAINTAINED AT ALL TIMES. SPILLAGE PUMPING AND THE INSTALLATION OF BYPASS ROUTING MUST BE APPROVED BY SSMW. THERE ARE THREE ACTIVE CONNECTIONS UPSTREAM OF SSMW #302.

### LOW PRESSURE SEWER PLAN

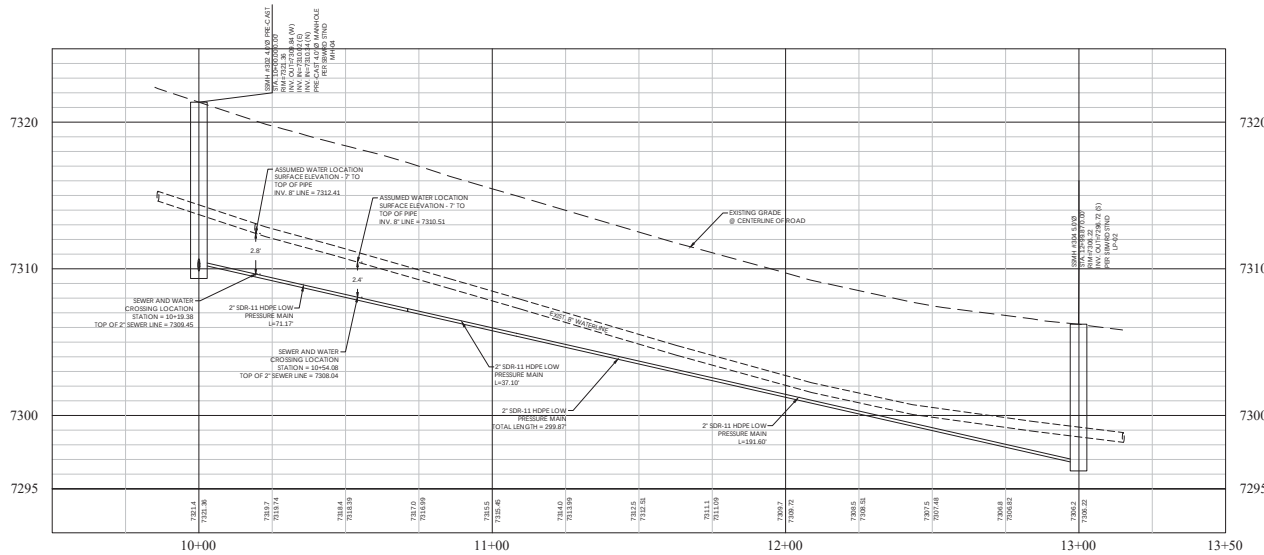
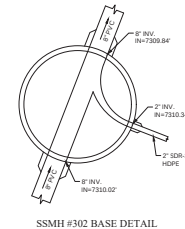
| Lot | Pipe Size | Pipe Type | Station at Wye | Invert 1' above the wye | Invert at Building | Length to Invert at Building | Slope | Lowest Building Floor Elev. | Ejector Pump | Difference in Depth from Invert to BOF | Elevation at top of pipe at WYE | Lot | Bottom of Footing Elevation |
|-----|-----------|-----------|----------------|-------------------------|--------------------|------------------------------|-------|-----------------------------|--------------|----------------------------------------|---------------------------------|-----|-----------------------------|
| 301 | 1-1/4"    | HDPE      | 12+95.37       | N/A                     | N/A                | 37.82                        | N/A   | N/A                         | N/A          | N/A                                    | N/A                             | 301 | N/A                         |
| 302 | 1-1/4"    | HDPE      | 11+13.49       | N/A                     | N/A                | 37.82                        | N/A   | N/A                         | N/A          | N/A                                    | N/A                             | 302 | N/A                         |

### LEGEND

- BOUNDARY
  - ROW
  - CENTERLINE
  - LOT LINE
  - EASEMENT
  - 12" STORM DRAIN
  - 8" SANITARY SEWER
  - 8" CULINARY WATER
  - 8" SECONDARY WATER
  - CONTOUR MAJOR
  - CONTOUR MINOR
  - EXIST. STORM DRAIN
  - EXIST. SANITARY SEWER
  - EXIST. CULINARY WATER
  - EXIST. FENCE
  - EXIST. CONTOUR MAJOR
  - EXIST. CONTOUR MINOR
- 
- ☆ SIGN
  - STREET LIGHT
  - SDR-11 INLET AND COMBO SEWER MANHOLE
  - VALVE, TIE & BEND
  - WATER BLOW-OFF
  - FIRE HYDRANT
  - STREET MONUMENT (TO BE SET)
  - EXIST. STREET MONUMENT
  - EXIST. SDR INLET & MH
  - EXIST. SEWER MH
  - EXIST. VALVE, TIE, & BEND
  - EXIST. FIRE HYDRANT
  - SPOT ELEVATION

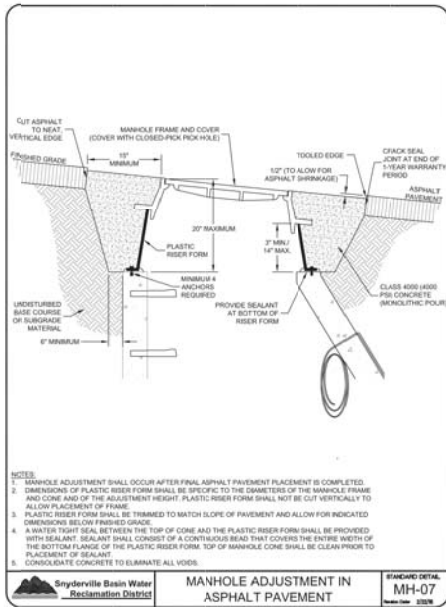
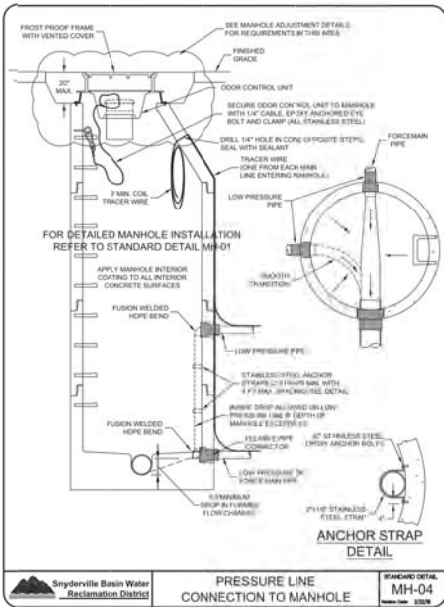
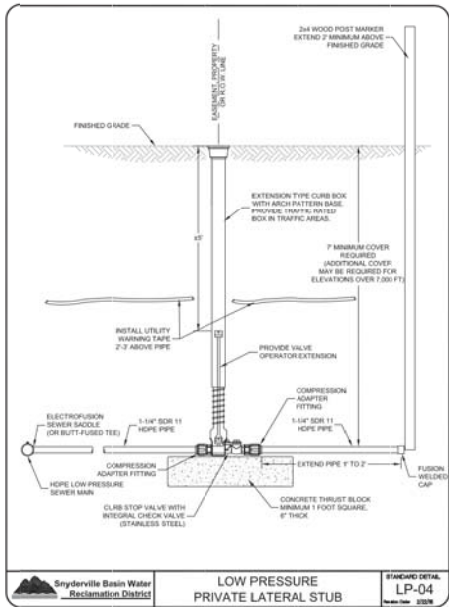
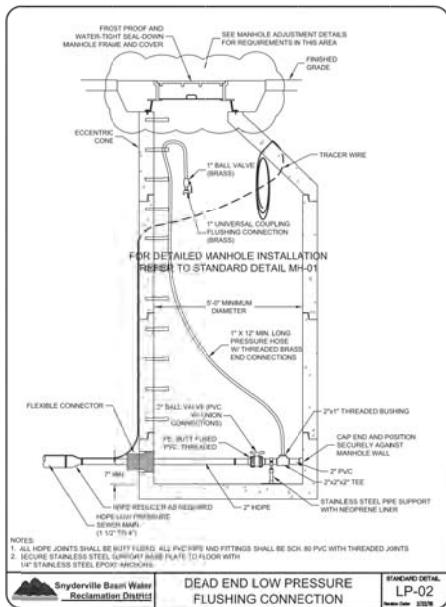
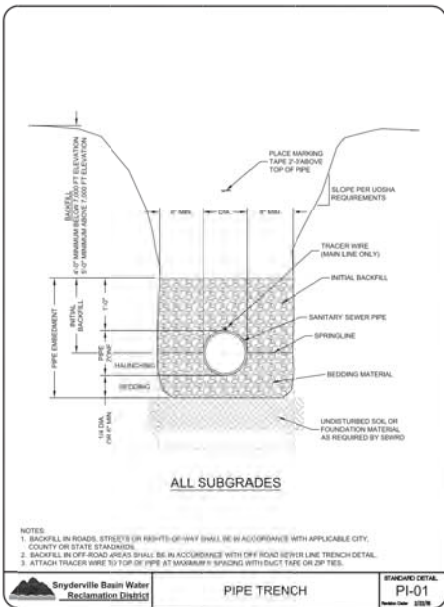
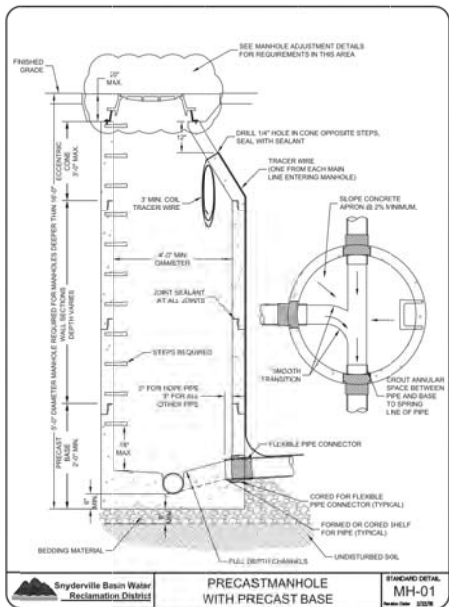
### BENCHMARK

SOUTH EAST CORNER OF SECTION 2  
TOWNSHIP 2 SOUTH RANGE 4 EAST  
SALT LAKE BASIN AND MERIDIAN  
ELEV. 6603.44  
DATUM NAVD83



LOW PRESSURE SEWER PROFILE

| REVISION BLOCK | DATE     | DESCRIPTION       |
|----------------|----------|-------------------|
| 1              | 02/14/19 | ISSUED FOR PERMIT |
| 2              |          |                   |
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| REVISION BLOCK |             |
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### Trails Plan Goals & Objectives:

Trails and Open Space Department has worked closely with Planning staff and the developer to provide trail related opportunities for the public and consistent with PC Heights planning approvals. Timing associated with these improvements is being coordinated by the Trails and Open Space Department to ensure that the improvements are made in a timely manner but also with safety and access issues associated with an active construction zone are taking into account. Below staff has outlined those objectives and provided an image noting the conceptual alignments/locations of each.

- Provide safe, efficient connections from development into the existing trail system. (connections from streets, cul de sacs, parks, rail trail, internal pathways)
  - As noted in the design below, trail connections will be required that provide efficient and safe access from the development onto the trail system. This will limit the number of vehicular trips residents must make to access the system.
- Extend Lost Prospector across development and onto Clark Ranch.
  - The Lost Prospector trail currently ends near Fox Tail Trail. The trail is proposed to continue at a similar grade across the property and provide access onto the City-owned Clark ranch parcel to the southeast.
- Provide 3 connections to/from development & Lost Prospector connection.
  - These connections provide the opportunity to create directional use for the system which may reduce user conflicts.
- Provide connection into Hidden Meadows subdivision trail system.
  - Extending a connection to the south into the Hidden Meadow Subdivision and subsequent access for that neighborhood.
- Provide connections to south/Wasatch County trail system.
  - Paved connections to the southeast provide for future connections to Wasatch County.
- Richardson Flat separated path.
  - A much needed separated pathway and boardwalk system is currently under design by the developer and in coordination with several City Departments.
- Internal pathways and sidewalks
  - Promoting walkability initiatives and connections to/from the development.
- Richardson Flat trail easement (East side of Rail Trail).
  - Providing an appropriate pathway easement for future connections along Richardson Flat road and the Park and Ride.



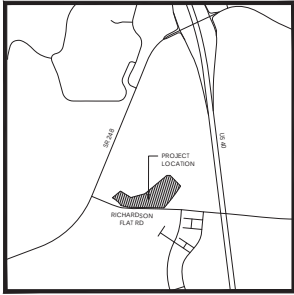
# Park City Heights

park & trail plan

JULY - 2013



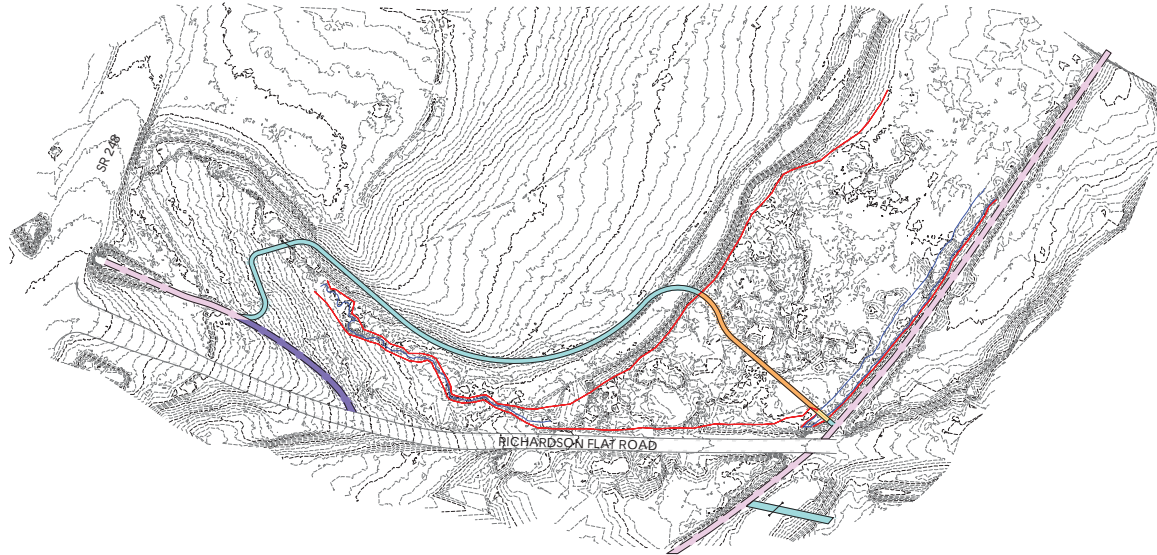
scale 1"=100'



VICINITY MAP  
R15

# SILVER CREEK TRAIL

PREPARED FOR:  
IVORY DEVELOPMENT  
LOCATED IN:  
PARK CITY, SUMMIT COUNTY, UTAH



SITE MAP

## GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND REPORT ANY DISCREPANCIES TO THE ENGINEER.
2. ANY AND ALL DISCREPANCIES IN THESE PLANS ARE TO BE BROUGHT TO THE ENGINEER'S ATTENTION PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. ALL CONSTRUCTION SHALL ADHERE TO PARK CITY STANDARD PLANS AND SPECIFICATIONS.
4. ALL UTILITIES AND ROAD IMPROVEMENTS SHOWN ON THE PLANS HEREIN SHALL BE CONSTRUCTED USING REFERENCE TO SURVEY CONSTRUCTION STAKES PLACED UNDER THE SUPERVISION OF A PROFESSIONAL LICENSED SURVEYOR WITH A CURRENT LICENSE ISSUED BY THE STATE OF UTAH. ANY IMPROVEMENTS INSTALLED BY ANY OTHER VERTICAL OR HORIZONTAL REFERENCE WILL NOT BE ACCEPTED OR CERTIFIED BY THE ENGINEER OF RECORD.
5. THIS DRAWING SET IS SCALED TO BE PRINTED ON A 24" X 36" SIZE OF PAPER (ARCH. D), IF PRINTED ON A SMALLER PAPER SIZE, THE DRAWING WILL NOT BE TO SCALE AND SHOULD NOT BE USED TO SCALE MEASUREMENTS FROM THE PAPER DRAWING. ALSO USE CAUTION, AS THERE MAY BE TEXT OR DETAIL THAT MAY BE OVERLOOKED DUE TO THE SMALL SIZE OF THE DRAWING.

## NOTICE

BEFORE PROCEEDING WITH THIS WORK, THE CONTRACTOR SHALL CAREFULLY CHECK AND VERIFY ALL CONDITIONS, QUANTITIES, DIMENSIONS, AND GRADE ELEVATIONS, AND SHALL REPORT ALL DISCREPANCIES TO THE ENGINEER.

## ENGINEER'S NOTES TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN ON THESE PLANS WERE OBTAINED BY A SEARCH OF THE AVAILABLE RECORDS, TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO EXISTING UTILITIES EXCEPT AS SHOWN ON THESE PLANS. THE CONTRACTOR IS REQUIRED TO TAKE DUE PRECAUTIONARY MEASURES TO PROTECT THE UTILITY LINES SHOWN ON THESE DRAWINGS. THE CONTRACTOR FURTHER ASSUMES ALL LIABILITY AND RESPONSIBILITY FOR THE UTILITY PIPES, CONDUITS OR STRUCTURES SHOWN OR NOT SHOWN ON THESE DRAWINGS. IF UTILITY LINES ARE ENCOUNTERED DURING CONSTRUCTION THAT ARE NOT IDENTIFIED BY THESE PLANS, CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
2. CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE CITY, THE OWNER, AND THE ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT, EXCEPTING FOR LIABILITY ARISING FROM THE SOLE NEGLIGENCE OF THE OWNER OR THE ENGINEER.
3. UNAUTHORIZED CHANGES & USES: THE ENGINEER PREPARING THESE PLANS WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR USES OF THESE PLANS. ALL CHANGES TO THE PLANS MUST BE IN WRITING AND MUST BE APPROVED BY THE PREPARER OF THESE PLANS.
4. ALL CONTOUR LINES SHOWN ON THE PLANS ARE AN INTERPRETATION BY CAD SOFTWARE OF FIELD SURVEY WORK PERFORMED BY A LICENSED SURVEYOR. DUE TO THE POTENTIAL DIFFERENCES IN INTERPRETATION OF CONTOURS BY VARIOUS TYPES OF GRADING SOFTWARE BY OTHER ENGINEERS OR CONTRACTORS, FOCUS DOES NOT GUARANTEE OR WARRANT THE ACCURACY OF SUCH LINEWORK. FOR THIS REASON, FOCUS WILL NOT PROVIDE ANY GRADING CONTOURS IN CAD FOR ANY TYPE OF USE BY THE CONTRACTOR. SPOT ELEVATIONS AND PROFILE ELEVATIONS SHOWN IN THE DESIGN DRAWINGS GOVERN ALL DESIGN INFORMATION ILLUSTRATED ON THE APPROVED CONSTRUCTION SET. CONSTRUCTION EXPERTISE AND JUDGMENT BY THE CONTRACTOR IS ANTICIPATED BY THE ENGINEER TO COMPLETE BUILD-OUT OF THE INTENDED IMPROVEMENTS.

## CONTACTS

**ENGINEER & SURVEYOR**  
FOCUS ENGINEERING & SURVEYING, LLC  
32 WEST CENTER STREET  
MIDVALE, UTAH 84047  
(801) 324-0075  
PROJECT MANAGER: TOM ROMNEY  
SURVEY MANAGER: SPENCER LLEWELLYN

**OWNER/DEVELOPER**  
IVORY DEVELOPMENT  
3340 NORTH CENTER STREET  
LEHI, UTAH 84043  
(801) 407-6841  
CONTACT: BRAD MACKAY



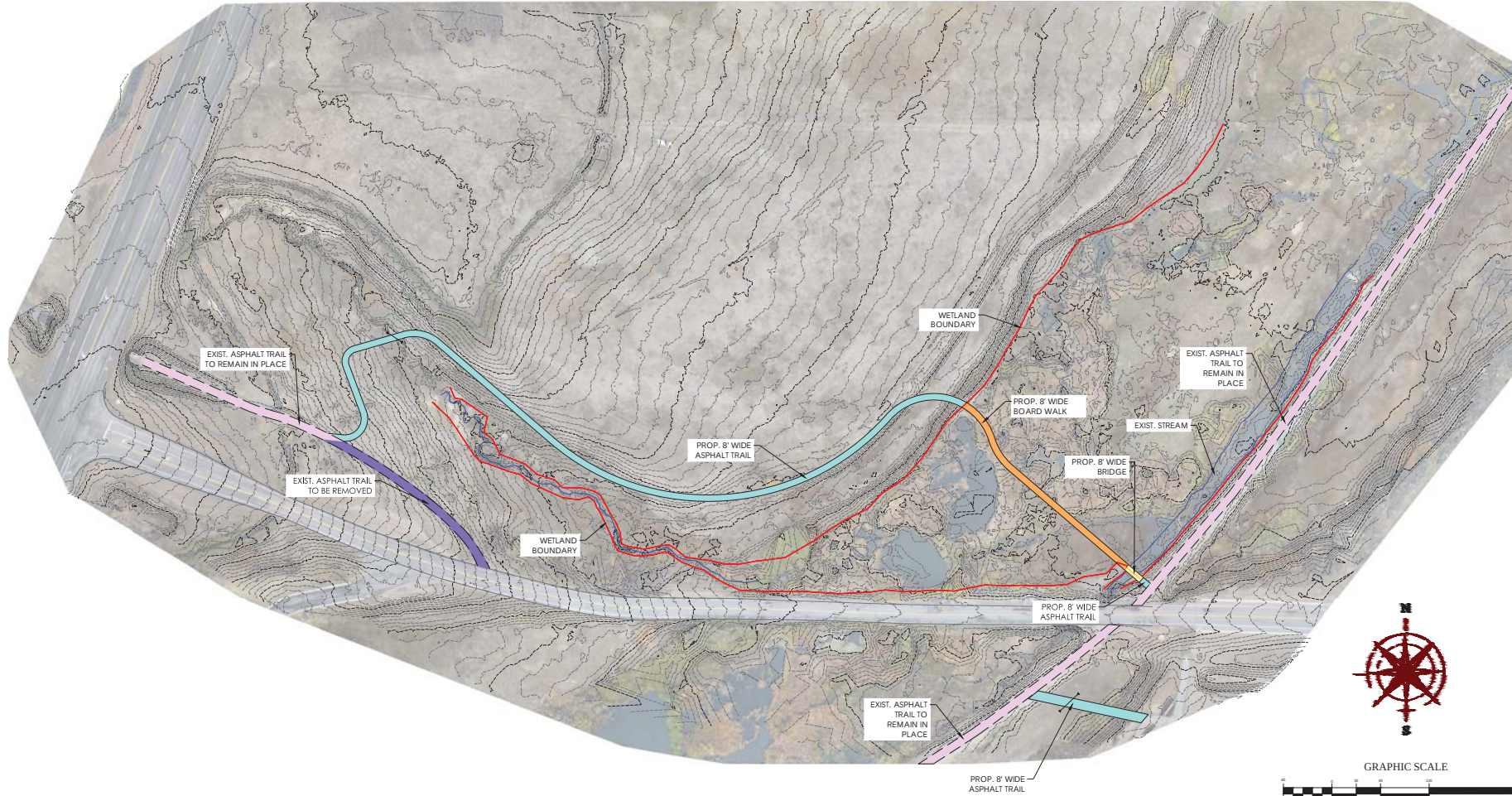
## SILVER CREEK TRAIL PARK CITY, SUMMIT COUNTY, UTAH COVER

| REVISION BLOCK | #  | DATE | DESCRIPTION |
|----------------|----|------|-------------|
|                |    |      |             |
|                | 1  |      |             |
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|                | 10 |      |             |

## COVER

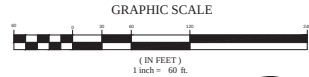
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| Scale: | NONE     | Drawn: | CMC    |
| Date:  | 01/18/19 | Job #: | 18-433 |
| Sheet: | C1       |        |        |





**LEGEND**

|  |                                           |
|--|-------------------------------------------|
|  | WETLAND AREA                              |
|  | PROPOSED 8' WIDE ASPHALT TRAIL            |
|  | EXISTING ASPHALT TRAIL TO REMAIN IN PLACE |
|  | EXISTING ASPHALT TRAIL TO BE REMOVED      |
|  | PROPOSED 8' WIDE BOARDWALK                |
|  | PROPOSED 8' WIDE BOARDWALK BRIDGE         |



# SILVER CREEK TRAIL

PARK CITY, SUMMIT COUNTY, UTAH

## TRAIL OVERALL PLAN

| REVISION BLOCK |             |
|----------------|-------------|
| #              | DESCRIPTION |
| 1              |             |
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| TRAIL OVERALL PLAN |                |
|--------------------|----------------|
| Scale: 1"=60'      | Drawn: CMC     |
| Date: 01/17/19     | Rev. #: 18-421 |
| Sheet:             |                |

C2



## Planning Commission Staff Report

**Subject:** Park City Heights Phasing Plan  
**Author:** Kirsten Whetstone, MS, AICP, Senior Planner  
**Date:** February 27, 2019  
**Type of Item:** Administrative

|                            |                                                                                                 |
|----------------------------|-------------------------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-17-03552                                                                                     |
| <b>Applicant:</b>          | Ivory Development LLC                                                                           |
| <b>Location:</b>           | Richardson Flat Road                                                                            |
| <b>Zoning:</b>             | Community Transition (CT-MPD) subject to the Park City Heights Master Planned Development (MPD) |
| <b>Adjacent Land Uses:</b> | Residential single-family dwellings, Open Space, Rail Trail                                     |
| <b>Reason for Review:</b>  | Phasing plan is an element of the MPD                                                           |

### Summary Recommendation

Staff recommends the Planning Commission hold a public hearing and consider approving the Park City Heights amended phasing plan pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval as outlined in this report.

*Disclosure: Park City Municipal retains a security interest as the holder of a Trust Deed in conjunction with a prior transaction regarding the property. However, the City is not an "applicant" and does have any current ownership in the property.*

### Proposal

The Applicant seeks to amend the Park City Heights phasing plan as further described in the Attachment A (applicant's letter) and Attachment B (amended phasing plan), to be consistent with the amended Park City Heights Housing Mitigation Plan approved by the Park City Housing Authority on January 8, 2019 (Attachment D with Exhibits A, B and C).

- No changes are proposed to Phase 1 which is platted with 68 deed restricted lots and 35 market rate lots. Most of the units are under construction or built (see below tables).
- Proposed Phase 2 of the subdivision includes 39 market rate homestead units and no deed restricted units (current Phase 2 includes 43 market rate and 3 deed restricted).
- Proposed Phase 3 includes 2 market rate homestead units (current Phase 3 includes 32 market rate and 2 deed restricted.)
- Proposed Phase 4 includes 44 market rate units and 3 deed restricted cottage homes (current Phase 4 includes 23 market rate units and 6 deed restricted cottage homes).
- Proposed Phase 5 includes 39 market rate units and 8 deed restricted cottage homes (current Phase 5 includes 15 market rate and no deed restricted units).
- No proposed Phase 6 (original Phase 6 includes 11 market rate units).
- The overall numbers remain the same for both market rate (160 units) and deed restricted (79 units) for a total of 239 units over all phases.
- Allows for logical extension of utilities and access, including access to the water tank site, to be constructed in 2019.

### **Timeline**

**May 27, 2010** – The property was annexed into Park City with the Park City Heights Annexation and was zoned Community Transition (CT-MPD).

**May 11, 2011** – Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 deed restricted affordable/attainable units for a total of 239 units on approximately 239 acres.

**June 22, 2011** – Planning Commission reviewed and approved a preliminary subdivision plat for the entire 239 lots of the Park City Heights MPD.

**November 17, 2011** – City Council approved the original Park City Heights Phase 1 subdivision plat for 68 deed restricted lots and 35 market rate lots.

**November 2012** – Ivory Development LLC took ownership of the property.

**January 24, 2013** – City Council approved an extension of the Phase 1 plat to allow the applicant additional time to resolve issues regarding historic mine soils.

**November 6, 2013** – Planning Commission approved an amended MPD and overall amended preliminary subdivision plat to address relocation of lots, streets, and parcels due to mine soils mitigation and a Voluntary Clean-up plan to be approved by the State. Amendments to the MPD and overall preliminary plat necessitated a revised phase one plat.

**February 26, 2014** – Planning Commission ratified the Amended Development Agreement to include terms, requirements, and restrictions of the development, per the November 6, 2013 amended MPD, and includes all conditions of approval of the amended MPD (Attachment E – [Park City Heights MPD Amended Development Agreement- link](#))

**February 27, 2014** – City Council approved an amended Park City Heights Phase 1 subdivision plat, creating lots of record for 28 deed restricted townhouses, 35 small-lot deed restricted Park homes, 5 deed restricted cottage homes, and a total of 35 market rate (cottage and homestead) homes.

**November 14, 2014** – Park City Heights Phase 1 subdivision plat was recorded at Summit County.

**May 2, 2017** – Application for the Park City Heights Phases 2 (for 16 market rate lots) and 3 (for 2 market rate lots) was submitted. During review of the application, it was determined that the proposed Phase 3 lots did not have direct access to Sunridge Cove due to a strip of County owned property between the lots and street. Staff requested that the applicant remedy access and submit a revised phasing plan and a revised plat.

**May 24, 2017** – the application for Phase 2 was complete with submission of a revised plat and requested information regarding house size restrictions in compliance with the MPD. Engineering review of construction plans commenced.

**January 19, 2018** – the Planning Department received a revised submittal for Phase 2, requesting 39 single family lots and extending Calamity Lane to the end of the cul-de-sac in order to facilitate construction of the required water tank. An amended phasing plan was also submitted.

**February 2, 2018** – the Planning Department received additional requested submittal information and the Phase 2 application for 39 lots was complete. Phase 2 plat was approved by the Planning Commission on March 28, 2018.

**May 3, 2018** – City Council approved the Park City Heights Phase 2 subdivision plat creating 39 lots of record for market rate cottage and homestead homes and platting 105.91 acres (Parcel D) as open space. Recordation of the Phase 2 plat is pending approval of this amended phasing plan, completion and/or bonding of public improvements, including the Park City Heights water tank, single track trails in Phases 1 and 2, commencement of the neighborhood park, bus shelters on Richardson Flat Road, and hard surface trails connecting the neighborhood trails to the Rail Trail on the south side of Richardson Flat Road and to the 248 underpass on the north side of Richardson Flat Road.

**January 8, 2019** – Park City Housing Authority reviewed and approved an amended Housing Mitigation plan (Attachment D). The proposed amended phasing plan is consistent with the 2019 amended Housing Mitigation plan.

## **Analysis**

### **Phasing plan**

The applicant requests an amended phasing plan as illustrated in the following table:

**Current and proposed phasing of Market Rate and Affordable/Attainable Units**

| Phase | Market rate lots (160) |              | Affordable deed restricted Townhouses (28) |          | Attainable detached (deed restricted) Park Homes (35) |          | Affordable (deed restricted) Cottages (16) |          | Total deed restricted units |          |
|-------|------------------------|--------------|--------------------------------------------|----------|-------------------------------------------------------|----------|--------------------------------------------|----------|-----------------------------|----------|
|       | Current                | Proposed     | Current                                    | Proposed | Current                                               | Proposed | Current                                    | Proposed | Current                     | Proposed |
| 1     | 35                     | 35 (platted) | 28                                         | 28       | 35                                                    | 35       | 5                                          | 5        | 68                          | 68       |
| 2     | 42                     | 39 (platted) | 0                                          | 0        | 0                                                     | 0        | 3                                          | 0        | 5                           | 0        |
| 3     | 32                     | 2            | 0                                          | 0        | 0                                                     | 0        | 2                                          | 0        | 2                           | 0        |
| 4     | 25                     | 44           | 0                                          | 0        | 0                                                     | 0        | 6                                          | 3        | 4                           | 3        |
| 5     | 15                     | 40           | 0                                          | 0        | 0                                                     | 0        | 0                                          | 8        | 0                           | 8        |
| 6     | 11                     | 0            | 0                                          | 0        | 0                                                     | 0        | 0                                          | 0        | 0                           | 0        |
| Total | 160                    | 160          | 28                                         | 28       | 35                                                    | 35       | 16                                         | 16       | 79                          | 79       |

### Affordable Housing

As a condition of the Park City Heights MPD a total of 79 deed restricted affordable/attainable units are required to be constructed. The MPD requires all 28 affordable deed restricted Townhouse units and all 35 attainable deed restricted Park home units to be located in Phase 1, along with 5 deed restricted affordable Cottage homes. The MPD states that “affordable units for subsequent phases will be identified with the final subdivision plats for those phases”. The MPD allows adjustments to phasing as plats are filed and conditions that “prior to issuance of building permits for the last 10% of the market rate units (16 market rate units), 100% of the affordable/attainable units shall be complete and have certificates of occupancy issued”.

An affordable housing mitigation plan was approved by the Park City Housing Authority on July 17, 2014 and amended on December 15, 2017, to include a pricing per unit table (see Exhibits to Attachment D). The housing mitigation plan requires Ivory Homes to return to the Housing Authority each year with a status report to include: the number of units built, sales prices, projections for the following year, balance of obligation, and any requested adjustments to the plan. On January 8, 2019, the Housing Authority approved a further amended Housing Mitigation Plan (Attachment D and Exhibits).

### Construction to Date

The following table identifies the building permits and certificates of occupancy (CO) issued for the different types of houses by year (all permits and CO are in Phase 1):

| Year of permit                                       | Townhomes Affordable (28 total)  | Park Homes Attainable (35 total) | Cottage-Affordable (5 in Phase 1) | Cottage-Market (29 in Phase 1)   | Homestead-all market (6 in Phase 1) |
|------------------------------------------------------|----------------------------------|----------------------------------|-----------------------------------|----------------------------------|-------------------------------------|
| 2014-2016                                            | 8 permits<br>4 CO                | 6 permits<br>6 CO                | 0                                 | 9 permits<br>1 CO                | 0                                   |
| 2017                                                 | 0 permits<br>4 CO                | 6 permits<br>0 CO                | 0                                 | 5 permits<br>6 CO                | 0                                   |
| 2018                                                 | 20 permits<br>0 CO               | 23 permits<br>6 CO               | 2 permits<br>0 CO                 | 9 permits<br>6 CO                | 4 permits<br>2 CO                   |
| 2019                                                 | 0 permits<br>20 CO<br>(expected) | 0 permits<br>23 CO<br>(expected) | 2 permits<br>4 CO<br>(expected)   | 5 permits<br>13 CO<br>(expected) | 2 permits<br>2 CO<br>(expected)     |
| Totals<br>Permits<br>CO<br>(to end of 2019 expected) | 28 permits<br>28 CO              | 35 permits<br>35 CO              | 4 permits<br>4 CO                 | 28 permits<br>26 CO              | 6 permits<br>4 CO                   |

The proposed phasing plan is consistent with the amended Park City Heights preliminary subdivision plat (Attachment C), the amended Master Planned Development (MPD) ([Attachment E- link](#)), and the 2019 amended Housing Mitigation Plan



(Attachment D). Conditions of the 2014 Amended Park City Heights MPD Development Agreement continue to apply.

The proposed phasing plan allows for logical extension of utilities and access, including access to the construction site for the water tank to be constructed in 2019. Staff recommends a condition of approval that Ledger Way shall not be used for construction access to Phases 2, 3, 4 or 5 to reduce conflicts with existing residential uses.

Staff also recommends a condition of approval, per [LMC 15-7.2-1 \(G\)](#) and [LMC 15-7.2-2](#), that prior to signing and recording of Phases 2, 3, 4 and 5 plats, the applicant shall complete, in accordance with the Planning Commission's decision, and to the satisfaction of the City Engineer, all street, sanitary sewer, and other public improvements, i.e.: storm drainage, trails, sidewalk, curb, gutter, street signs, water lines, etc. City Council may at its discretion waive the requirement that the applicant complete and dedicate all site and public improvements prior to signing and recording of the plat, and as an alternative, the applicant may post a guarantee, in a form and amount acceptable to the City for the value of all public improvements, including required public trails, in accordance with [LMC Section 15-7.2-1](#). All public improvements shall be completed according to City and provider standards and accepted by the City Council prior to release of the guarantee.

### **Department Review**

The application was reviewed by other City Departments and utility and service providers and issues identified have been addressed with a revised application and conditions of approval.

### **Notice**

On February 13, 2019, the property was posted and courtesy notice was mailed to property owners according to requirements of the Land Management Code. On February 9, 2019, legal notice was published in the Park Record and the Utah Public Notice website, according to requirements of LMC.

### **Public Input**

Staff has not received public input regarding this phasing plan, at the time of this report.

### **Future Process**

Approval or denial of the phasing plan constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

### **Alternatives**

- The Planning Commission may approve the Park City Heights amended phasing plan as conditioned or amended, or
- The Planning Commission may deny the phasing plan and direct staff to make Findings for this decision, or

- The Planning Commission may continue discussion on the phasing plan to a date certain with specific direction to Staff and the applicant to return with any additional information and or revisions necessary to make a final decision.

### **Significant Impacts**

There are no significant negative fiscal or environmental impacts to the City that result from this amended phasing plan that have not been sufficiently mitigated with conditions of approvals and the amended Housing Mitigation Plan.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing and consider approving the Park City Heights amended phasing plan pursuant to the Findings of Fact, Conclusions of Law and Conditions of Approval outlined below.

### **Findings of Fact**

1. The property is located south of Richardson Flat Road, south and east of SR 248 and west of US Highway 40.
2. The property was annexed into Park City with the Park City Heights Annexation on May 27, 2010, and was zoned CT-MPD (Community Transition subject to the Park City Heights MPD).
3. On May 11, 2011, the Park City Planning Commission approved the Park City Heights MPD for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres.
4. On June 22, 2011, the Planning Commission approved a preliminary subdivision plat and overall phasing plan as being consistent with the Park City Heights MPD.
5. On November 17, 2011, the City Council approved the original Park City Heights Phase 1 subdivision plat.
6. On November 6, 2013, the Planning Commission approved an amended Park City Heights MPD and preliminary plat to address relocation of lots and streets due to mine soils mitigation and a voluntary cleanup program.
7. On February 27, 2014, City Council approved an amended Park City Heights Phase 1 subdivision plat, creating lots of record for 28 deed restricted townhouses, 35 small-lot deed restricted Park homes, 5 deed restricted cottage homes and a total of 35 market rate (cottage and homestead) homes.
8. On November 4, 2014, the Amended Development Agreement for Park City Heights MPD was recorded at Summit County.
9. On November 14, 2014, the Park City Heights Phase 1 Subdivision plat was recorded at Summit County.
10. On May 2, 2017, the Applicant submitted an application for the Park City Heights Phases 2 (for 16 market rate lots) and 3 (for 2 market rate lots). During review of the application, it was determined that the proposed lots of Phase 3 did not have direct access to Sunridge Cove due to a strip of County owned property between the lots and street. Staff requested that the applicant remedy access and submit a revised plat.
11. On May 24, 2017, the application for Phase 2 was complete with submission of a

revised plat and requested information regarding house size restrictions in compliance with the MPD.

12. On January 19, 2018, the Planning Department received a revised submittal for Phase 2, requesting 39 single family lots and extending Calamity Lane to the end of the cul-de-sac in order to facilitate construction of a required water tank. The submittal also included a request to amend the overall phasing plan for the subdivision as follows:
  - No changes are proposed to Phase 1 which is platted with 68 deed restricted lots and 35 market rate lots. Most of the units are under construction or built.
  - Proposed Phase 2 of the subdivision includes 39 market rate homestead units and no deed restricted units (current Phase 2 includes 43 market rate and 3 deed restricted).
  - Proposed Phase 3 includes 2 market rate homestead units (current Phase 3 includes 32 market rate and 2 deed restricted.)
  - Proposed Phase 4 includes 44 market rate units and 3 deed restricted cottage homes (current Phase 4 includes 23 market rate units and 6 deed restricted cottage homes).
  - Proposed Phase 5 includes 39 market rate units and 8 deed restricted cottage homes (current Phase 5 includes 15 market rate and no deed restricted units).
  - No proposed Phase 6 (current Phase 6 includes 11 market rate units).
  - The overall numbers remain the same for both market rate (160 units) and deed restricted (79 units) for a total of 239 units.
13. On February 2, 2018, the Planning Department received additional requested submittal information and the Phase 2 plat application for 39 lots was complete.
14. On March 28, 2018, the Planning Commission approved the Phase 2 plat.
15. On May 3, 2018, City Council approved the Park City Heights Phase 2 subdivision plat creating 39 lots of record for market rate cottage and homestead homes and platting 105.91 acres (Parcel D) as open space.
16. Recordation of the Phase 2 plat is pending approval of this amended phasing plan, completion and/or bonding of public improvements, including the Park City Heights water tank, single track trails in Phases 1 and 2, commencement of the neighborhood park, bus shelters on Richardson Flat Road, and hard surface trails connecting the neighborhood trails to the Rail Trail on the south side of Richardson Flat Road and to the 248 underpass on the north side of Richardson Flat Road.
17. Development of the property is subject to the Park City Heights Annexation Agreement, the Amended Park City Heights Master Planned Development Agreement and the Amended Park City Heights Design Guidelines.
18. The MPD states that “affordable units for subsequent phases will be identified with the final subdivision plats for those phases”.
19. The affordable housing mitigation plan indicates that the subdivision may be platted in phases and that each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted and requires that all affordable/attainable units be complete prior to issuance of building permits for the final 10% of market rate units (16 units).
20. The housing mitigation plan is reviewed by the Park City Housing Authority annually and was amended on January 8, 2019 and the proposed amended phasing plan is consistent with the amended housing mitigation plan.
21. The amended phasing plan does not change requirements of the housing mitigation

- plan or the annual delivery of affordable units.
22. The proposed phasing plan allows for logical extension of utilities and access, including access to the water tank site, to be constructed in 2019.
  23. Findings in the Analysis section are incorporated herein.

Conclusions of Law:

1. The amended phasing plan is consistent with the Park City Land Management Code.
2. The amended phasing plan is consistent with the Park City Heights Annexation and the Park City Heights Amended Master Planned Development.
3. The amended phasing plan is consistent with the amended Park City Heights preliminary plat approved by the Planning Commission on November 6, 2013.
4. The amended phasing plan is consistent with the January 8, 2019 amended Park City Heights Housing Mitigation Plan.

Conditions of Approval:

1. Ledger Way shall not be used for construction access to Phases 2, 3, 4 or 5.
2. A common construction recycling and excavation materials storage area within the development shall be identified for each phase prior to approval of the streets and utilities construction plans for that phase.
3. Prior to recordation of the Phase 2 subdivision plat, the revised Phasing Plan shall be recorded at Summit County as an addendum to the Amended Park City Heights Development Agreement.
4. Per LMC 15-7.2-1 (G) and LMC 15-7.2-2, prior to signing and recording of Phases 2, 3, 4 and 5 plats, the applicant shall complete, in accordance with the Planning Commission's decision and to the satisfaction of the City Engineer, all street, sanitary sewer, and other public improvements, i.e.: storm drainage, trails, sidewalk, curb, gutter, street signs, water lines, etc. City Council may at its discretion waive the requirement that the applicant complete and dedicate all site and public improvements prior to signing and recording of the plat, and as an alternative, the applicant may post a guarantee, in a form and amount acceptable to the City for the value of all public improvements, including required public trails, in accordance with LMC Section 15-7.2-1. All public improvements shall be completed according to City and provider standards and accepted by the City Council prior to release of the guarantee.
5. Conditions of approval of the Park City Heights Annexation and MPD, as well as the 2014 Amended MPD Development Agreement continue to apply.

Attachments

- Attachment A – Applicant's letter
- Attachment B – Applicant's proposed subdivision phasing plan
- Attachment C – Approved amended Park City Heights Subdivision preliminary plat
- Attachment D – Park City Heights Amended Housing Mitigation Plan and Exhibits
- Attachment E – [Park City Heights MPD Amended Development Agreement- link](#)





February 22, 2018

Park City Senior Planner  
Kirsten Whetstone  
Park City Planning Department  
Park City, UT 84060

RE: Park City Heights Revised Phasing Plan

Dear Kirsten:

This letter is in response to your email requesting information regarding the proposed change to the approved phasing plan for Park City Heights Subdivision. At the time the current phasing plan was approved, the location of the final water tank was not finalized and as such the location of the water line that would be feeding the water tank was also not able to be determined. Over the past four years we have been working with Roger McClain from the water department to finalize the location of the tank along with the supply lines to the water tank. Per the amended water agreement with Park City dated October 31, 2014, the water tank will need to be constructed concurrent with the next phase of development. The need to amend the phasing plan stems from the need to build the infrastructure to the water tank. The water tank supply lines are planned to run in Calamity lane. The sanitary sewer, storm drain lines, culinary water, and power will also need to be run in the road at the same time as the supply line to the tank to avoid future utility conflicts. The road will need to be built to access the tank. Therefore with all the infrastructure in place needed to build the tank, it makes sense to build the proposed phase 2 as the next phase of development. Phase 3 is proposed to be the 2 lots that will access off Hidden Oaks subdivision. Originally these 2 lots were included in the phase 6 lots. However due to a property acquisition from Summit County in order to facilitate the platting of these lots it makes sense to keep the 2 lots as a separate plat. The timing of phase 3 may not come sequentially due to the acquisition of property from Summit County. Phase 4 is proposed to be more of the cottage lots adjacent to the detention area and is currently planned to be constructed in 2019-2020. Phase 5 will be the last phase and will have to be built following the construction of phase 4 to connect to sanitary sewer. The timing of phase 5 will depend on the market.

Sincerely,

Brad Mackay, PE  
Ivory Development LLC



**FOCUS**<sup>®</sup>  
ENGINEERING AND SURVEYING, LLC  
10000 S. 1000 E. SUITE 100  
MIDVALE, UTAH 84047 PH: (801) 352-0075  
www.focusutah.com

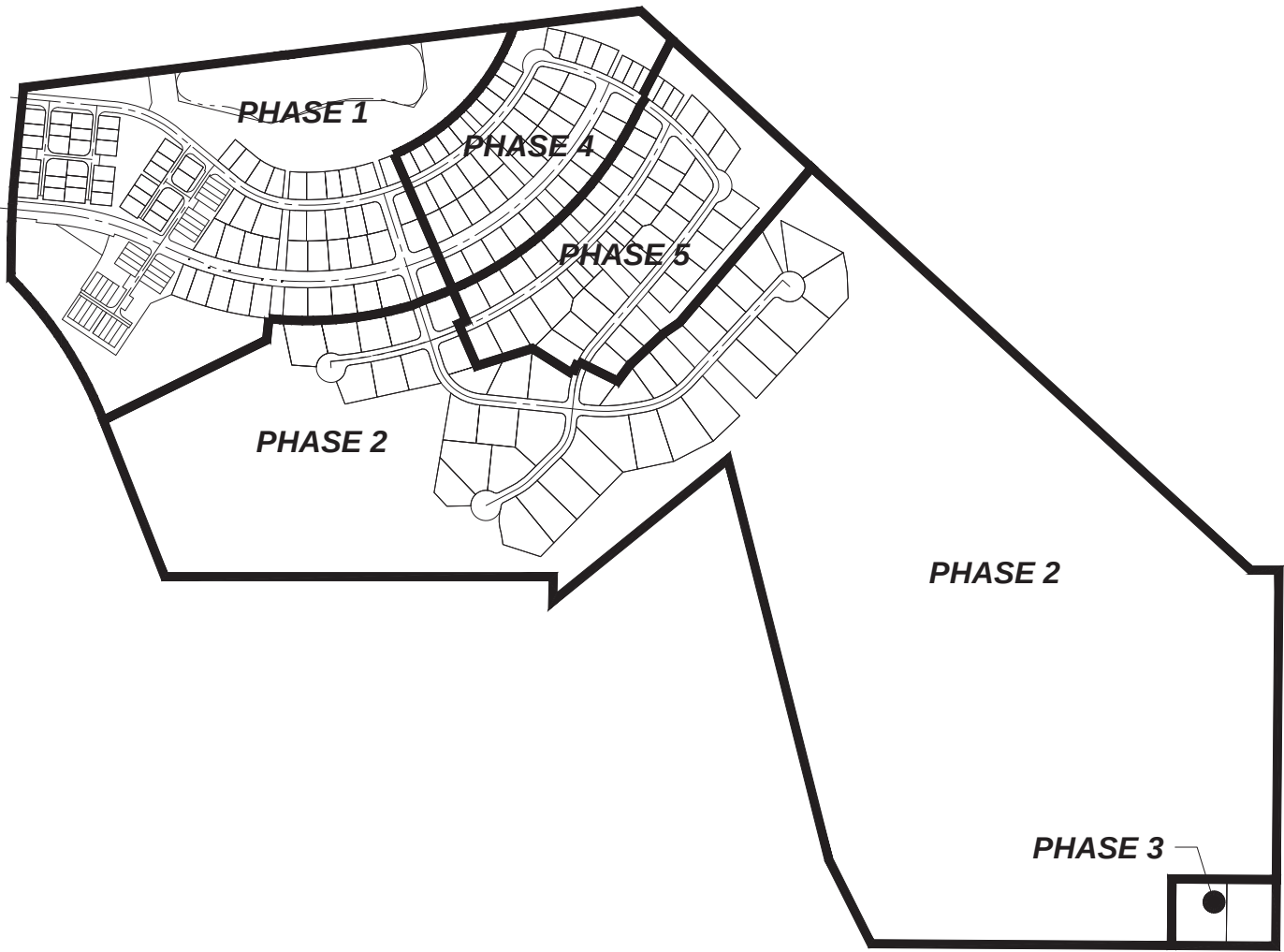


Park City Heights  
Park City  
Phasing Exhibit

| REVISION BLOCK |             |
|----------------|-------------|
| #              | DESCRIPTION |
| 1              |             |
| 2              |             |
| 3              |             |
| 4              |             |
| 5              |             |
| 6              |             |

Phasing Exhibit

|        |          |        |        |
|--------|----------|--------|--------|
| Scale: | 1"=200'  | Drawn: | TM     |
| Date:  | 02/23/18 | Sub P: | 16-348 |
| Sheet: | 1 OF 1   |        |        |



  
**GRAPHIC SCALE**  
  
(IN FEET)  
1 inch = 200ft.







January 17, 2019

Christopher P. Gamvroulas  
Ivory Development  
978 Woodoak Lane  
Salt Lake City, UT 84117

## **NOTICE OF HOUSING AUTHORITY ACTION**

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|                               |                                                           |
|-------------------------------|-----------------------------------------------------------|
| <b><u>Description:</u></b>    | <b>Updated/Amended Affordable Housing Mitigation Plan</b> |
| <b><u>Project Title:</u></b>  | <b>Park City Heights Master Planned Development</b>       |
| <b><u>Date of Action:</u></b> | <b>January 8, 2019</b>                                    |

### **Summary of Housing Authority Action**

On January 8, 2019 Park City Housing Authority approved an amended Housing Mitigation Plan for the phased completion and sale of 79 deed restricted units in fulfillment of the affordable housing obligation at Park City Heights Master Planned Development. Completed units will include 28 Park Town Homes (7 four-plex buildings), 35 Park Homes and 16 larger Cottage Homes.

### **Findings of Fact:**

1. The applicable Development Agreement was recorded November 4, 2014.
2. A total of 44.78 Affordable Unit Equivalents (AUEs) in the form of 28 Park Town Homes will be constructed in fulfillment of the affordable housing obligation associated with IHC/Burbs Annexation. These units will be provided on Lots T1-T28 and in accordance with Housing Resolution 17-99.
3. A total of 16 larger Cottage units (equal to 32 AUEs) are in fulfillment of the housing obligation incurred by the MPD in a CT zone (20% of total units). In the first phase the affordable units will be located on the following lots: 36, 39, 42, 54, and 75. Affordable units for subsequent phases will be identified with the Final Subdivision plats for those phases. These units will be provided in accordance with Housing Resolution 17-99.
4. A total of 35 Park Homes are included in the subdivision made possible by early participation by the City. These units will be located on Lots 1-35 and will be developed in accordance with Housing Resolution 20-07.
5. The Developer must submit a Housing Mitigation Plan to the Park City Housing Authority for approval prior to the issuance of building permits. The Housing Mitigation Plan shall address the following: 1) the schedule setting forth the phasing of the required AUEs, which will be in conjunction with the overall



phasing and development plan of the community; 2) a description of the marketing plan including how the Developer is addressing the City's local preference options; 3) anticipated sale prices by unit type, recognizing that the community will be developed over several years and in a variety of market conditions; 4) the method by which the units will remain affordable; and 5) the term and duration of affordability. A deed restriction shall be recorded against the plat prior to the issuance of building permits. The Developer shall comply with the Affordable Housing requirements prior to receiving any certificates of occupancy, as detailed in the amended Master Planned Development conditions of approval as attached hereto as Exhibit C.

6. An initial Housing Mitigation Plan was approved by the Housing Authority on July 17, 2014 attached as Exhibit A. The plan was for completion of the first 10 homes (six Park Homes and four Park Town Homes) to be priced between \$240,000 and \$400,000. A condition of approval was that Ivory Homes return to the Housing Authority by December of each year beginning in 2015 with a status report that includes: number of units built, sale prices, balance remaining, projections for the next year including number of units in each type and pricing for the next year, and any requested adjustments to the Housing Mitigation Plan.
7. The first 10 homes addressed in the July 2014 Mitigation Plan were completed in the fall of 2016 and released for sale on December 16, 2016.
8. An amended Housing Mitigation Plan including pricing for all 79 units was approved by the Housing Authority on December 15, 2016 and attached as Exhibit B.
9. Another amended Housing Mitigation Plan was approved by the Housing Authority on January 8, 2019 attached as Exhibit C.

#### **Conclusions of Law:**

1. This Amendment is consistent with the Development Agreement between Ivory Homes and Park City Municipal Corporation recorded on November 4, 2014.
2. This Amendment complies with multiple, applicable Housing Resolutions as follows: 44 units under Housing Resolution 17-99 and 35 units under Housing Resolution 20-07.

#### **Conditions of Approval:**

1. Ivory Homes will return to the Housing Authority by December of each year beginning in 2015 with a status report that includes: number of units built, sale prices, balance remaining, projections for the next year including number of units in each type and pricing for the next year, and any requested adjustments to the Housing Mitigation Plan.
2. Any changes to the unit pricing, bedroom count or completion schedule included in the Amended Housing Mitigation Plan in Exhibit C will require approval by the Housing Authority.
3. 28 Park Town Homes, 35 Park Homes and five (5) Cottage Homes will be completed by the end of 2020.
4. 11 Cottage homes will be completed by 2025.

5. Certificates of Occupancy will be withheld on the last 10% of the Market Units (16 units) until Certificates of Occupancy have been issued for all 79 affordable/attainable units.

Attached are Exhibits as follows:

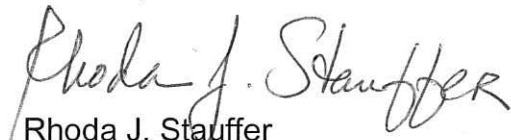
Exhibit A = Original Housing Mitigation Plan approved on July 17, 2014

Exhibit B = Amended Housing Mitigation Plan approved on December 15, 2016.

Exhibit C = Amended Housing Mitigation Plan approved on January 8, 2019.

If you have any questions about this action letter, please contact me. I can be reached at 435-615-5152 or via email at [rhoda.stauffer@parkcity.org](mailto:rhoda.stauffer@parkcity.org).

Sincerely,



Rhoda J. Stauffer  
Affordable Housing Program

July 1, 2014

Park City Housing Authority  
PO Box 1480  
Park City, UT 84060

## EXHIBIT A

### Park City Heights - Housing Mitigation Plan

**Project:** Park City Heights Master Planned Development

**Developer:** Ivory Homes

#### **General:**

On May 11, 2011 the Master Planned Development (MPD) for Park City Heights was approved for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres. An amendment to the MPD was approved on November 6, 2013, this addressed relocation and configuration of lots and streets. As part of the approval the Developer is required to satisfy an affordable/attainable housing requirement with forty-four (44) units approved under the 17-99 Housing Resolution and thirty-five (35) units approved under the 20-07 Housing Resolution.

The units will be large enough to capture all of the square footage necessary under the AUE obligations. All affordable/attainable units are to be for sale units. None of the units are intended to be rented by the Developer or future owners. Restrictions and priorities may include qualification options, sales price limits/range, rental restrictions and affordability terms.

#### **Phasing Schedule:**

The Project may be platted and in phases in accordance with the approved phasing plan. The following schedule is provided to indicate the required AUE's to be built in each phase. However, each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.

##### Phase 1 – 103 Units

- 68 Affordable/Attainable
- 35 Market Rate Units

##### Phase 2 – 47 Units

- 5 Affordable/Attainable
- 42 Market Rate Units

##### Phase 3 – 34 Units

- 2 Affordable/Attainable
- 32 Market Rate Units

##### Phase 4 – 29 Units

- 4 Affordable/Attainable
- 25 Market Rate Units

##### Phase 5 – 15 Units

- 15 Market Rate Units

Phase 6 – 11 Units

- 11 Market Rate Units

All Phases      79 Affordable/Attainable Units (or equivalent AUE's)  
                         160 Market Rate Units

**Total: 239 Units**

**Construction Timing:**

The general layout and concept plan for Park City Heights dictates that the infrastructure is built from the lowest point of the slope (north) or entrance of the project to the highest point on the mountain (south). Because construction dictates this development pattern and the majority of affordable units are lower on the hill, the affordable units will be constructed at a different rate than market rate units. All of the affordable/attainable units will receive a certificate of occupancy prior to issuance of building permits for the last ten (10) percent of the market rate units. Project and housing requirements dictate that the affordable/attainable units are built in conjunction with the market rate units. The developer is front loading as many affordable/attainable units as possible to ensure that the requirements are satisfied. All of the affordable/attainable units are in the first 4 Phases.

Phase 1 construction will begin in early fall of 2014 for a total of sixty-eight (68) affordable/attainable units. The first Certificates of Occupancy are anticipated to be completed in late 2014/early 2015. The first affordable/attainable unit will be ready for occupancy prior to the first market rate unit. The majority of the affordable/attainable units are clustered at the entrance to the Subdivision and the Developer will ensure that the units are built with high quality building materials and well maintained. Projected absorption rate is 8-12 units per year as dictated by the market.

**Phase 1 – Year 1 Projection = 10 Total Units**

| TYPE OF UNIT              | NUMBER OF UNITS | NUMBER OF BEDROOMS | SQUARE FEET PER UNIT |
|---------------------------|-----------------|--------------------|----------------------|
| Park Home – Single Family | 6               | 3                  | 1,600 – 2,100        |
| Park Home – Townhome      | 4               | 2-3                | 1,000 – 1,400        |

**Product Pricing:**

The intent is to offer a wide range of both product type and product pricing. Pricing in the first building of the Attached Park Home Townhomes product in Phase 1 will begin in the \$240,000 range and go upwards of \$400,000 for the Single Family Detached Park Homes, depending on unit type, bedroom counts, square footage, and construction finishes. Developer will work with Park City Municipal Corp to determine final sales pricing as well as product type and size. It is anticipated that attached units will be priced lower and single family detached units will be closer to the maximum price range, thus having a greater range of diversity.

**Marketing Plan:**

Developer agrees to give priority to those full-time employees who work within the area of the Park City School District boundaries, particularly essential workers. This area includes but is not limited to Intermountain Healthcare Park City Medical Campus, USSA Headquarters and Training Annexation.



Developer will hold information seminars with these target groups to discuss the qualifications for purchasing deed restricted affordable/attainable housing units. Developer will also provide Credit Repair Services for all of those in need of such services.

### **Methodology of Affordability:**

#### **Affordability Defined**

Affordability is defined such that the total amount of the mortgage, basic utilities, taxes, insurance and HOA payments may not account for more than 30% of household income. The median wage of the core Park City workforce is determined annually by the City Council.

#### **Affordable Unit Equivalent**

There are two resolutions that govern the affordable/attainable units in Park City Heights. Resolution 17-99 dictates that a two-bedroom unit with 800 square feet of Net Livable Space is considered one Affordable Unit Equivalent; and Resolution 20-07, dictates that a two-bedroom unit with 900 square feet of Net Livable Space is considered one Affordable Unit Equivalent.

#### **Average of Affordability**

The intent is to maintain an average rate of affordability. Flexibility must be given in the Housing Mitigation Plan in an attempt to maximize a level of affordability. There may be some single-family units that fall outside of the affordable range, alternatively, providing attached units could keep the average rate of affordability lower delivering a lower average price.

#### **Compliance Standards**

It is anticipated that there will be a mix of unit types and standards as outlined below:

- All affordable units will be built to a minimum LEED Certified OR NAHB Green level and appliances & light bulbs shall be Energy Star qualified products.
- Size differentials of the exterior appearance of the cottage home affordable units will be compatible with cottage home market rate units and will use similar exterior materials and guidelines.
- Standard construction practices will be the same for the affordable/attainable and market units and incorporate the same general construction materials in the following areas: insulation, windows, heating systems, and other components related to energy efficiency including landscaping.
- All affordable/attainable units will be constructed in accordance and consistent with the MPD approved Park City Heights Neighborhood Design Guide.
- All affordable/attainable units will be constructed on Park City Heights property (MPD site). This includes the transfer of the IHC units from the Park City Medical Center site to Park City Heights.

#### **Product type/Unit descriptions**

Product type in all phases will be determined based on market conditions, lot size, topography, number of stories, adjacent homes, and other factors. Flexibility will be required and a necessity in order to provide the right product at the right price to maintain affordability. Units will be configured in two, three and four bedroom layouts. A minimum of seven (7) – two bedroom units will be provided in the Attached Park Home Townhomes.

#### **Average Median Income/Workforce Housing Wage (Guideline)**

Housing Resolution 17-99 uses an Average Median Income (AMI) in Summit County and Housing Resolution 20-07 uses the Workforce Housing Wage (WHW) in Park City. The first ten (10) units will be split with four (4) of the units under HR 17-99 and six (6) under HR 20-07.

December 15, 2016

Park City Housing Authority  
PO Box 1480  
Park City, UT 84060

**Park City Heights – Amended Housing Mitigation Plan**

**Project:** Park City Heights Master Planned Development

**Developer:** Ivory Homes

**General:**

On May 11, 2011 the Master Planned Development (MPD) for Park City Heights was approved for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres. An amendment to the MPD was approved on November 6, 2013, this addressed relocation and configuration of lots and streets. As part of the approval the Developer is required to satisfy an affordable/attainable housing requirement with forty-four (44) units approved under the 17-99 Housing Resolution and thirty-five (35) units approved under the 20-07 Housing Resolution.

The units will be large enough to capture all of the square footage necessary under the AUE obligations. All affordable/attainable units are to be for sale units. None of the units are intended to be rented by the Developer or future owners. Restrictions and priorities may include qualification options, sales price limits/range, rental restrictions and affordability terms.

**Phasing Schedule:**

The Project may be platted in phases in accordance with the approved phasing plan. The following schedule is provided to indicate the required AUE's to be built in each phase. However, each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.

Phase 1 – 103 Units

- 68 Affordable/Attainable
- 35 Market Rate Units

Phase 2 – 47 Units

- 5 Affordable/Attainable
- 42 Market Rate Units

Phase 3 – 34 Units

- 2 Affordable/Attainable
- 32 Market Rate Units

Phase 4 – 29 Units

- 4 Affordable/Attainable
- 25 Market Rate Units



Phase 5 – 15 Units

- 15 Market Rate Units

Phase 6 – 11 Units

- 11 Market Rate Units

All Phases      79 Affordable/Attainable Units (or equivalent AUE's)  
                    160 Market Rate Units

**Total: 239 Units**

**Construction Timing:**

The general layout and concept plan for Park City Heights dictates that the infrastructure is built from the lowest point of the slope (north) or entrance of the project to the highest point on the mountain (south). Because construction dictates this development pattern and the majority of affordable/attainable units are lower on the hill, the affordable/attainable units will be completed at a different rate than market rate units. All of the affordable/attainable units will receive a certificate of occupancy prior to issuance of building permits for the last ten (10) percent of the market rate units. Project and housing requirements dictate that the affordable/attainable units are built in conjunction with the market rate units. The developer is front loading as many affordable/attainable units as possible to ensure that the requirements are satisfied. All of the affordable/attainable units are in the first 4 Phases.

Phase 1 construction began in 2016 for a total of sixty-eight (68) affordable/attainable units. The first Certificates of Occupancy were issued completed in the fall of 2016. The first affordable/attainable unit will be ready for occupancy prior to the first market rate unit. The majority of the affordable/attainable units are clustered at the entrance to the Subdivision and the Developer will ensure that the units are built with high quality building materials and well maintained. Projected absorption rate is 8-12 units per year as dictated by the market.

**Phase 1 – Year 1 Projection = 10 Total Units**

| TYPE OF UNIT              | NUMBER OF UNITS | NUMBER OF BEDROOMS | SQUARE FEET PER UNIT |
|---------------------------|-----------------|--------------------|----------------------|
| Park Home – Single Family | 6               | 3                  | 1,600 – 2,000        |
| Park Home – Townhome      | 4               | 2-3                | 1,000-1,400          |

**Product Pricing:**

The intent is to offer a wide range of both product type and product pricing. Pricing in the first building of the Attached Park Home townhomes product in Phase 1 will begin in the \$240,000 range and go upwards of \$400,000 for the Single Family Detached Park Homes, depending on unit type, bedroom counts, square footage, and construction finishes. Developer will work with Park City Municipal Corporation to determine final sales pricing as well as product type and size. It is anticipated that attached units will be priced lower and single family detached units will be closer to the maximum price range, thus having a greater range of diversity. Pricing for the first ten (10) units is now set as shown in the attached spreadsheet (Exhibit B) for the Park Home Townhomes units T25, T26, T27, T28 and Park Homes Single Family Detached Units 1,2,3,10,11, and 12. Any changes to the unit pricing, bedroom county or completion schedule included in Exhibit B will require approval by the Housing Authority.

### **Marketing Plan:**

Developer agrees to give priority to those full-time employees who work within the area of the Park City School District boundaries, particularly essential workers. This area includes but is not limited to Intermountain Healthcare Park City Medical Campus, USSA Headquarters and Training Annexation.

Developer will hold information seminars with these target groups to discuss the qualifications for purchasing deed restricted affordable/attainable housing units. Developer will also provide Credit Repair Services for all of those in need of such services.

### **Methodology of Affordability:**

#### **Affordability Defined**

Affordability is defined such that the total amount of the mortgage, basic utilities, taxes, insurance and HOA payments may not account for more than 30% of household income. The median wage of the core Park City workforce is determined annually by the City Council.

#### **Affordable Unit Equivalent**

There are two resolutions that govern the affordable/attainable units in Park City Heights. Resolution 17-99 dictates that a two-bedroom unit with 800 square feet of Net Livable Space is considered one Affordable Unit Equivalent; and Resolution 20-07, dictates that a two-bedroom unit with 900 square feet of Net Livable Space is considered one Affordable Unit Equivalent.

#### **Average of Affordability**

The intent is to maintain an average rate of affordability. Flexibility must be given in the Housing Mitigation Plan in an attempt to maximize a level of affordability. There may be some single-family units that fall outside of the affordable range, alternatively, providing attached units could keep the average rate of affordability lower delivering a lower average price.

### **Compliance Standards**

It is anticipated that there will be a mix of unit types and standards as outlined below:

- All affordable units will be built to a minimum LEED Certified OR NAHB Green level and appliances (Refrigerator and dishwasher) and light bulbs shall be Energy Star qualified products.
- Size differentials of the exterior appearance of the cottage home affordable units will be compatible with cottage home market rate units and will use similar exterior materials and guidelines.
- Standard construction practices will be the same for the affordable/attainable and market units and incorporate the same general construction materials in the following areas: insulation, windows, heating systems, and other components related to energy efficiency including landscaping.
- All affordable/attainable units will be constructed in accordance and consistent with the MPD approved Park City Heights Neighborhood Design Guide.
- All affordable/attainable units will be constructed on Park City Heights property (MPD site). This includes the transfer of the IHC units from the Park City Medical Center site to Park City Heights.

### **Product type/Unit descriptions**

Product type in all phases will be determined based on market conditions, lot size, topography, number of stories, adjacent homes, and other factors. Flexibility will be required and a necessity in order to provide the right product at



the right price to maintain affordability. Units will be configured in two, three and four bedroom layouts. A minimum of seven (7) – two bedroom units will be provided in the Attached Park Home Townhomes.

Average Median Income/Workforce Housing Wage (Guideline)

Housing Resolution 17-99 uses an Average Median Income (AMI) in Summit County and Housing Resolution 20-07 uses the Workforce Housing Wage (WHW) in Park City.

**Exhibit B**  
**Park City Heights Proposed Pricing by Unit Type**

|                   | October 24, 2016<br>Proposed<br>Pricing from<br>Ivory Homes | # of Bed-<br>rooms | Housing<br>Resolution<br>Pricing Limit | Negotiated<br>Pricing |
|-------------------|-------------------------------------------------------------|--------------------|----------------------------------------|-----------------------|
| <b>Town Homes</b> |                                                             |                    |                                        |                       |
| T25               | 319,900                                                     | 3                  | 409,501                                | 319,900               |
| T26               | 249,900                                                     | 2                  | 365,759                                | 249,900               |
| T27               | 297,900                                                     | 3                  | 409,501                                | 297,900               |
| T28               | 329,900                                                     | 3                  | 409,501                                | 329,900               |
| T9                | 326,298                                                     | 3                  | 409,501                                | 349,900               |
| T10               | 254,898                                                     | 2                  | 365,759                                | 299,900               |
| T11               | 303,858                                                     | 3                  | 409,501                                | 329,900               |
| T12               | 336,498                                                     | 3                  | 409,501                                | 359,900               |
| T21               | 332,823                                                     | 3                  | 409,501                                | 349,900               |
| T22               | 259,995                                                     | 2                  | 365,759                                | 299,900               |
| T23               | 309,935                                                     | 3                  | 409,501                                | 329,900               |
| T24               | 343,227                                                     | 3                  | 409,501                                | 359,900               |
| T13               | 339,479                                                     | 3                  | 409,501                                | 349,900               |
| T14               | 265,194                                                     | 2                  | 365,759                                | 299,900               |
| T15               | 316,133                                                     | 3                  | 409,501                                | 329,900               |
| T16               | 350,091                                                     | 3                  | 409,501                                | 359,900               |
| T17               | 346,268                                                     | 3                  | 409,501                                | 349,900               |
| T18               | 270,497                                                     | 2                  | 365,759                                | 299,900               |
| T19               | 322,455                                                     | 3                  | 409,501                                | 329,900               |
| T20               | 357,092                                                     | 3                  | 409,501                                | 359,900               |
| T5                | 353,193                                                     | 3                  | 409,501                                | 349,900               |
| T6                | 275,906                                                     | 2                  | 365,759                                | 299,900               |
| T7                | 328,904                                                     | 3                  | 409,501                                | 329,900               |
| T8                | 364,233                                                     | 3                  | 409,501                                | 359,900               |
| T1                | 360,256                                                     | 3                  | 409,501                                | 349,900               |
| T2                | 281,424                                                     | 2                  | 365,759                                | 299,900               |
| T3                | 335,482                                                     | 3                  | 409,501                                | 329,900               |
| T4                | 371,517                                                     | 3                  | 409,501                                | 359,900               |
| sub-total         | 8,903,256                                                   |                    | 11,159,834                             | 9,235,200             |

| Bedroom Count Summary |    |
|-----------------------|----|
| 2 bedrooms            | 7  |
| 3 bedrooms            | 46 |
| 4 bedrooms            | 26 |

| Numbers of Affordable Units Per Year |  | TH | PH | Cottages | total |
|--------------------------------------|--|----|----|----------|-------|
| 2016                                 |  | 4  | 6  | 0        | 10    |
| 2017                                 |  | 4  | 6  | 0        | 10    |
| 2018                                 |  | 4  | 6  | 1        | 11    |
| 2019                                 |  | 4  | 6  | 3        | 13    |
| 2020                                 |  | 4  | 6  | 3        | 13    |
| 2021                                 |  | 4  | 5  | 3        | 12    |
| 2022                                 |  | 4  | 0  | 3        | 7     |
| 2023                                 |  | 0  | 0  | 3        | 3     |
| total                                |  | 28 | 35 | 16       | 79    |

(1,924,634) amount below max allowed pricing

|                   | October 24, 2016<br>Proposed<br>Pricing from<br>Ivory Homes | # of Bed-<br>rooms | Limit        | Proposed<br>Scenario |
|-------------------|-------------------------------------------------------------|--------------------|--------------|----------------------|
| <b>Park Homes</b> |                                                             |                    |              |                      |
| 1                 | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 2                 | \$374,900                                                   | 3                  | \$375,179    | \$375,179            |
| 3                 | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 10                | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 11                | \$374,900                                                   | 3                  | \$375,179    | \$375,179            |
| 12                | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 4                 | \$477,900                                                   | 4                  | \$445,463    | \$465,900            |
| 5                 | \$384,272                                                   | 3                  | \$375,179    | \$438,500            |
| 6                 | \$419,272                                                   | 3                  | \$375,179    | \$438,500            |
| 7                 | \$477,900                                                   | 4                  | \$445,463    | \$465,900            |
| 8                 | \$384,272                                                   | 3                  | \$375,179    | \$438,500            |
| 9                 | \$419,122                                                   | 3                  | \$375,179    | \$438,500            |
| 13                | \$489,878                                                   | 4                  | \$445,463    | \$465,900            |
| 14                | \$393,878                                                   | 3                  | \$375,179    | \$438,500            |
| 15                | \$429,600                                                   | 3                  | \$375,179    | \$438,500            |
| 22                | \$489,878                                                   | 4                  | \$445,463    | \$465,900            |
| 23                | \$393,878                                                   | 3                  | \$375,179    | \$438,500            |
| 24                | \$429,600                                                   | 3                  | \$375,179    | \$438,500            |
| 16                | \$502,095                                                   | 4                  | \$445,463    | \$465,900            |
| 17                | \$403,772                                                   | 3                  | \$375,179    | \$438,500            |
| 18                | \$440,340                                                   | 3                  | \$375,179    | \$438,500            |
| 19                | \$502,095                                                   | 4                  | \$445,463    | \$465,900            |
| 20                | \$440,300                                                   | 3                  | \$375,179    | \$438,500            |
| 21                | \$440,300                                                   | 3                  | \$375,179    | \$438,500            |
| 28                | \$514,648                                                   | 4                  | \$445,463    | \$465,900            |
| 29                | \$451,348                                                   | 3                  | \$375,179    | \$438,500            |
| 30                | \$451,348                                                   | 3                  | \$375,179    | \$438,500            |
| 31                | \$514,648                                                   | 4                  | \$445,463    | \$465,900            |
| 32                | \$451,348                                                   | 3                  | \$375,179    | \$438,500            |
| 33                | \$451,348                                                   | 3                  | \$375,179    | \$438,500            |
| 25                | \$527,515                                                   | 4                  | \$445,463    | \$465,900            |
| 26                | \$462,631                                                   | 3                  | \$375,179    | \$438,500            |
| 27                | \$462,631                                                   | 3                  | \$375,179    | \$438,500            |
| 34                | \$527,515                                                   | 4                  | \$445,463    | \$465,900            |
| 35                | \$462,631                                                   | 3                  | \$375,179    | \$438,500            |
|                   | \$15,581,363                                                |                    | \$13,834,105 | 15,241,574           |

\$1,407,469 amount above max allowed pricing

|                 | October 24, 2016<br>Proposed<br>Pricing from<br>Ivory Homes | # of Bed-<br>rooms | Limit     | Proposed<br>Scenario |
|-----------------|-------------------------------------------------------------|--------------------|-----------|----------------------|
| <b>Cottages</b> |                                                             |                    |           |                      |
| 1               | 499,900                                                     | 4                  | 506,008   | 506,008              |
| 2               | 514,897                                                     | 4                  | 506,008   | 506,008              |
| 3               | 514,897                                                     | 4                  | 506,008   | 506,008              |
| 4               | 514,897                                                     | 4                  | 506,008   | 506,008              |
| 5               | 530,343                                                     | 4                  | 506,008   | 506,008              |
| 6               | 530,343                                                     | 4                  | 506,008   | 506,008              |
| 7               | 530,343                                                     | 4                  | 506,008   | 506,008              |
| 8               | 546,253                                                     | 4                  | 506,008   | 506,008              |
| 9               | 546,253                                                     | 4                  | 506,008   | 506,008              |
| 10              | 546,253                                                     | 4                  | 506,008   | 506,008              |
| 11              | 562,640                                                     | 4                  | 506,008   | 506,008              |
| 12              | 562,640                                                     | 4                  | 506,008   | 506,008              |
| 13              | 562,640                                                     | 4                  | 506,008   | 506,008              |
| 14              | 579,519                                                     | 4                  | 506,008   | 506,008              |
| 15              | 579,519                                                     | 4                  | 506,008   | 506,008              |
| 16              | 579,519                                                     | 4                  | 506,008   | 506,008              |
|                 | 8,700,856                                                   |                    | 8,096,128 | 8,096,128            |

|                                             |               |               |                                                                     |
|---------------------------------------------|---------------|---------------|---------------------------------------------------------------------|
| Total Revenue Initial Ivory Pricing Revenue | \$ 33,185,475 |               |                                                                     |
| Total Revenue Resolution Limits             |               | \$ 33,090,067 |                                                                     |
| Total Negotiated Pricing Revenue            |               | \$ 32,572,902 | \$ (517,165) amount negotiated pricing is below max allowed pricing |

December 7, 2018 (DRAFT)

Park City Housing Authority  
PO Box 1480  
Park City, UT 84060

### Park City Heights – Amended Housing Mitigation Plan

**Project:** Park City Heights Master Planned Development

**Developer:** Ivory Homes

**General:**

On May 11, 2011 the Master Planned Development (MPD) for Park City Heights was approved for a mixed residential development consisting of 160 market rate units and 79 affordable/attainable units on 239 acres. An amendment to the MPD was approved on November 6, 2013, this addressed relocation and configuration of lots and streets. As part of the approval the Developer is required to satisfy an affordable/attainable housing requirement with forty-four (44) units approved under the 17-99 Housing Resolution and thirty-five (35) units approved under the 20-07 Housing Resolution.

The units will be large enough to capture all of the square footage necessary under the AUE obligations. All affordable/attainable units are to be for sale units. None of the units are intended to be rented by the Developer or future owners. Restrictions and priorities may include qualification options, sales price limits/range, rental restrictions and affordability terms.

**Phasing Schedule:**

The Project may be plated in phases in accordance with the approved phasing plan. The following schedule is provided to indicate the required AUE's to be built in each phase. However, each primary phase may include sub-phases as market conditions dictate and the phases may be adjusted.

Phase 1 – 103 Units

- 68 Affordable/Attainable – To be completed by December 31, 2020
- 35 Market Rate Units

Phase 2 – 39 Units – Was 47

- 0 Affordable/Attainable Was 5
- 39 Market Rate Units Was 42

Phase 3 – 2 Units Was 34

- 0 Affordable/Attainable Was 2
- 2 Market Rate Units Was 32

Phase 4 – 47 Units Was 29

- 3 Affordable/Attainable Was 4 – To be completed by December 31, 2025
- 44 Market Rate Units Was 25

Phase 5 – 48 Units Was 15

- 8 Affordable/ Attainable Was 0 – To be completed by December 31, 2025
- 40 Market Rate Units Was 15

**Phase 6 is Removed – Was 11 Market Units**

All Phases      79 Affordable/ Attainable Units (or equivalent AUE's)  
                         160 Market Rate Units

**Total: 239 Units**

**Construction Timing:**

The general layout and concept plan for Park City Heights dictates that the infrastructure is built from the lowest point of the slope (north) or entrance of the project to the highest point on the mountain (south). Because construction dictates this development pattern and the majority of affordable/attainable units are lower on the hill, the affordable/attainable units will be constructed at a different rate than market rate units. All of the affordable/attainable units will receive a certificate of occupancy prior to issuance of building permits for the last ten (10) percent of the market rate units. Project and housing requirements dictate that the affordable/attainable units are built in conjunction with the market rate units. The developer is front loading as many affordable/attainable units as possible to ensure that the requirements are satisfied. **In Phase I, 68 affordable/attainable units will be completed . The balance of 11 units will be completed in Phases 4 & 5.**

Phase 1 construction began in 2016 for a total of sixty-eight (68) affordable/attainable units. The first Certificates of Occupancy were issued completed in the fall of 2016. The first affordable/attainable unit will be ready for occupancy prior to the first market rate unit. The majority of the affordable/attainable units are clustered at the entrance to the Subdivision and the Developer will ensure that the units are built with high quality building materials and well maintained. Projected absorption rate is 8-12 units per year as dictated by the market.

**Phase 1 – Year 1 Projection = 10 Total Units**

| TYPE OF UNIT              | NUMBER OF UNITS | NUMBER OF BEDROOMS | SQUARE FEET PER UNIT |
|---------------------------|-----------------|--------------------|----------------------|
| Park Home – Single Family | 6               | 3                  | 1,600 – 2,100        |
| Park Home – Townhome      | 4               | 2-3                | 1,000 – 1,400        |

**Product Pricing:**

The intent is to offer a wide range of both product type and product pricing. Pricing in the first building of the Attached Park Home Townhomes product in Phase 1 will begin in the \$240,000 range and go upwards of \$400,000 for the Single Family Detached Park Homes, depending on unit type, bedroom counts, square footage, and construction finishes. Developer will work with Park City Municipal Corp to determine final sales pricing as well as product type and size. It is anticipated that attached units will be priced lower and



single family detached units will be closer to the maximum price range, thus having a greater range of diversity. Pricing for the first ten (10) units is now set as shown in the attached spreadsheet (Exhibit B) for the Park Home Townhome units T25, T26, T27, T28 and Park Home Single Family Detached Units 1,2,3,10,11 and 12. Any changes to the unit pricing, bedroom count, or completion schedule included in Exhibit B will require approval by the Housing Authority.

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Developer agrees to give priority to those full-time employees who work within the area of the Park City School District boundaries, particularly essential workers. This area includes but is not limited to Intermountain Healthcare Park City Medical Campus, USSA Headquarters and Training Annexation.

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#### Product type/Unit descriptions

Product type in all phases will be determined based on market conditions, lot size, topography, number of stories, adjacent homes, and other factors. Flexibility will be required and a necessity in order to provide the right product at the right price to maintain affordability. Units will be configured in two, three and four bedroom layouts. A minimum of seven (7) – two bedroom units will be provided in the Attached Park Home Townhomes.

#### Average Median Income/Workforce Housing Wage (Guideline)

Housing Resolution 17-99 uses an Average Median Income (AMI) in Summit County and Housing Resolution 20-07 uses the Workforce Housing Wage (WHW) in Park City. The first ten (10) units will be split with four (4) of the units under HR 17-99 and six (6) under HR 20-07.

## Rhoda Stauffer

---

**From:** Troy Goff <troyg@ivoryhomes.com>  
**Sent:** Friday, December 07, 2018 3:01 PM  
**To:** Rhoda Stauffer; Chris Gamvroulas  
**Cc:** Anne Laurent; Jason Glidden; John Cahoon; Brad Mackay; Dan Fielding  
**Subject:** RE: meeting  
**Attachments:** image001.jpg; 9FE0558B6B4948E08262E3380B4FAB4E[485399].png; Proposed Amended Housing Mitigation Plan 12-7-18.docx

Hello Rhoda,

Per your request I wanted to get you over some language to share with the Housing Authority as to how the phasing changes that Ivory is proposing will impact the delivery of Affordable/Attainable Units in Park City Heights.

The phasing changes to phases 2-5 in Park City Heights will not alter the time frame that Ivory Homes has committed to constructing the Affordable/Attainable Homes in Park City Heights. The current plan calls for 8-12 Affordable/Attainable Homes to be completed each year in Park City Heights. Under the current plan, this forecast would assume a build out of the Affordable/Attainable Homes by the end of 2025.

In an effort exceed our commitment, Ivory Homes plans to build the remainder of the Affordable/Attainable Park Homes (23 in total) and Affordable/Attainable Townhomes (20 in total) by the end of 2019 as well as three of the Attainable Cottage Homes. The remaining two Attainable Cottage Homes in phase one would start construction in 2019 and be completed in 2020.

We forecast that we will have a total of 68 Affordable/Attainable Homes constructed in Park City Heights by the end of 2020, putting us three and a half years ahead of schedule. The remaining 11 Affordable/Attainable Homes in Park City Heights are forecasted to be completed by the end of 2025.

With the phasing changes being

### Phase 1- 103 Units

- 68 Affordable/Attainable Units
- 35 Market Rate Units

### Phase 2- 39 Units

- 39 Market Rate Units

### Phase 3- 2 Units

- 2 Market Rate Units

### Phase 4- 47 Units

- 3 Affordable/Attainable Units
- 44 Market Rate Units

### Phase 5- 48 Units

- 8 Affordable/Attainable Units
- 40 Market Rate Units



I have made these changes to a new proposed Draft of the Mitigation Plan attached. Please let me know if you need anything else from us for your upcoming update to council and the Housing Authority.

Thank You,

**Troy Goff**

New Home Sales Consultant

"For All Ivory Homes Neighborhoods"

435-729-0550

[troyg@ivoryhomes.com](mailto:troyg@ivoryhomes.com)



---

**From:** Rhoda Stauffer <[rhoda.stauffer@parkcity.org](mailto:rhoda.stauffer@parkcity.org)>

**Sent:** Tuesday, December 4, 2018 4:24:07 PM

**To:** Troy Goff; Chris Gamvroulas

**Cc:** Anne Laurent; Jason Glidden

**Subject:** meeting

Troy & Chris, we need to meet with you and are hoping that you can come to City Hall on the afternoon of December 17. At this point, we aren't ready for the annual update because we still don't have the material we need to update the Housing Mitigation Plan. We've got the lot changes, but we still don't have the Phasing changes that have to be incorporated and approved.

Without that update, we also can't approve additional sales, so we really want to get this taken care of as soon as possible.

Please let us know if you can make a meeting on Monday, December 17. Right now, we are wide open on that date.

Thank you

Rhoda

Rhoda J. Stauffer

Affordable Housing Program

Community Development

Park City Municipal Corporation

435-615-5152

[Rhoda.stauffer@parkcity.org](mailto:Rhoda.stauffer@parkcity.org)



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**Exhibit B-Revised 1-08-2019**  
**Park City Heights Proposed Pricing by Unit Type**

|                   | October 24, 2016<br>Proposed<br>Pricing from<br>Ivory Homes | # of Bed-<br>rooms | Housing<br>Resolution<br>Pricing Limit | Negotiated<br>Pricing |
|-------------------|-------------------------------------------------------------|--------------------|----------------------------------------|-----------------------|
| <b>Town Homes</b> |                                                             |                    |                                        |                       |
| T25               | 319,900                                                     | 3                  | 409,501                                | 319,900               |
| T26               | 249,900                                                     | 2                  | 365,759                                | 249,900               |
| T27               | 297,900                                                     | 3                  | 409,501                                | 297,900               |
| T28               | 329,900                                                     | 3                  | 409,501                                | 329,900               |
| T9                | 303,858                                                     | 3                  | 409,501                                | 329,900               |
| T10               | 336,498                                                     | 3                  | 409,501                                | 359,900               |
| T11               | 326,298                                                     | 3                  | 409,501                                | 349,900               |
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| T21               | 332,823                                                     | 3                  | 409,501                                | 349,900               |
| T22               | 259,995                                                     | 2                  | 365,759                                | 299,900               |
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| T15               | 316,133                                                     | 3                  | 409,501                                | 329,900               |
| T16               | 350,091                                                     | 3                  | 409,501                                | 359,900               |
| T17               | 322,455                                                     | 3                  | 409,501                                | 329,900               |
| T18               | 270,497                                                     | 2                  | 365,759                                | 299,900               |
| T19               | 346,268                                                     | 3                  | 409,501                                | 349,900               |
| T20               | 357,092                                                     | 3                  | 409,501                                | 359,900               |
| T5                | 353,193                                                     | 3                  | 409,501                                | 349,900               |
| T6                | 275,906                                                     | 2                  | 365,759                                | 299,900               |
| T7                | 328,904                                                     | 3                  | 409,501                                | 329,900               |
| T8                | 364,233                                                     | 3                  | 409,501                                | 359,900               |
| T1                | 335,482                                                     | 3                  | 409,501                                | 329,900               |
| T2                | 371,517                                                     | 3                  | 409,501                                | 359,900               |
| T3                | 360,256                                                     | 3                  | 409,501                                | 349,900               |
| T4                | 281,424                                                     | 2                  | 365,759                                | 299,900               |
| sub-total         | 8,903,256                                                   |                    | 11,159,834                             | 9,235,200             |

| Bedroom Count Summary |    |
|-----------------------|----|
| 2 bedrooms            | 7  |
| 3 bedrooms            | 46 |
| 4 bedrooms            | 26 |

| Proposed Revisions are in Red    |       |    |    |    |          |          |       |       |      |                     |
|----------------------------------|-------|----|----|----|----------|----------|-------|-------|------|---------------------|
| Units Per Year --<br>Projections | Year  | TH | PH | PH | Cottages | Cottages | total | total | Com. | Actual<br>Completed |
|                                  | 2016  | 4  | 6  | 8  | 0        | 0        | 10    | 10    | 10   | 10                  |
|                                  | 2017  | 4  | 6  | 0  | 0        | 0        | 10    | 4     | 14   | 4                   |
|                                  | 2018  | 4  | 0  | 6  | 1        | 0        | 11    | 6     | 20   | 6                   |
|                                  | 2019  | 4  | 20 | 6  | 23       | 3        | 3     | 13    | 46   | 66                  |
|                                  | 2020  | 4  | 0  | 6  | 0        | 3        | 2     | 13    | 2    | 68                  |
|                                  | 2021  | 4  | 0  | 5  | 0        | 3        | 0     | 12    | 0    | 68                  |
|                                  | 2022  | 4  | 0  | 0  | 0        | 3        | 0     | 7     | 0    | 68                  |
|                                  | 2023  | 0  | 0  | 0  | 0        | 3        | 0     | 3     | 0    | 68                  |
|                                  | 2025  | 0  | 0  | 0  | 0        |          | 11    | 11    | 79   |                     |
|                                  | total | 28 | 28 | 35 | 35       | 16       | 16    | 79    | 79   | 20                  |

(1,924,634)  
amount below max allowed pricing

|                   | October 24, 2016<br>Proposed<br>Pricing from<br>Ivory Homes | # of Bed-<br>rooms | Limit        | Proposed<br>Scenario |
|-------------------|-------------------------------------------------------------|--------------------|--------------|----------------------|
| <b>Park Homes</b> |                                                             |                    |              |                      |
| 1                 | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 2                 | \$374,900                                                   | 3                  | \$375,179    | \$375,179            |
| 3                 | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 10                | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 11                | \$374,900                                                   | 3                  | \$375,179    | \$375,179            |
| 12                | \$408,900                                                   | 3                  | \$375,179    | \$375,179            |
| 4                 | \$419,272                                                   | 3                  | \$375,179    | \$438,500            |
| 5                 | \$384,272                                                   | 3                  | \$375,179    | \$438,500            |
| 6                 | \$477,900                                                   | 4                  | \$445,463    | \$465,900            |
| 7                 | \$419,122                                                   | 3                  | \$375,179    | \$438,500            |
| 8                 | \$384,272                                                   | 3                  | \$375,179    | \$438,500            |
| 9                 | \$477,900                                                   | 4                  | \$445,463    | \$465,900            |
| 13                | \$489,878                                                   | 4                  | \$445,463    | \$465,900            |
| 14                | \$393,878                                                   | 3                  | \$375,179    | \$438,500            |
| 15                | \$429,600                                                   | 3                  | \$375,179    | \$438,500            |
| 22                | \$489,878                                                   | 4                  | \$445,463    | \$465,900            |
| 23                | \$393,878                                                   | 3                  | \$375,179    | \$438,500            |
| 24                | \$429,600                                                   | 3                  | \$375,179    | \$438,500            |
| 16                | \$440,340                                                   | 3                  | \$375,179    | \$438,500            |
| 17                | \$403,772                                                   | 3                  | \$375,179    | \$438,500            |
| 18                | \$502,095                                                   | 4                  | \$445,463    | \$465,900            |
| 19                | \$440,340                                                   | 3                  | \$375,179    | \$438,500            |
| 20                | \$440,300                                                   | 3                  | \$375,179    | \$438,500            |
| 21                | \$502,095                                                   | 4                  | \$445,463    | \$465,900            |
| 28                | \$514,648                                                   | 3                  | \$375,179    | \$438,500            |
| 29                | \$451,348                                                   | 3                  | \$375,179    | \$438,500            |
| 30                | \$451,348                                                   | 4                  | \$445,463    | \$465,900            |
| 31                | \$514,648                                                   | 3                  | \$375,179    | \$438,500            |
| 32                | \$451,348                                                   | 3                  | \$375,179    | \$438,500            |
| 33                | \$451,348                                                   | 4                  | \$445,463    | \$465,900            |
| 25                | \$527,515                                                   | 4                  | \$445,463    | \$465,900            |
| 26                | \$462,631                                                   | 3                  | \$375,179    | \$438,500            |
| 27                | \$462,631                                                   | 3                  | \$375,179    | \$438,500            |
| 34                | \$462,631                                                   | 3                  | \$375,179    | \$438,500            |
| 35                | \$527,515                                                   | 4                  | \$445,463    | \$465,900            |
|                   | \$15,581,403                                                |                    | \$13,834,105 | 15,241,574           |

\$1,407,469 amount above max allowed pricing  
amount above max allowed pricing

|                 | October 24, 2016<br>Proposed<br>Pricing from<br>Ivory Homes | # of Bed-<br>rooms | Limit     | Proposed<br>Scenario |
|-----------------|-------------------------------------------------------------|--------------------|-----------|----------------------|
| <b>Cottages</b> |                                                             |                    |           |                      |
| 39              | 499,900                                                     | 4                  | 506,008   | 506,008              |
| 42              | 514,897                                                     | 4                  | 506,008   | 506,008              |
| 54              | 514,897                                                     | 4                  | 506,008   | 506,008              |
| 75              | 514,897                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 530,343                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 530,343                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 530,343                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 546,253                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 546,253                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 546,253                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 562,640                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 562,640                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 562,640                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 579,519                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 579,519                                                     | 4                  | 506,008   | 506,008              |
| TBD             | 579,519                                                     | 4                  | 506,008   | 506,008              |
|                 | 8,700,856                                                   |                    | 8,096,128 | 8,096,128            |

|                                             |               |               |                                                                     |
|---------------------------------------------|---------------|---------------|---------------------------------------------------------------------|
| Total Revenue Initial Ivory Pricing Revenue | \$ 33,185,515 |               |                                                                     |
| Total Revenue Resolution Limits             |               | \$ 33,090,067 |                                                                     |
| Total Negotiated Pricing Revenue            |               | \$ 32,572,902 | \$ (517,165) amount negotiated pricing is below max allowed pricing |

# Planning Commission Staff Report



**Subject:** Parkview Condominiums  
**Author:** Kirsten A Whetstone, MS, AICP, Senior Planner  
**Date:** February 27, 2019  
**Type of Item:** Legislative - Plat Amendment

|                            |                                                                                                                 |
|----------------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Project Number:</b>     | PL-18-03776                                                                                                     |
| <b>Applicant:</b>          | Derek A. Howard on behalf of the Parkview Condominiums Home Owners Association and owners of Units 25 and 27.   |
| <b>Location:</b>           | 2208 (Unit 27) and 2212 (Unit 25) Jupiter View Drive                                                            |
| <b>Zoning:</b>             | Residential Development Medium (RDM)                                                                            |
| <b>Adjacent Land Uses:</b> | Residential condominiums and single family houses, Peaks hotel, open space, Fire Station, a City Park and trail |
| <b>Reason for Review:</b>  | Plat Amendments require Planning Commission review and City Council approval.                                   |

## **Summary Recommendation**

Staff recommends the Planning Commission hold a public hearing for the First Amendment to the First Amended and Restated Parkview Condominiums plat, amending Units 25 and 27, and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

## **Proposal**

The applicant is requesting an amendment to the First Amended and Restated Parkview Condominiums plat (Exhibit A) for the purpose of allowing portions of limited common rear deck area to be enclosed as private area (Exhibit B), similar to what was approved for Units 6-18 and Unit 22 with the First Amended and Restated plat. The plat amendment includes the following:

- Converting 325 sf of limited common deck area to private area for Unit 25.
- Converting 277 sf of limited common deck area to private area for Unit 27.
- No increase in the number of units or required parking spaces.
- No deck extensions or additions that encroach into the revised delineated wetland area buffer new deck areas are proposed.
- No construction within or changes to the natural open space area adjacent to McLeod Creek are proposed.
- Required fifty-foot (50') setback, between the delineated wetland high water mark of McLeod Creek and any structure, is maintained.
- No new structures are proposed within the fifty-foot (50') setback area.
- Conditions of approval of the Parkview Condominiums small scale MPD and the First Amended and Restated Parkview Condominium plat continue to apply;

including conditions related to stairs, landings and allowed use of the open space areas.

- A 10' public utility easement is dedicated adjacent to the edge of pavement within the 40' access easement.
- A 10' public snow storage easement is dedicated along Holiday Ranch Loop Road, a public street.
- A 12.5' public trail easement for an existing public trail along the south property line is dedicated with this plat.

### **Timeline**

**December 17, 1984** – City Council approved the Parkview Subdivision plat that was recorded at Summit County on December 18, 1984 (Exhibit C).

**October 9, 1996** – Planning Commission approved the Parkview MPD for 36 townhomes in twelve buildings of three units each on the 5.237 acre Lot 2 (Exhibit D).

**February 7, 1997** – City Council approved the Parkview Condominiums plat for 36 units and the plat was recorded at Summit County on February 11, 1997.

**May 30, 2013** – City Council approved the First Amended and Restated Parkview Condominiums plat (amending twenty-four (24) of the thirty-six (36) units) to allow rear deck extensions to the 50' setback line, as well as rear deck enclosures (Exhibits E [and F link to CC 5.30.13 Staff report and Exhibits](#) page155). The plat was recorded at Summit County on July 28, 2015 and the Parkview Condominiums plat from 1997 was retired by Summit County. The First Amended and Restated Parkview Condominiums plat is now the official plat for these units and this plat is the First Amendment to that plat.

**June 2015** – Building permit for deck extension for 2212 Jupiter View was issued as allowed by the First Amended and Restated plat. It has since expired.

**April 2018** – Building permit for a deck extension for 2208 Jupiter View was issued for construction of a rear deck extension as allowed by the First Amended and Restated plat.

**July 9, 2018** – HOA and six owners submitted a complete application for a Second Amended plat, requesting conversion of limited common area to private area for six (6) units (Units 25, 27, 32, 34, 35, and 36).

**August 1, 2018** – Applicant requested the application be put on hold in order to make revisions to the plat.

**November 20, 2018** – Applicant submitted a revised plat removing Unit 36 from the application due to setback issues.

**January 30, 2019** – Applicant submitted a further revised plat amending the application to propose changes only to Units 25 and 27. A revised title report, property owner mailing list, and other documents (Exhibits G and H) were submitted and the application was complete on January 30, 2019.

### **Background**

Parkview Condominiums were approved as a small scale Master Planned Development (MPD) consisting of 36 townhome units on a 5.237 acre Lot 2 of the Parkview Subdivision (see Timeline above for dates and additional information). The “Radisson Hotel” (now known as the Peaks Hotel), is situated on Lot 1 of the same Subdivision.

Jupiter View Drive, a shared private access easement, provides access to both the condominiums and the hotel property from Holiday Ranch Loop Road, a city street.

A fifty-foot (50') setback between the delineated wetland high water mark of the McLeod Creek wetland area and units was provided with the approved site plan and initial condominium plat. Developers of the Parkview Condominiums were required to make improvements to the setback area, in terms of cleaning up debris and removing existing mounds. This work was done. Dedication and construction of a trail on the east side of the creek was also required and completed.

In 2007, a letter of Map Amendment (LOMA) was issued by Federal Emergency Management Agency (FEMA). The LOMA adjusted the flood map for the Parkview property to remove everything outside of a new floodplain delineation line to "Zone X", which is a non-flood hazard area, and classified all of property contained within the creek and the meander corridor as "Zone C".

In 2009, the Parkview HOA hired IHI Engineering to re-delineate the wetlands, with approval by the Army Corps of Engineers (Corps), who oversees wetland designations and necessary permitting (404 permits) for encroachments into wetland areas. The delineation moved the designated wetland line back towards the creek by upwards of ten feet (10') in some locations and modified the 50' setback line.

In 2011, the HOA and various owners submitted preliminary designs for expansion of elevated rear decks that could potentially be enlarged and extended to the new wetland area buffer. At that time staff informed the owners that because the old fifty-foot (50') high water mark was recorded on the plat, an amendment to the plat would be necessary to document the revised high water mark location and also to identify any changes requested to common, limited common and private areas.



McLeod Creek - Typical Spring Run-off

In 2013, the HOA submitted a request for a First Amended and Restated Parkview Condominiums plat. The amended plat approved rear deck extensions for Units 4-27 (all units backing to the wetland area) varying from 9 to 21 feet. Units 6-18 and Unit 22 were also approved for additions over a portion of the elevated limited common area decks. The First Amended and Restated plat allowed rear access from the elevated decks to the open space area via stairways with conditions and restrictions on the



landing areas.

### **Purpose**

The purpose of the Residential Development Medium Density (RDM) District is found at the following link: [LMC Section 15-2.14 RDM District](#)

### **Analysis**

#### **Density/Floor Area**

Original approval was for 36 units on 5.237 acres and was stated as 6.87 units per acre. Approved density was expressed in terms of units per acre, as opposed to total unit equivalents (UE) or floor area. The proposed plat seeks to convert 325 sf of limited common deck area to private area for Unit 25 and 277 sf of limited common deck area to private area for Unit 27. No increase in the number of units is proposed.

#### **Parking**

The MPD required two parking spaces per unit, based on the number of units and floor area (72 spaces required). There are ninety-six (96) parking spaces on site, fifty-nine (59) are enclosed parking spaces (a 60<sup>th</sup> garage is a common storage garage), thirteen (13) are tandem spaces on private driveways, and twenty-four (24) are exterior common (guest) spaces. Proposed changes to floor area do not increase parking requirements for the units or the overall development.

#### **Open Space**

Original approval indicated that sixty percent (60%) open space was required and seventy-five percent (75.04%) or approximately 3.93 acres (171,191 sf) was provided. Deck extensions and the rear additions permitted with the First Amended plat represent a reduction in open space from 75% to 71%. Upper level decks are not included as open space; therefore enclosing existing deck area for Units 25 and 27 does not change the open space calculation.

As originally conditioned, the open space area remains as common open space with limited use for passive recreation activities. Hot tubs and other amenities are to remain on the elevated decks, with open space areas to remain free of structures other than the stairways and limited landings, as conditioned.

#### **Building Height and Setbacks**

The MPD did not grant any height increases over the RDM zone height. No building height exceptions are requested. Additions that back to the wetland buffer do not extend beyond the existing decks and do maintain existing side and rear setbacks.

#### **Natural Area Restrictions and Landscape Plan Requirements**

Staff recommends a condition of approval that a landscape plan shall be submitted with all building permits. The landscape plan shall identify existing significant vegetation/trees within the Limits of Disturbance area and shall describe how areas of disturbance will be landscaped following construction to maintain the character of the natural open space area. Additions to Units 25 and 27 are enclosures of portions of existing elevated decks therefore limited disruption of existing vegetation is anticipated.

### **Good Cause**

Staff finds good cause for the proposed plat amendment as the proposed deck enclosures are in substantial compliance with the approved Parkview small scale MPD and consistent with the Land Management Code and State Condominium Act. Proposed deck enclosures are consistent with those permitted with the First Amended and Restated plat for Units 6-18 and 22. A 12.5' wide public bike and pedestrian access easement is dedicated with this plat along the south property line, consistent with the City's Trails Master Plan. A 10' wide public snow storage easement is dedicated along Holiday Ranch Loop Road and 10' wide non-exclusive snow storage, utility and access easement is dedicated adjacent to the eastern edge of Jupiter View Drive. Staff finds that the plat will not cause undo harm to adjacent properties.

### **Process**

Approval of this application by the City Council constitutes Final Action that may be appealed following procedures found in LMC 1-18. Building Permits for construction of additions may not be issued until the plat is recorded at Summit County.

### **Department Review**

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

### **Notice**

On February 13, 2019, the property was posted and notice was mailed to property owners within 300 feet in accordance with the requirements in the LMC. On February 9, 2019, legal notice was published in the Park Record and on the Utah Public Notice web site in accordance with requirements of the LMC.

### **Public Input**

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

### **Alternatives**

- Planning Commission may forward a positive recommendation to City Council to approve the First Amendment to the First Amended and Restated Parkview Condominiums plat as conditioned or amended; or
- Planning Commission may forward a negative recommendation to City Council to deny the First Amendment to the First Amended and Restated Parkview Condominiums plat and direct staff to make Findings for this decision; or
- Planning Commission may continue the item to a date certain and request additional information necessary to make a recommendation.

### **Significant Impacts**

There are no significant fiscal or unmitigated environmental impacts from this application as conditioned. Building permits for the requested additions cannot be issued until the plat is approved and recorded, as the area of proposed additions is currently designated as limited common area.

### **Recommendation**

Staff recommends the Planning Commission hold a public hearing for the First Amendment to the First Amended and Restated Parkview Condominiums plat, amending Units 25 and 27, and consider forwarding a **positive** recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

### **Exhibits**

Draft Ordinance

Exhibit A – Proposed First Amendment to the First Amended and Restated Parkview Condominiums plat

Exhibit B – Applicant's scope of work, existing and proposed floor plans

Exhibit C – Parkview Subdivision plat

Exhibit D – Parkview MPD action letter

Exhibit E – First Amended and Restated Parkview Condominium plat/Ordinance- only pages pertaining to Units 25 and 27

Exhibit F – [link to Council packet for approved First Amended and Restated plat](#) (starts on page 155)

Exhibit G – Aerial photo

Exhibit H – Site photos

**Ordinance No. 19-**

**AN ORDINANCE APPROVING THE PARKVIEW CONDOMINIUMS FIRST AMENDMENT TO THE FIRST AMENDED AND RESTATED CONDOMINIUM PLAT AMENDING UNITS 25 AND 27, LOCATED AT 2212 AND 2208 JUPITER VIEW DRIVE, PARK CITY, UTAH**

WHEREAS, owners of property located at 2208 and 2212 Jupiter View Drive and the Parkview Condominiums Home Owners Association, petitioned the City Council for approval of a plat amendment known as the First Amendment to the First Amended and Restated Parkview Condominiums plat, amending Units 25 and 27; and

WHEREAS, on February 13, 2019, the property was posted and notice was sent to surrounding property owners according to the requirements of the Land Management Code; and

WHEREAS, on February 9, 2019, notice was published in the Park Record and the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, on February 27, 2019, the Planning Commission held a public hearing to receive input on the plat amendment; and

WHEREAS, on February 27, 2019, the Planning Commission forwarded a recommendation to the City Council; and

WHEREAS, On March 21, 2019, the City Council held a public hearing on the plat amendment; and

WHEREAS, there is good cause to approve the First Amendment to the First Amended and Restated Parkview Condominiums plat, amending Units 25 and 27, to properly reflect private, common and limited common area for proposed additions and to dedicate public trail, utility and snow storage easements in substantial compliance with the approved Parkview small scale MPD and conditions of the First Amended and Restated Parkview Condominium plat. The proposed plat amendment is consistent with the Land Management Code and State Condominium Act.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The Parkview Condominiums First Amendment to the First Amended and Restated plat, amending Units 25 and 27, as shown on Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:



Findings of Fact:

1. The property is located at 2208 and 2212 Jupiter View Drive within the Residential Development- Medium (RDM) Zoning District subject to the Master Planned Development Overlay (MPD).
2. The applicant is requesting an amendment to the First Amended and Restated Parkview Condominiums plat for the purpose of allowing portions of limited common rear deck area to be enclosed as private area, similar to what was approved for Units 6-18 and Unit 22 with the First Amended and Restated plat. The plat amendment includes the following:
  - Converting 325 sf of limited common deck area to private area for Unit 25.
  - Converting 277 sf of limited common deck area to private area for Unit 27.
  - No increase in the number of units or required parking spaces.
  - Zone height and setbacks are maintained.
  - No new deck extensions or additions that encroach into the revised delineated wetland area buffer new deck areas are proposed.
  - No construction within or changes to the natural open space area adjacent to McLeod Creek are proposed.
  - Required fifty-foot (50') setback, between the delineated wetland high water mark of McLeod Creek and any structure, is maintained.
  - No new structures are proposed within the fifty-foot (50') setback area.
  - A 10' public utility easement is dedicated adjacent to the edge of pavement within the 40' access easement.
  - A 10' public snow storage easement is dedicated along Holiday Ranch Loop Road, a public street.
  - A 12.5' public trail easement for an existing public trail along the south property line is dedicated with this plat.
3. On December 17, 1984, the City Council approved the Parkview Subdivision plat that was recorded at Summit County on December 18, 1984.
4. On October 9, 1996, Planning Commission approved the Parkview small scale MPD for 36 townhome units in twelve buildings of three units each on the 5.237 acre Parkview Subdivision Lot 2.
5. On February 7, 1997, the City Council approved the Parkview Condominiums plat that was recorded at Summit County on February 11, 1997.
6. In 2007, a Letter of Map Amendment (LOMA) was issued by Federal Emergency Management Agency (FEMA). The LOMA adjusted the flood map for the Parkview property to remove everything outside of a new floodplain delineation line to "Zone X", which is a non-flood hazard area, and classified all of property contained within the creek and the meander corridor as "Zone C".
7. In 2009, the Parkview HOA hired IHI Engineering to re-delineate the wetlands, with approval by the Army Corps of Engineers (Corps), who oversees wetland designations and necessary permitting (404 permits) for encroachments into wetland areas. The delineation moved the designated wetland line back towards the creek by upwards of ten feet (10') in some locations and modified the 50' setback line.
8. On May 30, 2013, the City Council approved the First Amended and Restated Parkview Condominiums plat. The First Amended and Restated plat reflected the Army Corps of Engineers acceptance of changes to the high water mark and to

allow rear deck extensions to the 50' setback line, as well as rear deck enclosures. The plat was recorded at Summit County on July 28, 2015 and the 1997 Parkview Condominiums plat was retired by Summit County.

9. The First Amended and Restated plat allowed twenty-four (24) of the thirty-six (36) units to extend rear decks and allowed fourteen (14) of those units to expand the floor area by adding rear additions of approximately 500 square feet.
10. On January 30, 2019, a complete application for a First Amendment to the First Amended and Restated Parkview Condominiums plat was submitted to the Planning Department.
11. This First Amended plat requests conversion of limited common deck area to private area for additions to Units 25 and 27, as further described in item 2 above.
12. This First Amended plat does not include extensions of elevated decks or additional impacts to the natural open space area. Conditions related to stairs, landings and allowed use of the open space area will continue to apply.
13. The open space area remains in a natural state with grass, shrubs and trees present. It is important to maintain the natural character of this open space area. As originally conditioned, this area remains as common open space with limited use for passive recreation activities. Hot tubs and other amenities are conditioned to remain on the elevated decks, with open space areas to remain free of structures other than the stairways and limited landings.
14. Additions proposed with this First Amended plat do not encroach into the revised delineated wetland area buffer. No new deck extensions into the natural open space area adjacent to McLeod Creek are proposed.
15. The required fifty-foot (50') setback, between the delineated wetland high water mark of McLeod Creek and any structure, is maintained.
16. Original approval was for 36 units on 5.237 acres and was stated as 6.87 units per acre. Approved density was expressed in terms of units per acre, as opposed to total unit equivalents (UE) or floor area. No increase in the number of units is proposed.
17. This proposed First Amended plat does not increase density in terms of the number of units. There will still be 36 recorded condominium units.
18. The MPD required two parking spaces per unit, based on the number of units and floor area (72 spaces required). There are ninety-six (96) parking spaces on site, fifty-nine (59) are enclosed parking spaces (a 60th garage is a common storage garage), thirteen (13) are tandem spaces on private driveways, and twenty-four (24) are exterior common (guest) spaces. Current proposed changes to floor area do not increase parking requirements for the units or the overall development.
19. Original approval required sixty percent (60%) open space and seventy-five percent (75.04%), or approximately 3.93 acres (171,191 sf) was provided. Deck extensions and the rear additions permitted with the First Amended and Restated plat represent a reduction in open space from 75% to 71%. Upper level decks are not included as open space; therefore current proposal to enclose portion of existing deck area for Units 25 and 27 does not change the open space area.
20. The MPD did not grant any height increases over the RDM zone height. No building height exceptions are requested for the additions. Additions that back to the wetland buffer do not extend beyond the existing decks and maintain existing side and rear setbacks.

21. This proposed First Amended plat does not require a revised MPD as proposed changes to these units are in substantial compliance with the original approvals, consistent with approval of similar additions with the First Amended and Restated plat, no new units are proposed, no additional site work is proposed, no additional parking is required, and percentage of open space exceeds the required amount of 60%. All conditions of the Parkview small scale MPD and the First Amended and Restated Parkview Condominiums plat continue to apply.

#### Conclusions of Law

1. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
2. The plat amendment is consistent with the Parkview Condominiums MPD and First Amended and Restated Parkview Condominiums plat
3. Neither the public nor any person will be materially injured as a result of approval of the proposed plat amendment.
4. Approval of the plat amendment, subject to the conditions stated herein, will not adversely affect the health, safety and welfare of the citizens of Park City.

#### Conditions of Approval

1. City Attorney, City Engineer and City Planner review and approval of the final form and content of the amended plat for compliance with State law, the Land Management Code and these conditions of approval, is a condition precedent to recordation of the plat.
2. The applicant will record the amended plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat amendment will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A plat note shall indicate that all applicable conditions of approval of the Parkview Condominiums MPD and First Amended and Restated Parkview Condominium plat shall continue to apply.
4. A plat note shall indicate that this plat is subject to Ordinance 13-17 and Ordinance 2019-XX (the Ordinance approving this plat amendment).
5. A plat note shall state that all construction will be reviewed for compliance with adopted Building Codes, the Land Management Code, the First Amended and Restated Parkview Condominium plat, including residential fire sprinklers as required by the Chief Building Official.
6. The wetlands and open space areas are permanent no-build areas, with the exception of specified and approved utility and trail installations and improvements as noted on the plat.
7. Any work in the wetland areas requires a permit issued by the US Army Corps of Engineers. All such work shall be approved by the Park City prior to commencing, as noted on the plat.
8. Any fixed construction on the subject property within the FEMA regulatory floodplain, as further described in plat note #12, shall not cause the base flood water surface elevation to increase more than one foot, as noted on the plat.

9. Open Space areas are to remain free of structures or development, with an exception only for the required gravel (or other approved non-impervious material) stairway landings, which shall not exceed the square footage minimum for each, as required by current building code (approximately 36" x 36" or 6 feet by 6 feet for side-by-side stairways), as noted on the plat. There will be no hot tubs, gazebos, barbeques, playgrounds or any structures or active recreation areas allowed within the open space area between the buildings and the creek, as noted on the plat.
10. Deck areas as shown on the amended plat are not to be converted to private living space or enclosed, unless a plat amendment is approved, nor are additional structures, etc. allowed within these or other open space areas, as noted on the plat.
11. No chemical pesticides or synthetic herbicides shall be applied to the natural area landscaping due to proximity to the creek, as noted on the plat.
12. A landscape plan shall be submitted with all building permits. The landscape plan shall identify existing significant vegetation/trees within the proposed Limits of Disturbance area of the specific building permits for expansion of Units 25 and 27, and shall describe how any areas of disturbance will be landscaped following construction to maintain the character of the natural open space area.
13. A construction mitigation plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, LMC, and these conditions of approval prior to building permit issuance.

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

PASSED AND ADOPTED this \_\_\_\_ day of March, 2019.

PARK CITY MUNICIPAL CORPORATION

\_\_\_\_\_  
Andy Beerman, MAYOR

ATTEST:

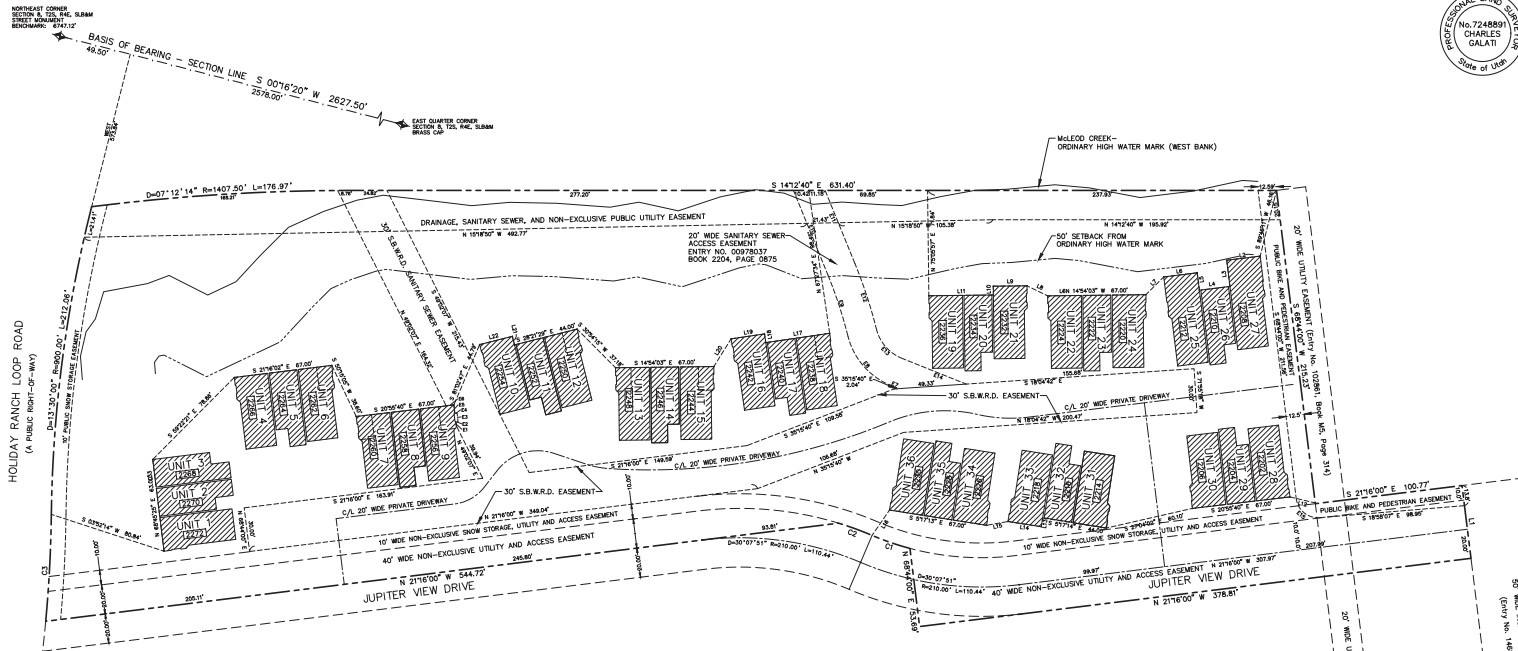
\_\_\_\_\_  
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Harrington, City Attorney



# EXHIBIT A



## SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Registered Land Surveyor and that I hold License No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of PARKVIEW CONDOMINIUMS and that the same has been or will be monumented on the ground as shown on this plot. I further certify that the information on this plot is accurate.

## LEGAL DESCRIPTION

All of Units 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, AMENDED, CONSOLIDATED & RESTATED PARKVIEW CONDOMINIUMS, a Utah Condominium Project, together with its undivided ownership interest in and to the Common Areas and Facilities of the project, as the same are identified and established in the Record of Survey map recorded February 11, 1997, as Entry No. 473038, and in the Amended, Consolidated and Restated Record of Survey Map recorded July 28, 2015, as Entry No. 1024647 and in the Declaration of Condominium of Parkview Condominiums recorded February 11, 1997, as Entry No. 473039 in Book 1026 at Page 639, and in the Amended and Restated Declaration of Condominium recorded July 28, 2015, as Entry No. 1024648 in Book 2306 at Page 664, records of Summit County, Utah.

## ASSOCIATION DEDICATION AND CONSENT TO RECORD

On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, Parkview Condominium Owners' Association, a Utah non-profit corporation, does hereby certify that on the 1st day of November 2017, the Board of Trustees certified that more than two-thirds of the owners of the Association voted to convert specified common areas to private ownership for the benefit of certain owners. In accordance with the Utah Condominium Ownership Act, the Association has caused this survey to be made and this Amended Record of Survey Map to be prepared and hereby consents to the recording of this Record of Survey Map. The Association further consents to the recording hereof with the intention that upon such recording, the provisions of the Declaration and Utah Condominium Ownership Act shall apply to the property described herein. The Association also hereby dedicates the non-exclusive utility easements shown hereon to the use of the public in accordance with an irrevocable offer of dedication.

## PARKVIEW CONDOMINIUM OWNERS' ASSOCIATION

By  
Derek A. Howard, Secretary/Treasurer  
Parkview Condominium Owners Association

## ACKNOWLEDGMENT

STATE OF UTAH )  
COUNTY OF SUMMIT ) ss.  
On this \_\_\_\_\_ day of \_\_\_\_\_, 2019, personally appeared before me, Derek A. Howard, who being by me duly sworn did say, that he is the Secretary/Treasurer of Parkview Condominium Owners' Association, a Utah non-profit corporation, and that he signed the above Owner's Dedication and Consent to Record for, on and in behalf of the unit owners of said Association, and said Secretary/Treasurer duly acknowledged that said Association executed the same.

By: \_\_\_\_\_  
Notary Public

Printed Name \_\_\_\_\_

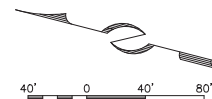
Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

My Commission No.: \_\_\_\_\_

COMMON AREA  
PRIVATE OWNERSHIP  
LIMITED COMMON AREA

LEGEND  
S.F. REPRESENTS SQUARE FEET.  
PP REPRESENTS PERCHASE.



## NOTES:

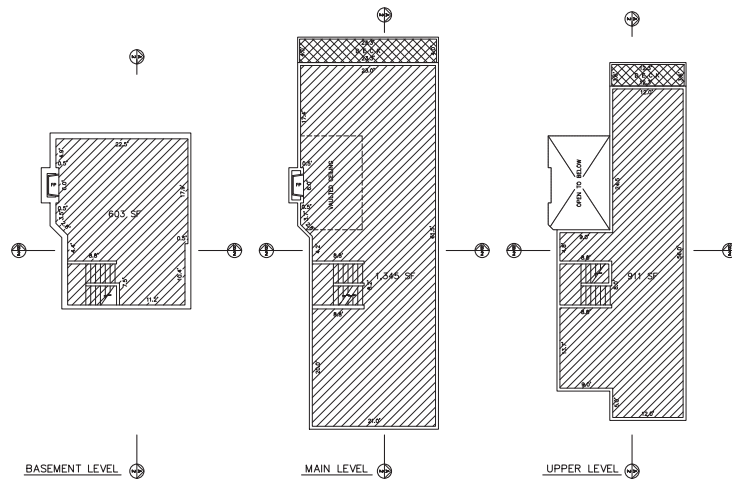
- Plans and dimensions shown on this plot were compiled from architectural drawings prepared by John C. Shirley Architect & Associates and Elliott Workgroup. No field measurements were made. Actual measurements may vary from those shown.
- Interior dimensions shown are to finished surfaces.
- All structural elements are designated as Common Areas.
- Refer to declaration of condominium for complete description of ownership.
- Benchmark: See street monument on Sheet 1 of 3 for location and elevation.
- This project is served by common sewer laterals and the ownership and maintenance responsibility of the common laterals is the responsibility of Parkview Condominiums Homeowners' Association.
- All areas indicated as Common ownership are non-exclusive utility and access easements.
- All units will include residential fire sprinklers, as required by the Chief Building Official.
- All conditions of approval for the PARKVIEW CONDOMINIUMS M.P.D. and the AMENDED, CONSOLIDATED AND RESTATED PARKVIEW CONDOMINIUMS shall continue to apply and remain in full force and effect.
- The wetlands and open space area shown are permanent no-build areas, with the exception of specified and approved utility and trail installations and improvements as indicated on this plot.
- All work in the wetland areas requires a permit issued by the U.S. Army Corps of Engineers. All such work shall be approved by the Park City Community Development Department.
- Portions of the subject property along McLeod Creek are located within the Federal Emergency Management Agency (FEMA) regulatory floodplain, the base flood water surface elevation and extent of which are depicted/drawn in the Flood Insurance Study (FIS) and on the Flood Insurance Rate Map (FIRM) issued by FEMA. Any future construction on the subject property within said floodplain shall not cause the base flood water surface elevation to increase more than one foot.
- The easement platted along the west boundary line was granted with the Parkview Subdivision Plat recorded as Entry #228344 and expanded with the Parkview Condominiums Plat recorded as Entry #473038 on February 11, 1997.
- The 30' S.B.W.R.D. easement was granted to Snyderville Basin Water Reclamation District by Grant of Easement recorded as Entry #468306, Book 1071, Page 717. The easement area was expanded by the Parkview Condominiums Plat recorded as Entry #473038 on February 11, 1997.
- This plot is subject to the conditions of approval of Ordinance Nos. 13-17 and Ordinance No. 2019-\_\_\_\_\_.
- Open Space areas are to remain free of structures or development.
- There will be no hot tubs, gasbans, barbecues, playgrounds, or any structures or active recreation areas allowed within the open space area between the buildings and the creek.
- Deck areas as shown on the plots are not to be converted to private living space or enclosed, nor are additional structures, etc. allowed within these or other open space areas.
- No pesticides or herbicides shall be applied to the natural area landscaping due to proximity to the creek.
- A landscape plan shall be submitted with all building permits. The landscape plans shall identify existing significant vegetation/trees within the Limits of Disturbance area and shall describe mitigation of any trees to be removed. The buffer of mature evergreen trees behind the units along Jupiter View Drive shall remain.

| LINE | SECTION | BEARING       | DISTANCE |
|------|---------|---------------|----------|
| 1    | 1       | S 14°12'40" E | 631.40'  |
| 2    | 1       | N 19°59'50" W | 105.38'  |
| 3    | 1       | S 14°12'40" E | 631.40'  |
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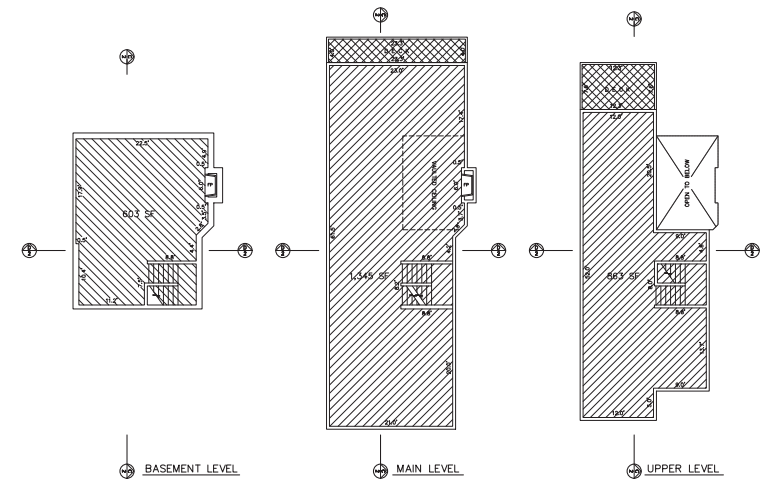
| CURVE | RADIUS  | LENGTH | AREA    |
|-------|---------|--------|---------|
| C1    | 100.00' | 15.71' | 157.08' |
| C2    | 100.00' | 15.71' | 157.08' |
| C3    | 100.00' | 15.71' | 157.08' |
| C4    | 100.00' | 15.71' | 157.08' |
| C5    | 100.00' | 15.71' | 157.08' |
| C6    | 100.00' | 15.71' | 157.08' |
| C7    | 100.00' | 15.71' | 157.08' |
| C8    | 100.00' | 15.71' | 157.08' |
| C9    | 100.00' | 15.71' | 157.08' |
| C10   | 100.00' | 15.71' | 157.08' |
| C11   | 100.00' | 15.71' | 157.08' |
| C12   | 100.00' | 15.71' | 157.08' |
| C13   | 100.00' | 15.71' | 157.08' |
| C14   | 100.00' | 15.71' | 157.08' |
| C15   | 100.00' | 15.71' | 157.08' |
| C16   | 100.00' | 15.71' | 157.08' |
| C17   | 100.00' | 15.71' | 157.08' |
| C18   | 100.00' | 15.71' | 157.08' |
| C19   | 100.00' | 15.71' | 157.08' |
| C20   | 100.00' | 15.71' | 157.08' |
| C21   | 100.00' | 15.71' | 157.08' |
| C22   | 100.00' | 15.71' | 157.08' |
| C23   | 100.00' | 15.71' | 157.08' |
| C24   | 100.00' | 15.71' | 157.08' |
| C25   | 100.00' | 15.71' | 157.08' |
| C26   | 100.00' | 15.71' | 157.08' |
| C27   | 100.00' | 15.71' | 157.08' |
| C28   | 100.00' | 15.71' | 157.08' |
| C29   | 100.00' | 15.71' | 157.08' |
| C30   | 100.00' | 15.71' | 157.08' |
| C31   | 100.00' | 15.71' | 157.08' |
| C32   | 100.00' | 15.71' | 157.08' |
| C33   | 100.00' | 15.71' | 157.08' |
| C34   | 100.00' | 15.71' | 157.08' |
| C35   | 100.00' | 15.71' | 157.08' |
| C36   | 100.00' | 15.71' | 157.08' |
| C37   | 100.00' | 15.71' | 157.08' |
| C38   | 100.00' | 15.71' | 157.08' |
| C39   | 100.00' | 15.71' | 157.08' |
| C40   | 100.00' | 15.71' | 157.08' |
| C41   | 100.00' | 15.71' | 157.08' |
| C42   | 100.00' | 15.71' | 157.08' |
| C43   | 100.00' | 15.71' | 157.08' |
| C44   | 100.00' | 15.71' | 157.08' |
| C45   | 100.00' | 15.71' | 157.08' |
| C46   | 100.00' | 15.71' | 157.08' |
| C47   | 100.00' | 15.71' | 157.08' |
| C48   | 100.00' | 15.71' | 157.08' |
| C49   | 100.00' | 15.71' | 157.08' |
| C50   | 100.00' | 15.71' | 157.08' |
| C51   | 100.00' | 15.71' | 157.08' |
| C52   | 100.00' | 15.71' | 157.08' |
| C53   | 100.00' | 15.71' | 157.08' |
| C54   | 100.00' | 15.71' | 157.08' |
| C55   | 100.00' | 15.71' | 157.08' |
| C56   | 100.00' | 15.71' | 157.08' |
| C57   | 100.00' | 15.71' | 157.08' |
| C58   | 100.00' | 15.71' | 157.08' |
| C59   | 100.00' | 15.71' | 157.08' |
| C60   | 100.00' | 15.71' | 157.08' |
| C61   | 100.00' | 15.71' | 157.08' |
| C62   | 100.00' | 15.71' | 157.08' |
| C63   | 100.00' | 15.71' | 157.08' |
| C64   | 100.00' | 15.71' | 157.08' |
| C65   | 100.00' | 15.71' | 157.08' |
| C66   | 100.00' | 15.71' | 157.08' |
| C67   | 100.00' | 15.71' | 157.08' |
| C68   | 100.00' | 15.71' | 157.08' |
| C69   | 100.00' | 15.71' | 157.08' |
| C70   | 100.00' | 15.71' | 157.08' |
| C71   | 100.00' | 15.71' | 157.08' |
| C72   | 100.00' | 15.71' | 157.08' |
| C73   | 100.00' | 15.71' | 157.08' |
| C74   | 100.00' | 15.71' | 157.08' |
| C75   | 100.00' | 15.71' | 157.08' |
| C76   | 100.00' | 15.71' | 157.08' |
| C77   | 100.00' | 15.71' | 157.08' |
| C78   | 100.00' | 15.71' | 157.08' |
| C79   | 100.00' | 15.71' | 157.08' |
| C80   | 100.00' | 15.71' | 157.08' |
| C81   | 100.00' | 15.71' | 157.08' |
| C82   | 100.00' | 15.71' | 157.08' |
| C83   | 100.00' | 15.71' | 157.08' |
| C84   | 100.00' | 15.71' | 157.08' |
| C85   | 100.00' | 15.71' | 157.08' |
| C86   | 100.00' | 15.71' | 157.08' |
| C87   | 100.00' | 15.71' | 157.08' |
| C88   | 100.00' | 15.71' | 157.08' |
| C89   | 100.00' | 15.71' | 157.08' |
| C90   | 100.00' | 15.71' | 157.08' |
| C91   | 100.00' | 15.71' | 157.08' |
| C92   | 100.00' | 15.71' | 157.08' |
| C93   | 100.00' | 15.71' | 157.08' |
| C94   | 100.00' | 15.71' | 157.08' |
| C95   | 100.00' | 15.71' | 157.08' |
| C96   | 100.00' | 15.71' | 157.08' |
| C97   | 100.00' | 15.71' | 157.08' |
| C98   | 100.00' | 15.71' | 157.08' |
| C99   | 100.00' | 15.71' | 157.08' |
| C100  | 100.00' | 15.71' | 157.08' |

| LINE | SECTION | BEARING       | DISTANCE |
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| 35   | 1       | S 14°12'40" E | 631.40'  |
| 36   | 1       | N 19°59'50" W | 105.38'  |

| CURVE | RADIUS | LENGTH | DELTA     |
|-------|--------|--------|-----------|
| E8    | 49.07  | 46.38  | 54°02'30" |
| E9    | 315.00 | 44.38  | 08°03'00" |
| E12   | 335.00 | 47.07  | 08°03'00" |
| E13   | 28.07  | 27.42  | 54°02'30" |
| E15   | 18.05  | 23.86  | 83°00'00" |



UNIT 25  
2,859 TOTAL SQUARE FEET

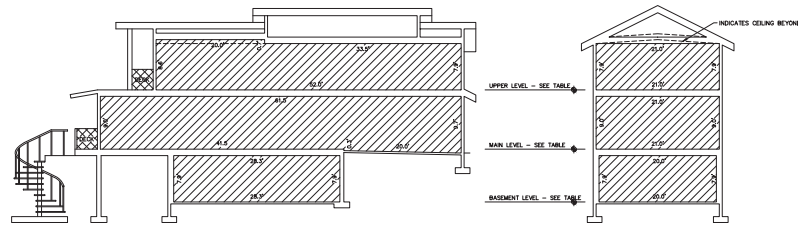


UNIT 27  
2,811 TOTAL SQUARE FEET

LEGEND  
S.F. REPRESENTS SQUARE FEET.  
FP REPRESENTS FIREPLACE

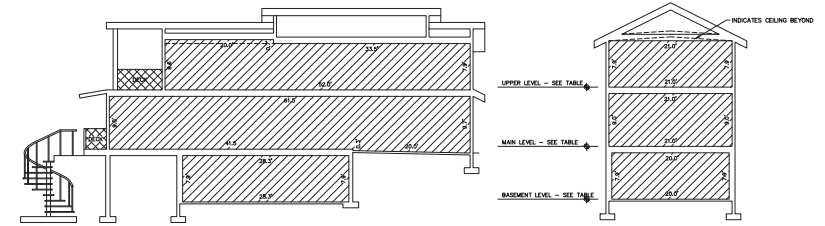
FLOOR ELEVATION TABLE

| UNIT NUMBER    | 25     | 27     |
|----------------|--------|--------|
| UPPER LEVEL    | 6785.7 | 6785.7 |
| MAIN LEVEL     | 6775.7 | 6775.7 |
| BASEMENT LEVEL | 6766.7 | 6766.7 |



SECTION A-2

SECTION B-2

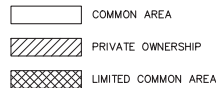


SECTION C-2

SECTION D-2

NOTES:

- PLANS AND DIMENSIONS SHOWN ON THIS PLAN WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY JOHN C. SHIRLEY ARCHITECT AND ELLIOTT WORKGROUP ARCHITECTURE.
- INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
- ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
- REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
- BENCHMARK: SEE SHEET 1 FOR LOCATION AND ELEVATION.



# PARKVIEW CONDOMINIUMS—FIRST AMENDMENT TO THE AMENDED, CONSOLIDATED AND RESTATED— AMENDING UNITS 25 & 27

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE  
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

THIS SHEET IS A SUPPLEMENT TO  
SHEET 3 OF 11 OF THE AMENDED  
PARKVIEW CONDOMINIUMS  
RECORDED JULY 28, 2015, AS  
ENTRY NO. 1024647  
AND REPLACES UNITS 25 & 27

SHEET 2 OF 3

|                                            |                                                                 |
|--------------------------------------------|-----------------------------------------------------------------|
| JOB NO.: 1-9-12                            | FILE: X:\ParkMeadows\dwg\ar\plot2012\010912_sht2-11-amended.dwg |
| 1/30/16                                    |                                                                 |
| RECORDED                                   |                                                                 |
| STATE OF UTAH, COUNTY OF SUMMIT, AND FILED |                                                                 |
| AT THE REQUEST OF _____                    |                                                                 |
| FEE _____                                  | RECORDER _____                                                  |
| TIME _____                                 | DATE _____ ENTRY NO. _____                                      |

OWNER'S CONSENT TO RECORD

Know all by these presents that the owner of Unit 25, and whose Unit is affected by the contents of this Second Amended Record of Survey Map of PARKVIEW CONDOMINIUMS, hereby certifies that she has caused this condominium plat to be prepared, and we, DANIELLE WHANG and BRYAN WHANG as joint tenants, do hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and dedication this \_\_\_\_ day of \_\_\_\_\_, 2019.

Danielle Whang

Bryan Whang

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
: ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, Danielle Whang personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that she has signed the above and foregoing Owner's Declaration and Consent to Record freely and voluntarily.

By: \_\_\_\_\_  
Notary Public  
Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My Commission No.: \_\_\_\_\_

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
: ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, Bryan Whang personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that he has signed the above and foregoing Owner's Declaration and Consent to Record freely and voluntarily.

By: \_\_\_\_\_  
Notary Public  
Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My Commission No.: \_\_\_\_\_

OWNER'S CONSENT TO RECORD

Know all by these presents that the owner of Unit 27, and whose Unit is affected by the contents of this Second Amended Record of Survey Map of PARKVIEW CONDOMINIUMS, hereby certifies that he has caused this condominium plat to be prepared, and I, ARNOLD FRINKLEMAN, trustee or his successors in trust, under the ARNOLD FRINKLEMAN TRUST, dated November 4, 1992, and any amendments thereto, as to an undivided one-half (1/2) interest, do hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and dedication this \_\_\_\_ day of \_\_\_\_\_, 2019.

Arnold Frinkleman, Trustee

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
: ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, Arnold Frinkleman, personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that he is the Trustee of the ARNOLD FRINKLEMAN TRUST, dated November 4, 1992, and that he has signed the above and foregoing Owner's Declaration and Consent to Record of behalf of said Trust; that he has been duly appointed as Trustee by the Declaration of the Trust and that he has executed this document in his capacity as Trustee as the act of said Trust for the purpose set forth herein.

By: \_\_\_\_\_  
Notary Public  
Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My Commission No.: \_\_\_\_\_

OWNER'S CONSENT TO RECORD

Know all by these presents that the owner of Unit 27, and whose Unit is affected by the contents of this Second Amended Record of Survey Map of PARKVIEW CONDOMINIUMS, hereby certifies that she has caused this condominium plat to be prepared, and I, MANETTE L. MANZ, trustee or her successors in trust, under the MANETTE L. MANZ TRUST, dated January 14, 2011, and any amendments thereto, as to an undivided one-half (1/2) interest, does hereby consent to the recordation of this Condominium Plat.

In witness whereof the undersigned has executed this certificate and dedication this \_\_\_\_ day of \_\_\_\_\_, 2019.

Manette L. Manz, Trustee

ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
: ss.  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_ day of \_\_\_\_\_, 2019, Manette L. Manz, personally appeared before me, the undersigned Notary Public in and for said state and county, who after being duly sworn, acknowledged to me that she is the Trustee of the MANETTE L. MANZ TRUST, dated January 14, 2011, and that she has signed the above and foregoing Owner's Declaration and Consent to Record of behalf of said Trust; that she has been duly appointed as Trustee by the Declaration of the Trust and that she has executed this document in her capacity as Trustee as the act of said Trust for the purpose set forth herein.

By: \_\_\_\_\_  
Notary Public  
Printed Name \_\_\_\_\_  
Residing In: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_  
My Commission No.: \_\_\_\_\_

**PARKVIEW CONDOMINIUMS—FIRST AMENDMENT TO THE**  
**AMENDED, CONSOLIDATED AND RESTATED—**  
**AMENDING UNITS 25 & 27**

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE  
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

SHEET 3 OF 3

1/30/19 JOB NO.: 1—9—12 FILE: X:\ParkMeadows\dwg\sr\plat2012\010912-amended.dwg

RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
FEE \_\_\_\_\_ RECORDER  
TIME \_\_\_\_\_ DATE \_\_\_\_\_ ENTRY NO. \_\_\_\_\_

**PARKVIEW CONDOMINIUMS**

To: Park City Planning Department

From: Board of Parkview Homeowners Association

Date: January 30, 2019

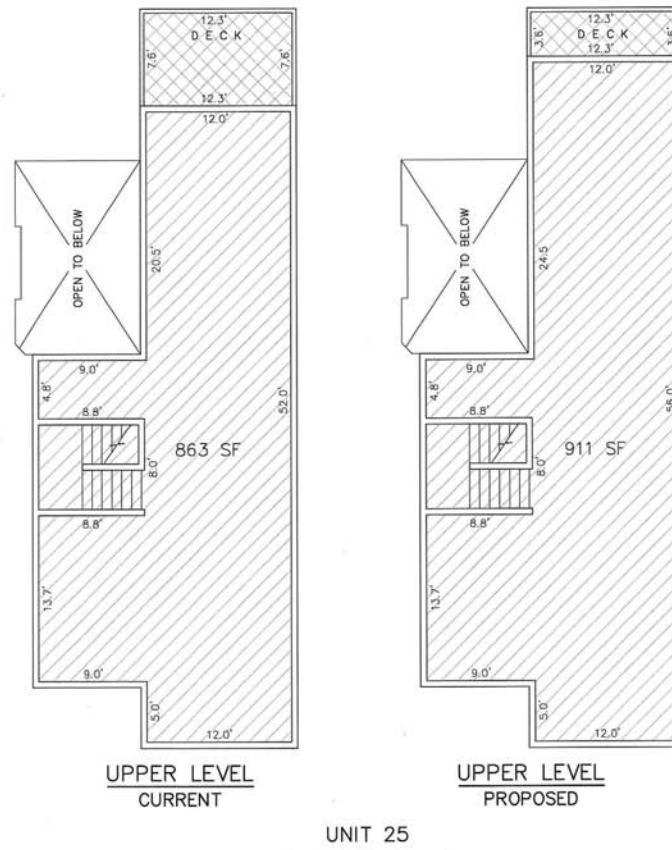
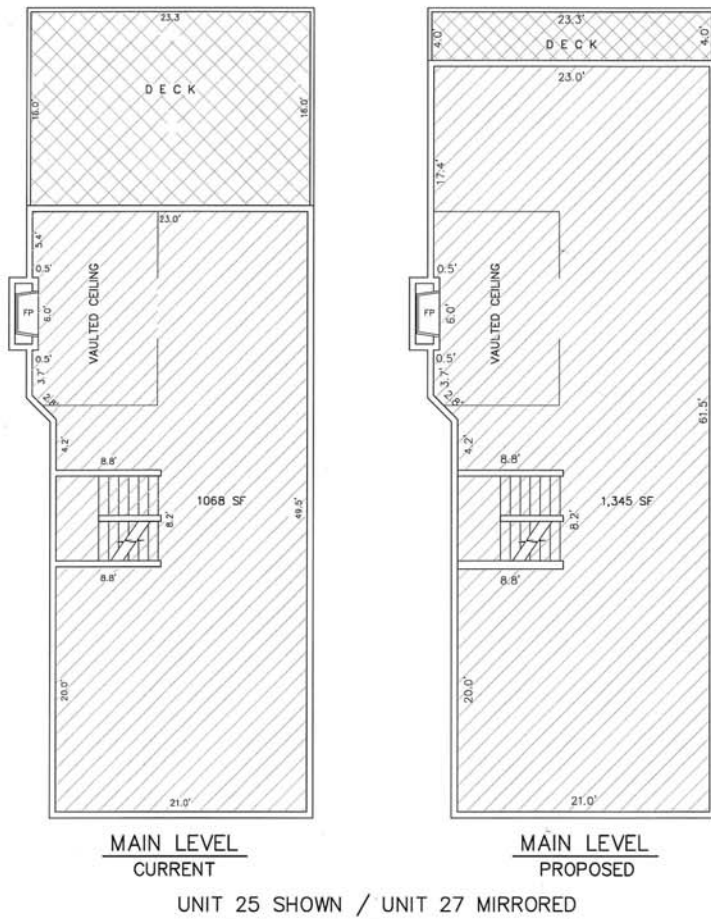
Subject: Expansion of Private Space Units #25 and #27

Scope of Work (Main Level): Both units wish to convert existing decks built in 2016, 23' x 16', to a 23' x 12' private space and a 23' x 4' deck.

Scope of Work (Upper Level): Only Unit #25 is proposing to add an additional 4' x 12' area now occupied by a deck. The area of the deck would be reduced by that amount with no expansion of the current deck.



# Existing and Proposed for Units 25 and 27



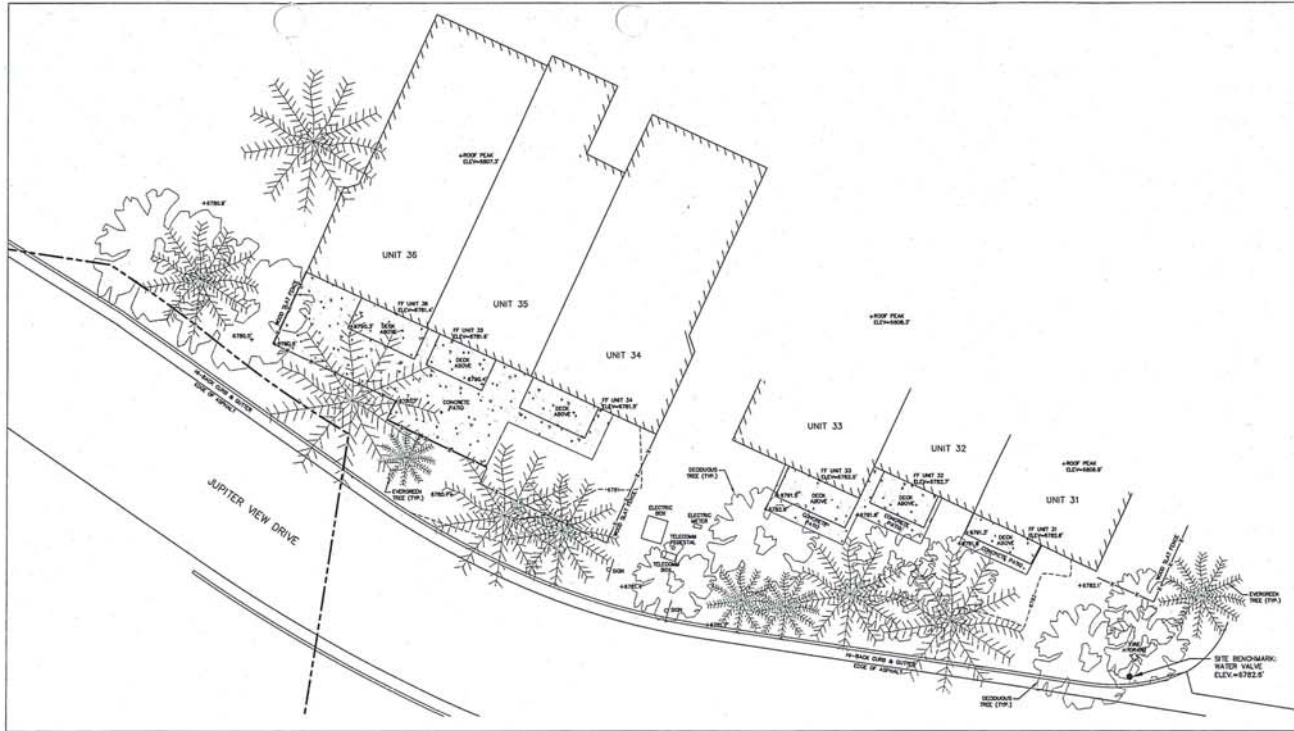
PARKVIEW CONDOMINIUMS

JOB# 1-9-12



12/10/18

X:\ParkMeadows\dwg\srv\plat2012\010912\_shts2-11.dwg

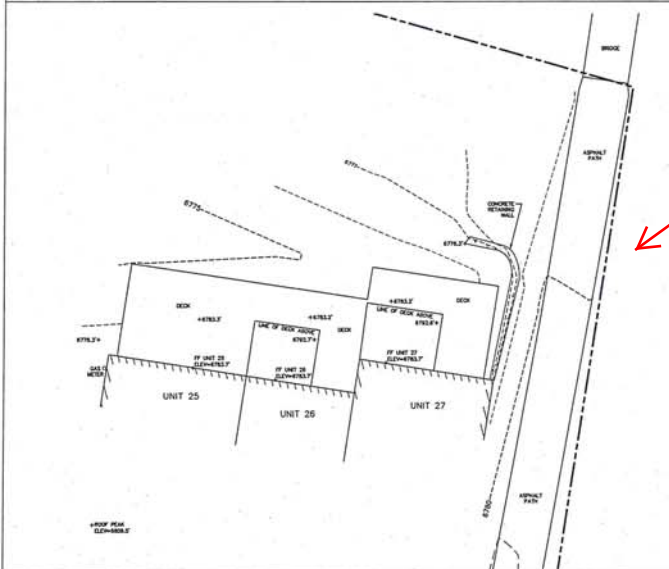


# **SURVEYOR'S CERTIFICATE**

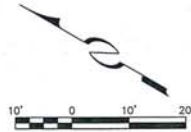
I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a topographic/existing conditions survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

## **NOTES**

1. Field work for this survey was completed December 12, 2017, and is in compliance with generally accepted industry standards for accuracy.
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. Site Benchmark: Water Valve Elevation=6782.5' as shown.
4. A Record of Survey was not performed as part of this survey and any boundary lines shown are approximate.



Units 25 and 27



|                                                                                                                                                                                                                                 |                                                                                                |                                                                                                                                                                                                                                                      |                                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| <br><small>CONSULTING ENGINEERS LAND PLANNERS SURVEYORS</small><br><small>1022 Main Street P.O. Box 2064 Park City Utah 84060-2064</small> | <small>(435) 648-9487</small><br><b>STAFF:</b><br>CHARLES GALATI<br>MARSHALL KING<br>RYAN BETZ | <b>EXISTING CONDITIONS &amp; TOPOGRAPHIC MAP</b><br><b>PARKVIEW CONDOMINIUMS</b><br>UNITS 25, 26, 27, 31, 32, 33, 34, 35, 36<br>FOR: PARKVIEW CONDOMINIUM OWNERS' ASSOCIATION<br>JOB NO.: 1-8-12<br>FILE: X:\Park Meadows\dwg\sr\topo2012\010912.dwg | <b>SHEET</b><br>1<br><b>OF</b><br>1 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|



NOTE: ANY FURTHER SUBDIVISION OF LOT 2 WHICH IS SUBJECT TO PARK CITY APPROVAL SHALL REQUIRE ONLY THE CONSENT OF THE OWNERS OF LOT 2 AND FILING OF A PLAT AFFECTING LOT 2.

## BOUNDARY DESCRIPTION

Beginning at a point which is South 0° 16' 20" West 49.50 feet along a section line and West 573.84 feet from the Northeast Corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on a 1407.05 foot radius curve to the right (center bears South 68° 35' 06" West 1407.50 feet of which the central angle is 7° 12' 14"); thence southeasterly along the arc of said curve 176.97 feet; thence South 14° 12' 40" East 631.40 feet to the northerly boundary of the Windrift Condominium as recorded; thence South 68° 44' 00" West along said northerly boundary 215.23 feet; thence South 21° 16' 00" East along the westerly boundary of said Windrift Condominium 100.77 feet to the northerly right-of-way line of Saddle View Way; thence South 68° 44' 00" West along said northerly right-of-way line 50.00 feet; thence North 21° 16' 00" West 378.81 feet; thence South 68° 44' 00" West 235.00 feet to the easterly right-of-way line of State Highway U-224; thence North 21° 16' 00" West along said easterly right-of-way line 700.49 feet to the southerly right-of-way line of the Holiday Ranch Loop Road, as dedicated; thence due East along said southerly right-of-way line 189.53 feet to a point on a 909.60 foot radius curve to the left (center bears due North 909.60 feet of which the central angle is 13° 30' 00"); thence easterly along the arc of said curve and southerly right-of-way line 214.32 feet to a point on a 900.00 foot radius reverse curve to the right (center bears South 11° 30' 00" East 900.00 feet of which the central angle is 13° 30' 00"); thence easterly along the arc of said curve and southerly right-of-way line 212.06 feet to the point of beginning. Contains 9.8460 acres, more or less.

## SURVEYOR'S CERTIFICATE

I, W. Fred Lohm, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 6150 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land as described and shown on this plat and have subdivided said tract of land into lots and streets, hereafter to be known as Parkview Subdivision and that same have been correctly surveyed and staked on the ground as shown on this plat.

10 Dec 84  
Date

W. Fred Lohm, Registered  
Land Surveyor, No. 6150 Utah



## OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into two lots, numbered 1 and 2, both inclusive, together with easements as set forth on the attached plat, hereafter to be known as Parkview Subdivision. The existing 40-foot Jupiter View Drive is not dedicated to the public, but shall be for the use of the lot owners, their invitees and guests.

Also, the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over Jupiter View Drive and 10 feet on the easterly side adjoining Jupiter View Drive for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Executed this 10th day of December, 1984.

PARKVIEW DEVELOPMENT CORP., A Utah Corporation

A. Blaine Huntsman Jr., Chairman

Jeffrey J. Jonas, Assistant Secretary

## ACKNOWLEDGEMENT

STATE OF UTAH  
COUNTY OF SUMMIT

On the 10th day of December, 1984, personally appeared before me Jeffrey J. Jonas, who, being by me duly sworn, did say that he is the assistant secretary of Parkview Development Corporation, a Utah Corporation and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation and duly acknowledged to me that said corporation executed the same.

Notary Public  
My Commission Expires: 5/27/85  
Residing at: Salt Lake City

## ACKNOWLEDGEMENT

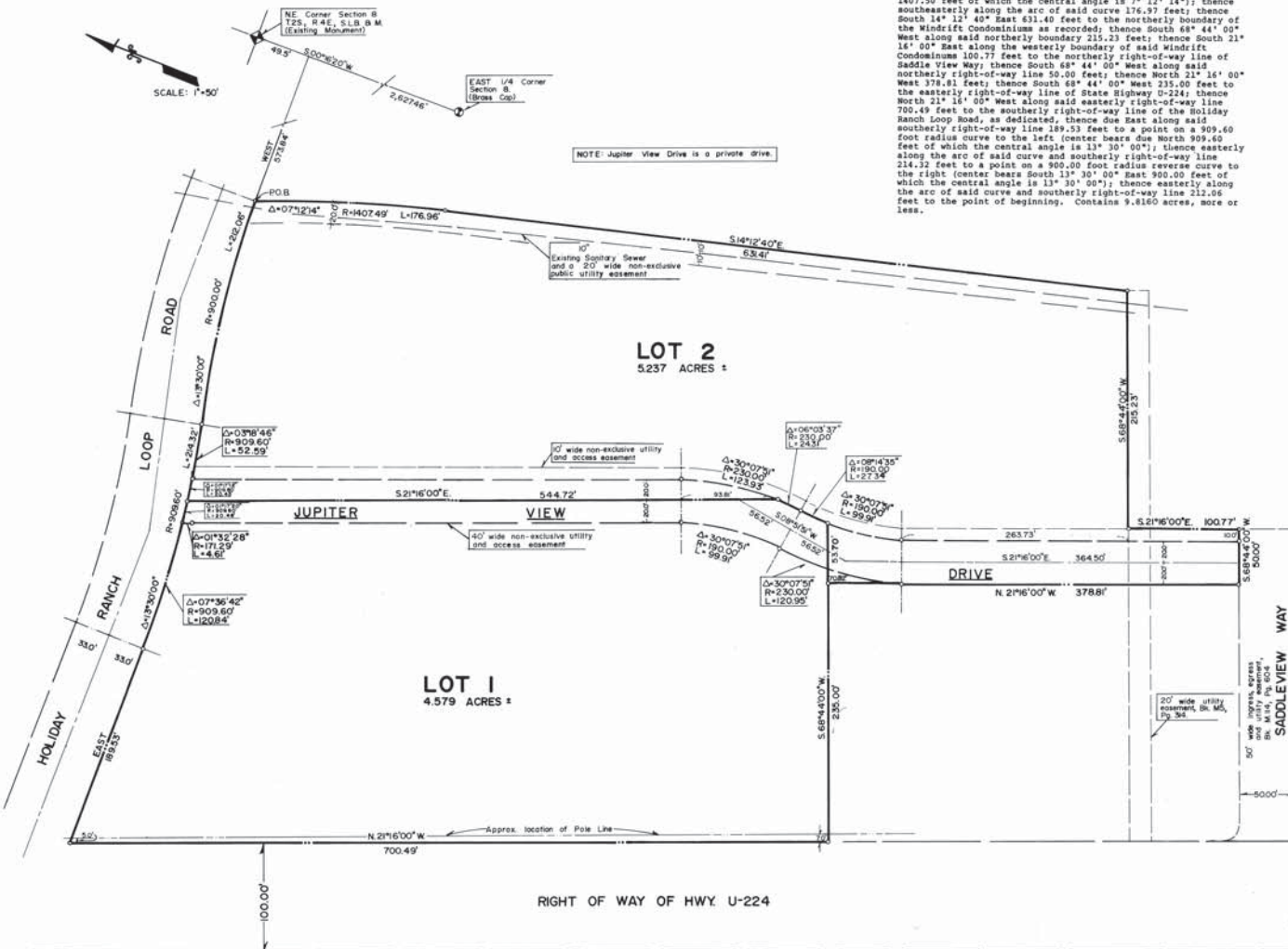
STATE OF UTAH  
COUNTY OF SUMMIT

On the 10th day of December, 1984, personally appeared before me A. Blaine Huntsman Jr., who, being by me duly sworn, did say that he is the chairman of Parkview Development Corporation, a Utah Corporation and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation and duly acknowledged to me that said corporation executed the same.

Notary Public  
My Commission Expires: 5/27/85  
Residing at: Salt Lake City

## PARKVIEW SUBDIVISION

LOCATED IN THE NORTHEAST  
QUARTER OF THE NORTHEAST  
QUARTER OF SECTION 8  
TOWNSHIP 2 SOUTH, RANGE 4  
EAST, S.L.B. & M. IN PARK CITY,  
SUMMIT COUNTY, UTAH.



## CITY COMMISSION APPROVAL

PRESENTED TO THE PARK CITY COMMISSIONERS THIS 17 DAY OF December A.D. 1984, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

MAYOR  
ATTEST: CITY RECORDER

## CITY ENGINEER

APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPARTMENT ON THIS 17th DAY OF December A.D. 1984.

CITY ENGINEER

## CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 17th DAY OF December A.D. 1984.

CHAIRMAN

## APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 17 DAY OF December A.D. 1984.

CITY ATTORNEY

## RECORDED

288344  
STATE OF Utah  
COUNTY OF Summit  
RECORDED AND FILED AT THE REQUEST OF:  
Associated Builders & Contractors

FEES  
COUNTY RECORDER

## J.J. Johnson &amp; Associates

Park Meadows Plaza,  
Highway 248  
P.O. Box 1861  
Park City, Utah 84080

(801) 649-9811  
JOB NO. 1-473-85 G.O.





October 11, 1996

Department of Community Development  
Engineering • Building Inspection • Planning

Henry Sigg  
P. O. Box 2040  
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Name: 2260 Jupiter Drive-Parkview Master Planned Development

Project Description: MPD for 36 townhouses on 5.24 acres

Date of Meeting: October 9, 1996

Action Taken By Planning Commission: Approved with the following Conditions of Approval

Conditions of Approval:

1. All standard project conditions shall apply.
2. A financial guarantee, for the value of all public improvements, landscaping, and trails to be completed, shall be provided to the City prior to plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
3. A final plat or record of survey shall be submitted to the City for review and approval and shall be recorded at the County prior to issuance of certificate of occupancy for any unit. Conditions, Covenants, and Restrictions for this project shall be submitted to the City Attorney for review and shall be recorded at the time of plat recordation.
4. The Planning Department's review and approval of an overall landscape plan, showing existing and proposed vegetation, and including a detailed limits of disturbance plan, is a condition precedent to issuance of a building permit for any of the units. The landscape plan shall also contain all information regarding project lighting.
5. All significant vegetation and wetlands, as indicated on the landscape plan, shall be protected from construction disturbance with temporary 6' high steel fencing, or other fencing acceptable to the City. Prior to "clean-up" and minor re-grading of the 50' buffer area, the applicant and City shall meet on the site to flag the areas to be regraded and those areas to be left undisturbed. The purpose being to retain the maximum number of significant vegetation, mostly willows and other native plants and shrubs. Revegetation of this area shall be done with native species acceptable to the Community Development Department staff.



6. The Developer shall provide a detailed Construction Management Plan (CAMP), prior to issuance of any building permits, that addresses at a minimum the following:
  - a.) A construction staging, storage, circulation and parking plan.
  - b.) The developer shall instruct respective contractors that there is to be no wash out of concrete trucks on-site landscape areas. Further, the developer shall identify any off-site dirt storage sites, obtain written permission by the owner and post a financial surety, to the satisfaction of the City, that will provide for the rehabilitation of the said storage site.
  - c.) A landscape plan shall be submitted and approved prior to any construction activity on site.
  - d.) Any temporary parking signs, subject to Public Works Director and City Engineer approval, shall be addressed in the CMP.
  - e.) The applicant shall comply with Utah Air Quality standards, regarding dust mitigation, and with any applicable Utah Water Quality standards and shall provide any necessary permits or evidence of compliance prior to issuance of building construction. Park City does not guarantee or monitor compliance with these standards.
  - f.) An existing conditions survey that identifies and determines existing grade shall be conducted by the applicant and submitted prior to issuance of a footing and foundation permit. This survey shall assist the Community Development Department in determining the grade for measurement of height of this project as defined in the Land Management Code.
7. An agreement, reviewed and approved by the Community Development Department and the City Attorney, regarding the construction of a Greenway Trail and an 8' paved asphalt connector trail shall be signed by the City and applicant as a condition precedent to issuance of a full building permit for any of the units. The applicant agrees to contribute \$16,000 towards the Greenway Trail to be constructed by the City on the old railroad grade directly east of this property. The applicant agrees to construct the culvert crossing and the 8' asphalt trail connection from Saddlevue Drive to the Greenway Trail.
8. The applicant shall obtain all necessary permits required by the Army Corps of Engineers for all work in the wetland area for the sewer connection and trail crossing.
9. Final architectural design and colors will be reviewed and approved by the Community Development staff.
10. All proposed signs require a sign permit, reviewed and approved by the Community Development Department.
11. The City Engineer shall review and approve appropriate grading, utility, public improvements and drainage plans for compliance with City standards as a condition precedent to permit issuance.
12. The Snyderville Basin Sewer Improvement District shall review and approve the sewer plans.

Henry Sigg  
Page three  
October 11, 1996

Date of Expiration: October 9, 1997

Any person who submitted written comment on a proposal, the owner of any property within the subdivision and/or within three hundred (300) feet of the boundary of the subject site, and the owner of the subject property may appeal to the City Council any action pertaining to the approval or denial. The petition must be filed in writing with the City Recorder within ten (10) calendar days of the project's approval or denial.

Sincerely,

Kirsten A. Whetstone, AICP  
Planner III

KAW/rr

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of PARKVIEW CONDOMINIUMS and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

All of PARKVIEW CONDOMINIUMS, recorded February 11, 1997, as Entry No. 473038, according to the official plat thereof on file and of record in the Office of the Recorder, Summit County, Utah.

On this 12 day of November, 2004, Parkview Condominium Owners Association, a Utah non-profit corporation, does hereby certify that on the 27th day of August 2012, the Board of Trustees certified that the most recent recorded Declaration of Condominium Ownership, as well as the common areas to private ownership for the benefit of certain owners, in accordance with the Utah Condominium Ownership Act, the Association has found and determined that the recorded Declaration of Condominium Ownership Survey Map to be prepared and hereby consents to the recording of this Record Survey Map. The Association further consents to the recording of the Declaration of Condominium Ownership and the provisions of the Declaration and Utah Condominium Ownership Act shall apply to the property described herein. The Association also hereby dedicates the common utility easements to the use of the public in accordance with an irrevocable offer of dedication.

By Derek A. Howard  
Derek A. Howard, Secretary/Treasurer  
Parkview Condominium Owners Association

STATE OF UTAH }  
COUNTY OF SUMMIT } ss. 15

On this 12<sup>th</sup> day of March, 2014, personally appeared before me, Derek A. Howard, who being by me duly sworn did say, that he is the Secretary/Treasurer of Parkview Condominium Owners Association, a Utah nonprofit corporation, and that he signed the above Owner's Dedication and Declaration to Record for, on and in behalf of the unit owners of said Association, and said Secretary/Treasurer duly acknowledged that said Association executed the same.

A Notary Public commissioned in Utah  
NONNA BERNARDI VAN HARTSDIG  
 Printed Name  
 Residing in: 1650 PARK AVE PARK CITY, UTAH 84302  
 My commission expires: AUG 12 2016

 COMMON OWNERSHIP  
 PRIVATE OWNERSHIP  
 LIMITED COMMON OWNERSHIP

LEGEND

SHEET 1 OF 11

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN  
PARK CITY, SUMMIT COUNTY, UTAH

(419) 668-3447

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER  
RECLAMATION DISTRICT STANDARDS ON THIS 1961

DAY OF April 2014 A.D.  
BY [Signature]  
SRWD

## PLANNING COMMISSION

APPROVED BY THE PARK CITY  
PLANNING COMMISSION THIS 8TH

OF MAY, 2013 A.D.  
BY  CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN  
ACCORDANCE WITH INFORMATION ON  
FILE IN MY OFFICE THIS 28th

DAY OF May 2014 A.D.  
BY [Signature]  
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 29<sup>th</sup>

DAY OF May, 2015 A.D.  
BY Polly G. M.  
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY  
MAP WAS APPROVED BY PARK CITY  
COUNCIL THIS 31<sup>st</sup> DAY

OF July 2015 A.D.  
BY Wanda Heil  
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY  
COUNCIL THIS 20TH DAY OF MAY, 2019 A.D.

BY Jake Thomas  
MAYOR

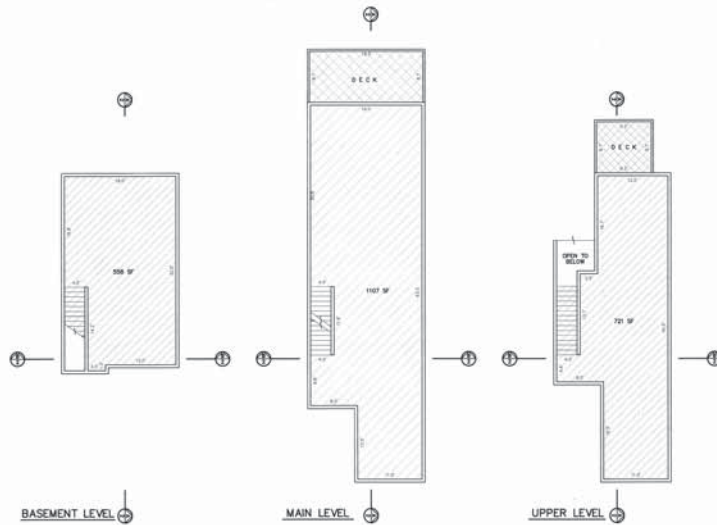
RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF PARKVIEW CONDOMINIUMS HOA

DATE 7/28/15 TIME 2:42 pm BOOK — PAGE —  
102-4647 \$ 330.00 C. Willoughby Deputy  
 ENTRY NO. FEE RECORDER

PARKVIEW CONDOMINIUMS AMENDED



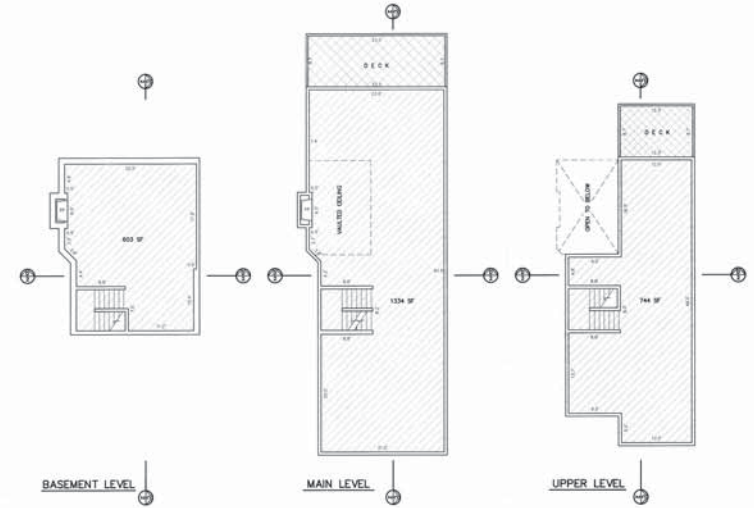


UNITS 11, 17  
MIRROR IMAGE FOR UNITS 8, 14  
2,386 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

| UNIT NUMBER    | 8      | 11     | 14     | 17     |
|----------------|--------|--------|--------|--------|
| UPPER LEVEL    | 6765.0 | 6765.0 | 6764.7 | 6764.5 |
| MAIN LEVEL     | 6773.0 | 6773.0 | 6774.7 | 6774.5 |
| BASEMENT LEVEL | 6764.0 | 6764.0 | 6763.7 | 6763.5 |

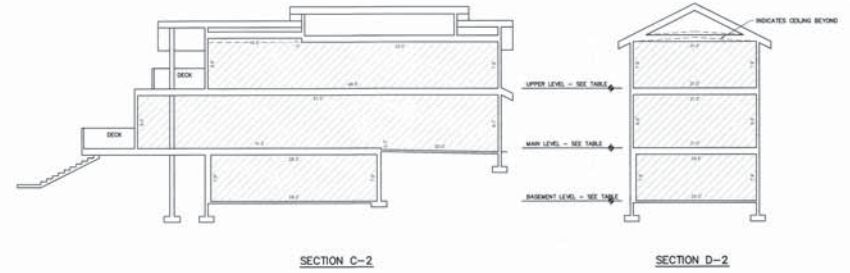
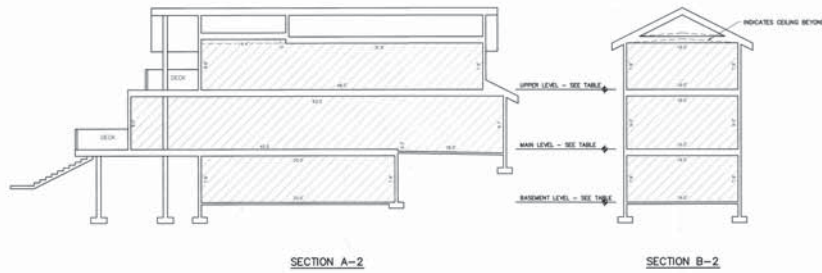
LEGEND  
S.F. REPRESENTS SQUARE FEET.  
FP REPRESENTS FIREPLACE



UNITS 7, 10, 13, 16, 22  
MIRROR IMAGE FOR UNITS 6, 9, 12, 15  
2,681 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

| UNIT NUMBER    | 6      | 7      | 9      | 10     | 12     | 13     | 15     | 16     | 22     |
|----------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| UPPER LEVEL    | 6765.0 | 6765.0 | 6765.0 | 6765.0 | 6764.7 | 6764.7 | 6764.5 | 6764.5 | 6764.5 |
| MAIN LEVEL     | 6773.0 | 6773.0 | 6773.0 | 6773.0 | 6774.7 | 6774.7 | 6774.5 | 6774.5 | 6774.5 |
| BASEMENT LEVEL | 6763.0 | 6764.0 | 6764.0 | 6764.0 | 6763.7 | 6763.7 | 6763.5 | 6763.5 | 6763.5 |



NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY JOHN C. SHIRLEY ARCHITECT AND ELLIOTT WORKGROUP ARCHITECTURE.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. BENCHMARK: SEE SHEET 1 FOR LOCATION AND ELEVATION.



- COMMON AREA
- UNIT (PRIVATE OWNERSHIP)
- LIMITED COMMON AREA

AMENDED, CONSOLIDATED AND RESTATED  
RECORD OF SURVEY MAP

**PARKVIEW CONDOMINIUMS**

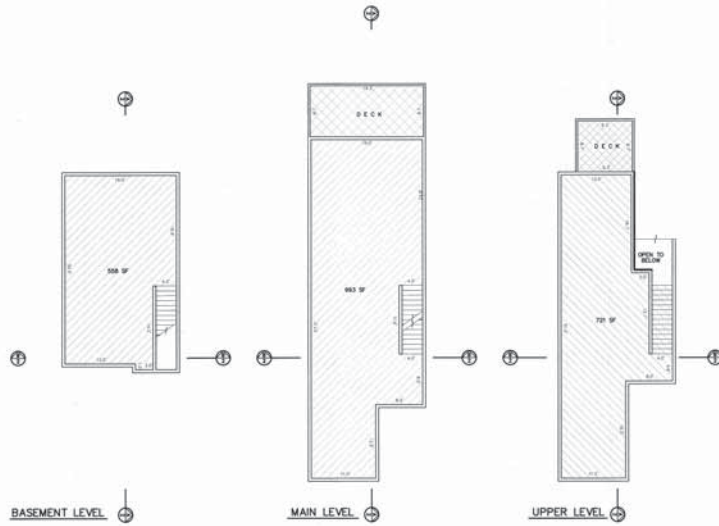
A CONDOMINIUM PROJECT  
LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE  
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ENTRY NO. 01024647  
FILE: X:\Park Meadows\dwg\plat2012\010912\_vfn2-11.dwg  
DATE: 11/14/2012 10:42:27 PM BY: JCS/JP/MS

RECORDED  
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_ FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

SHEET 2 OF 11





UNITS 20, 23, 26

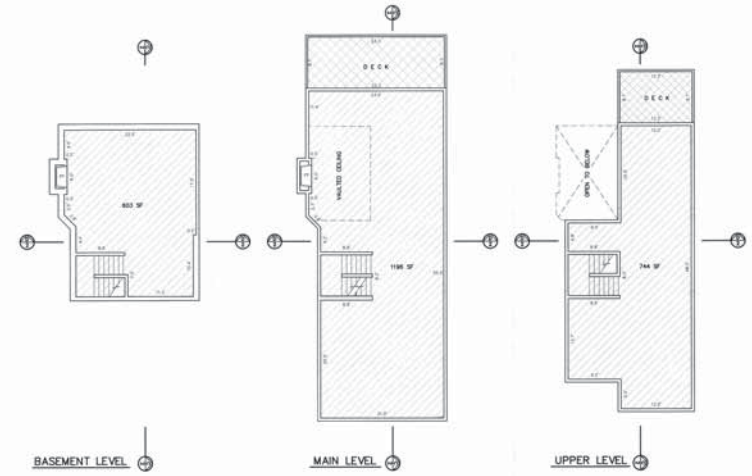
2,272 TOTAL SQUARE FEET

FLOOR ELEVATION TABLE

| UNIT NUMBER    | 20     | 23     | 26     |
|----------------|--------|--------|--------|
| UPPER LEVEL    | 6794.2 | 6794.9 | 6795.7 |
| MAIN LEVEL     | 6774.2 | 6774.9 | 6775.7 |
| BASEMENT LEVEL | 6755.2 | 6755.9 | 6756.7 |

LEGEND

S.F. REPRESENTS SQUARE FEET  
FF REPRESENTS FIREPLACE



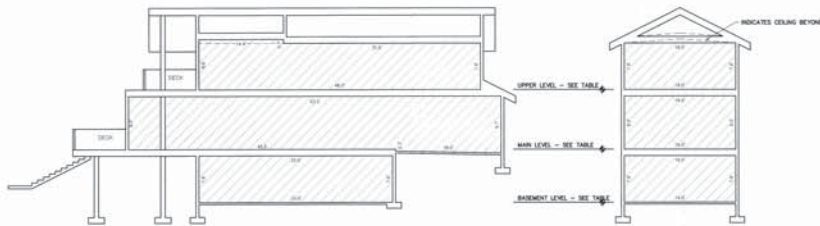
UNITS 19, 25

MIRROR IMAGE FOR UNITS 24, 27

2,543 TOTAL SQUARE FEET

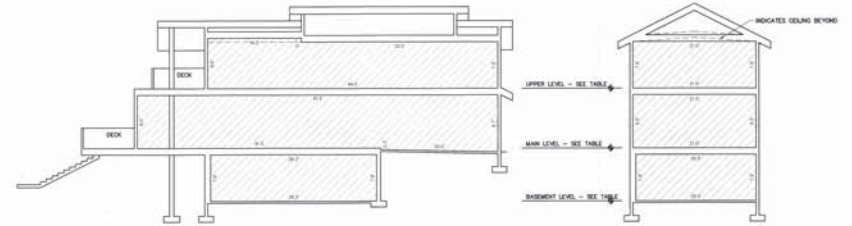
FLOOR ELEVATION TABLE

| UNIT NUMBER    | 19     | 21     | 24     | 25     | 27     |
|----------------|--------|--------|--------|--------|--------|
| UPPER LEVEL    | 6794.2 | 6794.2 | 6794.9 | 6795.7 | 6795.7 |
| MAIN LEVEL     | 6774.2 | 6774.2 | 6774.9 | 6775.7 | 6775.7 |
| BASEMENT LEVEL | 6755.2 | 6755.2 | 6755.9 | 6756.7 | 6756.7 |



SECTION A-2

SECTION B-2



SECTION C-2

SECTION D-2

NOTES:

1. PLANS AND DIMENSIONS SHOWN ON THIS PLAT WERE COMPILED FROM ARCHITECTURAL DRAWINGS PREPARED BY JOHN C. SHIRLEY ARCHITECT AND ELLIOTT WORKGROUP ARCHITECTURE.
2. INTERIOR DIMENSIONS SHOWN ARE TO FINISHED SURFACES.
3. ALL STRUCTURAL ELEMENTS ARE DESIGNATED AS COMMON AREAS.
4. REFER TO DECLARATION OF CONDOMINIUM FOR COMPLETE DESCRIPTION OF OWNERSHIP.
5. BENCHMARK: SEE SHEET 1 FOR LOCATION AND ELEVATION.



- COMMON AREA
- UNIT (PRIVATE OWNERSHIP)
- LIMITED COMMON AREA

AMENDED, CONSOLIDATED AND RESTATED  
RECORD OF SURVEY MAP

# PARKVIEW CONDOMINIUMS

A CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 8,  
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE  
AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

ENTRY NO. 01024647  
07/26/2019 02:42:57 PM B: 2308 P: 0043  
FILE: X:\ParkMeadows\dwg\m\plat2012\010912\_sht2-11.dwg  
JOB NO. 1-9-12

SHEET 3 OF 11

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED  
AT THE REQUEST OF \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
ENTRY NO. \_\_\_\_\_ FEE \_\_\_\_\_ RECORDER \_\_\_\_\_

**Ordinance No. 13-17****AN ORDINANCE APPROVING THE PARKVIEW AMENDED, CONSOLIDATED AND  
RESTATED RECORD OF SURVEY PLAT LOCATED AT  
2260 JUPITER VIEW DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of property located at 2260 Jupiter View Drive have petitioned the City Council for approval of the Parkview Amended Record of Survey Plat; and

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

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

WHEREAS, the Planning Commission held a public hearing on May 8, 2013 to receive input on the Parkview Amended Record of Survey Plat;

WHEREAS, the Planning Commission, on May 8, 2013, forwarded a recommendation to the City Council;

WHEREAS; the City Council, held a public hearing on May 30, 2013; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Parkview Amended, Consolidated and Restated Record of Survey Plat.

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

**SECTION 1. APPROVAL.** The above recitals are hereby incorporated as findings of fact. The 2260 Jupiter View Drive Plat Amendment as shown in Exhibit B is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 2260 Jupiter View Drive within the Residential Development (RD) Master Planned Development Overlay (MPD) District.
2. The proposed plat records and memorializes the change to the wetland high water setback line from McLeod Creek by approximately 10-22 feet (eastward toward the creek) representing approximately 0.51 acres.
3. The Army Corps of Engineers has issued a LOMA Determination to the Parkview HOA which re-designated the property to show that all portions of the Parkview open space outside of the new McLeod Creek meander corridor to be "Zone X" which is a non-flood hazard designation.
4. None of the proposed rear expansions or deck extensions to the affected units are within the new flood designation or the McLeod Creek meander corridor. designation

5. The plat amendment fixes twelve (12) discrepancies of deck and basement areas noted on those units that were not constructed but were shown on the original plat, including showing basement square footages and decks for units that have neither a basement nor a deck.
6. The proposed changes to the plat will allow twenty-four (24) of the thirty-six (36) units within the Parkview Condominiums to extend their decks outward into the eastern portion of the site, and will allow fourteen (14) of those units to expand the square footage of their existing units by adding rear additions of approximately 500 square feet each, and decks from 187 to 310 square feet.
7. The proposed plat will not increase in the density above the original 36 recorded units.
8. The original Master Planned Development for Parkview did not contemplate a maximum FAR and does not prohibit an increase in unit or deck sizes. The only limiting factors to further development were the number of units, the established setback from the wetland high water mark, established height requirements and other setback requirements.
9. There are 102 parking spaces provided where seventy-two (72) spaces are required.
10. The original amount of open space provided was 75% of the total site, the overall amount of open space provided after the deck and square footage additions to the habitual living space (and the 30 additional parking spaces) is approximately 71%. The open space requirement was 60% when the original approval for the Condominiums was granted, thus the required open space is still exceeded.
11. The proposed plat amendment will not cause any nonconformities or noncompliance with the Residential Development-Medium (RDM) District designation or the Parkview MPD as there is no increase in the total number of units, front and rear setbacks, or building height. All units exceed the minimum rear yard setback requirements (25 feet), with the closest unit to the rear property line being approximately sixty feet (60') feet away.
12. Although the proposed amendment will increase the habitable living spaces for 14 of the 36 units, the amended plat will not require additional parking as the Parkview HOA previously installed additional parking, and only two (2) spaces are required per unit.
13. The proposed amended plat will record a new sewer easement through the property as required by the Snyderville Basin Water Reclamation District.
14. The proposed additional square footage and deck extensions will occur within the Army Corps of Engineers FEMA flood zone "X" as delineated on the approved revised LOMA map.
15. The proposed condominium plat amendment does not require a revised MPD due to the fact that the proposed changes to the original approval of the Parkview MPD are in substantial compliance with the original approvals, and no new units are proposed, the amount of contemplated private space stays roughly the same, and the original open space proposed still exceeds the required amount of 60%.
16. On May 8, 2013, the Planning Commission held a Public Hearing and voted unanimously to forward a positive recommendation to the City Council for the approval of the Parkview Condominiums Amended, Consolidated and Restated Record of Survey Plat.

#### Conclusions of Law:

1. The proposed plat amendment to the record of survey is necessary to memorialize as-built conditions and correct existing discrepancies with the constructed units as compared to the original recorded plat.
2. The proposed plat amendment to the record of survey will reflect the Army Corps of Engineers acceptance of the changes to the high water mark.
3. The plat amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivisions.
4. Neither the public nor any person will be materially injured by the proposed plat amendment.
5. Approval of the plat amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.
6. There is Good Cause to approve the proposed plat amendment not cause undo harm on any adjacent property owners because the proposal meets the requirements of the Land Management Code and all future development will be reviewed for compliance with requisite Building and Land Management Code requirements.

#### Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All applicable original Conditions of Approval for the Parkview Condominiums shall apply.
4. All original notes on the Parkview Condominium Plat shall be noted on the amended plat.
5. Open Space areas are to remain free of structures or development, with an exception only for the required gravel stairway landings which shall not exceed the square footage minimum for each, as required by building code (approximately 36: x 36" or 6 feet by 6 feet for side-by-side stairways).
6. There will be no hot tubs, gazebos, barbeques, playgrounds, or any structures or active recreation areas allowed within the open space area between the buildings and the creek. The originally contemplated improvements within this area of the Parkview MPD are not allowed.
7. Deck areas shown as on the plats are not to be converted to private living space or enclosed, nor are additional structures, etc. allowed within these or other opens space areas.
8. A revised landscape plan for the open space area between the existing units and the creek is required at the time of building permit submittal for the deck extensions. Said landscape plan shall incorporate the reintroduction of native landscape



materials within this area, and reduce the amount of sod-grass, especially near the creek.

9. No pesticides or herbicides shall be applied to this landscape area.

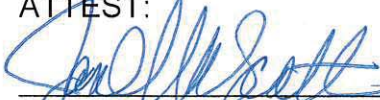
**SECTION 2. EFFECTIVE DATE.** This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 30<sup>th</sup> day of May, 2013.

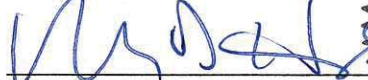
PARK CITY MUNICIPAL CORPORATION

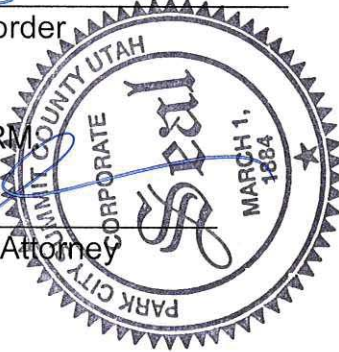
  
Dana Williams, MAYOR

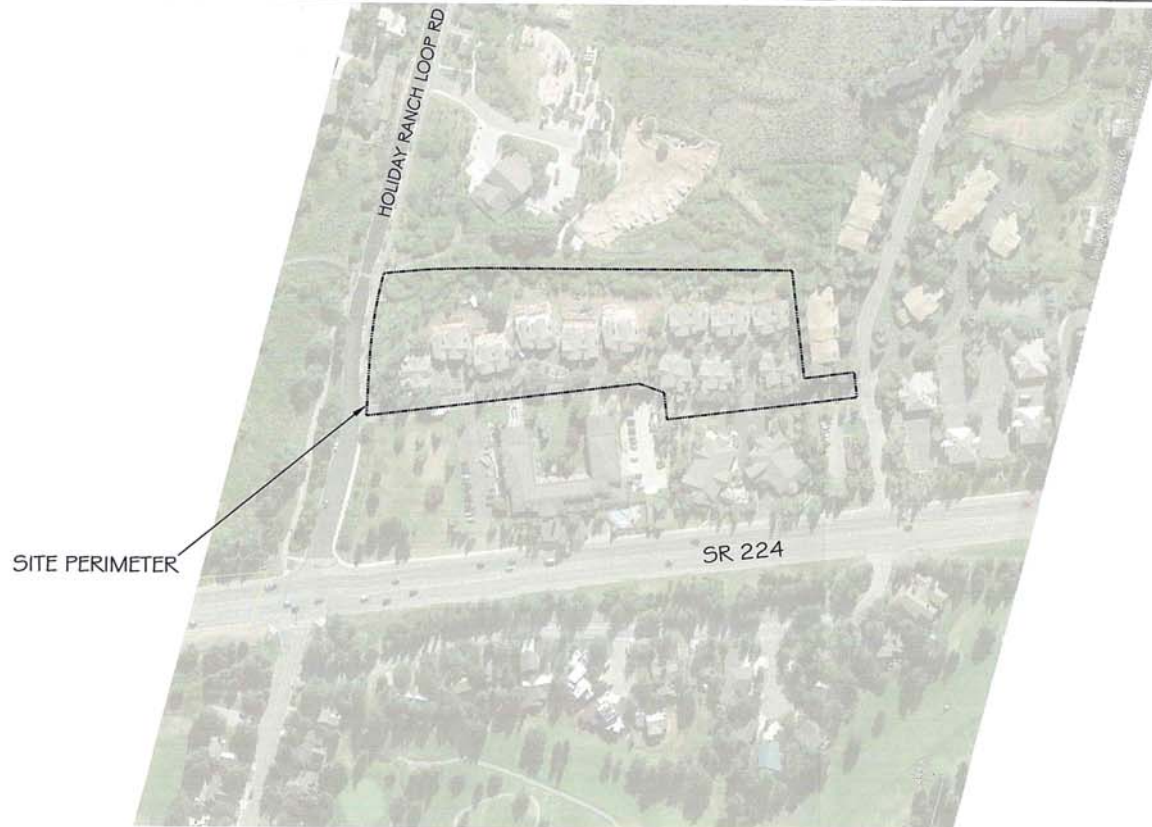
ATTEST:

  
Janet M. Scott, City Recorder

APPROVED AS TO FORM

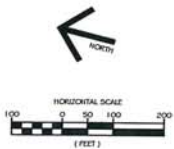
  
Mark D. Harrington, City Attorney





SITE PERIMETER

SR 224



## ABBREVIATIONS

|     |                                |
|-----|--------------------------------|
| ADD | ADDITIVE STANDARD (FIBERGLASS) |
| ADH | ADHESIVE STANDARD              |
| ADJ | ADJUSTMENT                     |
| ADP | ADDITION OF WALL               |
| ADT | ADJUSTED TENSILE STRENGTH      |
| AF  | AFRICAN                        |
| AFI | AFRICAN INDIAN                 |
| AFK | AFRICAN KENYAN                 |
| AFM | AFRICAN MALE                   |
| AFN | AFRICAN NORTHERN               |
| AFS | AFRICAN SOUTH                  |
| AFU | AFRICAN UNITED STATES          |
| AFV | AFRICAN VICTORY                |
| AFW | AFRICAN WEST                   |
| AFY | AFRICAN YOUTH                  |
| AG  | AGGREGATE                      |
| AGC | AGGREGATE CONCRETE             |
| AGD | AGGREGATE DENSITY              |
| AGE | AGE                            |
| AGF | AGGREGATE FINISH               |
| AGH | AGGREGATE HEIGHT               |
| AGI | AGGREGATE IN                   |
| AGJ | AGGREGATE JOINT                |
| AGK | AGGREGATE KENYAN               |
| AGL | AGGREGATE LENGTH               |
| AGM | AGGREGATE MALE                 |
| AGN | AGGREGATE NORTH                |
| AGO | AGGREGATE OCEAN                |
| AGP | AGGREGATE PAPER                |
| AGQ | AGGREGATE QUANTITY             |
| AGR | AGGREGATE RATIO                |
| AGS | AGGREGATE SOUTH                |
| AGT | AGGREGATE TENSILE              |
| AGU | AGGREGATE UNITED STATES        |
| AGV | AGGREGATE VICTORY              |
| AGW | AGGREGATE WEST                 |
| AGY | AGGREGATE YOUTH                |
| AGZ | AGGREGATE ZONE                 |
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ABBREVIATIONS - AGENCY

|       |                                              |
|-------|----------------------------------------------|
| CEC   | U.S. ARMY CORPS OF ENGINEERS                 |
| FEMA  | FEDERAL EMERGENCY MANAGEMENT AGENCY          |
| FMCA  | FINK CITY MUNICIPAL CORPORATION              |
| RMF   | ROCK OF MOUNTAIN POWER                       |
| TDWRD | DAYTONVILLE BASIN WATER RECLAMATION DISTRICT |
| UDOT  | UTAH DEPARTMENT OF TRANSPORTATION            |

## REFERENCES

1. SEE TOPOGRAPHIC SURVEY BY FARR CITY SURVEYING, INC. DATED OCTOBER, 2009.  
2. SEE AWARDED RECORD OF SURVEY BY ALLIANCE ENGINEERS, INC., RECORDED  
7.26.2015, INSTRUMENT NO. 102464F.  
3. AERIAL IMAGERY FROM GOOGLE EARTH, 2014.

DRAWING ISSUED FOR

☐ PLANNING      ☐ CONSTRUCTION  
☒ PERMIT      ☐ CONSTRUCTION RECORD

SEE DESIGN NOTES FOR NOTES. THIS DRAWING WAS NOT REVIEWED FOR CONSTRUCTION DETAILS AND SPECIFICATIONS FOR ALL PROPOSED IMPROVEMENTS, AND MAY NOT ADDRESS ALL CONSTRUCTION NOTES, ITEMS AND NOTES OF CONTRACTOR OBSERVATION.

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| NO. | DATE | BY | CHK. | REVISION DESCRIPTION |

**CANYON ENGINEERING**  
SOLUTIONS FOR LAND



PO BOX 062131  
PARK CITY, UTAH 84006  
VOICE: 435.640.7373 EMAIL: [GUS@CANYONENG.COM](mailto:GUS@CANYONENG.COM)  
[WWW.CANYONENG.COM](http://WWW.CANYONENG.COM)

### CONDOMINIUM PLAT AMENDMENT

AERIAL PHOTO OVERLAY

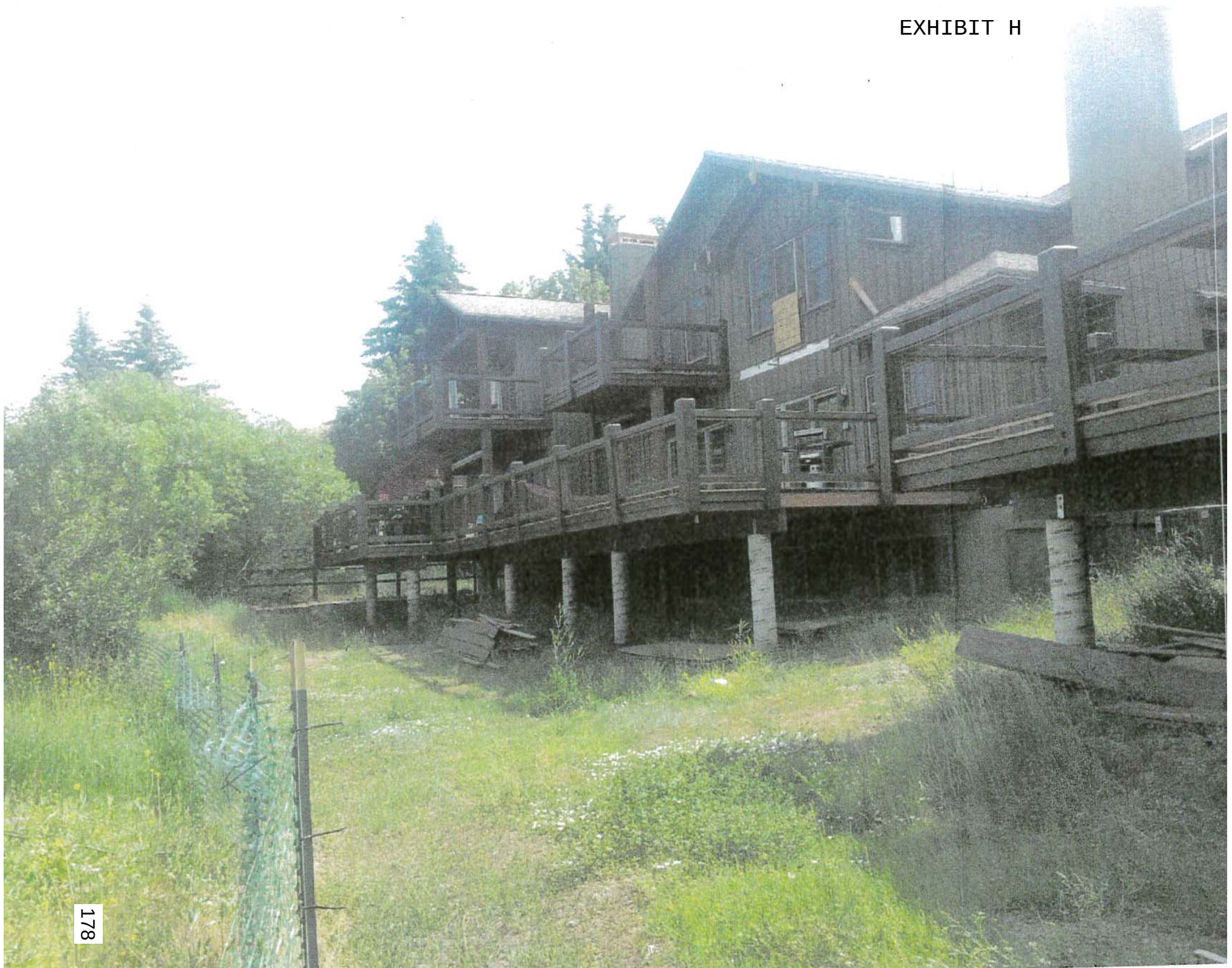
PARKVIEW CONDOMINIUMS  
PARK CITY, UTAH

OWNER:  
FASTER HOMEOWNERS ASSOCIATION  
PARK CITY, UTAH

PLS SEND LOCATION  
SO T25 842  
SUBMIT











# #25





# #25



# #27









# #25

